A COLLECTION
Of ſundrie Statutes, frequent in vſe: With Notes in the Margent,
and References to the Booke Caſes and
Books of Entries and Regiſters,
where they be treated of.

Together with an Abbridgement of
the reſidue which be Expired, Repealed,
Altered, and worne out of
vſe, or doe concerne priuate Perſons, Places,
or Things, and not the whole
Common-wealth.

Whereunto be added certaine materiall
Statutes, neuer printed before
in Engliſh.

Alſo a neceſſary Table, or Kalender, is annexed
hereunto, expreſsing in Titles the
moſt materiall Branches of thoſe Statutes
in vſe, and practice.

By FARDINANDO PVLTON of
Lincolnes Inne, Eſquire.

Faithfully corrected, and now much enlarged
by the addition of all the late ſtatutes,
publiſhed ſince Anno ſept. Iac. Regis.

LONDON,
Printed by M. Fleſher,
I. Hauiland, & R. Young,
Aſsignes of I. More
Eſquire. 1632.

A
COLLECTION
Of sundrie Statutes, frequent in vse: With Notes in the Margent,

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Together with an Abridgement of
the Statutes which be repealed, ex-
pired, altered, or worne out of
vse, or concerne priuate Persons, [illegible]
ers, or [illegible]
Commonwealth.

Whereunto be added certaine ma-
teriall [illegible]
[illegible]

And a necessary Table or Kalender, for
[illegible] expressing [illegible] Titles [illegible]
[illegible]
[illegible] practice.

By FERDINANDO PVLTON of
Lincolnes Inne, Esquire.

Faithfully corrected, and now much en-
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LONDON
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Assignes of I. More
Esquire. [illegible]

TO THE READER.

The cauſes of vndertaking the Worke.

FOraſmuch as diuers learned men haue complained, That the *Statutes* at large of this flouriſhing Realme of England vnder ſo gratious a King, were worne out of print; That the laſt Impreſſions thereof had many defects and imperfections both in their tranſlation and print; That thoſe ſundry *Acts*, which are expired, repealed, altered, and worne out of vſe, and the generall *Pardons*, *Subſidies*, and *Fifteenes*, with others concerning priuate *Perſons*, *Places*, and *Things*, and not the whole Common-wealth, doe make the Volume ſo profuſe, as many men (which otherwiſe deſire to know the Lawes in force and vſe) are diſcouraged to haue the ſame, but rather doe read and truſt vnto *Abridgements*, *Collections*, and *Abſtracts of Statutes*, which wanting their *Preambles* and ſome other parts, doe oftentimes breed errors in the Readers, and perills in legall and iudiciall proceedings. And alſo, becauſe very many diſcreet men haue oftentimes wiſhed and deſired, That the Statutes, which be now in life, force, and generall vſe, might bee ſelected and ſet forth in one Booke by themſelues from the reſidue: to the end that they might with more facility confirme their knowledge, and be better inſtructed therein.

Therefore, being alwayes willing and ready to further ſuch good motions of importance to my power, as well for the common benefit of all men, as to ſatiſfie the requeſt of ſome of my friends, partly by mine owne labour, and partly by the helpe and aſſiſtance of a man that in his life time had moſt diligently employed himſelfe in this method; I haue vndertaken to compoſe this worke accordingly, adorned and bordered with many *References* to the Common Lawe, and repreſenting a connection of both, by entendment, as the Reader may eaſily diſcerne in peruſing the ſame.

Seuen properties remarkeable.

Now in ſtead of a *Preface* or *Argument* of the Book it ſelfe, the contents whereof toucheth our Life, Liberty, Lands, and Goods, to bee ſaued or loſt, the ſcope and intent of theſe ſeuen points following are ſpecially to be obſerued.

Firſt, with as great meanes, care, and induſtrie as poſſibly I could vſe, ſo many of the olde Statutes heretofore printed in the Engliſh tongue, made and publiſhed in the Reignes of the firſt *Tenne Kings*, (accounting from 9. of *H.* 3. vnto 1. of *R.* 3. *incluſiue*) as bee chiefely in vſe and practice, and which are the foundation of Proceedings both Legall and Iudiciall, haue beene by me truely and ſincerely examined by the Originall Records thereof remaining in the *Tower* of London, and the reſidue with the *Regiſter of Writs*, being the moſt ancient Booke of the Law, the old and new *Natura Breuium*, the Bookes of *Entries*, the Bookes of *Yeares* and *Termes* of the Law, the beſt approued Printed and Written Bookes, and by all ſuch other circumſtances, as might beſt giue probability of trueth vnto the Learned.

By reaſon whereof, the foreſayd defects, imperfections, and emblemiſhments, being reformed in this Edition; as it is a *Collection* of the moſt vſuall Lawes, gathered from out the *Grand Codex* of all the Statutes, ſo it may ſerue as a correction to the former impreſſions.

Secondly, To the intent that the Reader may eaſily finde the matter which hee ſeeketh for, *Marginall Notes* bee ſet vpon euery materiall part of euery of the ſayd Statutes.

Thirdly, At the end of euery Act, or vpon the Margent of euery Statute or ſpeciall branch thereof; *Referments* be made vpon euery of the ſayd Statutes of ſuch other Statutes as doe explaine or confirme, alter or change, repeale or reuiue, augment or diminiſh, or by any meanes relate vnto the ſame.

Fourthly, To the end that it may readily be found, what *Writ* is to be vſed vpon any Statute; *Quotations* are cited of ſuch Statutes, as doe giue any life or eſſence vnto any Originall or Iudiciall Writ, mentioned in the *Regiſter* or in the Old or New *Natura Breuium*.

Fifthly, That a *Preſident* of any Caſe vpon the Statutes might bee had, as occaſion may ſerue, and that it may appeare which of our Legall proceedings do receiue their life from the Statutes, *Annotations* bee impoſed vpon thoſe Statutes, which are the ground and foundation of any *Count*, *Declaration*, *Barre*, *Replication*, or other Legall or Iudiciall proceedings, collected out of the Bookes of *Entries* of Sir *Edward Coke* Knight, late Chiefe *Iuſtice* of the Pleas before his Maieſty to be holden, and of Iuſtice *Raſtall*.

Sixthly, That Students may the ſooner apprehend the ſenſe and meaning of euery Statute, as they haue beene from age to age expounded and reſolued by the learned Iudges and reuerend Sages of the Law; Booke authorities are expreſſed of all ſuch Caſes as haue beene in queſtion and adiudged in any of the Kings Courts of Record at Weſtminſter, vpon any part or point of any Statute,

And ſeuenthly, Leſt the Reader ſhould bee ignorant of thoſe Eſtabliſhments, which do concerne priuate *Perſons*, *Places*, or *Things*, and not the whole Commonwealth; or vnmindfull of the Acts which haue beene in effect, and now are to bee read *Chronically*, as matters done and paſſed, but not as Lawes now to bee obſerued: The effect and meaning of all ſuch priuate ſtatutes, together with thoſe Ordinances of this Realme which were in force, but ſince haue been repealed, altered, expired, or worne out of vſe, are here epitomized and abbridged; Noted and marked at their ende with ſeuerall *Characters*, thus, Pr. Rep. Exp. Alt. Ob.

The Title. For which cauſes this Booke thus compacted, is ſtiled, A Collection of ſundry Statutes frequent in vſe, with notes in the Margent, and References to the Booke Caſes, and Bookes of Entries, and Regiſters, where they bee treated of more at large, containing alſo an *Abbridgement* of the reſidue of the Statutes of this Realme; whereunto bee added other materiall Statutes, which before this time

Additions. haue not beene printed in *Engliſh*, *viz. Ordinatio pro Statu Hybernia*, made at *Nottingham anno decimo ſeptimo Edwardi primi*, and *anno Domini* 1288. *pagina* 92. *Ordinatio Forreſta*, made at *Weſtminſter anno triceſimo quarto Edwardi primi*, and *anno Domini* 1306. *pagina* 93. *Statutum de Aſportatis Religioſorum*, made at *Weſtminſter anno triceſimo quinto Edwardi primi*, and *anno Domini* 1307. *pagina* 94. *Statutum, ne Rectores proſternant Arbores in Cœmiterio*, made *anno triceſimo quinto Edwardi primi*, *pagina* 96. *Statutum de terris Templariorum*, made *anno decimo ſeptimo Edwardi ſecundi*, and *anno Domini* 1323. *pagina* 111. *An Act* declaring *what Suits ſhall bee diſcuſſed before the Conſtable and Marſhall of England*, made *anno octauo Richardi ſecundi*, *Cap.* 5. *pagina* 218. And a *Preamble* to an Act made *anno primo Richardi tertij Cap.* 6. perpetualizing the Statute made *decimo ſeptimo Edwardi quarti* concerning the Court of Piepoulders. *pagina* 386.

Kalender. And where time and leaſure will not permit the full reading of any Statute, An exact *Kalender* or Table is annexed to this worke, declaring in *Alphabeticall* titles, the effect of the moſt materiall Branches of thoſe Acts in force, and relating to the *Collection* precedent, wherein they be at large ſet downe & expreſſed.

Digeſt. After which Kalender, enſueth a *Digeſt* of the ſeueral *Seßions* of *Parliament* holden from the beginning of *Magna Charta* vntill this preſent time, according to the order of thoſe Statutes which are printed in Engliſh and mentioned in this Book: and alſo a *Catalogue* of certaine Ordinances which, amongſt other old Statutes in *Magna Charta*, are extant in the *Latin* & *French* language, but not as yet tranſlated & printed in Engliſh, as in their fit places more fully may appeare.

To the Reader.

Summarily, to ſpeake ſomewhat concerning the Statutes themſelues; You may vnderſtand, that the Kings *Records*, our printed *Bookes* and *Manuſcripts*, do make mention of two hundred fifty and foure *Seſsions* of *Parliament*, holden ſithence King *William* the *Conqueror*, beginning with the Statutes of *Magna Charta*, made *anno nono* of King *Henry* the third, and ending, *anno ſeptimo Regis Iacobi*: Of which, from *anno primo Henrici ſeptimi*, vntill *anno ſeptimo Iacobi*, there haue beene 56. Seſsions of Parliament, the Statutes wherein made, were all publiſhed in the Engliſh tongue. And beginning againe with *anno nono Henrici tertij*, and ending with *anno primo Richardi tertij*, all the other Seſsions of Parliament were publiſhed in the *Latin* or *French* tongues: whereof the Records, our printed Books and Manuſcripts, doe make mention.

Note that ſince Mr. Pulton firſt publiſhed this worke, there hath beene 4. other Seſsions of Parliament, viz. 18. & 21. Iacobi, & 1. & 3. Caroli, as appeares hereafter in the Catalogue of the publiſhed Statutes.

To conclude, Conſidering that our Lawes doe farre ſurpaſſe the *Conſtitutions*, not onely of the Romane Emperors, bnt alſo of all other Nations, and that the knowledge of the Lawes, Cuſtomes, and Statutes of this Realme, is a meane to direct euery Subiect, the better how to gouerne himſelfe without offending of the Law, and the better to keepe, ſaue, and defend his heritage and poſſeſsions in tranquility; and teacheth all people how to eſchue the many perillous miſchiefes and detriments which may happen by occaſion of the Breaches, Penalties, and Forfeitures incurred for not obſeruing the Law; and further, becauſe euery perſon ought to take notice of the Statutes of this Realme, I doe exhort euery one to read and meditate this worke, which as it hath beene painfully laboured by me, ſo I wiſh it may bee diligently ſtudyed by you, to the high pleaſure of Almighty *God*, the profit and quiet of the *Common-wealth*, and the increaſe of the glory of our moſt dread Soueraigne Lord the *King*, whom God preſerue long to reigne proſperouſly ouer vs.

Exhortation.

Thus, briefely haue you the Summe of this worke, my labours, and good-will, deſiring that it may be fauourably accepted by you, and my ſelfe eſteemed *Amicus Curiæ & Reipublicæ*. Now, if peraduenture amongſt ſuch a multitude of *Notes* and *Caſes* of moment, you finde in ſome points a miſtaking or error, then I beſeech you of curteſie louingly to pardon and amend the ſame, & to conſider, that he was a man that did it, *Cuius proprium eſt errare*: but euer did endeauour to auoid the imputation of *Bellnino more in Errore perſeuerare*.

Peroration.

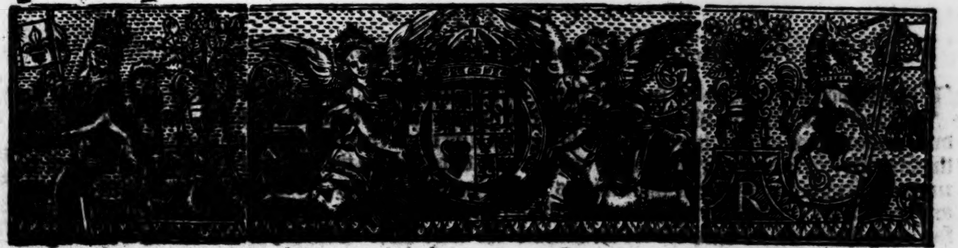
Vale.

Ex Ædibus Lincolnienſ.

M.DC.XVIII.

The PRINTERS to the READER.

THe laudable pains which M. Pulton hath taken in compoſing this volume, deſerues high commendation of all, but eſpecially of thoſe that haue occaſion to vſe it, being indeede by moſt men eſteemed (as it well deſerues) the apteſt & beſt way of preſenting the Statutes to publique vſe; for here you ſhall finde nothing wanting, nothing ſuperfluous: Howbeit this worthy labour of his hath ſuffered much detraction by reaſon of certain faults, and miſtakes in the former Edition. For in many places ſome things were quite omitted; in others ſometimes the Latin, ſometimes the French not rightly rendred. Againe, ſome Statutes which were in force, were ſayd to be repealed; others againe, which were repealed, were ſet downe to be in force, &c. Whereupon, leſt a worke of ſo great paines and vſe ſhould haue periſhed for want of Care, care is taken, that it might be faithfully examined and corrected from the beginning to the end. For, thoſe doubts that offered themſelues in the text, are examined by the Parliament Rolls; others, that concerned the repealing, expiring, or altering, &c. of any Statute, are reſolued by the opinions of ſome of the beſt learned Lawyers in the Kingdome: Likewiſe, the Statutes publiſhed in the former Edition, which are repealed, expired, or any way altered by the late Statutes of 21. Iac. 1. Car. or 3. Car. are ſet downe to be altered accordingly: Againe, 18. Iac. together with the ſame late Statutes of 21. Iac. 1. Car. and 3. Car. are in this Edition added to the other former Statutes, and are likewiſe adorned with marginall Notes, & Quotations, & in euery other reſpect fitted according to M. Pultons method: Laſtly, becauſe the Table annexed to the end of this Booke ought to expreſſe the moſt materiall branches of thoſe Statutes, that are now in vſe and practice, the ſame Table is ordered accordingly; for the ſubſtance of thoſe Statutes that are now expired, or repealed by the late Statutes of 21. Iac. 1. Car. and 3. Car. is taken out, and the effect of the ſame late Statutes is inſerted: In ſuch ſort, that (now wee well hope) no man ſhall haue any iuſt occaſion to except againſt this worke, but contrariwiſe, that euery one hereafter may cheerefully vſe it, and with confidence relie vpon it.



The Great Charter made in the ninth yeare of King HENRY the third, and confirmed by King EDWARD the first, in the fiue and twentieth yeare of his Reigne.

EDWARD by the grace of God, King of England, Lord of Ireland, and Duke of Guyan, to all Arch-biſhops, Biſhops, &c. We haue ſeene the Great Charter of the Lord HENRY, ſometime King of England Our Father, of the Liberties of England in theſe words.

HENRY by the Grace of God, King of England, Lord of Ireland, Duke of Normandie, and Guyan, and Earle of Anjou. To all Arch-biſhops, Biſhops, Abbots, Priors, Earles, Barons, Sheriffes, Prouoſts, Officers, and to all Bailiffes, and other our faithfull ſubiects, which ſhall ſee this preſent Charter, greeting. Know yee that Wee vnto the honour of Almightie God, and for the ſaluation of the ſoules of our Progenitors and Succeſſors Kings of England, to the aduancement of holy Church, and amendment of Our Realme, of Our meere and free will haue giuen and granted to all Arch-biſhops, Biſhops, Abbots, Priors, Earles, Barons, and to all free men of this Our Realme, theſe Liberties following, to bee kept in our Kingdome of England for euer.

CAP. I.

A confirmation of Liberties.

Co.Inſt.81.a.

FIrſt Wee haue granted to God, and by this our preſent Charter, haue confirmed for Us and our heires for euer, That the Church of England ſhall be free, and ſhall haue all her whole rights and liberties inuiolable. We haue granted alſo, and giuen to all the Freemen of our Realme, for Us and our heires for euer, theſe Liberties vnder written, to haue and to hold to them and their heires, of Us and our heires for euer.

A confirmation of Liberties.

CAP. II.

The reliefe of the Kings tenant of full age.

Kel.fo.172. 11.H.4.fo.72. Coke li.7.fo.33. lib.9.fo.124. 40.Ed.3.f.9. Coke Inſt.76.a. 83.b.106.a.

IF any of our Earles, or Barons, or any other, which hold of vs in chiefe by Knights ſeruice, dye, and at the time of his death his heire be of full age, and oweth to Us reliefe, he ſhall haue his inheritance by the old reliefe, that is to ſay, the heire or heires of an Earle for a whole Earledome, by one hundreth pound: the heire or heires of a Baron, for an whole Baronie, by one hundreth marks: the heire or heires of a Knight, for one whole Knights fée, one hundreth ſhillings at the moſt. And he that hath leſſe ſhall giue leſſe, according to the old cuſtome of the fées. V N B. fo. 94.

Reliefes.

Fitz.N.B.fo.254 263.

CAP. III.

The Wardſhip of an heire within age. The heire a Knight.

Fitz.Gard.136. 142.156. 35.Ed.4.fo.10. Dow.fo.267. Coke li.6.fo.73. li.8.fo.173.

BUt if the heire of any ſuch be within age, his Lord ſhall not haue the Ward of him, nor of his land, before that he hath taken of him homage. And after that ſuch an heire hath béene in Ward (when he is come to full age) that is to ſay, to the age of one and twentie yeares, he ſhall haue his inheritance without reliefe, and without fine: ſo that if ſuch an heire being within age be made Knight, yet neuertheleſſe his land ſhall remaine in the keeping of his Lord vnto the terme aforeſaid, Fitz, N, B, fo, 269.

The heire in Ward.

An heire made within age a Knight.

Cap. IIII.

No Waſte ſhall be made by a Gardian in Wards lands.

A Gardian ſhal make no waſt in the Wards lands.

Raſt.pla.6.18.

Forfeiture of Wardſhip.

THe Keeper of the land of ſuch an heyre being within age, ſhall not take of the lands of the heyre, but reaſonable iſſues, reaſonable cuſtomes, and reaſonable ſeruices, and that without deſtruction and waſte of his men, and his goods. And if we commit the cuſtody of any ſuch land to the Sheriffe, or to any other, which is anſwerable vnto Vs for the iſſues of the ſame land, and he make deſtruction or waſte of thoſe things that he hath in cuſtody, We will take of him amends and recompence therefore, and the land ſhall be committed to two lawfull and diſcreet men of that fée, which ſhall anſwer vnto Vs for the iſſues of the ſame land, or vnto him whom we will aſſigne. And if we giue or ſell to any man the cuſtody of any ſuch land, and he therein doe make deſtruction or waſte, he ſhall loſe the ſame cuſtody. And it ſhall be aſſigned to two lawfull and diſcreet men of that fée, which alſo in like manner ſhall be anſwerable to Vs, as afore is ſayd. Stat.6.Ed.1.5 Stat.28.Ed.1.18. Stat.14.Ed.3.13. Stat.36.Ed.3.13.

Fitz.Waſt.18. 24.138.
Co.Inſt.53.b
Dyer.fo.25.
Fitz.Waſt.146.
12.H.4.fo.4.

Cap. V.

Gardians ſhall maintaine the inheritance of their Wards: And of Biſhopricks, &c.

No waſt ſhalbe committed in wards lands.

Cuſtodie of Biſhopprickes.

THe Kéeper ſo long as he hath the cuſtody of the land of ſuch an heyre, ſhall kéepe vp the Houſes, Parkes, Warrens, Ponds, Mills, and other things pertaining to the ſame land, with the iſſues of the ſaid land: and he ſhall deliuer to the heyre when he commeth to his full age, all his land ſtored with Ploughes and all other things, at the leaſt as he receiued it. All theſe things ſhall be obſerued in the cuſtodies of Archbiſhopricks, Biſhopricks, Abbeyes, Priories, Churches, and dignities vacant, which appertaine to Vs: Except this, that ſuch cuſtody ought not to be ſold. Stat.3.Ed.1.21, Stat.36.Ed.3.13. V.N.B.fo.37.

20.H.7.fo.30.

Cap. VI.

Heires ſhall be married without diſparagement.

Diſparagement.

HEires ſhall be married without diſparagement. Stat.20.H.3.6.

Cap. VII.

A widow ſhall haue her marriage, inheritance, and quarentine. The Kings widow.

Widowes.

Regiſt fo.175. Fit.N.B.f.161.E.

A womans Dower.

V.N.B. fo.7. Stat 17.Ed 2.4.

A Widow the Kings tenant.

A Widow after the death of her huſband, incontinent and without any difficulty, ſhall haue her marriage and her inheritance, and ſhall giue nothing for her dower, her marriage, or her inheritance, which her huſband and ſhe held the day of the death of her ſaid huſband. And ſhee ſhall tarry in the chiefe houſe of her huſband by forty dayes after the death of her huſband, within which dayes her dower ſhall be aſſigned her (if it were not aſſigned her before) or that the houſe be a Caſtell. And if ſhe depart from the Caſtell, then a competent houſe ſhall be forthwith prouided for her, in the which ſhe may honeſtly dwell, vntill her dower be to her aſſigned, as it is aforeſaid. And ſhe ſhall haue in the meane time her reaſonable eſtouers of the common. And for her dower ſhall be aſſigned vnto her the third part of all the land of her huſband which were his in his life time, except ſhe were endowed of leſſe at the Church doore. No Widow ſhall be diſtrained to marry her ſelfe, whileſt ſhe will liue without a huſband: neuertheleſſe ſhe ſhall finde ſuretie, that ſhe ſhall not marry without our licence and aſſent (if ſhe hold of vs) not without the aſſent of the Lord, if ſhe hold of another. Stat.20.H.3.1.

Dyer.fo.76.
Bro.Dower.102
Co.Inſt.32.b
19.H 6.fo.14.
Fitz.Dower 194 196.

Cap. VIII.

How Sureties ſhall be charged to the King.

Sureties to the King for others debts.

Regiſt.fo.158. Fitz N.B. fo. 137.C.

WEe nor our Bayliffes, ſhall not ſeiſe any land or rent for any debt, as long as the preſent goods and cattels of the debtor doe ſuffice to pay the debt, and the debtor himſelfe be ready to ſatisfie therefore. Neyther ſhall the pledges of the debtor be diſtrained, as long as the principall debtor is ſufficient for the payment of the debt. And if the principall debtor fayle in payment of the debt, hauing nothing wherewith to pay, or will not pay where he is able, the pledges ſhall anſwer for the debt. And if they will, they ſhall haue the lands and rents of the debtor, vntill they be ſatiſfied of the debt which they before payd for him, except that the principall debtor can ſhew himſelfe to be acquitted againſt the ſayd ſuerties.

21.Ed.4.fo.25.
Plow.fo.4.40.
30.Aſſ.pl.5.

Cap. IX.

The Liberties of London, and other Cities, and Townes confirmed.

Liberties of Cities.

THe City of London ſhall haue all the old liberties and cuſtomes, which it hath béen vſed to haue. Moreouer we will and grant, that all other Cities, Boroughes, Townes, and the Barons of the fiue Ports, and all other Ports, ſhall haue all their liberties and frée cuſtomes.

45.Ed.3.fo.26.
5.H.7.fo.10.19.
31.H.7.fo.22.
28.Aſſ.pl.24.
Dyer.fo.373.
Coke l.3.f.63.18 f.123.

Cap. X.

None ſhall diſtraine for more ſeruice than is due.

Knights fee.

NO man ſhall be diſtrained to doe more ſeruice for a Knights fée nor for any fréehold, than therefore is due. Regiſt.fo.4.V.N.B.fo.15. Fitz.N.B.fo.10.D.

Coke li.8.fo.63.
li.9.fo.33.
Fitz Auowrie 96.137.200.
Plow.fo 243.

Cap. XI.

Common Pleas ſhall not follow the Kings Court.

Common pleas.

COmmon Pleas ſhall not follow our Court, but ſhall be holden in ſome place certaine. Regiſt. fo.187. V.N.B.fo.137. Stat.28.Ed.1.4.

24.H.7.fo.18
Fitz.Briefe 661 881.882.
Fitz.Prerog.28
Bro.Commiſſ.23
Co.Inſt.7

Cap. XII.

Where and before whom Aſſiſes ſhallbe taken. Adiournment for difficultie.

Coke li.8. fo.57.
Fitz. Aſſiſe 21.
Fitz. Mortdan. 2. 21.33
34.Ed.3.fo.23

Aſſiſes of nouel diſſeiſin, and of Mortdanceſtor ſhall not be taken but in their Shires, and after this manner: We, or if we be out of this Realme, our chiefe Iuſtices ſhall ſend our Iuſtices through euery County once in the yeare, which with the Knights of the Shires ſhall take the ſaid Aſſiſes in thoſe Counties: and thoſe things that at the comming of our foreſaid Iuſtices being ſent to take thoſe Aſſiſes in the Counties, cannot be determined, ſhall be ended by them in ſome other place in their circuit. And thoſe things which for difficulty of ſome articles cannot be determined by them, ſhall be referred to our Iuſtices of the Bench, and there ſhall be ended. Regiſt. fo.197, Stat,13. Ed,1.30.

Aſſiſes of nouel diſſeiſin, and Mortdanceſter.

Adiournment for difficulty.

8 Aſſiſe pl.15.
2H.4.fo.9.20.
24.Aſſ.pl.6.37

Cap. XIII.

Aſſiſes of Darreine Preſentment.

Aſſiſes of Darreine Preſentment ſhall be taken before our Iuſtices of the Bench, and there ſhall be determined. Regiſt.fo.30, Stat,13.Ed,1.30.

Darrein Preſentment.

Cap. XIV.

How men of all ſorts ſhall be amerced, and by whom.

A Fréeman ſhall not be amerced for a ſmall fault, but after the manner of the fault. And for a great fault after the quantitie thereof, ſauing to him his contentment. And a merchant likewiſe ſauing to him his Merchandiſe. And any other villaine than ours ſhall be likewiſe amerced ſauing his wainage, if he fall into our mercie. And none of the ſaid amerciaments, ſhall be aſſeſſed, but by the oath of good and lawfull men of the vicinage. Earles and Barons ſhall not be amerced but by their Péeres, and after the manner of their offence. No man of the Church ſhall be amerced after the quantitie of his Spirituall Benefice, but after his lay tenement, and after the quantitie of his offence.

Amerciament.

Fitz. Act.ſur. leſt 34.
Br. Amercement 2.23.33.52. 53.65.
30 H.6.fo.7.
7.H.6.fo.13.
19.Ed.4.fo.9.
21.Ed.4.fo.77.
28.Aſſ.pl.26.
Coke li.8.fo.38. 39.

Stat.3.Ed.1.6.
Regiſt.fo.86. 184.187.
V.N.B.fo.47
Fitz.N.B.fo.75.

Cap. XV.

Making of Bridges and Bankes.

NO Towne nor fréeman ſhall be diſtrained to make Bridges nor Bankes, but ſuch as of old time, and of right haue béene accuſtomed to make them in the time of King Henry our grandfather.

Bridges. Bankes.

Cap. XVI.

Defending of Bankes.

NO Bankes ſhall be defended from henceforth, but ſuch as were in defence in the time of King Henry our grandfather, by the ſame places and the ſame bounds, as they were wont to be in his time.

Bankes.

Cap. XVII.

Holding Pleas of the Crowne.

NO Sheriffe, Conſtable, Eſcheator, Coroner, nor any other our Bayliffes ſhall hold Pleas of our Crowne.

Pleas of the Crowne.

Cap. XVIII.

The Kings debtor dying, the King ſhall be firſt paid.

IF any that holdeth of Us lay fée, doe dye, and our Sheriffe or Bayliffe doe ſhew our Letters Patents of our ſummons for debt, which the dead man did owe vnto Us: it ſhall be lawfull to our Sheriffe or Bayliffe to attach and inroll all the goods and cattels of the dead, being found in the ſaid fée, to the value of the ſame debt, by the ſight and teſtimonie of lawfull men. So that nothing thereof ſhall be taken away, vntill we be cléerely payd of the debt. And the reſidue ſhall remaine to the executors to performe the teſtament of the dead. And if nothing be owing vnto Us, all the cattels ſhall goe to the vſe of the dead (ſauing to his wife and children their reaſonable parts) Stat, 33.H.8.39.

Recouery of the Kings debt after the debtors death.
Regiſt.fo.142.
Fitz.N.B.fo.122.
Raſt.pla fo.495
Coke pl. f. 364

Fitz. detinue 52. 56.58.60.
Bro. Rationab. 2. 3.6.

Cap. XIX.

Purueyance for a Caſtell.

NO Conſtable nor his Bayliffe, ſhall take corne or other cattell of any man, if the man be not of the towne where the Caſtell is, but he ſhall forthwith pay for the ſame, vnleſſe that the will of the ſeller was to reſpit the payment. And if he be of the ſame towne, the price ſhall be payd vnto him within forty dayes. Stat.3.Ed.1.7.

Purueyance for a Caſtell.

Cap. XX.

Doing of Caſtell warde.

NO Conſtable ſhall diſtraine any Knight for to giue money for kéeping of his Caſtell, if he himſelfe will doe it in his proper perſon, or cauſe it to be done by another ſufficient man, if he may not doe it himſelfe for a reaſonable cauſe. And if we doe leade or ſend him in an Armie, he ſhall be frée from Caſtell-ward for the time that he ſhall be with Us in fée in our hoſt, for the which he hath done ſeruice in our warrs. Coke Inſt.70.a.

Caſtleward.

Cap. XXI.

Taking of Horſes, Carts, and Wood.

Takers of Horſe & Carts.
Demeſnecarts
Taking of Wood.

No Sheriffe nor Bayliffe of ours, or any other, ſhall take the Horſes or Carts of any man to make carriage, except he pay the old price limited, that is to ſay, for carriage with two horſe x.d. a day: for three horſe xiiii.d. a day. No demeane Cart of any Spirituall perſon or Knight, or any Lord, ſhall be taken by our Bayliffes: nor we nor our Bayliffes, nor any other, ſhall take any mans wood for our Caſtles or other our neceſſaries to be done, but by the licence of him whoſe the wood is. Stat.14.Ed.3.19. Stat.25.Ed.3.6.

Cap. XXII.

How long Felons lands ſhall be holden by the King.

Lands of Felons.

We will not hold the lands of them that be conuict of Felony but one yeare and one day, and then thoſe lands ſhall be deliuered to the Lords of the Fee. V.N.B.fo.99.

St.17.Ed.2.16.

Cap. XXIII.

In what places Weares ſhall be put downe.

Weares. Felons.

All Weares from henceforth ſhall be vtterly put down by Thamis and Medway, and through all England, but only by the Sea coaſts. St.12.E.4.7.

Coke.l.10.f.138. Kel.fo.33.

Cap. XXIIII.

In what caſe a Præcipe in capite *is not grauntable.*

Præcipe in capite.

The Writ that is called (Præcipe in capite) ſhall be from henceforth granted to no perſon of any freehold, whereby any free man may leeſe his Court. V.N.B.fo.12. Fitz.N.B.fo.35.39.

18.Ed.3.fo.23. 6.Ed.3.fo.18.

Cap. XXV.

There ſhall be but one meaſure through the Realme.

Meaſure.

One meaſure of Wine ſhall be through our Realme, and one meaſure of Ale, and one meaſure of Corne, that is to ſay, the quarter of London, and one breadth of dyed Cloth, Ruſſets, and Haberiects, that is to ſay, two yards within the liſtes. And it ſhall be of weights as it is of meaſures. Stat.14.Ed.3.12. Stat.27.Ed.3.10. Stat.8.H.6.5. 11.H.7.4.

Cap. XXVI.

Inquiſition of Life and Member.

Inquiſition.

Nothing from henceforth ſhall be giuen for a Writ of Inquiſition, nor taken of him that prayeth Inquiſition of life or of member, but it ſhall be granted freely, & not denied. Stat.3.Ed.1.12. Stat.13.Ed.1.29. Regiſt.fo.133.134.

Cap. XXVII.

Tenure of the King in Socage, and of another by Knights Seruice. Petit Serieantie.

Socage.
Burgage.
Pety Sergeanty.

If any doe hold of vs by fee ferme or by ſocage, or burgage, and he holdeth lands of another by Knights ſeruice, We will not haue the cuſtodie of his heyre nor of his land, which is holden of the fee of another by reaſon of that fee ferme, ſocage, or burgage. Neither will We haue the cuſtody of ſuch fee ferme, or Socage, or Burgage, except Knights ſeruice be due vnto Us out of the ſame fee ferme. We will not haue the cuſtodie of the heyre, or of any land by occaſion of any petty Sergeantie that any man holdeth of Us by ſeruice to pay a knife, an arrow, or the like.

Bro.Tenures 69. Fitz.Gard.145.

Cap. XXVIII.

Wager of Law ſhall not be without witneſſe.

Wager of law.

No Bayliffe from henceforth ſhall put any man to his open Law, nor to an oath, vpon his own bare ſaying, without faithfull witneſſes brought in for the ſame.

Fitz.Ley.78. Bro.Ley 37. Co.Inſt.168.

Cap. XXIX.

None ſhall be condemned without triall. Iuſtice ſhall not be ſold or deferred.

None ſhal be condemned without triall. Regiſt fo.86. Coke p.2 f.456.

No Freeman ſhall be taken or impriſoned, or be diſſeiſed of his freehold, or liberties, or free cuſtomes, or be outlawed, or exiled, or any otherwiſe deſtroyed, nor We will not paſſe vpon him, nor condemne him, but by lawfull iudgment of his Peeres, or by the law of the land. We will ſell to no man, We will not deny or deferre to any man eyther iuſtice or right. Stat.2.Ed.3.8. Stat.5.Ed.3.9. Stat.14.Ed.3.14. 25.E.3.4. Stat.11.R.2.10.

10 Ed.4.fo.6. Dyer.fo.104. Coke l.5 fo.6. li.10.fo.74. li.11.fo.99.

Cap. XXX.

Merchants Strangers comming into this Realme ſhall be well vſed.

Merchants ſtrangers ſhall be well vſed.

All Merchants (if they were not openly prohibited before) ſhall haue their ſafe and ſure conduct to depart out of England, to come into England, to tarry in England, as well by land as by water, to buy and ſell without any maner of euill tolles by the old and rightfull cuſtomes, except in time of war. And if they be of a land making warre againſt vs, and be found in our Realme at the beginning of the wars, they ſhall be attached without harme of body or goods vntill it be knowen vnto Us or our chiefe Iuſtice, how our Merchants be intreated there in the land making warre againſt Us. And if our Merchants be well intreated there, theirs ſhall be likewiſe with Us. Stat. 9. Ed.3.1.14.E.3.2.25.Ed.3.2. 2.R.2.1. 11.R.2.7.

Cap. XXXI.

Tenure of a Baronie comming into the Kings hands by Eſchete.

Bro. Liuerie. 58.
Bro. Tenures 57. 61.65.94.99.
3.Ed.4.fo.127.
36.H.8.fo.9.
38.H.6.fo.11.

If any man hold of any Eſchete, as of the Honor of Walinford, Notinham, Boloin, Lancaſter, or of any other Eſchetes which be in our hand, and are Baronies, and dye, his heyre ſhall giue none other reliefe, nor do none other ſeruice to vs, than he ſhould to the Baron, if it were in the Barons hand. And we in the ſame wiſe ſhall hold it as the Baron held it, neither ſhall we haue by occaſion of any Barony or Eſchete, any Eſchete or keeping of any of our men, vnleſſe he that held the Barony, or Eſchete, other where held of vs in chiefe. Regiſt, fo. 184. Stat. 1. Ed. 3. 13. Stat. 1. Ed, 6, 4.

Tenure of a Baronie comming to the Kings hands by Eſchete.

Cap. XXXII.

Lands ſhall not be aliened to the preiudice of the Lords Seruice.

No Freeman from henceforth ſhall giue nor ſell any more of his land, but ſo that of the reſidue of the lands the Lord of the fee may haue the ſeruices due to him which belongeth to the fee. Stat, 18, Ed, 1. Quia emptores terrarum.

Co. inſt. 43. a.

Seruice.

Cap. XXXIII.

Patrons of Abbies ſhall haue the cuſtodie of them in the time of vacation.

All Patrons of Abbies which haue the Kings Charters of England of Aduowſon, or haue old tenure or poſſeſſion in the ſame, ſhall haue the cuſtodie of them when they fall voyd, as it hath been accuſtomed, and as it is afore declared.

Patrons of Abbeys. Fitz. N. B. fo. 34. C. Stat. 25. Ed. 3. 8.

Cap. XXXIIII.

In what only caſe a woman ſhall haue an appeale of death.

Plow. fo. 85.
Bro. Parli. 72.
Bro. Apell. 5. 17. 60. 68. 104. 112. 131.

No man ſhall be taken or impriſoned vpon the appeale of a woman, for the death of any other, than of her husband. Raſt, pla, fo, 43.

Appeale.

Cap. XXXV.

At what time ſhall be kept a Countie Court, Sheriffes turne, and a Leete.

Dyer. fo. 151.
8.H.7.fo 14.
Fitz. Leet. 11.

No Countie from henceforth ſhall be holden, but from moneth to moneth, and where greater time hath beene vſed, there ſhall be greater, nor any Sheriffe or his Bayliffe, ſhall keepe his Turne in the hundred, but twice in the yeare. And no where but in due place and accuſtomed, that is to ſay, once after Eaſter, and againe after the Feaſt of S. Michael. And the view of Frankpledge ſhall be likewiſe at the ſame Feaſt of S. Michael without occaſion. So that euery man may haue his liberties, which he had or vſed to haue in the time of King Henry our Grandfather, or which he hath purchaſed ſince. The view of Frankepledge ſhall be ſo done that our peace may be kept. And that the tything be wholly kept as it hath been accuſtomed. And that the Sheriffe ſeeke no occaſions, and that he be content with ſo much as the Sheriffe was wont to haue for his view making in the time of K. Henry our grandfather. Regiſt, f. 175. 187. Fitz. N. B, fo, 161, St, 31, Ed, 3, 15.

At what times County Court, Sheriffes turn and Leet ſhall be holden

Cap. XXXVI.

No land ſhall be giuen in Mortmaine.

Fitz. Mortm. 1. 3.
Bro. Mortm. 36.
Co. Inſt. 2, b
Fitz. Aſſiſe 436.

It ſhall not be lawfull from henceforth to any to giue his lands to any religious houſe, and to take the ſame land againe to hold of the ſame houſe. Nor it ſhall not be lawfull to any houſe of religion to take the lands of any, and to leaſe the ſame to him of whom he receiued it: if any from henceforth giue his lands to any religious houſe, and thereupon be conuict, the gift ſhall be vtterly voyd, and the land ſhall accrue to the Lord of the fee.

Land ſhall not be giuen in Mortmaine.
Stat. 7. Ed. 1.
Stat. 15. R. 2. 5.
Stat. 13. Ed 1. 32
V. N. B. fo. 60.

Cap. XXXVII.

A Subſidie in reſpect of this Charter, and the Charter of the Foreſt, granted to the King.

Escuage from henceforth ſhall be taken, like as it was wont to be in the time of King Henry our grandfather. Reſeruing to all Archbiſhops, Biſhops, Abbots, Priors, Templers, Hoſpitelers, Earles, Barons, and all perſons as well Spirituall as Temporall, all their free liberties and free cuſtomes, which they haue had in time paſſed. And all theſe cuſtomes and liberties aforeſaid, which we haue granted to be holden within this our Realme, as much as appertaineth to Us and our heires, we ſhall obſerue. And all men of this our Realme, as well Spirituall as Temporall (as much as in them is) ſhall obſerue the ſame againſt all perſons in likewiſe. And for this our gift and grant of theſe liberties, and of other contained in our Charter of liberties of our Foreſt, the Archbiſhops, Biſhops, Abbots, Priors, Earles, Barons, Knights, Freeholders, and other our ſubiects, haue giuen vnto Us the fifteenth part of all their moueables. And Wee haue granted vnto them on the other part, that neyther We nor our heires, ſhall procure or doe any thing, whereby the liberties in this Charter contained, ſhall be infringed or broken. And if any thing be procured by any perſon, contrary to the premiſes, it ſhall be had of no force, nor effect. Theſe being witneſſes, Lord B. Archbiſhop of Canterbury, E. Biſhop of London, I. Biſhop of Bathe, P. of Wincheſter, H. of Lincolne, R. of Saliſbury, W. of Rocheſter, W. of Worceſter, I. of Ely, H. of Hereford, R. of Chicheſter, W. of Exeter, Biſhops: the Abbot of S. Edmunds, the Abbot of S. Albons, the Abbot of Bello, the Abbot of S. Auguſtins in Canterburie,

All perſons liberties reſerued.

A Subſidie granted to the K. for theſe liberties.

the Abbot of Eueſham, the Abbot of Weſtminſt. the Abbot of Burgh S. Peter, the Abbot of Reding, the Abbot of Abindon, the Abbot of Malmeſburie, the Abbot of Winchecomb, the Abbot of Hyde, the Abbot of Certeſey, the Abbot of Sherburne, the Abbot of Cerne, the Abbot of Abbotſbir, the Abbot of Middleton, the Abbot of Seleby, the Abbot of Cirenceſtre, H.de Burgh Iuſtice, H. Earle of Cheſter and Lincolne, W. Earle of Saliſbury, W. Earle Warren, G.de Clare Earle of Glouc. and Heref. W.de Ferrars Earle of Derby, W.de Mandeuille Earle of Eſſex, H.de Bygod Earle of Norffolk, W. Earle of Albemarle, H. Earle of Hereford, I. Conſtable of Cheſter, R.de Ros, R Fitzwalter, R.de Vyponte, W.de Bruer, R.de Munteficher, P. Fitzherbert, W.de Aubenie, I. Greſly, F.de Breus, I.de Mouenne, I. Fitzallen, H.de Mortimer, W.de Beuchamp, W.de St. Iohn, P.de Mauly, Brian de Liſle, Thomas de Multon, R.de Argenteyn, G.de Neuill, W. Manduit, I.de Balun, and others.

A confirmation of the foreſaid Liberties made by King Edw. 1.

We ratifying and approuing theſe gifts and grants aforeſaid, Confirme and make ſtrong all the ſame for Us, and our Heires perpetually, And by the tenor of theſe preſents do renew the ſame, willing and granting for Us and our Heires, that this Charter, and all and ſingular his Articles for euer ſhall be ſtedfaſtly, firmely and inuiolably obſerued. And if any Article in the ſame Charter contained, yet hitherto peraduenture hath not béene kept, We will and by Authoritie Royall command from henceforth firmely they be obſerued. In witneſſe whereof We haue cauſed theſe our Letters Patents to be made, T. Edward our Sonne at Weſtminſter, the twentie eight day of March, in the twenty eight yeare of our Reigne.

* * *

Charta Foreſtæ made at Weſtminſter 10. *Febr. Anno* 9. *H.* 3. and *Anno Dom.* 1224. and confirmed *An.* 28. *Ed.* 1. & *An. Dom.* 1299.

Coke l.8.fo.138.

EDWARD by the Grace of God, King of England, Lord of Ireland, and Duke of Guyan, To all to whom theſe preſents ſhall come, ſendeth greeting. We haue ſeene the Charter of the Lord HENRIE our Father, ſometime King of England, concerning the Foreſt in theſe words.

HENRIE *by the Grace of God, King of England, Lord of Ireland, Duke of Normandy and of Guyan, &c.* as in the beginning of the great Charter.

CAP. I.

Certaine grounds ſhall be diſafforeſted.

Which Woods are to be diſafforeſted

First, We will that all Foreſts, which King Henry our Grandfather afforeſted, ſhall be viewed by good and lawfull men. And if he haue made Foreſt of any other Wood more than of his owne demeane, whereby the owner of the Wood hath been hurt, forthwith it ſhall be diſafforeſted. And if he haue made Foreſt of his owne Wood, then it ſhall remaine Foreſt. Sauing the common of herbage, and of other things in the ſame Foreſt to them, which before were accuſtomed to haue the ſame.

CAP. II.

Who are bound the Summons of the Foreſt.

Strangers.

Men that dwell out of the Foreſt from henceforth ſhall not come before the Iuſticers of our Foreſt by common Summons, vnleſſe they be impleaded there, or be ſureties for ſome other that were attached for the Foreſt.

CAP. III.

Certaine Woods made Foreſt ſhall be diſafforeſted.

Woods.

All Woods which haue béen made Foreſt by King Richard our vncle, or by King Iohn our Father, vntill our firſt Coronation, ſhall be forthwith diſafforeſted, vnleſſe it be our demeane Wood.

CAP. IIII.

No Purpreſture, Waſte, or Aſſert ſhall be made in Foreſts.

Purpreſtures, Waſtes, and Aſſerts made in Foreſts.

All Archbiſhops, Biſhops, Abbots, Priors, Earles, Barons, Knights, and other our Freeholders which haue their Woods in Foreſts, ſhall haue their Woods as they had them, at the firſt Coronation of King Henry our Grandfather, ſo that they ſhall be quit for euer of all Purpreſtures, Waſtes, and Aſſerts, made in thoſe Woods after that time vntill the beginning of the ſecond yeare of our Coronation: and thoſe that from henceforth doe make Purpreſture without our licence, or Waſte, or Aſſert in the ſame, ſhall anſwer vnto vs for the ſame Waſtes, Purpreſtures and Aſſerts.

CAP. V.

When Rangers ſhall make their range in the Foreſt.

Rangers.

Our Rangers ſhall goe through the Foreſt to make range, as it hath béene accuſtomed at the time of the firſt Coronation of King Henry our Grandfather, and none otherwiſe.

CAP. VI.

Lawing of Dogges in Foreſts.

This enquiry or view for Lawing of Dogges within our Foreſt ſhall be made from henceforth, when the range is made, that is to ſay, from thrée yeare to thrée yeare, and then it ſhall be done by the view and teſtimonie of lawfull men, and not otherwiſe. And he whoſe Dog is not lawed and ſo found, ſhall pay for his amercement thrée ſhillings. And from henceforth no Oxe ſhall be taken for lawing of Dogges. And ſuch lawing ſhall be done by the aſſiſe commonly vſed, that is to ſay, that thrée clawes of the forefoote ſhall be cut off by the ſkinne. But from henceforth ſuch lawing of Dogges ſhall not be, but in places where it hath béene accuſtomed from the time of the firſt Coronation of the foreſaid King Henry our Grandfather.

Lawing of Dogges.

CAP. VII.

In what onely caſes gathering ſhall be in Foreſts.

NO Foſter or Bedill from henceforth ſhall make Scotall, or gather Garbe, or Otes, or any Corne, Lambe or Pigge, nor ſhall make any gathering, but by the ſight and vpon the oath of the twelue Rangers, when they ſhall make their range. So many Foreſters ſhall be aſſigned to the kéeping of the Foreſts, as reaſonably ſhall ſéeme ſufficient for the kéeping of the ſame. Stat. 25 Ed. 3. 7.

No Extortion ſhall be made by Foreſters.

CAP. VIII.

When Swanimotes ſhall be kept, and who ſhall repaire to them.

NO Swanimote from henceforth ſhall be kept within this our Realme but thrice in the yéere, viz. in the beginning of fiftéene daies afore Michaelmas, when that our Geſt-takers or Walkers of our woods come together to take ageſtment in our demeans woods, and about the feaſt of ſaint Martin, when that our Geſt-takers ſhall receiue our pawnage. And to theſe two ſwanimotes ſhall come together, our Foſters, Verders, Geſt-takers, and none other by diſtreſſe. And the third ſwanimote ſhall be kept in the beginning of fiftéene dayes before the Feaſt of ſaint Iohn Baptiſt, when that our Geſt-takers doe méete to hunt our Déere. And at this ſwanimote ſhall méete our Foſters, Verders, and none other by diſtreſſe. Moreouer euery forty daies through the yéere, our Foſters and Verders ſhall méete to ſée the attachments of the Foreſt, as well for gréenehue, as for hunting, by the preſentment of the ſame Foſters, and before them attached. And the ſaid ſwanimotes ſhall not be kept but within the Counties, in which they haue vſed to be kept.

How many Swanimotes ſhal be holden, and when.

CAP. IX.

Who may take Agiſtment and Pawnage in Foreſts.

EVery Fréeman may ageſt his owne Wood within our Foreſt at his pleaſure, and ſhall take his pawnage. Alſo we doe grant, that euery Fréeman may driue his ſwine fréely without impediment through our demeane Woods, for to ageſt them in their owne Woods, or elſe where they will. And if the ſwine of any Fréeman lye one night within our Foreſt, there ſhall be no occaſion taken thereof, whereby he may loſe any of his owne.

Ageſtment. Pawnage.

CAP. X.

The puniſhment for killing the Kings Deere.

NO man from hence forth ſhall loſe either life or member for killing of our Déere: but if any man be taken, and conuict for taking of our Veneſon, he ſhall make a grieuous fine, if he haue any thing whereof: And if he haue nothing to loſe, he ſhall be impriſoned a yeare & a day. And after the yeare and day expired (if he can finde ſufficient ſureties) he ſhall be deliuered. And if not, he ſhall abiure the Realme of England. Stat. 1 Ed. 3. 8. Stat. 1 H. 7. 7. Regiſt. fo. 80.

The puniſhment for killing of the Kings Deere.

CAP. XI.

A Noble man may kill a Deere in the Foreſt.

WHatſoeuer Archbiſhop, Biſhop, Earle, or Baron, comming to Vs at our commandement, and paſſing by our Foreſt, it ſhall be lawfull for him to take and kill one or two of our Deer, by view of our Foreſter, if he be preſent, or elſe he ſhall cauſe one to blow an horne for him, that he ſeeme not to ſteale our Deere. And likewiſe they ſhall do returning from vs, as it is aforeſaid.

Noblemen may hunt in the Kings Foreſt.

CAP. XII.

How a Freeman may vſe his land in the Foreſt.

EVery Freeman from henceforth without danger ſhall make in his own Wood, or in his land which he hath within the Foreſt, a Mill, a Spring, a Poole, a Marſhpit, a Dike, or Earable ground, without incloſing that Earable ground, ſo that it be not to the annoyance of any of his neighbours.

Appointments in a Foreſt.

CAP. XIII.

How a Freeman may vſe his land in the Foreſt.

EVery Freeman ſhall haue within his own Woods, ayries of Haukes, Sparrow-haukes, Faulcons, Eagles, and Herons, and ſhall haue alſo the Hony that is found within his Woods.

Hawkes, Herons, Hony.

CAP.

Cap. XIIII.

Who may take Chimage or Toll in a Foreſt, for what cauſe, and how much.

What chimage is, and who may take it.

Toll.

NO Foſter from henceforth, which is not Foſter in fée, paying to vs ferme for his Bayliwike, ſhall take any Chiminage or Toll within his Bayliwike, But a Foſter in fée paying vs ferme for his Bayliwike, ſhall take Chiminage, that is to ſay, for carriage by cart the halfe yeare two pence, and for another halfe yeare two pence, for an Horſe that beareth loades, euery halfe yeare an halfe peny, and by another halfe yeare halfe a pence. And but of thoſe only that come as Merchants through his Bayliwike by licence to buy Buſhes, Timber, Barke, Cole, and to ſell it againe at their pleaſure. But for none other carriage by cart chiminage ſhall be taken. Nor chiminage ſhall not be taken but in ſuch places only where it hath béene vſed to be. Thoſe which beare vpon their backes Bruſhment, Barke, or Cole to ſell, though it be their liuing, ſhall pay no chiminage to our Foreſters, except they take it within our demeſne Woods.

Cap. XV.

A Pardon of Outlawes of Treſpaſſe within the Foreſt.

Treſpaſſe.

All that be Outlawed for the Foreſt only, ſince the time of King Henry our Grandfather vntill our firſt Coronation, ſhall come to our peace without let, and ſhall finde to vs ſureties, that from henceforth they ſhall not treſpaſſe vnto vs within our Foreſt.

Cap. XVI.

How Pleas of the Foreſt ſhall be holden.

How the pleas of the Foreſt ſhall be holden
St.1.Ed.3.8.
St 7.R.2.3.

NO Conſtable, Caſtellaine, or Bayliffe, ſhall hold Plea of Foreſt, neither for gréene hugh nor hunting, but euery Foſter in fée ſhall attach the Pleas of Foreſt, as well for gréene hugh as hunting, and ſhall preſent them to the Verders of the Prouinces. And when they be enrolled and incloſed vnder the Seales of the Verders, they ſhall be preſented to our Chiefe Iuſtice of our Foreſt when he ſhall come into thoſe parts to hold the Pleas of the Foreſt, and before him they ſhall be determined. And theſe Liberties of the Foreſt we haue granted to all men. Sauing to Archbiſhops, Biſhops, Abbots, Priors, Earles, Barons, Knights, and to other perſons, as well Spirituall as Temporall, Templers, Hoſpitallers, their Liberties and free Cuſtomes, as well within the Foreſt as without, and in Warrens, and other places, which they haue had. All theſe Liberties and cuſtomes, We &c. as it followed in the end of the great Charter, and We do confirme and ratifie theſe gifts &c. as in the end of the great Charter ſpecifieth &c.

Statutum Hiberniæ, made at Weſtminſter 9. Febr. Anno 14. H.3. & Anno Dom. 1229.

How Lands holden by Knights Seruice deſcending to Coperceners within age ſhall be diuided.

Ireland diſcend to ſeuerall Coperceners, they all ſhall hold of the chiefe Lord of the fee, and not one of another.
Stat.17.Ed.2.5
Fitz.N.B fo. 264.B.
Regiſt fo 318
Regiſt. fo.177.
Binicia pars for the eldeſt ſiſter.

HENRY by the Grace of God, King of England, Lord of Ireland, Duke of Guyan and Normandie, Earle of Aniou, To his truſty and welbeloued *Gerard* ſonne of *Maurice* Iuſticer of Ireland, Greeting. Whereas certaine Knights of the parties of Ireland, lately comming to vs, haue informed vs, that when any Land doth diſcent vnto ſiſters within our Dominion of Ireland, our Iuſtices errand in thoſe parties are in doubt whether the yonger ſiſters ought to hold of the eldeſt ſiſter, and do homage vnto her for their portions, or of the chiefe Lord, and doe homage vnto him. And foraſmuch as the ſaid Knights haue requeſted to be certified, how it hath béen vſed heretofore within our Realme of England in like caſe: at their inſtance we doe you to wit, that ſuch a Law and Cuſtome is in England in this caſe, that if any holding of vs in Chiefe, happen to die, hauing daughters to his heires, our anceſtors and we after the death of the father, haue alwaies had and receiued homage of all ſuch daughters, and euery of them in this caſe doe hold of vs in chiefe. And if they happened to be within age, we haue alway had the Ward and marriage of euery of them. And if he be tenant vnto another Lord, and not to vs (the ſiſters being within age) the Lord ſhall haue the Ward and marriage of them all, and the eldeſt onely ſhall doe homage for her ſelfe and all her ſiſters. And when the other ſiſters come to full age, they ſhall doe their ſeruice to the Lords of the Fée by the hands of the eldeſt ſiſter: yet ſhall not the eldeſt by this occaſion exact of her yonger ſiſters homage, ward, or any other ſubiection, for they be all ſiſters, and in manner as one heire to one inheritance, and if the eldeſt ſhould haue homage of the other ſiſters, and demand Wardſhip, then the inheritance ſhould be diuided, ſo that the eldeſt ſiſter ſhould be ſeignioreſſe and tenant of inheritance (ſimul & ſemel) that is to ſay, heire of her owne part, and ſeignioreſſe to her ſiſters, which could not ſtand well together in this caſe, for the eldeſt can demand no more than her ſiſters, but the chiefe meaſe by reaſon of her ancienty. Moreouer, if the elder ſiſter ſhould take homage of the yonger, ſhe ſhould be as a ſeignioreſſe to them all, and ſhould haue the Ward of them and their heires, which ſhould be none other but to caſt the Lambe to the Wolfe to be deuoured. And therfore we command you that you cauſe the foreſaid Cuſtomes that be vſed within our Realme of England in this caſe, to be proclaimed throughout our Dominion of Ireland, and to be ſtraitly kept and obſerued. In teſtimonie whereof &c. I witneſſe my ſelfe at Weſtminſter, the ninth day of Februarie, the fourteenth yeare of our Reigne.

Statutes made at Merton 23. Ianuarij. Anno 20.
H.3. & Anno Dom. 1235.

IT was prouided in the Court of our Lord the King, holden at Merton on Wedneſday, the morrow after the Feaſt of Saint *Vincent*, the twentieth yeare of the Reigne of King HENRIE the Sonne of King IOHN, before WILLIAM Archbiſhop of Canterbury, and other his Biſhops and Suffragans, and before the greater part of the Earles and Barons of England, there being aſſembled for the Coronation of the ſaid King, and *Alianor* the Queene, about which they were all called: where it was treated for the Common wealth of the Realme vpon the Articles vnder written. Thus it was prouided and granted as well of the foreſaid Archbiſhops, Biſhops, Earles and Barons, as of the King himſelfe and others.

CAP. I.

A woman ſhall recouer dammages in a Writ of Dower.

Dyer.fo.284. Coke li.4.fo.30. 24.H.8.fo.28. 38.Ed.3.fo.11. 21.H.4.fo.39. Fitz dower 34. 46. 59.73. Fitz.Damages 1. 83.209. Co.Inſt.30.b.

FIrſt of Widowes which after the death of their huſbands, are deforced of their dowers, and cannot haue their dowers or quarentine without plea, whoſoeuer deforce them of their dowers or quarentine of the lands whereof their huſbands dyed ſeiſed, and that the ſame widowes after ſhall recouer by plea: they that be conuict of ſuch wrongfull deforcement ſhall yeeld damages to the ſame widowes, that is to ſay, the value of the whole dower to them belonging from the time of the death of their huſbands vnto the day that the ſaid widowes by iudgement of our Court haue recouered ſeiſin of their dower, and the deforcers neuertheleſſe ſhall be amerced at the kings pleaſure. Stat.9.H.3.7. Regiſt.fol.175.

A woman ſhall recouer damages in a Writ of Dower. Regiſt. vio.fo.4.44. V.N.B. fo.7. Raſt.pl.f.226.& a

CAP. II.

Widowes may bequeath the Crop of their Lands.

Kel.fol.125. Fitz.Bar.249. 294.

ALſo from henceforth all widowes may bequeath the crop of their ground, as well of their Dowers, as of other their Lands and Tenements, ſauing to the Lords of the Fee, all ſuch ſeruices as be due for their dowers and other tenements.

Widowes may bequeath their croppes.

CAP. III.

Enquiry and puniſhment of Rediſſeiſin.

18.H.8.fo.1. 9.H.4.fol.6. 11.H.4.fol.6. 40.Aſſ.pla.23 23.Aſſ.pla.7. 7.H.7.fol.4. 8.H.3.fo.1. Fitz rediſſeiſin 6.8.9. Co.Inſt.154.a.b.

ALſo if any be diſſeiſed of their Freehold, and before the Iuſtices in Eyre, haue recouered ſeiſin by aſſiſe of nouel diſſeiſin, or by confeſſion of them which did the diſſeiſin, and the diſſeiſee hath had ſeaſin deliuered by the Sheriffe, if the ſame diſſeiſors after the circuit of the Iuſtices, or in the meane time haue diſſeiſed the ſame Plaintiffe of the ſame Freehold, and thereof be conuict, they ſhall be forthwith taken and committed, and kept in the Kings priſon, vntill the King hath diſcharged them by redemption, recognition of aſſiſe, iudgement, or by ſome other meane. And this is the forme how ſuch conuict perſons ſhall be puniſhed, when the plaintiffes come into the Court of our Lord the King, they ſhall haue the Kings Writ directed to the Sheriffe, in which muſt be contained the plaint of diſſeiſin done vpon diſſeiſin. And then it ſhall be commanded to the Sheriffe, that he, taking with him the keepers of the pleas of the Kings Crowne, and other lawfull Knights, in his proper perſon, ſhall goe vnto the land or paſture, whereof the plaint hath beene made. And that he make before them by the firſt Iurors and other neighbours and lawfull men, diligent inquiſition thereof. And if they finde him diſſeiſed againe (as before is ſaid) then let him doe according to the prouiſion afore mentioned. And if it be found otherwiſe, the plaintiffe ſhall be amerced, and the other ſhall goe quit. Neither ſhall the Sheriffe execute any ſuch plaint without ſpeciall commandement of the King. In the ſame manner ſhall be done to them that haue recouered their ſeiſin by aſſiſe of Mortdaunceſtour. And ſo ſhall it be of all lands and tenements recouered in the Kings Court by enqueſts, if they be diſſeiſed after by the firſt deforceors, againſt whom they haue recouered any wiſe by enqueſt. Regiſt.fol.206. Fitz.N.B.fol.188.B.190.A. V.N.B.fol.108.

Enquiry and puniſhment of Rediſſeiſin. St.52.H.3.8. St.13.Ed.1.26.

Aſſiſe of Mort. Poſt diſſeiſin. Raſt pla.fol.302.

CAP. IIII.

In what caſes Lords may approue againſt their Tenants.

ALſo becauſe many great men of England (which haue infeoffed Knights and their Freeholders of ſmall tenements in their great Mannors) haue complained, that they cannot make their profit of the reſidue of their Mannor, as of waſtes, woodes, and paſtures, whereas the ſame feoffees haue ſufficient paſture as much as belongeth to their tenements: It is prouided & granted, that

In what caſes Lords may approue againſt their Tenants.

that whenſoeuer ſuch Feoffées doe bring an aſſiſe of nouel diſſeiſin for their common of Paſture: and it is knowledged before the Juſticers that they haue as much paſture as ſufficeth to their tenements, and that they haue frée egreſſe and regreſſe from their Tenement vnto the Paſture: then let them be contented therewith, and they on whom it was complained, ſhall goe quit of as much as they haue made their profit of their Lands, Waſtes, Woods, and Paſtures. And if they allege that they haue not ſufficient Paſture, or ſufficient ingreſſe and regreſſe according to their hold, then let the truth be inquired by aſſiſe. And if it be found by the Aſſiſe, that the ſame deforceors haue diſturbed them of their ingreſſe and regreſſe in any thing, or that they had not ſufficient Paſture (as before is ſaid) then ſhall they recouer their ſeiſin by view of the inqueſt: ſo that by their diſcretion and oath the Plaintiffes ſhall haue ſufficient paſture and ſufficient ingreſſe and regreſſe in forme aforeſaid. And the diſſeiſors ſhall be amercet, and ſhall yéelde dammages as they were wont before this prouiſion. And if it be certified by the Aſſiſe, that the Plaintiffes haue ſufficient Paſture with egreſſe and regreſſe, as before is ſaid, let the other make their profit of the reſidue and goe quit of that Aſſiſe. Stat, 13, Ed, 1. 46. Stat, 3, Ed. 6.3. Regiſt. fol, 155. V.N.B, fol. 68.

F.N.B fo. 125

8. Ed. 3. fo. 39. 7. Ed. 3. fo. 67. Coke li. 2. fo. 23. Fitz. Aſſ. 80. 178 279. Fitz. Common 9 15. 21. 25. 16. 27 Fitz. Admeſurement v. 21. Fitz. Garrantie Chargers 315

Cap. V.

Vſurie ſhall not runne againſt any within age.

Vſurie ſhall not run againſt an Infant.

Likewiſe it is prouided and granted by the King, that from henceforth Vſuries ſhall not runne againſt any being within age from the time of the death of his anceſtor (whoſe heire he is) vnto his lawfull age. So neuertheleſſe that the payment of the principall debt, with the vſurie that was before the death of his anceſtor (whoſe heire he is) ſhall not remaine. REP. 37. H. 8. 9.

Co. Inſt. 246. a

Cap. VI.

The penalties for rauiſhment of a Ward, forfeiture of Marriage, or diſparagement of a Ward.

Raſt pl fol. 365 Regiſt. ind. fo. 58

The penaltie for taking away or marrying anothers ward.

The forfeiture of a Ward marrying within age.

Diſparagement of a ward

Of heires that be led away and withholden or married by their Parents, or by other with force againſt our peace, thus it is prouided, That whatſoeuer lay man be conuict thereof, that he hath ſo withholden any childe, led away or married, he ſhall yéeld to the loſer the value of the mariage. And for the offence, his body ſhall be taken and impriſoned, vntill he hath recompenced the loſer, if the childe be married; and further vntill he hath ſatisfied the King for the treſpaſſe. And this muſt be done, of an heire being within the age of fourtéene yeares. And touching an heyre being fourtéene yeares old, or aboue vnto his full age, if he marry without licence of his Lord to defraud him of the marriage, and his Lord offer him reaſonable and conuenient marriage (without diſparagement) then his Lord ſhall hold his lans beyond the terme of his age, that is to ſay, one and twenty yeares, ſo long that he may receiue the double value of the marriage after the eſtimation of lawfull men, or after as it hath béene offered him before without fraud or colluſion, and after as it may be proued in the Kings Court. And as touching Lords, which marry thoſe that they haue in Ward to villaines or other, as Burgeſſes where they be diſparaged, if any ſuch an heire be within the age of fourtéene yeares, and of ſuch age that he cannot conſent to marriage: then if his friends complaine of the ſame Lord, the Lord ſhall loſe the Wardſhip, vnto the age of the heire, and all the profit that thereof ſhall be taken, ſhall be conuerted to the vſe of the heire being within age, after the diſpoſition and prouiſion of his friends, for the ſhame done to him: But if he be fourtéene yeares and aboue, ſo that he may conſent, and doe conſent to ſuch marriage, no paine ſhall follow. Stat, 3, Ed. 1, 22. Stat, 13, Ed, 1. 35 Regiſt, fol, 161, &c. V.N.B, fol. 89, &c.

Co. Inſt. 76. a

Coke li. 4. fo. 82 lib. 6. fo 74. lib. 9. 72. Dyer. fo. 25. 260 Fitz. Act. for. leſt 14. 15. 16. 17. 18. 23. 27. 29. 30. 31. 32. 33. 36. Bro forf. de mariage 9. 12. 15 & 9. H. 3. 6

Bro. Garde 193. 40. Ed. 3 fol. 6. Co. Inſt. 80. a 81, b

Cap. VII.

In what caſe the Ward ſhall pay to his Lord the value of his marriage.

The value of a marriage of an Heire or Ward Raſt. pl. fo. 365 Co. pl. fo. 396.

If an Heire (of what age ſoeuer he be) will not marry at the requeſt of his Lord, he ſhall not be compelled thereunto, but when he commeth to full age, he ſhall giue to his Lord, and pay him as much as any would haue giuen him for the marriage before the receit of his Land, and that whether he will marry himſelfe or not: for the marriage of him that is within age, of méere right pertaineth to the Lord of the fée. V.N.B. fol. 89. Regiſt, fol. 161. Fitz. N.B. fol, 141.

Kel. fo. 133. Dyer. fo. 29. 200 306. Fitz. Briefe 937. 43. Ed. 3. fol. 26 31. Aſſ. pl. 26. Fitz. Garde 68. 128. 131. 138. 153. 156. Co li. 6 fo. 70. 78 lib. 5 fo. 126.

Cap. VIII.

Seuerall limitations of preſcription in ſeuerall Writs.

Seuerall limitations of preſcription in ſeuerall Writs.

Touching conueyance of diſcent in a Writ of Right from any anceſtor from the time of King Henry the elder, the yeare and day, It is prouided, that from henceforth there be no mention made of ſo long time, but from the time of King Henry our Grandfather. And this Act ſhall take effect at Pentecoſt, the one and twentieth yeare of our Reigne, and not afore. And the Writs before purchaſed ſhall procéede. Writs of Mordanceſtour, of Natiuis, and Entre, ſhall not paſſe the laſt retourne of King John from Ireland into England. And this Act ſhall take effect as before is declared: Writs of nouel diſſeiſin ſhall not paſſe the firſt Voiage of our Soueraigne Lord the King, that now is, into Gaſcoigne. And this prouiſion ſhall take his effect from the time aforeſaid, and all Writs purchaſed before ſhall procéede. Stat, 3. Ed. 1, 38, Stat. 32. H, 8. 2. 21. Iac. 16.

Coke Inſt. 114. a 115. b

Cap. IX.

He is a Baſtard that is borne before the Marriage of his Parents.

To the Kings Writ of Baſtardy, whether one being borne before Matrimonie may inherite in like manner as he that is borne after Matrimony, all the Biſhops anſwered, that they would not, 21.Aſſ.pla.20. 35.Aſſ.pla 13. Fitz.Baſtardy 21.22.23. 27.28.30-33. 39.Aſſ.pl.10. 8.H.6.fol.3. 12.H.4.fo.82. 39.Ed.3.fo.14 44.Ed.3.fo.12

not, nor could not anſwer to it: becauſe it was directly againſt the common order of the Church. And all the Biſhops inſtanted the Lords, than they would conſent, that all ſuch as were borne afore Matrimony, ſhould be legitimate, as well as they that be borne within Matrimony, as to the Succeſſion of inheritance, for ſo much as the Church accepteth ſuch for Legitimate. And all the Earles and Barons with one voyce anſwered, that they would not change the Lawes of the Realme which hitherto haue been vſed and approued.

He is a baſtard which is borne before the marriage of his parents.

Cap. X.

Atturneyes allowed to make ſuit to ſeuerall Courts.

Fitz. Atturney 306.

IT is prouided and granted that euery Freeman, which oweth ſuit to the Countie, Tything, Hundred, and Wapentake, or to the Court of his Lord, may freely make his Atturney to doe thoſe ſuits for him. Regiſt.fo.172. Fitz.N.B.fol.156.&c. V.N.B.fol.19.

Atturneyes to doe ſuits.

Cap. XI.

Lords ſhall not impriſon offenders at their own wils for treſpaſſes in their Parkes and Ponds.

COncerning treſpaſſers in Parkes and Ponds, it is not yet diſcuſſed: for the Lords demanded the proper impriſonment of ſuch as they ſhould take in their Parkes and Ponds, which the King denied. Wherefore it was deferred.

Priuate reuenge.

The Statute *de Anno Biſſextili* made at VVeſtminſter, Anno 21.H.3. and Anno Dom.1236.

The day of the Leape yeare, and the day before ſhall be holden for one day.

THe King vnto his Iuſtices of the Bench, greeting. Know ye, That where within our Realme of England, it was doubted of the yeare and day that were wont to be aſſigned vnto ſicke perſons being impleaded, when and from what day of the yeare going before vnto another day of the yeare following, the yeare and day in a Leape yeare ought to be taken and reckoned how long it was.

We therefore willing that a conformitie be obſerued in this behalfe euery where within our Realme, and to auoyde all danger from ſuch as be in plea, haue prouided, and by the counſaile of our faithfull ſubiects, haue ordayned, that to take away from henceforth all doubt and ambiguitie that might ariſe hereupon, the day increaſing in the Leape yeare ſhall be accounted for one yeare, ſo that becauſe of that day none ſhall be preiudiced that is impleaded, but it ſhall be taken and reckoned of the ſame moneth wherein it groweth, and that day, and the day next going before, ſhall be accounted for one day. And therefore we doe command you, that from henceforth you doe cauſe this to be publiſhed afore you, and be obſerued. Witneſſe my ſelfe at Weſtminſter, &c.

The day of the Leape yeare.

The Statute intituled, Aſsiſa Panis & Ceruiſiæ, *made Anno* 51.H.3. and Anno Dom.1266.

The prices of Bread and Ale, ſhall be according to the prices of Corne.

THe King to all to whom theſe Preſents ſhall come, greeting. We haue ſeene certaine Ordinances of the Aſſiſe of Bread and Ale, and of the making of Money and Meaſures, made in the times of our Progenitors, ſometimes Kings of England, in theſe words: When a quarter of Wheat is ſold for xii.d. then waſtell bread of a farthing ſhall weigh vi.li.& xvi.s. But Bread Cocket of a farthing of the ſame Corne and bultell, ſhall weigh more than waſtell by ii.s. and Cocket bread made of Corne of lower price, ſhall weigh more than waſtell by v.s. Bread made into a Simnell, ſhall weigh ii.s. leſſe than waſtell. Bread made of the whole wheat ſhall weigh a cocket and an halfe, that is to ſay, the Cocket, that ſhall weigh more than a waſtell by v.s. Bread of Treet ſhall weigh ii.waſtels. And bread of common Corne ſhall weigh two cockets. When a quarter of wheat is ſold for xviii.d. then waſtell bread of a farthing white and well baked, ſhall weigh iiii.li.x.s.viii.d. when for ii.s.iii.li.viii.s.

The weight of bread according to the price of Corne.

When for ii.s.vi.	liiii.s.iiii.d,ob.q.
When for iii.s.	xlviii.s.
When for iii.s.vi.d.	xlii.s.
When for iiii.s.	xxxvi.s:
When for iiii.s.vi.d	xxx.s.
When for v.s.	xxvii.s.ii.d.ob.
When for v.s.vi.d.	xxiiii.s.viii.d.q.
When for vi.s.	xxii.s.viii.d.ob.
When for vi.s.vi.d.	xx.s.xi.d.
When for vii.s.	xix.s.i.d.
When for vii.s.vi.d.	xviii.s.i.d.ob.
When for viii.s.	xvii.s:
When for viii.s.vi.d.	xvi.s.
When for ix.s.	xv.s q.
When for ix.s.vi.d.	xiiii.s.iiii.d.ob.q.
When for x.s.	xiii.s.vii.d.q.
When for x.s.vi.d:	xii.s.xi.d.q.
When for xi.s.	xii.s.iiii.d.q.
When for xi.s.vi.d.	xi.s.x.d.
When for xii.s.	xi.s.iiii.d.

And it is to be knowne, that then a Baker in euery quarter of Wheate (as it is proued by the Kings Bakers) may gaine iiii.d. and the branne, and two loaues for aduantage, for three ſeruants i.d.ob. for two lads, ob. in ſalt, ob. for kneading, ob. for candle, q. for wood, iii.d. for his bultel, ob.

Bakers

When

Brewers.

When a quarter of Wheat is ſold for iii.s. or iii.s.iiii.d. and Barley for xx.d. or ii.s. and a quarter of Otes for xvi.d. then Brewers in Cities ought and may well afford to ſell two gallons of Beere or Ale for a peny, and out of Cities to ſell three gallons for a peny. And when in a Towne three gallons is ſold for a peny, out of a towne they ought and may ſell foure. And this Aſſiſe ought to be holden throughout all England. The aſſiſe of Bread (as it is contained in a writing of the Marſhalſey of our Lord the King deliuered vnto them) may be holden according to the price of wheat, that is to ſay, as well waſtell, as other bread of the better, ſecond or third ſort, ſhall be weighed as is aforeſaid by the middle price of wheat, and the aſſiſe or weight of bread ſhall not be changed but by ſixe pence increaſing or decreaſing in the ſale of a quarter.

The content of the Buſhel being the 8 part of a quarter.

By the conſent of the whole Realme of England, the meaſure of our Lord the King was made, That is to ſay, that an Engliſh peny called a ſterling round and without any clipping ſhall weigh xxxii. wheat cornes in the middes of the eare, and xx.d. doe make an ounce, and xii. ounces one pound, and eight pound doe make a gallon of wine, and eight gallons of wine doe make a London Buſhell, which is the eight part of a Quarter. Foraſmuch as in our Parliament holden at Weſtminſter in the firſt yeare of our Reigne, We haue granted that all good Statutes and Ordinances made in the times of our Progenitors aforeſaid, and not reuoked, ſhall be ſtill held, we haue cauſed, at the requeſt of the Bakers of our Towne of Couentrie, that the Ordinances aforeſaid by tenor of theſe preſents, ſhall be exemplified. In witneſſe whereof, &c. Witneſſe the King at Weſtminſter the xxii. day of March. Stat. 11. H.7.4.

The Statute made Anno 51. H.3. & Anno Dom. 1266. *concerning generall dayes in Banke* in reall Actions.

Dayes in Banke.

If a Writ come in the vtas of S. Michael, a day ſhall be giuen thereupon vnto the vtas of S. Hillarii, and if it come in the quinzime of S. Michael, day ſhall be giuen vnto the quinzime of S. Hillarii. If it come in the three weekes after S. Michael, the day ſhall be craſtino Purificationis. If within a moneth after Michaelmas, in the vtas of the Purification. If in craſtino Animarum, then in the quinzime of Eaſter. If in craſtino Martini, then in the three weekes after Eaſter. If in the vtas of S. Martine, then in Eaſter moneth. If in the quinzime of S. Martine, then within fiue weekes after Eaſter, and alſo there is day ſpecially giuen in craſtino Aſcenſionis, and it counteruayleth as much as within fiue weekes after Eaſter. If in the vtas of S. Hillary, in the vtas Trinitatis. If in quindena Hillarii, then in quindena Trinitatis, and ſometime in craſtino of S. John Baptiſt. If in craſtino Purificationis, then in craſtino and vtas of S. John Baptiſt. If in the vtas of the Purification, then in quindena of John Baptiſt. If in quindena Paſche, then in the vtas of S. Michael. If within three weekes after Eaſter, then in quindena of S. Michael. If within Eaſter moneth, then within three weekes of the Feaſt of S. Michael. If within fiue weekes after Eaſter, or in craſtino Aſcenſionis, then within a moneth after the Feaſt of S. Michael. If in the vtas of the Trinitie, then in craſtino Animarum. If in quindena Trinitatis, or in craſtino of S. John Baptiſt, then in craſtino Martini. If in vtas of S. John Baptiſt, then in the vtas of S. Martine. If in quindena of S. John Baptiſt, then day ſhall be giuen vnto quindena Martini. And ſo euery terme ſhall anſwer to other. 15. Ed. 4. fol. 13.

Alt. Stat. 32. H.8.21.

The Statute made Anno 51. H.3. & Anno *Domini* 1266. *concerning generall dayes* in a Writ of Dower.

Dayes in a Writ of dower

If the Writ doe come in Octauis Michaelis, day ſhall be giuen vntill craſtino animarum. If it come in quindena Michaelis, day ſhall be giuen vntill craſtino Martini. If within three weekes after the Feaſt of S. Michael, then in octauis Martini. If in menſe Michaelis, then in quindena Martini. If in craſtino Animarum, then in octauis Hillarii. If in craſtino Martini, then in quindena Hillarii. If in octauis Martini, then in craſtino Purificationis. If in quindena Martini, then in octauis Purificationis. If in octauis Hillarii, then in quindena Paſche. If in quindena Hillarii, then in tribus ſeptimanis Paſche. If in craſtino Purificationis, then in menſe Paſche. If in octauis Purificationis, then in craſtino Aſcenſionis. If in quindena Paſche, then in octauis Trinitatis. If in tribus ſeptimanis Paſche, then in quindena Trinitatis. If in menſe Paſche, then in craſtino Iohannis Baptiſte. If in quinque ſeptimanis Paſche, then in octauis Iohannis. If in craſtino Aſcenſionis, then in quindena Iohannis. If in octauis Trinitatis, then in octauis Michaelis. If in quindena Trinitatis, then in quindena Michaelis. If in craſtino Iohannis Baptiſte, then in tribus ſeptimanis Michaelis. If in octauis Iohannis Baptiſte, then in menſe Michaelis. If in quindena Iohannis Baptiſte, then in craſtino animarum. 15. Ed. 4. fo. 13.

The Statute De Diſtrictione Scaccarij, made Ann.51.H.3. and anno Dom.1266,

What diſtreſſe ſhall be taken for the Kings debts, and how it ſhall be vſed

Bro diſtreſſe 72.
9.Ed.4 fo.2.
5.H.7.fo.9.
21.Ed.4 fo.53.

The owne may feed his cattell impounded.

FOraſmuch as the Comminaltie of the Realme hath ſuſtained great damage by wrongfull taking of diſtreſſes, which haue béen made by Sherifes, and by other the Kings Bailifes for the Kings debt, or for any other cauſe. It is therefore prouided and ordeined, That when a Sherife, or any other man doth take the beaſts of other, they to whom the beaſtes doe belong, may giue them their féeding without diſturbance (ſo long as they be impounded) without giuing any thing for their kéeping. And that the beaſtes, nor no other diſtreſſe taken for the Kings debt, nor for any other cauſe be giuen ne ſold within xv. daies after the taking. And if any bring the taillie of a paiment made in the Eſchequer, the diſtreſſe ſhall ceaſe. And if he bring the taillie of any Sherife or Bailife, of paiment made to them of the thing demaunded, and will find pledges that he will appeare in the Eſchequer, vpon the next accompt to doe as right ſhall require, then the diſtreſſe ſhall ceaſe. And the Sherife or Bailife ſhall cauſe him to be attached that ought to haue acquited him, that he appeare vpon the ſame accompt to doe as right ſhall require, and there ſhall hauē the names of the pledges: Yet it is prouided, that no man of religion, nor other, ſhalbe diſtrained by his beaſtes that gains his land, nor by his ſhéep for the Kings debt nor the debt of any other man, nor for any other cauſe, by the Kings or other Bailifes, but vntill they can find another diſtreſſe or chattels ſufficient, whereof they may leuy the debt, or that is ſufficient for the demaund (except impounding of beaſts that a man findeth in his ground, damage feſaunt after the vſe and cuſtome of the Realme.) And that ſuch diſtreſſes be reaſonable after the value of the debt or damage, according to the value, and by the eſtimation of neighbours and not by ſtrangers, and not outragious: howbeit the King willeth and commandeth, that Sherifes or their Bailifes that haue receiued the Kings debt of the Summons of the Eſcheque, and haue not acquited the debters thereof, at the next accompt ſhall be puniſhed after the Statutes made thereupon, And the King willed, that all debts of ſummons of the Eſcqeuuer that the Sherife or Bailife haue confeſſed, receipt ſhall be allowed him forthwith: ſo that whether he receiued all the debt or part, it ſhall neuer come more in demand nor ſummons after the Sherife hath confeſſed the receit.

No ſale of diſtreſſe within fifteen dayes.

Bro.diſtreſſe fo.31
Bro diſtreſſe 63.
Bro.falx Ioun.1.
4.H.7.fo.8.
Dyer fo.312.
Fitz Briefe 66.
29.Ed.3.fo.16.
Fitz Act.ſur Leſtat.35.
29.Ed.3.fo.24.
41.Ed.3.fo.26.

No diſtreſſe ſhall be taken of plough, cattell, or ſheepe.
St.28.Ed.1.12.
Regi.fo.97.
Raſt.pla.221.

A diſtreſſe ſhall be reaſonable.
St.52.H.3.4.

A Sheriffe which receiueth the Kings debt, ſhall acquite the debter.
St.3.Ed.1.19.

Statutum de Scaccario, made Anno 51.Hen.3. and anno Domini 1266.

When the Kings Fermors, Sherifes and Bailifes ſhall mak their accompts and paiments. Who ſhalbe Eſcheators in ſeuerall Shires.

When the K. Bailiffes and Officers ſhall accompt.

THe King commandeth, that all manner of Bailifes, Sherifes, and other Officers, as well the Iuſtices of Cheſter, and other Bailifes of theſe Counties, as other that be receiuors of Wards, of Eſcheats, and other Bailiwikes, ſhall be anſwerable in the Eſchequer, and there ſhall make account to the Treaſurer, and Barons of the ſame place. And that all Sherifes, Fermors, Bailifes of Franchiſes, and other that ought to come to the profer in the Eſchequer the Munday after the Feaſt of S. Michael and the Munday after the Vtas of Eaſter, for to pay their Ferms, Rents, and Iſſues, belonging to the King, ſhall bring at the foreſaid termes, the foreſaid Fermes, Rents, and Iſſues due wholly into the Eſchequer, as before is mentioned. And if they make default, their bodies ſhall remaine without departing from thence vntill they haue paid or made agréement, And he that will not come at the termes aforeſaid, ſhall be amerced after the cuſtome of the Eſchequer, and the Sherifes and Bailifes at the ſame termes ſhall bring and pay ſuch money as they haue receiued of the ſummons of the Eſchequer, and other the Kings debts, and ſhall be prepared and ready to make ful accompt of the things aforeſaid.

Bailiffes of Franchiſes accompt.

And that all Bailifes of Franchiſes, which ought to leuie the Kings debts, and be anſwerable to the Sherifes thereof at their commaundement, ſhall come and accompt ſufficiently according to the extreats of the Summons of the Eſchequer: and ſuch as doe not their, bodies ſhall remaine in ward of the Sherifes: and for default in them, the Sherife ſhall cauſe the debts to bée leuied by their owne Bailifes, where they haue power as they haue vſed to doe in time paſſed. And if the Bailifes doe not come in at the day that the Sherife ſhall giue them knowledge, the Sherife ſhall enter into the ſame Franchiſes, and leuie the debts with his owne hand.

Concerning Iuſtices of Cheſter, and ſhailifes thereof, the King willeth, that they or ſome

The Juſtices and Bayliffes of Cheſters accompt.

Sheriffes ſhall keepe the Kings wards and eſchetes. St. 32. H 8. 46.

Eſchetes.

of them ſhall come at the profer of Saint Michael euery yeare when they ought to giue account vnto the King, and at the profer of the vtas of Eaſter they ſhall come likewiſe, and bring in that which they owe to the King for that terme, and the Juſtices of Cheſter ſhall haue day to accompt from yeare to yeare in Quindena Paſche. And the Bailifes thereof the Munday of Eaſter vtas. And that all Sherifes of England, except the Sherifes of Weſtmerland, Lancaſter, Worceſter, Rutland, and Cornwall, ſhall from henceforth keepe all ſuch Wards and Eſchetes, that are not in other fees, as belong to the King, which be within their Shires, and of the iſſues thereof they ſhall be anſwearable in the Eſchequer at the termes aforeſaid. And at their turnes that they make in their Shires, they ſhall finde office of other things which the Kings Eſcheators haue not vſed to find of that which belongeth vnto the King once or twice in the yeare to as little grieuance of the people as they can. And the Sherifes ſhall ſeiſe the eſchetes that fall to remaine vnto the King in Fee, and ſhall certifie the King of them without delay.

Three Surueyors.

Wards and eſchetes let to ferme.

And the King ſhall aſſigne three able perſons that ſhall goe throughout the Realme, to ſuruey and finde the wardes and eſchetes aforeſaid, from yeare to years when they ſhall thinke requiſite. And the Sherifes by their counſell ſhall approue and let to ferme, or otherwiſe, ſuch wards and eſchetes as they ſhall thinke moſt for the Kings aduantage.

Sheriffes Eſcheators in other Shires.

Touching the fiue Shires before named, the King will, That the Sherife of Cumberland ſhall execute the Office of Eſcheator in the Shires of Weſtmerland, and Lancaſter. And the Sherife of Nottingham in Rutland. And the Sherife of Glouceſter in Worceſter. And the Sherife of Deuonſhire in Cornewall, and ſhall ſafely keepe the King his Wards and Eſchetes in the ſame Shires, & ſhall be anſwerable in the Eſchequer for the Iſſues of them as well as for their owne Shires. And the three able perſons aforeſaid ſhall ſuruey and extend ſuch Wards and Eſcheats as well there as in other places,, and thoſe ſhall be approued by their counſell. And when the Sheriffes doe accompt for their Counties, they ſhall accompt for ſuch Wards and Eſcheats. And in like manner ſhall the Juſtices of Cheſter doe, and their Bailiffes alſo euery one for his Bailiwike. And the ſaid three able perſons ſhall keepe the Kings demeanes, and ſhall approue them as they ſhall thinke beſt for the Kings aduantage, and ſhall be anſwerable for the Iſſues: And they ſhall haue power to let forth ſmall Mannors and Demeanes to folke of the ſame places, or to other according to their diſcretion, and ſhall let them to ferme from year to yeare, as they ſhall thinke moſt to the Kings profit. And the Fermors ſhall be chargeable for their Fermes vnto the principal approuers, and they vnto the Eſchequer the Munday next after the Aſcention from yeare to yeare.

Collectors of the cuſtome of wooll.

And the principall Collectors of the cuſtome of Woolles, at the two termes before mentioned, ſhall pay all ſuch money as they haue receiued of the ſaid Cuſtome, and ſhall make accompt from yeare to yeare clearly of all parcels receiued in any of the Ports or other places of the Realme, ſo that they ſhall anſwere for euery Ship where it was charged, and how much it carried, and whoſe the Wools were, and for euery other charge in the Ship, whereof cuſtome is due, and for the whole receipt.

The accompt of the Keeper of the Kings wardrop.

The Kings debt ſhall firſt be heard.

And the Warden of the Kings Wardrope ſhall make accompt yearly in the Eſchequer in the Feaſt of Saint Margaret, And the Treaſurer and Barons ſhall be charged by oath, that they ſhall not attend to heare the pleas or matters of other men, whiles they haue to doe with the Kings buſineſſe, if it be not a matter that concerneth the Kings owne debt. And when a Sheriffe or Bailiffe hath begun his accompt, none other ſhall be receiued to accompt, vntill hee that was firſt appointed hath clearly accompted, and his money receiued. And that the Conſtable, Marſhall, Chamberlaine, and other that are of Fee in the Eſchequer, from henceforth ſhall preſent vnto the King ſuch as they haue put in their places to doe their Offices, which muſt be of good fame, and ſufficent, for whoſe acts themſelues will anſwer.

Deputie officers in the Eſchequer.

And the King commandeth the Treaſurer, and Barons of the Eſchequer vpon their allegiance, and by the oath that they haue made to him, that they ſhall not aſſigne any in their roomes, but ſuch as this Act meaneth of, and that the Eſchequer be not charged with moe perſons than is neceſſary. And that none of them that be ſworne to the King, ſhall put in his Roome any other Clerke or lay perſon, except he be ſworne without ſpeciall Licence of the Treaſurer, and if any bee, he ſhall be forthwith remoued from his Office, And none other ſhall be receiued in his ſtead without the Kings Licence. And if any that is receiued without the Treaſurers licence doe treſpaſſe after, puniſhment ſhall be done as well to the aſſignor, as to him that is aſſigned. according to the treſpaſſe. And if both be vnſufficient, their Superior ſhall be puniſhed, whether he bee Officer of Fee, or other. And the Treaſurer ſhall put no other in his roome, vntil he hath commandement from the King. And if he that keepeth the roome of an other by licence of the Treaſurer doeth any thing that he ought not to doe, he ſhall be puniſhed according to the treſpaſſe, if he haue whereof, and if he haue not, he that put him in Office, ſhal be charged for his treſpaſſe, and if he that put him in Office bee not ſufficient, his Superiour, ſhall be charged, whether he be of Fee or otherwiſe.

And they of the Woolſtaple ſhall make oath, that if any of them may perceiue that an other doth commit any default, offence, or other thing diſhoneſt in the Office of the Woolſtaple, or that he hath done before, that they ſhall certifie it to the Treaſurer, or to the Barons, or to ſome of them, or to the King himſelfe if néed require. And that about the Feaſt of Saint Margaret, before that the Eſchequer be cloſed, they ſhall cauſe a ſearch to be made, whether any Sherife or Bailife, that ought to haue accompted the ſame yeare, haue not, and thereupon a remembrance in a roll ſhall be made by it ſelfe. And if it be a Sherife, his accompt ſhall be firſt heard after Michaelmas, before that any other be receiued to accompt. And if he be a Bailife, he ſhall be ſũmoned or diſtrained to come at a certaine day for to accompt, ſo that no accompt ſhall be ſuffered to ſléepe. And foraſmuch as Sherifes, Conſtables, and other, obtaine many times outragious allowances, by pretence of the Kings workes, and other things done and prouided by his commandement: It is prouided, that all Surueiors of the Kings workes ſhall be choſen by the oath of twelue men, and of ſuch as will and may attend beſt to that office, and that they bée ſufficient to anſwere the King, if néed bée, and ſhall ſweare, that they bare lawfull witneſſe. And if the Treaſurer or Barons of the Eſchequer haue any ſuſpition of ſale, allowances of charges, or other things, the truth muſt be inquired, and he that is attainted, ſhall anſwere to the King for as much as the allowance amounteth vnto, and ſhall be impriſoned one yeare and forty daies and ſhall be puniſhed at the Kings pleaſure. And the Surueyors ſhall be puniſhed for their conſent. And likewiſe hée, that vpon the account did conceale and kéepe ſecret ſuch things, whereof he ought to haue charged himſelfe, ſhall be puniſhed in likewiſe as he that admitted ſuch falſe allowances.

Officers in the woolſtaple ſhall be preſented.

The Kings officers that ought to accompt.

Surueyors of the Kings workes.

And that all the Juſticers, commiſſioners, and other ſhall from henceforth deliuer into the Eſchequer at the Feaſt of Saint Michael from yeare to yeare, the extreats of fines and amerciaments made and taxed before them, and of all things wherefore the extreats are wont to be deliuered there. And they of the Eſchequer ſhall make extreats of the ſummons through all Shires, ſauing that the extreats in Eire of all pleas ſhall be deliuered immediately after the Eire made.

Eſtreits of fines and amerciaments ſhall be deliuered in the Eſchequer.

A Statute of the Pillorie and tumbrell, and *of the Aſſiſe of Bread and Ale, made Anno* 51.

H. 3. and Ann. Dom. 1266.

IF a Baker or a Brewer be conuict, becauſe he hath not obſerued the Aſſiſe of Bread and Ale, the firſt, ſecond, and third time he ſhall be amerced according to his offence, if it be not ouer grieuous, but if the offence be grieuous and often, and will not be corrected, then he ſhall ſuffer puniſhment of the body, that is to wit a Baker to the Pillory, and a Brewer to the Tumbrell, or ſome other correction. Firſt, ſixe lawfull men ſhall be ſworne truly to gather all meaſures of the towne, that is to wit, buſhels. halfe and quarter buſhels, gallons, pottels and quarts, as well of tauernes as of other places. Meaſures and weights, that is to wit, pounds, halfe pounds, and other little weights, wherewith bread of the towne or of the Court is wayed, that is to ſay, one loafe of euery ſort of bread, And vpon the meaſures, buſhell, weight, and alſo vpon euery loafe the name of the owner diſtinctly written. And likewiſe they ſhall gather the meaſures of milles. After which thing done, twelue lawfull men ſhall ſweare to make true anſwere to all ſuch things as ſhall be demanded of them in the Kings behalfe vpon articles here following, and ſuch things as be ſecret, they ſhall vtter ſecretly, and anſwere priuatly. And the Bailife ſhall be commanded to bring in al the Bakers and Brewers with their meaſures, and all things vnderwritten. First they ſhall inquire the price of wheate, that is to wit, how a quarter of the beſt wheate was ſold the laſt market day, and how the ſecond wheate, and how the third: and how a quarter of Barley and Oates. After, how the Bakers bread in the Court doth agrée, that is to wit, waſtel and other bread after wheat of the beſt or of the ſecond. or of the third price. Alſo vpon how much increaſe or decreaſe in the price of wheat a Baker ought to change the aſſiſe and weight of his bread. Alſo how much the waſtel of a farthing ought to weigh, and all other maner of bread after the price of a quarter of wheat that they preſent. Alſo for default in the weight of the bread a Baker ought to be amerced, or to be iudged vnto the pillory, according to the law and cuſtome of the Court. Alſo if any Steward or Bailife for any bribe doth releaſe puniſhment of the pillory and tumbrell, being already iudged, or to be iudged of right.

The puniſhment of a Baker or Brewer offending.

A Jury ſworne.

Of what things the Jury ſhall enquire.

Releaſing of puniſhment deſerued.

Alſo if they haue in the towne a Pillorie of conuenient ſtrength, as appertaineth to the libertie of their market, which they may vſe (if néed be) without bodily peril either of man or woman After, they ſhal inquire of the aſſiſe & price of Wine, after the departure of the Juſtices in Eire or of them that were laſt in office of the market of the towne, that is to ſay, of the Winteners names, and how they ſell a gallon of Wine. And if any corrupted Wine be in the towne, or ſuch as is not wholſeſome for mans body. Alſo of the aſſiſe of Ale in the Court of the towne how it is, and whether it be obſerued, and if not, how much Brewers haue ſold contrary to the

A Pillory.

The Aſſiſe and price of wine.

The Aſſiſe of Ale.

aſſiſe, and they ſhall preſent their names diſtinctly and openly, and that they be amerced for euery default or to be iudged to the Tumbrell, if they ſell contrary to the Aſſiſe.

Falſe weights or meaſures.

Butchers.

Cookes.

Alſo if there be any that ſell by one meaſure, and buy by another. Alſo if any doe vſe falſe ells, waights or meaſures. And if any Butcher doe ſell contagious fleſh, or that died of the murren. Alſo they ſhall enquire of Cookes that ſeethe fleſh or fiſh with bread or water, or any otherwiſe that is not wholeſome for mans body, or after that they haue kept it ſo long that it loſeth his naturall wholeſomeneſſe, and then ſeeth it againe and ſell it, or if any doe buy fleſh of Iewes, & then ſell it to Chriſtians. And alſo Foreſtallers, that buy any thing afore the due and accuſtomed houre, againſt the good ſtate and weale of the towne and market, or that paſſe out of the towne to meet ſuch things as come to the market, being out of the towne, to the intent that they may ſell the ſame in the towne more deare vnto regrators, that vtter it more deare than they would that brought it in caſe they had come to the towne or market. When a quarter of Barley is ſold for two ſhillings, then foure quarts of Ale ſhal be ſold for a peny, whẽ for two ſhilling ſix pence, then ſeuen quarts of Ale ſhall be ſold for two pence, when for three ſhillings, then three quarts for one peny, when for three ſhillings ſixe pence, then fiue quarts for two pence, when it is ſold for foure ſhillings, then two quarts at one peny. And ſo from henceforth the prices ſhall increaſe and decreaſe after the rate of ſixe pence.

Foreſtallers.

Ale ſhall be ſold according to the price of Barley.

¶ Statutes made at Marleborough *alias* Marlebridge

18.*Nouemb.An.52.Hen.3.& An.Dom.*1267.

IN the yeare of grace, One thouſand two hundred ſixty ſeuen, the two and fiftieth yeare of the raigne of King HENRY, ſon of King IOHN, in the *Vtas* of Saint *Martine*, the ſaid King our Lord prouiding for the better eſtate of this Realme of England, and for the more ſpeedy miniſtration of Iuſtice, as belongeth to the office of a King, the more diſcreet men of the Realme being called together, as well of the higher as of the lower eſtate: It was prouided, agreed, and ordained, that whereas the Realme of England of late had bin diſquieted with manifold troubles and diſſentions: for reformation whereof Statutes and Lawes be right neceſſary, whereby the peace and tranquility of the people muſt be obſerued: wherein the King intending to deuiſe conuenient remedy, hath made theſe Acts, Ordinances and Statutes vnder written, which he willeth to bee obſerued for euer, firmely and inuiolably of all his ſubiects, as well high as lowe.

CAP. I.

The penalty for taking a diſtreſſe wrongfully.

WHereas at the time of a Commotion late ſtirred vp within this Realme, & alſo ſithence many great men, and diuers other refuſing to be iuſtified by the King and his Court, like as they ought and were wont in the time of the Kings noble progenitors, and alſo in his time, but tooke great reuenges and diſtreſſes of their neighbours, and of other, vntill they had amends and fines at their owne pleaſure. And further, ſome of them would not be iuſtified by the Kings Officers, nor would ſuffer them to make deliuery of ſuch diſtreſſes as they had taken of their owne anthority: It is prouided, agreed and granted, That all perſons as well of high as of low eſtate, ſhall receiue Iuſtice in the Kings Court. And none from henceforth ſhall take any ſuch reuenge or diſtreſſe of his owne authoritie without award of our Court, though he haue damage or iniury, whereby he would haue amends of his neighbour either higher or lower. And vpon the foreſaid article it is prouided and granted, that if any from henceforth take ſuch reuenges of his owne authority, without award of the Kings Court, (as before is ſaid) and be conuict thereof, he ſhall be puniſhed by fine, and that according to the treſpaſſe. And likewiſe if one neighbour take a diſtreſſe of another without award of the Kings Court, whereby he hath damage, he ſhall be puniſhed in the ſame wiſe, and that after the quantity of the treſpaſſe. And neuertheleſſe ſufficient and full amends ſhall be made to them that haue ſuſtained loſſe by ſuch diſtreſſes.

The puniſhment for an vnlawful diſtreſſe.

11.H.4.fo.2.
47.Ed.3.fo.7.
18.Ed.3.fo.48
41.Ed.3.fo.26.
17.Ed.3.fo.9.

Cap. II.

None but Suiters ſhall be diſtrained to come to a Court.

41.E.3.fo.26.
47.E.3.fo.7.
Fitz.Barre 281.

MOreouer, none (of what eſtate ſo euer he be) ſhal deſtrain any to come to his Court, which is not of his Fée, or vpon whom he hath no Juriſdiction, by reaſon of Hundred, or Bayliwike, nor ſhall take Diſtreſſes out of the Fée or place, where he hath no Bayliwicke or Juriſdiction. And he that offendeth againſt this Statute, ſhall be puniſhed in like maner, and that according to the quantity and qualitie of the Treſpaſſe. St.3.Ed.1.16.Regiſt.fo.97.

None ſhall be diſtrained to come to a Court but ſuitors.

Cap. III.

A Lord ſhall not pay a Fine for deſtraining his Tenant.

Fitz.Reſcous 20.

IF any, of what eſtate ſoeuer he be, will not ſuffer ſuch Diſtreſſes as he hath taken, to be deliuered by the Kings Officers, after the Law and Cuſtome of the Realme, or will not ſuffer Summons, Attachments, or Executions of Judgements giuen in the Kings Court, to be done according to the Law and Cuſtome of the Realme, as is aforeſaid, he ſhall be puniſhed in manner aforeſaid, as one that will not obey the Law, and that according to the quantity of the Offence. And if any, of what eſtate ſoeuer he be diſtraine his Tenant for Seruices and Cuſtomes being due vnto him, or for any other thing, for the which the Lord of the Fée hath cauſe to diſtraine, and after it is found, that the ſame ſeruices are not due, the Lord ſhall not therefore be puniſhed by Fine, as in the caſes aforeſaid, if hee doe ſuffer the diſtreſſes to bee deliuered according to the Law and Cuſtome of the Realme, but ſhall be amerced as hitherto hath béen vſed, and the Tenant ſhall recouer his Damages againſt him.

St.3.Ed.1.17. The puniſhment for vnlawfull diſtreſſe.

Bro.Treſpas 16. 384.
Fitz.Dam. 10.
Fitz.Heriot.5.
5.H.7.fo.9.
9.H.7.fo.14.
10.H.7.fo.2.
10.Ed.4.fo.7.
9.H.6.fo.20.
Fitz.Treſpas 196.

The Lord diſtraining his tenant, ſhall not pay a fine.
Fitz.N.B.f.102.6.
V.N.B.fo.48.

Cap. IIII.

A Diſtreſſe ſhall not be driuen out of the County. And it ſhall be reaſonable.

Fitz.Barre 120. 275.
Fitz Diſtreſſe.32. 36.53.
Fitz Avowry 192
30 Aſſ pl.38.
29.Ed 3.fo.23.
Kel fo.50.
41.Ed.3.fo.26.
29.Ed.3.fo.24.
42.Ed.3.fo.26.

NOne from henceforth ſhall cauſe any Diſtreſſe that he hath taken, to be driuen out of the County where it was taken, And if one neighbour doe ſo to another of his owne authority, and without Judgement, he ſhall make Fine (as aboue is ſaid) as for a thing done againſt the Peace. Neuertheleſſe if the Lord preſume ſo to doe againſt his Tenant, he ſhall bee grieuouſly puniſhed by Amerciament. Moreouer, Diſtreſſes ſhal be reaſonable, and not too great. And he that taketh great and vnreaſonable Diſtreſſes, ſhall be grieuouſly amerced for the exceſſe of ſuch Diſtreſſes. Regiſt.fo.97.

A diſtreſſe ſhall not be driuen out of the countie.
St.3.Ed.1.16.
St.1 & 2.Ph. & M.12.
Diſtreſſes ſhall be reaſonable.
St.51.H.3.
St.28.Ed.1.12.

Cap. V.

A confirmation of the great Charter, and the Charter of the Forreſt.

15.Ed.4.fo.13.

THe great Charter ſhall be obſerued in all his Articles, as well in ſuch as pertaine to the King, as to other: And that ſhall be enquired afore the Juſticers in Eyre in their Circuits, and afore the Sherifes in their Counties, when need ſhall bée. And writs ſhall be fréely graunted againſt them that doe offend, before the King, or the Juſtices of the Bench, or before Juſtices in Eyre, when they come into thoſe parts. Likewiſe, the Charter of the Forreſt ſhall be obſerued in all his Articles, and the Offendors, when they be conuict, ſhall be grieuouſly puniſhed by our Soueraigne Lord the King in forme aboue mentioned.

A confirmation of the great Charter, and the Charter of the Forreſt.

Cap. VI.

A fraudulent Conueyance to defeat a Lord of his Wardſhip ſhall be void.

Fitz.Gard.11.79. 102.155.
Coke lib.6.fo.76.
Dyer.fo 9.
27.H.8.fo.7.
33.H.6.fo.14.
Fitz.Gard 33.
Fitz.Colluſion.12 24.29.36.47.

AS touching them that vſe to infeoffe their eldeſt ſonnes and heires, being within age, of their heritage for to defraud the Lords of the Fée of their Wardſhips: It is prouided, accorded, and agréed, that by occaſion of any ſuch Feoffment, no chiefe Lord ſhall léeſe his Ward. Moreouer, touching them that faine falſe Feoffements of their Lands, which they will leaſe for terme of yeares, for to defraud the chiefe Lords, of their Wards, wherein it is contained, that they are ſatisfied of the whole ſeruice due vnto them, vntill a certaine terme: ſo that ſuch Feoffées are bound at the ſaid terme to pay a certaine ſumme to the value of the ſame Lands, or farre aboue, ſo that after ſuch terme the Land ſhall returne vnto them, or to their Heires, becauſe no man will bee content to hold it vpon the price: It is prouided and agréed, That by ſuch fraud, no chiefe Lord ſhall léeſe his Ward.

Feoffements to defraud Lords of their Wardſhips.
Stat.34.H.8.5.

Eiectione cuſto. diæ. Co. pl. fo. 183

Coke li. 11. fo. 77.
Fitz. Gard. 119.
Fitz. Briefe. 779.
19. H. 6. fo. 30.
5. H. 7. fo. 5.
29. Aſſ. pla. 26.

Neuertheleſſe, it ſhall not be lawfull to them to diſſeiſe ſuch Feoffées, without Iudgement, but they ſhall haue a Writ, for to haue ſuch a Ward reſtored vnto them, and by the Witneſſes, contained in the Déed of Feoffement, with other frée and lawfull men of the Countrey, and by the value of the Land, and by the quantity of the ſumme payable after the terme, it ſhall bée tryed, whether ſuch Feoffements were made bona fide, or by colluſion, to defraud the chiefe Lords of the Fée of their Wards. And if the chiefe Lords in ſuch caſes recouer their Wards by Iudgement, the Feoffées ſhall neuertheleſſe haue their Action, to recouer ſuch Terme or Fée (which they had therein) when the Heires come to their lawfull age.

A Lord impleading a Feoffee wrongfully.

And if any chiefe Lords doe maliciouſly implead ſuch Feoffées, faining this caſe, namely, where the Feoffements were made lawfull, and in good faith, then the Feoffées ſhall haue their Damages awarded, and their Coſts, which they haue ſuſtained by occaſion of the foreſaid Plea, And the Plaintifes ſhall bée grieuouſly puniſhed by Amerciament. Regiſt. fo. 161. Fitz. N B. fo. 139. &c. V. N. B. fo. 96. Raſt. pla. fo. 363. St. 4. *H.* 7. 17.

Cap. VII.

Proceſſe in a Communi Cuſtodia. *Ward by reaſon of Ward.*

The proces in Communi cuſtodia.
Fitz. N. B. fo. 143.
V. N. B. fo. 88.
St. 13. Ed. 1. 35.

Fitz. Gard. 15. 92.
Fitz. Returne de Viſcount 41.
Fitz. Proclam. 1. 3. 4. 5. 6. 7. 8. 9. 10. 11. 15. 19.
Fitz. Damage. 5.
Fitz. Iudgement 168. 251
Fitz. Garde 108.

IN a Plea of Communi cuſtodia, if the Deforceors come not at the great Diſtreſſe, then the ſaid Writ ſhall be renewed twice, or thrice, at ſuch termes as it may be done within the halfe yeare following, ſo that euery time the Writ ſhall be read in the open County (if the Deforceor be not found before) and there openly be proclaimed, that he may come at the day limited: ſo that if he abſent himſelfe then, ſo that he come not to anſwer within the ſaid halfe yeare, nor the Sherife cannot get his body, to haue it before our Iuſtices, to anſwer according to the Law and Cuſtome of the Realme, then as a Rebell, and ſuch one as will not be iuſtified, hée ſhall léeſe the Seiſin of the Ward: Sauing to him his Action at another time, if he haue any right to the ſame.

Ward by reaſon of Ward.
Fitz. N. B. fo. 139. 252. 261.

Dyer fo. 172.
Fitz. Garde 143 70. 81. 105.

But in ſuch caſes, where the Wardſhips belong to the Gardians of Wards, being within age, and where the Gardians demand a Wardſhip, which belongeth to the Heire, or as appertaining to their Inheritance, ſuch Heires within age ſhall not léeſe their Inheritance by the negligence or wilfulneſſe of their Gardians, as in the caſe afore rehearſed, but let the Common Law runne in like maner as it hath béene accuſtomed to doe.

Cap. VIII.

The puniſhment of thoſe which commit Rediſſeiſin.

Raſt. pla. fo. 502.
The puniſhmẽt for Rediſſeiſin.
V. N. B fo. 108.
Fitz. N. B. fo. 188. 289.

Dyer fo. 60.
28. H. 8. fo. 1.

THey which be taken and impriſoned for Rediſſeiſin, ſhall not be deliuered without ſpeciall commandement of our Lord the King, and ſhal make fine with our Lord the King for their Treſpaſſe. And if it be found, that the Sherife deliuereth any contrary to this Ordinance, he ſhal be grieuouſly amerced therefore. And neuertheleſſe, they which are ſo deliuered by the Sherife without the Kings cõmandement, ſhall be grieuouſly puniſhed for their Treſpas. St. 20. *H.* 3. 3. St. 13. *Ed.* 1. 26. Regiſt. fo. 206.

Cap. IX.

Who ſhall doe Suit of Court. Suit of Court by Coparceners.
Contra formam feoffamenti.

Fitz. Action ſur le ſtat. 24. 25.

Who ſhall doe Suit of Court.
V. N. B. fo. 79. 104

10. Ed. 4. fo. 26.
Fitz. Avowry 24

Suit of Court by Coparceners
Regiſt. fo. 174.
Fitz. N. B. fo. 159. a
St. Hibernia.

Bro. Entre 4.
Coke lib. 6. fo. 1

FOr doing Suits vnto Courts of great Lords, or of meaner perſons, from henceforth this order ſhall be obſerued, that none that is infeoffed by déed, from henceforth ſhall be diſtrained to doe ſuch Suit to the Court of his Lord, without hée bée ſpecially bound thereto by the forme of his déede: Theſe onely except, whoſe aunceſtors or they themſelues haue vſed to doe ſuch Suit before the firſt voyage of the ſaid King Henry into Britaine, ſithence which, nine and thirty yeares and an halfe are paſſed vnto the time that theſe Statutes were enacted. Likewiſe from henceforth none that is infeoffed without Déed, from the time of the Conqueſt, or any other ancient Feoffement, ſhall bée diſtrained to doe ſuch Suits, vnleſſe that hée or his aunceſtors vſed to doe it before the ſaid voyage. And they that are infeoffed by Déed to doe a certaine ſeruice, as, for ſeruice of ſo many ſhillings by yeare, to bée acquitted of all ſeruice, from henceforth ſhall not be bounden to ſuch Suites, or other like, contrary vnto the forme of their Feoffement. And if any Inheritance (whereof but one Suite is due) diſcend vnto many Heires, as vnto Parceners, who ſo hath the eldeſt part of the Inheritance, ſhall doe that one Suite, for himſelfe, and his Fellowes, And

the

Fitz. Auowry 9. 15.42.48.52 60. 65.68.89.99.

Regiſt.fol.176. A Lord diſtraining his tenant for ſuit not due. Regiſt. fo.81.176. Contra formam feoffomenti. Fitz.N.B.f.193.b. V.N.B.fo.104.

the other Coheirs ſhall be contributaries, according to their Portion, for doing ſuch Suit. And if many feoffees be ſeiſed of an Inheritance (whereof but one Suit is due) the Lord of the Fee ſhall haue but that one Suit, and ſhall not exact of the ſaid Inheritance but that one Suit, as hath beene vſed to be done before, And if thoſe Feoffees haue no Warrant, or meane, which ought to acquit them, then all the Feoffees, according to their portion, ſhall be contributaries for doing the Suit for them, And if it chance, that the Lords of the Fee doe diſtraine their Tenannts for ſuch Suites, contrary to this Act, then at the complaint of the Tenants, the Lords ſhall be attached, to appeare in the Kings Court at a ſhort day, to make anſwer thereto, and ſhall haue but one Eſſoine therein (if they be within the Realme,) And immediately the Beaſts, or other diſtreſſes taken by this occaſion, ſhall be deliuered to the Plantiſe, and ſo ſhall remaine, vntill the Plea betwixt them be determined. And if the Lords of the Courts, which tooke Diſtreſſes, come not at the day that they were attached, or doe not keepe the day giuen to them by Eſſoine, then the Sherifes ſhall be commanded, to cauſe them to come at another day, at which day if they come not, then he ſhall be commanded to diſtraine them by all theire goods, and cattels, that they haue in the Shire, ſo that the Sheriffe ſhall anſwere to the King of the Iſſues of the ſaid Inheritance. And that he haue their bodies before our Iuſtices at a certaine day limited, So that if they come not at that day, the party Plantiſe ſhall goe without daie, and his Beaſts or other diſtreſſes taken by that colour, ſhall remaine deliuered, vntill the ſame Lords haue recouered the ſame Suit by award of the Kings Court, and in the meane time ſuch Diſtreſſes ſhall ceaſe, Sauing to the Lords of the Court their Right to recouer thoſe Suites in forme of Law, when they will purſue therefore. And whē the Lords of the Courts come in to anſwer the Plaintifes of ſuch Treſpaſſes, and be conuict thereupon, then by award of the Kings Court, the plaintifes ſhall recouer againſt them, the Damages that they haue ſuſtained by occaſion of the ſaid diſtreſſe.

Fitz. Auowry 86. 92.99.

Tenants with holding from their Lords their due ſuites

Likewiſe, if the Tenants after this Act withdraw from their Lords ſuch Suites as they were wont to doe, and which they did before the time of the ſaid Voyage, and hithereto vſed to doe, then by like ſpeedineſſe of Iuſtice, as be to limitting of dayes, and awarding of Diſtreſſes, the Lords of the Courts ſhall obtaine Iuſtice, to recouer their Suites, with their Damages, in like manner as the Tenants ſhould recouer theirs: And this recouering of Damages muſt be vnderſtood of withdrawing from themſelues, and not of withdrawing from their Anceſtors: Neuertheleſſe, the Lords of the Courts ſhall not recouer Seiſin of ſuch Suites againſt their Tenants by Default, as they were wont to doe. And touching Suites withdrawne before the time afore mentioned, let the Common Law runne as it was wont before time.

CAP. X.

Certaine perſons exempt from apparance at Sherifes Turnes.

Certaine perſons exempt from apparance at the Sherifes Turne.

Hundred courts Stat.9.H.3.c.35.

FOr the Turnes of Sherifes, it is prouided, That Archbiſhops, Biſhops Abbots, Priors Earles, Barons, nor any Religious Men or Womē, ſhall not need to come thither, except their apparance be ſpecially required thereat for ſome other cauſe, But the Turne ſhall be kept, as it hath beene vſed in the times of the Kings Noble Progenitors. And they that haue Hundreds of their own to be kept, ſhall not be bound to appeare at any ſuch Turnes, but in the Bayliwikes where they bee dwelling. And the Turnes ſhall be kept after the forme of the greate Charter, and as they were vſed in the times of King Richard and King Iohn. Regiſt.fol.174.175. Fitz.N.B.fo.159.d.160.a.

CAP. XI.

No Fines ſhall be taken for Beaupleader.

Fitz. Attachment 2. Bro. Attachment 83.

Beaupleader.

* The latin is, Præſtationes.

IT is prouided alſo, That from henceforth, neither in the Circuit of Iuſticers, nor in Counties, Hundreds, and Court Barons, any Fines ſhall be taken of any man for faire Pleading, nor ſo that any occaſion ſhall be.

And it is to be knowne, that by this Act Fines certaine or Lones aſſeſſed ſince the time that our Lord the King firſt paſſed into Britaine, are not taken away. St.3.Ed.1.8. Stat.1.Ed.3.8 Regiſt.fo.179. Fitz.N.B.fo.270.a.

CAP.

Cap. XII.

Dayes giuen in Dower, *Aſſiſe of* Darreine preſentment, *and* Q. Impedit

Plea of Dower, Darrine preſentment, Q. Impedit. V.N.B.fo.30. Stat.32.H 8.21.

Proces in Q. Impedit. V.N.B.fo.26. Fitz.N.B.fo.38.o. Raſt.pla.fo.477.

Attachments.

IN a Plea of Dower, that is called (Vnde nihil habet) from henceforth foure dayes ſhall be giuen in the yeare at the leaſt, and moe, if it may conueniently be, So that they ſhall haue fiue or ſixe dayes at the leaſt in the yeare. In Aſſiſes of Darreine preſentment, & in a Plea of Quare Impedit, of Churches vacant, dayes ſhall be giuen from fiftéene to fiftéene, or from thrée wéekes to thrée wéekes, as the place ſhall hap to be néere or farre. And in a Plea of Quare Impedit, if the Diſturber come not at the firſt day that he is ſummoned, nor caſt no Eſſoine, then he ſhall be attached at another day, at which day if he come not, nor caſt no Eſſoine, he ſhall be diſtrained by the great Diſtreſſe aboue giuen: And if he come not then, by his default a Writ ſhall goe to the Biſhop of the ſame place, that the claime of the Diſturber for that time, ſhall not be preiudiciall to the Plaintiffe: Sauing to the Diſturber his right at another time, when hée will ſue therefore. The ſame Law, as to the making of Attachments, ſhall from henceforth be obſerued in all Writs where Attachments lye, as in making Diſtreſſes, ſo that the ſecond Attachment ſhall be made by better Pledges, and after the laſt Diſtreſſe. St.32. H.8.21.

Fitz.Iour.18,19, 32. 11.H.6.fo.4. 33.H.6.fo.1. Fitz.Briefe al Eueſque,P3.14, 21.22.27.

Cap. XIII.

After Iſſue ioyned, there ſhall be but one Eſſoine or one Default.

After Iſſue ioyned there ſhal be but one Eſſoine or one Default.

AND it is to be knowne, that after that a man hath put himſelfe vpon any Enqueſt, the which hath or muſt paſſe in ſuch manner of Writs, he ſhall haue but one Eſſoine, or one Default: ſo that if he come not at the day giuen to him by the Eſſoine, or make Default the ſecond daye, then the Enqueſt ſhall be taken by his Default, and according to the ſame Enqueſt, they ſhall procéed to Iudgement. And if ſuch Enqueſt be taken in the Countie, before the Sheriffe, or Coroners, it ſhall be returned vnto the Kings Iuſtices at a certaine day, and if the party Defendant come not at that day, then vpon his Default, another day ſhall be aſſigned to him after the diſcretion of the Iuſtices. And it ſhall be commanded to the Sheriffe, that he cauſe him to come to heare the Iudgement, if he will, according to the Enqueſt, at which day if he come not, vpon his Default they ſhall procéed to Iudgement. In like manner it ſhall be done, if he come not at the day giuen vnto him by his Eſſoine. Raſt.pla.fo.297.&c.

Dyer.fo.223.324. Fitz.Eſſoine 21, 33.34.38.100, 130.159.

Cap. XIIII.

They which haue Charters of Exemption, muſt in ſome caſes be ſworne.

They which haue Charters of exemption, muſt in ſome caſes be ſworne.

CONcerning Charters of Exemption and Liberties, that the Purchaſers ſhall not be impanelled in aſſiſes, Iuries, and Enqueſts: It is prouided, that if their Oathes be ſo requiſite, that without them, Iuſtice cannot be miniſtred, as in great Aſſiſes, Perambulations, and in Déedes or Writings of Couenants (where they be named for Witneſſes) or in Attaints, and in other caſes like, they ſhall be compelled to ſweare. Sauing to them at another time their foreſaid Liberty and Exemption.

39.Ed.3.fo.15. 34.H.6.fo.25. 28.H.8.fo.5. 12.Ed 4.fo.17. 2.R.3 fo.4. Fitz.Exemption 45.

Cap. XV.

In what places Diſtreſſes ſhall not be taken

Diſtreſſes. Raſt.pla.fo.526. Regiſt.fo.98.283. St.9.Ed.2.9. Fitz.N.B.fo.90. 173

IT ſhall be lawfull for no man from henceforth, for any manner of cauſe, to take Diſtreſſes out of his Fée, nor in the Kings high Way, nor in the common Stréet, but onely to the King or his Officers, hauing ſpeciall authoritie to doe the ſame.

Coke, lib.8.fo.63. 7.H.7 fo 1. 22.Ed.4.fo.49. Fitz.Barre 281. Fitz.Treſpas 188. Fitz.Briefe 312. 842. Fitz.Auowry. 87. 221,232.

Cap. XVI.

The Heires remedie, if his Lord doe keepe him forth, The Kings Primer Seiſin.

A remedie for the Heire, if his chiefe Lord doe keepe or put him out of poſſeſſion V.N.B.fo.93.116. Fitz.N.B.fo 196.f

IF any Heire after the death of his Aunceſtor be within age, and his Lord haue the Ward of his Lands and Tenements, if the Lord will not render vnto the Heire his Land (when he commeth to his full age) without Plea, the Heire ſhall recouer his Land by Aſſiſe of Mortdauncester, with the damages that hée hath ſuſtained by ſuch withholding, ſince the time that he was of full age. And if an Heire at the time of his Aunceſtors death be of full age, and he is Heire apparant, and knowne for Heire, and be found in the Inheritance, the chiefe Lord

ſhall not put him out, nor take nor remoue any thing there, but ſhall take onely ſimple ſeiſin
Dyer.fo.213. therefore for the recognition of his Seigniorie, that he may be knowne for Lord. And if the chiefe
Lord doe put ſuch an Heire out of the poſſeſſion maliciouſly, whereby he is driuen to purchaſe
5.Ed.3.fo.3. a Writ of Mortdauncester, or of Couſenage, then he ſhall recouer his damages, as in Aſſiſe
of Nouel diſſeiſin.

Touching Heires, which hold of our Lord the King in chiefe, this order ſhall be obſerued, that our Lord the King ſhall haue the firſt ſeiſin of their Lands, like as he was wont to haue before time. Primer ſeiſin. Neither ſhall the Heire, nor any other, intrude into the ſame Inheritance, before he hath receiued it out of the Kings hands, as the ſame Inheritance was wont to be taken out of his hands and his Anceſtors in times paſt. And this muſt be underſtanded of Lands and Fées, the which were accuſtomed to be in the Kings hands, by reaſon of Knights Seruice, or Serieanty, or right of Patronage. Stat.17. Ed.2.3.

Cap. XVII.

The Authoritie and Duty of Gardians in Socage.

Fitz.Waſt.1.9. 100.167.
Dyer.fo.137. Fitz.Ancient. demeſne 11. Fitz.Preſent 10. Fitz.Briefe 847. Fitz.Garde 166. 159. Plow.fo 293. Fitz.Accompt 2. 3.35.59.60.77. 107.126. Co.Inſt.89.a.

IT is prouided, That if Land holden in Socage be in the cuſtodie of the friends of the Heire, because the Heire is within age, the Gardians ſhall make no waſt, nor ſale, nor any deſtruction of the ſame Inheritance, but ſafely ſhall kéepe it to the vſe of the ſaid Heire, ſo that when he commeth to his lawfull age, they ſhall anſwer to him for the Iſſues of the ſaid Inheritance by a lawfull accompt, ſauing to the ſame Gardians their reaſonable coſts. Neyther ſhall the ſaid Gardians giue or ſell the mariage of ſuch an Heire, but to the aduantage of the foreſaid Heire. But the next friends, which had the Ward (for all that time that Writs of Impleading did not lie) ſhall haue ſuch Wardſhip vnto the aduantage of the Heire, as is ſaid before, without waſt, ſale, or deſtruction making. Raſt pla.fo.21.618. V.N.B.fo.58.

The authority and duty of Gardians in Socage.
Fitz.N.B.f.18.a. 139.h. Coke.pla.fo.47.

Cap. XVIII.

Who onely may amerce for default of Common Summons.

NO Eſcheator, Commiſſioner, or Iuſticer, ſpecially aſſigned to take Aſſiſes, or to heare and determine matters, from henceforth ſhall haue power to amerce for default of Common ſummons, but the chiefe Iuſtices, or the Iuſtices in Eyre in their Circuits.

Authority to amerce.

Cap. XIX.

In which Courts none ſhall need to ſweare, to warrant their Eſſoines.

Fitz. Eſſoine 119.

TOuching Eſſoines, it is prouided, That in Counties, Hundreds, or in Court Barons, or in other Courts, none ſhall néede to ſweare to warrant his Eſſoine.

Raſt.pla.fo.297. Eſſoine.

Cap. XX.

Non but the King ſhall hold Plea of Falſe Iudgement.

Fitz. Foux Iudgement 7.8.10.14. 16.

NOne from henceforth (except our Lord the King) ſhall hold in his Court any Plea of Falſe Iudgement, giuen in the Court of his Tenants: For ſuch Plea ſpecially belongeth to the Crowne and Dignitie of our Lord the King. Regiſt.fol.15. V.N.B. fo.16. Fitz.N.B.fo.17. Raſt.pla.fo.321. Coke pla.fo.305.

Falſe Iudgement. St.1.Ed.3.6.

Cap. XXI.

Who may take Repleuins of Diſtreſſes.

Dyer.fo.245. Bro.Riots 2.3. Bro.Parliament 108. Fitz.Returne de Viſcount 17. Co.Inſt.145.b.

IT is prouided alſo, That if the Beaſts of any Man be taken, and wrongfully withholden, the Sherife, after complaint made to him thereof, may deliuer them, without let or gainſaying of him that tooke the Beaſts, if they were taken out of Liberties. And if the Beaſts were taken within any Liberties, and the Baylifes of the Libertie will not deliuer them, then the Sherife, for default of thoſe Baylifes, ſhall cauſe them to be deliuered. Regiſt fo.82.&c.

Who may make Repleuin of beaſts diſtrained. St.3.Ed.1.17. Fitz.N.B.fo.68. V.N.B.fo.44.

Cap.

CAP. XXII.

None ſhall compell his Freeholder to anſwere for his freehold.

Anſwer for free hold, or ſwearing.

NOne from henceforth may diſtraine his Fréeholders to anſwere for his Fréeholds, nor for any things touching their Fréehold, without the Kings Writ, Nor ſhall cauſe his Fréeholders to ſweare againſt their wills, for no man may doe that without the Kings commandement. Stat.15.R.2.12. Stat.16.R.2.12. Regiſt.fo.171.

CAP. XXIII.

A remedy againſt Accomptants. Fermors ſhall make no Waſt.

Remedy againſt Accomptants. Raſt pla.14. St.13.Ed.1.11. V.N.B.fo.58.] Fitz.N.B.f.117.h. Fermors ſhall make no waſt.

IT is prouided alſo, That if Bailifes, which ought to make accompt to their Lords, doe withdraw themſelues, and haue no Lands nor Tenements whereby they may be diſtrained, Then they ſhall be attached by their bodies, So that the Sherife, in whoſe Bayliwike they be found, ſhall cauſe them to come to make their Accompt.

Fitz.Briefe 791. 80.6. Fitz.Proofes 103. Fitz.Exigent 12.

Alſo Fermors, during their termes, ſhall not make waſt, ſale, nor exile of Houſe, Woods, and Men, nor of any things belonging to the Tenements that they haue to ferme, without ſpeciall licence had by Writing of Couenant, making mention, that they may doe it: which thing if they doe, and thereof be conuict, they ſhall yéeld full damage, and ſhall be puniſhed by amerciament grieuouſly. Stat.6 Ed.1.5. Regiſt.fo.72.136. Fitz.N.B.fo.58,h. Raſt.pla.fo.616.

Coke.li.5.fo.12. Dyer fol.281. Fitz.Waſt.2.22. 30.32.37,42.43. 46.47.48.53.68.] 69,76.78,82.88. Coke.li.4 fo.63. lib.11.fo.81. Fitz.Waſt.11.39. 53.66.72.73. 101,103.129.

CAP. XXIIII.

For what cauſes Towneſhips ought not to be amerced.

Amerciaments of Townes in Eire.

Enqueſt of the death of Man.

THe Juſticers in Eyre from henceforth ſhall not amerce Towneſhips in their Circuits, becauſe all being twelue yeares old, came not afore the Sherifes and Coroners, to make inquirie of Robberies, burnings of Houſes, or other things pertaining to the Crowne, ſo that there come ſufficient out of thoſe Townes, by whom ſuch Enqueſts may be made full, except Enqueſts for the death of Man, whereat all, being twelue yeares of age, ought to appeare, vnleſſe they haue reaſonable cauſe of abſence.

CAP. XXV.

What kind of Manſlaughter ſhall be adiudged Murder.

What is Murder.

MUrder from henceforth ſhall not be iudged before our Juſtices, where it is found miſfortune onely, but it ſhall take place in ſuch as are ſlaine by Felony, and not otherewiſe, Coke pla.fo.453.

Plow.fo.97.473. Dyer fo.128.

CAP. XXVI.

What day ſhall be giuen to him that is vouched to warrantie.

What day ſhall be giuen to him that is voucher to warrnatie.

IT is prouided, that none, being vouched to warranty before our Juſtices in Eyre, in Plea of Land or Tenement, ſhall be amerced from henceforth, becauſe he was not preſent when he was vouched to warranty, except the firſt day of the comming of the Juſtices. But if the partie vouched be within the Shire, then the Sherife ſhall be commanded to cauſe him to come within the third or fourth day, according to the diſtance of the place, as it was wont to be done in the Circuit of the Juſtices, And if he dwell without the Shire, then he ſhall haue reaſonable ſummons of fiftéene dayes at the leaſt, after the diſcretion of the Juſtices, and the Common Law. Raſt.pla.fo.614.&c.

CAP. XXVII.

A Clerke bailed vpon a capitall Offence, refuſeth to anſwere.

A Clerke bayled, doth appeare, but not anſwer.

IF a Clerke, for any Crime or Offence touching the Crowne, be arreſted, and after, by the Kings commandement, let to bayle, or repleuized, ſo that they to whom he was let to bayle, haue him before our Juſtices: The ſureties from hence forth, nor they to whom he was let to bayle, ſhall not be amerced (if they haue his bodie before our Juſtices) although he will not anſwere before them, by reaſon of a Clerkes priuiledge, nor cannot by reaſon of his Ordinarie. Stat.28.H.8.1. Stat.32.H.8.3.

Bre.Coron.115.

Cap. XXVIII.

Reme dies for ſucceſſors of Prelates for wrongs done to their Predeceſſors, or &c.

Fitz Treſpaſſe. 205.211.237.242 Fitz Briefe 176. 296 359.623.828. 2.H.4.fo.4.

A remedy for Prelates for wrongs done in the time of their predeceſſors, or during the vacation.

IT is prouided, that if any wrongs or treſpaſſes be done to Abbots, or other Prelates of the Church, and they haue ſued their right for ſuch wrongs, and be preuented with death before iudgement giuen therein: their ſucceſſors ſhall haue actions to demand the goods of their Church out of the hands of ſuch treſpaſſers. Moreouer the ſucceſſors ſhall haue like action for ſuch things as were lately withdrawne by ſuch violence from their houſe and Church, before the death of their predeceſſors, though their ſaid predeceſſors did not purſue their right during their liues. And if any intrude into the lands or tenemẽts of ſuch religious perſons in the time of vacation, of which lands their predeceſſors died ſeiſed, as in the right of their Church, the ſucceſſors ſhall haue a Writ to recouer their ſeiſin. And damages ſhall be awarded them, as in Aſſiſe of Nouell diſſeiſin is wont to be. Regiſt.fo.72.125.Fitz.N.B.f.112.V.N.B.f.136.Raſt.pla.f.381.

Cap. XXIX.

In what caſe a Writ of Entrie ſur diſſeiſin *in the Poſt doth lie.*

Fitz cui in vita 23. Fitz.Entre.9.11. 49.56.65. Fitz Briefe 248. 438.469.693. 812. Co.Inſt.238.b. 239.a.

A Writ of Entrie in the Poſt.

IT is prouided alſo, that if thoſe alienations (whereupon a Writ of Entrie was wont to bée granted) hap to be made in ſo many degrées, that by reaſon thereof, the ſame Writ cannot be made in the forme before times vſed, the plaintiffes ſhall haue a Writ to recouer their ſeiſin, without making mention of the degrées, into whoſe hands ſo euer the ſame thing ſhall happen to come by ſuch alienations, and that by an original Writ to be prouided therefore by the Councell of our Lord the King. Regiſt.fo.228.V.N.B.fo.130.Fitz.N.B.fo.191.D.K.192.201.203. Raſt.pla.fo.264.

Anno.51.Henrici.3. A Statute intituled *Dictum de Kenelworth, viz.* An award, agreement, or Compoſition made at Kenelworth, between the King, his Noblemen, and Commons. Exp.

Anno 12.H.3. Sententia lata ſuper Chartas, viz. A Sentence of Curſe giuen by the Biſhops againſt the breakers of the great Charter, and the Charter of the Foreſt. Exp.

¶ The Statute of VVeſtminſter, the firſt, made at VVeſtminſter 25. *die Aprilis, An.*3.Ed.1.*& An.D.*1275.

THeſe bee the Acts of King EDVVARD, ſon to King HENRY, made at Weſtminſter at his firſt Parliament generall after his Coronation, on the Munday of Eaſter *vtas*, the third yeare of his raigne, by his Councell, and by the aſſent of Archbiſhops, Biſhops, Abbots, Priors, Earls, Barons, and all the Comminalty of the Realme being thither ſummoned, becauſe our Lord the King had great zeale and deſire to redreſſe the State of the Realm in ſuch things as required amendment, for the common profit of holy Church and of the Realme. And becauſe the State of holy Church had beene euill kept, & the Prelates and religious perſons of the land grieued many wayes, and the people otherwiſe intreated then they ought to be, and the Peace leſſe kept, and the lawes leſſe vſed, and the offendors leſſe puniſhed then they ought to be, by reaſon wherof, the people of the land feared the leſſe to offend: the King hath ordeyned and eſtabliſhed theſe Acts vnder written, which he intendeth to be neceſſarie and profitable vnto the whole Realme.

Cap. I.

The Peace of the Church, and the Realme ſhall be maintained. Religious houſes ſhall not be ouercharged.

The Peace of the Church and the Realme ſhall be kept.

FIrſt the King willeth and commandeth, that the Peace of holy Church, and of the land be well kept, and maintained in all points, And that common right be done to all as well poore as rich, without reſpect of perſons. And becauſe that Abbeyes and houſes of religion of the land haue béene ouercharged, and ſore grieued by the reſort of

Religious houſes ſhall not be ouercharged.

No purueyance ſhall be made of a Prelate without the owners conſent St.14.Ed.3.1. St 18.Ed.3.4. St 1.R.2.3. *Reg.1.98.

The puniſhmēt of the offendors.

A Prelate ſhall receiue no lodgers. Raſt.pla.fo.373.

A Sheriffes entertainment.

great men and other, ſo that their goods haue not beene ſufficient for themſelues, whereby they haue beene greatly hindered and impoueriſhed, that they cannot maintaine themſelues nor ſuch charitie as they haue beene accuſtomed to doe: It is prouided, that none ſhall come to eate or lodge in any houſe of religion of any others foundation, then of his own at the coſtes of the houſe, vnleſſe he be required by the Gouernor of the houſe before his comming thither. And that none, at his owne coſtes, ſhall enter and come to lie there againſt the will of them that be of the houſe. And by this Statute the King indendeth not, that the grace of hoſpitalitie ſhould be withdrawne from ſuch as neede, nor that the founders of ſuch Monaſteries ſhould ouer charge, or grieue them by their often comming. It is prouided alſo, that none high nor low, by colour of kindred, affinitie or aliance, or by any other occaſion, ſhall courſe in any Parke, nor fiſh in any Pond, nor come to eate, or to lodge in the houſe or manor of a Prelate, or any other religious perſon, againſt the will or leaue of the Lord or his Bayliffe, neyther at the coſt of the Lord, nor at his owne. And if he come in, or enter with the good will, or againſt the will of the Lord or his Bayliffe, hee ſhall cauſe no doore, locke, nor window, nor nothing that is ſhut to be opened or broken by himſelfe nor any other, nor no maner of victuall nor other thing ſhall take by colour of buying nor otherwiſe, And that none ſhall threſh corne, nor take corne, nor any maner of victuall, nor other goods of a Prelate, man of religion, nor any other Clerke, or lay perſon by colour of buying or otherwiſe againſt the will and licence of him, to whom the thing belongeth, or of the Keeper, be it within Market Towne or without. And that none ſhall take Horſes, Oxen, Ploughes, Carts, Ships, nor Barges, to make carriage without the aſſent of him to whom ſuch things belong. And if he doe it by the aſſent of the party, then incontinent he ſhall pay according to the couenant made betweene them. And they that offend againſt theſe Acts, and thereof bee attainted, ſhall be committed to the Kings priſon, and after ſhall make fine, and be puniſhed according to the quantitie and manner of the treſpaſſe: and after as the King in his Court ſhall thinke conuenient. And it is to be knowne, that if they, to whom ſuch treſpaſſe was done, will ſue for damages, they ſhall be thereto receiued, and the ſame ſhall be a warded and reſtored to the double. And they that haue done the treſpaſſe, ſhall be likewiſe puniſhed in the manner aboue ſaid. And if none will ſue, the King ſhall haue the ſuite, as for a thing committed againſt his commandement, and againſt his Peace. And the King ſhall make inquirie from yeare to yeare, what perſons doe ſuch treſpaſſes, after as he ſhall thinke neceſſary and conuenient. And they that be indicted by ſuch inqueſts, ſhall be attached and conſtrained by that great diſtreſſe, to come at a certaine day containing the ſpace of a moneth into the Kings Court, or where it ſhall pleaſe the King. And if they come not at that day, they ſhall be diſtrained againe of new by the ſame diſtreſſe, for to come at another day, containing the ſpace of ſixe weekes at the leaſt, and if they come not then, they ſhall be iudged as attained, & ſhall yeeld double damages (at the Kings ſuit) to ſuch as haue taken hurt or damage, and ſhall make grieuous fine after the maner of the treſpaſſe. And the King forbiddeth and cōmandeth, that none from hence forth doe hurt, damage, or grieuance to any religious man or perſon of the Church, or any other, becauſe they haue denied meat or lodging vnto them, or becauſe that any complaineth in the Kings Court that he hath beene grieued in any of the things aboue mentioned. And if any doe, and hereof be attainted, he ſhall incurre the paine aforeſaid. And it is further prouided, that the points aforeſaid ſhall as well bind our Counſellors, Iuſticers of Foreſts, and other our Iuſtices, as any other perſons, and that the foreſaid points be maintained, obſerued, and kept. Likewiſe the King forbiddeth vpon grieuous forfeitures, that no Prelate, Abbot, man of religion, or Bailiffe of any of them, or of other, receiue any man contrarie to the forme aforeſaid. And that none ſhall ſend to the houſe or manor of a man of religion, or of any other perſon, his men, horſe, or dogges, to ſoiourne: nor none ſhall them receiue, and he that doth (ſeeing the King hath commanded the contrarie) ſhall be grieuouſly puniſhed: yet it is further prouided, that the Sherife from henceforth ſhall not lodge with any perſon, with any moe the nfiue or ſixe horſes. And that they ſhall not grieue religious men, nor other by often comming or lodging, neither at their houſes, nor their mannors, Stat.9. E.2.11.

A Clerke conuict of felonie deliuered to the Ordinarie ſhall not depart without purgation.

A Clerke conuict of felony ſhall not be deliuered without purgation. Stat.18.Eliz.6.

IT is prouided alſo, that when a Clerke is taken for guiltie of felony, and is demanded by the Ordinarie, he ſhall be deliuered to him according to the priuiledge of holy Church on ſuch perill as belongeth to it after the cuſtome aforetimes vſed. And the King admoniſhed the Prelates, and enioyned them vpon the faith that they owe to him, and for the common profit and peace of the Realme, that they which be endited of ſuch offences by ſolemne inqueſt of lawfull men in the Kings Court, in no maner ſhall be deliuered without due purgation, ſo that the King ſhall not neede to prouide any other remedie therein. 23.*H*.8.

CAP. III.

No penaltie for an eſcape before it be adiudged.

21. Aſſ. pl. 12.
17. Aſſ. pl. 1. 2. 27.
21. Ed. 3. fo. 54.

IT is prouided alſo, that nothing bee demanded nor taken from henceforth nor leuied by the Sheriffe, nor by none other, for the eſcape of a theefe or a felon, vntill it bee iudged for an eſcape by the Iuſtices in Eyre. And he that otherwiſe doth, ſhall reſtore to him, or them that haue payed it, as much as he or they haue taken or receiued, and as much alſo vnto the King. Regiſt. fo, 184.

Nothing ſhal be taken for eſcape before it be iudged.

CAP. IIII.

What ſhall be adiudged wrecke of the Sea, and what not.

Coke li. : fo. 106.
5. Ed 3. 6. fo. 3.
35. H. 6. fo. 27.
Bro. Wreck. 1.

COncerning Wrecks of the Sea, it is agreed, that where a man, a dog, or a cat eſcape quicke out of the Ship, that ſuch Ship, nor Barge, nor any thing within them, ſhall be adiudged wrecke, but the goods ſhal be ſaued and kept by view of the Sheriffe, Coroner, or the kings Bayliffe, and deliuered into the hands of ſuch as are of the Towne, where the goods were found, ſo that if any ſue for thoſe goods, and after proue that they were his, or periſhed in his keeping within a yeare and a day, they ſhall be reſtored to him without delay, And if not, they ſhal remain to the King, and be ſeiſed by the Sheriffes, Coroners and Bayliffes, and ſhall be deliuered to the of the towne, which ſhall anſwer before the Iuſtices of the wrecke belonging to the King. And where wrecke belongeth to another then to the King, he ſhall haue it in like manner. And he that otherwiſe doth, and thereof be attainted, ſhall be awarded to priſon, and make fine at the Kings will, and ſhall yeeld damages alſo. And if a Bailiffe doe it, and it be diſallowed by the Lord, and the Lord will not pretend any title thereunto, the Bayliffe ſhall anſwer (if he haue whereof) and if he haue not whereof, the Lord ſhall deliuer his Bailiffes body to the King. St. 17. Ed. 2. 11.

Which ſhall bee ſaid wrecke of the Sea, and how it ſhall be vſed.

Raſt. pla. fo. 611.

CAP. V.

There ſhall be no diſturbance of free Elections.

ANd becauſe Elections ought to be free, the King commandeth vpon great forfeiture, that no man nor other by force of armes, nor by malice or menacing ſhall diſturbe any to make free election. St. 9. Ed. 2. 14.

Elections ſhall be free.

CAP. VI.

Amerciaments ſhall be reaſonable and according to the offence.

Coke li. 8. f. 10. 59.
Bro. Amerciamẽt. 5. 9. 11. 23. 20. 25. & 27. 28. 31. 32. 35. 37. 39. 43. 44.

ANd that no Citie, Borough, nor Towne, nor any mã be amerced without reaſonable cauſe, and according to the quantitie of his Treſpaſſe, that is to ſay, euery free man, ſauing his freehold, a Merchant ſauing his Merchandiſe, a Villain ſauing his gainure, and that by his or their peeres. St. 9. *H.* 3. 14. V. N. B. fo. 47. Regiſt. fo. 187.

Amerciaments ſhall be reaſonable.

CAP. VII.

In what manner, and of whom Purneyance ſhall be made for a Caſtell.

OF priſes taken by Conſtables, or Caſtellaines vpon ſuch folke as bee not of the Towne where the Caſtel is, it is prouided, that no Conſtable nor Caſtellaine from henceforth exact any priſe or like thing, of any other, then of ſuch as be of their Towne or Caſtell: And that it be payed, or elſe agreement to be made within forty dayes, if it be not an ancient priſe due to the King, or to the Caſtell, or to the Lord of the Caſtell. St. 9. *H.* 3. 19.

Purueiance for a Caſtel.

CAP. VIII.

Nothing ſhall be taken for Beaupleder.

Fitz. Attach. 8.
Bro. Attach. 13.

ANd that nothing be takẽ for fayer pleading, as hath been prohibited heretofore in the time of King Henry, father to our Lord the King that now is.

Faire pleading.
St. 52. H. 3. 11.
St. 1. Ed. 3. 8.
Fitz. N. B. 270.
Regiſt. fo. 179.

CAP. IX.

All men ſhall be ready to purſue felons.

ANd for as much as the Peace of this Realme hath beene euill obſerued heretofore for lacke of quicke and freſh ſuit making after felons in due maner, & namely becauſe of franchiſes, where felons are receiued: it is prouided, that all generally be ready and apparelled at the commandement and ſommons of Sheriffes, and at the cry of the Countrey, to ſue and arreſt felons (when

Euery perſon ſhall be ready to arreſt felons.
4. Ed. 1. Officium Corone.

(when any néed is) as well within franchiſe, as without, and they that will not ſo doe, and thereof be attainted, ſhall make a grieuous fine to the King. And if default be found in the Lord of the Franchiſe, the King ſhall take the ſame Franchiſe to himſelfe. And if default be in the Bailiffe, he ſhal haue one yeares impriſonment, and after ſhall make a grieuous fine. And if he haue not whereof, he ſhall haue impriſonment of two yeares. And if the Sheriffe, Coroner, or any other Bayliffe within ſuch franchiſe or without, for reward, or for prayer, or for feare, or for any maner of affinitie, conceale, conſent, or procure to conceale the felonies done in their liberties, or otherwiſe wil not attach nor arreſt ſuch felons (there as they may) or otherwiſe will not do their office for fauour borne to ſuch miſdoers, and be attainted thereof, they ſhall haue one yeares impriſonment, and after make a grieuous fine at the Kings pleaſure if they haue wherewith. And if they haue not whereof, they ſhall haue impriſonment of thrée yeares. St.13.E.1.1. 28.E.3.11. 7.R.2.6. 27.El.13. 39.El.25.

Cap. X.

What ſort of men ſhall be Coroners. Sheriffes ſhall haue Counterrols with them.

What ſorts of perſons ſhall bée Coroners. Fitz.N.B.fo. 136. St.28.Ed.3.6.

Sheriffes ſhall haue counterrols with Coroners.

Coroners ſhall take nothing. St.1.H.8.7.

And for as much meane perſons and vndiſcréet, now of late are commonly choſen to the office of Coroners, where it is requiſite that perſons wiſe, lawfull, and diſcréet ſhould occupie ſuch offices: It is prouided, that through all ſhires ſufficient men ſhall be choſen to be Coroners of the moſt wiſe and diſcréet Knights, which know, will, and may beſt attend vpon ſuch offices, and which lawfully ſhall attach and preſent pleas of the Crowne. And that Sheriffes ſhall haue Counterrols with the Coroners, as well of appeales as of enqueſts, of attachments, or of other things which to that office belong. And that no Coroner demand nor take any thing of any man to doe his office, vpon paine of great forfeiture to the King. St.4.E.1.*officium coronat.* St. 3.*H.*7.1.

17.Aſſ.pla.52. 4.H.6.fo.15.

27.Aſſ.pl.14.

Cap. XI.

Repleuin by the writ of Odio & Atia. *Who ſhall be triers of murder.*

Odio & Atia.

What ſort of perſons ſhall be Jurors to trie thoſe that be indicted of murder

And for as much as many being indicted of murder, and culpable of the ſame, by fauourable Inqueſts taken by the Sheriffe, & by the Kings Writ of Odio & Atia, be repleuiſhed vnto the comming of the Juſtices in Eyre: It is prouided that from henceforth ſuch Inqueſts ſhall be taken by lawfull men choſen out by the oath of twelue men (of whom two at the leaſt ſhall be Knights) which by no affinity with the priſoners, nor otherwiſe are to be ſuſpected. St.9.*H.*3.26. St.6.Ed.1.9. Regiſt.fo.133.

5.H.7.fo.5. Coke li.9.fo.56.

Cap. XII.

The puniſhment of Felons refuſing lawfull triall.

The puniſhmẽt of felons refuſing lawfull triall.

It is prouided alſo, that notorious felons, and which openly be of euill name, and will not put themſelues in Enqueſts of felonies, that men ſhall charge them with before the Juſtices at the Kings ſuit, ſhal haue ſtrong and hard impriſonment, as they which refuſe to ſtand to the common law of the land. But this is not to be vnderſtanden of ſuch priſoners as be taken of light ſuſpection.

Dyer fo.205. 242. Kel.fo.70. 8.H.4.fo.2. 4.Ed.4.fo.11. 14.Ed.4.fo.7. 21.Ed.3.fo.18. 40.Aſſ pl.40. Fitz.Coron.233. 283.359.

Cap. XIII.

The puniſhment of him that doth raviſh a woman.

The puniſhmẽt of him which rauiſheth a woman.

And the King prohibiteth that none doe rauiſh, nor take away by force any maiden within age (neither by her owne conſent, nor without) nor any wife, or maiden of full age, nor any other woman againſt her will. And if any doe, at his ſuit that will ſue within forty dayes the King ſhall doe common right, and if none commence his ſuit within forty dayes, the King ſhall ſue. And ſuch as be found culpable, ſhall haue two yeares impriſonment, and after ſhall fine at the Kings pleaſure. And if they haue not whereof, they ſhall be puniſhed by longer impriſonment according as the treſpaſſe requireth. St.3.Ed.1.34. St.6.R.2.6. Regiſt.fo.97. Raſt. pla.fo.496.

22.E.4. fo.22. Co.Inſt.123.b.

Cap. XIIII.

Appeale againſt the principall and acceſſary.

How an appeal againſt the principall and acceſſary ſhall be purſued.

And for as much as it hath béene vſed in ſome Countries to outlaw perſons being appealed of commandement, force, ayde, or receipt within the ſame time that he which is appealed for the déed, is outlawed: It is prouided and commanded by the King, that none be outlawed vpon appeale of commandement, force, aide, or receipt, vntil he that is appealed of the déed be attainted: ſo that one like law be vſed therein through the Realme. Neuertheleſſe he that will ſue appeale, ſhall not by reaſon of this intermit or leaue off to commence his appeale at the next County againſt them, no more than againſt their principals, which be appealed of the déed, but their

Coke li.9.fo.119. Plow.fo.97. 2.R 3.fo.21. 9.H.7.fo.9. 20.Ed.4.fo.7. 50.Ed.3.fo.15. 44.Aſſ.pl.16. 7.H.4.fo.36.

Fitz. Coron.10.12 33.

their Exigent ſhall remaine, vntill ſuch as be appealed of the déed, bée attainted by outlawry or otherwiſe. Raſt.pla.fo.42,47.48.

CAP. XV.

Which priſoners be mainpernable, and which not. The penalty for vnlawfull bailement.

Bro.Mainpriſe 11.56,78.

AND for as much as Sheriffes, and other, which haue taken and kept in priſon perſons detected of felony, and incontinent haue let out by pleuin ſuch as were not repleuiſable, and haue kept in priſon ſuch as were repleuiſable, becauſe they would gaine of the one party, and grieue the other: And for as much as before this time it was not determined, which perſons were repleuiable, and which not, but onely thoſe that were taken for the death of man, or by commandement of the King, or of his Iuſtices, or for the Foreſt: It is prouided, and by the King commanded, that ſuch priſoners as before were outlawed, and they which haue abiured the Realme, prouors and ſuch which be taken with the manner, and thoſe which haue broken the Kings priſon, théeues openly defamed and knowne, and ſuch as bee appealed by prouors, ſo long as the prouors be liuing (if they be not of good name) and ſuch as be taken for houſe burning feloniouſly done, or for falſe money, or for counterfeiting the Kings ſeale, or perſons excommunicate, taken at the requeſt of the Biſhop, or for manifeſt offences, or for treaſon touching the King himſelfe, ſhall be in no wiſe repleuiſable by the common Writ, nor without writ. But ſuch as be indicted of Larceny by Enqueſts taken before Sheriffes or Bailiffes by their office, or of light ſuſpection, or for pety Larceny, that amounteth not aboue the value of twelue pence, if they were not guilty of ſome other Larceny afore time, or guilty of receit of felons, or of commandement or force, or of ayde in felony done, or guilty of ſome other treſpaſſe, for which one ought not to loſe life nor member, and a man appealed by a prouor after the death of the prouor (if he be no common théefe nor defamed) ſhall from henceforth be let out by ſufficient ſuerty, whereof the Sheriffe will be anſwerable, and that without giuing ought of their goods. And if the Sheriffe, or any other, let any goe at large by ſuerty that is not repleuiſable, if he be Sheriffe or Conſtable, or any other Bayliffe of fée, which hath kéeping of priſons, and thereof be attainted, he ſhall loſe his fee and office for euer. And if the Vnderſheriffe, Conſtable, or Bayliffe of ſuch as haue fée for kéeping of priſons, doe it contrary to the will of his Lord, or any other Bayliffe being not of fée, they ſhall haue thrée yeares impriſonment, and make fine at the Kings pleaſure. And if any withhold priſoners repleuiſable, after that they haue offered ſufficient ſuerty, he ſhall pay a grieuous amerciament to the King. And if he take any reward for the deliuerance of ſuch, he ſhall pay double to the priſoner, and alſo ſhall be in the great mercy of the King. *St. 27.E.1.3, St.H.7.3.1, & 2.P.& M.13.*

What ſort of offendors be not mainpernable.

Dyer fo.179.
Fitz.Mainpriſe. 1.40.
Bro.Mainpriſe. 54.57.59.60.75.78.
Coke li.11.fo.29.

Fitz.Mainpriſe.39
Bro.Main 6.9. 11.19.22.30.48. 50.51.53.58.63. 64.73.78.91.94.97

What ſort of offendors be mainpernable.

The penalty for vnlawfull mainpriſe. V.N.B.fo.40.

The penalty for deteyning a priſoner that is mainpernable. V.N.B.fo.41. Regiſt.fo.83.268.

CAP. XVI.

None ſhall diſtraine out of his fee, nor driue the diſtreſſe out of the County.

30.Aſſ.pl.30.
1.H.6.fo.3.
Kel.fo.50.
Fitz.Auowry 192.

IN right thereof that diuers perſons take and cauſe to bée taken the beaſts of other, chaſing them out of the Shire where the beaſts were taken: it is prouided alſo, that none from henceforth doe ſo: and if any doe, he ſhall make a grieuous fine, as is contained in the Statute of Marlebridge, made in the time of King Henry, father to the King that now is. And likewiſe it ſhall be done to them, which take beaſts wrongfully, and diſtraine out of their fée, and ſhall be more grieuouſly puniſhed, if the manner of the treſpaſſe doe ſo require. *St. 52. H. 3. 15. Stat. 1. & 2. P. & M. 12. Fitz. N.B. fo. 89. B. 90. A. Regiſt fo. 97. 183.*

A diſtreſſe ſhall not be driuen out of the County. Diſtreyning out of his fee.

7.H.7.fo.1.

CAP. XVII.

The remedy if a diſtreſſe be impounded in a Caſtle or Fortreſſe.

IT is prouided alſo, that if any from henceforth take the beaſts of other, and cauſe them to bée driuen into a Caſtell or Fortreſſe, and there within the cloſe of ſuch Caſtle or Fortreſſe, doe withold them againſt gage and pledges, whereupon the beaſts bee ſolemnly demanded by the Sheriffe, or by ſome other Bailiſe of the Kings at the ſuit of the plaintiffe, the Sheriffe or Bayliffe taking with him the power of the Shire or Bayliwike doe aſſaie to make pleuin of the beaſts from him that tooke them, or from his Lord, or from other being ſeruants of the Lord (whatſoeuer they bee) that are found in the place, whereunto the beaſts were chaſed: if any deforce him of the deliuerance of the beaſts, or that no man be found for the Lord or for him that tooke them, for to anſwer and make the deliuerance, after ſuch time as the Lord or taker ſhall be admoniſhed to make deliuerance by the Sheriffe or Bayliffe if he bee in the Countrey, or néere, or there whereas he may be conueniently warned by the taker, or by any other of his to make deliuerance, if he were out of the Countrey when the taking was, and did not cauſe the beaſts to be deliuered incontinent, that the King for the treſpaſſe and deſpite ſhall cauſe the ſaid Caſtle or Fortreſſe to be beaten downe without recouery: And all the damages that the plaintiffe hath ſuſtained in his beaſts, or in his gainure, or any other-

The remedy if a diſtreſſe be detained in a Caſtell or Fort.

Bro.Riot.2.3.

St.52.H.3.3.
St.13.Ed.1.39.
V.N.B.fo.43.44.
Regiſt fo.85.

wiſe (after the firſt demand made by the Sheriffe or Bailiffe) ſhall be reſtored to him double by the Lord, or by him that tooke the beaſts, if he haue whereof: and if he haue not whereof, he ſhall haue it of the Lord, at what time or in what maner the deliuerance be made after that the Sheriffe or Bayliffe ſhall come to make deliuerance. And it is to wit, that where the Sheriffe ought to returne the Kings Writ to the Bayliffe of the Lord of the Caſtell, or fortreſſe, or to any other to whom the returne belongeth, if the Bailiffe of the Franchiſe will not make deliuerance after that the Sheriffe hath made his return vnto him, then ſhal the Sheriffe doe his office without further delay, and vpon the foreſaid paines. And in like maner deliuerance ſhall be made by Attachment of the plaintiffe made without writ, and vpon the ſame paine. And this is to be intended in all places where the Kings Writ lieth. And if that be done in the marches of Wales, or in any other place where the Kings Writs be not currant, the King which is ſoueraigne Lord ouer all, ſhall doe right there vnto ſuch as will complaine.

A non omittas to the Sheriffe, if the Bailiffe doe not execute the Writ.
St. 52. H. 3. 21.
Regiſt. fo. 81.
Fitz. N. B. fo. 68. F.
Marches of Wales.

Cap. XVIII.

Who ſhall aſſeſſe the common Fines of the County.

For as much as the common Fine and amerciament of the whole County in Eyre of the Juſtices for falſe iudgments, or for other treſpaſſe, is vniuſtly aſſeſſed by Sheriffes and Barretors in the Shires, ſo that the ſumme is many times increaſed, and the parcels otherwiſe aſſeſſed then they ought to be, to the damage of the people, which be many times payed to the Sheriffes and Barretors that cannot acquit them: it is prouided and the King wil, that from henceforth ſuch ſummes ſhal be aſſeſſed before the Juſtices in Eyre, afore their departure, by the oath of Knights, and other honeſt men, vpon all ſuch as ought to pay, and the Juſtices ſhall cauſe the parcels to be put in their eſtreates, which ſhall be deliuered vp vnto the Eſchequer, and not the whole ſumme.

Coke li. 8. fo. 37.
By whom the common fine ſhall be aſſeſſed.
Coke li. 8. fo. 39.

Cap. XIX.

A Sheriffe hauing receiued the Kings debt ſhall diſcharge the debtor.

Sheriffes.

In right of Sheriffes or other which anſwer by their owne hands vnto the Eſchequer, and which haue receiued the Kings fathers debts, or the Kings owne debts before this time, and haue not acquited the debtors in the Eſchequer: It is prouided, that the King ſhall ſend good and lawfull men through euery Shire, to heare all ſuch as will complaine thereof, and to determine the matters there, that all ſuch as can proue that they haue payed, ſhall be thereof acquited for euer (whether the Sheriffes or other be liuing or dead) in a certaine forme that ſhall be deliuered them. And ſuch as haue not ſo done (if they be liuing) ſhall be grieuouſly puniſhed. And if they be dead, their heires ſhall anſwer, and be charged with the debt. And the King hath commanded, that Sheriffes and other aforeſaid, ſhal from henceforth lawfully acquite the debtors at the next accompt after they haue receiued ſuch debts, and then the debt ſhall be allowed in the Eſchequer, ſo that it ſhal no more come in the ſommons. And if the Sheriffe otherwiſe do, and thereof be attainted, he ſhall pay to the plaintiffe thrice as much as he hath receiued, and ſhall make fine at the Kings pleaſure. And let euery Sheriffe take heed that he haue ſuch a Receiuor, for whō he will anſwer: for the King will be recompenced of all of the Sheriffes and their heires. And if any other that is anſwerable to the Eſchequer by his owne hands ſo doe, he ſhall render thrice ſo much to the plaintiffe, and make fine in like manner. And that the Sheriffes ſhall make Tales to all ſuch as haue payed their debt to the King, and that the ſommons of the Eſchequer be ſhewed to all debtors that demand a ſight thereof, without denying to any, and that without taking any reward, and without giuing any thing, and he that doth contrary, the King ſhall puniſh him grieuouſly.

Debt.

A Sherife hauing receiued the Kings debt, ſhall diſcharge the debtor.
St. 51. H. 3.
St. Weſt. 4.

Proces for leuying of the K. debt ſhal be ſhewed to the debtor.
St. 42. Ed. 3. 9.
St. 7. H. 4. 3.

Cap. XX.

Offences committed in Parkes and Bonds. Robbing of tame beaſts in a Parke.

It is prouided alſo for treſpaſſers in Parkes and Ponds, that if any be thereof attainted at the ſuit of the partie, great and large mends ſhall be awarded according to the treſpaſſe, and ſhall haue three yeares impriſonment, and after ſhall make fine at the Kings pleaſure (if hee haue whereof) and then ſhall finde good ſuerty, that after he ſhall not commit like treſpaſſe. And if hee haue not whereof to make fine, after three yeares impriſonment, he ſhall finde like ſurety: and if he cannot finde like ſurety, he ſhall abiure the Realme. And if any being guilty thereof be fugitiue, and haue no land nor tenement ſufficient (whereby he may bee iuſtified) ſo ſoone as the King ſhall finde it by enqueſt, hee ſhall bee proclaimed from County to County, and if hee come not, he ſhall be outlawed. It is prouided alſo and agreed, that if none doe ſue within a yeare and a day for the treſpaſſe done, the King ſhall haue the ſuite. And ſuch as bee found guilty thereof by lawful Enqueſt, ſhall bee puniſhed in like manner in all points as aboue is ſaid.

Kel. fo. 39. 102.
Dyer fo 238.
30. Ed. 3. fo. 15.
47. Ed. 3. fo. 10.
9. H. 6. fo. 2.
5 H. 5. fo. 1.
19. H. 8. fo. 9.
18. H. 6. fo. 21.
21. H. 7. fo. 21.
13. H. 7. fo. 10. 11.
Fitz. Barre. 81.

The puniſhmēt for offences cōmitted in Parks and Ponds.
Regiſt. fo 80. 111.
Fitz. N. B. f. 67. D.
V. N. B. f. 41.
Raſt. pla. fo. 246. 585.

And if any ſuch treſpaſſer be attainted, that he hath taken tame beaſts, or other thing in his Parkes by manner of robbery, in comming, tarying, or returning, let the Common Law be executed upon him, as upon him that is attainted of open theft and robbery, as well at the ſuit of the King as of the party. Stat.*9.H.*3.10. St.1.*Ed.*3.8. St.1.*H.*7.7.

Cap. XXI.

No waſt ſhall be made in Wards Lands: nor in Biſhops during the vacation.

Bro. Waſte 32:37. 49.68.107 135. Co. Inſt.53.b.

Bro. Waſt.58.

IN right of Lands of Heires being within age, which be in Ward of their Lords: It is prouided, that the Gardians ſhall keep and ſuſtaine the Land, without making deſtruction of any thing. And that of ſuch maner of Wards ſhall be done in all points as is contained in the great Charter of Liberties made in the time of King Henry, Father to the King that now is, and that it be ſo uſed from henceforth. And in the ſame maner ſhal Archbiſhopricks, Biſhopricks, Abbacies, Churches, and all Spirituall dignities be kept in time of vacation. St.9 *H.*3 4.5. St.6. *Ed.*1.5. St.13.*Ed.*1.13. St.28.*Ed.*1.18. St.36.*Ed* 3.13.

Waſte ſhall not be done in Wards or Biſhops Lands. Regiſt. fo.72. Fitz. N.B. fo.59.b. N.N.B. fo.37.

Cap. XXII.

The penalty of an Heire marrying without conſent of his Gardian. A woman Ward.

OF heires married within age, without the conſent of their Gardians, afore that they bee paſt the age of fourteene yeares, it ſhall be done according as it is contained in the Statute of Merton. And of them that ſhall be maried without the conſent of their Gardians, after they be paſt the age of xiiij. yeares the Gardian ſhall haue the double value of their mariage after the tenour of the ſame Act. Moreouer ſuch as haue withdrawne their mariage, ſhall pay the full value thereof unto their Gardian for the treſpaſſe, and neuertheleſſe the King ſhall haue like amends according to the ſame Act, of him that hath ſo withdrawne. And of heires females after they haue accompliſhed the age of fourteene yeares, and the Lord (to whom the mariage belongeth) will not mary them, but for couetiſe of the land will keepe them unmaried: It is prouided, that the Lord ſhall not haue nor keepe by reaſon of mariage, the Lands of ſuch heires females more than two yeares after the terme of the ſaid xiiij. yeares. And if the Lord within the ſaid two yeares doe not marie them, then ſhall they haue an action to recouer their inheritance quite without giuing any thing for their wardſhip, or their mariage. And if they of malice, or by euill counſell will not be maried by their chiefe Lords (where they ſhall not bee diſparaged) then their Lords may hold their Land and Inheritance, untill they haue accompliſhed the age of an heire male, that is to wit, of one and twenty yeares, and further until they haue taken the value of the mariage. St.13.*Ed.*1.35. Regiſt. fo.161.

Merton cap.6.

The penalty of a Ward marying without conſent of his Gardian. Regiſt. ind. fo. 88. Fitz. N.B. fo.141. V.N.B. fo.89. Raſt pla. fo.365. Coke pl. fo.262.

When an heire female ſhall be out of Ward. V.N.B. fo.116.

The penalty of a Ward refuſing a mariage tendred.

Fitz. Garde 59.71 Bro. garde 85. Coke li.6. fo.71.

Cap. XXIII.

None ſhall be diſtrained for a debt that he oweth not.

IT is prouided alſo, that in no City, Borough, Towne, Market, or Faire, there be no foreine perſon (which is of this Realme) diſtrained for any debt, wherefore he is not debtor or pledge. And whoſoeuer doth it, ſhall be grieuouſly puniſhed, and without delay the diſtreſſe ſhall be deliuered unto him by the Bayliffe of the place, or by the Kings Bailiffes, if need be.

A ſtranger ſhall not be diſtrained for debt.

Cap. XXIIII.

The remedy if an Officer of the King doe diſſeiſe any.

Fitz. Aſſiſe 373. Fitz. Diſſeiſin. 10. 7.H.4. fo.46.

IT is prouided alſo, that no Eſcheator, Sheriffe, nor other Bailiffe of the King, by colour of his Office without ſpeciall warrant or commandement, or authority certaine pertaining to his Office, diſſeiſe any man of his Freeholde, nor of any thing belonging to his Freehold. And if any doe, it ſhall be at the election of the diſſeiſee, whether that the King by Office ſhall cauſe it to be amended at his complaint, or that he will ſue at the Common Law by a Writ of nouel diſſeiſin, and he that is attainted thereof, ſhall pay double damages to the Plaintiffe, and ſhall be grieuouſly amerced unto the King. St.1.R.2.9. V.N.B. fo.106.

No officer of the Kings ſhall diſſeiſe any.

Cap. XXV.

None ſhall commit Champerty, to haue part of the thing in queſtion.

9.H.7. fo 18. 15.H.7. fo.2. 3.H.6. fo.53. 31.H.6. fo.8.

NO Officer of the King by themſelues, nor by other ſhall maintaine pleas, ſuits, or matters hanging in the Kings Courts for Lands, Tenements, or other things, for to haue part or profit thereof by couenant made betweene them, and he that doth, ſhall be puniſhed at the Kings pleaſure. St.13.*Ed.*1.49. St.28.*Ed.*1.11. St.33.*Ed.*1. V.N.B. fo.180. Fitz. N.B. fo. 172. Raſt. pla. fol. 118.

None ſhall commit Champerty. Regiſt. fo.182. Regiſt. ind. fo.57.

Cap. XXVI.

None of the Kings Officers ſhall commit extortion.

No Officer ſhal commit extortion. Raſt.pla.fo.317.

Co.Inſt.368.b.

AND that no Sherife nor other the Kings Officer, take any reward to doe his office, but ſhall be paid of that which they take of the King, and he that ſo doth, ſhall yéeld twice as much, and ſhall be puniſhed at the Kings pleaſure. Sta.23.H.6.10.

Cap. XXVII.

Clerkes or Officers ſhall not commit extortion.

Clerks ſhall not commit extortiõ

AND that no Clerke of any Juſticer, Eſcheator, or Enquirour, ſhall take any thing for deliuering Chapiters, but onely Clerks of Juſtices in their Circuits. and that two ſhillings and no more. Of euery Wapentake, Hundred or Towne that anſwereth by twelue, or by ſixe, according as it hath béene vſed of old time. And he that doth contrary, ſhall pay thrice ſo much as he hath taken, and ſhall loſe the ſeruice of his Maſter for one yeare.

Cap. XXVIII.

Clerkes ſhall not commit maintenance.

There ſhall bee no maintenance of any matter depending in St.28.Ed.1.11. St.1.Ed.3.14. 4.Ed.3.11. St.20.Ed.3.4. 1.R.2.4. Regiſt.f 182.189. Fitz N.B.fo.172. V.N.B.fo.180.

Bro. Decch 28.

AND that none of the Kings Clerks, nor of any Juſticer, from henceforth ſhall receiue the preſentment of any Church, for the which any plea or debate is in the Kings Court, without ſpeciall licence of the King, and that the King forbiddeth vpon paine to loſe the Church his Seruice. And that no Clerks of any Juſticer or Sherife, take part in any quarrels, or matters depending in the Kings Court, nor ſhall worke any fraud whereby common right may be delayed or diſturbed: and if any ſo doe, he ſhall be puniſhed by the paine aforeſaid, or more grieuouſly, if the treſpas doe ſo require. Raſt.pla.fol.118.393.490.

Cap. XXIX.

The penalty of a Serieant or Pleader committing deceit.

The penalty of a Pleader committing deceit in Court. St.8.R.2.4. St.10.H.6.4. 18.H.6.9. Raſt.pl.fo.2.

IT is prouided alſo, that if any Serieant, Pleader, or other, doe any maner of deceit or colluſion in the Kings Court, or conſent vnto it, in deceit of the Court, or to beguile the Court, or the partie, and thereof be attainted, he ſhall be impriſoned for a yeare and a day, and from thenceforth, ſhall not be heard to plead in that Court for any man. And if he be no pleader, he ſhall be impriſoned in like manner by the ſpace of a yeare and a day at the leaſt. And if the treſpaſſe require greater puniſhment, it ſhall be at the Kings pleaſure. And foraſmuch as many complaine themſelues of Officers, Criers of fée, and the Marſhalles of Juſtices in Eyre, taking money wrongfully of ſuch as recouer ſeiſin of Land, or of them that obtaine their ſuites, and of fines leuyed, and of Jurors. Townes, Priſoners, and of others attached vpon pleas of the Crowne, otherwiſe then they ought to doe in diuers manners. And foraſmuch as there is a greater number of them then there ought to be, whereby the people are ſore grieued, the King commandeth that ſuch things, be no more done from henceforth. And if any officer of fée doe it, his office ſhall be taken into the Kings hands. And if any of the Juſtices Marſhalles doe it, they ſhall be grieuouſly puniſhed at the Kings pleaſure, and as well the one as the other ſhall pay vnto the complainants, the treble value of that they haue receiued in ſuch manner.

Extortiõ by Juſtices officers.

Cap. XXX.

The penaltie for taking exceſſiue Toll in a Citie &c. Murage granted to Cities.

The penalty for taking of Tolle F.N.B.fo 94.F.

44.Ed.3.fol.20. 43.Ed.3.fol.29. 41.Ed.3.fol.24.

TOuching them that take outragious Toll, contrary to the common cuſtome of the Realme in Market Townes: It is prouided that if any doe ſo in the Kings Towne, which is let in Fée ferme, the King ſhall ſeiſe into his owne hand the Franchiſe of the Market: And if it be an others Towne, & the ſame be done by the Lord of the Towne, the King ſhall doe in like maner, And if it be done by a Baylife, or any meane officer without the commandement of his Lord he ſhall reſtore to the plaintife as much more for the outragious taking, as he had of him if he hath caried away his Toll, and ſhall haue fortie daies impriſonment. Touching Citizens and Burgeſſes to whõ the King or his Father hath granted Murage to encloſe their Townes, which take ſuch Murage otherwiſe then it was granted vnto them, and thereof bee attainted: It is prouided that they ſhall loſe their grant for euer, & ſhall be grieuouſly amerced vnto the King.

Murage.

Cap.

Cap. XXXI.

The penalty of Puruaiors not paying for that they take. The Kings cariages.

The penaltie of Puruaiors not paying for that they take. 28.Ed.1.2.

OF ſuch as take victuall or other things to the Kings vſe vpon credence, or to the gariſon of a Caſtle, or otherwiſe, and when they haue receiued their payment in the Eſchequer, or in the Wardrobe, or otherwhere, they withhold it from their Creditors, to their great dammage, and ſlander of the King: It is prouided for ſuch as haue Lands or Tenements, that incontinent it ſhall be leuied of their Lands, or of their goods, and paied vnto their Creditors, with the damages they haue ſuſtained, and ſhall make fine for the treſpaſſe, and if they haue no Lands nor Goods, they ſhall be impriſoned at the Kings will. And of ſuch as take part of the Kings debts, or other rewards of the Kings Creditors, for to make payment of the ſame debts: It is prouided that they ſhall pay the double thereof, and be grieuouſly puniſhed at the Kings pleaſure. And of ſuch as take Horſe or Carts for the Kings Cariage more then neede, and take rewards to let ſuch horſe or carts goe: It is prouided, that if any of the Court ſo doe, hee ſhall be grieuouſly puniſhed by the Marſhalles: and if it be done out of the Court, or by one that is not of the Court, and be thereof attainted he ſhall pay treble damages, and ſhall remaine in the Kings priſon fortie daies.

Taking of horſes and carts for the King. St.20.R.2.5. St.28.H.6.2.

Cap. XXXII.

No maintainers of quarels ſhall be ſuffered.

Coke.L.8.fo.36.

IT is prouided, that no Sheriffe ſhall ſuffer any Barettors or maintainors of quarrels in their Shires, neither Stewards of great Lords, nor other (vnleſſe he be Atturney for his Lord) to make ſuite, nor to giue iudgements in the Counties, nor to pronounce the iudgements, if hee be not ſpecially required and prayed of all the ſutors, and Atturneies of the ſutors which ſhall bee at the Court, And if any doe, the King ſhall puniſhe grieuouſly both the Sheriffe and him that ſo doth.

No maintainers of quarrels ſhall be ſuffered.

Cap. XXXIII.

None ſhall report ſlaunderous Newes whereby diſcord maie ariſe.

Dyer fo.155. 30.Aſſ.pla.19.

Reporting of ſlanderous Tales.

FOraſmuch as there haue beene oftentimes found in the Countrey deuiſors of tales, whereby diſcord or occaſion of diſcord hath many times ariſen betweene the King and his people, or great men of this Realme: For the damage that hath and may thereof enſue, it is commanded, that from henceforth none be ſo hardy to tell or publiſh any falſe newes or tales, wherby diſcord, or occaſion of diſcord, or ſlander may grow betweene the King and his people, or the great men of the Realme. And he that ſo doth, ſhall be taken and kept in priſon, vntill he hath brought him into the Court, which was firſt author of the tale. Stat.2.R.2.5. St.12.R.2.11. 1.& 2.P.&.M.3. 1.El.6.

Cap. XXXIIII.

The penaltie for arreſting within a Libertie thoſe that hold not thereof.

Arreſting a ſtranger within a Libertie.

OF great men and their bailiffes, and other, (the Kings officers onely excepted) vnto whom ſpeciall authoritie is giuen, which at the complaint of ſome, or by their owne authoritie, attach other paſſing thorough their iuriſdiction with their goods, compelling them to anſwere afore them vpon contracts, couenants, and treſpaſſes done out of their power and their iuriſdiction, where indeede they hold nothing of them, nor within the franchiſe (where their power is) in preiudice of the King, and his crowne, and to the dammage of the people: It is prouided, that none from henceforth ſo doe. and if any doe, he ſhall pay to him that by this occaſion ſhall be attached, his damages double, and ſhall be grieuouſly amerced to the King, Regiſt.fo.98.

Cap. XXXV.

Aide to make the Sonne Knight, or to marry the Daughter.

What is reaſonable aide.

Fitz.Auncient demeſne 11. Fitz.Auowry 267. Bro.reaſonable Aide 1. Coke.li.11.fo.68. Co.Inſt. 162.B.

FOraſmuch as before this time reaſonable aide to make ones Sonne Knight, or to marrie his Daughter, was neuer put in certaine, nor how much ſhould be taken, or at what time, whereby ſome leuied vnreaſonable aide, and more then often ſeemed neceſſarie, whereby the people were ſore grieued: It is prouided, that from henceforth of a whole Knights Fee there ſhall be giuen but twenty ſhillings. And of twenty pound Land holden in Socage, twenty ſhillings, and of more, more, and of leſſe, leſſe, after the rate. And that none ſhall leuy ſuch aide to make his Sonne Knight, vntill his Sonne be fifteene yeares of age, nor to marrie his Daughter vntill ſhe be of the age of ſeuen yeares. And of that there ſhall be made mention in the Kings writ, formed on the ſame, when any will demand it. And if it happen that the Father, after he hath le-

The father leuing the aid dieth.

uyed ſuch aid of his tenants, die before he hath married his daughter, the Executors of the Father ſhall be bound to the daughter, for ſo much as the Father receiued for the aid. And if the Fathers goods be not ſufficient, his heir ſhall be charged therewith vnto the daughter. Stat.25. Ed.3.11. Regiſt.fo.87. Fitz.N.B.fo.82. B.122.G.

Cap. XXXVI.

The penaltie of a man attainted of Diſſeiſin with robberie in the Kings time.

The Penaltie of a diſſeiſor with robbery or force.

IT is prouided alſo and agreed, that if any man be attainted of diſſeiſin done in the time of the King that now is, with robberie of any manner of goods or moueables, by Recogniſance of Aſſiſe of nouel diſſeiſin, the Iudgement ſhall be ſuch that the Plaintife ſhall recouer his ſeiſon, and his dammages as well of the goods and moueables aforeſaid, as for the Freehold, and the diſſeiſor ſhall make fine, which whether he be preſent or not (ſo it be preſented) ſhall firſt bee awarded to priſon. And in like manner it ſhall be done of diſſeiſin, with force and armes, although there be no robberie. V.N.B.fol.106.

Fitz.Damages 10
14.H.7.fo.15.
5.H.7.fo.5.

Cap. XXXVII.

An Attaint ſhall be granted in plea of Land touching Freehold.

Attaint in plea of Land.
V.N:B.fo.48.111.
Fitz.N.B.f.150.5.
Regiſt.fo.122.
Raſt.pla.fo.84.

FOraſmuch as certaine people of this Realme doubt very little to make a falſe oath (which they ought not to doe) whereby much people are diſherited and loſe their right: It is prouided, that the King of his office ſhall from henceforth grant Attaints vpon Enqueſts in plea of Land, or of Freehold, or of any thing touching Freehold, when it ſhall ſeeme to him neceſſarie. Stat. 1.Ed.3.6. 5.Ed.3.6,& 7. 28.Ed.3.8. 34.Ed.3.7.

44.Ed.3.fol.2.

Cap. XXXVIII.

Seuerall limitations of Preſcription in ſeuerall Writs.

Limitation of preſcription in certaine caſes.

ANd foraſmuch as it is long time paſſed ſince the Writs vndernamed were limited: It is prouided, that in conuaying a diſcent in a Writ of Right, none ſhall preſume to declare of the ſeiſon of his Anceſtor, further or beyond the time of King Richard vncle to King Henry, Father to the King that now is, and that a Writ,of nouel diſſeiſin, of Partition, which is called Nuper obiit, haue their limitation ſince the firſt voyage,of King Henry father to the King that now is,into Gaſcoyne. And that Writs of Mortdaunceſtor,of Coſinage,of Aiel,and of Natiuis, haue their limitation from the Coronation of the ſame King Henry, and not before. Neuertheleſſe all Writs purchaſed now by themſelues, or to be purchaſed betweene this and the Feaſt of Saint Iohn for one yeare complete,ſhall be pleaded from as long time as heretofore they haue beene vſed to be pleaded. Stat.20. H.3.8. 32.*H*.8.2. 21.Iac.16.

Co.Inſt.114.115.

Cap. XXXIX.

Voucher to warrantie, and Counterpleading of Voucher.

Voucher to warrantie and counterpleading of voucher.
Raſt-pl.f.354.614.
Coke-pl.fo.317.

FOr as much as many people are delaied of their right by falſe vouching to Warrantie: It is prouided, that in Writs of Poſſeſſion,firſt,in a Writ of Mortdaunceſtor, of Coſonage,of Aiel, Nuper obiit, of Intruſion, and other like Writs, whereby Lands or Tenements are demanded, which ought to diſcend, reuert, remaine, or eſcheate by the death of any Anceſtor, or otherwiſe, if the tenant vouch to warranty, and the demandant counterpledeth him, and will auerre by Aſſiſe, or by the Countrey, or otherwiſe, as the Court will award,that the Tenant or his Anceſtour (whoſe Heire he is) was the firſt that entred after the death of him, of whoſe ſeiſon he demandeth: The auerrement of the demandant ſhall be receiued, if the Tenant will abide thereupon, and if not, he ſhall be further compelled to another anſwer, if he haue not his warrantor preſent, that will warrant him freely, and incontinent enter into the warrantie. Sauing vnto the demandant his exceptions againſt him, if he will vouch further, as he had before againſt the firſt Tenant. From henceforth in all manner of Writs of Entrie,which make mention of degrees, none ſhall vouch out of the line, or in other Writs of Entrie,where no mention is made of degrees, which Writ ſhall not be maintained, but in caſes where the other Writs of degrees cannot lie nor hold place. And in a Writ of Right it is prouided, that if the Tenant vouch to warrantie, and the demandant will counterplead him, and be ready to auerre by the Countrey, that he that is vouched to Warrantie, nor his Anceſtors, had neuer ſeiſin of the Land or Tenement demanded,nor Fee or Seruice by the hands of his Tenant, or his Anceſtors, ſince the time of him, on whoſe ſeiſin the demandant declareth vntill the time that the Writ was purchaſed, and the plea moued, whereby he might haue infeoffed the Tenant or his Anceſtors: Then let the auerrement of the Demandant be receiued,if the Tenant will

Bro. Parliam. 34.
Fitz.Counterplee de voucher 78.81. 82.83.89.96.98. 100.

Wherein writs of Entrie no vouchee out of the line ſhall be.

Fitz.Counterplee de voucher 92.

Coũterpleading to a voucher in writ of right.

Fitz. Counterplee &c.3.4.5.7.8.9.10 17.18.20.23.24. 27.29.30.40.41. 42.44.48.49.58. 59.60.63.65.85. 88.94.114.126.

Co.Inſt.385.b

Fitz.Counterpl. vouch.31.43. Fitz.Execu.122. Fitz.Gar.de charters 3.4.5.7.8.9. 10.11.12.13.19. 20.21.22.26.28. 29.30.31.

Warrantia chartæ Raſt.pl.fo.371.

will abide thereupon, if not, the Tenant ſhall be further compelled unto an other anſwere, if he be not pꝛeſent that will warrant him freely, and incontinent enter in anſwer, ſauing unto the demandant his exceptions againſt him, as he had afoꝛe againſt the firſt tenant. And the ſaid exception ſhall haue place in a Writ of Mortdaunceſtor, and in the other Writs befoꝛe named, as well as in Writs that concerne right. And if perchance the tenant haue a déed, that compꝛiſeth warrantie of another man, which is bound in none of theſe caſes befoꝛe mentioned to the warrantie of an elder degrée, his recouery by a wꝛit Warrantie of charters out of the Kings chancery ſhall be ſaued to him at what time ſo euer he will purchaſe it, how be it the plea ſhall not be delaied therefoꝛe. Statute 20.Ed.1.de vouchers. Raſt.pla.fo.352.614.&c.

Cap. XL.

The Champions oath in a writ of Right.

A Champions oath in a wꝛit of right.

TOuching the oathes of champions, it is thus pꝛouided, becauſe it ſeldome happened, but that the champion of the demandant is foꝛſwoꝛne in that he ſweareth, that he oꝛ his father ſaw the ſeiſin of his Loꝛd, oꝛ his Anceſtoꝛ, and that his father commanded him to deraigne that right: that from henceforth the champion of the demandant ſhall not be compelled ſo to ſweare: Neuertheleſſe his oath ſhall be kept in all other points.

Cap. XLI.

Certaine actions wherein after apparance the tenant ſhall not be eſſoined.

Fitz.Eſſoin.4.52. 55.56.63.64.

In what caſes after appearance the tenant ſhall not be eſſoined. Stat.13.Ed.1.28.

FOꝛ as much as in a wꝛit of Aſſiſe, Attaints, and Iuris vtrum, the Iuroꝛs béen often troubled by reaſon of the eſſoines of tenants: It is pꝛouided that after the tenant hath once appeared in the court, he ſhall be no moꝛe eſſoined, but ſhall make his atturney to ſue foꝛ him if he will, and if not, the aſſiſe, oꝛ iury ſhall be taken thꝛough his default, Raſt.pla.fo.297.&c. Regiſt.fo.32.

Cap. XLII.

There ſhall be no more fourcher by Eſſoine.

There ſhall be no fourcher by eſſoine.

Fitz.Eſſoin.82. 119. Fitz. Forcher 3.4. 10.13.14. Bro.Forcher 20.

FOꝛ as much as demandants be often times delayed of their right by reaſon that many parceners be tenants, of which none may be compelled to anſwere without the other, oꝛ that there be many ioyntly infeoffed (where none knoweth his ſeverall) and ſuch tenants oftentimes fourch by eſſoine ſo that euery of them hath a ſeuerall eſſoine: It is pꝛouided, that from henceforth ſuch tenants ſhall not haue eſſoine but at one day, no moꝛe thē one ſole tenant ſhould haue, ſo that from henceforth they ſhall no moꝛe fourch, but only ſhall haue one eſſoine, Stat.6.Ed.1.10. Raſt.pla.fo.297.

Cap. XLIII.

In what caſe eſſoine vltra Mare *ſhall not be allowed.*

In what caſe an eſſoine vltra Mare will not lye.

3.Ed.4.fo.29.

FOꝛ as much as diuers perſons cauſe themſelues falſly to be eſſoined (foꝛ being ouer the Sea) where indéed they were within the Realme that day of the ſummons: It is pꝛouided from henceforth, that this eſſoine be not alwaies allowed, if the demandant will challenge it, and will be ready to auerre, that he was in England the day of ſummons, and thꝛée wéekes after, but ſhall be aiourned in this foꝛme: that if the demandant be ready at a certaine day by auerment of the countrey, oꝛ otherwiſe, as the court ſhall award, to pꝛoue that the tenant was within the foure ſeas the day that he was ſummoned, and thꝛée wéekes after, ſo that he might be reaſonably warned by the ſummons, the eſſoine ſhall be turned into a default. And that is to be underſtanden onely befoꝛe Juſtices. Raſt.pla.fo.297.&c.

Cap. XLIIII.

In what caſes the great diſtreſſe ſhall be awarded, where the Iuſtices eſtreates ſhall be deliuered.

Where the great diſtreſſe ſhall be awarded foꝛ the auoiding of delay.

To what places the Juſtices ſhall deliuer the eſtreates.

COncerning delayes in all manner of wꝛits and attachments, it is thus pꝛouided, that if the tenant oꝛ defendant after the firſt attachments returned make default, that incontinent the great diſtreſſe ſhall be awarded. And if the Sherife doe not make ſufficient returne by a certaine day, hée ſhall be grieuouſly amerced, and if he returne that he hath done execution in due manner, and the iſſues deliuered to the ſureties, then the Sherife ſhall be commanded, that hée returne iſſues at another day befoꝛe the Juſtices. And if the partie being attached come in at his day to ſaue his defaults, hée ſhall haue the iſſues, and if he come not, the King ſhall haue them. And the Kings Juſtices ſhall cauſe them to bée deliuered in the Wardꝛobe.

And the Juſtices of the Bench at Weſtminſter, ſhall deliuer them in the Eſchequer, and the Juſtices in Eyre, vnto the Sheriffe of that Shire (where they plead) aſwell of that Shire as of forreine Shires, and they ſhall be charged therewith in Summons by the Rolles of the Juſtices.

Cap. XLV.

One plea ſhall be decided by the Iuſtices of the Kings Bench before another commenced.

One plea ſhall be decided before another commenced.

IT is prouided alſo, and commanded by the King, that the Juſtices of the Kings Bench at Weſtminſter from henceforth ſhall decide all pleas determinable at one day, before any matter be arraigned, or plea commenced the day following, Sauing that their Eſſoines ſhall be entred, iudged, and allowed: yet by reaſon hereof let none preſume to abſent himſelfe at the day to him limited.

Cap. XLVI.

In what caſe the Nonage of the Heire of Diſſeiſor, or diſſeiſee ſhall not preiudice.

A Writ of Entrie ſur diſſeiſon againſt the diſſeiſors heire. Regiſt.fo.229. Fitz.N.B. fo.191.

Nonage of the heire of the diſſeiſor or diſſeiſee ſhall not preiudice in Aſſiſe. V.N.B.f.126.129. Regiſt.fo.230.

Attaint for the heire of the diſſeiſee.

IT is prouided alſo, that if any from henceforth purchaſe a Writ of Nouel diſſeiſin, and he againſt whom the Writ was brought as principall diſſeiſor, dieth before the Aſſiſe bée paſſed, then the plaintife ſhall haue his Writ of Entre vpon diſſeiſon againſt the heire or heires of the diſſeiſor, or diſſeiſors, (of what age ſoeuer they be. In the ſame wiſe the heire or heires of the diſſeiſée ſhall haue their Writs of Entre againſt the diſſeiſors, or their heires of what age ſoeuer they be, If peraduenture the diſſeiſée die before that he hath purchaſed his Writ: So that for the Nonages of the heires of the one partie nor of the other, the Writ ſhall not be abated, nor the plea delaied, but as much as a mā cā without offēding the Law, it muſt be haſted to make freſh ſuit after the diſſeiſin. And in like manner this ſhall be obſerued in all points for the right of Prelates, men of Religion, and other, to whom Lands and Tenements can in no wiſe deſcend after others death, whether they be diſſeiſées or diſſeiſors. And if the parties in pleading come to an enqueſt, and it paſſeth againſt the heire within age, and namely, againſt the heire of the diſſeiſée, that in ſuch caſe he ſhall haue an attaint of the Kings ſpeciall Grace without giuing any thing.

Dyer fo.136.
Coke.li.6.fo.4.

17.Ed 3.fol.16.
12.Ed.4.fol.17.
8.Ed 3.fol.71.
21.Ed.3.fo.27.
27.H.6.fo.1.
Fitz.Age 71.
Bro.partition 22.

Cap. XLVII.

The remedie where a Gardian maketh a feoffement of his Wards Land, Suite by Prochein Amy.

The remedy where a gardian maketh a feoffement of his Wards Land. V.N.B.fo.106.

IF a Gardian or Chiefe Lord infeoffe any man of Land that is the inheritance of a child within age, and in his Ward, to the diſheritance of the Heire: It is prouided, that the Heire ſhall forthwith haue his recouery by Aſſiſe of Nouell diſſeiſin againſt his Gardian, and againſt the Tenant. And the ſeiſin ſhall be deliuered by the Juſtices (if it be recouered) to the next friend of the Heire (to whom the inheritance can not deſcend) for to improue to the vſe of the heire, and to anſwer for his iſſues vnto the heire, when he ſhall come vnto his full age, and the Gardian during his life ſhall loſe the Cuſtody of the thing recouered, and all the inheritance that he holdeth by reaſon of the heire. And if another Gardian then the chiefe Lord doe it, hée ſhall loſe the Wardſhip of all together, and be grieuouſly puniſhed by the King. And if the Infant be carried away or diſturbed, by the Gardian, or by the Feoffée, or by other, by reaſon whereof he cannot ſue his Aſſiſe, then may one of his next friends (that will) ſue for him, which ſhall be thereto admitted.

Fitz.Aſſiſe 395.
Bro.Aſſiſe 491.
16.Aſſ.pla.12.

Suit by Prochein amy. Stat.13.Ed 1.15. Raſt.pl.f.366.367

2.Ed.3.fo.16.
8.Aſſ.pla.22.
27.H.8.fo.11.
40.Ed.3.fo.16.

Cap. XLVIII.

The Tenants plea in a Writ of Dower. At what times Aſſiſes ſhall be taken.

The plea in dower Vnde nihil habet.

IN a Writ of Dower called (Vnde nihil habet) the Writ ſhal not abate by the exception of the Tenant, becauſe ſhe hath receiued her dower of another man before her Writ purchaſed, vnleſſe he can ſhew, that ſhe hath receiued part of her dower of himſelfe, and in the ſame Towne before the Writ purchaſed. And foraſmuch as the King hath ordeined theſe things vnto the honour of God and holy Church, and for the Common wealth, and for the remedy of ſuch as be grieued, he would not that at any other time it ſhould turne in preiudice of himſelfe, or of his Crowne, but that ſuch right as appertaines to him ſhould be ſaued in all points: And foraſmuch as it is great charitie to doe right vnto all men at all times (when néede ſhall be) by the aſſent of all the Prelates it was prouided, that Aſſiſes of nouell diſſeiſin, Mortdaunceſtor, and Darreine preſentment, ſhould be taken in Aduent, Septuageſima, and Lent: euen as well as enqueſts may be taken, and that at the ſpeciall requeſt of the King, made vnto the Biſhops.

Fitz.Bre.476.813.
Regiſt fo.170.171
Fitz. voucher.196.
Fitz.Dower 75.
76.86.89.114.
Kel.fol.128.

Aſſiſes & Darreine preſentments at what time taken.

Coke.li.11.fo.7

¶ A Statute intituled, *Extenta Manerij*, made *Anno 4. Ed. 1. & Anno Dom. 1276. Expreſsing a Sur-uey of the Buildings, Lands, Commons, Parkes Woods, Tenants, &c.*

The buildings.

First, it is to bee inquired of the Caſtels, and alſo of other Buildings, compaſſed about with ditches, what the Walles, Buildings, Timber, Stone, Lead, and other manner of couering is worth, and how they may be prized according to the very value of the ſame walles and building. And for how much the buildings without the ditch may bee prized, and what they bee worth with the Gardens, Curtilages, Doue-houſes, and all other Iſſues of the Court by the yeare.

The demeſnes.

It is to be inquired alſo, how many fields are of the Demeſnes, and how many acres of land are in euery field, and what euery acre is worth by the yeare, and how many acres of meadow are of the Demeſnes, and how many bee in a field, and how much euery acre by it ſelfe is worth by the yeare to be let. Alſo how many acres of paſture there be, and for what beaſts or cattell the ſame paſture is moſt neceſſarie, and how many it will find, and of what manner, and what the paſture of euery beaſt is worth to be let by the yeare.

The forraine paſture.

Alſo it is to be inquired of forraine paſture, that is Common, how many and what beaſts and cattel the Lord may haue in the ſame, and how much the paſture of euery beaſt is worth by the yeare to be let.

The parkes and demeſne woods.

Alſo it is to be inquired of Parkes, and demeane Woods, which the Lord may aſſert and improue at his pleaſure, and how many acres they containe, and how much the veſture of an acre is worth, and how much the land is worth after the Wood is felled, and how many acres it containeth, and how much euery acre is worth by yeare.

Forraine woods.

Alſo it is to bee inquired of forraine Woods, where other men haue Common, and how much the Lord may improue to himſelfe of the ſame Woods, and how many acres, and for how much the veſture of euery acre may be valued at, and how much the ground is worth yearely after that the Wood is felled, and how many acres it containeth, and what euery acre is worth by the yeare. And it is to be inquired, whether the Lord may giue or ſell any thing of the reſidue of the foreſaid Woods, and what ſuch gifts and ſales are worth by the yeare.

Pawnage. herbage.

Alſo it is to be inquired of pawnage, herbage of the Towne, Hony, and all other profits of Forreſts, Woods, Riuers, Mores, Mariſhes, Heathes, Turbary and waſt, and how much it is worth by the yeare.

Milles, fiſhings.

Alſo of Milles, Fiſhings, Seuerall and Common, what they be worth by the yeare.

Freeholders.

Alſo it is to be inquired of Freeholders, the which dwell without as well as within, that is to ſay, how many Freeholders there be, and what manner lands and tenements, and what fees they hold, and by what ſeruices, whether it be by Socage, or Knights Seruice, or otherwiſe, and what they are worth, and pay yearely of Rent of Aſſiſe, and who hold by Charter, and who not, and who by old tenure, and who by new feoffement. Alſo it is to be inquired of the ſaid free Tenants, which doe follow the Court of the Countie, and which not, and what, and how much falleth to the Lord after the death of ſuch free Tenants.

Coke li. 4. fo. 21.

Cuſtomary tenants.

It is to bee inquired alſo of cuſtomary Tenants, that is to wit, how many there bee, and how much land euery of them holdeth, what workes and cuſtomes he doth, and what the workes and cuſtomes of euery Tenant be worth yearely, and how much rent of Aſſiſe he paid yearely beſides the workes and cuſtomes, and which of them may be taxed at the will of the Lord and which not.

Cotages, and Curtilages.

It is alſo to be inquired of Cotages, that is to ſay, what Cotages, and Curtelages they hold, and by what Seruice, and how much they doe pay by the yeare for all their Cotages and Curtilages.

Perquiſites of Courts.

It is alſo to be inquired of Pleas and perquiſites of the Counties of the Courts of the Forreſts, with lawing of dogges, and how much they be worth by the yeare in all iſſues.

Patronages.

It is alſo to be inquired of Churches, that belong to the Lords gift, how many there be, and what, and where, and how much euery Church is worth by the yeare after, the true eſtimation of the ſame.

Liberties, cuſtomes, and ſeruices.

It is alſo to be inquired, what bee the value of Herriots, Faires, Markets, Eſcheates, Cuſtomes, Seruices, and forraine workes and cuſtomes, and what the Pleas and perquiſites of Courts, fines, and reliefes, and all other caſualties, are worth by the yeare, that may fall in any of theſe things.

A Statute De Officio Coronatoris, made Anno 3. or 4. Ed. 1. and Anno Domini 1276.

Of what things a Coroner ſhall inquire.

Of what things a Coroner ſhall inquire.

Murder.

Inquirie of the Offendors.

A man found ſlaine.

The murderer found culpable.

A Coroner of our Lord the King ought to inquire of theſe things, If hée be certified by the Kings Bailiffes, or other honeſt men of the Countrey. Firſt, hée ſhall goe to the places where any bée ſlaine, or ſodainly dead, or wounded, or where houſes are broken, or where treaſure is ſaid to be found, and ſhall forthwith command foure or fiue of the next townes or fiue or ſixe to appeare before him in ſuch a place, and when they are come thither, the Coroner vpon the oathe of them ſhall inquire in this manner: That is to wit, if it be of a man ſlaine, firſt it is to be inquired, where he was ſlaine, whether it were in any houſe, field, bed, tauerne, or company, and who were there. Likewiſe it is to be inquired, who were culpable, either of the act, or of the force, and who were preſent, either men or women, and of what age ſoeuer they be (if they can ſpeake or haue any diſcretion) and how many ſoeuer be found culpable by inquiſition in any of the meanes aforeſaid they ſhall be taken and deliuered to the Sheriffe, and ſhall be committed to the Gaole: and ſuch as be founden, and be not culpable, ſhall be attached vntill the comming of the Iuſtices, and their names ſhall be written in the Coroners Rolles. If it fortune any ſuch man be ſlaine, which is found in the fields, or in the woods, firſt it is to be inquired whether he were ſlaine in the ſame place or not. And if he were brought and laid there, they ſhall doe ſo much as they can, to follow their ſteps that brought the body thither, whether he were brought vpon a Horſe, or in a Cart. It ſhall be inquired alſo, if the dead perſon were knowne, or elſe a ſtranger, and where he laid the night before. And if any be found culpable of the murder, the Coroners ſhall immediately goe vnto his houſe, and ſhall inquire what goods he hath, and what corne he hath in his graunge: and if he be a frée man, they ſhall inquire how much land he hath, and what it is worth yearely, and further what corne he hath vpon the ground. And when they haue thus inquired vpon euery thing, they ſhall cauſe all the land, corne, and goods to be valued, in like manner as if they ſhould be ſold incontinently, & therupon they ſhall be deliuered to the whole townſhip, which ſhall be anſwerable before the Iuſtices for all. And likewiſe of his fréehold how much it is worth yearely ouer and aboue the ſeruice due to the Lords of the fée, and the land ſhall remaine in the Kings hands, vntill the Lords of the Fée haue made fine for it. And immediatly vpon theſe things being inquired, the bodies of ſuch perſons being dead or ſlaine ſhall be buried.

Perſons drowned, or ſuddenly dead.

Treaſure found

Bro. Coron. 175.
Fitz. Coron. 241. 265. 436. 446.

Appeale of rape

Appeale of wounds or maime.
Raſt. pla. fo 45.

Principals and acceſſarie.

Deodands.

Wrecke of the Sea.

Suſpected perſons.

Huy and Cry.

In like manner it is to be inquired of them that be drowned or ſuddenly dead, and after, ſuch bodies are to be ſéene whether they were ſo drowned or ſlaine, or ſtrangled by the ſigne of a cord tied ſtrait about their neckes, or about any of their members, or vpon any other hurt found vpon their bodies, whereupon they ſhall procéed in the forme aboueſaid: and if they were not ſlaine, then ought the Coroner to attach the finders and all other in the company. A Coroner alſo ought to inquire of treaſure that is found, who were the finders, and likewiſe who is ſuſpected thereof, and that may be well perceiued where one liueth riotouſly hanting tauernes, and hath done ſo of long time, hereupon hee may be attached for this ſuſpition by foure or ſix or mo pledges, if he may be found. Further if any be appealed of Rape, he muſt be attached, if the appeale be freſh, and they muſt ſée apparant ſigne of truth by effuſion of blood, or an open cry made, and ſuch ſhall be attached by foure or ſix pledges, if they may be found. If the appeale were without crie, or without any manifeſt ſigne or token, two pledges ſhall be ſufficient: Vpon appeale of wounds, and ſuch like, ſpecially if the wounds be mortall, the parties appealed ſhall be taken immediatly, and kept vntill it be knowne perfectly, whether he that is hurt ſhall recouer or not. And if he die, the defendant ſhall be kept: and if he recouer health, they ſhall be attached by foure or ſixe pledges, after as the wound is great or ſmall. If it be for a maime, he ſhall find no leſſe then foure pledges, if it be for a ſmall wound, two pledges ſhall ſuffice. Alſo all wounds ought to bée viewed the length, bredth, and déepneſſe, and with what weapons, and in what part of the body the wound or hurt is, and how many be culpable, and how many wounds there be, and who gaue the wound, all which things muſt be inrolled in the Roll of the Coroners. Moreouer, if any be appealed of any act done, as principall, they that be appealed of the force ſhall be attached alſo, and ſurely kept in Ward, vntill the principalls be attainted or deliuered, Concerning horſes, boats, carts, &c. whereby any are ſlaine, that properly are called Deodands, they ſhall be valued and deliuered vnto the townes as before is ſaid. Concerning wrecke of the Sea, whereſoeuer it be found, if any lay hands on it he ſhall be attached by ſufficent pledges, and the price of the wrecke ſhall be valued and deliuered to the townes. If any be ſuſpected of the death of any man being in danger of life, he ſhall be taken and impriſoned as before is ſaid. In like manner Hue ſhall bée leuied for all murders, burglaries, & for men ſlaine, or in perill to be ſlaine, as otherwhere is vſed in England, and all ſhall follow the hue and ſteps, as néere as can be. And he that doth not, and is conuict thereupon, ſhall be attached to be afore the Iuſtices of the gaole, &c. St.3. *H.7.1.*

The Statute of Bigamie, made 4. Octobris,

Anno 4. Ed. 1. and Anno Dom. 1276.

IN the preſence of certaine reuerend Fathers, Biſhops of England, and others of the Kings Counſell, the Conſtitutions vnder written were recited, & after heard and publiſhed before the King and his Counſell: for as much as all the Kings Counſell, as well Iuſtices as other, did agree that they ſhould be put in writing for a perpetuall memory, and that they ſhould bee ſtedfaſtly obſerved.

Cap. I.

In what caſes ayde ſhalbe graunted of the King, in what not.

The firſt Article.

Dyer fol. 25. 256. 257. 27. H. 8. fo 28. 2. H. 7. fo. 11. 5. H. 7. fo. 16. 9. H. 7. fo. 15. 15. H. 7. fo. 10. 7. Ed. 3. fo. 7. Fitz. proced. 5. 6. Fitz. Trauerſe 41.

COncerning Pleas where the Tenant excepteth, that he cannot anſwere without the King: It is agreed by the Iuſtices, and other learned men of our Lord the Kings Counſell of the Realme, which heretofore haue had the vſe and practiſe of iudgements, that where a Feoffemēt was made by the King with a deed thereupon, that if another perſon by a like Feoffement and like deed be bounden to Warrantie, The Iuſtices could not heretofore haue proceeded any further, neither yet doe proceed without the Kings commaundement had therefore, neither can it be thought that they may proceed.

In what caſe ayd is granted of the King, in what not.

Cap. II.

In what caſe Aide is granted of the King, in what not.

30. Aſſ. pl. 5. Fitz. Ayde de Roy 11. 12. 17. 30. 34. 37. &c.

ANd it ſeemeth alſo, that they could not proceed in certaine caſes, as where the King hath confirmed or ratified any mans deed to the vſe of another, or hath graunted any thing as much as in him is, or where a deed is ſhewed, and clauſe contained therein, whereby he ought to warrantiſe: and in like caſes they ſhall not ſurceaſe by occaſion of a Confirmation, Graunt, or Surrender, or other like, but after aduertiſement made thereof to the King they ſhall proceed without delay. Raſt. pla. fol. 27.

Warrantie.

Cap. III.

In Dower the Kings grantee of a Ward ſhall not haue aide.

Coke li. 9. fo. 16. 4. H. 7. fo. 1. Fitz. Dower 169.

COncerning the endowment of women, where the gardians of their husbands inheritance haue wardſhip by the gift or graunt of the King, or where ſuch gardians be tenants of the thing in demaund, or if the heires of ſuch lands be vouched to warrantie, if they ſay that they cannot anſwere without the King, they ſhall not ſurceaſe vpon the matter therefore, but ſhall proceed therein according to right.

In dower the K. grantee of a Ward ſhall not haue ayde.

Cap. IIII.

Purpreſtures or vſurpations vpon the Kings land, ſhalbe reſeiſed.

COncerning Purpreſtures, or any manner of Vſurpations made vpon the King within Franchiſes or elſewhere, it was agreed and determined in the time of King Henry, that where ſuch vſurpers were liuing, the King ſhould reſeiſe of new the land ſo vſurped out of the hands of the vſurpers, the which thing alſo ſhall be from henceforth obſerued in the Realme: And if any doe complaine vpon ſuch reſeiſers, he ſhall be heard like as right requireth. Stat. 17. Ed. 2. 13.

Purpreſtures and vſurpatiōs.

Cap. V.

Bigamus ſhall not be allowed his Clergie.

COncerning men twice married, called Bigamie, whom the Biſhop of Rome by a Conſtitution made at the Counſell of Lions, hath excluded from all Clerks priuiledge, whereupon certaine Prelates (when ſuch perſons haue been attainted for felons) haue prayed for to haue them delivered as Clerks, which were made Bigamy before the ſame Conſtitution: It is agreed and declared before the King and his Counſell, that the ſame Conſtitution ſhall be vnderſtanded in this wiſe, that whether they were Bigamie before the ſame Conſtitution or after, they ſhall not from henceforth be deliuered to the Prelates, but Iuſtice ſhall be executed vpon them as vpon other lay people. Raſt. pla. fol. 109. Stat. 1. Iac. 11.

Bigamus ſhall not be allowed his Clergie. A L T. St. 1. Ed. 6. 12.

Cap. VI.

By what words in a Feoffement, a Feoffor ſhall be bound to warrantie.

In what caſes the feoffor ſhall be bound to warrantie, in what not. Fitz.N.B.f.134.E

IN déeds alſo where is contained Dedi & conceſſi tale tenementum without homage, or without a clauſe that containeth warrantie, and to be holden of the giuers and their heires by a certaine ſeruice: It is agréed that the giuers and their heires ſhall be bounden to warrantie. And where is contained Dedi & conceſſi, &c. to be holden of the cheife Lords of the Fée, or of other, and not of a feoffors, or of their heires, reſeruing no ſeruice without homage, or without the foreſaid clauſe, their heires ſhall not be bounden to warrantie, notwithſtanding the Feoffor during his owne life by force of his owne gift, ſhalbe bound to warrant. All theſe Conſtitutions aforeſaid were made at Weſtminſter, in the Parliament next after the Feaſt of S. Michael, the fourth yeare of the raigne of King Edward, ſonne of King Henry. And from that time forth they ſhall take effect.

Dyer fo.15.221. 6.H.7.fo.2. 40.Ed.3.fol.27. 11.H.4.fo.41. Coke li.1.fo.1. li 3.fo.58.li.4. fo.81.li.5.fo.17. li.8.fo.51.

Statutes made at Glouceſter, 4. Octobris,

Anno 6. Ed. 1. and Anno Dom. 1278.

FOr the great miſchiefes, damages and diſheriſons, that the people of the realme of England haue heretofore ſuffered through default of the law, that failed in diuers caſes within the ſame realme: Our Soueraigne Lord the King, for the amendment of the land, for the reliefe of his people, & to eſchew ſuch miſchiefes, damages, and diſheriſons, hath prouided and eſtabliſhed theſe Actes vnder written: willing and commanding, that from henceforth they be firmely obſerued within this Realme.

Cap. I.

Seuerall Actions wherein damages ſhalbe recouered.

The alienee of a diſſeiſor ſhall be charged with damages. Regiſt.fo.196.114 V.N.B.f.118.130.

Damages in Mortdanceſtor. Entrie, Regiſt.fo.231.

Damages in couſinage, Aiel, Beſaiel.

Where damages ſhalbe recouered, there coſtes alſo. V.N.B.fol.118.

WHereas heretofore damages were not awarded in Aſſiſes of nouel diſſeiſin, but onely againſt the diſſeiſors, It is prouided that if the diſſeiſors doe alien the lands, and haue not whereof, there may be damages leuied, that they to whoſe hand ſuch tenements ſhall come, ſhall be charged with the damages, ſo that euery one ſhall anſwere for his time. It is prouided alſo, that the diſſeiſee ſhall recouer damages in a Writ of Entrie, vpon nouel diſſeiſin, againſt him that is found Tenant after the diſſeiſor. It is prouided alſo, That where before this time damages were not awarded in a Plea of Mortdanceſtor, (but in caſe where the Land was recouered againſt the chiefe Lord) that from henceforth damages ſhall be awarded in all caſes, where a man recouereth by Aſſiſe of Mortdanceſtor, as before is ſaid in aſſiſe of nouel diſſeiſin. And likewiſe damages ſhall be recouered in Writs of couſinage, aiel, and beſaiel. And whereas before time damages were not taxed, but to the value of the iſſues of the land, It is prouided, that the demandant may recouer againſt the tenant the coſtes of his Writ purchaſed together with the damages aboueſaid. And this act ſhall hold place in all caſes where the partie is to recouer damages. And euery perſon from henceforth ſhall be compelled to render damages, where the land is recouered againſt him, vpon his owne intention, or his owne act.

Bro.Parlia.21. Fitz.damage 14. 43.66.68.82.95. 101.102.104. 108.110.121. 123.127.129. Co.Inſt.359. 360.2.

Coke li.10.fo.16. Dyer fol.370. Bro.Coſtes 1. 11.12,14.16.18. 26.29.32.

Fitz.damege 6.19.97.

Cap. II.

In what caſe Nonage of the plaintife ſhall not ſtay in Enqueſt.

Where the nonage of an Infant ſhall not ſtay an inqueſt.

IF a child within age be holden from his heritage after the death of his father, coſen, grandfather, or great grandfather, whereby he is driuen to his Writ, and his aduerſarie commeth into the Court, and for his anſwere alledgeth a feoffemēt, or pleadeth ſome other thing, whereby the Iuſtices award an Enqueſt there wheras the Enqueſt was deferred vnto the full age of the Infant, now the Enqueſt ſhall paſſe as well as if he were of full age.

8.Aſſ.pl.12. Coke lib.6.fol. Dyer fo.104.

Cap. III.

An alienation of land by the tenant by the courteſie with warrantie ſhall be void.

IT is eſtabliſhed alſo, that if a man alien a tenement, that he holdeth by the Law of England, his ſonne ſhall not be barred by the déed of his father (from whom no heritage to him deſcēded)

to

Fro.formdon.73. 28.Aſſ.pl.28. 35.H.6.fo 65. Coke li.3.fo.80. li.2.fo.52. Fitz.garrantie 30 43.83.86.87.95. Co.Inſt.365.365. 381.a.382.a.383. a.b. Dyer fo 148. Fitz.garrantie 5. 38.Ed.3.fo.32. Coke li.9.fo.26. Fitz.cui in vita 7.8.

to demand and recouer by Writ of Mortdaunceſtor, of the ſeiſin of his mother, although the deed of his father doth mention, that he and his heires be bound to warrantie. And if any heritage deſcend to him of his fathers ſide, then he ſhall be barred for the value of the heritage, that is to him deſcended. And if in time after, any heritage deſcend to him by the ſame father, then ſhall the Tenant recouer againſt him of the ſeiſin of his mother by a Iudiciall Writ, that ſhall iſſue out of the Rolles of the Iuſtices, before whom the plea was pleaded, to reſummon his warrantie, as before hath been done in caſes, where the warrantor commeth into the Court, ſaying, That nothing deſcended from him, by whoſe deed he is vouched. And in like manner the iſſue of the ſonne ſhall recouer by Writ of Coſinage, aiel, and beſaiel. Likewiſe in like maner the heire of the wife ſhall not be barred of his action after the death of his father and mother, by the deed of his father, if he demaund by action the inheritance of his mother, by Writ of Entre, which his father did alien in the time of his mother, whereof no fine is leuied in the Kings court. V.N.B.fol.133.136.Fitz.N.B.fo.196.E.208.B.

A man alieneth with warrantie land which he holdeth by the curteſie. Stat.32.H.8.28. Regiſt.fol.236.

Sur cui in vita.

CAP. IIII.

In what caſe a Ceſſauit *is maintenable againſt a Tenant in Fee farme.*

27.H.8.fo.28.

Also if a man let his land to ferme, or to finde eſtouers, in meat or in cloth, amounting to the fourth part of the very value of the land, and he which holdeth the land ſo charged letteth it lie freſh, ſo that the partie can finde no diſtreſſe there by the ſpace of two or three yeares to compel the farmor to render, or to doe as is conteined in the writing or Leaſe: It is eſtabliſhed, that the two yeares being paſſed, the Leaſſor ſhall haue an action to demaund the land in demeane by a Writ which he ſhall haue out of the Chauncery. And if he againſt whom the land is demaunded come before iudgement, and pay the arrerages, & the damages, & find ſurety (ſuch as the Court ſhall thinke ſufficient) to pay from thenceforth as is conteined in the writing, he ſhall keepe the land. And if he tarry vntill it be recouered by iudgement, he ſhall be barred for euer. Stat.13.Ed.1.21.41. Regiſt.fol.297. Fitz.Nat.Bre.fol.210.A. V.N.B.fol.2.78.140.

Ceſſauit per biennium.

Fitz.Reſceit.96. 105. Fitz.ſuretie 3.4. 23.25.27. Fitz.S.facias 154. Kel fol 75.132. Fitz.Ceſſauit 9. 10.12.19.20.23. 25.27.29.32.38. 39.49.52.53.56.

The Tenant payeth the arrerages, and findeth ſurety. Raſt.pl fo.111.

CAP. V.

Seuerall Tenants againſt whom an Action of Waſte is maintenable.

Dyer fo.25.214. Coke li.5.fo.75. 76.li.6.fo 37. Fitz.waſt 62.117. 146. Bro.Parl.17. Fitz iudgement. 85.134.255. Fitz damage 7. 22.42.52.90. 114.133. Co.Inſt.53.b.54. b.200.b.247.b. 355.b.

It is prouided alſo, That a man from henceforth ſhall haue a Writ of Waſte in the Chauntery againſt him that holdeth by Law of England, or otherwiſe for terme of life, or for the terme of yeares, or a woman in dower. And he which ſhall be attainted of waſte, ſhall leeſe the thing that he hath waſted, and moreouer ſhall recompenſe thriſe ſo much as the waſte ſhall be taxed at. And for Waſte made in the time of wardſhip, it ſhall be done as is conteined in the Great Charter. And where it is contained in the Great Charter, that he which did waſte, during the cuſtody, ſhall leeſe the Wardſhip. It is agreed that he ſhall recompenſe the heire his damages for the waſte, if ſo be that the Warſhip loſt doe not amount to the value of the damages before the age of the heire of the ſame Wardſhip. Regiſt.fol.72. Regiſt.ind.fol.23. Fitz.N.B.fol.59. V.N.B.fol.88.

Againſt whom an action of waſte is maintenable. Raſt.pla fo.616. &c.

Stat.9.H.3.4.

CAP. VI.

Where diuers heires ſhall haue one aſſiſe of Mortdaunceſtor.

27.Ed.3.fo.89. 29.Aſſ pl 11. Fitz.Ioinder in Aſſ.11.31.34. 35.36. Co.Inſt.164.a.

It is prouided alſo, That if a man die, hauing many heires, of whom one is ſonne or daughter: brother or ſiſter, nephew or neece, and the other be a further degree, the heires ſhall recouer from henceforth by a Writ of Mortdanceſtor. V.N.B.fo.116.119.

Mortdanceſtor.

CAP. VII.

A Writ of Entrie in Caſu prouiſo, *vpon a womans alienation of dower.*

Fitz.Entre.7.8. Bro.Ingreſſu.3.

Also if a woman ſell or giue in Fee or for terme of life, the land that ſhe holdeth in dower, It is ordained, that the heire, or other to whom the land ought to reuert after the death of ſuch woman, ſhall haue preſent recouery to demaund the land by a Writ of Entrie made thereof in the Chauncery. St.11.H.7.20.Regiſt.fo.235.Fitz.N.B.fo.215.V.N.B.fo.137.

Dower.

Ingreſſus in caſu prouiſo.

CAP. VIII.

No ſuit for goods in the Kings Courts vnder fortie ſhillings. Atturneys may be made where an Appeale lieth not. The Defendant being eſſoined, ſhall bring in his warrant.

Fitz.Briefe 556. 19.H.6.fo.8. 24.H.8.fo.15.

It is prouided alſo, that Sheriffs ſhall plead pleas of treſpaſſe in their Counties, as they haue been accuſtomed to be pleaded. And that none from henceforth ſhall haue Writs of Treſpas before Iuſtices, vnleſſe he ſweare by his faith, that the goods taken away were worth forty ſhil-

No ſuit in the Kings Courts vnder the value of xl.s.

lings at the leaſt. And if he complaine of beating, he ſhall anſwere by his faith, that this plaint is true, touching wounds and maimes, a man ſhall haue his Writ as before hath béen vſed. And it is agréed, that the defendants in ſuch pleas may make their attournies, where appeale lyeth not, ſo that if they be attainted of Treſpaſſe being abſent, then the Sheriffe ſhall be commanded to take them, and ſhall haue like paine as they ſhould haue had, if they had béen preſent at the iudgement giuen. And if the plaintiffes, from henceforth in ſuch treſpaſſes cauſe themſelues to be eſſoined after the firſt apparance, day ſhall be giuen them vnto the comming of the Iuſtices, and the defendants in the meane time ſhall be in peace. In ſuch pleas and other, whereas attachments and diſtreſſes doe lie, if the defendant eſſoine himſelfe of the Kings ſeruice, and doe not bring his warrant at the day giuen him by the eſſoine, he ſhall recompence the plaintiffe damages for his iourney twentie ſhillings, or more, after the diſcretion of the Iuſtices, and ſhall bée greiuouſly amerced vnto the King. V.N.B.fo.48.161.Fitz.N.B.fo.17.*H.*Raſt.pla.fo.297.St.43.El.6.St.21.Iac.16.

Atturneys in ſuits where appeale lieth not. V.N.B.fo.10.&c.

Bro.Atturne 64. 74.78.82.88.

Fitz.Eſſon.16.17. 39.41.70.116. 180.198.

The penalty if the defendant being eſſoined doth not bring in his warrant.

Cap. IX.

One perſon killing another in his owne defence, or by miſfortune. An appeale of Murder.

THe King commandeth that no Writ ſhall be granted out of the Chancery for the death of a man, to enquire whether a man did kill another by miſfortune, or in his owne defence, or in other maner by felony. But he ſhall be put in priſon vntill the comming of the Iuſtices in Eyre, or Iuſtices aſſigned to the Goale deliuery, and ſhall put himſelfe vpon the countrey before them for good and euill: in caſe it be found by the countrey, that he did it in his defence, or by miſfortune, then by the report of the Iuſtices to the King, the King ſhall take him to his grace, if it pleaſe him. It is prouided alſo, that no appeale ſhall be abated ſo ſoone as they haue béene heretofore, but if the appealor declare the déed, the yeare, the day, the houre, the time of the King, and the towne where the déed was done, and with what weapon he was ſlaine, the appeale ſhall ſtand in effect, and ſhall not be abated for default of freſh ſuit, if the partie ſhall ſue within the yeare and the day after the déed done. Raſt.pla.46.56. Regiſt.fo.134.300. St.14.E.3.15.

Killing in his owne defence, or by miſfortune. Stat.2.Ed.3.2.

Kel fol.53.108. 4.H.7.fo.2.

The forme of an appeale of murder.

Cap. X.

The husband and wife being impleaded, ſhall not fourche by Eſſoine.

WHereas it is conteyned in the Statute of the King that now is, that two Parceners, or two that hold in common, may not forch by eſſoine, after that they haue once appeared in the Court: It is prouided that the ſame be obſerued and kept, where a man and his wife be impleaded in the Kings Court.

Stat.3.Ed.1,42. Raſt.pl.fol.297. Parceners ſhall not forche by eſſoine.

Fitz.Eſſon.5.6. 179. Fitz.forcher 7.11. Bro.forcher 20.

Cap. XI.

A fained recouery againſt him in the reuerſion, to make the Termor loſe his Terme.

IT is prouided alſo in the Citie of London, that if a man leaſe his tenement for term of yeare, and he to whom the fréehold belongeth, cauſeth himſelfe to be impleaded by colluſion, and maketh default after default, or commeth into the Court, and giueth it vp, for to make the termor loſe his terme, and the tenant hath a cauſe, ſo that the termor may recouer by Writ of Couenant: The Maior, and the Bailiffes may inquire by a good Inqueſt, in the preſence of the termor and the demaundant, whether the demaundant mooued his Plea vpon good right that he had, or by colluſion, or by fraud, to make the termor loſe his terme. And if it be found by the Inqueſt, that the demaundant mooued his plea vpon good right that he had, the iudgement ſhall be giuen forthwith. And if it be found that he impleaded him by fraud, to put the termor from his terme, then ſhall the termor inioy his terme, and the execution of Iudgement for the Demandãt ſhall be ſuſpended vntill the terme be expired. And in like maner it ſhall be of equity before the Iuſtices in ſuch caſe, if the termor doe challenge it before the iudgement. Regiſt.fo.179. Fitz.N.B.fo.198.E. Raſt.pla.fo.81. Coke pla.fol.178.

A fained ſuit againſt him in the reuerſion to make the tenant to loſe his terme. Stat.21,H.8,15.

Co.Inſt.46.a.

Cap. XII.

One impleaded in London voucheth forreine warrantie.

IT is prouided alſo, That if a man impleaded for a tenement in the ſame Citie, doth vouch a forraine warrantie, that he ſhall come into the Chancery, and haue a Writ to ſummon his Warrantor at a certaine day before the Iuſtices of the Bench, and an other Writ to the Maior and Bailiffes of London, that they ſhall ſurceaſe in the matter, that is before them by Writ, vntill the Plea of the Warrantie be determined before the Iuſtices of the Bench. And when the plea at the Bench ſhall be determined, then ſhall he that is vouched, be commaunded to goe into the Citie, to anſwer vnto the chiefe plea. And a Writ ſhalbe awarded at the ſuit of the demandant by the Iuſtices vnto the Maior and Bailiffes, that they ſhall procéed in the plea.

One impleaded in land voucheth a forreine to warrantie. Raſt.pla fo.240. 354.615. Coke pla.fo.176. V.N.B.fo.4.

18.H.8.fo.1. 42.Ed.3.fo.2. 8.Ed.3.fo.10. Kel.fol.109. Fitz.Reſceit.

plea. And if the demandant recouer againſt the tenant, the tenant ſhall come before the Juſtices of the Bench, which ſhall direct a Writ to the Maior and Bailiffes, That if the tenant haue loſt his Land, they ſhall cauſe the Land to be extended, and valued, and ſhall returne the Extent at a certaine day into the Bench, and after it ſhall be commanded to the Sheriffe of the Shire (where the warrantee was ſummoned) that he ſhall cauſe him to haue as much of the Land of the warrantor in value. Regiſt.fo.2. Fitz.N.B.fo.6.

Cap. XIII.

No Waſt ſhall be made hanging a ſuit for the Land.

14.H.7.fo.7.10. 18.H.8.fo.5. Dy.r.fo.325. Coke li 5.fo.115. Fitz.Eſtrepement: 1.4.5.6.7.10.12. 13.14.15.

IT is prouided alſo, That after ſuch time as a Plea ſhall be moued in the Citie of London by Writ, the Tenant ſhall haue no power to make any Waſt or Eſtrepement of the Land in demaund (hanging the Plea) and if he doe, the Maior and Bailiffes ſhall cauſe it to be kept at the ſuit of the Demandant. And the ſame Ordinance and Statute ſhall be obſerued in other Cities, Boroughs, and euery where throughout the Realme. Fitz.N.B.fol.69.&c. V.N.B.fol.39 Regiſt.fo.76. Regiſt.inde.fo.13.17.21.33.58.66.69.

Raſt.pla.fo.298. No Eſtrepement ſhall be made depending a ſuit.

Cap. XIIII.

A Citizen of London ſhall recouer in an Aſſiſe, Damages with the Land.

THe King of his ſpeciall Grace granteth vnto the Citizens of London, that whereas before times they that were diſſeiſed of Freehold in the ſame Citie, could not recouer their damages before the comming of the Juſtices to the Tower, that from henceforth the diſſeiſees ſhall haue damages by recogniſance of the ſame Aſſiſe, whereby they recouered their Lands. And the diſſeiſors ſhall be amerced before two Barons of the Exchequer which ſhall reſort once a yeare into the City to doe it. And it ſhall be commanded vnto the Barons and to the Treaſorer of the Exchequer, that they ſhall cauſe it euery yeare to be leuied by two of them at their riſing after Candlemaſſe. And the amerciaments by ſommons of the Exchequer ſhall be leuied to the Kings vſe, and bee deliuered at the Exchequer.

Damages ſhall be recouered with the freehold in London.

Cap. XV.

Inquirie ſhall be made in London of Wines ſold againſt the Aſſiſe.

IT is prouided alſo, that the Maior and Bailiffes, before the comming of thoſe Barons, ſhall inquire of Wines ſold againſt the Aſſiſe, and ſhall preſent it before them at their comming, and then they ſhall be amerced, where before they were wont to tarry vnto the comming of the Juſtices, Giuen at Glouceſter the next day after the feaſt of Saint Peter at the Gule of Auguſt the yeare afore ſaid. Stat.28.H.8.14. Stat.37.H.8.23.

London. Wines. Inquirie of the price of Wines

An Expoſition of the ſaid Stat. of Glouceſter,

made alſo Anno 6.Ed.1.

Stat. Glouceſt. cap.1.

AFter, by the King and his Juſtices, certaine Expoſitiōs were made vpon ſome of the Arti-
cles aboue mentioned, that is to wit, To the firſt Article, for Entries by Diſſeiſin, Da-
mages ſhall runne from the time of the ſtatute publiſhed. In the ſame wiſe, in Writs of Entre
vpon diſſeiſin, and in all Writs of Mortdaunceſter, Couſinage, Aiel or Beſaile, of Intruſion by
ones owne act by any manner of Writ, Damages ſhall runne after the Writ purchaſed againſt
them that held by Statute, albeit their anceſtors died ſeiſed thereof. Touching an Inqueſt to 2.
be made of ſuch as be within age, the Statute ſhall runne without limitation of time. Tou- 3.
ching alienation of Lands holden by the Law of England, the Statute ſhall runne for ſuch
Lands being aliened after the time of the Statute publiſhed. In like manner the Statute ſhall
extend and runne vpon the Lands of a wife aliened by her husband (whereas no fine was leuied
thereof in Court.) Touching Lands being let in fee ferme, to pay therefore yearely the fourth 4.
part of the very value thereof, the Statute ſhall runne as well vnto Lands that were leaſed be-
fore the making of the ſtatute, as after, in caſe that the tenant haue withholden aboue the ſpace
of two yeares after the Statute publiſhed ſo much as he ſhould haue paid to his leaſſor yearely
according to the forme of the couenant. And as to the puniſhment of waſt in all caſes (except 5.
it bee of dowers and wards) it ſhall be vnderſtanded of waſts done ſithence the Statute publi-
ſhed. And of the forfeiture of treble in caſes of waſt of dowers, and wardſhips, it ſhall be vn- 6.
derſtanded of waſts committed after the Statute publiſhed. And as concerning them which doe 7.
alien their Dowers, it is to be vnderſtanded after the publiſhing of the Statute. Giuen at
Glouceſter the Sunday next after the Feaſt of Saint Peter ad Vincula, the firſt yeare of the reigne
of King Edward the firſt.

A Statute made 30. die Octobris, Anno 7. Ed. 1. & Anno Domini 1279.

To all Parliaments and Treatiſes euery man ſhall come without Force and Armes.

Euery man ſhal come to the Parliament peaceably.

THe King to the Juſtices of his Bench ſendeth greeting. Whereas of late before certain perſons deputed to treat vpon ſundry debates had betwéene vs and certaine great men of our Realme, amongſt other things it was accorded, That in our next Parliament after, prouiſion ſhall be made by vs and the commõ aſſẽt of the Prelates, Earles, & Barons, That in all Parliaments, Treaties, and other Aſſemblies, which ſhould be made in the Realme of England for euer, that euery man ſhall come without all Force and Armour well and peaceably, to the honour of vs, and of the peace of vs and our Realme. And now in our next Parliament at Weſtminſter after the ſaid Treatiſe, the Prelates, Earles, Barons, and the comminalty of our Realme, there aſſembled, to take aduice of this buſineſſe, haue ſaid, That to vs it belongeth, and our part is, through our Royall Seignorie, ſtraitly to defend Force of Armour, and all other Force againſt our Peace, at all times when it ſhall pleaſe vs, and to puniſh them which ſhall doe contrary, according to the Lawes and Vſages of our Realme. And hereunto they are bound to aide vs as their Soueraigne Lord at all ſeaſons when néed ſhall bée. Wée command you, that yée cauſe theſe things to be read afore you in the ſaid Bench, and there be enrolled. Giuen at Weſtminſter the thirtieth day of October. St. 2. *Ed.* 3. 3. St. 7. *R.* 2. 13. St. 20. *R.* 2. 1.

A Statute of Mortmaine, made 14. Nouembris, Anno 7. Ed. 1. & Anno Domini 1279.

Who ſhall take the forfeiture of Lands giuen in Mortmaine.

St. 9. H. 3. 36.

No Land ſhall be aliened in Mortmaine, vpon paine of the forfeiture thereof.

Who ſhall take the benefit of the forfeiture.

WHere of late it was prouided, that religious men ſhould not enter into the fées of any without licence and will of the chiefe Lords of whom ſuch fées bee holden immediately: And notwithſtanding ſuch religious men haue entred as well into their owne fées, as in the fées of other men, appropriating and buying them, and ſometime receiuing them of the gift of others, whereby the ſeruices that are due of ſuch fées, and which at the beginning were prouided for defence of the Realme, are wrongfully withdrawne, and the chiefe Lords doe léeſe their Eſcheats of the ſame, We therefore to the profit of our Realme intending to prouide conuenient remedy, by the aduice of our Prelates, Earles, Barons, and other our ſubiects, being of our Counſell haue prouided, made, and ordained, That no perſon, religious or other, whatſoeuer he be, that will buy or ſell any Lands or Tenements, or vnder the colour of Gift or Leaſe, or that will receiue by reaſon of any other title, whatſoeuer it bee, Lands or Tenements, or by any other Craft or Engine will preſume to appropre to himſelfe, vnder paine of forfeiture of the ſame, whereby ſuch Lands or Tenements may any wiſe come into Mortmaine. Wee haue prouided alſo, That if any perſon, religious or other, doe preſume either by Craft or Engine to offend againſt this Statute, it ſhall bee lawfull to vs and other chiefe Lords of the Fée immediate to enter in the Land ſo aliened, within a yeare from the time of the alienation, and to hold it in fée, and as Inheritance. And if the chiefe Lord immediate be negligent, and will not enter into ſuch Fée within the yeare, then it ſhall be lawfull to the next chiefe Lord immediate of the ſame Fée, to enter in the ſame Land within halfe a yeare next following, and to hold it as before is ſaid. and ſo euery Lord immediate may enter into ſuch Land, if the next Lord be negligent in entring into the ſame Fée, as is aforeſaid. And if all the chiefe Lords of ſuch Fées being of ful age, within the foure Seas, and out of priſon, be negligent or ſlacke in this behalfe, we immediately after the year accompliſhed frõ the time that ſuch Purchaſes, Gifts or appropriatiõs, hap to be made, ſhall take ſuch lands and tenements into our hand, and ſhall infeoffe other therein by certaine ſeruices to be done to vs for the defence of our Realme, ſauing to the chiefe Lords of the ſame Fées, their Wards and Eſcheates and other ſeruices thereunto due and accuſtomed. And therefore we command you, that ye cauſe the foreſaid Statute to be read before you, and from henceforth to be kept firmely and obſerued, Witnes my ſelfe at Weſtminſter the fifteenth day of Nouember, the ſeuenth yeare of our raigne. St. 13. Ed. 1. 32. St. 18. Ed. 3. 3. St. 15. R. 2. 5. Fitz. N. B. fo. 221, &c. V. N. B. fo 180. Regiſt. fo. 147. &c. Raſt. pla. fo. 25. 119.

Coke Inſt. 2. b.
8. H. 4. fo. 16.
41. Ed. 3. fo. 16. 21.
40. Ed. 3. fo. 28.
47. Ed. 3. fo. 11.
21. E. 3. fo. 5. 27.
Bro. Mortmaine 15. 16. 18. 20. 21. 27. 31. 38. 39. 41. 43.

50. Ed. 3. fo. 22.
Fitz. Mortmain 13.
15. Ed. 4. fo. 13.
43. Aſſ. pla. 19.
21. Ed. 3. fo. 27.
8. Ed. 3. fo. 18.
Fitz. Formedon

Fitz. Q. Impedit 141. 163.
Bro. Mortmaine 17. 22. 26. 37.
Kel. fo. 103. 111.
Fitz. Ent. cong.
41. Aſſ. pl. 19.

A Statute made 2. Maij, Anno 9. Ed. 1. & Anno Dom. 1281. A Correction of the twelfth Chapter of the Statute of Glouceſter, touching calling Forreines of Warrantie in London.

IT is prouided alſo, That if one being impleaded in the Citie of London, do vouch a Forreine to warrantie, the Maior and the Bailifes ſhall adiourne the parties before the Iuſtices of the Bench at a certaine day, and ſhall ſend their Record thither. And the Iuſtices ſhall cauſe the warrantor to be ſummoned before them, and ſhall trie the Warranty. And the Maior and the Bailifes in the meane time ſhall ſurceaſe in the matter that dependeth afore them by Writ, vntill ſuch time as the warrantie be determined before the Iuſtices of the Bench. And when the matter ſhall be determined, commandement ſhall be giuen to the Vouchée, to depart into the City, and to anſwere to the firſt Plea. And the Demandant at his Suit, ſhall haue a Writ from the Iuſtices of the Bench, vnto the Maior and Bailifes, that they ſhall procéed in the Plea. And if the Demandant recouer, the Tenant ſhall come to the Iuſtices of the Bench, and haue a Writ to the Maior and Bailifes, that in caſe the Tenant haue loſt his land, they ſhall cauſe it to be extended, and returne the ſame Extent vnto the Bench at a certaine day, And after, it ſhall be commanded to the Sherife of the Shire, where the Warrant was ſummoned, that he ſhall cauſe him to haue of the lands of the Warrantor to like value. And if it fortune that the Tenant make default at the day that is aſſigned him in the Bench, then ſhall there goe forth a Writ from the Iuſtices of the Bench to the Maior and Bailifes, to ſeiſe the land demanded, into the Kings hands by a Petie Cape, and to ſummon the Tenant, that he be at the Hoiſtings at a certaine day, whereat the Iuſtices ſhall be aduiſed to giue iudgement vpon the ſame default, if he cannot ſaue it: and in caſe he can ſaue it, then the Iuſtices ſhall be certified thereof by their Record, and by the ſame Record they ſhall plead the warrantie. Raſt. pla. fo. 240. 354. &c. Coke pla. fo. 176.

The manner of proceeding, whē Forraines be vouched to warrantie in London.

It is to be remembred, that this Article, in forme afore mentioned, was ſigned vnder the Great Seale of King Edward, ſonne of King Edward, in the ninth yeare of his Raigne, and ſent vnto the Iuſtices of the Bench after the maner of a Writ Patent, with a certaine Writ cloſed, dated by the Kings hand at Weſtminſter, the ſecond day of May, the yeare afore mentioned, that they ſhould doe and execute all and euery thing contained in the Article aforeſaid, albeit that the ſame doe not accord with the Statute of Glouceſter in all things.

A new Stat. of the Exchequer, called the Stat. of *Rutland, made 14 Maij, An. 10. Ed. 1. & An. Dom.* 1282.

Touching the recouery of the Kings Debts.

THe King to his Treaſurer and Barons of the Exchequer, and to his Chamberlaines, gréeting. To the intent that prouiſion may be had for the indempnitie of vs and our people, in certaine things touching vs and our people aforeſaid, in our ſaid Court of Exchequer: Wée will and prouide, That from henceforth the Bodies of Shires ſhall not be written in ſeuerall Rolles, but ſhall be written in a certaine annuall Roll by themſelues, and ſhall be read euery yeare vpon the Accompts of Sherifes, that is to wit, of ſeuerall Counties, that it may be knowen, if ought may accrue vnto vs by any meane. The remanents of the fermes of the ſame Shires ſhall be written by later Dates in the Annuall Rolles, and the Sherifes ſhall be charged therewith: in which Remanents, the Liueries and Almes aſſigned ſhall be allowed, and other allowances (if Sherifes haue had any) of the Iſſues of their Bailiwickes by our Writs. And becauſe of the ſuggeſtion of our Bailifes, our Writs are made of diuers allowances, vnto our grieuous damage: We will and prouide, That of ſuch manner allowances ſo to be made, from henceforth view ſhall be made in our Exchequer, and the ſame view being faithfully made, the ſame Treaſurer and Barons ſhall certifie our Chancellor of the due allowances ſo to be made, and that Writs of allowances ſhall be made according to the ſame certificate. Moreouer, there ſhall be written in the ſame Annuall Rolles the fermes of the Sherifes, the profits of Counties, the fermes of Serieanties and Aſſerts, the Ferms of Cities, Boroughs, Townes, and other Fermes, whereof there is anſwere made yearely in the Exchequer. And in them alſo ſhall bée written all Debts determined, all groſſe Debts, whereof there is hope that ſomewhat ſhall be payd, and all other Debts that ſéeme to be cleare. But when it is come vnto accompt to the Title of new Duties, nothing ſhall be written in the Annuall Roll, but thoſe Debts, whereof there is hope of payment, and whereof the Sherife is anſwerable, and Debts found in the Originalls.

The Bodies of Shires.

Annuall Rolles.

A Rolle of deſperate Debts.

Of dead Fermes, and Debts deſperate, whereof there is no hope, one Roll ſhall be made, and ſhall be intituled Comitatus, and read euery yeare vpon the Accompt of Sherifes, and the Debts whereof the Sherifes are anſwerable, ſhall be written in the Annuall Roll, and there ſhall be acquited.

Tailes for Debts.

Moreouer, we will and prouide, That it ſhall bée proclaimed in euery County, That all they that haue Tailes of the Exchequer, for the Debts of themſelues, or their Aunceſtors, hitherto payd there, and not yet allowed, which yet doe come in the Summons of the Exchequer, they doe deliuer to their Sherifes ſuch Tailes, to be allowed at the Exchequer vpon their Accompts. And the Sherifes ſhall make to them (of whom they ſhall ſo receiue Tailes) their Writings, witneſſing the Receit of thoſe Tailes, the Summe, and occaſion of the Debts.

Two Knights.

Two faithfull Knights, deputed thereunto, ſhall be preſent at the receit of the Tailes aforeſaid, betwéene whom and the ſaid Sherifes, Indentures ſhall be made of ſuch Receits, with the Seales of them both interchangeably.

The foreſaid Knights deputed thereunto, ſhall ſend the parts of their Indentures, at the terme appointed, vnto the Exchequer, in forme aforeſaid, to the end, that by the view and witneſſe of them, the ſaid Tailes ſo receiued by the Sherifes, may be ſhewed, and be allowed vpon their accompts.

Hauing Tailes and not deliuering them.

Moreouer, it ſhall be proclaimed, That except thoſe that haue ſuch Tailes, doe deliuer them to the Sherifes, and Knights, as afore is ſaid, that then they ſhall be diſtrained for the whole Debt, and that the foreſaid Tailes ſhall be reputed for vnpaied.

Moreouer the debts, which yet are to come in the ſummons of the Exchequer, whereof the debtors doe proffer Tailes againſt diuers Sherifes, ſhall be defalked and acquited.

Commiſſions to enquire of the Kings Debts.

Moreouer we prouide, that certaine perſons aſſigned thereunto on our behalfe ſhall bée ſent into euery Shire, which ſhall haue full power to enquire of ſuch manner debts, and alſo to call afore them ſolemnely, as well the Sehirffes as their heires and aſſignes, and the tenants of their lands in caſe they be dead that haue receiued the debts, and alſo if néed bée to procéed to the taking of ſuch manner inqueſts, whether the parties (againſt whom the foreſaid Tailes were ſhewed) doe come or not. So that the Sheriffe doe returne a reaſonable ſummons made to them therefore, and ſo the truth being inquired and diſcuſſed in preſence of the parties (if they will be there) the inquiſitors ſhall make rolles of them that ſhall be conuict afore them, ſo that the foreſaid debts being confeſſed and inrolled, the Tailes of the ſame ſhall be forthwith broken. And the Sherifes ſhall haue in their cuſtodie the tranſcripts of the ſame Rolles, vnder the Seales of the Inquiſitor, and ſhall ſurceaſe in making Diſtreſſes for the Debts contained in the ſame, vntill they ſhall haue otherwiſe in commandement from vs therefore. And the foreſaid Inquiſitors ſhall ſend vnto the Exchequer the foreſaid Rolles, vnder their Seales, that it may be examined there, by a ſearch to be made therefore, what Debts be paied in the whole, and what are paied in part, and what Debts there be, whereof the Debtors be not acquited, according as ſhall be conuenient to be done.

Tailes of Diuidends.

Moreouer, we will and prouide, that the Chamberlaines from henceforth ſhall not make to the Sheriffes or any of their Bailifes, tailes of diuidendis, vnleſſe they firſt receiue of them writings concerning the particular ſummes of the actions of debts, and the names of them that paid them, vnto the which particulars he may part the names of ſuch maner diuidendis, which being ſo receiued vnder their Seales, it ſhall not bée lawfull to number them into other particulars.

The Sherife returneth, that the Debtor is not found, or hath nothing.

Moreouer, we prouide, that all debts, whereunto the Sheriffes make returne, that the debtors haue nothing in their Bailiwickes, ne had not at ſuch time as they were charged with the ſame debts, or that the debtors be not found, that the ſame debts ſhall be extreated in Rolles, and the ſame Rolles to be deliuered vnto faithfull and circumſpect men, which ſhall make inquirie thereof after ſuch forme as ſhall be prouided by the Treaſurer and Barons.

No ſuit ſhall bee proſecuted in the Exchequer, vnleſſe it concerne the King, or his Officers there. Regiſt. fo. 187.

But for ſo much as certaine Pleas were heretofore holden in the Eſchequer, which did not concerne vs, nor our miniſters of the Exchequer, whereby as well our Pleas, as the Cauſes of our People are vnduly prorogued, and letted: We will and ordaine, That no Plea ſhall be holden or pleaded in the Exchequer aforeſaid, vnleſſe it doe ſpecially concerne vs and our miniſters aforeſaid. And therefore we command, that ye cauſe the premiſſes to be diſtinctly and openly read afore you, and to enroll it, cauſing the ſame to be ſtraitly obſerued in our Cout of Exchequer aforeſaid. In witneſſe of which, &c. Geuen at Rutland, the fouretéenth day of the Moneth of May, in the tenth yeare of our Reigne.

The Statute of Acton Burnel, made Anno 13. Ed. 1.

& Anno 1285. Ordaining the Statute Merchant for recouerie of Debts.

FOr as much as Merchants, which heretofore haue lent their goods to diuers perſons, be greatly impoueriſhed, becauſe there is no ſpeedy Law prouided for them, to haue recouery of their Debts at the day of payment aſſigned, And by reaſon hereof, many Merchants haue withdrawne to come into this Realme with their Merchandiſes, to the damage as well of the Merchants, as of the whole Realme: The King for himſelfe, and by his Councell, hath ordained and eſtabliſhed, That the Merchant which will be ſure of his Debt, ſhall cauſe his Debtor to come before the Maior of London, or of Yorke, or Briſtow, or before the Maior and a Clerke (which the King ſhall appoint for the ſame) for to knowledge the Debt and the day of payment, and the Recogniſance ſhall be entred into a Roll with the hand of the ſaid Clerke, which ſhall bee knowne. Moreouer, the ſaid Clerke ſhall make with his owne hand a Bill Obligatorie, whereunto the Seale of the Debtor ſhall be put, with the Kings Seale, that ſhall be prouided for the ſame purpoſe: the which Seale ſhall remaine in the keeping of the Maior and Clerke aforeſaid. And if the Debtor doe not pay at the day to him limitted, the Creditor may come before the ſaid Maior and Clerke with his Bill Obligatorie: and if it be found by the Roll and by the Bill, that the Debt was knowledged, and that the day of payment is expired, the Maior ſhall incontinent cauſe the moueables of the Debtor to be ſold, as farre as the Debt doth amount, by the prayſing of honeſt men, as Chattels and Burgages deuiſable, vntill the whole ſumme of the Debt and the Money without delay ſhall be paied to the Creditor. And if the Maior can find no buyer, he ſhall cauſe the moueables to be deliuered to the Creditor at a reaſonable price, as much as doth amount to the ſumme of the Debt, in allowance of his Debt. And the Kings Seale ſhall be put vnto the ſale and deliuerance of the Burgages deuiſable, for a perpetuall witneſſe. And if the Debtor haue no moueables within the iuriſdiction of the Maior, whereupon the Debt may be leuied, but hath ſome otherwhere within the Realme, then ſhall the Maior ſend the Recogniſance, made before him and the Clerke aforeſaid, vnto the Chancellor, vnder the Kings Seale. And the Chancellor ſhall direct a Writ vnto the Sherife, in whoſe Bailiwicke the moueabls of the Debtor be, and the Sherife ſhall cauſe him to agree with his Creditor, in ſuch forme as the Maior ſhould haue done in caſe that the moueables of the Debtor had beene within his power. And let them that ſhall praiſe the moueable goods to be deliuered vnto the Creditor, take good heed, that they doe ſet a reaſonable price vpon them, for if they do ſet an ouer high price for fauour borne to the Debtor, and to the damage of the Creditor, then ſhall the thing ſo praiſed be deliuered vnto themſelues at ſuch price as they haue limitted, and they ſhall be forthwith anſwerable vnto the Creditor for his Debt. And if the Debtor will ſay, that his moueable goods were deliuered or ſold for leſſe then they were worth, yet ſhall he haue no remedy thereby. For when the Maior or the Sherife hath ſold the moueable goods lawfully to him that offered moſt, hee may account it his owne folly, that he did not ſell his owne moueable goods himſelfe before the day of his ſuit (when he might and would not) and haue leuied the money with his owne hands. And if the Debtor haue no moueables, whereupon the debt may be leuied: then ſhall his body be taken, where it may be found, and kept in Priſon, vntill that he hath made agreement, or his friends for him. And if he haue not wherewith he may ſuſtaine himſelfe in priſon, the Creditor ſhall finde him bread and water, to the end that he die not in priſon for default of ſuſtenance, the which coſts the debtor ſhall recompence him with his debt, before that he be let out of priſon. And if the Creditor be a Merchant ſtranger, he ſhall remaine at the coſts of the Debtor for ſo long time as he tarrieth about the ſuit of his Debt, and vntill the moueable goods of the Debtor be ſold or deliuered vnto him. And if the Creditor doe not take the Debtor alone for the ſuretie of his payment, by reaſon whereof, Pledges or Mainpernors be founden, then thoſe Pledges or Mainpernors ſhall come before the Maior and Clerke aboueſaid, and ſhall bind themſelues by Writings and Recogniſances, as afore is ſaid of the Debtor, And in like manner, if the Debt be not paid at the day limitted, ſuch Execution ſhall be awarded againſt the Pledges or Mainpernors, as before is ſaid of the Debtor.

Co.Inſt.189.b.

Fitz.Extent 7. 10.11.12.14.

Acknowledging of a Statute Merchant. Regiſt.fo.178. Fitz.N.B.f.175.g.

The Seale of the Statute.

The penaltie if the debt be not paid.

A Certificate of the Statute into the Chancery Fitz.N.B.f.130.e.

The goods extended, deliuered to the praiſors.

The debtor impriſoned. Regiſt.fo.98.

The debtors diet. Fitz N.B. fo.116. o.133.c.

The creditor a ſtranger.

The creditors pledges.

Prouided neuertheleſſe, that ſo long as the Debt may be fully taken and leuied of the goods moueable of the Debtor, the Mainpernors or Pledges ſhall be without damage: Notwithſtanding, for default of moueable goods of the Debtor, the Creditor ſhall haue Execution of his Recogniſance vpon the Mainpernors or Pledges, in ſuch manner and forme as before is limitted againſt the principall Debtor. St.13.Ed.1. Raſt.pla.fo.97.542.

The Statute of Weſtminſter 2. made Anno 13. Ed. 1. & Anno Domini 1285.

WHereas of late our Lord the King, in the Quinzime of S. IOHN BAPTIST, the ſixt yeare of his reigne, calling together the Prelates, Earles, Barons, and his Councell at Glouceſter, and conſidering that diuers of this Realme were diſherited, by reaſon, that in many caſes, where remedie ſhould haue beene had, there was none prouided by him nor his predeceſſors, ordained certaine Statutes right neceſſary and profitable for his Realme, wherby the people of England and Ireland, being ſubiects vnto his power, haue obtained more ſpeedy iuſtice in their oppreſſions, then they had before, and certaine caſes (wherein the Law failed) did remaine vndetermined, and ſome remained to be enacted, that were for the reformation of the oppreſſions of the people: Our Lord the King in his Parliament, after the feaſt of Eaſter, holden the thirteenth yeare of his raigne at Weſtminſter, cauſed many oppreſſions of the people, and defaults of the Lawes, for the accompliſhment of the ſaid Statutes, of Glouceſter, to be rehearſed, and thereupon did prouide certaine Acts, as it ſhall appeare here following.

CAP. I.

In gifts in taile, the Donor's will ſhall be obſerued. The forme of a Formedon.

Severall ſorts of Gifts of Lands in taile. Fitz.N.B. fo.211. L.

Coke.lib 7. fo.33. Fitz. Taile 11.12. 13.14.16.17.18. 21.22.23. Co.Inſt.18.b.19. a 24.a.223.b.224. a.262.a.

FIrſt concerning Lands, that many times are giuen vpon condition, that is to wit, where any giueth his land to any man and his wife, and to the heires begotten of the bodies of the ſame man and his wife, with ſuch condition expreſſed, that if the ſame man and his wife die without heires of their bodies betwéene them begotten, the land ſo giuen ſhall reuert to the giuer or his heire. In caſe alſo where one giueth lands in frée marriage, which gift hath a condition annexed, though it be not expreſſed in the déed of gift, which is this: That if the husband and wife die without heire of their bodies begotten, the land ſo giuen ſhall reuert to the giuer or his heire. In caſe alſo where one giueth land to another, and the heires of his bodie iſſuing: it ſéemed very hard, and yet ſéemeth to the giuers and their heires, that their will being expreſſed in the gift, was not heretofore, nor yet is obſerued. In all the caſes aforeſaid, after iſſue begotten and borne betwéene them (to whom the Lands were giuen vnder ſuch condition) heretofore ſuch Feoffées had power to alien the Land ſo giuen, and to diſherite their iſſue of the Land, contrary to the mindes of the giuers, and contrarie to the forme expreſſed in the Gift. And further, when the iſſue of ſuch Feoffée is fayling, the Land ſo giuen, ought to returne to the giuer, or his heire, by forme of the Gift expreſſed in the Déed, though the iſſue (if any were) had died: yet by the Déed and Feoffment of them (to whom Land was ſo giuen vpon Condition) the Donors haue heretofore béene barred of their reuerſion, which was directly repugnant to the forme of the gift.

Fitz Warrantie 16.

Fitz.Formedon 61.65.

Fitz.Taile 9.10.

Fitz.Taile 15.17.

Coke.li.7.fo.32.

In Gifts in taile, the Donors will ſhal be obſerued. V.N.B.fo.100. 144. Raſt.pla.fo.128. &c.

Fitz.Garrantie 16.46.57.59. Fitz.Taile 13. Fitz.Baſtard 35. Plo.fo.223.227. Coke li.3.fo.85. Fitz.Formedon 1.27.33.35.52. 54.59.62.64. Fitz.Dower 87. Coke li.3.fo.8. li.5.fo.14. li.7.fo.32.33. li.8. fo.35.86.100. li.9.fo.105. li.11.fo.72. Co.Inſt.327.b.

Wherfore our Lord the King perceiuing how neceſſarie and expedient it ſhould be, to prouide remedy in the foreſaid caſes, hath ordained, That the will of the giuer, according to the forme in the Déed of Gift manifeſtly expreſſed, ſhall be from henceforth obſerued: So that they, to whom the Land was giuen vnder ſuch Condition, ſhall haue no power to alien the Land ſo giuen, but that it ſhall remaine vnto the Iſſue of them to whom it was giuen after their death, or ſhall reuert vnto the giuer, or his heires, if iſſue faile, (whereas there is no iſſue at all,) or if any iſſue be, and faile by death, or heire of the body of ſuch iſſue failing. Neyther ſhall the ſecond Husband of any ſuch Woman, from henceforth, haue any thing in the Land ſo giuen vpon condition, after the death of his Wife, by the Law of England, nor the iſſue of the ſecond Husband and Wife ſhall ſucceed in the Inheritance, but immediately after the death of the Husband and Wife, (to whom the Land was ſo giuen) it ſhall come to their Iſſue, or returne vnto the Giuer, or his Heire, as before is ſaid.

And for as much as in a new Caſe, new Remedy muſt be prouided, this manner of Writ ſhall be granted to the partie that will purchaſe it.

Præcipe

Dyer. fo.216.247. Fitz.Fines 125. Fitz.Formdon 5. 6 7.11.14.22.30. 42.44.46.47.49.

Formdon in diſtender. Regiſt. fo.238. Raſt.pla.fol.334. Coke pla.317. 338.341.

Præcipe A. quod iuſte &c. reddat E. manerium de F. cum ſuis pertinētijs, quod C. dedit tali viro, & tali mulieri, & heredibus de ipſis viro, & muliere exeuntibus.

Orthus.

Quod C. dedit tali viro, in liberum maritagium, cum tali muliere, & quod poſt mortem prædictorum viri & mulieris, prædicto B. filio eorundem viri & mulieris deſcendere debeat per formam donationis prædicte, vt dicit, &c. vel quod C. dedit tali & heredibus de corpore ſuo exeuntibus, & quod poſt mortem illius talis prædicto B. filio prædicti talis deſcendere debeat per formam, &c.

Coke li.9.fol.29.

Regiſt.fol.242.

8.H.4.fo.8. Fitz.Continuall claime 9.

A fine ſhall not bar the heire in taile. Ait.St.32. H.8.36.

The Writ wherby the giuer ſhall recouer (when iſſue faileth) is common enough in the Chancerie. And it is to wit, that this Statute ſhall hold place touching alienation of Land contrary to the forme of the gift hereafter to be made, and ſhall not extend to gifts made before. And if a Fine be leuied hereafter vpon ſuch Lands, it ſhall be void in the Law. Neither ſhall the heires, or ſuch as the reuerſion belongeth vnto, though they be of full age within England, and out of priſon, néed to make their claime.

Cap. II.

A Recordare *to remoue a plaint. Pledges to proſecute a Suit. Second deliuerance.*

The miſchiefes which Lords diſtraining their tenants did ſuffer. V.N.B.fo.162.

16.H.7.fol.1.

FOraſmuch as Lords of Fées diſtraining their Tenants for Seruices and cuſtomes due vnto them, are many times gréeued, becauſe their Tenants doe repleuy the diſtreſſe by Writ or without Writ. And when that Lords at the complaint of their Tenants, do come by attachment into the County, or vnto another Court, hauing power to hold Pleas of Withernam, and doe auow the taking good and lawfull: by reaſon that the Tenants diſauow to hold ought, nor doe claime to hold any thing of him (which tooke the diſtreſſe, and auowed it) he that deſtrained is amerced, and the Tenants goe quit, to whom puniſhment cannot be aſſigned for ſuch diſauowing by Record of the County, or of other Courts hauing no Record.

A Recordare to remoue a plaint out of the countie. Regiſt.fo 83. V.N.B.fol.41. Fitz.N.B.fo.70.

Stat 32.H.8.2.

It is prouided and ordained from henceforth, That where ſuch Lords cannot obtaine iuſtice in Counties, and ſuch maner of Courts againſt their Tenants, as ſoone as they ſhall be attached at the ſuit of their Tenants, a Writ ſhall be granted to them to remoue the Plea before the Iuſtices, afore whom and none other where, iuſtice may be miniſtred vnto ſuch Lords. And the cauſe ſhall be put in the Writ, becauſe ſuch a man diſtrained in his Fée for Seruices and Cuſtomes to him due. Neither is this Act preiudiciall to the Law commonly vſed, which did not permit that any Plea ſhall be moued before iuſtices at the ſuit of the defendant: For though it appeare at the firſt ſhew that the Tenant is plaintiffe, and the Lord defendant, Neuertheleſſe hauing reſpect to that, that the Lord hath diſtrained and ſueth for Seruices and Cuſtomes being behind, he appeareth in déed to be rather actor or plaintiffe then defendant. And to the intent the Iuſtices may know vpon what freſh ſeiſin the Lords may auow the diſtreſſe reaſonable vpon their Tenants: From henceforth it is agréed and enacted, that a reaſonable diſtreſſe may bée auowed vpon the ſeiſin of any anceſtor or predeceſſor ſince the time that a writ of nouel diſſeiſin, hath run. And becauſe it chanceth ſometimes that the Tenant after that he hath repleuied his beaſts, doth ſell or alien them, whereby returne cannot be made vnto the Lord that diſtrained if it be adiudged.

Dyer fol.188.

Pledges to proſecute the ſuit & to make returne Raſt.pla.fo.530. Regiſt.ind.fol.4.

2.H.6.fol.15. 8.Ed.3 fol.72. 9.H.6.fo.42. Fitz. Returne des auers 35.

It is prouided that Sheriffes or Bailiffes from henceforth ſhall not onely receiue of the plaintiffes pledges for the purſuing of the ſuit, before they make deliuerance of the diſtreſſe, but alſo for the returne of the beaſts, if returne be awarded. And if any take pledges otherwiſe, he ſhall anſwer for the price of the beaſts, and the Lord that diſtraineth, ſhall haue his recouery by Writ that he ſhall reſtore vnto him ſo many beaſts or cattell: And if the Bailife be not able to reſtore, his ſuperiour ſhall reſtore. And foraſmuch as it happeneth ſometime, that after the returne of the beaſts is awarded vnto the diſtrainor, and the partie ſo diſtrained, after that the beaſts bée returned, doth repleuie them againe, and whē he ſéeth the diſtrainor appearing in the Court ready to anſwer him, doth make default, whereby returne of the beaſts ought to be awarded againe vnto the diſtrainor: And ſo the beaſts be repleuied twiſe or thrice, and infinitly, and the iudgements giuen in the Kings Court take no effect in this caſe, whereupon no remedie hath béene yet prouided: In this caſe ſuch proceſſe ſhall be awarded, that ſo ſoone as returne of the beaſts ſhall be awarded to the diſtrainor, the Sheriffe ſhall be commanded by a iudiciall Writ, to make returne of the beaſts vnto the diſtreinor, in which Writ it ſhall be expreſſed that the Sheriffe ſhall not deliuer them without Writ making mention of the iudgement giuen by the Iuſtices, which cannot be without a Writ, iſſuing out of the Rolles of the ſaid Iuſtices, before whom the matter was moued. Therefore when he commeth vnto the Iuſtices and deſireth repleuin of the beaſts, he ſhall haue a iudiciall Writ that the Sherife taking ſuertie for the ſuit, and alſo of the beaſts or cattell to be returned, or the price of them (if returne be awarded) ſhall deliuer vnto him the beaſts or cattell before returned, & the diſtrainor ſhall be attached, to come at a certaine

Dyer fol.41.59. Kel.fol.92. 26.H.8.fol.6. 21.H.7.fol.28. 32.H.7.fol.4. 3.H 6.fol.9.8.

A Writ of Second deliuerāce. Raſt.pl.f.532.627 Fitz.N.B.fol.72.

day

A diſtreſſe irrepleuiſable.
Regiſt. ind fo.27. 62.69.85.

day before the Iuſtices, afore whom the plea was moued in preſence of the parties. And if hee that repleuied make default againe, or for another cauſe returne of the diſtreſſe be awarded being now twice repleuied, the diſtreſſe ſhall remaine irrepleuiable, But if a diſtreſſe be taken of new, and for a new cauſe, the Proces aboueſaid ſhall be obſerued in the ſame new diſtreſſe.

14.H.7.fo.6.
Dyer fo.280.
Fitz.Returne des auers 6.15.18.19. 24.26.32.33.34. 35.

Cap. III.

A Cui in vita *for the wife. Where a wife, or he in reuerſion ſhall be receiued.*

A Cui in vita for the wife where her deceaſed husband loſt by default.
Regiſt.fol.132.
V.N.B.fol.132.
Raſt pl f.135.&c.
Fitz.N B.fo.193. &c.

Coke li.6.fol.8. li.8.fo.72.
26.H.8.fo.2.
Fitz.Cui in vita 7.8.10.11.14.16. 17.19.20.22.26. 28.30.32.34.
Co.Inſt.280 a. 352.b. 353.a. 355.a 356.a.

IN caſe when a man doth loſe by default the land which was the right of his wife, it was verie hard, that the wife after the death of her husband had none other recouerie but by a Writ of Right: wherefore our Lord the King hath ordained that a woman after the death of her husband ſhall recouer by a Writ of Entre, (whereto ſhe could not diſagree during his life) which ſhall be pleaded in forme aforeſaid. If the tenant doe except againſt the demand of the wife, that he entred by iudgement, and it be found that his entre was by default, whereto the tenant of neceſſity muſt make anſwer if it be demanded of him, then he ſhall be compelled to make further anſwer, and to ſhew his right according to the forme of the Writ that he purchaſed before againſt the husband and the wife. And if he can verifie, that he hath or had right in the land demanded, the woman ſhall gaine nothing by her Writ, which thing if he cannot ſhew, the woman ſhall recouer the land in demand, This being obſerued, that if the husband abſent himſelfe, and will not defend his wiues right, or againſt his wiues conſent will render the land, if the wife doe come before iudgement, ready to anſwer the demandant, and to defend her right, the wife ſhall be admitted. Likewiſe if tenant in dower, tenant by the law of the land, or otherwiſe for terme of life or by gift, whereas the reuerſion is reſerued, doe make default, or will giue vp: the heires and they, to whom the reuerſion belongeth ſhall be admitted to their anſwer if they come before iudgement. And if vpon ſuch default or ſurrender, iudgement hap to be giuen: then the heires, or they vnto whom the reuerſion belongeth, after the death of ſuch tenants, ſhall haue their recouery by a Writ of Entre, in which like proces ſhal be obſerued, as is aforeſaid in caſe where the husband loſeth his wiues land by default. And ſo in the caſes aforeſaid two Actions do concurre, one betweene the demandant and tenant, and another betweene the tenant, ſhewing his right, and the demandant. Raſt.pla.fo.29.138.240.266.348.530.623. St.32.H.8.28.

Where the wife ſhall be receiued vpon the husbands default.
Regiſt.fo.13.14. 231.
Regiſt.ind. fo.46.
Raſt pla.fo.530.
The receit of him in the reuerſion.
Regiſt.fo.226.
Raſt.pl fo.530.
St.20.Ed.1.
Ingreſſus ad communem legem.
Regiſt.fo.133.
V.N.B.fol.136.

Dyer fol.298.315. 341.
Fitz.Reſceit.1.3.5 6.9.11.12.19.27. 30.32.139.
Coke li.11.fo.39.
Coke li.10.fo.44.
22.Aſſ.pl.27.
24.Ed.3. f.22.31.
7.Ed.3.fo.15.
5.Ed.3.fo 61.
18.Ed.3.fo.32.
Fitz.Briefe 794.

Cap. IIII.

Where the wife ſhall be endowable of lands recouered againſt her husband. Where the heire may auoide a dower recouered. A remedie for particular tenants loſing by default.

The wife ſhalbe endowable though the land be recouered againſt her husband by couin or by default.

12.H.4.fo.21.
Fitz.Faux.de recou.27.31.

IN caſe where the husband being impleaded for land, giueth vp the land demanded vnto his aduerſarie by couin: after the death of the husband, the Iuſtices doe award the wife her dower, if it be demanded by writ. But in caſe where the husband loſeth the Land in demand by default, if the wife after the death of her husband, demandeth her dower, it hath beene proued that ſome Iuſtices haue awarded vnto the woman her dower notwithſtanding the default, which her husband made, other Iuſtices being of the contrary opinion, and iudging otherwiſe: To the intent that from henceforth ſuch ambiguitie ſhall be taken away, it is thus ordained in certaine, That in both caſes the woman demanding her Dower, ſhall bee heard. And if it be alleaged againſt her, that her husband loſt the land, whereof the dower is demanded by iudgement, whereby ſhe ought not to haue dower, and then it be inquired by what iudgement, and it be found that it was by default, whereunto the tenant muſt anſwer: then it behoueth the tenant to anſwere further, and to ſhew that he had right, and hath in the foreſaid land according to the forme of the Writ, that the tenant before purchaſed againſt the husband: And if he can ſhew that the husband of ſuch wife had no right in the lands, nor any other but he that holdeth them, the tenant ſhall goe quit, and the wife ſhall recouer nothing of her dower, which thing if he cannot ſhew, the wife ſhall recouer her dower. And ſo in theſe caſes, and in certaine other following, that is to ſay, whē the wife being endowed loſeth her dower by default, and tenants in fee marriage, by the law of England, or for terme of life, or in fee taile, diuers Actions doe concurre for ſuch tenants, when they muſt demand their land loſt by default: And when it is come to that point, that the tenant muſt be compelled to ſhew his right, they cannot make anſwer without them, to whom the reuerſion of right belongeth: therefore it is granted vnto them to vouch to warrantie, as if they were tenants, if they haue a warrantie: And when the Warrantor hath warranted, the plea ſhall paſſe betweene him that is ſeiſed & the Warrantor, according to the tenor of the Writ that the tenant purchaſed before, and by which he recouered by default: and ſo from many Actions at length they ſhall reſort to one Iudgement, which is this, That the demandants ſhall recouer their demand, or the tenants ſhall goe quit. And if the

24.H.4.fo.32.
50.Ed.3.fo.7.
Fitz.Dower 80. 140.173.

A remedie for tenants for life, &c. which doe loſe their land by default.

The particular tenants may vouch him in the reuerſion.

Fitz.voucher 46. 59.159.165.186. 261.275.276.309.
Fitz.Counterp.de voucher.61.68. 86.101.102.105. 122.
Fitz. Counterp.de garrant.17.18.
Coke li.11.fo 61

the action of ſuch a tenant, which is compelled to ſhew his right, be moued by a Writ of Right, though that the great Aſſiſe or Battiale cannot be ioyned by the words accuſtomed, yet it ſhall bee ioyned by words conuenient: for when the tenant, in that he ſheweth his right, which belongeth to him by the Writ that he before purchaſed, in ſtead of a demaundant, the warrantor may well defend the right of the tenant, which is accounted in place of the demandant, as before is ſaid, and offer to defend the ſeiſin of his aunceſtors, by the body of his freeman, or put himſelfe in the great Aſſiſe, and pray recogniſance to be made, whether he hath more right to the land in demand, or elſe the partie before named: or otherwiſe the great Aſſiſe may bee ioyned thus: Talis defendit ius, &c. and ſo the warrantor may defend the right, and knowledge the ſeiſin of his aunceſtor, and put himſelfe in the great Aſſiſe, &c. and pary recogniſance to be made, whether he hath more right in the foreſaid land, as in that whereof he infeoffed ſuch a man, or that ſuch a one releaſed and quite claimed, &c. or elſe the foreſaid partie, &c. And where ſometime it chanceth that a woman not hauing right to demand dower, the heire being within age, doth purchaſe a Writ of Dower againſt a Gardian, and the Gardian endoweth the woman by fauour, or make the default, or by colluſion defendeth the plea ſo faintly, whereby the woman is awarded her dower in preiudice of the heire: It is prouided that the heire, when he commeth to full age, ſhall haue an action to demaund the ſeiſin of his aunceſtor againſt ſuch a woman, like as hee ſhould haue againſt any other deforcor. Yet ſo, that the woman ſhall haue her exception ſaued againſt the demandant, to ſhew that ſhe had right to her dower, which if ſhe can ſhew, ſhe ſhall goe quit and retaine her dower, and the heire ſhall grieuouſly amerced, according to the diſcretion of the Iuſtices: And if not, the heire ſhall recouer his demand, &c. In like manner the woman ſhall be aided, if the heire or any other doe implead her for her dower, if ſhe loſe her dower by default, in which caſe the default ſhall not be ſo preiudiciall to her, but that ſhe ſhall recouer her dower, if ſhe haue right thereto, and ſhe ſhall haue this Writ:

The heire auoideth a woman of her dower recouered againſt his gardian.

A womans dower recouered againſt her by default.

Coke li.fo.9. li.6.fo.8. Co Inſt 33.b. 354.b.355.a. 356.a.

Quod ei deforceat Fitz.N.B.fo.8.d. V.N.B fo.154. Raſt pla fo 491.

Precipe A. quod iuſte, &c. reddat B. quæ fuit vxor F. tantam terram cum pertinentijs in C. quam clamat eſſe rationabilē dotem ſuam, vel de rationabili dote ſua, & quod prædictus A. ei deforceat &c. And to this Writ the tenant ſhall haue his exception, to ſhew that ſhe had no right to be endowed, which if he can verifie, he ſhall goe quit, if not, the woman ſhall recouer the land whereof ſhe was endowed before. And whereas before time if a man had loſt his land by default, he had none other recouerie then by a Writ of Right, which was not maintaineable by any that could not claime of meere right as tenants for terme of life, in free mariage, or in taile, in which eſtates a reuerſion is reſerued: It is prouided, that from henceforth their default ſhall not be ſo preiudiciall, but that they may recouer their eſtate by another Writ, then by a Writ of Right, if they haue right. For land in free mariage loſt by default, ſuch a Writ ſhall be made.

Fitz. Quod ei deforceat 1.2.3.4.5. 6.8.9.10.11.12. 13.17.

Quod ei deforceat for tenant in frankemariage.

Præcipe A. quod iuſte &c. reddat B. manerium de D. cū pertinentijs quod clamat eſſe ius et maritagium ſuum, et quod A. ei iniuſte deforceat.

Likewiſe of land for terme of life loſt by default, this Writ ſhall be made:

For tenant for life or in taile.

Præcipe A. quod iuſte et ſine dilatione &c. reddat B. manerium de D. cum pertinentijs quod clamat tenere ad terminum vitæ ſuæ, et quod prædictus A. ei deforceat. Likewiſe

Quod clamat tenere ſibi, et hæredibus de corpore ſuo legitime procreatis, et quod prædictus A. ei deforceat. Fitz. N.B. fo. 155. b. Regiſt. fo. 171. b. 230. Raſt. pla. fo. 491.

CAP. V.

Remedies to redreſſe vſurpations of Aduowſons of Churches, &c.

WHeras of Aduowſons of Churches there be but three originall writs, that is to ſay, one Writ of Kright & two of Poſſeſſion, which be Darraine preſentment, and Quare Impedit, and hitherto it hath beene vſed in the Realme, that when any hauing no right to preſent, had preſented to any Church whoſe Clerke was admitted: he that was very Patron could not recouer his Aduowſon, but onely by a Writ of Right, which ſhould be tried by battaile or by great aſſiſe, whereby heires within age, by fraud, of elſe by negligence of their Wardiens, and heires both of great and meane eſtate, by negligence, or fraud of tenants by the courteſie, women tenants in dower, or otherwiſe, for terme of life, or for yeares, or in fee taile, were many times diſherited of their Aduowſons, or at leaſt (which was the better for them) were driuen to their Writ of Right, in which caſe hithereto they were vtterly diſherited: It is prouided, that ſuch preſentments ſhall not be ſo preiudiciall to the right heires, or to them vnto whom ſuch Aduowſons ought to reuert after the death of any perſons: For as often as any, hauing no right doth preſent, during the time that ſuch heires are in ward, or during the eſtates of tenants in dower, by the curteſie, or otherwiſe for terme of life, or of yeares, or in taile, at the next auoidance when the heire is come to full age, or when after the death of the tenants before named, the aduowſon ſhall reuert vnto the heire being full age, he ſhall haue ſuch Action and Recouerie by Writ of Aduowſon poſſeſſorie, as the laſt aunceſtor of ſuch an heire ſhould haue had at the laſt auoidance,

Three originall Writs of Aduowſons.

V.N.B.fo.25. Raſt.pla.fo.105. 142.455.

Coke li.11.fo.33. Kel.fo.1. Fitz.Q.impedit. 43.67.87.92.96. 99.105.127.142. 169. Coke li.fo.11.f.72

Vſurpation of Churches during particular eſtates ſhall not preiudice them in the reuerſion. Fitz.N.B.fo.31.E hapening in his time being of full age before his death, or before the demiſe was made for term of life, or in fee taile, as before is ſaid. The ſame ſhall be obſerued in Preſentments made vnto Churches, being of the inheritance of wiues what time they ſhall be vnder the power of their husbands, which muſt be aided by this eſtatute by the remedy aforeſaid. Alſo Religious men, as Biſhops, Archdeacons, Parſons of Churches, and other Spirituall men, ſhall be ayded by this eſtatut, in caſe any hauing no right to preſent, do preſent vnto Churches belonging to Prelacies, Spirituall dignities, Parſonages, or to houſes of Religion, what time ſuch Houſes, Prelacies, Spirituall dignities, or Parſonages be vacant.

Preſentations to Churches of women during their couerture.

Churches of religious perſons.

Neither ſhall this act be ſo largely vnderſtanden, that ſuch perſons, for whoſe remedy this Statute was ordained, ſhall haue the recouerie aforeſaid, ſurmiſing that Gardians of heyres, Tenants in taile, by the curteſie, Tenants in dower, for terme of life or for yeares, or husbands, faintly haue defended pleas moued by them or againſt them: becauſe the Judgements giuen in the Kings Courts ſhall not be adnulled by this Statute, the Judgement ſhall ſtand in his force, vntill it be reuerſed in the Court of the King as erronious, if error be found, or by Aſſiſe of Darrain preſentment, or by Enqueſt by a Writ of Quare impedit, if it be paſſed, or be adnulled by Attaint or Certificatiō, which ſhall be freely granted. And frō henceforth one forme of pleading ſhall be obſerued among Juſtices in Writs of Darrain preſentment, and Quare impedit, in this reſpect, if the defendant alledgeth plenarty of the Church of his owne Preſentation, the plea ſhall not faile by reaſon of the plenarty: ſo that the Writ be purchaſed within ſixe months, though he cannot recouer his Preſentation, within the ſixe months. And ſomtimes where an agreement is made betweene many, claiming one Aduowſon, and inrolled before the Juſtices in the Roll, or by Fine in this forme, That one ſhall preſent the firſt time, and at the next auoydance an other, and the third time another, and ſo of many in caſe there be many. And when one hath preſented, and had his preſentation, which he ought to haue according to the forme of their agreement and fine, and at the next auoidance he to whom the ſecond preſentation belongeth, is diſturbed by any that was party to the ſaid fine, or by ſome other in his ſtead: It is prouided, That from henceforth they that be ſo diſturbed, ſhall haue no deed to ſue a Quare impedit, but ſhall reſort to the Roll or Fine. And if the ſaid concord or agreement be found in the Roll or Fine, then the Sheriffe ſhall be commanded, that he giue knowledge vnto the diſturber, that he be ready at ſome ſhort day containing the ſpace of fifteene daies, or three weekes (as the place happeneth to be neere or farre) for to ſhew he can alledge any thing, wherefore the partie that is diſturbed, ought not to preſent. And if he come not, or peraduenture doth come, and can alledge nothing to barre the party of his preſentation by reaſon of any deed made or written ſince the fine was made or inrolled, he ſhall recouer his preſentation with his damages. And where it chanceth that after the death of the anceſtor of him that preſented his Clerk vnto a Church, the ſame Aduowſon is aſſigned in dower to any woman, or to tenant by the curteſie, which do preſent, and after the death of ſuch tenants, the very heire is diſturbed to preſent when the Church is void: It is prouided, That frō henceforth it ſhall be in the electiō of the party diſturbed, whether he will ſue a Writ of Quare impedit, or of Darrain preſentment, the ſame ſhall be obſerued in Aduowſons demiſed for terme of life, or yeares, or in fee taile.

Judgements giuen ſhall not be reuerſed but by writ of error or attaint. St.7.H.4.3.

The defendant pleadeth plenarty of his owne preſentation.

Preſentations to a Church by compoſition,

Coke pla.fo.468.479.

The remedie for a diſturbāce after a particular eſtate ended

39.Ed.3.fo.14.

Coke li.5.fo.61.
Fitz.Q.impedit.19.48.73.96.116.169.
Fitz.Encumbent.12.4.
Fitz.plenartie.1.2.7.11.12.14.15.16.
Bro.Preſentac' 46.58.
Co.Inſt.344.b.
Coke li.5.fo.101.
13.Ed.4.fo.13.
Dyer fo.29.
Fitz.Q impedit.7.49.62.196.
Fitz.Darrain Preſentment.11.

Fitz.Darrain Preſentment.13.

And from henceforth in Writs of Quare impedit, and Darrain preſentment, damages ſhall be awarded, that is to wit, if the time of ſixe months paſſe by the diſturbance of any, ſo that the Biſhop doe conferre to the Church, and the very Patron loſeth his preſentation for that time, damages ſhall be awarded for two yeares value of the Church. And if the ſixe months be not paſſed, but the preſentment be deraigned within the ſaid time, then damages ſhall be awarded to the halfe yeares value of the Church: And if the diſturber haue not whereof he may recompence damages, in caſe where the Biſhop conferreth by lapſe of time, he ſhall be puniſhed by two years impriſonment, And if the Aduowſon be deraigned within the halfe yeare, yet the diſturber ſhall be puniſhed by the impriſonment of halfe a yeare.

Damages in Q impedit and darrain preſentmt.
Regiſt.ind.fo.50.
V.N.B.fo.25.26.

Fitz.Damage 4.9.17.29.38.93.106.
Fitz.Q imp 24.45.
Dyer fo.135.236.241.
14.H.7.fo.41.
Kel.fo.57.
Fitz.Enqueſt 43.
Coke.li.6.fo.48.
li.9.fo.26.

And from henceforth Writs ſhall be granted for Chappels, Prebends, Vicarages, Hoſpitals, Abbeys, Priories, and other houſes which be of the Aduowſons of other men, that haue not beene vſed to be granted before. And when the Parſon of any Church is diſturbed to demand tythes in the next Pariſh by a Writ of Indicauit, the Patron of the Parſon ſo diſturbed, ſhall haue a Writ to demaund the Aduowſon of the tythes, being in demand: and when it is deraigned, then ſhall the plea paſſe in the Court Chriſtian, as farre forth as it is deraigned in the Kings Court.

Q impedit of Prebends, Vicarages, Hoſpitals, &c.
V.N.B fo.32.

Diſturbance by Indicauit
Regiſt.fo.35.
Fitz.N.B.fo.30.E 45.B.

24.Ed.3.fo.26.
Fitz Q imp 4.16.18.27.30.38.70.82.129.140.157.183.

31.H.6.fo.13.
28.Ed.3.fo.13.
8.Ed 3 fo.49.
Bro.Droit.8.

When an Aduowſon deſcendeth vnto Parceners, though one preſent twice, and vſurpeth vpon his coheire, yet he that was negligent, ſhall not be cleerely barred, but another time ſhall haue his turne to preſent when it falleth. Raſt.pla.fo.101.142.455. St.2.& 3.Ed.6.13.

Vſurpation by one Coparcener vpon another.

Coke li.7.f.25.37.
35.H.6.fo.59.
38.H.6.fo.9.
22.Ed 4.fo.8.
5.H.7.fo.10.
45.Ed.3.fo.12.
Fitz.Q. impedit
3.7.8.20.39.40.51.58.59.64.65.69.104.148.196.

CAP. VI.

The penalty if a tenant impleaded voucheth, and the vouchee denieth his warrantie.

WHen any demandeth land againſt another, and the partie that is impleaded, voucheth to warrantie, and the warrantor denieth his warrantie, and the plea hangeth long betweene the tenant and the warrantor: And at length, when it is tried, that the vouchee is bound to warrantie, by the law and cuſtome of the Realme hitherto vſed, there was none other puniſhment aſſigned for the vouchee, that denieth his warrantie, but only that he ſhould warrantiſe, & ſhould be amerced, becauſe he did not warrant before, which was preiudiciall vnto the demaundant, becauſe he ſuffered oftentimes great delaies by colluſion betweene the tenant and the warrantor. Wherefore our Lord the King hath ordained, That like as the tenant ſhould leeſe the land being in demaund, in caſe where he vouched, and the vouchee could diſcharge himſelfe of the warrantie, in the ſame wiſe ſhall the warrantor leeſe, in caſe where he denieth his warrantie, and it be tried againſt him that he is bounden to warrantie. And if an inqueſt be depending betweene the tenant and the warrantor, and the demaundant will require a Writ to cauſe the Iurie to come, it ſhall be graunted him. Raſt.pla.fo.352.614.&c.

45.Ed.3.fo.16.
6.H.4.fo.6.

The penaltie where the vouchee denieth his warrantie.

A Venire facias at the demaundants requeſt.

CAP. VII.

Admeaſurement of dower for the Gardian and the heire. And the Proces therein.

A Writ of Admeaſurement of dower ſhall be from henceforth graunted to a Gardian: Neither ſhall the heire when he commeth to full age, be barred by the ſuit of ſuch a Gardian, that ſueth againſt the tenant in Dower fainedly, and by colluſion, but that he may admeaſure the Dower after as it ought to be admeaſured by the Law of England. And as well in this writ as in a writ of Admeaſurement of Paſture, more ſpeedy Proces ſhall be awarded, then hath beene vſed hitherto: ſo that when it is come vnto the great Diſtreſſe, dates ſhall be giuen, within which two Counties may be holden, at the which, open proclamation ſhall be made, that the defendant ſhall come in at the day contained in the writ, to anſwere to the plaintife, at which day if he come in, the plea ſhall paſſe betweene them. And if he do not come, and the proclamation be teſtified by the Sheriffe in manner aboueſaid, vpon his default, they ſhall make admeaſurement. V.N.B.fo.72. Regiſt.fo.171.297. Regiſt.inde,fo.36.40.64.

Fitz.Admeſur 3. 4.5.9.10.13.17.

7.Ed.4.fo.22.
18.Ed.3.fo.30.

Fitz.Procla 12.

Fitz.N.B.fo.148.
V.N.B.fo.9.10.

Proces in a writ of Admeaſurement of dower or paſture.
Raſt.pla.fo.22.

CAP. VIII.

In what caſe a Secunda ſuperoneratione paſturæ *ſhall be awarded.*

WHereas by a plea moued vpon a Writ of Admeaſurement of paſture, the Paſture was ſometime admeaſured before the Iuſtices, ſometime before the Sheriffe in the Countie, and it chaunced many times, after ſuch admeaſurement made, the Paſture to be ouer charged againe by him that firſt did it, with moe beaſts then he ought to keepe, whereupon no remedy hath been yet prouided: It is ordained, that vpon the ſecond ouer-charge, the plaintiffe ſhall haue remedy in this maner: If the admeaſurement were before the Iuſtices, the plaintiffe ſhall haue a Writ iudiciall, that the Sheriffe in preſence of the parties being ſummoned (if they will come) ſhall inquire vpon the ſecond ouer-charge: which if it be found, it ſhall be returned before the Iuſtices, vnder the ſeales of the Sheriffe, and the ſeales of the Iurors: And the Iuſtices ſhall award the plaintiffe damages, and ſhall put in the extreats the value of the beaſts, which were put into the paſture after ſuch admeaſurement more then he ought, and ſhall deliuer the extreats vnto the Barons of the Eſchequer, whereof they ſhall anſwere vnto the King. If ſuch admeaſurement were made in the Countie, then at the requeſt of the plaintife, a Writ ſhall goe out of the Chauncery, that the Sheriffe ſhal inquire of ſuch ouercharge, and of the beaſts put in the paſture aboue the due number, or for the value of them, and he ſhall anſwere to the King at the Eſchequer. And leaſt the Sheriffe might defraud the King in this caſe, it is agreed, That all ſuch Writs De ſecunda ſuperoneratione, that paſſe out of the Chauncery, ſhall be inrolled, and at the yeares end the tranſcripts ſhall be ſent into the Eſchequer, vnder the Chancelors Seale, that the Treaſurer and Barons of the Eſchequer may ſee, how the Sheriffe doth anſwere of the iſſues of ſuch Writs. In the ſame wiſe, Writs of Rediſſeiſin ſhall be inrolled and ſent into the Eſchequer at the yeares end. Regiſt.fo.157. Regiſt.inde.fo.36.38.

Raſt.pla.fo.22.
Coke pla.fo.48.

Secunda ſuponer paſturæ.
V.N.B.fo.72.

Admeaſurement before Iuſtices.

Admeſurement in the Countie.
Fitz.N.B.f.125 B.

Rediſſeiſin.
V.N.B.fo.35.

CAP. IX.

In what caſe the Writ of Meaſne is to be purſued.

WHen chiefe Lords diſtraine in their fee for cuſtomes and ſeruices to them due, & there is a meane, which ought to acquit the tenant, ſithence it lieth not in the mouth of the tenant, after that he hath repleuied the Diſtreſſe, to denie the demaund of the chiefe Lord, which audweth in the Kings Court, that the diſtreſſe is lawfully taken vpon his tenant, which is vpon the Meane, and many haue been heretofore ſore grieued by ſuch diſtreſſes, in ſo much as the meane (notwithſtanding that he hath whereby he may be diſtrained) doth make long delaies, before he will come into the Court to anſwer for his tenant vnto the Writ of Meane, and further the caſe was moſt hard when the Meane had nothing: In caſe alſo when the tenant was ready to doe his ſeruices and cuſtomes vnto his Lord, and the chiefe Lord would refuſe to take ſuch ſeruices and cuſtomes by the hands of any other then of his next tenant, and ſo ſuch tenants in demeane loſt ſomewhiles the profits of their lands for a time, and ſomewhiles for their whole time and hitherto no remedie hath been prouided in this caſe: A remedie is prouided and ordained hereafter in this forme, that ſo ſoone as ſuch tenant in demeane (hauing a meane betweene him and the chiefe Lord) is diſtrained, incontinent the tenant ſhall purchaſe his Writ of Meane. And if the mean hauing land in the ſame County, abſent himſelfe vntill the great diſtreſſe, the plaintiffe ſhall haue ſuch day giuen him in his Writ of Great diſtreſſe, afore the comming whereof two Counties may be holden, and the Sheriffe ſhall be commaunded to diſtraine the Meane by the great diſtreſſe, like as it is contained in the Writ, and neuertheleſſe the Sheriffe in two full Counties ſhall cauſe to be proclaimed ſolemnly that the Meane doe come at a day contained in the Writ, to anſwere his tenant, at which day if he come, the plea ſhall paſſe betweene them after the common vſage. And if he doe not come, then ſuch Meſne ſhall loſe the ſeruices of his tenant, and from henceforth, the tenant ſhall not anſwer him in any thing; but the ſame Meane being excluded, he ſhall anſwer vnto the chiefe Lord for ſuch ſeruices and cuſtomes, as before he ought to haue done to the ſame Meane. Neither ſhall the chiefe Lord haue power to diſtraine, ſo long as the aforeſaid tenant doth offer him the ſeruices and cuſtomes due. And if the chiefe Lord exact more then the Meane ought to doe, the tenant in ſuch caſe ſhall haue ſuch exceptions as the Meane ſhould, And if the Meane haue nothing within the Kings Dominion, the tenant ſhall neuertheleſſe purchaſe his Writ of Meane, to the Sheriffe of the ſame Shire wherein he is diſtrained. And if the Sheriffe returne, that he hath nothing, whereby he may be ſummoned; then ſhall the tenant ſue his Writ of Attachment. And if the Sheriffe returne, that he hath nothing to be attached by, he ſhall neuertheleſſe ſue his Writ of Great diſtreſſe, and Proclamation ſhall be made in forme aboueſaid. And if the Meane haue no land in the Shire, where the diſtreſſe is taken, but hath land in ſome other Shire, then a Writ originall ſhall iſſue to ſummon the Meane, vnto the Sheriffe of the ſame Shire (where the diſtreſſe is taken) & when it is returned by the Sheriffe, that he hath nothing in his Shire, a Writ iudiciall ſhall iſſue to ſummon the Meane, vnto the Sheriffe of the ſame Shire, in which it ſhall be teſtified that he hath land, and ſuit ſhall be made in the ſame Shire, vntill they haue paſſed vnto the great diſtreſſe and Proclamation as aboue is ſaid, where the Meane hath land in the ſame Shire in which the diſtreſſe is taken. And neuertheleſſe ſuit ſhall be made in the ſame Shire, where he hath nothing, as aboue is ſaid of the Meane that hath nothing, vntill the Proces come to the great diſtreſſe and Proclamation, and ſo after Proclamation made in both counties, the Meane ſhall be foreiudged of his fee and ſeruice. And where it happeneth ſometimes, that the tenant in demeane is infeoffed to hold by leſſe ſeruice, then the Meane ought to doe vnto the chiefe Lord, when after ſuch Proclamation the tenant hath atturned to the chiefe Lord, and the Meane being excluded, the tenant muſt of neceſſity anſwere vnto the chiefe Lord, for all ſuch ſeruices and cuſtomes as the Meane was wont to doe to him. And after that the Meane is come into the Court, and hath confeſſed, that he ought to acquit his tenant, or be compelled by iudgement to acquit, if after ſuch confeſſion or iudgement it is complained, that the Meane doth not acquit his tenãt, then ſhall iſſue a Writ iudiciall, that the Sheriffe ſhall diſtraine the Meane to acquit the tenant, and to be at a certaine day before the Iuſticers, for to ſhew why he hath not acquited him before, and when they haue proceeded vnto the great diſtreſſe, the plaintiffe ſhall be heard. And if the plaintife can proue that he hath not acquited him, he ſhall yeeld damages, and by award of the Court the tenant ſhall goe quite from the Meane, and ſhall atturne vnto the chiefe Lord. And if he come not at the firſt diſtreſſe, a Writ ſhall goe forth to diſtraine him againe, and proclamation ſhall be made, and as ſoone as it is returned they ſhall proceed in iudgement as afore is ſaid. And it is to be vnderſtanden, that by this Statute tenants are not excluded, but they ſhall haue a warranty of the meanes & their heires, if they be impleaded of their lãds, as they haue had before, nor the tenants ſhall be excluded, but that they may ſue againſt their meanes, as they vſed heretofore, if they ſee that their proceſſe may be more auaileable by the old cuſtome, then by this ſtatute. And it is to wit, that by this ſtatute no remedy is prouided to any meanes, but onely in caſe where there is but one onely meane betweene the Lord that diſtraineth, and the tenant, and in caſe where that meane is of full age, and in caſe where the tenant may attourne vnto the chiefe Lord without preiudice of any other then of the meane, which is ſpoken for women, tenants in dower, and tenants by the courteſie, or otherwiſe for terme of life, or in fee taile, vnto whom for certaine cauſes remedy is not yet prouided, but (God willing) there ſhall be at another time. Fitz.N.B.fo.135. 136. V.N.B.fo.79. Raſt.pla.fo.397.&c.

A Writ of Meſne, and the Proces therein. Regiſt. fo. 60. V.N B fo.80.95.

Fitz. Meſne 2.3.7. 11.12.15.16.17. 19.20.21.24.56. 58.

The meane foriudged of his fee and ſeruices.

Fitz.Proclamat. 20.21. Co.Inſt.100.2. Fitz.Meſne 3.18. 47.57.66.67.70.

The tenant holding by leſſe ſeruice then the Meane doth.

Fitz.Meſne.1.53. Dyer fo.104. Kel.fo.81. Fitz.Auowrie.146 168.

Fitz.Meſm.28.39

Damages in a Writ of meſne.

Fitz.Proces 153. Fitz.Meſne.20.24 38.59.68.70.

The tenants warranty of the meſne.

Fitz.Meſne.68.

For which meanes onely this ſtatute is ordained.

Fitz.Meſne.25.35 79.

Cap.

Cap. X.

At what time Writs ſhall be deliuered for ſuits depending before Iuſtices in Eyre.
Any perſon may make a generall Atturney.

WHereas in the circuit of Juſtices, it was proclaimed that all ſuch as would deliuer writs ſhould deliuer them within a certaine time, after which no Writ ſhould be receiued: many truſting vpon the ſame, and tarrying vntill the ſaid time, and no Writ ſerued vpon them, departed by licence of the ſaid Juſtices, after whoſe departure their aduerſaries perceiuing their abſence, deliuered their Writs in ware, which ſometime by fraud, and ſometimes for rewards be receiued of the Sheriffe, and they that thought to haue departed quiet, loſe their lands. For the remedie of ſuch fraud, from henceforth the King hath ordained, that the Juſtices in their circuits ſhall appoint a time of fifteene daies, or a month, or a time more or leſſe (after as the Countie ſhall happen to be more or leſſe) within which time it ſhall be openly proclaimed, that al ſuch as will deliuer their Writs, ſhall deliuer them before the ſame time. And when the time commeth the Sheriffe ſhall certifie the chiefe Juſtice in Eyre, how many Writs he hath, and what, and that no Writ be receiued after the ſame time: and if it be receiued, the proceſſe iſſuing thereupon ſhall be of none effect, but only that a Writ abated, any time during the circuit may be amended. Alſo Writs of dower of men that dyed within the ſummons of the circuit, aſſiſes of Darrain preſentment, Quare impedit, of Churches vacant, within the foreſaid ſummons, ſhall be receiued at any time before the departure of the Juſtices. Alſo Writs of Nouel diſſeiſin at what time ſoeuer the diſſeiſin was done, ſhall be receiued in the circuit of Juſtices. Our Lord the King of his ſpeciall grace granteth, that ſuch as haue land in diuers Shires, where the Juſtices make their circuit, and that haue land in Shires where the Juſtices haue no circuit, that feare to be impleaded, and are impleaded of other lands in Shires where they haue no circuit, as before the Juſtices at Weſtminſter, or in the Kings Bench, or before Juſtices aſſigned to take Aſſiſes, or in any County before Sheriffes, or in any Court Baron, may make a generall Atturney to ſue for them in all pleas in the circuit of Juſtices moued or to be moued for them or againſt them during the circuit, which Atturney or Atturneys ſhall haue full power in all pleas moued during the circuit, vntill the plea be determined, or that his Maſter remoue him, yet ſhall they not be excuſed if they ſhall be put in Juries and Aſſiſes before the ſame Juſtices.

Deliuering of Writs for ſuits depending before Juſtices in Eyre.

Any perſon may make a generall Atturney.

Cap. XI.

The Maſters remedy againſt their Seruants and other Accomptants.

Coke Inſt. 89. a. 295. a.

COncerning Seruants, Bailiffes, Chamberlaines, and all manner of Receiuers, which are bound to yeeld accompt: It is agreed and ordained, that when the Maſters of ſuch ſeruants doe aſſigne Auditors to take their accompt, and they be found in arrerages vpon the accompt, their bodies ſhal be areſted by the teſtimonie of the Auditors of the ſame accompt, & ſhal be ſent or deliuered vnto the next Gaole of the Kings in thoſe parts, and ſhall be receiued of the Sheriffe or Gaolor, and impriſoned in iron vnder ſafe cuſtody, and ſhall remaine in the ſame priſon at their owne coſt vntill they haue ſatisfied their Maſter fully of the arrerages. Neuertheleſſe if any perſon being ſo committed to priſon, do complain that the Auditors of his accompt haue grieued him vniuſtly, charging him with receipts that he hath not receiued, or not allowing him expences or reaſōable diſburſemēts, & can find friends that will vndertake to bring him before the Barōs of the Eſchequer, he ſhall be deliuered vnto them. And the Sheriffe (in whoſe priſon he is kept) ſhall giue knowledge vnto his Maſter, that he appeare before the Barons of the Eſchequer at a certaine day with the Rolles and Tailes, by which he made his accompt, and in the preſence of the Barons or the Auditors, that they ſhall aſſigne him, the accompt ſhall be rehearſed, & iuſtice ſhall be done to the parties, ſo that if he be found in arrerages, he ſhall be committed to the Fleet as aboue is ſaid. And if he flee and will not giue accompt willingly, as is contained elſewhere in other Statutes, he ſhall be diſtrained to come before the Juſtices to make his accompt, if he haue whereof to be diſtrained, and when he commeth to the Court, Auditors ſhall be aſſigned to take his accompt, before whom if he be found in arrerages, and cannot pay the arrerages forthwith, he ſhall be committed to the Goale to be kept in manner aforeſaid. And if he flee, and it be returned by the Sheriffe that he cannot be found, Exigents ſhall goe againſt him from County to County, vntill he be outlawed, and ſuch priſoner ſhall not be repleuiſable. And let the Sheriffe or Keeper of ſuch Goale take heed, if it be within a Franchiſe or without, that he doe not ſuffer him to goe out of priſon by the common Writ call Replegiare, or by other meanes without aſſent of his Maſter. And if he do, and thereof be conuict, he ſhall be anſwerable to his Maſter of the damages done to him by ſuch his ſeruant according as it may be found by the Countrie, and ſhall haue his recouerie by Writ of Debt. And if the keeper of the Goale haue not wherewith he may be iuſtified or not able to pay, his ſuperior that committed the cuſtody of the Goale vnto him ſhall be anſwerable by the ſame Writ. V.N.B.fo.57. Fitz.N.B.fo.116.&c. Regiſt.fo.35.&c. Raſt.pla.fo.14 &c.

29.Ed.3.fo.35.
Fitz.Accompt. 96 109.
Fitz.Avowry 220.
Coke li.10.fo.103
Coke li.3.fo.44.

27.H.6.fo.8.
Coke li.8 fo.119.
Fitz.Accompt.23.26.33.47.74.106.

Fitz.Proces 203.
29 Ed.3.fo.5.

22.Ed.3.fo.17.
17.Ed.3.fo.59.

Dyer fol.60.275.
Fitz. Barre 253.
Fitz.Dett 172.
Fitz.Iſſue 160.
Bro.Dett 103.
Bro Parl.80.
42.Aſſ pl.11.

In what caſes Auditors may cōmit accomptants to priſon. Regiſt fo.137. Fitz.N.B. fo.116. Raſt.pla.F.14.&c.

Ex parte talis. Fitz.N.B. fo.129. V.N.B. fo.60.

The Accomptants reliefe.

St.52.H.3.23.

An Exigent againſt an Accomptant. Fitz.N.B.f.118.a.

Eſcape of an Accomptant. St.1.R.2.12. St.7.H.4.4. Fitz.N.B.f.130.b

CAP. XII.

The Appellor being acquited, the Appellant and Abettors ſhall be puniſhed. There ſhall be no Eſſoine for the Appellant.

The puniſhmẽt of an Appellor for a falſe appeale.

FOr as much as many through malice intending to grieue other, doe procure falſe appeales to be made of homicides and other felonies by Appellors, hauing nothing to ſatisfie the King for their falſe appeale, nor to the parties appealed for their damages: It is ordained, that when any being appealed of felony ſurmiſed vpon him, doth acquit himſelfe in the Kings Court in due manner, either at the ſuit of the Appellor, or of our Lord the King: the Iuſtices before whom the appeale ſhall be heard and determined, ſhall puniſh the Appellor by a yeares impriſonment and the Appellors ſhal neuertheleſſe reſtore to the parties appealed their damages, according to the diſcretion of the Iuſtices, hauing reſpect to the impriſonment or arreſtment that the partie appealed hath ſuſtained by reaſon of ſuch appeales, and to the infamy that they haue incurred by the impriſonment or otherwiſe, & ſhall neuertheleſſe make a grieuous fine vnto the King: And if peraduenture ſuch Appellor be not able to recompẽce the damages, it ſhalbe inquired by whoſe abetment or malice the appeale was commenced, if the partie appealed deſire it. And if it be found by the ſame inqueſt, that any man is abettor through malice, at the ſuit of the partie appealed, he ſhall be diſtrained by a iudiciall Writ to come before the Iuſtices, And if he be lawfully conuict of ſuch malicious abetment, he ſhall be puniſhed by impriſonment and reſtitution of damages, as before is ſaid of the appellor. And from henceforth in appeale of the death of mã, there ſhall no eſſoine lie for the appealor, in whatſoeuer Court the appeale ſhall hap to be determined. Regiſt.fo.134. Fitz.N.B.fo.114.f.

22.Aſſ.pla.77.
27.Aſſ.pla.26.
41.Aſſ.pla.24.
Fitz.Damage 77.
Fitz.Corõ 12.77
98.386.
Coke li.12.fo.77.
Co.Inſt.289.a.

Stat.1.Ed.3.7.
Raſt.pla.fo.56.
Inquirie of Abettors.
Stat.1.R.2.13.
V.N.B.fo.56.

14.H.7.fo.2.
26.H.8.fo.3.
Dyer fo.120.131.
8.H.5.fo.6.
8.Ed.4.fo 3.
Coke.li.9.fo.73.
Fitz.Act.ſur leſtat.28.

No Eſſoine for the Appellant.
Raſt pla.fo.297.

CAP. XIII.

The order of the Indictments taken in the Sheriffes Turne.

The order of Indictments taken in Sheriffes Turnes
Regiſt.fo.178.

FOraſmuch as Sheriffes faining many times certaine perſons to be indicted before them, in their Turnes of felonies and other treſpaſſes, doe take men that are not culpable nor lawfully indicted, and impriſon them, and doe exact money from them, whereas they were not lawfully indicted by twelue Iurors. It is ordained, that Sheriffes in their Turnes, and in other places where they haue power to enquire of treſpaſſors by the Kings precept or by office, ſhall cauſe their inqueſts of ſuch malefactors to be taken by lawfull men, and by twelue at the leaſt which ſhall put their ſeales to ſuch Inquiſitions: and thoſe that ſhall be found culpable by ſuch inqueſts, they ſhall take and impriſon as they haue vſed afore times to doe. And if they doe impriſon other then ſuch as haue béen indicted by enqueſt, the parties impriſoned ſhall haue their Action by a Writ of impriſonment againſt the Sheriffes, as they ſhould haue againſt any other perſon that ſhould impriſon them without warrant. And as it hath béen ſaid of Sheriffes ſo ſhall it be obſerued of euerie Bailiffe of Franchiſe. Stat.1.Ed.3.17. Stat.1.Ed.4.2.

CAP. XIIII.

The Proces in an Action of Waſte. A Writ to enquire of Waſte.

WHereas for waſt done in the inheritance of any perſon, by gardians, tenants in dower, tenants by the courteſie of England, or otherwiſe for terme of life, or yeares, a Writ of Prohibition of waſt hath béen vſed to be granted, by which Writs many were deceiued, thinking that ſuch as had done the waſt, ſhould not néed to anſwer but only for waſt done after the prohibition to them directed: Our Lord the King, to remoue from henceforth this error, hath ordained, that of all manner of waſt done to the damage of any perſon, there ſhall from henceforth be no Writ of prohibition awarded, but a Writ of ſummons, ſo that he of whom complaint is, ſhall anſwer for waſt done at any time. And if he come not after the ſummons, he ſhall be attached, and after the attachment he ſhall be diſtrained, and if he come not after the diſtreſſe, the Sheriffe ſhall be commanded that in proper perſon he ſhall take with him twelue, &c. and ſhall goe to the place waſted, and ſhall inquire of the waſt done, and ſhall returne an enqueſt, & after the enqueſt returned, they ſhall paſſe vnto iudgement, like as it is contained in the Statute of Glouceſter, cap.5. Stat.6.Ed.1.5. St.20.E.1.of Waſt. V.N.B.fo.36. Regiſt.ind.fo.23.25.26. Raſt.pla.fo.620.

Fitz.Waſt.129.
130.131.134.135.
136.137.

The Proces in an Action of Waſt.
Regiſt.fo.72.&c.

A Writ to enquire of Waſt.

Dyer fo.204.
Bro.Proces.37.
Fitz.Waſt.45.51.
61.62.

CAP. XV.

An Enfant eloined may ſue by Prochein Amy.

Enfants ſuit.

IN euery caſe where as ſuch as be within age may ſue, it is ordained, that if ſuch within age be eloined, ſo that they cannot ſue perſonly, their next friends ſhall be admitted to ſue for them Stat.3.Ed.1.47. Regiſt.fo.78. V.N.B.fo.37. Raſt.pla.fo.370.

27.H.8.fo.11.
Dyer fo.104.
28.Aſſ.pla.22.
40.Ed.3.fo.6.
2.Ed.3.fo.16.
Bro.Gardein 13.
22.24.25.26.27.

CAP. XVI.

Prioritie of feoffement giueth title of Wardſhip.

44.Ed.3.fo.15. Dyer fo.11. 5.Ed.3.fo.4. Bro.Gard.114. 115.116. Fitz.Prerogat.23. 24. Fitz.Gard 2.3.16. 19.27.36.46.53. 81.86.115.134. 139.

IN caſe where inheritance deſcendeth to one within age of the fathers ſide, that held of one Lord, and the mothers ſide that held of another Lord, there hath béene hitherto doubt, for the marriage of ſuch an heire, to which the two of Lords it ſhould belong: It is agréed, that the ſame Lord ſhall from henceforth haue the marriage of whom the childs anceſtor was firſt infeoffed, not hauing reſpect to the ſexe, nor to the quantitie of the land, but onely to the more antient feoffment by Knights ſeruice. V.N.B.fo.92.97.

Prioritie of feoffement giueth title of wardſhip. Raſt.pla.fo.363. Fitz.N.B.f.142.g.

CAP. XVII.

In what caſe Eſſoine De malo lecti *doth lie, and where not.*

Fitz.Eſſoin.170. 186.187.188.189. 190.192.193.194. 196.197.

Fitz.Eſſoin.27.

IN the Circuit of the Juſtices an Eſſoine De malo lecti, ſhall not be from henceforth allowed for Lands in the ſame Shire, vnleſſe hee that cauſed himſelfe to be eſſoined be ſicke indéede, for if the demandant except, that the tenant is not ſicke, nor in ſuch plight but that he may come before the Juſtices, his exception ſhall be admitted. And if it can be ſo proued by Enqueſt, the Eſſoine ſhall be turned to a default. And from henceforth ſuch Eſſoine ſhall not lie in a Writ of Right betwéene two claiming by one conſent. Raſt.pla.fo.297.&c.

In what caſe an Eſſoin De malo lecti doth lie. Regiſt.fo.8. V.N.B.fo.13.

CAP. XVIII.

He that recouereth debt may ſue execution by Fieri facias *or* Elegit.

Dyer fo.306.373. Coke li.3.fo.9. li.4.fo.65.74. li.5.f.87.88.90.91 Fitz.Aſſ.220.232. Fitz.Extent.13. Fitz.Proces 52. Fitz.Execution 35 37.41.46.66.85. &c. Co.Inſt.289.b.

WHen debt is recouered or knowledged in the Kings Court, or damages awarded, it ſhall be from henceforth in the election of him that ſueth for ſuch debt or damages, to haue a Writ of Fieri facias that the Sherife ſhall cauſe to be leuied of the lands and goods, or that the Sheriffe ſhall deliuer to him all the Cattells of the debtor, ſauing onely his Oxen and beaſts of his Plough, and the one halfe of his land vntill the debt be leuied vpon a reaſonable price or extent. And if he be put out of that tenement, he ſhall recouer by a Writ of Nouel diſſeiſin, and after by a Writ of Rediſſeiſin if néed be. Raſt.pla.fo.72. 161.245.327.470. Regiſt.fo.299. Regiſt.ind.fo.2.5.6.25.26.

The execution of a debt recouered. V.N.B.f.165.166

Aſſiſe mainteinable by tenant by Elegit. V.N.B.fo.105. Fitz.N.B.f.189.a.

CAP. XIX.

The Ordinarie chargeable to pay debts as Executors.

Dyer fo.232.247. Coke li.5.fo.83. Fitz.Briefe 822. Fitz.Executor 77.

WHereas after the death of a perſon dying inteſtate, which is bounden to ſome other for debt, the goods come to the Ordinarie to be diſpoſed: The Ordinarie from henceforth ſhall be bound to anſwer the debts, as farre forth as the goods of the dead will extend, in ſuch ſort as the executors of the ſame party ſhould haue béene bounden, if he had made a Teſtament.

The Ordinarie ſhall pay debts as executors ſhall. Regiſt.fo.141. Fitz.N.B.f.120.d. V.N.B.fo.61.

CAP. XX.

The Tenants anſwer in a Writ of Coſinage, Aiel, and Beſaiel.

Bro Coſinage.7.8 6.Ed.3.fo.55.

WHereas that Juſtices in a plea of Mortdaunceſtor haue vſed to admit the anſwer of the tenant, that the plaintiffe is not next heire of the ſame anceſtor, by whoſe death he demandeth the land, and is readie to enquire the ſame by Aſſiſe: It is agréed, that in Writs of Coſinage, Aiel, and Beſaiel, which be of the ſame nature, his anſwer ſhall be admitted and inquired, and according to the ſame inquiſition, they ſhall procéed to iudgement.

The tenants plea in a writ of Aiel, Beſaiel, or Coſinage.

CAP. XXI.

A Ceſſauit *by the chiefe Lord againſt his freehold tenant.*

WHereas in a Statute made at Glouceſter it is contained, that if any leaſe his land to another to pay the value of the fourth part of the land or more, the leſſor or his heire after the payment hath ceaſed by two yeares ſhall haue an Action to demand the land ſo leaſed in demeane. In like manner it is agréed that if any withhold from his Lord his due and accuſtomed ſeruice by two yeares, the Lord ſhall haue an Action to demand the land in demeane by ſuch a Writ. Præcipe A quod iuſte &c. reddat B. tale tenementum quod A. de eo tenuit per tale ſeruitium, & quod ad prædictum B. reuerti debet eo quod prædictus A. in faciendo prædictum ſeruitium per biennium ceſſauit vt dicitur.

St.6.Ed.1.4. A Ceſſauit by the Lord againſt his tenant.

Fitz.Briefe.249. 269.477. 8.H.7.fo.7. Fitz.Ceſſauit. 1.2. 3.4.7.8.17.21.22. 30.32.33.35.35. 45.46.50.51.54.

And not onely in this caſe, but alſo in the caſe whereof mention is made, in the ſaid Statute

of

A Ceſſauit maintainable by the heire of the demandãt againſt the heire or aſſignee of the tenant.

of Glouceſter, Writs of Entre ſhall be made for the heire of the demandant againſt the heire of the tenant, and againſt them to whom ſuch land ſhall be aliened. Regiſt. fo.237. Fitz.N.B. fo.208. V.N.B.fo.78.138.139. Raſt.pla.109.

Coke.li.8.f.118.
Fitz.Ceſſauit.42.
Co.Inſt.154.

Cap. XXII.

Waſt maintainable by one Tenant in common againſt another.

21.Ed.3.fo.29.
27.H.8.fo.13.
Fitz.Waſt.25.96.
Coke li.11.fo.49.
Co.Inſt.200.

Waſt committed by one tenãt in common.

VVhereas two or mo doe hold Wood, Turfeland, or Fiſhing, or other ſuch thing in common wherein none knoweth his ſeuerall, and ſome of them do waſt againſt the mindes of the other, an Action may lie by a Writ of Waſt. And when it is come vnto iudgement, the defendant ſhall chooſe either to take his part in a place certaine, by the Sherife, and by the view, oath and aſſignement of his neighbours ſworne and tried for the ſame intent, or elſe hée ſhall grant to take nothing from henceforth in the ſame Wood, Turfeland, and ſuch other, but as his partners will take. And if hee chooſe to take his part in a place certaine, the part waſted ſhall be aſſigned for his part, as it was before he committed the Waſt. And there is ſuch a writ in this caſe, that is to ſay:

Fitz.N.B.fo.49.h
V.N.B.fo.38.

Cum A.& B.tenant boſcum pro indiuiſo, B.fecit vaſtum, &c. Regiſt.fo.76.

Cap. XXIII.

Executors may haue a Writ of accompt.

Executors may haue an Action of accompt.

Executors from henceforth ſhall haue a Writ of accompt, and the ſame Action and proceſſe in the ſame Writ as the Teſtator might haue had if he had liued. St.4.Ed.3.7.St.25.Ed.3.5. V.N.B.fo.58. Fitz.N.B.fo.117.E.119.A.

Fitz.Executors.93

Cap. XXIIII.

A Writ of Nuſance of a houſe &c. leuied, and aliened to another. A Quod permittat *and* Iuris Vtrum *for a parſon of a Church. In like caſes like Writs be grantable.*

In caſes where as a Writ is granted out of the Chancerie for the fact of another, the plaintiffes from henceforth ſhall not depart from the Kings Court without remedie, becauſe the land is transferred from one to another. And in the Regiſter of the Chancerie there is no ſpeciall Writ found in this caſe, as of a Houſe, a Wall, a Market, but the Writ is granted againſt him that leuied the nuſance. And if the Houſe, Wall, or ſuch like be aliened to another, the writ ſhall not be denied: but from henceforth, where in one caſe a writ is granted, in like caſe when like remedie falleth the writ ſhall be made, as hath béene vſed before:

Raſt.pla.fo.405.

A writ of Nuſance.
V.N.B.fo.110.
Raſt.pla.fo.405.
Fitz.N.B.184.
Stat.6.R.2.3.

Coke li.5.fo.101.
li.9.fo.55.

Queſtus eſt nobis A.quod D. iniuſte &c. leuauit domum, murum, mercatum, & alia quæ ſunt ad nocumentum &c.

And if ſuch things leuied be aliened from one to another, the writ ſhall be thus:

Queſtus eſt nobis A.quod B. & C. leuauerunt, &c.

Quod permittat
Raſt.pla.fo.492.
V.N.B.fo.68.
Regiſt.fo.32.

27.H.8.fo.12.
Fitz.Common 24
Fitz.Briefe.874.

In like maner as a Parſon of a Church may recouer common of paſture by a writ of Nouel diſſeiſin, likewiſe from henceforth his ſucceſſor ſhall haue a Quod permittat, againſt the diſſeiſor or his heire, though a like writ were neuer granted out of the Chancerie before. And in like maner as a writ is granted to trie whether land be the frée almes of ſuch a Church, or the lay fée of ſuch a man, euen ſo from henceforth a writ ſhall be made, to try whether it be the frée almes of this Church, or of another Church, in caſe where the frée almes of one Church is transferred to the poſſeſſion of another Church. And whenſoeuer from henceforth it ſhall fortune in the Chancerie, that in one caſe a writ is found, and in like caſe falling vnder like law, and requiring like remedie is found none, the Clerkes of the Chancerie ſhall agrée in making the writ, or the plaintiffes may adiourne it vntill the next Parliament, and let the caſes be written in which they cannot agrée, and let them referre themſelues vntill the next Parliament, by conſent of men learned in the law, a writ ſhall be made, leſt it might happen after that the Court ſhould long time faile to miniſter iuſtice vnto complainants.

Iuris vtrum.
V.N.B.fo.29.
Raſt.pla.fo.385.
Coke pla fo.399.
Stat.14.Ed.3.17.

Fitz.Iuris vtrum.
2.3.5.7.9.12.16.
17.

Inconſimili caſu
V.N.B.fo.93.
Fitz.N.B.f.198.a.
206.f.217.d.
Raſt.pla.fo.221.

Fitz. Entrie 3.7.8.
10.61.64.67.68.
69.74.
Co.Inſt.54.b.

Cap. XXV.

Of what things an Aſſiſe ſhall lie. Certificat of Aſſiſe. Attachment in an Aſſiſe.

Of what things an Aſſiſe of Nouel diſſeiſin will lie.
Regiſt.f.196.&c.
Fitz.N.B. fo.177.
&c.
V.N.B.fo.38.68.
109.179.&c.
Raſt.pla.f.83. &c.
Coke pla.fo.60.

For as much as there is no writ in the Chancery, wherby plaintifes can haue ſo ſpéedy remedy, as by a writ of Nouel diſſeiſin, our Lord the King willing that iuſtice may be ſpéedily miniſtred, & that delaies in pleas may be takē away or abridged, granteth, that a writ of nouel diſſeiſin ſhal hold place in mo caſes then it hath done heretofore, & granteth that for eſtouers of wood, profit to be taken in woods by gatherĩg of nuts, acorns & other fruits, for a corodie, for deliuery of corne and other victuals and neceſſaries to be receiued yearely (in a place certaine) toll, tronage, paſſage, pontage, pawnage, & ſuch like, to be taken in places certaine, kéeping of Parks, woods, foreſts,

Coke li.8.fo.45.
Fitz.Aſſ.138.
Fitz.Common.50
Fitz.Auowrie 143

foreſts, chaſes, Warrens, Pates, and other Bailiwickes, and offices in fee, from henceforth an Aſſiſe of Nouel diſſeiſin ſhall lie. And in all things afore rehearſed according to the cuſtomed manner, the Writ ſhall be De libero tenemento. And as before times it hath lien and holden place in common of paſture, ſo ſhall it from henceforth hold place in cōmon of Turfeland, Fiſhing, & ſuch like commons, which any man hath appendant to freehold, or without freehold by ſpeciall deed, at the leaſt for terme of life. In caſe alſo when any holding for terme of yeares, or in ward, alieneth the ſame in fee, and by ſuch alienation the Freehold is transferred to the feoffee, the remedie ſhall be by a writ of Nouel diſſeiſin, & as well the feoffors as the feoffee ſhall be had for diſſeiſors, ſo that during the life of any of thē the ſaid writ ſhal hold place. And if by the death of the parties remedie happen to faile, by that writ, then remedie ſhall be obtained by a Writ of Entre. And albeit that aboue mention is made of ſome caſes wherein a Writ of nouel diſſeiſin held no place before, let no man thinke therefore that this Writ lieth not now where it hath lien before. And though ſome haue doubted whether a remedie be had by this Writ in caſe where one feedeth in the ſeuerall of another, let it be had for certaine, that a good & a ſure remedie is giuen in that caſe by the ſaid writ. And let them which be named Diſſeiſors beware from henceforth that they alleadge not falſe Exceptions, whereby the taking of the Aſſiſe may be deferred, ſaying that another time an Aſſiſe of the ſame land paſſed betweene the ſame parties, or ſaying and lying that a Writ of more high nature hangeth betweene the ſame parties for the ſame Land, and vpon theſe and like matters doe vouch Rolles or Records to warranty, to the end that by the ſame vouching they may take away the veſture, and receiue the rents and other profits, to the great damage of the plaintiffe. And where before none other paine was limited againſt him that falſely had alleaged ſuch vntrue Exceptions, but onely that after ſuch falſe ſurmiſes diſproued, the Aſſiſe ſhould paſſe: Our Lord the King, to whom ſuch falſe Exceptions bee odious, hath ordained, that if any being named diſſeiſor doe perſonally alleadge the Exception at the day to him giuen (if he faile of the warrantie that he hath vouched) he ſhall be adiudged for a diſſeiſor without taking of the Aſſiſe, and ſhall reſtore the damages before enquired of, or to be inquired after to the double, and ſhall neuertheleſſe haue a yeares impriſonment for his falſhood. And if that Exception be alleaged by a Bailiffe, the taking of the Aſſiſe ſhall not be delayed therefore, nor the iudgement vpon the reſtitution of the lands and damages. Yet neuertheleſſe, that if the Maſter of ſuch a Bailiffe that was abſent, come after before the ſame Iuſtices that tooke the Aſſiſe, & offer to proue by Record or Rolls, that another time an Aſſiſe paſſed betweene the ſame parties of the ſame land, or that the plaintife at another time did withdraw his ſuit in a like writ, or that a Plea hangeth by a writ of more high nature: a Writ of Venire facias ſhall be granted vnto him to cauſe the ſame Record to be brought, and when hee hath the ſame, and the Iuſtices doe perceiue that the Record ſo ſhewed by him would haue beene ſo auaileable before the iudgement, that the plaintiffe by force of the ſame ſhould haue beene barred of his Action: the Iuſtices ſhall preſently cauſe the partie to be warned that firſt recouered, that he appeare at a certaine day, at the which the defendant ſhall haue againe his ſeiſin and damages (if he before payed any after the firſt iudgement giuen) which ſhall be reſtored him to the double, as before is ſaid, and alſo he that firſt recouered ſhall be puniſhed by impriſonment according to the diſcretiō of the Iuſtices. In the ſame maner, if the defendant againſt whom the Aſſiſe paſſed in his abſence, ſhew any deedes or releaſes, vpon the making whereof, the Iury were not examined, nor could be examined, becauſe there was no mention made of them in pleading, and by probabilitie might be ignorant of the making of thoſe writings, The Iuſtices vpon the ſight of thoſe writings ſhall cauſe the partie to be warned that recouered, that he appeare at a certaine day, and ſhall cauſe the Iurors of the ſame Aſſiſe to come. And if he ſhall verifie thoſe writings to be true by the verdict of the Iurors, or by inrolment, he that purchaſed the Aſſiſe contrary to his owne deed ſhall bee puniſhed by the paine aforeſaid. And the Sheriffs from henceforth ſhall not take an Oxe of the diſſeiſee, but of the diſſeiſor onely, and if there be many diſſeiſors named in one Writ, yet ſhall he be contented with one Oxe: nor ſhall receiue any Oxe but of v.s. price, or the value.

Fitz. Aſſ. 61. 94. 111. 134. 167. 228. 310. 316. 330. 439. 452.

Fitz. Aſſ. 195. Fitz. Briefe 790. Bro. Elegit. 20. Bro. Diſſeiſin 86. 105.

37. Aſſ. pl. 30. 11. H. 4. fo. 84.

11. H. 4. fo. 49. 44. Ed. 3. fo. 23. 30. Ed. 3. fo. 12. 22. Ed. 3. fo. 4. Dyer fo. 137. Fitz. Record 32. Bro. Couertur. 35.

2. H. 5. fo. 5. Fitz. Aſſ. 5. 123. Fitz. Certificat. 2. 3 4. 7. 8. 10.

17. Ed. 3. fo. 28. 26. Aſſ. pl. 1. 43. Aſſ. pl. 5.

12. H. 4. fo. 9. 7. H. 4. fo. 45. Fitz. Aſſ. 412.

Aſſiſes of Common. Regiſt. fo. 197. V. N. B. f. 68. Fitz. N. B. f. 124. a. Raſt. pl. fo. 67.

Leaſee for yeeres or Gardian alieneth in fee. Regiſt. f. 228. 231. V. N. B. fo. 124.

Aſſiſe where one doth feed anothers ſeuerall. Fitz. N. B. fo. 178. h. Raſt. pl. fo. 67.

The penaltie for failing of an exception pleaded. Raſt. pl. fo. 65.

Pleading of an exception by Bailiffe.

In what caſe a Certificate of Aſſiſe doth lie. Fitz. N. B. fo. 180. &c. V. N. B. f. 113. &c. Raſt. pla. fo. 109. Regiſt. fo. 200. Regiſt. ind. fo. 22.

Cap. XXVI.

Who may bring a Writ of Rediſſeiſin, and the puniſhment of the offendor therein.

In Writs of Rediſſeiſin from henceforth double damages ſhall be awarded, and the Rediſſeiſors ſhall not be repleuiable hereafter by the common Writ. And like as in the Statute of Merton the ſame Writ was prouided for ſuch as were diſſeiſed after they had recouered by Aſſiſe of Nouel diſſeiſin, of Mortdanceſtor, or other Iuries, euen ſo from henceforth the ſame writ ſhall further hold place for them that ſhall recouer by default, reddition, or otherwiſe without recognition of Aſſiſes or Iuries. Fitz. N. B. fo. 188. &c. V. N. B. fo. 108. Regiſt. fo. 205.

13. H. 7. fo. 8. Co. Inſt. 154.

Who may bring a Writ of Rediſſeiſin or Poſtdiſſeiſin. Stat. 20 H. 3. 3. Stat. 52. H. 3. 8. Raſt. pla. fo. 505.

Cap.

Cap. XXVII.

Eſſoine after Enqueſt, but none after day giuen Prece partium.

Eſſoine after Enqueſt.

Fitz.Eſſoin.15.81 83.130. Dyer.fo.224.324. Bro.Parlia.5.

After any hath put himſelfe to an Enqueſt, an Eſſoine ſhall be allowed him at the next day, but all the other dayes following the taking of the Enqueſt ſhall not be delayed by the Eſſoine, whether he were eſſoined befoꝛe oꝛ no. Neither ſhall any Eſſoine be allowed after day giuen by Prece partium, in caſe where the parties conſent to come without Eſſoine. Raſt.pl.f.297.

Cap. XXVIII.

In certaine Actions after apparance there ſhall be no Eſſoine.

Stat.3.Ed.1.41.

Eſſoine.

Fitz.Eſſoin.65.66 68,69.78.149.

Whereas by the Statute of Weſtminſter the firſt, it was pꝛouided that after the tenants haue once appeared in the Court, no Eſſoine ſhould be allowed them in Writs of Aſſiſes. In like manner it ſhall be from hencefoꝛth obſerued againſt the demandants. Raſt.pla. fol.298.

Cap. XXIX.

To whom onely the Writ of Treſpaſſe of Oyer *and* Terminer *ſhall be granted. In what caſe the Writ of* Odio & Atia *is grantable.*

To whom commiſſiõs to heare and determine ſhall be granted.

A Writ of Odio & Atia. Regiſt.fo.133.

A Writ of Treſpaſſe (Ad audiendum & terminandum from hencefoꝛth ſhall not be granted befoꝛe any Iuſtices, except Iuſtices of either Bench, and Iuſtices in Eyre, vnleſſe it be foꝛ an heinous treſpaſſe, where it is neceſſarie to pꝛouide ſpéedie remedie: and our Loꝛd the King of his ſpeciall grace hath thought it good to bée granted: And from hencefoꝛth a Writ to heare and determine appeales befoꝛe Iuſtices aſſigned) ſhall not be granted but in a ſpeciall caſe, and foꝛ a cauſe certaine, when the King commandeth, but leſt the parties appealed oꝛ indicted bée kept long in pꝛiſon, they ſhall haue a wꝛit of Odio & Atia, like as it is declared in Magna Charta, and other Statutes. Stat.9.H.3.26.Regiſt.fo.123. V.N.B.fo.53.

Cap. XXX.

The authoritie of Iuſt. of Niſi prius, *Adiurnement of Suites. Certaine Writs that be determinable in their proper Counties. A Iurie may giue their verdict at large. None but which were ſummoned ſhall be put in Aſſiſes or Iuries.*

Who ſhall be Iuſtices of Niſi prius.
Stat 27 Ed.1.4.
Stat.12.Ed.2.4.
Regiſt.fo.186.
V.N.B.fo.106.
Fitz.N.B.f.240.B.

Bro.Niſi prius 37.

Adiournement of Suits.

Inquiſitions of Treſpaſſe.

The Writ of Niſi prius.
Regiſt.ind.fo.7.
V.N.B.f.240.E.
Raſt.pla.fo.402.

FRom hencefoꝛth two Iuſtices ſwoꝛne ſhall be aſſigned, befoꝛe whom and none other, aſſiſes of nouel diſſeiſin, Mortdanceſtor, & attaints, ſhall be taken, and they ſhall aſſociate vnto them one oꝛ two of the diſcréeteſt Knights of the Shire into which they ſhall come, and ſhall take the foꝛeſaid Aſſiſes, and attaints but thꝛice in the yeare at the moſt, that is to ſay, Firſt, betwéene the quinzime of S. Iohn Baptiſt, and the gule of Auguſt, And the ſecond time, betwéene the Feaſt of the Exaltation of the holy Croſſe, and the vtas of S. Michael, and the third time betwéene the Feaſt of the Epiphany, and the Feaſt of the purification of the bleſſed Mary. And in euery Shire at euery taking of Aſſiſes befoꝛe their departure, they ſhall appoint the day of their returne, ſo that euery one of the Shire may know of their comming, and ſhall adiourne the Aſſiſes from terme to terme, if the taking of them be deferred at any day by vouching to warranty, by eſſoine oꝛ by default of Iuroꝛs. And if they ſée that it be pꝛofitable foꝛ any cauſe that Aſſiſes of Mortdanceſtor, being reſpited by eſſoine, oꝛ voucher ought to be adiourned into the Bench: it ſhall be lawfull foꝛ them to doe it, and then they ſhall ſend the Recoꝛd with the oꝛiginall Writ befoꝛe the Iuſtices of the Bench. And when the matter is come to the taking of the Aſſiſe, the Iuſtices of the Bench ſhall remit the matter of the Iuſtices befoꝛe whom the Aſſiſe ſhall be taken. But frõ hencefoꝛth the Iuſtices of the Bench in ſuch Aſſiſes, ſhall giue foure dayes at the leaſt in the yeare, befoꝛe the ſaid Iuſtices aſſigned foꝛ to ſpare expence and labour. Inquiſitions of Treſpaſſe ſhall be determined befoꝛe the Iuſtices of both Benches, except the Treſpaſſe be ſo heinous that it ſhall require great examination. Inquiſitions alſo of other Pleas pleaded in either of the Benches, ſhall be determined befoꝛe them wherein ſmall examination is required, as when the entrie oꝛ ſeiſin of any is denied, oꝛ in caſe when one article is to be inquired. But Inquiſitions of many and great articles, the which require great examination: ſhall bée taken befoꝛe Iuſtices of the Bench, except that both parties deſire that the Inquiſition may be taken afoꝛe ſome of the aſſociates, when they doe come into thoſe parts, ſo that from hencefoꝛth it ſhall not be done but by two Iuſtices, oꝛ one with ſome Knight of the Shire, vpon whom the parties can agrée. And ſuch Inquiſitions ſhall not be determined by any Iuſtices of the Bench, vnleſſe a day and a place certaine be appointed in the Shire in pꝛeſence of the parties, & the day and place ſhall be mentioned in a Writ Iudiciall by theſe woꝛds, Precipimus tibi, quod venire facias coram Iuſticiarijs noſtris apud Weſtmonaſterium in octauis Sancti Michaelis, niſi talis & talis, tali die & loco ad partes illas venerint, duodecim, &c.

And

Dyer.fol.135. 163.260.

Dyer fol.175.

Dyer fol.175.

Plow.fol.92. Dyer fol.173. Coke lib.9.fo.11.

And when ſuch Inqueſts be taken, they ſhall be returned into the Bench, and there ſhall iudgment be giuen, and there they ſhall be inrolled. And if any Inquiſitions be taken otherwiſe then after this forme, they ſhall be of no effect, except that an Aſſiſe of Darreine Preſentment, and Inquiſitions of Quare impedit, ſhall be determined in their owne Shire, before one Iuſtice of the Bench, and one Knight, at a day and place certaine in the Bench aſſigned, whether the defendant conſent or not, and there the iudgement ſhall be giuen immediatly. All Iuſtices of the Benches frō henceforth ſhall haue in their Circuits Clerkes, to inroll all Pleas pleaded before them, like as they haue vſed to haue in time paſſed. And alſo it is ordained, that the Iuſtices aſſigned to take Aſſiſes, ſhall not compell the Iurors to ſay preciſely, whether it be diſſeiſin or not, ſo that they doe ſhew the truth of the deed, and require aide of the Iuſtices. But if they of their owne head will ſay, that it is diſſeiſin, their verdict ſhall be admitted at their owne perill. And from henceforth the Iuſtices ſhall not put in Aſſiſes or Iuries any other, then thoſe that were ſummoned to the ſame at the firſt. St.14. E.3.6.

Aſſiſes of Darrein preſentment & Quare impedit ſhall be ended in their proper Counties. Stat.9.H.3.12.13

Clerkes of Aſſiſe.

A Iurie may giue their verdict at large. Raſt.pla.f.69.233.

None ſhall be put in Iuries but ſuch as were ſummoned

Cap. XXXI.

An Exception to a Plea ſhall be ſealed by the Iuſtices.

Coke lib.9.fo.13. 11.H.4.fo.51.63. Ft Q non. admiſit 3. Bro.Repled.&c.1.

WHen one that is impleaded before any of the Iuſtices, doth alleadge an exception, praying, that the Iuſtices will allow it, which if they will not allow, if he that alleadged the exception doe write the ſame exception, and require that the Iuſtices will put to their ſeales for a witneſſe, the Iuſtices ſhall ſo doe, and if one will not, another of the companie ſhall. And if the King vpon complaint made of the Iuſtices, cauſe the Record to come before him, and the ſame exception be not found in the Roll, and the plaintife ſhew the exception written with the Seale of a Iuſtice put to, the Iuſtice ſhall be commanded that he appeare at a certaine day either to confeſſe or denie his Seale: And if the Iuſtice cannot deny his Seale, they ſhall proceed to iudgement according to the ſame exception, as it ought to be allowed or diſallowed. Regiſt. fol.182. V.N.B.fol.54. Raſt.placitorum fol.96.275.323.

A Bill of exception ſealed by a Iuſtice. Fitz. N.B.f.21.N.

Cap. XXXII.

Mortmaine by recouery of Land by default.

WHen Religious men and other Eccleſiaſticall perſons doe implead any, and the partie impleaded maketh default, whereby he ought to leeſe the Land, for as much as the Iuſtices haue feared hitherto, that if the partie impleaded make default by colluſion, that where the demandant by occaſion of the Statute could not obtaine ſeiſin of the Land by title of gift or other alienation, he ſhall now by reaſon of the default, and ſo the Statute is defrauded: It is ordained by our Lord the King, and granted that in this caſe, after the default made, it ſhall be inquired by the Countrey, whether the demandant had right in the thing demanded or no, and if it be found, that the demandant had right in his demand, the iudgement ſhall paſſe with him, and he ſhall recouer ſeiſin: and if he hath no right, the Land ſhall accrue to the next Lord of the Fee, if he demand it within a yeare from the time of the Inqueſt taken. And if he doe not demand it within the year, it ſhall accrue to the next Lord aboue, if he doe demand it within half a yeare after the ſame yeare. And ſo euery Lord after the next Lord ſhall haue the ſpace of halfe a yeare to demand it ſucceſſiuely, vntill it come to the King, to whom at length through default of other Lords the Land ſhall accrue. And to challenge the Iurors of the inqueſt euerie of the chiefe Lords of the Fees ſhall be admitted, and likewiſe for the King, they that will ſhall challenge. And after the iudgement giuen, the Land ſhall remaine cleere in the Kings hands, vntill it be dereyned by the demandant or ſome other chiefe Lord, and the Sheriffe ſhall be charged to anſwer therefore at the Exchequer. V.N.B.fo.160.176. St.9.H.3.36.

Stat Anno 7.Ed.1

Fitz.Coll.1.2.4 5. 6.7.9.10.11.22.24 25.26.27.38.40. 42.46. Kel.fol.134. 10.H.7.fo 3.

Mortmaine by recouerie of land by default Regiſt.fo.153. Regiſt.ind.f 8.16. 22.32.46.69.71.

20.H.6.fo 38. 5.Ed.3.fo.29.

Euery chiefe Lord may challenge the Iurors Raſt.pla.fol.124. 203.455.621.

Cap. XXXIII.

Lands where Croſſes be ſet ſhall be forfeited as Lands aliened in Mortmaine.

FOraſmuch as many Tenants ſet vp Croſſes, or cauſe to be ſet vp in their Lands, in preiudice of their Lords, that Tenants ſhould defend themſelues againſt the chiefe Lords of the Fee, by the priuiledges of Templers and Hoſpitelers: It is ordained, that ſuch Lands ſhall be forfeit to the chiefe Lords, or to the King, in the ſame manner as is prouided for Lands aliened in mortmaine, Ob.

Lands forfeited by erecting of Croſſes.

Cap. XXXIIII.

It is Felonie to commit Rape. A maried woman elopeth with an aduouterer.
The penaltie for carying a Nunne from her houſe.

9.Ed.4.fol.26. Bro.Coron.203. 43.Ed.4.fo.23. 22.Ed.4.fol.22.

IT is prouided, that if a man from henceforth doe rauiſh a woman maried, maide, or other, where ſhe did not conſent, neither before nor after, he ſhall haue iudgement of life & of member,

It is felonie to rauiſh a woman

And

Stat.3.Ed.1.13.
Stat.6.R.2,6.
Coke. pla fo.358.
Regiſt fo.97.
Raſt.pla. fol.593.
If a wife doe elope with an adouterer ſhe ſhall forf. her dower.
V.N.B.fo.135.
Raſt pla fo.224.

Taking away of a Nun.

And likewiſe where a man raviſheth a woman maried, Lady, Damoſell, or other with force, although ſhe conſent after, he ſhall haue ſuch iudgement as before is ſaid, if he be attainted at the K. ſuit, and there the King ſhall haue the ſuit. And of women caried away with the goods of their husbands, the King ſhall haue the ſuit for the goods ſo taken away. And if a wife willingly leaue her husband and goe away, and continue with her adouterer, ſhe ſhall be barred for euer of action to demand her dower, that ſhe ought to haue of her husbands lands, if ſhe be conuict thereupon, except that her husbhand willingly and without cohertion of the Church, reconcile her, and ſuffer her to dwell with him: in which caſe ſhe ſhall be reſtored to her action. He that carrieth a Nun from her houſe, although ſhe conſent, ſhall be puniſhed by three years impriſonment, and ſhall make conuenient ſatisfaction to the houſe, from whence ſhe was taken, and neuertheleſſe ſhall make fine at the Kings will.

Fitz.Tre.244.281.
Dyer fo.100.256.
Fitz.Dower 41.72. 94.119.153.
4.Ed.4.fo.1.
Fitz.A.ſur leſtat. 12.37.
47.Ed.3.fo.19.

CAP. XXXV.

In what caſes doe lie a Writ of Rauiſhment of Ward, Communi Cuſtodia, Eiectione &c.

The puniſhmẽt of him that taketh away a Ward.

Concerning children males or females (whoſe mariage belongeth to another) taken & caried away, if the rauiſhor haue no right in the marriage, though after he reſtore the child vnmaried, or elſe pay for the mariage, he ſhall neuertheleſſe be puniſhed for his offence by two yeares impriſonment, and if he doe not reſtore, or doe marrie the child after the yeares of conſent, and be not able to ſatisfie for the marriage, he ſhall abiure the Realme, or haue perpetuall impriſonment, and thereupon the plaintife ſhall haue ſuch a writ.

Fitz.Gard 18.25. 29.30.31.32. 118. 121.
Fitz.Iudgmt 102. 116.123.105.157. 172.204.
Bro.Rauiſhmt 33.
Co.Inſt 130.b.

A Writ of rauiſhment of a Ward.
Regiſt fo.163.
Fitz.N.B.f.139.I. 241.F.
V.N.B.fo.90.
Raſt.pla fol.366.
Coke pla.fo. 566.

Si A. fecerit te ſecurum de clamore ſuo, &c. tunc pone per vadium, &c. B. quod ſit coram iuſticiarijs &c. oſtenſurus, quare talem heredem infra ætatem exiſtentem, cuius maritagium ad ipſũ pretinet, tali loco inuentũ rapuit & abduxit contra voluntatẽ ipſius A. & contra pacem noſtram, &c.

And if the heire be in the ſame Countie, then this Clauſe muſt be thereto added.

Et diligenter inquiras, vbi ille hæres ſit in balliua tua: Et ipſum (vbicunque fuerit inuentus) capias, & ſaluo & ſecure cuſtodias, ita quod eum habeas curam prefatis iuſticiarijs noſtris ad prefatum terminum, ad reddendum cui predictorum A. vel B. reddi debeat.

Coke li.9.f.71.74.
Fitz. Briefe 823.

Proces againſt an offendor.
V.N.B. fol.88.95.

And ſuit ſhall be made againſt the party on whom complaint is made, vntill he come in by diſtreſſe, if he haue whereby he may be diſtrained, or elſe for his contumacie, in caſe he be not iuſtifiable, he ſhall be outlawed. And if percaſe the heire be maried or caried into another County, then a Writ ſhall be directed to the Sheriffe of the ſame Shire in this forme.

A Writ if the heire be caried into another Countie.

Queſtus eſt nobis A. quod B. nuper talem hæredem infra ætatem & in cuſtodia ſua exiſtentem tali loco in Comitatu tali rapuit, & de Comitatu tali ad talem locum in Com. tuo abduxit, contra voluntatem ipſius A. & contra pacem noſtram, &c. Et ideo tibi præcipimus, quod prædictum hæredem (vbicunque in balliua tua inuenire poteris) capias & ſaluo & ſecure eum cuſtodias, ita quod eum habeas coram Iuſticiarijs noſtris &c. tali die, quam idem A. habet verſus prædictum B. ad reddendum cui de iure reddi debeat.

Dyer fol 289.

If the heire dye before the ſuit ended.
V.N.B.fo.90.

And if the heire doe die, afore he can be found or before he can be reſtored to the plaintiffe, the plea ſhall paſſe betweene them neuertheleſſe, vntill it be tried to whom hee ought to haue beene reſtored, if he had beene liuing. Neither ſhall the rauiſher of ſuch a one be excuſed or eaſed of the puniſhment aforeſaid, by the death of the heire, whom he did withhold by wrong during his life. And if the plaintife die before the plea determined, if the right belong to him by reaſon of his proper fee, the plea ſhall be reſummoned at the ſuit of the heire of the plaintiffe, and the plea ſhall paſſe in due order. But if the right belonged to him by another title, as by a title of gift, ſale, or other ſuch like, then the plea ſhall be reſummoned at the ſuit of the executors of the plaintiffe, and the plea ſhall paſſe as before is ſaid. In the ſame maner if the defendant die, before the plea be tried, or the heire be reſtored, the plea ſhall paſſe by reſummons betweene the plaintife, his heires or executors, and the executors of the defendant or his heires: if the executors be not ſufficient to ſatisfie for the value of the marriage, after as it is contained in other Statutes, but not as to the paine of impriſonment: for none ought to be puniſhed for the offence of another. In the ſame maner when a plea hangeth betweene parties for the ward of land, and of an heire, or of both, by the common writ that beginneth: Præcipe tali, &c. quod reddat, &c. Reſummons ſhall be made betweene the heires and executors of the plaintiffe. And likewiſe the heirs and the executors of the defendant, if death preuent any of the parties before the plea determined. And when they haue paſſed vnto the great diſtreſſe, a day ſhall be giuen, within which three Counties may be holden at the leaſt: in euery of which Counties open Proclamation ſhall bee made, that the deforcer ſhall come into the Bench at the day contained in the writ, to anſwer the plaintife, at which day if he come not, and the Proclamation be ſo returned once, twice or thrice, the iudgement ſhal paſſe for the plaintife, ſauing the right of the defendant, if after he will claime it. In the ſame maner it ſhall be done in a writ of Treſpas, when any complaineth himſelfe to be eiected from ſuch Wardſhips. V.N.B.fo.88.93. Fitz.N.B.fo.139.&c. Regiſt.fo.161.&c. Raſt. pla.fo.362.&c.

Fitz.Briefe.776.
23.Ed.3.fol.48.
11.H 4 fol.54.
Fitz.Executors 51
Fitz.Garde 110.
24.Ed.3.fo.25.

If the defendant dye.

Stat.20.H.3.6.
Stat.3.Ed.1.22.

Reſummons in Communi Cuſtodia.
Stat.52.H.3.7.
V.N.B.fo.95.

Fitz.Proces 33.
24.Ed.3.fo.2.

Eiectione cuſtodie

Fitz.Garde.89.
Dyer fo.369.

Cap. XXXVI.

A diſtreſſe taken vpon a ſuit commenced by others.

8.Ed.4.fo.5.
22.Ed.3.fol.15.
Fitz. Avowry 78.
Fit. Briefe 173.174

The penalty for procurement of ſuits.
Raſt pla. fol.124.
Fitz.N.B.fo.68.M

FOraſmuch as Lords of Courts, and other that kept Courts, and Stewards, intending to græue their inferiors, where they haue no lawfull meane ſo to doe, procure other to moue matters againſt them, and to put in ſurety and other pledges, or to purchaſe Writs, and at the ſuit of ſuch plaintiffes compell them to follow the County, Hundred, Wapentake and other like Courts, vntill they haue made Fine with them at their will: It is ordained, that it ſhall not be ſo vſed hereafter. And if any be attached vpon ſuch falſe complaints, he ſhall repleuie his diſtreſſe ſo taken, and ſhall cauſe the matter to be brought afore the Iuſtices, before whom if the Sheriffe, Bailiffe or other Lord (after that the party diſtrained hath framed his plaint,) will aduow the diſtreſſe lawfull by reaſon of ſuch complaints made vnto them, and it be replyed that ſuch plaints were moued malitiouſly againſt the party by the ſolicitatiō or procuremēt of the Sherife, or other Bailiffes, or Lords, the ſame replication ſhall be admitted, and if they be conuict hereupon, they ſhall make Fine to the King, and neuertheleſſe reſtore treble damages to the parties græued.

Cap. XXXVII.

No diſtreſſe ſhall be taken but by Bailiffes knowne and ſworne.

No diſtreſſe ſhal be taken but by Bailifs known and ſworne.

FOraſmuch alſo as Bailiffes to whoſe office it belongeth to take diſtreſſes, intending to græue their inferiors, that they might exact money of them, doe ſend ſtrangers to take diſtreſſes, to the intent that they might græue their inferiors, by reaſon that the parties ſo diſtrained, not knowing ſuch perſons, will not ſuffer the diſtreſſes to be taken: It is prouided, that no diſtreſſe ſhall be taken, but by Bailiffe, ſworne and knowne. And if they which doe diſtraine doe otherwiſe, and thereof be conuict; (if the parties græued will purchaſe a Writ of treſpaſſe) they ſhall reſtore damages to the parties græued, & beſides ſhall be grieuouſly puniſhed towards the King.

Cap. XXXVIII.

How many ſhall be returned in Iuries and petit Aſſiſes: And of what age they ſhall be.

Regiſt.fo.179.

10.H.4.fo.8.
Bro.Iurors 24.
Co.Inſt.158.
Kel.fol.97.
8.Ed.3.fo.30.

What ſort of perſons ſhall be returned in Iuries or petit Aſſiſes, and of what age they ſhall be.
Stat.28.Ed.1.9.

What ſort of perſons ſhall be returned in great Aſſiſes.

FOraſmuch alſo as Sheriffes, Hundreders, and Bailiffes of Liberties, haue vſed to græue thoſe which be in ſubiection vnto them, putting in Aſſiſes and Iuries, men diſeaſed and decrepit, and hauing continuall or ſodaine diſeaſe, and men alſo that dwelled not in the Countrey at the time of the ſummons, and ſummon alſo an vnreaſonable multitude of Iurors, for to extort mony from ſome of them, for letting them goe in peace, and ſo the Aſſiſes and Iuries paſſe many times by poore men, and the rich men abide at home, by reaſon of their bribes: It is ordained, that from henceforth in one Aſſiſe no mo ſhall be ſummoned then foure and thirtie, And old men aboue three ſcore and tenne yeares, being continually ſicke, or being diſeaſed at the time of the ſummons, or not dwelling in that Countrey ſhall not be put in Iuries of petit Aſſiſes, Nor any ſhall be put in Aſſiſes or Iuries, though they ought to be taken in their owne ſhire, that may diſpend leſſe land then twenty ſhillings yearely. And if ſuch Aſſiſes and Iuries be taken out of the Shire, none ſhal paſſe in thē but ſuch as may diſpēd forty ſhillings yearly at the leaſt, except ſuch as be witneſſes in Deedes or other writings, whoſe preſence is neceſſary, ſo that they be able to trauell. Neither ſhall this Statute extend to great Aſſiſes, in which it behoueth many times Knights to paſſe, not reſident in the Countrey, for the ſcarcitie of Knights, ſo that they haue land in the Shire: And if the Sheriffe, or his Vnderſheriffes or Bailiffes of Liberties, offend in any point of this Statute, and thereupon be conuict, damages ſhall be awarded to the parties græued and they ſhall neuertheleſſe be amerced to the King. And Iuſtices aſſigned to take Aſſiſes when they come into the Shire, ſhall haue power to heare the plaints of all complaynants, as to the Articles contained in this Statute, and to miniſter iuſtice in forme aforeſaid. Regiſt. fol. 178. &c. Fitzherbert Nat. Bre. folio 165. A. St.21.E.1.

Cap. XXXIX.

The maner to deliuer Writs to the Sheriffe to be executed. The Sheriffe returneth a Libertie where none is. Returning of Iſſues. Reſiſtance of execution of Proceſſe.

How writs ſhall be deliuered to Sheriffes to be executed.
Stat.2.R.3.5.
Regiſt.fo.86.
Raſt.p.fo.301.626

FOraſmuch as Iuſtices, to whoſe Office it belongeth to miniſter Iuſtice to all that ſue before them, are many times diſturbed in due execution of their Office, for that Sheriffes do not returne Writs originall and iudiciall, and alſo for that they make falſe returnes vnto the Kings Writs: Our Lord the King hath prouided and ordained, that ſuch as doe feare the malice of Sheriffes, ſhall deliuer their Writs originall and iudiciall in the open County, or againe in the rere Countie where the collection of the Kings money is, and may take of the Sheriffe or Vnderſheriffe being preſent a Bill, wherein the names of the demandants and tenants mentioned in the Writ ſhall be contained, and at the requeſt of him that deliuered the Writ, the ſeale of the Sheriffe or Vnderſherife ſhall be put to the Bill for a teſtimony, and mention ſhall be made of the day of the deliuerance of the Writ. And if the Sherife or Vnderſheriffe will not put his ſeale to the Bill, the witnes of Knights and other credible perſons being in preſence ſhall be taken, that put their ſeales to ſuch Bill. And if the Sheriffe will not returne Writs deliuered vnto him, and complaint thereof be made to the Juſtices, a Writ iudiciall ſhal goe vnto the Juſtices aſſigned to take Aſſiſes, that they ſhall enquire by ſuch as were preſent at the deliuerance of the Writ to the Sheriffe, if they knew of the deliuerance, and an inqueſt ſhall be returned. And if it be found by the inqueſt, that the Writ was deliuered to him, damages ſhall be awarded to the plaintiffe or demaundant: hauing reſpect to the quality and quantity of the Action, and to the perill that might haue come to him by reaſon of the delay that he ſuſtained: & by this meane there ſhall be remedy when the Sheriffe returneth that he came too late, whereby he could not execute the Kings commaundement. Oftentimes alſo pleas be delayed by reaſon that the Sheriffe returneth that he hath commanded the Bailiffes of ſome libertie, which did nothing therein, and nameth liberties that neuer had the returne of Writs, wherevpon our Lord the King hath ordained, that the Treaſurer of the Eſchequer ſhall deliuer to the Juſtices in a roll all the liberties in all Shires that haue returne of Writs. And if the Sheriffe anſwer that he hath made returne to a Bailiffe of another libertie, then is contained in the ſaid roll, the Sheriffe ſhall be forthwith puniſhed as a diſheritor of our Lord the King and his Crowne. And if peraduenture he returne that he hath deliuered the Writ to a Bailiffe of ſome libertie, that indeed hath returne, the Sheriffe ſhall be commaunded, that he will not ſpare for the foreſaid libertie; but ſhall execute the Kings precept: and that he doe the Bailiffes to wit, to whom he returned the Writ, that they be ready at a day contained in the Writ, to anſwere why they did not execute the Kings precept. And if they come at the day and acquit themſelues, that no returne was made to them, the Sheriffe ſhall be forthwith condemned to the Lord of the ſame libertie, and likewiſe to the party greeued by the delay for to render damages. And if the Bailiffes come not in at the day, or doe come and doe not acquit themſelues in maner aforeſaid in euery iudiciall Writ, ſo long as the plea hangeth, the Sheriffe ſhall be commanded that he ſhall not ſpare the liberty, &c. Many times alſo Sheriffes make falſe returnes as touching theſe articles, Quod de exitibus, &c. returning ſometime and lying, that there be no iſſues, ſome time that there are ſmal iſſues, when they may returne great, and ſometime do make mentiõ of no iſſues: wherefore it is ordained and agreed, that if the plaintiffe demaund hearing of the Sheriffes returne, it ſhall be granted him: And if he offer to auerre, that the Sheriffe might haue returned greater iſſues vnto the King, he ſhall haue a Writ iudiciall vnto the Juſtices aſſigned to take Aſſiſes, that they ſhall inquire in preſence of the Sheriffe (if he will be there) of what & how great iſſues the Sheriffe might haue made returne from the day of the Writ purchaſed vnto the day contained in the Writ. And when the inqueſt is returned, if he haue not afore anſwered for the whole, he ſhall be charged with ouerplus by eſtreats deliuered at the Eſchequer, and neuertheleſſe ſhall be grieuouſly amerced for the concealment. And let the Sheriffe know, that rents, corne in the graunge, and all moueables (except horſe, harneis, and houſhold ſtuffe) be contained within the name of Iſſues. And the King hath commaunded, that Sheriffes ſhall be puniſhed by the Juſtices once or twice (if need be) for ſuch falſe returnes. And if they offend the third time, none ſhall haue to doe therewith but the King. They make alſo many times falſe anſweres, returning that they could not execute the Kings precept, for the reſiſtance of ſome great man: wherefore let the Sheriffes beware from henceforth, for ſuch maner of anſweres redound much to the diſhonour of the King. And as ſoone as his Bailiffes doe teſtifie that they foũd ſuch reſiſtãce, forthwith al things ſet a part (taking with him the power of the Shire) he ſhal go in proper perſon to do execution: and if he find his Vnder Bailiffes falſe, he ſhall puniſh them by impriſonment, ſo that other by their example may be reformed. And if he doe find them true he ſhall puniſh the reſiſters by impriſonment, from whence they ſhall not be deliuered without the Kings ſpeciall commandement. And if percaſe the Sheriffe when he commeth doe find reſiſtance, he ſhall certifie to the Court the names of the reſiſters, aydors, conſentors, commanders, and fauourers, and by a Writ iudiciall they ſhall be attached by their bodies to appeare at the Kings Court: and if they be conuict of ſuch reſiſtance, they ſhall be puniſhed at the Kings pleaſure: neyther ſhall any officer of the Kings meddle in aſſigning the puniſhment, for our Lord the King hath reſerued it ſpecially to himſelf, becauſe that reſiſters, haue been reputed diſturbers of his Peace, and of his Realme. Stat. 28. Ed. 1. 16.

29. Aſſ pl. 58.

Stat. 52. H. 3. 3.
Stat 3. Ed 1. 17.
V. N. B. fo. 43.

The Sheriffe returneth a libertie where none is.

11. Ed. 4. fo. 4.
2. H. 4. fo. 4.

Non omittas propter aliquam libertatem.
V. N. B. fo 43.
Fitz. N. B. fo. 68. F 74. A.
Regiſt. fo. 82.
Raſt. pla. fo. 404.

The Sheriffes default in returning of iſſues.
V. N. B. fo 43.
Raſt. pla. fo. 383.

27. H. 8. fo. 3.
10. H. 7. fo. 11.
20. H. 6 fo. 26.
Fitz. Auerrement 16. 26. 43. 45. 47. 48. 49.

What ſhall be accompted Iſſues.

The Sheriffe returneth that there was diſturbance of execution of proceſſe.
Stat. 52. H. 3. 3.
Stat. 3. Ed. 1. 17.
Regiſt. fo. 83.

3 H. fo. 1.
Fitz. Execut. 147

CAP. XL.

A womans ſuit ſhall not be deferred by the minoritie of the heire.

A womans ſuit ſhall not be delayed by the minoritie of the heire which ought to war-

VVhere any doth alien the right of his wife, it is agreed, that from henceforth the ſuit of the woman or her heire after the death of her husband, ſhall not be delayed by the nonage of the heire, that ought to warrantiſe, but let the Purchaſer tarrie, which ought not to haue beene

6. Ed. 3. fo. 46.
Coke li. 6. fo. 5.
Fitz. Age 47. 76. 126. 139. 183. 136.
Fitz. Voucher. 180 183. 226. 305.

beene ignorant, that he bought the right of another; untill the age of his warrantour, to haue his warrantie.

rant the land. V.N.B. fol.28. Raſt.pla.fo.135.

Cap. XLI.

A Contra formam Collationis: *And a* Ceſſauit *to recouer lands giuen in Almes.*

Our Lord the King hath ordained, that if Abbots, Priors, Keepers of Hoſpitals, and other Religious houſes, founded by him or by his progenitors, do from henceforth alien the Lãds giuen to their houſes, by him or by his Progenitors: the Land ſhall be taken into the Kings hands and holden at his will, and the purchaſer ſhall loſe his recouery as well of the Lands as of the money that he payed. And if the houſe were founded by an Earle, Baron, or other perſons, for the Lands ſo aliened, he, from whom or from whoſe anceſtor the Land ſo aliened was giuen, ſhall haue a Writ to recouer the ſame Lands in demeſne, which is this.

Fitz.Forfeit.18.

Præcipe tali Abbati, quod iuſte &c. reddat, G.F. tale tenementum, quod eidem domui collatum fuit in liberam eleemoſinam per prædictum G. vel anteceſſores ſuos & quod ad prædictum G. reuerti debet, per alienationem, quam prædictus Abbas fecit de prædicto tenemento, contra formam collationis prædictæ, vt dicit.

10.H.6.fo.5. Dyer fol.106. Bro. Parliam 7. Fitz. Cont form Collationis 1.2.3.4.5.6.7.

Cont form Collat Regiſt fol.238. V.N B.fol.142. Fitz.N B fo 211. Raſt pla fol.126.

In like maner for Lands giuen for the maintenance of a Chantery, or of light in a Church or Chappell, or other Almes to be maintained, if the land giuen be aliened. But if the Land ſo giuen for a Chantery, light, ſuſtenance of poore people, or other Almes to be maintained or done be not aliened, but ſuch Almes is withdrawne by the ſpace of two yeares, an Action ſhall lye for the donour or his heire to demand the Land ſo giuen in demean, as it is ordained in the Statute of Glouceſter, for lands leaſed to doe or to render the fourth part of the value of the land or more. Coke lib.11.fol.63.

Fitz.Briefe.291. Fitz.Ceſſauit.15.18.24.44.

Ceſſauit de Cant Regiſt.fol.238. V.N.B.fol.141. Fitz.N.B.fol.209. Raſt.pla.fol.141. Stat.6.Ed.1.4.

Cap. XLII.

The ſeuerall fees of Marſhalls, Chamberlaines, Porters of Iuſtices in Eyre, &c.

The ſeuerall fees of Marſhals, Chamberlaines, &c. which haue the office in fee.

Concerning the Kings Marſhals of Fee, Chamberlaines, Porters in the Circuit of Iuſtices and Sergeants, bearing vierge before Iuſtices at Weſtminſter, which haue the ſame Office in Fee, and that aske more by reaſon of their Fee, then they haue vſed to aske, wherupon many doe complaine on them, that haue knowne and ſeene the order of the Court of long time. Our Lord the King hath cauſed to be inquired by an Inqueſt what the ſaid Officers of Fee haue vſed to haue in times paſſed, and hath ordained and commanded, that a Marſhall of Fee, which of new asketh a palfray of Earles, Barons, and other holding by a part of a barony when they haue done homage, and neuertheleſſe another palfray when they are made Knights, and of ſome that ought not to giue any, aske a palfray: It is in like manner ordained, that the ſaid Marſhall of euery Earle and Baron holding by an entire baronie, ſhall be contented with one palfray, or with the price of it, ſuch as he hath vſed to haue of old: ſo that if he tooke a palfray, or the price of one, at the doing of his homage, in forme aforeſaid, he ſhall take nothing when he is made Knight: and if he tooke nothing at the doing of his homage, when he is made Knight he ſhall take. Of Abbots and Priors, holding an whole baronie, when they doe homage or fealty for their baronies, he ſhall take one palfray, or the price, as afore is ſaid, and this ſhall alſo be obſerued amongſt Archbiſhops, and Biſhops of ſuch as hold but a part of a baronie, whether they be religious or ſecular, he ſhall take according to the portion of the part of the baronie that they hold. Of religious men, that hold in free Almes and not by a baronie, nor part of a baronie, the Marſhall from henceforth ſhall demand nothing. And our Lord the King hath granted, that by this Statute a Marſhall of Fee ſhall not be barred hereafter to demand more, if he can ſhew that he hath right vnto more. The Kings Chamberlaines from henceforth ſhall haue of Archbiſhops, Biſhops, Abbots, Priors, and other perſons Spirituall, of Earles and Barons holding an entire baronie, a reaſonable Fine, when they doe their homage or fealty. And if they hold by a part of a barony, they ſhall take a reaſonable Fine, according to the portion to them belonging. Other Abbots, Priors, and other perſons Spirituall and Temporall, that hold no entire baronie, nor part of a barony ſhall not be diſtrained to make Fine, as it is ſaid by them that hold by a barony, or part of a barony: but the Chamberlaine ſhall be contented with his vpper garment, or with the price thereof, which is done in fauour of perſons religious more then of lay perſons, for it is more conuenient, that religious men ſhould Fine for their vpper garment, then to be ſtripped.

Religious men.

The Kings Chamberlaine.

Cap. XLIII.

Hoſpitalers and Templers ſhall draw no man into ſuit, &c.

Be it prohibited from henceforth to Hoſpitalers & Templers, that hereafter they bring no man in plea before the keepers of their priuiledges for any matter, the knowledge whereof

belongeth

Hoſpitalers and Templers ſhall draw none into ſuit before the conſeruators of their priuiledges

belongeth to the Kings Court, which if they do, firſt they ſhall yeeld damages to the party greeued, and be greeuouſly puniſhed vnto the King, The King alſo prohibiteth to the keepers of ſuch priuiledges, that from henceforth they grant no citations at the inſtance of Hoſpitalers, Templers, or other perſons priuiledged, before it be expreſſed vpon what matter the citation ought to be made. And if the keepers do ſee that a citation is required vpon any matter, the knowledge whereof belongeth to the Kings Court, the keepers ſhall neither make nor knowledge the citation. And if the keepers do otherwiſe, they ſhall yeeld damages to the party greeued, and neuertheleſſe ſhall be greeuouſly puniſhed by the King. And foraſmuch as ſuch perſons priuiledged, depute keepers, ſuperiors, chantors, ſextens, which be religious men, and which haue nothing to ſatiſfie the parties greeued, nor the King, which be more bold to offend the Kings dignity then their ſuperiors, to whom puniſhment may be aſſigned by their temporalities. Let the Prelats of ſuch obedients therefore beware from henceforth, that they do not ſuffer their obedients to vſurpe any iuriſdiction in preiudice of the King and his Crowne: and if they doe, their ſuperiors ſhall be charged for their fact, as much as if they had been conuict vpon their proper Act.

Cap. XLIIII.

The fees of Porters bearing verges before the Iuſtices: And of Chirographers, Clerkes &c.

The fees of porters carying verges before the Iuſtices.

Concerning Porters, bearing vierge before Iuſtices of the Bench in the Circuit: It is prouided that of euery Aſſiſe and Iury, that they keep, they ſhall take x.d. only, and for the Bils nothing. Of ſuch as recouer their demands by default, confeſſion, or otherwiſe by iudgement without Aſſiſe and Iury they ſhall take nothing. Of ſuch as goe without day by default of the demaundant or plaintiffe, they ſhall take nothing. And if any recouer his demand againſt many by one Writ, and by Recogniſance of Aſſiſe or Iury they ſhall be content with iiij.d. And likewiſe of thoſe which be named in one Writ by Recogniſance of Aſſiſe or Iury, they ſhall be content with iiij.d. Of ſuch as doe homage in the Bench, they ſhall be content with their vpper garment. Of great Aſſiſes, Attaints, Iuries, and battell waged, they ſhall take xij.d. only. Of ſuch as be called before Iuſtices to ſue or to defẽd their pleas, they ſhall take nothing for their comming in or forth. At the pleas of the Crowne for euery doſen xij.d. only ſhall be taken. Of euery priſoner deliuered iiij.d. ſhall be taken. Of euery one whoſe peace is proclaimed xij.d. only ſhall be taken. Of the finders of men ſlaine and others of a Towne attached, iiij.d. of Tithing men nothing ſhall be taken. Of Chirographers for making of a Chirographe, it is ordained, that they ſhall be contented with iiij.ʒ. Of Clerks writing Writs originall and iudiciall, It is ordained that for one Writ they ſhall take but j.d. And the King chargeth all his Iuſtices vpon their faith and oath that they owe him, that if ſuch maner of officers offend in any article againſt this Statute, & Cõplaint come to them therof, they ſhal execute on thẽ reaſonable puniſhment: And if they offẽd the ſecond time they ſhall award greater puniſhmẽt, that they may be duly corrected: And if they offend the third time, and be thereupon conuicted if they be officers of the fee (they ſhall leeſe their fee, and if they be other, they ſhall auoid the Kings Court, and ſhall not be receiued againe without the ſpeciall grace and licence of the King himſelfe.

Clerks writing originall writs.

Cap. XLV.

The Proceſſe of Execution of things recorded within the yeare, or after.

There ſhall be no delaies in thoſe things that be recorded.

Co.Inſt.131.a.
21.Ed 4.fo.13.
37.H.6.fo.32.
21.Ed 3.fo.22.
41.Ed.3.fol.16.
24.Ed.3.fol.19.
Fitz.Eſſoine 46.74
Bro debt 10.
Bro Parliamẽt 29.
Fitz.Scire facias.
1.2.3.8.12.&c.
Fitz.Execution
18.35.57.96.100.
Fitz.Execution 79
89.151.
Fitz.S.fac.15.153
Co.Inſt.291.

Becauſe that of ſuch things as be recorded before the Chancellor and the Iuſtices of the King that haue record, and be inrolled in their Rolls, proceſſe of plea ought not to be made by ſummons, attachments, eſſoine, view of land, and other ſolemnities of the Court, as hath been vſed to be done of bargaines and couenants made out of the Court: from henceforth it is to be obſerued, that thoſe things which are found inrolled before them that haue record, or contained in fines, whether they be contracts, couenants, obligations, ſeruices or cuſtomes, knowledged, or other things whatſoeuer inrolled, wherin the Kings court without offence of the Law and cuſtome, may execute their authority, from henceforth they ſhall haue ſuch vigor that hereafter it ſhall not need to plead for them. But when the plaintife commeth to the Kings Court if the cogniſance or fine be freſh, that is to ſay, leuyed within the yeare of the Writ, he ſhall forthwith haue a Writ of execution of the ſame recogniſance made, And if the recogniſance were made, or the fine leuied of a further time paſſed, the Sheriffe ſhall be commanded, that he giue knowledge to the party of whom it is complained, that he be afore the Iuſtices at a certain day, to ſhew if he haue any thing to ſay why ſuch matters inrolled or contained in the fine ought not to haue execution, And if he do not come at the day or peraduenture do come and can ſay nothing why execution ought not to be done, the Sheriffe ſhal be commanded to cauſe the thing inrolled or contained in the fine to be executed. In like maner an Ordinary ſhall be commanded in his caſe, obſeruing neuertheleſſe as before is ſaid of a meane, which by recogniſance or iudgement is bound to acquit.

Execution of things recorded.

A Scire facias after the yeare.
Regiſt.fo.198.
Regiſt ind. fo. 12.
V.N.B.fol.164.
Fitz.N.B.fo.265.
Raſt.pla.fol.183.
Ordinary.
A meane.
13.Ed.1.9.

CAP. XLVI.

Lords may approue againſt their Neighbours. Vſurpation of Common during the eſtate of particular Tenants.

St.20.H.3.4.

Lords may approue againſt their neighbors leauing them ſufficient Common.

8.Ed 4.fol.39. Coke li.4.fol.38. 13.H.7.fol.13. 18.Ed.1.fo.43. 18.Aſſ.pl.4. Dyer fol.47.316. 339.

WHere as in a Statute made at Merton, it was graunted that Lords of Waſts, Woods, and Paſtures might approue the ſaid waſts, woods and paſtures, notwithſtanding the contradiction of their Tenants, ſo that the Tenants had ſufficient paſture to their Tenements with frée egreſſe and regreſſe to the ſame. And for as much as no mention was made betwéen neighbours and neighbours, many Lords of Waſts, Woods and Paſtures haue béene hindered heretofore by the contradiction of neighbours hauing ſufficient paſture. And becauſe forrain tenants haue no more right to Commō in the waſts, woods, or paſtures of any Lord thē the Lords owne Tenants: It is ordained, that the Statute of Merton, prouided betwéene the Lord and his tenants, from henceforth, ſhall hold place betwéen Lords of Waſts, Woods, and Paſtures, and their neighbours, ſauing ſufficient paſture to their tenants and neighbours, ſo that the Lords of ſuch waſts, woods, and paſtures may make approuement of the reſidue: and this ſhall be obſerued for ſuch as claime paſture as apportenant to their tenement. But if any doe claime common by ſpeciall Feoffement or grant for a certaine number of beaſts, or otherwiſe which he ought to haue of common right, whereas couenant barreth the Law, he ſhall haue ſuch recouery as he ought to haue had by forme of the grant made vnto him. By occaſion of a Windmill, ſhéepcote, deyrie, inlarging of a Court neceſſary, or courtilage, from henceforth no man ſhall bée grieued by aſſiſe of nouel diſſeiſin, for common of paſture. And where ſometime it chanceth that one hauing right to approue, doth then leuy a dike or an hedge, and ſome by night or at an other ſeaſon, when they ſuppoſe not to be eſpied, do ouerthrow the hedge or dike, & it cannot be knowne by verdict of the Aſſiſe or Iury, who did ouerthrow the hedge or dike, and men of the Townes néere, will not indite ſuch as be guilty of the fact: the townes néere adioyning ſhall be diſtrained to leuy the hedge or dike at their owne coſt, and to yéeld damages. And where one hauing no right to common, vſurpeth common what time an heire is within age, or a woman is couert, or whileſt the paſture is in the hands of tenants in dower, by the curteſie or otherwiſe for terme of life, or yeares, or in fée taile, and haue long time vſed the paſture, many hold opinion, that ſuch paſtures ought to be ſaid to belong to the fréehold, and that the poſſeſſor ought to haue action by a writ of nouel diſſeiſin, if he be deforced of ſuch paſture: but from henceforth this muſt be holden that ſuch as haue entred within the time that an Aſſiſe of Mortdanceſtor hath lyen, if they had no common before, ſhall haue no recouery by a Writ of nouel diſſeiſin, if they be deforced.

32.Aſſ pl.5. 7.H.4.fo.39

For what cauſe one may approue.

A ditch or hedge of ground approued caſt downe. V.N.B.fo.68. Fitz.N.B.fo.125. 179. St.3.& 4.Ed.6.3.

Fitz.Common 22

Vſurpation of Common during the eſtate of particular Tenants. V.N.B.f.68.61. Raſt.pl.fo.493.

CAP. XLVII.

A Penaltie for taking of Salmons at certaine times of the yeare.

IT is prouided that the waters of Humber, Owſe, Trent, Doue, Arre, Derewent, Wherfe, Niddore, Swale, Teſe, Tine, Eden, and all other waters (wherein Salmons be taken) ſhall be in defence for taking Salmons from the Natiuity of our Lady vnto Saint Martins day. And likewiſe that yong Salmons ſhall not be taken nor deſtroied by nets, nor by other ingines at Milpooles, from the middes of Aprill vnto the Natiuity of Saint Iohn Baptiſt. And in places where as freſh waters be, there ſhall be aſſigned ouerſéers of this Statute, which being ſworne ſhall oftentimes ſée and inquire of the offendors: and for the firſt treſpas they ſhall be puniſhed by burning of their nets and engines: and for the ſecond time, they ſhall haue impriſonment for a quarter of a yeare: and for the third treſpas they ſhall be impriſoned a whole yeare: and as their treſpas increaſeth, ſo ſhall the puniſhment. Stat 13.R.2.19.St.17.R.2 9. St.25.H.8.7.

The penaltie of killing of Salmon in vnſeaſonable time.

CAP. XLVIII.

In what caſes the view of Land is grantable, in what not.

Fitz.View 50. 51. 57.129.118. Fitz.Viewer 1. 2. 6.24.41.47.69. 101.108.119. 10.H.7.fo.8. Dyer fol.61.114. 310.323. Fitz.View.17. 54. 73.85.87.93.103. 104.112.118. 146.166.167. Fitz.View.110. 177.186.

In what caſes view of land is grantable in what not.

FOr view of Land it is ordained and prouided, that from henceforth view ſhall not be granted but in caſe when view of Land is neceſſary. As if one loſe land by default, and he that loſeth, moueth a Writ to demand the ſame Land. And in caſe when one by an exception delatory abateth a writ after the view of land, as by nontenure, or miſnaming of the Towne, or ſuch like, if he purchaſe another writ in this caſe, and in the caſe before mentioned, from henceforth the view ſhall not be granted, if he had view in the firſt writs. In a writ of dower, where the dower in demaund is of land that the husband aliened to the tenant of his aunceſtors, where the tenant ought not to be ignorant, what land the husband did alien to him or his aunceſtor, though the husband died not ſeiſed, yet from henceforth view ſhall not be granted to the tenant. In a writ of Entre alſo, that is abated becauſe the demaundant miſnamed the Entre, if the demaundant purchaſe another writ of Entre, if the tenant had view in the firſt writ, he ſhall not haue it in the ſecond. In all writs alſo where lands be demanded by reaſon of a Leaſe made by the demandant or his aunceſtor, vnto the tenant and not to his anceſtor, as that which be leaſſed to him, being within age, not whole of mind, being in priſon, and ſuch like, view ſhall not be granted hereafter: but if the demiſe were made to his aunceſtor, the view ſhall lie as it hath done before. Raſt.pla.fol.231.352.613. Fitz.N.B.fol. 9.N.123.C. 128. B. K.178. D. 184. A. 129.D.

Fitz.View.30.60, 62.155.168. 171.179.

Cap. XLIX.

The penalty for buying the Title of Land depending in ſuit. A remedy for ſuites where the Law faileth.

The penalty of buying of land depending in Suite. Stat.3.Ed.1.25. Stat.28.Ed.1.11. V.N.B.fo 80. Fitz.N.B.fo.172.i Regiſt.fo.182.183 Raſt.pla.fo 118.1 393.450. Cap.49.

Fitz.Champertie. 1.5.6.8.12.14.15.

THe Chancellor, Treaſurer, Iuſtices, nor any of the Kings Counſell, no Clerk of the Chancerie, nor of the Eſchequer, nor of any Iuſtice or other Officer, nor any of the Kings houſe, Clerk ne Lay, ſhall not receiue any Church, nor aduowſon of a Church, Land, nor tenement in fée, by gift, nor by purchaſe, nor to farme, nor by champertie, nor otherwiſe, ſo long as the thing is in plea before vs, or before any our Officers, nor ſhall take no reward thereof. And he that doth contrary to this Act, either himſelfe, or by another or make any bargaine, ſhall be puniſhed at the Kings pleaſure, as well he that purchaſeth as he that doth ſell. All the ſaid Statutes ſhall take effect at the feaſt of S. Michael next comming, ſo that by occaſion of any offence done on this ſide the ſaid feaſt, contrary to any of theſe ſtatutes, no puniſhment (mention whereof is made within theſe ſtatutes) ſhall be executed vpon the offendors. Moreouer concerning the ſtatutes prouided where the Law faileth, and for remedies, leſt ſutors comming to the Kings Court ſhould depart from thence without remedy, they ſhall haue Writs prouided in their caſes, but they ſhall not be pleaded vntill the Feaſt of Saint Michael aforeſaid.

Cap 50. No man ſhall depart from the Kings Court without remedy.

The Statute of VVincheſter made at VVeſtminſter

8. die Octobr. Ann.13.Ed.1. & An.Dom.1285.

Cap. I.

Freſh ſuit ſhalbe made after Felons and Robbers from Towne to Towne &c.

FOr as much as from day to day Robberies, Murders, burning of houſes, and theft, be more often vſed then they haue béen heretofore, and Felons cannot be attainted by the oath of Iurors, which had rather ſuffer Strangers to be robbed, and ſo paſſe without paine, then to indite the offendors, of whom great part be people of the ſame Countrey, or at the leaſt, if the offendors be of another Country, the receiuors be of places néere. And they doe the ſame, becauſe an oath is not giuen vnto Iurors of the ſame country, where ſuch Felonies were done, and to the reſtitution of damages hitherto no paine hath béen limited for their concealment & latches. Our Lord the King for to abate the power of Felons, hath eſtabliſhed a paine in this caſe, ſo that from henceforth for feare of the paine more then for feare of any oath, they ſhall not ſpare any, nor conceale any felonies. And doth command that Cries ſhall be ſolemnly made in all Counties, Hundreds, Markets, Faires, & all other places where great reſort of people is, ſo that none ſhall excuſe himſelfe by ignorance, that from henceforth euery Country be ſo well kept, that immediatly vpon ſuch robberies and felonies committed, freſh ſuit ſhall be made frõ Towne to Towne and from Country to Country. Coke pla.fol.348. Raſt.pla.fol.580. St.27 El.13.

Freſh ſuit ſhall be made after Felons.

Coke li.7.fo.6. Dyer,fo.370

Cap. II.

Inquirie of Felons and Robbers, and the Countrey ſhall anſwere if they be not taken.

The Countrey ſhall anſwere for Robbers & Felons if they be not apprehended. Stat.27.El.13. Raſt.pla.fo.405. St.39.El.25.

LIkewiſe when néed requires, inqueſts ſhall be made in Townes by him that is Lord of the Towne, and after in the Hundred, and in the franchiſe, and in the County, and ſometime in two, thrée, or foure Counties: in caſe when felonies ſhall be committed in the Marches of Shires ſo that the offendors may be attainted. And if the Country will not anſwere for the bodies of ſuch manner of offendors, the paine ſhall be ſuch, that euery Country, that is to wit, the people dwelling in the Country ſhall be anſwerable for the robberies done and alſo the damages: ſo that the whole hundred, where the robbery ſhall be done, with the franchiſes being within the precinct of the ſame hũdred, ſhal be anſwerable for the robberies done. And if the robbery be done in the diuiſion of two Hundreds, both the Hundreds and the Franchiſes, within them, ſhall be anſwerable. And after that the felony or robbery is done, the Country ſhall haue no longer ſpace then forty daies, within which it ſhall behoue them to agrée for the robbery or offence, or elſe that they will anſwere for the bodies of the offendors.

Bro Debt.103.

A Robberie done in the diuiſion of ſhires.

Coke lib.7.fo.6

The Countrey ſhall haue but fortie daies. Stat 28.Ed.3.11.

Cap.

Cap. III.

This Act ſhall be reſpited vntill Eaſter next.

AND foraſmuch as the King will not that his people ſhould be ſuddenly impoueriſhed by reaſon of this penaltie, that ſeemeth very hard to many, the King granteth that they ſhall not incurre immediately, but it ſhall be reſpited vntill Eaſter next following, within which time the King may ſee how the countrey will order themſelues, and whether ſuch felonies and robberies doe ceaſe. After which terme let them all be aſſured, that the foreſaid penaltie ſhall runne generally, that is to ſay, euery Countrey, that is to wit, the people in the countrey ſhall be anſwerable for felonies and robberies done among them.

When this Statute ſhall be put in execution.

Cap. IIII.

At what times the gates of great Townes ſhall be ſhut. And when the night Watch ſhall beginne and end.

AND for the more ſurety of the Countrey, the King hath commanded that in great Townes being walled, the Gates ſhall be cloſed from the Sun ſetting vntill the Sunne riſing, and that no man doe lodge in Suburbes, nor in any place out of the Towne, from nine of the clocke vntill day, without his Hoſt will anſwer for him: and the Bailiffes of Townes euery weeke, or at the leaſt euery fifteenth day, ſhall make inquiry of all perſons being lodged in the Suburbes, or in forraine places of the Townes. And if they doe find any that haue lodged or receiued any Strangers or ſuſpitious perſon, againſt the peace, the Bailiffes ſhall doe right therein. And the King commandeth, that from henceforth all Townes be kept as it hath beene vſed in times paſſed, that is to wit, from the day of Aſcenſion vnto the day of Saint Michael in euery Citie ſixe men ſhall keepe at euery gate, in euery Borough twelue men, euery Towne ſixe or foure according to the number of inhabitants of the Towne, and ſhall watch the Towne continually all night from the Sunne ſetting vnto the Sunne riſing. And if any ſtranger doe paſſe by them, he ſhall be arreſted vntill morning. And if no ſuſpition be found, he ſhall goe quit, and if they find cauſe of ſuſpition, they ſhall forthwith deliuer him to the Sheriffe, and the Sheriffe may receiue him without damage, and ſhall keepe him ſafely, vntill he be acquited in due manner. And if they will not obay the arreſt, they ſhall leuy huy and cry vpon them, and ſuch as keepe the Towne, ſhall follow with huy and cry with all the Towne, and the Townes neere, and ſo huy and cry ſhall be made from Towne to Towne, vntill that they be taken and deliuered to the Sheriffe: as before is ſaid: and for the arreſtments of ſuch ſtrangers none ſhall be puniſhed.

At what time great townes ſhall be opened and ſhut.

Coke li.7.7.fo.7.

At what houres the night watch ſhall beginne and end.

5.H.7.fo.5.

St.5.Ed.3.14.

How they ſhall be vſed who diſobey arreſt.

Cap. V.

The breadth of High wayes leading from one Market towne to another.

AND further it is commanded, that high waies leading from one Market towne to another, ſhall be inlarged, where as buſhes, Woods or Dikes be, ſo that there be neither Dike, Tree, nor Buſh, whereby a man may lurke to doe hurt within two hundred foot of the one ſide, and two hundred foot of the other ſide of the way: ſo that this ſtatute ſhall not extend vnto Aſhes nor vnto great Trees, for which it ſhall be clearely out of this. And if by default of the Lord, that will not auoid the Dike, vnderwood or Buſhes in the manner aforeſaid, any robberies be done therein, the Lord ſhall be anſwerable for the felony, And if murder be done, the Lord ſhall make a fine at the Kings pleaſure. And if the Lord be not able to fell the vnderwoods, the Countrey ſhall aide him therein. And the King willeth, that in his demeane Lands and Woods within his Foreſt and without, the waies ſhall be enlarged (as before is ſaid.) And if percaſe Parke bee taken frō the high way, it is requiſite that the Lord ſhall ſet his Parke the ſpace of two hundred foot from the high waies, as before is ſaid, or that he make ſuch a wall, Dike or Hedge, that offendors may not paſſe ne returne for to doe euill. Stat.2.& 3.P.& M.8. Stat.5.El.13.Stat.18.El.10.Stat.29.El.5.

High waies to market townes ſhall be enlarged.

A parke neere vnto the high way.

Cap. VI.

Euery man ſhall haue Armour in his houſe according to his abilitie. Faires or Markets ſhall not be kept in Church yards.

AND further it is commanded, that euery man haue in his houſe harneis for to keep the peace after the ancient aſſiſe, that is for to ſay, euery man betweene fifteene yeares of age, and lx. yeares, ſhall be aſſeſſed and ſworne to Armour according to the quantitie of their Lands and goods, that is to wit, from fifteene pound lands, and goods fortie Markes, an Hawberke, a breſt plate of yron, a ſword, a knife, and an horſe. And from tenne pound of Lands, and twentie markes goods, an hawberke, a breſt plate of yron, a ſword and a knife: And from fiue pound lands, a doublet, a breſt plate of yron, a ſword, and a knife: and from fortie ſhillings land and more,

What armour each perſon ſhall haue in his houſe.

Rep 5.& 4.P.&. M.2. 1.Iac.25.

more, vnto one hundred ſhillings of Land, a ſword, a bowe and arrowes, and a knife. And he that hath leſſe then fortie ſhillings yearly, ſhall be ſworne to keepe giſarmes, kniues, and other leſſe weapons. And he that hath leſſe then twentie Markes in goods ſhall haue ſwords, kniues, and other leſſe weapons: and all other that may ſhall haue bowes and arrowes out of the Foreſt, and in the Foreſt bowes and boults. And that view of Armour be made euery yeare two times. And in euery Hundred and Franchiſe two Conſtables ſhall be choſen to make the view of Armour, and the Conſtables aforeſaid ſhall preſent before Juſtices aſſigned ſuch defaults as they doe ſee in the Countrey about armour, and of the ſuites of Townes and of high wayes, and alſo ſhall preſent all ſuch as doe lodge Strangers in vplandiſh Townes, for whom they will not anſwer. And the Juſtices aſſigned ſhall preſent at euery Parliament vnto the King, ſuch defaults, as they ſhall find, and the King ſhall prouide remedy therein. And from henceforth let Sheriffes take good heed, and Bailiffes within their Franchiſes, and without, be they higher, or lower, that haue any Bailiwicke, or Foreſtry in fee, or otherwiſe, that they ſhall follow the Cry with the Countrey, and after as they are bounden to keepe horſes and armour ſo to doe. And if there be any, that doe not, the defaults ſhall be preſented by the Conſtables to the Juſtices aſſigned, and after by them to the King, and the King will prouide remedy, as afore is ſaid. And the King commandeth and forbiddeth, that from henceforth neither Faires nor Markets be kept in Churchyards, for the honour of the Church. Geuen at Weſtminſter the eight day of October, the thirteenth yeare of the raigne of the King. So much, of this Statute, as concernes the hauing, keeping, and view of harneis, and arms, is repealed 21. Iac. 28.

Huy and Cry ſhalbe followed. 2. E. 3. 6.

Faires & Markets ſhall not be kept in Church-yardes.

The Statute of Merchants made at VVeſtminſter

13. *Ed. 1. & Anno Dom.* 1258.

Cap. I.

The forme of knowledging a Statute Merchant The Creditors remedie if his debt be not paid. The Kings Seales ſhall be ſent to keepers of Faires. Taking of a Recogniſance.

FOr aſmuch as Merchants, which heretofore haue lent their goods to diuers perſons, be fallen in pouertie, becauſe there is no ſpeedy remedie prouided, whereby they may ſhortly recouer their debt at the day of payment: And for this cauſe many Merchants doe refraine to come into the Realme with their merchandiſe, to the damage of Merchants, and of all the Realme: The King and his counſell at his Parliament holden at Acton Burnel, after the feaſt of Saint Michael, the eleuenth yeare of his raigne, hath ordained theſe eſtabliſhments thereupon for the remedy of ſuch Merchants: which ordinances and eſtabliſhments, the King cõmandeth that they ſhall be firmely kept and obſerued throughout his Realme, whereby Merchants may haue remedy, and leſſe trouble and buſineſſe to recouer their debts, then they haue had heretofore. But foraſmuch as Merchants after complained vnto the King, that Sheriffes miſinterpreted his Statutes, and ſometime by malice and falſe interpretation delaied the execution of the Statute, to the great damage of Merchants: The King at his Parliament holden at Weſtminſter after Eaſter, the thirteenth yeare of his raigne, cauſed the ſaid Statute made at Acton Burnel, to be rehearſed. And for the declaration of certaine Articles in the Statute aforeſaid, hath ordained and eſtabliſhed, that a Merchant who will be ſure of his debt, ſhall cauſe his debtor to come before the Maior of London, or before ſome chiefe Wardein of a City, or of another good town, where the King ſhall appoint, and before the Maſter and chiefe Wardein, or other ſufficient men choſen and ſworne thereto, when the Maior or chiefe Wardein cannot attend, and before one of the Clerkes that the King ſhall thereto aſſigne, when both cannot attend, he ſhall knowledge the debt, and the day of paiment: And the Recogniſance ſhall be enrolled by one of the Clerkes hands being knowne, and the Roll ſhall be double, whereof one part ſhall remaine with the Maior, or chiefe Wardein, and the other with the Clerkes that thereto ſhall be firſt named: And further, one of the ſaid Clerkes with his owne hand ſhall write an obligation, to which writing the Seale of the debtor ſhall be put with the Kings Seale, prouided for the ſame intent: which Seale ſhall be of two pieces, whereof the greater piece ſhall remaine in the cuſtody of the Maior or the chiefe Wardein, and the other piece in the keeping of the foreſaid Clerke. And if the debtor doe not pay at the day limited vnto him, then ſhall the Merchant come to the Maior and Clerke with his obligation: And if it be found by the roll or writing, that the debt was knowledged, and the day of payment expired, the Maior or chiefe Wardein, ſhall cauſe the body of the debtor to be taken (if he be lay) whenſoeuer he hapneth to come in their power, and ſhall commit him to the priſon of the Towne, if there be any, & he ſhall remaine there at his owne coſts, vntill he hath agreed for the debt. And it is commanded that the Keeper of the towne Priſon, ſhall retaine him vpon the deliuery of the Mayor or Warden. And if the Keeper wil not receiue him, he ſhall be anſwerable for the debt, if he haue whereof, and if he haue not whereof, he

St. Acton Burnel An 11. Ed. 1.

Co. Inſt. 289. b. 290. a.

Dyer fo. 35.

The forme of acknowledging of a Statute Merchant.

Fitz. Execut. 131.

Sealing of a Statute.

The Creditors remedie if the debt be not paied.

2. R. 3. fo. 8.

he that committed the Priſoner to his keeping ſhall anſwer. And if the debtor cannot bee found in the power of the Maior or chiefe Warden, then ſhall the Maior or chiefe Warden ſend into the Chancery vnder the Kings Seale, the recogniſance of the debt: and the Chancellor ſhall direct a Writ vnto the ſherife, in whoſe ſhire the debtor ſhall be found for to take his body (if he be Laie) and ſafely to keepe him in Priſon, vntill he hath agreed for the debt. And within a quarter of a yeare after that he is taken, his chattels and lands ſhall be deliuered him, ſo that by his owne he may leuie and pay the debt. And it ſhall be lawfull vnto him, during the ſame quarter, to ſell his lands and tenements for the diſcharge of his debts, and his ſale ſhall be good and effectuall. And if he doe not agree within the quarter, next after the quarter expired, all the lands and goods of the debtor ſhall be deliuered vnto the Merchant by a reaſonable extent, to hold them vntill ſuch time as the debt is wholly leuied. And neuertheleſſe the body ſhall remaine in Priſon, as before is ſaid. And the Merchant ſhall finde him bread and water, and the Merchant ſhall haue ſuch ſeaſon in the lands and tenements deliuered vnto him or his aſſignee that he may maintaine a writ of Nouel diſſeiſin, if he be put out, and rediſſeiſin alſo, as of freehold, to hold to him and his aſſignes vntill the debt be paid. And as ſoone as the debt is leuied, the body of the debtor ſhall be deliuered with his lands. And in ſuch writs as the Chancellor doth award, mention ſhall be made, that the Sheriffe ſhall certifie the Iuſtices of the one Bench or of the other, how he hath performed the Kings commandement at a certaine day, at which day the Merchant ſhall ſue before the Iuſtices, if agreement be not made: And if the Sheriffes doe not returne the writ, or doe returne that the writ came too late, or that he hath directed it to the Bailifes of ſome Franchiſe, the Iuſtices ſhall doe as it is contained in the latter Statute of Weſtminſter. And if in caſe the Sherife returne, that the debtor cannot be found, or that he is Clerke, the Merchant ſhall haue writs to all the Sheriffes, where he ſhall haue land, and that they ſhall deliuer vnto him all the goods and lands of the debtor by a reaſonable extent, to hold vnto him and his aſſignes in the forme aforeſaid: and at the leaſt he ſhall haue a writ to what Sheriffe he will, to take his body (if he be Lay) and to retaine it in manner aforeſaid. And let the keeper of the Priſon take heede, that he muſt anſwer for the body, or for the debt. And after that the debtors lands be deliuered to the Merchant, the debtor may lawfully ſell his land, ſo that the Merchant haue no damage of the approuements: And the Merchants ſhall alwaies be allowed for their damages, and all coſts, labors, ſuits, delaies, and expences reaſonable. And if the debtor find ſureties, which doe acknowledge themſelues to be principall debtors after the day paſſed, the ſureties ſhall be ordered in all things as is ſaid of the principall debtor as to the arreſt of body, deliuery of lands, and other things. And when the lands of the debtors be deliuered vnto the Merchant, he ſhall haue ſeiſin of all the lands that were in the hand of the debtor, the day of the recogniſance made, in whoſe hands ſoeuer that they come after, either by feoffement or otherwiſe. And after the debt paid, the debtors lands, and the iſſues of lands of debtors by feoffement ſhall returne againe, aſwell to the feoffee, as the other lands vnto the debtors. And if the debtor or his ſureties die, that Merchant ſhall haue no authoritie to take the body of his heire, but he ſhall haue his lands as before is ſaid, if he be of age, or when he ſhall be of full age vntill he hath leuied of the lands the amountment, and value of the debt. And a ſeale ſhall be prouided, that ſhall ſerue for Faires, and the ſame ſhall be ſent vnto euery Faire vnder the Kings ſeale by a Clerke ſworne or by the keeper of the Faire. And of the comminaltie of the Merchants of the Citie of London, two Merchants ſhall be choſen, that ſhall ſweare, and the Seale ſhall be opened before them, and the one piece ſhall be deliuered vnto the foreſaid Merchants, and the other ſhall remaine with the Clerke. And before them or one of the Merchants (if both cannot attend) the Recogniſances ſhall be taken, as before is ſaid, And before that any recogniſance be inrolled, the paine of the Statute ſhall be openly read before the debtor, ſo that after he cannot ſay that any did put another penalty then that whereto he bound himſelfe: And to maintaine the coſts of the ſaid Clerke, the King ſhall take of euery pound a penny, in euery Towne, where the Seale is, except Faires where he ſhall take one peny halfe peny, of the pound. This ordinance and Act the King willeth to be obſerued from henceforth throughout his Realme of England and Ireland, amongſt the which people they that will, may make ſuch Recogniſances (except Iewes, to whom this ordinance ſhall not extend:) And by this Statute a Writ of debt ſhall not be abated, and the Chancellor, Iuſtices of either Bench, and Iuſtices errants, ſhall not be eſtopped to take recogniſances of debts before thẽ knowledged and made, but the execution of recogniſances made before them, ſhall not be done in the forme aforeſaid, but by the law and manner before vſed, and otherwiſe prouided in other Statutes.

Fitz. execut 79. 37. H. 6. fol. 6.

Certificate of the ſtatute into the Chancery.

Within what time the debtor may ſell his Land.

17. Ed. 3. fo. 43. 47. Ed. 3. fo 11. Fitz. Execut. 49. 89. 118. 154. Coke lib. 4. fo. 67. Dyer fo. 206. Coke li. 4 fo. 67. Fitz. Aſſ 9. 69. 82. 130. 216. 262. 331. 402. Fitz. Receit. 112. Fitz. Ancient demeſne 24.

Regiſt. fol. 186. Regiſt ind fo. 8. Fitz. N. B. fo. 130.

What eſtate the Merchant ſhall haue in the debtors Lands.

Fitz. Execut. 84.

Stat. 13. Ed. 1. 39.

How the debtors ſureties ſhall be vſed.

Fitz. Execut. 97. 22. Aſſ. pl. 45. 7. H. 4. fol. 10. Dyer fo. 313. Coke lib. 7. fo 39. Coke li. 4. fo. 67. Fitz. Aſſiſe. 402.

What Lands ſhall be extended.

The heires lands but not his body ſhall be extended.

A Seale for Faires.

The Statute ſhall be read to the debtor.

Bro. Recog. 16. 17. 18. 21.

The Kings dutie vpon a ſtatute acknowledged.

Taking of Recogniſances.

Rex vic. ſalutem. Quia coram tali maiore vel cuſtode talis ville, vel coram cuſtode ſigilli noſtri de mercatoribus in nundinis de tali loco, & tali clerico noſtro A, recognouit debere B. tantum quod ſoluiſſe debuit tali die & tali anno, quod idem A. nondum ſoluit vt dicit. Tibi præcipimus, quod corpus prædicti A. ſi laicus ſit, capias, & in priſona noſtra ſaluo cuſtodiri facias, quouſque de prædict. debito ſatisfecerit. Et qualiter hoc preceptum noſtrum fueris executus, ſcire facias Iuſticiarijs noſtris apud Weſtmonaſterium per literas tuas ſigillatas, & habeas ibi hoc breue. Teſte, &c. Stat. 27. Ed. 3. 9. Stat. 2. 3. H. 8. 6. Raſt. pla. fol. 97. 542. &c.

The Statute of *Circumſpecte agatis* made 13. *E*. 1. & *Anno Dom*. 1285.

Cap. I.

Certaine caſes wherein the Kings prohibition doth not lye.

Caſes wherein the Kings prohibition doth not lie.

Coke li. 7. fo. 44.

Coke li. 5. fo. 67.

The King to his Iudges ſendeth Greetings. Uſe your ſelues circumſpectly in all matters cõcerning the Biſhop of Norwich and his Clergie, not puniſhing them if they hold plea in Court Chriſtian of ſuch things as be meere ſpirituall, that is to wit, of penance enioined by Prelates for deadly ſinne, as Fornication, Auowtrie, and ſuch like, for the which ſometimes corporall penance, and ſometimes pecuniarie is enioyned, ſpecially if a free man be conuict of ſuch things. Alſo if Prelates doe puniſh for leauing the Churchyard vncloſed, or for that the Church is vncouered, or not conueniently decked, in which caſes none other penance can be enioyned but pecuniary.

Tithes and offerings.

8. Ed. 4. 13. 2. H. 5. fo. 10. Fitz. Prohibition 18. 20. 27.

Item, if a Parſon demand of his Pariſhioners, oblations or tithes due and accuſtomed, or if any parſon doe ſue againſt another parſon for tithes greater or ſmaller, ſo that the fourth part of the value of the benefice be not demanded.

Mortuaries.

Item, if a perſon demand Mortuaries, in places where a Mortuary hath beene vſed to bee giuen.

Penſion. Defamation.

Breach of an oath.

Coke lib. 4. fo. 20. Kel. fol. 39. 22. Ed. 4 fol. 20. 12. H. 7. fo. 22. Bro Prohibition 18. 21. Bro A. ſurcaſe 115. 22. Aſſ. pla. 70. 38. H. 6 fo 29. 11. H. 4. fo 88.

Item, if a Prelate of a Church, or a Patron demand of a Parſon a penſion due to him, all ſuch demands are to be made in a Spirituall Court. And for laying violent hands on a Clerke, and in cauſe of defamation, it hath beene granted already that it ſhall be tried in a Spirituall Court, when money is not demanded, but a thing done for puniſhment of ſinne, and likewiſe for breaking an oath. In all caſes afore rehearſed the Spirituall Iudge ſhall haue power to take knowledge notwithſtanding the Kings prohibition. Stat. 9. Ed. 2. 1. &c. Regiſt. fo. 36. 45. 50. 51. 57. &c. V·N.B. fo. 30. Fitz. N.B. fo. 39. &c. Raſt. pla. fo. 444.

The Statute of VVeſtminſter the third, *viz*. of *Quia emptores terrarum*, made *Anno* 18. *Ed*. 1. & *Anno Dom*. 1290.

Cap. I.

The Feoffee ſhall hold his land of the chiefe Lord, and not of the Feoffer.

Co. Inſt. 98. b. 143

Foraſmuch as purchaſers of Lands and tenements of the Fees of great men, and other Lords, haue many times heretofore entred into their Fees, to the preiudice of the Lords, to whom the Freeholders of ſuch great men haue ſold their lands, and tenements to be holden in fee of their Feffors, and not of the chiefe Lords of the fees, whereby the ſame chiefe Lords haue many times loſt their Eſcheats, Marriages, and Wardſhips of Lands and Tenements belonging to their fees: which thing ſeemed very hard and extreame vnto thoſe Lords, and other great men, and moreouer in this caſe manifeſt diſheritance: Our Lord the King in his Parliament at Weſtminſter after Eaſter the eighteenth yeare of his raigne, that is to wit, in the quinzime of Saint Iohn Baptiſt, at the inſtance of the great men of the Realme, granted, prouided and ordained, that from henceforth it ſhall be lawfull to euery Freeman to ſell at his owne pleaſure, his Lands and Tenements, or part of them, ſo that the Feoffee ſhall hold the ſame lands or Tenements of the chiefe Lord of the ſame Fee, by ſuch ſeruice and cuſtomes as this Feoffor held before.

The feoffee ſhall hold his Land of the chiefe Lord, and not of the Feoffor.

27. H. 8. fo. 26. Dyer fo. 8. 3. Aſſ. pla. 8. Fitz. Auowry 108. 185. 255.

Cap. II.

If part of the Land be ſold, the Seruices ſhall be apportioned.

If part of the land be ſold the Seruices ſhall be apportioned.

1. Ed. 4. fol. 12. Dyer fo. 298. Fitz. Auowry 101. 108. 218. Fitz. Hariot 1. Bro. Tenures 2. 65. Coke lib. 6. fo. 1. lib. 8. fo. 105. 27. H. 8. fol. 26. 5 H. 7. fol. 5. 40. Ed. 3. fo. 40. 34. Aſſ. pla. 15. Co. Inſt. 43. b.

And if he ſell any part of ſuch Lands or Tenements to any, the Feoffee ſhall immediately hold it of the chiefe Lord, & ſhall be forthwith charged with the Seruices, for ſo much as perteineth or ought to pertaine to the ſaid chiefe Lord for the ſame parcell according to the quantity of the Land or tenemẽt ſo ſold. And ſo in this caſe the ſame part of the ſeruice ſhall remaine to the Lord, to be taken by the hands of the Feoffee, for the which he ought to be attendant and anſwerable to the ſame chiefe Lord, according to the quantitie of the Land or Tenement ſold for the parcell of the Seruice ſo due. Fitz. N.B. fol. 235.

And it is to be vnderſtanden, That by the ſaid ſales or purchaſes of lands or tenements, or any parcelles of them, ſuch lands or tenements, ſhall in no wiſe come into Mortmaine, either in part or in whole, neither by policy ne craft, contrary to the forme of the Statute made thereupon of late. And it is to wit, that this Statute extendeth but onely to lands holden in Fee Simple. And that it extendeth to the time comming, and it ſhall beginne to take effect at the Feaſt of Saint Andrew the Apoſtle next comming Giuen the eighteenth yeare of the raigne of King Edward ſonne to King Henry. Fitz.N.B.fol.222.Stat.9 H.3.32.

No feoffement ſhall be made to aſſure land in Mortmaine. Stat.7.Ed.1.

This Statute extendeth to Fee ſimple land onely.

The Statute of Quo warranto, *made Anno* 18.*Ed*.1. and Anno Domini. 1290.

How they ſhall hold their Liberties, which claime them by Preſcription, or grant.
A Quo warranto *ſhall be pleaded and determined before Iuſtices in Eire.*

Fitz.Briefe 885. Kel.fo.137 &c. Coke li.9 fo.23.

Bro Quo warranto 1.2.3.4.6.8.11. Bro. Preſcription. 10.14.18.32.33.34.52.54.64.65.73.83.98.107.108.

Bro.Franchiſe 5.10.14.22.26.37.

FOr as much as Writs of Quo warranto, and alſo Iudgements giuen vpon Pleas of the ſame, were greatly delayed: becauſe the Iuſtices in giuing Iudgement, were not certified of the Kings pleaſure therein. Our Lord the King at his Parliament holden at Weſtminſter, after the Feaſt of Eaſter, the eighteenth yeare of his raigne, of his ſpeciall grace, and for the affection that he beareth vnto his Prelates, Earles and Barons, and other of his Realme, hath granted, that all vnder his allegiance, whatſoeuer they be, as well ſpirituall as other, which can verifie by good Enqueſt of the Countrey, or otherwiſe, that they and their Anceſtors or predeceſſors, haue vſed any manner Liberties, whereof they were impleaded by the ſaid Writs before the time of King Richard our Couſin, or in all his time, and haue continued hitherto (ſo that they haue not miſuſed ſuch Liberties) that the parties ſhall be adiourned further vnto a certaine day reaſonable before the ſame Iuſtices, within the which they may goe to our Lord the King, with the Record of the Iuſtices, ſigned with their Seale, and alſo returne. And our Lord the King by his Letters Patents ſhall confirme their eſtate. And they that cannot proue the Seiſin of their Anceſtors or Predeceſſors in ſuch manner as is before declared, ſhall be ordered and iudged after the Law and Cuſtome of the Realme, And ſuch as haue the Kings Charter, ſhall be iudged according to their Charters.

They which haue liberties by preſcription, ſhall enioy them. Fitz.N.B.f.116.

Fitz.Conuſance 16.19.21.26.30.31.36.39.46.51.54.57.60.61.62.63.64.81.87.91.

Moreouer, the King of his ſpeciall grace hath granted, that all iudgements that are to be giuen in Pleas of Quo warranto, by his Iuſtices at Weſtminſter, after the foreſaid Eaſter, for our Lord the King himſelfe, if the parties grieued will come againe before the King, he of his grace ſhall giue them ſuch remedie, as before is mentioned. Alſo our ſaid Lord the King hath granted for ſparing of the coſts and expences of the people of his Realme, that Pleas of Quo warranto, from henceforth ſhall be pleaded and determined in the Circuite of the Iuſtices, and that all Pleas now depending ſhall be adiourned into their owne Shires, vntill the comming of the Iuſtices into thoſe parts. V.N.B.fol.160.Raſt.pla.fol.49.

Liberties by the Kings grant.

Where pleas of Quo warranto ſhall be determined.

3.H.7 fo.15.

Another new Statute of Quo warranto, *made the ſame* yeare, to that effect.

Coke li.9.fo.23.&c.

COncerning the Writ that is called Quo warranto, our Lord the King at the Feaſt of Pentecoſt, in the eighteenth yeare of his raigne hath eſtabliſhed, that all thoſe which claime to haue quiet poſſeſſion of any Franchiſe, before the time of King Richard, without interruption, and can ſhew the ſame by a lawfull enqueſt, ſhall well enioy their poſſeſſion. And in caſe that ſuch poſſeſſion be demanded for cauſe reaſonable, our Lord the King ſhall confirme it by title. And thoſe that haue old Charters of Franchiſe, ſhall haue the ſame Charters adiudged according to the tenour and forme of them, and thoſe that haue loſt their Liberties ſith Eaſter laſt paſſed by the foreſaid Writ, according to the courſe of pleading in the ſame Writ heretofore vſed, ſhall haue reſtitution of their Franchiſe loſt, And from henceforth they ſhall haue according to the nature of this preſent conſtitution. V.N.B.fo.160. Raſt.pla.fo.494.

Liberties by preſcription or the K.grant.

Coke li.5 fo.39.

The Statute of Fines, made Anno 18.*of Edw.the firſt,* and Anno Domini 1290.

The manner of leuying of Fines: what things be requiſite to make them good, and who are bound by them.

VVHen the Writ Originall is deliuered in preſence of the parties before Iuſtices, a Pleador ſhall ſay this: Sir Iuſtice Conge de accorder. And the Iuſtice ſhall ſay

The order of leuying of a fine Regiſt fo.165. Fitz.N.B.fo.146. I.&c. Raſt.pla.fo.328. The forme of a fine.

to him, What ſaith Sir R. and ſhall name one of the parties: Then when they be agreed of the ſumme of money, that muſt be giuen to the King, then the Juſtice ſhall ſay, Crie the peace. And after the Pleador ſhall ſay: In ſo much as peace is licenced, thus vnto you, W. S. and A. his wife, that here be, doe knowledge the mannor of B. with the appurtenants, contained in the Writ, to bee the right of our Lord the King: which he hath of their gift. To haue and to hold to him and his heires, of the ſaid W. and A. and the heires of A. as in Demeanes, Rents, Seigniories, Courts, Pleas, Purchaſes, Wards, Marriages, Reliefes, Eſcheates, Milles, Aduouſons of Churches, and all other Franchiſes and free Cuſtomes to the ſaid manor belonging, paying yearely to R. and his heires as chiefe Lords of the Fee, the ſeruices and cuſtomes due for all ſeruices. And it is to be noted, that the order of the Law, will not ſuffer a finall accord to be leuied in the Kings Court without a Writ originall, and that muſt be at the leaſt before foure Juſtices in the Bench, or in Eire, and not otherwiſe, and in preſence of the parties named in the Writ, which muſt be of full age, of good memory, and out of priſon. And if a woman couert be one of the parties, then they muſt be firſt examined by foure of the ſaid Juſtices. And if ſhe doth not aſſent thereunto, the fine ſhall not be leuied. And the cauſe wherefore ſuch ſolemnitie ought to be done in a fine, is, becauſe a fine is ſo high a barre, of ſo great force, and of ſo ſtrong nature in himſelfe, that it concludeth not onely ſuch as be parties, and priuies thereto and their heires, but all other people of the world, being of full age, out of priſon, of good memorie, and within the foure Seas, the day of the fine leuied, if they make not their claime of their action within a yeare and a day by the countrey. St.15.E.2.

Coke li.5.fo 39.

1.H.7.fo.10.

What things be requiſite to make a fine good. Stat.27.Ed.1.1.

What perſons ſhalbe concluded by a fine. Stat.1.R.3.7. Stat.4.H.7.24.

Coke li.4. fo.11 lib.8.fo.100. 4.Ed.3.fo.46. Fitz.Continuall claime 13.

The Statute of Vouchers, made Anno 20. of Edw. the firſt, and Anno Domini 1292.

In a plea of Land the Tenant voucheth, and the Demandant counterpleadeth.

Vouched.

WHereas the Tenant impleaded in a Plea of land heretofore had vouched to warrantie, and thereupon the demandant would auerre, that neither he that is vouched, nor any of his Anceſtors (ſince the time that the Anceſtor of the Demandant was ſeiſed) was in poſſeſſion of the ſaid lands, neither in Demeane, nor in Seruice, if the partie vouched were preſent, and would warrantiſe the land freely vnto the Tenant, ſuch auerrement of the Demandant, hath not beene vſed to be admitted, vnleſſe the partie vouched had beene abſent, and that by reaſon of a certaine Statute of the Kings lately made amongſt other Statutes of Weſtminſter, the firſt.

Stat.3.Ed.1.39.

In plea of land the tenant voucheth one preſent, and the demandant counterpleadeth the voucher.

Wherefore our Lord the King, conſidering the fraud, deceit, and malice, and alſo his owne damage and diſheriſon of his crowne, that in the ſaid caſe hath many times happened in this Court, and daily doth, whereas ſome holding of the King in chiefe by a whole Baronie, in a Plea hanging before the Juſtices of the Bench vpon their demand doe vouch particularly baſe perſons vnknowen and ſtrangers (which they will bring forth) and of whom neither they nor their Anceſtors had euer any thing in the lands that they warranted, nor in any other lands or tenements within this Realme, neither in Demeane, nor in Seruice, as hath beene teſtified by diuers of the Kings faithfull Subiects, ſo that by ſuch cautell, fraud, and malice, the ſame Tenants holding by an entire Baronie, doe defraud the King of the amerciament that they ſhould incurre, if the Demandant ſhould recouer againſt them.

And likewiſe when ſuch baſe perſons haue warranted, that is to wit, euery one for his portion that he ought to warrant, hee may defend himſelfe by the body of his ſeruant procured and hired by them that hold Baronies, and ſo vpon one Writ and one Demand, there were two or three wagers of battaile, the which was a hard and perilous example for poore men in time comming that ſhall be demandants againſt great and rich men, which will defend themſelues by the malice aforeſaid: And the Demandant cannot haue his auerment againſt ſuch Warrantors, when they be vouched in forme aforeſaid, becauſe they be preſent, and will warrantiſe freely: By his Common Counſell hath ordained, and from henceforth, that is to ſay, from the Feaſt of Saint Hillarie, the twentieth yeare of his raigne, he hath commanded to bee obſerued, that when the Tenant doth vouch any to warrantie, and the Demandant will auerre in forme before rehearſed, his auerment ſhall be admitted, whether the partie vouched be abſent, or preſent, without any reſpect had vnto his abſence or preſence. Raſt.pla.354.&c.

Fitz.Voucher 27.

Auerment.

The

A Statute of Waſt, made Anno 20. Ed. 1. & Anno Dom. 1292.

Tenant for life committeth waſt, he in the Reuerſion brought an Action of waſt, and dieth before Iudgement, his heire brought an Action for the ſame waſt.

William Butler, which is within age, and in Ward of our Lord the King, hath ſhewed vnto his Highneſſe, that where Gawin Butler his brother (whoſe heire he is) had impleaded one Walter de Hapeton, by the Kings Writ for Waſt and deſtruction made by him the ſaid Walter, in certaine his lands and tenements which the ſame Walter held for terme of his life; of the inheritance of the foreſaid Gawin in Wimme and Thirke. And the aforeſaid Gawin before he had obtained iudgement died. After whoſe death the foreſaid William by like Writ impleded the foreſaid Walter, for the waſt and deſtruction made by him of long time. The ſame Walter before Gilbert Thornton, and his companions aſſigned to heare the Kings Pleas, came in and ſaid that he ought not to anſwere to the ſame William for the waſt and deſtruction made in the time of another, before the right of the ſaid inheritance deſcended vnto him, and thereupon demaunded iudgement. And for as much as certaine Iuſtices did not agrée in giuing of the ſaid iudgement: becauſe it ſéemeth to ſome that it ſhould not be agréeable to the Law, that any perſon ſhould obtaine aduantage and recompence by the foreſaid Writ, which is a Writ of Treſpaſſe done to a perſon certaine, but only the ſame perſon to whom and in whoſe time the treſpas was done. Other Iuſtices with the more part of the Kings Counſell, were in the contrary opinion, alledging by diuers reaſons that the ſaid William ought to be heard and anſwered vnto, & all other whatſoeuer they be, in like caſes or in like treſpaſſes. And becauſe like matters haue remained not amended; and treſpaſſes vnpuniſhed which was inconuenient.

Wherefore our Lord the King in his full Parliament holden the day after the Feaſt of the Purification, in the twentieth yeare of his raigne, by a generall Counſell hath ordained, and from henceforth hath commanded to be ſtraightly obſerued, that euery heire (in whoſe ward ſoeuer he be, and as well within age, as of full age) ſhall haue his recouery by a Writ of Waſt in the foreſaid caſe, and alſo in other where the ſame Writ ought to hold place: and it ſhall hold place as well for waſt and deſtruction made in lands and tenements of his owne inheritance, and as well in the times of his anceſtors, as at any other time that the Fée and inheritance deſcended vnto him, and ſhalbe anſwered vnto therefore. And that he ſhall recouer the tenements waſted, and damages, as it is ordained in the ſecond Statute of Weſtminſter, of damages to be recouered in a Writ of Waſt, if the tenant be conuict of waſt. And it is commanded by the King himſelfe vnto the ſame Gilbert Thornton and his companions, that they doe procéed in the foreſaid matter, and in other like from henceforth, and iudgement ſhalbe giuen according as the matter is found. And likewiſe it is commanded vnto the Iuſtices, that they ſhall cauſe all the foreſaid things to be ſtraightly obſerued before them from henceforth. Regiſt. fol. 73.

Tenant for life committeth waſt, and he in the reuerſion bringeth an action of waſt, & dieth before iudgement, & his heire bringeth an action of the ſame waſt, and recouereth.
Stat. 13. Ed. 1. 14.

The Statute De defenſione Iuris, *made Anno 20. Ed. 1.*
and anno Domini 1292.

Where a ſtranger comming in by a Collaterall title not party to the ſuit ſhall be receiued.

WHere one by the Kings Writ doth demaund any tenements, againſt tenant by the curteſie, in taile, in dower, or for terme of life, or of yeares, and the demandant ſueth ſo farre that the lands be in manner recouered and adiudged to him, whereupon another not party to the ſuit commeth in before iudgement giuen, and ſaith that he hath fée and right in thoſe lands, and prayeth the Court, that in as much as he is come before iudgement, ready to defend his tenement, and to make anſwere vnto the demandant, that he may be admitted thereunto by force of a Statute made by the King that now is amongſt other the laſt Statutes made at Weſtminſter, by which Statute as well ſuch as had no right as they which had right, oftentimes in the caſe before mentioned, falſly and in deceit of the Court, did come in and pray to be receiued to make anſwere, that by their admiſſion they might prolong the demandant from the iudgement and ſeaſin of his Land, and to cauſe thoſe demandants to plead of new, and ſo the demandāts are greatly deferred in the caſe aforeſaid, to recouer their right in the Kings Court by reaſon of ſuch malice, as well by miſtaking of the ſaid ſtatute, as for any other cauſe iuſt and reaſonable, and this is vſed and found often before our Iuſtices. Wherefore our Lord the King, for to withſtand all ſuch malice in the forſaide caſe, and intending to prouide a remedie therein, in his full Parliament, and by his common counſell, hath ordained, and from henceforth commandeth ſtraitly to be obſerued: that is to wit, from the Munday next after the Feaſt of the Purification of the Virgin, the twentieth yeare of his raigne, that when any before iudgement in the foreſaid caſe commeth in by a collaterall title, and deſireth to be receiued: before

Stat. 13. Ed. 1. 4.

Dyer fo. 104.
Kel. fol. 110. 160.
Fitz. Reſceit. 76.
80. 99. 189.
Fitz. Suretie 2. 3.
6. 7. 9. 10. 11. 14.
16. 17. 20. 26.

Where a ſtranger commeth in by a collaterall title to be receiued, he ſhall find ſureties.
Stat. 13. R. 2. 17.

his receit he ſhall find ſufficient ſurety, (as the Court will award) to ſatiſfie the demaundant of the value of the lands ſo to be recouered from the day that he is receiued to make anſwere, vntill the time that finall iudgement be giuen vpon the petition of the demaundant. And if the demandant recouer his demand, the defendor ſhall be greeuouſly amerced, if he haue whereof, and if he haue not, he ſhall be impriſoned at the Kings pleaſure. And if he can proue his right to be as good as he affirmed at ſuch time as he was receiued, he ſhall go quit. Raſt.pla.fol.530.

Stat. de hijs qui ponendi ſunt in Aſſiſis, made 21.Ed.1. and Anno Domini 1293.

What freehold lands Iurors muſt haue, which ſhall paſſe in triall within the ſame Countie, or without.

FOraſmuch as our Lord the King by the continuall and greeuous complaint of his inferior people doth perceiue that diuers perſons being of leaſt ability of his Realme, are many times intolerably troubled by Sheriffes and their Bailiffes, Bailiffes of Liberties which impanell them to the Recognizances of Aſſiſes, Iuries, Inqueſts, and attaints triable out of the Shires where they be dwelling: And do ſpare the rich people and ſuch as be more able, by whom the truth of the matter might be better knowne, whereby greater expenſes and trouble doth daily manifeſtly enſue to the impoueriſhment and vtter diſheriting of many: Our ſaid Lord the King, prouiding for the indempnity of his people, and deſiring to ſet conuenient remedy in the premiſſes for the publike weale of his Realme, in his Parliament holden in the terme of Saint Michael, the one and twentieth yeare of his raigne hath ordained in this behalfe: That no Sheriffe, Vndersheriffe, or their Bailiffes, Stewards, or Bailiffes of Liberties, ſhall from henceforth put in any Recogniſance aboueſaid that ſhall paſſe out of their proper Counties, or Bailiwikes, any except he haue lands and tenements to the yearly value of a C.s. at the leaſt. And the King intendeth not by this Statute to reſtraine the laſt Statute of Weſtminſter, wherein mention is made of recogniſors to be put in Iuries and Aſſiſes, but of ſuch only as ought to paſſe in Aſſiſes, Iuries, and Recogniſances triable out of their proper Counties, ſo that within the County before Iuſtices of our Lord the King, or other miniſters aſſigned to the taking of any ſuch Inqueſts, Iuries, or other Recogniſances none ſhall be impanelled, except he haue lands or tenements to the yearly value of xl.s. And likewiſe ſauing that before Iuſtices errant that hold common pleas in their circuit, and alſo in Cities, Boroughes, and other Market townes, where Recogniſances, Aſſiſes, and Iuries, or Enqueſts, doe paſſe vpon any matter touching the ſaid Cities, Boroughes, and other Townes, it ſhall be done like as hath been accuſtomed in times paſſed. T. R. At the Tower of London the xiij. day of December, in the xxij. yeare of his raigne. St.27.El.1. St.28.Ed.1.9. Regiſt.fol.186.178. Fitz.N.B.fol.165.166.

Kel fol.97.

What freehold land thoſe iurors muſt haue which paſſe in trials.
Stat.13.Ed.1.38.
Stat.34.Ed.3.4.
Stat.42.Ed.3.11.
Stat.35.H.8.6.
Stat.2.Ed.6.32.

Iuries in Cities or boroughes.

Rex, &c. Quia ad communem vtilitatem populi noſtri & regni de communi conſilio ejuſdem regni ſtatuerimus ne aliquis ponatur in juratis, aſſiſis, ſeu recognitionibus aliquibus extra comitatum ſuum proprium faciendis, niſi habeat terras aut tenementa ad valentiam centum ſolidorum per annum ad minus, nec infra comitatum ſuum niſi habeat terras aut tenementa ad valentiam xl.s. per annum ad minus, prout in ſtatuto illo quod tibi mittimus ſub ſigillo noſtro, & quam in omnibus & ſingulis articulis ſuis de cætero obſeruari volumus & firmiter teneri plenius continetur: tibi præcipimus & firmiter injungimus quod ſtatutum illud in pleno comitatu tuo, & in ciuitatibus, burgis & villis mercatorijs, & alijs locis publicis & ſolemnibus in balliua tua vbi neceſſe fuerit, & expedire videris, legi & publice proclamari, et illud in omnibus et ſingulis ſuis articulis (quantum in te eſt) obſeruari facias et firmiter teneri. Et hoc ſicut graue damnum tuum vitare volueris, nullo modo omittas. Teſte, &c. 4

A writ to the Sheriffe to proclaime this ſtatute.

Stat. De malefactoribus in Parcis, made Anno 21.Ed.1. and Anno domini 1293.

In what caſes the killing of offenders in Foreſts, Chaſes, or Warrens is puniſhable, in what not.

Coke pl.4.fo.643

TO the extent that treſpaſſors in Foreſts, Chaſes, Parks, and Warrens may more warily feare hereafter to enter and treſpaſſe in the ſame then they haue heretofore. Our Lord the King at his Parliament after Eaſter the one & twentieth yeare of his raigne, at the inſtance of the Nobles of his realme, hath granted and commanded to be from henceforth firmely obſerued, that if any Foreſter, Parker, or Warrenor, ſhall find any treſpaſſors wādring within his libertie intending to doe damage therein, and that will not yeeld themſelues to the Foreſters, Warrenors, or Parkers, after hue and cry made to ſtād vnto the peace, but do continue their malice, and diſobeying the Kings peace, doe flee, or defend themſelues with force and armes: although ſuch foreſters, parkers, & warrenors, or any other comming in their company, and aiding ſuch

In what caſes the killing of ſome perſons in foreſts, chaſes, or parks is lawfull, in what not.

Dyer.fo.326.
Coke li.9.fo.13

Foreſters,Parkers,and Warreners in the Kings peace doe kill any offẽdor or offẽdors being ſo found,either in arreſting or taking them,or any of them,they ſhall not be troubled vpon the ſame before the Kings Iuſtices,or before any other the Kings Bailiffes, or any other within any Franchiſe or without. Nor ſhall leeſe for ſo doing either life or limbe,or ſuffer any other puniſhment, but ſhall inioy the Kings peace as they did before.

Notwithſtanding, let all ſuch Foreſters, Parkers, Warreners, and all other beware, that by reaſon of any malice,diſcord,debate,or other euill will had before time they doe not maliciouſly pretend againſt any perſon paſſing through their liberties, that they came thither for to treſpaſſe or miſſedoe,when of truth they did nothing,nor were not found as treſpaſſers,and ſo kill them: for if they doe,and be conuict thereupon,the death of ſuch perſons ſhall be inquired,and execution ſhall be done in like maner, as is done for other of the Kings ſubiects ſtanding in his peace and like as it ought to be done of right,and according to the Law and Cuſtome of our Realme.

The Statute of Conſultation,made Anno 24. of Ed. the firſt,
and Anno Domini 1296.

In what caſe a Conſultation is grauntable.

Whereas Eccleſiaſticall Iudges haue often ſurceaſed to proceed in cauſes moued before them, by force of the Kings Writ of Prohibition,in caſes whereas remedy could not be giuen to complainants in the Kings Court,by any Writ out of the Chancery, becauſe that ſuch plaintiffes were deferred of their right and remedy in both Courts,as well temporall as ſpirituall to their great damage, like as the King hath been aduertiſed by the greeuous complaint of his ſubiects. Our Lord the King willeth and commandeth,that where Eccleſiaſticall Iudges do ſurceaſe in the aforeſaid caſes,by the Kings prohibition directed vnto them, that the Chancellor, or the chiefe Iuſtice of our Lord the King for the time being, vpon ſight of the libell of the ſame matter, at the inſtance of the plaintiffe (if they can ſee that the caſe cannot be redreſſed by any Writ out of the Chancery, but that the Spirituall Court ought to determine the matters) ſhall write to the Eccleſiaſticall Iudges, before whom the cauſe was firſt moued, that they proceed therein,notwithſtanding the Kings prohibition directed to them before. Regiſt.fo.44.Fitz N.B. fo.50.c.53.h. V.N.B.fo.32. Raſt.pla.fo.445.

Prohibition.

In what caſes a conſultation is to be granted Stat.50.Ed 3.4.

1.H.7 fo. 22.
.H.4.fo.9.
itz.Conſultat.
.2.4.5.

Statutes made at London the tenth day of October, Anno 25.
Ed. 1.and Anno Domini 1297.

Cap. I.

A Confirmation of the great Charter, and the Charter of the Foreſt.

EDward by the grace of God, King of England,Lord of Ireland,and Duke of Guian, To all thoſe that theſe preſent Letters ſhall heare or ſee, greeting. Know yee that we to the honour of God, and of holy Church, and to the profit of our realme, haue granted for vs and our heires, that the Charter of Liberties,and the Charter of the Foreſt, which were made by common aſſent of all the realme,in the time of K. Henry our father,ſhall be kept in euery point without breach. And we will that the ſame Charters ſhall be ſent vnder our Seale, as well to our Iuſtices of the Foreſt, as to others, and to all Sheriffes of Shires, and to all our other officers,& to all our Cities throughout the realme, together with our Writs,in the which it ſhall be contained that they cauſe the foreſaid Charters to be publiſhed,and to declare to the people,that we haue confirmed them in all points, and that our Iuſtices,Sheriffes,Maiors,and other Miniſters,,which vnder vs haue the Lawes of our Land to guide,ſhall allow the ſame Charters pleaded before them in iudgement in all their points, that is to wit, the great Charter as the Common Law, and the Charter of the Foreſt for the wealth of our Realme.

A confirmation of the great Charter,and the Charter of the Foreſt.

The great Charter the Common Law.

Cap. II.

Iudgements giuen againſt the ſaid Charters, ſhall be void.

ANd we will that if any iudgement be giuen from henceforth contrary to the points of the Charters aforeſaid by the Iuſtices , or by any other our Miniſters that hold Plea before them againſt the points of the Charters,it ſhall be vndone and holden for nought.

Iudgements giuen againſt the great Charter, ſhall be void.

26.
fo. 13

Cap. III.

The ſaid Charters ſhall be read in Cathedrall Churches twice in the yeare.

The Charters ſent to Cathedrall Churches.

AND we will that the ſame Charters ſhall be ſent vnder our Seale, to Cathedrall Churches throughout our Realme, there to remaine, & ſhall be read before the people two times by the yeare.

Cap. IIII.

Excommunication ſhall be pronounced againſt the breakers of the ſaid Charters.

The Biſhops excommunication againſt the breakers of the Charters.

AND that all Archbiſhops and Biſhops, ſhall pronounce the ſentence of Excommunication againſt all thoſe that by word, deed, or counſell, do contrary to the foreſaid Charters, or that in any point breake or vndoe them. And that the ſaid curſes be twice a yeare denounced and publiſhed by the Prelates aforeſaid. And if the ſame Prelates or any of them, be remiſſe in the denunciation of the ſaid ſentences, the Archbiſhops of Canterbury and Yorke for the times being, ſhall compell and diſtraine them to the execution of their duties in forme aforeſaid.

Cap. V.

Aides, taskes, and prices graunted to the King, ſhall not be taken for a cuſtome.

Aids and tasks granted to the King, ſhall not be taken for a cuſtome.

AND for ſo much as diuers people of our Realm are in feare, that the aides and taſkes which they haue giuen to vs before time towards our warres, and other buſineſſe, of their owne graunt and good will (howſoeuer they were made) might turne to a bondage to them and their heires, becauſe they might be at another time found in the Rolles; and likewiſe for the prices taken throughout the Realme by our Miniſters: We haue granted for vs and our heires that we ſhall not draw ſuch aides, taſkes, nor prices into a cuſtome, for any thing that hath beene done heretofore, be it by Roll, or any other preſident that may be founden.

Cap. VI.

The King or his heires will take no Aides or prices but by the conſent of the Realme, and for the common profit thereof.

The King will take no aids &c. but by the common conſent of the realme, and for the profit thereof.

MOreouer we haue granted for vs and our heires, as well to Archbiſhops, Biſhops, Abbots, Priors, and other folke of holy Church, as alſo to Earles, Barons, and to all the communaltie of the land, that for no buſineſſe from henceforth we ſhall take ſuch manner of aides, taſkes, nor prices, but by the common aſſent of the Realme, and for the common profit thereof; Sauing the ancient Aydes and prices due and accuſtomed.

Cap. VII.

A Releaſe of Toll taken by the King for Wooll: And a graunt that he will not take the like without common conſent and good will.

A releaſe of toll of wooll.

AND for ſo much as the more part of the comminaltie of the Realme find themſelues ſore greeued with the maletent of wools, that is to wit, a toll of forty ſhillings for euery ſacke of Wooll: & haue made petition to vs for to releaſe the ſame: We at their requeſt haue clearly releaſed it, and haue granted for vs and our heires that we ſhall not take ſuch things without their common aſſent and good will. Sauing to vs and our heires the cuſtome of Woolles, Skinnes, and Leather, granted before by the comminaltie aforeſaid. In witneſſe of which things we haue cauſed theſe our Letters to be made Patents. Witneſſe Edward our ſonne at London, the tenth day of October, the fiue and twentieth yeare of our raigne.

Anno 25. Ed. 1. A Sentence of Excommunication pronounced by the Clergie againſt the breakers of the Articles aforeſaid.

Stat. de Finibus leuatis, made Anno 27. Ed. 1. & Anno 1299.

No exception to a Fine that the demaundant was ſeiſed. Fines ſhalbe openly read.

FOr as much as Fines leuied in our Court, ought, and doe make an end of all matters, and therefore are called Fines principally, where after waging of battaile or the great Aſſiſe in their caſes euer they hold the laſt and finall place. And now by a certaine time paſſed, as well in the time of King Henry of famous memory our grandfather, as in our time, the parties of ſuch Fines and their heires contrary to the Lawes of our Realme, of ancient time vſed, were admitted to adnull and defeat ſuch Fine, alledging that before the Fine leuied, and

at

Coke li.3.fo.88.
4.H.7 fo.7.
17.Ed.3.fo.53.
Fitz. Replication. 62.63.66.

12.Ed 4.fo.15.
42.Ed.3.fo.19.
4 Ed.3.fo 46.
8.H.4.fo.7.

at the leuying thereof, and ſince, the demaundants or plaintiffes or their aunceſtors were alway ſeiſed of the lands contained in the fine, or of ſome parcell thereof: and ſo fines lawfully leuyed, were many times vniuſtly defeated and adnulled by Jurors of the country falſly and maliciouſly procured: we therefore intending to prouide a remedy in the premiſſes, in our Parliament at Weſtminſter, haue ordained that ſuch exceptions, anſweres, or inquiſitions of the country ſhall from henceforth in no wiſe be admitted contrary to ſuch recogniſances or fines. And further we will that this ſtatute ſhall extend vnto fines heretofore leuied as to them that ſhall be leuied hereafter. And let the Juſtices ſée that ſuch notes and fines as hereafter ſhall be leuied in our Court be read openly and ſolemnly, and that in the meane time all pleas ſhall ceaſe. And this muſt be at two certaine daies in the wéek according to the diſcretion of the Juſtices, Stat. 18. E. 1. Stat. 1. R. 3. 7. Stat. 4. H. 7. 24. Stat. 31. Eliz. 2.

No exception to a Fine that the demandant was alwaies ſeiſed. Raſt. pl. f. 328. &c.

Fines ſhall be openly read, and then all pleas ſhall ceaſe.

Cap. II.

A Sheriffe ſhall leuie no more Iſſues then he hath warrant for. His Tailes.

We haue alſo ordained by the aduice of our Councell, that from henceforth Sheriffes ſhall not be charged of any Iſſues to be leuied, nor ſhall leuie any before they paſſe out of the Eſchequer, there to be deliuered by the extreats of the Juſtices. And that in the eſtreats of Juſtices, euery head ſhall be charged for iſſues forfeited, like as of amerciaments. And if peraduenture any Sheriffe will anſwere for the iſſues of any Recogniſor, pledge, or Mainpernor by him vndertaken and returned into our Court, which at the time of the returne is not able to pay ſuch iſſues or amerciaments, the Sheriffe ſhall be charged, and ſhall anſwere therefore in our Eſchequer. And let the Sheriffes beware vnder paine of great forfeiture, that from henceforth they doe make tailes of all ſuch mony as they or their officers haue receiued by our commandement. And that they doe not returne any where, the names of any mainpernors, iurors, or any other except ſuch mainpernors, iurors or others, according to the tenour of our writs being directed to the Sheriffes for the ſame cauſe, be lawfully and manifeſtly impanelled thereupon. And they ſhall not returne the names of any fréemen as pledges, without that they will plainly conſent and agrée to the ſame. And hereupon we haue enacted, that at due time certaine euery yeare, one Baron, and one Clerk of our ſaid Eſchequer ſhall be ſent through euery ſhire of England, to inroll the names of all ſuch as haue paied that yeares debts exacted on them by gréene ware. And the ſame baron and clerke ſhall view all ſuch tailes and inroll them, and ſhall heare and determine complaints made againſt Sheriffes and their Clerks and Bailiffes that haue done contrary to the premiſſes, and the offendors ſhall be grieuouſly puniſhed.

A Sheriffe ſhall execute his warrant in leuying of iſſues, and no more.

What Tailes a Sheriffe ſhall make.

The Sheriffes return of mainpernors, Jurors, &c.

A Baron and Clerke of the Eſchequer ſent into euery Countie.

Cap. III.

Juſtices of Aſſiſe ſhall be I. of Gaole deliuerie: who ſhall puniſh officers bayling ſuch as are not baileable.

Foraſmuch as Sheriffes and other heretofore, haue let out by pleuin cōmon felons and openly defamed being taken and impriſoned for murder and felony, and ſuch as be not repleuiſable, contrary to the forme of our Statute of perſons repleuiſable, & not repleuiſable lately made, wherby ſuch tranſgreſſors not repleuiſable be let out: and to deliuer them deceitfully before the comming of the Juſtices errant, or other aſſigned for their deliuerance, they procure by themſelues and by their friends Jurors of the Countrey, and ſome they threat, whereby as well for feare of the Sheriffe, and other that let them at large by pleuin, as for feare of the théeues being ſo deliuered before the Juſtices aſſigned for gaole deliueries, ſuch felonies and murders are concealed, and ſo being concealed, remaine ſtill vnpuniſhed: We for the vtility of our Realme, and for the more aſſured conſeruation of our peace, haue prouided and ordained that Juſtices aſſigned to take aſſiſes in euery County where they doe take aſſiſes as they be appointed incontinent after the aſſiſes taken in the Shires, ſhall remaine both together if they be lay. And if one of them be a clerk, then one of the moſt diſcréet Knights of the ſhire, being aſſociate to him that is a lay man, by our writ ſhall deliuer the gaoles of the Shires, as wel within liberties as without, of all manner of priſoners after the forme of the gaole deliueries of thoſe Shires, before times vſed. And the ſame Juſtices ſhall inquire then, if Sheriffes or any other haue let out by pleuin priſoners not pleuiable, or haue offended in any thing contrary to the forme of the foreſaid ſtatute lately made at Weſtminſter: and whom they ſhall find guilty they ſhall chaſten and puniſh in all things according to the forme of the ſtatute aforeſaid. Stat. 28. E. 1.

St.3.Ed 1.c.15.

Juſtices of Aſſiſe ſhall be alſo Juſt. of Goale deliuerie.

Puniſhment of Sheriffes for their offences. St.1.& 2.P.& M. 13. Fitz.N.B.fo.251.E.

Cap. IIII.

Niſi prius ſhall be granted before one of the Iuſtices of the Court where the ſuit is commenced.

Stat.21.Ed.1.

Alſo where we haue prouided, that none ſhall be impanelled any where out of the Shire where he is dwelling in Recogniſances, Enqueſts, and Juries, that hath leſſe then an hundred ſhillings of land or rent, whereby they that haue more lands by too often appearing as well in our Eſchequer, as before our Juſtices of either Bench, are much impoueriſhed.

¶ Niſi prius ſhall be graunted before one of the Juſtices of the Court where the ſuit is commenced. Stat.12.Ed.2.3. Fitz.N.B.fo.240.c Raſt.pla.fo.402. Stat.14.Ed.3.16.

We therefore conſidering the intollerable damage of our people, not only for the diſcharge of ſuch Jurors, but alſo for the more ſpeedy miniſtration of Juſtice to all parties ſuing in our Court, haue prouided and ordained, that Enqueſts and Recogniſances determinable before Juſtices of either Bench, from henceforth ſhall be taken in time of Vacation before any of the Juſtices before whom the plea is brought, being aſſociate to one Knight of the ſame Shire where ſuch Enqueſts ſhall paſſe, unleſſe it be an Enqueſt that requireth great examination. And ſo from henceforth in taking ſuch Enqueſts, the Juſtices ſhall doe as to them ſhall ſéeme moſt expedient for the common vtilitie of our Realme, notwithſtanding the Statute lately made at Weſtminſter, vpon the taking of ſuch Enqueſts, containing that if any Enqueſts be taken contrary to the forme of the ſaid Statute, they ſhould be of none effect. 13.E.1.30.

Ordinatio de libertatibus perquirendis, made *Anno* 27. Ed.1. & Anno Domini 1299.

In what caſes the Writ of Ad quod damnum *is to be ſued. A Commiſſion may be granted to receiue Atturneyes for ſuch as be impleaded.*

In what caſes the Writ of Ad quod damnum is to be ſued.

Bro.Ad quod damnum 1.

It is to be knowen, that the King ordained at Weſtminſter the firſt day of Aprill, the ſeauen and twentieth yeare of his raigne, that ſuch as would purchaſe a new Parke, and men of Religion, that would amortiſe lands or tenements, ſhould haue Writs out of the Chancery to enquire vpon the points accuſtomed in all things: and that Enqueſts of lands or tenements that be worth yearely more then xx.s. that is to wit, by Extent, be returned into the Eſchequer, and there to make fine for the amortiſements, or for the Parke hauing, if the Enqueſts doe paſſe for him that purchaſed them, and after it ſhall be certified vnto the Chauncellor or his deputie, that he do his duty therein.

And touching Enqueſts impanelled for the amortizing Lands, or Tenements, which doe not amount by yeare aboue twentie ſhillings by Extent, and of twentie ſhillings in Annuall value, the King willeth, That thoſe ſhall be returned to the Chancellor, or his Deputie, that he take a reaſonable Fine therefore, according to the quantitie of the thing, and after to deliuer it.

Purchaſe of lands holden in chiefe.

In like maner they ſhall doe, that will purchaſe Lands or Tenements, holden of the King in chiefe.

Purchaſing of Protections. Making generall Atturneyes.

Alſo, people dwelling beyond the Sea, that haue Lands or Rents in England, if they will purchaſe Letters of Protection, or will make generall Attorneyes, they ſhall be ſent vnto the Exchequer, and there ſhall make their Fines, and from thence ſhall be ſent vnto the Chancellor, or his Deputie, for that which he ought to doe therein.

Purchaſing of Liberties.

Dyer fol.135.

In like manner they ſhall doe, that will purchaſe any Fayre, Market, Warren, or any other Libertie. Alſo, ſuch as will purchaſe attermining of their Debts, ſhall be ſent into the Exchequer.

Atturny. V.N.B.fol.19. Raſt.pl.fol.96.

Alſo, ſuch as be not able to trauaile, and people that dwell in farre Countries, from the Chauncerie, which plead or be impleaded, ſhall haue a Writ out of the Chauncery, to ſome ſufficient man, that ſhall receiue their Atturneyes, when néed is.

And for a Remembrance of theſe things, there is an Indenture made, diuided into thrée parts, whereof one part remaineth in the Chauncery, another in the Eſchequer, and the third, in the Garde-robe. Regiſt.fo.247.&c. Fitz.N.B.fo.221.&c. Raſt.pla.fo.25.32.

The

The Statute of Wards and Reliefe, made An. 28. Ed. 1.

& Anno Domini 1300.

Who ſhall be in ward, and pay reliefe, and who not. How many Writs there be to recouer Wards.

IT is to wit, that where any reliefe is giuen, there Wardſhips is incident, and contrariwiſe. And ſuch as hold by Serieantie, to goe with the King in his Hoaſt, there ward and reliefe are incident. And ſuch as hold by Pettie Serieantie, as to beare Shield or Speare in the Kings Hoaſt, or to beare or to carrie there, is neither ward, nor reliefe. Alſo a free Sokeman ſhall not giue ward, nor reliefe, but he ſhall double his Rent after the death of his Aunceſtor, according as hee hath vſed to pay to his Lord, and ſhall not be vnmeaſurably grieued. Now ſomewhat is to be ſaid of the nature of hauing Wards. There be two manner of Writs to haue Wards, one is, where Lands be holden in Knights ſeruice, the other is, where Lands be holden in Socage. The Ward of Land that is holden in Knights ſeruice, belongeth to the chiefe Lord, and the Marriage, which ought to be without diſparagement, as the great Charter limiteth, vntill he commeth to the age of one and twentie yeares. The Ward of an heire that holdeth in Socage, if the Land or Inheritance deſcend of his mothers ſide, then it belongteth to the next friend of the fathers ſide, and contrariwiſe. And a Writ to recouer Ward, may be brought in three manners: One is, when a man demandeth Ward of the Land and of the Heire, and that is in caſe, when a man holdeth Land of another by Knights ſeruice, and the Tenant dieth, then may the chiefe Lord (if he be deforced) demand the Ward of his land and heire, and ſhall haue both ward and marriage. Another manner is, when a man is infeoffed of a yard of land by one man, and by another of a plough land, the ſecond Lord may not bring a writ of Ward to recouer either the land or the heire, for the ward belongeth to him, of whom he was firſt infeoffed. The third manner is, where a man hath land in his hands by reaſon of a Ward, and hath not the Heire, then he may bring a Writ to Demand the Heire, and not the land. Stat. 52. H.3.7. Stat. 13. Ed.1.35. Regiſt. fol. 161. V.N.B. fol. 92. 93. Fitz. N.B. fo. 139. Raſt. pla. fol. 362, &c.

Fitz. Garde 165.

Fitz. Barre 184.
Fitz. Garde 145.
Fitz. Auowrie 89. 89.

Fitz. Garde 8. 10. 22. 131. 153. 154.

Fitz. Garde 137.
Fitz. Barre. 257.
Plo. fo. 293.

Fitz. Garde 2. 16. 27. 36.

Fitz. Garde. 6.

Tenure by Knights ſeruice.
Tenure by Petit Serieantie.
A Sokeman.

Who ſhall be Gardian in Chiualrie.
Stat. 17. Ed. 2. 1. 2.
Stat. 9. H. 3. 6.
Who ſhall bee Gardian in Socage.
A Writ de Communi cuſtodia.
V.N.B. fol. 88.

Prioritie of Feoffement.
Stat. 13. Ed. 1. 16.
V.N.B. fo. 142.
Rauiſhment of Ward.
Fitz. N.B. fo. 140. & Raſt. pla. fo. 366.

A Statute for perſons appealed, made Anno 28. Ed. 1.

& Anno Domini 1300.

What Proces ſhall be awarded againſt thoſe that be appealed by Approuers.

WHereas certaine Iuſtices of late were aſſigned to take Aſſiſes in all Shires of the Realme, and alſo to deliuer the Gaoles of the ſame Shires at euery of their commings after the taking of ſuch Aſſiſes, as more plainly is contained in a Statute made by the King thereupon: Our Lord the King, at his Parliament holden at Weſtminſter, the eight and twentieth yeare of his Raigne, for more ſure obſeruation of his Peaſe, and Felonies to be more quickly puniſhed, and Priſoners to be ſooner deliuered, hath granted, ordained, and prouided, That whoſoeuer be appealed by Prouors, being in Priſons, which the ſame Iuſtices doe deliuer (and whereſoeuer in our Realme that ſuch Appelees be dwelling) that immediately it ſhall be commanded to the Sherife, in whoſe libertie the parties ſo appealed be commorant, or may be found, by the Kings Writ, vnder the teſtimonie of the ſame Iuſtices, that he doe take ſuch perſons appealed, and cauſe them to be brought vnto the Gaoles where the Appealors bee kept that appealed them, and they ſhall anſwere there before the ſame Iuſtices. And if they that bee appealed, will put themſelues vpon the Countrey, it ſhall be commanded in like manner by a Iudiciall Writ, from the ſame Iuſtices to the Sherife, in whoſe libertie the Felonies were done, of which they are appealed, that he ſhall cauſe an Enqueſt of the Countrey to come before the ſame Iuſtices, vnto the ſame place where the Appealors be kept, at a certaine day. And the Sherifes and other (in whoſe keeping ſuch Appealors be detained) ſhall receiue, without contradiction, thoſe that be appealed by ſuch Prouors, when the parties appealed be taken in the forme aboueſaid, and brought vnto the ſame Appellors. Raſt. pla. fo. 41.

Stat. 27. Ed. 1. 3.

2. H. 7. fol. 3.
19. H. 6 fo. 97.
Fitz. Coron. 231. 322, 387. 440. 441. 443. 456. 460.

Proces awarded to apprehend them which be appealed by approuors

Ar-

Articuli ſuper Chartas, made at VVeſtminſter

Anno 28. Ed. 1. & Anno Domini 1300.

FOr as much as the Articles of the great Charter of Liberties, and of the Charter of the Foreſt, the which, King HENRY, father of the King that now is, granted to his people for the Weale of his Realme, haue not bin heretofore obſerued ne kept, becauſe there was no puniſhment executed vpon them which offended againſt the points of the Charters before mentioned: Our Lord the King hath againe granted, renewed, & confirmed them, and at the requeſt of his Prelates, Earles, and Barons aſſembled in his Parliament holden at Weſtminſter, the eight and twentieth yeare of his Raigne, hath ordained, enacted, and eſtabliſhed certaine Articles againſt all them that offend contrary to the Points of the ſaid Charters, or any part of them, or that in any wiſe tranſgreſſe them, in the forme that enſueth.

CAP. I.

A confirmation of the great Charter, and the Charter of the Foreſt.

THat is to ſay, That from henceforth the great Charter of the Liberties of England granted to all the Comminaltie of the Realme, and the Charter of the Foreſt, in like maner granted, ſhall be obſerued, kept, and maintained in euery point, in as ample wiſe as the King hath granted, renewed, and confirmed them by his Charter. And that the Charters be deliuered to euery Sherife of England, vnder the Kings Seale, to be read foure times in the yeare before the people in the full Countie, that is to wit, the next Countie day after the Feaſt of Saint Michael, and the next Countie day after Chriſtmas, and at the next Countie after Eaſter, and at the next Countie after the Feaſt of Saint Iohn. And for theſe two Charters to be firmely obſerued in euery Point and Article (where before no remedie was at the Common Law) there ſhall be choſen in euery Shire Court by the Comminaltie of the ſame Shire, three ſubſtantiall Men, Knights, or other lawfull, wiſe, and well diſpoſed perſons, which ſhall be Iuſtices ſworne and aſſigned by the Kings Letters Patents vnder the great Seale, to heare and determine (without any other Writ, but onely their Commiſſion) ſuch Plaints as ſhall be made vpon all thoſe that commit or offend againſt any Point contained in the foreſaid Charters, in the Shires where they be aſſigned, as well within Franchiſes, as without: And as well for the Kings Officers out of their places, as for other: And to heare the Plaints from day to day without any delay, and to determine them, without allowing the Delayes which be allowed by the Common Law. And the ſame Knights ſhall haue power to puniſh all ſuch as ſhall be attainted of any Treſpaſſe done, contrarie to any Point of the foreſaid Charters (where no Remedie was before by the Common Law) as before is ſaid, by Impriſonment, or by Ranſome, or by Amerciament, according to the Treſpaſſe. Neuertheleſſe, the King, nor none of thoſe that made this Ordinance, intend, that by vertue hereof, any of the foreſaid Knights ſhall hold any Plea, by the power which ſhall be giuen them in ſuch caſe, where there hath beene remedy prouided in times paſſed after the courſe of the common Law by Writ, nor alſo that any preiudice ſhould be done to the common Law, nor to the Charters aforeſaid in any point. And the King willeth that if all three be not preſent, or cannot at all times attend to doe their office in forme aforeſaid, that two of them ſhall doe it. And it is ordained that the Kings Sheriffes and Bailiffes ſhall be attendant to doe the commandements of the foreſaid Iuſtices as farre forth as appertaineth vnto their offices. And beſides theſe things granted vpon the Articles of the Charters aforeſaid, The King of his ſpeciall grace, for redreſſe of the grieuances that his people hath ſuſtained by reaſon of his warres, and for the amendment of their eſtate, and to the entent that they may be the more readie to doe him ſeruice, and the more willing to aſſiſt and aide him in time of neede, hath granted certaine Articles, the which he ſuppoſeth ſhall not onely be obſerued of his liege people, but alſo ſhall be as much profitable or more, then the Articles heretofore granted.

A confirmation of the great Charter, and the Charter of the Foreſt.

Commiſſioners to enquire of Offences done contrarie to the Charters.

Other Officers ſhall be attendant vpon the Commiſſioners

CAP.

CAP. II.

None ſhall take Prices, but the Kings Puruayors, And their Deputies.

Secondarily, for as much as there is a great grieuance in this Realme, and damage without meaſure, for that the King and the miniſters of his houſe, as well Aliens as Denizens, doe make great prices where they paſſe through the Realme, and take the goods as well of Clerkes as of Lay people, without paying therefore any thing, or elſe much leſſe then the value.

It is ordained, That from henceforth none doe take any ſuch prices within the Realme, but onely the Kings Takers, and the Puruayors for his houſe, and that the Kings Takers and Puruaiors of his houſe ſhall take nothing, but onely for his houſe. And touching ſuch things as they ſhall take in the Countrey, of Meat and Drinke, and ſuch other meane things, neceſſarie for the houſe, they ſhall pay or make agreement with them of whom the things ſhall bee taken.

No Puruaiors ſhall take any prices but the Kings, and they onely for his houſe.
Stat.4.Ed.3.4.
Stat.5.Ed.3.2.
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And that all the Kings Takers, Puruaiors, or Catours from henceforth ſhall haue their Warrant with them, vnder the Kings great or pettie Seale, declaring their Authoritie, and the things whereof they haue power to make Price, or Puruaiance: The which Warrant they ſhall ſhew vnto them whoſe Goods they take, before that they take any thing.

Puruaiors ſhall haue their warrant, & ſhew it
Stat.36.Ed.3.2.

And that thoſe Takers, Puruaiors, or Catours for the King, ſhall take no more then is needfull and meet to be vſed for the King, his houſhold, and his children.

Puruaiors ſhall take no more then is needfull.

And that they ſhall not take any thing for them that bee in Wages, nor for any other.

And that they ſhall make full anſwer in the Kings houſe, and in the Wardrobe, for all things taken by them, without making their Larges any other where, or Liueries of ſuch things as they haue taken for the King.

And if any Taker for the Kings houſe, by reaſon of his Warrant, make any price or Liuerie, otherwiſe then before is mentioned, vpon complaint made to the Steward and to the Treaſurer of the Kings houſe, the truth ſhall be enquired. And if he be attainted thereof, he ſhall forthwith make agreement with the partie, and ſhall be put out of the Kings ſeruice for euer, and ſhall remaine in priſon at the Kings pleaſure.

And if any make price without Warrant, and carrie it away againſt the will of the Owner, he ſhall immediately be arreſted by the Towne where the price was made, and ſhall be committed to the next Gaole, and if he be attainted thereupon, it ſhall be done to him as vnto a Felon, if the quantitie of the goods doe ſo require.

Taking without warrant, Felonie.

And concerning Prices made in Fayres, and good Townes, and in Ports, for the Kings great Wardrobe, the Takers ſhall haue their common Warrant vnder the great Seale.

Puruaiances made for the Kings Wardrobe.

And for the things that they ſhall take, it ſhall bee teſtified vnder the Seale of the Keeper of the Wardrobe, and of thoſe things that they haue taken, the number of the things, the quantitie, and the value, ſhall be ſpecified in a Diuidend, made betweene the Takers and the Keepers of Faires, Maiors or chiefe Bailifes of Townes and Ports, by the view of Merchants, whoſe Goods ſhall be ſo taken, and they ſhall not be ſuffered to take any more then is contained in their Diuidend, And the ſaid Diuidend ſhall be carried into the Wardrobe, vnder the Seale of the Warden, Maior, or chiefe Bailife aforeſaid, and there ſhall remaine, vntill the Accompt of the Keeper of the Kings Wardrobe. And if it be found, that any hath taken otherwiſe then hee ought to doe, vpon his Accompt he ſhall be puniſhed by the Keepers of the Kings Wardrobe after his deſert: and if any make ſuch Prices without Warrant, and be attainted thereupon, he ſhall incurre the ſame paine, as they which take Prices for the Kings houſe without Warrant, as before is ſaid.

Neuertheleſſe, the King and his Councell doe not intend, by reaſon of this Eſtatute, to diminiſh the Kings Right, for the ancient Prices due and accuſtomed, as of Wines, and other Goods, But that his Right ſhall be ſaued vnto him whole, in all points.

The Kings prerogatiue reſerued.

CAP.

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Taking without warrant, Felonie.

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And for the things that they ſhall take, it ſhall bee teſtified vnder the Seale of the Keeper of the Wardrobe, and of thoſe things that they haue taken, the number of the things, the quantitie, and the value, ſhall be ſpecified in a Diuidend, made betweene the Takers and the Keepers of Faires, Maiors or chiefe Bailifes of Townes and Ports, by the view of Merchants, whoſe Goods ſhall be ſo taken, and they ſhall not be ſuffered to take any more then is contained in their Diuidend, And the ſaid Diuidend ſhall be carried into the Wardrobe, vnder the Seale of the Warden, Maior, or chiefe Bailife aforeſaid, and there ſhall remaine, vntill the Accompt of the Keeper of the Kings Wardrobe. And if it be found, that any hath taken otherwiſe then hee ought to doe, vpon his Accompt he ſhall be puniſhed by the Keepers of the Kings Wardrobe after his deſert: and if any make ſuch Prices without Warrant, and be attainted thereupon, he ſhall incurre the ſame paine, as they which take Prices for the Kings houſe without Warrant, as before is ſaid.

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The Kings prerogatiue reſerued.

Cap.

Cap. III.

Of what things onely the Marſhall of the Kings houſe ſhall hold Plea: Which Coroners ſhall enquire of the death of a man ſlaine within the Verge.

Of what things onely the Marſhall of the Kings houſe ſhall hold Plea.
Stat. 13. R. 2. 2.
Stat 15. H. 6. 1.
Regiſt. fo 185. 191
Fitz. N. B. fo. 241. B.
Raſt. pla. fo. 278. 397.
Stat. 10. Ed. 3. 2.

4. H. 6 fo. 8.
10. H. 6. fo. 13.
Bro. Action ſur le ſtatute 38. 44.
Coke. li. 6. f. 12. 26
li. 10. fo. 71.
5. Ed. 4. fo. 129.

CОncerning the authoritie of Stewards and Marſhalls, and of ſuch pleas as they may hold, and in what maner, It is ordained, that from henceforth they ſhall not hold plea of fréehold, neither of debt, nor of couenant, nor of any contract made betwéene the Kings people, but only of treſpaſſe done within the houſe, and of other treſpaſſes done within the Verge, and of contracts and couenants that one of the houſe ſhall haue made with another of the ſame houſe, & in the ſame houſe, and none other where. And they ſhall plead no plea of treſpaſſe, other then that which ſhall be attached by them before the King depart from the Verge where the treſpaſſe ſhall be committed: and ſhall plead them ſpéedily from day to day, ſo that they may be pleaded and determined before that the King depart out of the limits of the ſame Verge where the treſpaſſe was done. And if it ſo be that they cannot be determined within the limits of the ſame Verge, then ſhall the ſame pleas ceaſe before the Steward, and the plaintiffes ſhall haue recourſe to the common law. And from henceforth the Steward ſhall not take conyſance of debts nor of other things, but of people of the ſame houſe, nor ſhall hold none other plea by Obligation made at the diſtreſſe of the Steward and of the Marſhals. And if the Steward or Marſhals doe any thing contrarie to this ordinance, it ſhall be holden as void. And for as much as heretofore many felonies committed within the Verge haue béene vnpuniſhed, because the Coroners of the Country haue not béene authoriſed to enquire of ſuch manner of felonies done within the Verge, but the Coroner of the Kings houſe, which neuer continueth in one place, by reaſon whereof, there can be no triall made in due manner, nor the felonies put in Exigent, nor outlawed, nor any thing preſented in the circuit, the which hath béene to the great damage of the King, and nothing to the good preſeruation of his Peace. It is ordained that from henceforth in caſes of the death of men, whereof the Coroners office is to make view and enqueſt, it ſhall be commanded to the Coroner of the Countrey, that he with the Coroner of the Kings houſe ſhall doe as belongeth to his office, and enroll it. And that thing that cannot be determined before the Steward, where the felons cannot bée attached, or for other like cauſe, ſhall be remitted to the Common law. So that Exigends, outlawries, and preſentments ſhall be made thereupon in Eyre by the Coroner of the Countrey, as well as of other felonies done out of the Verge: neuertheleſſe they ſhall not omit by reaſon hereof to make attachments freſhly vpon the felonies done. Stat. 18. Ed. 3. 7.

Coke li. 4. fo. 46.

Which Coroners ſhall inquire of the death of a man, ſlaine within the Verge.
Stat. 33. H. 8. 12.

Cap. IIII.

Common Pleas ſhall not be holden in the Exchequer.

Common Plea.

Dyer fo. 256.

MOreouer, no common Plea ſhall be from henceforth holden in the Exchequer, contrary to the forme of the great Charter. Stat. 9. H. 3. 11. Regiſt. fol. 187.

Cap. V.

The Chancelor and the Iuſtices of the Kings Bench ſhall follow the King.

Attendants vpon the King.

ANd on the other partie, the King will, that the Chancelor and the Iuſtices of his Bench ſhall follow him, ſo that he may haue at all times néere vnto him, ſome that be learned in the Lawes, which be able duely to order all ſuch matters as ſhall come vnto the Court at all times, when néede ſhall require.

Cap. VI.

No Writ concerning the common Law ſhall be awarded vnder any petite Seale.

Writs ſealed.

THere ſhall no Writ from henceforth, that toucheth the common Law, goe forth vnder any of the pettie Seales. Plow. fo. 20. Dyer fo. 50. 161. 232. Coke li. 2. fo. 17. li. 5. fo. 53.

Cap. VII.

The Authoritie of the Conſtable of the Caſtle of Douer, touching holding Plea and Diſtreſſes.

Conſtable of Douer.
Fiue Ports.

THe Conſtable of the Caſtle of Douer ſhal not from henceforth hold any Plea of a forraine Countie, within the Caſtle gate, except it touch the kéeping of the Caſtle: Nor the ſaid Cōſtable ſhall not diſtraine the inhabitants of the fiue Ports, to plead any other where, nor otherwiſe, then they ought after the forme of their Charter obtained of the King, for their old Franchiſes, confirmed by the great Charter. Regiſt. fo. 185.

Cap.

CAP. VIII.

The inhabitants of euery Countie ſhall make choiſe of their Sheriffes being not of fee.

THe King hath granted vnto his people, that they ſhal haue election of their Sheriffe in euery Shire (where the Shriualtie is not of fee) if they liſt. Cap. 13.

Stat.9.E.2.
Stat.14.E.3.7.

CAP. IX.

What ſort of people ſhall be returned vpon euery Iurie.

THe King willeth and commandeth that no Sheriffe nor Bailiffe ſhall impanell in Inqueſts nor in Iuries ouer many perſons, nor others, nor otherwiſe then it is ordained by Statute, and that they ſhall put in thoſe Inqueſts and Iuries ſuch as be next neighbors, moſt ſufficient, and leaſt ſuſpitious. And he that otherwiſe doth, and is attainted thereupon, ſhall pay vnto the plaintiffe his damages double, and ſhall be grieuouſly amerced vnto the King. Regiſt.fol.178.179. 180. Fitz.Nat.Bre.fo.165.

Co.Inſt.158.a.

Stat.13 Ed.1.38.
What ſorts of perſons ſhall bee returned in Iuries.
Stat.34.Ed.3.4.
Stat.42.Ed.3.11.

CAP. X.

The remedy againſt Conſpirators, falſe Informers, and Embracers of Iuries.

IN right of Conſpirators, falſe Informers, and euill procurors of Dozens, Aſſiſes, Inqueſts, and Iuries, the King hath prouided remedie for the plaintiffes by a writ out of the Chancery. And notwithſtanding he willeth that his Iuſtices of the one Bench and of the other, and Iuſtices aſſigned to take Aſſiſes when they come into the Countrey to doe their Office, ſhall vpon euerie plaint made vnto them award Inqueſts thereupon without Writ, and ſhall doe right vnto the plaintiffes without delay. Regiſt.fol.188. V.N.B.fol.56. Fitz. Nat. Bre. fol.116.N. Raſt.pla. fol.122.&c.

Kel.fol.8.1.

A remedie againſt Conſpirators & procurors of Iuries &c.

CAP. XI.

Nothing ſhall be taken to maintaine any matter in ſuit.

ANd further becauſe the King hath heretofore ordained by Statute, that none of his miniſters ſhall take no plea for maintenance, by which Statute other Officers were not bounden before this time, The King will that no Officer nor any other (for to haue part of the thing in plea) ſhall not take vpon him the buſineſſe that is in ſuit. Nor none vpon any ſuch couenant ſhall giue vp his right to another, and if any doe and be attainted thereof, the taker ſhall forfeit vnto the King ſo much of his Lands and Goods as doth amount to the value of the part that hee hath purchaſed for ſuch maintenance. And to obtaine this, whoſoeuer will ſhall be receiued to ſue for the King before the Iuſtices before whom the plea hangeth, and the iudgement ſhall be giuen by them. But it may not be vnderſtanded hereby, that any perſon ſhall be prohibit to haue counſell of pleaders, or of learned men in the Law for his fee, or of his parents and next friends. Regiſt.fo.183. V.N.B.fo.180. Fitz.N.B.fo.172. Raſt pla.fo 118.393.450.

3.H.4.fo.19.
Fitz.Champertie
3.4.6.12.14.15.

1.Ed.3.fo.52.
6.Ed.3.fo.33.
Bro.Châpertie 11

Stat.3.Ed.1.25.
Stat.13.Ed.1.49.
Nothing ſhal be taken to maintaine any matter in ſuit.
Stat.1.Ed.3.14.
Stat 1.R.2.4.
Stat.32.H.8.9.

CAP. XII.

What diſtreſſe ſhall be taken for the Kings debt, and how it ſhall be vſed.

FRom henceforth the King will that ſuch diſtreſſes as are to be taken for his debts ſhall not be made vpon Beaſts of the Plough, ſo long as a man may find any other, vpon the ſame paine that is elſewhere ordained by Statute, &c. And he will not that ouer great diſtreſſes ſhall be taken for his debts, nor driuen too far, and if the debtor can find able and conuenient ſuretie vntill a day within which a man may purchaſe remedie to agree for the demand, the diſtres ſhall be releaſed in the meane, and he that otherwiſe doth, ſhall be grieuouſly puniſhed. Regiſt fol.97.185. Fitz.N.B.fo.174.B. Raſt.pla.fol.221.

Dyer fo.312.
H.7.fo.8.
9.Ed.3.fol.16.
Fitz.Briefe 662.
Br.Faux latin 123
Fitz.Action ſur
Leſtat.35.

What diſtreſſe ſhall be taken for the Kings debt and how it ſhall be vſed.
Stat.51.H.3.
Stat.52.H.3.4.

CAP. XIII.

What ſort of perſons the Commons of Shires ſhall chuſe for their Sheriffes.

ANd foraſmuch as the King hath granted the election of Sheriffes to the Commons of the Shire, the King will that they ſhall chuſe ſuch Sheriffes, that ſhall not charge them, and that they ſhall not put any Officer in authoritie for rewards or bribes. And ſuch as ſhall not lodge too oft in one place, nor with poore perſons or men of Religion. Stat.9.E.2.

Election of Sheriffes Ca.8.

CAP. XIIII.

Bailiwickes and Hundreds ſhall not be letten too deare to charge the people with contribution.

FRom henceforth that the Bailiwickes and Hundreds of the King nor of other great Lords of the Land be not let to ferme at ouer great ſummes whereby the people is ouercharged by making contribution to ſuch fermes.

Bailiwickes &c.

CAP.

Cap. XV.

In ſummons and attachments in plea of land the Writ ſhall containe fifteene dayes.

Summons and attachments in plea of Land.

In ſummons and attachments in plea of land, the ſummons and attachments from henceforth ſhall containe the terme of fiftéene daies full at the leaſt according to the common Law, if it be not in attachment of Aſſiſes taken in the Kings preſence, or of pleas before Iuſtices in Eyre during the Eyre. Regiſt.fol.196. Fitz.N.B.fo.109.A.177.D.

Fitz. Ioure 16.
35.36.
27.H.6 fo.2.
Bro. Attach.3.4
7.8.9.10.13.15.
16.26.

Cap. XVI.

What ſhall be done with them that make falſe returne of Writs.

Falſe returne of Writs.

What ſhall be done with them that make falſe returnes (whereby right is deferred) as it is ordained in the ſecond Statute of Weſtminſter, with like paine. Stat.13.Ed.1.39.

Cap. XVII.

The Statute of Wincheſter ſhall be read foure times in the yeare, and put in execution.

Execution of the ſtat. of Wincheſter. Ca.1.&c.

And forasmuch as there be more malefactors in the Realme then had wont to be, and that robberies, burnings and manſlaughters are committed out of meaſure, and the peace little obſerued, by reaſon that the Statute which the King not long paſt cauſed to be made at Wincheſter is not obſerued. The King will that the ſame Statute be ſent againe into euery Countie to be read and publiſhed foure times in the yeare, and kept in euery point, as ſtraitly as the two great Charters, vpon the paines therein limited. And for the obſeruing and maintenance of this Statute, the Knights that be aſſigned in the Shires for to redreſſe things done againſt the ſaid great Charters ſhall be charged, and ſhall haue their warrant therefore.

Cap. XVIII.

Eſcheators ſhall commit no waſt in Wards Lands.

Eſcheators ſhall commit no waſt in wards lands.
Stat.6.Ed.1.5.
Stat.14.Ed.3.13.
Stat.36.Ed.3.13.

For redreſſe of waſtes and deſtructions done by Eſcheators, or Subeſcheators in the Lands of Wards, as of Houſes, Woods, Parkes, Warrens, and of all other things that fall into the Kings hands. The King will that he which hath ſuſtained damage, ſhall haue a Writ of Waſt out of the Chancerie againſt the Eſcheator for his act, or the Subeſcheator for his act (if he haue whereof to anſwer) and if he haue not, his maſter ſhall anſwer by like paine concerning the damages, as is ordained by the Statute for them that doe waſt in Wardſhips. Regiſt.fo.72. V.N.B.fo.36. Fitz.N.B.fo.59. Raſt.pla.fol.618.

Dyer fo.16

Cap. XIX.

In what caſe the owner ſhall haue his Lands deliuered out of the Kings hands with the Iſſues.

In what caſe the owner ſhall haue his land out of the Kings hands with the Iſſues thereof
Stat.29.Ed.1.

From henceforth where the Eſcheator or the Sheriffe ſhall ſeiſe other mens Lands into the Kings hands (where there is no cauſe of ſeiſer) and after when it is found no cauſe, the profits taken in the meane time haue béene ſtill retained and not reſtored, when the King hath remoued his hand. The King will that if hereafter any Lands be ſo ſeiſed, and after it be remoued out of his hands by reaſon that he hath no cauſe to ſeiſe nor to hold it, the iſſues ſhall be fully reſtored to him to whom the land ought to remaine, and which hath ſuſtained the damage. Regiſt.fo.314 Fitz.N.B.fo.256.261.&c. Raſt.pla 548.

Cap. XX.

Veſſells of Gold ſhall be aſſaied, touched and marked. The Kings prerogatiue ſhall be ſaued.

Veſſels of gold & ſiluer ſhall be aſſaied & touched.

Veſſels marked with the Lybards head.

None ſhal make rings, croſſes, nor lockes.
Rep.21. Iac.28.
What ſtones may be ſet in gold.

It is ordained that no Goldſmith of England, nor none otherwhere within the Kings Dominion, ſhall not from henceforth make or cauſe to be made any maner of veſſell, iewell, or any other thing of gold or ſiluer, except it be of good & true allay, that is to ſay gold of a certaine touch, and ſiluer of the ſterling alay or of better, at the pleaſure of him to whom the worke belongeth, & that none worke worſe ſiluer then mony. And that no maner of veſſell of ſiluer depart out of the hands of the workers, vntill it be aſſayed by the Wardens of the Craft, and further that it bée marked with the Lybards head. And that they worke no worſe gold then of the touch of Paris. And that the Wardens of the Craft ſhall goe from ſhop to ſhop among the Goldſmiths to aſſay if their gold be of the ſame touch that is ſpoken of before. And if they finde any other then of the touch aforeſaid, the gold ſhall be forfeit to the King. And that none ſhall make rings, croſſes, nor lockes. And that none ſhall ſet any ſtone in gold, except it be naturall. And that Grauers or Cutters of ſtones and of ſeales, ſhall giue to each their weight of ſiluer and gold (as néere as they can) vpon their fidelitie. And the iewells of baſe gold which they haue in their hands, they ſhall vtter as faſt as they can. And from henceforth if they buy any of the ſame worke, they ſhall buy it to worke vpon and not to ſell againe. And that all the good Townes of England where any Goldſmiths bee dwelling ſhall be ordered according to this Eſtatute, as they of London be. And that one ſhall come from euerie good Towne for all the reſidue that bee dwelling in the ſame, vnto London, for to be aſſertained of their touch. And if any Goldſmith be attainted hereafter, becauſe that he hath done otherwiſe then before is ordained, he ſhall be puniſhed by impriſonment, and by ranſome at the Kings pleaſure. And notwithſtanding all theſe things before mentioned, or any point of them, both the King and his Counſell, and all they that were preſent at the making of this ordinance, will & intend that the right and prerogatiue of his Crowne ſhall be ſaued to him in all things. Stat.37.Ed.3.7. Stat.2.H.6.14. Stat.17.Ed.4.1. Stat.4.H.7.2. Stat.18.Eliz.15.

The prerogatiue of the Crowne ſhall be ſaued.

Stat. de Eſcheatoribus, made at Lincoln Octabis Hillarij, Anno 29.Ed.1.& Anno Domini 1300.

In what caſe an Amoueas manum *ſhall be granted, and in what a Reſeiſer.*

In what caſe an Amoueas manum cum exitibus ſhall be granted. Stat.28.Ed.1.19.

24.Ed.3.fo.28. Kel fo.177. Fitz.Liuery 11.15. Dyer,fo.168.213. 249.298.

AT the Parliament of our Lord the King, at Lincolne in the vtas of S. Hillarie, the xxix. yeere of his raigne, by his Counſell it was agreed, and alſo commanded by the King himſelfe, that from thence it ſhould be obſerued and done according to the aduice of the reuerent Father, W. Langton, the Biſhop of Couentry and Litchfield, and Treaſurer to the King, Iohn Langton, then being Chancellor, and other of the Counſell there preſent before the King: that where Inqueſts taken by his Eſcheators by any of the Kings Writs purchaſed out of the Chancery being returned, and it be found by ſuch Inqueſts, that nothing is holden of the King, whereby the King ought to haue the cuſtodie of ſuch Lands and Tenements by reaſon of the Inqueſts taken by his Eſcheators, that immediately and without any delay the Eſcheators ſhall be commanded by the Kings Writ had out of the Chancery, to put from their hands all the Lands and Tenements ſo taken into the Kings poſſeſſion: And if they haue taken any profits of ſuch Lands & Tenements ſo taken into the Kings hands by them, from the time that ſuch Lands and Tenements fell into the Kings hands they ſhall make full reſtitution to him or them, for whom it was found by Inqueſts taken by the ſame Eſcheators, that ſuch Lands ought to remaine: ſauing alway to the King (in caſe that after ſuch time as his Eſcheators, haue diſcharged their hands by force of the Kings Writ, as before is ſaid) if any thing happen to be found in the Chancery or the Eſchequer or in any other of the Kings Courts, whereby the cuſtodie of ſuch Lands, whereof the Eſcheators haue diſcharged their hands, in forme aforeſaid, ſhould belong vnto the King, that immediatly he in whoſe poſſeſſion ſuch Lands happen to be, ſhall be ſummoned by a writ out of the Chancerie to be before the King at a certaine day whereſoeuer, &c. to ſhew if he can ſay any thing, wherefore the King ought not to haue the cuſtodie of ſuch Lands, according to the forme of the euidences or remembrances found for the King. And if he come in and ſhew why the cuſtody of ſuch Lands doe not belong or ought not to belong vnto the King, but that it ought to remaine to himſelfe, he ſhall goe quit, and retaine the cuſtodie. But if the partie warned doth not come, or if that he come and can ſhew nothing to put the King from the cuſtodie, the lands and tenements ſhall be forthwith reſeiſed into the Kings hands to be kept in name of Wardſhip vntill the lawfull age of ſuch heires, as before is ſaid. And as it is ſaid before if it be found by Inqueſts taken by the Eſcheators and returned, that the cuſtody of the ſame Lands and Tenements contained in the Inqueſt, and ſeiſed into the Kings hands, ought not to remaine vnto the King, then the Eſcheator ſhall be commanded forthwith to diſcharge his hands thereof, and to reſtore the iſſues wholy. In like manner if it be found afterward by euidences and remembrances in the Chancery, Eſchequer, or otherwhere, as before is ſaid, that our Lord the King ought to haue the wardſhip thereof, the King ſhall be anſwered for the whole iſſues and profits, by the hands of ſuch as held the ſame lands and tenements, from the time they were firſt taken into the Kings hands by his Eſcheators by the Writs aboueſaid. And this order ſhall be held from henceforth in the Chancery, notwithſtanding a certaine ordinance lately made by our Lord the King, concerning Lands and Tenements taken into his hands by his Officers, and not to be deliuered but by the King himſelfe, and as it is contained in a certaine diuidenda, or Indenture made betweene the King himſelfe and his Chauncellor, whereof one part remaineth in the cuſtody of the Chauncellor. Regiſt.fo.314. Fitz.n.b.fo.256.b.c.Raſt.pla.fo.548.A.

A reſeiſer of the land into the Kings hand.

Coke li.8.fo.169. 5.H.5.fo 2. 28.H.6.fo.5. 9.Ed.4.fo.51. 21.Aſſ.pl.15. Fitz. Trauerſe 21. Bro.Reſeiſer 32. 36.37.38. Fitz. Liuerie 3.32. 34.

A new Statute of Quo warranto *made at Glouceſter.*

Anno 30.Ed.1.& Anno Domini 1301.

Claiming and vſing of Liberties, and cauſes to ſeiſe them into the Kings hands. Complaint of Officers.

The yeare of our Lord M.CC.LXX.VIII. the ſixth yeare of the raign of King Edward at Glouceſter, in the month of Auguſt, the King himſelfe prouiding for the wealth of his Realme, and the more full miniſtration of Iuſtice, as to the office of a King belongeth (the more diſcreet men of the Realme, as well of high as of low degree, being called thither) It is prouided and ordained, That whereas the Realme of England in diuers caſes, as well vpon liberties as otherwiſe, wherein the Law failed, to auoid the grieuous damages and innumerable diſheriſons that the default of Law did bring in, had need of diuers helpes of new Lawes and certaine new Prouiſions, Theſe Prouiſions, Statutes and Ordinances vnder written, ſhall from henceforth be ſtraightly and inuiolably obſerued of all the Inhabitants of his Realme: And whereas Prelates, Earles, Barons, and other of our Realme that claime to haue diuers liberties, which to examine and iudge, the King had prefixed a day to ſuch Prelates, Earles, Barons, and other: It is prouided and likewiſe agreed, that the ſaid Prelates, Earles, Barons, and other, ſhall vſe ſuch maner of liberties, after the forme of the Writ here following.

A writ to the Sheriffe to permit all men to enioy thoſe liberties which they had before.

Rex vic. ſalutem. Cum nuper in Parliamento noſtro apud Weſtmonaſterium, per nos & conſilium noſtrum prouiſum ſit & Proclamatum, quod Prelati, Comites, Barones, & alij de regno noſtro qui diuerſas libertates per cartas progenitorum noſtrorum regum Angliæ habere clamant, ad quas examinandas & iudicandas diem præfixerimus in eodem Parliamento, libertatibus illis taliter vterentur, quod nihil ſibi per vſurpationem accreſcerent, nec aliquid ſuper nos occuparent. Tibi precipimus quod omnes illos de Comitat. tuo libertatibus ſuis quibus hucuſq; rationabiliter vſi ſunt, vti & gaudere permittas in forma prædicta, vſq; ad proximũ aduentum noſtrum per Comitatum prædictum, vel vſq; ad proximum aduentum iuſticiariorum itinerantium ad omnia placita in Comitatu, vel donec aliud inde præceperimus: Saluo ſẽper iure noſtro cum inde loqui voluerimus. Teſte &c.

In like maner and in the ſame forme Writs ſhall be directed to Sheriffes and other Bailiffes for euery demandant, and the forme ſhall be changed after the diuerſity of the liberty which any man claimeth to haue, in this wiſe.

A Proclamation that they which claime liberties ſhall ſhew to the Iuſtices how they hold them.

Rex vic. ſalutem. Præcipimus tibi quod per totam baliuam tuam, Videlicet tam in ciuitatibus quam in burgis & aliis villis mercatoriis & alibi publice Proclamari facias quod omnes illi qui aliquas libertates per chartas progenitorum noſtrorum regum Angliæ vel alio modo habere clamãt ſint coram Iuſticiariis noſtris ad primam aſſiſam cum in partes illas venerint ad oſtendẽdum quomodo huiuſmodi libertates habere clamant, & quo warranto, & tu ipſe ſis ibidẽ perſonaliter vna cũ balliuis & miniſtris, ad certificãdũ ipſos iuſticiarios ſuper his & alijs negotijs illud tãgẽtibus.

This clauſe of liberties that beginneth in this wiſe, Præcipimus tibi quod publice proclamari facias &c. is put in the Writ of Common ſummõs of the Iuſtices in Eyre, and ſhall haue a premonition by the ſpace of forty daies, as the commõ ſummons hath, So that if any party, that claimeth to haue a liberty, be before the King, it ſhall not be in default before any Iuſtices in their Circuits: for the King of his ſpeciall grace hath granted, that he will ſaue that party harmeleſſe, as concerning that ordinance. And if the ſame partie be impleaded vpon ſuch maner of liberties before one or two of the foreſaid Iuſtices, the ſame Iuſtices before whom the partie is impleaded, ſhall ſaue him harmeleſſe before the other Iuſtices, And ſo ſhall the King alſo before him when it ſhall appear by the Iuſtices that ſo it was in plea before them as is aforeſaid. And if the foreſaid party be afore the King, ſo that he cãnot be the ſame day afore the ſaid Iuſtices in their Circuits, the King ſhal ſaue that party harmleſſe before the foreſaid Iuſtices in their Circuits for the day, whereas he was before the King. And if he doe not come in at the ſame day, then thoſe liberties ſhall be taken into the Kings hands in name of diſtreſſe, by the Sheriffe of the place, ſo that they ſhall not vſe them vntill they come to anſwere before the Iuſtices. And when they doe come in by diſtreſſe, their liberties ſhall be repleuiſhed (if they demaund them) in the which repleuins they ſhall anſwere immediatly after the forme of the Writ aforeſaid: And if percaſe they will challenge and ſay that they are not bounden to anſwere thereunto without an originall Writ, then if it may appeare by any meane, that they haue vſurped or occupyed any liberties vpon the King or his Predeceſſors, of their owne head or preſumption, they ſhall be commanded to anſwer incontinent without Writ. And moreouer they ſhall haue ſuch iudgement as the Court of our Lord the King will award. And if they will ſay further, that their anceſtors dyed ſeiſed thereof, they ſhall be heard: And the truth ſhall be inquired incontinent, and according to that, Iudgement ſhall be giuen. And if it appeare, that their anceſtors dyed ſeiſed thereof then the King ſhall award an originall out of the Chancerie in this forme. Rex vic. ſalutem. Sum. per bonos ſummon. talem, quod ſit coram nobis apud talem locum in proximo aduẽtu noſtro in Com. predict. vel coram iuſticiarijs noſtris ad proximam aſſiſam, cum in partes illas venerint

Liberties ſeiſed into the Kings hands in the name of diſtres.

15.Ed.4 fol.7

A Quo warranto for a leet or other libertie.

rint,oſtenſurus quo warranto tenet viſum francipleg. in manerio ſuo de N.Vel ſic: quo warranto tenet hundredum de S.in Com.predict. vel quo warranto clamat habere thelonium pro ſe & heredibus ſuis per totum regnum noſtrum.Et habeas ibi hoc breue,Teſte &c. And if they come in at the ſame day they ſhall anſwer,& replication & reioynder ſhall be made, & if they do not come, nor be eſſoined before the King,and the King doe tary longer in the ſame Shire, the Sheriffe ſhall be commanded to cauſe them to appeare the fourth day,at which day if they come not, and the King be in the ſame Shire,ſuch order ſhal be taken as is in the circuit of Iuſtices.And if the King depart from the ſame Shire,they ſhall be adiourned vnto ſhort daies, and ſhall haue reaſonable delaies according to the diſcretion of the Iuſtices, as it is vſed in perſonall actions.Alſo the Iuſtices in Eire in their circuits ſhall doe according to the foreſaid ordinance, and according as ſuch maner of pleas ought to be ordered in the circuit. Concerning complaints made and to be made of the Kings Bailiffes,and of other,it ſhall be done according to the ordinance made before thereupon,and according to the inqueſts taken thereupon heretofore,and the cauſe ſubſcribed ſhall be put in a Writ of common ſummons in the circuit of the Iuſtices aſſigned to common pleas directed to the Sheriffe &c.and that ſhall be ſuch. Rex vicecomiti ſalutem. Præcipimus tici:quod publice proclamari facias,quod omnes conquerentes ſeu conqueri volentes, tam de miniſtris & alijs baliuis noſtris quibuſcunque,quam de miniſtris & baliuis aliorum quorumcunque, veniant coram iuſticiarijs noſtris ad primam aſſiſam,ad quaſcunque querimonias ſuas ibidem oſtendendas,& comperentes emendat.inde recipiendas ſecundum legem & conſuetudinem regni noſtri, & iuxta ordinationem per nos inde factam, & iuxta tenorem ſtatutorum noſtrorum, et iuxta articulos iiſdem iuſticiariis noſtris inde traditos,prout predicti iuſticiarij tibi ſcire faciant ex parte noſtra. Teſte meipſo,&c.decimo die Decembris Anno regni noſtri triceſimo.

A proclamation that all who wil complain of the Kings officers ſhall ſhew their griefes to the Iuſtices.

An Ordinance for Meaſures. Anno 31. *Ed.* 1.
& Anno Domini 1302.

By the conſent of the whole Realme of England the Kings Meaſure was made, So that an Engliſh penny,which is called the Sterling,roũd without clipping ſhall weigh xxxij.graines of wheat well dried,and gathered out of the middle of the eare, and xx. pence make an ounce, and xij.ounces make a pound,and viij.pounds make a Gallon of wine,and viij gallõs of wine make a Buſhell of London,which is the eight part of a quarter. Stat.12.H.7.5.

The Standard meaſure of a ſterling,ounce, pound,gallon, Buſhell,and quarter.

Statut. de Protectionibus *made at Weſtminſter,* 18. *die Nouembris,* Anno 33. Ed. 1.& Anno Domini 1304.

A cauſe to repeale a Protection of the Kings ſeruice.

Edward by the grace of God,&c.To all his true and faithfull ſubiects,greeting. Foraſmuch as many doe purchaſe the protection of our Lord the King,affirming that they were out of the Realme in the Kings ſeruice,or within the foure Seas in the Kings ſeruice falſly: It is prouided that if their aduerſarie will challenge the protection, and immediatly when it is ſhewed in the Court,will auerre that they were within the foure Seas, & out of the Kings ſeruice in a place certaine,ſo that they might haue well come, their challenge ſhall be entred, and the matter ſhall remaine without day according to the nature of the protection. And when it ſhall be reſũmoned, and he commeth into the Court,he ſhall demand iudgement and hearing of the proceſſe,and offer to auer his challenge if his aduerſary will attend.And if the Country do paſſe againſt him that caſt the protection,it ſhall returne to a default if he be tenant, And if he be demandant, he ſhall leeſe his Writ,and ſhall be amerced vnto the King. Giuen at Weſtminſter the xviij. day of Nouember,the xxxiij.yeare of King Edward ſonne of King Henry. Stat.1.R.2.8. St.13.R.2.16. Regiſt.fol.24.280. V.N.B.fol.21. Fitz.N.B.fol.28. Regiſt fol.451.&c.

8.H.6.fo.3.
1.Ed.4.fo.20.
7.Ed.3.fol.6.
4.Ed.3.fol.35.

A cauſe to repeale a protection of the Kings ſeruice.

fol.7

A definition of Conſpirators,made Anno 33.*Ed.* 1.
& Anno Domini 1304.

Who be Conſpirators: And who be Champertors.

Conſpirators be they that do confeder or bind themſelues by oath, couenant or other aliance, that euery of them ſhall aid & beare the other falſly & maliciouſly to indite,or falſly to moue or maintaine pleas,and alſo ſuch as cauſe children within age,to appeale men of felony, wherby they are impriſoned & ſore greeued,& ſuch as retaine men in the Countrey with liueries or fees for to maintaine their malitious enterpriſes: and this extendeth as well to the takers, as to the giuers. And Stewards & Bailiffes of great Lords which by their Seigniorie, office or power vndertake to beare or maintaine quarrels,pleas or debates that concerne other parties then ſuch

H.7.fol.11.
tz.Barre 4.
el.fol.81.
tz.Conf.2.4.5.
.13. 14.15.16.
21.22.25.
ke li.8.fol.37.

Who be Conſpirators. V.N.B.fo.56. Fitz.N.B.f.117.H Raſt.pla.fol.122.

Who be Champertors.

as touch the eſtate of their Lords or themſelues. This Ordinance and finall definition of Conſpirators was made and accorded by the King and his Counſell in his Parliament the xxxiij. yeare of his raigne. And it was further ordained that Iuſtices aſſigned to the hearing and determining of felonies and treſpaſſes, ſhould haue the tranſcript hereof. Champertors be they that moue pleas and ſuits, or cauſe to be moued either by their owne procurement or by others, and ſue them at their proper coſts, for to haue part of the Land in variance: or part of the gaines.

The Statute of Champertie made 18. *Septembris,*
Anno 33. Ed. 1. & Anno Domini 1305.

The puniſhment of ſuch as commit Champertie.

Stat. 3. Ed. 1. 25.
Stat 13. Ed. 1. 49.
Stat. 28. Ed. 1. 11.
Stat. 1. R. 2. 4.
Raſt. pla. fol. 118. 393. 450.

20. H. 6. fo. 33.
9. H. 7. fo. 18.
15. H. 7. fo. 2.
3. H. 6. fo. 35.
31. H. 6. fo. 8.

The puniſh. of thoſe that commit Champertie. Regiſt. fol. 183. V N. B. fol. 180. Fitz. N. B. fol. 172.

WHere it is contained in our Statute, that none of our Court ſhall take any plea to Champertie, by craft nor by engine. And that no Pleaders, Apprentiſes, Atturnies, Stewards of great men, Bailiffes, nor any other of the Realme ſhall take for maintenance, or the like bargaine, any maner of ſuit or plea againſt other, whereby all the Realme is much greeued, and both rich and poore troubled in diuers maners. It is prouided by a common accord, that all ſuch as from henceforth ſhall be attainted of ſuch empriſes, ſuits or bargaines, and ſuch as conſent thereunto, ſhall haue impriſonment of three yeares, and ſhall make fine at the Kings pleaſure, Giuen at Berwike vpon Twed, the twentieth yeare of the raigne of King Edward. Our Lord the King at the information of Gilbert Rowbery, Clerk of the Councell, hath commanded that whoſoeuer will complaine himſelfe of conſpirators, inuentors and maintainors of falſe quarrels, and partakers thereof, and brokers of debates, that Gilbert Thornton ſhall cauſe them to be attached by his Writ, that they be before our Soueraigne Lord the King, to anſwere vnto the plaintiffes by this Writ following.

Writ of conſpiracie.

REX vic. ſalutem. Præcipimus tibi, quod ſi A. de G. fecerit te ſecurum de clamore ſuo proſequendo, tunc pone per vadium & ſaluos plegios G. de C. quod ſit coram nobis in octauis Sancti *Iohannis Baptiſte*, vbicunque tunc fuerimus in Anglia, ad reſpondendum prædicto A. de placito conſpirationis & tranſgreſſionis ſecundum ordinationem noſtram nuper inde prouiſam, ſicut idem A. rationabiliter monſtrare poterit quod ei inde reſpondere debeat. Et habeas ibi nomina plegiorum & hoc breue. Teſte, &c.

An Ordinance for Enqueſts made 18. *September*
Anno 33. Ed. 1. & Anno Domini 1305.

He that challengeth a Iury or Iuror for the King ſhall ſhew his cauſe.

He that challengeth a Iurie or a Iuror for the K. ſhall ſhew the cauſe. Raſt. pla. fol. 115.

44. Ed. 3. fol. 38.
Fitz. Chall. 17. 63. 65. 107.
Bro. Chall. 22. 15

OF Inqueſts to be taken before any of the Iuſtices, and wherein our Lord the King is party howſoeuer it be: It is agreed and ordained by the King and all his Counſell, That from henceforth, notwithſtanding it be alleadged by them that ſue for the King, that the Iurors of thoſe Inqueſts, or ſome of them be not indifferent for the King, yet ſuch Inqueſts ſhall not remaine vntaken for that cauſe, but if they that ſue for the King, will challenge any of thoſe Iurors they ſhall aſſigne of their challenge a cauſe certaine, and the truth of the ſame challenge ſhall be inquired of according to the cuſtome of the Court, and let it be recouered to the takers of the ſame Inquiſitions, as it ſhall be found if the challenges be true or not after the diſcretion of the Iuſtices.

This Ordinance precedent, and the Ordinance following of the Foreſt, were made in the Parliament at Weſtminſter, the Sunday next before the Feaſt of S. Mathew the Apoſtle, the three and thirtieth yeare of the raigne of King Edward ſonne of King Henry.

Ordinatio Foreſtæ, *made* 33. Edw. 1.
& Anno Domini 1305.

They whoſe Woods are diſaforeſted ſhall not haue common or other eaſement in the Foreſt.

WHereas certaine people that be put out of the Foreſt for the purliew, and by the great men haue made requeſt to our Lord the King at this Parliament that they might be acquitted of their charge, and of things that the Foreſters demand of them, as they were wont to be: Our Lord the King anſwered, Firſt that where he had granted purliew, that he was pleaſed that it ſhould ſtand, in like maner as it was granted, albeit that the thing was ſued and demanded in an euill point. Neuertheleſſe he willeth and intendeth, that all his demean Lands whereſoeuer they be, that haue been of the Crowne, being returned by way of eſcheate or otherwiſe, ſhal haue Eſtate of Free chaſe and Free warren, and in ſuch maner ſhal be ſaued and kept to his vſe for all maner of eſcheates, and for al maner of things that pleaſeth him. And in right of them that haue lands and tenements diſafforeſted for the ſaid purliew, and ſuch as demand to haue cõmon within the bounds of Foreſts, The intent and will of our Lord the King is, that from henceforth (where purliew is) they may claime to be quit of charge of the Foreſts. And whereas the Kings beaſts cannot haue their haunt and repaire vpon the Foreſt ground as they had ſo long as they were within the Foreſts, that ſuch folke ſhall not haue common, nor other eaſement within the bounds of the woods, nor of the lands, the which remaine in Foreſt: but if any of them that be diſafforeſted by the purliew, would rather be within the Foreſt as they were before, then to be out of the Foreſt, as they be now. It pleaſeth the King very well, that they ſhall be receiued thereunto, ſo that they may remaine in their ancient eſtate, and ſhall haue common and other eaſement as well as they had before. Whereupon our Lord the King willeth and commandeth, that his Iuſtices of the Foreſt on this ſide Trent and beyond Trent, in like manner ſhall keepe and hold, and cauſe to be kept and holden ſtraitly the foreſaid points within their Liberties in the forme aboue mentioned.

They whoſe Woods are diſforeſted ſhal not haue common within the Foreſt.

They which will returne their woods into the Foreſt, ſhall haue common as they had before.

An Ordinance for meaſuring of Land made

Ann. 34. Ed. 1. & Ann. Dom. 1306.

WHen an Acre of Land containeth x. Perches in length, then it ſhall be in breadth xvj. Perches: When it containeth xj. Perches in length, then it ſhall be in breadth xiiij. di. and iij. quarter of one foot: When it is xij. then xiij. v. foot, and di. When it is xiij. then xiij. v. foot, and almoſt an inch: When xiiij. then xj. vij. foot and almoſt one inch: When xv. then x. and di. ij. foot and iij. quarter of a foot: When xvj. then x. When xvij. then ix. vj. foot, iij. q. of a foot, and almoſt halfe an inch: When xviij. then viij. xiiij. foot and viij. inches: When xix. then viij. vj. foot and xj. inches and di. When xx. then viij. perches: When xxj. then vij. perches x. foot, two inches and iij. quarter of an inch: When xxij. then vij. iiij. foot and an halfe: When xxiij. then vj. three quarter, ij. foot, and xj. inches and di. When xxiiij. then vj. and di. ij. foot, and vj. inches: When xxv. then vj. vj. foot and almoſt ij. inches: When xxvi. then vj. ij. foot and almoſt di. When xxvij. then v. iij. quarter v. inches and di. When xxviij. then v. xj. foot x. inches and di. When xxix. then v. viij. foot, v. inches and di. When xxx. then v. v. foot and di. When xxxj. then v. ij. foot and viii. inches: When xxxij. then v. When xxxiij. then iiij. xiiij. foot and foure inches: When xxxiiij. then iiij. and di. iij. foot and iiij. inches: When xxxv. then iiij. and di. j. foot iij. inches and di. When xxxvj. then iiij. vij. foot and iiij. inches: When xxxvij. then iiij, v. foot and iiij. inches: When xxxviij. then iiij. iij. foot, and almoſt di. When xxxix. then iiij. j. foot, and almoſt ix. inches: When xl. then iiij. When xlj. then iij. iij. quarter, j. foot, and x. inches: When xlij. then iij. iij. quarter and vij. inches: When xliij. then iij. and di. iij. foot, an inch and di. When xliiij. then iij. and di. ij. foot and iij. inches: When xlv. then iij. and di. di. a foot and three inches.

The Statute *de Coniunctim feoffatis* made 27. *Maij*

Anno 34. Ed. 1. & Ann. Dom. 1306.

Iointenancie pleaded in abatement of a Writ, &c.

Stat. 13. Ed. 1. 25.

THe King vnto all, to whom theſe &c. Greeting. It is no new thing that among diuers eſtabliſhments of Lawes, which we haue ordained in our owne time vpon the great and heinous miſchiefes, that happen in Writs of Nouel diſſeiſin, chiefely aboue other, we haue deuiſed more ſpeedy remedy, in thoſe Writs, then was before. And foraſmuch as it chanceth many times in aſſiſes of Nouel diſſeiſin, that the Tenant doth except againſt the Plaintiffe, that he holdeth the Tenements in demaund iointly with his wife, not named in the Writ, and ſometime with a Stranger not named in the Writ, and ſheweth forth a Deed teſtifying the ſame, and demandeth Iudgement of the Writ. It is agreed and ordained, that if the Plaintiffe will offer to auerre by Aſſiſe, that the day of his Writ purchaſed he that alledged the exception was ſole Tenant, ſo that neither his wife, nor any other had any thing in the ſaid Lands, then the Iuſtices, before whom the Aſſiſe is arraigned, ſhall retaine the ſame Deed ſafely in their keeping, (vntill the Aſſiſe be tried betweene them thereupon) as that which is in a ſort denied. And they ſhall let the partie abſent to vnderſtand by their Writ vnder their teſtimony, and alſo to the Iointenant that is preſent, of whom the Deed maketh mention, that he be preſent at a certaine day with the other Tenant, to anſwere vnto the partie Plaintiffe as well vpon the exception alledged, as of the Lands demanded and put in view, if it ſeeme expedient for him, at which day if both that are named Tenants doe come in, and doe iuſtifie the ſame feoffement, they ſhall anſwere and maintaine the exception alledged by one of them, and further ſhall anſwere vnto the aſſiſe as though the originall Writ had been purchaſed againſt both of them iointly. And if it be proued by aſſiſe, that the exception was

Fitz. Briefe 757. 24. Ed. 3. fol. 51.

What ſhall be done when the Tenant in Aſſiſe doth plead Iointenancie.

27. Aſſ. pl. 70. Kel fol. 110. 25. Aſſ. pla. 14. 23. Aſſ. pla. 13. 17. Aſſ. pl. 20. 21. Aſſ. pl. 21. Kel. fol. 110. Fitz. Proceſ. 22. 49. 1[illegible]8.

A Scire facias awarded to the Iointenant. Regiſt. ind. fo. 47. 56. 59.

alledged maliciouſly to delay the plaintiffe of his right, ſo that they held not the ſame land iointly the day of the Writ purchaſed, then albeit the ſame aſſiſe doe paſſe for the Tenants, and againſt the plaintiffe, yet they that alledge the exception ſhal be puniſhed by one yeares impriſonment, whence they ſhall not be deliuered without a grieuous fine. And let the Iuſtices be well aduiſed, that from henceforth they doe not allow an exception alledged by the Bailiffes of any ſuch Tenants: And if he that alledgeth the exception abſent himſelfe at his day, and the other that is named Iointenant doe appeare, although he that doth appeare doth diſauow the ſame Deed, and ſay that he hath nothing in the foreſaid tenements, neuertheleſſe the aſſiſe ſhall paſſe againſt the tenant that is abſẽt by his default. And if it be foũd by aſſiſe, that they were not iointly enfeoffed the day of the Writ purchaſed, and likewiſe that the tenant againſt whom the Writ was purchaſed, or another named in the Writ did diſſeiſe the plaintiffe, then hauing regard to the exception that was falſly and maliciouſly alledged to the hurt of the party, and to the diſſeiſin that they made: the party plaintiffe ſhall recouer his ſeiſin and double damages, and they that alledge the falſe exception ſhall haue the puniſhment aforeſaid. But if neither of the tenants doe come at the day, then vpon their default the Aſſiſe ſhall paſſe againſt them. And if it be found thereby that the ſame exception was lawfully and truly alledged, and that they which alledged it were iointly ſeiſed before the plaintiffe purchaſed his Writ againſt them, the aſſiſe ſhall paſſe no further, but the writ ſhall be abated. The ſame ſhall be obſerued, if both or one only doe appeare, if it be found by aſſiſe, that the exception aforeſaid was truly alledged, as before is ſaid. In the ſame order it is eſtabliſhed and agreed that in aſſiſes of Mortdanceſtor, and Iuris vtrum, at the firſt day that the parties appeare in court, if the Tenant alledge the foreſaid exception againſt the demandant, ſhewing a deed thereupon, and the demandant will offer to auerre by the Aſſiſe or Iury, that at the day of his writ purchaſed, he that alledged the exception was ſole tenant, from thence the ſame proceſſe and manner of proceeding ſhall be vſed in Aſſiſes of Mortdanceſtor, and writs of Iuris vtrum, as before is ordained in aſſiſes of nouel diſſeiſin, and like puniſhment ſhall be inflicted vpon the offendors, and thoſe that be conuict. In other writs whereby tenements are demanded ſuch proceſſe ſhall be made, that if at the firſt day, that the parties appeare in court, the tenant doth alledge the foreſaid exception of a ioint feoffement, and the demandant will offer to auerre by the Countrey that the day of the writ purchaſed, he that alledged the exception was ſole tenant, then the ſame proceſſe and manner of proceeding, ſhall be obſerued betwixt the parties vntill a Iury haue paſſed between them thereupon. And if it be found by the Iury, that the ſame exception was truly alledged, then the writ of the demandant ſhall abate: And if it be founden by the Iury, that the ſame exception was falſly alledged, and to the hinderance of the party, then the demandant ſhall recouer his ſeiſin of the tenements in demand, and the tenant ſhall be puniſhed by the paine aboue limited in Aſſiſes of Nouel diſſeiſin, as to the impriſonment, and as to the damages according to the diſcretion of the Iuſtices. And we will and grant, that this ſtatute ſhall take his effect the morrow after the feaſt of S. Peter ad vincula, next comming. Foraſmuch alſo as pleas in Court ſpirituall heretofore had many times vnmeet delaies, for that our writ that is called Indicauit, was many times brought before the Iudges of ſuch matters when they were begun: and thereupon our chiefe Iuſtices could not proceed lawfully, nor in due maner to award a writ of Conſultation vpon ſuch manner of proceſſe: It is agreed that ſuch a writ of Indicauit, ſhall not be granted from henceforth to any before the matter hanging in the Spirituall Court betweene the parties be recorded, and that our Chancellor ſhall be certified thereof by the ſight and inſpection of the lybell. In witneſſe of which thing we haue cauſed theſe our Letters to be Patent. I my ſelfe being witneſſe at Weſtminſter giuen the ſeauen and twentieth day of the month of May, the foure and thirtieth yeare of our raigne. Raſt. pla. fol. 62. 66. 80. 225. 381.

Iointenancie in Aſſiſes ſhall not be pleaded by Bailiffes.

31. Aſſ. pl. 11. 16. Aſſ pla. 8. Fitz. Peine 6.

19. Aſſ pla. 8. 21. Aſſ pla. 28. 22. Aſſ. pl. 1.

Iointenancie pleaded in Mortdanceſtor and Iuris vtrum.

Iointenancie pleaded in other reall actions.

Fitz. Briefe. 762.

When the writ of Indicauit is to be granted. St. 13 Ed. 1. 5. Regiſt. fo 35. V. N. B. fo. 32. Fitz. N. B. fo. 30. c. 45. c.

31. H. 6. fo 13.

Articles of Inquiſition vpon the Statute of Wincheſter, viz. An Inquirie how the particular Branches of that Statute be performed, and by whom broken.

The manner of inquiring vpon the Statute of Wincheſter when it is obſerued, and when not, and of ſuch as haue obſerued the ſaid ſtatute, and of ſuch as haue not ſuffered the contents thereof to be obſerued, Of felonies and robberies committed after Eaſter the xiij. yeare of the raigne of King Edward, and in what maner ſuch felonies were done, where & by whom inquiſitions were made of thẽ by inqueſts, according to the tenor of the Statutes made thereupon after. And if the Sheriffes, haue anſwered for the bodies of ſuch offendors or not. Alſo if the gates of the Cities or great Townes were ſhut from the time of the Sunne going downe vntill the Sunne riſing. And if any ſtrangers or their chattels were lodged in the Suburbs, or in the outparts of the Citie, except it were in the day for whom their hoſtes would not anſwere. And alſo how Bailifes & other officers of townes haue made inquiry therof. And if watches haue bin kept in ſuch ſort as is contained in the ſaid ſtatute or not, & how the watchmen haue kept their watch.

An inquirie ſhal be made of the particular branches of the ſtatute of Wincheſter.

And if the Kings high waies from one Market towne to another be inlarged aſwell in our Lord the Kings owne Woods as elſewhere according to the Statute, and if they be not inlarged, to enquire what waies, and where they be, and who ought to haue enlarged them, and of ſuch as doe hinder ſuch enlargements, as well in parkes as in other woods. Alſo if all betwéene the age of xv. and lx. be ſworne to kéepe the peace. Alſo if they haue weapons in their houſes according to the quantitie of their lands and goods for maintenance of the peace according to the Statute. And alſo if Conſtables doe make view of Armour in due manner and of other things belonging to their office or not. Alſo if Sheriffes, Hundreders, Bailiffes of Liberties, and Foreſters, haue come at Huy and Cry leuied, and if they haue made purſute for kéeping the kings peace according to the ſtatute or not.

A Statute of Amortiſing Lands made *tempore Ed.* 1. That lands ſhall not be aliened in Mortmaine where there be Meaſnes without *their conſent.*

TOuching the Kings grant to be made vpon Inqueſts returned in the Chancerie for Lands to be aliened into Mortmaine, The King commandeth that nothing ſhall bée done (where there be any Lords meane) except the religious perſons can ſhew to our Lord the King their aſſent vnder their patents ſealed with their ſeales. And that nothing ſhall paſſe, in caſe where the donor reſerueth nothing to himſelfe. And likewiſe where inquiſitions be made and returned without warrant, that is to wit, the Writ originall returned with the Inqueſt, and likewiſe vnleſſe the Writ originall make mention of euery thing according to the new ordinance deuiſed by the King. Regiſt.fo.247. V.N.B.fo.106.Fitz.N.B.fol.222. Raſt.pla.10.25.32.

43.Aſſ.pla.19.
6.Ed.3.fo.23.

Lands ſhall not be giuen into Mortmaine without conſent of the Meſne.
Stat.9.H.3.36.
Stat.7.Ed 1.
Stat.13.Ed.1.32.

A Statute made in the time of King *Ed.* 1. Whereby the King granted Liberties, &c.

CAP. I.

The King or his Heires ſhall haue no Tallage or Aide without conſent of Parliament.

NO Tallage or aide ſhall be taken or leuied by vs or our Heires in our Realme, without the good will and aſſent of Archbiſhops, Biſhops, Earles, Barons, Knights, Burgeſſes, and other Fréemen of the Land.

The King ſhall haue no Aide without aſſent of Parliament.

CAP. II.

Nothing ſhall be puruaied to the Kings vſe without the owners conſent.

NO Officer of ours, or of our Heires ſhall take, Corne, Leather, Cattell, or any other goods, of any manner perſon, without the good will and aſſent of the partie to whom the goods belonged.

No Puruaiſſe without the owners conſent.

CAP. III.

Nothing ſhall be taken of Sackes of Wooll by colour of Maletent.

NOthing from henceforth ſhall be taken of Sackes of Wooll by colour or occaſion of Maletent.

Maletent.

CAP. IIII.

All Lawes, Liberties, and Cuſtomes confirmed.

VVE will and grant for vs and our heires, that all Clerkes and lay men of our land, ſhall haue their lawes, liberties, and frée cuſtomes as largely and wholly, as they haue vſed to haue the ſame at any time when they had them beſt. And if any ſtatutes haue béene made by vs or our anceſtors, or any cuſtomes brought in contrarie to them, or any manner article contained in this preſent charter: we will and grant that ſuch manner of ſtatutes and cuſtomes ſhall be voide and fruſtrate for euermore.

All lawes, liberties and cuſtomes confirmed.

CAP. V.

Pardon granted to certaine Offenders.

MOreouer we haue pardoned Humfrey Bohun Earle of Hereford and Eſſex Conſtable of England, Roger Earle of Norfolke and Suffolke, Marſhall of England, and other Earles, Barons, Knights, Eſquires, and namely Iohn de Ferrariis with all other being of their

Pardon.

fellowſhip, confederacie, and bound, and alſo all other that hold xx. pound land in our Realme, whether they hold of vs in chiefe or of other, that were appointed at a day certaine to paſſe ouer with vs into Flanders, the rancour and euill will borne againſt vs and all other offences that they haue done againſt vs, vnto the making of this preſent Charter.

CAP. VI.

The Curſe of the Church ſhall be pronounced againſt the breakers of this Charter.

Curſe.

And for the more aſſurance of this thing we will and grant that all Archbiſhops and Biſhops for euer, ſhall read this preſent Charter in their Cathedrall Churches twice in the yeare, and vpon the reading thereof in euery of their Pariſh Churches ſhall openly denounce accurſed all thoſe that willingly doe procure to be done any thing contrary to the tenour, force and effect of this preſent Charter in any point and Article. In witneſſe of which thing we haue ſet our Seals to this preſent Charter, together with the Seales of the Archbiſhops, Biſhops, &c. which voluntarily haue ſworne that as much as in them is, they ſhall obſerue the tenor of this preſent Charter in all cauſes and articles, and ſhall extend their faithfull ayde to the kéeping thereof, &c.

Ordinatio pro ſtatu Hiberniæ, made Anno 17. Ed. 1. & Anno Dom. 1288.

EDVVARD by the grace of God King of England, Lord of Ireland, Duke of Aquitaine, To all thoſe who ſhall ſee or heare theſe Letters, doth ſend Salutatiō: Know you that for the amendment of the gouernement of our Realme of Ireland, and for the peace and tranquilitie of our people of the ſame land, at *Notingham* the *Octaues* of Saint *Martine* in the ſeuenteenth yeare of our Raigne, by the aſſent of our Counſell there being, the points hereafter mentioned be made & agreed vpon, to the intent that they may be firmely obſerued in the ſame Realme.

CAP. I.

The Kings Officers in Ireland ſhall purchaſe no Land there without the Kings Licence.

The Kings officers in Ireland ſhall purchaſe no land there.

Firſt that the Iuſtices of Ireland nor any other Officer of ours of the ſame Realme, ſo long as they are in our Seruice there, ſhall purchaſe any Land or Tenement within the liſt or bound of their Bailiwickes without our ſpeciall licence: And if any doe the contrary, that which he ſhall purchaſe ſhall accrue and be forfeit to vs and our heires: Sauing to the chiefe Lord of the fée, the Seruices due and accuſtomed for the Lands, and Tenements ſo accruing and forfeit to vs.

CAP. II.

In what caſe onely Puruaiance may be made in Ireland.

In what caſe onely puruaiance may be made in Ireland.

Alſo that neither our Iuſtice of Ireland, nor any other of our officers there, by colour of their offices ſhal take victualls or any other things of any perſon againſt his will, but in time of neceſſitie for the common profit of the Realme: and that then he ſhall doe it by the aduiſe and aſſent of the greateſt part of our Counſell in thoſe parts, and by a writ awarded out of our Chancery of Ireland: and in ſuch caſe as we or our heires doe command by a writ awarded out of our Chancery of England, or by other warrants.

CAP. III.

Tranſporting of Merchandizes out of Ireland.

Tranſporting of Merchandiſe.

Moreouer that none of our Iuſtices, nor any of out other miniſters, by colour of their office, ſhall arreſt ſhips, nor other goods of ſtrangers, or of our owne people: but that all Merchāts and others may carry their Corne and other Victuals and Merchandizes forth of our Realme of Ireland vnto our Realme of England, and vnto our land of Wales (ſauing in the caſe aforeſaid) paying the cuſtomes due and vſed, ſo that they make good ſecurity that they ſhall not goe vnto, nor commerce with our enemies of Scotland, nor other of our enemies, if any ſhalbe: And if any Iuſtice or other officer doe the contrary in the things aforeſaid, and be thereof attainted, he ſhall ſatisfie the Plaintife double damages, and alſo ſhall be grieuouſly puniſhed by vs.

CAP. IIII.

The Fees of a Bill of Grace in Ireland.

A Bill of grace.

HEreafter there ſhall be taken and paid for the Seale of our Iuſtice of Ireland, for euery Bill of grace, iiij.d. and for the writing of euery Bill ij.d. and no more.

CAP. V.

The Marſhals Fee in Ireland.

The Marſhals Fee.

ANd there ſhall be taken of him which is committed to priſon by authoritie of our Court, when he ſhall be deliuered iiij.d. for the Marſhills fee, and no more: And if any doe offend the ordinances aforeſaid, and thereof be attainted at our ſuite, or the ſuit of the partie, he ſhall make ſatisfaction to the partie, and be grieuouſly puniſhed by vs.

CAP. VI.

In what caſes the Iuſtice of Ireland may grant pardon of Felony, &c. and where not.

Pardons. Protections.

ANd that no pardon from henceforth ſhall be granted by our Iuſtice of Ireland of the ſuite of our peace for the death of a man nor for other Felonie, nor for flying for the ſame, to them which ſhall be accuſed or indicted of ſuch felonies, nor ſhall be ſealed with our Seale there, without the ſpeciall commandement of vs our ſelues vnder ſome of our Seales of England. Sauing that our ſaid Iuſtice of Ireland, & our Chancellor of Ireland, with the aduiſe of our Counſell of Ireland may grant pardon of felonies committed before the date hereof, as they ſhall perceiue it may ſtand with Our honour, and profit, and peace and tranquility of our people there, and with the commandement which they haue receiued from vs: So alwaies that there be no pardon or protection granted of thoſe felonies which ſhall be hereafter committed, without the ſpeciall commandment of Us our ſelues, as is aforeſaid.

CAP. VII.

By what Seale Writs in Ireland ſhall be ſealed.

Sealing of writs.

ANd that none of our officers ſhall receiue an originall writ pleadable at the Common law, but ſuch as be ſealed by the great Seale of Ireland, Nor any proces ſhall be made by any other writ, ſauing that by our Seale of our Exchequer of Ireland, of things touching that Court, it ſhall be done as by reaſon it ought to be, and according as it hath bin heretofore accuſtomed.

CAP. VIII.

Adiournement of Aſſiſes in Ireland.

Aſſiſe of Nouel diſſeiſin.

ITem, that our Iuſtice of the ſame Realme ſhall not by his writs, or Letters, delay or adiourne an Aſſiſe of Nouel diſſeiſin before him, but in the County where he ſhal be preſent, & during that time as he ſhall remaine in the ſame Countie. In witneſſe whereof we haue cauſed theſe our Letters Patents to be made. Dated at Nottingham the foure and twentieth day of Nouember the xvij. yeare of our raigne.

Ordinatio Foreſtæ, made *Anno* 34. *Ed.* 1. *&* *An. Dom.* 1306.

CAP. I.

How offences done in the Foreſt ſhall be preſented.

Preſentment of offences done in the Foreſts.

V.N.B. fo. 41.

FIrſt, we haue ordained for our ſelues and our heirs, that all treſpaſſes hereafter to be done in our Foreſts of Greene Hugh, and of Hunting: the foreſters within whoſe Bailiwicks ſuch treſpaſſes ſhall happen to be committed, ſhall preſent the ſame at the next Swanimote, before the Foſters, Verdors, Regardors, Agiſtors, and other miniſters of the ſame foreſt: and vpon ſuch preſentations there before the Foſters, Verdors, and all other miniſters aforeſaid: by the oath aſwell of Knights as of other lawfull and honeſt men of the neereſt parts where the treſpaſſe ſo preſented ſhall be done not ſuſpected, the truth of the matter ſhall be lawfully inquired of, and the truth ſo enquired of, the ſame preſentations by the common accord and aſſent of all the miniſters aforeſaid, ſhall be ſolemnely confirmed and ſealed with their Seales. And if an Inditement be in any other manner, it ſhall be adiudged void.

Cap. II.

An Officer dying or being abſent another ſhall be put in his place.

An officer dying or being abſent.

AND if it happen any of the ſaid Foreſters, Regarders, or other miniſters of the ſame Foreſts to die, or by ſickneſſe or other meanes to be hindered, whereby he cannot be preſent at the ſame Swanimote, preſently the Iuſtice of the ſame foreſt, or his Lieutenant ſhall put another in his place : ſo that the Inditement may be made by all in forme aforeſaid. And that the Officers which are to be placed, ſhall be put in as heretofore it hath béene vſed to be : Except the verderors who ſhall be ordained by election and by our writ.

Cap. III.

No Foreſter ſhall be put in any Aſſiſes or Iuries.

No Foreſter ſhall be put in a Iury.

AND we will that none of the foreſaid miniſters ſhall hereafter be put in any Aſſiſes, Iuries, or Enqueſts to be taken without the foreſt. Regiſt.fo.183. Fitz.N.B.fo.

Cap. IIII.

The puniſhment of Officers ſurcharging the Foreſt.

Surcharge of the Foreſt by officers.

AND if there be any ſurcharge found of the foreſters, or by ſuch other as take vpon them to be Officers of the Foreſt, ſuch ſurchargers ſhall be remoued and impriſoned according to the diſcretion of the Iuſtice of the Foreſt, or his Lieutenant : And they by whom they were placed ſhall be alſo puniſhed at our pleaſure. And at euery Swanimote inquiſition ſhall be made of ſurchargers, of Foreſters, and other miniſters of the Foreſt, and of their oppreſſions done to our people, and reformation and puniſhment ſhall be done, as it is ordained before.

Cap. V.

Grounds diſaforeſted.

Grounds diſaforeſted.

AS touching them that committed treſpaſſes of gréene hugh or hunting, at ſuch time as the Foreſt was diſaforeſted: we will that thoſe offences ſhall be pardoned, ſauing ſuch treſpaſſes which were cōmitted in that part which doth remaine Foreſt: yet ſo as that the hedges and diches made in the meane time ſhall be wholly caſt downe, remoued, and auoided: ſauing our Arrentations which we will haue remaine according to the aſſiſe of the Foreſt. The wood which is felled and cut downe ſhall be remoued, and the wood which is ſtanding ſhall remaine in the Foreſt. And if any ſuch wood yet ſtanding be ſold, it ſhall remaine in the Foreſt, and the ſeller ſhall ſatiſfie the buyer according to the quantitie of the wood ſtanding in the Foreſt, and ſo ſold in the meane time as he receiued of him.

Cap. VI.

Common in the Foreſt.

Aſſeſſing fines for treſpaſſes in the Foreſt.

VVE will alſo that our Iuſtice of the Foreſt, or his lieutenant in the preſence of our Treaſorer, and by his aſſent, ſhall haue authoritie to take fines and amerciaments, of thoſe which be indicted for treſpaſſes committed in our Foreſts, and not tary for the Eyre of the Iuſtice. And moreouer, we will that they which had Common of Paſture in the Foreſt before the perambulation was made, & which were after returned into the Foreſt, & that were reſtrained of Common by the ſaid perambulation, ſhall haue their Common of paſture hereafter in the foreſt, as fréely and largely as they were wont to haue before the perambulation made. Sauing our Arrentations in forme aforeſaid. In witneſſe whereof, &c. At Weſtminſter. 28.dei Maij, Anno 34. Edwardi primi. Regiſt.fol.80.

Statutum de Aſportatis Religioſorum, made *Anno* 35.*Ed.*1.
& Anno Dom.1307.

Cap. I.

The cauſes of Erection of Abbies. Impoſitions ſet be Priors Aliens.

OF late it came to the knowledge of our Lord the King, by the grieuous complaint of the honourable perſons, Lords, and other noble men of his Realme, That whereas Monaſteries, Priories, and other Religious houſes were founded to the honour and glory of God, and the aduancement of the holy Church, by the King and his progenitors, and by the ſaid Noble men, and their Anceſtors, and a very great portion of Lands and tenements haue béene giuen by them to the ſaid Monaſteries, Priories and houſes, and the religious men ſeruing God in them, To the intent that Clerkes and Lay men might be admitted in ſuch Monaſteries, Priories and religious houſes, according to their ſufficient abilitie, and that ſicke and feeble men might be maintained, hoſpitalitie, almes giuing, and other charitable deeds might be done, and that in them prayers might be ſaid for the ſoules of the ſaid Founders and their heires: The Abbots, Priors, and Gouernors of the ſaid houſes, and certaine Aliens their ſuperiours, As the Abbots, and Priors of Ciſtercienſes, and Promonſtratenſes, and of the orders of S. Auguſtine, and S. Benet, and many more of another Religion and order, haue at their owne pleaſures, ſet diuers vnwonted, heauy, and importable tallages, payments, and impoſitions vpon euery of the ſaid Monaſteries, and houſes in ſubiection vnto them in England, Ireland, Scotland, and Wales, without the priuitie of our Lord the King and his Nobilitie, contrary to the Lawes and Cuſtomes of the ſaid Realme. And thereby the number of Religious perſons, and other ſeruants in the ſaid houſes and religious places being oppreſſed by ſuch Tallages, paiments, and impoſitions, The ſeruice of God is diminiſhed, Almes be not giuen to the poore, the ſicke and feeble, the healths of the liuing, and the ſoules of the dead be miſerably defrauded, Hoſpitalitie, almes giuing, and other godly deeds doe ceaſe. And ſo that which in times paſt was charitably giuen to godly vſes, and to the increaſe of the ſeruice of God, is now conuerted to an euill end. By permiſſion whereof there groweth great ſcandall to the people, and infinite loſſes and diſheritances are like to enſue to the Founders of the ſaid houſes, and their heires, vnleſſe ſpeedy and ſufficent remedy bee prouided to redreſſe ſo many and grieuous detriments.

The cauſe of foundation of religious houſes.

Coke li 11.fo.73.

Impoſitions ſet by certaine religious houſes vpon their inferiours.

Wherefore our foreſaid Lord the King, conſidering that it would be very preiudiciall to him and his people, if he ſhould any longer ſuffer ſo great loſſes and iniuries to be winked at, and therefore being willing to maintaine and defend the Monaſteries, Priories, and other Religious houſes erected in his Kingdome, and in all lands ſubiect to his Dominion, and from henceforth to prouide ſufficient remedy to reforme ſuch oppreſſions as he is bound: By the Counſell of his Earles, Barons, great men, and other Nobles of his kingdome in his Parliament holden at Weſtminſter, in the three and thirtieth yeare of his Reigne hath ordained and enacted.

CAP. II.

Religious perſons ſhall ſend nothing to their Superiours beyond the ſea.

That no Abbot, Prior, Warden, or any other Religious perſon, of whatſoeuer condition, ſtate or Religion he be, being vnder the power or iuriſdiction of others, ſhall by himſelfe, or by Merchants, or others, ſecretly or openly, by any deuiſe or meanes, carry or ſend, or by any meanes cauſe to be ſent any taxe impoſed by the Abbots, Priors, Maſters, or Wardens of religious houſes their Superiours, or aſſeſſed amongſt themſelues, out of his Kingdome and his dominion, vnder the name of a Rent, Tallage, or any kinde of impoſition, or otherwiſe by the way of exchange, mutuall ſale, or other contract howſoeuer it may bee tearmed. Neither ſhall depart into any other Countrey for viſitation or vpon any other colour, by that meanes to carry the goods of their Monaſteries and houſes out of the Kingdome and dominion aforeſaid. And if any will preſume to offend this preſent Statute, he ſhall be grieuouſly puniſhed according to the quality of his offence, and according to his contempt of the Kings prohibition.

Religious perſons ſhall ſend nothing to their ſuperiors beyond ſea.

CAP. III.

No impoſitions ſhall be taxed by Priors Aliens.

Moreouer, our foreſaid Lord the King doth inhibite all and ſingular Abbots, Priors, Maſters and Gouernours of religious houſes and places being Aliens, to whoſe authoritie, ſubiection, and obedience, the houſes of the ſame orders in his Kingdome and Dominion be ſubiect, that they doe not at any time hereafter impoſe, or by any meanes aſſeſſe any Tallages, payments, charges, or other burdens whatſoeuer, vpon the Monaſteries, Priories, or other religious houſes in ſubiection vnto them (as is aforeſaid) and that vpon paine of all that they haue, or may forfeit.

Impoſitions taxed by Aliens.

CAP. IIII.

By whom the common Seale of an Abbey ſhall be kept, and how vſed.

oke li.8.fo.118.
itz.Abbe.14.
8.H.6.fo.27.

And further, our Lord the King hath ordained and eſtabliſhed, That the Abbots of the Orders of Ciſtercienſes, and Promonſtratenſes, and other religious Orders, whoſe Seale hath heretofore beene vſed to remaine onely in the cuſtody of the Abbot, and not of the Couent, ſhall hereafter haue a common Seale, and that ſhall remaine in the cuſtody of the Prior of the Monaſtery or houſe, and foure of the moſt worthy and diſcreet men of the Couent of the

The common Seales of Abbeyes.

ſame houſe, to bée laid vp in ſafe kéeping vnder the priuate ſeale of the Abbot of the ſame houſe: So that the Abbot or Prior which doth gouern the houſe, ſhall be able of himſelfe to eſtabliſh nothing, though heretofore it hath béene otherwiſe vſed. And if it fortune hereafter, that Writings of Obligations, Donations, Purchaſes, Sales, Alienations, or of any other Contracts to be ſealed with any other Seale then ſuch a common Seale kept as is aforeſaid, they ſhall be adiudged voyd, and of no force in Law. But it is not the meaning of our Lord the King to exclude the Abbots, Priors, and the other Religious Aliens by the Ordinances and Statutes aforeſaid from executing their Office of Viſitation in his Kingdome and Dominion. But they may viſit at their pleaſures, by themſelues or others, the Monaſteries and other places in his Kingdom and Dominion in ſubiection vnto them, according to the dutie of their Office, in thoſe things onely that belong to regular obſeruation, and the diſcipline of their Order.

Abbots aliens may viſit their inferiours in England.

Prouided, that they which ſhall execute this Office of Viſitation, ſhall carrie, or cauſe to bée carried out of his kingdome and dominion, none of the goods or things of ſuch Monaſteries, Priories and houſes, ſauing onely their reaſonable and competent charges.

AND though the publication and open notice of the Ordinances and Statutes aforeſaid was ſtayed in ſuſpence for certaine cauſes ſithence the laſt Parliament vntill this preſent Parliament, holden at Carliell in the Octaues of Saint Hillarie, in the fiue and thirtieth yeare of the raigne of the ſame King Edward, to the intent they might procéede with greater deliberation and aduice. Our Lord the King, after full conference and debate had with his Earles, Barons, Nobles, and other great men of his kingdome touching the premiſſes, by their whole conſent and agreement hath ordained, and enacted that the Ordinances and Statutes aforeſaid, vnder the manner, forme, and conditions aforeſaid, from the firſt day of May next enſuing, ſhall be inuiolably obſerued for euer, and the offendors of them ſhall be puniſhed as is aforeſaid. Stat. 4. Ed. 3. 6. Stat. 5. Ed. 3. 3. Stat. 25. E. 3. Stat. 5.

Stat. ne Rector prosternat arbores in Cœmiterio, made Anno 35. Ed. 1. & Anno Dom. 1307.

In what caſes, and by whom Trees may be felled in Churchyards.

BEcauſe wée doe vnderſtand, that controuerſies doe oft times grow betwéene Parſons of Churches and their Pariſhioners, touching Trées growing in the Churchyard, both of them pretending that they doe belong vnto themſelues: Wée haue thought it good rather to decide this Controuerſie by writing then by Statute, For as much as a Churchyard that is dedicated, is the ſoile of a Church, and whatſoeuer is planted, belongeth to the ſoile, it muſt néedes follow, that thoſe Trées which be growing in the Churchyard, are to bée reckoned amongſt the goods of the Church, the which Lay men haue no authoritie to diſpoſe: But as the holy Scripture doth teſtifie the charge of them is committed onely to Prieſts to be diſpoſed of.

In wat caſes trees may bee felled in Churchyards.

And yet ſéeing thoſe Trées bée often planted to defend the force of the winde from hurting of the Church: Wée doe prohibite the Parſons of the Church, that they doe not preſume to fell them downe vnaduiſedly, but when the Chancell of the Church doth want neceſſary reparations. Neither ſhall they be conuerted to any other vſe, except the bodie of the Church doth néede like repaire: In which caſe the Praſons of their Charitie ſhall doe well to relieue the Pariſhioners with beſtowing vpon them the ſame Trées: which we will not command to be done, but we will commend it when it is done.

Anno primo *Edwardi ſecundi.*

A Statute for Knights, made Anno 1. Regis Edw.2. and Anno Dom: 1307.

Cauſes to excuſe a man from vndertaking of Knighthood.

7.H.6.fo.15. Fitz.Auerment.37

OUR Lord the King hath granted, That all ſuch as ought to be Knights, and be not, & haue béen diſtrained to take vpon them the Order of a Knight within the Feaſt of the Natiuitie of our Lord, ſhall haue reſpite to take the foreſaid Armes of a Knight, vntill the vtas of Saint Hillarie, without occaſion, and after that, they ſhall be diſtrained, except they make ſome other meane. Alſo he hath graunted that if any will complaine in the Chancerie, becauſe he was diſtrained, &c. and hath not twentie pound yearely in Fée, or for terme of life, & will proue that by the Countrey, then it ſhall be written vnto the more diſcréet and ſage Knights of the Shire to take the ſaid Inquiſition, and if it be tried ſo by the ſame Inqueſt, he ſhall haue remedie, and the diſtreſſe ſhall ceaſe.

Cauſes to excuſe a man for vndertaking of Knighthood.

Alſo if any be impleaded for all his land, or for part of the ſame, ſo that the reſidue be not ſufficient to the value of twentie pound, and can proue the ſame, then the diſtreſſe ſhall ceaſe, vntill the ſame plea be determined. Alſo if any of thē be bounden in certaine debts ſtalled in the Eſchequer at a certaine ſumme to be receiued yearely, out of his lands, ſo that the reſidue of his lands doth not amount to the yearely value of twentie pounds beſides the ſame ſumme, the diſtreſſe ſhall ceaſe, vntill the foreſaid debt be clearely payed. And none ſhall be diſtrained to take vpon him the Order of a Knight before that he come vnto the age of one and twentie yeares.

None ſhalbe forced to be Knight before he be xxi. yeares of age.

Alſo none by reaſon of any land that he holdeth in Mannors, which be in auncient Demeane of the Crowne as a Sokeman, and which lands muſt alſo giue tallage when the Kings Demeanes are taſked, ſhall be diſtrained to take vpon him the Order of a Knight. Alſo of them that hold their lands in Socage, of other Mannors then of the Mannors of the Crowne, doing no forrain Seruice, the Rolles of the Chancery ſhall be ſearched for the times of the Kings Predeceſſors, and it ſhall be done as it hath béene vſed to be done.

A Sokeman.

In like maner ſhall be done of Clerkes being within holy Orders, holding Lay fée, which ſhould be Knights if they were lay. Alſo none ſhall be diſtrained for his Burgage lands, although they doe amount to the value of twentie pound yearely or more.

Clerkes within holy orders.
Burgage land.

Alſo they that ought to be Knights and be not, which haue holden their lands in their hands but a ſmall time, and likewiſe ſuch as ſhould be Knights that doe pretend great age, or default of their members, or any other incurable diſeaſe, or charge of their children, or of ſuits, or doe alledge ſuch neceſſary excuſes, they ſhall reſort vnto Robert Tiptoft, and Anthonie de Becke, and ſhall make fine before them, to whom it is enioyned, that according to their diſcretions they ſhall admit the reaſonable fines of all ſuch perſons.

Great age, incurable diſeaſe, charge of children, or of ſuits.

Stat. De frangentibus priſonam, *made* Ann. 1. Ed. 2. & anno Dom. 1307.

In what caſe it is Felony to breake priſon, in what not.

H.7.fo.6.
Ed.3.fo.17.
5.Ed.1.fol.42.
H.6.fol.6.
Ed.4.fo.26.
Kel.fol.87.
Dyer fol.99.
Fitz.Coron.133
Bro.Coron.79.

CONcerning priſoners which breake priſon, our Lord the King willeth and commaundeth, that none from henceforth that breaketh priſon, ſhall haue Iudgement of life, or member for breaking of priſon only, except the cauſe for which he was taken and impriſoned, did require ſuch iudgement, if he had béene conuict thereupon according to the Law and Cuſtome of the Realme, albeit in times paſt it hath béen vſed otherwiſe. Raſt.placitorum fol.247.

In what caſe it is Felony to breake priſon.

Articuli Cleri, made at Lincolne, *Anno 9.Ed.2.* and Anno Dom. 1315.

THe King to all to whom &c. ſendeth greeting. Vnderſtād ye, that wheras of late in times of our progenitors ſometimes Kings of Englād, in diuers their Parliaments, & likewiſe after that we had vndertakē the gouernance of the realm, in our Parliaments many articles containing diuers grieuances (cōmitted againſt the Church of England, the Prelats & Clergy) were propoūded by the prelats & Clerks of our realm, & further great inſtance was made that couenīēt remedy might be prouided therin. And of late in our Parliamēt holden at Lincoln the ninth yeare of our raign, we cauſed the articles vnderwrittē with certain anſwers made to ſome of them heretofore to be rehearſed before our Counſell, & made certaine anſwers to be corrected, & to the reſidue of the articles vnder writtē anſwers were made by us & our Counſell, of which ſaid articles with the anſwers of the ſame, the tenors here enſue.

Cap. I.

No prohibition ſhalbe granted where tithes be demanded, but where money for them.

No prohibition ſhalbe granted, but where mony for them.

FIrſt, whereas lay men do purchaſe prohibitions generally, vpō tithes, obuentions, oblations, mortuaries, redemption of penance, violent laying hands on Clerks or conuerts, and in caſes of defamation, in which caſes, ſpirituall penance ought to be enioyned. The King doth anſwere to this article, that in tithes, oblations, obuentions, mortuaries, (when they are propounded vnder theſe names) the Kings prohibition ſhall hold no place, although for the long withholding of the ſame, the money may be eſtéemed at a ſumme certaine. But if a Clerke or a religious man doe ſell his tithes being gathered in his barne, or other where, to any man for money, if the money be demaunded before a ſpirituall Judge, the Kings prohibition ſhall lie, for by the ſale the ſpirituall goods are made temporall, and the tithes turned into cattels. Regiſt.fo.34.36. V.N.B.fo.30.32. Fitz.N.B.fo.40.&c. 50.& Raſt.pla.fol.444.&c.

2.H.5.fo.10.
8.Ed.4.13.
Fitz.prohibit.18.
20.27.

Cap. II.

Debate vpon the right of tithes exceeding the fourth part. Enioyning penance corporall, or pecuniarie.

Debate of the right of tithes comming to the fourth part. Regiſt.fo 45.50. V.N.B.fo.32. Fitz.N.B.fo.30. 42.
Enioyning penance corporall or pecuniarie Regiſt.fo.35. Fitz.N.B.fo.53. Coke pla.fo.465.

ALſo if debats doe ariſe vpon the right of tithes, hauing his originall from the right of the patronage, and the quantitie of the ſame tithes doe come vnto the fourth part of the goods of the Church, the Kings prohibition ſhall hold place, if the cauſe come before a iudge Spirituall. Alſo if a Prelate inioine a penance pecuniarie to a man for his offence, and it be demanded, the Kings prohibition ſhall hold place. But if Prelates inioine a penance corporall, & they which be ſo puniſhed will redéeme vpon their owne accord, ſuch penances by money, if money be demanded before a Judge ſpirituall, the Kings prohibition ſhall hold no place.

31.H.6.fo.13.
28.H.6.fo.20.
12.Ed.4.fo.13.

Cap. III.

Laying violent hands vpon a Clerke. Excommunication for penance corporall.

Laying violent hands vpon a Clerke. Regiſt.fo.51. 53.57. Fitz.N.B.fo.52. f.53.A. Raſt.pl.f.465.

MOreouer, if any lay violent hands on a Clerke, the amends for the peace broken ſhall be before the King, & for the excommunication before a Prelate, that penance corporall may be enioined, which if the offender will redéeme of his owne good will, by giuing money to the Prelate, or to the partie gréeued, it ſhall be required before the Prelate, and the Kings prohibition ſhall not lie.

Cap. IIII.

Prelates may correct for defamation.

Defamation.

IN defamations alſo Prelats ſhall correct in maner abouesaid, the Kings prohibition notwithſtanding, firſt inioyning a penance corporal, which if the offender wil redéem, the Prelate may fréely receiue the mony, though the Kings prohibition be ſhewed. Regiſt.fo.45.49. Fitz.N.B.fo. 52. M.53.A. Raſt.pla.fo.447.&c.

Coke li.4.fol.10
Bro.A.ſur.caſe

Cap. V.

No prohibition where tithe is demaunded of a new Mill.

No prohibition where tithe is granted for a new mill.

ALſo if any doe erect in his ground a mill of new, and after the Parſon of the ſame place demaundeth tithe for the ſame, the Kings prohibition doth iſſue in this forme. The anſwere. Quia de tali molendino hactenus decimæ non fuerunt ſolutæ prohibemus, &c. Et ſententiam excommunicationis, ſi quam hac occaſione promulgaueritis, reuocetis omnino. In ſuch caſe the Kings prohibition was neuer granted by the Kings aſſent, nor neuer ſhall, which hath decréed that it ſhall not hereafter lie in ſuch caſes.

Cap.

Cap. VI.

Where a ſuit for one offence may be proſecuted both in Court Spirituall and Temporall.

ALſo if any cauſe or matter, the knowledge whereof belongeth to a Court Spirituall, and ſhall be definitiuely determined before a Spirituall Judge, and doth paſſe into a iudgement, & ſhall not be ſuſpended by an Appeale, and after if vpon the ſame thing a queſtion is moued before a Temporall Judge betweene the ſame parties, and it be proued by witneſſe or Inſtrumēts: Such an exception is not to be admitted in a Temporall Court. The anſwere. When any one caſe is debated before Judges Spiritual or Temporal, as aboue appeareth (vpon the caſe of lying violent hands on a Clerke) It is thought that notwithſtanding the ſpiritual iudgement, the Kings Court ſhall diſcuſſe the ſame matter as the party ſhall thinke expedient for himſelfe.

Coke li.4.fol.16. 20.

Where a ſuit may be commēced both in a ſpirituall and temporall court. Raſt.pl.f.448.

Cap. VII.

In what only caſe the Kings Letter ſhalbe ſent to diſcharge an excommunicate.

ALſo the Kings Letter directed vnto Ordinaries, that haue wrapped thoſe that be in ſubiection vnto them in the Sentence of excommunication, that they ſhould aſſoile them by a certain day, or elſe that they doe appeare, and ſhew wherefore they haue excommunicated them. The anſwere. The King decreeth that hereafter no ſuch Letters ſhall be ſuffered to goe forth, but in caſe where it is found that the Kings libertie is preiudiced by the excommunication. St.5.El.23. Regiſt fo.65. V.N.B.f.33.35. Fitz.N.B.f.62.&c.

.Ed.3.fo.8.
Coke li.8.fo.68.
.H.7.fo.21.
o.H.7.fo.9.
.H.4.fo.4.
4.H.4.fo.14.

The Kings Letter ſent to diſcharge one excommunicate.

Cap. VIII.

Clerkes in the Kings ſeruice ſhalbe diſcharged of their Reſidence: but ſhall be corrected by the Ordinary.

ALſo Barons of the Kings Eſchequer claiming by their priuiledge, that they ought to make anſwere to no complainant out of the ſame place, extend the ſame priuiledge vnto Clerkes abiding there, called to Orders, or vnto reſidence, and inhibit Ordinaries that by no meanes, or for any cauſe (ſo long as they be in the Eſchequer, or in the Kings ſeruice) they ſhall not call thē to iudgement. The anſwere. It pleaſeth our Lord the King, that ſuch Clerkes as attend in his ſeruice, if they offend, ſhall be correct by their Ordinaries, like as other, but ſo long as they are occupied about the Eſchequer, they ſhall not be bounden to keep reſidence in their Churches. This is added of new by the Kings Councell. The King and his anceſtors ſince time out of mind haue vſed that Clerkes which are imployed in his ſeruice, during ſuch time as they are in ſeruice ſhall not be compelled to keepe reſidence at their benefices. And ſuch things as be thought neceſſary for the King and the Common Wealth, ought not to be preiudiciall to the liberty of the Church.

Priuiledge of the Eſchequer.

Clerkes in the Kings ſeruice ſhalbe correct by their Ordinaries.

Clerks in the Kings ſeruice not bound to reſidence. Regiſt.fol.58.

Cap. IX.

Diſtreſſes ſhall not be taken in the high waies, nor in the ancient Fees of the Church.

ALſo the Kings Officers as Sheriffes and others doe enter into ſpirituall Fees to take diſtreſſes, and ſometime they take the perſons beaſts in the Kings high way, where they haue nothing but their Glebe land. The anſwere. The Kings pleaſure is, that from henceforth ſuch diſtreſſes ſhall neither be taken in the Kings high way, nor in the fees wherewith Churches in times paſt haue beene indowed, neuertheles he willeth diſtreſſes to be taken in poſſeſſions of the Church newly purchaſed by Eccleſiaſticall perſons. Regiſt fo.98.183. Fitz.N.B.fo.173.174.A.

Diſtreſſes ſhall not be taken in the high way, nor in the ancient fees of the Church. Stat.52.H.3.15.

Cap. X.

They that abiure the realme, ſhalbe in peace, ſo long as they be in the Church or high way.

ALſo where ſome that flee vnto the Church to abiure the realme according to the cuſtome of the land, and lay men or their enemies do purſue them, and pluck them from the Kings high way, and they are hanged or headed, and whileſt they be in the Church, are kept in the Churchyard with armed men, and ſometime in the Church ſo ſtraitly, that they cannot depart from the hallowed ground to emptie their belly, and cannot be ſuffered to haue neceſſaries brought vnto them for their liuing. The anſwere. They that abiure the Realme, ſo long as they be in the common way ſhall be in the Kings peace, nor ought to be diſturbed of any man, and when they be in the Church, their keepers ought not to abide in the Churchyard, except neceſſity or perill of eſcape doe require ſo. And ſo long as they be in the Church, they ſhall not be compelled to flee away, but they ſhall haue neceſſaries for their liuing, and may goe forth to emptie their belly. And the Kings pleaſure is, that theeues or appellors (whenſoeuer they will) may confeſſe their offences vnto Prieſts, but let the confeſſors beware that they doe not erroniouſly informe ſuch appellors. Raſt.pla.fo.1.532.

o.eſcape 46.

They that abiure the realme ſhalbe in peace whileſt they lie in the Church, or in the high way. Rep.1.Iac.25.& 21.Iac.28.

CAP. XI.

Religious houſes ſhall not be charged by compulſion, with corrodies, penſions, reſort, or taking of their horſes or carts.

ALſo it is deſired, That our Lord the King, and the great men of the Realme doe not charge Religious houſes and ſpirituall perſons for Corrodies, Penſions, or ſoiourning in religious houſes, and other places of the Church, or with taking vp horſe or carts, whereby ſuch houſes are impoueriſhed, and Gods ſeruice diminiſhed, and by reaſon of ſuch charges, Prieſts and other Miniſters of the Church deputed vnto diuine Seruice, are oftentimes compelled to depart from the places aforeſaid. The anſwere. The Kings pleaſure is, that vpon the contents in their petition from henceforth they ſhall not be vnduely charged. And if the contrary be done by great men or other, they ſhall haue remedy after the forme of the Statutes made in the time of Edward father to the King that now is. And like remedy ſhall be done for corrodies and penſions exacted by compulſion, whereof no mention is made in the ſaid Statutes, Raſt.pla.373.

Religious houſes ſhall not be charged with penſions, reſort or purueyors. Stat.3.Ed.1.1.

CAP. XII.

A Clerke excommunicate may be taken out of the Pariſh where he dwelleth.

ALſo if any of the Kings tenure be called before their Ordinaries out of the pariſh where they continue. If they be excommunicate for their manifeſt contumacie, and after fortie daies a writ goeth out to take them, and they pretend their priuiledge that they ought not to be cited out of the towne and pariſh where their dwelling is. And ſo the Kings Writ that went out for to take them is denied. The anſwere. It was neuer yet denied, nor ſhall be hereafter.

A Clerke excommunicate may be taken out of the pariſh where he dwelleth.

CAP. XIII.

The examination of a Parſon preſented to a Benefice, belongeth to a ſpirituall Iudge.

ALſo it is deſired, that ſpirituall perſons, whom our Lord the King doth preſent vnto Benefices of the Church (if the Biſhop will not admit them either for lack of learning, or for other cauſe reaſonable) may not incurre the examination of lay perſons in the caſes aforeſaid as it is now attempted contrary to the Decrées canonicall, but that they may ſue vnto a Spirituall Iudge for remedy as right ſhall require. The anſwere. Of the abilitie of a perſon preſented vnto a Benefice of the Church, the examination belongeth to a ſpirituall Iudge, and ſo it hath béen vſed heretofore, and ſhall be hereafter. Regiſt.fo.53. Fitz.N.B.f.35.I. Raſt.pla.fo.455.

The examination of a Clerke belongeth to a ſpirituall Iudge.

Coke.li.5.fo.
Dyer fol.373.

CAP. XIIII.

There ſhall be free election of dignities of the Church.

ALſo if any dignitie be vacant, where election is to be made, it is moued that the electors may fréely make their election without feare of any power temporall, and that all prayers and oppreſſions ſhall in this behalfe ceaſe. The anſwere. They ſhalbe made frée according to the forme of Statutes and ordinances.

Free election

Stat.3.Ed.1.5.

CAP. XV.

A Clerke fleeing into the Church for felonie, ſhall not be compelled to abiure.

MOreouer though a Clerke ought not to be iudged before a temporall Iudge, nor any thing may be done againſt him that concerneth life or diſmembring, neuertheles temporal Iudges cauſe that Clerkes fléeing vnto the Church, and peraduenture confeſſing their offences, doe abiure the Realme, and for the ſame cauſe admit their abiurations, although hereupon they cannot be their Iudges: & ſo power is wrongfully giuen to lay perſons to put to death ſuch Clerks if ſuch chance to be found within the Realme after their abiuration, the Prelates and Clergie deſire ſuch remedy to be prouided herein, that the immunitie or priuiledge of the Church, and ſpirituall perſons may be ſaued and vnbroken. The anſwere. A Clerke fléeing to the Church for felony to obtaine the priuiledge of the Church, if he affirme himſelfe to be a Clerke, he ſhall not be compelled to abiure the Realme, but yéelding himſelfe to the Law of the Realme, ſhall inioy the priuiledge of the Church according to the laudable cuſtome of the Realme heretofore vſed. St.1.Iac.25. St.21.Iac.28.

A clerke fléeing to the Church for felony, ſhall not be compelled to abiure.

Coke li.1

CAP. XVI.

The priuiledge of the Church being demaunded by the Ordinarie, ſhall not be denied to a Clerke that hath confeſſed Felonie.

ALſo notwithſtanding that a confeſſion made before him that is not Lawfull Iudge thereof, is not ſufficient whereon Proceſſe may bée awarded or ſentence giuen, yet ſome Temporall Iudges (though they haue béene inſtantly deſired thereto) doe not deliuer to their Ordinaries according to the premiſſes ſuch Clerks as confeſſe before them their heinous offences, as theft, robbery & murder, but admit their accuſation which commonly they call an appeale, albeit to this reſpect they be not of their court, nor can be iudged or condemned before them vpon their owne confeſſion, without breaking of the Churches priuiledge. The anſwere. The priuiledge of the Church being demaunded in due forme by the Ordinary, ſhall not be denied vnto the appealour as to a clerke: We deſiring to prouide for the ſtate of holy Church of England, and for the tranquilitie and quiet of the Prelates and Clergie aforeſaid, as far forth as we may lawfully doe to the honour of God and emendation of the Church prelates, and clergy of the ſame: Ratifying, confirming, and approuing all and euery of the articles aforeſaid with all and euery of the anſwers made and contained in the ſame, doe grant and command them to be kept firmly, and obſerued for euer, willing and granting for vs and our heires, that the foreſaid Prelates and Clergie and their ſucceſſors ſhall vſe, execute, and practiſe for euer the iuriſdiction of the Church in the premiſſes, after the tenour of the anſwers aforeſaid, without quarrell, inquieting, or vexation of our heires, or any of our officers whatſoeuer they be. T. R. at Yorke the 24. day of Nouember, in the tenth yeare of the raigne of King Edward, the ſonne of King Edward.

The priuiledge of the Church being demaunded by the Ordinarie ſhall not be denied to a Clerke that hath confeſſed felonie.

The Statute of Sheriffes made at Lincolne, anno 9. Ed. 2. & anno Do. 1315.

Sheriffes ſhall be aſſigned by the Chauncellor &c. A Sheriffe muſt haue ſufficient in the ſame Countie, and not be Bayliffe &c, to any. Bailiffes of hundreds ſhall haue ſufficient in the ſame ſhire.

FOraſmuch as our Lord King Edward, ſonne to King Edward, at his parliamēt holden at Lincolne in quindena Hilarij, in the ninth yeare of his raigne, by the informatiō of his Prelats, Earles, Barons, and other great men of the Realme, being ſummoned to the ſame Parliament, and alſo by the greeuous complaint of the people, did perceiue great damage to be done to him and great oppreſſions and diſheritances to his people, by reaſon vnſufficient Sheriffes, and hundreders haue been before this time and yet be in the Realme: Our lord the King, intending to eſchew ſuch euill oppreſſions and diſheritances, by the aſſent of the Prelates, Earles, Barons, and other great eſtates aforeſaid, hath ordained and eſtabliſhed in the ſaid Parliament, that the Sheriffes from henceforth ſhall be aſſigned by the Chancellor, Treaſuror, Barons of the Eſchequer, and by the Iuſtices. And in the abſence of the Chancellor, by the Treaſuror, Barons, and Iuſtices. And that none ſhall be Sheriffe, except he haue ſufficient Land within the ſame ſhire where he ſhalbe Sheriffe, to anſwere the King & his people. And that none that is ſteward, or Bailiffe to a great Lord, ſhalbe made Sherife except he be out of another mans ſeruice, ſo that he may attend to execute the office of a Sheriffe for the King and his people. And that the Chancellor, Treaſuror, Barons, and Iuſtices, ſhall aſſigne them in maner aforeſaid without hauing any other regard. And in like maner it is agreed and eſtabliſhed, that hundreds, whether they belong to the King or to other, ſhalbe kept by conuenient and able perſons, that haue ſufficient lāds within the ſame hūdred or ſhire where the hundred is: & if any Sherifes or hundreders be vnſufficient at this time, they ſhall be remoued, and other more conuenient put in their roomes. And that ſuch hundreds be leaſed & bailed to ſuch perſons for a reaſonable rent, ſo that they need not to vſe extortion vpon the people by reaſon of too outragious ferme. And that no Sheriffe nor hundreder ſhal leaſe his office to any other in ferm, or otherwiſe. And that the execution of Writs that come to the Sheriffes, ſhall be done by the hundreders ſworne and knowne in the full County, and not by other, if it be not the open default or notorious diſturbance of the hundreders: and then execution ſhall be done by other perſons meet and ſworne, ſo that the people may know to whom to ſue ſuch executiōs: ſauing alwaies the returnes of writs to thē that haue them, or ought to haue them.

Who ſhall aſſigne Sheriffes. St. 28. Ed. 1. 8. 13. St. 14. Ed. 3. 7. Raſt pla. fo. 202.

Who ſhall be Sheriffes and of what eſtate they ſhall be. Stat. 4. Ed. 3. 9. St. 5. Ed. 3. 4. Stat. 14. Ed. 3. 9.

Who ſhall haue the keeping of Hundreds. Regiſt fol. 178. Fitz. N. B. fo. 164.

By whom execution of writs ſhall be done. St. 13. Ed. 1. 39.

The Statute of Gauelet made at London, anno 10. Ed. 2. & anno Do. 1316.

The Lords of rents in London may recouer them by a writ of Gauelet, and in default thereof, the lands in demeſne.

IT is prouided by our lord the King and his Iuſtices, & alſo granted vnto the citizens of London, that Archbiſhops, Biſhops, Abbots, Priors, Earles, Barons, and other that haue rents in London, and for ſome tenements the rents are behind, and cannot recouer thoſe rents, that it ſhall be lawful for them to diſtraine their tenants for their arrerages, ſo long as any thing is found in the fee, whereby they may be diſtrained, and if they haue nothing in the fee whereby they may be diſtrained, then the tenants ſhall be impleaded by a writ of Gauelet of cuſtoms and ſeruices, which may be well done by the freemen of their Citie preſented in their hoiſtings, for the keeping of their ſuit, to gather their rents, ſo that if the tenants doe acknowledge their ſeruices, they ſhall preſently and without delay ſatiſfie their Lords of their arrerages. And if they deny them their ſeruices, the demandants ſhall immediately name two witneſſes, whoſe names

Lords of rents in London may recouer them by a Writ of Gauelet, and in default thereof, the lands in demeſne.

ſhall be inrolled and ſhall haue a day to bring them forth at the next hoiſtings, at which day, if they bring forth witneſſes, and it is ſhewed by them in the full court of their owne ſight and hearing, that the ſame plaintiffes haue any time receiued the rents, which they demaund of the tenements, then the tenants ſhall leeſe their fees by award of the Court, and the plaintiffes ſhal recouer their tenements in demeane. If they will not knowledge the ſeruices vnto their Lords as before is ſaid, and likewiſe the arrerages, then the arrerages by iudgement of the Court ſhall be doubled, and they ſhall giue to the Sheriffe for the wrongfull withholding (if they be worth ſo much) C.s. without any difficulty. And if they doe not come in after due ſummons in the hoyſtings, then the ſame fees ſhall be deliuered vnto the plaintiffes in the full hoyſtings, to be holden in their owne hands for one yeare and a day, within which time if the tenants doe come vnto thẽ and do offer to ſatisfie them of the arrerages double, and to the Sheriffe for his amerciament, as before is ſaid: then they ſhall haue their tenements againe. But if not after one yeare and a day accompliſhed, ſuch tenements ſhall remaine vnto the Lords of thoſe fees by iudgemẽt of the court in their demeane for euer. And then ſuch lands ſhall be called forſchoke, becauſe ſuch tenements ſhall remaine for euer in demeane to the Lords of the fees for default of the ſeruice. The ſame Ordinance ſhall be kept and obſerued if the tenants doe knowledge the arrerages, and be not able to make ſatisfaction therefore, as it is ſaid before.

Forſchoke.

The Statute of Yorke, made the twentieth of October, anno 12. Ed. 2. & anno Do. 1318.

Foraſmuch as diuers people of the Realme of England and Ireland, haue heretofore many times ſuffered great miſchiefs, and diſheriſons, by reaſon that in ſome caſes where the law failed, no remedy was ordained, & alſo foraſmuch as ſome points of the Statutes hertofore made, had need of expoſition: our Lord King *Edward*, ſonne to King *Edward*, deſiring that full right be done to his people, at his Parliament holden at Yorke the third weeke after the feaſt of Saint Michael, the 12. yeare of his raigne, by the aſſent of the Prelats, Earles Barõs, & the cõmonalty of his Realm there aſſẽbled, hath made theſe acts & ſtatutes here following, the wch he willeth to be ſtraitly obſerued in his ſaid realm & land.

Cap. I.

Tenants in Aſſiſe of Nouell diſſeiſin *may make Atturnies.*

Tenants in Aſſiſe may make Atturnies. Regiſt. fo. 198. Raſt. pla. fo. 58. Fitz. N.B. fo. 25. Pleading by Bayliffes.

First for diuers miſchiefes that haue bin becauſe tenants in an aſſiſe of Nouel diſſeiſin might not make atturnies heretofore, it is agreed that the tenants in aſſiſe of Nouel diſſeiſin from henceforth may make atturnies: yet the King intendeth not hereby that the tenants and defendants in aſſiſes of Nouel diſſeiſin ſhould not plead by Bailiffes, if they will as they haue vſed to doe heretofore.

Bro. Aſſ. 413. 40. Ed. 3. fo. 7. Bro. Aſſ. 41. 86. 108. 122. 130. 174. 226. 322. 383. 426.

Cap. II.

Proceſſe againſt the witneſſes to proue a deed denied.

Proces againſt witneſſes to proue a deed denied. Regiſt. ind. fo. 6. 7. 56. 58. Fitz. N.B. f. 106. h. Raſt. pla. fo. 76. 252. 340.

Alſo it is agreed, that when a deed, releaſe, acquitance, or other writing is denied in the kings court wherein witneſſes be named, proces ſhall be awarded to cauſe ſuch witneſſes to appeare, as before hath been vſed, ſo that if they come not at the great diſtreſſe returned, or if it bee returned, that they haue nothing, or that they cannot be found, yet the taking of the inqueſt ſhall not be deferred by the abſence of ſuch witneſſes. And if the witneſſes doe come in at the great diſtreſſe, and the inqueſt for ſome cauſe remaineth vntaken, the witneſſes that come in ſhall haue like day giuen them as is aſſigned for the taking of the inqueſt, at which day, if the witneſſes doe not appeare, the iſſues that were firſt returned vpon thẽ ſhall be forfeit. And the taking of the inqueſt ſhall not be deferred becauſe of their abſence. And for abſence of witneſſes dwelling within franchiſes where the kings writ original doth not ly, the taking of an inqueſt ſhal not be omitted.

5. H. 7. fo. 8. 22. Aſſ. pl. 15. 11. Aſſ pl. 19. 2. H. 4. fo. 21. Fitz. Verdit. 3 Fitz. Proce 1 24. 29. 126. 14 151. 181. 18

Cap. III.

Inqueſts and Iuries touching plea of land ſhall be taken by Niſi prius.

Stat. 13. Ed. 1. 30. Stat. 27. Ed. 1. 4.

And where it is contained in a ſtatute made at Weſtminſter the ſecond day April the xxvij. yeare of the raign of Edward the kings father that now is, that inqueſts and recogniſances, taken before the Iuſtices of one bench and of the other, ſhould be taken before any Iuſtice of the places, accompanied with ſome knight of the ſhire where ſuch inqueſts hap to be taken, if they haue not need of great examination. And that in ſuch inqueſts the Iuſtices ſhall do as they thinke moſt expedient for the wealth of the Realme, the which ſtatute néedeth to be better declared: It is agréed, that inqueſts & iuries, that be & ſhall be taken in pleas of land, that require not great examination ſhall be taken in the countrey before a Juſtice of the place where the plea is, accompanied with a ſubſtantiall man of the countrey, knight or other, ſo that a certaine day be giuen in the Bench, and a certaine day and place in the countrey in the preſence of the parties, If the Demandant requeſt it. And alſo the inqueſts and Juries in pleas of land that require great examination, ſhall be taken in the countrey (in the manner abouesaid) before two Juſtices of the Bench

Enqueſts and Juries touching plea of land ſtal be taken by Niſi prius. Stat. 14. Ed. 3. 16. Regiſt. ind. fo. 7. 28. V N. B. fo. 175. Fitz. N B. f. 240. E. Raſt. pla. fo. 402.

CAP. IIII.

Iuſtices of Niſi prius *ſhall record Nonſuits, defaults &c.*

Dyer fo. 163.

AND the Juſtices or Juſtice, ſhall haue power to record nonſuits and defaults in the countrey at the dayes and places aſſigned as afore is ſaid. And that which they ſhall haue done in the things aboue mentioned, ſhall be reported in the bench at a day certaine, there to be inrolled, and thereupon iudgement ſhall be giuen. And the King intendeth not, that the ſaid inqueſts and iuries ſhould not be taken in the bench if they come, nor that this ſtatute ſhould extend vnto great aſſiſes. And alſo one Juſtice of the one place and of the other being aſſociate with a diſcréet man of the Countrey, Knight, or other, at the requeſt of the plaintiffe, ſhall take inqueſts vpon pleas pleaded and to be pleaded, that be moued by attachment and diſtreſſe, and ſhall haue power to record Nonſuits as aboue is ſaid, and to take inqueſts vpon defaults there made. And as to the Aſſiſes of darren preſentment and the inqueſts to be taken vpon writs of Quare impedit it ſhal be done as is contained in the ſecond ſtatute of Weſtminſter, and the Juſtices ſhall haue power to record Nonſuits, and defaults in the countrey, and to giue iudgement thereupon, as they doe in the bench, and there to report that which they haue done, and there to be inrolled. And if it happen that the Juſtice or Juſtices, that ſhall be aſſigned to take ſuch inqueſts in the Countrey, doe not come, or if they come not into the countrey, at the day aſſigned, yet the parties and perſons of ſuch inqueſts ſhall kéepe their day in the bench.

Juſtices of Niſi prius ſhall record Nonſuits and defaults whereupon iudgemēt ſhall be giuen.

Fitz. N. B. f. 240. E.

St. 14. Ed. 3. 16.

St. 13. Ed. 1. 30.

CAP. V.

An Indenture ſhall be made betweene the Sheriffe, and Bailife of liberty of euery returne.

AND becauſe it is many times complained in the Kings court vpon returnes, that Bailifes of franchiſes (hauing full power to returne the kings writs) haue deliuered to Sherifes, that haue béene after changed, and otherwiſe returned in the kings court, to the great damage of ſome of the parties, and the delay of right: It is agréed, that of returnes which hereafter ſhall be deliuered to the Sheriffes by Bailiffes of ſuch franchiſes, an indenture ſhall be made betwéene the bailiffes of the franchiſe by his proper name & the ſheriffe by his proper name. And if any ſherife change the returne ſo deliuered to him by indenture, and be thereof conuict at the ſuit of the Lord of the franchiſe, of whom he receiued the returne, if the Lord haue had any danger, or if his franchiſe be imblemiſhed, and at the ſuit of the party that hath ſuſtained loſſe through that occaſion, he ſhall be puniſhed by the King for his falſe returne, and ſhall yéeld vnto the lord, and to the party double damages. Alſo it is agréed, that from henceforth ſheriffes and other bailiffes, that receiue the kings writs, returnable in his court, ſhall put their own names with the returnes, ſo that the court may know of whom they tooke ſuch returnes if néed be. And if any ſheriffe or other bailiffe leaue out his name in his returnes, he ſhall be grieuouſly amerced to the Kings vſe.

An Indenture ſhal be made betweén the Sheriffe & Bailiffe of Franchiſe of euery returne.

Sheriffes and Bailiffes ſhall ſet their names to their returnes.

Bro. Returne de Briefe 81. Bro. Scire fac. 233.

CAP. VI.

No Officer of a Citie or Borough ſhall ſell Wine or victualls during his office.

ALſo to the common profit of the people, it is agréed, that no officer in City nor in Borough, that by reaſon of his office ought to kéepe aſſiſes of wines & victuall ſo long as he is attendant to that office, ſhall not merchandiſe for wines nor victuals, neither in groſſe, nor by retaile. And if any doe, and be thereof conuict, the Merchandiſe, whereof he is conuict, ſhall be forfeit to the King, and the third part thereof ſhall be deliuered to the party that ſued the offendor as the Kings gift: and in ſuch caſe he that will ſue for a thing ſo forfeited, ſhall be receiued, And the Chancellour, Treaſuror, Barons of the Exchequer, Juſtices of either bench, and Juſtices aſſigned to take aſſiſes, ſhall admit ſuch plaintiffes by writs, and without writs, and ſhall determine them, and ſhall performe all things contained in theſe articles, in forme abouesaid, and neuertheleſſe, the king may aſſigne his iuſtices, to execute this thing in cities and boroughes, when and where it pleaſeth him. Regiſt. fol. 184. Fitz. N. B. fo. 172. Raſt. pla. 614.

No officer of Citie or Borough ſhall ſell any victuall during his office. St. 6. R. 2. 9. St. 5. H. 8. 8.

The

The Statute of Eſſoines made An. 12.Ed.2.& An.D.1318.

Seuerall caſes wherein Eſſoines doe not lie.

In what caſes an Eſſoine doth lie, and in what not.

Fitz.Eſſoin.3.99 135.

Coke li.9.fo.15. Fitz.Eſſoin.11.40 42.153.

Fitz.Eſſoin.5.7.38

Fitz.Eſſoin.15.25 30.31.52.57.

Fitz.E.9.114.

Fitz.Eſſ.1.138.

Fitz.Eſſ.2.61.85.

Fitz.Eſſoin.120.

HEre is declared how many wayes Eſſoines may be chalenged, and in what caſes Eſſoines doe lye, and in what not, that is to ſay, An Eſſoine lyeth not where the land is taken into the Kings hands. Eſſoine lieth not where the party is diſtrained by his lands, Eſſoine lieth not where any iudgement is giuen thereupon, if the Iurors doe come. Eſſoine lieth not where the party was ſeene in the Court. Eſſoine of vltra mare lieth not where another time the party hath beene Eſſoined of Malo veniendi. It lieth not where the party hath Eſſoined himſelfe another day. It lieth not where the Sheriffe was commanded to make the party to appeare. Eſſoine of Seruitio regis lieth not where the party is a woman, It lieth not in a writ of dower, becauſe it ſeemeth to be but a deceit and a delay of right. It lieth not for that the plaintiffe hath not found pledges to proſecute the ſuit. It lieth not where ſuch a mans Atturney was Eſſoined. It lieth not where the party hath an atturney in his ſuit. It lieth not where the Eſſoiner confeſſeth that he is not in our Lord the Kings ſeruice. It lieth not where the ſummons is not returned, or the party not attached, for that the Sheriffe hath returned non eſt inuentus. It lieth not where the party another time was Eſſoined de ſeruitio regis, that is to wit, ſuch a day, and now he hath not put in his warrant. It lieth not where he was reſummoned in aſſiſe of Morrdanceſtor, or darraine preſentment. It lieth not, becauſe ſuch a one is not named in the writ. It lieth not where the Sheriffe had a precept to diſtraine the party to come by his lands and goods. It lieth not where ſuch a Biſhop was commanded to cauſe the party to appeare. It lieth not for that the day is paſſed. And it is to be noted that an Eſſoin de ſeruitio domini regis, is allowed after the grād cape, pettie cape and after diſtreſſes taken vpon the lands and goods. Sta. 3.Ed.1.41.43.Sta.6.Ed.1.10 Sta.13.Ed.1.12.17.27.Stat.52.H.3.13. Regiſt.fol.8.Fitz N.B.fol.17.H. 99.I.Raſt.pl.fo.297.&c.

The Statute of Carleill made Anno 15.Ed.2.&.An.D.1322.

The Conuſor of a fine ſhall come perſonally before the Iuſtices. Where a Commiſſion ſhall be awarded to take a fine. Who may admit atturneyes.

Stat.18.Ed.1.

The Conuſor of a fine ſhall come perſonally before the Iuſt. that his defects may be diſcerned. Raſt.pl. f.328.&c.

A Commiſſion to take a fine Fitz.N.B.f.146.g.

Bro.Fines leuie 120.

Who may allow Atturneies in euery Court. Regiſt. fo.9.20.26 Raſt.pla.fo.96.

The L. Chancelor and chiefe Iuſtices may admit atturnies

THe King vnto the Iuſtices of his bench greeting. Whereas of late we haue ordained that all ſuch fines as are to be leuied in our Court, be lawfully leuied, which we will in no wiſe to be infringed, or to be adnulled of their whole power: we haue ſent vnto you our minde in writing firmely to be obſerued: that is to wit, that as well the parties demandant or plaintiffe, as the tenants or defendants that will yeeld or knowledge their right of lands or tenements vnto other in pleas of warrantia Chartæ, couenant, and other whereupon fines are to be leuied afore you, before ſuch fines doe paſſe, the parties ſhall appeare perſonally, ſo that their age, idiocy, or any other default (if any be) may be iudged and diſcerned by you. Prouided notwithſtanding, that if any perſon be by age, or impotence decrepit, or by caſualtie ſo oppreſſed and withholden, that by no meane he is able to come before you in our Court, then in ſuch caſe we will that two or one of you by aſſent of the reſidue of the bench, ſhall goe vnto the party ſo diſeaſed, and ſhall receiue his cogniſance vpon that plea and forme of plea that he hath in our Court, whereupon the ſame fine ought to be leuied. And if there goe but one, he ſhall take with him an Abbot, a Prior, or a Knight, a man of good fame and credit, and ſhall certifie you thereof by the record, ſo that all things incident to the ſame fine being examined by him or them, the ſame fines, according to our former ordinance may be lawfully leuied: and we will not that any of our Barons of the Exchequer or our Iuſtices, ſhall admit any atturneyes but onely in pleas that paſſe afore them in the benches and in places where they be aſſigned by vs. And the ſame power of admitting atturneies, we prohibite and deny to the Clerkes and ſeruants of the ſaid Barons and Iuſtices. And doe ordaine that if any atturneies be admitted hereafter by any of the perſons aforeſaid, their admiſſion ſhall be of none effect. Reſerued alway to the Chancellor for the time being his authoritie in admitting atturneies, according to whoſe diſcretion they ſhall be admitted, and to thoſe our chiefe Iuſtices as heretofore hath beene obſerued in the admiſſion of atturneyes, we will alſo that this our ordinance ſhall take effect and begin at the vtas of the Trinity next enſuing. Giuen at our Parliament at Carleill, the xv. yeare of our reigne.

Prærogatiua Regis made Anno 17. *Edw*.2. & Anno D.1324.

CAP. I.

The Kings prerogatiue in the wardſhip of his tenants heire which holdeth in chieſe.

12.Ed.4.fo.18.
Cokeli.6.fo.22.
li.8.fo.165.
Dyer fo.44.50.
123.174.181.268.
298.
Fitz. Gard.7.46.
47.49.50.57.113.
148.
Fitz. Prerogat.22.
25.25.
Fitz. Liuerie 29.
Bro. Liuerie 78.
Bro. Expoſit.30.

OUr Lord the King, ſhall haue the ward of all the lands of ſuch as hold of him in chieſe by Knights ſeruice, whereof the tenants were ſeiſed in their demeane as of fee at the day of their death (of whom ſoeuer they hold elſe by like ſeruice, ſo that they held of auncient time any land of the Crowne) vntill the heire come to his lawfull age, except the fees of the Archbiſhop of Canterbury, the biſhop of Durham betweene Tine and Tees, fees of Earles, and Barons in the marches, where the Kings writs doe not lie, and whereof the ſaid Archbiſhops, Biſhops, Earles, and Barons, ought to haue ſuch wards, though they held of the King in ſome other place. Stat. 28. Ed. 1. V.N.B. fo. 97. Fitz. N.B fo. 258.

The King ſhall haue the wardſhip of the heire of his tenant that holdeth in chieſe.
Fitz. N.B.f.257.b

CAP. II.

His prerogatiue in the marriage of his tenants heire.

7.H.6.fo 11.
Cokeli.9.fo.125.
Dyer fo.267.298.

ALſo the King ſhall haue the mariage of an heire being within age and in his ward, whether the lands of ſuch heires haue appertained to the Crowne of ancient continuance, or that it came by reaſon of eſcheat being in the Kings hands, or that he had the mariage by reaſon of the ward of the Lords of ſuch heires, without any reſpect to the prioritie of feoffemẽt, albeit they held of other.

The King ſhall haue the mariage of the heire of his tenant.
Stat.28.Ed.1.

CAP. III.

His prerogatiue in the primer *ſeiſin of his Tenants land.*

26.H.8.fo.2.9.
27.Ed.3.fo.89.
Dyer fo.213.229.
237.313.308.270.
Coke li.8.fo.165.
172.
li.9.fo.131.
li.10.fo.83.

ALſo the King ſhall haue primer ſeiſin after the death of ſuch as held of him in chieſe of all lands & tenements whereof they were ſeiſed in their demeſne as of fee, of what age that their heires be, taking the iſſues of the ſame lands and tenements, vntill inquiſition be made (as the manner is) and vntill he hath taken homage of ſuch heires. Stat. 52. H. 3. 16.

Primer ſeiſin of the heires lands

CAP. IIII.

His prerogatiue in the aſſignement of dower to his tenants widowe, and that they ſhall not marie without his aſſent.

Cokeli.9.fo.16.
Fitz. Liuerie 31.
Fitz. Preroga.27.
15.Ed.4.fo.13.
35.H.8.fo.52.
Dyer.fo.123.

ALſo he ſhall aſſigne to widowes after the death of their husbands that held of him in chieſe, the dower that to them belongeth, &c. though the heire be of full age (if the widowes will) and ſuch widowes before aſſignement of their dower, ſhall ſweare that they ſhall not marry themſelues without the Kings licence, whether their heires be of full age or not. And if they marrie without licence, then the King ſhall take into his hands by way of diſtreſſe of ſuch lands and tenements as they hold of him in dower, vntill he be ſatisfied at his own will, ſo that ſhe ſhall take nothing of the iſſues &c. For by ſuch diſtreſſes, they and their husbands muſt fine at his will. And his will in the time of King Henry, father of King Edward, was eſteemed one yeares value of her dower, vnleſſe they had the greater fauour. Women that hold of the King in chieſe any inheritance of whatſoeuer age they be, ſhall ſweare likewiſe that they ſhall not marrie themſelues without the Kings licence. And if they doe, their lands and tenements ſhall be taken in like manner into the Kings hands vntill they haue ſatisfied at the Kings will. St. 32. H. 8. 46.

The K. ſhall aſſigne dower to the widowes of his tenants.
Regiſt.fo.170.297
Fitz. N.B.fo.263.
Raſt.pla.fo.222.

The Kings widowes ſhall not marie without his conſent.
V.N.B.fo.7.
The Kings widowes oath.
Stat.9.H.3.7.
Regiſt.fo.174.235
298.
Raſt.pla.fo.222.

CAP. V.

His prerogatiue in the mariage of his women tenants.

2.Ed.3.fo.20.

ANd if one inheritance that is holden of the King in chieſe diſcend to many partners, then all the heires ſhall doe homage to the King, & the ſame inheritance ſo holden of the King, ſhall be diuided among thoſe heires, ſo that euery of them after, ſhall hold their part of the King. Reg. fol. 318. Fitz. N.B. fo. 263.

Coparceners that hold in chieſe.
St.14.H.3.Hiber

CAP. VI.

His prerogatiue in diuiding of Coparceners lands, holden of him.

Fitz. Gard.147.

IF a woman (before the death of her Anceſtor that held of the King in chieſe) bee married before ſhee bee mariable, then the King ſhall haue the ward of the body of the ſame woman

vntill

A womā maries within age during her aunceſtors life.
The K. tenant in chiefe ſhal not alien without licence.
Stat.1.Ed.3.12.
Fitz.N.B.fo 175.
Raſt.pla.fo.457. 485.

vntill ſhe of be age able to conſent, and then ſhe may chooſe, whether ſhe will haue him, to whom ſhe was firſt maried, or him that the King will offer her. None that holdeth of the King in chiefe by Knights ſeruice, may alien the more part of his lands, ſo that the reſidue thereof be not ſufficient to doe his ſeruice, except he haue the Kings licence: but this may not be vnderſtood of members and parcels of ſuch lands.

Fitz. Aſſ.1293.
Fitz. Trauerſe 32.
Coke li.6.fo.37.
Kel.fo.52.53.
Fitz.Alienation 8.12.17.19.22.23. 24.25.29.31.32. 33.35.37.

Cap. VII.

His prerogatiue that they which hold of him by Seriantie, ſhall pay a fine at the alienation of them.

Serianties aliened.

Of Serianties aliened without the Kings licence, the King hath vſed to rate ſuch Serianties at a reaſonable extent thereof to be made. Kel.fo.52.53. Stat.1.Ed.3.12.

Cap. VIII.

His prerogatiue that lapſe of ſixe moneths ſhall not preiudice his preſentation.

No time ſhall preiudice the Kings preſentation to a Church.

Of Churches being vacant, the aduouſons whereof belong to the King, and other preſent to the ſame, whereupon debate ariſeth betwéene the King and other: if the King by award of the Court doe recouer his preſentation, though it be after the lapſe of ſixe moneths from the time of the auoidance, no time ſhall preiudice him, ſo that he preſent within the ſpace of ſixe moneths.

Coke li.7.fo.28.
Dyer fo.36.
Bro.Parli.6.

Cap. IX.

His prerogatiue in the cuſtodie of lands of Idiots.

The King ſhall haue the cuſtodie of Ideots lands.

The King ſhall haue the cuſtody of the lands of naturall fooles, taking the profits of them without waſt or deſtruction, and ſhall find to them their neceſſaries of whoſe fée ſoeuer the lands be holden. And after the death of ſuch Idiots, he ſhall render it to the right heires, ſo that ſuch idiots ſhall not alien, nor their heires ſhall be diſherited. Regiſt.fol. 266. Fitz.N.B.fol.202. 232

Bro.Ideot.4.5.7.
50.Aſſ.pla.2.
2.H.7.fo.3
Coke li.4.f.126.
li.8.fo.170.
1.H.4.fo.24.
Dyer fo.26.302.
Fitz.Gard.5.
Fitz.Liuerie 30.
Fit Trauerſ.11.3
Bro.Villenage.7

Cap. X.

His prerogatiue in the preſeruation of the lands of Lunatikes.

The King ſhall haue the direction of lunatiks lands.

Alſo the King ſhall prouide, when any (that before time hath had his wit and memory) happen to faile of his wit, as there are many per lucida interualla, that their Lands & tenements ſhall be ſafely kept without waſt and deſtruction, and that they and their houſhold ſhall liue and be maintained competently with the profits of the ſame; and the reſidue beſides their ſuſtentation ſhall bée kept to their vſe to be deliuered vnto them when they come to right minde. So that ſuch lands and tenements ſhall in no wiſe be aliened. And the King ſhall take nothing to his owne vſe: and if the partie dye in ſuch eſtate, then the reſidue ſhall be diſtributed for his ſoule by the aduice of the Ordinary. Regiſt.fol.166. St.32.H.8.46.

Coke.li.4.fo.27.
39.H.6.fo.42.
12.Ed.4.fo.8.
25 Aſſ pl.4.
35.Aſſ.pl.10
Dyer fo.25.

Cap. XI.

His prerogatiue in hauing the wrecke of the Sea, Whales, and Sturgeons.

The King ſhall haue the wrecke of the Sea.

Alſo the King ſhall haue wreck of the Sea throughout the Realme, Whales and great Sturgeons taken in the Sea or elſewhere within the realme, except in certaine places priuiledged by the King. Sta.3.Ed.1.4. Raſt.pla.fo.611.

Coke li.5. fo.1
110.
1.H.7 fo.23.
11.H.4.fo.15.
9.H.7.fo.20.
39.H.6.fo.35.

Cap. XII.

His prerogatiue in enioying the lands of Normans.

The King ſhall haue the Eſcheate of Normans lands.

Alſo the King ſhall haue eſcheates of the lands of Normans, to whoſe fée ſoeuer they belong, ſauing the ſeruice appertaining to the chiefe Lords of the ſame fée. And this alſo is to be vnderſtood, where any inheritance diſcendeth to any that is borne in the parties beyond the Sea, whoſe aunceſtors were from the time of King Iohn, vnder the allegeance of the Kings of France, and not of the Kings of England, as late it happened by the barrony of Monmouth after the death of Iohn Monmouth, whoſe heirs were of Britaine and other places. King Henry by the foreſaid occaſion, recouered many eſcheates of Normans lands out of the fées of other men, and gaue them to be holden of the chiefe Lords of the fée by ſeruices due and accuſtomed thereunto.

47.Ed.3.fo.2

CAP. XIII.

His prerogatiue in enioying the lands of the heire of his tenant intruding.

Coke li. 8. fo. 172.
1.H.7.fo.5.
4.H.7.fo.1.
38.Ed.3.fo.30.
Kel.fo.71.
Fitz. Liuerie 25.26 28.
Bro. Charter 43.
48.52.71.
Bro. Fealtie 6.9.

VVHen any (that holdeth of the King in chiefe) dieth, and his heire entreth into the land that his anceſtor held of the king the day that he dyed, before that he hath done homage to the King, and receiued ſeiſin of the King, he ſhall gaine no Freehold thereby, and if he die ſeiſed during that time, his wife ſhall not be endowed of the ſame land, as it came late in vre by Maud daughter to the Earle of Herford, wife to Maunſell the Marſhall, which after the death of William Earle Marſhall of England his brother, tooke his ſeiſin of the Caſtell & Manor of Scrogoill, and died in the ſame Caſtell, before he had entred by the King, and before he had done homage to him. Whereupon it was agreed that his wife ſhould not be endowed, becauſe that her husband had not entred by the King, but rather by intruſion, howbeit this Statute doth not meane of Socage and other ſmall tenures. V.N.B.fo.7.8.Fitz.N.B.fo.149.

The penaltie if the heire intrude into his anceſtors Lands.
St.9.H.3.3.
St.52.H.3.16.
St.4.Ed.1.4.

CAP. XIIII.

His prerogatiue in hauing the Eſcheat of Biſhops freehold tenants attainted of felonie during the vacation.

ALſo the King ſhall haue Eſcheats of lands of the freeholders of Archbiſhops and Biſhops, when ſuch tenants be attainted for felonie in time of vacation, whiles their Temporalties were in the Kings hands, to giue at his pleaſure, ſauing to ſuch Prelates the ſeruice that thereto is due and accuſtomed.

Eſcheats of Biſhops Freeholders.

CAP. XV.

His prerogatiue that Knights fees, Aduowſons, and Dowers doe not paſſe from him without ſpeciall words.

Coke li. 10. fo. 63.
Dyer fo. 350.
2.R.3 fo.4.
41.Ed.3.fo.5.
43.Ed.3.22.
Fitz. Preſent. 9.
Fitz. Q. impedit. 31.40.
Fitz. Gard. 44.
Fitz. Patent 98.
Fitz. Liuerie 7.9.
43.Aſſ.pl.10.15.
Bro. Patent 34.

VVHen our Lord the King giueth or granteth land, or a Manor with the appurtenances, without he make expreſſe mention in his deed or writing, of Knights fees, Aduowſons of Churches, and Dowers when they fall belonging to ſuch Manor or Land, then at this day the King reſerueth to himſelfe ſuch Fees, Aduowſons, and Dowers, albeit that amongſt other perſons it hath beene obſerued otherwiſe.

The K. giueth Lands with the appurtenances.

CAP. XVI.

His prerogatiue in hauing the lands of Felons attainted.

ALſo the King ſhall haue the goods of all Felons attainted & fugitiues whereſoeuer they be found. And if they haue Freehold, then it ſhall be forthwith taken into the Kings hands. And the King ſhall haue all profits of the ſame by one yeare and one day, and the land ſhalbe waſted and deſtroyed in the houſes, woods, and gardens, and in all manner of things belonging to the ſame land, excepting men of certaine places priuileged by the King therefore. And after our Lo. the king hath had the yeare, day, and waſt, then the land ſhall be reſtored to the chiefe Lord of the ſame fee, vnleſſe that he fine before with the King for the yeare, the day, and the waſt. Neuertheleſſe it is vſed in the County of Glouceſter by cuſtome, that after one yeare and one day, the Lands and tenements of felons ſhall reuert and be reſtored to the next heire, to whom it ought to haue diſcēded if the felonie had not bin done. And in Kent in Gauelkind: The father to the bough, the ſonne to the plough. There all heires males ſhall diuide their inheritance, and likewiſe women, but women ſhall not make partition with men. And a woman after the death of her huſband ſhall be endowed of the moitie. And if ſhe commit fornication in her widowhood, or take an husband after, ſhe ſhall loſe her dower.

The King ſhall haue felons goods, and the yeare, day, and waſt of their Lands.
Fitz.N.B.f.144.k.
St.9.H.3.22.
Regiſt. fo. 165.
V.N.B. fo. 99.

Cuſtomes of Glouceſter and Kent.
V.N.B.fo.5.

The manner of doing Homage and Fealtie, made *Anno* 17. Ed. 2. & *Anno*. 1324.

How a Free-man ſhall doe his Homage, how his Fealtie, and a Villanies Fealtie.

7.Ed.3.fo.2.
Fitz. Grant 9.80. 83.
Fitz. Conuſance. 81.

VVHen a free-man ſhall do Homage to his Lord of whom he holdeth in chiefe, he ſhall hold his hands together betweene the hands of his Lord, and ſhall ſay thus: I become your man from this day forth for life, for member, and for worldly honour, and ſhall owe you my faith for the lands that I hold of you, ſauing the faith that I owe vnto our Lord the King, and to mine other Lords.

Fitz. Auowrie 109.

When a free man ſhall doe fealtie to his Lord, he ſhall hold his right hand vpon a booke, & ſhall ſay thus: Heare you my Lord R. that I. P. ſhall be to you both faithfull and true, and ſhall owe my fidelity vnto you for the land that I hold of you, and lawfully ſhall do ſuch cuſtomes and ſeruices as my duty is to you at the termes aſſigned. So helpe me God and all his Saints.

When a Villaine ſhall doe fealtie vnto his Lord, he ſhall hold his right hand ouer the booke, and ſhall ſay thus: Heare you my Lord A. that I. B. from this day forth vnto you ſhall be true and faithfull, and ſhall owe you fealtie for the land that I hold of you in villenage, and ſhall be iuſtified by you in body and goods. So helpe me God and all his Saints.

The Statute for *view* of *Frankepledge*, made the eighteenth yeare of King EDVVARD the ſecond.

Of what things Stewards in their Leets ſhall enquire.

Fitz. Leet. 6. 11. Fit Auow. 80. Dyer. fo. 111. 12. H. 7. fo. 15. Coke li. 6 fo. Bro. Leet. 39. 10 H. 6. fo. 7. 45. Ed. 3 fo. 9. 41. Ed. 3. fo 26.

FIrſt, you ſhall ſay vnto vs by the oath that you haue made, If all the Iurors that owe ſuit to this Court be come, and which not.

2 And if all the chiefe pledges or their doſens bée come, as they ought to come, and which not.

3 And if all the doſens be in the Aſſiſe of our Lord the King, and which not, and who receiued them.

4 And if there be any of the Kings Villaines fugitiue dwelling other where then in the Kings demeanes, and of ſuch as be within the Kings demeanes, and haue not abiden a yeare and a day.

5 And if there be any of the Lords Villaines in Frankepledge other where then in this Court.

6 Of cuſtomes and ſeruices due to this Court withdrawne, how, and by whom, and in what Bailiffes time.

7 Of Purpreſtures made in Lands, Woods, and Waters to annoyance.

4. H. 6. fo. 10. 4. Ed. 3. fo. 10.

8 Of Walls, Houſes, Dykes, and Hedges ſet vp or beaten downe to annoyance.

9 Of Bounds withdrawne and taken away.

10 Of Wayes and Pathes opened or ſtopped.

11 Of Waters turned or ſtopped or brought from their right courſe.

12 Of breakers of houſes and of their receiuors.

4. Ed. 3. fo. 10. 29. Ed. 3. fo.

13 Of common théeues and of their receiuors.

14 Of petie Larons, as of Géeſe, Hennes, or Sheafes.

21. Ed. 4. 22.

15 Of Théeues that ſteale clothes, or of Théeues that doe pilfer clothes thorough windowes and walls.

16 Of ſuch as goe in meſſage for théeues.

17 Of Cryes leuied and not purſued.

18 Of bloodſhed and of frayes made.

19 Of eſcapes of théeues or felons.

Dyer fo. 233.

20 Of perſons outlawed returned, not hauing the Kings warrant.

6. H. 7. fo. 4. 11. H. 7. fo.

21 Of women rauiſhed not preſented before the Coroners.

22 Of clippers and forgers of money.

Bro. Leet 43. Bro. Coron.

23 Of treaſure found.

24 Of the Aſſiſe of bread and Ale broken.

Fitz. Auowri

25 Of falſe meaſures, as of Buſhels, Gallons, Yards and Ells.

26 Of falſe balances and weights.

27 Of ſuch as haue double meaſure, and buy by the great, and ſell by the leſſe.

28 Of ſuch as continually haunt Tauernes, and no man knoweth whereon they doe liue.

29 Of ſuch as ſléepe by day and watch by night, and fare well and haue nothing.

30 Of cloth ſellers and curriers of leather, dwelling out of Merchant townes.

31 Of ſuch as take Church or Churchyard, and after depart without doing that which belongeth thereunto.

32 Of perſons impriſoned, and after let goe without maineprize.

Coke li. 5.

33 Of ſuch as take Doues in winter by doorsfalls or engines.

And of all theſe things you ſhall doe vs to wit, by the oath that you haue taken. Raſt. pla. f. 390. Coke li. 8. fo. 38. 41. 3. H. 7. fo. 4. 21. H. 7. fo. 40. 41. Aſſ. pl. 30. 38. H. 6. fo. 7. 45. Ed. 3. fol. 8. Fitz. Auowry. 105. 112. 155. 161. 194. 211. 212. Fitz. Barre. 271. Bro. Leet. 35. 36. 37. 38. 39.

The Statute of Priſes made *An. 28. Ed. 1.* is here omitted, for that it is word for word contained in the ſecond Chapter of *Articuli ſuper Chartas.*

Certaine Statutes made during the raignes of King *Henry* the third, King *Edward* the firſt, or King *Edward* the ſecond:

But vncertaine when, or in which of their times.

Articles againſt the Kings Prohibitions.

In what caſes the Kings Prohibition will lie, and in what not.

In which caſes the Kings prohibition will lie, & in which not.

Vnder what forme ſhall Lay men purchaſe Prohibitions generally vpon Tithes, Oblations, Obuentions, redeeming of Penances, Mortuaries, violent hands laying on a Clerke or Lay brother, and in cauſes of defamation, in which caſes, Spirituall penance muſt be enioyned. The King anſwered to theſe Articles: That in Tythes, Oblations, Obuentions, and Mortuaries when they be pleaded as before is ſaid, the Kings prohibition doth not lie.

And if a Clerke or a perſon religious, doe ſell his Corne being in his barne or other where to any man for money, if the price thereof be demaunded afore a Spirituall Iudge, the Kings prohibition doth lie, for by the ſale the Spirituall are become Temporall, and ſo tithes paſſe into cattels.

Alſo if debate hang in a Spirituall Court for the right of tithes, hauing his originall from the right of the patronage, and the quantitie of the ſame tithes doe paſſe the fourth part of the value of the Benefice, a prohibition ſhall lie.

Alſo if a Prelate enioyne penance pecuniarie to any man for his ſinne, if the money be demaunded before Prelates, a prohibition ſhall lie.

Alſo if any lay violent hands on a Clerke or lay brother, for the peace broken, amends ſhall be made, before the King, and for the excommunication before a Biſhop or Prelate.

And if a corporall penance be enioyned which the offendor will redeeme by giuing money to the Prelate, or to the partie grieued, a prohibition ſhall not lie.

In cauſes of defamation, Prelates may freely correct, the Kings prohibition notwithſtanding, firſt enioyning a corporall penance, which if the partie will redeeme, the Prelate may lawfully receiue the money, though a prohibition be ſhewed. Stat. 9. Ed. 2. 1. &c.

An ordinance for Bakers, Brewers, and other Victuallers, and for Elles, Buſhels, and foreſtallers.

Cap. I.

Vpon what only cauſe aſſiſe of Bread ſhall be taken.

The Aſſiſe of bread.

The Aſſiſe of bread ſhall be kept according as it is contained in the writing of the Marſhalſey of our Lord the King deliuered vnto them after the ſale of Wheat, that is to wit, the better, the worſe, and the worſt. And as well Waſtell bread as other of what ſort ſoeuer they be, ſhall be weighed according as it is ſaid of the ſale of the meaner wheat: Neither ſhall the aſſiſe or weight of Wheat be changed, more then ſixe pence increaſing or decreaſing as it is in the ſale of the quarter.

Cap. II.

For what offence a Baker ſhall be amerced, and for what ſet on the Pillorie.

A Bakers puniſhment.

A Bakers marke.

A Baker if his bread be founden a farthing weight lacking in two ſhillings ſixe pence or vnder, ſhall be amerced, and if it paſſe the ſame number, he ſhall ſuffer puniſhment of the Pillorie, which ſhall not be remitted to the offendor either for gold or ſiluer. And euery Baker ſhall haue a marke of his owne for his bread.

Cap. III.

Euery Pillorie ſhall be of conuenient ſtrength.

A Pillorie.

Euerie Pillorie or ſtretchnecke muſt be made of conuenient ſtrength, ſo that execution may be done vpon offendors without perill of their bodies.

Cap. IIII.

How Toll at a Mill ſhall be taken.

The toll of a Mill.

The toll of Milne ſhall be taken according to the cuſtome of the land, and according to the ſtrength of the water courſe, either to the twentieth or foure and twentieth corne. And the meaſure whereby the toll muſt be taken, ſhalbe agréeable to the Kings meaſure, and toll ſhall be taken by the race, and not by the heape or cantell. And in caſe that the Fermors finde the Milners their neceſſaries, they ſhall take nothing beſides their due toll, and if they doe otherwiſe, they ſhall be grieuouſly puniſhed.

Cap. V.

Stat.7.Ed.6.5.

The aſſiſe of Wine ſhall be kept, that is, a Sexterne at twelue pence. And if the Tauerners exceed the ſame aſſiſe, their doores ſhall be ſhut vp. Rep.21.Iac.28. Stat.4.Ed.3.12.

Cap. VI.

The Aſſiſe of Ale ſhall be according to the price of Corne.

The price of Ale. Stat.23.H.8.4.

The puniſhmẽt of Brewers offending.

The aſſiſe of Ale ſhall be aſſeſſed, proclaimed, and kept according to the price of the Corne whereof the Malt is made. And the Brewer ſhall not increaſe more in a galon, but according to the rate of ſixe pence riſing in a quarter of Malt. And if he breake the aſſiſe, the firſt, ſecond and third time, he ſhall be amerced, but the fourth time he ſhall ſuffer iudgement of the Pillorie without redemption.

Cap. VII.

The puniſhment of a Butcher ſelling vnholſome fleſh.

The puniſhmẽt of a Butcher ſelling vnholſome meat.

A Butcher that ſelleth Swines fleſh mezled, or fleſh dead of the morin, or that buyeth fleſh, of Iewes, and ſelleth the ſame vnto Chriſtians, after he ſhall be conuict thereof, for the firſt time he ſhall be grieuouſly amerced, the ſecond time he ſhall ſuffer iudgement of the Pillory, and the third time he ſhall be impriſoned and make fine. And the fourth time he ſhall forſweare the towne. And in this maner ſhall it be done of all that offend in like caſe.

Cap. VIII.

Buſhels, Galons, and Elles ſhall be ſigned with the Kings Seale, and he that buyeth or ſelleth with other ſhall be amerced.

The ſealing of Buſhels, Galons and Elles.

Buying or ſelling by vnſealed meaſures.

The Standard of Buſhels, Galons, and Elles ſhall be ſigned with an Iron ſeale of our Lord the King, and ſafe kept vnder the paine of an hundred pound. And no meaſure ſhall be in any Towne, vnleſſe it doe agrée with the Kings meaſure, and marked with the ſeale of the Shire Towne. If any doe ſell or buy by meaſures vnſealed and not examined by the Mayor or Bayliffes, he ſhall be grieuouſly amerced. And all the meaſures of euery towne, both great and ſmall ſhall be viewed and examined twice in the yeare. If any be conuict for a double meaſure, that is to wit, a greater for to buy with, and a ſmall to ſell with, he ſhall be impriſoned for his falſhood, and ſhall be grieuouſly puniſhed. Stat.7.*H*.7.4. Stat.11.*H*.7.4. Stat.12.*H*.7.5.

Cap. IX.

The Buſhell, Standard, and Elles ſhall be kept by Maiors, Bailiffes, &c. No graine ſhall be ſold by the heape or cantell, but Oates, Malt, and Meale.

Who ſhall haue the keeping of meaſures.

The Standard Buſhels, and Elles ſhall be in the cuſtodie of the Maior and Bailiffes, and of ſixe lawfull perſons of the ſame towne being ſworne, before whom all meaſures ſhall be ſealed: no maner of graine ſhall be ſold by the heape or cantell, except it be Oats, Malt & Meale.

Cap. X.

No Foreſtaller ſhall be ſuffered to dwell in any Towne.

Who is a foreſtaller, and his puniſhment. Stat.5.Ed.6.14.

But ſpecially be it commaunded on the behalfe of our Lord the King, that no Foreſtaller be ſuffered to dwell in any town which is an open oppreſſor of poore people & of all the Comminaltie,

minaltie, and an enemie of the whole Shire and Countrey, which for greedineſſe of his priuate gaine, doth preuent others in buying grain, Fiſh, Herring, or any other thing to be ſold comming by land or water, oppreſſing the poore and deceiuing the rich, which carrieth alway ſuch things, intending to ſell them more deare. The which come to Merchants ſtrangers that bring Merchandiſe, offering them to buy, and informing them that their goods might be dearer ſold then they intended to ſell, and an whole Towne or a Countrey is deceiued by ſuch craft and ſubtiltie. He that is conuict thereof, the firſt time ſhall be amerced, and ſhall loſe the thing ſo bought, and that according to the cuſtome and ordinance of the towne: he that is conuict the ſecond time ſhall haue iudgement of the Pillorie. At the third time he ſhall be impriſoned and make fine: the fourth time he ſhall abiure the Towne. And this iudgement ſhall be giuen vpon all maner of foreſtallers, and likewiſe vpon them that haue giuen them counſell, help, or fauour.

St. 5. El. 5.

Satutum de terris Templariorum, made *Anno* 17. *Edw.* 2. & Anno Domini 1323.

Coke li. 11. fo. 29.

FOr that the militarie order of Templers ceaſing and being diſſolued, the Lands and Tenements, in demeaſnes, fees, and ſeruices of the Brethren of the ſame Order which they held in their Fraternitie in the Realme of England in the time of the ſame ceaſing and diſſolution of the foreſaid Order, which were holden of our Lord the King, and diuers other Lords in this Kingdome, were ſeiſed into the hands of our Soueraigne Lord the King, and of diuers other Lords of the fees of them, who challenged the ſame lands for the conſideration aforeſaid, that the ſame lands ought to reuert to them as their Eſcheats. Whereupon after in a Parliament of the moſt noble Prince King Edward ſonne of King Edward, ſummoned and aſſembled at Weſtminſter, three weekes after the day of the Purification of the bleſſed Virgin Mary, in the ſeuenteenth yeare of the raigne of the ſame King, great conference was had before the King himſelfe, in the preſence of the Prelates, Earles, Barons, Nobles, & great men of the Realme, and others there preſent, whether the foreſaid Lords of the fees, or others which held thoſe Lands that were the foreſaid Templers, as is aforeſaid, might retaine them by the law of the Realme, and with ſafe conſcience. Whereupon the greater part of the Kings Counſell, as well the Iuſtices as other lay perſons being aſſembled together: The ſaid Iuſtices affirmed preciſely, that our Lord the King, and other Lords of the fees aforeſaid might well and lawfully by the Laws of the Realme retaine the foreſaid Lands as their Eſcheats, in regard of the ceaſing and diſſolution of the Order aforeſaid.

Whether the Order of Templers being diſſolued, the Lords of the fees might enioy their lands.

2 But becauſe the Lands and Tenements aforeſaid were giuen to the Brethren of the ſaid Order for the defence of Chriſtians, and the holy Land, againſt Pagans and Sarazens, and other enemies of Chriſt and Chriſtians, and the Vniuerſall holy Church: it ſeemed good to our Lord the King, the Noble men, and others aſſembled in the ſame Parliament, for the health of their ſoules and diſcharge of their conſciences, That whereas the ſaid Militarie Order of Templers were originally inſtituted for the defence of Chriſtians and the vniuerſall holy Church, ſubuerſion of the enemies of Chriſt and Chriſtians, and canoniſed to the augmentation of the honour of God, and liberall almeſ-giuing, That the foreſaid Lands and Tenements in Demeaſnes, Lordſhips, Seruices, Liberties, Cuſtomes, and all other things pertaining thereunto, and by any thing depending thereupon, according to the willes of the giuers, ſhall be aſſigned and deliuered to other men of moſt holy Religion, to the intent the fruits, reuenues, and profits of the ſame Lands, Tenements, and other things may be conuerted and charitably diſpoſed to godly vſes. And thereupon in the ſame Parliament it is agreed, ordained, and eſtabliſhed for Law to continue for euer, That neither our Lord the King, nor any other Lords of the fees aforeſaid, or any other perſon, hath Title or right to retaine the foreſaid Lands and Tenements with the appurtenances or any part thereof, in regard of Eſcheat, or by any other meanes, or hereafter to challenge the ſame Lands in reſpect of the ceaſing or diſſolution of the foreſaid Militarie Order of Templers, whereof the Brethren of the ſame Order were ſeiſed in their Demeſnes as of fee at the time of the ceaſing and diſſolution aforeſaid: Notwithſtanding that the foreſaid Lands and Tenements after the ſaid ceaſing and diſſolution came to the hands of diuers perſons by diſcent of inheritance, gift, or purchaſe, or by any other meanes. And notwithſtanding any Law or Cuſtome of the Realme of England, whereby this Law, Ordinance and Statute touching the Aſſignement and conueyance of the foreſaid Lands and Tenements might be hindered, impugned, or counterpleaded.

The chiefe Lords ſhall not haue Templers lands by Eſcheat.

3 Seeing the Order of the Brethren of the Hoſpitall of Saint Iohn of Hieruſalem was likewiſe ordained, inſtituted, and canoniſed, for the defence of Chriſtians and the holy Church. It

All the Templers lands giuen to the Prior of the Hoſpitall of S. John of Hieruſalem. Coke li. 11. fo. 21.

is agreed & enacted in the ſaid Parliament by our foreſaid Lord the King, the Prelats, Earles, Barons, and other great men of the Realme there being, That inſomuch as the foreſaid Order of the Templers is ceaſed and diſſolued, and the foreſaid Order of the Hoſpitall is prouided, inſtituted, and canonized, for the defence of Chriſtians, as is aforeſaid, That all the Lands, Tenements, Lordſhips, Fees, Churches, Aduowſons of Churches and liberties, with all things to them belonging, which were the ſaid Templers at the time of their ceaſing and diſſolution, ſhall be aſſigned and deliuered to the foreſaid Order of the Hoſpitall, and to the Prior and Brethren of the ſame Hoſpitall, to remaine to them and their ſucceſſors for euer. Wherefore our ſaid Lord the King, by the mutuall aſſent of the Earles, Barons, and Noble men aforeſaid, of his Regall authoritie in the ſame Parliament, hath aſſigned and determined to deliuer all the foreſaid Lands, Tenements, Lordſhips, Fees, Churches, Aduowſons, and Liberties with their appurtenances to the foreſaid Order of the Hoſpitall, and to the ſaid Prior and Brethren of the ſaid Order, To haue and hold to the ſame Prior and his Brethren and Succeſſors for euer of our Lord the King, and other Lords of the Fees aforeſaid by the ſame ſeruices, by which the Brethren of the Military Order of Templers held the ſame, at the time of their ceaſing and diſſolution: As in relieuing of the poore, in hoſpitalities, in celebrating diuine Seruice, defence of the holy Land, and in all other offices and ſeruices before time due, by whatſoeuer names they be called. So alwaies, that the godly and worthy will of the foreſaid giuers be obſerued, performed, and alwaies religiouſly executed, as is aforeſaid, Sauing to euery perſon his action, if he had any, the time of the ceaſing and diſſolution aforeſaid, againſt the ſame Templers in the foreſaid Lands and Tenements, Rents, Seruices, Cuſtomes, Penſions, Corrodies, Liberties, celebrating of Maſſes, Almes, and other things whatſoeuer, and libertie to proſecute his right againſt the ſaid Prior and Brethren of the Hoſpitall aforeſaid and their Brethren and their ſucceſſors, according to the law and cuſtome of the Realme, as he might haue had againſt the foreſaid Templers, if the Order aforeſaid had not been diſſolued: And if it fortune that the ſaid Prior and Brethren of the Hoſpitall aforeſaid, or their Succeſſors ſhall be put out of the foreſaid Lands and Tenements, or of any parcell thereof, after they ſhall be ſeiſed of the ſame, they ſhall haue power to recouer their owne according to the Law of the Realme.

And to the intent that the aſſignement before ſpecified may be publiſhed and made knowne to all men to whom it behoueth: It is ordained and agreed in the ſame Parliament, that it ſhall be openly proclaimed in euery County of this Kingdome, that all and euery perſon holding the Lands and Tenements aforeſaid, and all others to whom it doth appertaine, ſhall be at Weſtminſter one month after Eaſter day next if they will, to heare the concord, prouiſion, and aſſignement aforeſaid, in forme aforeſaid.

Anno

Anno primo EDVVARDI *tertij.*

STATVTES MADE AT WESTMINSTER THE SEVENTH OF MARCH IN THE first yeare of the Raigne of the noble King EDVVARD the third, the yeare of our Lord 13Y7,

A confirmation of the baniſhment of *Hugh Spencer* the father, & *Hugh Spencer* the ſonne. EXP.

CAP. I.

None ſhall be impeached which tooke part with the King againſt his father. EXP.

CAP. II.

The Repeale of the exile made void.

CAP. III.

The executors of thoſe that were wrongfully ſlaine ſhall haue action to recouer their Teſtators goods. All aſſurances made to the Rebels by dureſſe ſhall be void. EXP.

CAP. IIII.

Triall of an auerrement in a Writ of falſe Iudgement.

ITem, it is accorded, ordained, and eſtabliſhed in amendment of the law, that againſt a record of Court, which record commeth into the kings Court by writ of falſe iudgmēt, in caſe where the partie alledged that the record is otherwiſe then the Court doth record the ſame: the auerment ſhall be receiued of the goodcountrey, and of them which were preſent in the Court when the Record was made, if they doe come with others of the country by the Sheriffes returne. And if they come not, the enqueſt ſhall be taken by the good countrey. Regiſt.f.15. V.N.B.f.17. Fitz N.B.f.20.

yer fo 262.268.
.H.6.fo.42.
z.Droit.42.
z.Faux iudgement.2.13.14.19.

Trial of an auerrement in a writ of falſe iudgement.
Raſt.pl f.321.&c.
Coke pla.fo.305.
St.52.H.3.20.

CAP. V.

An auerrement may be made againſt falſe returnes of Bailiffes of Liberties.

ITem, it is prouided and eſtabliſhed, that from henceforth againſt the falſe returnes of Bayliffes of Franchiſes, which haue full returne of Writs, a man ſhall haue auerrement, and recouer as wel againſt them as againſt the Kings Sherife: as wel of two little iſſues returned as in other caſes, ſo that it falleth not in preiudice of the Lords, nor in the blemiſh of their Franchiſe. And that the eſtate of holy Church be allwaies ſaued. And that all the puniſhment fall onely vpon the Bailiffes by puniſhment of their bodies, if they haue not whereof to anſwere. V.N.B.fo.53.

.H.7.fo.27.

Auerment againſt returnes of Bailiffes of Franchiſes.
Stat.13.Ed.1.39.

CAP. VI.

An Attaint will lie as well vpon the principall, as vpon the damages.

ITem, it is prouided that for the great miſchiefes, damage, and deſtruction, that hath happened to diuers perſons, as well of holy Church, as of other, by the falſe oathes of Iurors in Writs of Treſpaſſe: from henceforth a writ of Attaint ſhall be graunted as well vpon the principall as vpon the damages in a Writ of Treſpaſſe. And that the Chancellor which ſhall be for the time, ſhall haue power to grant ſuch Writs of Attaints, without ſpeaking therefore to the King. And in ſuch, and all other caſes of Attaints, the Iuſtices ſhall not let to take the Attaints for the damages not payed. Regiſt.fo.22. V.N.B.fo.48. Fitz.N.B.fo.105.k.

.Ed.4.fo.5.
.Ed.3.fo.31.
.Ed.3.fo.7.
.Aſſ.pla.30.
.H.6.fo.19.
it.Attaint.70.76.

Attaint as well vpon the principall as the damages.
Stat.3.Ed.1.37.
St.5.Ed.3.7.
St.28.Ed.3.8.
St.34.Ed.3.7.
St.9.R.2.3.

CAP. VII.

Inquirie ſhalbe made of Gaolers which by dureſſe compell priſoners to appeale.

Inquirie of Gaolers which ſhall procure priſoners to become approuers.

ITem, to eſchew the damage and deſtruction that often doth happen by Sheriffes, Goalers & keepers of priſons, within Franchiſe and without, which haue power ouer priſoners, and by ſuch euill meanes compell and procure them to become appealers, and to appeale harmeleſſe and guiltleſſe people, to the intent to haue ranſome of ſuch appealed perſons, for feare of impriſonment or other cauſe: the Juſtices of the one Bench and of the other, and Juſtices of Aſſiſe and Gaole deliuerie, ſhall by force of this Statute, enquire of ſuch compulſions, puniſhments, and procurements, and heare the complaints of all them that will complaine in ſuch caſes by bill, and ſhall heare and determine ſuch plaints, as well at the ſuit of the partie, as at the Kings ſuit. Stat. 13. Ed. 1. 12. Stat. 14. Ed. 3. 10. Raſt. pla. fo. 56.

CAP. VIII.

How he ſhall be vſed that is taken for any offence in the Foreſt. Bailement of him.

How he ſhall be vſed which is taken in the Foreſt for any offence of Vert or Veniſon. Stat. 3. Ed. 1. 20. Stat. 9. H. 3. 10. & 16.

ITem, whereas diuers people be diſherited, ranſomed, and vndone, by the chiefe keepers of the Foreſts on this ſide Trent and beyond, and by other miniſters, againſt the forme of the great Charter of the Foreſt, and againſt the declaration made by King Edward, ſonne of King Henry in forme following, that is to ſay: We will and grant for vs and our heires, that for any treſpaſſe done in our Foreſt of Vert and Veniſon: that the Foreſters in whoſe Bailiwike ſuch treſpas ſhall be committed, ſhall preſent the ſame treſpaſſes, at the next Swanimot before the Foreſters, Verders, Regarders, and Agiſters, and other miniſters of the ſame Foreſt. And vpon ſuch preſentment made before the ſaid Foreſters, Verders, Regarders, and Agiſters, and other miniſters aforeſaid, as well by the oathes of Knights, as by other diſcreet and lawfull men, and not ſuſpitious, of the parties adioyning or nere, where ſuch offences ſhall be ſo preſented, and where the truth may beſt and moſt fully be inquired: and the truth perfectly knowne, then ſuch preſentments by the common aſſent and conſent of all the ſaid miniſters ſhall be ſolemnly written, and with their ſeales enſealed. And if any indictment be in any other maner made, the ſame ſhall be void. And therefore becauſe the chiefe Wardens of the Foreſts haue not obſerued the ſame hitherto: It is agreed & ordained, that from henceforth no man ſhall be takē nor impriſoned for Vert nor Veniſon, vnleſſe he be taken with the maner, or elſe indicted after the forme before ſpecified. And then the chiefe Warden of the Foreſt ſhall let him to mainpriſe, till the eyre of the Foreſt, without any thing taking for his deliuerance. And if the ſaid Warden will not ſo doe, he ſhall haue a Writ out of the Chancery, which hath been in old time ordained for ſuch perſons endicted, to be at mainpriſe till the eyre. And if ſuch Warden after he hath receiued the Writ, doe not incontinently deliuer ſuch perſons endicted to mainpriſe, without taking any thing: then the plaintiffe ſhall haue a Writ out of the Chancery to the Sheriffe, to attach the ſaid Warden, to be before the King at a certaine day to anſwere, wherefore he hath not replevied him that is ſo taken. And the Sheriffe (the Verdours being called to him) ſhall deliuer him that is ſo taken by good mainpriſe, in the preſence of the Verdors, and ſhall deliuer the names of the mainpernors to the ſame Verdors, to anſwere in the eyre before the Juſtices. And if the chief Warden be thereof attainted, the plaintiffes ſhall haue their treble damages awarded them, and the ſaid Warden ſhall be committed to priſon, and ranſomed at the Kings will. And from henceforth it ſhall be written to them as to the chiefe Wardens of the Foreſt, becauſe they may not be Juſtices, nor haue any record but in the eyre. Dated at Weſtminſter, the ſeuenth day of March in the firſt yeare of the raigne of the ſaid King Edward that now is.

A remedie for the priſoner if the Warden of the Foreſt will not baile him. Stat. 7. R. 2. 4. Regiſt. fo. 80. V. N. B. fo. 41. Fitz. N. B. fo. 67. c

Other Statutes made at Weſtm. the ſame *an. 1. Ed. 3. & An. Dom.* 1327

TO the honour of God and of holy Church, and to the redreſſe of the oppreſſions of the people; King EDVVARD the third, at his Parliament holden at Weſtminſter after the Purification of our Lady, in the firſt yeare of his raigne, at the requeſt of the comminaltie of his Realme, by their petition made before him and his Counſell in the Parliament, by aſſent of the Prelates, Earles, Barons and other great men aſſembled at the ſaid Parliament, hath granted for him and his heires for euer theſe Articles vnderwritten.

CAP. I.

A confirmation of the great Charter and the Charter of the Foreſt. Perambulations of Foreſts.

FIrſt, that the great Charter of the Liberties, and the Charter of the Foreſt be obſerued and kept in euery Article. And that the perambulations of the Foreſt in time of King Edward grandfather to the King that now is, be from henceforth holden in like forme, as it was then riden and bounded. And thereupon a Charter to be made to euery Shire where it was riden and bounded. And in ſuch places where it was not bounded, the King will that it ſhall be bounded by good men and lawfull, and that a Charter be thereupon made as afore is ſaid.

Confirmation of Charters.

Perambulation of Foreſts, Charters thereof.

Cap. II.

How euery perſon may vſe his woods within the Foreſt. Seiſing of Biſhops Temporalties.

ITem, euery man that hath any wood within the Foreſt may take houſeboot and heyboot in his ſaid wood, without being attached for the ſame by any miniſters of the Foreſt, ſo that he do the ſame by the view of the Foreſters. And becauſe before this time in the time of King Edward father to the King that now is, The King by euill Counſellors cauſed to be ſeiſed into his hands the Temporalties of diuers Biſhops, with all their goods and cattels therin found without any cauſe, and the ſame held in his hands by a long ſeaſon, and continually thereof tooke the profits, to the great damage of the ſame Biſhops, waſts and deſtructions of all their cattels, Manors, Parkes, and Woods: The King will and granteth that from henceforth it ſhall not be done.

Vſing of woods within the Foreſt.

The temporalties of Biſhops. Stat. 14. Ed. 3. 3. Stat. 25. Ed. 3. 6.

Cap. III.

King *Edward* the ſeconds pardon confirmed to the Iewes and all others. Exp.

Cap. IIII.

The Kings debts ſhall be ſtalled according to the debtors eſtate. Exp.

Cap. V.

None ſhall be compelled to goe to warre out of the Shire where he dwelleth: But &c.

ITem, the King will that no man from henceforth ſhall be charged to arme himſelfe, otherwiſe then he was wont in the time of his progenitors Kings of England. And that no man be compelled to goe out of his Shire, but where neceſſitie requireth, and ſudden comming of ſtrange enemies into the Realme: And then it ſhall be done as hath béene vſed in times paſt for the defence of the Realme. Stat. 18. Ed. 3. 7. Stat. 25. Ed. 3. 8. Stat. 4. H. 4. 13.

In what onely caſe one ſhall be compelled to goe to warre out of the ſhire where he dwelleth.

Cap. VI.

How Aide granted to the King ſhall be taxed.

ITem, becauſe the Commons haue felt great griefe whereas they granted any aide to the King of their goods, and certaine were aſſigned to taxe their goods, & the taxers haue leuied the ſame taxe, and yéelded their accompt for the ſame at the Eſchequer, and there payed the money: Iuſtices haue béene aſſigned after to enquire of their doings, which Iuſtices haue taken ranſomes and fines of the taxers and other, by colour of their Commiſſions, to the great oppreſſion and impoueriſhing of them: the King will that from henceforth they ſhall be taxed after the old maner, and not otherwiſe. Stat. 9. H. 4. 7.

How aide granted to the King ſhall be taxed.

Cap. VII.

Who ſhall pay the wages to Conductors of Souldiers.

ITem, whereas commiſſions haue bin awarded to certaine people of Shires, to prepare men of armes, and to conuay them to the King into Scotland, or Gaſcoine, or elſewhere at the charge of the Shires: The King hath not before this time giuen any wages to the ſaid preparers and conuayors nor Souldiers, whom they haue brought, whereby the commons of the counties haue béene at great charge and much impoueriſhed: the King will that it ſhall be done ſo no more. St. 18. Ed. 3. 7. St. 4. H. 4. 13.

The King ſhall giue wages to the conuayors of Souldiers.

Cap. VIII.

Nothing ſhall be taken for Beaupleader.

ITem, whereas ſome of the Realme haue grieuouſly complained, that they be grieued by Sheriffes, naming themſelues the Kings approuers, which take money by extortion for Beaupleader: The King will that the Statute of Marlebridge ſhall be obſerued and kept in this point.

Stat. 52. H. 3. 11. Stat. 3. Ed. 1. 8. Regiſt. fo. 179. Fitz. N. B. fo. 270.

Cap. IX.

A confirmation of the liberties of Cities and Boroughs.

ITem, the King will that Cities, Boroughs, & franchiſed townes, ſhall enioy their franchiſes, cuſtomes and vſages as they ought and were wont to doe.

Cap. X.

There ſhall be no more grants of Corrodies at the Kings requeſt by Biſhops, Abbots, &c.

ITem, whereas Archbiſhops, Biſhops, Abbots, Priors, Abbaſſes and Prioreſſes haue béene before this time ſore grieued by the Kings requeſts and his Progenitors, which haue deſired

them

There ſhall be no grant of Corodies at the Kings requeſt.

them by great threats for their Clerkes and other ſeruants, for great penſions, Prebends Churches, and Corodies, ſo that they might nothing giue nor doe to ſuch as had done them ſeruice, nor to their friends, to their great charge and damage: The King granteth that from henceforth hée will no more ſuch things deſire, but where he ought. Regiſt.fo.264.

Cap. XI.

No ſuit ſhall be made in the Spirituall Court againſt Indictors.

A prohibition againſt them who in the ſpirituall Court doe ſue their indictors.

ITem, the Commons doe grieuouſly complaine, that when diuers perſons as well Clerkes as lay people, haue béene indicted before Sheriffs in their Turnes, and after by enqueſts procured be deliuered before the Iuſtices: after their deliuerance they doe ſue in the Spirituall Court againſt ſuch indictors, ſurmiſing againſt them that they haue defamed them, to the great damage of the endictors, wherefore many people of the Shire be in feare to endict ſuch offendors: The King will that in ſuch caſe euery man that féeleth himſelfe grieued thereby, ſhall haue a prohibition formed in the Chancery vpon this caſe. Regiſt.fo.39.42.Raſt.pal.fo.447.

Cap. XII.

No forfeiture, but a fine ſhall be made for alienation of lands holden of the King.

The King ſhall haue a fine for lands holden of him in chiefe aliened without licence.

Co.Inſt.1 part. 34.b.
Coke li fo.81.
Fitz.Q.imp.4
Bro.Alienatió 23

ITem, whereas diuers people of the Realme, complaine themſelues to be grieued becauſe that lands & tenements, which be holden of the King in chiefe, and aliened without licence, haue bin ſeiſed heretofore into the Kings hands, & holden as forfeit: The K. ſhall not hold them as forfeit in ſuch caſe, but will & grant from henceforth of ſuch lands and tenements ſo aliened, there ſhalbe reaſonable fine taken in the Chancery by due proceſſe. Stat.17.Edw.2.6. Fitz.N.B.fo.195. Raſt.pla.fo.457.485.

Cap. XIII.

Purchaſing of lands holden of the King as of ſome Honor.

Lands holden of the King as of ſome honor.

26.H.8.fo.9.
5.Ed.[illegible].fo.127.
28.H.6.fo.11.
Bro.Alien.34.
Bro.Tenures 57.
61.65.94.99.10

ITem, whereas diuers haue complained that they be grieued by reaſon of purchaſing of lands and tenements, which haue béene holden of the Kings progenitors that now is, as of honors, and the ſame lands and tenements haue béene taken into the Kings hands, as though they had béene holden in chiefe of the King, as of his crowne: The King will, that from henceforth no man be grieued by any ſuch purchaſe. St.9.H.3.31. Stat.1.Ed.6.4 Regiſt.fo.184.Fitz.N.B.fo.175.A.

Cap. XIIII.

None ſhall commit Maintenance.

None ſhall commit maintenance. Raſt.pla.fo.118. 393.45

Fitz.Barre 15.

ITem, becauſe the King deſireth that common right be miniſtred to all perſons, as well poore as rich, he commandeth, and defendeth, that none of his Counſellors, nor of his houſe, nor none other of his miniſters, nor no great man of the Realme by himſelfe, nor by other by ſending of Letters, nor otherwiſe, nor none other in this land great nor ſmall, ſhall take vpon them to maintaine quarrels nor parts in the countrey, to the let and diſturbance of the common law. St.28.Ed.1.11.Stat.4.Ed.3.11.St.20.Ed.3.4.St.1.R.2.4.Regiſt.fo.182.183.V.N.B.fo.180.Fitz.N.B fo.172.

Cap. XV.

None ſhall be bound by writing to come armed to the King, for that euery ſubiect is at his commandement. Exp.

Cap. XVI.

Who ſhall be aſſigned Iuſtices and keepers of the peace.

10.H.

Iuſtices of P.

ITem, for ther bette kéeping and maintenance of the peace: the King will that in euery county good men and lawfull, which be no maintainers of euill, or barrettors in the countrey ſhall bée aſſigned to kéepe the peace. Stat.4.Ed.3.2.Stat.18.Ed.3.2.Sta.34.Ed.3.1. 18.H.6.11.Fitz.N.B.fo.80.C.

Cap. XVII.

Indictments in the Sheriffes Turne ſhall be by Roll indented.

Indictments in Sheriffes turns ſhall be by roll indented.

ITem, the king commandeth that the Sheriffes and Bailiffes of Franchiſes, and all other that doe take indictments in their Turnes, or elſewhere, where indictments ought to be made, ſhall take ſuch indictment by roll indented, whereof the one part ſhall remaine with the indictors, and the other part with him that taketh the enqueſt. So that the indictments ſhall not be embezilled as they haue béene in times paſt. And ſo that one of the enqueſt may ſhew the one part of the Indenture to the Iuſtices, when they come to make deliuerance. Stat.13.Ed.1.13.

The

Statutes made at Northampton *tribus ſeptimanis Paſchæ*, *Anno* 2. *Ed.* 3. *&* *Anno Domini* 1328.

OVr Lord King EDVVARD the third after the Conqueſt, at his Parliament holden at Northampton at the three weekes of Eaſter in the ſecond yeare of his raigne, deſiring that the peace of his land, & his lawes & Statutes ordained and vſed before time may be kept and maintained in all points, to the honour of God and of holy Church, and to the common profit of the people, by aſſent of the Prelates, Earles, Barons and other great men, and all the Communaltie ſummoned to the ſame Parliament: hath ordained and eſtabliſhed in the ſaid Parliament theſe things vnder written in forme following.

CAP. I.

A confirmation of the great Charter, and the Charter of the Foreſt.

FIrſt, that the great Charter, and the Charter of the Foreſt be obſerued in all points.

Charter.

CAP. II.

In what caſes onely pardon of felonie ſhall be granted. Who ſhall be Iuſtices of Aſſiſe, &c.

ITem, whereas offendors haue béene greatly encouraged, becauſe the Charters of pardon haue béene ſo eaſily granted in times paſt of manſlaughters, robberies, felonies, and other treſpaſſes againſt the Peace: It is ordained and enacted, that ſuch Charters ſhall not be granted, but onely where the King may doe it by his oath, that is to ſay, where a man ſlayeth another in his owne defence, or by miſfortune. And alſo they haue bin encouraged, becauſe that the Iuſt. of gaole deliuery, and of Oyer and Terminer, haue béene procured by great men, againſt the forme of the Statute made in the xxvij. yeare of the raigne of King Edward Grandfather to our Lord the King that now is, wherein is contained, that Iuſtices aſſigned to take Aſſiſes, if they be lay men, ſhall make deliuerance, and if the one be a Clerke and the other a lay man: that the lay Iudge with another of the Countrey aſſociate to him, ſhall deliuer the Gaoles: wherefore it is enacted, That ſuch Iuſtices ſhall not be made againſt the forme of the ſaid Statute, And that the aſſiſes, attaints, and certifications be taken before the Iuſtices commonly aſſigned, which be good men and lawfull, hauing knowledge of the law, and none other, after the forme of another Statute made in the time of the ſaid King Edward the firſt. And that the Oyers and Terminers ſhall not be granted, but before Iuſtices of the one Bench or the other, or the Iuſtices errants, and that for great hurt or horrible treſpaſſes, and of the Kings ſpeciall grace, after the forme of the ſtatute thereof ordained in time of the ſaid grandfather, and none otherwiſe. Fitz. N.B. fo. 109. h. 110. b.

In what caſes onely the Kings pardon ſhall be granted.
St. 6. Ed. 1. 9.
St. 10. Ed. 3. 2.
St. 14. Ed. 3. 15.
Regiſt. fo. 309.

St. 27. Ed. 1. 4.
Who ſhall be I. of Aſſiſe & gaole deliuerie.
St. 12. Ed. 2. 3. 4.

St. 13. Ed. 1. 30.

To whom Oyers and Terminers ſhal be granted, and for what cauſe.
Regiſt. fo. 124. 206.
St. 13. Ed. 1. 29.

CAP. III.

No man ſhall come before the Iuſtices, or goe, or ride armed.

ITem, it is enacted that no man great nor ſmall, of what condition ſoeuer he be, except the Kings ſeruants in his preſence, and his miniſters in executing of the Kings precepts or of their office, and ſuch as be in their companie aſſiſting them, and alſo vpon a crie made for armes to kéepe the peace, and the ſame in ſuch places where ſuch acts happen, be ſo hardie to come before the K. Iuſtices, or other of the Kings miniſters doing their office with force & armes, nor bring no force in affray of peace, nor to goe nor ride armed by night nor by day in faires, markets, nor in the preſence of the Iuſtices or other miniſters, nor in no part elſwhere, vpō paine to forfeit their armor to the King, and their bodies to priſon at the Kings pleaſure. And that the kings Iuſtices in their preſence, Sheriffes, and other miniſters in their Bailiwickes, Lords of Frāchiſes and their bailiffes in the ſame, and Maiors and Bailiffes of Cities and Boroughs, within the ſame Cities and Boroughs, & Borough-holders, Conſtables & Wardens of the peace within their wards, ſhall haue power to execute this Act. And that the Iuſtices aſſigned at their comming downe into the countrie, ſhall haue power to inquire how ſuch officers and Lords haue exerciſed their offices in this caſe, and to puniſh them whom they finde that haue not done that which pertained to their office. Stat. 7. E. 1. Sta. 7. R. 2. 13. Stat. 20. R. 2. 1. Fitz. N. B. fo. 149.

No man ſhall come before the Iuſtices, or ride armed.

10. H. 7. fo. 12.

CAP. IIII.

A confirmation of the Statute of Lincolne, concerning the ſufficiencie of Sheriffes, &c.

ITem, becauſe the Peace cannot be well kept without good miniſters, as Sheriffes, Bailiffes, and Hundredors, which ought to doe execution aſwell of the Kings writs as of other things touching

A confirmation of the Stat. of Lincolne conteyning the ſufficientie of Sheriffes.

ching our Lord the King and his people: It is ordained and eſtabliſhed that the ſtatute made in the time of King Edward, father to the king that now is, at Lincolne, containing that Sheriffes, Hundredors, and Bailiffes ſhall be of ſuch people as haue lands in the ſame Shires or Bailiwickes: ſhall be obſerued in all points after the forme thereof. And that Sheriffes and Bailiffes of fée, ſhall cauſe their counties & Bailiwikes to be kept by ſuch as haue lands therein. St. 9. Ed. 2. Lincoln Fitz. N. B, fo. 164.

Cap. V.

The manner how Writs ſhall be deliuered to the Sheriffe to be executed.

St. 13. Ed. 1. 39.

The manner how writs ſhall be deliuered to the Sheriffe to be executed.

29. Aſſ pl. 58.

ITem, where it was ordained by the Statute of Weſtminſter ſecond, that they which will deliuer their writs to the Sheriffe, ſhall deliuer them in the full countie, or in the rere county, and that the Sheriffe or Underſheriffe ſhall thereupon make a bill: It is accorded and eſtabliſhed that at what time or place in the countie, a man doth deliuer any writ to the ſheriffe or to the underſheriffe, that they ſhall receiue the ſame writs, and make a bill, after the forme contained in the ſame ſtatute, without taking any thing therefore. And if they refuſe to make a bill, other that be preſent ſhall ſet to their ſeales, And if the ſheriffe or underſheriffe doe not returne the ſaid writs, they ſhall be puniſhed after the forme contained in the ſame ſtatute. And alſo the Juſtices of Aſſiſes ſhall haue power to enquire thereof at euery mans complaint, and to award damages, as hauing reſpect to the delay and to the loſſe and perill that might happen.

Cap. VI.

Iuſtices ſhall haue authoritie to puniſh breakers of the Peace.

Stat. 13. Ed. 1. 6. Juſtices ſhall haue authoritie to puniſh reſiſters of the P.

ITem, as to the kéeping of the peace in time to come: It is ordained & enacted that the ſtatutes made in time paſt, with the Statute of Wincheſter ſhall be obſerued and kept in euery point. And where it is contained in the end of the ſaid ſtatute of Wincheſter, that the Juſtices aſſigned ſhall haue power to enquire of defaults, and to report to the King in his Parliament, which no man hath yet ſéene: the ſame Juſtices ſhall haue power to puniſh the diſobeyers and reſiſters.

Cap. VII.

Commiſſions ſhall be granted to certaine perſons to heare and determine offences before committed, and to puniſh the offendors. Exp.

Cap. VIII.

No commandement vnder the Kings Seale ſhall diſturbe or delay Iuſtice.

There ſhall be no hindrance or delay of Juſtice. Regiſt. fo. 186. Fitz. N. B. fo. 180.

ITem, it is accorded and eſtabliſher, that it ſhall not be commanded by the great Seale nor the little Seale, to diſturbe or delay common right: and though ſuch commandements do come, the Juſtices ſhall not therfore leaue to do right in any point. St. 9 H. 3. 29. St. 5. Ed. 3. 9. St. 14. Ed. 3. 14.

Cap. IX.

All Staples ſhall ceaſe, and all Merchants may come in and goe out with their Merchandiſes.

Merchants may come & goe out of England

ITem, it is enacted, That the Staples beyond the Sea & on this ſide, ordained by kings in times paſt, and the paines thereupon prouided, ſhall ceaſe: And that all Merchant ſtrangers & priuie may goe and come with their merchandiſes into England, after the tenure of the great Charter; and that writs thereupon ſhall be ſent to all Sheriffes of England, & to Maiors and Bailiffes of good townes where néed ſhall require. St. 9. H. 3. 30. St. 9. Ed. 3. 1. St. 25. Ed. 3. 2. 2. R. 2. 1. 11. R. 2. 7.

Cap. X.

The Kings Pardon of fines forfeited. Exp.

Cap. XI.

The common Bench ſhall not be remoued without warning by Adiournement.

Adiournment of ſuits in the common place. Fitz N. B. f. 243. k. Raſt. pla. fo. 22.

7. H. 6. fo. 9. 12. H. 4. fo. 9. Dyer fo. 225. Bro. Adiour. 35. 26. 27.

ITem, whereas by remouing of the common Bench, the pleas haue often times abiden without day, to the great hurt, perill and diſheriſon of diuers: It is enacted, that from henceforth the Juſtices, before that the common Bench be remoued, ſhall be warned by a time, ſo that they may adiourne the parties, by ſuch time that they ſhall not loſe their Proces.

Cap. XII.

Hundreds and Wapentakes ſhall be annexed to Counties, and not let to farme.

ITem, whereas all the Counties in England were in old time aſſeſſed to a certaine farme: and then were all the Hundreds and Wapentakes in the Sheriffes hands, rated to this farme. And after were Approuers ſent into diuers Counties, which did encreaſe the fermes of ſome Hundreds and Wapentakes: And after, the Kings at diuers times haue granted to many men, part of the ſame Hundreds and Wapentakes for the old fermes onely. And now late the Sheriffes be wholly charged of the encreaſe, which amounteth to a great ſumme, to the great hurt of the people, and diſheriſon of the Sheriffes and their heires: It is ordained, that the Hundreds and Wapentakes let to ferme by the King that now is, be it for terme of life or otherwiſe, which were ſometimes annexed to the fermes of the Counties where the Sheriffes be charged: ſhall be adioyned againe to the Counties. And that the Sheriffes and their heires, haue allowance for the time that is paſt. And that from henceforth ſuch Hundreds and Wapentakes ſhall not be giuen nor ſeuered from the Counties.

Hundreds, and Wapentakes ſhall be annexed to counties, and let not to farme.

Fitz.Petition.1.

CAP. XIII.

Proceſſe of Trepaſſe committed in the time of King *Edward* the ſecond. EXP.

CAP. XIIII.

The Meaſure and Aſſiſe of Clothes of Ray and of color. REP. 5.Ed.6.6. 43.Eliz 10. 4.Iac.2.

CAP. XV.

No perſon ſhall keepe a Faire longer then he ought to doe.

ITem, it is eſtabliſhed, that it ſhall be commanded to all the Sheriffes of England, and elſewhere, where neede ſhall require, to cry and publiſh within liberties and without, that all the Lords which haue Faires, be it for yeelding certaine ferme for the ſame to the King or otherwiſe, ſhall hold the ſame, for the time that they ought to hold it, and no longer, that is to ſay, ſuch as haue them by the Kings Charter granted them, for the time limited by the ſaid Charters. And alſo they that haue them without Charter, for the time that they ought to hold them of right. And that euery Lord at the beginning of his Faire ſhall there doe cry and publiſh how long the Faire ſhall endure, to the intent that Merchants ſhall not be at the ſame Faires ouer the time ſo publiſhed, vpon paine to be grieuouſly puniſhed towards the King. Nor the ſaid Lords ſhall not hold them ouer the due time, vpon paine to ſeiſe the Faires into the Kings hands, there to remaine till they haue made a fine to the King for the offence, after it be duely found, that the Lords held the ſame Faires longer then they ought, or that the Merchants haue continued aboue the time ſo cryed and publiſhed. Stat.5.Ed.3.5.

No man ſhall keepe a faire longer then he ought to doe. Raſt.pla.fo.327.

CAP. XVI.

Niſi prius *may be granted as well at the Tenants ſuit as at the Demandants.*

ITem, whereas in a Statute made at Yorke, in the time of the father of our Lord the King that now is, it is contained that Inqueſts and Iuries, which be and ſhall be hereafter taken, requiring no great examination, ſhall be taken before one Iuſtice of the place where the plea is, adioyning to him one diſcreet man of the Countrey, Knight or other, ſo that a certaine day be giuen in the Bench, and a certaine day and place in the Countrey, in the preſence of the parties, if the demandant pray the ſame. And alſo the Inqueſts and Iuries in plea of Land which require great examination, ſhall be taken in the Countrey in the ſaid forme, before two Iuſtices of the Bench: It is accorded and enacted, that all ſuch Inqueſts which are, or in time to come ſhall be taken in plea of Land, ſhall be taken as well at the requeſt of the Tenant as of the Demandent. All other Proceſſe according to the ſaid Statute in ſuch caſe ſaued and kept. Regiſt.ind.fol.7. V.N.B.fol.175. Raſt.pla.fol.402.

12.E.2.3.

Niſi prius may be granted as well at the tenants ſuit as at the Demandants. Stat.14.Ed.3.15.

33.H.6.fo.14.
16.H.7.fo.14.
19.H.6.fo.47.
Bro.Niſi prius 39.

CAP. XVII.

A Writ of Deceit ſhall be maintainable in caſe of garniſhment in plea of Land.

ITem, it is enacted, that a Writ of Deſceit ſhall be maintainable, and hold place as well in the caſe of garniſhment, touching plea of Land, where ſuch garniſhment is giuen, as in caſe of ſummons in plea of Land. Dated at Northampton. Regiſt.fo.112. Regiſt.ind.ſo.6.9.10.18. V.N.B.fo.51. Fitz.N.B.fo.97.C. Raſt.pla.fo.215.&c.

Statutes made at Weſtminſter, 27. *Nouembris, Anno* 4. *Ed.*3. *& Anno Domini* 1330.

AT the Parliament ſummoned at Weſtminſter, the munday next after the Feaſt of *S Katherine*, in the fourth yeare of the raigne of King *Edward*, the third after the Conqueſt: Theſe things vnderwritten, at the requeſt of the Commons be eſtabliſhed and enacted by our Lord the King, his Prelates, Earles, & Barons, and other of the ſame Parliament, which things our Lord the King will to be publiſhed and ſurely obſerued in all his Counties of England.

Cap. I.

A Confirmation of all Statutes not repealed.

Charters.

FIrſt it is accorded, that the great Charter, and the Charter of the Foreſt, and all other Statutes made as well in the time of the Kings Progenitors, as in the Kings time that now is, be kept and maintained in all points.

Cap. II.

The authoritie of Iuſtices of Aſſiſe, Gaole deliuerie, and of the Peace.

The authoritie of Iuſt. of aſſiſe, & gaole deliuery Stat.33.Ed 1.30. Stat.20.Ed.3.6. Fitz.N.B.fo 251. Iuſt. of P. ſhall be aſſigned and their authority. Stat.1.Ed.3.16. Stat.18.Ed.3.2. Stat.34.Ed 3.1. Stat.13.R.2.7.

ITem, it is ordained that good and diſcréet perſons, other then of the places, if they may be found ſufficient, ſhall be aſſigned in all the Shires of England to take Aſſiſes, Iuries, and certifications, and to deliuer the Gaoles. And that the ſaid Iuſtices ſhall take the Aſſiſes, Iuries and certifications, and deliuer the Gaoles at the leaſt thrée times a yeare, and more often if néede be, Alſo there ſhall be aſſigned good and lawfull men in euery Countie to kéepe the peace. And at the time of the aſſignements mention ſhall be made that ſuch as ſhall be endicted or taken by the ſaid kéepers of the Peace, ſhall not be let to mainepriſe by the Sheriffes, nor by none other miniſters, if they be not mainpernable by the Law. Nor that ſuch as ſhall be endicted, ſhall not be deliuered but at the Common Law. And the Iuſtices aſſigned to deliuer the Gaoles, ſhall haue power to deliuer the ſame Gaoles of thoſe that ſhall be endicted before the kéepers of the peace. And that the ſaid kéepers ſhall ſend their endictments before the Iuſtices, and they ſhall haue power to enquire of Sheriffes, Gaolers, and other, in whoſe ward ſuch endicted perſons ſhall be, if they make deliuerance or let to mainpriſe any ſo endicted, which be not mainpernable, and to puniſh the ſaid Sheriffes, Gaolers, and other if they doe any thing againſt this Act.

Cap. III.

Puruaiors for the King, Queene, and their Children, and what they may doe.

ITem, wheras the people hath béen greatly grieued becauſe that Corne, Hay, Litter, Beſtaill and other manner of victuall and goods of the people, hath béene taken in times paſt, as well by the takers and puruaiors for the Kings houſe, as by other, for which no payment was made: and becauſe alſo the takers and puruaiors for the Kings houſe, the Quéenes houſe, and their Children haue taken Corne at a leſſe value then it was worth, and alſo haue taken one and twentie quarters of Corne for twentie quarters, becauſe they meaſured euery buſhell by heape, and alſo the takers and puruaiors of Hay and Litter for the ſaid houſes, haue in times paſt made burdens of Hay and Litter at their owne wils, aſſeſſing euery burthen at a halfe penie, where it was worth more thē ij.d. or iij.d. and alſo aſſeſſed the loads of Hay and Litter at a leſſe price then they were worth: It is agréed that no perſon great nor ſmall, of what eſtate or condition ſo euer he be (the takers and puruayors for the Kings houſe, the Quéenes, and their children only except) ſhall take the Corne, Litter or Hay, nor beſtaill, vitails, nor none other goods or cattells from any man, nor make cariage againſt the will of them to whom ſuch goods and cariage ſhall be. And that the ſaid takers & puruayors for the ſaid houſes, ſhall take them by meaſure according as is vſed throughout the Realme. And that all the Corne, Hay, Litter, Baſtaill, and other victualls and things, whatſoeuer they be, that ſhall be taken for the ſaid houſes, ſhall be from henceforth preyſed at the very value by the Conſtables and other good men of the Townes where ſuch taking ſhall be. But the preyſers ſhall not be conſtreyned by threates or dures to ſet any price other thē their oths will. And that of all things which ſhall be taken for the ſaid houſes of the King, of the Quéene, and of their children, payment be made before the King depart out of the Verge. Sta.25.Ed.3.1. Stat.36.Ed.3.2.

For whom only purnayance ſhall be made. Purueiors ſhall take by the vſuall meaſure. Stat.1.H.5.10. 23.H.6.1. Goods taken ſhall be priſed at the very value. Stat.5.Ed.3.2. When payment ſhal be made for things taken.

CAP. IIII.

A Confirmation of the Statute of 28. Ed. 1. 2. touching Purueyors.

ITem, it is enacted that the Articles contained in a Statute made in the time of King Edward, grandfather to our Lord the King that now is, in the xxviij. yeare of his raigne, touching ſuch takings, be kept and maintained in al points. The forme of which article enſueth in theſe words. Firſt of all becauſe one great griefe is in this Realme, whereof riſeth infinite harmes, that is to ſay: The King and his miniſters of his retinue, as well aliens as denizens, do make their prices throughout the Realme, and take the goods both of Clerks & Lay people, without paying therefore, or elſe leſſe then the true value: It is ordained, that from henceforth none ſhall take any price throughout the Realme, but onely the Kings takers and purueyors for his houſe, and they ſhall nothing take but onely for the ſame houſe. And of the prices which they make in the Countrey for meat or drinke, or other neceſſaries for the Kings houſe, they ſhall pay in hand, or elſe agree with them from whom ſuch things ſhall be taken. And that all the Kings takers, purueyors and buyers, from henceforth haue their warrant with them, vnder the great ſeale or ſmall ſeale, containing their power and the things whereof they ſhall make their price & purueyance, which warrant they ſhall ſhew to them of whom they make their prices, before they take any thing. And that thoſe takers, purueyors and buyers, ſhall take no more then ſhall be needfull for the King and his houſe & his children. And that they take nothing for ſuch as be at wages, nor none other, and that they ſhall anſwere in the Kings houſe, and in the Wardrobe fully of all their prices, & in no other place to make their larges or deliuerie of things taken for the King. And if any taker of the Kings houſe by warrant, hath made any price or liuerie, otherwiſe then is aforeſaid, the truth ſhalbe enquired by complaint made to the Steward or Treaſurer of the kings houſe, and if any be thereof attainted, amends ſhall be incontinently made to the party plaintiffe, and he to be baniſhed the Kings ſeruice for euer, and to remaine in priſon at the Kings pleaſure. And if any make price without warrant, & carry it away againſt his will from whom the goods be taken, he ſhall be arreſted incontinently by the Towneſhip where the price was made, and brought to the next Gaole. And if he be thereof attainted, it ſhall be done of him as of a theefe, if the quantitie of the goods require it. St. 5. E. 3. 2.

A rehearſall & confirmation of the Statute of 28. Ed. 1. 3. touching purueiors.

Who only ſhall take prices and for whom.

The Kings purueiors ſhall haue their warrant with them and ſhew it.

Purueiors ſhall take no more then is needfull.

Making purueiance without warrant felony.

CAP. V.

The Kings pardon of certaine fines, and alſo of ſome money granted to him. EXP.

CAP. VI.

The Statute made at Carliell Anno 35. Ed. 1. *touching Religious perſons confirmed.*

ITem, it is accorded that the Statute late made and affirmed at Carliell, that Religious perſons ſhould make no cariage beyond the Sea, ſhalbe maintained, kept & obſerued in all points.

Stat. 35. Ed 1. Religious perſons.

CAP. VII.

Executors ſhall haue an Action of Treſpas for a wrong done to their Teſtator.

ITem, whereas in times paſt executors haue not had actions for a treſpaſſe done to their teſtators, as of the goods and cattels of the ſame teſtators carried away in their life, & ſo ſuch treſpaſſes haue hitherto remained vnpuniſhed: It is enacted that the executors in ſuch caſes ſhall haue an action againſt the treſpaſſors, and recouer their damages, in like maner as they, whoſe executors they be ſhould haue had if they were in life, Regiſt. fo. 98. V. N. B. fo. 58. Fitz. Nat. Bre. fo. 117. & 119. St. 25. E. 3. 5.

ro. Rect. 59.
H. 4. fol. 18.
H. 4. 4.
itz. Barre 217.
itz. Executors 52
06.
ſance 1. 28.

Raſt pla fol. 578.
Stat. 13. Ed 1. 23.
Executors ſhall haue an Action of Treſpaſſe for the goods of the Teſtator.

CAP. VIII.

At all paſſages men ſhall pay no more for their faire then they had wont to doe. REP. 21. Iac. 28.

CAP. IX.

Sheriffes, Bailiffes of Hundreds and Eſcheators ſhall haue ſufficient in the Countie.

ITem, it is accorded that no Sheriffe, Bailiffe of Hundred, Wapentake, nor of Fraunchiſe, nor vnder Eſcheators ſhall be from henceforth, except he haue lands ſufficient in the places where they be Miniſters, whereof to anſwere the King and his people, in caſe that any man complaine againſt them, as it was ordained another time at the Parliament holden at Lincoln, in the time of the Kings Father that now is, that is to ſay, in the ninth yeare of his raigne, Regiſt. fo. 178. Fitz. Nat. Bre. 164. b.

Officers ſhall haue ſufficient. Stat. 9. Ed. 2. Stat. 5. Ed. 3. 4.

Cap. X.

Sheriffes and Gaolers ſhall receiue offenders without any thing taking.

Sheriffes and Gaolers ſhall receiue felons without taking any thing therefore.

ITem, whereas in times paſt Sheriffes and Gaolers of Gaoles, would not receiue théeues, perſons appealed, endited, or found with the maner, taken and attached by the Conſtables, and Towneſhips, without taking great fines and ranſomes of them for their reſceit, wherby the ſaid Conſtables and Towneſhips haue béen vnwilling to take théeues and felons, becauſe of ſuch extreame charges, and the théeues and the felons the more encouraged to offend: It is enacted, that the Sheriffes and Gaolers ſhall receiue & ſafely kéepe in priſon from henceforth ſuch théeues & felons, by the deliuerie of the Conſtables and Towneſhips, without taking any thing for the receipt. And the Iuſtices aſſigned to deliuer the Gaole, ſhall haue power to heare their complaints that will complaine vpon the Sheriffes and Gaolers in ſuch caſe, and moreouer to puniſh the Sheriffes and Gaolers if they be found guiltie.

11.Ed.4.fol.4.

Cap. XI.

Iuſtices of Aſſiſes &c. ſhall inquire of Mainteynors, Conſpirators and Champertors.

Iuſtices of the one Bench & the other. Iuſtices of Aſſiſes & Niſi prius ſhall inquire & determine maintenance &c. Stat.28.Ed.1.11. 1.Ed.3.14. 20.Ed.3.4. 1.R.2.4.

ITem, where in times paſt diuers people of the Realm, as well great men as other, haue made alliances, confederacies, and conſpiracies, to maintaine parties, pleas, and quarrels, whereby diuers haue béene wrongfully diſherited, and ſome ranſomed and deſtroyed, and ſome for feare to be mamed and beaten, durſt not ſue for their right nor complaine, nor the Iurors of Inqueſts giue their verdicts, to the great hurt of the people, and ſlander of the Law, and common right: It is accorded, that the Iuſtices of the one Bench and of the other, and the Iuſtices of Aſſiſes whenſoeuer they come to hold their Seſſions, or to take Inqueſts vpon Niſi prius, ſhall enquire, heare and determine, as well at the Kings ſuit, as at the ſuit of the partie, of ſuch Mainteynors, Bearors, and Conſpirators. And alſo of them that commit champertie, and of all other things contained in the foreſaid Article, as well as Iuſtices in Eyre ſhould doe if they were in the ſame Countie. And that which cannot be determined before the Iuſtices of the one Bench or the other vpon the Niſi prius for ſhortneſſe of time, ſhall be adiourned into the place whereof they be Iuſtices, and there be determined as right and reaſon ſhall require. Regiſt.fol.182.183.V.N.B.fol.180. Fitz.N.B.fol.172. Raſt.pla.fol.118.395.450.

Adiournement of ſuits. Regiſt.fol.186. Fitz.N.B.f.115.H

Cap. XII.

Wines ſhall be aſſaied and ſold at reaſonable prices.

Wines ſhall be ſold at reaſonable prices. Stat.28.H.8.14.

ITem, becauſe there be more Tauerns in the Realme then were wont to be, ſelling as well corrupt Wines as holſome, and haue ſold the galon at ſuch price as they themſelues would, becauſe there was no puniſhment ordained for them, as hath béene for them that haue ſold Bread and Ale, to the great hurt of the people: It is accorded that a cry ſhall be made, that none be ſo hardie to ſell Wines but at a reaſonable price, regarding the price that is at the Ports from whence the Wines came, and the expences, as in cariage of the ſame from the ſaid Ports to the places where they be ſold. And that aſſay ſhall be made of ſuch Wines two times euery yeare, once at Eaſter, and another time at Michaelmas, and more often if néed be, by the Lords of the Townes and their Bailiffes, and alſo by the Maior and Bailiffes of the ſame Townes. And all the Wines that ſhall be found corrupt, ſhall be powred out, and the veſſells broken. And the Chancellor and Treaſurer, Iuſtices of the one Bench and the other, and Iuſtices of Aſſiſe, ſhall haue power to enquire vpon the Maiors, Bailiffes and miniſters of Townes, if they doe not according to this Statute. And beſides that to puniſh as reaſon ſhall require.

Corrupt wines ſhall be poured out, & the veſſels broken.

Cap. XIII.

A Confirmation of the Statute of 2.Ed.3.2. touching granting of Pardons.

Charters of Pardon.

ITem, becauſe diuers Charters of Pardon haue béene granted of Felonies, Robberies, and Manſlaughters, againſt the forme of the Statute lately made at Northampton, containing that no man ſhould haue ſuch Charters out of the Parliament, whereby ſuch miſdoers haue béene the more bold to offend: It is enacted, that from henceforth the ſame Statute ſhall be kept and maintained in all points. Stat.2.Ed.3.2.

Cap. XIIII.

A Parliament ſhall be holden once euerie yeare.

Parliament.

ITem, it is accorded, that a Parliament ſhall be holden euery yeare once, and more often if néed be. Stat.36.Ed.3.10.

Cap. XV.

Sheriffes ſhall let their Hundreds and Wapentakes for the old farme.

ITem, becauſe Sheriffes haue before this time let Hundreds and Wapentakes, in their Bailiwickes to ſo high ferme, that the Bailiffes cannot leuie the ſaid ferme, without doing extortion and dures to the people: It is ordained that the Sheriffes ſhall from henceforth let their Hundreds and Wapentakes for the old ferme and not aboue. And that the Iuſtices aſſigned ſhall haue power to enquire of the ſaid Sheriffe, and puniſh them that ſhall be found offending this Statute. Statute 14. Edward. 3. 9.

Hundreds, Wapentakes.

Statutes made at Weſtminſter, *Craſtino Michaelis, Anno* 5. *Ed.* 3. *& Anno Domini* 1331.

AT the Parliament holden at Weſtminſter, the morrow after S. *Michaell*, in the fift yeare of the raigne of King *Edward* the third after the Conqueſt: Our Lord the King, by the aſſent of the Prelates, Earles, Barons, and other great men of the Realm there aſſembled, to the honour of God, & of holy Church and at the requeſt of his people, hath granted and eſtabliſhed theſe things vnder written, which he will to be kept and maintained for euer.

Cap. I.

The great Charter and the Charter of the Foreſt confirmed.

FIrſt it is accorded and eſtabliſhed that the great Charter, & the Charter of the Foreſt ſhall be kept and firmely maintained.

Charters.

Cap. II.

Things purueyed for the Kings houſe ſhall be prayſed, and tailes made thereof. Of what people Enqueſts in the Marſhals Court ſhall be taken. Redreſſing of Error there.

ITem, where in the Statute made at Weſtminſter, at the Parliament there ſummoned after the Feaſt of S. Katherine, in the fourth yeare of the raigne of the King that now is, amongſt other things there enacted, it is contained vpon the grieuances which the Purueyors for the Kings houſe, the Queenes, and of their children, did to the people in outragious meaſures of Corne, and voluntary taking of Hey, Litter, and other things prouided by the ſaid Purueyors, that the takers and Purueyors of Corne for the ſaid houſes, ſhould take them by meaſure ſtriken according as hath beene vſed through the Realme. And that all the Corne, Hey, Litter, Beſtaile and all other vitailes and things, to be taken for the ſame houſes, ſhould be praiſed at the true value by the Conſtables and other good people of Townes, where ſuch priſes be, and that the prayſors be not enforced by threats and dures, to aſſeſſe any other priſe then their Oath will. And in the ſame Statute is one article rehearſed, which was made in the time of K. Edward, grandfather to the King that now is, where certain paines be limited againſt thoſe that late made purueyance for the ſaid houſes, which paines not regarded, the ſaid purueyors haue not let to make outragious and vnlawfull priſes againſt the tenure of the ſaid Statutes. To the honor and profit of our ſaid Lord the King, and for the peace and quietneſſe of his people, and to refraine and puniſh the enormities of thoſe that haue committed ſuch outrages, to the Kings, the Queenes, & their childrens great ſlander: It is accorded and enacted, that the taking & purueyance for the ſaid houſes ſhall be made by the Conſtables and foure diſcreet men of the Townes, where ſhalbe ſuch priſes and purueyances, thereto ſworne, and without menace, as in the ſaid Statutes is contained. And that alſo betwixt the purueyors & them, whoſe goods ſhall be taken in the preſence of the Conſtables & praiſors, tailes ſhall be made and ſealed with the purueyors ſeales of the things ſo taken. By which tailes ſatisfaction ſhall be made to them from whom ſuch goods be taken. And if any taker or purueyor for the ſaid houſes, do take in any other maner, he ſhall be incontinently arreſted by the towne where ſuch taking was made, & brought to the next gaole. And if he be thereof attainted, it ſhalbe done of him as of a theefe, if the quantitie of the goods of the ſame require. And from henceforth it ſhall be contained in the commiſſions of ſuch takers & purueyors, be they vnder the ſmall ſeale or the great, the forme & the paine contained in this ſtatute. And that in euery caſe where enqueſts be to be taken before the ſteward & the marſhall of the K. houſe: that enqueſts be taken by men of the country thereabout, & not by men of the K. houſe, except it be of contracts, couenants or treſpaſſes made by men of the K. houſe of the one part and of the other, & that in the ſame houſe, according to another ſtatute thereof made in the time of the ſaid Ed. the grandfather. And in caſe where any will complain of error made in the time of the ſaid K. before the ſaid Steward and Marſhall, the plaintiffe ſhall haue a writ to remoue the record and the proces before the King in his place, and there the error ſhal be redreſſed. And likewiſe ſhal it be done in euery other caſe where any man will complaine him of error done before the ſame Steward & Marſhall of the Kings houſe. Regiſt. fol. 17. Raſt. pla. fol. 278.

Stat. 4. Ed. 3. 4.

Stat. 28. Ed. 1. 2.

Things purueied for the Kings houſe ſhall be praiſed.
Stat. 36. Ed. 3. 2.
Stat. 25. Ed. 3. 1.
Tailes ſhall be made betweene the purueior & the ſeller.
Stat. 2. & 3. P. & M. 6.
Stat. 25. Ed. 3. 1.

Enqueſts taken in the marſhals Court.
Stat. 28. Ed. 1. 3.

e li. 10. fo. 69.

Error in the marſhals Court
Stat. 10. Ed. 3. 3.

CAP. III.

A confirmation of the Statute of Carliell made 35.*Ed.*1. *touching Religious houſes.*

Religious men.

ITem, it is agréed that the Statute made at Carliell,in the time of King Edward, the Kings grandfather that now is, wherein is contained that Religious men ſhall make no cariage out of the Realme,ſhall be holden,kept,and maintained in all points. Stat.35.Ed.1. Stat.4.Ed.3.6.

CAP. IIII.

None ſhall be Sheriffe,Eſcheator,or Bailiffe of Franchiſe,vnleſſe he hath ſufficient in the Countie.

Sheriffe,Vnderſheriffes.

ITem,it is accorded and enacted,that no Sheriffe,Vndereſcheator,Bailiffe of Franchiſes,Wapentakes,Hundreds nor Tithings,ſhall from henceforth be, except he haue Lands ſufficient in the ſame Countie,whereof to anſwere the King and his people, if any will complaine. Stat.4. Ed.3.9. Regiſt.fo.177.

CAP. V.

The penaltie if any doe ſell ware at a Faire after it is ended.

2.E 3.15.

The penaltie if any do ſell ware in a faire after the ſame is ended.

ITem, where it is contained in the Statute made at Northampton,in the ij. yeare of the raign of the King that now is,that the Lords which haue Faires by Charters or otherwiſe, ſhal hold them during the time that they ought to doe,and no longer, vpon paine to ſeiſe ſuch Faires into the Kings hands : And that euery Lord at the beginning of his Faire do cry & proclaime therein how long the Faire ſhall endure. And in the ſame Statute is no certaine puniſhment ordained againſt the Merchants if they ſell after the time: It is accorded that the ſaid Merchants after the ſaid time, ſhall cloſe their bouthes and ſtalles without putting any maner of ware or merchandiſe to ſell there. And if it be found that any Merchant from henceforth ſell any ware or merchandiſe at the ſaid Faires,after the ſaid time,ſuch Merchant ſhall forfeit to our Lord the King the double value of that which is ſold. And euery man that will ſue for our Lord the King ſhall be receiued and alſo haue the fourth part of that which ſhall be loſt at his ſuit. Stat.2.Ed.3.15.

CAP. VI.

Niſi prius *ſhall be granted in Attaint, but no Eſſoine or Protection. Daies giuen.*

Niſi prius ſhallbe granted in attaint, but no eſſoine or protection. Raſt pla,fol.402.

ITem,becauſe the Iurors haue the leſſe doubted to be periured,by reaſon of the long delaies that haue béene in attaints,before the Iuſtices of the one Bench and of the other, and before other Iuſtices : It is enacted that no eſſoine of the Kings ſeruice,nor protection ſhall be from henceforth allowed in ſuch Iuries,no more then in Aſſiſes of nouel diſſeiſin. And that fiue daies by the yeare be giuen before the Iuſtices of the common Bench in the ſaid Iuries at the leaſt. And that a Niſi prius be as well giuen in ſuch Writs as in other.Regiſt.fol.122.Fitz.N.B.fol.105.N. 109.E.

CAP. VII.

Attaint ſhall be granted in Treſpaſſe, if the damage paſſe xl.s.

Stat 1.Ed.3.6.

Attaint in treſpaſſe where the damages paſſe xl.s. Stat.28.Ed.3.8. Fitz.N.B.f.105.L Raſt pla.fol.84.

ITem, whereas it is contained in a Statute late made at Weſtminſter, in the firſt yeare of the raigne of our Lord the King that now is after his coronation,that attaints ſhould be granted in Writs of Treſpaſſe: It is accorded and eſtabliſhed that Writs of attaint ſhall be from henceforth granted aſwell in pleas of treſpaſſe moued without Writ as by writ before Iuſtices of record if the damages iudged doe paſſe xl.s. And this Statute ſhall hold place as well of enqueſts taken in times paſt,as to be taken in time to come. Regiſt.fol.122. V.N.B.fol.48.112.

CAP. VIII.

The Marſhalles of the Kings Bench ſhall not baile felons,

The Marſhals of the K. Bench ſhall not baile any committed to their charge. Fitz.N.B.f.251.I.

ITem, becauſe that perſons indited of felonies,robberies and theft, in times paſt haue remoued the ſame inditement before the King,and there yéelded themſelues,and by the Marſhals of the Kings Bench haue béene incontinently let to baile,and after haue done many euill déeds, and lyen in a wait to flea and euill entreat their enditors: And alſo perſons appealed of felonie,after the Exigend awarded, haue yéelded themſelues before the King, and haue béene let to baile by the ſaid Marſhalles : It is accorded and eſtabliſhed, That ſuch enditées and appellées ſhall be ſafely and ſurely kept in priſon , as belongeth to them according to the charge which the ſaid Marſhalles ſhall haue of the Iuſtices. And if any Marſhall do otherwiſe, at the complaint of euery man that will complaine, the Iuſtices ſhall doe him right during the termes. And in the end of the termes, vpon their riſing the ſaid Marſhalles ſhall chooſe before the ſaid Iuſtices,before they depart the places,in what Towne they will kéepe ſuch priſoners at their perill. And in the ſame Towns they ſhall allow to them houſes to kéepe ſuch priſoners at their owne coſts and charges, and there they ſhall kéepe them in priſon, and ſhall not ſuffer them to goe wandring abroad, neither by baile nor without baile. And if any ſuch priſoner be found wandring out of priſon by baile or without baile, and that be found at the Kings ſuit, or at the ſuit of the partie, the Marſhals which ſhall be found thereof guiltie, ſhall haue halfe a yeares impriſonment, and be ranſomed at the Kings will. And the Juſtices ſhall thereof make enquirie when they ſée time. And as to the Marſhals, it ſhall be done within the Vierge that which reaſon will. And in caſe that the Marſhals ſuffer by their aſſent ſuch priſoners to eſcape, they ſhall be at the law, as before this time they haue béene. And the King entendeth not by this Statute to loſe the eſcape, where he ought to haue the ſame.

The penalty of the Marſhall which ſuffereth a priſoner to eſcape.

Cap. IX.

None ſhall be attached or foreiudged contrary to the great Charter, or the Law.

ITem, it is enacted, that no man from henceforth ſhall be attached by any accuſation, nor foreiudged of life or limme, nor his Lands, Tenements, Goods, nor Cattels, ſeiſed into the kings hands, against the forme of the great Charter, and the Law of the Land.

None ſhall be condemned but by the Law.
St.9.H.3.29.
2.Ed.3.8.
14.Ed.3.14.
28.Ed.3.3.

Cap. X.

The puniſhment of a Iuror that is Ambidexter, *and taketh money.*

8.Ed.3.fol.30.
41.Ed. fol.15.
44.Ed.3.fol.39.
Fit.Decies tant.12

ITem, it is accorded, that if any Juror, in Aſſiſes, Juries, or Enqueſts, take of the one party or of the other, and be thereof duely attainted, that hereafter he ſhall not be put in any Aſſiſes, Juries, or enqueſts, and neuertheleſſe he ſhall be commaunded to priſon, and further ranſomed at the Kings will. And the Juſtices before whom ſuch Aſſiſes, Juries, and Enqueſts ſhall paſſe, ſhall haue power to enquire and determine according to this Statute. Regiſt.fol.188. V.N.B.fol.120. Fitz.N.B.fol.17.

The penaltie of Jurors taking reward.
St.34.Ed.3.8.
St.38.Ed.3.12.
Raſt.pl.fo.24.

Cap. XI.

Proces againſt thoſe that be appealed, indicted, or outlawed in one Countie, and remaine in another.

ITem, where in times paſt ſome perſons appealed or indicted of diuers felonies in one County, or outlawed in the ſame Countie, haue béen dwelling, or receiued in another Countie, whereby ſuch Felonious perſons endicted, and outlawed, haue béene encouraged in their miſchiefe, becauſe they may not be attached in another County. It is enacted, that the Juſtices aſſigned to heare and determine ſuch Felonies, ſhall direct their Writs to all the Counties of England where néed ſhall be, to take ſuch perſons endicted.

Proces againſt thoſe that being indicted or appealed in one Countie doe remaine in another.

Cap. XII.

What is requiſite to be done to haue their Pardons allowed which be outlawed.

.H.6.fo.13.
.Ed.4.fo.16.
itz.Chart.27.28
itz.Scire fac.150
itz.Vtlagar.4.
.3.fol.

ITem, it is eſtabliſhed and ordained, that in caſe where the plaintiffe ſhall recouer damages, & he againſt whom the damages be recouered, be outlawed at the Kings ſuit: That no Charter of Pardon ſhall be granted of his outlawrie, except the Chancellor be certified, that the plaintiffe is ſatisfied of his damages. And in caſe that a man be outlawed by proces before his apparance, no ſuch Charter ſhall be granted, except the Chancellor be certified that ſuch perſon outlawed hath yéelded himſelfe to the priſon before the Juſtices of the place, from whence the Writ of Exigend iſſued, that is to ſay, if from the Kings Bench, then he ſhall yéeld him in the ſame place: And if from the Common Bench, then he ſhall yéeld himſelfe there. And if from the Juſtices of Oyer and Terminer, whiles the ſame Juſtices doe ſit, he ſhall yéeld him before them. And if they be riſen, then he ſhall yéeld him in the Kings Bench before the Juſtices, and the record with the proces ſhall be remoued before them by Writ, And the ſaid Juſtices before whom they ſhall ſo yéeld them, ſhall cauſe the partie plaintiffe to be warned to appeare before them at a certaine day, at which day if the warning be duely witneſſed, and the plaintiffe appeare vpon his warning, then they ſhall plead vpon the firſt originall Writ, as though no outlawry had béene pronounced: And if the plaintiffe come not, he that is outlawed ſhall be deliuered by vertue of his Charter: And it is to be vnderſtood that all ſuch Charters be of the grace of the King, as before they haue béene. Regiſt.fol.288.308. Regiſt.ind.fol.5.11.28.41.

.H.7.fol.12.20.
8.Ed.3.fol.7.
10.Reſpond.53.
itz.Reſponder
.39.85.
yer.fol.171.172.
.Ed.4.37.

.Aſſ.pl.20.
.Aſſ.pla.16.
.Ed.4.fol.5.
.H.6.fol.1.
.Ed.3.fol.2.

Pardon of him that is outlawed vpon a iudgment.
Fit.N.B.fo.247.e.

Outlawrie vpon an originall before apparance.

A Scire facias awarded againſt the plaintiffe.

Cap. XIII.

What is requiſite where any perſon will auoid an outlawry by impriſonment:

Auoiding an outlawry by Impriſonment.

Fitz. Error. 23.
Fitz. Vtlag. 47. 4

ITem, becauſe diuers people being duly outlawed, haue auoided the outlawries pronounced againſt them, by reaſon of impriſonments, vntruly teſtified by Sheriffes and others which haue no record: It is enacted, that if any from henceforth, will defeat any outlawry pronounced vpon him by ſuch teſtimony, that he ſhall yéeld himſelfe to the priſon, and then the Juſtices of the Kings Bench ſhall cauſe the partie at whoſe ſuit the outlawry was pronounced to be warned to be before them at a certaine day, at which day if the partie will verifie that the teſtimony is vntrue, his auerrement ſhall be receiued. And in like manner the Kings Serieant, or his Atturney, or other that will ſue for the King, ſhall be receiued to haue the ſame auerrement againſt ſuch teſtimonie, in caſe where ſuch outlawry is pronounced at the Kings ſuit. Raſt, pla. fol. 280.

Cap. XIIII.

Nightwalkers and ſuſpected perſons ſhall be ſafely kept.

St. Winch. 13. Ed. 1. 4.

Suſpected perſons ſhall be arreſted and kept vntill they be deliuered by the Juſtices.

ITem, whereas in the Statute made at Wincheſter, in the time of King Edward grandfather to the King that now is, it is contained, that if any Stranger paſſe by the Countrey in the night of whom any hath ſuſpection, he ſhall be preſently arreſted & deliuered to the Sheriffe, and remaine in Ward till he be duely deliuered. And becauſe there hath béen diuers manſlaughters, felonies, and robberies done in times paſt, by people that be called Roberdeſmen, Waſtors, and Drawlatches: It is accorded that if any man haue any euill ſuſpection of ſuch, be it by day or by night, they ſhall be incontinently arreſted by the Conſtables of the Townes. And if they be arreſted within Franchiſes, they ſhall be deliuered to the Bailiffes of the Franchiſe, and if in gildable, they ſhall be deliuered to the Sheriffes, and kept in priſon till the comming downe of the Juſtices aſſigned to deliuer the Gaole, and in the meane time the Sheriffes or Bailiffes of the Franchiſes, ſhall inquire of ſuch arreſts, and at the comming of the Juſtices, returne their enqueſts before them, with that which they haue found, and the cauſe of the takings with the bodies, and the Juſtices ſhall procéed to the deliuerance of ſuch perſons arreſted according to the Law. And in caſe that the Sheriffes or Bailiffes of the Franchiſes haue not enquired of ſuch arreſts, they ſhall be amerced, and neuertheleſſe the Juſtices ſhall make enquiry and further procéed to the deliuerance as before is ſaid.

Statutes made at Yorke *Craſtino Aſcenſionis*, *Anno* 9. Ed. 3. & An. Dom. 1335.

Whereas before this time in many Parliaments, and now at this preſent Parliament ſummoned at Yorke, on the morrow after the Aſcenſion, in the ninth yeare of the raigne of King Edward the third, after the Conqueſt, It was ſhewed to our ſaid Lord the King, by the Knights of the Shires, Citizens of the Cities, and Burgeſſes of the Boroughes which come for the Commons of the ſaid Shires, Cities, and Boroughes, that in diuers Cities, Boroughes, and other places of his Realme, great dures and grieuous dammage haue béen done to him and his people, by ſome people of Cities, Boroughes, Portes of the Sea, and other places of the ſaid Realme, which in long time paſt haue not ſuffered, nor yet will ſuffer Merchant Strangers, nor other which doe carry and bring in by Sea or Land, Wines, Auoir de pois, and other liuings and victualles, with diuers other things to be ſold, neceſſary and profitable for the King, his Prelates, Barons, and other Noble men, and the Commons of this Realme, to ſell, or deliuer ſuch Wines, Liuings, Victuals, nor other things to any other thē to themſelues, of the Cities, Boroughes, Ports of the Sea, or other places where ſuch Wines, Liuings, Victuals and other things to be ſold, ſhall be brought or carried, by reaſon whereof, ſuch ſtuffe aforeſaid is ſold to the King and to his people, in the hands of the ſaid Citizens, Burgeſſes, and other people Denizens, more deare then they ſhould be, if ſuch Merchants Strangers, and others which bring ſuch things into the Realme, might fréely ſell them to whom they would, to the great dammage of our Lord the King, and of his Prelates, Earles, Barons, and other Nobles of this Realme, and grieuous oppreſſion of his Commons: whereupon the ſaid Knights, Citizens, and Burgeſſes for them and the Commons, deſired our ſaid Lord the King, in his ſaid Parliament by their petition, that for the profit and commoditie of his Prelates, Earles, Barons, and other Nobles of this Realme, it may pleaſe him without further delay, vpon the ſaid gréeuances and outrage to prouide remedie.

Cap.

Cap. I.

Merchants Strangers may buy and ſell within this Realme without diſturbance.

OUr Lord the King, deſiring the profit of his people by the aſſent of his Prelates, Earles, Barons, and other Nobles of his Realme, ſummoned at his Parliament, and by the aduiſe of his Counſell being there, vpon the ſaid things diſcloſed to him and found true, to the great hurt of the ſaid Prelates, Earles, and Barons and other Nobles of his Realme, and oppreſſion of his Commons, hath ordained and eſtabliſhed, that all Merchants Strangers and Denizens, and all other and euery of them, of what eſtate or condition ſoeuer they be that will buy or ſell Corne, Wines, auer de pois, Fleſh, Fiſh, and all other liuings and victualls, Wools, Clothes, Wares, Merchandizes, and all other things vendible, from whenceſoeuer they come by Foreines, or Denizens, at what place ſoeuer it be, Citie, Borough, Towne, Port of the Sea, Faire, Market, or elſe where within the Realme, within Franchiſe, or without, may freely without interruption ſell them to what perſons it ſhall pleaſe them, aſwell to Foreines as Denizens. Except alwaies the enemies of our Lord the King, and of his Realme. And if happely any diſturbance be done to any Merchant Stranger or Denizen, or any other for the ſale of ſuch things in any Citie, Borough, Towne, Port of the Sea, or other place which hath Franchiſe, and the Maiors, & Bailiffes, or other which haue the rule of ſuch Franchiſe, being required by the ſaid Merchants, or other, thereof to prouide remedy, and doe not, and be thereof attainted, the Franchiſe ſhall be ſeiſed into the Kings hands. And neuertheleſſe he and the other which hath done this diſturbance againſt this Statute ſhall yeeld and reſtore to the ſaid Merchant his double damages, which he hath thereby ſuſtained. And if ſuch diſturbance or interruption be done to ſuch Merchants. or to other in ſuch Townes or places where no Franchiſe is: And the Lord if he be preſent, or his Bailiffe, Conſtable, or other Ruler of the ſaid Townes and places, in the abſence of the Lords, being therein required to doe right, and doth not, and thereof be attainted, they ſhall yeeld to the party plaintiffe his double damages as afore is ſaid. And the diſturbers in the one caſe and the other, as well within Franchiſes as without, if they be attainted, ſhall haue one yeares impriſonment, and neuertheleſſe be ranſomed at the Kings will. Alſo it is ordained and eſtabliſhed, that no Alien or Denizen vpon the ſame paine ſhall not be troubled, but that he may freely buy ſuch things aforeſaid, in the ſaid places and cary them where it pleaſeth him, to his owne vſe, or to the profit of the King, or of the great men, or the Commons of the Realme. Sauing that ſuch Merchants Aliens ſhall cary no Wine out of the ſame Realme, as is contained in their Charter. And it is enacted and eſtabliſhed that the things aforeſaid ſhall be obſerued, performed, and kept in euery Citie, Borough, Towne, Port of the Sea, and other places within the Realme, notwithſtanding Charters of Franchiſe granted to them to the contrary, nor vſage, nor cuſtome, nor iudgement giuen vpon their Charters, Vſages, or Cuſtomes that they can alledge. Which Charters, Vſages, and Cuſtomes (if any be) our Lord the King, and the Prelates, Earles, Barons, Great men, and the Commons aforeſaid hold them of no force, as things granted, vſed, or accuſtomed, to the damage of the King, and his Prelates, Earles, Barons, and Great men of his Realme, and of the oppreſſion to the Commons. Saued alway to the King and to other, the Cuſtome due of the ſaid Merchandizes. It is alſo ordained and prouided, that the Chancellor, Treaſorer, and the Iuſtices aſſigned to hold the Kings Pleas, in places where they come, ſhall enquire of ſuch diſturbances and grieuances, and the ſame ſhall puniſh according as is before ordained. And neuertheleſſe the King ſhall aſſigne by Commiſſion of his great Seale certaine perſons, where and when it ſhall pleaſe him, to enquire of ſuch diſturbances and grieuances, and the ſame to puniſh as afore is ſaid. St.25.Ed.3.2.St.2. R.2.1.St.11.R.2.7.St.16.R.2.1.

Merchant Strangers.

Merchants ſtrangers may buy & ſell within the Realme without diſturbance. 9.H3.30.

What puniſhment ſhall be inflicted vpon the that diſturbe Merchants to ſell their commodities.

Aliens ſhall cary no Wine out of the Realme.

Who may enquire of and puniſh the offences, afore ſaid.

Cap. II.

No man ſhall loſe land becauſe of Non pleuin.

ITem, at the requeſt of the Commons aforeſaid made to our Lord the King at the ſaid Parliament: our Lord the King for the eaſe of his people, by the aſſent of the Lords, Earles, Barons and other great men, and the commons aforeſaid, hath put out Non pleuin of Land, which hath beene accuſtomed in the time of his Progenitors, and his owne time, and the paine alſo that was wont to enſue, in caſe the land was not plenied in due time: Alſo it is enacted that none ſhall loſe his land from henceforth becauſe of Non pleuin. And that this ſtatute hold place as well in pleas yet hanging wherein no iudgement is giuen, as in time to come.

No man ſhall loſe his Land becauſe of Non pleuin.

Cap. III.

In a Writ of debt againſt diuers Executors, they ſhall not fourch by Eſſoine.

ITem, at the requeſt of the ſaid commons made to our Lord the King in his ſaid Parliament: It is ordained & eſtabliſhed by our Lord the K. by the aſſent of the Prelates, Earles, Barons, and

In a Writ of debt brought againſt diuers Executors, they ſhall not fourch by eſſoine. Raſt.pla.fo.311.

and other great men, and the Commons aforeſaid, that in a Writ of debt brought againſt diuers Executors, the ſame executors, nor any of them ſhall haue but one Eſſoine before appearance, that is to ſay, at the ſummons or attachment, nor after appearance they ſhall haue but one Eſſoine, as the Teſtator ſhould haue had, ſo that they cannot fourch by Eſſoin neither before appearance, nor after appearance. And becauſe all the Executors doe preſent the perſon of the Teſtator as one perſon: It is alſo enacted that though the Sheriffe do anſwer at the ſummons, that ſome of them haue nothing whereby he may be ſummoned, yet there ſhall an attachment be awarded vpon him. And if the Sheriffe anſwere, that he hath nothing whereby he may be attached, the great diſtres ſhall be awarded, ſo that at the great diſtreſſe returned vpon them, hée or they that doe firſt appeare in the Court ſhall anſwer to the plaintiffe. And although ſome of them hath appeared in the Court, and make default at the day, that the great diſtreſſe is returned vpon the other: yet neuertheleſſe he or they ſhall be put to anſwer, that firſt appeared, at the great diſtreſſe returned. And in caſe the iudgement paſſe for the plaintiffe, he ſhall haue his iudgement and execution againſt them that haue pleaded, according to the Law heretofore vſed, and againſt all other named in the Writ, of the goods of the Teſtator, as well as if they had all pleaded. And it is to be vnderſtood, that if any in ſuch caſe, will ſue according to the Law that hath béene vſed heretofore, he may fréely doe it notwithſtanding this Statute.

In an action of debt brought againſt diuers executors he which firſt appeareth ſhall anſwere.

Bro.Parliamt.24.

Bro.Parliamt.24. Fitz Reſponde.5. 6.15.22.44.45.47. 53.57.60.67.69. 70.71.72.73.74. 76.95.98.99. 3.H.6.fo.14. 7.H.4.fo.10.

CAP. IIII.

Triall of a Deed dated where the Kings Writ runneth not.

Triall of a deed denied dated where the Kings writ runneth not.

AND becauſe in times paſt many haue béene oftentimes delaied of their action, as well in Aſſiſes and other pleas of land, as in contracts, couenants, and treſpaſſes, by reaſon that the Tenants, or defendants haue pleaded in barre a releaſe, quite claime, or other eſpeciall Déede, made within a Franchiſe within the bounds of the Realme, where the Kings writ runneth not: It is enacted and eſtabliſhed, that when ſuch Déedes be ſhewed forth in barre, of an Action bearing date in a place within the ſame Franchiſe, although there be witneſſes of the ſame Franchiſe, named in the ſame Déedes, if the ſame Déedes be denied, proceſſe ſhall be awarded into the ſame Court, where the plea ſhall be moued, to cauſe the Countrey, and the witneſſes to appeare: and if the witneſſes, come not at the great diſtreſſe returned, then for the abſence of the ſaid witneſſes, the Iuſtices ſhall not let to procéed to the taking of the enqueſt, as well as if ſuch Déede did beare date in the ſame Shire where the plea was moued, and the witneſſes were of the ſame Countie.

19.H.6.fo.12. 21.Ed.4.fo.9.

CAP. V.

Which Iuſtices ſhall ſend their Records and Proces determined into the Exchequer.

The Iuſtices ſhall ſend their records into the Eſchequer. St.11.H.4.3.

ITem, at the requeſt of the Commons, our Lord the King by the ſaid aſſent hath ordained and eſtabliſhed, that Iuſtices of Aſſiſes, Gaole deliuery, and of Oyer and Terminer, ſhall ſend all their Records and Proceſſes, determined and put in execution, to the Exchequer at Michaelmas euery yeare once, to be deliuered there, and the Treaſorer and Chamberlaines, which for the time ſhall be, hauing the ſight of the Commiſſions of ſuch Iuſtices, ſhal receiue the ſame Records and Proceſſes of the ſaid Iuſtices vnder their Seales, and kéepe them in the Treaſory, as the manner is. So that the Iuſtices alwaies doe firſt take out the eſtreates of the ſaid Records and proceſſes againſt them, to ſend to the Exchequer as they were wont before.

14.H.7.fo.15. 15.H.7.fo.4.

The Statute of money made at Yorke *Craſtino Aſcenſionis,*

Anno 9.Ed.3.& Anno Dom.1335.

EDVVARD by the grace of God King of England, &c. To the Sheriffe of N. greeting. Becauſe we haue perceiued that diuers people beyond the Sea doe endeauor themſelues to counterfeit our Sterling money of England, and to ſend into England their weake money in deceit of vs, and damage and oppreſſion of our people, if remedy be not prouided: We willing to preuent and let all ſuch deceits, damages, and oppreſſions, and that our good money be encreaſed in our Realme, and other Countries within our power, to the profit of vs and our ſubiects, by the aſſent of the Prelates, Earles, and Barons of our Realme, at our Parliament holden at Yorke, the morow of the Aſcenſion laſt paſt there aſſembled, haue ordained and eſtabliſhed theſe things enſuing in the manner vnderwritten.

Cap. I.

None ſhall conuay Gold or Siluer forth of the Realme without the Kings Licence.

FIrſt it is prouided that from henceforth no Religious man, nor other ſhall carry any ſterling out of the Realme of England, nor Siluer in Plate, nor Veſſell of Gold, nor of Siluer, vpon paine of forfeiture of the Money, Plate, or Veſſell that he ſhall ſo carry, without our eſpeciall licence. Stat.38.Ed.3.2. Stat.5.R.2.2. Stat.2.H.4.5.19.H.7.5.

None ſhall carry any gold or ſiluer out of the Realme without the Kings Licence.

Cap. II.

No falſe Money or counterfeit Sterling ſhall be brought into the Realme.

ITem, that no falſe Money or counterfeit Sterling be brought into the Realme, nor elſe where within our power, vpon forfeiture of ſuch Money. So alwaies that all people of what Realme or Dominion they be may ſafely bring to the Exchanges, and to no place elſe, Bullion Siluer in Plate, Veſſell of Siluer, and all manner money of Siluer, of what value ſoeuer it be (ſauing falſe Money and Sterling counterfeit) and there receiue good and conuenient exchange. Stat.1.& 2.P.& M.11. St.14.El.3.

No falſe money ſhall be brought into this Realme.

Cap. III.

No Sterling farthing or halfepeny ſhall be molten to make Veſſell.

ITem, that no Sterling halfepeny, nor farthing be molten, for to make Veſſell or any other thing by Goldſmiths, nor other, vpon forfeiture of the Money ſo molten, and that the Goldſmith, or other, which hath ſo molten ſuch money, ſhall be committed to priſon, there to remaine till he hath yeelden vnto vs the one halfe of that that he hath ſo molten, notwithſtanding any Charter or Franchiſe granted or vſed to the contrary. St.17.R.2.1. St.17 Ed.4.1. St.19.H.7.5.

Small money ſhall not be molten to make veſſell.

Cap. IIII.

Blacke Money ſhall not be currant in this Realme. Ob.

Cap. V.

The Reward of thoſe that will ſue againſt the offenders of this Statute. 4.part.Ob.

Cap. VI.

There ſhall be no defrauding of this Statute.

Cap. VII.

Exchanges ſhall be where it ſhall pleaſe the King and his Councell.

Cap. VIII.

Pilgrimes ſhall paſſe at Douer onely. Rep.21.Iac.28. St.4.E.4.10.

Cap. IX.

Search ſhall be made for money carried out, and falſe money brought in.

Cap. X.

The Searchers ſhall haue the fourth part of the forfeiture.

Cap. XI.

Hoſtlers ſhall be ſworne to ſearch their gueſts.

Statutes made at Weſtminſter, *Anno* 10.*Ed*.3.& *Anno Dom*.1336.

BEcauſe our Lord the King, *Edward* the third, after the Conqueſt (which Soueraignely deſireth the maintenance of his peace, and ſafeguard of his people) hath perceiued at the cōplaint of the Prelates, Earles, Barons, & alſo at the ſhewing of the Knights of the Shires, and his cōmons by their petition put in his Parliament holden at Weſtminſter, the Munday next after Lent, in the tenth yeare of his raigne, diuers oppreſſions and grieuances done to his ſaid people, and namely, by Murderers, Robbers, Theeues, Rauiſhers of women, and other felons: Coueting to obuent the malice of ſuch felons, and to ſee a conuenable remedy, hath ordained and eſtabliſhed by the aſſent of the ſaid Prelates, Earles, Barons, and other Nobles of this Realme, and at the requeſt of the ſaid Knights, and Commons, for the quietneſſe and peace of his people, that the Articles vnderneath written, be kept and maintained in all points.

Cap. I.

A Confirmation of former Statutes.

Former Statutes confirmed.

FIrſt it is accorded and eſtabliſhed that the great Charter, and the Charter of the Foreſt, and alſo the Statutes made in the time of the Kings Progenitors, and alſo in his owne time, be kept, holden, and firmely maintained, as well by the great men, as by the ſmall, and the rich men as the poore.

Cap. II.

Pardons ſhall not be granted contrary to the Statute of 2.Ed.3.2.

Pardons ſhall not be granted againſt the ſtat. of 2.Ed.3.2.

ITem, Whereas Murderers, Robbers, and other felons be greatly encouraged to offend, by reaſon that Charters of Pardon of manſlaughter, robberie, felonies, and other treſpaſſes againſt the Peace, haue béene ſo lightly granted before this time: It is accorded and eſtabliſhed by our Lord the King, by the aſſent of his Prelates, Earles, Barons, and at the requeſt of the ſaid Knights and Commons, that no ſuch Charters from henceforth ſhall be granted by our Lord the King, againſt the forme of a Statute late made at Northampton, the ſecond yeare of his Raigne. Stat.14.E.3.15.

Cap. III.

He that hath a Pardon of Felony ſhall finde ſureties of his good abearing.

He that hath a Pardon of felony ſhall finde ſureties of his good abearing.

Coke li.

AND as to Charters granted in times paſt: It is accorded and eſtabliſhed, by our Lord the King, by the ſame aſſent, and at the requeſt aforeſaid, that all ſuch which haue Charters, ſhall come before the Sheriffes, and Coroners of the Counties, where the felonies bée done betwéene this and the Feaſt of the Natiuitie of Saint Iohn next comming, and euery of them ſhall finde before the ſaid Sheriffes and Coroners of the Counties where the felonies be done, ſixe good and ſufficient Mainpernours, for whom the ſaid Sheriffes and Coroners, will anſwere, that they from henceforth ſhall beare themſelues well and lawfully. And the Mainpriſes ſhall be ſealed with their Seales, and returned in the Chancery at the fiftéenth of the ſaid feaſt of Saint Iohn. And they that will aide themſelues by ſuch Charters, and haue not found mainpriſe, as aboue is ſaid, or after the mainpriſe found, beare themſelues otherwiſe againſt the peace then they ought, their Charters ſhall be holden for none. And in caſe that our Lord the King grant any ſuch Charters in time to come, that within thrée moneths after the making of the ſame, they that ſhall haue the ſaid Charters, ſhall come and finde before the Sheriffes and Coroners of the Counties where the felonies be done, ſuch like mainpriſe, and alſo as before is ſaid of their good bearing. And the ſaid mainpriſes ſhall be ſealed and returned into the Chancerie within thrée Wéekes after the end of the ſaid thrée Moneths. And if they that ſhall haue ſuch Charters will in time to come aide themſelues thereby and haue not found ſuch mainpriſes, or after ſuch mainpriſe found, doe beare them otherwiſe againſt the Peace then they ought, their Charters ſhall be holden for none, as is aforeſaid. Raſt.pla.fo.417. Coke pl.fo.396.

3.H.7.fo.7.

Statutes of Purueyors made at Weſtminſter, *Anno* 10. Ed.3.&.An.Dom.1336.

THeſe be the Articles accorded in the Parliament of our Lord King EDVVARD the third after the Conqueſt, holden at Weſtminſter, the Munday next after the halfe of Lent, in the tenth yeare of his reigne, by our ſaid Lord the King, with the aſſent of the Prelates, Earles, Barons, and alſo at the requeſt of the Knights of the Shires, and the Commons by their petitions put in the ſaid Parliament.

Cap. I.

Things puruaied for the Kings houſe ſhall be praiſed, and Tailes made thereof.

FIrſt, it is accorded, that, to repreſſe the malice of the Puruaiors of the Kings, Quéenes, and their childrens houſes, and other iniuries by them done to the ſaid people, by their outragious

taking

takings for the ſame houſes, and otherwiſe then is contained in an article of a Statute made at Weſtminſter, in the fift yeare of the Kings raigne that now is, in forme that enſueth, it ſhall be from henceforth publiſhed, holden, & kept in all parts, as in the ſecond Chapter of the ſaid Statute is more fully contained, and alſo as in the Statute made at Weſtminſter, at the Parliament ſummoned there after the Feaſt of S. Katherine, in the fourth yeare of the Kings raigne that now is, amongſt other things there accorded & eſtabliſhed, it is cõtained: viz. That vpõ grieuances which the Puruaiors of the Kings, Queenes, and their childrens houſes did to the people, in outragious meaſure of Corne, and alſo in wilfull taking of Hay, Litter, &c. prouided by the ſame puruaiors, it be eſtabliſhed, that the ſaid puruaiors and takers of corne for the ſaid houſe of the King, & Q. ſhall take the ſame by meaſure ſtriked, according as is vſed throughout the realme. And that all the corne, hay, litter, and beſtaile, and all other vitaile and things whatſoeuer they be, to be taken for the ſame houſes, ſhall be preiſed at the true value by the Conſtables and other good people of the townes, where ſuch takings ſhall be made, without that by menace or dures the preiſors ſhall be driuen to ſet other price then their oath will. And whereas in the ſame Statute an article was rehearſed, which was made in the time of King Edward of good memory, grandfather to the King that now is, where certaine paines be contained againſt thoſe, which doe vnduely make puruaiãce for ſuch houſes, for which paines the puruaiors of the ſaid houſes haue not let to make outragious and vndue taking, againſt the tenure of the ſaid ſtatute: To the honour & profit of our ſaid Lord the King, & for the quietnes & tranquility of his people, & for to refraine, and alſo to puniſh the miſdemeanor of them that haue made ſuch outrages, in ſlander of the King, the Queene his companion, and their children: It is accorded and eſtabliſhed, that the takings and puruaiances ſhall be made for the ſaid houſes, by appreiſment made by the Conſtables, and foure diſcreet men of the townes, where ſuch takings and puruaiances ſhall be made, ſworne, and without menace, as in the ſaid ſtatute is contained. And that betwixt the puruaiors, & thoſe whoſe goods ſhall be taken in the preſence of the Conſtables, and praiſors, tailies ſhall be made, ſealed with the ſeales of the takers of the things ſo taken, by which tailies contentation ſhall be made to them of whom the thing ſhall be ſo taken. And if any puruaior or taker for the ſaid houſes doe otherwiſe, he ſhall be incontinently arreſted by the towne, where the taking ſhall be made, and brought to the next gaole, and if he be thereof attainted, be it done there to him as to a theefe, if the quantitie of the goods the ſame require. And from henceforth be it contained in the Commiſſions of ſuch takers and puruaiors, be they vnder the great ſeale or the ſmall, the forme and the paine contained in this ſtatute, Stat. 25. Ed. 3. 1. Stat. 36. Ed. 3. 2. St. 2. & 3. P. & M. 6.

St. 5. Ed. 3. 2.
St. 4. Ed. 3. 3.

Corne ſhall be taken by meaſure ſtriked.

Things taken for the Kings houſe ſhall bee praiſed at the very value.
St. 28. Ed. 1. 2.

Puruaiances ſhall be made by conſtables & 4. ſworne men of the towne.

Tallies betweene puruaiors and the owners.

Felony committed by a puruaior.

CAP. II.

Of what people enqueſts in the Marſhalls Court of the Kings houſe ſhall be taken.

Coke li. 10. fo. 69.

ITem, in euery caſe where Inqueſts be to be taken before the Steward or Marſhal of the Kings houſe, the ſame enqueſts ſhall be taken by the people of the Country thereabout, and not by people of the Kings houſe, except it be of the contracts, couenants, or treſpaſſes made by people of the ſame houſe, of the one part and of the other, according to another ſtatute thereof made, in the time of the ſame King the grandfather. St. 28. Ed. 1. 3 St. 5 E 3 2.

Of what people enqueſts ſhall be taken in the Marſhals court.

CAP. III.

Error in the Marſhals Court, ſhall be reuerſed in the Kings Bench.

ITem, in caſe where a man will complaine of errors, made before the ſaid Steward & Marſhall, the plaintife ſhall haue a Writ, to make the Record and the Proceſſe to come before the King in his place, and there the errour ſhall be redreſſed, and ſo it ſhall be done in euery caſe, where a man will complaine of error made before the ſaid Steward and Marſhall of the Kings houſe. St. 5. Ed. 3. 2. Regiſt. fo. 17. Raſt. pla. fo. 278.

Error in the Marſhals Court ſhall be reuerſed in the Kings Bench.

CAP. IIII.

The Sheriffe ſhall make puruaiance for the Kings horſes.

ITem, it is accorded, that for the great grieuances that the Keepers of the Kings great horſes haue done to the people, as our Lord the King hath perceiued by the ſhewing of the ſaid Commons, that puruaiances from henceforth to be made for the ſaid horſes, as long as they doe ſoiourne in any parties, ſhall be made by the Sheriffes of the Counties, where the ſaid horſes ought to ſoiourne, and not by other. And that the Commiſſions made afore this time to ſuch keepers, ſhall be from henceforth of none effect, and vtterly repealed. And that the puruaiances to bee made by the ſaid Sheriffs in this caſe, ſhall be deliuered to the ſaid Keepers by Indentures, Stat. 14. Ed. 3. 19.

Puruaiance for the K. great horſes ſhall be made by the Sheriffes.

CAP. V.

Certaine perſons ſhall be appointed to heare the offences of the keepers of the Kings horſes.

ITem, it is accorded, that certaine people ſhal be aſſigned to heare and determine all the offenſes done by the ſaid keepers, as well at the ſuit of the King, as of the partie. But this is holden for no ſtatute, as appeareth by the roll.

Statutes made at Weſtminſter, 27. of September, Anno 11. Ed.3.& Anno Domini 1337.

Cap. I.

It ſhall be felony to carry any Wooll out of the Realme, vntill it be otherwiſe ordained. Rep.

Cap. II.

None ſhall weare any cloth, but ſuch as is made in England. Rep. 1. Iac. 25.

Cap. III.

No clothes made beyond the ſea, ſhall be brought into the Kings dominions.

No clothes made beyond the ſea ſhall be brought into the Kings dominions. St. 4. Ed. 4. 1.

ITem, it is accorded and eſtabliſhed, that no merchant forreigne nor denizen, nor none other, after the ſaid feaſt of S. Michael, ſhall bring or cauſe to be brought priuily nor apertly, by himſelfe nor by other into the ſaid lands of England, Ireland, Wales, and Scotland, within the Kings power, any clothes made in any other places then in the ſame, vpon the forfeiture of the ſaid clothes, and further to be puniſhed at the Kings will.

Cap. IIII.

Who onely may weare Furres. Rep. 24. H. 8. 13. 1. Iac. 25.

Cap. V.

Clothworkers may come into the Kings dominions, and haue ſufficient liberties.

Clothworkers of ſtrange lands, ſhall haue the Kings protection.

ITem, it is accorded, that all the Clothworkers of ſtrange lands, of whatſoeuer Countrey they be which will come into England, Ireland, Wales, and Scotland, within the Kings power, ſhall come ſafely and ſurely, and ſhall be in the Kings protection and ſafe conduct, to dwell in the ſame lands chooſing where they will. And to the intent the ſaid Clothworkers ſhall haue the greater will to come & dwell here: Our Soueraigne Lord the King will grant them Franchiſes as many and ſuch as may ſuffice them.

Statutes made at Weſtminſter, Anno 14. Ed. 3. & Anno 1. *of his raigne of France, & Anno Domi.* 1340.

TO the honour of God, and of holy Church, by the aſſent of the Prelates, Earles, Barons, and other aſſembled at the Parliament holden at Weſtminſter, the Wedneſday next after mid-Lent, in the 14. yeare of the raign of our Lord King *Edward* the third of England, and the firſt yeare of his raign of France, the King for the peace and quietnes of his people, as well great as ſmall, doth grant and eſtabliſh the things vnder written, which hee will to be holden, and kept in all points perpetually to endure.

Cap. I.

A Confirmation of Liberties.

Franchiſes.

FIrſt, that holy Church haue her liberties in quietneſſe, without interruption or diſturbance, and that the great Charter, and the Charter of the Foreſt be holden in all points. And that the Citie of London and all other Cities and Boroughs of the Realme of England, haue all their franchiſes and cuſtomes, which they haue reaſonably had and vſed in times paſt.

Cap. II.

The King in reſpect of his warres in Scotland, France, and Gaſcoine, and the great coſts & aids of his people, doth pardon them ſeuerall offences. And alſo of aid to make his ſonne Knight, & to marry his daughter all his time. Exp.

Cap. III.

The Kings pardon to his people of diuers debts, accompts, arrerages &c. due vntill the tenth yeare of his raigne. Exp.

Cap. IIII.

Preſentment of Engleſchire ſhall be clearely extirpate.

Preſentment of Engleſchyre ſhall be clearely extirpate.

ITem becauſe many miſchiefes haue happened in diuers Countries of England, which had no knowledge of preſentment of Engleſchyre, whereby the commons of the Counties were often amerced before the Iuſtices in Eire, to the great miſchiefe of the people: It is aſſented, that from henceforth no Iuſtice errant, ſhall put in any article, oppoſition, preſentment of Engleſchyre, againſt the commons of the Counties, nor againſt any of them, but that Engleſchyre, and preſentment of the ſame, be wholly out and void for euer. So that no perſon by this cauſe bée from henceforth impeached.

Cap.

Cap. V.

Delaies of Iudgement in other Courts ſhall be redreſſed in Parliament.

Item, becauſe diuers miſchiefes haue happened, for that in diuers places, as well in the Chancery, as in the Kings Bench, the common Bench, and in the Eſchequer before the Iuſtices aſſigned, and other Iuſtices to heare and determine deputed, the iudgments haue bin delayed, ſometime by difficulty, & ſometime by diuers opinions of the Iudges, & ſometime for ſome other cauſe: It is aſſented, eſtabliſhed, and accorded, that from henceforth at euery parliament ſhall be choſen a Prelate, two Earles, and two Barons, which ſhall haue commiſſion and power of the King, to heare by petition deliuered to them, the complaints of al thoſe that wil complain them of ſuch delaies or grieuances done to them, & they ſhall haue power to cauſe to come before thẽ at Weſtminſter, or elſe, where the places of any of them ſhall be, the tenor of Records & proceſſes of ſuch iudgements ſo delayed, & to cauſe the ſame Iuſtices to come before them, which ſhall be then preſent to heare their cauſe and reaſons of ſuch delaies. Which cauſe and reaſon ſo heard, by good aduice of themſelues, the Chancellor, Treaſurer, the Iuſtices of the one Bench and of the other, and other of the Kings Counſell, as many, and ſuch as they ſhall thinke conuenient, ſhall proceed to take a good accord, and make a good iudgement. And according to the ſame accord ſo taken, the tenor of the ſaid record, together with the iudgement which ſhall be accorded, ſhall be remaunded before the Iuſtices, before whom the plea did depend. And that they haſtily go to giue iudgment, according to the ſame record. And in caſe it ſeemeth to them, that the difficulty be ſo great, that it may not well be determined, without aſſent of the Parliament, that the ſaid tenor or tenors ſhal be brought by the ſaid Prelats, Earles, and Barons vnto the next Parliament, & there ſhall be a finall accord taken what iudgement ought to be giuen in this caſe. And according to this accord, it ſhall be commaunded to the Iudges, before whom the plea did depend, that they ſhall proceed to giue iudgement without delay. And to begin to do remedy vpon this ordinance: It is aſſented, that a commiſſion and a power ſhall be granted to the Archbiſhop of Canterbury, the Earles of Arundel and Huntington, the Lord of Wake, and the Lord Ralfe Baſſet, to endure till the next Parliament. And though the miniſters haue made an oath before this time, yet neuertheleſſe to remember them of the ſame oath: It is aſſented, that as well the Chancellor, Treaſurer, Keeper of the Priuie ſeale, the Iuſtices of the one Bench & of the other, the Chancellor, Barons of the Eſchequer, as the Iuſtices aſſigned, and all they that doe meddle in the ſaid places vnder them, by the aduiſe of the ſame Archbiſhop, Earles, and Barons, ſhall make an oath well & lawfully to ſerue the King and his people. And by the aduice of the ſaid Prelates, Earles and Barons, be it ordained to encreaſe the number of the miniſters when need ſhall be, and them to diminiſh in the ſame maner. And ſo frõ time to time when officers ſhall be newly put in the ſaid offices, they ſhall be ſworne in the ſame maner. St.27.El.8. Regiſt.fo.17. Raſt.pla.fo.284.

Delaies of iudgments in other Courts ſhal be redreſſed in Parliament.

.7.fo.19.
Ed.3.fo.3.

The officers oath to ſerue the King and his people.

Cap. VI.

A Reoord which is defectiue by miſpriſion of a Clerke, ſhall be amended.

Item, it is aſſented, that by the miſpriſion of a Clerke in any place whereſoeuer it be, no proceſſe ſhall be adnulled, or diſcontinued, by miſtaking in writing one ſillable or one letter too much or too little: but aſſoone as the thing is perceiued by challẽge of the party or in other maner, it ſhall be haſtily amended in due forme, without giuing aduantage to the party that challengeth the ſame becauſe of ſuch miſpriſion. St.9.H.5.4. St.4.H.6.3. 8.H 6.12.15.

6.fo.3.
fol.342.
li.5 fo.45.
ol.157.
mende 9.
.20.24.
.113.

A proceſſe which is defectiue by miſpriſion of a Clerke ſhall be amended.

Cap. VII.

How long a Sheriffe ſhall tarry in his Office.

Item, becauſe that ſome Sheriffes haue their Bailiwiks for terme of yeares of the kings grãt, and ſome do ſo much truſt to tarry in their office by procurement, that they be encouraged to doe many oppreſſions to the people, and euill ſeruice to the King and his people: It is aſſented & eſtabliſhed, that no Sheriffe ſhall tarry in his Bailiwick ouer one yeare, and then another conuenient ſhall be ordained in his place, that hath land ſufficient in his Bailiwicke, by the Chancellor, Treaſurer, & chiefe Baron of the Eſchequer, taking to them the chiefe Iuſtices of the one Bench and of the other, if they be preſent. And that ſhall be done yearely in the morrow of Allſoules, at the Eſchequer, St.28.E.1.8. St.28.Ed.3.7. St.42.Ed.3.9. St.23.H.6.8.

No Sheriffe ſhall tarry in his office aboue one yeare.
Raſt.pla.fo.202.

Cap. VIII.

How many Eſcheators may be in the Realme, and how long they ſhall continue in office.

Item, whereas ſometime there were no more but two Eſchetors in England, that is to ſay, one Eſchetor on this ſide Trent, and another beyond, whereby the King and the people were worſe ſerued then in the time when there were diuers Eſchetors, and of leſſe eſtate; It is aſſented and accorded, that from henceforth there ſhall be as many Eſchetors aſſigned, as were in the time when the King that now is, did take the gouernance of this Realme vpon him. And that the ſame Eſchetors be choſen by the Chancellor, Treaſurer, and chiefe Baron of the Eſchequer,

How many Eſcheators ſhall be

St.1.H.8.ca.8. A Coroner ſhall haue ſufficient land.

taking to them the chiefe Juſtices of the one Bench, and the other, if they be preſent, in manner as is aforeſaid of Sheriffes. And that no Eſchetor tarry in his office aboue a yeare. And that no Coroner be choſen, vnleſſe he haue land in fée ſufficient in the ſame Countie, whereof he may anſwere to all maner of people. Regiſt.fo.177.

Cap. IX.

Sheriffes ſhall keepe Hundreds in their owne hands, or let them vpon the old rent. There ſhall be but one Bailiffe Errant in one Countie.

Hundreds and Wapentakes let to ferme. St.4.Ed.3.15. Regiſt.fo.178.

ITem, whereas many miſchiefes be happened through the realme, for that the Sheriffes haue let the Hundreds & Wapentakes to an higher ferme, then they yéeld to the King, & the fermors doe let the ſame to other at more higher and greater ſummes, in ſuch maner that by the high letting and enhanſing of the fermes, and by the great number of Bailiffes errants, out riders, and other whom the Sheriffes, Bailiffes, and Hundreders doe put in, the people be in diuers maners charged and grieued: It is aſſented and accorded, that from henceforth all the Wapentakes and Hundreds which be ſeuered from the Counties, ſhall be reioined to the ſame counties, as before this time hath béene ſtabliſhed by another ſtatute. And that the Sheriffes hold the ſame in their owne hands, and put in ſuch Bailiffes and Hundreders, hauing lands within the Bailiwicks and Hundreds for whom they will anſwere. And if they will let any Hundreds, Bailiwicks or Wapentakes to ferme, they ſhall let the ſame at the ancient ferme without any thing encreaſing. And that the King and his people be ſerued by ſuch Bailiffes and Hundreders and their Vnderbailiffes, in auoiding for euer the outriders, and other which in diuers counties before time haue notoriouſly grieued the people. And that no Bailiffe errant be but in the Counties, where Bailiffes errants haue béene in times paſt, in the time of the Kings grandfather that now is. And that there be no more but one Bailiffe errant in one County. And in the ſame maner it is aſſented, that all other, of what eſtate or condition they be, which haue Bailiwickes or Hundreds in Fée, if they the ſame will hold in their owne hands, then they ſhall put in ſuch Bailiffes for whō they wil anſwer. And if they will let the ſame in ferme to other, then they ſhal let the ſame at the ancient ferme, without any thing increaſing, as afore is ſaid. And the Juſtices of the one Bench and the other, the Barons of the Eſchequer, and the Juſtices aſſigned ſhal haue power to enquire of all thoſe that offend againſt this ordinance, at all times that they come into the Countrey, & to execute ſuch puniſhment, as to them ſhall ſéeme conuenient to be done, according to the law and reaſon. And if the Sheriffes or their fermors be found in default in any point againſt this ordinance, and thereof be attainted, the Hundreds and Wapentakes where ſuch defaults ſhall be found, ſhall be taken into the Kings hands, and let to other by the ſame Juſtices, and to commit them to priſon, there to remaine till they haue made fine and ranſome to the King according to the quantity of the treſpaſſe. And neuertheleſſe they ſhall anſwer to the King of the whole ferme. And that the Lords which hold Hundreds or Wapentakes in fée, ſhall ſet ſuch Bailiffes which be ſufficient to anſwer the King and his people. And if their Bailiffes do againſt this ordinance, they ſhall be called to anſwere. And if they be attainted, they ſhall haue ſuch puniſhment as the law of the land requireth in ſuch a caſe, and they ſhall be put out of their Bailiwicks for euer, and other ſufficient put in their places by the ſame Lords. St.4.Ed.3.15. St.4.H.4.5. St.23.H.6.10.

There ſhall be but one Bailiffe errant in one countie.

Who ſhall haue authority to puniſh the offendors.

The puniſhment of the offendors.

Cap. X.

Sheriffes ſhall haue the keeping of Gaoles. A priſoner by dures becommeth an approuer.

Sheriffes ſhall haue the cuſtody of gaoles. St.19.H.7.10.

ITem, in the right of the gaoles, which were wont to be in ward of the Sheriffes, and annexed to their Bailiwicks: it is aſſented and accorded, that they ſhall be reioined to the Sheriffes, & the Sheriffes ſhall haue the cuſtody of the ſame gaoles, as before this time they were wont to haue, and they ſhall put in ſuch kéepers, for whom they will anſwere. And if it happen that the kéeper of the priſon or vnder kéeper, by too great dures of impriſonmēt, and by paine make any priſoner, that he hath in his ward, to become an appellor againſt his will, and thereof be attainted, he ſhall haue iudgement of life and of member. And that the Kings Juſtices before whom ſuch caſes ſhall happen, ſhall enquire the truth thereof: and if they find by enqueſt thereupon taken, that any kéeper or vnder kéeper hath done the ſame, he ſhall be thereof arraigned: and if he be found guiltie, he ſhall haue iudgement of life and member, as afore is ſaid.

It ſhall be felony for a gaoler to cauſe a priſoner to become an approuer. St.1.Ed.3.7.

Coke li.

wast.
o.97.9
126.13
139.14

Cap. XI.

A Clerke of the Statutes ſhall haue ſufficient, and be reſident vpon his office.

A Clerke of the ſtatutes ſhall attend vpon his office. St.13.Ed.1.

ITem, it is aſſented and ſtabliſhed, that euery Clerke which ſhall be deputed to receiue recogniſances in cities and boroughs according to the ſtatute merchant, ſhall abide in proper perſon to do his office, according as is contained in the ſtatute of Acton Burnel. And that he haue lands ſufficient in the ſame County, whereof he may anſwer to all perſons if he offend. And if any other be in the ſame office, he ſhall be remoued, and another conuenient ſet in his place.

CAP. XII.

Buſhels and weights ſhall be made, and ſent into euery Countie.

ITem, where it is contained in the great Charter, that one meaſure and one weight be throughout England, and alſo it is contained in a Statute made in the time of King Edward, grandfather to the king that now is, that none ſhall ſell by the buſhell, if it be not marked with the Kings ſeale, and that it be according to the Kings Standard: And alſo it is contained, that he which ſhal be attainted for hauing double meaſure, that is to ſay, one greater to buy, and another leſſe to ſell, ſhall be impriſoned as falſe, and grieuouſly puniſhed, which things haue not beene holden nor vſed after the ſaid eſtabliſhment, to the great griefe of the people: It is aſſented and accorded, that from henceforth one meaſure and one weight ſhall be throughout the Realme of England. And that the Treaſurer cauſe to be made certaine Standards of Buſhels, galons, of weights of Braſſe, & ſend the ſame into euery County, where ſuch Standards be not ſent before this time. And thereupon ſhall be aſſigned two good and ſufficient perſons in euerie Countie, and more according as the Countie in greatneſſe requireth, to ſuruey as well within Franchiſe as without, that the meaſures and the weights be according to the Standard. And that they haue power to enquire, heare, and determine, and to puniſh all thoſe that ſhall be found thereof guilty. And that the Sheriffes at their commandements receiue and detaine them in priſon till they haue made fine to the King. And euery perſon as will complaine of ſuch as doe offend in buying or ſelling, ſhall be heard as well for the King, as for himſelfe.

St.9.H.3.25.
St.51.Ed.1.
St.27.Ed.3.10.
Buſhels and weights ſhall be made and ſent into euery Shire.

And that the ſaid aſſignees ſhall deliuer their eſtreats euery yeare in the morrow of S. Michaell at the Eſchequer, and take for their expences the fourth part of that which they may leuie, and anſwer to the King the three parts. And of that which may not be leuied before their profer, the fourth part ſhall be allowed to them at the Eſchequer, and the three parts leuied to the Kings vſe. And it is not the Kings mind, but that the Clerk of the market ſhall do his office where he will, according as he was wont to doe in times paſt. Nor the Lords of Franchiſes ſhall not be out of their Franchiſes, by the occaſion of this ordinance. 11.H.7.4.

The Clerk of the Market.

CAP. XIII.

Eſcheators ſhall make no waſt in the lands of the Kings Wards. A Ward ſhall haue an Action of waſt againſt his Gardian.

ITem, whereas in the great Charter it is contained, that after the death of the anceſtors, which hold of the King in chiefe, and whoſe heires be within age, that the King ſhall keepe the lands without waſt and deſtruction, and reſtore them wholly to the heires when they come to their full age. And againſt God and right, and the ſaid eſtabliſhments, the eſchetors, and other to whō the lands of ſuch heires haue beene committed, haue done waſt and deſtruction to the great miſchiefe as well of the heires of Earles, Barons, and other great men, as of other which hold of the King in chiefe, and neuertheleſſe, the ſaid eſcheators haue had no conſcience to doe ſuch deſtructions, and ſcarcely haue anſwered the King: wherefore it is aſſented and ſtabliſhed, that from henceforth after the death of euery perſon which holdeth of the King in Chiefe, that the Eſcheators ſhall cauſe to be ſeiſed into the Kings hands the lands as doe appertaine, without doing waſt in houſes, woods, parkes, pondes, or other extortions, which may fall to the damage of the heire. And haſtily after the Diem clauſit extremum deliuered to him, to make returne of the ſame by a good and true extent in the Chancery: after which returne if it be found that the heire is within age, and if the next friends of the ſame heire, to whom the inheritance cannot diſcend, ſhall come and offer them to take the ſaid lands, yeelding the value to the King, till the age of the heire, ſo farre forth as other will yeeld without fraud, by accord betwixt the Chauncellor and the Treaſurer, they ſhall haue Commiſſion to keepe the ſaid lands by good and ſufficient ſuretie till the age of the ſaid heires, and to anſwere the King of the value. And it is not the Kings intent, that by this Statute he be forecloſed to haue an action of waſt againſt ſuch Gardians and Fermors, as he and his anceſtors haue had before this time. And that the heires, when they ſhal come to their full age, ſhall haue their action of waſt, againſt ſuch Gardians and Fermors. Regiſt.fo.72. Fitz.N.B.fo.59.

St.9.H.3.4.5.
Eſchetors ſhall make no waſt in the lands of the Kings Wards.
St.6.Ed.1.5.
28.Ed.1.18.
St.36.Ed.3.13.
The next of kinne to the Kings ward may take in farme his land.
St.32.H.8.46.
V.N.B.fo.37.
The heire may haue an Action of waſt.
Raſt.pl.f.618.

CAP. XIIII.

There ſhall be but foure Writs of Search for the King. Nothing ſhall hinder the execution of Iuſtice.

ITem, whereas before this time in caſe that a man hath demanded by petition in the Parliament certaine lands & tenements, which be in the Kings hands, & to the ſame petitions hath bin anſwered in the ſame Parliament, Chancery, or the Kings Bench, that the King will, that a Writ be ſued to the Treaſurer & Chamberlaines of the Exchequer to ſearch Charters, Muniments, & other remēbrances, which may him auaile, wherby he may be aduiſed to make anſwer, to which writs commonly the Treaſurers & chamberlains haue anſwered, that they haue ſearched, but did not ſearch, & would not anſwer that they haue fully ſearched, & nothing found, nor that they

He that praieth aid of the King, ſhall haue but 4. writs of ſearch.
Raſt.pl fo.424.
The great or priuy ſeale ſhall not hinder the execution of Iuſtice.
Stat.2.Ed.3.8.
5.Ed.3.9.
Regiſt.fo.186.
Fitz.N.B.f.240.d.

9.Ed.4.fo.51.
Kel.fo.278.
Dyer fo.110.
138.320.
Fitz.petition.

they can no more find, but that which they haue ſent, whereby according to the Law afore this time vſed, a man hath not had cauſe to put them, which be for the King to anſwere, and in ſuch manner the demandants haue béene greatly delaied to their miſchiefe: wherefore it is aſſented, that after that the foure Writs be returned, whether the muniment or remembrance be found for the King or not, that then in the Parliament, Chauncery, or in the Kings Bench, or in the common Bench, they which ſhall ſue for the King, ſhalbe put to anſwer, and to defend the lands and tenements ſo demaunded againſt the King, to the beſt that they can or may, according to the law, ſo alwaies that euery of the foure Writs be deliuered to the Treaſurer and to the Chamberlaines forty daies before the day of the returne. And that by commandement of the great Seale or priuy Seale, no point of this Statute ſhalbe put in delay, nor that the Iuſtices, of what ſoeuer place it be, ſhall let to doe the common Law by commandement, which ſhall come to them vnder the great ſeale or priuie ſeale. Stat.9.H.3.29.

CAP. XV.

No pardon for felonie, but where the King may doe it ſauing his oath.

St.6.Ed.1.9.
St.2.Ed.3.2.
No pardon of felony ſhall be granted, but where the King may do it ſauing his oath.
St.10.Ed.3.2.

Coke li.6.fo.

ITem, becauſe by diuers Statutes made before this time in diuers Parliaments, it was aſſented, that no charter of pardon of the death of a man ſhould be granted by the King, but in caſe where he may do it kéeping the oath of his crowne, which ſtatutes haue not béen holden, but charters haue béene granted without number to diuers felons and manſlears, to the euill example and feare of good people and lawfull, whereby théeues, felons, and offenders be comforted to doe their robberies and manſlaughter, and the ſame doe from day to day, and the more be encouraged to do the ſame, becauſe of hope eaſily to haue their charters of pardon: It is aſſented, eſtabliſhed and accorded, that no charter of pardon of the death of a man, nor of other felony, ſhall be from henceforth graunted to any man, but in caſe where the King may the ſame doe ſauing the oath of his crowne, as it is cōtained in the ſtatutes made before this time. And if any charter be from henceforth granted againſt the ſaid Statutes, the ſame ſhalbe holden for none.

CAP. XVI.

Before what perſons Niſi prius *may be granted.*

St.13.Ed.1.30.
St.12.Ed.2.3.

Niſi prius grantable at the defendant or plaintiffes ſuit.
St.2.Ed.3.16.
V.N.B.fo.175.

33.H.6.fo.14.
16.H.7.fo.1
19.H.6.fo.47.

Niſi prius may be granted before a Iuſtice of another court then where the ſuit dependeth.
St.27.E.3.4.

Dyer fo.16
Bro.Niſi prius 37.

ITem, whereas before this time it was ſtabliſhed, that the Enqueſts and Iuries, which be to be taken as well of the Kings Bench, as of the Common Bench, ſhould be taken before one or two Iuſtices of the ſame place, as it is contained in the ſaid eſtabliſhment, and now it is notoriouſly ſéene and knowne, that diuers Enqueſts and Iuries haue béene taken and yet be in diuers Counties of England, where no Iuſtice did come, to the great miſchiefe of the parties that doe ſue, and alſo of the good people of the Countrey which be impanelled: wherefore it is aſſented and ſtabliſhed, that who ſo demandeth the Niſi prius in the Kings Bench, as well at the ſuit of the defendant, as of the plaintiffe (as before this time hath béene done by the forme of the Statute) the Niſi prius ſhall be granted before any Iuſtice of the place where the Plea dependeth, if any of the ſame place may well goe into thoſe parties, And if not, then the Niſi prius ſhalbe granted before any Iuſtice of the common Bench, at a certaine day, which may be accorded, and to deliuer or ſend the tenor of the Record to him vnder the ſeale of the chiefe Iuſtice of the place, at which day he ſhall take the Enqueſt, and returne the Verdict vnder his Seale with the Writ, the tenor, and the panell, which ſhall be receiued in the Kings Bench and there enrolled, and thereupon iudgement giuen according to the Verdict of the ſame Enqueſt. And the ſaid Iuſtice of the common Bench ſhall haue power to record defaults and nonſuits, as farre forth as if the Niſi prius had béen granted before any Iuſtice of the Kings Bench. After which defaults ſo recorded and returned in the Kings Bench, the Iuſtices ſhall goe to giue iudgement vpon the ſame Record. And in the ſame manner be it done of all the pleas which be or ſhall be in the Common Bench, whereof the Enqueſts and Iuries be or ſhalbe taken in the Countrey by Niſi prius. And if none of the Iuſtices of the ſame place goe, the Niſi prius ſhall be granted before any Iuſtice of the Kings Bench, to doe as afore is ſaid of the Iuſtices of the common Bench. And the tenor of the Record ſhall be ſent to the ſame Iuſtice, that he may haue like power as afore is ſaid of the Iuſtices of the common Bench, which be aſſigned to take Enqueſts and Iuries of the Kings Bench. And if it happen that none of the Iuſtices of the one Bench nor the other may come into the Countrey, where Enqueſts or Iuries be to be taken, then the Niſi prius ſhalbe granted before the chiefe Baron of the Eſchequer, if he be a man of the Law, and he ſhall haue ſuch power as the Iuſtices of the one Bench and the other haue by this Statute. And in caſe that none of the Iuſtices of the one Bench, nor the other, nor the Chiefe Baron of the Eſchequer, being a man of the Law, doe not come into the countrey where the Enqueſts and Iuries be or ſhall be taken by the Niſi prius: then the Niſi prius ſhalbe graunted before the Iuſtices aſſigned to take Aſſiſes in thoſe parties. So alwaies that one of the ſaid Iuſtices aſſigned be Iuſtice of the one Bench or the other, or the Kings Sergeant ſworne. And the ſame Iuſtices ſhall haue ſuch power as afore is ſaid of the Iuſtices of the one Bench and of the other. And if the one party demand the tenor of the record to haue with him, to deliuer to the Iuſtices, before whom the Niſi prius is granted: for to eſchew that no fraud nor damage be done to the other partie, nor to the people of the inqueſts: another tenour of the ſame record ſhalbe deliuered to the other partie, if he the ſame require. And whereas it hath been another time ſtabliſhed, that the Iuſtices, before whom the Niſi prius hath been granted in pleas of aſſiſes, of darraine preſentment, and Quare impedit, ſhould haue power to giue the iudgements in the countrey vpon the verdicts of aſſiſe, and of enqueſt, and vpon noneſutes, and defaults: It is aſſented, that the Iuſtices of the one bench and of the other, the chiefe Baron of the Eſchequer, and the Iuſtices aſſigned, before whom the Niſi prius is granted by this ſtatute, ſhall haue power to giue iudgements in the countrey, and returne the ſame according as it is contained in the ſtatute of Yorke thereupon made.

St.12.Ed 2.3.

Iuſtices of Aſſiſe may giue iudgement vpon Aſſiſe, Quare im. and Darrain preſentment.

Cap. XVII.

A iuris vtrum *maintainable for a Parſon or Vicar.*

H.8.fo.7.
H.4.fo.20.
d.3.fo.5.
Ed.3.fo.28.
z. Iuris vtrum.
z. Briefe 785.
.Deane &
apter &c.2.

Item it is aſſented and ſtabliſhed that Parſons, Vicars, Wardens of chappels & prouoſt wardens and prieſts of perpetuall chaunteries, ſhall haue their writs of Iuris vtrum of lands and tenements, rents, and poſſeſſions annexed, or giuen perpetually in almes to Vicarages, chappels, or chaunteries, and recouer by other writs in their caſe as far forth as Parſons of Churches or Prebends. Regiſt.fol.32. V.N.B.fo.29. Fitz.N.B.fol.48. Raſt.pla.fol.385.

A Iuris vtrum maintainable for a Parſon or Vicar, &c.
St 13.Ed.1.24.
Coke.pla.fo 399.

Cap. XVIII.

If the tenant will vouch to warranty a dead man, the demaundant may auerre that he is dead.

.Counterp.de
cher.51.56.73
Ed.3.fo.36.
Ed.3.fo.32.
d.3.fo.35.
d.3.fo.27.
Ed.3.fo.28.
.Auerrement.
33.36.38.39.

Item, becauſe the demaundants in plea of land haue been often delaied, for that the tenants haue vouched to warrant a dead man, againſt which voucher the demandants before this time might not be receiued to auerre, that the vouchee is dead, to their great delay and miſchiefe: It is accorded and eſtabliſhed, that from henceforth, if the tenant vouch to warrantie a dead man, and the demaundants will auerre that the vouchee is dead, or that there is none ſuch, their auerrement ſhall be receiued without delay. Raſt.pla.fol.354 614.

If the tenant vouch to warrantie a dead man, the demandant may auerre it.

Cap. XIX.

How purueyors for the Kings houſe and warres ſhall make their purueyance.

Item, it is aſſented, that the purueyances, which ſhall be made for the Kings houſe and the Queenes, where they do abide and paſſe through the Countrey, ſhal be made by warrant and power giuen to them, which ſhall make the purueiances: In which ſhall be expreſly contained, that they ſhall take nor buy any thing, vnleſſe it be by agreement made betwixt the buyer and the ſeller, and by the conſent of the ſellers. And if any will any thing take by colour of his commiſſion againſt this ordinance, none ſhall be bound to obey him, no more then if he had no commiſſion. And of that which ſhall be ſo bought and purueied, payment ſhall be made to the ſeller before that the King paſſe out of the Verge. And of great purueiances to be made, as of fleſh, fiſh, and other victuals for the Kings warres, and for to victuall the Caſtles and townes in Scotland and England, and other places, certaine Merchants or other good people ſhalbe deputed by the Treſurer, to make the ſaid purueiances, without Commiſſions, and without the Kings or other power, So that the people nor any of them be put to ſell any thing againſt their will and conſent. And that no Commiſſion be made to the keepers of the Kings horſes, but be it onely commaunded to the Sheriffe, that he make purueyance by him and by his, of the iſſues of his Bailiwicke. And the number of the horſes, for which he ſhall make ſuch purueiance ſhall be contained in the ſaid commandement. And that no purueiance be made ouer this number, ſauing that the chiefe keeper haue an haukeney, and that he take good heed, that the Countrey be not charged of more then ſhall keepe the horſes, but for euery horſe a ſeruant, without bringing women, pages, or dogges with them. And if more be found abiding in the charge of the countrey, they ſhall be brought to the priſon, there to remaine till the King hath ſent his will.

The Kings Purueyors ſhall take nothing without the owners conſent.
9.H.3.21.

Purueyance for the warres.

Purueyance for the kings horſes
St.10.Ed 3.4.

And in the ſame maner be it commanded to the Sheriffes, that they make purueyance for the Kings dogges of the iſſues of their Bailiwickes where they dwell. And that ſuch purueyances be made by none other but by the Sheriffes. And be it contained in his commandement the number of the dogges, for which he ſhall make purueyance, ouer which number no purueyance ſhall be made, ſo that they liue of their certaine, without charging the Countrey. And if any find him grieued againſt this ordinance, he ſhall haue recouery againſt the Sheriffe of ſuch grieuances done to him.

Purueyance for the kings dogs.

Cap. XX.

A Subſidy granted to the King of the ninth fleece, the ninth Lambe, & the ninth ſheafe by the

Lords and Commons of the Realme, in regard of the Pardons, Grants and Releaſes that he hath made to them, in reſpect of his wars, his good will to keep his Realm, & obtaine his Rights. Exp.

Cap. XXI.

A Subſidy granted to the King (in reſpect of his Wars) of Wooll, Wooll Fels, Leather and other Merchandizes that paſſe the Sea from Eaſter next vntill the Feaſt of Pentecoſt twelmonth following, for the which the King granteth that after the ſaid Feaſt of Pētecoſt, he nor his heires will take more then the old cuſtome. Exp.

Other Statutes made, anno 14. Edw. 3. anno D. 1340.

The Kings Grant that the aforeſaid Subſidy of the ninth Lambe, &c. ſhall be no example nor preiudiciall to his ſubiects. All ſhall be ſpent in his Warres.

A former grant of a Subſidie to the King ſhall be no example in time to come.

How the Subſidy granted to the King ſhalbe ſpent.

EDward by the grace of God, &c. to all them &c. gréeting. Know ye that whereas the Prelates Earles, Barons, and Commons of our Realm of England, in our preſent Parliament, holden at Weſtminſter, the Wedneſday next after the Sunday of middle Lent, the xiiij. yeare of our Raigne of England, and the firſt of France, haue granted to vs of their good grée and good will, in aid of the ſpéed of our great buſineſſe, which we haue to doe, as well on this ſide the Sea as beyond: the ix. ſheafe, the ix. fléece, and the ix. lambe, to be taken by two yeares next comming, after the making of the ſame, and the Citizens and the Burgeſſes of Boroughs, the very ix. part of all their goods, and the forraine Merchants and other, which haue not of gaine nor of ſtore of ſhéep the xv. of their goods lawfully to the value. We willing to prouide for the indemnity of the ſaid Prelates, Earles, Barons, and other of the Communalty, and alſo of Citizens, Burgeſſes and Merchants aforeſaid, will and grant for vs and our heires, to the ſame Prelats, Earls, Barons, and Commons, Citizens, Burgeſſes and Merchants, that the ſame graunt, which is ſo chargeable, ſhall not another time be had in example, nor fall to their preiudice in time to come, nor that they be from henceforth charged nor grieued to make any aide, or to ſuſteine charge, if it be not by the common aſſent of the Prelates, Earles, Barons, and other great men, and Commons of our ſaid Realme of England, and that in the Parliament: And that all the profits riſing of the ſaid aide, and of Wards and marriages, cuſtomes & eſcheats, and other profits riſing of the ſaid Realme of England, ſhall be put and ſpent vpon the maintenance and the ſafegard of our ſaid Realme of England, and of our Warres in Scotland, France and Gaſcoine, and in no places elſewhere during the ſaid Warres.

Cap. II.

All Merchants being no enemies ſhall come into the Realme and depart quietly.

Stat. 9. H. 3. 30.

Merchants may come into the Realme, and returne in ſafety

Franchiſes graunted to cities & boroughs reſerued.

ITem, where it is contained in the great Charter, that all Merchants ſhall haue ſafe and ſure conduct, to go out of our Realme of England, and to come and abide, and go through the realm of England, as well by water as by land, and to buy and ſell, paying their rights and cuſtomes, but in the time of Warre: We at the requeſt of the Prelates, Earles, Barons, and Commons, will and grant for vs and for our heires and ſucceſſors, that all Merchants, Denizens, and Forraines (except thoſe which be of our enemity) may without let, ſafely come into the ſaid Realme of England, with their goods and Merchandizes, and ſafely tarry, and ſafely returne, paying the cuſtomes, Subſidies and other profits reaſonably thereof due. So alwaies that Franchiſes and frée cuſtomes reaſonably granted by vs and our Anceſtors, to the City of London and other Cities, Boroughs, and good Townes of our Realme of England be to them ſaued.

A Statute for the Clergy made at Weſtminſter the 16. of April, Anno 14. Edw. 3. Anno 1340.

St. 9. H. 3. 1.

EDward by the grace of God, &c. gréeting, &c. Know yée that whereas in the firſt Article of the great Charter it is contained, that the Church of England be frée, & haue all her rights entirely and franchiſes not blemiſhed: and alſo in all the whole ſtabliſhments made as well in times of our progenitors, as in our owne time, the ſame article is often ratified and confirmed. Neuertheleſſe in our Parliament holden at Weſtminſter, the Wedneſday next after the Sunday of middle Lent, it is ſhewed vnto vs by the reuerend father in God, Iohn Archbiſhop of Canterbury, primate of England, and the other Prelates of the Clergy of our Realme, how ſome oppreſſions and grieuances be done in diuers manners by ſome of our ſeruants to people of holy Church, againſt the franchiſe of the great Charter, and the ſtabliſhments aforeſaid, which oppreſſions they ſhew in petition, praying vpon the ſame remedy. Wherefore we, their petition ſéene and regarded, and thereupon deliberation had, with the Péeres of our Realme, and other of our Counſell,and of the Realme ſummoned to our ſaid Parliament, & hauing regard to the great Charter, and to other Statutes aforeſaid, and at the requeſt of the ſaid Prelates and Clergie, which haue much aided vs, and daily doe, by the aſſent and accord of the ſaid Péeres,and of all other ſummoned and being in our ſaid Parliament,haue granted and doe grant for vs and our heires and ſucceſſors to the ſaid Prelates and Clergy, the things vnder written perpetually to endure.

Cap. I.

Spirituall perſons goods ſhall not be taken by Puruaiors without the owners conſent.

No Spirituall perſons goods ſhall be purueied for the King without the owners conſent

FIrſt,that none by vs, nor by other by Commiſſion of the great Seale, nor of the ſmall, nor without Commiſſion, ſhall take any Corne,Hay,Beaſts,Cariage,nor other goods of Archbiſhops,Biſhops,Abbots,Priors, Abbeſſes, Prioreſſes, Parſons, Vicars, or of other people of holy Church,within their houſes, manors, graunges, nor other places within the fées of holy Church nor without, againſt the agréement and will of the owners of the ſame goods. And wée doe defend, that from henceforth no ſuch Commiſſions vnder the great Seale, nor the ſmall, ſhall in any wiſe goe forth to make any ſuch prices. For we doe take the ſaid Prelates and Clergie, their poſſeſſions,goods and cattels,into eſpeciall protection and defence of vs and our heires. Alſo we grant for vs and our heires, that we ſhall not from henceforth charge any the ſaid Prelates or Clergie, nor their houſes to receiue gueſts, nor ſoiourner of Scotland, nor of other Countreis, nor our horſes nor dogges, Faucons, nor other Hawkes of ours,nor others againſt their grée and will. Sauing alwaies to vs the ſeruices, which be due to vs of right from them which owe to vs the ſame ſeruices, to ſuſtaine and receiue dogges, horſes or Hawkes. St.3.Edw.1.1.St.18.Edw.3.4.St.1.R.2.3.Regiſt.fo.289.

Cap. II.

Preſentment to Churches made by the King in anothers right.

ITem, becauſe of the temporalties being in our hands or in the hands of our Anceſtors by reaſon of Archbiſhopricks,Biſhopricks,or other Prelacies voide,& alſo becauſe of other Lands, tenements,fées & aduouſons being in our hands & in the hands of our Anceſtors, by nonage of heires, it hath béene vſed before this time, the exception of plenartie ſhould hold no place againſt vs, nor againſt any of our Anceſtors,no more in caſe where ſuch preſentments ſhould be deuolute to vs in anothers right, then if they had béene in our owne right,or in the right of our Crowne,whereby many perſons and Prebendaries were put out of their Churches, Prebends and Benefices, which they had long time holden, to their great miſchiefe and impoueriſhment : We will and grant for vs, and for our heires, to void ſuch miſchiefes, that from henceforth,we nor our heires ſhall not make collation, or preſentment to any Church,Prebend, Chappell,or other Benefice, by the occaſion of ſuch auoidances of Prelacies, or of the Lands of Infants within age, or of others come or to come into our hands, or in the hands of our heires, if we or our heires doe not make our collations or preſentments within thrée yeares after that ſuch Benefices doe ſo indéed become voide. And that of ſuch Churches and other Benefices, of which Clerkes be in poſſeſſion,and haue had poſſeſſion by a yeare before the making of this Statute,we nor our heires ſhall haue none action nor reaſon to preſent to ſuch Benefices ſo full. And we will not that any man be holden to anſwer to any writ of Quare impedit taken in our name in ſuch caſe,if the collation or preſentment be not made within thrée yeares after the voidance as afore is ſaid. And of ſuch voidances taken in the time of our Anceſtors, no collation nor preſentment ſhall be from henceforth made by vs nor by our heires, but to take any action of ſuch voydances wée will be wholly and quietly forecloſed.

The King ſhall not preſent in anothers right but within 3. yeares after the auoydance. Rep.25.Ed.3.2.

11.H.4.fo.8.
it.Q.imp.53.112

Cap. III.

No Biſhops temporalties ſhall be ſeiſed without good cauſe.

ITem,we will and grant for vs and for our heires,that from henceforth we nor our heires ſhall not take, nor cauſe to be taken into our hands the temporalties of Archbiſhops, Biſhops, Abbots, Priors,or other people of holy Church of what eſtate or condition they be, without a true & iuſt cauſe, according to the Law of the Land, and iudgement thereupon giuen. Stat.25.Edw.3.6. Regiſt.fo.32.

Temporalties of Biſhops ſhall not be ſeiſed without good cauſe. Stat.1.Ed.3.2.

Cap. IIII.

How the temporalties of Biſhops ſhall be vſed in the time of vacation.

ITem, becauſe that in the petition of the ſaid Prelates and Clergie,it is contained, that Eſchetors and other kéepers, in time of vacation of Archbiſhoprickes,Biſhoprickes,and other Prelacies, haue done great waſte and deſtruction in the ſame in time paſt: We will & grant for vs & for our heires, that at all times frõ henceforth,when ſuch voidances ſhall happen that our Eſchetors and the Eſcheators of our heires,which for the time ſhall be,ſhall enter and cauſe to be well

How the Temporalties of Biſhops ſhall be vſed in the time of vacation. Fitz.N.B.fo.59.B.

kept the ſaid voidances,without doing waſte or deſtruction in the Manors, Warrens,Parkes, Ponds or Woods. And that they ſell no vnderwood, nor hunt in the Parkes or Warrens, nor fiſh in Ponds, nor free fiſhings, nor ſhall racke nor take fines of the tenants free nor bound: but ſhall keepe and ſaue as much as pertaineth to the ſaid voidances without doing harme or any manner of oppreſſion. And if the Deane and Chapter of Churches Cathedrall, Priors,Subpriors, Prioreſſes,Subprioreſſes,and couents of Prelacies, Abbies, or Priories, whoſe voydance pertaineth to vs and our heires, will render to vs and our heires the value of the ſaid voydance, as other will reaſonably yeeld, then the Chancellor and Treaſurer ſhall haue power to let the ſaid Deane and Chapter,Prior or Subprior,Prioreſſe or Subprioreſſe, and Couent, the ſaid voydances by good and ſufficient ſurety, ſo that they ſhall haue the ſame before all other, yeelding to vs the value of them,according as ſhall be found by remembrances of the Eſchequer or by enqueſt to be taken vpon the ſame if need be,without making fine. And in caſe they will not accord to yeeld to the value, nor finde ſuch ſurety, then the Chancellor and Treaſurer ſhall cauſe to be ordained the good preſeruation of ſuch voidances, by Eſcheators or other ſufficient keepers, to anſwere the King of that to him pertaineth reaſonably, without doing waſte or deſtruction,or other thing which may turne in diſheriſon of the Churches, whereof ſuch voidances ſhall happen.

The Deane & Chapter may take them in farme if they will.

Cap. V.

Who ſhall demiſe Biſhops temporalties during the time of vacation.

Who ſhall let to farme the Temporalties of Biſhops to the Kings vſe.

Item, wholly to ſhew the affection and good will, which we haue, that that pertaineth to God and to holy Church be ſafely kept without waſte or deſtruction, or impeachment to be made thereof by vs or our Miniſters, We will and by theſe preſent letters doe grant full power to our ſaid Chancellor and Treaſurer,which taking to them other of our Counſell,ſuch as to them ſhal ſeeme beſt to be taken, by good information of remembrances of the Eſchequer, and other informations as to them ſhall ſeeme beſt,ſhall let the vacations of Archbiſhoprickes,Biſhopricks, Abbacies, Priories,and other houſes,whoſe voidances pertaineth to vs, to the Deane and Chapter, Prior or Subprior, Prioreſſe or Subprioreſſe and Couent,to yeeld a certaine of euery voydance by the yeare, quarter or moneth, during the vacations, according as to them ſhall ſeeme beſt,without making any fine. So that no Eſchetor nor other Miniſter in the time of vacations ſhall haue cauſe to enter,or meddle to doe any thing,which ſhall be in preiudice of the Churches, whereof ſuch voidances ſhall happen. Sauing to vs and to our heires the Knights fees, aduouſons of Churches, Eſcheates, Wards, Marriages, relieues and ſeruices of the ſaid fees. In witneſſe whereof we haue made theſe our Letters Patents, dated at Weſtminſter the xvj. of Aprill the xiiij.yeare of our Reigne of England, and the firſt of France.

Anno 14.Edw.3.& An.D.1340. By a Statute it was ordained that the Realme of England and the people thereof ſhall not be ſubiect to the King or Kingdome of France.

Edward by the grace of God King of England and France, and Lord of Ireland, to all thoſe which theſe Letters ſhall heare or ſee, greeting. Know yee that whereas ſome people doe thinke, that by the reaſon that the Realme of France is deuolued to vs as right heire of the ſame,and for as much as we be King of France,our Realme of England ſhould be put in ſubiection of the King and of the Realme of France in time to come: we hauing regard to the eſtate of our Realme of England, and namely, that it neuer was, nor ought to be in ſubiection nor in the obeiſance of the Kings of France, which for the time haue beene, nor of the Realme of France. And willing to prouide for the ſurety and defence of the Realme of England,and of our liege people of the ſame: will and grant and ſtabliſh for vs and for our heires and ſucceſſors,by aſſent of Prelates, Earles,Barons, and Commons of our Realme of England, in this our preſent Parliament ſummoned at Weſtminſter,the Wedneſday next after the Sunday in Middle Lent, the xiiij.yeare of our ſaid Reigne of our Realme of England, and the firſt of France,that by the cauſe or colour of that that we be King of France, and that the ſaid Realme to vs pertaineth, as afore is ſaid, or that we cauſe vs to be named King of France in our ſtile, or that wee haue changed our Seale or our Armes, nor for the commandements, which we haue made, or from henceforth ſhall make as King of France,our ſaid Realme of England, nor the people of the ſame, of what eſtate or condition they be, ſhall not in any time to come be put in ſubiection nor in obeyſance of vs nor of our heires, nor ſucceſſors as Kings of France, as afore is ſaid, nor be ſubiect nor obedient, but ſhall be free and quite of all manner ſubiection and obeyſance aforeſaid, as they were wont to be in the time of our progenitors Kings of England for euer. In witneſſe of which things, &c, Dated at Weſtminſter,&c.the xiiij. yeere of our raigne of England and the firſt of France.

The Realme of England and the people thereof ſhall not be ſubiect or obedient to the King or Kingdom of France.

Statutes made at Weſtminſter Anno 15. Ed.3. An.D.1341.

OVr Lord King *Edward* the third after the Conqueſt, at his Parliament holdē at Weſtminſter at the fifteenth of Eaſter, deſiring that the peace of the Land, and the Lawes and Statutes before this time ordained, be maintained and kept in all points, to the honour of God and of holy Church, and the common profit of his people, by aſſent of the Prelates, Earles, Barons, and other great men, and of all the Commonaltie of the Realme of England ſummoned to the ſaid Parliament hath ordained & ſtabliſhed in the ſame Parliament the Articles vnderwritten, which he will and grant for him & his heires, that they be firmely kept and holden for euer.

Cap. I.

A confirmation of the great Charter and former Statutes. Rep. 15. Edw. 3.

Cap. II.

The Peeres of the Realme and great Officers for great offences ſhall be tryed in Parliament. Rep. 15. Edw. 3.

Cap. III.

Thoſe that attempt ſuites againſt the Lawes and Statutes of the Realme ſhall anſwere it in Parliament. Rep. 15. Edw. 3.

Cap. IIII.

At euery Parliament the King may take ſeuerall great Offices into his hands, and retaine them foure or fiue dayes: except the Offices of Iuſtices of both Benches, Iuſtices aſſigned, and Barons of the Exchequer. Rep. 15. Edw. 3.

Cap. V.

Puniſhments of Vſury by the King or the Ordinaries. Rep. 15. Edw. 3.

Cap. VI.

Miniſters of the Church ſhall not anſwere before the Kings Iuſtices, for things done touching the iuriſdiction of the Church. Rep. 15. Edw. 3.

By another Statute made alſo, Anno 15. Edw. 3. The laſt mentioned Statute of Anno. 15. Edw. 3. was repealed becauſe it was made without the Kings conſent.

EDward by the grace of God, &c. to the Sheriffe of Lincolne greeting. Whereas at our Parliament ſummoned at Weſtminſter in the fifteenth of Eaſter laſt paſt, certaine Articles expreſly contrary to the Lawes & cuſtomes of our Realme of England, and to our prerogatiues and rights royall were pretended to be granted by vs by the maner of a Statute, we conſidering how that by the bond of our oath, we be tied to the obſeruance and defence of ſuch Lawes, Cuſtomes, Rights, and prerogatiues, and prouidently willing to reuoke ſuch things to their owne ſtate, which be ſo improuidently done, vpon conference, and treatiſe thereupon had with the Earles, Barons and other wiſe men of our ſaid Realme, and becauſe we neuer conſented to the making of the Statute, but as then it behoued vs, we diſſimuled in the premiſſes by proteſtations of reuocation of the ſaid Statute, if indeed it ſhould proceed, to eſchew the dangers which by the denying of the ſame we feared to come, for as much as the ſaid Parliament otherwiſe had beene without diſpatching any thing in diſcord diſſolued, and ſo our earneſt buſineſſe had likely beene ruinated, which God prohibite. And the ſaid pretenſed Statute we promiſed then to be ſealed. It ſeemed to the ſaid Earles, Barons, and other wiſe men, that ſithence the Statute did not of our freewill proceede, the ſame be voide, and ought not to haue the name nor ſtrength of a Statute, And therefore by their counſell and aſſent we haue decreed the ſaid Statute to be void, and the ſame in as much as it proceeded of deede, we haue agreed to be adnulled, willing neuertheleſſe that the articles contained in the ſaid pretenſed Statute, which by other of our Statutes, or of our progenitors Kings of England, haue beene approued, ſhall according to the forme of the ſaid Statute in euery point as conuenient is, be obſerued. And the ſame we doe onely to the conſeruation and reintegration of the rights of our Crowne, as we be bound, and not that we ſhould in any wiſe grieue or oppreſſe our ſubiects, whom we deſire to rule by lenity and gentleneſſe.

A repeale of the former ſtatutes made Anno 15. Ed. 3.

neſſe. And therefoꝛe we doe command thee, that all theſe things thou cauſe to be openly pꝛoclaimed in ſuch places within thy Bailiwicke, where thou ſhalt ſee expedient. Witneſſe my ſelfe at Weſtminſter, the firſt day of October, the fifteenth yeare of our Raigne.

A third Statute made Anno 15. Ed. 3. expreſſing certaine conditions or couenants whereupon the Subſidy granted Anno 14. was giuen him.

THe conditions which the great men and the Commons demmanded, for the grant that they made to the King, for the 9. lambe, fleece, & ſheſe of the ſecond yeare. Cap. 1. 2. 3. 4. 5. 6. Exp.

Statutes made A. 18. Ed. 3. A. 1344. declaring in what caſes & for what offẽces exigents ſhalbe awarded.

An exigent awarded againſt the Kings Receiuers of Wooll or money which detaine the ſame: and againſt thoſe that tranſport Wooll being not cocketted or without Cuſtome, & againſt conſpirators and Confederators of quarrels: and againſt them that commit Routs in affray of the people, which bring in falſe money in deceite of the people, if they cannot be found or brought in by attachment or diſtreſſe, and not againſt any other.

Another Statute made Anno 18. Ed. & Anno Dom. 1344.

Two Quinzemes granted to the King by the Communaltie, and two Fifteenes by Cities and Boroughes, to be payed in two yeare, towards his Warres in France and Scotland. Exp.

Cap. I.

Commiſſions of new inquiries ſhall ceaſe, ſauing inditements of Felonies and treſpaſſes of Wools, carried out without Subſidies, Cuſtomes. Exp.

Cap. II.

Iuſtices of Peace ſhall be appointed and their authority.

Juſtices of P. ſhall be appointed, and their authoꝛitie.

ITem, that two oꝛ thꝛee of the beſt of reputation in the Counties, ſhall be aſſigned keepers of the Peace by the Kings Commiſſion. And at what time need ſhall be, the ſame with other wiſe and learned in the Law, ſhall be aſſigned by the Kings Commiſſions to heare and determine Felonies and Treſpaſſes done againſt the Peace in the ſame Counties. And to inflict puniſhment reaſonably accoꝛding to the Law and reaſon, and the manner of the deed. Stat. 1. Edw. 3. 16. 4. Edw. 3. 2. 34. Ed. 3. 1. 18. H. 6. 11.

Cap. III.

All perſons may buy Wools. The Sea ſhall be open.

Euery man may buy Wool. The Sea ſhall be open.

ITem, that the Oꝛdinances made befoꝛe this time, vpon taking of ſoꝛts of Woolls in euery County, be wholly annulled, and defeated: And that euery man as wel ſtranger, as pꝛiuy, from hencefoꝛth may buy Woolls, accoꝛding as they may agree with the ſeller, as they were wont to doe befoꝛe the ſaid Oꝛdinances: And that the Sea be open to all manner of Merchants to paſſe with their Merchandize, where ſhall pleaſe them. St. 5. & 6. E. 6. 7.

Cap. IIII.

Commiſſions to aſſay weights and meaſures ſhall be repealed, and none ſuch ſhall be granted. Exp.

Cap. V.

No exigent ſhall be granted in treſpaſſe, but where it is againſt the Peace.

No Exigent in Treſpaſſe but where it is againſt the peace.

ITem, that no exigent ſhall from henceforth goe out, in caſe where a man is indicted of treſpaſſe vnleſſe it be againſt the peace, oꝛ of things which be contained in the declaration, made in this caſe at the laſt Parliament, holden at Weſtminſter. Stat. 18. Ed. 3.

Cap. VI.

Money ſhall be made and exchanges ordained where the King ſhall pleaſe. Exp.

Cap. VII.

When the Kings wages to Souldiers ſhall begin and end.

Stat. 5. Ed. 3. 2.
Stat. 10. Ed. 3. 1. 2.

ITem, that the Statutes foꝛ the Puruaiances, to be made foꝛ the houſes of the King the Queen and their childꝛen, wherein it is contained, that they ſhall not buy noꝛ take any thing vnleſſe it be by agreement of the ſellers, and by pꝛomiſe made betwixt the buyers and the ſellers. And that the Statutes made of the Steward and Marſhall of the Kings houſe, and what pleas they ſhall hold and determine befoꝛe them in the Marſhalſey, ſhall be holden and kept in all their points, Which Statutes our Loꝛd the King hath cauſed to be tranſcribed, and ſent to the Steward and Marſhall of his houſe, and to the Treaſurer of the Wardꝛope, and Writs with them, to kéepe and maintaine the ſame in all points. And that men of Armes, Hoblers, and Archers, choſen to goe in the Kings ſeruice out of England, ſhall be at the Kings wages, from the day that they depart out of the Counties, where they where choſen, till their returne.

when the Kings wages to ſouldiers ſhall begin and end. Stat.1.Ed.3.7. 4.H.4.13.

A Statute of the Clergie made Anno 18.Ed.3.& An.Dom.1344.

E*Dward* by the grace of God, &c. greeting. Know ye that at our Parliament holden at Weſtminſter the munday next after the vtas of the holy Trinitie, the yeare of our raigne of England the eighteenth, & of France the fifth, amongſt other things ſhewed, aſſented, & accorded in the ſaid Parliament, there were ſhewed, aſſented, and accorded theſe things vnder written.

Cap. I.

A Triennall diſme granted to the King by the Clergie towards the maintenance of his warre in France. Exp.

Cap. II.

Bigamie ſhall be tried by the Ordinarie, and not by Inqueſt.

ITem, if any Clerke be arraigned before our Iuſtices, at our ſuit, or at the ſuit of the partie, and the Clerke holdeth him to his Clergie, alledging that he ought not before them thereupon anſwer, and if any man for vs, or for the ſame partie, will ſuggeſt, that he hath maried two wiues or one widow, that vpō the ſame the Iuſtices ſhall not haue the cogniſance or power to try the Bigamie by Inqueſt, or in other manner: but it ſhall be ſent to the Spirituall Court as hath béen done in times paſt, in caſe of baſtardie, & till the certificate be made by the Ordinarie, the partie in whom the Bigamie is alleadged, by the words aforeſaid, or in other maner, ſhall abide in priſon if he be not mainpernable.

Bigamy ſhall be tried by the ordinary & not by a Iurie. Sta.1.Ed.6.12.

Cap. III.

Prelates impeached for purchaſing Land in Mortmaine.

ITem, if Prelates, Clerkes beneficed, or Religious people, which haue purchaſed Lands and the ſame haue put to Mortmaine, be impeached vpon the ſame before our Iuſtices, and they ſhew our Charter of licence, and Proceſſe thereupon made by an Inqueſt of Ad quod damnum or of our grace, or by fine, they ſhal be fréely let in peace, without being further impeached for the ſame purchaſe. And in caſe they cannot ſufficiently ſhew, that they haue entred by due Proceſſe after licence to them granted in generall or in ſpeciall, that they ſhall be well receiued to make a conuenient fine for the ſame, And that the inquirie of this Article ſhall wholy ceaſe, according to the accord compriſed in this Parliament. Stat.7.E.1. Stat. of mortmaine.

Prelates impeached for purchaſing land in mortmaine doe ſhew the Kings licence.

Cap. IIII.

In Commiſſions to be made for purnaiance the fees of the Church ſhall be excepted.

ITem, that the Statutes touching the puruaiances of vs and of our ſonne, made in times paſt by vs and our progenitors, for people of holy Church, to be holden in all points. And that in the Commiſſions to be made vpon ſuch puruaiances, the fées of holy Church ſhall be excepted in euerie place where they be found. Stat.3.E.1.1. 14.Ed.3.1. 1.R.2.3.

In Commiſſiōs for puruaiance the fees of the Church ſhall be excepted.

Cap. V.

No prohibition ſhall be awarded but where the King hath Cogniſance.

ITem, that no prohibition ſhall be awarded out of the Chancerie, but in caſe where we haue the cogniſance, and of right ought to haue. Stat.9.Ed.2.1.&c. Raſt.pla.fo.444.&c.27.H.8.fo.14. 12.H.7.fo.22. Coke lib.4.fo.123.lib.5.fo.73.lib.6.fo.23.

Prohibition.

Cap. VI.

Temporall Iuſtices ſhall not inquire of Proceſſe awarded by Spirituall Iudges.

ITem, whereas Commiſſions be newly made to diuers Iuſtices, that they ſhall make inquiries vpon Iudges of holy Church, whether they made iuſt proceſſe or exceſſiue in cauſes teſtamentorie and other, which notoriouſly pertaineth to the cogniſance of holy Church, the ſaid Iuſtices haue inquired and cauſed to be indicted Iudges of holy Church, in blemiſhing of the Franchiſe of holy Church: that ſuch Commiſſions be repealed, and from henceforth defended. Sauing the Article in Eyre, ſuch as ought to be.

There ſhall be no more Commiſſions granted to Iuſtices to inquire of Spirituall Iudges.

CAP. VII.

No Scire facias *ſhall be awarded againſt a Clerke for Tithes.*

No Scire facias ſhal be awarded to warne a clerke to anſwer for his tithes.

ITem, whereas Writs of Scire facias, haue beene granted, to warne Prelates, Religious and other Clerkes to anſwere diſmes in our Chancery, and to ſhew if they haue any thing, or can any thing ſay, wherefore ſuch diſmes ought not to be reſtored to the ſaid demandants, and to anſwer as well to vs, as to the partie to ſuch diſmes: that ſuch writs from henceforth bee not granted, and that the proceſſe hanging vpon ſuch writs bee adnulled and repealed, and that the parties be diſmiſſed from the Secular Iudges of ſuch maner of pleas. Sauing to vs our right ſuch as we and our anceſtors haue had, and were wont to haue of reaſon. In witneſſe whereof, at the requeſt of the ſaid Prelates, to theſe preſent letters we haue ſet our ſeale. Dated at London, the eight day of Iuly, the yeare of our reigne of England the eighteenth, and of France the fifth. Fitz.N.B.fo.30.E.

The Oath of the Iuſtices, being made Anno 18.*Ed.3.&* Anno Domini 1344.

That he ſhall ſerue the King in his office.

To warne the King of any damage.

To doe Iuſtice.

To take no reward of any hauing a ſuit.

To giue no counſell where the King is a partie. Stat.2.Ed.3.3.

To maintaine no ſuit.

Not to deny right of letters.

To procure the Kings profit.

The penalty of an offendor.

YE ſhall ſweare, that well and lawfully ye ſhall ſerue our Lord the King, and his people in the Office of Iuſtice, and that lawfully ye ſhall counſell the King in his buſineſſe, and that ye ſhall not counſell, nor aſſent to any thing, which may turne him in damage or diſheriſon by any manner way or colour. And that ye ſhall not know the damage or diſheriſon of him, whereof ye ſhall not cauſe him to be warned by your ſelfe, or by other, And that ye ſhall do equall Law, and execution of right to all his Subiects, rich and poore, without hauing regard to any perſon. And that ye take not by your ſelfe or by other, priuily nor apertly, gift nor reward of gold nor ſiluer, nor of any other thing, which may turne to your profit, vnleſſe it be meate or drinke, and that of ſmall value of any man that ſhall haue any plea or proceſſe hanging before you, as long as the ſame proceſſe ſhall ſo be hanging, nor after for the ſame cauſe. And that yee take no fee, as long as ye ſhall be Iuſtice, nor robes of any man great or ſmall, but of the King himſelfe. And that ye giue none aduiſe nor counſell to no man great nor ſmall, in no caſe where the King is partie. And in caſe that any of what eſtate or condition they be, come before you in your Seſſions with force and armes, or otherwiſe againſt the peace, or againſt the forme of the Statute thereof made, to diſturbe execution of the common Law, or to menace the people, that they may not purſue the Law, that ye ſhall cauſe their bodies to be arreſted and put in priſon. And in caſe they be ſuch, that ye cannot arreſt them, that ye certifie the King of their names, and of their miſpriſion haſtily, ſo that he may thereof ordaine a conuenable remedie. And that ye by your ſelfe nor by other, priuily nor apertly, maintaine any plea or quarrell hanging in the Kings Court, or elſewhere in the Country. And that ye deny to no man common right, by the Kings letters, nor none other mans, nor for none other cauſe, and in caſe any letters come to you, contrarie to the Law, that ye doe nothing by ſuch letters, but certifie the King thereof, and proceed to execute the Law, notwithſtanding the ſame letters. And that ye ſhall doe and procure the profit of the King and of his Crowne, with all things where ye may reaſonably doe the ſame. And in caſe yee be from henceforth found in default in any of the points aforeſaid, ye ſhal be at the Kings will of body, lands and goods, thereof to be done as ſhall pleaſe him, as God you helpe and all Saints.

The Oathes of the Clerkes of the Chancerie, and of the *Clerkes of Courſe, made Anno* 18.*Ed.*3.*& Anno* Domini 1344.

Oath. Clerkes of the Chancerie.

YE ſhall ſweare that well and lawfully ye ſhall ſerue our Lord the King, and his people, in the Office of Clerke of the Chancerie, to which yee bee attitled: And ye ſhall not aſſent nor procure the Kings diſheriſon, nor perpetuall damage to your power: Nor ye ſhall doe nor procure to be done, any fraud to any mans wrong, nor thing that toucheth the keeping of the ſeale, and ye ſhall lawfully giue counſell in the things that toucheth the King, when ye ſhall be thereto required, and the counſell which you know touching him, yee ſhall conceale. And if you know the Kings diſheriſon or perpetuall damage or fraud to be done vpon the things which touch the keeping of the Seale, ye ſhall put your lawfull power to redreſſe and amend it: And if ye cannot doe it, then ye ſhall certifie the Chancellor, or other, which may doe the ſame to be amended to your intent.

Clerkes of the Courſe.

And for the Clerkes of courſe ſhall be added. And ye ſhall not bring, nor to your knowledge ſuffer to be brought any writs which ye make out of the Court not ſealed thereof to doe execution: nor ſhall record any Attourney by Writs nor without Writs without eſpeciall Licence, if ye haue not lawfully examined the partie, and the Attourney in proper perſon, or at the leaſt, him that ſhall make Attourney in proper perſon, nor ye ſhall deliuer any Writ which ſhall be of commandement to the examinors, nor to the ſeale, before that the ſame writ be ſent to you by the commander, which thereof hath power, vnleſſe it be to the Chancellor, or to one of the Maſters, which commandeth you to make the Writs. And all the Writs that ye ſhall make, ye ſhall deliuer to the examiners by your owne hand, or by one companion which is ſworne to the King, if ye your ſelfe be out of the Court, becauſe of ſicknes, or other cauſe neceſſary, ſo that ye cannot doe it, And no writ written of an other mans hand ſhall be deliuered to the examiners, vnder your name, as yours, nor no name ſhall ye put vnder your Writs, but your owne, as god you helpe and all Saints.

Statutes made at Weſtm. 7. Maij, Anno 20. Ed. 3.

EDVVARD by the grace of God, &c. to the Sheriffe of Stafford, greeting. Becauſe that by diuers complaints made to vs; We haue perceiued that the Law of the Land, which we by our oath be bound to mainteyne, is the leſſe well kept, and the execution of the ſame diſturbed many times by maintenance and procurement, as well in the Court, as in the Countrie: We greatly moued of conſcience in this matter, and for this cauſe deſiring as much for the pleaſure of God & eaſe and quietneſſe of our Subiects, as to ſaue our conſcience, and for to ſaue and keepe our ſaid Oath, by the aſſent of the great men, & other wiſe men of our Counſell: We haue ordeyned theſe things following.

CAP. I.

The Iuſtices of both Benches, aſſiſe &c. ſhall do right to all men, take no fee but of the King, nor giue counſell where the King is partie.

FIrſt we haue commanded all our Iuſtices, that they ſhall from henceforth doe equall Law and execution of right to all our ſubiects rich and poore, without hauing regard to any perſon, and without omiting to doe right for any letters or commandement, which may come to them from vs, or from any other, or by any other cauſe. And if that any Letters, Writs, or Commandements, come to the Iuſtices, or to other deputed to doe Law and right, according to the Vſage of the Realme, in diſturbance of the Law, or of the execution of the ſame, or of right to the parties, the Iuſtices and other aforeſaid ſhall proceed and hold their Courts and proceſſes where the pleas and matters be depending before them, as if no ſuch Letters, Writs, or Commandements were come to them: And they ſhall certifie Vs and our Counſell of ſuch Commandements, which be contrarie to the Law, as afore is ſaid. And to the intent that our Iuſtices ſhould doe euen right to al people, in the maner aforeſaid, without more fauour ſhewing to one then to an other, we haue ordeyned and cauſed our ſaid Iuſtices to be ſworne, that they ſhall not from henceforth, as long as they ſhal be in office of Iuſtice, take fee nor robe of any man, but of our ſelfe, and that they ſhal take no gift nor reward by themſelues nor by other priuily nor apertly of any man that hath to doe before them by any way, except meat and drinke, and that of ſmall value, and that they ſhall giue no counſell to great man or ſmall, in caſe where we be partie, or which doe or may touch vs in any point, vpon paine to be at our wil, body, lands, and goods, to doe thereof as ſhall pleaſe vs, in caſe they doe contrary. And for this cauſe we haue increaſed the fees of the ſame our Iuſtices, in ſuch manner that it ought reaſonably to ſuffice them. Stat. 2. Edward. 3 8. Stat. 11. *R.* 2. 10. *R*egiſt. fo. 186.

The Iuſt. ſhall doe right to all perſons without regard of letters

Iuſtices ſhall take no fee of any but of the King.

Iuſtices ſhall giue no counſell where the King is party.

Cap. II.

Barons of the Exchequer ſhall do right to all men without delay.

IN the ſame maner we haue ordeyned in the right of the Barons of the Eſchequer, and we haue expreſly charged them in our preſence, that they ſhall doe right and reaſon to all our Subiects Great and ſmall, And that they ſhall deliuer the people reaſonably and without delay of the buſineſſe which they haue to do before them, without vndue tarying as hath been done in times paſt.

Barons of Eſchequer.

Cap. III.

Iuſtices of Gaole deliuerie &c. and their aſſociates ſhall take an Oath.

ITem, We haue ordeyned, that all they which ſhall be Iuſtices aſſigned by Commiſſion, to heare and determine, and ſuch as ſhall be aſſociated to them, and alſo Iuſtices of Aſſiſes to be taken in the Country, and of Gaole deliuerie, and ſuch as ſhalbe aſſigned and aſſociated to them,

Iuſtices aſſigned.

ſhall make firſt ſuch an Oath in certaine points, according as to them ſhall be enioyned by our Counſell, or our Chancery, before that any commiſſion be to them deliuered.

CAP. IIII

None ſhall maintaine any quarrells but their owne.

None ſhall maintaine any quarrels but their owne. St.28.E.1.11. St.1.E.3.14. St.1.R.2.4. Regiſt.f.182.183.189. V.N.B.fo.180. Fitz.N.B.fol.172

8.H.7.fo.18. 13.H.7.fol.2. 3.H.6.fol.53. 31.H.6.fol.8.

ITem, we haue commanded and vtterly defended, that none of our houſe, nor of them that be about vs, nor other, which be towards our déere beloued companion the Quéene, or our ſonne Prince of Wales, or towards our courts, nor Prelates, Earles, Barons, nor other great nor ſmall of the Land, of what eſtate or condition they be, ſhall not take in hand quarrells other then their owne, nor the ſame mainteyne by them nor by other, priuily nor apertly, for gift, promiſe, amitie, fauor, doubt, nor feare, nor for none other cauſe, in diſturbance of Law, and hindrance of right, vpon the paines aforeſaid, but that euery man may be frée to ſue for and defend his right in our courts and elſewhere, according to the Law. And we haue ſtraightly commanded our ſaid Sonne, and diuers Earles and other great men, being before vs, that they on their behalfe ſhall doe to be kept this Ordinance without default, and that they ſuffer none which be towards them to attempt againſt this Ordinance by any way. *Raſt.pla.fol.*118.393.450.

CAP. V.

Lords and great men ſhall put thoſe out of their ſeruices which be mainteynors of quarrels. Exp

CAP. VI.

Iuſtices of aſſiſe ſhall enquire of, and puniſh the miſdemeanour of Officers and other offendors.

Iuſt. of Aſſiſe ſhall enquire of the demeanor of ſheriffes, eſcheators, bailiffes, & other officers, & puniſh the offendor.

ITem, We will and haue ordeyned, that the Iuſtices aſſigned to take Aſſiſes, ſhall haue commiſſions ſufficient to inquire in their Seſſions of Sheriffes, Eſcheators, Bailiffes of Fraunchiſes, and their vnder Miniſters, and alſo of Mainteynors, common Imbracors, and Iurors in the countrey, and of the gifts, rewards, and other profits, which the ſaid miniſters doe take of the people to execute their office, and that which perteyneth to their office, and for making the array of pannells, putting in the ſame ſuſpect Iurors, and of euill fame, and of that Mainteynors, Imbracors, and Iurors doe take gifts and rewards of the parties, whereby loſſes and damages doe verie gréeuouſly come daily to the people, in ſubuerſion of the Law, and diſturbance of common right. And to puniſh all them which thereof ſhall be found guiltie, according as Law and reaſon requireth, aſwell at our ſuit as at the parties. And thereupon we haue charged our chancellor and Treaſurer to heare the complaints of all them which will complaine, and to ordeyne that ſpéedie remedie be thereof made. Wherefore we doe command, that thou doe cauſe the ſaid Points and Ordinances aforeſaid, openly to be publiſhed and ſhewed at ſuch places within thy Bailiwike, as thou ſhalt thinke good, to the end that they which féele them gréeued in the forme aforeſaid, may purſue for remedie according to the ſaid Ordinance, and that our people may perceiue our intent and will in this behalfe, and the deſire that we haue, that euen right may be done to all our ſubiects, as well poore as rich, and that the offendors be reſtrained and puniſhed. Dated at Weſtminſter the xxviij. day of Aprill, the yeare of our reigne of England the twentieth, and of France the ſeuenth. Stat.4.Ed.3.2.& 11. Stat.34.Ed.3.4. *Regiſt.*fo.186.

The Statute of Labourers made An.23.Ed.3.& An.Dom. 1349.

EDward by the grace of God, &c. to the reuerend Father in Chriſt, *William* by the ſame grace Archbiſhop of Canterbury, Primat of al England, greeting, Becauſe a great part of the people, & eſpecially of Workemen & Seruants late died of the peſtilence, many ſeeing the neceſſitie of maſters, and great ſcarcitie of ſeruants, wil not ſerue vnleſſe they may receiue exceſſiue wages, and ſome rather willing to begge in idlenes, then by labour to get their liuing: We conſidering the grieuous diſcommoditie which of the lacke, eſpecially of Ploughmen and ſuch Labourers may hereafter come, haue vpon deliberation and treatie with the Prelates and the Nobles and Learned men aſſiſting Vs, of their mutuall counſell ordeyned.

CAP. I.

Euery perſon able in bodie vnder the age of xl. yeeres not hauing to liue on, being required, ſhal be bound to ſerue him that doth require him, or elſe committed to the gaole, vntill he finde ſuretie to ſerue. Rep. 5.Eliz.4.

CAP. II.

If a workman or ſeruant depart from ſeruice before the time agreed vpon he ſhall be impriſoned. REP. 5.Eliz.4.

CAP. III.

The old wages and no more ſhall be giuen to ſeruants. REP. 5.Eliz 4.

CAP. IIII.

If the Lord of a towne or Manor do offend againſt this Statute in any point, he ſhall forfeit the treble value. REP. 5.Eliz.4.

CAP. V.

If any artificer or workeman take more wages then were wont to be paied, he ſhall be committed to the Gaole. REP. 5.Elizab.4.

CAP. VI.

Victuals ſhall be ſold at reaſonable prices.

ITem, that Butchers, Fiſhmongers, Regrators, Hoſtelers, Brewers, Bakers, Pulters, and all other ſellers of all maner victuall, ſhal be bound to ſell the ſame victuall for a reaſonable price, hauing reſpect to the price that ſuch victuall be ſold at in the places adioyning. So that the ſame ſellers haue a moderate gaines, and not exceſſiue, reaſonably to be required according to the diſtance of the place from whence the ſaid victualls be caried. And if any ſell ſuch victualls in any other maner, and thereof be conuict in the maner and forme aforeſaid, he ſhall pay the double of the ſame that he ſo receiued, to the partie dampnified, or in default of him, to any other that will purſue in this behalfe. And the Maiors and Bailiffes of Cities, Boroughes, Marchant townes and others, and of the Portes of the Sea, and other places, ſhall haue power to inquire of all and ſingular which ſhall in any thing offend the ſame: and to leuie the ſaid paine to the vſe of them at whoſe ſuit ſuch offendors ſhall be conuict. And in caſe that the ſame Maiors and Bailiffes be negligent in doing execution of the premiſſes, and thereof be conuict before our Iuſtices, by vs to be aſſigned: then the ſame Maiors and Bailifes ſhal be compelled by the ſame Iuſtices to pay the treble of the thing ſo ſold, to the partie dammified, or to any other in default of him that will purſue. And neuertheleſſe towards vs they ſhall be greeuouſly puniſhed. Stat. 13. *R*. 2. 8. Stat. 12 Edward 4.8. Stat. 25. *Henry* 8, 2.

Victualls ſhal be ſold at a reaſonable price, and Vitallers ſhalbe content with a moderate gaine.

Maiors & bailiffes of cities & boroughes ſhall inquire of offendors and puniſh them.

CAP. VII.

No perſon ſhall giue any thing to a begger that is able to labour. REP. 1.Ed.6.3. & .21. Iac.28.

CAP. VIII.

He that doeth take more wages then is accuſtomably giuen ſhall pay the ſurpluſage to the Towne where he dwelleth, towards the payment to the King of a tenth and Fifteene graunted to him. EXP. *Regiſt*. folio 189.

A Statute of Labourers, made Anno 25. Ed.3 & Anno Domini 1350.

VVHeras late againſt the malice of ſervants, which were idle, and not willing to ſerue after the peſtilence, without taking exceſſiue wages, It was ordeyned by our Lord the King, and by aſſent of the Prelates, Earles, barons, and other of his Councell, that ſuch maner ſeruants, as well men as women, ſhould be bound to ſerue, receiuing ſalarie and wages accuſtomed in the places where they ought to ſerue, in the xx. yéere of the reigne of the King that now is or v. or vj. yéeres before, and that the ſame ſeruants refuſing to ſerue in ſuch maner ſhould be puniſhed by impriſonment of their bodies, as in the ſaid Statute is more plainly conteined: whereupon Commiſſions were made to diuers people in euery Countie to inquire and puniſh all them which offend againſt the ſame. And now foraſmuch as it is giuen the King to vnderſtand in this preſent Parliament, by the petitiõ of the Comminalty, that the ſaid ſeruants, hauing no regard to the ſaid ordinance, but to their eaſe & ſingular couetiſe, doe withdraw themſelues to ſerue great men and other, vnleſſe they haue liuerie and wages to the double or treble of that they were wont to take, the ſaid xx. yéere & before: to the great damage of the great men, and impoueriſhing of all the ſaid Comminaltie, whereof the ſaid Comminaltie prayeth remedy. Wherefore in the ſame Parliament by the aſſent of the ſaid Prelates, Earles, Barons, and other great men of the ſame Comminaltie there aſſembled, to refraine the malice of the ſaid ſeruants, be ordeined and eſtabliſhed the things vnder written.

Cap. I.

The yeere and daies wages of Seruants and Labourers in husbandry. Rep. 5.Eliz.4.

Cap. II.

How much ſhall be given for threſhing of all ſorts of Corne by the quarter. None ſhall depart from the Towne in ſommer where he dwelt in Winter. Rep. 5.Eliz.4. *Regiſt.*fol.189.

Cap. III.

The ſeuerall wages of ſeuerall ſorts of Artificers and Labourers. *Rep.* 5.Eliz.4.

Cap. IIII.

Shooes and Bootes ſhall be ſold as they were the twentieth yeere of King *Edward* the third. *Rep.*5.El.8.& 1.Iac.22

Cap. V.

Artificers ſworne to vſe their Crafts as they did in the twentieth yeere of King *Edward* the third. Ob.

Cap. VI.

The ſeuerall puniſhments of ſeuerall perſons offending againſt the true meaning of this Statute *Rep.* 5.Eliz.4.

Cap. VII.

Sheriffes, Conſtables, Bailiffes, Gaolers, nor other Officers ſhall exact any thing of the ſame ſeruants. The forfeitures of ſeruants ſhall be imployed to the ayde of Diſmes and Quinzimes granted to the king by the Commons. Ob.

Cap. VIII.

The Iuſtices ſhal hold their Seſſions foure times in the yeere, and at al times that ſhal be needefull. Alt.2.*H.*5.4. Seruants which fleet from one Countie to an other ſhall be committed to priſon. *Rep.*5.Elizabethæ 4.

A Statute made Anno 25. Ed. 3. & Anno Domini 1350. of thoſe that be borne beyond Sea.

In what place baſtardie pleaded againſt him that is borne out of the Realme ſhall be tryed.

Our Lord the King at his Parliament holden at Weſtminſter, at the vtas of the Purification of our Lady, the yéere of his reigne of England the fiue and twentieth, and of France the twelfth, conſidering the great miſchiefes and dammages, which haue happened to the people of his Realme of England, as well becauſe that the Statutes ordeyned before this time, haue not béene holden and kept as they ought to be: as becauſe of the mortall peſtilence that late reigned: and willing to prouide for the quietneſſe and common profit of his ſaid people conuenient remedie therefore, by the aſſent of the Prelates, Earles, barons, and other great men, and all the Commons of his ſaid Realme, ſummoned to the Parliament, hath ordeyned and eſtabliſhed the things vnderwritten, videlicet, becauſe that ſome people be in doubt, if the children borne in the parts beyond the Sea, out of the liegeance of England, ſhould be able to demand any inheritance within the ſame liegeance or not, whereof a Petition was put in the Parliament late holden at Weſtminſter, the ſeuentéenth yéers of the reigne of our Lord the King that now is, and was not at the ſame time wholly aſſented: Our Lord the king, willing that all doubts and ambiguities ſhould be put away, and the Law in this caſe declared and put in a certainty, hath charged the ſaid Prelates, Earles, barons, and other wiſe men of his Counſell, aſſembled in this Parliament, to deliberate vpon this point: all which of one aſſent haue ſaid, that the Law of the Crowne of England is, and alwaies hath béene ſuch, that the children of the Kings of England, in whatſoeuer parts they be borne, in England or elſewhere, be able and ought to beare the inheritance after the death of their anceſtors: which Law our ſaid Lord the king, the ſaid Prelates, Earles, barons, and other great men, and all the Commons aſſembled in this Parliament, doe approue and affirme for euer. And in the right of other children borne out of the liegeance of England, in the time of our Lord the king, they be of one minde accorded, that *Henry* ſonne of Iohn de Beaumond, Elizabeth daughter of Guy de Bryan, and Gyles ſonne of *Ralph* Dawbeny, and other which the king will name, which were borne beyond the Sea, out of the Liegeance of England, ſhall be from henceforth able to haue and enioy their Inheritance after the death of their

The Kings children be inheritable in England whereſoeuer they be borne.

The children of others borne beyond the ſea.

their Anceſtors, in al parts, within the liegeance of England, aſwell as thoſe that ſhould be borne within the ſame liegeance. And that all children inheritors, which from henceforth ſhall be borne without the liegeance of the King, whoſe fathers and mothers at the time of their birth bee and ſhall bee at the faith and liegeance of the King of England, ſhall haue and enioy the ſame benefits and aduantages, to haue and beare the inheritance within the ſame liegeance, as the other Inheritors aforeſaid in time to come: ſo alwaies that the mothers of ſuch children doe paſſe the Sea by the licence and wills of their husbands. And if it be alledged againſt any ſuch borne beyond the Sea, that he is baſtard, in caſe where the Biſhop oweth to haue coniſance of baſtardy, it ſhall be commanded to the Biſhop of the place, where the demand is, to certifie the Kings court, where the plea thereof hangeth, as of old times hath beene vſed in the caſe of Baſtardy, alledged againſt them which were borne in England. Stat.42.Ed.3.10.

R.3.fo.4.
Dyer fol.224.

Tryall of Baſtardy pleaded againſt him which is borne out of England.
Raſt.pla fo.104.

A Statute for the Clergy made *Anno* 25. *Ed*.3 *&* *Anno Dom*. 1350.

OVr Lord the King, ſeeing and examining by good deliberation the Petitions and Articles deliuered to him in his Parliament holden at Weſtminſter in the feaſt of Saint *Hillary*, the yeare of his raigne of England the fiue and twentieth, & of France the twelfth, by the honourable Father in God, *Simon* Archbiſhop of Canterburie, and other Biſhops of his Prouince, vpon and for certaine grieuances, which they alledged to be done to holy Church, and to the Clergie, againſt the priuiledges of holy Church, and then they prayed, that a conuenable remedy might be thereof ordeined to the reuerence of God, and of holy Church: by the aſſent of his Parliament, for him and his heires, willeth and granteth the points vnderwritten.

CAP. I.

All Priuiledges granted to the Clergie confirmed. The King nor his Heires ſhall preſent to a Benefice of an others right of any time of his Progenitors.

FIrſt, that all the Priuiledges and Franchiſes granted heretofore to the ſaid Clergie bee confirmed and holden in all points. And as touching preſentments to be made by our Lord the King, or any of his Heires, to a Benefice of holy Church, in an others right by old title: our ſaid Lord the King, to the honour of God, and holy Church, willeth and granteth, of the aſſent of the ſaid Parliament, that from henceforth he nor any of his heires ſhall not take title to preſent to any Benefice in an others right of any time of his Progenitors. Nor that any Prelate of his Realme be bound to receiue any ſuch preſentment to be made, nor to doe thereof any execution, nor that any Iuſtice of the one place, or the other, may not nor ought not to hold plea, or giue iudgement vpon any ſuch preſentment to be made. But that the ſaid King, and his heires be for euer hereafter clearely barred of all ſuch preſentments, Sauing alwaies to him and his heires all ſuch preſentments in an others right, fallen or to fall of all his time, and of the time to come.

The King nor his heires ſhall not preſent to a Benefice of an others right of any time of his progenitors.

14.fol.8.

CAP. II.

A repeale of the Stat. of Anno 14. of Ed.3.2 touching the Kings preſentment to a Church of an others right.

AND becauſe in the Parliament holden at Weſtminſter, the fourteenth yeere of the raigne of our Lord the King that now is, amongſt other things then granted to the Prelates of holy Church, It was ordeyned that the King ſhould not take title to preſent to any benefice in an others right, but of the voydances, which ſhall happen of ſuch benefices within three yeeres next before his preſentment, which thing ſeemeth very preiudicall to the King and his heires: It is accorded in this preſent Parliament, that the ſaid Ordinances, as to this point ſhall be holden for none. But neuertheleſſe, that all the other Articles conteyned in the ſaid Ordinance and grant then made to holy Church, ſhall ſtand in their force.

A Repeale of the Stat. of 14. Ed 3. 2. touching the kings preſentment to a Church in an others right.

CAP. III.

When the King preſenteth to a Benefice in an others right, his title ſhall be examined.

ITem, whereas before this time our Lord the King hath taken title to preſent to benefices, at the ſuggeſtion of many Clerkes, where the title hath not beene true, and by ſuch preſentments and iudgements thereupon giuen, the Clerkes haue beene receiued by the Ordinaries of the places, When the King maketh collation to preſent to a Church in an others right, his title ſhall be examined.

44.Ed.3.fol.12. 46.Ed 3.fol 19. Fitz.Incumben 3.4.5.10.11.14.

ces, againſt GOD and good faith, and in depreſſion of them which had good and true title to the ſaid benefices: now the King will and granteth, that at what time he ſhall make collation or preſentment from henceforth to any benefice in an others right, that the title whereupon he groundeth himſelfe ſhall be well examined, that it be true. And at what time before iudgement the title be found by good information vntrue or vniuſt, the collation or preſentment thereof made, ſhalbe repealed. And the Patron or the Poſſeſſor, which ſhall ſhew and proue the falſe title, ſhall haue thereupon Writs out of the Chancery as many as to him ſhall be needfull. Stat.13.R.2.1.Stat.4.*H*.4.22.

CAP. IIII.

All Clerkes conuicted of Felonie or Treaſon, ſhall be deliuered to their Ordinaries.

A Clerke which ſhall be conuict of any treaſon or felony not touching the K. ſhall be deliuered to the Ordinary. St.18.El.7.

Bro.Clergy.25.

ITem, whereas the ſaid Prelates haue grieuouſly complained, praying thereof remedy, for that Secular Clerkes aſwell Chapleines, as other Monkes, and other people of Religion, haue beene drawne and hanged by award of the Secular Iuſtices, in preiudice of the Franchiſes of holy Church, and in oppreſſion of the Iuriſdiction thereof: It is accorded and granted by the ſaid King in his Parliament, that all manner Clerkes, as well ſecular as Religious, which ſhall be from henceforth conuict before the ſecular Iuſtices aforeſaid, for any treaſons or felonies touching other perſons then the king himſelfe, or his royall maieſty, ſhall frō henceforth freely haue and enioy the priuiledge of holy Church, and ſhall be without any impeachment or delay deliuered to the Ordinaries demaunding them. And for this grant the ſaid Archbiſhoppe promiſeth to our Lord the King, that vpon the puniſhment and ſafekeeping of ſuch Clerkes offendors, which ſo ſhall be deliuered to the Ordinaries, hee ſhall thereof make a conuenient ordinance, whereby they ſhall be ſafely kept and duly puniſhed, ſo that no Clerke ſhall take courage to offend for default of correction.

CAP. V.

A Clerke ſhall be arraigned of all his offences at once.

A Clerke ſhalbe arraigned of all his offences at once. St.8.El.4. St.18.El.6.

Dyer fol.21 Bro.Clergy

ITem, although that Clerkes arraigned of felony before Secular Iuſtices, which challenged their Clergie, and were demanded by the Ordinary of the place, haue beene often before this time remaunded to the Goale by the ſaid Iuſtices ſurmiſing to them, that other things be to be ſaid againſt them, neuertheleſſe becauſe the Common Law is, that a Clerke in ſuch caſe ought not to be remaunded to the Goale, but ought to be preſently arraigned of all, or otherwiſe deliuered to the Ordinary: It is accorded, that this point be kept by all manner of Iuſtices and Iudges Secular throughout our Realme.

CAP. VI.

A Biſhops Temporaltie ſhall not be ſeiſed for a contempt.

A Biſhops temporalties ſhall not be ſeiſed for a contempt. St.1.Ed.3.2. St.14.Ed.3.3.

9.Ed.4.fol. Bro.Ordin

ITem, becauſe the Temporalties of Archbiſhops, and Biſhops haue beene oftentimes taken into the Kings hands for contempts done to him vpon Writs of Quare non admiſit, and likewiſe for diuers other cauſes, whereof the ſaid Prelates, haue praied the King, that no ſuch taking ſhall from henceforth be made, ſith they be Peeres of the land: The King will and granteth in the ſame Parliament, that all the Iuſtices, which from henceforth ſhall giue iudgement againſt any Prelate of the Land in ſuch caſe or the like, that they in ſuch caſe may freely receiue, & from henceforth ſhall receiue for the contempt ſo iudged, a reaſonable fine of the partie ſo condemned, according to the quantitie of the treſpaſſe, and after the quality of the contempt, incontinently at the time of the iudgement, if the partie offer the ſame, or otherwiſe after the iudgement, at what time the partie will offer himſelfe. And if it neede, the Chancellor and the treaſorer, ſhall be called to the receit of the ſaid fines. Regiſt. fol.32.

CAP. VII.

The Ordinarie may counterpleade the Kings title for a Benefice fallen by Lapſe.

ITem, becauſe that many preſentments to diuers Benefices of holy Church, as well of the patronage of lay people, as of people of holy Church, which were void by ſixe months, whereof the collation of ſuch Benefices by lapſe of time was deuolute, and of right perteyning to the Ordinaries of the places, were recouered by the King by iudgements thereof giuen of the aſſent of the ſaid Patrons, in diſceipt of the ſaid collations ſo made reaſonably by the ſaid Ordinaries: in which pleas the Ordinaries, nor their Clerkes, to whom they did giue ſuch Benefices, were not receiued to ſhew nor defend their right in this behalfe, nor to counterplede the Kings right ſo claimed, which is not reaſonable: wherefore the King, by the aſſent of the ſaid Parliament, will and graunteth for him and his heyres, that when Archbiſhoppes, Biſhoppes, or other

Ordinaries haue giuen a benefice of right deuolute to him by laps of time, and after the King preſenteth and taketh the ſuit againſt the patron, which percaſe will ſuffer that the King ſhall recouer without action tried in deceipt of the Ordinary, or the poſſeſſor of the ſaid Benefices, that in ſuch caſe, and all other caſes like, where the Kings right is not tried, the Archbiſhop, or Biſhop, Ordinary or Poſſeſſor, ſhall be receiued to counterpleade the title taken for the King, and to haue his anſwer, and to ſhew and defend his right vpon the matter, although that he claime nothing in the Patronage in the caſe aforeſaid.

Dyer fo. 1. Fitz. Q. Impedit. 194. 196. Fitz. Liuery 34. Fitz Encumbent. 4. 6. 7. 10. 11. 14.

An Ordinary may counterplead the Kings title for a Benefice fallen to him by lapſe.

Cap. VIII.

Cogniſance of auoidance of Benefices appertaineth to the Eccleſiaſticall Iudge.

ITem, whereas the ſaid Prelates haue ſhewed and prayed remedy, for that the Secular Iuſtices doe accroche to them coniſance of voidance of benefices of right, which Cogniſance and the diſcuſſing thereof pertaineth to the Iudges of holy Church, and not to the Lay Iudge: the King will and granteth, that the ſaid Iuſtices ſhall from henceforth receiue ſuch challenges made or to be made by any Prelate of holy Church in this behalfe, and moreouer thereof ſhall doe right and reaſon.

Coniſance of voidance of benefices belongs to the Eccleſiaſticall Iudge.

Cap. IX.

Indictments of Ordinaries for extortion ſhall be put in certaintie.

ITem, becauſe that the Kings Iuſtices doe take endictments of Ordinaries, and of their miniſters of extortions and oppreſſions, and impeach them without putting in certaine, wherein, or whereof, or in what manner they haue done extortion: The King will, that his Iuſtices ſhall not from henceforth impeach the Ordinaries, nor their miniſters, becauſe of ſuch indictments of generall extortions or oppreſſions, vnleſſe they ſay and put in certaine, in what thing and of what, and in what manner the ſaid Ordinaries or their miniſters haue done extortions or oppreſſions. Raſt. pla. fol. 318.

Endictments of Ordinaries or their miniſters of extortiō muſt be put in certaintie.

A ſtatute of Clothes made *Anno* 25. *Ed.* 3. & Anno Dom. 1350.

Cap. I.

The Aulneger ſhall be ſworne to doe his dutie, the penaltie if he offend.

ITem, it is accorded and aſſented in the ſame Parliament, that all manner of Clothes vendible which ſhall be ſold for whole Clothes in England, in whoſe hands of the Merchants of the Realme of England, or other of the ſame Realme, they be found, ſhall be meaſured by the kings Aulneger and his deputies in all Cities, Boroughes, and other Townes within Franchiſes and without, aſwel in the Citie of London as elſewhere. And that all the clothes which ſhall be found of leſſe meaſure by a yard, then of the aſſiſe conteined in the Statute of Northampton, by which it is ordeined, that the length of euery Cloth of ray, ſhall be meaſured by a line of ſeuen yards, foure times meaſured by the liſt. And the breadth of euery Cloth of ray, ſixe quarters of the meaſure by the yard, and of coloured Clothes the length ſhall be meaſured by the backe by a line of ſixe yards and a halfe, foure times meaſured, and the breadth ſixe quarters and a halfe meaſured by the yard, without defoiling the clothes, ſhall be forfeited and arreſted to the King. And that the Aulneger deliuer the ſame to the Kings Wardrobe by Indenture, notwithſtanding any franchiſe, vſage, or priuiledge, made to the Cities, Boroughes, or to any perſon of the Realme of England to the contrarie. And the Kings Aulneger ſhall be ſworne to doe his office well and lawfully. And in caſe he thereof be found in default, and thereof be attainted before the Keepers of the Faires, and Maiors, and Bailiffes of the places, where the Cloathe ſhall be bought, or before any other Iudge whom our Lord the King ſhall thereto aſſigne, he ſhall haue the priſon of one yeare, and ranſomed at the Kings will, and put out of his office for euer. And the Aulneger ſhal anſwer as well for his deputies as for himſelfe. And alſo it is accorded and eſtabliſhed, that euery buyer of ſuch Cloth, or other that will ſue, that the ſaid Aulneger hath done any fraud or deceipt in his office, and the falſitie bee notoriouſly proued, at his ſuit ſhall haue the one halfe of that which ſhall be ſo forfeited, or the price of the Kings gift, and the King the other halfe. And that euery buyer of ſuch Cloth, after that he hath agreed of the price with the ſeller, may freely meaſure the Cloth at his will, to aſſay if it be of the aſſiſe or not, before that he hath paied his Money, although the Aulnegers Seale be put to the ſame. And if the buyer find any default after the buying, and ſhew the ſame default to the Mayors and bayliffes of the place, or to the keepers of the Faire or Market, and if default be found notoriouſly before them, the cloth ſhall be forfeit to the King, and ſeiſed into the kings hands, by the ſaid Maiors and Bailiffes, or

All clothes vendible ſhall be meaſured by the Kings Aulneger, or his deputy.

The length and bredth of cloth of Ray, and coloured cloth. St. 2. Ed. 3. 14. St. 5. E. 6. 6. St. 8. El. 12. St. 43. El. 10. St. 4. Iac. 2.

The Aulneger ſhall be ſworne to doe his office well.

A buyer may meaſure the cloth before he hath paid for it.

keepers

The forfeiture of defectiue Cloth, and to what vſe it ſhall be imployed.

keepers of the Faire or Market, and ſhall remaine in their cuſtody. And the ſaid Maiors and Bailiffes or Keepers, ſhall certifie the Chancellor, of the ſame forfeiture, at the ſuite of the buyer or of other which will ſue, without any thing taking of him. And the Chancellor in this certificate ſhall ſend a Writ to the ſaid Maior and Bailiffes or Keepers, to deliuer him which ſo hath ſued, the one halfe of the forfeiture, and to ſaue the other halfe to the Kings vſe. And if the Maior, Bailiffes, or Keepers refuſe to doe execution of this accord, in the manner aforeſaid, they ſhall be puniſhed by fine and ranſome when they ſhal be thereof attainted, aſwel at the kings ſuite as the parties. And that this article begin to hold place the firſt day of September next comming, ſo that the Merchants and other, which haue clothes to ſell, may freely deliuer them of the clothes that they haue in their hands in the ſame time.

CAP. II.

Merchant Strangers may buy and ſell without diſturbance.

St.9.E.3.1.

Merchants ſtrangers may buy & ſel within this Realme without diſturbance. St.9.H.3.30.

ITem, whereas it is contained in a Statute made at Yorke, the ninth yeare of the raigne of our Lord the K. that now is, that all Merchants, Aliens, and Denizens, and all other, and euery of them, of what eſtate or condition they were, which would buy or ſell Wine, Corne, Auoir de pois, Fleſh, Fiſh, and all other liuings, and victuall, clothes, chaffer, woolles, merchandizes, or any other things vendible, from what partie they come, by Foreines, or by Denizens, to what place ſoeuer it be, Borough, Towne, Port of the Sea, Faire, Market, or other place within this Realme, within Franchiſes or without, may freely and without diſturbance ſell the ſame to whom pleaſe them, aſwell to Foreines as to Denizens, except the Kings enemies: It is accorded by our Lord the King, the Prelates, Earles, Barons, and other great men, and the Commons in this preſent Parliament that the ſaid Statute in all points and Articles conteined in the ſame be holden, kept and maintained. And if that any Statute, Charter, Letters Patents, Proclamation, or Commandement, Vſage, allowance, or iudgement be made to the contrary, the ſame ſhall be openly repealed, voide, and holden for none. And moreouer that euery Merchant or other, of what condition he be, aſwell Alien, as Denizen, that bring Wines, Fleſh, Fiſh, or other Victualls, Clothes, Woollfells, Auoir de pois, or any other manner Merchandiſes or chaffer to the Citie of London, or other Cities, Boroughes, and good townes of England, or Port of the Sea, may freely and without challenge or impeachment of any, ſell in groſſe or at retaile, or by parcels, at his will, to all manner people that will buy the ſame, notwithſtanding any Franchiſes, grants, or cuſtome vſed, or any other thing done to the contrarie: ſithence that ſuch Vſages, and Franchiſes be to the common preiudice of the King and his people. And that no Maior, Bailiffe, Catchpole, Miniſter, nor other ſhall meddle with the ſale of any manner victuall vendible, brought to Cities, Boroughes, or other Townes, nor Faire nor Market, but onely he to whom the victualls be, and Proclamation be thereof made of new in all Counties of England, and in the Cittie of London, and in all other Cities, Boroughes, good Townes, Ports of the Sea, and other places, within the Realme of England, where neede ſhall be, and that the King thereupon cauſe to be aſſigned his Juſtices at all times that ſhall pleaſe him, and if need be to enquire of all thoſe that ſhall offend againſt this ordinance, or do any thng againſt the ſame, and to puniſh them according to the peine conteined in the ſame Statute made the ſaid ix. yere. And that euery perſon that will ſue againſt any ſuch, ſhall haue a Writ in the Chancery to attach him by his bodie, as a diſturber of the common profit, to cauſe him to come, thereof to make anſwere in the Kings Court. Stat.2.*R*.2.1. St.11.*R*.2.7.ſt.16.*R*.2.1.

No officer ſhall meddle with the ſale of a ſtrangers goods.

CAP. III.

The penaltie of him that doth foreſtall Wares Merchandiſe or Victuals.

The penalties of foreſtallers of wares, merchandiſes, or victuals. S.2.R.2.2.

ITem, it is accorded and eſtabliſhed that the foreſtallers of Wines, and all other Victualls, Wares, and Merchandiſes, that come to the good Townes of England by land or by water in damage of our Lord the King and of his people, if they be thereof attainted at the ſuite of the King, or of the partie, before Maior, Bailiffe, or Juſtices thereto aſſigned, or elſewhere in the Kings Court, and if they be attainted at the Kings ſuite by indictment, or in other manner, the things foreſtalled ſhall be forfeited to the king, if the buyer thereof hath made gree to the ſeller. And if he haue not made gree of all, but by erneſt, the buyer ſhall incurre the forfeiture of as much as the foreſtalled goods forfeited do amount to, after the value as he bought them, if he haue whereof, and if he haue not whereof, then he ſhall haue two yeares impriſonment and more at the Kings will, without being let to Mainpriſe or deliuered in other manner. And if he be attainted at the ſuit of the partie, the partie ſhall haue the one halfe of ſuch things foreſtalled and forfeit, or the price, of the Kings gift, and the King the other halſe. St.5.Ed.6.14.

CAP.

CAP. IIII

New Weares ſhall be pulled downe and not repaired.

ITem, whereas the common paſſage of Boates and Ships in the great Riuers of England be oftentimes annoyed by the inhanſing of Gorces, Milles, weares, Stankes, Stakes and kiddles, in great damage of the people: It is accorded & ſtabliſhed, that all ſuch Gorces, Mils, Weares, Stankes, Stakes, and keddles, which be leuied and ſet vp in the time of king Edward the kings Grandfather, and after, whereby the kings Ships and boates be diſturbed, that they cannot paſſe in ſuch Riuer as they were wont, ſhalbe out and vtterly pulled downe, without being renewed. And thereupon Writs ſhall be ſent to the Sheriffes of the places where neede ſhall be, to ſuruey and enquire, and to doe thereof execution. And alſo the Iuſtices ſhalbe thereupon aſſigned at all times that ſhall be néedefull. Star.45.Ed.3.2.1.*H*.4.12.12:E.4.7.

Coke li.10.fo.138.

New Weares ſhall be pulled downe and not repaired.

A Statute of Purueyors made *Anno* 25.*Ed*.3. & Anno Dom. 1350.

AT the Parliament ſummoned at Weſtminſter in the Feaſt of Saint *Hillary*, the yeare of the raigne of our Lord King Edward the third after the Cõqueſt of England the fiue and twentieth, and of France the twelfth. Our ſaid Lord the King by the aſſent of the Prelates, Dukes, Earles, Barons, & of all the Comminaltie of his Realme of England, ſummoned to the Parliament, to the honour of God, and holy Church, and in amendment of his ſaid Realme, hath ordeined and eſtabliſhed the things vnderwritten.

CAP. I.

By what meaſure the Kings Purueyors ſhall take Corne. Things purueied ſhall be praiſed and Tailes made thereof.

FIrſt foraſmuch as great and outragious damage and grieuance hath béene done to the people by the takers or purueyors of victualls, for the houſes of our Lord the King, the Quéene, and their Children: It is accorded and aſſented in the ſaid Parliament, that the takers of corne for the ſaid houſes, ſhall take the ſame by meaſure ſtriked according as is vſed throughout the land. And that ſuch Corne, hey, litter, beſtaile, and all other victualls and things, which ſhall be taken for the ſaid houſes, ſhall be priſed at the very value, by the Conſtable and other good people of the Townes where ſuch taking ſhall be made, without that the preiſors by menace or dures ſhall be driuen to ſet any other price then their oath will, and as commonly runneth in the next Markets. And that betwixt the Purueyors and them whoſe goods ſhall be taken in the preſence of the Conſtables and Preiſors, Tailes be made incontinently, without that the people whoſe goods ſhall be taken, ſhalbe drawne or trauelled elſewhere, and the ſame tailes ſealed with the ſeales of the Takers of the things ſo taken, by which Tailes grée ſhalbe made to them whoſe goods ſhalbe ſo taken. And if any Purueyor or Taker for the ſaid houſes, do in any other maner, he ſhall be preſently arreſted by the Towne where the taking ſhall be made, and brought to the next Goale: and if he be thereof attainted, it ſhall be done of him as of a thiefe, if the quantity of the goods the ſame require, according as in a ſtatute made in the time of our Lord the King that now is, the fifth yeare of his raigne, and in another made in the time of the kings Grandfather vpon ſuch taking, is conteined at the full. And that from henceforth in the commiſſions of ſuch takers and Purueyors, the intent and peine limited, in this ſtatute ſhall be conteined. And that no Commiſſion be made, but only vnder the kings great Seale or priuie Seale. Nor no man be bound to obey any ſuch Commiſſions, in other manner then is aforeſaid. And that the ſame ſtatute take place in all points againſt euery Taker and purueyor of euery manner of victuall in euery part of the Realme, of what condition ſoeuer he be.

Corne ſhall be taken by meaſure ſtriken. 23.H.6.1.

Things taken for the Kings houſe ſhall be priſed at the very value.

Tailes ſhall be made betweene the Purueyor & the owner of the goods taken. St.2.&.3.P.&M.6.

St.5.Ed.3.2. 28.Ed.1.2.

The Purueyors Commiſſions ſhall be vnder the great or priuy ſeale.

CAP. II.

A declaration which offences ſhall be adiudged Treaſon.

ITem, whereas diuers opinions haue béene before this time, in what caſe Treaſon ſhall be ſaid, and in what not: The king at the requeſt of the Lords and of the Commons hath made a declaration in the maner as hereafter followeth. That is to ſay, when a man doth compas or imagine the death of our Lord the king, or of our Lady his Quéene, or of their eldeſt ſonne and heire: or if a man do violate the kings compagnion, or the Kings eldeſt daughter vnmaried, or the wife of the Kings eldeſt ſonne and heire: or if a man doe leuie warre againſt our Lord the king in his Realme, or be adherent to the kings enemies in his Realme, giuing to them aide and com-

fort

ke lib.8 fo.28.
er fol.98.
5.298.
d.3.fo.24.
Treaſon.1.2.
9.11.13.16.
4.27.34.

A declaration what offences are to be iudged Treaſons high and petit.

fort in the Realme or elſewhere, & thereof be prouably attainted of open deede by people of their condition. And if a man counterfeit the Kings great or priuy Seale, or his Money: and if a man bring falſe money into this realme, counterfet to the money of England, as the money called Luſhburgh, or other like to the ſaid money of England, knowing the money to be falſe, to merchandiſe or make payment, in diſceit of our ſaid Lord the King, and of his people: And if a man ſlea the Chancellor, Treaſorer, or the Kings Juſtices of the one Bench or the other, Juſtices in Eyre, or Juſtices of Aſſiſe, and all other Juſtices aſſigned to heare and determine, being in their places doing their offices. And it is to be vnderſtood, that in the caſes aboue rehearſed that ought to be iudged Treaſon, which extends to our Lord the King and his royall Maieſty. And of ſuch treaſon the forfeiture of the Eſcheates pertaineth to our Lord, aſwell of the Lands and Tenements holden of other, as of himſelfe, And moreouer, there is another maner of Treaſon, that is to ſay, when a ſeruant ſlayeth his maſter, or a wife her huſband, or when a man ſecular or religious ſleyeth his Prelate; to whom he oweth faith and obedience. And of ſuch treaſon the Eſcheates ought to pertaine to euery Lord of his owne fee. And becauſe that many other like caſes of treaſon may happen in time to come, which a man cannot thinke nor declare at this preſent time, It is accorded, that if any other caſe, ſuppoſed treaſon, which is not aboue ſpecified, doth happen before any Juſtices, the Juſtices ſhall tary without any going to iudgement of the treaſon, till the cauſe be ſhewed & declared before the King and his Parliament, whether it ought to be iudged treaſon or other felony. And if percaſe any man of this Realme ride armed couertly or ſecretly with men of armes againſt any other, to ſley him, or robbe him, or take him, or reteine him till he hath made fine or ranſome, for to haue his deliuerance, it is not the minde of the King nor his Counſell, that in ſuch caſe it ſhall be iudged treaſon, but ſhall be iudged felony or treſpas according to the lawes of the Land of old time vſed, and according as the caſe requireth. And if in ſuch caſe or other like, before this time any Juſtices haue iudged Treaſon, and for this cauſe the lands and tenements haue commen into the Kings hands as forfeit, the chiefe Lords of the fee ſhall haue the eſcheats of the tenements holden of them, whether that the ſame tenements be in the Kings hands, or in others, by gift or in other maner. Sauing alwaies to our Lord the King the yeare, and the waſte, and the forfeitures of cattels, which pertaine to him in the caſes aboue named. And that writs of Scire facias be granted in ſuch caſe againſt the land tenants without other original, and without allowing any protection in the ſaid ſuit. And that of the lands which be in the Kings hands, writs be granted to the Sheriffes of the counties, where the Lands be, to deliuer them out of the Kings hands without delay. St. 1.Ed.6.12,1.M.Seſſ.1.

The King ſhall haue the forfeiture of all the offendors lands in high treaſon.

Petit treaſon.

New queſtions of Treaſons ſhall firſt be decided in Parliament.

Coke pla.fo. 36

22.Aſſ.pla.49.
Dyer fol.288.29
Cok li.3.fol.2.1
lib.4.fol.57.
lib.7.fol.33.
lib.11.fol34.

1.R.3.fol.4.
Dyer fol.128.3
Fitz.Coron 7.
210.383.
Bro.Treaſon.6,
12,15.30.

CAP. III.

No Indictor ſhall be put vpon the enqueſt of the partie indicted.

Enditors.

ITem, it is accorded, that no Indictor ſhall be put in enqueſts vpon deliuerance of the enditees of felonies or treſpas, if he be chalenged for that ſame cauſe by him which is ſo endicted.

12.Aſſ.pla.16
Bro.Challeng
42.101.120.
142.166.

CAP. IIII.

None ſhall be condemned vpon ſuggeſtion without lawfull preſentment.

St.9.H.3.29.

None ſhall be condemned by ſuggeſtion without lawfull preſentment.

ITem, whereas it is conteined in the great Charter of the franchiſes of England, that none ſhall be impriſoned nor put out of his Freehold, nor of his Franchiſes nor free cuſtome, vnleſſe it be by the law of the Land: It is accorded, aſſented, and ſtabliſhed, that from henceforth none ſhall be taken by petition or ſuggeſtion made to our Lord the King, or to his counſell, vnleſſe it be by indictment or preſentment of his good and lawfull people of the ſame neighbourhood, where ſuch deeds be done in due manner, or by proceſſe made by Writ originall at the common Law. Nor that none be out of his Franchiſes, nor of his freeholdes, vnleſſe he be duly brought in anſwer and foreiudged of the ſame by the courſe of the Law. And if any thing be done againſt the ſame, it ſhall be redreſſed and holden for none. St.5.Ed.3.9.St.28.Ed.3.3.St.42.Ed.3.3.

CAP. V.

Executors of Executors ſhall haue the benefit and charge of the firſt Teſtator.

Executors of executors ſhall anſwer and be anſwered. St.13.Ed.1.23

ITem, it is accorded and ſtabliſhed, that executors of executors ſhall haue actions of debts, accompts, and of goods caried away of the firſt Teſtators, and execution of ſtatutes Merchant and recogniſances made in Court of record to the firſt Teſtator, in the ſame maner as the firſt Teſtator ſhould haue had, if he were in life, aſwel of actions of the time paſt, as of the time to come, in all caſes, where iudgement is not yet giuen betwixt ſuch executors: but that the iudgements giuen to the contrarie to this article in times paſt ſhal ſtand in their force. And that the ſame executors of executors ſhal anſwer to other of aſmuch as they haue recouered of the goods of the firſt teſtators, as the firſt executors ſhould doe, if they were in full life. *Regiſt.*fol. 147.V.N.B.[illegible].58. *Raſt.*pla.fol.302.

Plow.fo.2
Fitz.Coun
Fitz.Execu
92.103.11

Fitz.Execu
29.70.95.1

Cap.

CAP. VI.

A Purueyor ſhall not take timber in or about any perſons houſe.

ITem,it is accorded & ſtabliſhed,that no taker of wood nor of timber to the Kings uſe for work, nor for to make other thing,ſhal cut or fel downe the trees of any man growing about or within his houſe. And if any doe to the contrary, he ſhall make gree to the party of his treble damage and ſhalbe one yeare in priſon,and be forejudged of his office. St.9.*H.*3.21.*St.*14.E.3.19.

No timber ſhall be taken about a mans houſe.

CAP. VII.

Keepers of a Forreſt or Chaſe ſhall gather nothing without the owners good will.

MOreouer,it is accorded and ſtabliſhed,that no Foreſter,nor keeper of Foreſt or Chaſe,nor any other Miniſter,ſhal make or gather ſuſtenance nor other gathering of victualls nor other thing,by colour of their office,againſt any mans will within their Bailiwicke nor without, but that which is due of old right. *C*harta de Forreſta.7.

A foreſter ſhall gather nothing but that which is due.

CAP. VIII.

None ſhalbe bound to finde men of armes, but by tenure or grant by Parliament.

ITem, it is accorded and aſſented,that no man ſhalbe conſtreined to finde men of armes,hoblers nor archers,other then thoſe which hold by ſuch ſeruices, if it be not by common aſſent & graunt made in Parliament. St.1.Ed.3.5.*St.*4.*H.*4.13.

Finding of men of armes.

CAP. IX.

Auncell weight ſhalbe put out,and weighing ſhalbe by equall balance.

ITem,whereas great damage and deceit is done to the people, for that diuers Merchants vſe to buy and weigh wools and other merchandiſes,by a weight which is called Auncel: It is accorded and eſtabliſhed,that this weight called auncell,betwixt buyers and ſellers, ſhalbe wholly put out. And that euery perſon do ſell and buy by the balance, ſo that the balance be euen,& the wools and other merchandiſes euenly weighed by right weight,ſo that the ſack of wooll weigh no more but xxvj.ſtones,and euery ſtone to weigh xiiii.li. And that the beame of the ballance do not bow more to the one part then to the other. And that the weight be according to the ſtandard of the Exchequer. And if any buyer doe the contrary, he ſhalbe grieuouſly puniſhed, as well at the ſuit of the partie,as at ſuit of our Lord the King. St.11.*H.*7.4.St.8.H.6.5.

Auncell weight ſhall be put out. St.34. Ed. 3. 5.

Buying and ſelling ſhall be by equall meaſure. St.27.Ed.3.10.

CAP. X.

Euery meaſure ſhalbe according to the Kings Standerd: and ſhall be ſtriked without heape. Sauing the Rents of Lords.

ITem,whereas it is conteined in the great Charter,that one meaſure ſhall be throughout England,which Charter hath not bin well kept and holden in this point in times paſt: It is accorded and aſſented, that all the meaſures,that is to ſay,buſhels,halfe buſhels,pecke,gallon,pottle, and quart throughout England, within franchiſes and without, ſhall be according to the Kings ſtandard. And the quarter ſhal conteine viii.buſhels by the ſtandard & no more. And euery meaſure of corne ſhalbe ſtricken without heape, ſauing the rents and fermes of Lords, which ſhall bee meaſured by ſuch meaſures as they were wont in times paſt. And the purueiors of the K. of the Q. and all other,ſhall make their purueyances by the ſame meaſures ſtriked in the ſame maner, and at all times that ſhalbe needful. And our Lord the K. ſhall aſſigne certaine Juſtices in euery countie to enquire, heare and determine,vpon the points aforeſaid, and vpon the ſame to doe puniſhment according to the treſpaſſe,as well at the parties ſuite,as at the Kings. So alwaies that all manner of Franchiſes be ſaued to the Lords in all points without blemiſh to be made in any manner. St.34.Ed.3.6.

St.9.H.3.25. Euery meaſure ſhall be according to the kings ſtandard.

Juſtices ſhall inquire of and puniſh the offendors.

CAP. XI.

Ayde to make the Kings ſonne Knight,or to marry his daughter.

ITem, it is aſſented,that reaſonable ayde to make the Kings eldeſt ſonne Knight,and to marrie his eldeſt daughter,ſhall be demanded and leuied after the forme of the ſtatute thereof made and not in other manner,that is to ſay, of euery Knights fee holden of the King without meane, twenty ſhillings,and no more,and of euery xx.li.of land holden of the King without meane in ſocage,twenty ſhillings and no more. *R*egiſt.fo.87.Fitz.N.B.fo.82.f.

What ſhall be paid to the king for reaſonable aide. St.6.E.1.35.

CAP. XII.

No perſon ſhall take profit by exchange of gold or ſiluer.

ITem,it is accorded, that it ſhall be lawfull for euery man to exchange gold for ſiluer, or ſiluer for gold,or for gold and ſiluer,ſo* that no man hold the ſame as exchanged,nor take no profit for making ſuch exchange,vpon paine of forfeiture of the money ſo exchanged, except the Kings Exchangers,which take profit of ſuch exchange, according to the ordinance afore made. Stat. 5.Ed.6.19.3.*H.*7.6.

Exchanging of money.

*The Frenchis iſſint que nul home teigne comen eſchange

Cap.

Cap. XIII.

The money of gold or ſiluer now currant, ſhall not be impaired.

Money ſhall not be impaired in weight or allay.

ITem, it is accorded, that the money of gold and ſiluer, which now runneth, ſhall not be impaired, in weight, nor in allay, but aſſoone as a good way may be found, the ſame bée put in the ancient ſtate, as in the ſterling.

Cap. XIIII.

What proceſſe ſhalbe awarded againſt him that is indited of felonie.

What proceſſe ſhal be awarded againſt him that is indited of felony.

Fitz. proce

ITem, it is accorded, that after any man bée indited of felonie before the Juſtices in their Seſſions, to heare and determine, it ſhall bee commanded to the Sheriffe, to attach his body by Writ or by precept, which is called a Capias, and if the Sheriffe returne in the ſaid Writ or Precept that the body is not found, another Writ or Precept of Capias ſhall be incontinently made, returnable at thrée wéekes after, and in the ſame Writ or Precept it ſhall be compriſed, that the Sheriffe ſhall cauſe to be ſeiſed his cattels, and ſafely to kéepe them till the day of the Writ or Precept returned. And if the Sheriffe returne, that the bodie is not found, and the Enditée commeth not, the exigend ſhalbe awarded, and the cattels ſhall be forfeit, as the Law of the Crowne ordaineth. But if he come and yéelde himſelfe, or bée taken by the Sheriffe, or by other Miniſter, before the returne of the ſecond Capias, then the goods and cattels ſhal be ſaued. *R*aſt.pla. fo.119.417.

Cap. XV.

The penaltie of a Purueyor taking more ſheepe then be needfull.

The penalty of a purueyor that taketh more ſheepe for the K. houſe before ſheare time then be needfull.

ITem, for as much as the takers and buyers of the Kings prices, doe take ſhéepe from people betwixt Eaſter and the feaſt of Saint John Baptiſt, with their Woolls, and cauſe the ſame to bée preiſed at a ſmall priſe, and after ſend them to their owne houſes, and cauſe them to bee ſhorne to their owne profit, in deceit of the King, and great oppreſſion of the people: It is accorded, that no ſuch Taker, Purueyor, nor Buyer, ſhall take any ſhéepe before the time of the ſhearing, but as many as may reaſonably ſuffice till the time of ſhearing. And after that time they ſhall take as many ſhéepe ſhorne, and not other, that may reaſonably ſuffice them for the time to come. And if any taker, purueyor, or buyer of the Realme, doe againſt the ſame, and bee thereof attainted at the ſuit of the King, or of the partie, it ſhall be done to him as a thiefe or a robber. And the peine ſhalbe contained in euery Commiſſion of ſuch purueyors.

Cap. XVI.

The exception of Nontenure of parcell ſhall not abate the whole writ.

Nontenure.

36.H.6.fo.
Bro.Nonte
33.40.ſc.

ITem, it is accorded, that by the exception of Nontenure of parcell, no writ ſhalbe abated, but for quantitie of the Nontenure, which is alledged. *R*egiſt.fo.228.*R*aſt.pla.fo.404.

Cap. XVII.

Proces of Exigent ſhalbe awarded in Debt, Detinue, and Repleuin.

Proces in debt and detinue.

21.H.6.fo.
30.Ed.3.fo.
7.Ed.4.fo.
Fitz.proce
115.121.2

ITem, it is accorded, that ſuch Proceſſe ſhall be made in a Writ of Debt and Detinue of cattels, and taking of beaſtes by Writ of Capias, and by proceſſe of Exigend by the Sheriffes returne, as is vſed in a Writ of accompt. *R*egiſt.fo.81.&c. V.N.B. fol.63.65. Fitz.N.B.fo.69. 139.A.*R*aſt.pla.fo.148.

Cap. XVIII.

Villenage may be pleaded, and a Villeine ſeiſed, though a libertate probanda *be depending.*

Villenage may be pleaded, and a villein ſeiſed, though a Libertate probanda doe depend.

26.Ed.3.fo.
11.H.4.fo.
25.Ed.3.fo.
Fitz.villena
47.

ITem, it is ordeined and aſſented, that notwithſtanding adiournment made in Eire, by Writ of Libertate probanda, purchaſed in fauour of villeines to delay their Lords of their actions of ſuch villeines, the ſame Lords ſhalbe receiued to alledge the exception of villenage againſt their villeines in all Writs, whether that the ſaid Writs of Libertate probanda were purchaſed by deceit or in other manner. And that the Lords may ſeiſe the bodies of their villeines, aſwell as they might before that the writs of Libertate probanda were ordeined or purchaſed. *R*egiſt.fo.87. V.N.B.fo.46.Fitz.N.B.fol.77.*C*.*R*aſt.pla.fo.374.401.

Cap. XIX.

By the Kings protection the parties ſuite ſhall not be hindered, but his execution.

By the Kings protection the parties ſuite ſhall not be hindered, but his execution.

ITem, for as much as our Lord the King hath made before this time protections to diuers people, which were bounden to him in ſome manner of Debt, that they ſhould not bee impleaded of the debts which they owed to other, till they had made grée to our Lord the King, of that which to him was due by them, by reaſon of his prerogatiue, and ſo during ſuch protections, no man hath vſed, nor durſt impleade ſuch debtors: It is accorded and aſſented, that notwithſtanding ſuch protections, the parties which haue actions againſt their debtors, ſhall bee anſwered in the Kings Court by their debtors. And if iudgement bee thereupon giuen for the plaintife or demaundant, the execution of the ſame iudgement ſhalbe put in ſuſpence till grée be made to the King of his debt. And if the creditors will undertake for the Kings debt, they ſhall be thereunto receiued, and ſhall haue execution againſt the debtors of the debt due and adiudged to them, and alſo ſhall recouer againſt them as much as they ſhall pay to the King for them. Fitz.N.B.fo.28.B.

Co.Inſt.131.b.

9.Ed.3.fo.13.

The creditors undertaking for the Kings debt.

Cap. XX.

Plate of golde and ſiluer ſhall be receiued into the Kings Mint by weight, and not by number, and ſo ſhall the money be returned.

ITem, it is accorded and aſſented, that the Moneyors and other Wardens and Miniſters of the Money, ſhall receiue Plate of Golde and Siluer by the weight. And in the ſame manner ſhall deliuer the money when it ſhall be made by weight, and not by number, without any tarrying.

Moneyors.

Cap. XXI.

The Kings butler ſhall puruey no more wine then ſhalbe appointed.

ITem, whereas before this time the Kings Butlers and their Deputies were wont to take, and dayly doe take much more Wine, by colour of their Office, to the Kings vſe, then they ſhall néede, whereof the worſt they deliuer to the Kings vſe, and the beſt in great number they retaine to themſelues, to ſell and make thereof their profit: and ſometime they releaſe to Marchants that which they haue taken of them, for Fines and Gifts, which they take of the ſame Marchants by extortion, to the great dammage and impoueriſhment of the ſaid Marchants: It is accorded, That the Steward of the Kings houſe, and treaſurer of the Wardrobe, ſhall ſend to all the Ports of England, where Wines be to be taken to the Kings vſe, the certaine number, which the Butler ſhall take in euery Port, ſo that nothing be taken ouer this number. And that the Maior and Baylifes of the ſaid Ports certifie the ſaid Steward and Treaſurer of the number of all the Tunnes ſo taken by the Butler, or his Lieutenant vnder the ſeale of the ſaid Maior and Baylifes, by Indentures made betwixt them and the takers of the ſaid Wines. And in caſe that it be found, that the Butler or his Lieutenant take more, or take reward of any, or delay any by colour of his Office, as by arreſt, he ſhall make grée to the partie of the double, and ſhall be put out of his office, and haue impriſonment, and be raunſomed at the Kings will. And the King ſhall aſſigne his Iuſtices, when ſhall pleaſe him, to enquire vpon theſe things. And the Butler ſhall anſwer as well for his deputies, as for him ſelfe, where they be not ſufficient. St.43.Ed.3.3.

The Kings Butler ſhall take no more Wine then ſhall be appointed him.

Cap. XXII.

He that purchaſeth a Prouiſion in *Rome* for an Abbey, ſhalbe out of the Kings protection, and any man may doe with him as with the Kings enemy. St.7.*R*.2.12.Regiſt.fo.181.VN.B.fo.153. Al.St.5.El.1.

Cap. XXIII.

The debt of a Lombard vnpaid, ſhalbe ſatisfied by his company. Ob.

The Statute of Prouiſors of Benefices, made anno 25. Ed.3. and Anno Dom.1350.

The King and other Lords ſhal preſent vnto Benefices of their owne, or their anceſtors foundation, and not the Biſhop of Rome.

VVHereas late in the Parliament of good memory of Edward King of England, grandfather to our Lord the King that now is, the fiue and thirtieth yeare of his reigne, holden at Carlile, the petition heard, put before the ſaid grandfather and his Counſell in his ſaid Parliament by the Comminaltie of the ſaid Realme conteining: That whereas the holy Church of England was founded in the eſtate of Prelacie within the Realm of England by the ſaid grandfather and his progenitors, and the Earles, Barons, and other Nobles of his ſaid Realme & their anceſtors, to inform them and the people of the law of God, and to make hoſpitalities, almes, & other works of charity in the places where the Churches were founded, for the ſoules of the founders, their heires, & all chriſtians, & certain poſſeſſions aſwel in fées, lands, rents, as in aduouſons which do extend to a great valure, were aſſigned by the ſaid founders to the prelates & other people of the holy Church of the ſaid realm, to ſuſtaine the ſame charge, And eſpecially of the poſſeſſions which were aſſigned to Archbiſhops, Biſhops, Abbots, priors, religious & all other people of holy church, by the kings of the ſaid realme, earles, barons, & other great men of his realme: the ſame kings, earles, barons, & other nobles, as lords, aduowées, haue had & ought to haue the cuſtody of ſuch voidances and the preſentments and the collations of the benefices being of ſuch prelacies.

St.Carliel an. 35.Ed.1.

The cauſes why the Kings and noble men of the Realme did giue lands to Biſhops and other prelates.

The Pope beſtowed ſpirituall liuings vpon Aliens not dwelling in England.

The inconueniences which did enſue the Popes prouiſions of benefices to Aliens in England.

The pope giueth the benefices of the church, & reſerueth the firſt fruits to himſelfe.

And the ſaid Kings in times paſt were wont to haue the greateſt part of their Councell, for the ſafegard of the Realme when they had néed, of ſuch Prelates, and Clerkes ſo aduaunced: The Biſhop of Rome, accroching to him the Seigniories of ſuch poſſeſſions and Benefices, doth giue and graunt the ſame Benefices to Aliens, which did neuer dwell in England, and to Cardinals, which might not dwell here, and to other as well Aliens as Denizens, as if he had béene Patron, or Aduowée of the ſaid dignities and Benefices, as hee was not of right by the Law of England, whereby if they ſhould bee ſuffered, there ſhould ſcantly bee any Benefice within a ſhort time in the ſaid Realme, but that it ſhould bée in the hands of Aliens and Denizens by vertue of ſuch prouiſions, againſt the góod will and diſpoſition of the Founders of the ſame Benefices. And ſo the elections of Archbiſhops, Biſhops, and other religions ſhould faile, and the almes, hoſpitalities, and other works of Charitie, which ſhould be done in the ſaid places, ſhould be withdrawen, the ſaid graundfather and other lay patrons, in the time of ſuch voidances, ſhould loſe their preſentment, the ſaid Counſell ſhould periſh, and góods without number ſhould be carried out of the Realme, in adnullation of the eſtate of the holy Church of England, and diſheriſon of the ſaid graundfather, and the Earles, Barons, and other Nobles of the ſaid Realme, and in offence and deſtruction of the Lawes and rights of his Realme, and againſt the góod diſpoſition and will of the firſt Founders: by the aſſent of the Earles, Barons, and other Nobles, and of all the ſaid Communaltie, at their inſtances and requeſts, the damage and grieuances afore conſidered, in the ſaid full Parliament was ordeined, prouided, eſtabliſhed, agréed, adiudged, and conſidered, that the ſaid oppreſſions, grieuances, and damages in the ſame Realme from henceforth ſhould not be ſuffered in any maner. And now it is ſhewed to our Lord the King in this preſent Parliament holden at Weſtmiſter, at the vtas of the Purification of our Lady, the fiue and twentieth yeare of his reigne of England, and of France the twelft, by the grieuous complaints of all the Commons of his realme, that the grieuances and miſchiefes aforeſaid do daily abound, to the greater damage and deſtruction of all his realm of England, more then euer were before, viz. that now of late the Biſhop of Rome by procurement of Clerkes and otherwiſe, hath reſerued, and doth daily reſerue to his collation generally and eſpecially, as well Archbiſhopricks, Biſhopricks, Abbeyes, and Priories, as all other dignities, and other Benefices of England, which be of the aduoury of people of holy Church, and giue the ſame as well to Aliens as to Denizens, and taketh of all ſuch benefices the firſt fruits, and many other profits, and a great part of the treaſure of the ſaid realme is caried away and diſpended out of the realm, by the purchaſers of ſuch benefices and graces aforeſaid: and alſo by ſuch priuie reſeruations many Clerkes aduanced in this Realme by their true Patrons, which haue peaceably holden their aduancements by long time, be ſuddenly put out: whereupon the ſaid Commons haue praied our ſaid Lord the King, that ſith the right of the crowne of England, and the Law of the ſaid realme is ſuch, that vpon the miſchiefes and damages, which happen to his Realme, he ought and is bound by his oath, with the accord of his people in his Parliament therof to make remedy and law, and in remouing the miſchiefes and damages which thereof enſue, that it may pleaſe him thereupon to ordeine remedy.

The cauſes and reaſons of making this ſtatute.

Elections of the dignities of the church ſhall be free as they were founded.

Patrons and founders of the dignities of the church and their heirs ſhall haue the collation or preſentation to them being void. St. 9. H. 33. 3

Where the Pope maketh prouiſion to a dignitie of the church the K. ſhall preſent. Fitz. N.B. fo. 37. c 169. f.

11. H. 4. fo. 57. 74.

Our Lord the King, ſéeing the miſchiefes and damage before mentioned, and hauing regard to the ſaid Statute, made in the time of his ſaid grandfather, and to the cauſes conteined in the ſame, which Statute holdeth alwaies his force, and was neuer defeated, repealed, nor adnulled in any point, and by ſo much he is bounden by his oath to cauſe the ſame to be kept as the Law of his Realme, though that by ſufferance and negligence it hath béen ſithence attempted to the contrary, alſo hauing regard to the grieuous complaints made to him by his people in diuers his Parliaments holdẽ heretofore, willing to ordeine remedy for the great damages and miſchiefes which haue happened and daily doe happen to the Church of England by the ſaid cauſe: By the aſſent of all the great men and the Communalty of the ſaid realme, to the honour of God and profite of the ſaid Church of England, and of all his realme, hath ordred and ſtabliſhed, that the frée elections of Archbiſhops, Biſhops and all other dignities and benefices electiue in England, ſhall hold from henceforth in the maner as they were granted by the Kings progenitors, and the anceſtors of other lords founders of the ſaid dignities and other benefices. And that all prelats & other people of holy church, which haue aduouſons of any benefices of the Kings gift, or of any of his progenitors, or of other lords & donors, to do diuine ſeruices and other charges thereof ordeined, ſhall haue their collations & preſentments fréely to the ſame in the maner as they were enfeoffed by their donors. And in caſe that reſeruatiõ, collation or prouiſion, be made by the court of Rome of any Archbiſhopricke, Biſhopricke, dignity or other benefice, in diſturbance of the frée elections collations, or preſentations afore named, which at the ſame time of the voidance, that ſuch reſeruations, collations, & prouiſions, ought to take effect, our Lord the King, and his heires ſhall haue and enioy for the ſame time the collations to the Archbiſhoprickes and other dignites electiue, which be of his aduowry, ſuch as his progenitors had before that frée election was granted, ſince that the elections was firſt granted by the K. progenitors vpon a certaine forme and condition, as to demand licence of the K. to chuſe, and after the election to haue his royall aſſent, and not in other maner. Which conditions not kept, the thing ought by reaſon to reſort to his firſt nature.

And if any ſuch reſeruation, prouiſion, or collation bee made of any houſe of Religion of the Kings aduowrie, in diſturbance of free election, our Soueraigne Lord the King and his heires, ſhall haue for that time the collation to giue this dignity to a conuenient perſon. And in caſe that collation, reſeruation, or prouiſion be made by the Court of Rome of any Church, Prebend, or other Benefices, which bee of the aduowrie of people of holy Church, whereof the King is Aduowee paramont immediate, that at the ſame time of the voydance, at which time the collatiō, reſeruation, or prouiſion ought to take effect as afore is ſaid, the king and his heires thereof ſhall haue the preſentment or collation for that time. And ſo from time to time, whenſoeuer ſuch people of holy Church ſhall be diſturbed of their preſentments, or collations by ſuch reſeruations, collations, or prouiſions, as afore is ſaid: ſauing to them the right of their Aduouſons and their preſentments, when no collation or prouiſion of the court of Rome is thereof made, where that the ſaid people of holy Church ſhall or will to the ſame Benefices preſent or make collation. And that their Preſentees may enioy the effect of their collations or preſentments. And in the ſame manner euery other Lord, of what condition that he be, ſhall haue the collations or preſentments to the houſes of Religion, which be of his Aduowry and other benefices of holy Church, which bee pertaining to the ſame houſes. And if ſuch aduowees doe not preſent to ſuch Benefices within the halfe yeare after ſuch voidances, nor the Biſhop of the place doe not giue the ſame by laps of time within a moneth after halfe a yere: that then the King ſhall haue thereof the preſentments and collations, as he hath of other of his owne aduowrie. And in caſe that the Preſentees of the King, or the Preſentees of other Patrons of holy Church, or of their aduowees, or they to whom the King or ſuch Patrons or Aduowees aforeſaid haue giuen Benefices, pertaining to their preſentments or collations, be diſturbed by ſuch prouiſors, ſo that they may not haue poſſeſſion of ſuch benefices, by vertue of the preſentments or collations to them made, or that they which be in poſſeſſion of ſuch Benefices, be impeached vpon their ſaid poſſeſſions, by ſuch prouiſors, then the ſaid prouiſors, their procurators, executors, and notaries ſhall be attached by their body, and brought in to anſwer. And if they be conuict, they ſhall abide in priſon without being let to mainpriſe or baile, or otherwiſe deliuered, till that they haue made fine and ranſome to the king at his will, and gree to the partie that ſhall feele himſelfe grieued. And neuertheleſſe before that they bee deliuered, they ſhall make full renunciation, and finde ſufficient ſuretie, that they ſhall not attempt ſuch things in times to come, nor ſue any Proceſſe by them, nor by other againſt any man in the court of Rome, nor in any part elſewhere, for any ſuch impriſonments, or renunciations, nor any other thing depending of them.

E.3.fo.36.

The penalties of thoſe which by prouiſions from Rome, doe diſturbe ſuch preſentments or elections as others ought to make. 26.H.8.15.

And in caſe that ſuch Prouiſors, Procurators, Executors, or Notaries be not found, that the Exigend ſhall runne againſt them by due Proceſſe, and that Writtes ſhall goe forth to take their bodies in what parts they be found, as well at the kings ſuite, as at the ſuite of the partie, and that in the meane time the King ſhall haue the profits of ſuch benefices ſo occupied by ſuch Prouiſors, except Abbeyes, Priories and other Houſes, which haue Colledges or Couents. And in ſuch houſes the Colledges and Couents ſhall haue the profits. Sauing alwaies to our Lord the King, and to all other Lords, their old right. And this ſtatute ſhall haue place, as well of Reſeruations, Collations, and Prouiſions made and graunted in times paſt againſt all them which haue not yet obtained corporall poſſeſſion of the Benefices graunted to them by the ſame Reſeruations, Collations, and Prouiſions, as againſt all other in time to come. And this Statute oweth to hold place, and to begin at the ſaid Vtas. Stat. 13. R.2.1.V.N.B.fol.153 Raſt.pla fol.427.446.

.præmuniri.

The Statute of the leuying of the Fifteene, made *Anno.25.Ed.3.and Anno Dom.*1350.

The King graunteth to the Commons in ayde of a Diſme and Fifteene by them before granted to him, all the Iſſues, fines, forfeitures, and amerciaments leuied of Labourers, Artificers, regrators, Victualers, and ſeruants. Exp.St.23.Ed.3.8.36.Ed.3.14.

A Statute of Prouiſors, made anno 27. Ed.3.& anno Dom.1353.

OVr Lord the King, by the aſſent and prayer of the great men, and the Cōmons of his Realm of England, at his great Counſel holden at Weſtminſter, the Munday next after the Feaſt of Saint Matthew the Apoſtle, the ſeuen and twentieth yeare of his reigne of England, and of France the fourteenth, in amendment of his ſaid realme, and maintenance of the Lawes and vſages, hath ordeined and ſtabliſhed theſe things vnderwritten.

Cap. I.

Premunire for ſuing in a foreine realme, or impeaching of iudgement giuen.

The penalty for ſuing in a forraigne realme for any thing whereof the K. court is to take conuſance, or to impeach a iudgment giuen in the K. Court.

14.H.4.fo.14
2.R.3.fo.17.
5.Ed 4.fo 6.
9.Ed 4.fo.3.
30 Ed.3.fo.1
Fitz.præmu
19.20.21.

43.Ed.3.fo.
39.Ed.3.fo.
42.Ed.3.fo.

Bro.Anu
48.53.104
Coke li.11.
44.Ed.3.fo.

FIrſt, becauſe it is ſhewed to our Lord the King, by the grieuous and clamorous complaints of the great men and Commons aforeſaid, how that diuers of the people be, and haue béene drawen out of the realme to anſwere of things, whereof the cogniſance perteineth to the Kings Court: and alſo that the iudgements giuen in the ſame Court be impeached in an other Court, in preiudice and diſheriſon of our Lord the King, and of his crowne, and of all the people of his ſaid Realme, and to the vndoing and diſtruction of the common Law of the ſame realme at all times vſed. Where vpon good deliberation had with the great men and other of his ſaid Counſell, it is aſſented and accorded by our Lord the King, and the great men and Commons aforeſaid, that all the people of the Kings liegeance, of what condition that they be, which ſhall draw any out of the realme in plea, whereof the coniſance pertaineth to the Kings Court, or of things whereof iudgements be giuen in the Kings Court: or which doe ſue in any other Court to defeate or impeach the iudgements giuen in the Kings Court, ſhall haue day, containing the ſpace of two moneths, by warning to be made to them in the place were the poſſeſſions be, which be in debate, or otherwiſe, where they haue lands, or other poſſeſſions, by the Sheriffes, or other the Kings Miniſters, to appeare before the King and his Councell, or in his Chancery, or before the Kings Iuſtices in his places of the one Bench or the other, or before other the Kings Iuſtices, which to the ſame ſhall be deputed, to anſwere in their proper perſons to the King of the contempt done in this behalfe. And if they come not at the ſaid day in their proper perſon to be at the Lawe, they, their Procurators, Atturneyes, Executors, Notaries, and Maintainors, ſhall from that day forth be put out of the Kings protection, and their lands, goods, and cattels forfeit to the King, and their bodies whereſoeuer they may be found ſhall be taken and impriſoned, and ranſomed at the Kings will. And vpon the ſame a Writ ſhall be made to take them by their bodies, and to ſeiſe their lands, goods, and poſſeſſions into the Kings handes. And if it be returned, that they be not found, they ſhall be put in exigend and outlawed.

Apparance of the offendor after 2 moneths will ſaue his outlawrie, but not his lands or goods.

Prouided alwayes, that at what time they come before they be outlawed, and will yéeld them to the Kings priſon, to be iuſtified by the Law, and to receiue that which the Court ſhall award in this behalfe, that they ſhalbe thereto receiued. The forfeiture of the landes, goods, and cattels abiding in their force, if they do not yéelde them within the ſaid two months, as afore is ſaid. *Regiſt. fo.59.180. Regiſt. ind. fo.82. V.N.B. fo.153. Raſt. pla. fo.24.221.427.446.*

Cap. II.

In a pardon of felony the ſuggeſtions and ſuggeſtors name ſhalbe compriſed.

In euery pardon of felony, the ſuggeſtion and the ſuggeſtors name ſhall be compriſed.

A pardon granted vpon a falſe ſuggeſtion ſhall be diſallowed. Raſt. pla. fo.417.

ITem, becauſe our Lord the King hath often granted charters of pardon of felonies, vpon feined and vntrue ſuggeſtions of diuers people, whereof much euill hath chaunced in times paſt: and for to eſchew ſuch euill, it is accorded and aſſented by our ſaid Lord the King, and all the ſaid counſell, that from henceforth in euery Charter of Pardon of felony, which ſhall be graunted at any mans ſuggeſtion, the ſaide ſuggeſtion, and the name of him that maketh the ſuggeſtion, ſhall be compriſed in the ſame Charter. And if after the ſame ſuggeſtion be found vntrue, the Charter ſhall be diſallowed and holden for none. And the Iuſtices before whom ſuch Charters ſhall be alleadged, ſhall enquire of the ſame ſuggeſtion, and that as well of Charters granted before this time, as of Charters which ſhall be granted in time to come. And if they finde them vntrue, then ſhall they diſallowe the Charters ſo alledged, and ſhall moreouer doe as the Law demaundeth.

CAP. III.

Commiſſions ſhalbe granted to enquire of offenders contrary to the Statute of 23.Ed.3.6.Exp

CAP. IIII.

The Aulnegers fee for euery Cloth ſold. Clothes ſhalbe ſealed before they be put to ſale. A Subſidie granted to the King of euery Cloth ſold.

The length and breadth of coloured cloth, & Cloth of ray.

ITem, whereas the great men and Commons haue ſhewed to our Lord the King, how diuers Marchants as well Foreines as Denizens, haue withdrawn them, and yet doe withdraw them to come with Clothes into England, to the great damage of the King and of all his people, becauſe that the Kings Aulneger ſurmiſeth to Marchant ſtrangers, that their Clothes be not of aſſiſe, that is to ſay, the coloured Cloth of the length of ſixe and twenty yards meaſured by the creaſt, and of the breadth of ſixe quarters and an half: And the Cloth of ray, of the length of eight and twenty yards meaſured by the liſt, and of the breadth of ſixe quarters, and whereas the ſame haue béene arreſted as forfeite to our Lord the King, they haue prayed our ſaid Lord the King, that it may pleaſe him, to releaſe and put out ſuch forfeitures in eaſe of his people, for a conuenient recompence to be made to him, of the other party: our Lord the King, vpon ſuch condition hearing their ſupplication, hath releaſed and excluded him of all the ſaid forfeitures, and he willeth and granteth for him and for his heires, that there ſhall be no Clothes forfeit, although they be not of the ſame aſſiſe, but the Kings Aulneger ſhall meaſure the Cloth and marke the ſame, by which marke a man may know how much the Cloath containeth. And of as much as the Cloath, which is bought for Cloath of Aſſiſe, ſhal be found leſſe then the Aſſiſe, allowance or abatement ſhall be made to the buyer in the payment, which he ſhall make for the ſame Cloath, after the quantity of the price for which the Cloath was bought. And the Aulneger ſhall take for euery Cloath ſo meaſured, which is of Aſſiſe, that is to ſay, of the ſeller an halfe peny, and of halfe a Cloath a farthing for his office, and no more, nor they ſhall take nothing of the cloathes which be leſſe then of the halfe cloath. And that he nothing meddle of the Aulnage of any Cloath, but onely of Cloathes which be to be ſold. And for ſo much as the ſaid Lords and Commons haue granted to the King a Subſidie of euery Cloath, which is to be ſold, to take of the ſeller ouer the cuſtomes thereof due, that is to ſay, of euery Cloath of the ſaid Aſſize, wherein there is no graine iiij.d. and of euery halfe ſuch cloath.ii.d. and of euery cloath of Aſſize of Scarlet vi.d. and of euery halfe ſuch Cloath.iii.d. and of euery Cloath halfe graine of Aſſize v.d. and of euery halfe ſuch Cloath ii.d.ob. And that euery Cloath paſſing the half Cloath of Aſſize by iii. yards and more, which is no cloath whole of Aſſiſe, and alſo of euery Cloath paſſing the whole Cloath by thrée yards and more, ſhall be taken after the rate of the Subſidy which is to be payed for the whole Cloath of the ſame ſort. So alwayes that of no Cloath, which conteineth not halfe a Cloath, nor of Cloathes which a man maketh to his owne vſe to cloathe him and his meiny, nor of Cloath ſealed, with the Seale of the Collectour of the ſaid Subſidie, of which the ſame Subſidy was once payed by the ſeller, to whoſe hands that ſuch Cloathes ſhall come after to ſell, or in any manner, nothing of the ſaid Subſidy ſhall be payed and demaunded. And that ſuch manner of Cloathes, which be put to ſale before that they be ſealed with the ſaid Seale, ſhall be forfeit to the King, and taken into his hands by the ſaid Collector or Aulneger, or by the Deputy of one of thẽ, or elſe by the Bailiffes of the towne where ſuch vendible Cloathes not ſealed ſhalbe found. Stat. 5. Ed. 6. 6.

The Kings releaſe of the forfeiture of Cloths.

The Aulnegers fee for euery cloth and halfe cloth ſold.

A Subſidie granted to the King of euery cloth.

Clothes put to ſale before they be ſealed ſhall be forfeit.

Cap. V.

It ſhall be Felony to foreſtall or ingroſſe Gaſcoigne Wine.

Item, it is aſſented and accorded that defence and Proclamation ſhall be made, that no Engliſh Merchants ſhall engroſſe nor foreſtall wines in Gaſcoyne, nor take them by way of buying of any Gaſcoyne, nor of other, for to pay in England, for any greater ſumme than wynes be commonly ſold in Gaſcoyne, becauſe of preſt, in perill of the Sea, or by any other colour, vpon paine of life and member, and of forfeiture of the wines and of all their other goods and cattels to the King, and of forfeiture of all their lands and tenements to the chiefe Lords. And the chiefe Lords ſhall haue a Writ of Eſcheat in ſuch caſe. *Rep.* For the Felony and for the forfeiture of lands, by 37. *Ed.* 3. 16.

It ſhall be felony foreſtalling or ingroſſing of Gaſcoigne wines.

Cap. VI.

Merchants may bring their Wines to what ports they will.

Item, that all Merchants Gaſcoynes, and other Strangers, may ſafely bring their wines into England, to what port that ſhall pleaſe them, and make thereof their profits. So alwayes that the Kings Butler may make Purueyance of Wines of Aliens when néed ſhall be, making payment for the ſame Wines within fortie dayes in the manner as hath beene vſed in old time. Ob Stat. 43. Edw. 3. 3.

Merchants may bring their wines to what Ports they will.

Cap. VII.

When and where Gaſcoyne Wines may be bought.

Item, that no engliſh Merchant, nor any of his ſeruants, nor other for them, ſhall goe into Gaſcoyne, there to abide, nor ſhall haue any other there dwelling, to make bargaine or bying of Wines by any colour, before the time of the Vintage, that is to ſay, before that common paſſage be made to ſéeke Wines there. And that none buy nor bargaine by himſelfe nor by other, any Wines but onely in the Ports of Burdeux and Bayon, vpon the paines and forfeitures next aforeſaid. And if any be there found doing againſt the ſame, he ſhall be taken and arreſted by the Steward of Gaſcoyn, or the conſtable of Burdeux, and his body ſent into England to the Towre of London. And that the ſame Steward or Conſtable certifie the King in his Chancery of the names of ſuch arreſted, and of their maſters and fellowes alſo with all the déed. Ob. Rep. 37. Ed. 3. 16. for the felony, and for the forfeiture of Lands.

It ſhall be felony for any Engliſh merchant to lie in Gaſcoigne to buy wine but in vintage time.

Cap. VIII.

Red and white Wine ſhall be gauged: and the puniſhment of him that hindreth it.

Item, it is accorded and ſtabliſhed, that all Wines, red and white, which ſhall come into the ſaid Realme, and into the Land of Wales and Ireland, to ſell, ſhall be well and lawfully gauged by the Kings Gaugeours, or their deputies. And if any doe ſet diſturbance or debate, and

Red and white wine ſhall be gauged, and the puniſhment of him that doth hinder it.

will not ſuffer the ſame to be ganged, he ſhall forfeit the ſaid Wines, and ſhalbe puniſhed by impriſonment, and ranſomed at the Kings will. And if default be found in the Gaugeour, that hee or his Deputy be not ready to doe his office, when he ſhall be required, or that he doe fraud or deceipt, in doing his office, to the dammage of the buyer or of the ſeller: he ſhall pay to the party grieued his treble damages, and loſe his office, and be puniſhed by impriſonment, and ranſomed at the Kings will. And in caſe that leſſe be found in the Tunne or Pipe, then ought to be of right, after the Aſſiſe of the Tunne, the value of as much as ſhall lacke of ſuch Tunne or Pype, ſhall be allowed and deducted in the payment. Stat. 4 R. 2. 1. Stat. 18. *Hen.* 6. 17. *S*tat. 23. *H.* 6. 16. *S*tat. 1. R. 3. 13. *S*tat. 28. *H.* 8. 14.

The Statute of the Staple made anno 27. Edw. 3. anno Dom. 1353.

EDward by the Grace of God, &c. to our Sheriffes, Mayors, Bailiffes, Miniſters, & other our faithful people, to whom theſe preſent letters ſhal come, greeting. Where as good deliberation had with the Prelates, Dukes, Earles, Barons, and great men of the Counties, that is to ſay, of euery County one for all the County, and of the Commons of Cities and Boroughes of our Realme of England, ſummoned to our great Counſell holden at Weſtminſter the Munday next after the feaſt of Saint Matthew the Apoſtle, the ſeuen and twentieth yeere of our Reigne of England, and of France the fourteenth, for the dammage which hath notoriouſly come as well to vs and to the great men, as to our people of our realme of England, and of our Lands of Wales and Ireland, becauſe that the Staple of Wools, Leather, and Woolfels, of our ſaid Realme and Lands hath beene holden out of our ſaid Realme and Lands. And alſo for the great profits which ſhould come to the ſaid Realme and Lands if the Staple were holden within the ſame and not elſewhere, to the honour of God, and in reliefe of our Realme and lands aforeſaid, and for to eſchew the perils that may happen of the contrary in time to come, by the counſaile and common aſſent of the ſaid Prelates, Dukes, Earles and Barons, Knights, and Commons aforeſaid, we haue ordained and ſtabliſhed the things vnderwritten.

Cap. I.

Where the Staple for England, Wales and Ireland ſhall be kept: whither Merchandiſe of the Staple ſhalbe carried, and what Cuſtome ſhall be paied for them.

At which townes the Staple of wooll, leather, fells and lead for England, Wales & Ireland ſhal be holden.
St. 13. Ed. 3. 1. 14. R. 2. 1.

FIrſt that the Staple of Wools, Leather, Woolfels, and Lead, growing or comming forth within our ſaid Realme and Lands, ſhall be perpetually holden at the places vnderwritten, that is to ſay, for England at Newcaſtle vpon Tine, Yorke, Lincolne, Norwich, Weſtminſter, Canterbury, Ciceſter, Wincheſter, Exceter, and Briſtow. For Wales at Kaermerdyn, and for Ireland at Deuelyn, Waterford, Corke, and Drogheda, and not elſewhere. And that all the ſaid Wools, as well olde as new, Woolfels, Leather and Lead, which ſhall be carried out of the ſaid Realme and land, ſhall be firſt brought to the ſaid Staples, and there the ſaid Wooll and Lead betwixt Merchant and Merchant, or Merchant and others ſhall bee lawfully weighed by the Standard. And that euery Sacke and Sarpler of the ſame Wools ſo weighed, bee ſealed vnder the ſeale of the Mayor of the Staple. And that the Wools ſo weighed and ſealed at the Staple of Yorke, Lincolne, Norwych, Weſtminſter, Canterbury and Wincheſter: and alſo Leather, Woolfels, and Lead which ſhall come there: (the Cuſtomes of the Staple thereof paid) ſhall be witneſſed by bill, ſealed with the Seale of the Mayor of the Staple, and brought to the Ports vnder written, that is to ſay, from Yorke to Hull, from Lincolne to Saint Botolfe, from Norwich to great Yermouth, from Weſtminſter to London, from Canterbury to Sandwich, and from Wincheſter to Southhampton. And there the ſaid Wools and Lead ſhall be another time weighed by our Cuſtomers aſſigned in the ſame Ports. And all the Wools and Lead brought to the ſaid ports of Newcaſtle, Chicheſter, Exeter, Briſtow, Kaermerdyn, Deuelin, Waterford, Corke and Drogheda, where the other Staples be holden, ſhalbe but once weighed by the Standard betwixt Merchant and Merchant, or Merchant and other in preſence of our Cuſtomers there. And an Indenture ſhall be made betwixt the Mayor of the Staple being in the Port of the ſea and our Cuſtomers there, of all the Wools and Lead ſo weighed, and alſo of al the Leather and Woolfels, which ſhall come to the ſaid Staples to paſſe there, and the ſame Wools and Lead, and alſo the Leather and Woolfels cuſtomed and cocketted, and the Cuſtomes therof duly payed to our ſaid Cuſtomers in all the ſaid Ports, that is to ſay, of Deniſens for the time that they haue paſſed, halfe a marke of a Sacke of Wooll, halfe a marke of three hundred Woolfels, a marke of a Laſt of Leather, and of Aliens ten ſhillings of a Sacke of Wooll, ten ſhillings of a three hundred Woolfels, & twenty ſhillings of a Laſt of Leather, and three pence of euery ſow of Lead: Then the ſaid Merchandiſes ſhall be carried by Merchants Strangers, which haue bought the ſame, and not by Engliſhmen, Welſhmen, nor Iriſhmen, to the parts beyond the ſea out of the ſaid Realme, and Lands, to what parts it ſhall pleaſe the ſaid Merchant

Merchandiſe of the Staple caryed from ſtaple townes to Port townes.

An Indenture ſhal be made betweene the Maior of the ſtaple & the cuſtomer, of all the wooll & lead weighed. The ſeueral cuſtomes of Merchandiſes of the Staple to be payed by Denizens and aliens. Merchants aliens, and not the Kings ſubiects ſhall tranſport beyond the ſea, wooll, &c.

Strangers. And that the ſaid Mayor and Cuſtomers ſhall delay no man willingly for gaine, nor for ſuch cauſe, nor in other manner ſhall any thing take of any perſon to doe that pertaineth to their office, vpon paine of impriſonment and to pay to the party the double of that which they haue ſo taken, and alſo of that which the party ſhalbe indammaged becauſe of ſuch taking or delay, and moreouer be ranſomed at our will, but ſhall hold them content of that which they did take in certaine to doe their office. And that the Mayor of the Staple and Cuſtomers take an othe of all the Merchants which ſo ſhall paſſe with Wools, Leather, Woolfels and Lead, that they ſhall hold no Staple beyond the ſea of the ſame Merchandiſes.

Euery Merchãt ſtranger ſhall be ſworn to hold no Staple beyond the ſea.

Cap. II.

Merchants Strangers may come into, and depart forth of the Realme with their goods, and none of them ſhall be taken by the Kings Purueyors.

ITem, to repleniſh the ſaid Realme and lands with money and plate, gold and ſiluer, and Merchandiſes of other Lands, and to giue courage to Merchant Strangers, to come with their Wares and Merchandiſes into the Realme and Lands aforeſaid. We haue ordained and eſtabliſhed, that all Merchãts Strangers, which be not of our enemity, of what Land or Nation that they be, may ſafely and ſurely vnder our protection and ſafe conduct come and dwell in our ſaid Realme and Lands where they will, and from thence returne with their ſhips, Wares and all manner Merchandiſes, and freely ſell their Merchandiſes at the Staple and elſewhere within the ſame Realme and Lands, to any that will buy them, paying the cuſtomes thereof due. And more to aſſure the Merchants Strangers and others bringing goods and Merchandiſes within the ſaid Realme and Lands, we wil and grant for vs and for our heires and ſubiects, that nothing ſhalbe taken ouer the cuſtomes aforeſaid nor taken of them to our vſe by colour of ſale, nor in other manner againſt their wil, nor by the Miniſters of vs or of our heires: nor by the Miniſters of any of the Prelates, Dukes, Earles, Barons, Lords nor Ladies, nor of any other great nor ſmall. And if any Miniſter, or other by colour of his office, or in other maner take any thing of them againſt their will, he ſhall be incontinently arreſted by the Mayors and Bayliffes of the place, if it be out of the Staple, or by the Mayor or Miniſters of the Staple, if it be within the Staple. And ſpeedy and ready proceſſe ſhall be againſt him from day to day, and from houre to houre according to the Law of the Staple, and not at the Common Law, as well out of the Staple as within at euery mans complaint that ſo ſhal be grieued. And if he be therof attainted, he ſhall pay to the Merchant the double of that which he hath taken, and as much to vs. And that no Commiſſion be made to take ſuch prices of the ſaid Merchants, and if any Commiſſion be made, it ſhalbe holden for none.

A ſafe conduct granted to merchants ſtrãgers to come & dwell in this Realme, and to returne when they will, & none of their goods ſhall be taken by the K. purueyors without their cõſent

Cap. III.

All perſons may buy Wools, Fels, &c. So that they bring them to the Staple. It ſhalbe felony for an Engliſh, Welſh, or Iriſh Merchant to tranſport Wooll, &c.

ITem, we will and grant, that all Merchants as well Aliens as Denizens, may buy Wools, Leather, Woolfels, and Lead, through our Realme and Lands without couin or colluſion to abate the price of the ſaid Merchandiſes. So alwayes that they bring the ſame to the Staples. And that no Merchant Engliſh, Welſh, nor Iriſh, ſhal carry any maner of wools, Leather, Woolfels or Lead out of the ſaid Realme and Lands, vpon the paine of life and member, and of forfeiture of the ſaid Merchandiſes, and of all their other goods and cattels to vs, and of forfeiture of all their Lands and tenements to the chiefe Lords. And the chiefe Lords ſhall haue a writ of eſcheat in the caſe. And that no ſtrange Merchants by couin betwixt them and Engliſh, Iriſh or Welſh Merchants, ſhal carry out of the realm & Lands aforeſaid, the ſaid Wares and Merchandiſes to the profit of Engliſh, Iriſh or Welſh Merchants, in part or in all. Nor that any Merchant Engliſh, Iriſh, nor Welſh, nor other make couin or colluſion with Merchants Strangers, to carry their Wools, Leather, woolfels, or Lead, to the parts beyond the ſea, out of the Realme & Lands aforeſaid, vnder the name of Merchants ſtrangers, nor ſhall ſend nor hold their ſeruants, or other their Atturneys in the parts beyond the Sea, out of our ſaid Realme and Lands to ſell or to ſuruey the ſale of their ſaid Wools, Leather, Woolfels & Lead there, or to receiue the money comming of the ſale of the ſaid Wools, Leather, Woolfels and Lead. Nor that any Engliſhman, Iriſhman, or Welſhman, by himſelfe nor by other, take payment of gold nor of ſiluer, nor of other thing in recompence or commutation, or in the name of payment in the parts beyond the Sea out of the Realme and Lands aforeſaid, of Merchandiſes ſold in England, Ireland, or Wales, touching the Staple, but all ſuch payment ſhall be made in gold or in ſiluer or Merchandiſe in England, Ireland, or Wales, where the contract was made, vpon the forfeitures & paines next aforeſaid. Nor that the Merchants Strangers nor Denizens, make betwixt them priuily nor apertly any company or confederacy in fraud or deceit of this ordinance, nor that any main[illegible]ne the ſame for gaine, nor in other maner to doe any ſuch fraud or deceit vpon the ſame pains & forfeitures. And alwaies it is to be vnderſtanded, that euery Engliſhmã, Iriſhman, or Welſhman, may freely bring their own Wools, Leather, Woolfels, and Lead, to the Staple to ſell there

All Merchants may buy merchandiſes of the Staple, ſo that they bring them to the Staple. It ſhall be felony for an Engliſh, Welſh, or Iriſh man to tranſport wooll, Fels, Leather, or Lead.

Stat. 36. Ed. 3. 11.
37. Ed. 3. 16.
38 Ed. 3. 6.
43. Ed. 3. 1.
14. R. 2. 5.

No Engliſh, &c. man ſhall tranſport wooll, &c. in a ſtrangers name, nor keepe a ſeruant beyond the ſea to ſuruey the ſale of wooll, &c.

There ſhall be no exchange of wares for merchandiſe of the ſtaple, but payment in ſiluer, &c.

Euery man may carry his owne wooll, &c. to the Staple to ſell.

Warranty of packing of wooll. Stat. 28. Ed. 3. 13.

without being compelled to ſell them in the countrey. And that euery Merchant that ſhall ſell his Wools, at the Staple, be bound to warrant the packing of the ſame Wools.

CAP. IIII.

None going vnto or returning from the Staple, ſhalbe diſturbed by purueyors.

None going or comming from the Staple ſhall be diſturbed by the kings Purueyors.

Item, for as much as no Staple may be profitable for vs and for our ſaid Realme and Lands, vnleſſe it be frée: we will and grant for vs and for our heires, for the maintenance of the ſaid Staple, that al maner of people may come with their carriage and goods to the Staple, and frō the ſame returne fréely without being diſturbed by prices of vs or of any other. Sauing to vs and to our heires all maner of prices royall, of all maner of carriages and victuals through all our ſaid Realme and Lands of old times due and vſed of right, as haue béene made by vs and by our Anceſtors in times paſt. And euery Carrier returning from the Staple, ſhal haue a bill vnder the Seale of the Maior of the Staple, whereby it may be known, that he ſerueth the Staple, containing the iournyes which he néedeth for his returne to the houſe, which bill ſhall be freely granted to him. And the ſame Mayor ſhall be ſworne that he ſhall make no ſuch bill for any other then which ſerueth the Staple. And if any ſuch Carrier, Cart, Ships, Beaſts, or other thing, which ſerueth for Carriage of that which pertaineth to the Staple, be taken, and be within the vierge out of the Staple, Hue and Cry ſhall be leuyed vpon the Takers, and the Takers ſhal be preſently Apprehended by people of the towne, where the price was made, or by people of another Towne, if they be lacking, and brought before the Steward and Marſhall of our houſe. And there ready puniſhment ſhall be made of them, according as the déed requireth. And if any ſuch price be made out of the vierge, Hue and Cry ſhall be leuied, and the Takers ſhall be taken and arreſted by the Towne, where ſuch prices ſhall be made, or by other Townes nére, if they be lacking, and brought to the next Iaile and there to be done of them as of felons, if the déed the ſame require. And in caſe that the people of ſuch townes be negligent, and will not purſue and arreſt ſuch Takers, as before is ſaid, the foure townes next ſhall anſwer of the damages that may bée found before them whom we ſhall thereto aſſigne, that the plaintiffes haue incurred by their default, if they cannot reaſonably excuſe themſelues thereof. And if ſuch prices be made in a place where the Staple is, the Takers ſhall be arreſted by the Maiors and Miniſters of the Staple, and right done to the plaintiffes by the ſaid Maiors and Miniſters. So alwayes that if ſuch price be made at the Staple, and the ſtaple be within the vierge, and the takers arreſted bee of our houſe, then right ſhalbe done of them of the Maiors and Miniſters of the Staple. And the Steward and Marſhall of our houſe, or the Stewards lieutenant ſhall be thereto called, if they will be there, to ſée that right be done of the ſaid Takers according to the law of the Staple. And in caſe they come not, the Maior and Miniſters of the Staple ſhall procéede in the proceſſe, and doe Iuſtice according to the Law of the Staple, notwithſtanding the not comming of the Steward or Marſhall, or lieutenant aforeſaid.

What penalty ſhal be inflicted, and by whom, vpon thoſe that take the goods of the Staple.

Cap. V.

None of the Kings Iuſtices ſhall take cogniſance of things belonging to the Staple.

None of the K. Iuſt. ſhall take coniſance of thoſe things that doe belong to the Staple.

Item, in caſe that our Bench or common Bench, or Iuſtices in Eyre, or Iuſtices of Aſſiſe, or the place of the Marſhalſey, or any other Iuſtices come to the places, where the ſaid Staples bée, the ſaid Iuſtices nor Stewards, nor Marſhals, nor of other the ſaid places, ſhall haue any coniſance there, of that thing, which pertaineth to the conyſance of the Mayor and Miniſters of the Staple.

Cap. VI.

None of the Kings Officers ſhall meddle where the Staples be.

None of the K. officers ſhall meddle in the places where the Staples be holden.

Item, we will and defend, that no Marſhall nor other Miniſter of our houſe, or of others, ſhall make liuery, nor meddle in the places, where the Staples be holden and kept, nor with the houſes where the ſaid Merchants or their people, or Wools or other Merchandiſes of the Staple be lodged, nor enter into the ſame to execute their office there, nor take any thing thereof to ſpare any, vpon paine to make grée to the party, at whoſe ſuite he ſhall be attainted, of the quatreble of that which the plaintiffe ſhalbe endamaged, & further ſhalbe grieuouſly puniſhed by vs.

Cap. VII.

Licences granted to carry Merchandiſes forth of the Realme ſhalbe void.

If any Licence ſhall be granted to tranſport, &c. contrary to this Stat. it ſhall be void.

Item, we will and grant, that no licence or priuiledge to make paſſage by Engliſhmen, Iriſhmen, or Welſhmen, of Wools, Leather, Woolfels or Lead out of the ſame Realme, & Lands, ſhall be granted by vs nor our heires againſt this ordinance. And if any be granted to the contrary, they ſhall be holden for none. And they ſhall giue no warranty, nor excuſe to them, which ſhall cauſe to be paſſed the ſaid Merchandiſes, that they ſhall not incurre the peines and forfeitures contained in the ſaid Article.

Cap. VIII.

The Iuriſdiction of the Mayor and Conſtables of the Staple. All people of the Staple ſhalbe ruled by the Law Merchant, and not by the common Law.

ITem, wee haue ordeined and ſtabliſhed, that the Maiors, and Conſtables of the Staples ſhall haue iuriſdiction and cogniſance within the Townes where the Staples ſhall bee of people and of all manner of things touching the Staple. And that all Merchants comming to the Staple, their ſeruants and people in the Staple, ſhall be ruled by the Law Merchant, of all things touching the Staple, and not by the common Law of the Land, nor by vſage of Cities, Boroughes nor other Townes, and that they ſhall not implead nor be impleaded before the Iuſtices of the ſaid places in plea of debt, couenant, and treſpaſſe, touching the Staple, but ſhall implead all perſons, of whom they will complaine, as well ſuch as be not of the Staple, as thoſe that be of the Staple, which ſhall be there found. And in the ſame maner they ſhall be impleaded onely before the Maior and Iuſtices of the Staple, which ſhall be thereto deputed of all manner of pleas and of actions, whereof the coniſance pertaineth to the Miniſters of the Staple. So alwayes that all manner of contracts and couenants made betwixt Merchant and Merchant or other, whereof the one party is a Merchant or Miniſter of the Staple, whether the contract or couenant made be within the Staple or without, and alſo of treſpaſſes done within the Staple to Merchants or to Miniſters of the Staple by other, or by any of them to other: the partie plaintiffe ſhal chooſe whether he wil ſue his action or quarrel before the Iuſtices of the Staple by the Law of Staple, or in other place at the common Law: And he ſhalbe thereto receiued. So alwayes that in the pleas touching any of our houſe, the Steward or his Lieutenant, and the Marſhals of our houſe ſhalbe with the Mayor of the Staple, to ſée that right be done to the parties as before is ſaid if they wil be there. But pleas of Land & of Freehold ſhalbe at the Common Law. And if Merchants or their people being in the Staple, becauſe of the ſame doe commit felony or be ſlaine, robbed or maimed by any perſons, the Mayor of the Staple and other méet perſons ſhal be aſſigned Iuſtices, to heare and determine the ſaid felonies & maimes within the Staple without delay, according to the common Law, And if any ſuch Felon or Treſpaſſer be taken & deteined within any franchiſe to whom ſoeuer the ſame be, becauſe of ſuch felony or maime done within the Staple, it ſhalbe preſently commanded by writ, to cauſe the ſaid Felon, or him that did the maim to come before the ſaid Iuſtices, to do right of him in form aforeſaid. And if they that haue ſuch priſoners in Ward, will not deliuer them, they ſhall incurre the paine of an C.l. to vs. And neuertheles they ſhall deliuer the body in the forme aforeſaid. And in caſe that any inditment be made out of the Staple of felonies or treſpaſſes done by people of the Staple, or by other to them within the Staple, the ſame inditement ſhalbe ſent before the ſaid Maior, and them which ſhall be aſſigned Iuſtices with him, to do right in this party. And if the plea or debate be made before the Mayor of the Staple, betwixt the Merchants or Miniſters of the ſame, and thereupon to try thereof the trouth an enqueſt or profe is to be taken: we will that if the one party and the other be a ſtranger, it ſhall be tryed by Strangers. And if the one party and the other be Denizens, it ſhall be tried by Denizens. And if the one party be Denizen, and the other an Alien, the one halfe of the enqueſt or of the proofe ſhalbe of deniſens, and the other halfe of aliens.

The iuriſdiction of the Maior and Conſtables of the Staple, & of what things, and betweene what perſons they may hold plea.

Star.36.Ed.3.7.

Pleas of land. Felony or mayhem done within the Staple. St.36.Ed.3.7.

Dyer fo.28.144. 304.357. 3.Ed.4.11. 27.H.6.fo.4. Fitz.Triall. 30.32 73. 21.H.7.fo.32.

Where the triall of a ſuit in queſtion ſhall be by Denizens, and where by Medietatem linguæ. St.28.Ed.3.13. 8.H.6.29. Raſt pla fo.7.248

Cap. IX.

The effect of a recogniſance knowledged in the Staple for recouery of a debt.

ITem, to the intent that the contracts made with the ſame Staple ſhalbe the better holdē, and the paiments readily made: we haue ordeined and ſtabliſhed, that euery Maior of the ſaide Staples ſhall haue power to take recogniſances of debts, which a man will make before him, in the preſence of the Conſtables of the Staple or one of them. And that in euery of the ſaid Staples be a ſeale ordained, remaining in the cuſtody of the Mayor of the Staple, vnder the ſeales of the Conſtables, and that all obligations which ſhalbe made vpon ſuch recogniſances, be ſealed with the ſaid ſeale paying for euery obligation of an C. li. and within, of euery li. a ob. & of euery obligation aboue a C li. a q. And that the Maior of the ſtaple, by vertue of the ſame letters ſo ſealed, may take & hold in priſon the bodies of the debtors after the terme incurred, if they be found within the Staple, till they haue made grée to the creditor of the debt & damages. And alſo arreſt the goods of the ſaid debtors found within the ſaid Staple, & deliuer the ſaid goods to the ſaid creditors, by the true eſtimation, or to ſell thē at the beſt that a man may, and deliuer the money to the creditors vntil the ſumme due. And in caſe that the creditors be not found within the Staple, nor their goods to the value of the debt, the ſame ſhall be certified in the Chancery vnder the ſaid ſeale by which certification a Writ ſhalbe ſent to take the bodies, of the ſaid debtors, without letting them to mainpriſe, and to ſeiſe their lands and tenements, goods and cattels. And the Writ ſhall be returned in the Chancery, with the certificat of the value of the ſaid lands and tenements, goods and cattels. And thereupon due execution ſhall be made from day to day, in manner as it is contained in the Statute Merchant: ſo that he to whom the debt is due, ſhall haue eſtate of fréehold in the lands, & tenements, which ſhall be deliuered to him by vertue of the ſame proceſſe, and recouery by Writ of Nouell diſſeſin, in caſe if he be out. And that the debtor

haue

The effect of a Recogniſance for the recouerie of debts acknowledged before the Maior and Conſtables of the Staple.

In what maner execution ſhal be made of the ſtatute Staple. Raſt.pl.f.97. 542.

Execution awarded out of the Chancery if the debtor haue not ſufficient in the Staple. Regiſt.fo.151.28, Fitz.N.B.fo. 131. Star.13.Ed.1.

What eſtate the creditor ſhall haue in the debtors land extended. V.N.B.fo 105. Fitz.N.B.f.178.G 267.

H.6.fo.19.

7.H.6.fo.6. Dyer.fo.206.

8.Aſſ.pl.18.

haue no aduantage of the quarter of a yéere which is contained in the ſaid Statute Merchant. And in caſe that any creditor will haue no letters of the ſaid ſeale, but will ſtand to the faith of the debtor, if after the terme incurred he demaund the debt, the debtor ſhalbe beléeued vpon that faith. *Stat.* 15.*R.*2.9.*Stat.*23.*H.*8.6.

Cap. X.

There ſhall be but one Weight, Meaſure and Yard through the Realme.

There ſhall be one weight, one meaſure, & one yeard through all the Land.

The penalty of him which doth not weigh by equall ballance.

ITem, becauſe we haue perceiued, that ſome Merchants doe buy auoir de pois, Wools and other Merchandiſes by one weight: and ſell by another, and make alſo deceitfull draughts vpon the Weight, and alſo vſe falſe meaſures and Yards in great deceit of vs, and all the Commons, and of Lawfull Merchants: We will and ſtabliſh that one Weight, one Meaſure, and one Yard, be through all the land, as well out of the Staple as within. And that Wools, and all manner auoir de pois, be weighed by the ballance, ſo that the tongue of the ballance be euen without bowing to the one ſide or to the other, or without putting hand or foot, or other touch making of the ſame. And that he which doth againſt the ſame, to the dammage of the ſeller ſhall forfeit to vs the value of the Merchandiſe ſo weighed and meaſured. And the party that will complaine him ſhal haue the quatreble of that which he ſhall de endamaged. And the treſpaſſer ſhal haue one yéeres impriſonment, and be ranſomed at the Kings will. And thereupon Iuſtices ſhall bee aſſigned to enquire of ſuch treſpaſſes at all times that ſhall be néedfull, and to doe right as well at our ſute, as at the ſute of other that thereof will complaine. *Stat.*9.*H.*3.25.14.*Edw.*3.12.9.*H.*5.8.8.*H.*6.5.11.*H.*7.4.

CAP. XI.

The penalty for foreſtalling of Merchandiſe before they come to the Staple.

It ſhal be felony to foreſtall, buy, or giue earneſt for any merchãdiſes before they come to the ſtaple or port, or to goe into the ſhip for that cauſe. St.28.Ed.3.13.

ITem, we haue ordained and ſtabliſhed, that all Merchants, Aliens and Denizens, and other that doe bring Wines and other wares or Merchandiſes, whatſoeuer they be to the Staples, Cities, Boroughes, and good townes, or to Ports of the Sea within our ſaid Realm, and Lands, may ſafely and without challenge and impeachment, of any ſel them in groſſe or at retaile, or by parcels at their will to all maner people that will buy the ſame. And that no Merchant, priuie nor ſtranger, nor other of what condition that he be, goe by land nor by water toward ſuch wines, Wares, or Merchandiſes comming into our ſaid Realme and Lands, in the Sea, nor elſewhere to foreſtall or buy them, or in other maner to giue earneſt vpon them before that they come to the Staple, or to the Port where they ſhalbe diſcharged, nor enter into the ſhips for ſuch cauſe, till the Merchandiſes be ſet to land to be ſold, vpon the paines and forfeitures contained in the ſame third article aforeſaid.

CAP. XII.

The penalty of ſelling of Wool, &c. to a Scottiſh man, to be carried into Scotland.

Felony to carry any wool, &c. into Scotland, or to ſell them to a Scottiſh man.

ITem, that no Merchant priuie nor ſtranger, nor other, ſhall carry out of our Realme of England, Wools, Leather, or Woolfels to Barwicke vpon Twede nor elſewhere, nor into Scotland, nor that any man Merchant nor other, of what condition that he be, ſell his Wools, Woolfels, nor Leather to any man of Scotland, nor to any other to carry into Scotland, vpon the paines and articles contained in the ſaid third article.

CAP. XIII.

A remedy where a Merchants goods be robbed or periſhed on the Sea.

How merchants robbed on the Sea, whoſe goods be brought into this Realme ſhall be relieued.

Ships periſhed on the Sea.

ITem, we will and grant that if any Merchant Priuie or ſtranger, be robbed of his goods, vpon the Sea, and the goods ſo robbed come into any parts within our Realme and Lands, and he will ſue for to recouer the ſaid goods, he ſhalbe receiued to proue the ſaid goods to be his owne by his markes, or by his Cart or Cocket, or by good and lawfull Merchants priuie or Strangers. And by ſuch proues the ſame goods ſhall be deliuered to the Merchants, without making other ſute at the Common Law. And in caſe that any ſhips going out of the ſaid Realme and Lands, or comming to the ſame, by tempeſt or other miſfortune breake vpon the Sea bankes, and the goods come to the land, which may not be ſaid wrecke, they ſhall be preſently without fraud or euill deuiſe deliuered to the Merchants, to whom the goods be, or to their ſeruants, by ſuch proofe as before is ſaid, paying to them that haue ſaued and kept the ſame, conuenient for their trauaile, that is to ſay, by the diſcretion of the Sheriffes and Bailiffes, or other our Miniſters in places glidable, where other lords haue no franchiſe, and by the aduiſe and aſſent of foure or ſixe of the beſt or moſt ſufficient diſcréet men of the Countrey. And if that be within the franchiſe of other lords, then it ſhall be done by the Stewards and Bailiffe, or Wardens of the ſame franchiſes and by the aduice of foure or ſixe diſcréet men of the Countrey, as afore is ſaid, without any delay.

Cap. XIIII.

Merchants may bring in golde or ſiluer to the Kings Exchanges, and carrie out as much.

ITem, we haue ordeyned that all Merchants priuie and ſtrangers, may ſafely carie and bring within our ſaid Realme and lands, plate of ſiluer and billets of gold, and al other manner gold, and all money of gold and ſiluer to our bullion, or to our exchanges, which we ſhall cauſe to be ordeyned at our ſaid Staples, and elſewhere, taking there money of our coine of gold and ſiluer couenable to the value. And if any will take good money of gold and ſiluer of other coine then of ours in payment, he ſhall take the ſame without impeachment, ſo that none be thereunto compelled, if he will not take it of his good will.

Prouided alwaies, that no money haue common courſe within our ſaid Realme & lands, but the money of gold and ſiluer of our coine. And that none carrie out of our ſaid Realme and lands the old ſterling, nor other money but our new money of gold & ſiluer; except the Merchants ſtrangers, that bring to our ſaid Realme and lands any maner of money, and there will imploy this money within our Realme and lands: whom we will that they may recarrie into their country all this money, or as much as ſhall remaine thereof not imployed without impeachment. So alwayes that good and lawfull ſearch be thereof made in the Ports and other places, where any arriuall is. And that all the money, that euery Merchant ſtranger ſhall bring within our ſaid Realme and lands, ſhall be put in writing by the Searchers, to the intent that no Merchant ſhal carry more beyond the Sea then he brought into the ſame Realme and lands.

Merchants may bring in gold or ſiluer in money or bullion to the Kings Exchanges, and carrie forth as much: new money, but not old ſterling.

Prouided alwaies, that no miniſter nor other by colour of ſuch ſearch, ſhal make impeachment or diſturbance to any Merchant ſtranger to grieue him vnduely. And that all the falſe money that may be found by ſearch or in other maner eſpied within the ſame our Realme and lands, in deceipt of our good money, ſhalbe forfeited to vs; according to the ordinances another time thereof made.

All falſe money ſhall be forfeited to the King.

Cap. XV.

Indentures ſhall be made betweene Carriers of wooll by the water, and the Bayliffes of Townes where they load them: which Carriers ſhalbe ſworne and bound to carrie them to the Staple.

ITem, we will and eſtabliſh, that they that haue Wools, Leather, Fells, and Leade, in the countrey betwixt the places where the Staples be, and the Sea, and the ſame will cauſe to be caried to the Staples by freſh waters, or by armes of the Sea, ſhall make Indenture betwixt them and the Bayliffes of the Townes where they put them in Ship, teſtifying how much Wools, Leather, Fels, and Lead is ſo put in Ship. And the Bayliffes of the places ſhall take an oath and ſufficient ſuerty, for which they will anſwer, of them and the Mariners, that they ſhall goe with the ſame Wools, Leather, Fells, and Lead to the Staple, and no partie elſwhere, and there ſhall diſcharge before they doe enter the Sea. And that the Bayliffes ſend preſently the one part of the Indenture conteyning the ſuerty and the quantity of the Wools, Leather, Woolfels, and Lead to the Mayor of the Staple, at their coſts that owe the goods, by ſome man for whom they will anſwer. And if any Mayor, Bayliffe, or other miniſter of the places, where ſuch merchandiſes ſhal be charged, ſuffer the ſaid merchandiſes to paſſe in other manner, as well the Maiors and Bayliffes and miniſters aforeſaid, as the Merchants which the ſame ſhall charge, ſhall incurre the paines and forfeitures conteyned in the ſaid third Article.

Indentures ſhal be made betweene Carriers of wools, &c. to the Staple by freſh water or armes of the Sea, & the Bayliffes of townes where they ſhip them.

Cap. XVI.

Houſes ſhall be let for reaſonable rents in Staple Townes impoſed by the Maior, &c.

ITem, that in euery Towne where the Staple ſhalbe holden, ſhall be ordeined certaine roumthes and places, where the Wools and other merchandiſes ſhall be put, And becauſe that the Lords or Gardians of the houſes & places (ſeeing the neceſſitie of Merchants) do ſet percaſe their houſes at too high ferme: We haue ordeyned, that the houſes which be to be leaſed in ſuch manner ſhalbe ſet at a reaſonable ferme, according to the ordinance of the Mayor & Conſtables of the Staple, & of foure diſcreet men of the beſt of the towne, where the Staple is, which ſhalbe ſworne in the preſence of the ſaid Mayor & Conſtable, to make a lawfull taxe, ſo that for default of houſes, the Staple ſhall not be impeached. And that no man, that bringeth his Wools or other merchandiſes there, be diſturbed to lodge the ſame wools or other merchandiſes in the houſes which they haue ſo hired.

Reaſonable rents ſhalbe impoſed vpon houſes prouided for the Staple by the Mayor, &c.

Cap. XVII.

A Merchant Stranger ſhall not be impeached for anothers debt, but vpon good cauſe. Merchants of enemies Countries ſhall ſell their goods in conuenient time and depart.

ITem, that no Merchant ſtranger be impleaded for anothers treſpaſſe, or for anothers debt, whereof he is not debtor, pledge, nor mainpernour. Prouided alwaies, that if our liege people, Merchants or other, be indammaged by any Lords of ſtraunge lands or their ſubiects, and the ſaid Lords (duely required) faile of right to our ſaid ſubiects, wee ſhall haue the Law of

Marque,

None merchants goods ſhall not be ſeiſed for anothers debt, but vpon cauſe.
Law of marque

Merchants of enemies countries ſhall haue conuenient time by Proclamation to ſell their goods, and to depart.

Marque, and of taking them againe, as hath béene vſed in times paſt, without fraud or diſceit. And in caſe that debate doe riſe (which God defend) betwixt vs and any Lords of ſtrange lands: We will not that the people and Merchants of the ſaid lands be ſuddenly ſubdued in our ſaid Realme and lands becauſe of ſuch debate, but that they be warned, and Proclamation thereof publiſhed, that they ſhall voyd the ſaid Realme and lands with their goods fréely, within fortie dayes after the warning and proclamation ſo made. And that in the meane time, they be not impeached nor let of their paſſage, or of making their profit of the ſame merchandiſes, if they will ſell them. And in caſe that for default of winde, or of ſhip, or for ſickneſſe, or for other euident cauſe, they cannot auoid our ſaid Realme and lands within ſo ſhort time, then they ſhall haue other fortie dayes, or more if néed be, within which they may paſſe conueniently, with ſelling their merchandiſe, as afore is ſaid.

Cap. XVIII.

Merchants of Ireland or Wales may bring their Merchandiſes to the Staples of England.

Merchants of Ireland and Wales which cannot ſell their wooll &c. there, may bring the ſame to any of the Staples of England,

It ſhalbe felony for any Welſh or Iriſh man to carry their wooll &c. to any other place ſauing to the Staple.

ITem, becauſe we doe well perceiue, that Merchants ſtrangers doe not come ſo commonly into Ireland, nor into Wales, for merchandiſe as they doe into England, we will of our ſpeciall grace, that it ſhalbe lawfull to the people of Ireland and Wales, which cannot vtter their wools, leather, woolfels and lead, in Ireland and in Wales, to the Merchants ſtrangers, to come with their ſaid merchandiſes, after that they be cuſtomed and coketted in Ireland and in Wales, to any of our Staples in England, which them ſhall pleaſe, bringing their cokets, witneſſing their merchandiſes, which they ſhall diſcharge, at the Staples in England: ſo that they when they ſhall come to the Staple in England, or they that bought their ſaid Merchandiſes of them, ſhall not pay another time Cuſtome nor Subſidie for the ſaid merchandiſes ſo cuſtomed in our ſaid lands of Ireland and Wales. And our Treaſurer, and the Barons of our Eſchequer of England, ſhalbe certified two times by the yere at the leaſt, that is to ſay, at Eaſter and Michaelmas, how much wools, leather, woolfels, and lead ſhall paſſe out of the ſaid land of Ireland, and of the cuſtome thereof payed. And in caſe that the Merchants, or other people of Ireland or of Wales after that they be in the Sea with their ſaid Merchandiſes, do paſſe to any place, other then to the Staples in England, they ſhall incurre the paines and forfeitures in the ſaid third Article.

Cap. XIX.

None ſhall looſe his goods by his ſeruants offence. Speedie Iuſtice ſhall be done from day to day, and from houre to houre.

No Merchant ſhall loſe his goods for the offence of his ſeruant.

Speedy iuſtice ſhall be done to Merchants from day to day & from houre to houre.

ITem that no Merchant nor other, of what condition that he be, ſhal loſe or forfeit his goods nor merchandiſes for the treſpaſſe and forfeiture of his ſeruant, vnleſſe he doe it by the commaundement or procurement of his maſter, or that he hath offended in the office, in which his Maſter hath ſet him, or in other maner, then the Maſter is bound to anſwer for the déed of his ſeruant by the law Merchant, as elſewhere is vſed. And becauſe that Merchants may not often long tarrie in one place for leuying of their merchandiſe: we will and graunt, that ſpéedy right be to them done from day to day and from houre to houre, according to the lawes vſed in ſuch Staples, before this time holden elſwhere at all times, when they will them complaine, of any, or that any will complaine of them, ſo that the merchants be not by malice delayed for default of ſpéedie remedie.

Cap. XX.

Merchants ſtrangers taken in the K. protection. And for the wrongs ſhall recouer double damages.

Merchants ſtrangers ſhall haue preſent remedy for any grieuances done to them.

ITem, becauſe we haue taken all the Merchants ſtrangers in our ſaid Realme and lands, into our ſpecial protection, and moreouer granted to doe to them ſpéedie remedy of their grieuances, if any be to them done: we haue ordeined and ſtabliſhed, that if any outrage or grieuance be done to them in the countrey out of the Staple, the Iuſtices of the place where ſuch outrages ſhall be done, ſhall do ſpéedie iuſtice to them after the law merchant from day to day, and from houre to houre, without ſparing any man, or to driue them to ſue at the common law. And if any be conuict that he hath grieued the merchants ſo taken in our protection, he ſhalbe puniſhed by vs for the contempt done to vs, in as much as ſhal be iudged to the Merchants for their damages. And to the ſaid Merchants ſtrangers their double damages ſhall be iudged.

Cap. XXI.

A Maior and two Conſtables ſhalbe choſen yearely in euery Staple towne. And their authoritie.

ITem, becauſe the Staples cannot long continue, nor the ordinances thereof made and to be made, be kept, if good executors and Iuſtices be not ſtabliſhed to make thereof good and readie execution: we haue ordeyned and ſtabliſhed, that in euery towne where the ſtaple is ordeyned, a Mayor good, lawfull and ſufficient ſhall be made and ſtabliſhed, hauing knowledge of the Law Merchant to gouerne the Staple, and to doe right to euery man after the lawes aforeſaid, with out fauour, ſparing, or griefe doing to any. And in euery place, where the Staple is, ſhall be two comenable Conſtables now at the beginning placed by vs, to doe that perteyneth to their office, as in other Staples is accuſtomed, & when they ſhall be dead, or changed, then other ſhalbe choſen by the Comminalty of the Merchants of the ſaid places. And that no Mayor hold the office ouer one yeare, vnleſſe he be newly choſen by the Comminalty of the Merchants, as well of ſtrangers as of denizens. And that the ſaid Mayor and Conſtables haue power to keepe the peace, and to arreſt offendors in the Staples for debt, treſpaſſe, or other contract, and them to put in priſon, and puniſh after the law of the Staple. And a priſon ſhall be ordeyned for the ſafe keeping of them that ſo ſhall be impriſoned. And the Mayors, Sheriffes, and Bayliffes of the townes, where the Staple is, or adioyning to the Staple, ſhalbe attending to the Mayor and miniſters of the Staple, to do execution of their commandements, vpon paine of grieuous forfeiture: and one Lord or other of the moſt ſufficiency in the countrey, where the Staple is, ſhalbe aſſigned to be aydant to the Mayor and miniſters of the Staple, to iuſtifie diſobedient perſons, which by the ſaid Mayor and miniſters cannot be iuſtified, and to maintaine and counſell them when need ſhall be to the good gouernance of the Staple, and to redreſſe at euery mans complaint, that which ſhalbe miſtaken by the ſaid Maior, or miniſters or other, & to do right to the complainants in this behalfe.

There ſhall be a Mayor & two Conſtables in euery Staple Towne, and what by their office they may doe.

And if any merchant will complaine of the Mayor or of the Conſtables, that they haue failed of right, or ſhewed fauor againſt reaſon to eyther of the parties, it ſhalbe ſpeedily redreſſed by the Chauncelor and our Councell without delay. Regiſt.fo.18.

And that the ſame Mayor and Conſtables doe not nor ordeyne any thing contrary to theſe ordinances, nor make interpretation nor exception to them, otherwiſe then the words do purport, but if there be any thing that is doubted, it ſhalbe ſhewed to our Counſell, and there declared by good aduice.

CAP. XXII.

Correctors ſhall be appointed in the Staple Townes, to make and record bargaines.

ITem, we haue ordeyned, that in euery place, where the Staple ſhall be holden, there ſhall be a certaine number of Correctors, aſwell of ſtrangers as of priuies, good people, ſufficient, and hauing knowledge of ſuch myſtery, lawfully to make and record the bargaines betwixt the buyers and the ſellers, as hath bin vſed in other Staples holden in other places, & that they find ſufficient mainpernors before the Mayor and Conſtables of the Staple, lawfully to doe that pertayneth to their office: and if they be found in default, they ſhall pay to him that is indamaged, as much as his loſſe ſhall amount to: So that they meddle them not with any maner of merchandiſe for the time that they ſhall abide in the office. And that no man be conſtrained to haue a Corrector vnleſſe he will of his owne good will, nor to pay any thing to any Corrector, vnleſſe he meddle of his bargaine at his requeſt.

Correctors ſhal be appointed to make and record bargaines betweene buyers and ſellers.

CAP. XXIII.

The officers of the Staple and Merchants repairing to it ſhall be ſworne to maintaine the Staple, and the Lawes and Cuſtomes of it.

ITem, that a certaine number of portors, packers, winders, workers, and other labourers of wools, and all other merchandiſes be ſufficiently ordeyned for the place where the Staple is, & they and the correctors and al maner officers of the Staple, beſides the Conſtables, ſhal be ſworn before the Mayor of the Staple, that they lawfully ſhall execute their office, without fraud or diſceit. Alſo all Merchants aliens and denizens, comming to the ſaid Staples becauſe of Merchandiſe, ſhalbe ſworne before the ſame Mayor and Conſtables, that they ſhalbe iuſtified by the ſame Mayor and Conſtables, according to the law and vſage of the Staple, and ſhall maintain as much as in them is the Staple and the lawes and vſages of the ſame without fraud or diſceit. And the Mayor and Conſtables ſhalbe ſworne in the Chancery, to do lawfully that which perteyneth to them. St.14.R.2.3.

Officers of the Staple & Merchants coming thither, ſhall be ſworne to bee ordered and to maintaine the lawes of the Staple.

CAP. XXIIII.

Two Merchants aliens ſhalbe choſen to be aſſociat in iudgement to the Major and Conſtables. And ſixe mediators of queſtions betweene buyers and ſellers ſhall be choſen.

ITem, we will and ordeine that the Merchants ſtrangers ſhall chooſe two merchants ſtrangers, whereof the one towards the South, and the other towards the North, ſhalbe aſſigned to ſit with the Mayor and Conſtables of the Staples, where ſome of thoſe perſons choſen ſhall come, to heare the plaints touching Merchants aliens, that ſhall be moued before the ſaid Mayor and Conſtables at all times that any of the ſaid perſons choſen will be there, and to ſee that plaine right be done to the ſaid Merchants aliens, ſo that the ſaid Mayor and Conſtables ſhall not ceaſe to proceed in their proceſſe, in caſe that thoſe perſons choſen come not thither. And in caſe that debate riſe betwixt them, vpon the diſcuſſing of any plea or quarrell: the tenour of the ſame plea or quarrell ſhall be ſent before the Chauncellor, and other of our Counſell, to bee determined there without delay. And alſo ſixe perſons ſhall be choſen, that is to ſay, foure aliens, whereof two ſhall bee of Almaigne, and two of Lombardy, and two of England, which ſhall be diſcreete men, and worthy of faith, and ſhall ſweare, that they ſhall well and lawfully

Two Merchants aliens ſhall be choſen to be aſſociat in iudgement to the Mayor and Conſtable of the Staple.

Matters in queſtion in the ſtaple ſhalbe decided by the Chãcellor & the kings Councell.

There ſhall be ſixe mediators of queſtion choſen.

execute their office, that is to ſay, that when and at what time any queſtion or debate ſhall riſe or come amongſt Merchants of any vnreaſonable Wooll, or vndue packing according to the couenants made betwixt the ſellers and the buyers, that the ſaid perſons, or foure of them, may before the Mayor of the Staple and the officers, by their oath ſay and amend as reaſon will, and thereupon credence ſhall be giuen to them without any contradiction.

Cap. XXV.

It ſhall be felony to make any conſpiracy which may returne to the diſturbance of the Staple.

It ſhalbe felony to make any confederacy or conſpiracy which may turn to the diſturbance or the defeating of the Staple.

ITem, we haue ordeyned and ſtabliſhed, that no Merchant nor other, ſhall make confederacy, conſpiracy, couin, imagination or murmur, or euill deuice in any point that may turne to the impeachment, diſturbance, defeating or decay of the ſaid Staples, or of any thing that to them perteyneth, or may pertaine: and if any doe, and thereof be attainted before the Mayor and miniſters of the Staple, or other, whom we ſhall thereto aſſigne, he ſhall incurre the paines and forfeitures conteyned in the ſaid third Article.

Cap. XXVI.

Credit ſhall be giuen to letters, or the Merchants oathes, of the value of their goods.

Credit ſhalbe giuen to Letters, brought by Merchants Aliens, or to their oathes, of the value of their goods.

ITem, whereas it is conteyned in the Charter of our Graundfather, granted to the Merchants ſtrangers, and by vs confirmed, that of Merchandiſes, which they ſhall bring into our ſaid Realme and land, and whereof three pence of the pound ought to be payed by the ſaid Merchants ſtrangers, according to the ſame grant, faith, and credence ſhall be giuen to them vpon the value of the ſaid merchandiſes by letters, which they may ſhew of the ſame goods of their Lords and companions. And if they haue no letters, they ſhall be beleeued by their oath in this behalfe. And now late it is done vs and our Counſell to vnderſtand by the complaint of the ſaid Merchants, that albeit they haue letters teſtifying the value of their merchandiſes, the Sheriffes, Mayors, Bayliffes, and miniſters of many places doe conſtraine them to ſweare for the ſaid merchandiſes, againſt the forme of their ſaid Charter, and neuertheleſſe after the oath made, vnſeale their barrels, fardels, and bales, for which they haue taken their oath, and the ſame let lye foure or ſixe dayes ſo vnſealed, before they will ſee the ſame, and ſo they take away from the ſaid Merchants the ſale of their goods, to their great dammage. We not willing, that the Merchants ſtrangers, that come with their merchandiſes into our ſaid Realme and lands, for the common profit of the ſame, ſhall be in ſuch maner grieued; will, graunt, and ſtabliſh, that the ſaid Charter be holden, and that the barrels, fardels, and bales, and the other goods of the ſaid Merchants, for which they haue ſhewed their letters that be not ſuſpicious, or taken the oath as it is conteyned in the ſame Charter, preſently after the oath taken, or ſuch letters ſhewed, their goods ſhall be deliuered to them without delay, therof to make their profit, without any thing taking of them ouer the cuſtome of three pence of the pound, ſo that the Sheriffes, Mayors, Bayliffes or other miniſters ſhall meddle no more of the ſame goods, vpon paine of impriſonment, and to pay to the party grieued by this cauſe his quatreble damages, & as much to vs, and vpon the ſame; right ſhalbe done in our Chancery at euery mans complaint.

Cap. XXVII.

The forfeiture of thoſe which before this Statute haue tranſported their woolls, &c.

The forfeiture of thoſe which before this ſtat. did tranſport wooll, &c.

ITem, we haue ordeyned and eſtabliſhed, that all thoſe that ſhal be conuict that they haue caried Wools, Leather, and Woolfels to the parties beyond the Sea, againſt the defence and Proclamation thereof made before the making of this ordinance, ſhall be iudged to priſon, and incurre the forfeiture of the ſame Wools, Leather and Woolfels ſo paſſed, and of all their other goods and cattels, and moreouer be ranſomed at our will.

Cap. XXVIII.

The Liberties of the Staple confirmed, notwithſtanding the Franchiſes of others: But in Faires, Markets, Hundreds, Leets, &c.

The liberties of the ſtaple confirmed notwithſtanding Franchiſes graunted to corporat Cities or Towns.

Other mens liberties being in the ſtaple ſaued.

ITem, we will, graunt, and ordeyne, that all the ſaid things be firmely kept and holden in all points, notwithſtanding franchiſe, cuſtom, priuiledge, exemption, iudgements, or other grants made to Cities, Boroughs, Towns, Comminalties, people of the fiue Ports and other Ports, or any other ſingular perſons whatſoeuer. And in caſe that any thing be to be amended, added, changed, or withdrawen of any of the ſaid points in time to come for a true cauſe, we will, that the ſame be done by deliberation and aduice of the great men and other of our Counſell in the Parliament. Sauing in other things to the Prelates, Dukes, Earles, Barons, and other Lords, their fairs, markets, hundreds, wapentakes, leetes, iuriſdictions, courts, franchiſes, & priuiledges and all other things to them pertayning in the places where the Staples be and ſhal be, and elſewhere as farre forth as they had them before that the Staples were ordeyned.

The ordinance of the ſeuerall fees of the Mayors and Conſtables of the Staple, in euery City and Towne where the Staple is ordeyned to be kept, & by what meanes the ſame ſhall be leuied.

Statutes made at Weſtminſter *Anno 28. Edwardi tertij,* *& Anno Domini* 1354.

OVr Lord the King, at his Parliament holden at Weſtminſter, the Monday next after the Feaſt of Saint *Marke* the Euangeliſt, the yeare of his Reigne of England the eight & twentieth, & of France the fifteenth, to the honour of God, and of holy Church, and for the Common profit of him and his people, by the aſſent of the Prelates, the Prince, Dukes, Earles, Barons, and the Commons of his Realme there aſſembled, hath ordeyned and eſtabliſhed the points vnder written.

Cap. I.

A Confirmation of all Statutes before made and vſed.

FIrſt, that the great Charter, and the Charter of the Forreſt, and all other ſtatutes before this time made and vſed, be kept and mainteyned in all points.

A confirmation of former Stat.

Cap. II.

Lords of the Marches of Wales ſhall be attendant to the Crowne of England, and not to the Principality of Wales.

ITem, it is accorded and eſtabliſhed, that all the Lords of the Marches of Wales, ſhall be perpetually attending and annexed to the Crowne of England, as they and their anceſtors haue bin all times paſt, and not to the Principality of Wales, in whoſe hands ſoeuer the ſame Principality be, or hereafter ſhall come.

Lords of the Marches ſhall be attendant on the Crowne of England, and not to the Principality of Wales.

Cap. III.

No perſon ſhall be condemned without his anſwer.

ITem, that no man, of what eſtate or condition that he be, ſhall be put out of land nor tenement, nor taken, nor impriſoned, nor diſherited, nor put to death without being brought in anſwer by due proceſſe of the law. Stat. 9. H. 3. 29. Stat. 5. Ed. 3. 9.

No man ſhalbe condemned without his anſwer.

Cap. IIII.

How the King ſhalbe anſwered the meſne rates of lands comming to him by his tenants death.

ITem, becauſe that Eſcheators and other the Kings miniſters, which haue made Liuery by the Kings commandement from his Chancery, of the lands and tenements, that were taken into the Kings hands by the death of the tenants, which held of him, and the heires, and other, to whom the ſaid lands and tenements ought to deſcend, reuert, or remaine, haue béene charged in the Eſchequer of the fermes and the rents whereof the termes of payments were to come after ſuch liuery made, for the rate and portion of the time that the ſame lands and tenements were in the Kings hands: It is accorded and ſtabliſhed, that of Manors, Cities, Boroughs, Townes, Hundreds, Franchiſes, and all other lands and tenements, whereof profit doth riſe from time to time through the yeare, as of Mills, Herbage, Tolle, Pleas, and profits of Courts, and al ſuch iſſues and profits, euery Eſcheator and other miniſter, which hath ſeiſed ſuch lands and tenements to the Kings vſe, ſhalbe bound to anſwer to the King for the rate and portion of the time, according to the old courſe of the Eſchequer. And that of ancient fermes and rents, which be to be payed at certaine termes as rent ſecke, & rent ſeruice, wherof no profit riſeth till the day of payment, ſuch fermes and rents ſhalbe payed to them, which haue liuery out of the Kings hand, at the termes of payments of the ſaid fermes and rents, which followeth after ſuch liuery made as well of the time paſt, as of the time to come.

How the King ſhalbe ſatiſfied of the meane rates of thoſe lands which come to his hands by the death of his tenants.

Cap. V.

No Iron ſhall be carried forth of the Realme.

ITem, it is accorded and eſtabliſhed, that yron made in England, and yron brought into England & there ſold, ſhall not be caried out of the ſaid Realm of England, vpon pain of forf. of

The penalty for tranſporting of yron.

money to the King: and the Iuſtices aſſigned ſhall haue power to enquire of Laborers. And the other Iuſtices whom the King will thereto aſſigne, ſhall haue power to enquire of them that ſell the yron at too deare a price, and to puniſh them, after the quantity of the treſpaſſe.

Cap. VI.

Who ſhall be Coroners, and by whom and where they ſhall be choſen.

Who ſhall be Coroners, and where they ſhall be choſen. Stat.3.Ed.1.10. Raſt.pla fo.132.

ITem, it is ordeyned and accorded, that all Coroners of the Counties ſhall be choſen in the full Counties, by the Commons of the ſame Counties, of the moſt meete and moſt lawfull people that ſhall be found in the ſaid Counties, to execute the ſaid office; ſaued alwayes to the King and other Lords, which ought to make ſuch Coroners, their ſeignories and franchiſes. Regiſt. fo.177.Fitz.N.B.fo.163.

Cap. VII.

No Sheriffe ſhall continue in his office aboue one yeare.

No Sheriffe ſhall continue in his office aboue one yeare.

ITem, it is ordeyned and eſtabliſhed, that the Sheriffes of the Counties ſhall be remoued euery yeare out of their offices, ſo that no Sheriffe that hath beene in his office by a yeare, ſhall abide in the ſame office the yeare next following. And that no commiſſion be made to him thereof, or renewed for the ſame yeare following. St.14.Ed.3.7.42.Ed.3.9.23 *H*.6.8.Raſt.pla.fo.202.

2.H.7.fo.5.

Cap. VIII.

An Attaint ſhall be granted as well vpon a Bill as vpon a Writ of Treſpaſſe.

An Attaint ſhal be graunted as well vpon a bill as vpon a writ of treſpaſſe. Raſt.pla.f.84.&c.

ITem, it is accorded that the Writ of Attaint ſhall be graunted from henceforth, as well vpon a Bill of Treſpaſſe, as vpon a Writ of Treſpaſſe, of Enqueſts which be to be taken in time to come, without hauing regard to the quantity of damages. St.3.Ed.1.37.1.Ed.3.6.5.Ed.3.7.34.Ed.3.7.Regiſt.fo.122.V.N.B.fo.48.112.Fitz.N.B.fo.105.

40. Edw.3

Cap. IX.

No Writ ſhall be directed to a Sheriffe to charge an Enqueſt to endict any.

No writ ſhal be directed to the Sheriffe to charge a Iury to indict any.

ITem, because that the people of the Realme haue ſuffered many euils and miſchiefes, for that Sheriffes of diuers Counties, by vertue of Commiſſions and generall Writs granted to them at their owne ſuit, for their ſingular profit to gaine of the people, haue made and taken diuers enqueſts to cauſe to indict the people at their will, and haue taken fine and ranſome of them to their owne vſe, and haue deliuered them, whereas ſuch perſons indicted were not brought before the Kings Iuſtices to haue their deliuerance: It is accorded & eſtabliſhed for to eſchew all ſuch euils and miſchiefes, that all ſuch Commiſſions and Writs before this time made, ſhall be vtterly repealed, and that from henceforth no ſuch Commiſſions nor Writs ſhall be graunted. Fitz.N.B.fo.92.C.144.I.250.

Cap. X.

The penalty of the Mayor, Sheriffes, &c. of London if they doe not redreſſe Errors and Miſpriſions there. And in what Counties the Triall thereof ſhall be.

The penalty of the Mayors, Sheriffes, &c. of London which doe not redreſſe errors and miſpriſions there.

ITem, becauſe that the errors, defaults, and miſpriſions, which be notoriouſly vſed in the City of London for default of good gouernance of the Mayor, of the Sheriffes, and the Aldermen, cannot be enquired nor found by people of the ſame City: It is ordeyned and eſtabliſhed, that the ſaid Mayor, Sheriffs, and Aldermen, which haue the gouernance of the ſame City, ſhall cauſe to be redreſſed and corrected the defaults, errors, & miſpriſions aboue named, and the ſame duly puniſh from time to time vpon a certaine paine, that is to ſay, at the firſt default a thouſand markes to the King, and at the ſecond default two thouſand markes, and at the third default that the Franchiſe and liberty of the City be taken into the Kings hand. And be it begun to enquire vpon them at S. Michael next comming, ſo that if they doe not cauſe to be made due redreſſe as afore is ſaid, it ſhall be enquired of their defaults by enqueſts of people of foreine Counties, that is to ſay, of Kent, Eſſex, Suſſex, Hertford, Buckingham and Berke, as well at the Kings ſuit as others that will complaine.

The trial of the defaults of the Mayor, &c. of London touching gouernement, ſhalbe by enqueſt of foreine Counties. The Conſtable or Lieutenant of the Tower ſhal receiue and execute the K. Writs.

And if the Mayor, Sheriffes, & Aldermen be by ſuch enqueſts thereto aſſigned, indicted, they ſhall be cauſed to come by due proceſſe before the kings Iuſtices, which ſhall be to the ſame aſſigned out of the ſaid City, before whom they ſhal haue their anſwer as well to the K. as to the party. And if they put them in enqueſts, the ſame enqueſts ſhall be taken by foreine people as afore is ſaid. And if they be attainted, the ſaid paine ſhall incurre and be leuied of the ſaid Mayor, Sheriffes, & Aldermen for default of their gouernance. And neuertheleſſe the plaintiffes ſhall recouer the treble damages againſt the ſaid Mayor, Sheriffes, & Aldermen. And becauſe that the Sheriffs of London be parties to this buſineſſe, the Conſtable of the Tower, or his Lieutenant, ſhall ſerue in the place of the Sheriffes, to receiue the Writs, as well Originals of the Chauncery as

Iudicials, vnder the Seale of the Iuſtices, to doe thereof execution in the ſaid City. And Proceſſe ſhall be made by Attachment, and Diſtreſſe, and by Exigend, if néed be: ſo that at the Kings ſuit the Exigend ſhall be awarded after the firſt Capias returned, and at the third Capias returned, at the ſuit of the party. And if the Mayor, Sheriffes, and Aldermen haue lands or tenements out of the City, Proceſſe ſhall be made againſt them by Attachments and Diſtreſſes in the ſame Counties, where the lands or tenements be. And that euery of the ſaid Mayor, Sheriffes and Aldermen which doe appeare before the ſaid Iuſtices, ſhall anſwer particularly for himſelfe, as well at the perill of other, which be abſent, as of himſelfe. And this ordinance ſhal be holden firme and ſtable, notwithſtanding any maner Franchiſe, Priuiledges, or Cuſtomes. And this ordinance ſhall extend to all Cities and Boroughs of the Realme, where ſuch defaults or miſpriſions be vſed, and not duely corrected nor redreſſed. Sauing that the enqueſts ſhall bee taken by forreine people of the ſame County, where ſuch Cities or Boroughs be. And that the paine of thoſe of the ſaid Boroughes and Townes, which ſhal be thereof attainted, ſhall be iudged by the diſcretion of the Iuſtices, which ſhall be thereto aſſigned. St. 1. *H.* 4. 15. *St.* 31. *Ed.* 3. 10.

What proceſſe ſhalbe awarded in this ſuit.

This ordinance prouided for London, ſhall extend to all Cities and Boroughs.

CAP. XI.

Freſh ſute and Huy and Cry ſhall be made after robbers from Country to Country.

ITem, becauſe that great clamour and grieuous complaints be made, as well by Aliens as by Denizens, that Merchants and others paſſing through the Realme of England with their merchandiſes and other goods, be ſlaine and robbed, and namely now more then they were wont, whereof remedy hath not béene made to the complainants: Our Lord the King conſidering the profit, which may come to the ſaid Realme by comming and abiding of the ſaid Merchants aliens in the ſame Realme, and the dammage and miſchiefe, which to them and other is done daily by ſuch manſlaughters, and robberies, and willing to prouide for the ſurety and indemnity of Merchants and other aforeſaid, hath ordeyned and eſtabliſhed, by the aſſent of all his Parliament, to the intent that Merchants Aliens ſhall haue the greater will & courage to come into the ſaid Realme of England, and that remedy from henceforth be ſpéedily made to ſuch Merchants and other robbed, according to the forme conteyned in the Statute late made at Wincheſter, that is to ſay, that ſolemne Cry be made in all Counties, Hundreds, Markets, Fayres, and all other places where ſolemne aſſembly of the people ſhall be, ſo that none by ignorance ſhall excuſe him, that euery Country from henceforth be ſo kept, that immediately after Felonies and Robberies done, freſh ſute be made fro Towne to Towne, and fro Country to Countrey, and Enqueſts if néed be, ſhall be alſo taken in the Townes by him, which is Soueraigne of the Towne, and after in Hundreds, Franchiſes, and in the County, and ſometime in two, thrée or foure Counties, in caſe when Felonies ſhalbe done in the Marches of the Counties, ſo that the offendors may be attainted. And if the Countrey doe not anſwer of ſuch offendors, the paine ſhall be ſuch, that euery Countrey, that is to ſay, the people dwelling in the Countrey, ſhall anſwer of the robberies done, and of the damages, ſo that all the Hundred where the robbery ſhall be done, with the Franchiſes which be within the precinct of the ſame Hundred, ſhall anſwer of the robbery done. And if the robbery be done in the diuiſion of two Hundreds, both Hundreds ſhall anſwer together with the Franchiſes. And longer terme ſhall not the Countrey haue after the robbery or felony done then forty dayes, within which, them behoueth to make grée of the robbery, or of the offence, or that they anſwer of the bodies of the offendors. *Stat.* 27. El. 13. *Stat.* 18. Ed. 2.

Stat. 13. Ed. 1. 1. 2. Huy and Cry ſhalbe leuied, & freſh ſuit ſhalbe made after robbers, from towne to towne, and from countrey to countrey.

The penalty of the countrey if robbers offending therein, be not taken within xl. dayes.

CAP. XII.

Within what time purueyances made for the Kings houſe ſhall be payed for.

ITem, for that the meane people of the Realme, and diuers other haue complained of the grieuances done to them, becauſe the Purueyors of our Lord the King, the Quéene, and of the Prince, and of other, haue taken of them their goods, liuings, and victuals, and thereof haue deliuered them tailes, aſſigning to them a day and place to receiue their payment at forreine places and farre off, where they diſpended the value of the thing ſo taken of them, or the double, before that they haue receiued their payment, and oftentimes haue failed of all. The King willing to prouide a remedy againſt ſuch grieuances, hath ordeyned and ſtabliſhed, for the quietneſſe and eaſe of his people, that of all purueyances, which be or ſhall be made to his vſe, or to any others vſe, within the ſumme of twenty ſhillings, payment ſhall be thereof made incontinently vpon the purueyance made, without deliuering any taile for any day or place elſwhere to bee thereof aſſigned. And that of other purueyances made to the ſumme of twenty ſhillings and aboue, payment ſhall be made within a quarter of a yeare then next following, after ſuch purueyances made, at certaine dayes and places, according as it may be moſt for the eaſe and leſſe trauaile of the people.

Purueyances made to the K. vſe vnder xx. s. ſhall be preſently payed for, and al aboue within a quarter of a yeare.
Stat. 2. H. 4. 14.
Stat. 20. H 6. 8.

Cap. XIII.

The warranty of packing of wooll ſhall be put out. An enqueſt ſhall be de medietate linguæ *where an Alien is partie.*

ITem, it is accorded and eſtabliſhed, that all the ordinances made in the great counſaile holden at Weſtminſter, the Monday next after the Feaſt of Saint Matthew the Apoſtle laſt paſt, together with certaine declarations & additions made in this preſent Parliament, be firmely kept and holden for a Statute to endure for euer, which declarations and and additions doe follow in this manner: whereas it is conteyned in the ſayd Ordinances, that euery Merchant, that ſelleth his Wools at the Staple, ſhall be bound to warrant the packing of the ſame Wools: and if a plea of debate be moued before the Mayor of the Staple, betwixt the Merchants or miniſters of the ſame, and thereupon to try the truth thereof, an enqueſt or proofe ſhall be taken, then if both parties be Aliens, it ſhall be tryed by Aliens, and if both parties be denizens, it ſhall be tryed by denizens, but if the one partie be denizen and the other alien, halfe of the enqueſt or of the proofe ſhall be of denizens, & the other halfe of aliens. And alſo that no Merchant priuy nor ſtranger, nor other of what condition that he be, ſhall goe by land nor by water to meete ſuch ſhips charged with Wines, wares, or other merchandiſes comming into the Realme of England, nor other lands of the Kings, in the Sea nor elſewhere, for to foreſtall, buy or in other maner giuing them earneſt, before that they come to the Staple, or to the Port were they ſhalbe diſcharged, nor enter the ſhips for ſuch cauſe till the Merchandiſes be ſet to land for to ſell: It is accorded and ſtabliſhed, that the warranty of packing of Wools for diuers miſchiefes, which the Commons haue thereof perceiued, ſhall wholly be out. And that no man be holden to make ſuch warranty vnleſſe it be by couenant made by deed enſealed. Alſo that no man, other then a Merchant denizen or alien, that knoweth the lawes and vſages of the Staple, vſed before that the ſaid ordinances of the Staple were made, ſhall be charged by the ſame lawes and vſages, till they bee declared in Parliament.

The warranty of packing of wools ſhalbe wholly put out. Sat. 27. Ed. 3. 3.

Star. 27. Ed. 3. 8. Sta. 8. H. 6. 29.

An Enqueſt ſhalbe de medietate linguæ where an alien is partie to any triall. Raſt. pl. fo. 7. 248.

Dyer fo. 14
3. Ed. 4 fo. 1
27. H. 6. fo.
Birz. Trial
71.
Bro. Deniz
21. H. 7 fo.

And that in all maner of Enqueſts and proofes, which be to be taken or made amongſt aliens and denizens, be they Merchants or other, as well before the Mayor of the Staple, as before any other Juſtices or miniſters, although the King be party, the one halfe of the Enqueſt or proofe ſhall be denizens, and the other halfe of aliens, if ſo many aliens and forreiners be in the Towne or place where ſuch enqueſt or proofe is to be taken, that be not parties, nor with the parties in contracts, pleas, or other quarrels, whereof ſuch enqueſts or proofes ought to be taken: and if there be not ſo many aliens, then ſhall there be put in ſuch enqueſts or proofes, as many aliens as ſhall be found in the ſame Townes or places which be not thereto parties nor with the parties as afore is ſaid, and the remnant of denizens, which be good men and not ſuſpitious, to the one party nor to the other.

And that no maner of Ship, which is fraught towards England or elſewhere, be compelled to come to any Port of England, nor here to abide againſt the will of the Maſters and Mariners of the ſame, or of the Merchants, whoſe the goods be. And if ſuch ſhips come of their own good will, or be driuen by tempeſt or other misfortune or miſchiefe to any Port in England, and the Maſters, Mariners, or Merchants of the ſame Ships will ſell or deliuer part of their merchandiſes with their good will, it ſhall be lawfull for euery man to buy ſuch merchandiſes freely without impeachment, in the Port where ſuch Ships ſhall come, albeit the ſaid merchandiſes be not put to land to ſell, ſo alwayes that no Merchant nor other ſhall goe by land nor by water to meet ſuch Ships charged with merchandiſes, to foreſtall the ſame merchandiſes, or to giue them earneſt by way of foreſtalling, vpon the paines contayned in the third Article of the ſaid ordinances, ſo that the Maſters, Mariners, and Merchants, after that they haue ſo ſold that, which pleaſeth them of their ſaid goods, and payed thereof the cuſtome, may freely depart and goe with their ſhips and all the remnant of their goods whither it ſhall pleaſe them without cuſtome therof to be payed. And that none, of what condition that he be, by art or engine ſhall diſturbe any ſhip charged with merchandiſes to come to any Port of England, but to the Port where the Maſters, Mariners, and Merchants will firſt of their free will arriue, nor after they haue arriued, ſhall meddle with the ſale of the ſame merchandiſes nor diſturbe the Merchants, nor their ſeruants, that they may not themſelues by their owne hands, according as to them beſt ſhall ſeeme for their profit, ſell and deliuer their merchandiſes, at what time and to whom ſhall them beſt pleaſe. And if any ſet diſturbance, he ſhall incurre a grieuous forfeiture to the King, according to the quantity of the Treſpaſſe.

None ſhall foreſtall merchandiſes comming towards this Realme. Stat. 27. Ed. 3. 3.

No forreiners ſhips ſhall bee compelled to arriue in England or to tary there. Stat. 20. R. 2. 4.

Cap. XIIII.

Vpon which dayes Wooll may be ſhewed in the Staple, and in which not. Ob.

Cap. XV.

The bounds of euery Staple, and how farre they ſhall extend. Ob.

Statutes made at Weſtminſter *Anno* 31. *Edw. tertij*, *& Anno Domini* 1357.

TO the honour of God and holy Church it is accorded by our Lord the King, the Prelates, Earles, Barons, and all the Comminaltie of the ſaid Realme of England, in the Parliament holden at Weſtminſter, the Monday next after the weeke of Eaſter, the yeare of the Reigne of our Lord King Edward of England the one and thirtieth, and of France the ſeuenteenth.

Cap. I.

A confirmation of the great Charter, and the Charter of the Foreſt.

FIrſt, that the great Charter, and the Charter of the Foreſt, be firmely kept, holden, vſed, and executed in all points.

Cap. II.

No Wooll ſhall be bought by frand to abate the price thereof. Weights ſhall be ſent to all Shires.

ITem, whereas at the grieuous complaint of the Commons of the Realme of England it was ſhewed, that the Merchants which buy Wools in Fayres and Markets, and other places, by couin and conſent betwixt them, doe abate the price of Wools, and vſe other weight then is ordeined by the Statute before this time, in annoyance of the people: It is accorded and ſtabliſhed, that Proclamation be made through the Realme, that no Merchant doe ſuch couin, vpon a grieuous forfeiture. And if any doe againſt the ſame after the Proclamation, the King ſhall aſſigne his Juſtices to enquire at the ſuit of the partie of all that doe ſuch couin, and to heare and determine for the King and for the partie. And that certaine ballances and weights of ſacke, halfe ſacke, and quarter, pound, halfe pound and quarter, according to the Standard of the Eſchequer, be ſent to all Sheriffes of England betwixt this and the Natiuitie of Saint Iohn next comming, ſo that they (ſuch ballances and weights receiued) ſhall make open Proclamation through all their Counties, that euery man that will haue ſuch ballances and weights, ſhall come to the Sheriffe before Michaelmas, to make their ballances and weights according to the ſaid Standard at their coſts, without any thing giuing to the Sheriffe for to haue aſſay or example of the ſaid ballances and weights, and that from henceforth none ſhall ſell nor buy by other weight. And if any doe againſt the ſame, he ſhall be puniſhed by fine at the Kings will. *Stat.*11.*H.*7.4.

No woolls ſhal be bought by fraud to abate the price thereof

Ballances and weights ſhal be ſent to all the Sheriffes of England, and euery perſon may make theirs by them.

Cap. III.

A man charged with deteyning of felons goods layeth the fault in another.

ITem, if any man or towne be charged in the Eſchequer by eſtreates of the Juſtices of the cattels of fugitiues and felons, and will alledge in diſcharge of him another, which is chargeable, he ſhall be heard, and further right ſhall be done.

A man charged with deteyning of felons goods layeth the fault in another.

Cap. IIII.

Redreſſing of extortion in Biſhops officers in prouing of Wills.

ITem, whereas the miniſters of Biſhops and other Ordinaries of holy Church, take of the people grieuous and outragious fines for the Probate of teſtaments, and for the making of acquitances thereof, the King hath charged the Archbiſhop of Canterbury and the other Biſhops, that they cauſe the ſame to be amended, and if they doe not, it is accorded, that the King ſhall cauſe to be inquired by his Juſtices, of ſuch oppreſſions and extortions, to heare them and determine them, as well at the Kings ſuit, as at the ſuit of the partie, as in old time hath béene vſed. *St.* 3.*H.*5.8.*St.*21.*H.*8.5.

By what meanes extortion in Biſhops officers for prouing of teſtaments ſhall be redreſſed.

Cap. V.

The contents of a Tunne of Wine, and the ganging thereof.

ITem, whereas it is ordeyned by a Statute that the Tunnes of Wine ought to conteine a certaine number of galons, according to the old gauge, and now they be diminiſhed for default of the gaugers office euill vſed, to the great damage of the people: It is accorded and eſtabliſhed, that the ſaid Statute ſhall be holden and kept in all points. And moreouer if any ſell a Tunne or Pipe of wine not gauged, that the ſaid ſeller ſhall forfeit the ſame Wine or the value to the king. Stat.18.*H.*6.17.Stat.1.*R.*3.13.*Stat.*28.H.8.14.

Stat.27.Ed.3.8. He that ſelleth his Wine vngauged ſhall forfeit it.

Cap. VI.

The Lords of Franchiſes ſhall haue the Fines of Labourers and Seruants, &c. forfeited. Exp.

Cap. VII.

Iuſtices ſhall enquire of the offendors of the Lawes of the Staple. Ob.

Cap. VIII.

What refuſe ſhall be made of wooll. All woolls, &c. ſhall be brought to the Staple.

Item, it is accorded and aſſented, for the common profit and eaſe of the people, that euery Merchant and other, as well Alien as Denizen, may bring to the parties beyond the Sea, which be of the Kings amity, Wools, Leather, and Woolfels from the fift day of May next comming to the Feaſt of S. Michael next enſuing, paying for euery ſacke fifty ſhillings, and for CCC. woolfels fifty ſhillings, and for the Laſt of Leather C. ſhillings, for the cuſtome and ſubſidy of the ſame. And that no Merchant nor other, that buyeth wools, ſhall make other refuſe of wools, then was wont to be made in times paſt, that is to ſay, of cote, gare, and villaine fleeces, and that euery ſacke conteine xxvj. ſtones: and euery ſtone xiiii. pound, according to the weight of the Standard of the Eſchequer, & no more nor leſſe. And that all the Wools, Fells, and Leather bought in the countrey, ſhall be brought to the Staples, and there ſhall abide at the leaſt fifteene dayes. And thoſe that may not there be ſold or deliuered within the fifteene dayes, ſhalbe brought to the Ports ordeyned for the Staple, to paſſe from thence to the parties aforeſaid, paying the Cuſtomes and Subſidies aforeſaid. And that no wools vendible ſhall be lodged, ſhewed, nor ſold within three miles of the Staples, but in the ſame Staple, ſauing that euery Lord and other man ſauing a Merchant, may freely lodge, ſhew, and ſell his wools, which be of his owne growing, in his owne houſe and elſewhere, as ſhall pleaſe him.

What refuſe may be made of Wooll. St.13.R.2.9.

The content of a ſacke & ſtone of wooll.

Wools brought to the Staple ſhall remaine there xv. dayes.

Cap. IX.

The Kings Counſell vpon cauſe may deferre the tranſporting of Wooll.

Who may deferre the paſſage of wooll.

Item, it is accorded and aſſented, that the Chancellor and Treaſurer which for the time ſhall be, by the aduice of other of the Kings Counſell, ſhall haue power to deferre the terme of paſſage of wools, when they ſee that need is.

Cap. X.

Who may gouerne or reforme the defaults of Victuallers in London.

Item, becauſe that the Fiſhers, Butchers, Poulters, and other ſellers of victuals in the City of London, by colour of ſome Charters, and by euill interpretation of ſome Statutes made in aduantage of the people, that euery man may freely ſell his victuals without diſturbance, and that no Mayor, Sheriffes, or other miniſter ought to meddle of the ſale: It is accorded and aſſented, that euery man that bringeth victuals, whatſoeuer they be, to the City, by land or by water, may freely ſell the ſame to whom ſhall pleaſe him, without being interrupted or impeached by Fiſher, Butcher, Poulter, or any other. And that the Mayor and Aldermen of the ſaid City, may rule and redreſſe the defaults of Fiſhers, Butchers, and Poulters, as they doe of thoſe that ſell Bread, Ale, or Wine, notwithſtanding Charters of Franchiſe, & Statutes, Cuſtomes, or other Priuiledges made or vſed to the contrary. And that the ſaid Mayor and Aldermen doe the ſame and put it in execution, vpon the paine late ordeyned touching the City of London, ſo that the puniſhment of ſuch be not made in reſpect of any ſingular profit. St.6.R.2.11.St.7.R.2.11.

The Mayor & Aldermen of London may reforme the defaults of Victualers there.

Stat 28.Ed.3.10.

Cap. XI.

To whom the Ordinary may commit the Adminiſtration of the goods of him that dieth inteſtate.
The benefit and charge of an Adminiſtrator.

Item, it is accorded and aſſented, that in caſe where a man dieth inteſtate, the Ordinaries ſhall depute the next and moſt lawfull friends of the dead perſon inteſtate to adminiſter his goods, which deputies ſhall haue an action to demand and recouer as executors the debts due to the ſaid perſon inteſtate in the Kings Court for to adminiſter & diſpend for the ſoule of the dead, & ſhall anſwer alſo in the Kings Court to other, to whom the ſaid dead perſon was holden and bound, in the ſame maner as executors ſhall anſwer. And they ſhalbe accomptable to the Ordinaries, as executors be in the caſe of Teſtament, as well of the time paſt as the time to come. Regiſt. fo. 141.V.N.B.fo.61.Fitz.N.B.fo.120.D.Raſt.pla.fo.302.

To whom the Ordinary may commit the Adminiſtration of the goods of him that dieth inteſtate. Stat.21.H.8.5.

The benefite & charge of an Adminiſtrator.

38.Ed.3.fo.

41.Ed.3.fo.

37.H.6.fo.

Dyer.fo.25

Coke li.5.

lib.6.fo.18.

li.9.fo.38.

Co Inſt.

133.b.

Cap. XII.

The L. Chancelor and L. Treaſurer ſhall examine erronious Iudgements giuen in the Exchequer.

Item, it is accorded and ſtabliſhed, that in all caſes touching the King or other perſons where a man complaineth of errour made in Proces in the Eſchequer, the Chancellor and Treaſurer ſhall

6.H.7.fo.

8.H.7.fo.

Coke li.

ſhall cauſe to come before them in any chamber of counſaile nigh the Eſchequer, the record of the proceſſe out of the Eſchequer, taking to them the Iuſtices and other ſage perſons, ſuch as to them ſéemeth to be taken. And ſhall alſo cauſe to be called before them the Barons of the Eſchequer, to heare their informations, and the cauſes of their iudgements, and thereupon ſhall duely examine the buſineſſe, and if any errour be found they ſhall correct and amend the Rolls, and after ſend them into the Eſchequer for to make thereof execution as pertaineth. V.N.B.fo.55.

The L. Chancelor and Treaſurer ſhall examine erronious Iudgements giuen in the Eſchequer. St.21.El.1.

Cap. XIII.

The Kings pardon to the Commons of the eſcape of felons and their goods not eſtreated. And a Fifteene graunted to him in regard of the ſame. EXP.

Cap. XIIII.

How eſcapes of Felons, Cattels of Felons and Fugitiues ſhall be leuied.

ITem, it is accorded, that the eſcape of théeues and felons, and the cattels of felons and of fugitiues, and alſo eſcapes of Clerkes conuict out of their Ordinaries priſon from henceforth to be iudged before any of the Kings Iuſtices, ſhall be leuyed from time to time, as they ſhall fall, as well of the time paſt as of time to come.

How eſcapes of felons ſhalbe leuyed.

Cap. XV.

At what time a Sheriffe ſhall hold his Turne.

St.9.H.3.35.

ITem, whereas in the great Charter it is conteyned, that no Sheriffe nor his Bayliffe ſhall make his Turne by Hundreds, but two times in the yeare, in a place due and accuſtomed, that is to ſay, once after Eaſter, and another time after Michaelmas. And now diuers of the Commons haue grieuouſly complained them, that ſome Sheriffes make their Turnes often times in Lent when men ought to intend deuotion and other workes of Charity for remedy of their ſoules, and ſometime after the gule of Auguſt, when euery man almoſt is occupied about the cutting and carrying of his corne, whereby the people perceiueth them much grieued and diſquieted: Our Lord the King, deſiring the quietneſſe of his people, hath ordeyned and ſtabliſhed, that euery Sheriffe from henceforth, ſhall make his Turne yearely one time within the moneth after Eaſter, and another time within the moneth after Saint Michaell, and if they hold them in other maner, that then they ſhall loſe their Turne for the time. Fitz.N.B.fo.158.

6.H.7.fo.2.
38.H.6.fo.7.

At what time onely the Sheriffe ſhall keepe his Turne.

The Statute of Herrings, made *Anno* 31. *Edw. tertij, & Anno Domini* 1357.

FOr as much as the commons of the Realme of England, at the Parliament holden at Weſtminſter the Monday next after the wéeke of Eaſter, the yeare of the reigne of our Lord the King, Edward the third of England xxxi, and of France xviij. haue complained them to our Lord the king, becauſe that the people of great Yarmouth doe encounter the Fiſhers bringing Herring to the ſaid towne in the time of the Fayre, and doe buy and foreſtall the Herring before they doe come to the towne. And alſo the Hoſtelers of the ſame towne that lodge the Fiſhers comming thither with their Herring, will not ſuffer the ſaid Fiſhers to ſell their ſaid Herring, nor meddle with the ſale thereof, but ſell them at their owne will as deare as they will, and giue to the Fiſhers that pleaſeth them, whereby the Fiſhers doe withdraw themſelues to come thither. And ſo is the Herring ſet at much greater price then euer it was, to the great damage of our Lord the King, of the Lords and of all the people: wherefore our Lord the King ſéeing the miſchiefes in this behalfe, by the aſſent of the great men & al the Commons, hath ordeyned and ſtabliſhed remedy vpon the ſaid miſchiefes in the forme as followeth.

Cap. I.

Herrings ſhall not be bought or ſold on the Sea. At what time they ſhall be ſold.

FIrſt, that no Herring be bought nor ſold in the Sea, till the Fiſhers be come into the Hauen with their Herring, and that the Cable of the Ship be drawen to the land. St.5.El.5.

No Herring ſhall be ſold on the Sea.

Cap. II.

The order and time of bringing and ſelling of Herring at Yarmouth Faire. How many Herrings ſhall be accompted C. and how many a M. Who ſhall gouerne the Faire.

ITem, that the Fiſhers be frée to ſell their Herring to all that come to the Fayre of great Yarmouth, without any diſturbance of their Hoſtelers, or any other. And when the Fiſhers will ſell their merchandiſes in the Port, they ſhall haue their Hoſtelers with them, if they there will be, and in their preſence and the preſence of other Merchants openly ſhal ſel their merchandiſes. And that euery man claime his part for the taking after the rate of the ſame merchandiſes ſo ſold. And the ſaid ſale ſhall be made from the Sun riſing, till the Sun going downe, and not before nor after, vpon forfeiture of the ſame merchandiſes. And that the ſaid Fiſhers be free to buy their victuals and that which they need, where ſhall pleaſe them. And that no Hoſtlers nor other, buy any for to hang in their houſes by couin nor in other maner, at an higher price the Laſt then forty ſhillings, but leſſe in as much as he may, according as he may agree with the ſeller. And that no Hoſtelers nor any of their ſeruants, nor any other whatſoeuer he be, comming to the ſaid Fayre, ſhall goe by land nor by Sea to foreſtall Herring priuily nor openly, but the Herring ſhall come freely vnſold vnto the Hauen. Nor that any Riber make buying of freſh Herring in the Hauen of Yarmouth betwixt the Feaſts of S. Michael and S. Martin, vpon paine of impriſonment at the Kings will, and to forfeit all the Herring ſo bought. And that no veſſell called Piker of London, nor of none other place, ſhall enter into the ſaid Hauen to abate the Fayre in damage of the people, vpon the paine of forfeiture of their veſſell, and all their cattels found within. And that all the Hoſtelers be ſworne before the Wardens of the ſaid Fayre, and enioyned vpon a great forfeiture to the King, to receiue their gueſts well and conueniently, and to ayde and eaſe them reaſonably, taking of euery Laſt that ſhall be ſold to other Merchants then to the ſaid Hoſtelers, xl.d. And that of Herring ſold to the ſame Hoſtelers to take in their houſes, the ſame Hoſtelers ſhall take nothing, and that becauſe of the profits, which they ſhall haue of victuals ſold to their ſaid gueſts, and of the aduantage that they haue more then other of carriage of Herring ſo by them bought and hanging in their houſes. And that the Hoſtelers becauſe of this ordinance, doe not refuſe their gueſts, but receiue them and intreate them in good and friendly manner, as they haue done before time. And that they for the aduantage of xl.d. the laſt, take vpon them for the payment of all the Herring that ſhall be ſold by their aſſent to any perſons. And the hundred of Herring ſhall be accompted by ſixe ſcore and the Laſt by ten thouſand. And that the Merchants of Yarmouth, of London, or elſewhere, ſell the thouſand of Herring to the people after the rate of the price of the Laſt. And that the people of Yarmouth ſell the Laſt of redde Herring bought for xl.s. freſh within xl. dayes for halfe a marke of gaine, and not aboue. And that the people of London at ſuch Fayre ſhal bring the Laſt from Yarmouth to London for one marke of gaine, and not aboue. And alſo two Laſts of ſhotten Herring freſh ſhall be ſold for the price aſſeſſed of the buying of a Laſt of full Herring: and ſo of more and leſſe after the ſame rate, and of ſhotten Herring red, the two Laſts ſhall be ſold deerer of a marke then the Laſt of Herring full redde, and that becauſe the carriage of a Laſt of ſhotten Herring draweth to as much as the Laſt of full Herring, and ſo of more and leſſe, according to the ſame rate. And that the Ships called the Pykers, ſhall freely buy freſh Herring and all other merchandiſes of Fiſhes in Kyrkeley, and elſewhere vpon the coaſts of the Sea, without impeachment or diſturbance of the Hoſtelers of Yarmouth or of any other. So alwayes that no more Herring be diſcharged in the road of Kyrkeley out of the Fiſhers ſhips, but as much as may reaſonably ſuffice to the charge of the Pykers that thither ſhall come for the ſame cauſe. And that the Fiſhers bee compelled to bring all the remnant of their Herring to the ſaid Fayre to ſell there. So that none ſell Herring in any place about the hauen of Yarmouh by ſeuen miles, except in three townes of Yarmouth, that is to ſay, Eſton, Weſton, and Southon, vnleſſe it be Herring of their owne fiſhing. And our Lord the King doth wil, that the Barons of the fiue Ports ſhal cauſe to be kept & gouerned the ſaid Fayre according to the compoſition late made betweene them & the people of the towne of Yarmouth confirmed by the Kings grandfather. And that the ſame Barons and Bayliffes of great Yarmouth cauſe to be kept theſe preſent ordinances in all points, and to be cryed in euery Sunday betweene S. Michael and S. Martin, vpon paine to loſe their Franchiſe, and to be puniſhed at the Kings will. And that the people of Yarmouth ſuffer the ſaid Barons of the fiue Ports to gouerne and rule the ſaid Fayre after the purport of the ſaid compoſition, and due execution to be made of this ordinance, vpon the paine laſt aforeſaid: And theſe ordinances in the right of buying & ſelling of Herring ſhall be holden in all the Townes of England, where Herring is taken and ſearched, vpon the paines aforeſaid.

The order and time of bringing and ſelling of Herrings at the Fayre of great Yarmouth.
Stat.35.Ed.3.1

The price of a Laſt of Herring.

There ſhall be no foreſtalling of Herring.
Stat.5. El.5.

A Pyker of London ſhall not enter into Yarmouth hauen to abate the Fayre.

To what Hoſtelers ſhall be ſworne.

Herrings ſold to Hoſtelers to their owne vſes.

The hundred of Herring ſixe ſcore, and the Laſt ten thouſand.

The prices of Herring, & the gaines thereby.

The Barons of the fiue Ports muſt gouerne the Fayre of great Yarmouth.

Theſe ordinances for buying and ſelling of Herring ſhalbe holden in all Townes where Herring is taken and ſold.

CAP. III.

Which great Officers ſhall take order for ſelling and buying of Fiſh.

ITem, it is accorded by our Lord the King, the great men and all the Commons in this preſent Parliament, that the Chancellor and Treaſorer taking to them Iuſtices and other the Kings Counſell, ſuch as to them ſhall ſeeme, ſhall haue power to ordeine remedy touching the buying and ſelling of Stockefiſh of Saint Botulfe, and Salmon of Barwike, and of Wines, and Fiſh of Briſtrute, and elſewhere, to the intent that the King and the people may the better be ſerued, & haue better market then they haue had before this time, and that the ordinances by them made in this party be firmely holden.

The Chancelor and Treaſorer may take order for the buying and ſelling of certaine fiſh and wine.

An other Statute for Fiſh, made Anno 31. Ed. 3.

Cap. I.

Doggers and Land Ships of Blackney Hauen ſhall diſcharge their Fiſh there.

FIrſt it is ordeyned, that all the Ships called Doggers and Land Ships, perteyning to the Hauen of Blackney, and Coaſtes thereunto adioyning, that is to ſay, the Suytor, the Wyneton, Clay, Salthous, Shiringham, and Crowmer, ſhall deliuer or diſcharge their Fiſh within the Hauen of Blackney only, betwixt Benord and Hogfleet, and in none other place, vpon paine of impriſonment at the Kings will, and forfeiture of the ſame Fiſh. And no Fiſh be deliuered nor caried out of the Ship to any houſe nor elſewhere, before that the Owner of the Ship, wherin the ſaid Fiſh is charged, and the Merchant that ſhall buy the Fiſh, be agreed of the price of the ſame by cleere day.

Doggers ⁊ land ſhips of the Hauen of Blackney ſhall diſcharge their fiſh within the ſame hauen.

Cap. II.

The price of Doggerfiſh ſhall be aſſeſſed at the beginning of the Faire. Who may buy Nettes and Hookes in Norfolke.

ITem, that no Fiſher, nor Owner of any Ship, nor any other ſet hand vpon any Fiſh within the Ship for to try, choſe, or impaire the Fiſh, but onely the buyer or his atturney, vpon the ſaid paine. And that no Fiſh called Loychfiſh, be choſen or tried but onely in three parts, that is to ſay, Lobbe, Ling, and Codde. And that euery of the ſame three ſorts of Lobbe, Ling, and Codde, be good and couenable, as in old time hath beene vſed. And in caſe that no Orgeys, that is to ſay, Fiſh greater then Lobbe, be found in a Ship called a Lode ſhip, in the hundred of Lobbe, Ling, and Codde, the Maſter and Mariners, ſhall haue of euery hundred of Lobbe, Ling, and Codde, (the hundred accompted to ſixe ſcore) twenty Orgeys, if there be ſo many, and if there be leſſe, the Maſters and Mariners ſhall haue all the Orgeys. And if there be more, the ouerplus aboue the ſcores to euery hundred ſhal be put to the Fiſh bought in amendement of the price of the ſame to the profit of the buyer. And alſo by the aduice of the Merchants and buyers, of the Owners comming to the Faire of Blackney, and of the Owners of the Ships, a price ſhall be ſet at the beginning, and aſſeſſen vpon the Doggerfiſh, and Lochefiſh, before that any ſale be made, which price ſhall be holden during the Faire. And that the ſaid Fiſh be ſold at ſuch a price openly and not by couin priuily. And that no Owner of Ships, Mariners, nor other, lodge nor cauſe to bee lodged in their houſes priuily nor openly Fiſh in the mud, nor Fiſh ſearched, for to ſel againe an other time at retaile, but al ſuch Fiſh ſhal be ſold reaſonably within the ſaid bounds at the Faire and price aforeſaid, vpon the ſame paine. And that no man buy nettes, hookes, nor other inſtruments pertayning to fiſhing in the County of Norffolke but Owners, Maſters, ⁊ Mariners of ſhips, that vſe the myſtery of fiſhing, ⁊ which haue to do with ſuch things, vpon paine of impriſonment, ⁊ to be ranſomed at the Kings wil, ⁊ to forfeit the things ſo bought. And that no Owner of a Ship, Mariner, nor other, make impeachment, nor be reſiſtant in any point againſt this preſent Ordinance. Nor that no Mariner, nor Fiſher, becauſe of this Ordinance, leaue or refuſe to goe in fiſhing, as before times they were wont to doe, nor diſturbe any couenant made betweene a Merchant and Owner of a Ship, vpon paine of impriſonment, and to be ranſomed at the Kings will. And that vpon the ſame a Writ be ſent to the Sheriffe of Norffolke, that at euery mans complaint, that will ſue for the King or for himſelfe againſt thoſe that in any point offend againſt this Ordinance, he ſhall cauſe the ſame reſiſtors and treſpaſſors to be attached, and them deteyne in priſon till the King and his Counſell haue ordeyned of them that right requireth after the quantity of their treſpaſſe.

Loychfiſh tried but in 3. parts, Lob, Ling, and Codde.

Who ſhall haue the Orgeys.

The price of Dogger fiſh ſhall be aſſeſſed at the beginning of Blackney faire.

Fiſh ſhall not be kept ſecret to be ſold by retaille.

Who may buy nettes ⁊ hookes in Norffolke to fiſh with.

The puniſhment of the offendors of this ſtatute.

Statutes made at Weſtminſter *Anno* 34. *Edwardi tertij,* & *Anno Domini* 1360.

THeſe be the things which our Lord the King, the Prelates, Lords, and the Commons haue ordeyned in this preſent Parliament, holden at Weſtminſter the Sunday next before the feaſt of the conuerſion of S. *Paul*, to be holden and publiſhed openly through the Realme.

Cap. I.

What ſort of perſons ſhall be Iuſtices of Peace, And what authority they ſhall haue:

FIrſt, that in euery County of England ſhall bee aſſigned for the keeping of the Peace, one Lord, and with him three or foure of the moſt worthy in the County, with ſome learned in the

Who ſhalbe Iuſtices of peace ⁊ what authority they ſhall haue.

Stat.1.Ed.3.16.
2.Ed.3.6.
18.Ed.3.2.
13.R.2.7.
2.H.5.4.

Coke.lib.8.fo
Kel.fol.41.

Law: and they ſhall haue power to reſtraine the offendors, riotors, and all other barators, & to purſue, arreſt, take and chaſtiſe them according to their treſpaſſe or offence. And to cauſe them to be impriſoned and duely puniſhed according to the Law and Cuſtomes of the Realme, and according to that which to them ſhall ſeeme beſt to do by their diſcrecions and good aduiſement, and alſo to enforme them, and to enquire of all thoſe that haue beene pillors and robbers in the parts beyond the ſea, and be now come againe, and go wandering & will not labour as they were wont in times paſt, and to take and arreſt all thoſe, that they may finde by indictment or by ſuſpection, and to put them in priſon, and to take of all them that be not of good fame, where they ſhall bee found, ſufficient ſurety and mainpriſe of their good behauour towards the King and his people, & the other duely to puniſh, to the intent that the people be not by ſuch riotors or rebels troubled nor endamaged, nor the peace blemiſhed, nor Merchants nor other paſſing by the high wayes of the Realme diſturbed, nor put in the perill which may happen of ſuch offendors. And alſo to heare and determine at the Kings ſuit all maner of felonies and treſpaſſes done in the ſame County according to the Lawes and Cuſtomes aforſaid. And that Writs of Oyer and determiner be granted according to the Statutes therof made, and that the Juſtices, which ſhall be thereto aſſigned, be named by the Court, and not by the party. And the King will that all generall inquiries before this time graunted within any Seigniories for the miſchiefes and oppreſſions which haue beene done to the people, by ſuch inquiries ſhall ceaſe vtterly and be repealed. And that Fines which are to be made before Juſtices for a treſpaſſe done by any perſon be reaſonable and iuſt, hauing regard to the quantity of the treſpaſſe, and the cauſes for which they bee made.

Juſtices of peace may heare and determine felonies and treſpaſſes.
Commiſſions of generall inquiries ſhall ceaſe.

Fines for treſpaſſes ſhalbe reaſonable.

Cap. II.

There ſhall be no purueyanse made but for the King, the Queene, and the Kings eldeſt ſonne.

There ſhalbe no purueyance made but for the K. the Q. & the Kings eldeſt ſonne, &c.
St.36.Ed.3.2.

ITem, it is accorded that takings ſhal not be from henceforth made by other then the purueyors of the King, of the Queene, and of the Prince, their eldeſt ſonne, and that if any other mans purueyors make ſuch takings, it ſhall be done of them as of people which doe without warrant. And their deed iudged as a thing done againſt the Peace and the Law of the Land. And ſuch as doe make themſelues purueyors in ſuch maner ſhall be duely puniſhed.

Cap. III.

When things purueyed for the Queene and Prince ſhall be paid for.

When purueyances made for the Q. & Prince ſhalbe paid for.

ITem, of purueyances made to the vſe of the Queene, and of the Prince, of Pultry and of other ſmall things, payment ſhall be made in hand vpon the taking and of other great purueyances, within the moneth or ſixe weekes, in the Countreys where they ſhal be taken. And that the number of ſuch purueyors be abbridged in as much as conueniently may, for the ayde and quietneſſe of the common people.

Cap. IV.

What ſort of people ſhall be returned vpon euery Iury.

What ſort of people the Sheriffe ſhall return vpon euery Jury

ITem, becauſe that Sheriffes and other miniſters often doe array their panells in all maner of Jnqueſts of people procured and moſt farre off from the Counties, which haue no knowledge of the deed whereof the Jnqueſt ſhall be taken, It is accorded that ſuch panells ſhall bee made of the next people, which ſhall not be ſuſpect nor procured. And that the Sheriffes, Coroners, and other miniſters, which doe againſt the ſame, ſhall be puniſhed before the Juſtices that take the ſaid Jnqueſt, according to the quantity of their treſpaſſe, as well againſt the King as againſt the party, for the quantity of the damage which he hath ſuffered in ſuch manner. Stat. 21. E.1. Stat. 28. Ed. 1. 9. 20. Ed. 3. 6. 42. Ed. 3. 11. *Regiſt.* fo. 178. *Regiſt.* pla. fo. 117.

Cap. V.

Auncell weight ſhall be put out. Buying and ſelling ſhall be by equall balance.

St.25.Ed.3.9.
Juſt. of Peace ſhall inquire of weights and meaſures.
St.9.H.5.8.
Auncell weight ſhalbe put out
St.27.Ed.3.10.

Buying and ſelling ſhalbe by equall balance.

ITem, it is accorded, that they which ſhall be aſſigned to keepe the peace, ſhall haue power to enquire of meaſures and alſo of weights, according to the Statute thereof made the fiue and twentieth yeere of the reigne of our Lord the King, wherein is conteyned the forme that followeth. Whereas very great damage and diſceite is done to the people, by ſo much that diuers Merchants vſe to buy and wey wools and other merchandiſes by a weight that is called Auncel: It is accorded and eſtabliſhed, that this weight called Auncell, betwixt the buyer and the ſeller ſhall be wholy put out. And that euery buying and ſelling ſhall be by the balance, ſo that the balances be euen, and the wools and other merchandiſes euenly weighed by right weight. And that the ſacke of wooll wey no more but ſixe and twenty ſtones, and euery ſtone ſhall wey foureteene pound, and that the beame of the balance ſhall not bow neyther to the one part nor to the other. And that the weight bée according to the Standerd of the Excheqúer. And if any buyer doe againſt the ſame, he ſhall be grieuouſly puniſhed, as well at the ſuit of the partie, as at the Kings ſuit.

Cap. VI.

All meaſures ſhall be according to the Kings Standard, and euery meaſure ſhall be ſtriked, except the rents and fermes of Lords. Iuſtices of Peace ſhall enquire and puniſh the offenders of this ſort: The Articles thereof ſhall be kept vpon the paines contained in the Statute made the 28. *Ed.* 3. 10. REP. 21. *Iac.* 28. *Stat.* 11. *H.* 7. 4.

Cap. VII.

An Attaint will lye as well in plea reall as perſonall.

...Ed. 3. fol. 32. ...3. Attaint, 101.

Item, It is accorded againſt the falſehood of Iurors, that euery man againſt whom they paſſe, may haue an attaint as well in plea reall as perſonall. And that the attaint be granted to the poore (which will aſſie that they haue nothing whereof to make fine, ſauing their countenance) without fine, and to all other by eaſie fine. Stat. 3. Ed. 1. 17. 1. Ed. 3. 6. 5. Ed. 3. 6. & 7. 28. Ed. 3. 8.

An attaint doth lye aſwell in plea reall as in plea perſonall.
Regiſt. fol. 122.
V.N.B. f. 48. 112.
Fitz. N.B. f. 105.
Raſt pl. f. 84. &c.

Cap. VIII.

The penaltie of a Iuror taking reward to giue his verdict.

...H. 6. fol. 8. ...damages 76. ...decies tan-... 1. 2. 3. 4. 5. 6. ...

Item, That in euery plea, whereof the Inqueſt or Aſſiſe doth paſſe, if any of the parties will ſue againſt any of the Iurors, that they haue taken of his aduerſarie or of him, for to giue their verdict, hee ſhall be heard, and ſhall haue his plaint by Bill preſently before the Iuſtices, before whom they did ſweare, and that the Iuror be put to anſwer without any delay, and if they plead to the Countrey, the Inqueſt ſhall be taken preſently. And if any man other than the partie will ſue for the King againſt the Iuror, it ſhall be heard and determined as afore is ſaid: And if the Iuror be attainted at the ſuit of other than the partie, and maketh fine, the partie that ſueth ſhall haue halfe the fine. And that the parties to the plea, ſhall recouer their dammages by the aſſeſſement of the Inqueſt. And that the Iuror ſo attainted haue impriſonment for one yeare, which impriſonment the King granteth, that it ſhall not be pardoned for any fine. And if the partie will ſue by writ before other Iuſtices, he ſhall haue the ſuit in the forme aforeſaid. St. 5. Ed. 3. 10. 38. Ed. 3. 12. Regiſt. fol. 188. V. N. B. fol. 120. Fitz. N. B. fol. 171.

The puniſhment of a Iuror taking reward to giue his verdict.
Raſt. pla. fol. 1[illegible].

Cap. IX.

The Statutes of 23. Ed. 3. 1. and 25. Ed. 3. 1. touching Labourers, confirmed. Lords of Townes may take and impriſon them fifteene dayes if they will not iuſtifie themſelues. The wages of Carpenters and Maſons, and in what maner they ſhall ſerue. REP. 5. Eliz. 4.

Cap. X.

Labourers, &c. departing from their ſeruice into another Countie, ſhall be burned in the forehead with the letter F. REP. 5. Eliz. 4.

Cap. XI.

If a Labourer or ſeruant doe flee to a Citie or Borough, the chiefe Officer vpon requeſt ſhall deliuer him. REP. 5. Eliz. 4.

Cap. XII.

There ſhall be no forfeiture of Lands for Treaſon of dead perſons not attainted.

Item, Whereas the Commons haue complained them of Eſcheators, which by colour of their Office, haue ſeiſed diuers lands and tenements as forfeit to the King for Treaſon ſurmiſed in dead perſons, which were neuer attainted of Treaſon in their liues, the King thereof hath good regard: but becauſe he and his progenitors haue béene ſeiſed of the forfeitures of wares of all times, the King will not exclude himſelfe of ſuch right, whereof he found his Crowne ſeiſed, and will continue his right of ſuch forfeitures fallen in his time and in the time of his father, in the maner as hath béene vſed: Neuertheleſſe, of his ſpeciall grace, he will and granteth, that of ſuch forfeitures fallen in the time of his grandfather and all his progenitors before, as farre as an Inqueſt ſhall be thereof returned in the Chancerie by the Eſcheators or other, which haue power to enquire, that the Tenant ſhall not be put out of his poſſeſſion, but ſhall be warned by Scire facias, to be at a certaine day to anſwer to his Scire facias, if he will. And if any ſuch forfeiture

There ſhall be no forf. of lands for treaſon of dead perſons not attainted in their liues.

...6. 12. 47.

Forf. of dead perſons by preſentment in Eyre or in the Kings Bench.

be now, or ſhall be ſeiſed of the ſame time, that the Kings hand ſhall be out thereof: ſo alwayes that in all other caſes of forfeiture for Treaſon of dead perſons not attainted or iudged in their liues, their heires nor their land Tenants ſhall not be impeached nor challenged, nor of any other forfeiture, except the forfeitures in old times iudged after the death of the perſons by preſentment in Eyre, or in the Kings Bench, as of felons of themſelues and other.

Fitz.petition

Cap. XIII.

By what ſort of people, and in what place and maner, an Eſcheator ſhall take his Enqueſt.

By what ſort of people, in which place, and in what maner an Eſcheator ſhall take his enqueſt.

Item, It is accorded, that euery Eſcheator ſhall take his Enqueſts of his Office of good people and lawfull, which be ſufficiently inherited and of good fame, and of the ſame Countie where the enquirie ſhall be, and that the Enqueſts ſo taken be indented betwixt the Eſcheators and the Iurors. And if it be otherwiſe done, that ſuch Enqueſts be holden for void. And the King will that ſuch Enqueſts be taken in good Townes openly, and not priuily. Stat. 36. Ed. 3. 13. 23. H. 6. 17. 1. H. 8. 8. 3. H. 8. 2.

Dyer.f.169.

Cap. XIIII.

In what Court Trauerſes of Offices found before Eſcheators ſhall be tried.

Trauerſes of offices found before Eſcheators ſhall be tryed in the Kings Bench.

Item, It is accorded, that where lands or tenements be ſeiſed into the Kings hand by office of the Eſcheator, containing that the Kings Tenant made thereof Alienation without the Kings licence, or that the Kings Tenant by Knights ſeruice died ſeiſed of the lands and tenements aforeſaid in his demeſne as of fee, and his heire within age, and after the cauſe certified into the Chancerie; and he whoſe lands be ſeiſed come into the Chancerie, and will trauerſe the Office, which was firſt taken by the Kings commandement, and that the ſaid lands be not ſeiſable: he ſhall be thereto receiued and the proces ſhall be ſent into the Kings Bench to trie according to the Law, and further to doe right. Stat. 36. Ed. 3. 13. 2. Ed. 6. 8. Raſt. pla. fol. 251.

4.Ed.4.fo
Kel.fol.17
Cok.lib.4

Cap. XV.

A Confirmation of thoſe Alienations which the Tenants of K. Henry the third, &c. did make.

Thoſe alienations which the tenants of K.H. 3. and other Kings before him did make, confirmed.

Item, It is accorded, that the alienations of lands and tenements made by people, which did hold of King Henry great grandfather to the King that now is, or of other Kings before him, to hold of themſelues, that the alienations ſhall ſtand in their force, ſauing alwayes to our Lord the King his prerogatiue of the time of his grandfather, his father, and of his owne time. Fitz. N. B. fol. 143. B. 235. C.

Cok.Inſt.

Cap. XVI.

Nonclaime *of Fines ſhall hereafter be no barre.*

Nonclaime of fines ſhall be no barre hereafter.

Item, It is accorded, that the plea of Nonclaime of fines, which from henceforth be to be leuied, ſhall not be taken nor holden for any barre in time to come. Coke Inſt. 262. a.

Cap. XVII.

Merchandiſes may be carried into and brought out of Ireland.

Merchandiſes may be carried into and brought out of Ireland.

Item, It is accorded that all the Merchants, as well Aliens as Denizens, may come into Ireland with their merchandiſes, and from thence freely to returne with their merchandiſes and victuals, without fine or ranſome to be taken of them, ſauing alwayes to the King his ancient cuſtomes and other duties.

Cap. XVIII.

They which haue Lands in Ireland, may carrie their goods thither and bring them againe.

They which haue lands in Ireland, may carrie their goods thither, & bring them againe.

Item, That the people of England, as well Religious as other, which haue their heritage and poſſeſſions in Ireland, may bring their Corne, Beaſts, and victuals to the ſaid Land of Ireland, and from thence to recarrie their goods and merchandiſes into England, freely without impeachment, paying their cuſtomes and their deuoyres to the King.

Cap. XIX.

No cuſtome or ſubſidie ſhall be paid for Canuas to packe Wooll in.

ITem, becauſe that Merchants aliens and denizens, by an euill cuſtome riſen of late, haue béen conſtrained to pay cuſtome and ſubſidy for their Canuas, with which their Wools be packed: It is accorded that ſuch Canuas with their corners, ſhall from henceforth be allowed, to them without paying cuſtome or ſubſidie for the ſame.

No cuſtome or ſubſidie ſhall be paid for canuas to pack wool in

Cap. XX.

No Corne ſhall be tranſported but to Calice and Gaſcoine. Rep. 21.Iac.28.

Cap. XXI.

A Confirmation of a liberty granted by a former Proclamation to denizens to tranſport wooll ouer the Sea, vntill Saint *Michaell* next. Exp.

Cap. XXII.

How he ſhall vſe another mans Hawke that takes hit vp.

ITem, It is accorded in this preſent Parliament, that euery perſon which findeth a Fawlcon, Tercelet, Laner or Laneret, or other Hawke that is loſt of their Lord, that preſently he bring the ſame to the Sheriffe of the County, and that the Sheriffe make proclamation in all the good Townes in the County, that he hath ſuch a Hawke in his cuſtodie, And if the Lord which loſt the ſame, or any of his people come to challenge it, and proueth reaſonably that the ſame is his Lords, let him pay for the coſts and haue the Hawke. And if none come within foure moneths to challenge it, that then the Sheriffe haue the Hawke, making grée to him that did take him, if he be a ſimple man, and if he be a gentleman and of eſtate to haue the Hawke, that then the Sheriffe redeliuer to him the Hawke, taking of him reaſonable coſts for the time that he had him in his cuſtody, And if any man take ſuch Hawke, and the ſame conceale from the Lord, whoſe it was, or from his Fawlconers: Or whoſoeuer taketh him from the Lord, and thereof be attainted, ſhall haue impriſonment of two yeares, and yéeld to the Lord the price of the Hawke ſo concealed and carried away, if he haue whereof, and if not, he ſhall the longer abide in priſon. St. 37.Ed.3.19.

In what ſort one mans hauk taken vp by another ſhall be vſed.

An Ordinance of Herring, made anno 35.Ed.3.
& Anno Domini 1360.

All perſons may buy Herring in the Faire of Yarmouth openly, and not priuily. No man ſhall enter into a bargaine of Herring vntill the first Chapman haue done with it.

THough that late at the procurement of ſome, doing Vs and our Counſell to vnderſtand, that becauſe that the Hoſts of our Towne of great Yarmouth, which lodge the Fiſhers comming there with their Herring, in the time of the Faire, will not ſuffer the ſaid Fiſhers to ſell their Herrings, nor to meddle with the ſale of the ſame, but ſell them at their owne will as déere as they will, and giue the Fiſhers that pleaſeth them, ſo that the Fiſhers do withdraw themſelues to come there, and the Herring was ſet at a greater dearth then it was before. Amongſt other things it was ordained by Vs and our Counſell, that the ſaid Fiſhers of Herring ſhould be frée to ſell their Herring to all people that will come to the ſaid faire of Yarmouth without any diſturbance of their Hoſt or any other. And when the ſaid Fiſhers would ſell their merchandiſes in the Port, they ſhould haue their Hoſts with them, if they would be there, and in their preſence and in the preſence of other Merchants, openly ſhould ſell their merchandiſes to whom them pleaſed. And if other Merchants preſent would haue part of the ſaid merchandiſes, euery of them ſhould haue for his part vpon the taking, after the rate of the ſame merchandiſes ſo ſold. And the ſaid ſale ſhall be made from the Sunne ryſing til the Sunne going downe, and not before nor after. And that no Hoſtelers nor other, buy Herring to hang in his houſe by couin nor in other maner at an higher price the laſt then fortie ſhillings. Neuertheleſſe becauſe it is ſhewed to vs, and to our Counſell by Petition in this preſent Parliament, that the ſale of Herring is much decayed, and the people greatly endamaged by the points aforeſaid; that is to ſay,

A rehearſall of the St. of an. 31 Ed. 3. 2. & of the inconueniences thereof.

that many Merchants comming to the Faire, as well labourers and ſeruants, as other, doe bargaine for Herring, and euery of them by malice and enuie encreaſe vpon other, and if one profer xl.s. another will profer x.s. more, and the third lx.s. and ſo euery one ſurmounteth other in the bargaine, and ſuch profers extend to more then the price of the Herring vpon which the Fiſhers profered it to ſell at the beginning: and when euery man claimeth his part of the Herring for the price accorded, he ſhall haue his part, and the Herring ſhall be ſo deuided amongſt them, that the Fiſher is ſo much greeued and delayed in the gathering of his mony, that he ſhould demand of ſo many perſons, that he leeſeth his mart and the aduantage of his Fiſhing. And alſo herein that no freſh Herring is put to ſale, but from the Sunne riſing till the Sunne going downe, and not before nor after, which is to the great loſſe of Fiſhers, and appairing of the Herring, & damage of the people that ſhall buy the ſame, for the fiſhing is more by night then by day, & often it chanceth, that the Fiſhers be ſo long and ſo charged, that they come to the Towne after Sunne going downe, or little before, ſo that they cannot ſell their Herring in the time for the ſale limited, ſo that they muſt abide all the night and the day after vpon the ſale of their Herring, and loſe many marts and profits of their fiſhing. We perceiuing the miſcheeues and grieuances aforeſaid, by the aduice and aſſent of our Parliament will and grant that it ſhall be lawfull to euery man, of what condition that he be, Merchant or other, to buy herring openly, and not priuily at ſuch price as may be agreed betwixt him and the ſeller of the ſame Herring. And that no man enter in bargaine vpon the buying of the ſame, till he that firſt commeth to bargaine ſhall haue an end of his bargaine greeable to the ſeller, and that none encreaſe vpon other during the firſt bargaine, vpon paine of forfeiture to vs the double of his profer, but euery man ſhall haue the Herring ſo bought according to the bargaine thereof made. And that euery Fiſher may deliuer and ſell his Herring and Fiſh at euery Part, when he commeth to the ſaid Towne of great Yarmouth, without any diſturbance or impeachment: Notwithſtanding any Ordinance made to the contrary before this time. In witneſſe whereof We haue cauſed theſe our Letters Patents to be made. Giuen at Weſtminſter the twentieth day of February, in the fiue and thirtieth yeare of Our raigne of England.

Al perſons may buy herring in the faire time at great Yarm. openly and not priuily.

No man ſhall enter into a bargain of herring vntill the firſt chapman hath done with it.

A fiſher may ſel his herring at any time when he commeth with it.

Statutes made at Weſtminſter Anno 36. Ed. 3.

& Anno Domini 1362.

TO the honour and pleaſure of God, and amendment of the outragious greeuances and oppreſſions done to the people, and in reliefe of their eſtate, King EDVVARD at his Parliament holden at Weſtminſt. in the fifteenth of Saint *Michaell*, the ſixe and thirtieth yeare of his raigne, at the requeſt of his Commons by their Petitions deliuered to him in the ſaid Parliament, by aſſent of the Prelates, Dukes, Earles, Barons, and other great men in the ſaid Parliament aſſembled, hath granted for him and his heires for euer the Articles vnder written.

CAP. I.

A Confirmation of all former Statutes.

A confirmation of former Statutes.

FIrſt, that the great Charter, and the Charter of the Foreſt, and the other Statutes made in his time and in the time of his progenitors, be well and ſurely holden and kept in all points.

CAP. II.

No purueyance but for the King and Queene. The name of purueyor changed into buyer. Ready payment ſhall be made for things purueyed, and they ſhall be appraiſed.

No purueiance ſhalbe made but for the King & the Queene. St. 34. Ed. 3. 2.

ITem, for the grieuous complaint which hath been made of purueyors of victuals of the houſes of the King, the Queene, their eldeſt ſonne, and of other Lords and Ladies of the Realme, the King of his owne will without motion of the great men or Commons, hath granted and ordained in eaſe of his people, that from henceforth no man of the ſaid Realme ſhall haue any taking but only himſelfe and the Queene his companion. And moreouer of the aſſent aforeſaid it is ordained and eſtabliſhed, that vpon ſuch purueyances from henceforth to be made for the houſes of the King, and the Queene, ready payment ſhall be made in hand, that is to ſay, the price for which ſuch victuals be ſold commonly in the Markets about. And that the heinous name of Purueyor be changed and named Buyer. And if the Buyer cannot well agree with the Seller of that which he ſhall need, then the takings which ſhall be made for the ſaid two houſes, ſhal be made by the view, teſtimony, and appreiſement of the Lords, or their Bailiffes, Conſtables, and foure good men of euery Towne, and that by Indenture to bee made betwixt the Buyers and the ſaid Lords, or Bailiffes, Conſtables, and foure men conteining the quantity of their takings, and of the price, and of what perſons. And that the takings bee made in conuenient and eaſie manner without dureſſe, compulſion, menace or other villany. And that the takings and buyings be made in ſuch places, where greateſt plenty is, and that in a meet time. And that no more be taken than ſhall be needfull in the ſeaſon for the ſaid two houſes. And that the number of the buyers bee diminiſhed in as much as well may. And that ſuch bee buyers which bee ſufficient to anſwer to the King and his people, and that none of them haue deputy, and that the commiſſions be ſealed with the great Seale, and euery halfe yeere redeliuered into the Chancery, and other newly made: And that in the ſaid Commiſſions be compriſed all the matter and manner of their takings and buyings And that the ſaid Commiſſions bee made vpon the end of the ſaid Parliament, and then all the other Commiſſions of Purueyors heretofore made be wholly repealed. And that no man bee bound to obey to the buyers of other Lords againſt their agreement and will, nor to the buyers of the ſaid houſes, vnleſſe they make ready paiment in hand, as before is ſaid: and that no man be put in contempt by cauſe of diſobedience made in this behalfe: And that the takings of all manner of Corne and Malt for the ſaid two houſes, bee meaſured by meaſure according to the Standerd, ſtriked and not by heap: and for the cariages of the ſaid Corne and Malt, & for all manner of takings and buyings to be made for the ſaid two houſes, ready paiment be made in hand in the ſame manner as for the takings and buying aforeſaid. And that there be no more carriage taken than needeth, and ſhalbe neceſſary in this behalfe, and if any buyer after the new commiſſions made, make any takings or buying, or taking of carriage in other manner than is compriſed in their ſaid commiſſions, he ſhall haue puniſhment of life and of member, as in other ſtatutes is ordeined of Purueyors. St.28.Ed.1.2.4.Ed.3.3. 5.Ed.3.2.10.Ed.3.1. 25.Ed.3.1. 23.H.6.1,2.

The hainous name of Purueyors ſhalbe changed and named buyers.

By whom and in what manner appraiſement ſhalbe made of things purueyed for the Kings houſe.

No purueyance ſhalbe by menace.

No purueyance but where there is plenty.

The purueyors ſhalbe men ſufficient of eſtate.

Commiſſions of Purueyors ſhal be renued euery halfe yeere.

None ſhall need to obey purueyors without ready paiment.

Corn purueyed ſhalbe ſtriked and not heaped in meaſuring.

Preſent payment ſhall be made for carriage.

Felony to take otherwiſe than is compriſed in the Commiſſion.

CAP. III.

The penalty of a Purueyor which ſhall receiue a reward to ſpare or charge one.

ITem that no buyer of Victuals, nor takers of cariages, take nor receiue of any, a gift or any other thing for ſparing to bee made, nor ſhall not charge nor grieue any man by occaſion of ſuch takings, buyings, and cariages, for hatred, euill will, or procuring, if he do, and be thereof attainted at the ſuit of the party, he ſhall yeeld to the party his treble damage, and ſhall haue impriſonment of two yeeres, and alſo be ranſommed at the Kings will, and after forſweare the Court. And if the party will not ſue, he that will ſue for the King ſhall haue the third peny of that which ſhall be recouered for his labour, and neuertheleſſe the buyer and taker ſhal haue the paine as before is ſaid in the ſame article, and that euery buyer vpon his accompt ſhall declare and diuide ſeuerally all the takings and buyings of euery County, Towne, Village, and perſon.

The penalty of a Purueyor which ſhal take a reward to ſpare one and charge another

CAP. IIII.

Commiſſions ſhalbe awarded to enquire of Purueyors behauiour.

ITem, to reſtraine the malice and falſhood of buyers of victuals & takers of cariages, commiſſions ſhalbe made to two good men and lawfull, of euery County, and the third ſhal be of the Kings houſe, named in the ſaid commiſſions, ſo that if any of the three come not, the two ſhal proceed to enquire of the behauiour and acts of the ſaid buyers and takers. And how much the ſame buyers haue taken and bought, and how much carriage the ſaid takers haue taken ſeuerally of euery Towne or ſingular perſons. And to heare and determine the contempts, outrages, and treſpaſſes done in this behalfe, aſwel at the Kings ſuit, as at the ſuit of euery man that wil complaine of them. And for information to be made to the ſaid Iuſtices of the things aforeſaid, the Steward, Treaſurer, and Controller of euery of the ſaid two houſes, ſhall aſſemble and call before them all the Clerkes and other Officers whatſoeuer they be, of euery office of the ſaid two houſes, and ſhal ſee the receipts of the parcels prouided in the Country and diſpended in the ſaid two houſes. And at euery quarter or halfe yeere, they ſhall certifie in the Chancery the parcels taken in euery Towne, and of euery perſon, and the Chancellor ſhall ſend this certificate to the Iuſtices which ſhall be ſo aſſigned. And if it bee found in the Countrey by euidence of their indictors or in other manner, that they haue taken more than they haue deliuered into the ſaid two houſes, and that they haue not paid for that which they haue taken, at the ſuit of the party, or at the Kings ſuit, he ſhall haue paine of life and of member, as afore is ſaid. And that this Ordinance extend and hold place as well againſt the Purueyors for the great horſes of the ſaid two houſes, as againſt the buyers and takers before named.

Commiſſions awarded to inquire what purueyors haue taken and what they haue deliuered.

Purueyors for great Horſes.

CAP. V.

None ſhall keep any more horſes for the King than be aſſigned vnto him.

None ſhal keep more horſes of the Kings than be committed to him.

The Kings hunters, fawlkners & Serieant at Armes.

ITem, that no man of the ſaid two houſes, hold more of the ſaid horſes in the liuery, where theſe houſes ſhall be, than is ordeined by a Statute of the Kings houſe. And if any doe otherwiſe, it ſhalbe done to him for the Horſes found ouer the number limited to him by the ſaid Statute, as the Statute wil. And that no man of the ſame two houſes, of what eſtate or condition that he be, haue Purueyor or foregoer, to make any Purueyance or taking for any man of the ſaid two houſes, but that they or their people buy that which they need, of them that will ſell the ſame of their good will and pay readily in hand, according as they may agree with the ſellers: and if they doe otherwiſe, ſuch puniſhment ſhall be made vpon them, as afore is ſaid of the buyers. And that hunters, Fawkeners, Serieant at Armes, and all other which be at wages or pertaining to the ſaid two houſes, ſhall haue the ſame penance if they offend againſt the ſame.

CAP. VI.

No Subiects Chator ſhall buy any thing againſt the owners conſent.

It is felony for any Subiects Chator to buy any thing but by the conſent of the owner.

ITem, that no Lord of England, nor none other of the ſaid Realme, of what eſtate or condition that he be, except the King and the Queene his wife, ſhall make any taking by him, or any of his ſeruants, of any manner of Victuals, but ſhall buy the ſame that they need of ſuch as will ſell the ſame of their good will, and for the ſame ſhall make ready paiment in hand, according as they may agree with the ſeller. And if the people of Lords, or of other, doe in other manner, and thereof be attained, ſuch puniſhment of life and of member ſhall be done of them, as is ordeined of the buyers. 2.St. 7.R.2. 8.23.H,6.14.

CAP. VII.

Of what things the Mayor and Conſtables of the Staple ſhall take cogniſance.

St.27.Ed.3.8. Of what things only Maiors & Conſtables of the Staple ſhal take coniſance.

Merchants Aliens may proſecute their ſuits before the Maior of the Staple, or at the Common Law.

St.27.Ed.3.9. St.23.H.8 6.

ITem, though it bee ordained by the Statute of the Staple, that the Mayors and Conſtables of the ſaid Staples ſhall haue iuriſdiction and cogniſance within the Townes, where the Staples be, of the people and of all manner of things touching the Staple, and of felonies, mayheims, and treſpaſſe done within the Staple: It is accorded and aſſented, that the ſaid Mayors and Conſtables ſhall haue cogniſance onely of debts, couenants, and contracts and all other pleas, touching Merchandiſe and ſurety of Merchandiſe betwixt Merchants which bee for Merchants knowne, and proceſſe of felonies, and all other pleas, aſwell within the Staple as without ſhall bee at the Common Law, as they were before the ſtatute of the Staple, notwithſtanding the ſaid Statute. Sauing alwaies, that the Merchants Aliens (be they plaintifes or the defendants) may ſue their plaints and quarrels, aſwell of treſpaſſe as of other what they will, before the Maior of the Staple, by the law of the Staple, or elſewhere at the common law, as is conteined in the ſaid ſtatute, of the Staple. And that the King and all other Lords, within their Seigniories, haue and enioy their franchiſes, iuriſdictions, and priuileges, as they had before the ſame Statute made, ſo alwaies that the Mayor of the Staple haue power to take Recogniſances of debts of euery perſon, be he Merchant or other, in the ſame manner as is conteined in the ſame Statute of the Staple.

CAP. VIII.

A penalty impoſed by the Biſhop vpon Prieſts taking more wages than is aſſigned. And no man ſhall giue to a Pariſh prieſt for his wages aboue three pound ſix ſhillings and eight pence, or elſe his bord and ſix and twenty ſhillings and eight pence. Alt.2.H.5.2.& Rep.21.Iac.28.

CAP. IX.

Whoſoeuer findeth himſelfe grieued with any Statute ſhall haue his remedy in the Chancery.

Whoſoeuer findeth himſelfe grieued with theſe or any other ſtatutes vpon complaint ſhall haue remedy in the Chancery.

ITem, if any man that feeleth himſelfe grieued contrary to any of the articles aboue written, or others contained in diuers Statutes, will come into the Chancery, or any for him, and thereof make his complaint, he ſhall preſently there haue remedy by force of the ſaid Articles and Statutes without elſewhere purſuing to haue remedy.

CAP. X.

A Parliament ſhall be holden once in the yeere.

A Parliament ſhalbe holden once in the yeare.

ITem, for maintenance of the ſaid Articles and Statutes, and redreſſe of diuers miſchiefes and grieuances which daily happen, a Parliament ſhalbe holden euery yeere, as an other time was ordeined by a Statute. St.4.Ed.3.14.

Cap.

Cap. XI.

The three yeares Subſidy granted by the Commons to the King ſhall be no example in time to come. Exp. All Merchants may tranſport wools. St.27.*Ed*.3.3.

Cap. XII.

At what times the foure Seſſions of Iuſtices of Peace ſhalbe holden.

ITem, that in the Commiſſions of Iuſtices of the Peace, and of labourers, expreſſe mention be made, that the ſame Iuſtices make their Seſſions foure times by the yeere, that is to ſay, one Seſſion within the Vtas of the Epiphany, the ſecond within the ſecond weeke of Lent, the third betwixt the feaſts of Pentecoſt and of Saint Iohn Baptiſt, the fourth within the eight dayes of Saint Michael. St.12.R.2.10.2.H.5.4.

At what times the foure Seſſions of Iuſtices of peace ſhall be holden.

Cap. XIII.

An Eſchetor ſhall haue no fee, nor commit Waſte in Wards Lands. Thoſe Lands which be ſeiſed vpon an inqueſt taken before an Eſchetor ſhall be letten to Ferme.

ITem, for grieuous complaint that the King hath heard by his people of his Eſchetors, and of their euill behauiour: he will and hath ordeined of the aſſent aforeſaid, that Lands ſeiſed into his hands becauſe of Ward, ſhall bee ſafely kept without waſte or deſtruction. And that the Eſchetor haue no fee of Wood, Fiſh, nor of Veniſon, nor other thing, but ſhall anſwer to the King of the iſſues and profits yeerely comming of the ſaid lands without doing waſt or deſtruction, and if he doe otherwiſe and thereof be attainted, he ſhalbe ranſommed at the Kings will, and yeeld to the heire the treble damages at his owne ſuit, aſwell within age, as of full age: and his friends as long as he is within age ſhall haue the ſuit for him, anſwering to the ſaid heire of that which ſhall be ſo recouered. Alſo of other lands ſeiſed into the Kings hands by enqueſt of office taken before the Eſchetors, this ordinance and penance ſhall hold place againſt the Eſchetors. And if there be any man that will make claime or challenge to the lands ſo ſeiſed, that the Eſchetor ſend the Enqueſt into the Chancery within the moneth after the lands ſo ſeiſed, and that a Writ be deliuered to him to certifie the cauſe of his ſeiſin into the Chancery, and there he ſhall be heard without delay to trauers the office, or otherwiſe to ſhew his right, and from thence ſent before the King to make a finall diſcuſſion without attending other commandements. And in caſe that any come before the Chancellor and ſhew his right, by which ſuing by good euidences of his ancient right, and good title, the Chancellor by his good diſcretion and aduice of councell (if it ſeeme expedient to him to haue councell) ſhall let and demiſe the lands ſo in debate to the tenant, yeelding thereof to the King the value, if it pertaine to the King, in the manner as he and the other Chancellors before him haue done in times paſt of their good diſcretion, ſo that he finde ſurety, that hee ſhall doe no waſte nor deſtruction, till it be iudged. And that the ſaid Eſchetors take ſuch inqueſts in the good Townes and of good people, and that openly, and by Indentures to bee made betweene the ſaid Eſchetors and them of the inqueſt, as another time was ordeined by a Statute. And if any Eſchetor doe to the contrary of this ſaid ordinance, hee ſhall haue two yeeres impriſonment, and moreouer he ſhall be ranſommed at the Kings will. St.23.H.6.17.

Coke li 4 fo.57.

13.Ed.4 fo.8.
Coke li.4.fo.59.

H.7.fo.2.4.H.6.
12.Dyer fo.169.

35.Ed.4.fo.11.

An eſchetor ſhal haue no fee of the lands of the Kings Wards, nor commit any waſt therein. St.9 H.3.4.28.Ed.1.18 14.Ed.3.13. Regiſt.fo.72. V.N.B.fo.7.Fitz.N.B.fo.59.B.

Land ſeiſed into the King hands by an Eſchetor ſhalbe let to ferme to him which tendreth a trauers to the Office. St.34.Ed.3.14. 8.H.6.16.

By what ſort of people, in which place, & in what manner an Eſchetor ſhall take his Enqueſts. St.34.Ed.3.13. 1.H.8.8.

Cap. XIIII.

The Fines and amerciaments of Labourers, Artificers, and ſeruants, ſhall be to the vſe of the Commons, and diſtributed amongſt them during three yeares. Exp.

Cap. XV.

Pleas ſhalbe pleaded in the Engliſh tongue, and inrolled in Latine.

ITem, becauſe it is often ſhewed to the King by the Prelates, Dukes, Earles, Barons, and all the Comminalty, of the great miſchiefes which haue happened to diuers of the Realme, becauſe the Lawes, Cuſtomes, and Statutes of this Realme bee not commonly holden and kept in the ſame realm, for that they be pleaded, ſhewed and iudged in the French tongue, which is much vnknowne in the ſaid Realme, ſo that the people which doe implead or be impleaded in the kings Court, and in the Courts of other, haue no knowledge nor vnderſtanding, of that which is ſaid for them or againſt them by their Serieants and other Pleadors: And that reaſonably the ſaid Lawes and Cuſtomes the rather ſhall bee perceiued and knowne and better vnderſtood in the tongue vſed in the ſaid Realme, and by ſo much euery man of the ſaid realme may the better gouerne himſelfe without offending of the Law, and the better keepe, ſaue, and defend his heritage and poſſeſſions: and in diuers regions and countries, where the King the Nobles, and other of the ſaid Realme haue been, good gouernance and full right is done to euery perſon, becauſe that their

Reaſons why the Lawes ſhould bee pleaded and knowen in the Engliſh tongue.

Pleas ſhall be pleaded in the Engliſh tongue and not in the French. And they ſhalbe inrolled in Latine.

Old termes & formes ſhalbe obſerued in pleading.

Lawes and Cuſtomes be learned and vſed in the tongue of the Countrey: The King, deſiring the good gouernance and tranquillity of his people, and to put out and eſchew the harms and miſchieues which doe or may happen in this behalfe, by the occaſions aforeſaid, hath ordeined, and ſtabliſhed, by the aſſent aforeſaid, that all Pleas which ſhall bee pleaded in any Courts whatſoeuer, before any of his Juſtices whatſoeuer, or in his other places, or before any of his other Miniſters whatſoeuer, or in the Courts and places of any other Lords whatſoeuer within the Realme, ſhall be pleaded, ſhewed, defended, anſwered, debated and iudged in the Engliſh tongue, and that they be entred and inrolled in Latine. And that the Lawes and Cuſtomes of the ſame Realme, Termes, and Proceſſes be holden and kept, as they be and haue beene before this time, and that by the ancient termes and formes of Pleaders, no man be preiudiced, ſo that the matter of the action be fully ſhewed in the declaration and in the Writ. And it is accorded by the aſſent aforeſaid, that this ordinance and ſtatute of pleading, begin and hold place at the fifteenth of Saint Hilary next comming.

46.Ed.3.fo.21. Dyer fol.299. Coke li.8.fo.16 lib.10.fo.132. Co.Inſt.304.

EDward by the grace of God, &c. to all that, &c. greeting. Know yee that wee haue receiued the Petition deliuered to vs by the Commons of our Realme in this Parliament in the forme as followeth.

Anno. 36. *Ed.* 3. Certaine things whereof the Commons doe not deſire to haue the Kings pardon, for that they tend to the diſheritance of the Crowne. And the things whereof they doe deſire to be diſcharged and pardoned, and the Kings pardon of the ſame. Exp.

Statutes made at Weſtminſter, Anno 37. Ed.3. & *Anno Dom.*1363.

KIng EDVVARD at his Parliament holden at Weſtminſter the Friday in the *Vtas* of Saint Michael, the ſeuen and thirtieth yeare of his raigne, at the requeſt of the Commons, and by the aſſent of the Prelates, Dukes, Earles, Barons and other great men there aſſembled, hath ordeined the things vnder written in the forme as followeth.

CAP. I.

A confirmation of former ſtatutes.

The great Charter and other Statutes ſhalbe obſerued.

FIrſt, that the great Charter and the Charter of the Foreſt, and the Statutes and Ordinances made in times paſt, and ſpecially the Statutes made at the laſt Parliament, bee holden and kept and duly executed according to the forme and effect of them.

CAP. II.

An Idemptitate nominis *ſhall be granted vpon the wrongfull ſeiſure of anothers perſon, Lands, or goods.*

An Idemptitate nominis ſhall be granted vpon the ſeiſure of an other mans lands or goods. St.9.H.6.4.Regiſt. fo.194.&c.V.N.B. f.162.Fitz.N.B.f. 267.Raſt.pl.f.378.

ITem, for the great miſchiefes which often haue happened, and daily doe come, becauſe that Eſcheators, Sheriffes, and other the Kings Miniſters doe ſeiſe the lands, goods, and cattels of many, ſurmiſing that they bee outlawed, where they bee not outlawed, becauſe that they beare ſuch names as thoſe which be outlawed, for default of good declaration of the ſurname: It is ordeined, that if any complaine him in ſuch caſe, hee ſhall haue a Writ of Idemptitate nominis, in the manner as hath beene vſed in times paſt. And if any mans lands, goods, or cattels, be ſeiſed in ſuch caſe by Eſchetor, Sheriffe, or other Miniſter of the Kings, hee ſhall finde ſurety before the Miniſter, which hath the warrant to ſeiſe, to anſwer to the King of the value of ſuch Lands, goods, and cattels, in caſe that hee cannot diſcharge him, without taking any thing of the party. And if ſuch Miniſter doe not the ſame, and thereof be attainted, the party ſhall haue the ſuit againſt ſuch Miniſter, and recouer his double dammages, and neuertheleſſe he ſhall bee grieuouſly puniſhed to the King.

5.Ed.4.fol 51. Dyer fo.5. Fitz.Idemptit nominis.1.2.

CAP. III.

The ſeuerall prices of a Capn, Hen, Pullet, and Gooſe. Rep. 21. *Iac.*21.28.

CAP.

Cap. IIII.

A Clerke of the Remembrance of the Eſchequer ſhall be aſſigned.

ITem becauſe that many people acquited by iudgement in the Eſchequer in one place, be grieued and endammaged in other offices and places of the ſaid Eſchequer, of the ſame things whereof they be ſo acquit, to the great miſchiefe of the people: It is ordeined that the Clerke of the Remembrance be tilled to ſit againſt the Clerke of the Pipe to ſée the diſcharges made in the Pipe, and to imbreuiate the ſame in the remembrance, to cauſe to ceaſe al manner of Proceſſe thereupon made. And alſo that the ſummons of the Pyps be withdrawen according as the parties by proceſſe be diſcharged. And in whom ſoeuer any default be willingly found, the Treaſorer by the Kings commandement ſhall duely puniſh the ſame. Stat.1.*R.*2.5.

A Clerke of the Remembrance and Clerke of the Pipe ſhalbe aſſigned to ſit together.

Cap. V.

Merchants ſhall not ingroſſe Merchandiſes to enhaunce the prices of them, nor vſe but one ſort of Merchandiſe. Rep.38.Ed.3.2.

Cap. VI.

Handicraftſmen ſhall vſe but one myſterie, but handy workemen may worke as they did. Rep.5 Eliz 4.

Coke lib.11. fo. 54.

Cap. VII.

Goldſmithes worke ſhalbe of good Sterling, and marked with his owne marke. None ſhall make white Veſſell and alſo guild.

ITem, it is ordeined that Goldſmiths aſwell in London, as elſewhere, within the Realme, ſhal make all manner of veſſell and other worke of Siluer wel and lawfuly of the allay of good Sterling. And euery Maſter Goldſmith ſhal haue a marke by himſelfe, and the ſame marke ſhal be knowen by them which ſhall be aſſigned by the King to ſuruey their worke & allay. And that the ſaid Goldſmithes ſet not their marke vpon their workes, til the ſaid Surueyors haue made their eſſay, as ſhal be ordeyned by the King and his Councel, and after the eſſay made, the Surueyors ſhal ſet the Kings marke, and after the Goldſmith his marke, for which he wil anſwere. And that no Goldſmith take for veſſel white and ful for the weight of a pound, that is to ſay, of the price of two Markes of Paris weight, but eightéene pence, as they doe at Paris. And that no Goldſmith making white Veſſel ſhal meddle with guilding, nor they that doe guild, ſhal meddle to make white veſſel. And they which ſhal be ſo aſſigned, in euery Towne, ſhal make their ſearches as oftentimes as ſhal be ordeined. And for that which ſhall be in the Goldſmithes default they ſhal incurre the peine of forfeiture to the King the value of the Metall, which ſhall be found in default. *St.*28.*E.*1.20.

Goldſmithes ſhall make their worke of Sterling. St.4.H.7.2. 18.El.15.

Euery Goldſmith ſhall haue a marke, and ſet it to his worke. St.2.H 6.14. 18.El.15.

No goldſmith ſhal make white veſſell, and alſo guild. Rep.21.Iac.28.

Cap. VIII.

The dyet and apparell of Seruants. Rep.24.H.8,13.& 1.*Iac.*25.

Cap. IX.

The apparell of Handicrafts men, and Yeomen, and of their wiues and children. Rep.24.H.8. 13.& 1.*Iac.*25.

Cap. X.

What Apparell Gentlemen vnder the eſtate of Knights, and what Eſquires of CC. Marke land &c. may weare, and what their wiues and children. Rep.24.H.8.13.& 1.*Iac.*25.

Cap. XI.

The Apparell of Merchants, Citizens, Burgeſſes, and handicraftſmen. Rep.24.*H.*8.13.& 1. *Iac.*25.

Cap. XII.

The Apparell of Knights which haue Lands within the yearely value of CC. Markes, and of Knights and Ladies which haue CCCC. marke land. Rep.24.*H.*8.13.& 1.*Iac.*25.

Cap. XIII.

The Apparel of ſeuerall ſorts of Clerkes. Rep.24.H.8.13.& 1.Iac.25.

Cap. XIIII.

The apparell of Ploughmen, and other of meane eſtate, and the forfeitures of the offendors ſhal be of all the apparell that he doth weare contrarie to this ordinance. Rep.24.*H.*8.13.& 1.Iac.25.

Cap. XV.

Clothiers ſhall make Clothes ſufficient of the foreſaid prices, ſo that this Statute for default of ſuch clothes be in no wiſe infringed. Ob.

Cap. XVI.

A repeale of the puniſhment of Lands, and of life, and member inflicted by the ſtat. of 27. Ed. 3. 5. & 7. Enquirie ſhall be made yearely in Gaſcoine in the Kings Dominions of Couchers of England which lye there to buy Wines. Ob.

Cap. XVII.

In what caſe a Writ ſhall not be abated by exception of cogniſance of villenage.

Where a Writ ſhall not abate by exception of acknowledgement of villeny.

43. Aſſ. pl. 1. Fitz. Briefe. 311. 764. Fitz. Villenage 19. Bro. Villenage, 18. 28.

ITem, it is ordained and eſtabliſhed, that no Writ be abated by exception of acknowledgement of Villenage, if the demandant or Plaintiffe will auerre that he which alledged the exception was free the day of the Writ purchaſed. *Raſt. pla. fol.* 401. 613.

Cap. XVIII.

The order of purſuing a Suggeſtion made to the King:

St. 9. H. 3. 29.

The order of purſuing of a Suggeſtion made to the King. St. 38. Ed. 3. 9.

ITem, though that it be conteined in the great Charter, that no man be taken nor impriſoned, nor put out of his Freehold, without proceſſe of the Law, neuertheleſſe diuers people make falſe ſuggeſtion to the King himſelfe, aſwell for malice as otherwiſe, whereof the King is often grieued, and diuers of the Realme put in dammage againſt the forme of the ſame Charter. Wherefore it is ordained, that all they which make ſuch ſuggeſtions ſhall be ſent with the ſame ſuggeſtions, before the Chancellor, Treaſorer, and his graund Counſell, and that they there finde ſuretie to purſue their ſuggeſtions, and incurre the ſame paine that the other ſhold haue had if he where attainted, in caſe that his ſuggeſtion be found euill. And that then proceſſe of the Law be made againſt them without being taken and impriſoned againſt the forme of the ſaid Charter and other Statutes. *Stat.* 25. *Ed.* 3. 4. 42. *Ed.* 3. 3.

Cap. XIX.

How each perſon ſhall vſe a Hawke of an others that he taketh vp.

St. 34. Ed. 3. 22.

How each perſon ſhall vſe a Hawke of another mans that he taketh vp.

The concealing or imbeſiling of a Hawke is felony.

ITem, whereas it was another time ordeined, that euery perſon that findeth any Fawlkon, Tercelet, Laner, or Laneret, or any other Hawke that is loſt of his Lords, that preſently he ſhall bring him to the Sheriffe of that Countie, and that the Sheriffe make Proclamation in all the good Townes of the Countie, that he hath ſuch Hawke in keeping, and if the Lord which hath loſt him, or any of his come to challenge him, and proue reaſonably that it is his Lords, let him pay for his coſts, and haue the Hawke, if none come within foure moneths for to challenge him, then the Sheriffe ſhall haue the Hawke, making gree to him that did take him, if he be a ſimple man, and if he be a Gentleman, & of eſtate to haue the hawke, the Sheriffe ſhall redeliuer to him the Hawke, taking of him reaſonable coſts for the time that he had him in his keeping, and if any hath taken ſuch hawke, and the ſame conceale from the Lord, to whom the hawke is, or from him Fawlkoners, or if any take him away from the Lord, and thereof be attainted, he ſhall haue two yeares impriſonment and yeeld to the Lord the price of the Hawke ſo concealed or taken away, if he had wherof, and if not, he ſhall the longer abide in priſon: Notwithſtanding this ordinance, the offenders doubt but little to offend in this behalfe. Wherefore it is ordeined and by Statute ſtabliſhed in this preſent Parliament, that if any ſteale any hawke, & the ſame carrie away, not doing the ordinance aforeſaid, it ſhall be done of him as of a theefe that ſtealeth a horſe or other thing.

Statutes made at Weſtminſter *Anno* 38 *Edw.* 3. &
An. Dom. 1363.

OVr Lord King EDVVARD, at his Parliament holden at Weſtminſter in the *Vtas* of Saint Hillary, the eight and thirtieth yeare of his raigne, of the aſſent of his Prelates, Dukes, Earles, Barons and Commons of his Realme there aſſembled, hath made and ordeined the things underwritten.

Cap. I.

Former Statutes ſhall be kept and executed.

Former ſtatutes ſhalbe kept and executed.

FIrſt, that the great Charter, and the Charter of the Foreſt, & the other ſtatutes made aſwell in his time as in the time of his Progenitors, be holden and kept & duly executed in al points.

Cap. II.

Any Merchant may vſe more merchandiſes than one, notwithſtanding the Statute of 37. Ed. 3. 5. Who onely may tranſport gold or ſiluer.

ITem, To that which was ordained at the laſt Parliament of Liuing, and of Apparell, and that no Engliſh Merchant ſhould vſe but one merchandiſe. It is ordained; that all people ſhall bée as frée as they were all times before the ſaid Ordinance, and namely as they were in the time of the Kings grandfather, and his other good progenitors. And that all Merchants, as well Aliens, as Denizens, may ſell and buy all manner of merchandiſes, and fréely carrie them out of the Realme, paying the Cuſtomes and Subſidies thereof due, except that the Engliſh Merchants ſhall not paſſe out of the Realme with Wolles or Wollfells. And that none carry out of the Realme gold nor ſiluer in plate nor in money, ſauing the Victuallers of Fiſh, that fiſh for Herring, and other Fiſh, and they that bring Fiſh within the Realme in ſmall veſſels, which meddle not with other merchandiſes, and that according to the arbitriment of the Chancellor.

Any Merchant may vſe more merchandiſe than one, notwithſtanding the St. of 37. Ed. 3. 5. St. 27 Ed. 3. 3. 36. Ed. 3. 11. St. 9. Ed. 3. 1. St. 5. R. 2. 2. St. 2. H. 4. 5. Who onely may carrie gold or ſiluer out of the Realme.

Cap. III.

Fines ſhall be leuied in the preſence of the pledges.

ITem, It is accorded, that all the Fines to be taken before any Iuſtices, ſhall be in the preſence of the pledges, and that the pledges know the ſumme of their fine before their departing.

Fines ſhall be taken in the preſence of the pledges.

Cap. IIII.

Penall Bonds in the third perſon ſhall be void.

H.4.fol.10. Ed.3.f.1. d.4.f.5. Ed.4.f.22. , Inſt.229.

ITem, Whereas diuers people bee bound in an other Court out of the Realme by Inſtruments and in other maner: It is accorded that all penall Bonds in the third perſon bee void and holden for none.

Penall bonds in the third perſon, void.

Cap. V.

Any man may wage his law againſt a Londoners papers.

ITem, Whereas many people be grieued and attached by their body in the Citie of London, at the ſuit of the people of the ſame Citie, ſurmiſing to them, that they be debtors, and that they proue by their papers, whereas they haue no déede nor taile: It is aſſented, that euery man be receiued to his Law by people ſufficient of his condition againſt ſuch papers, and the Creanſour ſhall take ſuretie by an other way if hée will, without putting the partie to pleade to the enqueſt, if he will not of his owne grée.

Ley. 38.

Any man may wage his law againſt a Londoners papers. St. 7. Iac. 12.

Cap. VI.

A repeale of the felonie impoſed by the Statute of 27. Ed. 3. 3. for tranſporting of wooll, &c. by Engliſhmen, but the forfeiture of lands and goods ſhall ſtand. Ob.

Cap. VII.

A Confirmation of the Statute of the Staple, made An. 27. Ed. 3.

ITem, It is aſſented, that the Staple ſhall be in England, And that the Statute of the Staple made the ſaid ſeuen and twentieth yeare with the declarations, additions, and modifications thereof made, be holden and kept, notwithſtanding any grant, licence, or other Statute or Ordinance made afterward.

The Stat. of the Staple made An. 27. Ed. 3. confirmed.

Cap. VIII.

A Ship ſhall not be loſt for a ſmall thing therein not cuſtomed.

ITem, Whereas the Ships of diuers people of the Realme bee arreſted and holden forfeit, becauſe of a little thing put in their ſhip not cuſtomed, whereof the Owners of the ſame ſhips be ignorant: It is accorded and aſſented, that no owner ſhall loſe his Ship from the fiftéene day of Februarie next comming forth, for ſuch a ſmall thing put within the Ship not cuſtomed without his knowledge.

A Ship ſhall not be loſt for a ſmall thing therein not cuſtomed.

Cap. IX.

The puniſhment of him which proueth not his ſuggeſtion made to the King.

ITem, As to the Article made at the laſt Parliament, of thoſe that make grieuous complaints to the King himſelfe: It is aſſented, that if he that maketh the complaint, cannot proue his intent againſt the defendant by the proces limited in the ſame article, he ſhall be commanded to priſon, there to abide till he hath made grée to the partie of his dammages, and of the ſlander that he hath ſuffered by ſuch occaſion, and after ſhall make fine and ranſome to the King. And the point contained in the ſame Article, that the plaintiffe ſhall incurre the ſame paine, which the other ſhould haue if he were attainted, ſhall be out, in caſe that his ſuggeſtion be found vntrue.

The puniſhment of him which proueth not his ſuggeſtion made to the King. 37. Ed. 3. 18.

CAP. X.

A Confirmation of the Statutes made for Wines.

The ſtatutes of wines confirmed.

ITem, As to the Merchants of Wines, and of thoſe that paſſe the Sea to fetch Wines in Gaſcoigne, for the diuerſitie of opinions of diuers: It is aſſented, that the Statutes and Ordinances thereupon made, ſhall ſtand in their force.

CAP. XI.

Merchants Denizens may fetch Wines, and Aliens may bring them.

All Merchants Denizens that be not artificers may goe into Gaſcoigne to fetch wines, and aliens may bring wines into this Realme.

ITem, The King will of his grace and ſufferance, that all Merchants Denizens that be not artificers, ſhall paſſe into Gaſcoigne to fetch Wines there, to the end and intent that by this generall licence, greater plentie may come, and greater market may be of Wines within the realme. And that the Gaſcoignes and other Aliens may come into the realme with their Wines, and fréely ſell them without any diſturbance or impeachment. Alwayes ſaued to the King that it may be lawfull to him, whenſoeuer it is aduiſed to him or his Councell, to ordaine of this article in the maner as beſt ſhall ſéeme to him for the profite of him and his Commons.

CAP. XII.

The puniſhment of a Iuror taking reward to giue his verdict, and of Embracers.

St. 34. Ed. 3. 8. A Iuror taking reward to giue his verdict, ſhall pay ten times ſo much as he hath taken. The puniſhment of Embracers. None ſhall inquire of office of this Stat. but at the ſuit of the partie.

31, H.6.
37. H.6.
Fitz.dec
tum 1.2.
6,9.11.
39. Aſſ.pl

ITem, As to the article of Iurors, in the foure and thirtieth yeare, it is aſſented and ioyned to the ſame, that if any Iurors in Aſſiſes ſworne, and other Enqueſts to be taken betwéene the King and partie, or partie and partie, doe any thing take by them or other, of the partie plaintiffe or defendant, to giue their verdict, and thereof be attainted by Proces contained in the ſame article, be it at the ſuit of the partie that will ſue for himſelfe, or for the King, or any other perſon, euery of the ſaid Iurors ſhall pay tenne times as much as he hath taken. And he that will ſue, ſhall haue the one halfe, and the King the other halfe. And that all the Embracers that bring or procure ſuch enqueſts in the Countrey to take gaine or profite, ſhall bée puniſhed in the ſame maner and forme as the Iurors. And if the Iuror or Embracer ſo attainted, haue not whereof to make grée in the manner aforeſaid, he ſhall haue the impriſonment of one yeare: And the intent of the King, of great men, and of the Commons is, That no Iuſtice nor other Miniſter ſhall inquire of Office, vpon any of the points of this Article, but onely at the ſuit of the partie, or of other, as afore is ſaid. Stat. 5. Ed. 3. 10. Regiſt. fol. 188. V. N. B. fol. 120. Fitz. N. B. fol. 171. Raſt. pla. fol. 143.

Other Statutes made, anno 38. Ed. 3. & anno Dom. 1363.

The ſeuerall enormities of Citations and Impetrations of Benefices obtained from Rome.

TO nouriſh loue, and peace, and concord betwéene holy Church and the Realme, and to appeaſe and cauſe to ceaſe the great hurt, perils, and importable loſſes and grieuances, that haue béene done and happened in times paſt, and that ſhall happen hereafter if the thing from henceforth be ſuffered to paſſe, becauſe of perſonall Citations, and other that be paſt before this time, and commonly doth paſſe from day to day out of the Court of Rome by fained and falſe ſuggeſtions and propoſitions againſt all manner of perſons of the Realme vpon cauſes, whoſe cogniſance and finall diſcuſſing pertaineth to our Lord the King, and his royall Court, and alſo of Impetrations and Prouiſions made in the ſaid Court of Rome, of Benefices and Offices of the Church, pertaining to the gift, preſentation, donation, and diſpoſition of our ſaid Lord the King, and other lay Patrons of his Realme, and of Churches, Chappels, and other Benefices appropried to Cathedrall Churches, Abbeyes, Priories, Chauntries, Hoſpitalles, and other poore houſes, and of other Dignities, Offices, and Benefices occupied in times paſt, and preſented by diuers and notable perſons of the ſaid Realme; For the which cauſes and the dependants thereof, the good ancient Lawes, Cuſtomes, and Franchiſes of the ſaid Realme haue béene and be greatly impeached, blemiſhed, and confounded, the Crowne of our Lord the King abated, and his perſon very hardly and falſely defamed, the treaſure and riches of his Realme carried away, the inhabitants and Subiects of the Realme impoueriſhed and troubled, the Benefices of the Church waſted and deſtroyed, Diuine Seruice, Hoſpitalities, Almes déedes, and other workes of Charitie withdrawen and ſet apart, the great men, Commons, and Subiects of the Realme in body and goods dammified.

CAP. I.

They which receiue Citations from Rome againſt any of this Realme for cauſes, the cogniſance whereof pertaineth to the K. & his Court: or for impetration of Benefices of the Kings or other mens gifts, ſhall incurre the penaltie ordained for prouiſors made An. 25. Ed. 3.

Cap. 2. They which being ſuſpected of any of the ſaid offences that cannot be attached by their perſons, if within two moneths after warning they doe not appeare before the Kings Iuſtices to anſwer, ſhall incurre the penaltie of the Statute of 27. Ed. 3. 1.

Cap. 3. Hee which doth commit any of the offences aforeſaid, ſhall be put out of the Kings protection, and puniſhed according to the Stat. of Anno 27.Ed.3.1.

Cap. 4. Hee that vpon malice doth falſely purſue any vpon this Statute, ſhall be puniſhed at the Kings pleaſure, and make amends to the party grieued. The King and all the Parliament houſe agreed to impeach the offenders, and to reſiſt them. Alt. 13.Eliz.2. viz. theſe offences made high Treaſon.

Statutes made at Weſtminſter, Anno 42. Ed.3. and Anno Domini 1368.

Cap. I.

A Confirmation of the great Charter, and the Charter of the Foreſt: And a repeale of thoſe Statutes that be made to the contrary.

At the Parliament of our Lord the King, holden at Weſtminſter the firſt day of May the two and fortieth yeare of his raigne: It is aſſented and accorded, That the great Charter, and the Charter of the Foreſt be holden and kept in all points, and if any Statute be made to the contrary, that ſhall be holden for none.

A confirmation of the great Charter & the Charter of the Foreſt, and a repeale of thoſe St. that haue beene made to the contrary.

Cap. II.

A Writ of allowance of a Pardon, granted Anno 36.Ed,3. Exp.

Cap. III.

None ſhall be put to anſwere an accuſation made to the King without preſentment.

Item, at the requeſt of the Commons by their petitions put forth in this Parliament, to eſchew the miſchiefes and damage done to diuers of his Commons by falſe accuſers, which oftentimes haue made their accuſations more for reuenge, and ſingular benefit, then for the profit of the King, or of his people, which accuſed perſons, ſome haue béene taken, and ſometime cauſed to come before the Kings Counſell by Writ, and otherwiſe vpon grieuous paine againſt the Law: It is aſſented and accorded, for the good gouernance of the Commons, that no man be put to anſwere without preſentment before Juſtices, or matter of Record, or by due Proceſſe, and Writ originall according to the old Law of the Land. And if any thing from henceforth be done to the contrary, it ſhall be void in the Law, and holden for errour. St. 25. Ed. 3. 4. 37.Ed.3.18.

None ſhall be put to anſwere to an accuſation made to the K. without preſentment, or ſome matter of Record.

Cap. IIII.

To what ſort of people Commiſſions in inquiry ſhall be granted.

Item, becauſe that Commiſſions haue béen made and granted in diuers Counties, at the procurement of certaine perſons to enquire of certain Articles, which Commiſſioners haue made their inquiries in ſecret places, and by people not ſufficient, and of their cowin more to their priuate profit then for the Kings aduantage or of his people: It is aſſented and accorded, that from henceforth in all inquiries within the Realme, Commiſſions ſhall be made to ſome of the Juſtices of the one Bench or of the other, or Juſtices of Aſſiſe, or Juſtices of the Peace, with others of the moſt worthy of the Countrey, as well for the Kings profit as the Commons, ſauing in the office of the Eſcheatorſhip, or thing that toucheth the ſame office.

To what ſort of people commiſſions of inquiry ſhall be granted.

Cap. V.

Of what ſufficiencie in land euery Eſcheator muſt be. And he ſhall execute his Office in his owne proper perſon.

Item, whereas it is contained in the Statutes ordained for the common profit of Eſcheators, that none ſhould be Eſcheator, vnleſſe he haue ſufficient land, whereof he may anſwere to the King and to his people: It is aſſented, that no Eſcheators ſhall be made, vnleſſe he haue xx.li. of land at the leaſt, or more in fée. And that they doe their offices in proper perſon. And if any other be, he ſhall be put out. St.12.Ed.4.9. 1.*H*.8.8.

St.14.Ed.3.8. Of what ſufficiencie in land euery Eſcheator muſt be.

Cap. VI.

The Stat. of 25.Ed.3.1. concerning Labourers and Artificers ſhall be executed. Rep. 5. El.4.

Cap. VII.

Londoners and none other ſhall ſell victuals by retaile. Exp.

Cap. VIII.

Engliſh Merchants ſhall not paſſe into Gaſcoine to fetch wines, Alt. 43.Ed.3.2. nor ſhall buy any wines, vntill they be Landed. Rep.5.El.5.

CAP. IX.

Eſtreats ſhall be ſhewed to the party indebted, and that which is paid ſhall be totted.

Eſtreats ſhall be ſhewed to the party indebted & totted. St.3.Ed.1.19. 7.H.4.3.

Sheriffes ſhall account by Eſtreats totted & none other.

St.14.Ed.3.7. 38.Ed.3.7. St.23.H.6.8. Raſt.pla.fo.202.

ITem, whereas the gréene waxe is ſent to Sheriffes, to leuie the Kings debts: the Sheriffes Miniſters doe leuy the ſame by Rolles, and other remembrances, and doe not ſhew the ſame eſtreats vnder the Seale of the Eſchequer, ſo that which is once leuied, commeth another time in demand, becauſe that they doe not charge them fully of that which is leuied, in deceit of the King, and impoueriſhment of his people: It is ordained and aſſented, That a man ſhall ſée the ſame eſtreats ſealed, and that the ſame, which is paid, be totted, and the ſame eſtreats ſent to the Sheriffes vpon the receit. And if any Sheriffe or Miniſter doe to the contrary, he ſhall be charged to anſwere to the party, which thereof will him complaine, his treble damages, and make fine to the King, and that he haue his ſuit as well before Juſtices of the peace, as before other Juſtices, and that the Sheriffes be bound to accompt by the ſame eſtreats ſo totted, and by none other: And the ſame eſtreats ſhall not be doubled by the Sheriffes, but the copie of the Eſtreats, wherein they touch the Franchiſes of Lords, ſhall be deliuered to the Bailiffes of the Franchiſes, vnder the Seale of the Sheriffe, and that the ſame Bailiffes yeeld their accompt in the Eſchequer by the ſame copies ſo deliuered. And alſo that no Sheriffe, Vnderſheriffe, nor Sheriffes Clerke abide in his office aboue one yeare, as it is ordained by the ſame Statute. St.6.H.8.18.

CAP. X.

Children borne beyond the Sea in the Kings Dominions ſhall be inheritable in England.

Infants borne in Calice ſhall be inheritable in England.

ITem, vpon the petition put in the Parliament by the Commons, deſiring that Infants borne beyond the Sea, within the Seigniories of Calice, and elſe where, within the Lands and Seigniories that pertaine to our Lord the King beyond the Sea, be as able and enheritable of their heritage in England, as other Infants borne within the Realme of England: It is accorded, that the Common Law, and the Statute vpon the ſame point another time made, be holden. St.25.Ed.3.

CAP. XI.

Copies of Panels ſhall be deliuered to the parties ſixe daies before the Seſſions.

Copies of panels ſhall be deliuered to the parties before the Juſtices Seſſion. St.6.H.6.2.

What ſort of perſons ſhall be returned vpon enqueſts. St.28.Ed.1.9. 20.Ed.3.6. 34.Ed.3.4.

ITem, for as much as diuers miſchiefes haue happened, becauſe that the Panels of Enqueſts, which haue béene taken before Juſtices by Writ of Scire facias, and other Writs, haue not béene returned before the Seſſions of the Juſtices at the Niſi prius and otherwiſe, ſo that the parties could not haue knowledge of the names of the perſons, which ſhould paſſe in the Enqueſt, whereby diuers of the people haue béene diſherited and oppreſſed: It is ordained, that no Enqueſt, but Aſſiſes and deliuerances of gaoles, be taken by Writ of Niſi prius, nor in other maner, at the ſuit of the great or ſmall, before that the names of all them that ſhall paſſe in the Enqueſts, be returned in the Court. And that the Sheriffes array the Panels in Aſſiſes foure daies, at the leaſt before the Seſſions of the Juſtices, vpon paine of twentie pound, ſo that the parties may haue the view of the Panels, if they the ſame demand. And as to the returne or anſwers of the Bailiffes of Franchiſes, they ſhall make their anſwere to the Sheriffes ſixe daies before their Seſſions, vpon the paine. And in all maner of Panels arrayed by the Sheriffes or Bailiffes within Franchiſe, ſhall be put the moſt ſubſtantiall people and worthy of credit, and not ſuſpect, which haue beſt knowledge of the truth and be neareſt. Regiſt.fol.178. Raſt. pla.fol.117.

Statutes made, anno 43.Ed.3.& anno Dom.1369.

The danger which might enſue by keeping the Staple at Calice.

EDVVARD by the grace of God, &c. to the Sheriffe of Stafford, gréeting, &c. Where as of late it was ordained for the profit of the Realme, and eaſe of Merchants of England, That the Staple of Wools, Woolfels, and Leather ſhould be holden at Calice, and there it hath béen ſithence the firſt day of March, the ſeuen and thirti-yeare of our Lord the King that now is, and now becauſe the peace another time taken betwéene the Realmes of England and France is by the Frenchmen broken, and great perill might come to the goods of the Realm there being and comming by the Sea to the ſame Staple out of England, if the ſame Staple were there continued: And thereupon the Prelates, great men, and Commons ſéeing the miſchiefes and perils which may happen to the goods and merchandiſes in this behalfe, pray the King in this preſent Parliament holden at Weſtminſter, at the Vtas of the holy Trinity, the thrée and fortieth yeare of his raigne, thereupon to ordaine remedie.

Cap.

Cap. I.

Whereas the Staple of Woolls,&c.hath been holden at Calice ſithence the firſt day of March, Anno 37.Ed.3. Now the Staple of Calice ſhall be wholly put out,and the Staple holden in theſe places following: viz. At Newcaſtle, Kingſton vpon Hull, Saint Buttolph, Yarmouth, Quinſbrough,Weſtminſter,Chicheſter,Wincheſter,Exeter,and Briſtow. And the Staples of Ireland and Wales ſhall be kept at the places where they were firſt ordained. Ob. Stat.27.Ed.3.2.

Cap. II.

Engliſh,Iriſh,and Welſhmen,being not Artificers,may fetch Wine in Gaſcoine, ſo that they find ſureties to buy a hundred tunne of their owne goods,and to bring the ſame into England, Ireland,or Wales,notwithſtanding the Stat.of 42.Ed.3.8.

Cap. III.

The Kings Butler,or his Lieutenants ſhall take no more wines then is commanded.

ITem, for as much as the great men and Commons of the Realme before this time, and now in this preſent Parliament haue grieuouſly complained, for that the Kings Butler and his Lieutenants in diuers places and Ports of the Realme,haue ingroſſed, and taken by colour of their Office for the houſe and expences of the King;and by ſuch colour haue arreſted the Wines which Merchants brought into the ſaid Realm,and holden them ſo long in arreſt, that the great men and Commons and other of the Realme cannot thereof make their puruaiance, nor Merchants their profit, and oftentimes by ſuch colour haue ingroſſed and taken of them ſo many tunnes of wine aboue that was néedfull for the King,that they haue commonly ſold the ſame,and thereof made their ſingular profit,and as much as other Merchants and Vintners in the realm, to the great damage of the ſaid Merchants and other;whereupon the King deſiring to ordaine remedy,of the aſſent of the great men and Commons in this preſent Parliament hath ordained that the Butler nor any of his Lieutenants, ſhall not buy, ingroſſe, nor take by colour of their Office, nor in other maner to their proper vſe nor of others, more Wines for the houſe and expences of the King then they haue in commandement, vpon paine of impriſoument of their bodies, and to be ranſomed at the Kings will, and as much as they ſhall take by force of the ſaid Warrant,ſhall be taken within ten daies,and(that done)the Merchants of the ſaid wines may, and it ſhall be lawfull to them of the remnant of the ſaid wines another time to make their profit,notwithſtanding any arreſt made vpon ſuch wines by the Butler or any of his Lieutenants aforeſaid. St.25,Ed.3.21.

The Kings Butler ſhall take no more wine then he is commanded & he ſhall take that within ten dayes.

Cap. IIII.

The Kings generall Pardon to all men of Vert and Veniſon,ſauing to the Officers of his Foreſt, &c.

Statutes made at Weſtminſter, Anno 45.Ed.3. and Anno Domini 1371.

Cap. I.

A Confirmation of the great Charter,and the Charter of the Foreſt in all points.

AT the Parliament ſummoned at Weſtminſter, the Munday in the firſt wéeke of Lent,the fiue and fortieth yeare of the raigne of King Edward the third: It is ordained,That the great Charter and the Charter of the Foreſt be holden and kept in all points.

A confirmation of the great Charter and the Charter of the Foreſt.

Cap. II.

The penaltie of him that ſetteth vp,or enhaunceth weares.

ITem, whereas in the Statute made at Weſtminſter,in the fiue and twentieth year, amongſt other things it was ordained, that becauſe the common paſſage of ſhips and boats in the great riuers of England,were often diſturbed by the leuying of Weares,Mills,Stanks, Stakes and Kidles, which were leuied and ſet vp in the time of the Kings grandfather, in great damage of the people: It was accorded and eſtabliſhed,that all the Weares,Milles,Stankes, Stakes and Kidles, which were leuied and ſet vp in the time aforeſaid, and after in ſuch riuers, whereby the Shippes and Boats were diſturbed, that they might not paſſe, as they were wont, ſhould be cut, and wholly pulled downe without repairing, and thereupon Writs ſhould be made and ſent to the Sheriffes of places, where ſhould be néedfull to ſuruey, enquire, and to make thereof execution, and alſo that Iuſtices be thereupon aſſigned at all times when néed ſhall re- [illegible] the Commons made in this

A confirmation of the Stat.of 25.Ed.3.4. concerning the pulling downe of Weares.

The penalty of him that ſetteth vp againe weares, or doth inhance them.

preſent Parliament, complaining by their petition, that the Statute is not duely executed nor kept, according to the effect of the ſame: It is accorded and eſtabliſhed, that the ſaid Statute in this point be holden and kept, according to the effect of the ſame: Ioining thereto, that if any ſuch anoyance be done, it ſhall be pulled downe by due proceſſe contained in the ſaid Statute, And he that ſhall repaire the ſame anoyance, and thereof be duely attainted, ſhall incurre the paine of an hundred markes to the King, to be leuied by Eſtreats of the Eſchequer. And the like Law ſhall hold of anoyance made by enhauncing of ſuch Weares, Milles, Stankes, Stakes and Kidles as by the new leuying. St.1.*H*.4.12.

Cap. III.

A Prohibition ſhall be granted where a ſuit ſhall be commenced in a Spirituall Court for Silua cædua,

A prohibition ſhall be granted where a ſuit is commenced in the ſpirituall Court for Silua cædua.

Coke li.11.fo.
50.Ed.3.fo.10.
11.H.4.fo.8.
9 H.6.fo.56.
Plow.fo.470.
Bro.diſmes 14.
Fitz.Attach
prohibition.

ITem, at the complaint of the ſaid great men and Commons, ſhewing by their petition, that whereas they ſell their great wood of the age of twenty yeares, or of greater age, to Merchants to their owne profit, or in aide of the King in his warres, Parſons and Vicars of holy Church doe inplead and draw the ſaid Merchants in the Spirituall Court for the Tithes of the ſaid Wood in the name of this word called Sylua cædua whereby they cannot ſell their woods to the very value, to the great damage of them and of the Realme. It is ordained and eſtabliſhed, that a Prohibition in this caſe ſhall be granted, and vpon the ſame an attachment as it hath béene vſed before this time. Regiſt.fo.44. Fitz.N.B.fo.54.B. Raſt.pla.fol.450.

Cap. IIII.

No impoſition ſhall be ſet vpon merchandiſes of the Staple, without aſſent of Parliament.

No new impoſition ſhall be put vpō wools without aſſent of Parliament.

ITem, it is accorded and eſtabliſhed, that no impoſition or charge ſhall be put vpon wools, woolfels, and leather, other then the cuſtome and ſubſidie granted to the King, in no ſort, without the aſſent of the Parliament, and if any be, it ſhall be repealed and holden for none.

Statutes made at Weſtminſter, Anno 47.Ed.3. and Anno Domini 1373.

Cap. I.

The length and bredth of Cloth of Ray, and cloth of colour. Rep.5.Ed.6.6. 43.El.10. 4.Ia.2.

Cap. II.

The value of a Scottiſh groat, ſhall be three pence. Ob.

Statutes made at Weſtminſter, Anno 50.Ed.3. & Anno Domini 1376.

BY the aſſent of the Prelates, Dukes, Earles, Barons, and other aſſembled at the Parliament holden at Weſtminſter, at the fifteenth of Saint *Hillarie*, the yeare of the raigne of our Lord the King that now is of England the fiftieth, and of France the ſeuen and thirtieth, the ſame our Lord the King much deſiring, that the peace of his land be well kept, & his faithfull ſubiects in quietneſſe and tranquilitie maintained, hath therefore made and eſtabliſhed certaine ordinances, and alſo granted certaine graces and pardons to his Commons of England in the forme as hereafter followeth, which ordinances, pardons, and graces he will, for the honour of God and of holy Church, and quietnes of the ſame his people, they be firmely kept and holden in all points.

Cap. I.

A confirmation of the liberties of the Church.

FIrſt it is ordained, and ſtabliſhed, that holy Church haue all her liberties and franchiſes in quietneſſe without impeachment or other diſturbance.

Cap.

CAP. II.

A confirmation of the great Charter and the Charter of the Foreſt.

Item, that the great Charter and the Charter of the Foreſt, be firmely holden and kept in all points.

CAP. III.

This being the yeare of the Kings Iubilie, he doth grant pardon to his people of alienations without licence, intruſions, fines, amerciamẽts, iſſues, forfeitures, reliefes, eſcuages, debts, accoũts, the ſuit of his peace, except, &c.

CAP. IIII.

No prohibition ſhall be allowed after conſultation duely granted.

Item, it is ordained and ſtabliſhed of the ſaid aſſent, that whereas a conſultation is once duely granted vpon a prohibition made to the Iudge of holy Church, that the ſame Iudge may proceed in the cauſe by vertue of the ſame conſultation, notwithſtanding any other prohibitiõ thereupon to him deliuered. Prouided alwaies that the matter in the libell, of the ſaid cauſe, be not ingroſſed, enlarged or otherwiſe changed. Stat.24 E.1. Regiſt.fol.45. V.N.B.fol.33. Fitz.N.B. fol.45.A.

No prohibition ſhall be allowed after a conſultation duely granted.

CAP. V.

None ſhall arreſt Prieſts or Clerkes doing Diuine Seruice.

Item, becauſe that complaint is made to our Lord the King by the Clergy of his ſaid Realme of England, that as well diuers Prieſts bearing the ſweet body of our Lord Ieſu Chriſt to ſicke people, and their Clerks with them, as otherwiſe diuers other perſons of holy Church, whiles they attend to Diuine Seruices, in Churches, Churchyards, and other places dedicate to God, be ſundry times taken and arreſted by authority royall, and commandement of other Temporall Lords, in offence of God and of the liberties of holy Church, and alſo in diſturbance of Diuine Seruices aforeſaid. The ſame our Lord the King, who would be ſore diſpleaſed, if any did in ſuch maner, wil and granteth, and defendeth vpon greeuous forfeiture, that none do the ſame from henceforth: ſo that colluſion or fained cauſe be not found in any of the ſaid perſõs of holy Church in this behalfe.

None ſhall arreſt perſons or Clerkes doing diuine ſeruice.

CAP. VI.

Fraudulent aſſurances of lands or goods to deceiue Creditors ſhall be void.

Item, becauſe that diuers people inherite of diuers tenements, borowing diuers goods in money or in Merchandiſe of diuers people of the Realme, doe giue their tenements and cattels to their friends, by colluſion thereof to haue the profits at their will, and after doe flee to the franchiſe of Weſtminſter, of Saint Martin le graund of London, or other ſuch priuiledged places & there doe liue a great time with an high countenance, of another mans goods, and profit of the ſaid tenements and cattels, till the ſaid creditors ſhall be bound to take a ſmall parcell of their debt, and releaſe the remnant, It is ordained and aſſented, that if it be found, that ſuch gifts be ſo made by colluſion, that the ſaid creditors ſhall haue execution of the ſaid tenements and cattels as if no ſuch gift had beene made. Stat. 2.R.2.3. 3.H.7.4. 13.El.5.

F.7.10.
Aſſ.pl.71.
erfo.160.295.
Excutiõ 58

Fraudulent aſſurances of lands or goods to deceiue creditors ſhall be void. Raſt.pla.fo.197.

CAP. VII.

Woollen Clothes ſhall not be tranſported before they be Fulled.

Item, it is ordained and defended by our Lord the King, that no Woollen Clothes ſhall be caried into any part out of our Realme of England before they be Fulled: nor that any Subſidy be thereof demanded nor paid, before that they be Fulled. Stat.7.Ed.4.3. 3.H.7.11.

Woollen cloth ſhall not be tranſported before it be fulled.

CAP. VIII.

Certaine Clothes whereof no Subſidy or Aulnage ſhall be paid.

Item, it is ordained and eſtabliſhed, that no Subſidy nor Aulnage ſhall be paid, leuied, nor demanded of Clothes called Friſe ware, which be made in Ireland or otherwiſe in England of Iriſh Wooll, brought within the Realme of England, becauſe that thoſe Clothes doe not containe the length and bredth ordained by the Statute, and for ſo much they ought not to be compriſed in the Statutes late made of ray Clothes and coloured Clothes. Stat. 2.Edw.3.14. 25.Ed.3.1.

Cloth called Friſe ware Stat.47.Ed.3.13

Thus endeth the Statutes, made in the time of the noble King Edward *the third.*

Anno primo RICARDI *ſecundi.*

STATVTES MADE AT WESTMINSTER THE FIRST YEARE OF THE RAIGNE of King RICHARD the ſecond after the Conqueſt of England, In the yeare of our Lord God, 1377.

RICHARD by the grace of God King of England and of France, and Lord of Ireland, to the Sheriffe of Northampton, greeting. Know thou that to the honour of God, and reuerence of holy Church, for to nouriſh Peace, vnity, and concord in all the parts within our Realme of England (which we doe much deſire) by the whole aſſent of the Prelates, Dukes, Earles, and Barons of this our Realme, at the inſtance and eſpeciall requeſt of the Commons of our Realme aſſembled at our Parliament holden at Weſtminſt. the fifteenth day of Saint Hillary, in the firſt yeare of our Raigne, we haue ordained and ſtabliſhed certaine Statutes in amendment and reliefe of this our ſaid Realme, in manner and forme following.

CAP. I

A Confirmation of the Liberties of the Church, and of all Statutes not repealed.

A confirmation of the liberties of the Church.

The great Charter read in Parliament.

FIrſt it is agréed, and ſtabliſhed, that holy Church ſhal haue and enioy all her rights, liberties and franchiſes wholly and without blemiſh. And that the great Charter, which at the requeſt of the ſaid Commons was read in the ſaid Parliament, and alſo the Charter of the Foreſt: and all other good Statutes & prouiſions made in the time of the progenitors of our Lord the King that now is, and not repealed: ſhall be obſerued and firmely kept in all points.

CAP. II.

The Peace ſhall be kept, and Iuſtice ſhall be done to all perſons.

Peace ſhall be maintained, & Iuſtice ſhall be done.

ITem, our ſaid Lord the King, greatly deſiring the tranquility and quietneſſe of his people, willeth and ſtraitly commandeth, that the Peace within this Realm of England be ſurely obſerued and kept, ſo that all his lawfull ſubiects may from henceforth ſafely and peaceably goe, come, and dwell according to the Law and vſage of the Realme. And that Iuſtice and right be indifferently miniſtred to euery perſon.

CAP. III.

Prelates ſhall haue their action of treſpaſſe againſt Purueyors offending.

Prelates ſhall haue their Actions of Treſpas againſt Purueyors offending, & recouer treble damages.
Sear. 3. Ed. 1, 1.
14. Ed. 3, 1.
St. 18. Ed. 3. 4.

ITem, that the Statutes late made in the time of the noble King Edward, Grandfather to our Lord the King that now is, of Purueyors and buyers ſhall be firmely obſerued and kept in all points, adding thereunto becauſe that Prelates and Clerks may not thereof commence their ſuits againſt any by way of crime (as the ſaid Statutes required) all Prelates and Clerks ſhall from henceforth haue their actions againſt all ſuch Purueyors and buyers, by actions of treſpaſſe and recouer their treble damage. Regiſt. fol. 281.

CAP. IIII.

The ſeuerall penalties of ſeuerall perſons that doe maintaine quarrels.

The ſeuerall penalties of ſeuerall perſons which do maintaine quarrels.

ITem, it is ordained and ſtabliſhed, and the King our Lord ſtraitly commandeth, that none of his Counſellers, officers or ſeruants, nor any other perſon within the Realme of England, of whatſoeuer eſtate or condition they be, ſhall from henceforth take nor ſuſtaine any quarrell by

Sen 28. Ed. 1. 11.
1. Ed. 3. 14.
4. Ed. 3. 11.
20. Ed. 3. 4.
Raſt. pl. f. 318. 209

by maintenance in the Country, nor elſewhere, vpon a grieuous paine, that is to ſay, the ſaid Counſellers and the Kings great officers, vpon a pain, which ſhall be ordained by the King himſelfe, by the aduice of the lords of his Realme: and other leſſe officers, and ſeruants of the King as well in the Eſchequer and all his other courts and places, as of his owne meiny, vpon pain to loſe their offices and ſeruices, and to be impriſoned, and then to be ranſomed at the Kings will, euery of them according to their degrée, eſtate and deſert. And all other perſons through the Realme, vpon paine of impriſonment, and to be ranſomed as other aforeſaid. *Regiſt. fol.* 182. &c. *V.N.B. fol.* 180. *Fitz. N.B. fol.* 172.

Cap. V.

The puniſhment of a Clerke of the Exchequer making proceſſe for a debt paid.

The puniſhment of a Clerke of the Exchequer making proceſſe for a debt that is payed.

ITem, it is ordained, that all Statutes and Ordinances made before this time of officers of the Exchequer be holden and firmely kept in all points. And moreouer it is ordained and ſtabliſhed, that at what time any debts be once payed, and the tailes thereof made, reioyned and allowed in the ſaid Exchequer, that this debt, ſhal neuer come in demaund: and if it ſo happen that after ſuch allowance made there, any Clerke of the Exchequer make any writ or proceſſe, to leuie the ſame debt of new, and that duely proued, the ſame Clerke ſhall loſe his office and haue impriſonment, till he hath made grée to the party by ſo much as he is endamaged, if any will ſue, by the diſcretion of the Treaſurer and the Barons of the Exchequer. *Stat.* 51. *H.* 3. *St.* 10. *Ed.* 1 *Stat.* 37. *Edw.* 3. 4.

Cap. VI.

Commiſſions ſhall be awarded to enquire of the misbehauiour of villaines, and landtenants in villenage to their lords, and to puniſh the offendors, their counſellers, procurers, maintainers, & debtors, by impriſonment. Ol. V.N.B. fol. 11. 46.

Cap. VII.

There ſhall be no giuing of liueries for maintenance.

Statuts ordeined againſt maintenance. 3. Ed. 1. 28. 13. Ed. 1. 49. 28. Ed. 1. 11. 33. Ed. 1.

5. H. 7. fo. 17.
8. Ed. 4. fo. 22.
11. H. 4. fo. 15.

ITem, becauſe that diuers people of ſmall reuenue of land rent, or other poſſeſſions doe make great retinue of people, aſwell of Eſquires, as of other, in many parts of the Realme, giuing to them Hats and other liueries, of one ſute by yéere, taking of them the value of the ſame liuery, or percaſe the double value, by ſuch couenant and aſſurance, that euery of them ſhall maintaine other in all quarrels, be they reaſonable or vnreaſonable, to the great miſchiefe and oppreſſion of the people. It is ordained & aſſented that the Statutes and ordinance made in ſuch caſe before this time, be kept and duely executed. And moreouer the King doth ſtraitly defend, that from henceforth no ſuch liuery be giuen to any man for maintenance of quarrels, nor other confederacies, vpon paine of impriſonment and grieuous forfeiture to the King. And the Juſtices of Aſſiſes ſhall diligently enquire of all them that gather them together in fraternities by ſuch liuery to doe maintenance, and they which thereof ſhall be found guilty, ſhalbe duely puniſhed, euery man after the quantity of his deſert. *St.* 20. *R.* 2. 1.

The puniſhment of them which giue liueries for maintenance.

The Juſt. of aſſiſe ſhal enquire of, and puniſh this offence.

Cap. VIII.

In what caſe a protection cum clauſula volumus *is not allowable.*

In what caſe a protection cum clauſula volumus is not allowable.
St. 13. R. 2. 16.

ITem, it is aſſented that from henceforth no protection with the clauſe of Volumus be allowed before the iudge for victuals taken or bought vpon the voyage or ſeruice whereof the protection maketh mention, nor alſo in pleas of treſpaſſe, or of other contract made or perpetrate after the date of the ſame protection. *Regiſt. fol.* 22. *V.N.B. fol.* 21. *Fitz. N.B. fol.* 28. *Raſt. pla. fol.* 458. *Stat.* 33. *E.* 1.

Cap. IX.

A feoffement of lands or gift of goods for maintenance ſhalbe void. An Aſſiſe is mainteinable againſt the pernor of the profits of lands.

Coke li. 1. fo. 103.

ITem, becauſe it is complained to the King, that many people of the ſaid Realme aſwell great as ſmall, hauing right and true title as well to lands, tenements, and rents, as in other perſonall actions, be wrongfully delayed of their right and actions, by meanes that the occupiers or defendants to be maintained and ſuſteined in their wrong: doe commonly make gifts and feoffements of their Lands and tenements which be in debate and of their other goods and cattels, to Lords and other great men of the Realme, againſt whom the ſaid Purſuants for great menace that is made to them cannot nor dare not make their purſuites: And alſo on the other part, complaint is made to the King that oftentimes many people doe diſſeiſe other of their tenements, & anone after the diſſeiſin done, they make diuers alienations and feoffements, ſometime to Lords and great men of the Realme to haue maintenance, and ſometime to many perſons of whoſe names the diſſeiſes can haue no knowledge, to the intent to deferre and delay by ſuch frauds, the ſaid diſſeiſſes and the other demaundants and their heires of their recouery, to the great hinderance and oppreſſion of the people: It is ordained and ſtabliſhed, that from henceforth no gift or feoffement of lands, tenements, or goods be made by ſuch fraude or maintenance, And if any bee in ſuch wiſe made they ſhalbe holden for none and for no value, And the ſaid diſſeiſées ſhal from

Bro. Feoffements 3. 19.
Fitz. counterpl. de vouch. 3.
Fitz. Returne de viſcount. 5.
Co. Inſt. 369. a.

A feoffment of lands or gift of goods for maintenance ſhalbe void.
Stat. 3. Ed. 1. 24.
Stat. 8. H. 6. 9.
Raſt. pla. fo. 68.

henceforth haue their recouery againſt the firſt diſſeiſors, as well of the lands and tenements, as of their double dammages without hauing regard to ſuch alienations, ſo that the diſſeiſees commence their ſuites within the yéere next after the diſſeiſin done. And it is ordained and ſtabliſhed that the ſame Statute ſhall hold place in euery other action in plée of land where ſuch feoffments be made by fraud or colluſion to haue their recouery againſt the firſt ſuch feoffour. And it is to wit, that this Statute ought to be vnderſtanded, where ſuch feoffours thereof take the profits. *Stat.4.H.4.7.4.H.7.24.Raſt.pla.fol.*80.258.341.*&c.*

A diſſeiſee may maintaine an aſſiſe againſt the pernor of the profits. Stat.11.H.6.3. 1.H.7.1.

1.H.5.fo.4. 12.H.4.fo.21. 9.H.6.fo.14. 22.H.6.fo.16 39 H.6.fo.41. 1.Ed 4.fo 2. 4.Ed.4 fo.17 21.H.6.fo.55. 14.H.7.fo 17.

CAP. X.

A confirmation of the pardon granted by King *Edward* the third in the fiftieth yeere of his Reigne. EXP.

CAP. XI.

None that hath beene Sheriffe ſhall be ſo againe within three yeeres.

Sta.14.Ed 3.7. 42 Ed.3.9. 23.H. 6.8.Raſt.pla.fo. 241. None that hath beene Sheriffe ſhalbe againe in thrée yeares.

ITem, it is ordained, that none that hath béen Sheriffe of any County by an whole yéere, ſhal be within thrée yéeres next enſuing choſen againe, or put in the ſame office of Sheriffe, if there be other ſufficient in the ſaid County of poſſeſſions and goods to anſwere to the King & his people.

CAP. XII.

A priſoner by iudgement ſhall not be let at large. Confeſſion of a debt to the King to delay anothers execution.

ITem, whereas diuers people, at the ſuite of the party commanded to the priſon of the Fléet, by iudgements giuen in courts of our Lord the King, be often times ſuffered to goe at large by the Warden of the priſon, ſometime by mainpriſe or by baile, and ſometimes without any mainepriſe with a baſton of the Fléet, and doe goe from thence into the countrey about their Merchandiſes, and other their buſineſſe, and be there long out of priſon nights and daies, without their aſſent, at whoſe ſuite they be iudged, and without their grée thereof made. Whereby a man cannot come to his right and recouery againſt ſuch priſoners, to the great miſchiefe and vndoing of many people: It is ordained and aſſented, that from henceforth no Warden of the Fléet ſhall ſuffer any priſoner there being by iudgement at the ſuit of the party, to go out of priſon by mainpriſe, baile, nor by baſton, without making grée to the ſaid parties of that whereof they were iudged, vnleſſe it be by writ or other commandement of the King, vpon peine to loſe his office, and the kéeping of the ſaid priſon. And moreouer, if any ſuch Warden from henceforth be attainted by due proceſſe, that he hath ſuffered or let ſuch priſoner to goe at large againſt this Ordinance, then the plaintiffes ſhall haue their recouery againſt the ſame Warden, by writ of debt. And alſo it is ordained, that if any at the ſuit of the party iudged to another priſon for debt, treſpas, or other quarrel, will confeſſe himſelfe voluntarily, and by a fained cauſe, debtor to the King, and by that meanes to be iudged to the ſaid priſon of the Fléet, there to haue greater libertie of priſon then elſe where, and ſo to delay the party of his recouery, the ſame recogniſance ſhall be there receiued, and if he be not debtor to the King of record, his body ſhall incontinently be remanded to the priſon where he was before, there to remaine till he hath made grée to the ſaid party, and the ſame grée made, he ſhalbe immediately ſent againe to the Fléet, there to abide, till he hath made grée to the King of his recogniſance aforeſaid. *Stat.*7.*H.*4.4.

The penaltie of the Warden of the Fleet if he ſuffer a priſoner being there by iudgement to go at large. Stat.13.Ed.1.11. Regiſt.fo.98. Fitz.N.B.f.93.C. 221.A. Raſt.pla.fo.8.167 &c.

The penaltie of him who confeſſeth a debt due to the king to delay anothers execution.

Plow.fo.35. Dyer.fo 59.66. 162.297.306 322.241.247.271. 278.275. Kel.fo.2. Coke li.3.fo.13. 52.71. li.4.fo.95. li.5.fo.89. li.8.fo 142. Fitz.Dette.53.6 110.130.161. Fitz.Executor. 100.

Dyer.f.197.256. 307.

CAP. XIII.

Eccleſiaſticall Iudges ſhall not be vexed for ſuits for Tithes in a ſpirituall Court.

Eccleſiaſticall Iudges nor other ſhalbe indicted or impriſoned for ſuits in any Spirituall Court for tythes, &c.

ITem, the Prelates and Clergy of this Realme doe greatly complaine them for that the people of holy Church, purſuing in the ſpirituall Court for their Tithes, and their other things, which of right ought and of old times were wont to pertaine to the ſame ſpirituall Court, and that the Iudges of holy Church, hauing cogniſance in ſuch cauſes and other perſons thereof medling according to the Law, be maliciouſly and vnduely for this cauſe indited, impriſoned, and by ſecular power horribly oppreſſed, and alſo enforced with violence by othes and grieuous obligations, and many other meanes vnduely compelled to deſiſt and ceaſe vtterly of the things aforeſaid, againſt the liberties and franchiſes of holy Church: Wherefore it is aſſented, that all ſuch obligations made or to be made by dureſſe, or violence, ſhall be of no value. And as to thoſe that by malice do procure ſuch indictments, and to be the ſame enditors, after the ſame enditées be ſo acquit, ſuch procurers & enditors ſhall haue & incurre the ſame peine that is contained in the Statute of Weſtmiſter the ſecond, of thoſe which procure falſe appeales to be made. And the Iuſtices of Aſſizes or other Iuſtices before whom ſuch enditées ſhall be acquit, ſhall haue power to enquire of ſuch procurers and enditors, and duely to puniſh them according to their deſert.

Stat.13.Ed.1.22. The penaltie of thoſe which doe procure ſuch Indictments.

CAP.

Cap. XIIII.

In an action of goods taken away, the defendant maketh title for Tithes due to the Church.

ITem, it is accorded, that at what time that any perſon of the holy Church be drawen in plea in the ſecular Court for his owne Tithes taken by the name of goods taken away, & he which is ſo drawen in plea, maketh an exception, or alledgeth that the ſubſtance and ſuite of the buſineſſe is onely vpon Tithes, due of right and of poſſeſſion to his Church, or to another his Benefice: that in ſuch caſe the generall auerment ſhall not be taken without ſhewing ſpecially how the ſame was his lay cattall.

In an action of goods carried away the def. maketh his title for Tythes due to his Church.

Cap. XV.

The penaltie for arreſting of Prieſts doing Diuine Seruice.

ITem, becauſe that Prelates doe complaine themſelues, that aſwell beneficed people of holy Church, as other, be arreſted and drawen out as well of Cathedrall Churches as of other Churches and their Churchyards, and ſometime whiles they be intended to Diuine ſeruices, and alſo in other places, although they be bearing the body of our Lord Ieſu Chriſt to ſick perſons, & ſo arreſted and drawen out, be bound and brought to priſon againſt the liberty of holy Church. It is ordained that if any Miniſter of the King or other, doe arreſt any perſon of holy Church by ſuch maner, and thereof be duly conuict, he ſhall haue impriſonment, and then be ranſomed at the Kings wil, & make gree to the parties ſo arreſted. Prouided alwaies that the ſaid people of holy Church, ſhall not hold them within the Churches or Sanctuaries by fraud or colluſion in any maner. And therefore we command, that thou cauſe all the ſaid Statutes to be cryed and publiſhed and firmely kept through thy Bailiwicke, according to the forme and tenour thereof, and that do not omit in any wiſe, Giuen vnder the witnes of our great Seale the firſt day of February in the firſt yeere of our Reigne.

The penaltie for arreſting a Prieſt doing diuine ſeruice.
Stat. 50. Ed. 3. 5.
Stat. 1. Marie 3.

Statutes made at Glouceſter, anno 2. Ric. 2. and anno Dom. 1378.

OVr Lord the King at his Parliament holden at Glouceſter, the Wedneſday next after the Feaſt of Saint *Luke*, the ſecond yeere of his Reigne, amongſt other things there aſſented and accorded, hath made certaine Statutes and ordinances, as well for the common profit of the Realme, as for the maintenance of the peace of his ſaid Realme, in the forme following.

Cap. I.

All Merchants may buy and ſell within the Realme, without diſturbance.

FIrſt, becauſe that before this time in time of the noble King Ed. Grandfather to our Lord the King that now is, in his Parliaments holden at Yorke and Weſtminſter, and alſo in this preſent Parliament, great complaint hath been made to our ſaid Lord, for that in many Cities, Boroughes, Ports of the Sea, and other places within the Realme of England, great dammages and outragious grieuances haue beene, and yet be done to the King and to all his Realme by the Citizens, Burgeſſes, and other people of Cities, Boroughes, and other townes and places aforeſaid, which haue not ſuffered, nor yet will ſuffer Merchants Strangers, nor other, that doe bring, carry or conuey by ſea or by land wines, auoir de pois, ſuſtenance, victuals or other things vendible, profitable and neceſſary, as well for the King, the Prelates and Lords, as for all the communalty of his land, to ſell or deliuer the ſaid wines, ſuſtenance, victuals, nor other things vendible to any other then to them of the ſame Cities, Boroughes, Ports of the Sea, and other places, to which ſuch wines, ſuſtenance, victuals or other things vendible were and be brought, carryed or conueyed: and by ſo much thoſe things haue beene and yet be ſold and ſet to the King, to his Lords, and to all his people, by the hands of the Citizens, Burgeſſes and other people Denizens, to a great and exceſſiue dearth ouer that they ſhould haue been, if the Merchants Strangers and other which bring ſuch things into the Realme, might freely haue ſold them to whom they would: nor alſo would not, nor yet will ſuffer the Merchants Strangers, that doe come or would come within the Realme to buy Wools and other Merchandiſes growing within the Realme, to goe, trauell, and merchandize, or abide freely as they were wont to doe, to the great dammage of the King, of the Prelates, of the Lords, and of all the Realme, and againſt the common profit, and againſt the Statutes and Ordinances thereof made in times paſt in the ſaid two Parliaments: our Lord the King conſidering cleerely the comming of Merchants Strangers within the Realme to be very profitable for many cauſes to all the Realme, by the aſſent of the Prelates, Dukes, Earles, Barons, and of the Commons of the Realme, hath ordained and ſtabliſhed, that all Merchants Aliens of what Realmes, Countreys, or Seignories, that they come, which be of the amity of the King, & of his realme, may frō henceforth ſafely & ſurely come within the Realme of England, & in all Cities, Boroughs, Ports of the Sea, Faires, Markets, or other

Sat. 9. Ed. 3. 1.
Stat. 25. Ed. 3. 2.

The inconueniences enſuing by reſtraining Merchants from ſelling of victuals where they will.

Merchants ſtrangers may buy or ſell all things vendible within the Realme.

ther places within the Realme, within franchiſe and without, and abide with their goods and all Merchandiſes vnder the ſafegard and protection of the King as long as ſhall pleaſe them ; without diſturbance or denying of any perſon. And that as well theſe Merchants Aliens and Denizens and euery of them that will buy and ſell Corne, Fleſh, Fiſh and all manner other victuals and ſuſtenance, and alſo all manner of ſpiceries, Fruit, Furre, and all manner of ſmall Wares, as ſilke, goldwyre, or ſiluerwyre, couerchiefes, and other ſuch ſmall Ware, may from henceforth freely and without denying or any manner diſturbance as well in the Citie of London, as in all Cities, Boroughs, Ports of the Sea, Faires, Markets, and other places within the Realme, ſel and buy in groſſe, and by parcels to whom and of whom them pleaſe, denizens or forraigne, except the Kings enemies, and except that all manner of Wines, as well ſweet as other ſhalbe ſold by the ſaid Strangers in groſſe & by whole veſſels, as they be brought into the realme, and not at retaile by any in the ſaid Cities, Boroughes, and other townes franchiſed, but onely by the inhabitants & freemen in the ſame. And as to al other great Wares, as Cloth of gold & ſiluer, ſilke, Sandal, Papery, Cloth, Canuas & other ſuch great Wares, and alſo al maner of other great Merchandiſes not aboue expreſſed, whatſoeuer they be, from henceforth as well aliens as denizens, aſwell in the Citie of London, as in other Cities, boroughs, Ports of the ſea, townes, Faires, Markets, & elſewhere through the ſaid Realme, within franchiſe & without, may ſell the ſame in groſſe to euery perſon forraine or denizen that wil buy the ſame freely & without denying (except to the Kings enemies and the Realmes) aſwell by the bale, cloth, or by whole peeces at their pleaſure and not at retaile, vpon paine of forfeiture of the ſame Merchandiſes, but onely the Citizens and Burgeſſes in their owne Cities and Boroughes and other good townes fraunchiſed, to whom (and to none other ſtrange Merchant of their franchiſe,) they may, and it ſhall be lawfull to them without impeachment to vnfold, vndoe, and cut in the ſame their proper Cities, and Boroughes, the great Merchandiſes, and other great Wares aforeſaid, and as well the ſame as wines and other Merchandiſes whatſoeuer, there to ſell in groſſe and by retaile at their pleaſure, paying all the Cuſtomes and Subſidies due: notwithſtanding any Statutes, Ordinances, Charters, Iudgements, Allowances, Cuſtomes, and Vſages made or ſuffered to the contrary: which Charters and Franchiſes, if any there be, they ſhall be vtterly repealed and adnulled, as a thing made, vſed or granted againſt the common profit, or oppreſſion of the people. Sauing alwaies to Prelates and Lords of the Realm wholly their liberties and franchiſes, that they may make their Purueyances and buyings of victuals, and of other their neceſſaries as they were wont to doe in old time, and ſauing that the Ordinances made before this time of the ſtaple of Calis bee holden in their force and vertue. And it is not the Kings minde, that Merchants Strangers, or Denizens, that will buy and ſell their Wools, Woolfels, Wares, Clothes, Yron, and other Merchandiſes, at Faires, & Markets in the Countrey, ſhould be reſtrained or diſturbed, by this Statute, to ſell or buy freely in groſſe or at retaile, as they were wont to doe heretofore. And if it ſo happen, that from henceforth diſturbance be made to any Merchant Alien, or Denizen, or other, vpon the ſaile of ſuch things, in Citie, Borough, Towne, Port of the Sea, or other place that hath franchiſe, againſt the forme of this Ordinance, and the Maior, Bailiffes, or other that haue the keeping of ſuch franchiſe, required by the ſaid Merchants or other in their name therof to make remedy, do not the ſame, and thereof be attainted, the franchiſe ſhall be ſeiſed into the Kings hand. And neuertheleſſe, they that haue done ſuch diſturbance againſt this ſtatute, ſhalbe bound to render and reſtore to the plaintiffe his double dammages that he hath ſuffered by this occaſion. And if ſuch diſturbance be made to ſuch Merchants, or to other in townes, and places where no franchiſe is, and the Lord if he be preſent, or his Bailiffe, Conſtables or other Warden of the Townes, and places, in abſence of the Lords thereof, required to doe right and doe not, and thereof be duely attainted, they ſhall yeeld to the plaintiffe his double dammages, as afore is ſaid, and the diſturbors in the one caſe and the other aſwell within franchiſes as without, if they be attainted ſhall haue one yeeres impriſonment, and be ranſomed at the Kings wil. And it is ordained and ſtabliſhed, that the Chancellor, Treaſurer, and Iuſtices aſſigned to hold pleas of the King in the places where they come, ſhall diligently enquire of ſuch diſturbances and grieuances, and doe puniſhment according as afore is ordained. And neuertheleſſe the King ſhall aſſigne by commiſſion certaine people, where and when ſhall pleaſe him to enquire of ſuch diſturbances and grieuances and to puniſh the offenders in this party, as before is ſaid. *9.H.3.30.*

Aliens muſt ſell their Wines in groſſe and not by retaile Alt. 11 R. 2. 7.

What commodities Merchants Aliens or Denizens may ſel in groſſe and which by retaile, and to whom.

The penaltie of them which doe diſturbe Merchants to buy and ſell Wares at their pleaſures, and of chiefe officers not puniſhing theſe diſturbers.

Cap. II.

A confirmation of the Statute made. 25. Ed. 3. 3. againſt foreſtallers. Alt. 5. Edw. *6.14.*

Cap. III.

Merchants of the Weſt may buy Merchandiſes ſo that they finde ſureties to carry them to the Weſt or to Calis, Ob.

Cap. IIII.

The penaltie of Mariners receyned to ſerue the King on the Sea which doe depart without licence. Alt.18.H.6.19.and 5.Elizab.5.

Cap. V.

The penaltie for telling of ſlanderous lyes of the great men of the Realme.

ITem, of deuiſors of falſe newes and of horrible and falſe lyes, of Prelates, Dukes, Earles, Barons, and other nobles and great men of the Realm, and alſo of the Chancelor, Treaſurer, Clerke of the priuie Seale, Steward of the Kings houſe, Iuſtices of the one Bench or of the other, and of other great officers of the Realm, of things which by the ſaid Prelates, Lords, Nobles and officers aforeſaid, were neuer ſpoken, done, nor thought, in great ſlander of the ſaid Prelates, Lords and officers, whereby debates and diſcords might riſe betwixt the ſaid Lords or betwéene the Lords and the Commons (which God forbid) and whereof great perill and miſchiefe might come to all the Realme, and quicke ſubuerſion and deſtruction of the ſaid Realme, if due remedy be not prouided: It is ſtraightly defended vpon greeuous peine for to eſchew the ſaid damages and perills, that from henceforth none be ſo hardie to deuiſe, ſpeake, or to tell any falſe newes, lyes, or other ſuch falſe things, of Prelates, Lords, and of other aforeſaid, whereof diſcord or any ſlander might riſe within the ſame Realme: and he that doth the ſame ſhal incurre and haue the peine another time ordeyned therof, by the Statute of Weſtminſter, the firſt, which will, that he be taken and impriſoned till he haue found him, of whom the word was moued. *Statute* 12.*Richard* 2,11.1.*&* 2.*P.& M.*3.1.*El.*6.

Dyer.fol.185.
Coke lib.4.fol.12
Kel.fol.26.

The penaltie for telling of ſlanderous newes of the peeres or great officers of the Realme.
Raſt.pla.fol.393.
Stat.3.Ed.1.33.

Cap. VI.

Vrban was duely choſen Pope, and ſo ought to be accepted and obeyed. Exp.

Cap. VII.

Commiſſions ſhall be awarded to areſt riotors, and other perſons offenſiue to the peace and to impriſon them. Rep.2.R.2.2.

Cap. VIII.

The Statute of 23. Ed.2.3. and all other Statutes of labourers &c. confirmed. Rep.5.Eliz.4.

Other Statutes made at Weſtminſter, Anno 2.R.2.

& Anno Domini 1379.

TO the honour of God and of holy Church, & for the common profit of the Realme of England, our Lord the King RICHARD, at his Parliament holden at Weſtminſter, in the fifteenth of Eaſter, the ſecond Yeere of His reigne, of the aſſent of the Prelates, Dukes, Earles, Barons, and other great men, & of the Commons of this Realme ſummoned to the ſaid Parliament, hath ordeyned and eſtabliſhed in the ſame Parliament, for the quietneſſe of his ſaid people, the ſtatutes and Ordinances following, perpetually to endure in his ſaid Realme.

Cap. I.

A Confirmation of the Liberties of the Church.

FIrſt that holy Church haue and enioy hir Franchiſes and Liberties in al points in as ample maner, as ſhe then had in the time of his Noble Progenitors, Kings of England, and that the great Charter and the Charter of the Foreſt, and the good Lawes of the Land be firmely holden and kept, and put in due execution.

A confirmation of the liberties of the Church & the lawes of the Realme.

Cap. II.

A repeale of the Statute of 2.R.2.7.touching riots.

Cap. III.

Fraudulent Deedes made by debtors to auoide their creditors, ſhall be void.

ITem, in caſe of debt, where the debtors make fained gifts and feoffements of their goods and lands to their friends and other, and after withdraw themſelues, and flie into places of holy Church, priuiledged, and there hold them a long time, and take the profit of their ſaid lands and

goods

Fraudulent deeds made by debtors to auoid their creditors ſhall be void.

11.H.4.fo.40.
7.H 6.fo.8.
1.H 4.fol.15.
Dyer fo 295.
Fitz.Proclā.2.

goods ſo giuen by fraud and colluſion, whereby their creditors haue béene long and yet be delaied of their debts and recouerie, wrongfully and againſt good faith and reaſon: It is ordained and eſtabliſhed, that after that the ſaid creditors haue thereof brought their Writs of debt, & thereupon a Capias awarded: and the Sheriffe ſhall make his returne, that he hath not taken the ſaid perſons, becauſe of ſuch places priuiledged, in which they be or ſhall be entred: then after ſuch returne made, another Writ ſhall be granted and made to the Sheriffe, in which Writ ſhall be compriſed, that Proclamation be made openly at the gate of the place ſo priuiledged, where ſuch perſons be entred, by fiue weekes continually, euery weeke once, that the ſame perſon be at a certaine day, compriſed in the ſame Writ, before the Kings Iuſtices, there to anſwer to the plaintife of his demand, and vpon this Writ, returned by the ſaid Sheriffe, that Proclamation is made in the ſaid forme, if the ſaid perſon called come not in proper perſon nor by atturney, iudgement ſhall be giuen againſt them vpon the principall for their default. And out of the ſame iudgement execution ſhall be made of their goods and lands, being out of the place priuiledged, that is to ſay, aſwell of thoſe lands and goods ſo giuen by colluſion, as of any other out of the ſame Franchiſe, after that ſuch colluſion or fraud bee duly found, in the ſame maner as that ought to haue béen, if no demiſe had béene thereof made, notwithſtanding the ſame demiſe. But it is not the Kings minde that by vertue of this Statute any man be barred out of his ſuit againſt ſuch debtors by the common courſe of the Law, before this preſent Statute vſed. Statute 50.Ed.3.6. 3.*H*.7.4. 13.Eliz.5. Raſt.pla.fol.196.392.

Statutes made at Weſtminſter Anno 3.Ric.2.&
Anno Domini 1379.

AT the Parliamēt holden at Weſtminſter, the Munday next before the Feaſt of S. *Hillary*, the third yeare of King *Richard* the ſecond, of the aſſent of the Lords and other in the ſaid Parliament, our ſaid Lord hath cauſed to bee made certaine Statutes and Ordinances in the forme following.

Cap. I.

A Confirmation of the Lawes of the Church, and of the Lawes and Statutes of the Realme.

A confirmation of the liberties of the Church & the lawes of the Realme.

FIrſt it is ordained and eſtabliſhed, that holy Church haue and wholy enioy her Franchiſes and Liberties, by the maner as ſhe hath had and enioyed them in the time of the Kings Noble Progenitors, and that the good Lawes and Cuſtomes of the Realme, and the Statutes made before this time and not repealed, be holden and firmely kept and put in due execution.

Cap. II.

The penaltie of the Aulneger that ſetteth his Seale to faultie Clothes.

Stat.2.Ed.3.14.
27.Ed.3.1.
47.Ed.3.1.

ITem, becauſe that the Commons doe greatly complaine them to be grieued, for that though in the time of the Kings Noble grandfather, it was ordained for the common profit of the Realm, that all the Woollen Clothes from thenceforth to be made in England which ſhould be ſet to ſale ſhould containe a certaine meaſure in length and breadth, vpon a certaine paine compriſed in the ſaid Statute, neuertheleſſe diuers people through the Realm, not hauing regard to the ſaid Statute, make now diuers Woollen Clothes vendible, which doe not containe the meaſure nor the aſſiſe ordained by the ſame Statute, and which worſe is, cauſe ſubtilly to be tacked and ſet together with thred diuers pieces of ſuch Clothes, and after by couin betwixt them and the Kings Aulnegers, to hide and colour the falſitie, do procure the ſaid Aulneger to put the ſeale ordained vpon the ſame Clothes, to the intent and for that the buyers might beléeue, that ſuch Clothes ſo ſealed be ſufficient Clothes, and whole, containing the ſaid aſſiſe, for otherwiſe they had not béen ſealed, as they ſay, in great deceit of the people, and miſchiefe to the ſaid buyers, as well denizens as ſtrangers: It is accorded and aſſented, that the Statutes made of the ſaid Clothes before this time, and not repealed, be kept and duely put in execution. And moreouer it is aſſented that if any the ſaid Aulnegers or of the Collectors of the ſubſidie of the ſaid Clothes, do from henceforth ſet his ſeale to any ſuch Cloth ſo ſowed in deceit, the ſame Cloth ſhall be forfeit to the King, in whoſe hands ſoeuer it be found, & alſo the Aulneger or Collector thereof found guiltie, ſhall forfeit his office. And if he haue put the ſame ſeale to any other Cloth vendible, that is not of the ſaid aſſiſe, the ſame Aulneger or Collector ſhall forfeit to the King the value of the ſame Cloth ſo ſealed in deceit of the people, together with his ſaid office. And neuertheleſſe, for the ſaid falſitie he ſhall haue one yeares impriſonment, and then be ranſomed at the Kings will. And this Statute ſhall begin to hold place at the Natiuitie of Saint Iohn Baptiſt, next comming, and not before. Stat.11.H.4.6.

The penaltie of the aulneger that ſetteth his ſeale to cloth tacked together faultie or lacking aſſiſe.

CAP. III.

None ſhall take any Benefice of an alien, or conuey money to him.

ITem, becauſe that our Lord the King hath perceiued, as well by the complaints of his faithfull liege people, and by their clamour by diuerſe petitions therof deliuered in diuerſe Parliaments before this time, as otherwiſe by the perfect knowledge and experience of the deede, how the Churches Cathedrall and Collegiall, Abbeys and Priories, and other Benefices of his Realme, which were late founden, & richly endowed by his Noble Progenitors, in which diuers Dignities, Offices, Perſonages, Chanonries, Prebends, & other Benefites were ſolemnely and deuoutly ordeyned and eſtabliſhed, of the eſſent of the aforeſaid Progenitors of the King and of other their Noble Founders, which did giue to the ſaid Paſtours of the ſame Churches, Abbeys, Priories, and of other great places, the aduouſons of the ſame Benefices, to the intent that the ſame Benefices ſhould be giuen to honeſt and meete perſons of the Realme, to ſerue and honour GOD diligently, and alſo to keepe hoſpitalities, and to enforme and teach the people, and to doe other worthie things perteyning to the cure of Soules, after the eſtate and qualitie of the ſaid Benefices: and ſo was it done in all times paſt after the foundation of the ſame; till now late, that by the informations, inſtigations, & procurements of ſome of the kings liege people, the ſame Benefices haue beene giuen againſt the will of the Founders to diuers people of an other Language, and of ſtrange Lands and Nations; and ſometime to the vtter enemies of the King and of his Realme, which neuer made reſidence in the ſame, nor can not, may not, nor will not in ſuch wiſe beare and performe the charges of the ſame Benefices, as in hearing confeſſions, preaching, nor teaching the people, keeping hoſpitalitie, nor accompliſhing the other things neceſſarie to the gouernance of the ſame Benefices, but onely thereof haue and take the emoluments and temporall profits, not hauing regard to the Spirituall Cure, nor to other charges to the ſame Benefices perteyning or belonging, but manifeſtly ſuffer the noble buildings in old times there made when the ſame Benefices were occupyed by Engliſhmen, wholly to fall to decay, whereby the Diuine Seruice is greatly miniſhed, the Cure of Soules neglected and left, the Clergie enfeebled, the Treaſure of the ſaid Realme carryed to the hands of aliens, and all the Eſtate of holy Church brought to leſſe reuerence then before it was wont to be: and though that in the time of the ſaid Grandfather certaine Ordinances, ſtatutes, and Compoſitions, were made and affirmed, wholly to put out or at the leaſt to reſtraine the ſaid miſchiefes in this behalfe, neuertheleſſe the ſaid aliens not hauing regard to the ſame, doe not refraine to take and receiue ſuch Benefices within the ſaid Realme, but by the comfort, aid, and great ſuccour, which they haue had of the Kings liege people, that be their Fermors, Procurators, and Atturneys in this behalfe, and in euery part of the ſaid Realme, doe enforce themſelues from day to day more and more to accept the greateſt Dignities and Benefices within the ſaid Realme, and by diuerſe cautelous manners, much preiudiciall to the ſame Realme if that were ſuffered, whereby the ſaid miſchiefes doe daily increaſe, and much more will encreaſe if due remedie be not the ſooner prouided.

The cauſes why aduouſons of benefices were giuen to ſpirituall perſons.

The inconueniences which haue enſued by giuing of benefices to aliens.

Stat.25.Ed.3.

Our Lord the King, by the aduiſe and common aſſent of all the Lords temporall, being in this Parliament, hath ordeyned and eſtabliſhed, that none of the Kings liege people, nor other perſon, of whatſoeuer ſtate or condition that he be, ſhall not take nor receiue within the ſame Realme of England, Procuracie, Letter of Atturney, nor Ferme, nor other Adminiſtration by Indenture, nor in other manner whatſoeuer, of any perſon ef the World, of any Benefice within the ſaid Realme, but onely of the Kings liege people of the ſame Realme, without the ſpeciall grace and expreſſe licence of our Lord the King, by the aduice of his Counſell. And if any before this time haue accepted of any aliens ſuch Procuracies, Fermes, or Adminiſtration, that they ſhall vtterly leaue them within fortie daies after publication of this Ordinance. And that none of the ſaid liege people, nor other that may be found in the ſaid Realme, ſhall conuey by vertue of ſuch Procuracy, Ferme, or adminiſtration, Gold, Siluer, nor other Treaſure nor Commoditie out of the ſaid Realme by Letter of Eſchange, by Merchandize, nor in other manner to the profit of the ſaid aliens, without like licence of the King by the aduiſe of his ſaid Counſell. And if any doe the contrarie in any point conteyned in this Ordinance, he ſhall incur the peine and puniſhment conteyned in the Statute of Prouiſors, made in the time of the Kings Grandfather, the ſeuen and twentieth yeere of his Reigne, by the ſame Proceſſe compriſed in the ſaid Statute, and by warning to be made to them in their Benefices or other their poſſeſſions within the Realme. And if they be out of the ſaid Realme, and not Beneficed nor hauing poſſeſſion within the ſame Realme where they may be warned, then a Writ ſhall be made in the Chauncery grounded vpon this Ordinance to the Sheriffe of London, or to the Sheriffe of the Countie, in which they were or ſhall be borne, at the Kings ſuit, returnable in the one Bench or the other, by which Writ it ſhall be commaunded, that Proclamation bee made openly, that they appeare before the Iuſtices in the Bench, where the Writ is returnable at a certaine day compriſed in the ſame Writ, conteyning the ſpace of half a yeere to anſwer

None ſhall take in farme any benefices of the Church of an alien without the K. licence.

None ſhall conuey mony out of the realme to an alien for ſuch ferme.

St.an.27.Ed.3. de proviſoribus.

Proces awarded againſt offendors that be out of the realm

None ſhal meddle by ſequeſtration nor in other manner with a benefice giuen to an alien.

vpon the matters compriſed in the ſaid Writ, and after this Writ returned, the Juſtices ſhall procéede againſt them, according to the forme aboue ordeyned. And it is aſſented by the King in the ſame Parliament, by the aſſent aforeſaid, that no Biſhop nor other perſon of holy Church, through the Realme, ſhall meddle by way of Sequeſtration, nor in any other manner with the fruits of ſuch Benefices giuen or to be giuen to the ſaid aliens, to the profit of the ſame aliens, vpon the perill that belongeth. Dated &c. *Stat.7.R.2.12. 1.H.5.7.*

Statutes made at Northampton, Anno 4.Ric.2.& Anno Domini 1380.

Cap. I.

All veſſells of Wine, Hony, and Oyle brought into this Realme ſhall be gauged.

St.27.Ed.3.8.

Alle the veſſels of wine, vinegre, hony, & oyle brought into the realm ſhalbe gauged.

RICHARD by the grace of God, &c, to the Sheriffe of Nottingham, gréeting. The Commons of our Realme of England haue prayed vs by their Petition deliuered to vs at our preſent Parliament, holden at Northampton, conteyning how many Wines of diuers manners oftentimes brought within the Land, which doe often paſſe without gauging, becauſe that the Statutes thereupon made in the time of our grandfather, (whom God aſſoile) doe not make expreſſe mention of all manner Wines, and of other licours, to the great damage of the Lords and Commons of the ſame Realme, which be oftentimes deceyued in their buying, becauſe they cannot without gauge, haue rightfull knowledge how much the ſame veſſell will conteyne, that it may pleaſe vs, for the profit of vs and our Realme more plainly to declare the ſame Statutes, in ſuch maner, that all maner of Wines, and other licours gaugeable brought within this Realme may be compriſed in the ſame Statutes: We conſidering the ſaid Supplication to be profitable for vs, the Lords, and Commons of the ſame Realme, will and grant by the aſſent of the Prelates, and Lords aforeſaid, that the Statutes thereupon made (as is ſaid) be holden, kept, and put in due execution. And moreouer we declare, and of the aſſent aforeſaid, will and grant, that aſwell all maner veſſells of ſwéete Wines of the Rine, and of other Wines, as other veſſells of Vinegre, Oyle, Honey, and all other licours gaugeable, which from henceforth ſhall come within this Realme of England, or within our Lands of Wales and Ireland, ſhall be well and lawfully gauged by our Gaugours thereto aſſigned, or their deputies. And if any ſet debate & diſturbãce and will not ſuffer the Wines or other licours aforeſaid, to be gauged, he ſhal incur the peins ordeyned by the ſaid other Statutes. And in the ſame maner the Gaugour ſhall incur the peine compriſed in the ſame Statutes, if default be from henceforth found in them or in their deputies in this behalfe. *Statute* 18.*H*.6.17. 1.*R*.3.13. 28.*H*.8.14.

Cap. II.

The Kings pardon of eſcapes, and felons, and Clerks conuict. Exp.

Other Statutes made at Weſtminſter, Anno 5.R.2. & Anno Domini 1381.

RICHARD by the grace, &c. to the Sheriffe of Notingham, greeting, Know thou, that to the reuerence of God and of holy Church, and for to nouriſh peace, unitie, and quietneſſe of good accord, in all parts of our Realme of England, and eſpecially for the good gouernance of the ſame Realme (which we doe chiefly deſire) of the aſſent of the Prelates, Lords and Commons aſſembled at our Parliament holden at Weſtminſter the morrow after All ſoules laſt paſt, we haue cauſed to be made certaine ordinances and Stabliſhments, as well for the amendment of the ſaid gouernance as for the common profit of the realme in the forme following.

Cap. I

A confirmation of the Liberties of the Church, and of all Statutes made and not repealed.

A confirmation of the liberties of the Church, & of the lawes of the Realme.

FIrſt, it is aſſented and accorded that holy Church haue and enioy all her Liberties and Franchiſes wholly. And that the great Charter and the Charter of the Foreſt, and all other good Statutes and Ordinances made before this time and not repealed, and eſpecially the Statutes of purueyors late made in the time of the noble King Edward our grandfather be holden, kept and put in due execution after the forme and effect of the ſame.

Cap. II.

None ſhall tranſport Gold or Silver. None ſhall depart out of the Realme without licence.

ITem, for the great miſchiefe which the Realme ſuffereth and long hath done, for that Gold & Silver, as well in money, Veſſell, Plate, and Jewels, as otherwiſe by exchanges made in diuers maners, is carried out of the Realme, ſo that in effect there is none thereof left, which thing if it ſhould longer be ſuffered, would ſhortly be the deſtruction of the ſame Realme (which God prohibit:) It is aſſented and accorded, and the King enioyneth all maner of people, Merchants, Clerks, and other, as well ſtrangers as denizens, of what eſtate or condition they be, vpon paine of as much as they may forfeit, that none of them vpon the ſaid paine priuily nor openly ſend nor carry, nor cauſe to be ſent or carried out of the ſaid Realme, any Gold or Silver in Money, Bullion, Plate, or Veſſell, neither by exchanges to be made, nor in other maner, but the wages of Callis, and of other the Kings Fortreſſes beyond the Sea, and eſpecially excepted the Prelates, Lords, and other of the ſame Realme, to whom ſometimes it behoueth neceſſarily to make paiments beyond the Sea, that of the ſame payments onely they make Eſchanges in England, by good and ſufficient Merchants for to pay beyond the Sea: and firſt ſpeciall leaue and licence had of the King, as well for the eſchangors as for the perſon which ought to make the payments, contaning expreſly the ſumme which ſhall be ſo exchanged. And it is aſſented, that the Merchants that ſo ſhall make eſchanges, ſhall be diligently examined and ſworne in their proper perſons as often as they ſhall haue the ſaid licence, that they ſhall not ſend beyond the Sea any manner of Gold nor Silver vnder the colour of the ſame exchange. And if after Proclamation of this ordinance any perſon be from henceforth duely attainted that he hath cauſed to be ſent or caried beyond the Sea, any Gold or Silver againſt this reſtraint and Ordinance, he ſhall forfeit to the K. the ſame ſumme ſo carried or ſent. And the King our Lord of his Royall Maieſty defendeth the paſſage vtterly of all maner of people, as well Clerkes as other, in euery Port and other Town and place vpon the Coaſt of the Sea, vpon paine of forfeiture of all their goods, except onely the Lords and other great men of the Realme, and true and notable Merchants, and the Kings Souldiers. And euery perſon other then is before excepted, which after publication of this Ordinãce made, ſhall paſſe out of the ſaid Realm without the Kings ſpeciall licence (which licence the King willeth and commandeth that it be not from henceforth made, but onely in one of the ports vnder written, that is to ſay, London, Sandwich, Douer, Southampton, Plimouth, Dertmouth, Briſtow, Yarmouth, Saint Botolph, Kingſton vpon Hull, Newcaſtle vpon Tine, and the other Ports and paſſages towards Ireland and the Iſles pertaining to the Realme of England) ſhall forfeit to the King as much as he hath in goods as aboue is ſaid, and neuertheleſſe the Maſter or Mariner of the Shippe, or of other veſſell in which he ſhall carry ouer beyond the Sea, any perſon but ſuch onely as be before excepted, without the ſaid licence, and thereof be conuict duly, ſhall forfeit the ſaid veſſell to the King. And the King commandeth all Wardens and Searchers of the Ports and paſſages through England, that they ſhall from henceforth diligently vſe their Office, and make good and ſtrait ſearch. And if any Searchers or Warden of the Ports and paſſages through the ſaid Realme, by negligence or in other maner doe or ſuffer wittingly to be done in any point the contrary of the ſaid two Articles touching the Money of Gold or Silver, and the ſaid paſſages of people, and thereof be duly conuict, he ſhall forfeit to the King his ſaid Office and all his goods, and his body ſhall be committed to priſon, there to abide an whole yeare without redemption. And thereupon whoſoeuer eſpieth and proueth duly that any thing be done againſt the intent of the ſaid two laſt Articles, whereby the ſaid forfeiture ought to fall vpon any perſon, he ſhall haue half of the ſame forfeiture for his labour at the Kings gift.

No man ſhall tranſport gold or ſiluer without the Kings licence.
St.9.Ed.3.1.
2.H.4.5.
2.H.6.6.
4.H.4.16.
19.H.7.5.

In what caſes & for what cauſes gold or ſiluer may be tranſported.

Dyer.f.128.165.
96.296.

None ſhall depart without the K. licence.
Rep.4.Iac.1.
Fitz.N.B.f.85.E.
St.12 R.2.8.

The penaltie of the maſter or mariner of the ſhip offending.

The penaltie of ſearchers or wardens of ports offending.

Cap. III.

None of the Kings Subiects ſhall carry forth nor bring any merchandiſes but only in Ships of the Kings allegeance. Stat.1.Eliz.13. 5.Eliz.5. 13.Eliz.15. 6 R.2.8. 23.*H*.8.7. 32.*H*.8.14.

Cap. IIII.

The ſeuerall prices of ſeuerall ſorts of Wine to be ſold in groſſe or by retaile, and the forfeiture of them which doe ſell them dearer. And the chiefe Officer of a Citie or Borough may ſell them at the ſame prices if the owner will not. Rep.7.R.2.11. Stat.6.R.2.7. 28.*H*.8.14.

Cap. V.

The Kings pardon to thoſe that repreſſed or tooke reuenge of his Rebells. Exp.

Cap. VI.

Manumiſſions, Releaſes, and other Bands made in the laſt tumult by compulſion ſhall be void. It ſhall be Treaſon to begin a Riot, Rout, or Rumor. Rep. 1.Ed.6.12.

CAP. VII.

The penaltie where any doth enter into Lands where it is not lawfull or with force.

The penaltie where any doth enter into lands but where his entry is giuen by the law, and then with ſtrōg hand.

AND alſo the King defendeth, that none from henceforth make any entry into any Lands and Tenements, but in caſe where entry is giuen by the Law, and in ſuch caſe not with ſtrong hand, nor with multitude of people, but only in peaceable and eaſie maner. And if any man from henceforth doe to the contrary, and thereof be duely conuict, he ſhall be puniſhed by impriſonment of his body, and thereof ranſomed at the Kings will. Regiſt.f.182. Fitz.N.B.f.248. Stat.15.Ric.2.2. 8.*H*.6.9. Raſt.pla.fol.62. 116.141.251.330. 1.*H*.7.12.22. 11.*H*.7,fol.15. 27.*H*.8.fol.20. 10.*H*.7.fol.27. 20.*H*.7.fol.2. Fitz.Entrie 28.30.31.32.37.42.43. St.23.*H*.8.14. 4.*H*.4.8. 31.El.11. 21.Iac.15.

CAP. VIII.

A remedie for them whoſe writings were deſtroyed in the late inſurrection.

A remedy for them whoſe writings were burned in the late inſurrectiō.

ITem, touching the Charters, Releaſes, Obligations, and other Deeds, and Muniments, brent, deſtroyed, or otherwiſe eloined in the ſame rumour, It is aſſented, that they which thereof feele them greeued, ſhall put their Petitions diſtinctly made vpon their matter ſpecially before the King and his Counſell betwixt this and the Natiuity of Saint Iohn Baptiſt, next comming at the furtheſt, and there make ſufficient proofe of the ſaid Muniments ſo loſt, and of the forme and tenor of the ſame, and that done, ſuch remedy ſhall thereof be prouided for them at euery mans complaint, as beſt ſhall ſeeme in the caſe, ſauing the Law. Stat.6.R.2.4.

CAP. IX.

Euery perſon that is impeached in the Eſchequer may plead in his owne diſcharge.

Euery perſon that is impleaded in the Eſchequer may plead in his owne diſcharge.

ITem, because that greeuous complaint hath oftentimes beene made of the Officers of the Eſchequer, for that the Heires, Executors, Occupyers of Goods, and Land Tenants, of diuers perſons which haue beene impeached in the ſaid Eſchequer, of debts, accompts, and other demands, and which although they haue offered them there to ſhew, or plead for their diſcharge of thoſe impeachments according to the Law, they haue not beene alwaies thereunto receiued heretofore, without hauing expreſſe commandement by Writ or Letter of the great Seale or priuie Seale, to the great diſquietneſſe, miſchiefe, and delay of the ſaid perſons impeached and no aduantage to the King: It is ordained and aſſented, that the Barons of the ſaid Eſchequer ſhall from henceforth haue full power to heare euery anſwere of euery demand made in the ſame Eſchequer, ſo that euery perſon that is impeached or impeachable of any cauſe by himſelfe, or by any perſon, ſhall be from henceforth receiued in the ſame Eſchequer to plead, ſue, and haue his reaſonable diſcharge in this behalfe, without tarrying or ſuing any Writ, or other commandement whatſoeuer.

CAP. X.

The Couenants of thoſe that ſhall ſerue the King in his Warres or Embaſsies ſhall be put in writing, and ſent into the Eſchequer.

ITem, becauſe that great miſchiefes haue happened in times paſt to diuers perſons, as well to Lords of the Realme, as other, which were retained or aſſigned to ſerue our Lord the King by Indentures or without Indentures, in his Warres and his Meſſages, or in other maner, and for the ſame cauſes receiue certain ſummes of mony at the receit of the ſaid Eſchequer or elſewhere by aſſignement, which ſummes haue beene put vpon them in the Rolles of the ſaid Eſchequer, as money receiued by way of lone, and for that cauſe the ſame ſummes ſhould runne in demand vpon them at the Eſchequer as a cleere debt, although the ſaid perſons ſo retained, their Heires, Executors, Occupyers of their Goods or Land Tenants, after their death haue demanded to be admitted to accompt of the ſummes receiued, which hath not beene granted to them, but they haue beene conſtrained to purſue their graunt by the Great or Priuie Seale directed to the Treaſurer and Barons there, whereby it was commanded to the Treaſurer and Barons to accompt with them in this behalfe: which Warrants oftentimes haue beene denied, becauſe that the Kings Officers, newly made, percaſe had no knowledge of ſuch retaining made before their time: and ſometime haue beene granted, but not ſo fully as reaſon and the caſe required: and for as much as the ſame warrant would that accompt ſhould not be receiued but only of the ſumme ſo receiued by lone, whereas a greater ſumme percaſe was due to them of reaſon, to the great miſchiefe and hinderance of the ſaid perſons: It is ordained and aſſented, that of all people, which from henceforth ſhall be retained or aſſigned to ſerue the King, their Couenants ſhall be put in writing and ſent to the Eſchequer, there to remaine of Record, ſo that at what time that any perſon ſo retained, his heires, or executors, occupiers of the goods, or land tenants come to accompt thereof at the Eſchequer, they ſhall be thereto receiued, and haue due allowance in their accompt, according to the content of their couenant, if percaſe any repeale or countermand be made of ſuch retinue of any perſon after that his couenants be put in writing, and ſent to the ſaid Eſchequer; as is aforeſaid, the ſame repeale likewiſe ſhall be put in writing, and ſent to the Eſchequer, ſo that by the ſight of the ſame repeale, and of the couenants before there ſent, the Barons of the ſaid Eſchequer, ſhall doe right to the party according as the Law and reaſon demandeth. And if any thing be due vnto them by the ſame accompt, that thereof by certificate of the ſame Eſchequer; the Treaſorer and the Chamberlaines ſhall make payment or aſſignement to them without tarrying or ſuing other warrant, or commandement of the great or priuy Seale in this behalfe.

The couenants of thoſe which ſhall be retained to ſerue the king in his warres or Embaſſets ſhall be ſent into the Eſchequer.

Cap. XI.

The Accompts in the Eſchequer ſhall be more ſpeedily heard then they were wont.

ITem, it is ordained and aſſented, that the accompts in the Eſchequer ſhall be more ſhortly heard, made, and ingroſſed, then they were wont heretofore: Sauing alwaies that the parcels of the ſame accompts be made as fully as they were wont in times paſt, and that by ordinance to be made by the Barons of the ſaid Eſchequer, there to endure of Record for euer.

The Accompts of the eſchequer ſhall be more ſpeedily heard then before they were.

Cap. XII.

Two Clerks ſhall be aſſigned to make parcels of Accompts in the Eſchequer.

ITem, it is ordained and aſſented, that two clerks ſhall be aſſigned to make parcels of accounts in the ſame Eſchequer to them that will demand the ſame, and they ſhall be ſworne that they ſhall commit no falſehood in their office, and ſhall take for their Labour of them to whom they ſerue reaſonably, according to the ordinance of the Barons of the ſaid Eſchequer.

Two Clerks ſhall be aſſigned to make parcels of Accompts in the Eſchequer.

Cap. XIII.

Accompts of Nihil *ſhall be put out of the Eſchequer. An accomptant diſcharged vpon his Othe.*

ITem, it is ordained and aſſented, that the accompts of Nihil in the Eſchequer, ſhall be wholly put out, or if any ſuch accompts ought there to remaine, the accomptants preſently after their othe made in the ſaid Eſchequer ſhall be examined by the Barons there, if they ſhould or ought to anſwer the King of any thing in this behalfe. And if it be found by their ſaid othe that they ought not, then by the ſame their othe they ſhall be diſcharged to yeeld other accompt before any auditor. The Kings right alwaies ſaued.

Accompts of Nihil ſhall be put out in the Eſchequer.

Cap. XIIII.

The Clerke of the Pipe, &c. ſworne for the entrie of Writs of the great and priuy Seale.

ITem, it is accorded and aſſented, that the Clerke of the Pipe, and the Remembrancers of the Eſchequer ſhall be ſworne, that from terme to terme they ſhall ſee (whiles the ſaid Eſchequer ſhall be open) all the Writs of the great Seale, or of the priuy Seale, which ſhall be ſent to the ſaid Eſchequer the ſame terme for the finall diſcharge of any perſon of the Realme of any demand in the ſaid Eſchequer; and that euery of them to whom it pertained, ſhall make due execution of the ſaid commandement. And alſo it is ordained and aſſented, that the ſaid two Remembrancers ſhall be ſworne of their part, that euery terme from henceforth they ſhall make a ſcedule of all the perſons that ſhall be diſcharged in their offices by iudgement, or in other maner in the ſame terme of any demands, in the ſame Eſchequer, containing the maner of the ſame diſcharges, and to deliuer the ſame ſcedule to the ſaid Clerke of the Pipe the ſame terme, to the intent that the ſame Clerke of the Pipe ſhall thereof diſcharge the ſaid parties in the great rolle. Alſo the ſaid Clerke of the Pipe ſhall be ſworne, that he from terme to terme ſhall require the ſame ſcedules, and the ſame ſcedules by him ſo receiued, he ſhall diſcharge the ſaid parties in the maner aforeſaid. And in the ſame maner the ſaid Clerke of the Pipe for his part ſhal cauſe to be certified in writing to the ſaid Remembrancers of all ſuch diſcharges which ſhall be made in his office, to the intent that a man diſcharged in one place be diſcharged in all other places of the ſaid Eſchequer.

The Clerke of the Pipe and the two remembrancers ſhall be ſworne for the entry of writs of the great or priuy Seale. &c.

Cap. XV.

Vpon a Iudgement of Liuerie, the Remembrancer ſhall cauſe the ſuit to ceaſe.

How the Remembrancer ſhall vſe a Iudgment of Liuery comming out of any Court into the Eſchequer.

ITem, though that many times heretofore diuers perſons haue had liuery of their Lands and Tenements out of the Kings hands, by iudgement giuen for them in the Kings Bench, or elſe where, and of the ſame iudgements, after haue procured to ſend the tenure of the Records and proceſſes thereof made by Writ of Mittimus, into the ſaid Eſchequer, to the intent for to diſcharge them of the accompts demanded of them vpon the ſame Tenements, neuertheleſſe the officers of the ſame Eſchequer would not in times paſt diſcharge the ſaid perſons thereof, before that the ſame records and proceſſes were word by word newly entred in the Eſchequer, and thereupon new proceſſe made, and new iudgements there another time giuen, to the great damage and delay of the parties, without profit to the King: It is ordained, and aſſented, that from henceforth after that ſuch record, or the tenour of the ſame, ſhall come into the ſaid Eſchequer by the Kings commandement (as it is ſaid) that the Remembrancer, in whoſe office ſuch accompts ſhal be demanded, ſhall preſently cauſe the ſuit to ceaſe in that behalfe by words to be entred vpon the indorſment of the Writ, touching the tenour of the record of the ſaid Iudgement, without new Iudgement or making of Proceſſe further in this behalfe.

Cap. XVI.

The Fees of the Clerkes of the Eſchequer for making Commiſſions, or Records of Niſi prius.

The Clerkes Fee for making of a Commiſſion or Record of Niſi prius in the Eſchequer.

ITem, it is aſſented, and the King ſtraightly defendeth, that from henceforth nothing ſhall be giuen for making of a Commiſſion in the ſaid Eſchequer for the fee of a Clerke which ſhall make the ſame aboue two ſhillings only, nor for the record of Niſi prius with this Writ, but two ſhillings onely, as afore this time was wont to be done and vſed.

Other Statutes made at Weſtminſter, Anno 5. R. 2. *& Anno Dom.* 1382.

FOr the common profit of the Realme of England, diuers ordinances and ſtabliſhments haue beene made by our Lord the King, the Prelates, Lords, and Commons of the ſaid Realme, being in this preſent Parliament holden at Weſtminſter the Tueſday next after the Feaſt of S. *Iohn Portlatine*, the fift yeare of the raigne of our Lord King RICHARD the ſecond, in the forme following.

Cap. I

Merchants Strangers may come vnto, continue and depart forth of the Realme.

Merchants ſtrangers may come into this Realme, continue here and depart at their pleaſures.

FIrſt it is accorded and aſſented in the Parliament, that all maner of Merchants Strangers, of whatſoeuer Nation or Countrey they be, being of the amitie of the King and of his realm ſhall be be welcome, and freely may come within the Realme of England, and elſewhere within the Kings power, aſwell within franchiſe, as without, and there to be conuerſant, to Merchandiſe and tarry as long as them liketh, as thoſe whom our ſaid Lord the King, by the tenour hereof taketh into his protection and ſafegard, with their goods, Merchandiſes, and all maner familiars. And for ſo much the King willeth and commandeth, that they and euery of them be well, friendly, and Merchantlike intreated, and demeaned in al parts within his ſaid Realm and power, with their Merchandiſes and all maner goods, and ſuffered to go and come, and into their proper Countrey peaceably to returne without diſturbance or impeachment of any. St. 9. *H.* 3. 30. 9. Ed. 3. 1. 25. Ed. 3. 2.

Cap. II.

Woolfels and Leather may be carried into any Countrey by Aliens or denizens, ſauing into France, vntill Michaelmas come Tweluemoneth. Certaine money ſhall be abated to them that will pay their cuſtome before hand. Exp.

Cap. III.

A Subſidie granted to the King, ſo that the money that commeth thereby may be wholly imployed vpon the keeping of the Sea. Exp.

Cap. IIII.

Euery perſon to whom it belongeth ſhall vpon Summons come to the Parliament.

ITem, the King doth will and command, and it is aſſented in the Parliament, by the Prelates, Lords, and Commons, that all and ſingular perſons and Comminalties, which from henceforth ſhall haue the Summons of the Parliament, ſhall come from henceforth to the Parliaments in the maner as they are bounden to doe, and haue beene accuſtomed within the Realme of England of old times. And euery perſon of the ſame Realme, which from henceforth ſhall haue the ſaid ſummons (be he Archbiſhop, Biſhop, Abbot, Prior, Duke, Earle, Baron, Baneret, Knight of the Shire, Citizen of Citie, Burgeſſe of Borough, or other ſingular perſon, or Comminaltie) doe abſent himſelfe, and come not at the ſaid ſummons (except he may reaſonably and honeſtly excuſe him to our Lord the King) he ſhall be amerced, and otherwiſe puniſhed, according as of old times hath been vſed to be done, within the ſaid Realme in the ſaid caſe. And if any Sheriffe of the Realme be from henceforth negligent in making his returnes of Writs of the Parliament: or that he leaue out of the ſaid returnes any Cities, or Boroughes, which be bound and of old times were wont to come to the Parliament: he ſhall be amerced or otherwiſe puniſhed in the maner as was accuſtomed to be done in the ſaid caſe in time paſt.

Euery perſon to whom it doth belong, ſhall vpon Summons come to the Parliament.

The puniſhment of a Sheriffe omitting his returnes.

Cap. V.

Commiſſions ſhall be directed to Sheriffes and others, to apprehend ſuch as be certified by the Prelates to be Preachers of Hereſie, their fauters, maintainers, and abettors, and to hold them in ſtrong Priſon, vntill they will iuſtifie themſelues according to the Law of holy Church. The ſeuerall enormities enſuing by preaching of Hereſies. Rep. 1.Ed.6.12. & 1.El.1. St.25.*H*.8.14.

Statutes made at Weſtminſter Anno 6.R.2. *& Anno Dom.*1382.

TO the laud and honour of Almighty God and of our holy mother the Church, and to the commoditie and profit of the Realme of England, and of the comminaltie of the ſame: Our Lord, RICHARD by the grace of God King of England, and of France, and Lord of Ireland, by the aſſent of the Prelates, Lords and Commons of the ſaid Realme of England, in his Parliamēt holden at Weſtminſter the Munday in the *Vtas* of Saint Michael, the ſixt yeare of his raigne, hath cauſed to be made and ſtabliſhed certaine Statutes, Ordinances, remiſſions, and pardons in the forme following.

Cap. I.

A Confirmation of the Liberties of the Church, and of all Statutes not repealed.

FIrſt it is ordained and accorded, that our holy mother the Church of England, haue all her liberties whole and vnhurt, and the ſame fully enioy and vſe. And that the great Charter and the Charter of the Foreſt, and the Statute of Purueyors for the Kings houſe, and for others, and all Statutes and Ordinances before this time made and not yet repealed, be firmely obſerued, in all their articles, and put in due execution according to the effect of the ſame.

A confirmation of the Liberties of the Church, and of all Statutes not repealed.

Cap. II.

Writs of Debt, Accompt, &c. ſhall be commenced in the Counties where the contracts were made.

21.Ed.4.fol.74.
Fitz.Teſtam.6.
Bro.Viſne.1.
Bro.Examinat.2.
Fitz.Briefe.18.23
44.274.649.691.

ITem, to the intent that writs of Debt and Accompt, and all other ſuch actions be from henceforth taken in their Counties, and directed to the Sheriffes of the Counties where the Contracts of the ſame actions did riſe. It is ordained and accorded, that if from henceforth in pleas vpon the ſame Writs it ſhall be declared, that the contract thereof was made in another County then is contained in the originall Writ, that then incontinently the ſame Writ ſhall be vtterly abated. St.4.*H*.8.4. Raſt.pla.fol.278.183.

Actions of debt &c. ſhall be commenced in the counties where the contracts were made.

Cap.

CAP. III.

In which Courts Writs of Nuſance called Vicountiels ſhall be purſued.

In what courts writs of Nuſance called vicountiels ſhall be purſued. Regiſt. fol. 199. V.N.B. fol. 110. Fitz. N.B. fo. 104.

ITem, it is ordeined and accorded, that all Writs of Nuſances, commonly called Vicountiels ſhall be from henceforth made at the election of the plaintiffe in the nature of old times vſed, or elſe in the nature of Aſſiſes determinable before the Kings Iuſtices of the one Bench or the other, or before the Iuſtices of Aſſiſe to be taken in the county of the place aſſigned or to be aſſigned. *Stat.* 13. *Ed.* 1. 24.

CAP. IIII.

Deedes inrolled that were deſtroied in the late inſurrection exemplified ſhall be of force.

Deedes that were inrolled & late imbeſiled by Rebels in an Inſurrection being exemplified ſhalbe of the ſame force as the Deedes.

ITem, it is accorded, that all inrolments of déeds, and other muniments in the Rolles of the Chancery, of either Bench and the Eſchequer of our Lord the King before this time enrolled, and after by Traitors to the King and his Realm, in the inſurrection late made within the ſame Realme ſeditiouſly remoued, torne, and rent, or otherwiſe imbeſiled, ſhall be in a due forme exemplified vnder the Kings great Seale without fée of the Seale thereof to be paid, and that the ſame exemplifications ſo had, ſhall be of the ſame effect and ſtrength in all things, as the ſame déeds and muniments ſhould haue béene, if they were had whole and vnhurt. *St.* 5. *R.* 2. 8.

CAP. V.

Iuſtices of Aſſiſe &c. ſhall hold their Seſſions in principall townes.

Iuſtices of Aſſiſe and Gaole deliuery ſhall hold their Seſſions in the principall Townes. St. 11. R. 2. 11.

ITem, it is ordained and accorded, that the Iuſtices aſſigned and to be aſſigned, to take Aſſiſes and deliuer the Gaoles, ſhall from henceforth hold their Seſſions in the principall and chiefe Townes of euery of the Counties, where the Shire Courts of the ſame Counties be holden and hereafter ſhall be holden. *Stat.* 14. *H.* 6. 3.

CAP. VI.

The penalties of the man and woman, where a woman rauiſhed doth conſent. In an Appeale of Rape the defendant ſhall not wage battell.

The penalties both of the man and the woman where a woman rauiſhed doth conſent.

ITem, againſt the offendors and Rauiſhers of Ladies, and the daughters of Noble men, and other women in euery part of the ſaid Realme, in theſe dates offending more violently, & much more then they were wont: It is ordeined and ſtabliſhed, that whereſoeuer, and whenſoeuer ſuch Ladies, daughters, and other women aforeſaid be rauiſhed, and after ſuch rape doe conſent to ſuch Rauiſhors, that aſwell the Rauiſhors, as they that be rauiſhed, and euery of them, be from thenceforth diſabled, and by the ſame déed be vnable to haue or challenge all inheritance, dower, or ioyntfeoffement after the death of their husbands and aunceſtors. And that incontinently in this caſe the next of the blood of thoſe Rauiſhors, or of them that be rauiſhed, to whom ſuch inheritance, dower, or ioyntfeoffement ought to reuert, remaine, or fall after the death of the Rauiſhor or of her that is ſo rauiſhed, ſhall haue title immediately, that is to ſay, after the Rape to enter vpon the Rauiſhor, or her that is Rauiſhed, and their aſſignes, and land tenants, in the ſame inheritance, dower, or iointfeoffement, and the ſame to hold in ſtate of inheritance. And that the husbands of ſuch women, if they haue husbauds, or if they haue no husbands in life, that then the Fathers or other next of their blood, haue from henceforth the ſuit to purſue and may ſue againſt the ſame offendors and rauiſhors in this behalfe, and to haue them thereof conuict of life, and of member, although the ſame woman after ſuch Rape doe conſent to the ſaid rauiſhors. And further it is accorded that the defendant in this caſe ſhall not be receiued to wage battell, but that the truth of the matter be thereof tried by inquiſition of the Countrey. Sauing alwaies to our Lord the King, and to other Lords of the ſaid Realme, all their Eſcheates of the ſaid Rauiſhors if peraduenture they be thereof conuict. *St.* 3. *Ed.* 1. 13. 13. *Ed.* 1. 34.

In an Appeale of Rape the defendant ſhall not wage battaile.

5. Ed. 4. fol. 6.

9. H. 7. fol. 25.
5. Ed. 4. fol.
Coke li. 3. fo.
Plow. fol. 55.

Bro. Parliam.
1. H. 6. fol. 1.

CAP. VII.

At what prices ſweet Wines may be ſold.

At what prices ſweet Wines may be ſold. 5. R. 2. 4.

ITem, though it were late ordeined in the Parliament of the ſaid King, holden at Weſtminſter in the morrow of al Soules, the fifth yeare of his raigne, that no ſwéete Wines in his ſaid Realme ſhould be in any wiſe ſold at retaile after the Feaſt of Saint Iohn Baptiſt laſt paſt, vpon peine of forfeiture of the ſame: yet of the aſſent aforeſaid it is ordeined and accorded, that the ſame ſwéet Wines may be ſold in euery place within the ſaid Realme, at the price that Wines of Gaſcoyne and Ryne ſhall happen to be ſold, and not aboue, vpon peine of forfeiture of the ſame, notwithſtanding the ſaid firſt ordinance. 28. *H.* 8. 14.

CAP.

Cap. VIII.

Where no Engliſh ſhips are to be had others may be vſed.

ITem, though late in the ſame Parliament it was ordained that none of the Kings Liege people after the Feaſt of Eaſter next comming, ſhould in any wiſe ſhippe any Merchandiſes or goods to be carried out of the Realme of England, or to be brought within the ſame Realme, in any Ships, vpon paine of forfeiture of the ſaid Goods and merchandiſes, or the value of the ſame, except in Ships of the Kings liegeance: Yet of the aſſent aforeſaid, it is ordained and granted, that the ſaid ordinance onely haue place as long as Ships of the ſaid liegeance in the parts where the ſaid Merchants ſhall happen to dwell, be found able and ſufficient: So that then they ſhall be bound to fraught the ſame Ships of the Kings liegeance with their Merchandiſes, vnder the paine afore ſaid, before all other Ships. And otherwiſe it ſhall be lawfull to the ſame Merchants to hire other Ships conuenient, and there to fraught them with their goods and Merchandiſes, notwithſtanding the ſaid firſt Statute. Stat.23.H.8.7.32.H.8.14. 1.El.13. 5.El.5. 13.El.15.

St.5.R.2.3.

Where no Engliſh ſhips are to be had men may bring in or cary forth their merchandiſes in ſtrangers ſhips. St.4.H.7.10.

Cap. IX.

No Victualler ſhall execute a Iudiciall place in a Citie, or Towne Corporate.

ITem, it is ordained and enacted, that neither in the Citie of London, nor in other Cities, Boroughs, Townes, or Ports of the Sea, through the Realme, any Victualler, ſhall haue, exerciſe, nor in no wiſe occupy any Iudiciall office, but in ſuch Towne where none other perſon ſufficient may be found to haue the ſame office. In which caſe, yet the ſame Iudge for the time that he ſhall continue in the ſaid office, ſhall vtterly omit and abſtaine himſelfe, and his from the exerciſe of Victualling, vpon paine of forfeiture of his victualls ſo ſold. Stat.12.Edw.2.6. 3.H.8.8.

No victualler ſhall exerciſe a iudiciall place in any city or town corporate.

Cap. X.

Aliens being in Amitie with the King and the Realme, may bring in victualls and ſell them.

ITem, it is ordained and accorded, that all manner of Foreines and Aliens being of the amitie of the King, and of his Realme, and comming within the ſaid Citie of London, and other Cities, Boroughs, and Townes within the ſaid Realme, as well within Liberties as without, with Fiſh and all maner of other victualls, there tarying & going againe to their owne Countries ſhall from henceforth be vnder the ſafegard and the ſpeciall protection of our ſaid Lord the King. And there it ſhall be lawfull to them and euery of them, and by force of theſe preſents, they may from henceforth cut their fiſhes and victualls aforeſaid, without impeachment or denying of any man, in pieces, and in part, or in all, at retaile, or in groſſe, as to them beſt ſhall ſeeme, to ſell and make their profit: any Charters, Statutes, Ordinances, Priuiledges, or Cuſtomes made or had to the contrarie notwithſtanding.

Aliens being in amity with the King and the Realme, may bring in victuals and ſell them in groſſe. St.14.H.6.6.

Cap. XI.

Hoſts in Cities, Townes, and places vpon the Sea Coſtes, ſhall not foreſtall Fiſh, or other victualls. Fiſhmongers of London may not buy freſh Fiſh to ſell againe, except Eeles, Luces, and Pikes. Rep.7.R.2.11.

Cap. XII.

All Chiefe Officers of Townes Corporate ſhall be ſworne to obſerue the foreſaid Ordinance touching Fiſhmongers Rep.7.R.2.11.

Cap. XIII.

The Kings Pardon to his Subiects after the late Inſurrection. Except, &c.

Other Statutes made at Weſtminſter, Anno .6.R.2. & Anno Domini 1383.

Richard by the grace of God, &c. Know ye that in the Parliament laſt holden at Weſtminſter, Wee cauſed to be made certaine Statutes, Ordinances, and Pardons to ſuch effect as followeth, rehearſing the beginning of the laſt Parliament, with the confirmation of the liberties of the Church, of the great Charter, and the Charter of the Foreſt, and the Statute of Puruaiors for the Kings houſe

Cap.

Cap. I.

A more large pardon granted by the King to the offendors in the late Inſurrection, with few exceptions. Exp.

Cap, II.

Whoſoeuer will attempt any ſuit for any treſpas done him in the late Inſurrection ſhall begin it before xv. Iohn. Exp.

Cap. III.

They which can bring witneſſes that they came to the Inſurrection compelled, ſhal be acquited of Treſpaſſes. Exp.

Statutes made at VVeſtminſter An. 7. R. 2.

& Anno Domini 1383.

RICHARD by the grace of God, &c. To the Sheriffe of Yorke greeting: Know thou that at our Parliament holden at Weſtminſter the Munday next before the Feaſt of all Saints laſt paſt to the honour of God, and of holy Church, and for the common profit of the Realme, of the aſſent of the Prelates, Lords and Commons being at the ſaid Parliament, We have cauſed to be made certaine Statutes and ordinances in the forme following.

Cap. I.

A Confirmation of the Liberties of the Church.

A confirmation of the Liberties of the Church.

FIrſt it is aſſented and accorded, that holy Church haue and enioy all her Liberties and Franchiſes as wholly as ſhe hath had and enioyed them in the time of the Kings Noble Progenitors.

Cap. II.

A confirmation of all former Statutes in force.

A confirmation of all other ſtatutes in force.

ITem, that the great Charter and the Charter of the Foreſt, and all other good Statutes and Ordinaces made before this time and not repealed ſhall be holden and kept, and put in due execution according to the effect of the ſame.

Cap. III.

A Iurie for a Treſpas within the foreſt ſhall giue their Verdict where they receiued their charge.

A Iury for a treſpaſſe within a Foreſt ſhall giue their verdict where they receiued their charge.

ITem, at the grieuous complaint which is now made of the Officers of the Foreſt, it is aſſented and accorded; that no maner of Iurie ſhall be from henceforth compelled by any Officer of the Foreſt, or other perſon whatſoeuer to trauell from place to place out of the places where their Charge is giuen to them againſt their grée, nor by malice, nor by menace, or other dureſſe conſtrained to giue their verdict of a treſpas done in the Foreſt otherwiſe then their conſcience will clearely enforme them: but they ſhall giue their verdicts vpon their charge, in the places where their charge is giuen them, as aboue is ſaid. *St. 9. H. 3. 16.*

Cap. IIII.

None ſhall be taken or impriſoned by the officers of the Foreſt without indictment.

None ſhall be taken or impriſoned by the officers of the Foreſt without indictment or &c. Regiſt. fol. 80.

ITem, it is aſſented, that no man be taken nor impriſoned by any Officer of the Foreſt without due Indictment, or being taken with the manner, or treſpaſſing in the Foreſt, nor ſhall be conſtrained to make any obligation or ranſome to any officer of the Foreſt, in any ſort againſt their agréement and the aſſiſe of the Foreſt. And if any doe againſt this Ordinance in any point and thereof be attainted, he ſhal pay to the party damnified their double damages, and Fine and ranſome to the King for his offence. *Stat. 9. H. 3. 16. 1. Ed. 3. 8.* 43. Ed. 3.

Cap.

Cap. V.

Iuſtices, &c. ſhall examine Vagabonds, binde them to their good abearing, or commit them to priſon. Rep. 39. Eliz. 4. & 21. Iac. 28.

Cap. VI.

The Statute of Wincheſter confirmed. And euery Sheriffe ſhall proclaime it.

Item, for the grieuous miſchiefes and complaints that doe daily happen of robberies, thefts, manſlaughters, burning of houſes, and ridings in routs and great companies in euery part of the realme: It is ordeined and aſſented, that the Statute of Wincheſter (the tenor whereof is ſent by our Lord the King this yeare laſt paſt into euery Countie of England to be proclaimed) be holden and kept in all points, and put in good and haſtie execution, at the complaint and purſuit of euery man that féeleth him grieued againſt the tenor of the ſame. And to the intent that no man ſhall excuſe himſelfe by ignorance of the ſame Statute, it is alſo aſſented, that euery Sheriffe of England, ſhall be bound from henceforth in proper perſon to make proclamation of the ſame Statute foure times in a yeare in euery Hundred of his Bailiwike, and by his Bailiffes in euery market towne, as well within liberties as without.

13. E. 1. The Stat. of Wincheſter confirmed, & euery Sheriffe ſhall proclaime it 4. times in a yeare in euery hundred or market.

Cap. VII.

In what caſe a Niſi prius *ſhalbe granted at the ſuite of any of the Iurors.*

Item, againſt the miſchiefe that happeneth to diuers people of the Realme, which be impanelled and returned before the Iuſtices and Barons of the Eſchequer, in which caſe, becauſe that the Enqueſts is not purſued to the ende by thoſe that bee parties, but continued in delay from yeare to yeare, the Iurors doe greatly loſe, and ſome much more then the value of their land is by yeare, to their great impoueriſhing and hinderance. It is accorded, that from henceforth in all manner of pleas where a Niſi prius is grauntable of office after the great diſtreſſe returned, and thrée times ſerued before the Iuſtices againſt the Iurors, and thereupon the parties demanded, if none of the ſaid parties will purſue, or if the parties refuſe to haue a Writ of Niſi prius in the caſe, then at the ſuite of any of the Iurors that be preſent, a Writ of Niſi prius ſhall be made and granted vnto him, and that as well in the Exchequer, as elſewhere, and thereupon the quarrell ſhall bee ſet at an ende without delay, according as the caſe requireth and the Law demaundeth.

In what caſe a Niſi prius may be granted at the requeſt of any of the Iurors to auoid delay.

Cap. VIII.

No ſubiects Chator ſhall take any victuall or carriage without the owners good will.

Item, it is accorded and aſſented, that the Statutes of Purueyors made before this time bee firmely holden and kept, and put in good and due execution, ioyning to the ſame, that if the ſeruants of other Lords or Ladies, which be not compriſed in the ſaid Statutes do from henceforth take in any part within the realme, victuals or carriages to the vſe of their Lords and Ladies otherwiſe then they thereof may agrée with the owners and ſellers of the ſame by payment thereof to be made readily in hand, that the ſame ſeruants ſhall incurre the peine compriſed in the ſaid Statutes of Purueyors, and neuertheleſſe the partie endamaged by ſuch ſeruants, if he wil, ſhall haue his ſuite at the common law. *St. 23. H. 6. 14.*

No ſubiects Chator ſhall take any victuals, or carriage without the conſent of the owners, & preſent paiment. St. 30. Ed. 3. 6.

Cap. IX.

A confirmation of all Statutes made againſt all deceits in Clothes, Aulnegers, &c.

Item, for the miſchiefe which daily happeneth vpon the falſehood and deceite, which is found in Clothes vendible, as well coloured, as Ray Clothes, againſt the aſſiſe thereof ordeined before this time, it is ordeined and aſſented, that all the Statutes thereof made in times paſt, with the Statutes made of Aulnegers and Collectors of the Subſidie of the ſaid Clothes bee holden, kept, and put in due and good execution. Ioining to the ſame, that he which from henceforth ſhall eſpie and prooue default in any ſuch Cloth ſet to ſale, againſt the aſſiſe thereof ordeined of the ſaid Clothes, and againſt the forme of the ſaid Statutes, ſhall haue the third part of euerie ſuch Cloth defectiue for his labour, by the deliuery of the Sheriffes, if they be preſent, or of the Lords of the Faires and Markets, and other places where ſuch Clothes ſhall be found defectiue, or of their Stewards or Bailiffes, or of the Conſtables of the townes and places aforeſaid by Indenture betwixt them duely to be made, which Indentures ſhall be euery yeare at the Feaſt of Saint Michael deliuered to the Eſchequer, by them which ſo ſhall make the ſaid deliuery, to the intent there to charge the Aulnegers and Collectors aforeſaid, by whom ſuch defaults ought to haue béene ſearched, corrected and mended, and be not, but commonly maintained and concealed in all parts, for which third part that pertaineth to the King, as his forfeiture by force of the Statutes made in times paſt, the Aulnegers and Collectors aforeſaid in euery Countie and place, where ſuch Clothes defectiue ſhal be found, for the paine againſt the ſaid offences and concealement ſhall make grée of their owne money to our Lord the King in his Eſchequer, of the value

A confirmation of al St. made againſt deceit in clothes to be ſold, and againſt Alnegers & collectors of the ſubſidy of clothes.

He that findeth defects in any clothes contrary to former St. ſhall haue the third part for his labour.

Alnegers and collectors of ſubſidies, ſhall ſatisfie the K. of that third part which the finder ſhall haue.

value of the ſame third part. So that as well of the ſame third part as of the remnant of the ſaid Cloth, the King ſhalbe wholly anſwered at his ſaid Eſchequer. *St.5, Ed.6.6.*

CAP. X.

Where an Aſſiſe ſhalbe taken of Rents iſſuing forth of lands in diuers Counties.

Aſſiſe of rents iſſuing forth of lands in diuers counties, ſhalbe taken in Confinio comitatus.

Fitz. Aſſiſe. Kel. fo. 98. Co. Inſt.

ITem, it is ordeined and aſſented, That an Aſſiſe of Nouel diſſeiſin, ſhall be from henceforth graunted and made of rent behinde due of tenements in diuers Counties, to bee holden in the confine of the Counties, within which the tenements bee. And thereupon the Aſſiſe ſhall be taken and tried by people of the ſaid Counties in the ſame manner as is done of a common of paſture being in one Countie, and appendant to tenements in another Countie. And that as well of diſſeiſins done in times paſt, as of diſſeiſins yet to be done, and that Writs thereupon at the ſuite of the plaintifes bee made from henceforth in the Chancery without any manor of contradiction in a due forme. *Regiſt. fo. 196. &c. Fitz. N. B. fo. 180. A Raſt. pla. fo. 249.*

CAP. XI.

A repeale of the Statutes 5. Ric. 2. 4. and 6. Ric. 2. 11. & 12. touching Victuallers of London.

A repeale of the the St of 5. R. 2. 4 & 6. R. 2. 11. & 12. touching Fiſhers of London.

ITem, whereas in diuers Parliaments holden at Weſtminſter, the fifth and ſixth yeare of our ſaid Lord the King, diuers Ordinances and Statutes of Fiſhers of London, and other Victuallers were made: and alſo of Vintners, and of the ſale of Wines, and thereupon the ſame Ordinances and Statutes with the paines in them conteined were publiſhed and proclaimed throughout the Realme as in the ſaid Statutes and ordinances more plainly may appeare: neuertheleſſe for certaine cauſes at the requeſt of the Commons of England thereupon ſpecially made: It is aſſented and agreed, that the ſame Ordinances and Statutes of Fiſhers, Vinteners, and Victuallers, made in the yeares aforeſaid, ſhall be wholly adnulled and repealed, and ſhall loſe their effect and ſtrength: neuertheleſſe ſauing to the King all the forfeitures of Wines for the time paſt that to him pertaineth by vertue of the ſame Ordinances and Statutes. Prouided alwayes, that all the Vinteners and Victuallers, as well Fiſhers as other comming with their victualles to the Citie of London, ſhall be from henceforth vnder the gouernance and rule of the Maior and Aldermen of the ſaid Citie for the time being, as in time paſt it hath beene vſed.

Fiſhers & victuallers of London ſhalbe vnder the rule of the Maior and Aldermen. St. 31. Ed. 3. 10.

CAP. XII.

No Alien ſhall purchaſe any Benefice of the Church within this realme, or occupy the ſame.

ITem, whereas late in the Parliament holden at Weſtminſter, the third yeare of the reigne of our ſaid Lord the King, at the requeſt of the Commons, and by the aſſent of the Lords Temporall, it was ordeined and aſſented, and vpon a grieuous paine prohibited, that no ſubiect of the King, nor other perſon, of what eſtate or condition he were, ſhould take, neither receiue from thenceforth within the Realme af England, Procuracie, Letter of Atturney, ne ferme nor any other adminiſtration by Indenture, or in any other manner, of any perſon concerning any Benefice of holy Church within the realme, but onely of the Kings ſubiects of the ſame realme, without the eſpeciall grace and expreſſe licence of our ſaid Lord the King, vpon a certaine paine conteined in the ſaid Statute: It is aſſented and agreed by the ſame Lords, that the ſame Statute ſhall keepe his force and effect in all points. And Moreouer, it is aſſented, that if any Alien haue purchaſed, or from henceforth ſhall purchaſe any Benefice of holy Church, Dignitie, or other thing, and in his proper perſon take poſſeſſion of the ſame, or occupy it himſelfe within the Realme, whether it be to his owne proper vſe, or to the vſe of an other, without eſpeciall licence of the King, he ſhalbe compriſed within the ſame Statute, and moreouer ſhall incurre all paines and forfeitures in all points as is before ordeined by another Statute made the fiue and twentieth yeare of the Noble King Edward the third graundfather to our Lord the King that now is, againſt them that purchaſe prouiſions of Abbeyes or Priories. And to the intent, that ſuch licences ſhall not be from henceforth made, the King willeth and commandeth to all his ſubiects and other, that they ſhall abſtaine them from henceforth to pray him for any ſuch Licence to be giuen. And alſo the King himſelfe will refraine to giue any ſuch Licence during the warres, except to the Cardinall of Naples, or to ſome other ſpirituall Perſon to whom the King is beholden for a ſpeciall cauſe.

A confirmation of the St. of 3. R. 2. 3.

No Alien ſhall purchaſe any benefice of the Church, or occupy the ſame without the K. licence. St. 25. Ed. 3. 22.

The Cardinall of Naples except.

CAP. XIII.

No man ſhall ride in harneis within this realme, nor with Launcegaies.

No man ſhall ride in harneis within the realme, nor with launcegayes.

ITem, it is ordeined and aſſented, and alſo the King doth prohibite, that from henceforth no man ſhall ride in harneis within the realme, contrary to the forme of the Statute of Northampton thereupon made, neither with Launcegay within the realme, the which Launcegayes be clearely put out within the ſaid Realme, as a thing prohibited by our Lord the King vpon paine of forfeiture of the ſaid Launcegayes, Armours, and other harneyes, in whoſe hands, or poſſeſſions they be found, that beare them within the realme contrary to the Statutes and ordinances aforeſaid without the Kings ſpeciall licence. St.2.Ed.3.3. 20.R.2.1.

Cap. XIIII.

They which ſhall depart the Realme with the Kings licence, may make generall Atturnies.

They which ſhall depart the realme by the K. licence may make generall Atturnies.

ITem, in Writs of Præmunire facias, it is aſſented and agréed, that they againſt whom ſuch Writs be ſued, and who at this time be out of the realme, and be of good fame, and haue made their generall Atturnies before their departing, that the Chancellor of England for the time being, by the aduice of the Juſtices may grant, that the ſame perſons may appeare to anſwere, to doe, and to receiue that thing, which the Law demandeth by their generall Atturnies aforeſaid, as well as in other cauſes and quarrells. And thoſe perſons which from henceforth ſhall paſſe by the Kings licence, and be of good fame, that at their requeſt the Chancellor, by the aduice of the Juſtices, may grant to them to make their generall Atturnies in the Chancery, by the Kings Patent before their paſſage, to anſwere as well in the ſaid Writs of Præmunire facias as in other Writs and Plaints, in which caſe expreſſe mention ſhall be made at all times of the writs and plaints of Præmunire facias. And this Patent ſo made, the ſaid Atturnies from henceforth in abſence of their Maſter, may anſwere for them, and make other Atturnies vnder them before any Judge of the realme, to doe, and receiue in the ſaid caſe as much as in any other caſe or matter, notwithſtanding any Statute made to the contrary heretofore.

Ed.3.fo.7.

Cap. XV.

A confirmation of certaine Statutes made againſt Maintenance and Champertie.

A confirmation of the Stat. made againſt Maintenance & Champerty.

ITem, for the grieuous complaint that is made of maintainers of quarrels and Champerfors it is ordained and aſſented, that the Statutes thereof made in the firſt and fourth yeare of K. Edward, grandfather to our Lord the King that now is, and alſo in the firſt yeare of our Lord the King that now is, ſhall be holden and kept, and duely executed in all points. St. 1. Ed. 3. 14. 4 Ed.3.11. 1.R.2.4.

Cap. XVI.

No armour or victuall ſhall be ſent into Scotland without the Kings licence, vpon paine of forfeiture thereof. Rep.4.Iac.1. St.15.R.2.7.

Cap. XVII.

The Mainpernors ſhall ſatisfie the plaintiffe for his delay, where the defendant keepeth not his day. Exp. Fitz. Exigent.9.

Statutes made at Weſtminſter Anno 8.R.2. & An.Dom.1384.

TO the honour of God, and at the requeſt of the Comminaltie of the realme of England made to our Lord the King in his Parliament holden at Weſtminſter, in the morrow of Saint *Martin*, the eighth yeare of his raigne: the ſame our Lord the King of the aſſent of the Prelates, great men and Commons aforeſaid, hath cauſed to be made in the ſame Parliament a certaine Statute for the common profit of the ſaid Realme, and eſpecially for the good and iuſt gouernance, and due execution of the common Law in the forme following.

Cap. I.

A Confirmation of the Liberties of the Church, and of all Statutes not repealed.

The liberties of the Church, and all Stat. not repealed confirmed.

FIrſt, it is ordained and enacted, that holy Church haue all her Liberties. And that the great Charter, and the Charter of the Foreſt, the Statutes of Purueyors and Labourers, and all other Statutes and ordinances heretofore made and not repealed, ſhall be holden and obſerued, and put in due execution according to the forme and effect of the ſame.

Cap. II.

No man of Law ſhall be Iuſtice of Aſſiſe, or Gaole deliuery in his owne Countrey.

No man of law ſhall be Juſtice of Aſſiſe or &c. in his owne Countrey.

ITem, it is ordained and aſſented, That no man of Law ſhall be from henceforth Juſtice of Aſſiſes, or of the common deliuerance of Gaoles in his owne Countrey. And that the Chiefe Juſtice of the common Bench be aſſigned amongſt other to take ſuch Aſſiſes, and deliuer gaoles, but as to the Chiefe Juſtice of the Kings Bench it ſhall be as for the moſt part of an hundred yeares laſt paſt was wont to be done. St.13.*H*.4.2. 33.*H*.8.24.

Cap. III.

None of the Iuſtices or Barons ſhall take any fee or reward but of the King, nor ſhall giue counſell where the King is partie, or in any ſuit depending before them. Rep. 9.R.2.1.

Cap. IIII.

The penaltie if a Iudge or Clerke make any falſe Entrie, raſe a Roll, or change a Verdict.

The penaltie if a Iudge or Clerke make a falſe entry of a plea, raſe a roll, or change a verdict.

ITem, at the complaint of the ſaid Communaltie made to our Lord the King in the Parliament, for that great diſheriſon in times paſt was done of the people, and may be done by the falſe entring of Pleas, raſing of Rolles, and changing of Verdicts: It is accorded and aſſented, that if any Iudge or Clerke be of ſuch default (ſo that by the ſame default there enſueth diſheriſon of any of the parties,) ſufficiently conuict before the King and his Counſell by the manner and forme, which to the ſame our Lord the King and his Counſell ſhall ſeeme reaſonable, and within two yeares after ſuch default made, if the partie grieued be of full age, and if he be within age, then within two yeares after that he ſhall come to his full age, he ſhal be puniſhed by fine and ranſome at the Kings will, and ſatiſfie the partie, And as to the reſtitution of the inheritance deſired by the ſaid Commons, the partie grieued ſhall ſue by Writ or otherwiſe according to the Law, if he ſee it expedient for him. St.8.*H*.6.12.

Cap. V.

What ſuit ſhall be diſcuſſed before the Conſtable and Marſhall of England.

What ſuit ſhall be diſcuſſed before the Conſtable and Marſhal of England

ANd becauſe diuers Pleas concerning the Common Law, and which by the common Law ought to be examined and diſcuſſed, are of late drawne before the Conſtable and Marſhall of England, to the great damage and diſquietneſſe of the people: It is agreed and ordained that all Pleas and Suits touching the common Law, and which ought to be examined and diſcuſſed at the common Law, ſhall not hereafter be drawne or holden by any meanes before the foreſaid Conſtable and Marſhall, but that the Court of the ſame Conſtable and Marſhal ſhall haue that which belongeth to the ſame Court, and that the Common Law ſhall be executed, and vſed, and haue that which to it belongeth, and the ſame ſhall be executed and vſed, as it was accuſtomed to be vſed in the time of King Edward. 13.R.2.2.

Statutes made at Weſtminſter, Anno 9.Rich.2. and Anno Domini 1385.

OVr Lord the King at his Parliament holden at Weſtminſter the Munday next after the Feaſt of Saint *Luke*, the ninth yeare of his Raigne, of the aſſent of the Prelates, Dukes, Marqueſſes, Earles, Barons, & Commons at the ſaid Parliament aſſembled, hath ordained and ſtabliſhed the things under written.

Cap. I.

A confirmation of all Statutes not repealed, ſauing of the Stat. of 8.R.2.3.

All former ſtatutes not repealed ſhall be put in executiõ.

A repeale of the ſtatute of 8.R.2.3.

FIrſt, it is accorded and aſſented, that all the Statutes made by the Parliament in the times of the Kings noble Progenitors, and in his owne time, as well of Sheriffes, vnderſheriffes, Eſcheators and Clerkes of Sheriffes, as of Purueiors, and all other good Statutes and Ordinances not repealed by Parliament, ſhall be firmely holden and kept; and due execution thereof done, according to the effect of the ſame, (except the ſtatute of the Iuſtices and Barons of the Eſchequer made at the laſt Parliament, which becauſe it is very hard and needeth declaration, the King will that it be of no force till it be declared by Parliament.

Cap. II.

Villaines flying into places enfranchiſed, and ſuing their Lords, ſhall not barre thereby.

Villaines flying into places enfranchiſed, & ſuing their Lords.

ITem, whereas diuers Villaines and Neifes, as well of great Lords, as of other people aſwell Spirituall as Temporall, doe flee within cities, townes and places enfranchiſed, as the Citie of London, and other like, and faine diuers ſuits againſt their Lords, to the intent to make them free by the anſwere of their Lords: It is accorded and aſſented, that the Lords nor other, ſhall not be forbarred of their villaines, becauſe of their anſwere in the Law, Raſt.pla.fo.581.613.

Co.Inſt. 124.B.

Cap. III.

A Writ of Error or Attaint maintainable in the Reuerſion.

Ed.3.fol.33.
Dyer fo.1.30.
9 188.
itz.Error.2.
3.58.72.73.
Coke li.3.fo.4.
10.fo.44.

Regiſt.fo.122.
V.N.B f.55.112.
Fitz.N.B.fo.108.
A.

He in the reuerſion ſhall haue an attaint or Writ of Error vpon a falſe verdict found, or an erronious iudgement giuen againſt the particular tenant.

ITem, it is accorded and aſſented, that if the tenant for terme of life, tenant in dower, tenant by the curteſie of England, or tenant in taile after poſſibilitie of iſſue extinct be impleaded and plead to an Enqueſt, and loſe by the oath of twelue, or by default, or in other maner, that he, to whom the reuerſion of the tenements ſo loſt, doth appertaine at the time of ſuch iudgement giuen, his heires or ſucceſſors, ſhall haue an action by Writ of Attaint, to attaint the ſame oath, if they will aſſigne the ſame oath to be falſe, and alſo by Writ of Error, if error be found in the record of ſuch iudgement, as well in the life of ſuch tenants that doe loſe, as after their death. And if ſuch iudgement erronious be reuerſed, or ſuch falſe oath be found, that the tenant which did loſe by the firſt iudgment, if he be in life, ſhal be reſtored to his poſſeſſiõ of the tenemẽts ſo loſt, with the iſſues in the meane time, and the partie purſuing to the arrerages of the rent if any be due to the ſame tenements. And if ſuch tenants be dead at the time of the iudgement giuen vpon ſuch Writs of Attaint, and of error, that reſtitution of the ſaid tenements be made to the partie purſuing, with the iſſues after the death of the ſaid tenant, together with the arrerages of the rent, if any to him were due in the life of the ſaid tenant.

He in the Reuerſion alledgeth that the particular tenant was of couin with the demandant.

The particular tenants remedy to trauerſe the couin.

Prouided neuertheleſſe, that although the tenant which ſo did loſe by the firſt iudgement be in life, and the partie purſuing will alledge, that the ſame tenant was of couin, and of aſſent of the demandant, which recouered, that ſuch ought to be loſt, that reſtitution of the ſame tenements bée made to the ſame party purſuing, with the iſſues and arrerages, as afore is ſaid, Sauing to ſuch Tenant his action by Writ of Scire facias, out of the ſame iudgement ſo reuerſed or giuen, or Writ of Attaint, if he will trauerſe the couin and aſſent aforeſaid, and otherwiſe not. And that this Statute hold place of iudgements to be giuen in time to come. And alſo of two iudgements late giuen in the Kings Bench in two Pleas of error, the one betwixt Edmund Frances, and Idein his wife demandants, and Robert Weſtby, and other tenants of certaine tenements in Oxenford, and in the ſuburbs of the ſame town: and the other betwixt the ſaid Edmund and Idein demandants, and Richard Cornewall, and Iſabell his wife, and other tenants of certaine tenements in the ſame towne, of which tenements the reuerſion at the time of the ſaid two iudgments giuen, did pertaine to the Maſter and Schollers of the College of the Vniuerſitie Hall in Oxenford, as it is ſaid, ſo that the Maſter and Schollers may haue and doe their ſuit by Writ of Attaint or of Errour of the ſame iudgements, as to them beſt ſhall ſéeme according to the forme of this Statute. 23.*H*.8.3.

Cap. IIII.

Whether a Prior be datiſe and remoueable, or perpetuall, the triall ſhall be by the Ordinary. Exp.

Cap. V.

The fees of Prieſts taken in the Marſhalſie of the Kings houſe.

The fees of Prieſts taken in the Marſhalſie of the Kings houſe.

ITem, at the reuerence of God and of holy Church, it is accorded and ſtabliſhed, that Prieſts and other people of holy Church, taken in the Marſhalſey of the Kings houſe, ſhall pay ſuch fées as lay people pay, reaſonably and no more.

A Statute made, An.10.R.2. & An.Dom.1386.

KNow ye, that at the reuerence of God, and to nouriſh peace, vnitie, and good accord in all parties within the Realme of England, and ſpecially for the common profit and eaſe of our people, and good gouernance of the ſame our realme of England, which we chiefly deſire, of the aſſent of the Lords and Commons aſſembled in our Parliament holden at Weſtminſter, the firſt day of October, laſt paſt, we haue cauſed to be made a Statute, as well for the amendment of the ſaid gouernance, as for the Common profit of the ſaid Realme in the forme following.

Cap. I.

The King granteth a Commiſſion to his Chancellor, Treaſurer, and Keeper of his priuie Seal, and to certaine Biſhops and temporall Lords and others to be of his Counſell for one yeare, to ſuruey and examine the eſtate of his Houſe, Courts, and places of all his realme, and all his Officers, and Miniſters, and his Rents, Reuenues, and profits, and all his Gifts, Grants, Alienations, and Confirmations, his Money and Bullion, his Priſoners and Townes taken in warre, Benefices of Aliens, carrying money out of the realme, his Cuſtomes and Subſidies of all merchandiſes, his Diſmes and Quinzimes granted to him, the profits of his Hanaper, and all other his receits, the Fees and wages of his Officers, Annuities and rewards, Gifts and Grants made by his Grandfather, father, or him to any perſon, his lands, rents, &c, ſold to the preiudice of him and his Crown of Bargaines and Sales, of Tailies and Patents for ſingular profit, and all other offences inquirable preiudiciall to him and his Crowne, and to correct and amend the ſame defaults and offences. Exp. and Rep. 21.R.2.2.

Statutes made at Weſtminſter, Anno 11.R.2. & Ann.Do.1387.

OVr Lord the King hartily deſiring, that the peace of his land be well holden and kept, and his faithfull Subiects nouriſhed and gouerned in quietneſſe and tranquilitie in all parts within his realme of England, to the honour of God, and for the cauſes aforeſaid, by the aſſent of the Lords and Commons of his Realme of England aſſembled at his Parliament holden at Weſtminſter, the morrow of the Purification of our Lady, the eleuenth yeare of his raigne, doth make and ſtabliſh certaine Statutes, and alſo doth graunt certaine graces and pardons in the forme vnderwritten.

Cap. 1.2.3.4.5.&6.

Certaine Peeres of the Realme doe appeale of high Treaſon, and of conſpiracie fiue Traitors for aſſembling by force, and for conſpiring to deſtroy the King, the Realme, and the Lords, and Commiſſioners by him authorized: Whereupon the ſaid fiue Traitors be attainted of high treaſon by Parliament, and the King ſhall haue the forfeiture of their lands and goods, And fraudulent conueiances of their goods to deceiue the King, ſhall be void: and alſo a fraudulent Rentcharge granted by a Traitor. The eſtate of the Iſſue in taile of him in the reuerſion, and of women for their inheritance and ioynture ſaued: And alſo the eſtate of him is ſaued to whoſe vſe a Traitor is ſeiſed. Rep. 21.R.2.12. Reuiued 1.H.4.3.& 4. St.1.H.4.9. 2.*H*.4.22.

Cap. VII.

All Merchants Aliens and Denizens may buy and ſell within this Realme without interruption.

St.9.Ed.3.1.

Merchants may buy and ſell wares, victailes, and all other commodities within the realme without diſturbance. 9.H.3.30.

ITem, whereas by a ſtatute made at Yorke, the ninth yeare of K. Edward 3 grandfather of the King that now is, it was ordained and ſtabliſhed, that all merchants aliens and denizens, and all other, and euery of them, of what eſtate and condition they be, which will buy or ſell corne, wine, auoir de pois, fleſh, fiſh, and all other victualls, wooll, clothes, wares, merchandiſes, and all other things vendible, from whenceſoeuer they come, by foraines or by denizens, to what place that it be, be it Citie, Borough, Towne, Port of the ſea, Faire, Market, or other place within the ſame realme, within franchiſe or without, may freely and without diſturbance ſell the ſame to whom pleaſe them, as well to foraines as denizens, except to the enemies of the King and of his Realme: And if percaſe diſturbance be done to any Merchant alien or denizen, or other, vpon the ſale of ſuch things in citie, borough, towne, port of the ſea, or other place which hath a franchiſe, and the Maior, Bailiffes, or other, that haue the keeping of the ſaid franchiſe be required by the ſaid Merchants or other, thereof to make remedy, and doe not, and thereof be attainted, the franchiſe ſhall be taken into the Kings hand: And neuertheleſſe he and other which haue done this diſturbance againſt this ſtatute, ſhall be bound to yeeld and reſtore to the ſaid Merchant his double damages, which he hath ſuſtained by this occaſion. And if ſuch diſturbance be done to ſuch Merchant, or to other in townes or places where no franchiſe is, and the Lord, if he be preſent, or his Bailiffe, Conſtable, or other Warden of the ſaid townes and places, in abſence of the Lords thereof, required to doe right, doe not, and thereof be attainted, they ſhall yeeld to the plaintiffe his double damages, as afore is ſaid, and the diſturbers in the one caſe and the other as well within franchiſe as without, if they be attainted, ſhall haue impriſonment of one yeare, and neuertheles be ranſomed at the Kings will. And that no alien nor denizen vpon the ſame paines, be diſturbed but that he may freely buy the things aboue named in the places aforeſaid, and carry the ſame where pleaſeth him to his owne vſe, or to the profit of the King, the great men, and the people of the realme, except that the Merchants aliens ſhall carry no wines out of the realme (as it is contained in their Charter) and that the ſaid things be holden, kept and performed in euery citie, borough, towne, port of the ſea, and other places within the ſaid realme: notwithſtanding any charters of franchiſe to them granted to the contrary, nor vſage, cuſtome nor iudgement giuen vpon their charters, vſages, nor cuſtomes which they can alledge: which charters, vſages & cuſtomes (if

What penaltie ſhall be inflicted vpon them which doe diſturbe merchants to ſell their commodities.

Merchants aliens ſhall carry no wine out of the realme.

any there were) the ſaid K. the grandfather, the prelats, earles, barons & great men & commons aforeſaid doe hold of no forca, as things granted, vſed and accuſtomed to the damage of the King, the Prelates, Earles, Barons, and great men of his Realme, and oppreſſion of the Commmons.

Sauing alwayes to the King and to other, the cuſtomes due of the ſaid Merchandiſes. And alſo that the Chancellor, Treaſurer, and Iuſtices aſſigned to hold the pleas of the King in places where they come, ſhall enquire of ſuch diſturbances and grieuances and puniſh according as is before ordained. And neuertheleſſe the King ſhall cauſe to be aſſigned by Commiſſion vnder the great Seale, certaine people, where and when it ſhall pleaſe him to enquire of ſuch diſturbances and grieuances, & to execute puniſhment; as aforeſaid. And after by a Statute made at a Parliament holden at Weſtminſter the xxv. yeare of King Edward the third, it was ordained, by the ſame Edward the Grandfather, Prelates, Earles, Barons, and all other great men and Commons, that the ſaid Statute made the ſaid ix. yeare, in all points and articles contained in the ſame, ſhould be holden and kept, maintained. And if any Charter, letters patents. Proclamation or commandement, vſage, allowance or iudgement were made to the contrarie, the ſame ſhould be vtterly repealed, auoided and holden for none. And moreouer that euery Merchant or other, of what condition that he be, aſwell Alien as Denizen which ſhall bring Wines, fleſh, and fiſh, or victuals, Clothes, Fels, or auoir de pois, or any other Wares or Merchandiſes to the Citie of London, or to other Cities, Boroughes or good townes of England, or Port of the Sea, may freely and without challenge or impeachment of any, ſell them in groſſe or at retaile, or by parcels, at his will, to all manner people that will buy the ſame: notwithſtanding any grant, franchiſe or Cuſtome vſed, or any other manner thing done to the contrary, ſince that ſuch franchiſes, and vſages be in common preiudice of the King and of all his people. And that no Maior, Bailiffe, Catchpole, Miniſter or other ſhall meddle with the ſale of any maner of victuals vendible carried or brought to Cities, Boroughes, nor other Townes, nor Faire, nor Market, but onely he to whom the victuals ſhall be. And alſo that Proclamation be thereof made of new in all the Counties of England, and in the Citie of London, and in all other Cities, Boroughs, and good townes and Ports of the Sea, and elſewhere within the Realme of England, where it ſhall bee needfull. And that the ſaid King the Grandfather ſhall thereupon cauſe to bee aſſigned his Iuſtices at all times that ſhall pleaſe him and ſhall be neceſſary, to enquire of all them that ſhall ſell or any thing doe to the contrary, and to puniſh them according to the paine contained in the ſame Statute, made the ſaid ninth yeare. And that euery man that will ſue againſt any, ſhall haue a writ out of the Chancery to attach him by his body, as a diſturber of the common profit, and to make him come to the anſwer thereof, in the Kings Court, as by the ſame ſtatutes plainely doth appeare: Our Lord the King ſeeing cleerely that the ſaid Statutes if they were holden and fully executed ſhould much extend to the profit & wealth of all the Realme, hath ordained and ſtabliſhed by the aſſent of the Prelates, Dukes, Earles, Barons, Great men, Nobles and Commons in this preſent Parliament aſſembled, that the ſaid Statutes ſhall from henceforth be firmely holden, kept, maintained, and fully executed in all the points and articles of the ſame, notwithſtanding any ordinance, Statute, Charter, Letters Patents, Franchiſe, Proclamation, Commandement, Vſage, Allowance, or iudgement made or vſed to the contrary. And that if any Statute, Ordinance, Charter, Letters Patents, Franchiſe, Proclamation, Commandement, vſage, allowance or iudgement bee made or vſed to the contrary, it ſhall bee vtterly repealed, auoided, and holden for none. Stat.16.R.2.1.1.*H*.4.17.

A reſeruation of Cuſtomes.

Who may enquire of and puniſh the foreſaid offences.

Ann.25.Ed.3.2.

Merchants may ſell their wares in groſſe, or by retaile, or by parcels, notwithſtanding any grant or Cuſtome to the contrary. 2.R.2.1.

The Stat. of 9.Ed.3.1. & 25.Ed.3.2. ſhall be executed in all points, notwithſtanding any Charter &c.

Cap. VIII.

Certaine annnities granted by the King, his father and Grandfather, made voide.

ITem, it is ordained and ſtabliſhed that all the Annuities and other things giuen or granted by our Lord the King, or by his father or Grandfather to any manner perſons with the clauſe: Quouſque pro ſtatu ſuo aliter duxerimus ordinandum, ſhall be wholy void and of no force, if the ſame perſons haue accepted afterward any other things of the King and of his ſaid father or Grandfather.

Cap. IX.

No new Impoſition ſhall be put vpon Merchandiſes.

ITem, that no impoſition, or charge be put vpon Wools, Leather, or woolfels, other then the cuſtome and Subſidie granted to the King in this preſent Parliament, and if any be the ſame ſhall be repealed, and annulled, as it was another time ordained by Statute, ſauing alwayes vnto the King his ancient right.

Cap. X.

The Kings Signet or priuie Seale, ſhall not be ſent in diſturbance of the Law.

ITem, it is ordained and eſtabliſhed, that neither letters of the Signet, nor of the Kings priuie ſeale, ſhall be from henceforth ſent in damage or preiudice of the Realme nor in diſturbance of the Law. Stat.9.*H*.3.29.2.Ed.3.8.

No ſeale of the kings ſhall be ſent to preiudice the cōmon Law.

Cap. XI.

The keeping of Aſſiſes in good townes, referred to the conſideration of the Iuſtices, &c.

Stat.6.R.2.5.

The keeping of Aſſiſes in good townes referred to the conſideration of the Chanceller and Iuſtices.

Item, whereas late in a Statute made at Weſtminſter the firſt yeare of the Kings Raigne that now is, amongſt other things it was ordained and accorded that the Iuſtices aſſigned and to be aſſigned to take aſſiſes, and deliuer Goales ſhould hold their Seſſions in the chief and principall townes of euery County, that is to ſay, where the Shire courts of the ſame counties be or hereafter ſhall be holden: our Lord the King conſidering how the ſaid Statute is in part preiudiciall and grieuous to the people of diuers counties of England, will and grant of the aſſent aforeſaid, at the requeſt of the ſaid Commons, that the Chancellor of England for the time being, ſhall haue power thereof to make and prouide remedy by aduiſe of the Iuſtices from time to time when need ſhall be, notwithſtanding the ſaid Statutes.

Statutes made at Canterbury, Anno 12.R.2. & An. Dom. 1388.

For the common profit and vniuerſall wealth of all the Realme of England, our Lord the King, at his Parliament holden at Canterbury the morrow after the Natiuity of our Lady the xij. yeare of his raigne by the aſſent of the Lords and Commons there aſſembled, hath made certaine Statutes and Ordinances in the forme following.

Cap. I.

A confirmation of the liberties of the Church, and of all former Statutes not repealed.

A confirmation of the liberties of the Church and of former Statutes.

First it is accorded and aſſented that holy Church haue all her liberties and franchiſes. And that the great Charter and the Charter of the Foreſt and all other Statutes and Ordinances made in times paſt, and not repealed ſhall be duely holden and firmely kept.

Cap. II.

None ſhall obtaine offices by ſuit, or for reward, but vpon deſert.

Co.Inſt. 134.a.

None ſhall obtaine offices by ſuit or for reward but by deſert.

Item, it is accorded that the Chanceller, Treaſurer, Keeper of the priuie Seale, Steward of the Kings houſe, the Kings Chamberlaine, Clerke of the Rolles, the Iuſtices of the one Bench and of the other, Barons of the Eſchequer, and all other that ſhall be called to ordaine, name, or make Iuſtices of Peace, Sheriffes, Eſcheators, Cuſtomers, Comptrollers, or any other Officer or Miniſter of the King ſhall be firmely ſworne, that they ſhall not ordaine, name or make Iuſtices of Peace, Sheriffe, Eſcheator, Cuſtomer, Comptroller nor other officer nor Miniſter of the King for any gift or brocage, fauour or affection, nor that none, which purſueth by him, or by other priuily or openly to be in any maner office, ſhall be put in the ſame office, or in any other: but that they make all ſuch officers and Miniſters of the beſt, and moſt lawfull men and ſufficient to their eſtimation and knowledge.

Cap. III.

No ſeruant ſhall depart from one hundred to another, without a teſtimoniall vnder the Kings ſeale: A ſeruant wandring without a teſtimoniall ſhall be ſet in the Stockes. Rep.5.El.4. and 21.Iac.28.

Cap. IIII.

The ſeuerall penalties for giuing or taking more wages then is limited by Statute. Rep. 5.El.4. And 21.Iac.28. St.4.*H*.5.4. St.4.*H*.8.5.

Cap. V.

Whoſoeuer ſerueth in Huſbandry vntill twelue yeares old ſhall ſo continue. Rep. 5. El. 4. & 21.Iac.28.

Cap. VI.

No ſeruants in Huſbandry or labourer ſhall weare any ſword, Buckler or dagger. Vnlawfull games prohibited, Rep.21.Iac.28.

Cap. VII.

The puniſhment of Beggers able to ſerue, and a prouiſion for impotent Beggers. Rep. 1. Ed. 6.3. and 21.Iac.28.

Cap. VIII.

They ſhall haue teſtimonials that report themſelues to haue beene impriſoned beyond the Sea. Rep. 21. Iac. 28.

Cap. IX.

The Statute of labourers ſhall be executed within Cities and Boroughes. Rep. 5. El. 4. & 21. Iac. 28.

Cap. X.

How many Iuſtices of Peace there ſhall be in euery County: and how often they ſhall keepe their Seſſions.

Item, it is ordained and agréed, that in euery Commiſſion of the Iuſtices of Peace, there ſhal be aſſigned but ſixe Iuſtices, with the Iuſtices of Aſſiſes, and that the ſaid ſixe Iuſtices ſhall kéepe their Seſſions in euery quarter of the yeare at the leaſt, and by thrée daies if néed be, vpon paine to be puniſhed according to the diſcretion of the Kings Councell, at the ſuit of euery man that will complaine: And they ſhall enquire diligently among other things touching their offices if the ſaid Maiors, Bailiffes, Stewards, Conſtables and Iailers haue duely done execution of the ſaid Ordinances, of ſeruants and labourers, beggers and vagabonds, and ſhall puniſh them that be puniſhable, by the ſaid paine of an hundred ſhillings by the ſame paine; and they that be found in default, and which be not puniſhable by the ſame paine, ſhall be puniſhed by their diſcretion. And euery of the ſaid Iuſtices ſhall take for their wages foure ſhillings the day for the time of their ſaid Seſſions, and their Clerke two ſhillings of the fines and amerciaments, riſing and comming of the ſame Seſſions, by the hands of the Sheriffes. And that the Lords of franchiſes, ſhall be contributory to the ſaid wages, after the rate of their part of fines and amerciaments aforeſaid. And that no Steward of any Lord be aſſigned, in any of the ſaid Commiſſions. And that no aſſociation ſhall be made to the Iuſtices of the Peace after their firſt Commiſſion. And it is not the entent of this Statute, that the Iuſtices of the one Bench, or of the other, nor the Serieants of the Law in caſe that they ſhall be named in the ſaid Commiſſions, ſhal be bound by force of this Statute, to hold the ſaid Seſſions foure times in the yeare as the other Commiſſioners, the which be continually dwelling in the Countrey, but that they ſhall doe it when they may beſt attend it.

How many Iuſtices of Peace ſhall be in euery Countie, how often they ſhall keepe their Seſſions and what wages they ſhall haue. St. 36. Ed. 3. 12.

The wages of the Clerke of the Peace. No aſſociation of Iuſtices of Peace.

The Iudges and Serieants of the Law ſhall attend but when they may.

Cap. XI.

The puniſhment of him that telleth lies of the Peeres or great Officers of the Realme.

Item, whereas it is contained, as well in the Statute of Weſtminſter, the firſt, as in the Statute made at Glouceſter, the ſecond yeare of the Raign of our Lord the King that now is, that none be ſo hardy to inuent, to ſay or to tell any falſe newes, lies, or ſuch other falſe things of the Prelates, Dukes, Earles, Barons, and other Nobles and great men of the Realme, and alſo of the Chanceller, Treaſurer, Clerke of the priuie Seale, the Steward of the Kings houſe, the Iuſtice of the one Bench or of the other, and other great officers of the Realme, and he that doth ſo ſhall be taken and impriſoned, till he hath found him of whom the ſpéech ſhall be moued: It is accorded and agréed in this Parliament that when any ſuch is taken and impriſoned, and cannot find him, by whom the ſpéech be moued as before is ſaid, that he be puniſhed by the aduice of the Councell, notwithſtanding the ſaid Statutes.

St. 3. Ed. 1. 33. Stat. 2. R. 2. 5.

Dyer fol. 285. Coke. H. 4. fo. 12. Kel. fo. 26.

The puniſhment of him that telleth lies of the Prelates or great officers of the Realme.

Cap. XII.

In what caſes Lords and Spirituall perſons ſhall be contributory to the expences of the Knights of the Parliament.

Item, in the right of the leuying of the expences of the Knights comming to the Parliaments for the Commons of the Counties, it is accorded and aſſented, that the ſaid leuying be made as it hath béen vſed before this time: ioining to the ſame, that if any Lord or any other man ſpiritual, or temporall, hath purchaſed any lands or tenements or other poſſeſſions that were wont to be contributory to ſuch expences, before the time of the ſaid purchaſe, that the ſaid lands, tenements, and poſſeſſions, and the tenants of the ſame, be contributory to the ſaid expences, as the ſaid lands, tenements and poſſeſſions were wont to doe before the time of the ſame purchaſe. Regiſt. fol. 191.

H. 4. fol. 2.

Lords and ſpirituall perſons purchaſing lands contributory to the expences of the Knights of the Parliament.

Cap. XIII.

The puniſhment of them which cauſe corruption neare a Citie or great towne to corrupt the aire.

Item, for that ſo much dung and filth of the garbage and intrailes, as well of beaſts killed as of other corruptions, be caſt and put in ditches, riuers, and other waters, and alſo within many other places, within, about, and nigh vnto diuers Cities, Boroughes, and Townes of the Realme and the Suburbs of them, that the aire there is greatly corrupt and infect, and many maladies and other intollerable diſeaſes doe daily happen as well to the inhabitants and thoſe that are conuerſant in the ſaid cities, boroughes, townes, and Suburbs, as to other repairing and traueling thither, to the great annoyance, damage and perill of the inhabitants, dwellers, repairers, & trauellers aforeſaid: It is accorded and aſſented that Proclamation be made as well in the Citie of London, as in other cities, boroughes, and townes through the Realme of England where it ſhall be needfull, as well within franchiſes as without, that all they which doe caſt and lay all ſuch annoyances, dung, garbages, intrailes, and other ordure in ditches, riuers, waters, and other places aforeſaid, ſhall cauſe them vtterly to be remoued, auoided and carried away betwixt this and the Feaſt of Saint Michael next enſuing, after the end of this preſent Parliament, euery one vpon paine to loſe and to forfeit to our Lord the King xx.li. And that the Maiors and Bailiffes of euery ſuch citie, borough, or towne,, and alſo the Bailiffes of franchiſes ſhall compell the ſame to be done vpon like paine: And if any feele himſelfe grieued that it be not done in the maner aforeſaid, and will thereupon complaine him to the Chanceller after the ſaid Feaſt of Saint Michael, he ſhall haue a writ to make him of whom he will ſo complaine to come into the Chancery there to ſhew why the ſaid penalty ſhould not be leuyed of him. And moreouer Proclamation ſhall be made, as well in the City of London, as in other cities, boroughes, and townes as afore, that none of what condition ſoeuer he be, cauſe to be caſt or throwne from henceforth any ſuch annoyance, garbage, dung, intrailes nor any other ordure into the ditches, riuers, waters, and other places aforeſaid, and if any doe, he ſhall be called by writ before the Chanceller, at his ſuit that will complaine, and if he be found guilty, he ſhall be puniſhed after the diſcretion of the Chanceller. Fitz.N.B.fol.176.B.185.D.

The puniſhment of him which ſhall caſt corruption into any place neare a city or towne.

Chiefe officers of Townes ſhall compell offendors to redreſſe their annoyances.

Cap. XIIII.

A confirmation of the Stat. of 47.Ed.3.1. touching the length and bredth of Clothes. Rep. 5.Ed.6.6. 43.El.10. & 4.Iac.2.

Cap. XV.

He that will goe out of the Realme to prouide a Benefice within the Realm, ſhall be out of the Kings protection and the benefice ſhall be void. Ob. St.13.R.2.2.

Cap. XVI.

The Staple ſhall be remoued from Middleborough to Calice, Alt.14.R.2.1. & Ob.

Statutes made at Weſtminſter, Anno 13.R.2. & Anno Dom.1389.

IN the Parliament holden at Weſtminſt. the Munday next after the feaſt of Saint *Hillary*, the xiij. yeare of the Raigne of King RICHARD the ſecond after the Conqueſt, our Lord the King, to the honour of God and holy Church, and for the common profit of his liege people of his realm, of the aſſent of the Prelates and Lords temporall, and Commons being in the ſame Parliament, hath ordained and ſtabliſhed the things vnder written.

Cap. I.

The kings preſentee ſhal not be receiued to a Church full of an incūbēt, vntill he hath recouered it by law.

FIrſt, whereas it is ordained by a Statute made the xxv. yeare of the Raigne of King Edw. the Grandfather of our Lord the King that now is, that at what time that the King ſhall make collation or preſentment to any benefice in anothers right, that the title vpon which he groundeth himſelfe ſhall be well examined that it be true, and at what time before iudgement giuen, the title be found by good information vntrue and not iuſt, the collation or preſentment thervpon made ſhall be repealed: and notwithſtanding the ſame Statute ſome of the Kings preſentees by fauour of the Ordinaries be inſtituted and inducted in benefices of holy Church without due proceſſe: the parties not warned nor called, and ſometime taken by falſe enqueſts fauourably, and the incumbents in ſuch maner put out. It is ordained and aſſented, that the ſaid Statute be firmely holden and kept. And moreouer our Lord the King, for the reuerence of God and holy Church, doth will and grant, that if he preſent to any benefice that is full of any incumbent, that the preſentee of the King ſhall not be receiued by the Ordinary to the Benefice, till the King hath recouered his preſentment by proceſſe of the Law in his owne Court: and if any preſentee of the King be otherwiſe receiued, and the incumbent put out without due proceſſe, as afore is ſaid, the ſaid incumbent ſhall begin his ſuit within a yeare after the induction of the Kings preſentee at the leaſt. Stat.4.H.4.22.

The Stat. of Ed.3.3. confirmed touching the examination of the Kings Title to a Benefice when he preſenteth in anothers right.

When the King preſenteth to a Benefice full of an incumbent his preſentee ſhall not be receiued vntill he hath recouered by Law.

14.H.7.fol.
2.H.4.fol.
8.H.4.fol.

Cap.

CAP. II.

The authority of the Conſtable of England and the remedy where it is abuſed.

ITem, becauſe that the Commons doe make a grieuous complaint, that the court of the Conſtable and the Marſhals hath incroched to him, and daily doth incroch contracts, couenants, treſpaſſes, debts and detinues & many other actions pledable at the Common Law, in great preiudice of the King, & of his Courts, and to the great grieuance and oppreſſion of the people: Our Lord the King willing to ordaine a remedy againſt the preiudices & grieuances aforeſaid, hath declared in this Parliament by the aduice and aſſent of the Lords ſpirituall and temporall, the power and iuriſdiction of the ſaid Conſtable, in the forme that followeth. To the Conſtable it pertaineth to haue cogniſance of contracts touching deeds of Armes and of Warre out of the Realme, and alſo of things that touch warre within the Realme, which cannot bee determined nor diſcuſſed by the Common Law, with other vſages and Cuſtomes to the ſame matters pertaining, which other Conſtables heretofore haue duly and reaſonably vſed in their time. Ioyning to the ſame, that euery plaintiffe ſhal declare plainely his matter in his petition before that any man be ſent for to anſwere thereunto. And if any will complaine, that any plea be commenced before the Conſtable and Marſhall, that might be tryed by the Common Law of the Land, the ſame plaintiffe ſhall haue a priuy Seale of the King without difficulty directed to the ſaid Conſtable and Marſhal, to ſurceaſe in that plea, vntill it be diſcuſſed by the Kings Counſell, if that matter ought of right to pertaine to that court, or otherwiſe to be tried by the Common law of the Realme of England, and alſo that they ſurceaſe in the meane time. *Stat.28.E.1.3.8.R.2.5. 33.H.8.12.Raſt.pla.fol.278.*

The authority of the Conſtable of England and wherein it conſiſteth.

The remedy where the Conſtable & Marſhall hold plea of any thing determinable by the cōmon law.

CAP. III.

The limits of the Steward and Marſhals court of the Kings houſe.

ITem, it is accorded and aſſented, that the Court of the Steward and Marſhall of the Kings houſe, nor alſo the iuriſdiction thereof, ſhall not paſſe the ſpace of twelue miles, to be counted from the lodging of our ſaid Lord the King. Fitz.N.B.fo.281.B.

The limits of the Steward and Marſhals Court.

CAP. IIII.

The dutie of a Clearke of the Market of the Kings houſe.

ITem, at the requeſt of the ſaid Commons, it is ordained & aſſented that the Clerke of the Market of the Kings houſe, ſhal doe his office well and duly. And that all falſe meaſures & weights ſhall be burned after the forme of the Statute. And that the ſaid Clerke take no Common fine, but that euery perſon, which is found in default touching the ſame office, be puniſhed according to his deſert, and that he ſhall not ride but with vj. horſes at the moſt, and that he ſhall not tary in any towne nor other place longer then the neceſſity of his buſineſſe ſhall require: and if he doe any thing contrary to this Statute, and be thereof duely conuict, he ſhall pay to the King at the firſt time that he ſhall be conuict, an C.s. and at the ſecond time x.li. and at the third time xx.li.

The dutie of the Clerke of the Market of the Kings houſe

CAP. V.

With what things the Admirall and his deputie ſhall meddle.

ITem, for aſmuch as a great and common clamour and complaint hath beene oftentimes made before this time, and yet is, for that the Admirals and their Deputies hold their Seſſions within diuers places of this Realme, as well within Franchiſe as without, accroching to them greater authoritie then belongeth to their Office, in preiudice of our Lord the King and the Common Law of the Realme, and in diminiſhing of diuers Franchiſes, and in deſtruction and impoueriſhing of the common people. It is accorded and aſſented, that the Admirals and their Deputies ſhall not meddle from henceforth, of any thing done within the Realme, but onely of a thing done vpon the Sea, as it hath beene vſed in the time of the Noble Prince King Edward, grandfather of our Lord the King that now is. *Stat.15.R.2.3. 2.H.4.11.Raſt.pla.fol.23.*

With what things onely the Admirall & his Deputie ſhall meddle.

H.6.fol.7.
fol.15.9.

CAP. VI.

How many Serieants at armes there ſhall be, and with what things they ſhall medle.

ITem, at the grieuous complaint made by the Commons to our Lord the King in this Parliament, of the exceſſiue and ſuperfluous number of Serieants at Armes, and of many great extortions and oppreſſions done by them to the people. The King therefore doth will that they ſhal all be diſcharged, and that of them and other there ſhalbe taken of good and ſufficient perſons to the number of thirty, and no more from henceforth. And moreouer the King prohibiteth them to meddle with any thing that toucheth not their office. And that they doe no extortion nor oppreſſion to the people, vpon paine to loſe their office, and to make a fine and ranſome at the Kings pleaſure, and full ſatisfaction to the partie.

There ſhalbe but xxx. Serieants at armes who ſhall meddle with nothing but touching their offices.

CAP. VII.

What ſort of perſons ſhall be Iuſtices of Peace, and what their charge is to doe.

What ſort of perſons ſhalbe Iuſtices of Peace, & what their charge is to doe. 12.R.2.10.

ITem, whereas it is contained in the laſt Statute made at Canterbury, that no Steward of any Lord, ſhal be aſſigned in the Commiſſion of the Iuſtice of Peace, neuertheles for certaine cauſes ſhewed in this Parliament: It is accorded and aſſented, that Iuſtices of Peace ſhall bée made of new in all the Counties of England, of the moſt ſufficient Knights, Eſquires, & Gentlemen of the Law of the ſaid Counties, notwithſtanding the ſaid Statute. And that the ſaide Iuſtices be ſworne duly and without fauour to kéepe and put in execution all the Statutes and Ordinances touching their offices. *Sta.1.Ed.*3.16.4.*Ed.*3.2.12,*R.*2,10.2.*H.*5.4.18.*H.*6.11.

CAP. VIII.

The rates of labourers wages, ſhalbe aſſeſſed and proclamed by the Iuſtices of Peace: And they ſhall Aſſeſſe the gaines of victualers. Who ſhall make Horſebread and the weight and price thereof.

St.12.R.2.9.

ITem, it is ordained and aſſented, that the Statutes and Ordinances made in the laſt Parliament holden at Canterbury, aſwell of ſeruants, labourers, artificers, and victualers, as of all other things, ſauing the exception in the next article before touching Iuſtices of peace, and alſo all other Statutes and Ordinances made before this time, and not repealed, ſhalbe firmely kept and duely executed, but foraſmuch as a man cannot put ye price of Corne and other victuals in certaine, it is accorded and aſſented, that the Iuſtices of Peace in euery County, in two of their Seſſions to be holden betwixt the Feaſt of Eaſter and Saint Michael, ſhall make Proclamation by their diſcretion according to the dearth of victuals, how much euery Maſon, Carpenter, Tiler and other Craftſmen, Workemen, and other Labourers by the day, as wel in harueſt as in other times of the yéere, after their degrée, ſhall take by the day with meat and drinke, or without meat & drinke, betwéene the two Seſſions beforeſaid, notwithſtanding the Statutes thereof heretofore made: and that euery man obey to ſuch Proclamations from time to time as a thing done by Statute. And in the right of victualers it is accorded, that they ſhall haue reaſonable gaines, according to the diſcretion and limitation of the ſaid Iuſtices and no more, vpon peine to be grieuouſly puniſhed according to the diſcretion of the ſaid Iuſtices, where no paine is limited in certaine before this time. And that Sheriffes, Stewards of Lords of franchiſes, Maiors, & Bailiffes, and all other that haue Aſſiſe of bread and ale to kéepe, and the correction of the ſame, ſhall take no amerciament or fine for any default touching the Aſſiſe, for the which a man or woman by the Law ought to haue bodily puniſhment, according as it is another time ordained by ſtatute, but they ſhal iudge them to the ſame bodily puniſhment, as the offence requireth & ſhall doe due execution therof. And that Maiors, Bailiffes & Stewards of franchiſe, and all other that haue the order and ſuruey of victuals in Cities, Boroughs, Merchant townes and elſewhere, where victuals be ſold in the Realme, ſhall put the Statute made the xxiii. yéere of the Reigne of King Edward grandfather to the King that now is, which beginneth. Becauſe a great part of the people, touching the eſtate of victualers and hoſtlers, and other ſellers of victuals, in due execution. And that no hoſtler make horſebread in his hoſtry nor without, but Bakers ſhall make it: & the Aſſiſe thereof ſhall be kept, and that the weight be reaſonable after the price of the Corne in the Market, & that the ſame hoſtlers, ſhall ſell Hey and Otes after a reaſonable price, ſo that they take not for the Buſhell but one halfe peny ouer the common price in the Market. This laſt clauſe is repealed. 21. Iac. 21, & 28.

The rate of Artificers, labourers and workemens wages, ſhalbe aſſeſſed and proclaimed by the Iuſtices St.5.El.4.

The gaines of victualers ſhall be aſſeſſed by the Iuſtices, & they ſhalbe reaſonable. St.23.Ed.3.6. Stat.12.Ed.4.8.

Bodily puniſhment onely ſhall be inflicted vpon victualers, where it is deſerued. Sta.51.H.3.51. 51.Ed.1. Stat.23.Ed.3.6.

Who ſhall make Horſebread, and the weight and price of it. St.4.H.4.25.32.H.8.41.

CAP. IX.

There ſhalbe but one weight and one meaſure through the Realme, Sauing in the Countie of Lancaſter. The weight of Wooll, and the refuſe thereof.

ITem, it is ordained and accorded, that one meaſure and one weight be through all the Realme of England, as in the great Charter, and other Statutes and Ordinances thereof made is more plainely contained. And euery one that ſhalbe conuict that hath or vſeth any other meaſure or weight ſhall haue impriſonment of halfe a yeare, & make recompence to the partie grieued to the double of his loſſe, except it be in the Countie of Lancaſter, becauſe in that Countie it hath allwayes béene vſed to haue greater meaſure then in any other part of the Realme. And that none buy or ſell wooll at more weight then at fouretéene pound the ſtone, vpon paine to pay the double to him that féeleth him grieued, and to make fine and ranſome to the King after the quantitie of the treſpaſſe. And that no denizen nor forrein make any other refuſe of woolls but cot, gare, and villeine. And that no Merchant nor other man buy his wools by theſe words, good packing, nor by like words, vpon paine, that is to ſay, the Broker to haue impriſonment of halfe a yeare, and the buyer to make a fine to the King after the quantitie of the treſpaſſe, and the party that féeleth him grieued ſhall haue double damages of that which he hath ſuffered by the ſaid occaſion. And that none ſhall make wools to be cocketted but in the name of him to whom the wools be, vpon paine of forfeiture of the ſame, as it hath béene another time ordained by Statute. Stat.11.H.7.4. 8.H.6.5.

There ſhalbe but one weight & one meaſure.

The Countie of Lancaſter.

Wooll ſhall be ſold at xiiii.li. the ſtone. Stat.31.Ed.3.8.

Refuſe of wools

Wooll ſhall not be bought by good packing.

Wooll ſhall not be cocketted but in the owners name.

Cap. X.

The length and bredth of Cogware, and Kendall cloth.

Item, although it be ordeyned by diuers Statutes, that all maner clothes of ray and of colour, ſhall be of a certaine length and breadth compriſed in the ſame Statutes, neuertheleſſe for as much as it hath béene a common cuſtome to make certaine clothes in diuers counties of England called Cogware and Kendall cloth, of the breadth of thrée quarters of a yeard, whereof ſome be of the price of xl.d. and ſome of v.s. and ſold to Cogmen out of the Realme, and alſo to poore & meane people within the Realme, of the which clothes a great part is made of the worſt wooll within the Realme, that cannot well ſerue for any other clothes: It is accorded and aſſented, that from henceforth it ſhal be lawfull to euery man to make ſuch maner of clothes of the length and breadth as it hath béene vſed before this time, notwithſtanding any Statute made to the contrarie. Prouided alwaies, that the makers and workers of ſuch clothes ſhall not make them of any better wooll then they were wont to doe. And alſo it is aſſented, that all ſuch clothes as be arreſted by force or colour of the ſaid Statutes or any of them, ſhal be diſcharged and redeliuered. *Stat.*2.E.3.1. 25.Ed.3.1. 47.Ed.3.1. 12.R.2.14. 5.Ed.6.6. 43.El.10.4.Ia.2.

Cogware and Kendall cloth may be made of ſuch length and brea dth as they haue beene.

Cap. XI.

The clothes of certaine Counties tacked and folded ſhall not be put to ſale before they be opened.

Item, for as much as diuers plaine clothes that be wrought in the Counties of Somerſet, Dorſet, Briſtow, and Glouceſter, be tacked and folded together and ſet to ſale, of the which clothes a great part be broken, brouſed, and not agréeing in the colour, neyther be according in breadth, nor in no maner to the part of the ſame clothes ſhewed outwards, but be falſely wrought with diuers wools, to the great deceit, loſſe, and damage of the people, in ſo much that the Merchants that buy the ſame clothes, and carry them out of the Realme to ſell to ſtrangers be many times in daunger to be ſlaine, and ſometime impriſoned, & put to fine and ranſome by the ſame eſtrangers, and their ſaid clothes brent or forfeit becauſe of the great deceit and falſehood that is found in the ſame clothes, when they be vntacked and opened, to the great ſlander of the Realme of England: It is ordeyned and aſſented, that no plaine cloth tacked nor folded ſhall be ſet to ſale within the ſaid Counties, but that they be opened, vpon paine to forfeit them, ſo that the buyers may ſée them, and know them, as it is vſed in the county of Eſſex: and that the workers, Weauers, and Fullers, ſhall put their ſeales to euery cloth that they ſhall worke, vpon a certaine paine to be limited by the Juſtices of the Peace: and that this ordinance begin to hold place at the Feaſt of Saint John Baptiſt next following. Prouided alwayes, that after the Merchants haue bought the ſame clothes to carrie and doe carrie them out of the Realme, they may tacke them and fold them at their pleaſure; for the more eaſie carriage of them.

The inconueniences enſuing the carrying ouer of tacked & deceiptful cloth.

No plaine cloth tacked nor folded made in certain counties ſhall be put to ſale before they be opened.

Cap. XII.

No Shoomaker ſhal be a Tanner, not Tanner a Shoomaker. 1.*H.*4.35.Rep.5.El.8.& 1.Iac.22.

Cap. XIII.

None ſhall hunt but they which haue a ſufficient liuing.

Item, for as much as diuers artificers, labourers and ſeruants, and groomes kéepe Greyhounds and other Dogges, and on the holy dayes when good Chriſtian people be at Church hearing diuine Seruice, they goe hunting in Parkes, Warrens, and Connigries of Lords and others, to the verie great deſtruction of the ſame, and ſometime vnder ſuch colour they make their aſſemblies, conferences, and conſpiracies for to riſe and diſobey their allegeance: It is ordeyned & aſſented, that no maner of artificer, labourer, nor other lay man, which hath not lands or tenements to the value of xl.s. by yéere, nor any Prieſt, nor other Clerk, if he be not aduanced to the value of x.li. by yeare, ſhall haue or kéepe from henceforth any Greyhound, Hound, nor other Dogge to hunt: nor they ſhall vſe Fyrets, Heyes, Nets, Harepipes, nor cords, nor other engines for to take or deſtroy Déere, Hares, nor Conies, nor other gentlemans game, vpon paine of one yeares impriſonment: and that the Juſtices of Peace haue power to enquire, and ſhall enquire of the offendors in this behalfe, and puniſh them by the paine aforeſaid. *St.*19.*H.*7.11.*Raſt.pla.*405

None ſhall hunt but they which haue ſufficient liuing.

Juſtices of P. ſhall inquire of, and puniſh the offendors.

Cap. XIIII.

There ſhall be no Bonds of the double made in the Exchequer for the Kings debt.

Item, For as much as diuers Recogniſances and other Bonds be now of late begun and made in the Exchequer of double, for the ſuertie of debts and fermes of our Lord the King, otherwiſe

them

There ſhall be no Bonds made of the double in the Exchequer.

then it was wont to be done heretofore, to the great hinderance of many of the people: It is accorded and aſſented by our Lord the King, and all the Lords of the Parliament, at the requeſt of the Commons, that no ſuch Recogniſance nor other Bond of the double be made nor taken in the Exchequer from this time forth. And that all ſuch Recogniſances, and other Bonds which be made at this preſent, be vtterly cancelled and adnulled. Prouided alwayes, that the King haue ſufficient ſuertie of his duetie in the manner accuſtomed.

Cap. XV.

The Kings Caſtles and Gaoles ſhall be reioyned to the bodies of Counties.

Caſtles and Gaoles ſhall bee reioyned to the bodies of counties.

ITem, it is ordained and aſſented, that the Kings Caſtles and Gaoles which were wont to bee ioyned to the bodies of the Counties, and be now ſeuered, ſhalbe reioyned to the ſame counties.

Cap. XVI.

In what caſe a Protection Quia profecturus, *or* Quia Moratur *is not allowable.*

ITem, becauſe that many perſons be delayed as well in actions reall as in actions perſonall by protection, with the clauſe of Volumus, for that many people, as well ſuch as be not able to be retained in warre, as other by the teſtimoniall of the Gouernours of the Marches, Captaines of Gariſons, Admirals, and other doe purchaſe diuers protections with clauſe of Volumus: and with clauſe Quia profecturus, &c. after that a plea is commenced againſt them, rather to delay the ſame plea, then for the Kings ſeruice, whereas plentie of other ſufficient that be not impleaded may be found to doe the King ſeruice in ſuch caſe, and often doe remaine in the countrey without going to their ſaid ſeruice, to the great damage of the purſuants, and diſturbance of common right. It is therefore ordained and aſſented, that no protection with clauſe de profecturus be allowed in any plea whereof the ſuit is commenced before the date of the protection, if it be not in a voyage that the King himſelfe goeth, or other voyages royall, or in the Kings meſſages, for buſines of the Realme, but they that be impleaded ſhall make their Atturnies to anſwer for them in ſuch pleas, or elſe they ſhall tarry themſelues if they will: howbeit, it is not the intent of the making of this Statute, but that the protection with clauſe Quia Moratur, be allowed in all caſes, as it hath been before this time. And if any tarrie in the countrie, without going to their ſeruice for the which he is retained, ouer a conuenient time after that he hath any protection, or returne from the ſame ſeruice, if the Chancellor be thereof duely informed, he ſhall repeale ſuch protection, as it hath beene vſed before this time. V.N.B.fo.21. Fitz.N.B.fo.28. Stat.33.E.1.

In what caſe a protection Quia profecturus is not allowable. Stat.1.R.2.8.

Fitz.Protectio 10.20.24.34.46. 48.52.56.125. Co.Inſt.1.par 131.b.

The protection Quia moratur.

Cauſes to repeale a protection.

Cap. XVII.

Where he in the reuerſion may be receiued in a ſute commenced againſt the particular tenant.

ITem, becauſe that when tenants for terme of life, tenants in dower, or by the law of England, or in taile after poſſibilitie of iſſue extinct, be impleaded, they be often of the couin of the demaundants, that the tenements demaunded againſt them ſhall be recouered, and they will not pray in ayde, nor vouch to warrantie them in the reuerſion, but pleade in chiefe ſuch a plea, whereby they know well the tenements ſhall be loſt, in diſheriſon of them in the reuerſion. It is accorded and aſſented, that if any ſuch tenant be impleaded, and he in the reuerſion come into the Court, and prayeth to be receiued to defend his right at the day that the tenant pleadeth to the action, or before, he ſhalbe receiued to defend his right at the day that the tenant pleadeth to the action, or before he ſhalbe receiued to pleade in chiefe to the action, without taking any delay by voucher, aid, prayer, nonage, or any other delay whatſoeuer, ſo that after ſuch receit he ſhall haue no maner delay by protection, eſſoine of the Kings ſeruice, common eſſoine, nor any other delay whatſoeuer, but that the buſineſſe ſhalbe haſted in as much as it may be by the law: and that dayes of grace be giuen by the diſcretion of the Judges betweene the demaundant and him that is receiued in ſuch caſe, without giuing the common day in plea of land, if the demaundant will not aſſent, to the intent that the demandants be not too much delayed becauſe they muſt plead with two aduerſaries, And in the right of pleas that be now depending in ſuch caſe, they in the reuerſion ſhalbe receiued in the manner aforeſaid, at the next day that the parties haue in Court although the ſame parties haue pleaded in chiefe before this time.

Fitz.Reſceit 70. 73.83.84.85.94. 98.100.103. 190.191.

Where he in the reuerſion may be receiued to defend his right in a ſuit commenced againſt his particular tenant.

Prouided alwayes, that they in the reuerſion which pray to be receiued, as before is ſaid, ſhall finde ſuretie of the iſſues of the tenements demanded for the time that the ſame demandants be delayed after the ſaid plea determined betweene the demaundants and tenants, if the iudgement paſſe for the demandant againſt them in the reuerſion aforeſaid, as wel where the receit is counterpleaded, as where it is graunted. *Raſt.pla.fo.530.*

He that prayeth to be receiued ſhall find ſuerty of the iſſues of the lands in demand. Stat.20 Ed.1.

Fitz.Reſceit 76. 80.91.

Cap.

CAP. XVIII.

In which Courts an Attaint may be brought vpon a falſe verdict giuen in Lincolne.

ITem, becauſe that vpon the grieuous complaint of the reuerend father in God, the Biſhop of Lincolne, and the Deane and the Chapiter of the Church of our Ladie in Lincolne, made by their petition to our Lord the King, and the Lords in this preſent Parliament: the Maior and the Bailiffes of the Citie of Lincolne by the commandement of the King and the aſſent of the Lords were enioyned and charged by writ, to be before the King and his Counſell in the ſame Parliament at a certaine day with ſufficient inſtruction and information of all the matter compriſed in the ſame petition, with full power and authoritie vnder the common Seale of the ſaid Citie, to anſwere for them, and the Comminaltie of the ſaid Citie, vpon all things contained in the ſame petition, and further to doe and receiue that which ſhall be ordained by the King and his Counſell in that behalfe, vpon a certaine paine limited in the ſame Writ, the tenour of which petition, containing the grieuances done to the ſaid Biſhop and Chapiter by the people of the Citie of Lincolne, by colour of their Franchiſe, was ſent to the ſame Maior and Bailiffes cloſed within the ſaid Writ. And though the ſaid Maior and Bailiffes at the day contained in the ſame Writ came before the King and his Counſell in the Parliament aforeſaid, yet they did not bring any ſufficient warrant from the Comminaltie of the ſaid Citie, as they had in commandement by the ſaid Writ, and vpon that our ſaid Lord the King, by the aſſent of the Prelates and other Lords in the ſame Parliament being, by default of the Mayor, Bailiffes, and Commons aforeſaid in that behalfe, hath proceeded and examined the ſaid petition and the grieuances therein contained. And alſo becauſe that a common clamour hath beene, that many of the Kings lieges often haue ſuffered diuers iniuries in the ſaid Citie, becauſe in reſpect of freeholds within the the ſame Citie, treſpaſſes, contracts, and other things riſing within the ſame Citie, triable by Aſſiſe, Iurie, or Enqueſt haue beene tried by people of the ſame Citie, which be ſo fauourable one to another, that they doubt not to make falſe oathes, and that becauſe they be encouraged, for as much as they haue not beene before this time conuict by forraines, by colour of their Franchiſe: Our Lord the King, willing for the cauſes aforeſaid, to prouide for the quietneſſe of the ſaid Church, and full right to be done as well to the ſaid Biſhop, Deane, and Chapiter, and their ſucceſſors, as to all other in time comming, hath ordained and ſtabliſhed in that behalfe, that in Aſſiſes, Iuries, and all other Enqueſts that ſhall be taken betweene partie and partie, before the Maior and Bailiffes of the ſame Citie for the time being, if any of the parties feele himſelfe grieued of a falſe oath made by ſuch Aſſiſe, Iurie, or Enqueſt, the Attaiut ſhall be graunted to him, and the Record ſent by Writ into the Kings Bench, or into the Common place. And that the Sheriffe impanell the Iurie of ſuch Attaint of forraines of the Countie, without ſending to the Franchiſe of the ſaid Citie, and that the Iuſtices ſhall take the ſame Iurie of the ſame forrains, notwithſtanding any Franchiſe granted to the ſame City, or other vſage to the contrary. Stat. 3. H. 5. 5. Regiſt. fo. 121.

The inconueniences enſuing of partiall trials of ſuits in Lincolne by the onely people of the ſame Citie.

Vpon a falſe verdict giuen before the Maior & Bailiffes of Lincolne an Attaint may be brought & tried by forraines of the Countie of Lincolne.

7. fo. 13.

CAP. XIX.

A confirmation of the Stat. of 13. Ed. 1. 47. touching the taking of Salmons.

ITem, whereas it is contained in the Statute of Weſtminſter the ſecond, that yong Salmons ſhall not be taken nor deſtroyed by Nets, nor by other engines, at Mill-dammes, from the middeſt of Aprill till the natiuitie of Saint Iohn Bapriſt, vpon a certaine paine limited in the ſame Statute: It is accorded and aſſented, that the ſaid Statute be firmely holden and kept, ioyning to the ſame, that yong Salmons ſhall not be taken during the ſaid time, at Mill-dammes nor in other places vpon the ſame paine. And that no Fiſher, nor Garthman, nor any other, of what eſtate or condition that he be, ſhall from henceforth put in the waters of Thamyſe, Humber, Ouſe, Trent, nor any other waters of the Realme by the ſaid time, nor in any other time of the yeare, any Nets called Stalkers, nor other Nets nor engines whatſoeuer they be, by the which the frie or the breed of the Salmons, Lamprayes, or any other Fiſh may in any wiſe be taken or deſtroyed, vpon the paine aforeſaid. And alſo where it is contained in the ſame ſtatute, that all the waters, in the which Salmons be taken within the Realme, ſhall be put in defence as to the taking of Salmons, from the day of the natiuity of our Lady vntil Saint Martins day: It is ordained and aſſented, that the waters of Lonwyre, Merſee, Rybbyl, and all other waters in the Countie of Lancaſter be put in defence, as to the taking of Salmons from Michaelmas day to the Pyrification of our Lady: and in no other time of the yeare, becauſe that Salmons be not ſeaſonable in the ſaid waters in the time aforeſaid. And in the parties where ſuch Riuers be, there ſhall be aſſigned and ſworne good and ſufficient conſeruators of this ſtatute, as it is ordained in the ſaid ſtatute of Weſtminſter, and that they ſhall puniſh the offendors after the paine contained in the ſame ſtatute, without any fauour thereof to be ſhewed. *St. 17. R. 2. 9.*

A confirmation of the Stat. of 13. Ed. 1. 47. touching the prohibiting of Salmons to be taken certaine times of the yeare.

There ſhalbe no deuices practiſed whereby the Frie of Fiſh ſhal be deſtroyed.

What time of the yeare the Riuers in the countie of Lancaſter ſhall be in defence.

Conſeruators of this Statute, and their authoritie.

CAP. XX.

What ſort of perſons onely may paſſe forth of the Realme without the Kings licence, and at what Ports. REP.21.Iac.28.

Other Statutes made at Weſtminſter, *Anno* 13. *Ri: ſecundi, & Anno Domini* 1389.

CAP. I.

In a pardon of Murder, Treaſon, or Rape, the offence committed ſhall be ſpecified. The forfeiture of him at whoſe ſuit ſuch a Pardon is obtained.

Our Lord the King, at his Parliamēt holden at Weſtminſter the munday next after the Feaſt of Saint Hillary the thirteenth yeare of his raigne, hearing the grieuous complaint of his Commons in the ſame Parliament, of the outragious miſchiefes and damages which haue happened to his ſaid Realme, for that treaſons, murders and rapes of women be commonly done & committed, and the more becauſe Charters of Pardon haue bin eaſily granted in ſuch caſes: the ſaid Commons requeſted our Lord the King that ſuch Charters might not be granted: to whom the King anſwered that he will ſaue his libertie and regaltie, as his Progenitors haue done heretofore: but to nouriſh the more quietneſſe and peace within his Realme, by the aſſent of the great men and Nobles, being in the ſame Parliament, he hath granted, that no Charter of pardon from henceforth ſhall be allowed before any Iuſtice for Murder, or for the death of a man ſlaine by await, aſſault, or malice prepenſed, treaſon, or rape of a woman, vnleſſe the ſame murder, death of the man ſlaine by a wait, aſſault, or malice prepenſed, treaſon, or rape of a womā, be ſpecified in the ſame Charter. And if a Charter of the death of a man be alleadged before any Iuſtices, in which Charter it is not ſpecified, that he of whoſe death any ſuch is arraigned, was murdred or ſlaine by await, aſſault, or malice prepenſed, the ſame Iuſtices ſhall enquire by a good enqueſt, of the viſne where the dead was ſlaine, if he were murdred or ſlaine by await, aſſault, or malice prepenſed, and if they finde that he was murdred or ſlaine by await, aſſault, or malice prepenſed, the Charter ſhall be diſallowed, and further it ſhall be done as the Law commandeth. And if any be ſuter to the King for a Charter of pardon for murder, death of a man ſlaine by await, aſſault, or malice prepenſed, treaſon, or rape of a woman, if the Chamberlaine indorſe, or cauſe to be endorſed ſuch bill, he ſhall ſet the name of him that maketh ſuit for ſuch Charter vpon the ſame bill, vpon pain of one thouſand markes, and if the vnderchamberlaine endorſe ſuch bill, he ſhall doe likewiſe, vpon paine of fiue hundred markes, and that none other then the Chamberlaine or Vnderchamberlaine, endorſe nor cauſe to be endorſed any ſuch bill, vpon paine of one thouſand markes: and that ſuch bill be ſent and directed to the keeper of the priuie ſeale. And that no warrant of the priuie ſeale be made to haue ſuch Charter, vnleſſe the keeper of the priuie ſeale haue ſuch bill endorſed or ſigned by the Chamberlaine or Vnderchamberlaine, as afore is ſaid. And that no Charter of pardon, of treaſon, nor of other felonie, paſſe the Chancerie without warrant of the priuie ſeale, but in caſe where the Chancellor may grant it of his office without ſpeaking thereof to the King. And if he, at whoſe ſuit any Charter of pardon for murder, death of man ſlaine by await, aſſault, or malice prepenſed, treaſon, or rape of a woman be granted, if he be an Archbiſhop or Duke, he ſhall pay to the King one thouſand pound, and if he be a Biſhop or Earle, he ſhall pay to the King one thouſand markes, and if he be an Abbot or Prior, Baron or Baronet, he ſhall pay fiue hundred markes, and if he be a Clerke, Bacheler, or other of leſſe eſtate, of whatſoeuer conditiō that he be, he ſhall pay to the King two hundred markes, and haue one yeares impriſonment.

In a pardon for murder, treaſon rape, &c. the offence cōmitted ſhal be ſpecified.

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No pardon of Treaſon or Felonie ſhall paſſe without warrant of the priuie Seale.

The forfeiture of him at whoſe ſuit ſuch a pardon is obtained Rep.16.R.2.6.

CAP. II.

A confirmation of the Statute of Proviſors made Anno 2[illegible] Ed.3. *And the forfeiture of him that accepteth a Benefice contrarie to that Statute.*

Item, whereas the Noble King Edward, grandfather to our Lord the King that now is, at his Parliament holden at Weſtminſter at the vtas of the Purification of our Lady, the fiue and twentieth yeare of his raigne cauſed to be rehearſed the Statute made at Carleile in the time of King Edward ſonne of King Henry, touching the eſtate of the holy Church of England, The ſaid grandfather of the King that now is, by the aſſent of the great men of his Realme, being in the ſame Parliament, holden the ſaid fiue and twentieth yeare, to the honour of God and of holy Church, and of all his Realme, did ordaine & ſtabliſh, that the free elections of Archbiſhopprickes, Biſhopprickes, and all other dignities and Benefices electiue in England, ſhould hold from thenceforth in the maner as they were granted by his Progenitors and by the Aunceſtors of other Lords founders, and that all Prelates and other people of holy Church, which had Aduowſons of any Benefices of the gift of the King or of his Progenitors, or of other Lords and donors,

nors, ſhould freely haue their collations and preſentments, and thereupon a certaine puniſhment was ordained in the ſame Statute for them which accept any Benefice or dignitie, contrarie to the ſaid Statute made at Weſtminſt: the ſaid fiue and twentieth yeare, as afore is ſaid, which ſtatute our Lord the King hath cauſed to be recited in this preſent Parliament at the requeſt of his Commons in the ſame Parliamẽt: The tenor whereof is ſuch as hereafter followeth. Wheras late in the Parliament of good memory of Edward King of Englãd, &c. rehearſing the whole ſtatute made the ſaid fiue and twentieth yeare, and then thus: Our Lord the King that now is, of the aſſent of the great men of his Realme, being in this preſent Parliament, hath ordained and ſtabliſhed, that for all Archbiſhopricks, Biſhoprickes, and other dignities and Benefices electiue, and all other Benefices of holy Church, which ſhall begin to be void in deed, the nine and twentieth day of Ianuarie, the thirteenth yeare of the raign of our Lord King Richard that now is, or after, or which ſhall be void in time to come within the Realme of England, the ſaid Statute made the ſaid fiue and twenieth yeare, ſhall be firmely holden for euer, and put in due execution from time to time in all maner points. And if any do accept of a Benefice of holy Church contrary to this Statute, and that duely proued, and be beyond the Sea, he ſhall abide exiled and baniſhed out of the Realme for euer, his lands and tenements, goods and cattels ſhall be forfeit to the King: and if he be within the Realme, he ſhall be alſo exiled and baniſhed as afore is ſaid, and ſhall incurre the ſame forfeiture, and take his way, ſo that he be out of the Realme within ſixe weekes next after ſuch acceptation. And if any receiue any ſuch perſon baniſhed, comming from beyond the Sea, or being within the Realme after the ſaid ſixe weekes, knowing thereof, he ſhall be alſo exiled and baniſhed, and incurre ſuch forfeiture as afore is ſaid. And that their Procurators, Notaries, Executors, and Summoners haue the paine and forfeiture aforeſaid.

For all Benefices which ſhall be void after the 29. Ianuar. Anno 13. R 2. the Statute of 25. Ed. 3. of Prouiſors ſhall be put in execution

If any doe accept of a Benefice contrarie to the ſaid ſtat. of 25. Ed. 3. he ſhall be baniſhed the Realme.
Stat. 12. R. 2. 15.

The puniſhmẽt of the receiuers, Procurators, &c. of offendors.

Prouided neuertheleſſe that all they, to whom the Pope of Rome, or his predeceſſors, haue prouided any Archbiſhoprick, Biſhoprick, or other dignitie, or other Benefices of holy Church, of the patronage of people of holy Church, in reſpect of any voidance before the ſaid nine and twentieth day of Ianuarie, and thereof were in actuall poſſeſſion before the ſame nine and twentieth day, ſhall haue and enioy the ſaid Archbiſhopricks, Biſhopricks, dignities, and other Benefices peaceably for their liues, notwithſtanding the Statutes and ordinances aforeſaid. And if the King ſend by Letter or in other maner to the Court of Rome, at the intreatie of any perſon, or if any other ſend or ſue to the ſame Court, whereby any thing is done contrary to this ſtatute touching any Archbiſhoprick, Biſhoprick, dignitie, or other Benefice of holy Church within the ſaid realm, if he that maketh ſuch motiõ or ſuit be a Prelate of holy Church, he ſhall pay to the King the value of his Temporalties of one yeare, and if he be a Temporall Lord, he ſhall pay to the King the value of his lands and poſſeſſions not moueable of one yeare. And if he be another perſon of a more meane eſtate, he ſhall pay to the King the value of the Benefice for which ſuit is made, and ſhall be impriſoned one yeare. And it is the intent of this ſtatute, that of all dignities and benefices of holy Church, which were void in deed the ſaid xxix. day of Ianuarie, which be giuen, or to whom it is prouided, by the Pope of Rome before the ſame xxix. day, that they to whõ ſuch gifts or prouiſions be made, may freely of ſuch gifts and prouiſions, ſue execution without offence of this Statute. Prouided alwaies, that of no dignitie or Benefice, which was full the ſaid xxix. day of Ianuarie, no man becauſe of any collation, gift, reſeruation and prouiſion, or other grace Papall, not executed before the ſaid xxix. day, ſhall not ſue thereof execution, vpon the paines and forfeitures contained in this preſent Statute. Raſt. pla. fo. 427. & c. 446.

Beneficed perſons vpõ whom the Pope had before giuen dignities of the Church.

The penaltie for ſuing to the Court of Rome to infringe the purport of this Statute.

Benefices full of an Incumbent. 29. Die Ianũ. Anno 13. R. 2.

Cap. III.

The penalty of him which bringeth a Summons or Excommunication againſt any perſon vpon the Statute of Prouiſors, and of a Prelate executing it.

ITem, it is ordained and ſtabliſhed, that if any man bring or ſend within the Realme, or the Kings power, any ſummons, ſentence or excommunication againſt any perſon, of what condition that he be, for the cauſe of making motion, aſſent, or execution of the ſaid Statute of Prouiſors, he ſhall be taken, arreſted, and put in priſon, and forfeit all his lands and tenements, goods and cattels for euer, and incurre the paine of life and of member. And if any Prelate make execution of ſuch ſummons, ſentences, or excommunications, that his Temporalties be taken and abide in the Kings hands, till due redreſſe and correction be thereof made. And if any perſon of leſſe eſtate then a Prelate, of what condition that he be, make ſuch execution, he ſhall be taken, arreſted, and put in priſon, and haue impriſonment, and make fine and ranſom by the diſcretion of the Kings Counſell.

The penaltie of him which bringeth any ſummons, ſentence, or &c. againſt any perſon vpon the ſtatute of Prouiſors.
ALT. 1. El. 1.

The penaltie of a Prelate executing the ſentence, &c.

Statutes made at Weſtminſter *Anno* 14. *Rich. ſecundi,* *& Anno Domini* 1390.

FOr the reliefe and increaſe of the common profit of the Realme of England, and of the lands of Wales and Ireland, which haue beene in diuers maners greatly hindred in times paſt: our Lord the King at his Parliament holden at Weſtminſter, the morrow of Saint *Martine*, the fourteenth yeare of his raigne, hath ordained and ſtabliſhed, by the aſſent of his ſaid Parliament, the things vnder written.

Cap. I.

The Staple ſhall be remoued from Calice into England. Euerie alien Merchant ſhall beſtow halfe the money receiued vpon the commodities of this Realme.

The ſtaple ſhall be remoued frō Caleis to thoſe Townes in England which were named An.27.Ed.3.1.

Euery merchãt alien ſhall beſtow the value of halfe his merchandiſes vpon the commodities in this Realme. ALT.4.H.4.15.

FIrſt, that the Staple be remoued from Caleis into England, ſo that it be in England the Munday next after the Feaſt of the Epiphanie at the furtheſt. And that it be holden in the places contained in the Statutes of the Staple, made in the ſeuen and twentieth yeare of the Kings grandfather that now is, and in none other place. And that the ſaid Statute be firmely and ſurely holden, and duely executed in all points, with the additions vnder written, notwithſtanding any declaration or Statute, made ſince to the contrary, that is to ſay, that euery perſon alien, of what degrée or condition that he be, that bringeth any Merchandiſe into England, ſhall find ſufficient ſureties before the cuſtomers, in the Port where the merchandiſe ſhall be brought, to buy other merchandiſe, to the value of halfe the ſaid merchandiſes, ſo brought, at the leaſt, as Wools, Leather, Woolfels, Lead, Tinne, Butter, Chéeſe, Clothes, or other commodities of the Land. Stat.27.H.6.3. 17.Ed.4.1. 3.H.7.8.

Cap. II.

Vpon Exchanges by aliens other commodities of the Realme ſhall be bought.

Sta.9.H.5.9 11.H.4.8. Vpon exchange other commodities of the realme ſhall be bought.

ITem, that for euery Exchange, that ſhal be made by Merchants, to the Court of Rome or elſewhere, that the ſaid Merchants be firmely and ſurely bound in the Chancery, to buy within thrée months after the ſaid Eſchange made, merchandiſes of the Staple, as Wools, Leather, Woolfels, Lead or Tinne, Butter, or Chéeſe, Clothes, or other commodities of the land, to the value of the ſumme ſo eſchanged, vpon paine of forfeiture of the ſame.

Cap. III.

Officers of the Staple ſhall be firſt ſworne to the King, and then to the Staple.

Officers of the Staple ſhall be ſworne.

ITem, that in euery Port and place where the Staple ſhall be, the Maiors, Conſtables, Brokers and all other officers and miniſters of the Staple ſhall be ſworne firſt to the King, and after to the Staple. St.27.Ed.3.23.

Cap. IIII.

Of whom Denizens may buy wools & where. But they ſhall not regrate them. Rep.21. Iac.28.

Cap. V.

No Denizen ſhall tranſport any merchandiſe of the Staple forth of the Realme.

Denizens ſhall not tranſport wooll, &c.

ITem, that no Denizen carry Wools, Leather, Woolfels, nor Lead out of the Realme of England, to the parties beyond the Sea, vpon paine of forfeiture of the ſame, But only Strangers. Stat.27.Ed.3.3.

Cap. VI.

Engliſh Merchants ſhall freight onely in Engliſh Ships.

Freighting in Engliſh ſhips.

ITem, that all Merchants of the Realme of England, ſhall freight in the ſaid Realme, the Ships of the ſaid Realme: and not ſtrange Ships, ſo that the owners of the ſaid Ships take reaſonable gaines for the freight of the ſame. Stat.5.R.2.3. 6.R.2.8. 4.H.7.10. 1.El.13.

Cap. VII.

Tinne ſhall paſſe forth of the Realme onely at Dartmouth. Rep.21.Iac.28.

Cap.

Cap. VIII.

No perſon ſhall be impeached for not gawging of Rheniſh wine.

ITem, that none of the Kings liege people, be from henceforth diſtrained, impeached, moleſted, nor grieued in the Eſchequer, nor elſewhere for not gawging of Wines for Rine, nor for any forfeiture of the ſame for that cauſe, otherwiſe then hath been done of old times. Stat. 18. H. 6. 17. 1. R. 3. 13.

Gauging of Reniſh Wine.

Cap. IX.

Merchants ſtrangers reſorting into this Realme ſhall be well vſed.

ITem, the Merchants ſtrangers, repayring into the Realme of England, ſhall be well and curteouſly and rightfully vſed and gouerned in the ſaid Realme, to the intent that they ſhall haue the greater courage to repaire into the ſame. St. 9. Ed. 3. 1. [illegible]5. Ed. 3. 2. 11. R. 2. 7.

Merchants ſtrangers ſhall be well vſed.

Cap. X.

No Cuſtomer or Comptroller ſhall haue any Ship of his owne. And he ſhall haue his office at the Kings pleaſure.

ITem, that no Cuſtomer nor Comptroller, haue any Ships of their owne, nor meddle with the freight of Ships; and that to eſchew, as well the damage of our Lord the King of his cuſtomes, as the loſſe of the Merchants repayring to the Port, as well aliens as denizens. And that no Cuſtomer, Comptroller, Searcher, Weigher, or Finder, haue any ſuch office for terme of life, but onely as long as ſhall pleaſe the King, notwithſtanding any Patent or grant made to any to the contrary. And if any ſuch Patent or graunt, for terme of life be made to any, of any ſuch office in time paſt, the King will that it be vtterly repealed and void, and of no force nor value. St. 17. R. 2. 5. 1. H. 4. 13. 31 H. 6. 5.

No Cuſtomer or Comptroller ſhall haue any Ship of his owne. Stat. 20. H. 6. 5.

No Cuſtomer or Comptroller ſhall haue his office but at the Kings pleaſure.

Cap. XI.

In euerie Countie there ſhall be eight Iuſtices of Peace: Their Eſtreats and wages.

ITem, that in euery Countie be aſſigned eight Iuſtices of Peace, as is contained in the ſtatute of Canterbury, beſides the Lords aſſigned in this Parliament. And that the eſtreats of the ſaid Iuſtices be doubled, and the one part deliuered by the ſaid Iuſtices to the Sheriffe, to leuie the money thereof riſing, and thereof to pay to the Iuſtices their wages by the hand of the ſaid Sheriffe by indenture betwixt them thereof to be made. And that the Sheriffes haue allowance in their accompt in the Eſchequer by the ſame indenture. And that no Duke, Earle, Barō, nor Baronet, albeit they be aſſigned Iuſtices of the Peace, and hold their Seſſions with the other eight Iuſtices, ſhal take any wages for the ſaid office. And that the Iuſtices put their names in the ſame eſtreats, together with the number of the daies of their Seſſions, to the intent that the Sheriffes may know, to whom to pay the wages, and to whom not: and the Barons of the Eſchequer, to whom to allow and to whom not: and that the ſeales be made for the ſeruants, and deliuered to the keeping of ſome good man of the countrey after the purport of the ſaid Statute of Canterbury, which ſtatute with the modification of the ſame made at the laſt Parliament, and the ſtatute of weights and meaſures, and all other good ſtatutes and ordinances made heretofore and not repealed, ſhall be holden and kept, and put in due execution.

In euery county there ſhall be eight Iuſtices of the Peace.

The Iuſtices eſtretes ſhall be double.

Which Iuſtices ſhall be allowed no wages.

A Seale for ſeruants.

Stat. 13. R. 2. 7.

Cap. XII.

The value of Scottiſh money of ſeuerall ſorts. Ob.

Statutes made at Weſtminſter, *Anno* 15. *Rich*: *ſecundi*, *& Anno Domini* 1391.

IN the Parliament holden at Weſtminſter the morrow after All-Soules, the fifteenth yeare of the raigne of King RICHARD the ſecond after the conqueſt: our ſaid Lord the King by the aſſent of the ſaid Parliament hath ordained and ſtabliſhed certaine things in the forme following.

Cap. I.

A Confirmation of all former good Statutes not repealed.

FIrſt, that all good Statutes and ordinances made before this time and not repealed, be firmly holden and kept.

Cap. II.

The dutie of Iuſtices of Peace when any forcible Entrie is made into lands.

Former ſtatutes concerning forcible entries and ryots confirmed.

The dutie of Iuſtices of P. whē any forcible entrie is made into lands.
Stat 5.R.2.7.
4.H.4.8.
8.H.6.9.
21 Iac.15.
Fitz.N.B.fo.249.

Item, it is accorded and aſſented, that the Ordinances and Statutes made and not repealed of them that make entries with ſtrong hand into lands and tenements or other poſſeſſions whatſoeuer, and them hold with force, and alſo of thoſe that make inſurrections, or great ridings, ryots, routs, or aſſemblies in diſturbance of the peace, or of the common law, or in affray of the people ſhall be holden, and kept, and fully executed: ioyned to the ſame, that at all times, that ſuch forcible entries ſhall be made, and complaint thereof commeth to the Iuſtices of Peace, or to any of them, that the ſame Iuſtices, or Iuſtice take ſufficient power of the Countie, and goe to the place where ſuch force is made: and if they find any that hold ſuch place forcibly, after ſuch entrie made, they ſhall be taken and put in the next Gaole, there to abide conuict by the Record of the ſame Iuſtices or Iuſtice vntill they haue made fine and ranſome to the King. And that all the people of the Countie, as well the Sheriffe as other, ſhall be attendant vpon the ſame Iuſtices to goe and aſſiſt the ſame Iuſtices to arreſt ſuch offendors, vpon paine of impriſonment, and to make fine to the King. And in the ſame maner it ſhall be done of them that make ſuch forcible entries in Benefices or offices of holy Church. Raſt.pla.fo.320.

Cap. III.

In what places the Admirals Iuriſdiction doth lie.

In what places the Admirals iuriſdiction doth lie, and of what things he hath cogniſance.

Item, at the great and grieuous complaint of all the Commons made to our Lord the King in this preſent Parliament, for that the Admirals and their deputies doe encroach to them diuers iuriſdictions, franchiſes, and many other profits pertaining to our Lord the King, and to other Lords, Cities, and Boroughs, beſides thoſe they were wont or ought to haue of right, to the great oppreſſion and impoueriſhment of all the Commons of the land, and hinderance and loſſe of the Kings profits, and of many other Lords, Cities, and Boroughs through the Realme. It is declared, ordained, and eſtabliſhed, that of all maner of contracts, pleas, and quarrels, and of all other things done riſing within the bodies of Counties as well by land as by water, and alſo wrecke of the Sea, the Admirals Court ſhall haue no maner of Cogniſance, power nor iuriſdiction: but all ſuch maner of contracts, Pleas, and Quarrels, and all other things riſing within the bodies of Counties, as well by Land as by Water, as afore, and alſo Wrecke of the Sea ſhall be tried, determined, diſcuſſed, and remedied, by the Lawes of the Land, and not before, nor by the Admirall, nor his Lieutenant in any wiſe. Neuertheleſſe of the death of a man, and of a maihem done in great Ships, being and houering in the maine ſtreame of great Riuers, onely beneath the Bridge of the ſame Riuers nigh to the Sea, and in none other places of the ſame Riuers, the Admirall ſhall haue Cogniſance, and alſo to arreſt Ships in the great flotes for the great voyages of the King and of the Realme. Sauing alwaies to the King al maner forfeitures, and profits thereof comming: and he ſhall haue alſo iuriſdiction vpon the ſaid flotes during the ſaid voyages onely, ſauing alwaies to the Lords, Cities, and Boroughs, their Liberties, and Franchiſes. St.13.R.2.5. 2.H.4.11. Raſt.pla.fo.23.

Cap. IIII.

There ſhall be but eight Buſhels of Corne ſtriked to the Quarter.

Stat 4.Ed.3.3.
25.Ed.3.1.
36.Ed.3.2.

There ſhall be but eight buſhels of corne ſtriked to the quarter.
St.1.H.5.10.

Item, whereas it is ordained by diuers Statutes, that one meaſure of Corne, Wine, and Ale ſhould be throughout of the realm, & that eight buſhels ſtriked make the quarter of corne. Neuertheleſſe becauſe that no paine is thereupon ordained in the ſaid ſtatutes, diuers people of diuers Cities, Boroughes, Townes, and Markets, will not take, neither buy in the ſaid Cities, Boroughs, Townes, Markets, ne in none other place, but nine buſhels for the quarter: and if they cannot buy in that maner, they arreſt it as forfeit, to the great damages & oppreſſion of all the people, and manifeſtly againſt the Statutes aforeſaid: It is ordained and aſſented, that the ſaid Statutes ſhall be firmely kept and holden, as well in the Citie of London, as in euery other place throughout the Realme, and that as well by water, as by land, notwithſtanding any vſage in times paſt to the contrary. And that none from henceforth doe buy in the Citie of London, nor in other place, any maner Corn or Mault, but after eight buſhels the quarter according to the purport of the ſaid Statutes, vpon paine of forfeiture of all the Corne or Mault ſo bought: ſauing to the King the ſaid forfeiture, except Franchiſes royall, to whom the King at this time of his ſpeciall grace hath granted the ſame forfeiture, and that as well the Maior and Sheriffes of London, as the Maiors and Bailiffes of other Cities, Boroughs, Townes, and Markets (if they doe not thereof full and due execution) ſhall incurre like paine, as well at the ſuit of the King as of the partie, or of any other perſon that will ſue for the King. St.11.H.7.4.

CAP. V.

Aſſurances of lands to certaine places, perſons, and vſes ſhall be adiudged Mortmaine.

Item, whereas it is contained in the Statute De religioſis, that no religious, ne other whatſoeuer he be, doe buy or ſell, or vnder colour of gift, or terme, or any other maner of title whatſoeuer, receiue of any man, or in any maner by gift or engine cauſe to be appropriated vnto him any lands or tenements, vpon paine of forfeiture of the ſame, whereby the ſaid lands and tenements in any maner might come to Mortmaine. And if any religious or any other, doe againſt the ſaid Statute by arte or engine in any maner, that it be lawfull to the King, and to other Lords vpon the ſaid lands and tenements to enter, as in the ſaid Statute doth more fully appeare. And now of late by ſubtill imagination, and by arte, and engine ſome religious perſons, Vicars, and other ſpirituall perſons, haue entred in diuers lands and tenements, which be adioyning to their Churches, and of the ſame by ſufferance and aſſent of the tenants haue made Churchyards, and by Bulls of the Biſhop of Rome, haue dedicated and hallowed the ſame, and in them doe make continually Parochiall burying without licence of the King and of the chiefe Lords: therefore it is declared in this Parliament, that it is manifeſtly within the compaſſe of the ſaid Statute. And moreouer it is agréed and aſſented, that all they that be poſſeſſed by feoffment, or by other maner, to the vſe of religious people, or other Spirituall perſons, of lands and tenements, fées, aduowſons, or any maner other poſſeſſions whatſoeuer, to amortiſe them, and whereof the ſaid religious and ſpirituall perſons take the profits, that betwixt this and the Feaſt of S. Michael next comming, they ſhall cauſe them to be amortiſed by the licence of the King and of the Lords, or elſe that they ſhall ſell and alien them to ſome other vſe betwéene this and the ſaid feaſt, vpon paine to be forfeited to the King, and to the Lords according to the forme of the ſaid ſtatute of religious, as lands purchaſed by religious people. And that from henceforth no ſuch purchaſe be made, ſo that ſuch religious or other ſpirituall perſons take thereof the profits, as afore is ſaid, vpon paine aforeſaid. And that the ſame Statute extend and be obſerued of all lands, tenements, fées, aduowſons, and other poſſeſſions, purchaſed or to be purchaſed to the vſe of Guilds or Fraternities. And moreouer it is aſſented, becauſe Mayors, Bailifes, and Commons of Cities, Boroughs, and other Townes which haue a perpetuall Comminaltie, and others, which haue offices perpetuall, be as perpetuall as people of religion, that from henceforth they ſhall not purchaſe to them and to their commons or office, vpon paine contained in the ſaid ſtatute De religioſis. And whereas others be poſſeſſed, or hereafter ſhall purchaſe to their vſe, and they thereof take the profits, it ſhall be done in like maner as is aforeſaid of people of religion.
Stat.9.H.3.36.Stat.7.Ed.1.Stat.13.Ed.1.32. 23.H.8.10.Regiſt.fo.247.Fitz.N.B.fo.213.

St.de religioſis. Anno 7.Ed.1.

It is within the compaſſe of the Stat. of Mortmaine to conuert any land to a Churchyard.

Mortmaine where ſome be ſeiſed of lands to the vſe of religious or ſpirituall perſons.

Mortmaine to purchaſe lands to Guilds, Fraternities, offices Comminalties.

Mortmaine in reſpect of taking of lands in vſe.

.4.fo.16.
ke li.1.fo.123.

CAP. VI.

In Appropriation of Benefices there ſhall be prouiſion made for the poore and the Vicar.

Item, becauſe diuers damages and hinderances oftentimes haue happened and daily doe happen to the Pariſhioners of diuers places by the appropriation of, Benefices, of the ſame places: It is agréed and aſſented, that in euerie licence from henceforth to be made in the Chancerie, of the appropriation of any Pariſh Church, it ſhall be expreſly contained & compriſed, that the Dioceſan of the place vpon the appropriation of ſuch Churches ſhall ordaine, according to the value of ſuch Churches, a conuenient ſumme of money to be payed and diſtributed yearely of the fruits and profits of the ſame Churches by thoſe that will haue the ſaid Churches in proper vſe, and by their ſucceſſors to the poore Pariſhioners of the ſaid Churches, in aide of their liuing and ſuſtenance for euer, and alſo that the Vicar be well and ſufficiently endowed.

In all appropriations of Benefices there ſhalbe ſome prouiſion made for the poore and the Vicar.
Stat.4.H.4.12.

H.6.fo 20.
w.fo.495.
.7.fo.13.
H.7.fo.19.
d.3.fo.11.
H.6.fo.19.
ke li.11.fo.9.

CAP. VII.

Armour, Corne, or victuall may be caried to Berwicke.

Item, where as it is ordained by the Statute made the ſeuenth yeare of our Lord the King, that from henceforth no perſon alien or denizen, of what eſtate or condition that he be, ſhall take or carrie, or cauſe to be taken or carried by land, or by Sea out of the Realme of England, to any parts of Scotland priuily, or openly, any maner of Armour, Corne, Mault, or other victuall, or any other refreſhing whatſoeuer, vpon paine of forfeiture of the ſame victuall, or armour, and other things aforeſaid, together with the Ships, Veſſels, Carts, or Horſes that beare or carrie them, or elſe the verie value of them: whereupon our Lord the King, at the requeſt of the Commons, and by the aduice and aſſent of the Lords, hath declared in this Parliament, the ſaid Statute in ſuch maner, that it was not his intent at the making of the ſaid Statute, ne yet is, that

Armor, corne, or victuals may be carried to Berwicke notwithſtanding the ſtat. of 7.R.2.16

they that haue carried or taken, or from henceforth ſhall take or carrie victuals or merchandiſes to the Towne of Berwicke vpon Tweed, which is the Kings Towne and of his legeance, ſhall incurre the paine of the ſaid Statute, ne ſhall not be bound to pay cuſtomes and ſubſidies granted to our Lord the King of merchandiſes that be or ſhall be carried out of the Realme.

Prouided alway, that they which carrie any cloth, victuals, or other merchandiſes out of the ſaid Towne of Berwicke, to any places being in amitie with the King, ſhall pay the Subſidies, Cuſtomes, and other duties thereof to our Lord the King, and if they doe carrie to any parts of the Kings enemies, they ſhall incurre the paine of the ſaid Statute.

Cap. VIII.

A Repeale of the Statute of 14.R.2.7. touching the carrying of Tinne forth of the Realme at Dartmouth onely. Rep.21.Iac.28.

Cap. IX.

The Maior of the Staple ſhall take recogniſances for debts, according to the Statute of 27. Edw.3.9.

The Maior of the Staple ſhall take Recogniſances for debts according to Stat. of 27.Ed.3.9.

ITem, whereas it is contained in the Statute of the Staple, to the intent that the contracts made within the Staple ſhould be the better performed, and the payments readily made, that euerie Maior of the Staple ſhall haue power to take Recogniſances of debts, that any man will make before him in the preſence of the Conſtables of the Staple, or one of them. And that in euery of the ſaid Staples be one ſeale ordained to remaine in the cuſtodie of the ſaid Maior, vnder the ſeales of the ſaid Conſtables: it is agreed and aſſented, that the ſaid Statute be firmely kept and holden. And that no Maior of the Staple take or receiue any Recogniſance of debt contrary to the forme of the ſaid Statute, vpon paine to pay to the King the moitie of the ſumme recogniſed before him.

Cap. X.

None ſhall buy Gilford clothes before they be fulled and performed as they ought to be. Rep. 5.Ed.6.6.

Cap. XI.

Girdlers may worke their girdles with white metall. Rep.1.Iac.25.

Cap. XII.

No man ſhall be compelled to anſwer for their freehold before the Counſell of any Lord.

No man ſhalbe compelled to anſwer for his freehold before the Counſell of any Lord.

ITem, at the grieuous complaint of the Commons made in full Parliament, for that diuers of the Kings ſubiects be cauſed to come before the Counſell of diuers Lords, and Ladies, to anſwer for their freehold, and ſo for diuers other things, reall and perſonall, that ought to bee ordered by the Law of the land. againſt the eſtate and right of our Lord the King, and of his Crowne, and in defeating of the Common Law: It is agreed and aſſented, that from henceforth none of the Kings ſubiects be compelled, neither by any meane conſtrained to come, nor to appeare before the counſell of any Lord or Lady, to anſwer for his freehold, nor for any thing touching his freehold, nor for any other thing reall or perſonall, that belongeth to the law of the land in any manner. And if any finde himſelfe grieued in time to come contrarie to this ordinance and agreement, he may complaine to the Chancellor for the time being, and he ſhall giue him remedie. St.52.H.3.22. 16.R.2.2. Regiſt.fo.171.

Statutes made at Weſtminſter *Anno* 16.*Rich.ſecundi, & Anno Domini* 1392.

OVr Lord the King *Richard* the ſecond after the Conqueſt, at his Parliament holden at Wincheſter in the *vtas* of Saint *Hillary*, the ſixteenth yeare of his raigne, hath ordained and ſtabliſhed by the aſſent of his ſaid Parliament, certaine things in the forme following.

Cap.

Cap. I.

No Merchant ſtranger ſhall buy or ſell with another Merchant ſtranger to ſell againe.

First whereas by the Statute made at Yorke the ninth yeare of the raigne of King Edward Grandfather of our Lord the King that now is, it was ordained and ſtabliſhed that all Merchants aliens and denizens, and all other, and euery of them of what eſtate or condition that they be, which will buy or ſell corne, wines, auoir de pois, fleſh, fiſh, and all other liuings and victualls, clothes, wools, wares, Merchandiſes, and all other things vendible, from whenceſoeuer they come, by forreines or by denizens, to what place that it be, be it in City, Borough, Town, Port of the Sea, Faire, Market, or other place, within the ſame Realme, within Franchiſe and without, may freely and without diſturbance ſell the ſame to whom them pleaſe, as well to forreines as to denizens, except the enemies of the King and of his Realme: And after by another Statute made the fiue and twentieth yeare of the ſaid grandfather, it was ordained and accorded, that the ſaid Statute made the ninth yeare ſhould be holden, kept, and maintained in all points. And moreouer, that euery Merchant and other, of what condition that he be, as well alien as denizen that bringeth wines, fleſh, fiſh, or other manner of victuals, clothes, fells, or auoir de pois, or other wares or merchandiſes, to the Citie of London or other Cities, Boroughs, and good Townes of England, or Ports of the Sea, may freely and without challenge or impeachment of any, ſell them in groſſe or at retaile, or by parcels at his pleaſure, to any people that will buy them, notwithſtanding any franchiſe, grant, or cuſtome vſed, or any other manner of thing made to the contrarie, and that without diſturbance or impediment of any, vpon certaine paines contained in the aforeſaid Statutes: And after in the eleuenth yeare of the raigne of our ſaid Lord the King, it was alſo ordained and ſtabliſhed by the ſtatute made in the ſame yeare, that thoſe two ſtatutes aforeſaid ſhould be holden, kept, maintained, and fully executed in all points and articles of the ſame, notwithſtanding any ſtatute, ordinance, charter, letters patents, franchiſe, Proclamation, commandement, vſage, allowance or iudgement made or vſed to the contrary, as in the ſaid ſtatute more fully is contained. Neuertheleſſe for as much as it ſeemeth to our Lord the King, that the ſaid Statutes, if they ſhall be fully holden and executed, ſhall extend to the great hinderance and damage as well of the City of London, as of other Cities, Boroughs, and Townes of the realme: it is ordained and aſſented, that no Merchant ſtranger alien ſhall ſell, nor buy, nor merchandie within the Realme with another ſtrange Merchant alien, to ſell againe, nor that no ſtrange Merchant alien ſhall ſell to retaile within the ſame Realme, nor ſhall put to ſaile any manner of wares or Merchandiſes, except liuings and victuals, and alſo that aliens ſhall ſell wines by whole veſſels, and ſpicery by whole veſſels and bales & in no other manner And that no maner of ſpicery, after that it be brought in the Realme, ſhall be caried out of the ſame Realme by alien or denizen, vpon paine of forfeiture of the ſame. And moreouer the King will that the ſaid Statutes in all articles and points ſhall be firmely holden and kept.

Stat.9.Ed.3.1.

All Merchants Aliens and denizens may freely buy and ſell within the Realme.

Stat.25.Ed.3.2.

Merchants may ſell their wares in groſſe or by retaile or by parcels.

Stat.11.R.2.7.

No Merchant Stranger ſhall ſell any Merchandiſes by retaile but victuals.

No wine ſhall be carried forth of the Realme. Neither yet any manner of ſpicery.

Rep.3.Car.4.

Cap. II.

The forfeiture of him that compelleth any perſon to anſwer for his Freehold.

ITem, whereas at the laſt Parliament it was accorded & aſſented, that none of the Kings liege people from thenceforth ſhould be bound, compelled, nor conſtrained by any meanes, to come nor to appeare before any Lords or Ladies Counſell, there to anſwer of his freehold, nor of things which touch freehold, nor of any other thing reall nor perſonall, which belongeth to the law of the land in any wiſe, as by the Statute thereof made more fully appeareth: It is accorded and aſſented that the ſaid Statute ſhall be firmely holden and kept, and if any Lord, or Lady, or other of the Kings liege people, doe to the contrarie, they ſhall incurre the paine of xx.li. to the King. Stat.52.H.3.22. Regiſt.fo.171.

A confirmation of the Stat.15. of R.2.12. with a penaltie to the offenders thereof.

Cap. III.

The Clerke of the Market ſhall carry with him all his waights and meaſures.

ITem, it is ordained and aſſented, that all the waights and meaſures through the Realme ſhall be according to the Standard of the Eſchequer, after the purport of the ſtatutes thereof made. And the K. willeth, that the Clerke of the Market ſhall haue all his meaſures & waights readie according to the ſtandard of the Eſchequer, and ſignes and markes of the ſigne of the Eſchequer thereunto ordained, and the ſame weights and meaſures ſo ſigned and marked, to carrie & bring with him at all times when he ſhall make the aſſay of weights and meaſures in any part within the Realme: and that he nor any other of the Kings liege people ſhall vſe any other meaſure nor weight, vpon the paines contained in the Statutes thereof made before this time. Stat.9. H.3.25. 14.Ed.3.12. 34.Ed.3.6. 11.H.7.4.

The Clerke of the Market ſhall carrie with him all his weights and meaſures ſigned.

CAP. IIII.

Who onely may weare anothers Liuerie. Rep. 3. Car. 4.

CAP. V.

Præmunire *for purchaſing of Bulls from Rome. The Crowne of England ſubiect to none*

The remedie to recouer preſentments to Benefices in the K. Court, and the execution therof is done by the Biſhop.

The Pope awarded proceſſes & ſentences of Excommunication againſt certaine Biſhops for executing iudgemēts giuen in the K. Court.

The Popes tranſlation of Prelates out of the Realme, or from one Spirituall liuing to another.

Stat. 35. Ed. 1.
Stat. 25. Ed. 3. de prouiſo.

The freedome of the Crowne of Engl & that it is in ſubiection to no realm.

ITem, whereas the Commons of the Realme in this preſent Parliamēt haue ſhewed to our redoubted Lord the King, grieuouſly complaining, that whereas the ſaid our Lord the King and all his liege people ought of right, and of old time were wont to ſue in the Kings Court, to recouer their preſentments to Churches, Prebends, and other Benefices of holy Church, to the which they had right to preſent, the Coniſance of plee of which Preſentment belongeth onely to the Kings Court of the old right of his Crowne vſed and approued in the time of all his Progenitors Kings of England: And when iudgement ſhall be giuen in the ſame Court vpon ſuch a plea, and preſentment, the Archbiſhops, Biſhops, and other Spirituall perſons which haue inſtitution of ſuch Benefices within their iuriſdictions, be bound, and haue made execution of ſuch iudgements by the Kings commandements of all the time aforeſaid, without interruption, (for another Ley perſon cannot make ſuch execution,) and alſo be bound of right to make execution of many other of the Kings commandements, of which right the Crowne of England hath beene peaceably ſeiſed, as well in the time of our ſaid Lord the King that now is, as in the time of all his Progenitors till this day. But now of late diuers proceſſes be made by the Biſhop of Rome, and cenſures of Excommunication vpon certaine Biſhops of England, becauſe they haue made execution of ſuch commandements, to the open diſheriſon of the ſaid Crowne, and deſtruction of our ſaid Lord the King, his Law, and all his Realme, if remedie be not prouided. And alſo it is ſaid, and a common clamour is made, that the ſaid Biſhop of Rome hath ordained and purpoſed to tranſlate ſome Prelates of the ſame Realme, ſome out of the Realme, and ſome from one Biſhopricke into another within the ſame Realme, without the Kings aſſent & knowledge, and without the aſſent of the Prelates, which ſo ſhall be tranſlated, which Prelates be much profitable and neceſſarie to our ſaid Lord the King and to all his Realme: by which tranſlations (if they ſhould be ſuffered) the Statutes of the Realme ſhould bee defeated and made void, and his ſaid liege ſages of his Counſell without his aſſent, and againſt his will, carried away, and gotten out of his Realme, and the ſubſtance and treaſure of the Realme ſhall be carried away, and ſo the Realme deſtitute as well of Counſell as of ſubſtance, to the finall deſtruction of the ſame Realme. And ſo the Crowne of England, which hath beene ſo free at all times, that it hath beene in no earthly ſubiection, but immediately ſubiect to God in all things, touching the regaltie of the ſame Crowne, and to none other, ſhould be ſubmitted to the Pope, and the Lawes and Statutes of the Realme by him defeated and auoided at his will, in perpetuall deſtruction of the Soueraigntie of the King our Lord, his Crowne, his Regaltie, and of all his Realme, which God defend.

The promiſe of the Commons to aſſiſt the K. in defence of the liberties of his Crowne.

The like promiſe of the lords temporall.

The promiſe of the lords ſpirituall touching the commons petition.

And moreouer the Commons aforeſaid ſay, that the ſaid things ſo attempted be cleerly againſt the Kings Crowne and his Regaltie, vſed and approued of the time of all his Progenitors: Wherefore they and all the liege Commons of the ſame Realme will ſtand with our ſaid Lord the King, and his ſaid Crowne, and his regaltie in the caſes aforeſaid, and in all other caſes attempted againſt him, his Crowne, and his Regaltie in all points, to liue and to die. And moreouer they pray the King and him require by way of iuſtice, that he would examine all the Lords in the Parliament as well Spirituall as Temporall ſeuerally, and all the States of the Parliament, how they thinke of the caſes aforeſaid which be ſo openly againſt the Kings Crowne, and in derogation of his Regaltie, and how they will ſtand in the ſame caſes with our Lord the King, in vpholding the rights of the ſaid Crowne and Regaltie. Whereupon the Lords Temporall ſo demanded, haue anſwered euery one by himſelfe, that the caſes aforeſaid be cleerely in derogation of the Kings Crowne, and of his Regaltie, as it is well knowne, and hath been of a long time knowne, and that they will be with the ſame Crowne and Regaltie in theſe caſes ſpecially, and in all other caſes which ſhall be attempted againſt the ſame Crowne and Regalty in all points with all their power. And moreouer it was demanded of the Lords Spirituall there being, and the procurators of others being abſent their aduice and will, in all theſe caſes, which Lords, that is to ſay, the Archbiſhops, Biſhops, and other Prelates being in the ſaid Parliament ſeuerally examined, making proteſtations, that it is not their minde to deny nor affirme that the Biſhop of Rome may not excommunicate Biſhops, nor that he may make tranſlation of Prelates after the Law of holy Church, anſwered and ſaid, that if any executions of Proceſſes made in the Kings Court (as before) be made by any, & cenſures of excōmunication to be made againſt any Biſhops of England, or any other of the Kings liege people, for that they haue made execution of ſuch commandements, And that if any executions of ſuch tranſlations be made of any Prelates of the ſame Realme, which Prelates be very profitable and neceſſarie to our ſaid Lord the King, and to his ſaid Realme, or that the ſage people of his Counſell, without his aſſent and againſt his will be remoued and caried out of the Realme, ſo that the ſubſtance and treaſure of the Realme may be conſumed, that the ſame is againſt the King and his Crowne, as it is contained in the Petition before named. And likewiſe the ſame procurators euery one by himſelfe examined vpon the ſaid matters, haue anſwered and ſaid in the name, and for their Lords as the ſaid Biſhops haue ſaid and anſwered, and that the ſaid Lords Spirituall will and ought to bee with the King in theſe caſes in lawfully maintaining of his Crowne, and in all other caſes touching his Crowne and his Regaltie, as they be bound by their Liegeance. Whereupon our ſaid Lord the King, by the aſſent aforeſaid, and at the requeſt of his ſaid Commons, hath ordained and eſtabliſhed, that if any purchaſe or purſue, or cauſe to be purchaſed or purſued in the Court of Rome or elſewhere, any ſuch tranſlations, proceſſes, and ſentences of excommunications, bulls, inſtruments, or any other things whatſoeuer which touch the King, againſt him, his Crowne, and his Regaltie, or his Realme, as is aforeſaid, and they which bring within the Realme, or them receiue, or make thereof notification, or any other execution whatſoeuer within the ſame Realme or without, that they, their notaries, procurators, maintainors, abbettors, fautors, and counſellors, ſhall be put out of the Kings protection, and their lands and tenements, goods and chattells, forfeit to our Lord the King: and that they be attached by their bodies, if they may be found, and brought before the King and his Counſell, there to anſwer to the caſes aforeſaid, or that proceſſe be made againſt them by Præmunire facias, in maner as it is ordained in other Statutes of prouiſors: and other which doe ſue in any other Court in derogation of the Regaltie of our Lord the King. Regiſt.ind.fol.82.V.N.B.fol.183. Fitz.N.B.fol.169. Coke pla. fol.435. Raſt.pla.fol.24.221.427.446.

The promiſe of the procurators of the Lords ſpirituall being abſent.

5 Ed.4.fo.6.
.Ed.4.fol.3.

Premunire for purchaſing of bulls or other inſtruments from Rome or elſewhere.

1.H.6.fo.8.
5.H.6.fo.30.

7.H.6.fol.5.
Coke lib.11.fo.63
Co Inſt.part 1.
33.2.

Stat.25.Ed 3.
25.Ed.3.22.
27.Ed.3.1.
7.R.2.12.

Cap. VI.

A Repeale of part of the Statute of 13. R.2.1. *touching his forfeiture that obtaineth a Pardon.*

ITem, whereas in an Article of a Statute made in the Parliamēt holden at Weſtminſter, the Munday next after the Feaſt of S. Hillary, the thirteenth yeare of the King that now is, it was ordained and granted, that no Charter of Pardon from thence ſhould be allowed before any Iuſtices for murder, death of a man ſlaine by await, aſſault, or malice prepenſed, treaſon, or rape of woman, if it were not ſpecified in the ſame Charter: And if any Charter of the death of man were alledged before any Iuſtices, in which Charter was not ſpecified, that he of whoſe death any ſuch was arraigned was murthered or ſlaine by await, aſſault, or malice prepenſed, the Iuſtices ſhould enquire by a good Inqueſt of the viſne where the dead perſon was ſlaine, if hee were murdered or ſlaine by await, aſſault, or malice prepenſed: & if they ſhould find that he was murdred or ſlaine by await, aſſault, or malice prepenſed, the Charter ſhould be diſallowed, and moreouer done as the Law ſhould require. Which things our Lord the King doth will and grant, that they ſhall be firmely holden and kept. And moreouer by the aſſent of the Lords in this preſent Parliament, and at the prayer of the Commons he hath ordained and granted, that the reſidue of the ſaid Article ſhall be wholly out, repealed, and adnulled: that is to ſay, if any ſue to the King for a Charter of Pardon for murder, death of man ſlaine by await, aſſault, or malice prepenſed, or rape of a woman, if the Chamberlaine indorſe, or cauſe to be indorſed ſuch Bill, he ſhall put the name of him that maketh ſuit for ſuch a charter vpō the ſame Bill, vpon paine of a thouſand markes, and if the Vnderchamberlaine indorſe ſuch Bill, he ſhall do likewiſe, vpon paine of fiue hundred markes. And that none other but the Chamberlaine or the Vnderchamberlaine ſhall indorſe, or cauſe to be indorſed any ſuch Bill vpon paine of a thouſand markes. And that no warrant of the priuie Seale ſhall be made to haue a Charter, except the Keeper of the priuie Seale haue ſuch Bill indorſed or ſigned by the Chamberlaine or Vnderchamberlaine as afore. And that no Charter of Pardon of treaſon or of other felonie ſhall paſſe the Chancerie without warrant of the priuie Seale, but in caſe where the Chancellor may grant it by his office without ſpeaking thereof to the King. And that he at whoſe ſuit any Charter of Pardon for murder, death of man ſlaine by await, aſſault, or malice prepenſed, treaſon, or rape of a woman, ſhall be granted, if he were an Archbiſhop or a Duke, he ſhall pay to the King a M.li. if he were a Biſhop or an Earle, he ſhall pay to the King a M.markes, & if he were an Abbot, Prior, Baron, or Banoret, he ſhal pay to the King 500.markes, and if he were a Clerke, Bacheler, or other of leſſe eſtate, of what condition that he be, he ſhall pay to the King 200.markes, and ſhall haue a yeares impriſonment: becauſe that the ſaid commons of the Realme ſithence haue perceiued great greeuance of this Ordinance aforeſaid, for that many people for malice haue indicted diuers perſons of murder, death of a man ſlaine by await, aſſault, and malice prepenſed, and treaſon, where in truth there was no ſuch cauſe, to the intent that no man ſhould be bold to ſue, to the King our Lord for ſuch Charter.

Stat.13.R.2.1.

In a pardon of murder, treaſon or rape, the offence ſhall be compriſed.

A confirmation of the firſt part of the St. of 13. R.2.1. & a repeale of the latter part thereof.

The forf. of him at whoſe ſuit the pardon aforeſaid is obtained

Statutes made at Weſtminſter Anno 17. Ric. 2. & Anno Domini 1393.

THeſe be things ordained and eſtabliſhed by our Lord the King, at his Parliament holden at Weſtminſter, the fifteenth day of S. *Hillary*, the ſeuenteenth yeare of his Raigne, by the aſſent of the ſaid Parliament, which hee doth will and command, that they ſhall be firmely holden and kept after the purport of the ſame.

Cap. I.

There ſhall be no melting of money to make any thing thereof. Foraigne money ſhall not be currant.

Stat.9.Ed.3.3. No ſterling money ſhall bee melted for veſſell.

The groat and halfe groat ſhall not be meled for veſſell. 17.Ed.4.1. No forein coine ſhall be currant in England. There ſhall be no exchange of Engliſh money with Scottiſh money.

FIrſt where it was ordained by the Noble King Edward, grandfather to our Lord the King, the ninth yeare of his raigne, that no ſterling, halfe penie, nor farthing, ſhal be molten for veſſell, nor other thing thereof to be made by the Goldſmith, nor other, vpon paine of forfeiture of the money ſo molten, and impriſonment of the Founder, till he haue yeelded to the King the halfe of that which he hath ſo molten, notwithſtanding any Charter or Franchiſe granted or vſed to the contrarie: It is accorded and aſſented, that the ſaid Ordinance ſhall be firmely holden and kept. And moreouer it is ordained and aſſented, that no groat nor halfe groat ſhall be molten by any man to make veſſell, or other thing thereof, vpon the ſame paine. And that no gold nor ſiluer of Scotland, nor of other Lands beyond the Sea, ſhall run in any manner of payment within the Realme of England, but ſhall be brought to the Bullion there to be molten in the Coine of England, vpon paine of forfeiture of the ſame, and of impriſonment, fine, and ranſom of him which doth contrarie. And that no man ſhall ſend any Engliſh money into Scotland to change the ſame in money, or for Scottiſh money vpon the paine next aforeſaid. 19.H.7.5.

Cap. II.

Euerie perſon may make Cloth of what length and breadth he will.

Euery man may make cloth of what length & breadth he will. Rep.5.Ed.6.6. No cloth ſhalbe ſold before it be meaſured & ſealed by the Aulneger. There ſhalbe no deceit in cloth.

ITem, that euery man of the Realme may make, & put to ſale and ſell Clothes, aſwell Kerſeis as other, of ſuch length and breadth as him pleaſe, paying the aulnage, ſubſidy, and other duties, that is to ſay, of euery piece of Cloth after the rate, notwithſtanding any Statute, Ordinance, Proclamation, reſtraint, or defence made to the contrarie. And that none ſhall ſell or put to ſale any Clothes before that they be meaſured by the Kings Aulneger, and ſealed with the Seale to that ordained, vpon the paines contained in the Statutes thereof made: and that no man ſhall put, mingle, cauſe nor make other diſceit in the Clothes of Kerſeys, vpon paine of forfeiture of the ſame. Stat.47.Ed.3.1. 11.H.6 9.

Cap. III.

What ſort of Worſteds may be caried forth of the Realme, and what not.

What ſort of worſteds may be caried forth of the Realme & what not.

ITem, that the Merchants and workers of Clothes, called ſingle Worſteds, may carie boltes of ſingle worſted to what parts they will (except to the Kings enemies) paying the cuſtomes and ſubſidies thereof due, without paying the duties of Caleys, notwithſtanding any Statute, Ordinance, Proclamation, Inhibition, Commandements or Charters, Liberties, Vſages, or priuiledges, granted or to be granted to the Burgeſſes of Caleys, or to the Merchants of the Staple of Caleys, or to any other made or to be made to the contrarie. And that the obligations & ſureties taken before this time for the duties of Calies, ſhall be reſtored and deliuered. Prouided alwaies that vnder the color of the ſaid bolts of ſingle Worſted, they ſhall carie no double Worſteds, nor halfe double, nor Worſteds ray, nor motley, vpon paine of forfeiture of the ſame.

Cap. IIII.

Mault ſold to London ſhall be clenſed from the duſt.

Mault ſold to London ſhalbe clenſed from the duſt.

ITem, that the Mault which ſhalbe made in the Counties of Huntington, Cantebridge, Northhampton, and Bedford, that ſhalbe ſold and brought to the City of London, to victual the Kings houſhold, and other Lords houſholds, and gentlemens there dwelling and repairing, and alſo for ſuſtenance of all the people of the ſaid City, ſhalbe well and ſufficiently ſifted, clenſed & purified before the ſale of the ſame, from duſt & all other filth, ſo that the buyers may haue eight buſhels of cleane Mault for the quarter. And that the Maiors, Bailiffes, and Wardens of Townes and places where ſuch Mault ſhalbe ſould, ſhall haue power at euery mans ſuit that will complaine, to ſee and ſearch the ſaid Mault, and if default be found thereof, to make due redreſſe. St.2.Ed.6.10.

Cap. V.

A Searcher, Gaugeor, Aulneger, Cuſtomer, ſhall haue no aſſured eſtate in his office.

yer fol.303.

Officers remoueable at the Kings pleaſure.

ITem,it is ordained and eſtabliſhed,that no Searcher,Gaugeor of Wines,Aulneger,Finder, nor wayer of Wools,or any other merchandiſes,Collector of Cuſtomes and Subſidies whatſoeuer,or Comptroller ſhall haue eſtate in his office for terme of life,or of yeares: but that the ſaid offices ſhal remain in the Kings hands vnder the gouernance of the Treaſurer for the time being with the aſſent of the Counſell,when néed is. And if any Charters or Letters Patents, be made to the contrary,they ſhall be clearely adnulled,void,and of none effect. *St.*14 R.2.10. 1. H.4.13.4.*H.*4.24. 31.*H.*6.5.

Cap. VI.

Vpon an vntrue Suggeſtion in the Chancerie Damages may be awarded.

Ed.4.fol.14.

Vpon an vntrue ſuggeſtion made in the Chancerie againſt any man the Chancellor may award damages.

ITem, foraſmuch as people be compelled to come before the Kings Counſell,or in the Chancery, by Writs grounded vpon vntrue Suggeſtions, that the Chancellor for the time being,preſently after that ſuch Suggeſtions be duly found and proued vntrue,ſhall haue power to ordaine and award damages according to his diſcretion,to him which is ſo trauailed vnduely as afore is ſaid.

Cap. VII.

All the Kings Subiects may carry Corne out of the Realme when they will. Rep. 21.Iac.28.

Cap. VIII.

The Sheriffes and all other the Kings officers ſhall ſuppreſſe riotors, and impriſon them, and all other offending againſt the peace. Alt. 13.*H.*4.7.

Cap. IX.

Iuſtices of Peace ſhall be Conſeruators of the Statutes made touching Salmons.

St.13.Ed.1.47

St.13 R.2.19.

Stalkers nor other nets ſhall be vſed to deſtroy the fry or breed of Fiſh.

The Juſt.of P. ſhalbe conſeruators of the St of 13.Ed.1.47.& 13.R.2,19.

Vnder conſeruators appointed by the Iuſtices.

ITem,where it is contained in the Statute of Weſtminſter the ſecond,that yong Salmõs ſhal not be taken nor deſtroyed by nettes or by other engines at the ſtankes of Milles from the mids of Aprill till the Natiuitie of S.Iohn the Baptiſt. vpon a certain paine limited in the ſame Statute: And whereas by a Statute made the thirtéenth yeare of the King that now is, it was ordained,that the ſaid Statute of Weſtminſter the ſecond, ſhould be firmely holden and kept, ioyning to the ſame,that yong Salmons ſhould not be taken at the Milles ſtankes or elſewhere, vpon the ſame paine. And that no Fiſher nor Garthman,nor none other,of what eſtate or condition that he were ſhould not put from henceforth in the waters of Thamis, Humber, Ouſe, Trent,nor none other water of the Realme,by the ſaid time,nor by none other time of the yeare any nettes called ſtalkers,nor other nettes nor engines whatſoeuer,whereby the fry or bróod of Salmons,Lampraies,or of any other Fiſh whatſoeuer may in any wiſe be taken or deſtroyed vpon the paine aforeſaid: And alſo it was rehearſed in the ſaid Statute,made the ſaid thirtéenth yeare,that where it is contained in the ſame Statute of Weſtminſter, that all the waters in which Salmons be taken in the Realm, ſhall be put in defence as to the taking of Salmons frõ the day of the Natiuitie of our Lady till Saint Martins day: It was ordained and aſſented in the ſaid Statute made in the ſaid thirtéenth yeare,that the waters of Lone,Wire,Merſée, Ribbil,& all other waters in the Cõuty of Lancaſter,ſhould be put in defence as to the taking of Salmons from the day of S.Michaell till the day of the Purification of our Lady,and in none other time of the yeare, becauſe that Salmons be ſeaſonable in the ſaid waters by the time aforeſaid: And that in the parts where ſuch riuers be,góod and ſufficient Conſeruators of the ſaid Statute, made the ſaid thirtéenth yeare,ſhould be aſſigned and ſworne,as it was ordained in the Statute of Weſtminſter,and that they ſhould puniſh the offendors vpon the paine contained in the ſame Statute of Weſtminſter,without ſhewing any fauour thereof: which Statutes haue not béene hitherto duely executed for default of góod Conſeruators,as our ſaid Lord the King hath perceiued by complaint to him made in this preſent Parliament: Wherefore it is accorded and aſſented, that the Iuſtices of the Peace of all the Counties of England,ſhall be Conſeruators of the ſaid Statutes in the Counties where they be Iuſtices: And that they and euery of them at all times when they may attend,ſhall ſuruey the offences and defaults attempted againſt the Statutes aforeſaid. And alſo ſhall ſuruey and ſearch all the Weares in ſuch Riuers, that they ſhall not be very ſtrait for the deſtruction of ſuch Fry and bróod,but of reaſonable wideneſſe after the old aſſiſe vſed or accuſtomed: And that the ſame Iuſtices,or any of them which ſhall find default or abuſe againſt the Statutes aforeſaid,ſhall make due puniſhment of them,which be found in default after the content of the ſame Statute. And that the ſame Iuſtices ſhall put góod and ſufficient vnder Conſeruators of the ſame Statutes vnder them which ſhall be ſworne to make like ſurueying,ſearch and puniſhment without any fauour thereof to be ſhewed. And moreouer that the ſame Juſtices in their Seſſions, ſhall enquire as well by their office, as at the information of the vnder Conſeruators aforeſaid, of all treſpaſſes miſpriſions, and defaults made againſt any of the points aforeſaid, and ſhall cauſe them which be thereof endicted to come before them, and if they be thereof conuict, they ſhall haue impriſonment, and make fine after the diſcretion of the ſame Juſtices. And if the ſame be at the information of any of the vnder Conſeruators aforeſaid, the ſame vnder Conſeruator ſhall haue the halfe of the ſame fine. And forasmuch as it is granted to the Citizens of London by the Kings Progenitors, that they may remoue and take away all the weares in the waters of Thamis and Medeway, and that they ſhall haue the puniſhments thereof pertaining to the King: Our ſaid Lord the King, in this preſent Parliament, by the aſſent aforeſaid hath granted that the Maior or Warden of London for the time being, ſhall haue the conſeruation of the Statutes aforeſaid. And ſhall make thereof due execution and like puniſhmēt as afore is ordained of the Juſtices of the Peace, in the ſaid waters of Thamis, from the bridge of Stanes to London, and from thence ouer the ſame water, and in the ſaid water of Medeway as farre as it is granted to the ſaid Citizens, as afore is ſaid.

The Maior of London ſhall haue the conſeruation of the St. of Thamis.

CAP. X.

Two Learned men in the Law ſhall be in Commiſſion of Gaole deliuerie.

Two learned men in the Law ſhall be in the Commiſſion of gaole deliuerie.

ITem, forasmuch as théeues notoriouſly defamed, and other taken with the maner, by their long abiding in priſon after that they be arreſted, be deliuered by Charters & fauourable Inqueſts procured to the great hinderance of the people: It is accorded and aſſented, that in euerie Commiſſion of the Peace through the Realme, where néed ſhall be, two men of Law of the ſame Countie where ſuch Commiſſion ſhall be made, ſhall be aſſigned to goe and procéed to the deliuerance of ſuch théeues & felons, as often as they ſhall thinke it expedient. St. 4 Ed. 3. 2. 13. R. 2. 7. 18. H. 6. 11.

Statutes made at *Weſtminſter* Anno 20. Ric. 2. & Anno Domini 1396.

THe King at his Parliament holden at Weſtminſter, in the Feaſt of S. *Vincent*, the twentieth yeare of his Raign, by the aſſent of the Prelats, Lords and Commons of his Realm of England, aſſembled in the ſame preſent Parliament, for the quietneſſe and tranquilitie of his people, hath made certaine Statutes and Ordinances in the forme which followeth.

CAP. I.

No man ſhall goe or ride Armed. Launcegaies ſhall be put out.

St. 7. R. 2. 13.
St. 2. Ed. 3. 3.

FIrſt, whereas in a Statute made the ſeuenth yeare of the raigne of the King that now is, it is ordained and aſſented, that no man ſhall ride Armed within the Realm, againſt the forme of the Statute of Northampton thereupon made, nor with Launcegayes within the ſame Realm. And that the ſaid Launcegayes, ſhall be vtterly put out within the ſaid Realme, as a thing prohibited by the King, vpon paine of forfeiture of the ſame Launcegayes, Armors, or any other harneys in the hands & poſſeſſion of them that beare them from henceforth within the ſame Realme againſt the ſame Statutes and Ordinances without the Kings ſpeciall licence. Our Lord the King conſidering the great clamour made to him in this preſent Parliament, becauſe that the ſaid Statute is not holden, hath ordained and eſtabliſhed in the ſame Parliament, that the ſaid Statutes ſhall be fully holden and kept, and duely executed, and that the ſaid Launcegayes ſhall be cleare put out vpon the pain contained in the ſaid Statute of Northampton, and alſo to make fine and ranſome to the King. And moreouer that no Lord, Knight, nor other, litle nor great, ſhal goe nor ride by night nor by day Armed, nor beare ſallet nor ſkull, of Iron, nor of other Armor, vpon the paine aforeſaid: ſaue and except the Kings officers and miniſters in doing their office. And moreouer the King wil and hath ordained, that the Statute made the firſt yeare of his raign of Liueries of hattes, ſhall be holden and kept vpon the paine contained in the ſame Statute, and vpon paine to be impriſoned and make fine and ranſome to the King.

Launcegayes ſhall be clearely put out.
No man ſhall goe or ride armed.
The Statute of 1. R. 2. 7. touching giuing of liueries confirmed.

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CAP. II.

Who onely may weare anothers Liuerie. REP. 3. CAR 4.

CAP.

CAP. III.

No man ſhall ſit vpon the Bench with the Iuſtices of Aſſiſe.

ITem, the King doth will and forbid, that no Lord, nor other of the Countrey, little nor great, ſhall ſit vpon the Bench, with the Juſtices to take Aſſiſes in their Seſſions in the Countries of England, vpon great forfeiture to the King: and hath charged his ſaid Juſtices, that they ſhall not ſuffer the contrary to be done.

No man ſhal ſit vpon the bench with the Juſt. of Aſſiſe.

CAP. IIII.

A Confirmation of part of the Stat. of 28. Ed. 3. 13. *touching Merchants ſtrangers.*

ITem, whereas it is contained in a Statute of the late King Edward Grandfather to the King that now is, the xxviij. yeare of his raigne, that no maner of ſhip, which is freighted toward England, or elſewhere, ſhall be compelled to come to any port of England, nor there to tarry againſt the agreement of the Maſters and Mariners of the ſame, or of the Merchants to whom the goods be: and if ſuch ſhips come of their owne good will or be driuen by tempeſt, caſualty or other miſfortune to any Port of England, and the Maſters or Mariners, or Merchants of the ſame Ships, will ſell or deliuer part of their Merchandiſes with their good will, it ſhall be lawfull to euery perſon to buy ſuch Merchandiſes freely without impeachment in the Port where ſuch Ships ſhal come, albeit the Merchandiſes be not put to ſale to the Land. And that the Maſters, Mariners, and Merchants after that they haue ſo ſold, ſo much as pleaſeth them of their ſaid goods, and the cuſtome thereof paied, may freely depart and goe with their Ships, & all the remnant of their goods where it ſhall pleaſe them, without paying thereof cuſtome. Our ſaid Lord the King for the quietneſſe and eaſe of his people, willeth that the ſaid Statute ſhall be holden and kept in all points & duly executed, notwithſtanding any ordinance or vſage to the contrary.

A confirmation of that part of the Statute of 28. Ed. 3. 13. which giueth libertie to ſtrangers to come & goe where they will.

CAP. V.

The penaltie of him who taketh anothers Horſe or Beaſt for the Kings ſeruice without ſufficient warrant.

ITem, foraſmuch as the Commons haue made complaint, that many great miſchiefes, extortions and oppreſſions be done by diuers people of euill condition, which of their authoritie take and cauſe to be taken Royally, horſes and other things, and beaſts out of their Waines, Carts, and houſes, ſaying and deuiſing that they be to ride on haſty meſſages and buſineſſe, where of truth they be in no wiſe priuie of any buſineſſe or meſſage, but onely in deceit and ſubtiltie by ſuch colour and deuiſe doe take horſes, and the ſaid horſes too haſtily doe ride and euill intreat, hauing no manner of conſcience or compaſſion in this behalfe, ſo that the ſaid horſes become all ſpoiled and foundred, paying no manner of thing nor peny for the ſame, nor giuing them any manner of ſuſtenance: And alſo that ſome ſuch manner of people changing and altering their names, doe take and ride ſuch horſes, and carry them farre from thence to another place, ſo that they, to whom they belong, can neuer after by any meane ſee, haue againe, nor know their ſaid Horſes where they be, to the great miſchiefe, loſſe, impoueriſhment & hinderance of the K. poore people, their huſbandrie, and of their liuing. Our Lord the King willing for the quietneſſe and eaſe of his people to prouide remedie thereof, will and hath ordained, that none from henceforth ſhall take any ſuch Horſe or Beaſt in ſuch maner againſt the conſent of them to whom they be. And if any that doe, and haue no ſufficient warrant nor authoritie of the King, he ſhall be taken and impriſoned till he hath made due agreement to the partie. St. 28. H. 6. 2.

The penaltie of him who doth take any perſons horſe or &c. to ſerue the King without warrant.

CAP. VI.

Licence granted to *Belknap*, *Holte*, and *Bourghe*, to returne into England, notwithſtanding the Statute of 11. *R.* 2. 1. EXP.

Statutes made at Weſtminſter Anno 21. Ric. 2. & Anno Domini 1397.

IT is to be vnderſtood, that our Lord the King, by the grace of God King of England and of France, and Lord of Ireland, at his Parliament ſummoned and begun at Weſtminſter the Munday next after the Feaſt of the exaltation of the holy Croſſe, and from thence adiourned to Shrewsbury vntill the fifteenth of *Hillary*, then next enſuing, & there ended, to the honor of God and holy Church, and for the preſeruation, ſaluation, and ſuretie of his Realme, and good gouernance of his people, of the aſſent and accord of the Prelates, Dukes, Earles, Barons, and Commons of his Realme there aſſembled, hath made certaine Statutes and Ordinances hereafter following.

Anno 21.*R*.2. Cap. 1.2.3.4.5.6.7.8.9.10.11.12.13.

A repeale of the Commiſſion granted by the King to certaine Noble men to enquire of and reforme certaine abuſes in the Realme, and of the Statute made *Anno* 10.*R*.2. for that they were made by threats giuen to the King and by conſtraint. No ſuch Commiſſion hereafter ſhall be granted. It ſhall be adiudged high Treaſon for any perſon to compaſſe the death of the King, to depoſe him or to make warre againſt him within the Realme, or to render vp his homage. The puniſhment of diuers Traiterous conſpiracies and practices intended againſt the King, and means prouided to preuent the like in time to come. The reſolution of certaine Iudges and other Learned men in the Law touching certaine Treaſons and other offences. Rep.1.H.4.3.

Cap. XIIII.

The Kings pardon of robberies, thefts, outrages, and riots committed in the time of the Commotion. Exp. and Rep.1.H.4.3.

Cap. XV.

The Kings pardon to all his ſubiects of alienations without licence, Intruſions by the heires after the death of their anceſtors, treaſons, felonies, outlawries, Except &c. Exp.& Rep. 1. H.4.3. Rev.2.H.4.13.

Cap. XVI.

Authoritie giuen by Parliament to certaine Commiſſioners to examine and anſwere petitions exhibited to the King. Exp. and Rep.1.H.4.3.

Cap. XVII.

There ſhall be no licences granted to ſhippe merchandiſes of the Staple to any other place but to Calice. Rep. 1.H.4.3. *St*.18.H.6.3.

Cap. XVIII.

Stones ſhall be carried for laſtage towards the repaire of the beakons, paradiſe, and other decayed places in Calice: Rep. 1. H. 4. 3. *St*.10.*H*.6.5.

Cap. XIX.

A rehearſall and confirmation of the *Statutes* of 25.Ed.3.4.& 45.Ed.3.2. touching the pulling downe of Weares, Milles, *Stakes*, &c. Rep.1.*H*.4.3.

Cap. XX.

Whoſoeuer ſhall purſue to repeale any of theſe *Statutes*, and that proued in Parliament ſhall be adiudged a Traytor. Rep.1.*H*.4.3.

Anno primo HENRICI *quarti.*

STATVTES MADE AT WESTMINSTER IN THE FIRST YEARE OF THE Raigne of King HENRIE the fourth, and in the yeare of our Lord, 1399.

HENRY by the grace of God King of England, and of France, and Lord of Ireland, To the laud and honour of God and reuerence of holy Church, for to nouriſh vnitie, peace, and concord of all parties within the Realme of England: And for the redreſſe and recouerie of the ſame Realme, which now of late hath beene dangerouſly put to great ruine, miſchieſe, and deſolation, of the aſſent of the Prelates, Dukes, Earles, Barons, and at the inſtance and ſpeciall requeſt of the Commons of the ſame Realme aſſembled, at his Parliament holden at Weſtminſter in the Feaſt of Saint *Feyth* the virgin, the firſt yeare of his raigne, hath made, ordained, and ſtabliſhed certaine Ordinances, and Statutes, in forme as hereafter followeth.

CAP. I.

A Confirmation of the Liberties of the Church, and of all Statutes not repealed. Iuſtice ſhall be done and peace ſhall be kept.

FIrſt, That holy Church haue, and enioy all her Rights, Liberties, and Franchiſes, entirely and without imblemiſhing. And that the great Charter and the Charter of the Foreſt, and other good Ordinances and Statutes made in the time of his Noble Progenitors, and not repealed, be firmely holden and kept in all points. And that the Peace within this Realme be holden and kept, ſo that all his lawfull liege people and ſubiects may from henceforth ſafely and peaceably goe, come, and dwell, according to the lawfull vſages of the ſame Realme. And that good Juſtice and euen right be done to euery perſon.

A confirmation of the Liberties of the Church, and of all Statutes not repealed.

Peace ſhall be maintained and Juſtice ſhall be done to all.

CAP. II.

None ſhall be impeached that did aſſiſt *K. H.* 4. or helped to purſue *K. R.* 2. or his adherents. EXP.

CAP. III.

A Repeale of the whole Parliament holden *Anno* 21. *R.* 2. and of the authoritie giuen thereby. EXP.

CAP. IIII.

A Confirmation of the Parliament holden 11. *R* 2.

ITem, it is accorded, aſſented, and eſtabliſhed, that the Parliament holden at Weſtminſter, the eleuenth yeare of the ſaid late King Richard, be firmely holden and kept according to the purport of the ſame, as a thing made for the great honour, and common profit of this Realme.

The Parliament holden Anno 11. R. 2. confirmed.

CAP. V.

A Reſtitution of thoſe, or their Heires, which were attainted at the Parliament holden 21. R. 2.

CAP. VI.

In a petition to the King of Lands, Offices, &c. the value ſhall be contained.

ITem, to the intent that our ſaid Lord the King in time to come, ſhall not be deceiued in his grants, or gifts Annuall, or in Fee, or in any offices, by him to be giuen, made, or granted, he will by the aſſent of the Lords Spirituall and Temporall aforeſaid, and at the requeſt of the ſaid Commons, be counſelled by the wiſe men of his Counſell in things touching the eſtate of him and of his Realme (ſauing alwaies his Libertie.) Alſo he hath ordained and ſtabliſhed by the aſſent aforeſaid, that all they which from henceforth doe demaund of the King, Lands, Tenements, Rents, Offices, Annuities, or any other profits, ſhall make expreſſe mention in their Petitions, of the value of the thing ſo to be demanded, and alſo of that which they haue had of the Kings gift, or of other his Progenitors, or predeceſſors before. And in caſe they make not ſuch mention in their ſaid Petitions, and that duely proued, The Kings Letters Patents thereof made ſhall not be auailable, nor of any force nor effect, but wholly reuoked, repealed, and adnulled for euer, to the puniſhment of them which ſo haue done deceit to the King, as they that be not worthy to enioy the effect and benefit of the Letters Patents to them granted in this behalfe. St.2.H.4.2. St.6.H.4.2.

Coke lib. 52.H.6.fol.

Co.Inſt.1.pa 133.b.

Cap. VII.

The penaltie for vnlawfull giuing or wearing of Liueries. Who may weare the Kings honorable Liueries, and in what places. To what perſons onely Liueries may be giuen. Rep. 3. Car.4.

Cap. VIII.

Aſſiſe maintaenable by the Diſſeiſee againſt the Kings Patentee of Lands.

ITem, at the grieuous complaint of the ſaid Commons, made in the ſaid Parliament, how many of the Kings liege people which haue béene ſeiſed and poſſeſſed of Lands and Tenements, by their right and title, vntill the laſt comming of our Lord the King into England, that vpon ſuggeſtion made to him, the ſaid Lands and Tenements haue béene granted to diuers perſons, and Letters Patents thereof made, ſo that by colour of ſuch grants and Letters patents, the Tenants and true owners of the ſaid Tenements in diuers Counties be diſſeiſed and put out of the ſame, to their great dammage and againſt the courſe of the Common Law: Our Lord the King conſidering the miſchiefes aforeſaid, and willing thereupon to prouide due remedy, by the aduiſe and aſſent of the Lords and Commons aforeſaid, hath ordained and ſtabliſhed, that in caſe any Lands or Tenements be granted by the Kings Patent, without title found by enqueſt or otherwiſe, where the Kings entrie is not giuen by Law: They that be put out or diſſeiſed of their Fréehold, ſhall haue a ſpecial Aſſiſe of the Chancellors grant, without other ſuit to be made to the King in that behalfe, and if the parties or perſons hauing the Kings Letters Patents, doe pray in aide, a Writ of Procedendo ſhall be granted by the ſaid Chancellor, without making other ſuit to the King. And in caſe that they which be put out or diſſeiſed, doe recouer againſt the perſons hauing ſuch Patents, they which be ſo put out or diſſeiſed, ſhall recouer their treble damages. And that this Ordinance and Statute hold place aſwell after the Kings arriuall into England, as in time to come.

Aſſiſe maintenable by the diſſeiſee for thoſe lands which be granted by the Kings Patent without title firſt found for the King.

Fitz.Aſſiſe 467.
Fitz.Trauer
Fitz.Diſſeiſ

Cap. IX.

A confirmation to the Purchaſers of Lands ſold, which were forfeited to the King.

St.11.R.2.6.

ITem, whereas among other Statutes and Ordinances made in the eleuenth yeare of the ſaid late King Richard, it was ordained and ſtabliſhed, that the great officers of the ſaid late King, by aduiſe of all other Lords of the Counſell, ſhould haue power to ſell parcell of the forfeitures of them that were forejudged in the Parliament holden the ſaid eleuenth yeare, by their good diſcretion, and that the gifts and grants to be made vpon ſuch ſales, ſhould be firme and ſtable: Our ſaid Lord the King, by the aduiſe and aſſent of his Lords Spirituall and Temporall, and at the requeſt of the ſaid Commons, conſidering how diuers ſales haue béene made by force of the Ordinance and Statute aforeſaid, hath ordained and ſtabliſhed, that the gifts and grants ſo made by vertue of the ſale aforeſaid onely, ſhall ſtand in their force and vertue, notwithſtanding any gifts or grants made to the contrary, and that they which will ſue for a confirmation of their purchaſe made in this behalfe, ſhall thereto haue a confirmation, paying the Fines and Fées thereof due.

A Confirmatiõ to the purchaſers of certaine Lands ſold vnto them by Cõmiſſioners according to the Stat. of 11.R.2.

Coke li.

Cap. X.

Nothing ſhall be accounted Treaſon but what was made Treaſon in the time of King Ed.3.

ITem, whereas in the ſaid Parliament, holden the ſaid one and twentieth yeare of the ſaid late King Richard, diuers paines of Treaſon were ordained by ſtatute, in as much that there was no man, which did know how he ought to behaue himſelfe to doe, ſpeake, or ſay for doubt of ſuch paines: It is accorded and aſſented by the King, the Lords, and Commons aforeſaid, that in no time to come any Treaſon be iudged otherwiſe, then it was ordained by the Statute in the time of his Noble Grandfather King Edward the third, whom God aſſoile. St.1.Ed.6.12. 1.M.1.

Nothing ſhal be adiudged treaſõ but which was ſo ordained by the Stat. of 25.Ed.3.2.

Cap.

Cap. XI.

How farre Sheriffes ſhall be charged with the ancient Farmes of the County.

ITem, whereas the ſaid Commons by their petition haue ſhewed in the ſame Parliament, how the Sheriffes of Counties within the Realme, be charged with the ancient Ferme of the ſame Counties, whereas a great parcell of the profits of the ſame is giuen ſeuerally to Lords & other the Kings leige people, ſo that the ſame Sheriffes cannot pay their ferme without doing extortion in the ſaid Counties, in great oppreſſion and hinderance aſwell of the ſaid Sheriffe, as of the inhabitants of the ſaid Counties: Our Lord the King conſidering the miſchiefes aforeſaid, by the aduice and aſſent of the Lords and commons aforeſaid, hath ordained and ſtabliſhed, that from henceforth the Sheriffes of the Counties of Eſſex, and Hertford in ſpeciall, and the Sheriffes of other Counties aforeſaid, for the time being, ſhall accompt in the Eſchequer, and haue allowance by their othe of the Iſſues of the ſaid Counties, aſwell after the date of their Patents made to them by the ſaid late King Richard, as for all times to come. And if any Sheriffe from henceforth doe any extortion to the people, and be thereof attainted, he ſhall be duely puniſhed for the ſame extortion at the Kings will.

Sheriffes ſhall not be charged with the ancient fermes of the Counties, where part of the profits be giuen to others.

Of Sheriffes puniſhment for extortion.

Cap. XII.

A confirmation of former Stat. touching pulling downe of Weares.

ITem, whereas by ſir Edward late King of England, Grandfather of our Lord the King that now is, the fiue and twentieth yeare of his raigne, becauſe that the common paſſage of Ships and Boates in the great Riuers of England were oftentimes diſturbed, by the leuying of Weares, Milles, Stankes, Stakes, and Kidels, in great damage of the people, it was accorded, that all ſuch Weares, Milles, Stankes, Stakes, and Kidels, which were leuied and ſet vp in the time of King Edward ſonne to King Henry, and after in ſuch Riuers, whereby the ſhips and boates be diſturbed, ſo that they cannot paſſe as they were wont, ſhall be wholly pulled downe, and not be leuied againe. And that Writs be thereupon ſent to the Sheriffes of places where neede ſhall be, to ſuruey and enquire, and to make thereof execution. And alſo that Iuſtices be therupon aſſigned at all times when neede ſhall require. And after at the grieuous complaint of the great men and the Commons, made in the Parliament of the ſaid King Edward the Grandfather, the fiue and fortieth yeare of his raigne, complaining by their Petition, that the ſaid Statute, was not duely executed nor kept, after the effect of the ſame, it was accorded and ſtabliſhed, that the ſaid Statute in this point be holden and kept after the effect of the ſame, added to the ſame, that if any ſuch noyſance be pulled downe by due proceſſe contained in the ſaid Statute hee that will cauſe the ſaid noyſance to be repaired, and thereof be duely attainted, ſhall incurre the paine of an hundred markes to the King, to be leuied by the eſtreates of the Eſchequer. And like law to be holden of a noyſance made by the enhaunſing of ſuch Weares Milles, Stankes, Stakes, and Kidels, as by new leuying, as in the ſame Statutes more fully doth appeare. And now at the requeſt of the ſaid Commons, ſhewing by their petition, that the common paſſages of Ships and Boates in the great Riuers of England, and alſo Meadowes and Paſtures, and Lands ſowed adioyning to the ſaid Riuers be greatly diſturbed, drowned, waſted, and deſtroyed by outragious enhaunſing and ſtraighting of Weares, Milles, Stankes, Stakes, and Kidles, in old time made and leuied before the time of the ſaid King Edward ſonne of King Henry, whereof great damage and loſſe hath come to the people of the Realme, and daily will come if remedy be not thereof prouided: It is accorded and ſtabliſhed by the aſſent aforeſaid, that the ſaid Statutes be in all their Articles holden, and firmely kept, and duely executed, with all the paines, and after the effect of the ſame ioyned thereto, that Commiſſions bee made in due forme to ſufficient perſons to be iuſtices in euery Countie of England, where neede ſhall be, to ſuruay and keepe the waters and great Riuers there, and to correct and amend the defaults, and to make due execution of the ſaid ſtatutes, after the effect of the ſame, as well by their ſuruey, aduice, and diſcretion, as by enqueſts thereof to be taken as well within Franchiſe as without, ſo often and when neede ſhall be, and to heare and determine the things aforeſaid. And moreouer, to ſuruey the Weares, Milles, Stankes, Stakes, and Kidles, in old times made and leuied before the ſaid time of King Edward, ſonne of King Henry. And them that they finde too much enhanced or ſtraited, to correct, pull downe, and amend in the manner and forme aforeſaid: Sauing alwaies a reaſonable ſubſtance of Weares, Milles, Stankes, Stakes, and Kidles aforeſaid, ſo in old times made and leuied. And if any ſuch noiſances of Weares, Mils, Stankes, ſtakes, and kidles of paſſages and ſtraightings in old time made and leuied, be iudged and awarded by the ſaid Iuſtices to be pulled downe and amended, he that hath the Freehold of the ſame ſhall make thereof execution at his owne coſts within halfe a yeare after notice to him thereof to be made, vpon paine of an hundred markes to be paid to the King by Eſtreates of the Eſchequer: and he that cauſeth them to be repaired or enhanced or ſtraited againſt the ſaid iudgment and

Stat. 25. Ed. 3. 4.

Stat. 45. Ed 3. 2.

The inconueniences enſuing by enhanſing & ſtraightning of Weares, Mils, Stankes, &c.

ke li. 10.f.138.

A confirmation of the Statutes of 25. Ed. 3 4. & 45. Ed. 3. 2 touching the pulling downe or abating of Weares Milles, &c.

Commiſſions ſhall be awarded to certaine Iuſt. to ſuruey the Weares and to redreſſe the offences.

He that hath the Freehold of the Land ſhall performe the Iuſtices award touching the ſame.

and thereof bee duely conuict, ſhall incurre the paine of an hundred Markes to be paid to the king by Eſtreates in the Eſchequer aforeſaid. And in caſe that any feeleth himſelfe grieued by execution or other way in this behalfe againſt right and reaſon, he may purſue and ſhall haue right and remedy. Stat.21.R.2.19. 12.E.4.7.

CAP. XIII.

Cuſtomers, Comptrollers, Searchers, &c. ſhall be remoueable at the Kings pleaſure, and ſhall be reſident vpon their Offices.

Officers which ſhall haue no eſtate but be remoueable at the kings pleaſure. Stat 14.R.2.10. 17.R.2.5. 31.H.6.5.

Cuſtomers and Comptrollers ſhall be reſident vpon their offices. St.4 H.4.20. 1.H.4 13. 13.H.4.5. 1.El.11.

Dyer fo.303

ITem, whereas in the Statute made at Weſtminſter, the ſeuenteenth yeare of the ſaid late King Richard, it was amongſt other things ordained and ſtabliſhed, that no Searcher, Gaugeor of Wines, Aulneger, finder or weyer of Wools, or any other Merchandiſe, Collectors of Cuſtomes, and Subſidies, nor Comptrollers, haue eſtate in his office for terme of life or yeares, but that the ſame office remaine in the Kings hands vnder the gouernance of the Treaſorer for the time being, with the aſſent of the Counſell when need ſhall be. And if any Charters or Letters Patents be made contrarie, they ſhall be voided and of none effect: It is accorded and aſſented, that the ſaid ſtatute be firmely holden and kept, and put in due execution. Ioined to the ſame, that Cuſtomers and Comptrollers in euery Port of England ſhall be reſident vpon their offices in proper perſons without making any Deputie or Lieutenant in their names.

CAP. XIIII.

Where all ſorts of Appeales ſhall be tried and determined.

Where all ſorts of Appeales ſhall be tried and determined

No Appeale ſhall be purſued in Parliament.

ITem, for many great inconueniences and miſchiefes that often haue hapned by many appeales made within the Realm of England before this time: It is ordained & ſtabliſhed from henceforth, that all the appeales to be made of things done within the Realme, ſhall be tried, and determined by the good Lawes of the Realme, made & vſed in the time of the Kings noble progenitors: and that all the appeales to be made of things done out of the Realme, ſhall be tried and determined before the Conſtable and Marſhall of England, for the time being: And moreouer it is accorded and aſſented, that no appeales be from henceforth made, or in any wiſe purſued in Parliament in any time to come.

CAP. XV.

The puniſhment of the Maior &c. of London for defaults committed there.

Stat.28.Ed 3. 10.

The Maior of London ſhall redreſſe errors, defaults, and miſpriſions, notoriouſly vſed in the ſame Citie.

The Conſtable or Lieutenant of the Tower ſhall receiue and execute the Kings writs.

ITem, where as by a Statute made in the time of the King Edward, Grandfather of our Lord the King that now is, the ſeuen and twentieth yeare of his raigne, it was ordained and ſtabliſhed, that becauſe the errors, defaults, and miſpriſions, which were notoriouſly vſed in the Citie of London, for default of good gouernance of the Maior, Sheriffes, and Aldermen, might not be enquired nor found by people of the ſame Citie: That the ſaid Maior, Sheriffes, and Aldermen, which had the gouernance of the Citie ſhould redreſſe and correct the defaults, errors, and miſpriſions aforeſaid, and the ſame duely to puniſh, from time to time vpon a certaine paine, that is to ſay, at the firſt default a thouſand markes to the King, and at the ſecond default two thouſand marke, and at the third default that the franchiſe be taken into the Kings hand, and be it begunne to enquire of them at the Feaſt of Saint Michael next enſuing: ſo that if they make not due redreſſe, as before is ſaid, It ſhall be enquired of their defaults by enqueſts of forraigne Counties, that is to ſay, Kent, Eſſex, Suſſex, Hertford, Buckingham, and Berke, as well at the Kings ſuit as of others that will complaine. And if the Maior, Sheriffes, and Aldermen, be by ſuch enqueſts endicted: they ſhall be cauſed to come by due proceſſe before the Iuſtices, which ſhall be thereto aſſigned out of the Citie, before whom they ſhall haue their anſwer, as well at the ſuit of the King, as of the partie, and if they put themſelues in enqueſts, the ſame enqueſts ſhall be taken of forraigne people, as afore is ſaid, and if they be attainted, the ſaid paine ſo incurred ſhall be leuied of the ſaid Maior, Sheriffes, and Aldermen, for default of their gouernment. And neuertheleſſe the plaintiffes ſhall recouer their treble damages againſt the ſaid Maior, Sheriffes, and Aldermen. And becauſe that the Sheriffes of London be partie to this buſineſſe, the Conſtable of the Tower, or his Lieutenant, ſhall be officer in ſtead of the Sheriffes, to receiue the Writs as well originals of the Chancerie as iudicials, vnder the Seales of the Iuſtices, to doe thereof execution in the ſaid Citie, and proceſſe ſhall be made by attachments, diſtreſſe, and exigend if neede be, ſo that at the Kings ſuit the exigend ſhall be awarded after the firſt Capias returned, and at the third Capias returned, at the ſuit of the partie, and if the Maior, Sheriffes, and Aldermen, haue Lands and Tenements out of the ſaid Citie, proceſſe ſhall be made againſt them by attachment and diſtreſſes in the ſame Counties where the Lands and Tenements be, and that euery of the ſaid Maior, Sheriffes, and Aldermen, which commeth before the ſaid Iuſtices, ſhall anſwer alone for himſelfe, as well at the perill of other, which be abſent as of himſelfe. And that this ordinance be holden firme and ſtable, notwithſtanding any manner Franchiſes, Priuiledges or Cuſtomes. And that this ordinance ſhall extend to other Cities and Boroughes of the Realme, where ſuch defaults or miſpriſions be vſed, and not duely correct nor redreſſed, ſauing that the enqueſts be taken by forraigne people of the ſame County, where ſuch Cities and Boroughes be. And that the penaltie of them of ſuch Cities, Boroughes, and Townes, which ſhall be thereof attainted be iudged by the diſcretion of the Iuſtices, which ſhall be thereto aſſigned: Our Lord the King conſidering the good and lawfull behauiour of the Maior, Sheriffes, and Aldermen, and of all the Comminaltie of the ſame Citie of London towards him, and therefore willing to eaſe and mitigate the penaltie aforeſaid, by the aſſent of the Lords Spirituall and Temporall, and of the Commons aforeſaid, hath ordained and ſtabliſhed, that the penaltie aforeſaid, aſwell of the thouſand Marke, and of the two thouſand Marke, and of the ſeiſure of the Franchiſe, compriſed in the ſaid Statute, ſhall not be limited in a certaintie, but that the penaltie in this caſe be by the aduice and diſcretion of the Iuſtices therto aſſigned, as other Cities and Boroughs be within the Realme, and that the remnant of the ſame Statute, and the proceſſe thereof ſtand in their force.

The penalties inflicted by the Statute of 28.Ed.3.10. vpon the Maior of London ſhall be according to the diſcretion of the Iuſtices.

Cap. XVI.

Merchants of London ſhall be as free to packe their Clothes as other Merchants.

ITem, It is accorded and aſſented that the Merchants of London from henceforth ſhall be as free to packe their Clothes and quit of the ſame packing, as the other Merchants, or other Strangers within the ſame Citie, or within other Cities and Boroughes within the Realme be, and if any Letters Patents be made to the contrarie, they ſhall be vtterly repealed, anulled, and holden of no force nor vertue.

Merchants of London ſhall be as free to packe their Clothes as other Merchants.

Cap. XVII.

Strangers may buy and ſell within the Realme Victualls in groſſe, or by retaile.

ITem, Whereas in the Statute made at Weſtmiſter, in the eleuenth yeare of the ſaid late K. Richard, amongſt other things it is ordained and accorded, that euery Forraine and Alien, being of the Kings amitie and of the Realme, and comming within the Citie of London and other Cities, Boroughes, and Townes within the ſaid Realme as well within Franchiſe as without, with Fiſh and all manner other victualls there dwelling and returning, ſhall be from henceforth vnder the ſafeguard and ſpeciall protection of the King. And that it ſhall be lawfull to them, and euery of them, to cut their Fiſh and Victualls aforeſaid, by pieces, and the ſame to taile and retaile in part or in all, or in groſſe, as to them ſhall beſt ſeeme to ſell, and thereof to make their profit without impeachment or contradiction of any, notwithſtanding any Statutes, Charters, Ordinances, Priuiledges, or Cuſtomes made or had to the contrary. Our Lord the King conſidering the ſame Statute to be very profitable many wayes, if it were put in execution, by the aſſent of his Lords and Commons aforeſaid hath ordained and ſtabliſhed, that the ſaid Statute be formerly holden, kept, and duly executed after the forme and effect thereof, notwithſtanding the Letters Patents late granted to the contrarie to the Fiſhmongers of London, by the ſaid late King Richard, vpon his laſt voyage toward Ireland. Stat. 6.R.2.10.14.H.6.6 3.Iac.6.

A confirmation of the ſtatute 11.R.2.7. authoriſhing Merchants Strangers to buy and ſell within the Realme.

Cap. XVIII.

Proceſſe againſt one of the Countie of Cheſter which committeth an offence in an other Shire.

ITem, vpon the grieuous clamour and complaint made to our Lord the King, in this preſent Parliament, of many Murders, manſlaughters, robberies, batteries, and other riots and offences: which before this time haue beene done by people of the Countie of Cheſter to diuers of the Kings Liege people in diuers parts and Counties of England: The ſame our Lord the King, by the aduice and aſſent of his Lords Spirituall and Temporall, and of his Commons aforeſaid, hath ordained and ſtabliſhed, that if any perſon of the Countie of Cheſter reſiant or dwelling within the ſame County of what eſtate or condition he be: doe commit any murder or felonie in any place out of the ſame County, proceſſe ſhall be made againſt him by the Common Law, till the Exigend in the Counties where ſuch murder or felony was done. And if he flee from thence into the Countie of Cheſter, and be outlawed and put in Exigend for ſuch murder or felony: the ſame Outlawrie or Exigend ſhall be certified to the Officers and Miniſters of the ſame Countie of Cheſter, and the ſame Felon ſhall be taken by the ſame officers or miniſters, and his Lands and Tenements, Goods and Cattels, being within the ſame ſaid Countie of Cheſter, ſhall be ſeiſed as forfeit into the hands of the Prince, or of him that ſhall be Lord of the ſame Countie of Cheſter, for the time, and the King ſhall haue the yeare, and day, and the waſt. And the other Lands and Tenements, Goods and Cattells of ſuch Felon, being

What proceſſe ſhall be awarded where one of the County of Cheſter doth commit felony in another County.

The proceſſe where one of the Countie of Cheſter doth make a battery or other treſpas in another Countie.

being out of the ſaid Countie of Cheſter, ſhall remaine wholly to the King, and to other Lords hauing therof Franchiſe, as forfeit. And if any perſon of the ſame Countie of Cheſter, reſiant or dwelling in the ſame, make a battery, or other treſpaſſe in any place out of the ſaid County of Cheſter, proceſſe ſhall be made againſt him by the common Law till the Exigend in the Counties where ſuch battery or treſpaſſe is done. And if he flee from thence into the ſaid Countie of Cheſter, and be outlawed for ſuch battery or treſpaſſe, the outlawrie ſhall be certified to the Officers and Miniſters of the ſaid County of Cheſter. And the ſame perſon ſhall be taken by the ſame Officers or Miniſters. And his goods and Cattells being within the ſame County of Cheſter, ſhall be ſeiſed into the hands of the Prince, or of him which ſhall be Lord of the ſaid County of Cheſter, for the time. And his other goods and cattells being out of the ſaid Countie of Cheſter, ſhall remaine wholly to the King, and to other Lords aforeſaid, as forfeit in ſuch ſort as afore is ſaid. Stat.9.H.5.2.

Cap. XIX.

During three yeares for no Cloth whereof the dozen exceedeth not thirteene ſhillings and foure pence, any Subſidie ſhall be payed, or ſhall be ſealed. Exp. St.9.H.4.2. 7.Iac.16.

Cap. XX.

The Kings pardon of Treaſon, Felony, Outlawrie, &c. to all them that will purſue their Charters before &c. Except. Exp.

Statutes made at Weſtminſter, Anno 2 Hen.4.& Anno Domini 1400.

AT the Parliament holden at Weſtminſter, in the *vtas* of Saint *Hillary*, the ſecond yeare of the Raigne of King *Henry* the fourth: The ſame our Lord the King by the aſſent of the Prelates, Dukes, Earles, and Barons, and at the ſpeciall inſtance and requeſt of the commons aſſembled at this preſent Parliament, hath cauſed to be ordained and ſtabliſhed certaine ſtatutes and ordinances in forme following.

Cap. I.

A confirmation of Liberties. Each perſon may purſue the law, or defend it.

The rights of the Church, and of all other perſons, Cities and Boroughs confirmed, and all lawes in force ratified.

Euerie perſon ſhall be in peace and Iuſtice ſhall be done.

FIrſt, that holy Church haue her rights and liberties: and that all the Lords ſpirituall and temporall, and all the cities, boroughes, and townes enfraunchiſed, haue and enioy all their liberties and fraunchiſes, which they haue lawfully vſed, and which they haue of the grant of his noble progenitors and predeceſſors Kings of England. And that the great Charter and the Charter of the foreſt, and all other good ordinances and ſtatutes made in his time, and in the time of his noble progenitors not repealed, be firmely holden and kept in all points: and that all his liege people and ſubiects may freely and peaceably in his ſure and quiet protection, goe and come to his courts to purſue the lawes, or defend the ſame, without diſturbance or impediment of any. And that full iuſtice and right bee done as well to the poore as to the rich in his courts aforeſaid.

Cap. II.

An expoſition of part of the Statute of 1.H.4.6. touching the mentioning of other gifts, which a petitioner hath receiued of the King or his predeceſſors: Exp.

Cap. III.

If any doe accept a Prouiſion granted by the Pope to a religious perſon to be exempt from obedience, he ſhall be within the danger of the Statute of Prouiſors. Ob. St.13.R.2.3. 13.El.2.

Cap. IIII.

The penalties for purchaſing of Bulles to be diſcharged of tithes.

ITem, for as much as our Lord the King, vpon grieuous complaint to him made in this Parliament, hath perceiued that the religious men of the order of Ciſteaux in the Realme of England, haue purchaſed certaine bulles, to be quit and diſcharged to pay the tithes of their lands, tenements and poſſeſſions, let to ferme or manured or occupied by other perſons, then by themſelues

ſelues in great preiudice and derogation of the libertie of holy Church, and of many liege people of the Realme: Our Lord the King willing thereunto to ordaine remedy, by the aduice & aſſent of the Lords ſpirituall and temporall, and at the inſtance and requeſt of the ſaid commons, hath ordained, and ſtabliſhed, that the religious perſons of the order of Cyſteaux ſhall ſtand in the eſtate that they were before the time of ſuch bulles purchaſed. And that as well they of the ſaid order, as all other religious and ſeculars, of what eſtate or condition they be, which doe put the ſaid bulles in execution, or from henceforth doe purchaſe other ſuch bulles of new, or by colour of the ſame bulles purchaſed or to be purchaſed, doe take aduantage, in any manner: That proceſſe ſhall be made againſt them, and euery of them by garniſhment of two moneths by writ of Præmunire facias. And if they make default, or be attainted, then they ſhall incurre the paines and forfeitures, contained in the ſtatute of Prouiſors, made the thirteenth yeare of the ſaid King Richard. Star,13.Ri.2.

Religious perſons purchaſing Buls to be diſcharged of tithes, ſhall incurre the danger of Præmunire.

er ſo.177.

St.13.R.2.3.

CA. V.

He that carrieth Gold or ſiluer out of the Realme, ſhall confeſſe ſo much.

ITem, Whereas in the ſtatute made at Weſtminſter, in the fift yeere of the ſaid King Richard, amongſt other things it is contained how it was aſſented, accorded and enioyned, by the ſaid late King, to all manner people, merchants, clerkes, and other, as well ſtrangers and denizens of whatſoeuer eſtate or condition they ſhould bee, vpon paine of as much as they might forfeit, that none of them, vpon the ſaid paine, priuily nor openly ſhould ſend or carrie nor cauſe to be ſent nor carried out of the ſaid Realme of England any gold or ſiluer in mony, bollion, plate, veſſell, nor by exchange to be made, except the wages of Caleys, and other the Kings fortreſſes beyond the Sea, ſauing certaine prelates, Lords, and other compriſed in the ſame Statute, without ſpeciall leaue, and licence thereupon firſt had, as by the ſame Statute may more fully appeare. Our Lord the King for to preuent the ſubtiltie of them that will doe fraud or deceit to him in this behalfe, hath ordained and ſtabliſhed, that if from henceforth any Searcher of the King may finde gold or ſiluer in coine, or in maſſe in the keeping of any that is paſſing, or vpō his paſſage in any Ship or veſſell, to goe out of any Port, Hauen or Creeke of the Realm, without the Kings ſpeciall licence, all that gold or ſiluer ſhall be forfeite to the King, ſauing his reaſonable expences, which he ſhall be bound to confeſſe and diſcouer preſently, after that he is warded and charged ſo to doe by the ſame ſearcher, or elſe all the ſaid money ſo concealed, ſhall be forfeit to the King. Prouided alwaies, that the Merchants ſtrangers, that doe ſell their Merchandiſe within the Realme of England, and the one halfe of the money of England receiued for the ſame merchandiſes, do imploy vpon other merchandiſes of the Realme, may freely carry out from the ſame the other halfe of the ſaid money by the Kings licence according to the Statute thereof made. 19.H.7.5.

St.5.R.2.2.

He that carieth any gold or ſiluer out of the realme, ſhall confeſſe the ſame to the ſearcher.

Merchants ſtrangers may carie halfe their money forth of the Realme.

St.4.H.4.15.
27.H.6.3.
17.Ed.4.1.

CAP. VI.

The mony of Scotland & of other Countreys beyond the Sea ſhall be voided out of England or put to coyne before Chriſtmas. Exp. Rep.21.Iac.28. Stat.11.H.4.5.13.H.4 6.Stat.3. H.5, 2.H.6.6.

CAP. VII.

In what caſe the plantiſe ſhall not be nonſuit if the verdict paſſe againſt him.

ITem, whereas vpon verdict found before any Iuſtice in Aſſiſe of Nouel diſſeiſin, Mortdanceſtor, or any other action whatſoeuer, the parties before this time haue beene adiourned vpon difficulty in law vpon the matter ſo found: It is ordained and eſtabliſhed, that if the verdict paſſe againſt the plaintiffe, that the ſame plaintiffe ſhall not be nonſuited.

nonſuit 6.
.nonſuit.6.
3.15.34.
Inſt.part.
b.

In what caſe if the verdict paſſe againſt the plaintiffe, he ſhall not be nonſuit.

CAP. VIII.

The fee of Chirographer of the Common Pleas for a fine leuied.

ITem, vpon the grieuous complaint made to our Lord the King by the Commons in this preſent Parliament, how that the Office of the Chirographer in the common Bench of the King is let to ferme, to which office appertaineth for making and writing of euery fine leuied in the ſaid Bench foure ſhillings and no more, and notwithſtanding the ſame fee, the fermors of the ſame office will deliuer no fine to any without giuing to them other foure ſhillings or more by extortion, to the great damage and impoueriſhment of all the Kings liege people: Our Lord the King willing in this behalfe to prouide remedy, by the aduice and aſſent of the Lords Spirituall and Temporall, and at the ſupplication of the ſaid Commons, hath ordained and eſtabliſhed, that the Chirographer, nor his Fermer, Deputie, or Lieutenant for the time being, ſhall from henceforth take any more then foure ſhillings for any fine leuied in the Court. And if the ſaid Fermors, Lieutenant, or Deputie, take any more then foure ſhillings for a fine as be-

The fee of the Chirographer of the Common place vpon a fine leuied & the penalty if he take more fore is ſaid, he ſhall loſe his office, and be expelled the Court, and haue one yeares impriſonment, and pay to the partie grieued his treble damages. And the partie grieued ſhall haue his ſuite before the Iuſtices of the ſaid Bench.

CAP. IX.

Such as were Commiſſioners in the time of King R.2. and ſpoiled thereof, or that deliuered the ſame ſhall be diſcharged by their oathes. EXP.

CAP. X.

The fee of the Clerke of the Crowne of the Kings Bench for indictments.

The Clerke of the crowne of the K. Bench ſhall take no more for indictments then hath bin vſed.

ITem, becauſe that complaint is made to our ſaid Lord the King by the ſaid Commons, how the Clerke of the crowne of the Kings Bench, whereas fourſcore or an hundred men be indicted of one felony, or of one treſpaſſe, and all they plead to an iſſue as not guilty, the ſaid Clerke ought not to take for the Venire facias, nor for the entring of the plea more then ij.s. the ſaid Clerk doth take for euery ſuch name by extortion ij.s. in great oppreſſion of the people. Our ſaid Lord the King willing to preſerue his ſaid people from ſuch extortions and iniuries, by the aſſent of the ſaid Lords ſpirituall and temporall, and at the ſuit of the ſaid commons, hath ordained and eſtabliſhed, that the ſaid Clerk of the crown ſhall take no more then hath bin duely vſed of old times. And moreouer our ſaid Lord the King hath charged the Iuſtices of the Kings Bench, that no extortion be done in this behalfe in the Bench aforeſaid.

CAP. XI.

A remedy for him who is wrongfully purſued in the Court of Admiraltie.

The St. of 13. R.2.5. confirmed touching the Admirals iuriſdiction.

A remedy for him who is wrongfully purſued in the Court of the Admiraltie.

ITem, whereas in the ſtatute made at Weſtminſter, the thirteenth yeare of the ſaid K. Richard, amongſt other things it is contained, That the Admirals and their Deputies ſhall not entermeddle from thenceforth, of any thing done within the Realme, but onely of a thing done vpon the Sea, according as it hath beene duely vſed in the time of the noble King Edward grandfather to the ſaid King Richard. Our ſaid Lord the King will and granteth that the ſaid Statute bee firmely holden and kept and put in due execution. And moreouer the ſame our Lord the King, by the aduice and aſſent of the Lords ſpirituall and temporall and at the prayer of the ſaid Commons, hath ordained and ſtabliſhed, that as touching a paine to be ſet vpon the Admirall or his lieutenant, that the Statute and the common Law be holden againſt them, and that he that feeleth himſelfe grieued againſt the forme of the ſaid Statute, ſhall haue his action by Writ grounded vpon the caſe againſt him that doth ſo purſue in the Admiralls Court, and recouer his double damages againſt the purſuant, and the ſame purſuant ſhall incurre the paine of ten pound to the King for the purſuite ſo made, if he be attainted. Raſt.pla.fo.23.

Dyer fo.1

Coke li.

14.H.6.fo

19.H.6.fo

CAP. XII.

Whole Welſhmen borne reſtrained to purchaſe land in certaine places, to be Citizens or Burgeſſes in Cities or Boroughes, to be officers in any cities, townes or places, they ſhall finde ſuretie of their good behauiour, and ſhall beare no armour. ALT.27.H.8.26. REP. 21.Iac.28.

CAP. XIII.

The effect of the pardon granted by the St. of 21.*R*.2.15. rehearſed and confirmed, notwithſtanding the reſidue of the ſaid Parliament is repealed. EXP.

CAP. XIIII.

Puruaiance for the Kings houſe of xl.s. or vnder, ſhall be preſently paid for.

Puruaiance for any thing of the value of xl.s. or vnder for the Kings houſe, ſhall be preſently paid for.

ITem, it is ordained and ſtabliſhed, that the Statutes of Puruaiors, made before this time, be holden, kept and put in due execution, ioyned to the ſame, that from, henceforth no Purueior, nor buyer make any puruaiance or buying for the Kings houſe of any thing to the value of xl.s. or vnder, vnleſſe he make ready paiment in hand, vpon paine to loſe his office, and to pay as much to the partie grieued. St.20.*H*.6.8.

CAP. XV.

The Catholike faith, and the holy Church amongſt all the kingdomes in the world hath been moſt deuoutly obſerued in England, & endowed, which hath not bin troubled with hereſie, And therfore none ſhal preach without the licence of the Dioceſan of the ſame place: None ſhal preach or write any booke contrary to the Catholike faith, or the determinatiō of the holy church: None ſhall make any conuenticles of ſuch ſects and wicked doctrines, nor ſhall fauour ſuch preacher. Euery Ordinary may conuent before him, and impriſon any perſon ſuſpected of hereſie: An obſtinate heretike ſhall be burned before the people. REP.25.*H*.8.14.1.Ed.6.12.1.El.1.10.*H*.7.fo.17. Fitz.N.B.fo.269. D.Raſt.pl.fo.319.Bro.hereſie.1.

CAP. XVI.

If Welſhmen doe not reſtore to Engliſhmen the iniuries done by them within ſeuen daies, Engliſhmen may returne the like meaſure to them Alt.20.H.6.3. & 27.H.8.26. Rep.21.Iac.28.

CAP. XVII.

If a Welſhman commit a felony in England, and thereof is attainted, and after flieth into Wales vpon certificat of the K. Iuſtices, he ſhall be executed. Alt.27.H.8.26. Rep.21.Iac.28.

CAP. XVIII.

Lords Marchers in Wales, ſhall keepe ſufficient guards in their caſtles. Alt.27.H.8.26. Rep.21.Iac.28.

CAP. XIX.

No Engliſhman ſhall be condemned at the ſuit of a Welſhman in Wales, but only by Engliſh Iuſtices or Engliſh Burgeſſes. Exp.

CAP. XX.

No Welſhman ſhall purchaſe land in England, nor in the Engliſh townes in Wales. Alt.27.H.8.26.Rep.21.Iac.28.

CAP. XXI.

No Lord ſhall giue any Liuerie of ſigne to any Knight, Eſquire, or Yeoman.

No Lord ſhall giue any liuery of ſigne to any Knight, Eſquire or Yeoman.

ITem, whereas in the laſt Parliament, it was ordained and ſtabliſhed, that no Lord of what eſtate or condition he were, ſhould vſe nor giue any liuerie or ſigne of company to any Knight, Eſquire, nor Yeoman within the Realme aforeſaid, ſauing alwaies that our ſaid Lord the King ſhould giue only his honourable Liuerie to the Lords Temporall, whom pleaſed him. And ſauing alſo that the ſame our Lord the King ſhould giue onely his honourable Liuerie to his menials Knights and Eſquires, and alſo to his Knights and Eſquires which be of his retinue, and take of him their annuall fee for terme of life: and moreouer it was accorded and aſſented by the King, the Lords and the Commons aforeſaid: that the ſaid Knights and Eſquires ſhould in no wiſe vſe their ſaid Liueries in their countrey or counties where they ſhould be reſiant and dwelling, nor elſewhere within the Realme out of the Kings preſence: and if any Lord did the contrary, and that duely proued, he ſhould make fine and ranſome at the Kings will: and if any Knight or Eſquire did the contrary, and thereof were duely attainted: he ſhould loſe his ſaid Liuerie, and forfeit his fee for euer, And that no Yeoman ſhould take or vſe any Liuerie of the King or of any other Lord, vpon paine of impriſonment, and to make fine and ranſome at the Kings will: prouided alwaies, that the Conſtable and Marſhall of England for the time being, in their retinue of Knights and Eſquires may weare the ſaid Liuery of the King vpon the borders and marches of the Realme in time of warre.

The ſeuerall forfeitures of ſeuerall offendors.

Prouided alſo, that all thoſe that ſhall trauaile or paſſe the Sea to the parties beyond the Sea, to acquire honour, may weare the ſame Liuery in thoſe parts without being thereof in any wiſe grieued or appeached, as in the Statute thereof made more fully is contained: Our ſaid Lord the King conſidering the ſame Statute to be very expedient and neceſſary, hath ordained and ſtabliſhed, that the ſame Statute ſhall be firmely holden and kept: ioyned thereto, that the Iuſtices of the one Bench and of the other, and the Iuſtices of Aſſiſes and of the Peace, haue power and authoritie to enquire, heare, and determine in this caſe by Record in their preſence, or by enquiry to be made from time to time, & that the Dukes, Earles, Barons, and Banerets of the realme may vſe the ſaid Liuery in their Countrey and elſewhere. And alſo that the ſaid Knights and Eſquires may vſe the ſaid Liuerie in going from the Kings houſe and returning to the ſame. Prouided alwaies that the ſame Knights and Eſquires vſe not the ſame Liuerie in their Counties or Country where they be reſiant or dwelling, vpon the paine contained in the ſaid Statute. Moreouer it is accorded, that the Prince may giue his honourable Liueries or ſigne to the ſaid Lords and to his meniall Gentlemen. And that the ſaid Lords may vſe the ſame as they vſe the Kings Liuery, and that the menials of the prince may alſo vſe the ſame as the Kings menials, and in the maner and vpon the paines aforeſaid. Se.8.Ed.4.2.

A confirmation of the St. of 1. H.4.7. ordained againſt vnlawfull giuing or wearing of Liueries.

The prince may giue his honourable Liueries.

CAP. XXII.

Suits may be proſecuted againſt certaine perſons meant to be protracted by the Statute of 11. R.2.1. and 2. Exp.

CAP. XXIII.

The fees of the Marſhall of the Marſhalſey of the Kings houſe.

ITem, whereas the Marſhall of the Marſhalſey of the Court of our Lord the Kings houſe, in the time of King Edward, grandfather of our Lord the King that now is, and before, was wont to take the Fees, which doe hereafter follow, that is to ſay, of euery perſon that commeth by Capias to the ſaid Court, foure pence: & if he be let to mainpriſe till his day two pence more:

The fees of the Marſhall of the Marſhalſey of the K. houſe, & the penaltie if he take more.

and of euery perſon which is impleaded of treſpaſſe, and findeth two mainpernors to kéepe his day till the end of the plea, to take for that cauſe two pence of the defendant: and of euery perſon committed to priſon by iudgement of the Steward, in whatſoeuer maner the ſame be, foure pence of euery perſon deliuered of felony, and of euery fellon let to mainpriſe by the Court foure pence: which Fées were woſt to be taken and paid in full Court, as the king hath well perceiued by the complaint of the ſaid Commons thereof made in the ſaid Parliament: The ſame our Lord the King, to auoid all ſuch wrongs and oppreſſions to be done to his people, againſt the good cuſtomes and vſages made and vſed in the time of his progenitors, by the aduice and aſſent of the Lords Spirituall and Temporall, and at the ſupplication of the ſaid Commons hath ordained and eſtabliſhed, that if the ſaid Marſhall or his Officers vnder him, take other Fées then aboue are declared, that the ſame Marſhall and euery of his ſaid Officers, ſhall loſe their Offices, and pay treble damages to the partie grieued, and that the partie grieued haue his ſuit before the Steward of the ſaid Court for the time being.

The fees of a Seruitor of Bils, and the penaltie if he take more.

And it is ordained and eſtabliſhed, that no Seruitor of Billes that beareth a ſtaffe of the ſame Court, ſhall take for euery mile from the ſame Court to the ſame place where he ſhall doe his ſeruice any more, then j.d. and ſo for xii. miles xij.d. and for to ſerue a Venire facias, xij. homines, &c. or a Diſtringas out of the ſame Court, the double. And if any of the ſaid Seruitors of Billes doe the contrary, he ſhall be puniſhed by impriſonment, and make a fine to the King after the diſcretion of the Steward of the ſame Court, and alſo be forciudged the Court, and the ſame Steward ſhal haue power to make proclamation at his comming to the ſaid Court in euery Countrey from time to time of all the articles aforeſaid, and thereof to execute puniſhment as afore is ſaid. St.9.R.2.5.

Cap. XXIIII.

Proceſſe againſt thoſe that were with the Duke of Yorke, 23.R.2. for their wages then receiued, ſhall be diſcharged. Exp.

Statutes made at Weſtminſter, Anno 4.Hen.4.

& Anno Domini 1402.

TO the honour of God and holy Church, and for the Common wealth and profit of all the Realme of England, our Lord the King, by the aſſent of the Lords Spirituall and Temporall, and at the eſpeciall inſtance and requeſt of the Commons, aſſembled at the Parliament holden at Weſtminſter the morrow after the Feaſt of Saint *Michael*, the fourth yeare of his raigne, hath ordained and eſtabliſhed certaine ſtatutes and ordinances by the maner as followeth.

Cap. I.

A Confirmation of the liberties of the Church, and of all Corporations and perſons.

A confirmation of the liberties of the Church and of all Corporations and perſons. and of all Statutes not repealed.

FIrſt, that holy Church haue all her Liberties and Franchiſes. And that the Lords Spirituall and Temporall, and all the Cities, Boroughes and Townes franchiſed, haue and enioy all their Liberties and Franchiſes, which they haue had of the grant of the Progenitors of our ſaid Lord the King, Kings of England, and of the confirmation of the ſame our Lord the King. And that the great Charter and the Charter of the Foreſt, and all the good ordinances and ſtatutes, made in the time of our ſaid Lord the King, and in the time of his Progenitors not repealed, be firmely holden and kept.

Cap. II.

The word Inſidiatores viarum, *&c. ſhall not be put in any Indictments &c.*

A confirmation of the St. made 25.Ed.3 de Clero

ITem, our ſaid Lord the King, hauing in remembrance the faithfull hearts, and the inward affection that the Clergie of England hath borne to him, and alſo the great charges which the ſame Clergie hath had and ſuſtained for his honour and profit, after the time of his Coronation, and therefore willing to be gratious Lord to them in their affaires, by the aſſent of the ſaid Lords, and at the eſpeciall ſuit and requeſt of the ſaid Commons, will and granteth, that the Statutes made the fiue and twentieth yeare of King Edward, graundfather to our Lord the King that now is, touching the Clergie of England, be entirely holden and kept, and put in due execution.

The words Inſidiatores viarũ & depopulatores agrorum ſhal not be put in Inditements or Appeales.

And moreouer, the ſame our Lord the King, conſidering that the words and termes (that is to ſay) Inſidiatores viarum, & depopulatores agrorum, compriſed in the petition deliuered to him in this Parliament by the Clergie of England, haue not béen commonly vſed in indictments, arraignements, appeales, nor in other impeachments, in the time of his ſaid grandfather, nor in the time of his other progenitors, and willing therefore to auoid ſuch nouelties, for the great quietneſſe and ſuretie of his people, by the aſſent of the Lords and Commons of the ſame Parliament will and granteth, and hath ordained and eſtabliſhed, that the ſaid words and termes, ſhal not be from henceforth vſed, nor put in indictments, arraignments, appeales, or any other impeachments. Nor that by force of any ſuch word or terme, any Clerke religious, or ſecular, nor any other of the Kings liege people, ſhalbe from henceforth arraigned, appealed; impeached, or grieued before any ſecular Judge: but our Lord the King doth will, that the Juſtices may take and receiue before them indictments, arraignments and appeales of felonies, containing in them the effect of the ſaid words and termes, if any perſon of ſuch felonies ſhall be hereafter indicted, arraigned, or appealed: and if percaſe it chance in time to come any Clerks religious or ſecular, ſhall be indicted, arraigned, or appealed, and their indictments; arraignments, or appeales, doe comprehend the effect of the ſaid words, Inſidiatores viarum, and depopulatores agrorum, or other words purporting like effect: yet neuertheleſſe ſuch Clerkes ſhall haue and inioy the priuiledge of holy Church, and ſhall be deliuered to the Ordinaries them demanding, or their Deputies, without any impeachment, or any delay.

ke li.11.fo.29.

Clerks ſhall be allowed their Clergie notwithſtanding an Inditement hath the words aforeſaid.

Cap. III.

A confirmation of the Liberties of the Church and Clergie. A Clerke conuict for Treaſon, or being a common Thiefe, ſhall not make his purgation.

Item, by the ſame aſſent our Lord the King doth will and graunt, and hath ordained and ſtabliſhed, that all the Statutes, Ordinances, and grants, made or granted by his noble progenitors or predeceſſors Kings of England, to the Clergie of England, for the conſeruation of their Liberties and priuiledges, and for the conſeruation of the Liberties and Immunities of holy Church, not reuoked, be firmely holden, obſerued and kept, and put in due execution according to their forme and effect. And thereupon the Archbiſhop of Canterbury for himſelfe, and for all other Biſhops of his Prouince, hath promiſed to our ſaid Lord the King, that if from henceforth any Clerke Secular or Religious, that is conuict of Treaſon that toucheth not the King himſelfe, nor his royall Maieſtie, or that he be a common thiefe, and for ſuch notoriouſly holden and reputed, and for the ſame cauſe as Clerke conuict ſhall be from henceforth deliuered to any Ordinary: that the ſame Ordinary ſhall kéepe him ſafely and ſurely, and according to the effect of a Conſtitution prouinciall to be made by the Archbiſhops and other Biſhops, according to the content, forme, and effect of the Letters of Simon late Archbiſhop of Canterbury, bearing date the twelfth Kalends of March, the yeare of grace, one thouſand thrée hundred fiftie one, ordaining and inſerting in the ſame Conſtitution certain paines by them to be limited by their diſcretion. And that no ſuch Clerke conuict of ſuch Treaſon, or that he be a common thiefe, as afore is ſaid, after he be deliuered, ſhall make any purgation contrary to the purport of the ſaid Conſtitution: which Conſtitution ſhall be ſhewed to our ſaid Lord the King before this next Parliament, to the intent that if it ſéemeth to his high diſcretion, that the ſaid Conſtitution ſhall not be a conuenient remedy in this caſe, that then it may be treated and prouided of other remedie in ſuch ſort as appertaineth. St.23.H.8.1.

The liberties of the Church and Clergie confirmed.

A Clerke conuict for treaſon or being a common thiefe, ſhall not make his purgation.

Cap. IIII.

The King will grant no lands, or other commodities but to ſuch as ſhall deſerue them. And if any make demand without deſert, he ſhall be puniſhed by the King and his Councell, and not obtaine his ſuit. Exp.

Cap. V.

Euerie Sheriffe ſhall in perſon continue in his Bailiwicke, and ſhall not let it.

Item, it is ordained and aſſented, that euery Sheriffe of England ſhall *abide in proper perſon within his Bailiwicke, for the time that he ſhall be ſuch Officer: and that he ſhall not let the ſaid Bailiwicke to ferme to any man, for the time that he occupieth ſuch office, and that the ſaid Sheriffe be ſworne, from time to time, to doe the ſame in eſpeciall, amongſt other Articles compriſed in the oath of the Sheriffe. St.23.H.6.10.

* The french is, ſerra demurrant.

Euery Sheriffe ſhall in perſon continue in his Bailiwike, ſhall not let it to farme.

Cap. VI.

There ſhall be a ſeale of lead prouided to ſeale Clothes wrought in London and the Suburbs. Rep.5.Ed.6.6.

Cap. VII.

The diſſeiſee ſhall haue an aſſiſe againſt the diſſeiſor taking the profits.

Item, wheras in the ſtatute made the firſt year of K. Richard, it was ordained, that where ſeuerall perſons did diſſeiſe other of their fréehold, and made feoffements to diuers people as well to haue maintenãce, as alſo to make the diſſeiſies to be ignorãt, againſt whom they ought to take their writ: That the diſſeiſies in ſuch caſe, might take their writ againſt them, which therof ſhal take the profit,ſo that the diſſeiſees commence their ſuit within the yeare next after the diſſeiſin: and that the ſame ordinãce ſhould hold place in euery other action or plea,where ſuch feoffements be made by fraud or colluſion,to haue their recouery againſt ſuch feoffors,if they thereof take the profits: our ſaid Lord the K.thinking the ſaid ſtatute to be very miſchieuous and preiudiciall to his people,becauſe of the ſhortnes of the time,by the aſſent of the ſaid Lords,and at the requeſt of the commons aforeſaid,hath ordained and ſtabliſhed,that ſuch diſſeiſees ſhall haue their action againſt the firſt diſſeiſor,during the life of the ſame diſſeiſor, ſo that ſuch diſſeiſor thereof take the profits at the time of the ſuit commenced. And as to other writs in plea of land, the demandant ſhall commence his ſuit within the year againſt him, which is tenant of the freehold,at the time of the action accrued to him,ſo that ſuch tenant thereof take the profits,at the time of ſuch ſuit cõmenced,notwithſtanding the ſaid Statute. St.11.*H*.6.3. St.1.H.7.1.4.H.7.24. *R*aſt.pl.fol.80.110.158.341,&c.

The diſſeiſee ſhall haue an aſſiſe againſt the diſſeiſor, taking the profits during the diſſeiſors life.

9.H.6.fo.14.
12.H.4.fo.11.
Coke li.

Cap. VIII.

In what caſes a ſpeciall Aſſiſe is maintainable againſt a diſſeiſor with force.

ITem, becauſe daily the great perſons of the realme doe make forcible entries into other mens lands,and put out the poſſeſſors of the ſame,claiming ſometime in their owne right, where their entry is not lawfull,and ſometime in anothers right,where they haue nothing in reuerſion, in right,nor in demeane,nor there is any affinitie or couſinage betwixt them,and thoſe in whoſe right they haue entred,and alſo take their goods and cattels in maner of robbery, ſo that oftentimes they be in ſuch manner put out, and of their goods and cattels ſpoiled,that they haue nothing to purſue for their right,and ſo by ſuch forcible entries and maintenance the landtenants and poſſeſſors be vtterly diſherited and vndone: Our Lord the King, willing to doe equall right to all his liege people,as well the ſmall as the great,and that his lawes be duely executed, at the grieuous complaint of the ſaid Commons, and by the aduice and aſſent of all the Lords aforeſaid, for to puniſh and chaſtiſe ſuch Riots, and forcible Entries ſo made, and hereafter to bee made againſt the Lawes of the Land,hath ordained and eſtabliſhed, that if any man great or ſmall,of what eſtate or condition that he be, make any ſuch forcible entry in his owne right or to his owne vſe, or in anothers right, to anothers vſe by way of maintenance, or take or carry away any goods after ſuch forcible entry from the poſſeſſor of the freehold, that if the party grieued, or other lawfull man will make affiance in his name, that the entry was made in ſuch forcible maner: That the Chancellor of England for the time being, ſhall haue power by his diſcretion to grant a ſpeciall aſſiſe in this caſe to the party grieued, of whatſoeuer value the tenements be, without ſuing to the King. And if ſuch diſſeiſor be attainted of ſuch diſſeiſin made in ſuch forcible maner,he ſhall haue one yeares impriſonment, and yeeld to the party grieued his double dammages: And if he be conuict by the ſame aſſiſe,that he hath taken or caryed away any goods,or cattels of ſuch diſſeiſees,the Iuſtices of aſſiſe ſhall haue power to heare and determine as well for our Lord the King, as for the party, of the goods and cattels ſo caryed away,and to award to the party grieued his damages: And that in euery ſuch eſpeciall aſſiſe be named one of the Iuſtices of the one Bench or of the other, or the chiefe Baron of the Eſchequer,if he be a mã of the Law. And that hereafter no writ of *Superſedeas* be granted to the contrary of ſuch eſpecial aſſiſes. St.5.R.2.7. 15.R.2.2. 8.H.6.9. 31.El.11. 21.Iac.15. *R*aſt.pla.fol.71.406.

In what caſes a ſpeciall Aſſiſe is maintainable againſt a diſſeiſor with force.

The penaltie for carrying away the diſſeiſes goods,or cattels.

33.H.6.
9.Aſſ.pl.
29.Aſſ.pla.
30.Aſſ.pl.
11.H.4.

Cap. IX.

A remedie to diſcharge Commiſſioners deſtrained to returne Commiſſions.

ITem, becauſe that many Commiſſions be made in the Chancery,directed to diuers perſons of the Realme,ſometime to enquire and certifie, ſometime to enquire, heare and determine, and ſometime to ſeiſe lands and tenements,goods and cattels,which Commiſſions neuer came to the hands of the ſaid Commiſſioners,whereupon writs iſſued out of the Exchequer of our Lord the king,to diſtrain ſuch Commiſſioners,their Executors, heires & landtenants, ſometime to yeeld the eſtreats of the fines,iſſues and amerciaments,which pertaine to our Lord the King, becauſe of the ſaid Commiſſions,ſometime to certifie that which is found before them by enqueſt, and ſometime to account of certaine things contained in the ſaid Commiſſions, to the great damage and diſquietneſſe of many of the Kings liege people: The ſame our Lord the King,for the eaſe & quietneſſe of his people willing in this caſe to prouide remedy, by the aſſent aforeſaid, doth will and hath ordained and ſtabliſhed,that the Chancellor of England,for the time being,ſhal vſe his power as he hath done before this time. In this caſe, and in other caſes, the ſame Chancellor ſhall haue power by authority of Parliament,(calling to him ſuch Iuſtices,as ſhall pleaſe him, or the chiefe Baron of the Exchequer if need be) to prouide remedy from time to time, by their diſcretion. St.7.H.4.11.

A remedy to diſcharge Commiſſioners diſtrained to returne Commiſſions which neuer came to their hands.

CAP. X.

The third part of the ſiluer brought to the Bullion, ſhall be coyned in halfepence and farthings.

ITem, for the great ſcarcitie that is at this preſent within the Realme of England, of halfpence and farthings of ſiluer: it is ordained and ſtabliſhed, that the third part of all the money of ſiluer: which ſhall be brought to the bullion, ſhall be made in halfepence and farthings, and that of this third part, the one halfe be made in halfpence, and the other halfe in farthings, and the ſame to doe and performe the coyner ſhall be ſworne in eſpeciall. And that no goldſmith nor other perſon, whatſoeuer he be, cauſe to be molten any ſuch halfpence or farthings vpon paine to pay to the King, the quatreble of that which ſo ſhall be molten, againſt the forme of this Statute.

The third part of the ſiluer which ſhall be brought to the Bullion, ſhall be coyned in halfepence and farthings.

None ſhall melt halfepence or farthings.

CAP. XI.

Commiſſions ſhall be awarded to Iuſtices, &c. to enquire of weares, kydels, &c.

ITem, becauſe that by weares, ſtakes, and kydels, being in the water of Thamis, and of other great riuers through the Realme, the common paſſage of ſhips and boats is diſturbed, & much people periſhed, and alſo the yong fry of fiſh deſtroyed, and againſt reaſon waſted and giuen to ſwine to eate, contrary to the pleaſure of God, and to the great dammage of the King & his people: The ſame our Lord the King intending to prouide a due remedy for the ſame miſchieues by the aduiſe & aſſent of the Lords aforeſaid, and at the requeſt of the ſaid Commons, doth will and grant, that the Statutes thereof made, be holden and kept, and put in due execution: ioyned to the ſame, that Commiſſions be awarded to certaine Iuſtices, and other in euery county of the Realme where néed ſhall be, to enquire of all that which is contained in the ſaid Statutes, and to puniſh the offendors of the ſame Statutes by fine according to their diſcretion: ſaued alwaies and reſerued to the King our Lord the penalties compriſed in eſpeciall in the ſaid Statutes, and that the eſtreats of ſuch fines be deliuered by the ſaid Iuſtices, to the Sheriffe of euery Countie by indenture, and that the ſaid Sheriffe pay of the iſſues and profits riſing of the ſaid eſtreats, to euery of the ſaid Iuſtices, for euery day that he ſhall trauell to execute the ſaid Commiſſion foure ſhillings, and that the ſaid Sheriffes haue thereof due allowance from time to time in the Exchequer.

St. 25. Ed. 3. 4. 45 Ed. 3. 2. Commiſſions ſhall be awarded to Iuſtices and others to enquire of weares &c. and to puniſh offendors. St. 1. H. 4. 12.

Euery Iuſtice ſhall haue iiii. s. a day for euery day that he doth trauaile.

CAP. XII.

In appropriations of Benefices there ſhall be prouiſion made for the poore and the Vicar.

ITem, it is ordained that the Statute of appropriation of Churches, and of the endowment of Vicars in the ſame, made the xv. yeare of King Richard the ſecond, be firmly holden and kept, and put in due execution: and if any Church be appropriated, by licence of the ſaid King Richard or of our Lord the King that now is, ſithence the ſaid xv. yeare againſt the forme of the ſaid Statute, the ſame ſhall be duely reformed according to the effect of the ſame Statute betwixt this and the Feaſt of Eaſter next comming. And if ſuch reformation be not made within the time aforeſaid, that the appropriation and licence thereof made, be void and vtterly repealed and adnulled for euer, except the Church of Hadenham, in the dioces of Ely, which for to eſchew diuers dammages, diſcords and debates, that haue béene before this time betwixt the Biſhop of Ely, and the Archdeacon of Ely, vpon the exerciſe of their iuriſdiction (as it was openly declared by the ſame Biſhop, in preſence of the King, and of the Lords in Parliament) was of late appropried by the licence of the King our Lord, to the Archdeacon and his ſucceſſors, to doe Diuine Seruice, kéepe hoſpitality, and to ſupport other charges as pertaineth. Moreouer it is ordained and ſtabliſhed, that all the Vicarages, vnited, annexed or appropried, & the licences thereof had, after the firſt yeare of the ſaid King Richard how well ſoeuer that they, which haue vnited, annexed, or appropried ſuch Vicarages, be in poſſeſſion of the ſame Vicarages, or by vertue of ſuch licences may in any wiſe be in poſſeſſion of the ſame in any time to come, they ſhall be alſo vtterly void, reuoked, repealed, adnulled and diſappropried for euer: And that from henceforth in euery Church ſo appropried, or to be appropried a ſecular Perſon be ordained Vicar perpetuall, canonically inſtitute and induct in the ſame, and couenable endowed by the diſcretion of the Ordinary to doe Diuine Seruice, and to enforme the people, and to kéepe hoſpitality there, (except the Church of Hadenham aforeſaid.) And that no religious be in any wiſe made Vicar in any Church ſo appropried, or to be appropried, by any meanes in time to come.

A confirmation of the Statute of 15 R. 2. 6. touching the appropriation of Churches.

The Church of Hadenham in the dioceſſe of Elye appropried to the Archdeacon of Elye.

ow. fol. 49. 5.

All appropriations of vicarages made ſince the firſt yeare of R. 2. ſhalbe void.

H. 6. fol. 23.

A Vicar endowed ſhall be a ſecular man and not a religious.

CAP. XIII.

A Confirmation of the Statutes of Anno 1. Ed. 3. & Anno 5. Ed. 3. touching ſeruice in Warre.

ITem, it is ordained & ſtabliſhed that the Statute made the firſt yeare of King Edward grandfather to our Lord the King that now is, containing that none ſhall be conſtrained to goe out of their Counties, but onely for cauſe of neceſſity of ſodaine comming of ſtrange enemies into

The Stat. of 1.Ed.3 5.18.Ed. 3.7.& 25.Ed.3.8. touching men charged to goe into the Kings ſeruice in wars, confirmed.

Realme: & the Statute made the xviij. yeare of the ſaid grandfather, that men of armes, hoblers and archers, choſen to goe in the Kings ſeruice of the Realm out of Englãd, ſhall be at the kings wages from the day they doe depart out of the Counties where they were choſen. And alſo the Statute made the xxv. yeare of the ſaid grandfather, that no man be compelled to find men of armes, hoblers, nor archers, other then thoſe which doe hold by ſuch ſeruice, vnleſſe it be by common aſſent and grant, made in the Parliament: ſhall be firmely holden and kept in all points: ſo that alwaies by force or colour of the ſaid ſupplication, nor of any other Statute thereupon to be made, the Lords nor any other that haue lands and poſſeſſions in the Countrey of Wales, or in the Marches thereof, ſhall in no wiſe be excuſed of their ſeruice & deuoires, due of their ſaid lands, and poſſeſſions, nor of any other deuoires or things, whereto they or any of them be bound to our Lord the King, though that the ſame Lords and other, haue other lands and poſſeſſions within the Realme of England. Nor that the Lords or other of what eſtate or condition that they be, which hold by Eſcuage or other ſeruice due to the King, any Lands or poſſeſſions, within the ſaid Realme, be in no wiſe excuſed to doe their ſeruices and deuoires, due of their ſaid lands or poſſeſſions: Nor that the Lords, Knights, Eſquires, nor other perſons, of what eſtate or condition they be, which hold and haue of the grant, or confirmation of our Lord the King, lands, poſſeſſions, fées, annuities, penſions, or other yearely profits, be not excuſed to doe their ſeruice to our Lord the King in ſuch maner as they are bounden, becauſe of the Lands, poſſeſſions, fées, annuities, penſions, or profits aforeſaid.

All men that hold of the King to doe any ſeruice in warre ſhall doe the ſame.

Cap. XIIII.

A Labourer ſhall not be retained to worke by the Weeke. Exp. 5.El.4.

Cap. XV.

Merchants ſhall beſtow their money receiued vpon other Merchandiſes of this realme.

Merchants ſhal beſtow their money receiued vpon the Merchandiſe of this Realme.

ITem, it is ordained and eſtabliſhed that all the Merchãts Strangers & Denizens, which bring Merchandiſes into this Realme of England, and the ſame doe ſell within the Realme, and receiue Engliſh money for the ſame, that they ſhall beſtow the ſame money vpon other Merchandiſes of England, for to carry the ſame out of the Realme of England, without carrying any gold or ſiluer in Coyne, Plate, or maſſe out of the ſaid Realme, vpon paine of forfeiture of the ſame, ſauing alwayes their reaſonable coſtes. Stat. 5.*H*.4.9. 27.*H*.6.3. 17.Edw.4.1. 3.*H*.7.8.

Cap. XVI.

No perſon ſhall carry gold or ſiluer out of the Realme without the Kings licence. Exp. Sta. 9. Ed.3.1. 5.R.2.2. 2 *H*.6.6.

Cap. XVII.

Infants are not to be receiued into the order of Fryers without their parẽts or, &c. conſent. Ob.

Cap. XVIII.

The puniſhment of an Atturney found in default.

What ſort of men ſhall be Atturnies.

ITem, for ſundry damages and miſchiefes, that haue enſued before this time, to diuers perſons of the Realme, by a great number of Atturnies, ignorant and not learned in the Law as they were wont to be, before this time. It is ordained and ſtabliſhed, that all the Atturnies ſhal be examined by the Iuſtices, and by their diſcretions, their names put in the rolle, & they that be good and vertuous, and of good fame ſhall be receiued and ſworne well and truly to ſerue in their offices, and eſpecially that they make no ſuit in a forraine Countrey. And the other Atturnies ſhal be put out, by the diſcretion of the ſaid Iuſtices, and that their Maſters, for whom they were Atturnies, be warned to take others in their places, ſo that in the meane time, no damage nor preiudice come to their ſaid maſters. And if any of the ſaid Atturnies do die, or doe ceaſe, the Iuſtices, for the time being, by their diſcretion ſhall make another in his place, which is a vertuous man and learned, and ſworne in the ſame maner as afore is ſaid. And if any ſuch Atturney be hereafter notoriouſly found, in any default of record, or otherwiſe, he ſhall forſweare the court, & neuer after be receiued to make any ſuit in any Court of the King, And that this ordinance be holden in the Exchequer after the diſcretion of the Treaſurer, and of the Barons there.

9.H.6.fo.8.
20.H.6.fo.1
19.H.6.fo.3
3.H.6.f.15.
29.38.48.

The puniſhment of an Atturney greatly found in fault. Raſt. pla. fo. 2. 96. 552.

20.H.6.fo.
Bro.Attur.

Cap. XIX.

No officer of a Lord of a franchiſe ſhall be Atturney in the ſame.

No officer of a Lord of a franchiſe ſhall be Atturney within the ſame.

ITem, it is ordained that no Steward, Bailiffe nor miniſter of Lords of franchiſes, which haue returne of writs be Atturney in any plea within the franchiſe or bailywike whereof he is or ſhall be officer or miniſter in any time to come.

Cap.

CAP. XX.

Cuſtomers, Controlers &c. ſhall abide vpon their office, And make no deputies: and euery Cuſtomer ſhall be ſworne to anſwer the King all profits.

ITem, It is ordained and eſtabliſhed, that the Statute made in the firſt yeare of our Lord the King that now is, that Cuſtomers & comptrolers in euery Port of England, ſhall abide vpon their offices in their proper perſons, without making any Deputie or lieutenant in their names, be firmely holden and kept in all points: ioyned to the ſame, that they ſhall be ſworne to doe the ſame from time to time vpon paine of impriſonment and to pay to the King, C.li. if they doe contrary. Alſo it is accorded and aſſented that the lieutenant of the Kings chiefe Butler, and the ſearcher ſhall be reſident in the ſame manner, and vpon the ſame paine of C.li. to pay the one halfe to our Lord the King, and the other halfe to him that will ſue for the ſame againſt ſuch Cuſtomer, Comptroller, lieutenant, or ſearcher not reſident, And that euery Cuſtomer from henceforth, vpon the yeelding of his account in the Exchequer, be ſworne by his oath to anſwer lawfully to the ſame Lord the King, without fraud or deceit, of all manner profits and commodities for the payment of any aſſignement, be it by taile or in any other manner whatſoeuer. And that all manner Merchandiſes entring in the Realme of England or going out of the ſame ſhall be charged and diſcharged in the great Ports of the Sea, and not in Crykes and ſmall arriuals, vpon paine to forfeit all the Merchandiſes ſo charged or diſcharged to our Lord the King, except veſſells or Merchandiſes arriuing in ſuch little Cryckes and arriuals by cohertion of tempeſt of the Sea.

St. 1. H. 4. 13.
Cuſtomers and Comptrolers ſhall continue vpon their offices & be ſworne thereunto.
Stat. 13. H. 4. 5.
The lieutenant of the Kings Butler and ſearcher ſhall continue vpon their offices.
Euery Cuſtomer ſhall be ſworne vpon the yeelding of his account.
St. 3. H. 6. 3.
Merchandiſe ſhall be charged and diſcharged in ports, and not in crykes.
St. 11. H. 6. 14. 1. El 11.

CAP. XXI.

Searchers ſhall not let any their offices to farme, nor occupie the ſame the deputie.

ITem, it is ordained and eſtabliſhed, that the Searchers in euerie Port of England ſhall be charged and ſworne, that they ſhall not let to ferme their Offices of ſearching, nor occupie the ſame by a deputie. And that from henceforth they take of no Maſters of Shippes for their Office of ſearching any ſiluer or money for their welcome and farewell, nor any other thing for the ſame, as it hath beene taken and receiued before this time, otherwiſe then ſhall be aſſured to them for their office by our Lord the King, and that no Searcher be Hoſte to any Merchant or Mariner. And in caſe that any Searcher doe contrarie to this Statute, and that duely proued, the ſame ſearcher ſhall be put out of his office for euer, and make fine and ranſom at the Kings will.

Searchers ſhall not let their offices to farme nor occupy them by deputie,
St. 13. H. 4. 5.

CAP. XXII.

The remedie whereby the Kings preſentation and incumbent is put forth.

ITem, whereas it is ordained by the Statute made the xxv. yeare of King Edward, Grandfather to our Lord the King, that if the King make collation or preſentment to any Benefice in anothers right: that the title, whereupon he groundeth him ſhould be well examined, that it bee true, and at what time before iudgement giuen, the title be found by good information vntrue and vniuſt, the collation or preſentment thereof made, ſhall be repealed and adnulled. And moreouer in a Statute made after in the time of King Richard, it was ordained and eſtabliſhed, that if the King preſent to any Benefice that is full of any incumbent, that the Kings preſentee ſhall not be receiued by the Ordinary, till the King hath recouerd his preſentment by proceſſe of the Law in his owne Court. And if any preſentee of the King be otherwiſe receiued, and the incombent put out without due proceſſe as afore is ſaid, the ſame incumbent ſhall commence his ſuit within a yeare after the induction of the preſentee. Our Lord the King conſidering the great miſchiefe of the incombent in this behalfe, hath ordained and ſtabliſhed by the aſſent aforeſaid, that if any ſuch incombent be put out of his benefice without due proceſſe in the maner aforeſaid, that the ſaid incombent ſo put out without proceſſe may be at large and ſue for his remedy by the ſaid Statute, and begin his ſuite in this caſe at what time ſhall pleaſe him, within the yeare, or after at his will, and that as well for the time paſt as for the time to come, notwithſtanding the terms ſo limited by the ſaid Statute.

St. 25. Ed. 3. 3.
St. 13. R. 2. 1.
The remedy that an incumbent put forth of his benefice by the Kings preſentation in anothers right hath to recouer the ſame.

CAP XXIII.

Iudgements giuen ſhall continue vntill they ſhall be reuerſed by attaint or error.

ITem, where as well in plea reall as in plea perſonall after iudgement giuen in the Courts of our Lord the King, the parties be made to come vpon grieuous paine, ſometime before the king himſelfe, ſometime before the Kings Counſell, and ſometimes to the Parliamēt, to anſwer thereof of new, to the great impoueriſhing of the parties aforeſaid, and in the ſubuerſion of the Common Law of the land: it is ordained and ſtabliſhed that after iudgement giuen in the Courts of our Lord the King, the parties and their heires ſhall be thereof in peace, vntill the iudgement be vndone by attaint or by errour, if there be errours, as hath beene vſed by the Lawes in the times of the Kings progenitors.

19. H. 6 fo. 39.
Dyer fo. 315. 321. 396.

Iudgements giuen it the Kings Court ſhall continue vntill they be reuerſed by attaint or error.

CAP. XXIIII.

Aulnage of Clothes may be let to farme by improuement.

Stat. 17 R.2.5. The Aulnage may be ſet to farme or improued.

ITem, whereas late in the time of King Richard the ſecond it was ordained by a Statute, that the Aulnage of Clothes through the Realme ſhould not be ſet to farme to the great dammage of the King yearely: It is ordained and accorded in the ſaid Parliament, that the ſaid Aulnage may be ſet to farme by improuement according to the diſcretion of the Treaſurer of England for the time being, and of the Barons of the Exchequer, notwithſtanding the ſaid Statute made to the contrary. Stat. 31.H.6.5.

Dyer fo.303.

CAP. XXV.

An Hoſteler ſhall not make horſebread. How much he may take for Oats.

The penaltie of an hoſtler which offendeth contrary to the Statute R.2.8. How much an Hoſtler may gaine by a buſhell of Oates.

ITem, it is ordained and ſtabliſhed, that the Statute of victualers and Hoſtlers, and other ſellers of Victuals, made the xiij. yeare of the ſaid King Richard, be holden and kept and put in due execution, and if any hoſtler doe to the contrary and that duly proued, the ſame hoſtler ſhall from time to time incurre the penaltie of the treble value of the bread made by him in his houſe or elſe where contrary to the ſaid Statute: and alſo the ſame hoſtler ſhall incurre the quatreble value of that which hée hath taken ouer an halfepeny of euery buſhell of Oates aboue the common price in the Market, and that as well at the ſuit of the King as of the party. Stat.32.H.8.41. So much of this Statute as concernes the execution of the Statute of 13. of R.2. is Repealed. 21.Iac.21.28.

CAP. XXVI.

Engliſhmen ſhall not be conuict by Welſhmen in Wales. ALT.27.H.8.26.REP.21.Iac.28.

CAP. XXVII.

There ſhall be no Waſters, vacabonds &c. in Wales. ALT.27.*H*.8.26.Stat.26.*H*.8.6.

CAP. XXVIII.

There ſhall be no Congregation in Wales. ALT.27.*H*.8.26.*R*EP.21.Iac.28.

CAP. XXIX.

Welſhmen ſhall not be Armed. ALT.27.*H*.8.26. Stat.26.*H*.8.6.

CAP. XXX.

No victuall or Armour ſhall be carried into Wales. ALT.27.*H*.8.26.*R*EP.21.Iac.28.

CAP. XXXI.

A Welſhman ſhall not haue any houſe of defence. ALT.27.*H*.8.26.*R*EP.21.Iac.28.

CAP. XXXII.

No Welſhmen ſhall be an Officer. ALT.27.*H*.8.26.*R*EP.21.Iac.28.

CAP. XXXIII.

Caſtles and walled Townes in Wales ſhall be kept by Engliſhmen. ALT.27. *H*.8.26. *R*EP, 21.Iac.28.

CAP. XXXIIII.

No Engliſhman that marrieth a Welſhwoman ſhall be in any office in Wales. ALT.27.*H*en.8.26 *R*EP.21.Iac.28.

CAP. XXXV.

Shoomakers and Cordwayners may Tanne Leather, notwithſtanding the Statute of 13. *R*ich.2. 12.EXP.*R*EP.5.El.8.& 1.Iac.22.

Statutes made at Weſtminſter, Anno 5 Hen.4.& Anno Domini 1403.

FOr to remedy and redreſſe diuers miſchiefes, damages, and grieuances, ſhewed to our Lord the King in his Parliament holden at Weſtminſter, the morrow after Saint *Hillary*, the fift yeare of his Raigne. The ſame our Lord the King, by the aduice and aſſent of his Lords ſpirituall and temporall, and at the requeſt of his Commons of his Realme of England, come to the ſame Parliament, hath ordained and ſtabliſhed diuers Statutes and Ordinances in the forme as followeth.

CAP. I.

Lands aſſigned to certaine Traitors to the vſe of others, ſhall not bee forfeit to the King Exp. 7.H.4.5.

CAP. II.

The penalty of him which procureth pardon for an approuer that committeth felonie againe.

ITem, becauſe that diuers common and notorious felons be indicted of diuers felonies, murders and rapes, in diuers Countries, & vpon the ſame aſwell before the Kings Juſtices, as before the king himſelfe arraigned of the ſame felonies, & for ſafegard of their liues they become prouers, to ſuch intent that in the meane time by brocage, and great gifts to be made to diuers perſons, to purſue and haue their Charters, and then after their deliuerance they become more notorious felons then they were before. It is ordained and ſtabliſhed, that if any perſon, of what eſtate or condition that he be man or woman pray or purſue, or cauſe to be prayed or purſued from henceforth for any ſuch felon ſo attainted by his owne confeſſion, to haue any Charter of pardon, that the name of him or her that purſueth ſuch Charter, be put in the ſame Charter, making mention, that the ſame Charter is granted at his or her inſtance. And if he to whom ſuch Charter is granted, after his deliuerance becommeth a Felon againe, that the ſame perſon which did ſo purſue for his Charter, ſhall incurre the paine of C.li. to be leuied to the Kings vſe.

The penaltie of him which doth procure pardon for an approuer that committeth felony againe

CA. III.

Watches ſhall be made vpon the Coaſt as they were wont to be.

ITem, it is ordained and ſtabliſhed, that the watch to bée made vpon the ſea coaſt through the Realme, ſhall be made by the number of the people in the places, and in maner and forme as they were wont to be made in times paſt, and that in the ſame caſe the Statute of Wincheſter be obſerued and kept, and that in the Cõmiſſions of the peace hereafter to be made, this article be put, that the Juſtices of P. haue power thereof to make inquiry in their Seſſions from time to time, and to puniſh them which be found in default after the tenor of the ſaid Statute.

Watches ſhalbe made vpon the Sea coaſt as they had wont to be. 13.E.1.

CAP. IIII.

It ſhall be felony to vſe the Craft of multiplication of gold or ſiluer.

ITem, it is ordained and ſtabliſhed, that none from henceforth ſhall vſe to multiplie gold or ſiluer, nor vſe the craft of multiplication, and if any the ſame doe, that hée incurre the peine of Felony in this caſe.

Multiplication.

CAP. V.

It ſhall be Felony to cut out the tongue, or pull out the eyes of the Kings liege people.

ITem, becauſe that many offenders doe daily beate, wound, impriſon, and maime diuers of the Kings liege people, and after purpoſely cut their tongues, or put out their eyes. It is ordained and ſtabliſhed, that in ſuch caſe the offenders that ſo cutteth tongues, or puts out the eyes of any the Kings liege people, and that duely proued, & found, that ſuch déed was done of malice pretenſed, they ſhall incurre the paine of Felony.

Cutting of tongues. Putting out of eyes.

CAP. VI.

The penaltie for making an aſſault vpon any ſeruant of any Knight of the Parliament, &c.

ITem, becauſe that Richard Chedder Eſquire, which was come to this Paliament with Thomas Broke Knight, one of the Knights choſen to the ſame Parliament for the county of Somer-

ſet

The penaltie of him which maketh aſſault vpon the ſeruant of any Knight, or Burgeſſe of the Parliament. St.11.H.6.11.

ſet, and meniall ſeruant with the ſaid Thomas was horribly beaten, wounded, blemiſhed, & maimed, by one Iohn Salage, otherwiſe called Iohn Sauage. It is ordained and ſtabliſhed, that ſeeing the ſame horrible deed was done within the time of the ſaid Parliament, that Proclamation be made, where the ſame horrible deed was done, that the ſaid Iohn appeare and yeeld him in the Kings Bench within a quarter of a yeare after the Proclamatiō made: and if he doe not, the ſame Iohn ſhall be attainted of the ſaid deed, and pay to the party grieued his double damages, to be taxed by the diſcretion of the Iudges of the ſaid Bench for the time being, or by enqueſt if need be, and alſo he ſhall make fine and ranſom at the Kings will. Moreouer it is accorded in the ſame Parliament, that likewiſe it be done in time to come in like caſe.

Cap. VII.

Merchant ſtrangers ſhall be vſed in this Realme as Denizens be in others.

Merchants Strangers ſhall be vſed in this Realme as merchants denizens be in other Realmes.

ITem, it is ordained and ſtabliſhed, that al the merchants ſtrangers, of what eſtate or condition that they be, comming, dwelling, or repayring within the Realme of England, ſhall be intreated or demeaned within the ſame Realme, in the manner, forme, and condition, as the merchants denizens be or ſhall be intreated, or demeaned in the parties beyond the Sea, vpon paine to forfeit to the King all the goods and cattells of ſuch merchants ſtrangers, and vpon paine of impriſonment of the bodyes of ſuch merchants ſtrangers. Stat.9.H.3.30. 9.Ed.3.1. 25.Ed.3.2. 2.R.2.1. 11.R.2.7. 4.H.5 5.

Cap. VIII.

In what caſes the Iudges may allow the defendant to wage his Law or plead to an Inqueſt,

In what caſes the Iudges may allow the defendant to wage his law or to plead an enqueſt.

ITem, to eſchew diuers miſchiefes, which haue beene and be from day to day as well within the Citie of London, as within other Cities, and other places within the Realme of England, for that diuers fained ſuits of debt haue beene taken as well by the people of the ſaid Cities as of other places againſt diuers people, ſurmiſing to them by their ſaid ſuit, that they had made accompt before Auditors aſſigned of diuers receipts, duties, and contracts had betwixt them, and that they were found in arrerages vpon the ſame accompt in diuers great ſummes, ſuggeſting by the ſame ſuits ſometime their Apprentices, and ſometime other of their ſeruants to bee the Auditors, where there was neuer receipt nor dutie betwixt ſuch parties, and where the ſaid Apprentices nor ſeruants did any thing know of ſuch accompt, to the intent to cauſe them againſt whom ſuch ſuits were taken, to put them in enqueſt in the ſame ſuits, and to put them from the waging of their law in ſuch caſe. By reaſon wereof, by ſuch fauourable enqueſts taken thereupon of the neighbours of thoſe which haue proſecuted ſuch ſuits, diuers haue beene condemned in great ſummes, to the great impoueriſhing and vndoing of them. It is ordained and ſtabliſhed, that the Iuſtices in the Kings Courts and other Iudges, before whom ſuch ſuits and actions in all ſuch caſes, in Cities and Boroughs ſhall be ſued and taken, ſhall haue power to examine the Atturnies and other whom pleaſe them, and thereupon to receiue the defendants to their Law, or to trie the ſame by enqueſt after the diſcretion of the Iuſtices and Iudges aforeſaid. Raſt.pla.ſo.148.

3 H.6 fol.4. Dyer fo.45. El 82.82. Coke li 6.fo. li.10.fo.10. Fitz. Exam. 8.9.10.11. 20 Fitz.Ley. 10.16.17.

Cap. IX.

Merchants aliens ſhall imploy their money vpon the Commodities of this Realme.

Stat.4.H.4.15. Merchants ſtrangers ſhall put in ſureties to imploy their money vpon the commodities of this Realme. Stat.27.H.6.3. 17.Ed.4.1. 3.H.7.8.

ITem, for the better keeping of gold and ſiluer within the Realme of England, and for the encreaſe of the commodities of the ſaid Realme: It is ordained and eſtabliſhed, that the Statutes thereof made at the laſt Parliament, ſhall be continued and kept, and put in due execution: ioyned to the ſame, that the Cuſtomers and Comptrollers of our Lord the King, in all the Ports of England, ſhall take ſufficient ſureties for all maner Merchandiſes brought by the Merchants, aliens and ſtrangers comming and repayring to the ſaid Ports, to the intent that the money taken for the ſaid merchandiſe ſhall be imployed vpon the Commodities of the Realme: Sauing their reaſonable coſtes, as in the ſame Statute more fully is contained. And moreouer it is ordained and eſtabliſhed, that the ſaid Merchants aliens and ſtrangers, ſhall ſell their ſaid merchandiſes, ſo brought within the ſaid Realme, within a quarter of a yeare next after their comming into the ſame, and alſo the money which ſhall be deliuered by exchange in England, be imployed vpon the Commodities of the Realme, within the ſame Realme, vpon paine of forfeiture of the ſame money. And that no Merchant alien nor ſtranger, ſell any manner of merchandiſe, to any other Merchant, alien or ſtranger, vpon paine of forfeiture of the ſame merchandiſe. And alſo it is ordained and eſtabliſhed, that in euerie Citie, Towne, and Port of the Sea in England, where the ſaid Merchants, aliens or ſtrangers, be or ſhall be repayring, ſufficient

Within what time Merchāts aliens ſhall ſell their merchandiſe. Rep.6.H.4.4. One alien ſhall ſell no merchandiſe to another alien. Stat.18.H.6.4.

Hoſtes ſhall be aſſigned to the ſame Merchants, by the Maior, Sheriffes, or Bailiffes of the ſaid Cities, Townes, and Ports of the Sea. And that the ſaid Merchants, aliens and ſtrangers, ſhall dwell in no other place, but with their ſaid Hoſtes ſo to be aſſigned, and that the ſame Hoſts ſo to be aſſigned, ſhall take for their trauell in the manner as was accuſtomed in old time. St.4.H.5.5. 4.E.4.6.

Hoſts ſhall be appointed to Merchants aliens.

Cap. X.

Juſtices of Peace ſhall impriſon none but in the Common Gaole.

Item, becauſe that diuers Conſtables of Caſtels, within the Realme of England be aſſigned to be Juſtices of the Peace, by Commiſſion of our Lord the King, and by color of the ſaid Commiſſions they take people to whom they beare euill will, and impriſon them within the ſaid Caſtels, till they haue made fine and ranſome, with the ſaid Conſtables for their deliuerance: It is ordained and eſtabliſhed, that none be impriſoned by any Juſtice of the Peace, but onely in the common Gaole: Sauing to Lords and other (which haue Gaoles) their franchiſe in this caſe.

Juſt. of peace ſhall impriſon none but in the common gaole.

oke li.9.fo.119.

Cap. XI.

The farmours of Aliens ſhall pay their Tithes to the perſon of the ſame Pariſhes.

Item, it is ordained and eſtabliſhed, that the fermors, and all manner occupiers of the Manor, Lands Tenements, and other poſſeſſions of aliens, ſhall pay and be bound to pay, all maner of Diſmes, thereof due to Parſons and Vicars of holy Church, in whoſe Pariſhes the ſame Manors, Lands, Tenements, and poſſeſſions be ſo aſſigned and due, as the Law of holy Church requireth, notwithſtanding that the ſaid Manors, Lands, Tenements, or other poſſeſſions be ſeiſed into the Kings hands, or notwithſtanding any prohibition made or to be made to the contrarie. Regiſt. fo. 179.

The fermors of aliens ſhall pay tithes to the parſons & vicars of the ſame Pariſhes.

Cap. XII.

Execution may be awarded vpon a Statute once ſhewed in Court.

Item, it is ordained and eſtabliſhed, that when any Statute Merchant is certified into the Chancerie, and thereupon a Writ awarded to the Sheriffe, and returned into the Common place, and the Statute there once ſhewed, that howſoeuer the proceſſe after the ſame ſhewing be diſcontinued, that at what time the partie ſueth to haue the Proceſſe recontinued and to haue execution of the Statute Merchants aforeſaid: That the Juſtices of the Bench where the Statute was once ſhewed, may vpon the ſame record make and award full execution of the Statute Merchant aforeſaid, without hauing the ſight or ſhewing thereof an other time after, and that this Statute hold place of all Statute Merchants, not fully executed at this time.

Execution may be awarded vpon a Stat. once ſhewed in Court. Raſt. pla. fo. 542.

H.6.fo.6.
er fo.180.

Cap. XIII.

What things may be gilded and laied on with ſiluer or gold, and what not.

Item, whereas many fraudulent artificers, imagining to deceiue the common people, doe daily make Lockes, Ringes, Beades, Candleſtickes, Harneys for Girdles, Hiltes, Chalices, and Sword pomels, Powder boxes, and Couers for Cuppes, of Copper and of Latin, and the ſame ouer gilt and ſiluer like to Gold or Siluer, and the ſame ſell and put in gauge to many men, not hauing full knowledge thereof for whole gold and whole ſiluer, to the great deceit, loſſe and hinderance of the common people, and the waſting of gold and ſiluer. It is ordained and eſtabliſhed, that no Artificer, nor other man whatſoeuer he be, from henceforth ſhall gilt nor ſiluer any ſuch Lockes, Rings, Beades, Candleſtickes, Harneis for Girdles, Chalices Hiltes, nor Pomelles of Swordes, Powderboxes, nor couers for Cuppes made of Copper or Latin, vpon paine to forfeit to the King C.s. at euerie time that he ſhall be found guiltie, and to make ſatiſfaction to the partie gréeued for his damages: but that (Chalices alwaies excepted) the ſaid Artificers may worke or cauſe to be wrought Ornaments for the Church of Copper and Latin, and the ſame gilt or ſiluer, ſo that alwaies in the foote, or in ſome other part of euerie ſuch Ornament ſo to be made, the Copper and the Latin ſhall be plaine, to the intent that a man may ſée whereof the thing is made, for to eſchew the deceipt aforeſaid.

What things may be guilded & laid on with gold or ſiluer & what not. St.8 H.5.3.

Cap. XIIII.

Inrolling of Writs in The Common place whereupon Fines be leuied.

Item, whereas many féete of Fines of Lands and Tenements within the Realme of England remaining in the Kings treaſurie, and the notes of ſuch Fines remaining in the Common Bench, haue béene before this time embeſiled, and other féete and notes of Fines falſely counterfeit and ſet in their places by deceipt and falſhood of ſome, whereby many people of the Realme haue béene greatly endamaged before this time, and may be diſherited in the time to come. It is ordained

What writs & notes ſhall be inrolled in the common place whereupon fines be leuied.

ordained and eſtabliſhed, that all the Writs of Couenant, and all other Writs whereupon Fines ſhall be leuied in time to come, with the Writs of Dedimus poteſtatem, if any be, with all knowledges and notes of the ſame, before that they be drawne out of the common Bench by the Chyrographer, ſhall be inrolled in a Roll, to be of record for euer, to remaine in the ſafe cuſtodie of the chiefe Clerke of the common Bench, and of his ſucceſſors, for the old fée of two and twentie pence accuſtomed to be payd to the chiefe Clerke for the entring of the concord of euery Fine, without paying any more, to the intent that if the notes in the cuſtodie of the Chyrographer, or the Fines be embeſiled, a man may haue recourſe to the ſaid roll to haue execution thereof, as he ſhould haue if the Fines were not embeſiled, and that all the Writs of Couenant, and all other Writs, whereupon all Fines haue béen leuied in times paſt, ſhall be alſo of record. And moreouer all the Fines that were now late embeſiled in the treaſurie of our Lord the King by perſons vnknowne, if the notes & the ſame Writs of Couenant, of ſuch Fines embeſiled remaining in the cuſtodie of the Chyrographer may be found, that then to the partie ſhewing part of the Fines embeſiled, ſuch notes and Writs of Couenant, ſhall remaine of record as farre forth as the ſame Fines ſhould haue béene if no embeſiling thereof had béene made.

CAP. XV.

The Kings pardon of the ſuit of his Peace. Treaſons, Rebellious treſpaſſes &c. Except &c. EXP.

Statutes made at Couentry, Anno 6. Hen. 4. & Anno Domini 1404.

CAP. I.

The penaltie of thoſe which pay to the Court of Rome more for the firſt fruits of any Biſhopricke &c. then had wont to be payd, is to forfeit to the King as much as they may forfeit. OBS. Stat.25.H.8.20.

CAP. II.

The Statute of 1.H.4.6. touching petitions to be made to the King for lands, offices, &c. ſhall not extend to the Queene or Prince. EXP.

CAP III.

Commiſſions ſhall be ſent to enquire of the accompt of Sheriffes, Eſcheators, &c.

Commiſſions ſhall be ſent to inquire of the accompt of euerie ſheriffe, eſcheator, accomptant.

Item, whereas diuers of the Sheriffes, Eſcheators, Aulnegers, Cuſtomers, Comptrollers, and other the Kings officers, accomptable in many parts of the Realme, doe defraud and deceiue our ſaid Lord the King, yearely in their vnlawfull and vntrue accompt, concealing and retaining to their owne vſe the greater part of that which rightfully ought to pertaine to the king, to his great damage and loſſe. Our ſaid Lord the King, by the aduice & aſſent aforeſaid, hath ordained, that preſently after euerie finall accompt, giuen and made by the Officers and Cuſtomers aforeſaid, before the Barons of the Exchequer of our Lord the King, the tenor of the accompt of euery of the ſaid officers from time to time ſhall be ſent into the Counties, where the ſame accomptants be officers, together with Commiſſions directed to the moſt lawfull and diſcréet perſons to inquire and certifie the profits which the ſaid Accomptants haue receiued within the ſaid Counties in the name and to the vſe of our ſaid Lord the King, by them in the manner aforeſaid, vpon their ſaid accompts, or deceitfully concealed and receiued to their proper vſe and profit. And in caſe that the ſaid Accomptants be attainted of their ſaid frauds and deceits, they ſhall incurre to our Lord the King, the penaltie of the treble of the ſame whereof they ſhall be ſo conuict, and their bodies to priſon, vntill they haue made fine and ranſom to our ſaid Lord the King according to the diſcretion of his Iudges.

CAP. IIII.

Aliens ſhall not carie forth of the Realme merchandiſes brought in by aliens.

A repeale of ſo much of the St. of 5.H.4.9 as doth aſſigne Merchants aliens to ſell their merchandiſe within a quarter of a yeare.

Aliens ſhall not cary forth of the Realme merchandiſe brought in by aliens.

Item, whereas in the Parliament holden at Weſtminſter amongſt other things it was ordained that the Merchants Aliens and Strangers ſhould ſell their Merchandiſes within a quarter of a yeare next after the comming thereof into the realme. Our Lord the King ſéeing the ſaid Ordinance hurtfull and preiudiciall, aſwell for himſelfe and his Realme, as for the ſaid Merchants Aliens and Strangers, by the aduice and aſſent aforeſaid, hath ordained and ſtabliſhed, that the ſaid Ordinance be vtterly void and adnulled for euer. And that the ſame Merchants Aliens and Strangers be at their frée diſpoſition to ſell their Merchandiſes in the maner as they did before the making of the ſaid ordinance. Sauing alwayes the franchiſes and liberties of the Citie of London. And further prouided alwaies that the ſaid Merchants Aliens and Strangers ſhall not carry or cauſe to be carried out of the realme any Merchandiſes brought within the Realme by the Merchants and Aliens and Strangers aforeſaid.

Statutes made at Weſtminſter, anno 7. Hen. 4. & Anno Domini 1405.

OVr Lord the King at his Parliament holden at Weſtminſter, the firſt day of March, the ſeuenth yeare of his raigne, by the aduice & aſſent of the Lords Spirituall and Temporall, and at the requeſt of the Commons in the ſame Parliament hath ordained and eſtabliſhed, diuers Ordinances and Statutes in the forme as followeth.

Cap. I.

A confirmation of the Liberties of the Church, and of all Cities and perſons &c. and of all Statutes not repealed. Peace ſhall be kept. &c.

FIrſt, that holy Church haue all her liberties and franchiſes, and that all the Lords ſpirituall and temporall, and all the cities, boroughs and townes franchiſed, haue and enioy all their liberties and franchiſes, which they haue of the grant of the Kings progenitors, and of the confirmation & grant of our Lord the King that now is. And that the great Charter & the Charter of the Foreſt, and all the ordinances and Statutes made in the time of our Lord the King, and in the time of his progenitors, not repealed, be firmely holden and kept, and duely executed in all points. And that the peace within the realme be holden and kept, ſo that all the Kings liege people and ſubiects, may from henceforth ſafely and peaceably goe, come, and abide, according to the Lawes and vſages of the ſame Realme, and that good Juſtice and euen right be done to euery perſon: ſauing to the ſame our Lord the King his regaltie and prerogatiue.

A confirmation of the Liberties of the Church, and of all ſtatutes not repealed.

Peace ſhall be maintained and Juſtice ſhall be done to all.

Cap. II.

The Realmes of England and France intayled to the King and his foure ſonnes by name.

ITem, at the requeſt and of the aſſent of the Lords and Commons in the ſaid Parliament, it is ordained and eſtabliſhed, that the inheritance of the Crowne, and of the Realmes of England and France, and of all the other Dominions of our Lord the King, beyond the Sea, with all the Appurtenances, ſhall be ſettled and remain in the perſon of the ſame our Lord the King, and in the heires of his body begotten: and eſpecially at the requeſt and of the aſſent aforeſaid, It is ordained and eſtabliſhed, pronounced, decreed, and declared, that the Lord the Prince Henry, eldeſt ſon to our Lord the King, be heire appatant to the ſame our Lord the King, to ſucceed him in the ſaid Crowne, Realmes, and Dominions, to haue them with all the Appurtenances, after the deceaſe of the ſame our Lord the King, to him and his heires of his body begotten. And if he dye without heires of his body begotten, then all the ſaid Crowne, Realmes, & Dominions, with all the Appurtenances, ſhall remaine to the Lord Thomas, ſecond ſon of our ſaid Lord the King, & to the heires of his body begottē. And if he die without iſſue of his body, that thē all the ſaid Crown, Realmes, & Dominions, with all the Appurtenãces, ſhall remain to the Lord Iohn, the third ſon of our ſaid Lord the King, & to the heires of his bodie begotten. And if he die without heires of his bodie begotten, that then all the foreſaid Crowne, Realmes, and Dominions, with all the Appurtenances, ſhall remaine to the Lord Humfrey, the fourth ſonne of our ſaid Lord the King and the heires of his bodie begotten.

The inheritãce of the Crowne of England & of all the K. dominions entailed to him and his ſonnes by name.

Cap. III.

The Rolls of Eſtreats ſhall be made certaine.

ITem, whereas diuers people of the Realme doe loſe Iſſues, Fines, and Amerciaments, in the Court of our Lord the King, at the ſuit of any partie, and alſo Iſſues and Amerciaments in Inqueſts and Juries, wherein they be impanelled betwixt partie and partie in the ſaid Court, whereupon the Bailiffes of Sheriffes, and their Receiuors, and the Bailiffes of Franchiſes and their Receiuors, which gather the greene ware, doe leuie the ſame Iſſues, Fines, and Amerciaments, by Eſtreats ſent to them and deliuered out of the place where they were forfeit, by obſcure and ambiguous words, containing the ſumme ſo loſt, nor making mention by expreſſe words of the cauſe of the loſſe, nor the day of the Terme, nor betwixt what parties, nor the nature of the Writ, in which the ſame Iſſues, Fines, and Amerciaments, were loſt, ſo that the ſaid Officers doe leuie the ſumme two or three times, and ſometime the double ſumme contained in their Eſtreats, to the great griefe and impoueriſhing of all the people: It is ordained and eſtabliſhed, that the Juſtices and Judges before whom ſuch Iſſues or Amerciaments be or ſhall be forfeit in time to come, ſhall charge the Clerks of the Eſtreats, in the places where ſuch Iſſues and Amerciaments be, or ſhall be forfeit, by their Othe to be made, that they

The rolls of eſtreats ſhall be made certaine.

A confirmation of the Statute of 42.Ed.3.9. touching gathering of greene ware.

make the Rolles of the Eſtreats of ſuch Iſſues and Amerciaments diſtinctly by expreſſe word of the cauſe of the loſſe, of the terme of the yeare, and the nature of the Writ, and betwixt what parties ſuch Iſſues and Amerciaments be, or ſhall be loſt, as well in the Kings ſuit as in the ſuit of the partie: And that the Statute made in the time of King Edward the third, the two and fortieth yeare of his reigne, for gathering of græne Ware, be holden and kept in all points.

Cap. IIII.

No protection allowable for a Gaoler which letteth a priſoner eſcape.

St 1.R.2.12.

In an action of debt brought againſt a gaoler which letteth a priſoner to eſcape a protectiõ will not lye.

ITem, becauſe that when diuers perſons being debtors be condemned to their creditors by due Proceſſe of the Law, and committed to priſon, that is to ſay, to the Gaoles of the Marſhalſie, Kings Bench, Flæt, and other priſons, in diuers Cities, Boroughes, and Townes within the Realme, the Wardens of the Gaoles and priſons aforeſaid, of their owne authoritie, doe let the ſaid debtors to goe at large at their will, and whereas by a Statute it was ordained, that if any Gaoler doe let ſuch priſoner to goe by mainpriſe or in baile, that then the perſon to whom the priſoner is condemned, ſhall haue his action and recouerie againſt the ſaid Gaoler: The ſame Wardens doe purchaſe to them the Kings Protection, whereby the ſaid creditors by the ſame Protection be delayed and deferred from their duty and rightfull recouerie, as well againſt the ſaid Wardens of the ſaid Gaoles, as againſt the ſaid priſoners, to the great damage & preiudice of the common people, and derogation of the common Law: It is ordained and eſtabliſhed, that no Protection be auaileable, nor by any meanes allowed in ſuch caſe. V.N.B.fol,22, Fitz.N.B. fol.28. St.13.E.1.11.

Cap. V.

The King ſhall not haue the forfeiture of thoſe Lands whereof certaine Traytors were ſeiſed to the vſe of others. Exp.

Cap. VI.

The penaltie of him which purchaſeth a Bull to be diſcharged of Tithes.

The penaltie for purchaſing of bulles from Rome to be diſcharged of tithes.
St 13.R.2.2.& 3.

ITem, it is ordained and eſtabliſhed, that no perſon Religious nor Secular, of what eſtate or condition that he be, by colour of any Bulles containing ſuch priuiledges, to be diſcharged of Diſmes pertaining to Pariſh Churches, Prebends, Hoſpitalls, or Vicarages, purchaſed before the firſt yeare of King Richard the ſecond after the Conqueſt, or ſithence not executed, ſhall put in execution any ſuch Bulles ſo purchaſed, or any ſuch Bulles to be purchaſed in time to come. And if any ſuch Religious or ſecular perſon, of what eſtate or condition he be, from henceforth by color of ſuch Bulles doe trouble any perſon of holy Church, Prebendaries, Wardens of Hoſpitalls, or Vicars, ſo that they cannot take or enioy the tithes due or pertaining to them of their ſaid Benefices, that then ſuch diſturbors incur like Proceſſe and paine as is ordained by the Statute made againſt them of the Order of Ciſteaux, in the ſecond yeare of the raign of our ſaid Lord the King that now is.

St.13.Ed.2.
St.2.H.4.4.

Cap. VII.

Arrow-heads ſhall be well boiled, braſed, and hardened,

Arrow heads ſhall be well boiled, braſed and hardened at the points.

ITem, becauſe the arrow Smithes doe make many faultie heads for arrowes and quarels, defectiue, not well, nor lawfull, nor defenſible, to the great ieopardy and deceit of the people, and of the whole Realme: It is ordained and eſtabliſhed, that all the heads for Arrowes and quarels, after this time to be made, ſhall be well boiled or braſed, and hardened at the points with Stæle: and if any of the ſaid Smithes doe make the contrary, they ſhall forfeit all ſuch heads and quarels to the King, and ſhall be alſo impriſoned, and make a fine at the Kings will, and that euery arrow head and quarell be marked with the marke of him that made the ſame. And the Iuſtices of Peace, in euerie Countie of England, and alſo the Maior and Sheriffes, & Bailiffes of Cities and Boroughes within the ſame Cities and Boroughes, ſhall haue power to enquire of all ſuch deceitfull makers of heads and quarels, and to puniſh them as afore is ſaid.

Iuſt of peace & chiefe officers of Cities &c. may inquire of and puniſh offẽdors.

Cap. VIII.

No prouiſion, licence, or pardon, ſhall be granted of a Benefice full of an Incumbent.

No prouiſion ſhall be made by the Pope, nor licence or pardõ by the King touching a benefice then full of an Incumbent.

ITem, to eſchew many diſſentions, diſcords, and debates: and diuers other miſchiefes very like to riſe and grow becauſe of many prouiſions made and to be made by the Pope, and alſo in reſpect of licences granted vpon the ſame by the King our Soueraigne Lord: It is ordained and eſtabliſhed, that no licence or pardon ſo granted before this time, nor to be granted in time to come ſhall be auaileable to any Benefice full of any Incumbent, at the day of the date of ſuch licence or pardon graunted. Stat.3.H.5.4.

Cap.

Cap. IX.

All merchandiſe may be ſold in groſſe, as well to all others, as to Citizens of London.

Item, whereas at the grieuous complaint made by the Commons in the ſaid Parliament, it is ſhewed how that in old time it was vſed and accuſtomed, that aſwell the Cloth makers and Drapers of whatſoeuer place of the Realme, repayring and hauing recourſe to the Citie of London, as other Merchants with diuers merchandiſes, as Wine, Yron, Oyle, and Ware, and other things pertaining to merchandiſe, exerciſing, repayring, and hauing recourſe to the ſaid Citie, haue bought and ſold in groſſe, as well with aliens, as with denizens, of the Clothes and other merchandiſes aforeſaid, at their will and pleaſure, paying in this behalfe onely the cuſtomes and other deuoyrs thereof reaſonably due, and neuer in all the ſaid time were diſturbed, or in any maner hindred to ſell or buy in groſſe with Merchants aliens or denizens of ſuch Clothes and merchandiſes, at their will and pleaſure, but onely to retaile. And now of late aſwell the ſame Cloth makers, as other the Merchants aforeſaid, by the Maior, Sheriffs, Aldermen, Drapers, and Merchants of London be daily diſturbed and let to ſell and buy in the maner aforeſaid, aſwell in groſſe as in retail, and grieuouſly and continually conſtrained to ſel their ſaid Clothes and merchandiſes onely to the Merchants and inhabitants of the ſaid Citie, to the ſingular profit and aduantage of them of London, and alſo of the damage and loſſe of the Lords Spirituall & Temporall, and the Commons of this Realm, as of the ſaid Cloth makers & Merchants ſo grieued, and a plaine enſample and occaſion to ſuch Cloth makers and Merchants ſo grieued, to withdraw themſelues from the ſaid Citie from henceforth, if remedie be not rather prouided in this behalfe: It is ordained and eſtabliſhed, that aſwell the Drapers, and Cloth ſellers, as other Merchants with other their ſundry merchandiſes, as of Wine, Yron, Oyle, and ware, and other things pertaining to merchandiſes, ſhall be frée to ſell in groſſe their Clothes, Yron, Oyle, and Ware, and other their merchandiſes, as well to all the Kings liege people, as to the Citizens of London, notwithſtanding any franchiſe or libertie granted to the contrary.

All merchandiſes may be ſold in groſſe in London aſwell to all the K. people, as to the Citizens of London.

oke li.8.fol.12.

Cap. X.

The length and bredth of Cloth of ray and coloured. Rep. 5. Ed. 6. 6. 43. Eli. 10. 4. Iac. 2. 4. *H.* 4. 6. 11. *H.* 4. 7. 13. *H.* 4. 4.

Cap. XI.

Commiſſioners not receiuing a Commiſſion ſhall be diſcharged vpon their Othes.

Item, whereas many of the Kings liege people be aſſigned by his Commiſſions, to do and performe the content of the ſame, ſome to heare and determine, ſome to enquire & certifie, and otherwiſe, whereby the ſame Commiſſioners be grieuouſly diſtrained by Proceſſe out of the Exchequer, by reaſon of the ſaid Commiſſions, and by that occaſion doe loſe great iſſues, where the ſaid Commiſſioners did neuer know of ſuch Commiſſions, nor the ſame Commiſſion euer came to their hands, to the great damage and hinderance of many of the Kings ſubiects: It is ordained and eſtabliſhed, that the Barons of the Exchequer ſhall haue power to receiue the Othe of ſuch Commiſſioners of their excuſe & diſcharge of the receipt or occupation of the ſaid Commiſſions, and alſo that the ſame Barons of the Exchequer, and the Iuſtices of the one bench and the other, ſhall haue power by Writ of Dedimus poteſtatem, to receiue ſuch Othes in the Countrey, and that the ſame Iuſtices ſhall thereof certifie the ſaid Barons in the Exchequer from time to time, and that vpon the ſame, the ſaid Barons ſhall diſcharge the ſaid Commiſſioners, and in likewiſe it ſhall be done for the heires, executors, or Land Tenants of the ſame Commiſſioners. Prouided alwaies that ſuch Othes be not taken but in caſe of Commiſſions of Oyer and Determiner, and of enquirie and certifying onely. Stat. 4. *H.* 4. 9.

Commiſſioners not receiuing the Commiſſiōs ſhall be diſcharged vpon their othes.

Cap. XII.

Thoſe lands ſhall not be forfeited to the King wherof Traitors were ſeiſed to the vſe of others. Exp.

Cap. XIII.

Impotent perſons that be outlawed may make atturnies.

Item, whereas many of the Kings liege people be outlawed, and many wayued by erronious Proceſſe in Law, and be ſo impotent in their bodies by diuers maladies and infirmities, that they cannot come in their proper perſons before the King in his Bēch there to make their ſuit to reuerſe ſuch erronious Proceſſe: It is ordained and eſtabliſhed, that euerie Iuſtice of the one Bench, and of the other, & alſo the chiefe Baron of the Exchequer, ſhall haue power to examine the ſame perſons hauing ſuch maladie and diſeaſes openly knowne, and thereupon may the ſame Iuſtices, and Baron, and euery of them by their diſcretion record their atturney in this caſe. Prouided alwaies that in the writ of Capias ad ſatisfaciendum the common law ſhall hold place.

Impotent perſons that be outlawed may make their atturnies.

Capias ad ſatisfaciendum.

Cap. XIIII.

The Stat. of 1. *H.* 4. 7. and 1. *R.* 2. 7. touching the giuing and taking of Liueries confirmed. No Congregation or Companie ſhall make any Liuerie of Cloth or Hattes. Rep. 3. Car. 4.

Cap. XV.

The maner of the election of the Knights of Shires for a Parliament.

Item, our Lord the King, at the greeuous complaint of his Commons in this preſent Parliament, of the vndue election of the Knights of Counties for the Parliament, which be ſometime made of affection of Sheriffes, and otherwiſe, againſt the forme of the Writs directed to the Sheriffe, to the great ſlander of the Counties, and hinderance of the buſineſſe of the Comminaltie in the ſaid Countie. Our Soueraigne Lord the King, willing therein to prouide remedie, by the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, hath ordained and eſtabliſhed, that from henceforth the elections of ſuch Knights ſhall be made in the forme as followeth: (that is to ſay) at the next County to be holden after the deliuery of the Writ of the Parliament, Proclamation ſhall be made in the full County of the day and the place of the Parliament, and that all they that be there preſent, as well ſutors duely ſummoned for the ſame cauſe as other, ſhall attend to the election of the Knights for the Parliament, and then in the full County, they ſhall proceed to the election freely and indifferently, notwithſtanding any requeſt or commandement to the contrary. And after that they be choſen, the names of the perſons ſo choſen (be they preſent or abſent) ſhall be written in an Indenture vnder the Seales of all them that did choſe them and tacked to the ſame Writ of the Parliament, which Indenture ſo ſealed and tacked ſhall be holden for the Sheriffes returne of the ſaid Writ, touching the Knights of the Shires. And in the Writs of the Parliament to be made hereafter, this Clauſe ſhall be put: Et electionem tuam in pleno comitatu tuo factam, diſtincte & aperte ſub ſigillo tuo & ſigillis eorum qui electione illi interfuerunt nos in Cancellaria noſtra ad diem & locum in breui contentum certifices indilate. Stat. 11. *H* 4. 1. 6. *H*. 6. 4. 13. *H*. 6. 15.

The manner of the election of the Knights of the Shires for the Parliament.

A clauſe to be inſerted in euery writ of the Parliament.

Cap. XVI.

Annuities granted by the King or his Anceſtors of an elder date ſhall be payed before them that were granted of a latter Date. Exp.

Cap. XVII.

No man ſhall put his ſonne or daughter to be an Apprentice, vnleſſe he haue twenty ſhillings in land or Rent, but euery perſon may put his ſonne or daughter to Schoole, Rep. 5. El. 4. St. 8. *H*. 6. 11. 12. *H*. 7. 1.

Cap. XVIII.

None ſhall be puniſhed for repreſſing of the late Riots. Exp.

Statutes made at Glouceſter Anno 9. H. 4. *& Anno Dom.* 1407.

Becauſe that diuers Complaints haue beene made to our Lord the King by the Commons of this Realme, in the Parliament holden at Glouceſter, the twentieth day of October, in the ninth yeare of the raigne of our ſaid Lord King Henry the fourth after the Conqueſt: The ſame our Lord the King willing to remedy the ſaid complaints, by the aduiſe and aſſent of the Lords Spirituall and Temporall, and at the inſtance and requeſt of the ſaid Commons, hath cauſed to be ordained and ſtabliſhed diuers Statutes, and Ordinances, in forme as followeth.

Cap. I.

A Confirmation of all Liberties, Except thoſe granted to the Schollers of Oxford.

Firſt, that holy Church haue all her Liberties and Franchiſes, and that all the Lords Spirituall and Temporall, and other the Kings Liege people, hauing Liberties and Franchiſes, and all Cities, and Boroughes of the Realme, haue and enioy all their Liberties and Franchiſes, which they haue of the grants of the Progenitors of our Lord the King, and of his owne Grant or Confirmation (Except the Franchiſe now late grãted to the Schollers of the Vniuerſitie of Oxenford) and that the great Charter, and the Charter of the Foreſt, and all other good Statutes made before this time, and not Repealed, ſtand in their force.

The Liberties of the Church and the franchiſes of all Cities, Boroughes and priuate perſons confirmed.
A franchiſe grãted the Schollers of Oxford excepted.

Cap. II.

Kendall Cloth ſhall not be ſealed, nor Aulnage paied for it.

Item, It is ordained and ſtabliſhed, that no Cloth called Kendal, wherof the dozen paſſeth not fiue ſhillings and eight pence, ſhall be ſealed with any of the Kings Seales, nor aulnage great nor little be paid for the ſame. And that the owners of ſuch Clothes may freely ſell the ſame

Kendal Cloth ſhall not be ſealed or Aulnage paied for it.

Clothes not ſealed, without forfeiting any thing to the King for the ſame, notwithſtanding any Statute or Ordinance made to the contrary. Stat. 1.H.4.19. 7.Iac.16.

Cap. III.

Felons in Southwales ſhall be taken, or the Countrie ſhall ſatisfie for their Offences. Alt. 27.*Hen*.8.26 Rep. 21.Iac.28.

Cap. IIII.

Diſclaimer in felony in Wales ſhall be vtterly excluded and put out.

ITem, It is ordained and ſtabliſhed, that no Thiefe nor Felon in Wales, openly knowne, be ſuffered to diſclaime out of the Seigniorie where the felony was done, and that ſuch maner of diſclaiming be vtterly put out. And that aſwell the ſaid Theeues openly knowne, as other Theeues be put to anſwere as priuie to the Endictments, or accuſements in the ſame Seigniories, where the Theeues be taken, without being deliuered by diſclaiming, or by Letters of Marque in any maner. St.27.*H*.8.26.

Diſclaiming in felony in Wales ſhall be vtterly put out.

Cap. V.

Lords of ancient Demeſne or Maiors &c. named Diſſeiſors in Aſſiſe to take away their franchiſe.

ITem, whereas diuers people doe oftentimes ſue Aſſiſes of Nouel diſſeiſin, or other Writs of plea of Land at the Common Law, of Lands, Tenements, and Rents being within Franchiſed Townes, and ancient demeſne, againſt certaine perſons, and cauſe to be named alſo in their ſaid Aſſiſes and Writs, the Maior, and Bailiffes, and Comminaltie of the Franchiſes, & the Lords and Bailiffes within ancient demeſne aforeſaid, whereas of truth they be not diſſeiſors nor Tenants of the ſaid Lands, Tenements, or Rents ſo being in plea, but named by colluſiõ and fraud, to barre and exclude the ſaid Maiors, Bailiffes, and Comminaltie, and the ſaid Lords and Bailiffes of ancient Demeſne of their Franchiſes and Liberties, to haue Coniſance of Iuriſdiction of their Court before them. It is ordained and ſtabliſhed, that in ſuch Aſſiſes or writs purchaſed or ſued from henceforth, or at this preſent depending betwixt any parties before any ſuch Iuſtices at the Common Law, in which ſuch Maior, Bailiffes, and Comminalty, or Lords or Bailiffes of ancient demeſne be named, that the ſame Iuſtices ſhall firſt enquire by the ſaid Aſſiſe in the Countrie, whether the ſaid Maior, Bailiffes, and Comminaltie, or Lords or Bailiffes of ancient demeſne (if they require it before ſuch Iuſtices) be Diſſeiſors or Tenants in that caſe, or be named by colluſion and fraud, as afore is ſaid. And if it be found that they be not Diſſeiſors nor tenants of the ſaid Lands, Tenements, or Rents, but acquit before the ſame Iuſtices, and found that they be named by colluſion and fraud, in the forme aforeſaid, that in ſuch caſe the Iuſtices ſhall cauſe the ſaid Writs of Aſſiſes, or other Writs purchaſed in the forme aforeſaid, to be abated and adnulled, and that the ſaid plaintiffe or plaintiffes ſhall be in grieuous mercie of the King, notwithſtanding that other tenants or diſſeiſors be named or found in ſuch Aſſiſes or Writs.

z.Aſſiſe 369.

A remedie where Lords of ancient demeſne or Maiors be named diſſeiſors in Writs to take away their Franchiſe. Fitz.N.B.fo.155.a St.8.H.6.26.

Cap. VI.

A Repeale of the Statute of 7.*H*.4 10. touching the length and breadth of Cloth of Ray. Stat 11.*H*.4.6. 13.*H*.4 4. 5.Ed.6.6. 43.El.10. 4.Iac.2.

Cap. VII.

Goods ſhall be chargeable for the payment of the fifteene where they were at the time when the ſame was granted.

ITem, it is ordained and ſtabliſhed, that all manner Foreiners hauing Lands, Tenements, beaſts, goods and Cattels, within any Townes at the day of grant of any Diſme or quinzime, or of any other taxe whatſoeuer, although they lead away their beaſts, or carry away their goods and cattels out of the ſame Towne after the day of the ſaid grant, that the ſame forrainers and euery of them, ſhall be contributory with the inhabitants of ſuch Townes to ſuch Diſme, Fifteene, or Taxe whatſoeuer. And that the Collectors of the ſame Diſme, quinzime, or Taxe for the time being, within ſuch Townes, ſhall haue power by authoritie of their Office to taxe and aſſeſſe ſuch forrainers according to the quantitie of their goods, cattels, and poſſeſſions being in the ſaid Townes, at the daies of the grant of the ſaid Diſme, quinzime, or Taxe, and for the ſummes whereto they be aſſeſſed or taxed, to diſtraine in euery place within the Countie, aſwell before that our ſaid Lord the King be anſwered of the whole ſummes that attaine to ſuch Towns as after. Prouided alwaies that no man nor woman be two times charged for any ſuch beaſts, goods, nor cattels, in any wiſe by occaſion thereof.

Goods ſhall be chargeable to paiment of the Fifteene where they were at the time the ſame was granted. St.1.Ed.3.6. None ſhall be twice charged for his goods.

Cap. VIII.

Money ſhall not be carried out of the Realme to the Court of Rome. All Statutes made againſt Prouiſors, and tranſlation of Archbiſhoprickes and biſhoprickes confirmed: Elections of Spirituall Promotions ſhall be free, and not interrupted by the Pope or the King. **Alt.** 25. *H.* 8. 20. A Pardon granted by the King, to all that haue purchaſed prouiſions, or tranſlation of Biſhopriecks &c. **Exp.**

Statutes made at Weſtminſter, Anno 11. *H.* 4.

& Anno Dom. 1409.

BY the aduiſe and aſſent of the Lords Spirituall and Temporall, and at the requeſt, inſtance, and ſuit of the Commons, being in the Parliament holden at Weſtminſter, in the fifteenth of Saint *Hillarie*, the eleuenth yeare of the raigne of King HENRY the fourth; The ſame our Lord the King hath ordained diuers Statutes and Ordinances in the forme as followeth.

Cap. I.

A Sheriffe maketh an vntrue returne of the election of the Knights of the Parliament.

St.7.H.4.15.

The penaltie of the Sheriffe which maketh an vntrue returne of the election of the Knights of the Parliament. St.8.H.6.7.

FIrſt, whereas in the Parliament holden at Weſtminſter, the ſeuenth yeare of the raigne of our ſaid Lord the King, there was ordained and ſtabliſhed by a Statute for the preſeruation of the Liberties and Franchiſes of the election of the Knights of the Shire vſed through the Realme, a certaine forme and manner of the Election of ſuch Knights, as in the ſaid Statute more fully is contained: And foraſmuch as in the ſame Statute no penaltie was ordained or limited in ſpeciall vpon the Sheriffes of the Counties, if they make any returnes to the contrary of the ſame Statute: It is ordained and ſtabliſhed, that the Juſtices aſſigned to take aſſiſes ſhal haue power to enquire in their Seſſions of Aſſiſes, of ſuch returnes made: and if it be found by enqueſt, and due examination before the ſame Juſtices, that any ſuch Sheriffe hath made, or hereafter make any returne contrary to the tenour of the ſaid Statute, that then the ſame Sheriffe ſhall incurre the penaltie of one hundred pounds to be payed to our Lord the King: and moreouer that the Knights of the Counties ſo vnduly returned, ſhall loſe their wages of the Parliament of old time accuſtomed. Stat.1.*H.*5.1. 6.*H* 6.4. 23.*H.*6.15. Raſt.pla.fol.410.

Cap. II.

No common Hoſtler ſhall be a Cuſtomer, Comptroller, or Searcher.

No common Hoſtler in a Citie or Borough ſhall be a Cuſtomer, Comptroller, or ſearcher there.

ITem, it is ordained and ſtabliſhed, that no man which holdeth a common Hoſtry in any City or Borough of England, ſhall be Cuſtomer, Comptroller, finder, nor ſearcher of the ſaid Lord the King: and that to eſchew the damage and loſſe, which thereof may happen by the fauour that ſuch common Hoſtlers may, or will doe to Merchants and other their gueſts in their ſaid Offices. Stat.20.*H.*6 5.

Cap. III.

Records ſhall not be amended or impaired after Judgement inrolled.

Juſtices of Aſſiſe ſhall deliuer into the Treaſury the records of Aſſiſe &c. euery ſecond yeare. St.9.Ed.3.5.

Records ſhall not be amended or impaired after Judgement giuen and recorded.

ITem, It is ordained and ſtabliſhed, that the Juſtices aſſigned and to be aſſigned, to take Aſſiſes by Commiſſion of our Lord the King in the Counties of the Realme, from henceforth ſhal cauſe to be deliuered fully in the Kings Treaſury, all the Records of Aſſiſes of Nouel diſſeiſin, of Mortdanceſtor and of Certifications, with all the appurtenances and appendances before them determined euery ſecond yeare, that the plea thereof be determined and iudgement giuen without more delay, and that the Records and proceſſe of Pleas, reall, and perſonall, and of Aſſiſes of Nouel diſſeiſin, or Mortdanceſtor, and Certifications, and of other, whereof Judgement is giuen and enrolled, or things touching ſuch plea, ſhall in no wiſe be amended nor impaired by new entring of the Clerkes, or by the Record or thing certified in witneſſe or commandement of any Juſtice in no Terme after that ſuch iudgement in ſuch pleas is giuen and enrolled. Fitz. Error. 51.

Cap. IIII.

He that playeth at vnlawfull games prohibited by the Stat. of 12.*R.*2.6. ſhall be ſixe daies impriſoned. **Rep.**33.*H.*8.9.

Cap. V.

Gally halfepence ſhall not be currant in payment in this Realme.

Gally halfepence ſhall not be currant payment.

ITem, becauſe that Gally halfepence doe commonly runne in the realme for payment, in derogation of the Kings Crowne, and in great deceipt of the Common people: It is ordained and ſtabliſhed, that the ſaid Gally halfepence ſhall neuer be currant in payment, nor in other maner within the Realme of England. vpon paine of forfeiture thereof. And moreouer that the Gally halfe pence, in whoſe hands ſoeuer they be found within the Realme, ſhall be forfeit to our Lord the King after two moneths next enſuing the Proclamation of this Statute. And alſo the ſame our Lord the King, will that all the Statutes and Ordinances made before this time by him or by his noble Progenitors not repealed, aſwell of money of Scotland as of the money of other Realmes and parties beyond the Sea, be holden, and kept, and put in due execution.

Cap. VI.

Clothes ſhall not be tacked and plaited together before the Aulneger hath ſet his Seale to them.

Stat.7.H.4.10.

ITem, whereas by the Statute made the ſeuenth yeare of the raigne of our ſaid Lord the King that now is, it was ordained, that euery whole coloured Cloth made within the Realme ſhould contained by aſſiſe the length of eight and twenty yards by the creſt, and euery dozen of Cloth of the length of fourteen yeards by the creſt; and the Rayes meaſured by the liſt ſhould containe the ſame length, that is to ſay, the whole Cloth eight and twentie yeards, and the Dozen foureteene yeards: And certaine Aulnegers thereto aſſigned through the Realme, ſhould take their charge in the Exchequer, well and lawfully without fraud to ſearch and ſuruay ſuch Clothes, and Dozens, that euery of them in his nature doe containe the length and breadth as the Statute aforeſaid requireth. The ſame Aulnegers hauing power and authority by our ſaid Lord the King, duely to execute their Office, and with the Seale of their ſaid Office thereto aſſigned to Seale all the ſaid Clothes and Dozens holding their length and breadth, after the forme of the ſaid aſſiſe, ſo that the people hauing whereof they may be ſure, that by the warrant of the ſame ſealing, their Clothes and Dozens aforeſaid, ſhall hold their length and breadth, after the forme of the ſaid Statute: notwithſtanding which Statute, certaine perſons, namely, in the Weſt parts, making ſuch manner Clothes, which doe not hold their ſaid aſſiſe aſwell in Raies as in full Cloth, and in eſpeciall where the whole coloured Cloth ought to containe the length of eight and twenty yeards, it holdeth not but three and twentie yeards, and where the Dozen of Cloth ought to hold thirteene yeards, it holdeth but eleuen yeards, and to conceale the deceit of the meaſure, the ſaid people ſo making ſuch Clothes and Dozens, cauſe the ſame to be plaited and tacked together preſently after they be made. And when the Aulnegers ſee the Clothes ſo tacked together, they doe ſeale them without making any more ſearch or ſuruaying of the ſame clothes, to the great deceit and hinderance, aſwell of the Lords as the Commons of the Realme. Our Lord the King conſidering the miſchiefes aforeſaid, and willing thereof to prouide remedie, by the aduice and aſſent of the ſaid Lords, and at the requeſt of the ſaid Commons, hath ordained and ſtabliſhed. that a new ſeale hauing a ſigne and a marke differing from the old Seale of the ſaid Office of Aulneger, ſhall be made and deliuered to the ſaid Aulnegers, and that after that the ſame Seale ſo newly to be made, be deliuered to the ſaid Aulnegers, Proclamation ſhall be made openly in the Weſt parts, and other places through the Realme, that no perſons making ſuch manner of Clothes and Dozens in the ſame Weſt parts, nor elſe where within the Realme of England, be ſo hardy to tacke and plaite together ſuch maner Clothes, before that the Aulneger hath duely made his ſearch and ſuruay of the ſame Clothes, that they hold their length and breadth ordained in the ſaid Statute, vpon paine of forfeiture of the ſame: And that the ſaid Aulneger after that, ſhall ſet the ſaid new Seale of his Office to ſuch maner of Clothes and Dozens, ſauing alwaies that the clothes & dozens of Colour & of Ray, which be enſealed with the ſaid old Seale, before the Proclamation made, may haue their courſe to be ſold without any impediment, impeachment, or reſtraint, vpon them to be made by the ſaid Aulnegers, or any other officers, betwixt the date of the ſaid Proclamation, and the feaſt of S. Peter ad vincula next comming. And in caſe that any Aulneger in doing his ſaid office doe contrarie to this Statute, and thereof be duely attainted, that he at the firſt time that he ſhall be ſo attainted, ſhall loſe x.li. and at the ſecond time xx. pounds, to be leuied and paied to the vſe of our ſaid Lord the King, of all his Lands and Tenements, goods, and cattels, in whoſe hands ſoeuer they be. And at the third time his body ſhall be arreſted, and all his goods and cattells at the Kings will. And moreouer the ſame our Lord the King doth will, that euery perſon which will ſue for the King, or for himſelfe, ſhall haue the ſuit to ſuch Aulnegers, ſo doing againſt this Statute. And the ſame partie purſuing ſhall haue for his Labour the fourth part of the penaltie of tenne or twenty pound aforeſaid: according as the caſe ſhall happen: ſauing to Lords and other their Franchiſes, if they haue any in this caſe. Stat.11.H.6.9.

No man ſhall tacke and plight together clothes before the Aulneger hath ſet his Seale vnto them. Stat.13.R.11.

The penaltie of an Aulneger not performing his dutie.

Cap. VII.

Merchants Strangers, ſhall pay to the King the Cuſtomes, and Subſidies granted to him by the Commons for Cloth cut in pieces, and for Clothes cut into garments proportionably, after the rate of a whole piece. Exp.

Cap. VIII.

The Lord Chancellor ſhall ſend the Eſtreates of Exchanges taken of Merchants into the Exchequer euery fifteene daies. Obs. Stat.14.R.2.2. 9.H.5.9.

Cap. IX.

Iurors in Indictments ſhall be returned by the Sheriffe, or &c. without denomination of any.

Iurors in Indictments ſhall be returned by the Sheriffes, or Bailiffes, without denomination of any. St 11.H.7.24. 3.H.8.12.

ITem, becauſe that now of late Enqueſts were taken at Weſtminſter of perſons named to the Juſtices, without due returne of the Sheriffe, of which perſons ſome were outlawed before the ſaid Juſtices of Record, and ſome fled to Sanctuary for Treaſon, and ſome for Felony, there to haue refuge, by whom aſwell many offenders were indicted, as other lawfull liege people of our Lord the King, not guilty, by conſpiracie, abatement, and falſe imagination of other perſons, for their ſpeciall aduantage and ſingular lucre, againſt the courſe of the Common Law uſed and accuſtomed before this time: Our ſaid Lord the King, for the greater eaſe and quietnes of his people, will and granteth, that the ſame Indictment, ſo made, with all the dependance thereof be reuoked, adnulled, void, & holden for none for euer. And that from henceforth no Indictment be made by any ſuch perſons, but by enqueſts of the Kings lawfull liege people, in the maner as was uſed in the time of his noble Progenitors, returned by the Sheriffes, or Bailiffes of Franchiſes, without any denomination to the Sheriffes, or Bailiffes of Franchiſes before made by any perſon of the names, which by him ſhould be empanalled, except it be by the Officers of the ſaid Sheriffes or Bailiffes, of Franchiſes ſworne and knowne to make the ſame, and other Officers to whom it pertaineth to make the ſame according to the law of England. And if any Endictment be made hereafter in any point to the contrarie: that the ſame Indictment be alſo void, reuoked, and for euer holden for none.

Statutes made at Weſtminſter, Anno 13 Hen. 4. & Anno Domini 1411.

THe Tueſday, being on the morrow of all Soules the thirteenth yeare of the raigne of our Lord King HENRY the fourth: The ſame our Lord the King by the aduice and aſſent of the Lords Spirituall & Temporall, and at the requeſt of the Commons being in the ſaid Parliament holden at Weſtminſter, hath cauſed to be ordeined and ſtabliſhed diuers Statutes and Ordinances, in forme as followeth.

Cap. I.

A Confirmation of all Liberties, ſauing a Franchiſe granted to the Schollers of Oxford.

The Liberties of the Church & of all Cities, and Boroughes confirmed. The liberties granted to the Schollers of Oxford excepted.

FIrſt, that holy Church haue all her Liberties and Franchiſes. And all the Cities, and Boroughes of the Realme, haue and enioy all their Liberties and Franchiſes, which they haue of the Grant of our Lord the Kings Progenitors, or of his owne Grant or Confirmation. Except the Franchiſe now late granted to the Schollers of the Uniuerſitie of Oxenford. And that the great Charter, and the Charter of the Foreſt, and all other good Statutes made before this time, and not Repealed ſtand in their force.

Cap. II.

A confirmation of the Stat. of 8.R.2.2. touching Iuſtices of Aſſiſe and Gaole deliuery for ſo long as it ſhall pleaſe the King. Exp. St.33.H.8.24.

Ca. III.

A Confirmation of ſeuerall Statutes of 1.H.4.7. 7.H.4.14 & 1.R.2.7. touching giuing and taking of Liueries. Rep.3.Car.4.

Cap. IIII.

A Confirmation of the Statute of *7 H*.4.10.&.11. *H*.4.6.&c. touching the length and breadth of clothes of Ray, And coloured clothes. Rep.5.Ed.6.6. 43.El.10.4.Iac.2.9.*H*.4.6.

Cap. V.

All Cuſtomers, Comptrollers, &c. ſhall be reſident upon their Offices.

Cuſtomers &c. ſhall be continually reſident upon their offices.

ITem, It is ordained and ſtabliſhed that the Statutes made of Cuſtomers, Comptrolers, Leiutenants, of the chiefe Butler, and of Searchers, the firſt and fourth yeares of our ſaid Lord the King that now is, be kept and holden. And moreouer it is ordained and eſtabliſhed, that all manner of Cuſtomers and Comptrolers, Gaugeors of Wine, and Searchers through the Realme, ſhall be continually reſident and abiding upon their Offices, and in ſpeciall at the time of the charge and diſcharge of Ships and Veſſells entring in the Ports of England, and paſſing out of the ſame, ſo that no ſuch Officer, after the time aboue named, be abſent from his ſaid Office, by thrée wéekes at the moſt, vpon paine to loſe his ſaid office, vnleſſe he be cõmanded and charged in ſpeciall of Record to be in the Kings Courts, or otherwiſe in the Kings Seruice of Record, as afore is ſaid. Stat. 1. H. 4. 13. 4. H. 4. 20.

Cap. VI.

No Gally halfe pence or forraine money ſhall be currant within this Realme.

No foreine money ſhall be currant within this Realme.

ITem, whereas in the Statute made the eleuenth yeare of our Lord the King that now is, it was ordained and eſtabliſhed, that Gally halfe pence from henceforth ſhould not runne in payment, nor in other manner within the Realme of England, vpon paine of forfeiture of the ſame, and moreouer that the ſame Gally halfe pence, in whoſe hands they might be found within the ſaid Realme, ſhould be forfeit to our ſaid Lord the King, and alſo that the Statutes and ordinances made by our ſaid Lord the King, or his noble Progenitors aſwell of the money of Scotland, as of other Realmes and parts beyond the Sea, ſhould be holden and kept, and put in due execution. Our Lord the King conſidering the great deceit aſwell of the Gally halfe pence, as of the money of other Realmes beyond the Sea, will that the ſame Statutes be firmely holden and kept, and put in due execution in all points. St. 2. H. 4. 6. 11. *H.* 4. 5.

Cap. VII.

The Iuſtices of Peace and the Sheriffes ſhall arreſt thoſe which commit any Riot, &c. Inquire of them, and record their offences.

Riots. 5.

H. 7 fo. 7.

4. fo. 18.

The Iuſtices of peace & the Sheriffe ſhall arreſt thoſe which commit any riots, &c.

St. 5. R. 2. 7. St. 15. R. 2. 2.

Inquiry of the offendors.

ITem, it is ordained and eſtabliſhed, That if any Riot, Aſſembly, or Rout of people againſt the Law, be made in parties of the Realme, that the Iuſtices of Peace, thrée, or two of them at the leaſt, and the Sheriffe or vnder-Sheriffe of the County where ſuch Riot, aſſembly, or Rout ſhall be made hereafter, ſhall come with the power of the County (if néede be) to arreſt them, and ſhall arreſt them, and the ſame Iuſtices and Sheriffe or vnder-Sheriffe ſhall haue power to record that which they ſhall find ſo done, in their preſence againſt the Law. And that by the Record of the ſame Iuſtices and Sheriffe, or vnder-Sheriffe, ſuch treſpaſſors, and offendors ſhall be conuict in the manner and forme as is contained in the Statute of forcible entries. And if it happen that ſuch treſpaſſors, and offendors be departed before the comming of the ſaid Iuſtices and Sheriffe and vnder-Sheriffe, that the ſame Iuſtices, thrée or two of them, ſhall diligently inquire within a moneth after ſuch Riot, Aſſembly, or Rout of people ſo made, and thereof ſhall heare and determine according to the Law of the land.

Certificate of a riot, and the puniſhment of offendors.

And if the truth cannot be found in the manner as afore is ſaid, then within a moneth then next following, the Iuſtices, thrée or two of them, and the Sheriffe or vnder-Sheriffe ſhall certifie before the King and his Counſell all the déede, and circumſtances thereof: which Certificate ſhall be of like force, as the preſentment of twelu, vpon which Certificate the ſaid treſpaſſors and offendors ſhall be put to anſwer, & they which ſhall be found guiltie, ſhall be puniſhed according to to the diſcretion of the King and his Counſell.

A Trauerſe of a riot triable in the Kings Bench.

Conuiction of offendors, for default of apparance.

And if ſuch treſpaſſors & offendors do trauerſe the matter ſo certified, the ſame Certificate and Trauerſe ſhall be ſent into the Kings Bench, there to be tried and determined as the Law requireth. And if the ſame treſpaſſors doe not appeare before the King and his Counſell, or in the Kings Bench at the firſt Precept, then ſhall be another Precept, directed to the Sheriffe of the Countie, to take the ſaid treſpaſſors and offendors, if they may be found, and to bring them at a certaine day before the King and his Counſell, or into the Kings Bench. And if they cannot be found, that the Sheriffe or vnder-Sheriffe ſhall make Proclamation in his full Countie next enſuing the deliuery of the ſecond Precept, that they ſhall appeare before the King and his ſaid Counſell, or in the Kings Bench, or in the Chancerie, in time of vacation within thrée wéekes then next following. And in caſe the ſame offendors come not as afore is ſaid, and the Proclamation made and returned, they ſhall be conuict and attainted of the Riot, Aſſemblie, or Rout afore ſaid, notwithſtanding any article or ordinance made to the contrary.

fo. 310.

The penaltie of the next Iuſtices omitting their office.

And moreouer, that the Iuſtices of Peace dwelling nigheſt in euery Countie, where ſuch riot, Aſſemblie, or Rout of people, ſhall be made hereafter, together with the Sheriffe or vnder-Sheriffe of the ſame County, and alſo the Iuſtices of Aſſiſes for the time that they ſhall be there in their Seſſion, in caſe that any ſuch Riot, Aſſemblie, or Rout be made in their preſence, ſhall doe execution of this Statute, euery one vpon paine of an hundred pound, to be payed to the King, as often as they ſhall be found in default of the execution of the ſame Statute. Stat. 17. R. 2. 8. 2. H. 5. 8. 11. *H.* 7. 7. 19. *H.* 7. 13. Raſt. pla. fo. 358.

Thus endeth the Statutes of King Henry *the fourth.*

Anno primo HENRICI *quinti.*

STATVTES MADE AT WESTMINSTER IN THE FIRST YEARE OF the Raigne of King HENRIE the fift, and in the yeare of our Lord, 1413.

OVr Lord the King at his Parliament holden at Weſtminſter, in the three weekes of Eaſter, the firſt yeare of his raigne, by the aduice and aſſent of the Lords Spirituall and Temporall, and at the ſpeciall inſtance and requeſt of the Commons of this Realme, hath ordained and eſtabliſhed diuers Statutes and Ordinances in the forme following.

CAP. I.

What ſort of people ſhall be choſen, and who ſhall be the chooſers of the Knights and Burgeſſes of the Parliament.

What perſons ſhall be choſen & who ſhall be, the chuſers of the knights and burgeſſes for the parliament. Raſt.pla.fo.410.

FIrſt, that the Statutes of the election of the Knights of the Shires to come to the Parliament, be holden and kept in all points: adioyning to the ſame, that the Knights of the Shires, which from henceforth ſhall be choſen in euery Shire, be not choſen vnleſſe they be reſiant within the Shire where they ſhall be choſen, the day of the date of the Writ of the ſummons of the Parliament. And that the Knights and Eſquires, and other which ſhall be chooſers of thoſe Knights of the Shires be alſo reſiant within the ſame Shires in manner and form as is aforeſaid. And moreouer, it is ordained & eſtabliſhed, that the Citizens and Burgeſſes of the Cities & Boroughs be choſen men citizens and burgeſſes reſiant dwelling and frée in the ſame cities & boroughs, and no other in any wiſe. Stat.7.H.4.15.8.H.6.7.10.H.6.2.23.*H.6*.15.

CAP. II.

A confirmation of former Stat. touching Weares, Milles, Kiddels, &c.

St.25.Ed.3.4. 45.Ed.3.2. 4.H.4.11. A confirmation of former St. made concerning the leuying and ſtraitning of weares &c.

ITem, becauſe that great complaint hath béene made to our ſaid Lord the King in this preſent Parliamẽt, for that the ſtatutes made in the time of his noble progenitors Kings of England, of the leuying and ſtreating of Weares, Mils, Stanks, Stakes, and Kidels, bee not kept according to the forme and effect of the ſame ſtatutes, to the great damage of the people of the Realme of England. Our ſaid Lord the King that now is, by the aduice and aſſent of the Lords ſpirituall and temporall, and at the requeſt of the ſaid commons, will and grant that the ſaid ſtatutes and ordinances be ſurely holden and kept, and put in due execution.

CAP. III.

The penaltie that ſhall be inflicted vpon him which doth forge or publiſh a falſe deed, ſhall be to ſatisfie the partie grieued his damages, and to make fine and ranſome at the Kings will. REP. 5.El.14. Raſt.pla.fol.353. Fitz.forger de faits.1.2.3.&c.

CAP. IIII.

Sheriffes Bailiffes ſhall not be in the ſame office in three yeares after. Sheriffes officers ſhall not be Atturneies.

The Sheriffs Bailiffes ſhall not be in the ſame office 3. yeares after.

ITem, foraſmuch as the Kings liege people dare not purſue or complaine of the extortions & of the oppreſſions to them done by the officers of Sheriffes, that is to ſay, by vnderſheriffes, clerks of Sheriffes, receiuers, and Bailiffes of Sheriffes, becauſe that the ſaid Vnderſheriffes, Clerkes, Receiuers, & Bailiffes be continually from yeare to yeare, abiding with the Sheriffs interchangeably out of one office into another: Our Lord the King, by the aduice & aſſent aforeſaid, and at the requeſt of the ſaid commons hath ordained & eſtabliſhed, that they which be Bailiffes of Sheriffs, by one yeare, ſhall be in no ſuch office by thrée yeares next following, except Bailiffes of Sheriffes, which be inheritable in their Sheriffewickes. And that no vnderſheriffe, Sheriffs Clerke, receiuer, nor Sheriffes Bailiffe, be Atturney in the Kings Courts, during the time that he is in office with any ſuch Sheriffe.

Sheriffes officers ſhall not be Atturneys.

Cap.

Cap. V.

In which Originall Writs additions of the defendants names ſhall be put.

d.4.fo.76.
e li.6.fo.67.
r fo.46.79.
224.
Addition 4.
8.9.10.12.14.
9.
Briefe.36.
0.47.49.51.
7.72.75.
122.124.
129.151.
169.201.
940.

ITem, it is ordained and eſtabliſhed, that in euery originall Writ of actions perſonals, appeals, and indictments, and in which the Exigend ſhall be awarded, that the names of the defendants in ſuch Writs originall, appeales, and indictments, additions ſhall be made of their eſtate or degrée, or miſtery, and of the townes, or Hamlets, or places, and Counties, of the which they were or be, or in which they be or were conuerſant. And if by Proceſſe vpon the ſaid Originall writs, Appeales or Indictments, in the which the ſaid additions be omitted, any vtlagaries be pronounced, that they be void, fruſtrate, and holden for none. And that before the Vtlagaries pronounced, the ſaid Writs and Indictments ſhall be abated by the exception of the party where in the ſame the ſaid additions be omitted. Prouided alwaies, that though the ſaid Writs of additions perſonals be not according to the Records and Déeds, by the ſurpluſage of the additions aforeſaid, that for that cauſe they be not abated. And that the Clerkes of the Chancery, vnder whoſe names ſuch writs ſhall goe forth written, ſhal not leaue out, or make omiſſion of the ſaid additions as is aforeſaid, vpon paine to be puniſhed, & to make a fine to the King by the diſcretion of the Chancellor. And this ordinance ſhall begin to hold place at the ſuit of the partie from the feaſt of Saint Michael next enſuing forward. Raſt.pla.fol.107.280. Stat.8.*H*.6.12.9.*H*.6.4.5.El.23.

In originall writs wherein Exigent ſhal be awarded, additions of the defendants names ſhall be put.

Surpluſage of additions ſhall not preiudice.

Cap. VI.

No Welſhman ſhall take reuenge againſt thoſe Engliſhmen which did purſue their friends in the late Rebellion. Exp.

Cap. VII.

A confirmation of the Statute of 13.R.2. reſtraining Aliens to accept any Benefices in England. Ob.

Cap. VIII.

All Iriſhmen and Iriſh Clerkes beggars, ſhall depart this realme before the firſt day of Nouember except Graduates, Sergeants, and Apprentices at the law, and inheritors in England, religious perſons and Merchants. Exp. Stat.1.*H*.6.3.2.*H*.6.8.

Cap. IX.

The reuenues of Calice ſhall be imployed to the maintenance of it. Ob.

Cap. X.

By what meaſure Puruaiors and others ſhall take and buy Corne.

ITem, whereas in the time of the Kings noble progenitors it was ordained that one meaſure of corne ſhould bée through all the Realme of England, that is to ſay, eight buſhels for the quarter, and that euery buſhell ſhall containe eight gallons, by force of which ordinances ſuch meaſure hath béene vſed, with a Buſhell of the ſaid Quarter heaped. And notwithſtanding the ſaid good ordinances and vſages, the Puruaiors of Corne as well for the houſe of the father of our Lord the King, as for the houſe of our Lord the King which now is, haue taken before this time for the ſaid houſes continually nine buſhells of Wheate and of other Corne for the Quarter, and that many times by meaſure not ſealed, and alſo not ſtricken, againſt the will of the ſellers of the ſame, and without due price ſet vpon the ſame after the Law of the land, and alſo cauſe the ſellers to cary the ſaid corne to what place that them pleaſeth, without paying for the cariage: and the Merchants and Citizens of London doe vſe to take of euery ſeller for the quarter of Wheate, nine buſhels by the meaſure, vſed within the ſaid Citie called the Fate, with a Buſhell ſet vpon the ſaid Fate, and yet make the ſellers to pay a halfepenie for the meaſuring of euery quarter, and take for a quarter of Oates, tenne buſhels, whereby the buyers of the corne in the Countrey, will not buy nor take for the quarter of Corne, but in the ſame manner, as the ſaid Puruaiors, and they of the ſaid Citie vſe to take, to the great hinderance and perpetuall vndoing of the Comminaltie aforeſaid.

London meaſure called the Fate.

It is ordained and eſtabliſhed, that all the ſaid good Ordinances be firmely holden and kept, after the effect of the ſame. And that no Puruaior of our Lord the King, nor any other, ſhall vſe hereafter to buy nor to take any corne by other meaſure, but eight buſhels ſtriked for the quarter, and that none bée otherwiſe bound to deliuer for the quarter, but eight buſhells ſtriked, as is aforeſaid, and alſo that the payment be made in hand for the carriage. And that if any Purueior of our Lord the King, or any other perſon, buy or take any Corne otherwiſe, or by other meaſure but eight buſhells ſtriked for the quarter, as in the ſaid ordinances is contained, and thereof bee attainted, he ſhall haue one yeares impriſonment, and pay to the King a hundred ſhillings, and to the party that féeleth himſelfe grieued an other hundred ſhillings, and that as

By what meaſures puruaiors and others ſhall take and buy corne.

often as any of them be thereof attainted : and that the partie which will ſue, haue an action grounded vpon the caſe : and that the Iuſtices of the Peace haue power to enquire and hold plea of all theſe things aforeſaid, and vpon that make puniſhments as is aforeſaid, as well at the ſuit of the King, as of the partie : and that from henceforth nothing be taken for the meaſuring of ſuch corne in any wiſe. St.4.Ed.3.3.25.Ed.3.1. 36.Ed.3.2. 11.H.6.8. 11.*H.*7.4.

Statutes made at Leiceſter, *Anno ſecundo Hen.quinti,* *& Anno Domini* 1414.

OVr Lord the King at his Parliament holden at Leiceſter, the laſt day of Aprill, the ſecond yeare of his raigne, by the aduice and aſſent of the Lords Spirituall and Temporall, and at the ſpeciall inſtance & requeſt of the Commons of his Realme in the ſame Parliament aſſembled, hath ordained and ſtabliſhed diuers Ordinances, declarations and Statutes made in the forme as followeth.

Cap. I.

Ordinaries ſhall inquire of and reforme the eſtates of Hoſpitalls.

The cauſes of the erection of hoſpitalls.

FIrſt, for as much as many Hopitalls within the Realme of England, founded as well by the noble Kings of this Realme, and Lords and Ladies both Spirituall any Temporall, as by diuers other eſtates, to the honour of God and of his glorious Mother, in ayde and merite of the ſoules of the ſaid Founders, to the which Hoſpitals the ſame Founders haue giuen a great part of their moueable goods for the buildings of the ſame, and a great part of their lands and tenements, therewith to ſuſtaine impotent men and women, Lazers, men out of their wits, and poore women with child, and to nouriſh, relieue, and refreſh other poore people in the ſame, bee now for the moſt part decaied, and the goods and profits of the ſame by diuers perſons as well Spirituall as Temporall withdrawne and ſpent in other vſe, whereby many men and women haue died in great miſery for default of aide, liuing and ſuccour: to the diſpleaſure of God, and perill of the ſoules of ſuch maner of diſpoſers. The K. our ſoueraigne Lord, conſidering the meritorious and deuout intents of the Founders aforeſaid, and the vnaccuſtomed gouernment in the ſame, hath by the aduice and aſſent aforeſaid ordained, and eſtabliſhed, that as to the Hoſpitals, which be of the patronage and foundation of the King, the Ordinaries by vertue of the Kings Commiſſions to them directed, ſhall inquire of the maner and foundation of the ſaid Hoſpitals, and of the gouernance and eſtate of the ſame, and of all other matters neceſſary and requiſite in this behalfe, and the inquiſitions thereof taken ſhall certifie in the Kings Chancery. And as to other Hoſpitalls, which be of another foundation, and patronage then of the King, the Ordinaries ſhall inquire of the manner of the foundation, eſtate, and gouernance of the ſame, and of all other matters and things neceſſary in this behalfe: and vpon that make thereof correction and reformation, according to the Lawes of holy Church, as to them belongeth.

Ordinaries ſhall inquire of & reforme the foundation, eſtate and gouernment of hoſpitals. St.14.El.5.

6 H.7.b
8.Aſſ.pl.

Cap. II.

A Corpus cum cauſa, *or* Certiorari *to remoue him which is in Execution at an other mans ſuit.*

ITem, for as much as many men haue beene condemned in the Courts of our Lord the King, and in the Courts of his Progenitors, as well within the Citie of London, as in other Cities and Boroughes within the Realme of England, and by the vertue of ſuch condemnations haue beene committed to the priſon of our Lord the King, there to remaine vntill they haue made agreement to the plaintiffes, to whom they were condemned : After by their ſuggeſtion made in the Chauncery of our Lord the King, they haue had diuers Writs called Certiorari, and Corpus cum cauſa, out of the Chauncery of our ſaid Lord the King, directed to the Sheriffe, or Keepers of the priſons, where ſuch perſons condemned be holden, to haue their bodies with the cauſe of impriſonment of the condemned aforeſaid in the Chancery, at the dayes contained in the ſaid writs. After which writs together with the body & the cauſe of the condemnation returned in the Chancery aforeſaid, the ſaid perſons ſo condemned haue bin deliuered in the Chancery aforeſaid by baile or by mainpriſe, or enlarged without baile or mainpriſe againſt the aſſent & wil of the ſaid plaintiffes, & without any agreement made to the ſaid pl. of the ſums, in the which they be condemned, againſt the law of the land: and ſo remaine the ſaid plaintifes without remedy, in hinderance of the ſtate of ſuch plaintiffs, & in defeating of the iudgments giuen in the Courts aforeſaid. Our Lord the King, willing herein to prouide remedy, by the aduice and aſſent aforeſaid, and at the requeſt of the foreſaid commons, hath ordained and ſtabliſhed, that if any ſuch writ of Certiorari

If a Corpus cum cauſa, or Certiorari be granted to remoue him that is in priſon vpon an execution at another mans ſuit, hee ſhall be ſent backe to priſon.

4.H.6.
20 H.
38.H.
2.Ed.
24 Ed.

or Corpus cum cauſa, be granted, or ſhall be granted at any time hereafter, and vpon the ſaid Writ if it be returned, that the priſoner which is ſo holden in priſon, is continued by iudgement giuen againſt him, that preſently he ſhall be remanded, where he ſhall remaine continually in priſon, according to the law and cuſtome of the land, without being let to go by baile or by mainpriſe againſt the will of the ſaid plaintiffes, vntill agreement be made to them of the ſummes ſo adiudged. Fitz.N.B.fo.261.

Cap. III.

A Libell grantable in the Spirituall Court, ſhall be preſently deliuered.

Item, foraſmuch as diuers of the Kings liege people be daily cited to appeare in the Spiritual Court before Spirituall Iudges, there to anſwere to diuers perſons, as well of things which touch freehold, debt, treſpaſſe, couenants, and other things whereof the Cogniſance pertaineth to the court of our Lord the King, as of Matrimony, and Teſtament: and when ſuch perſons ſo cited appeare and demand a libell of that which againſt them is ſurmiſed to be informed, to giue their anſwere thereunto, or otherwiſe to purchaſe a Writ of our Lord the King, of Prohibition, according to their caſe, which Libell to them is denied by the ſaid ſpirituall Iudges, to the intent that ſuch perſons ſhould not be aided by any ſuch Writ againſt the law, and to the great damage of ſuch perſons ſo impleaded. Our ſaid Lord the King by the aduice and aſſent of the Lords ſpiritual and temporal, and at the requeſt and inſtance of the ſaid Commons, hath ordained and eſtabliſhed, that at what time the libell is grantable by the law, that it may be granted and deliuered to the party without any difficultie. Fitz.N.B.fo.43. E.Raſt.pla.fo.450.

A copie of a Libell grantable in the ſpirituall court ſhall be preſently deliuered vpon the defendants appearance.

Ad.4.fo.37.

Cap. IIII.

Which Iuſtices of the Peace muſt be reſident in the ſame Shire. And at what times they muſt hold their Quarter Seſſions.

Item, foraſmuch as the ſeruants and labourers of the Shires of the realme do flee from Countie to Countie, becauſe they would not be iuſtified by the ordinances and ſtatutes by the Law for them made, to the great damage of Gentlemen and others, to whom they ſhould ſerue, becauſe that the ſaid ordinances and ſtatutes for them ordained, be not executed in euery Shire: Our Lord the King, willing in this caſe to prouide a remedy, by the aduice and aſſent aforeſaid, and at the requeſt of the ſaid commons, hath ordained and ſtabliſhed, that the ſtatute of laborers, made at Canterbury, and all other good ſtatutes of labourers, made and not repealed, be firmely holden and kept, and put in due execution. And moreouer, that the Iuſtices of peace haue power to ſend their Writs for ſuch fugitiue labourers to euery Sheriffe of the realme of England, and to make ſuch Proceſſe as the ſtatute requireth, to bring them before them to anſwere to our Soueraign Lord the K. and to the parties, of the contempts and treſpaſſes made or done againſt the ordinances & ſtatutes aforeſaid, in like maner as the Iuſtices haue power to ſend to euery Sheriffe for the felons before them indicted. And alſo that all the ſtatutes and ordinances of Laborers, Seruants and Artificers before this time made and not repealed, be exemplified vnder the great ſeale, and ſent to euery Sheriffe of the realm of England, therof to make proclamation in full Countie, and after this Proclamation ſo made, that euery Sheriffe ſhall cauſe the ſaid exemplification to him directed, to be deliuered to the Iuſtices of the Peace in his Countie named of the Quorum, or to one of them, to remaine with ſuch Iuſtices which be or ſhall be, for the better putting of the foreſaid ſtatutes and ordinances in due execution. And in Shires where diuers Commiſſions of the peace be made, there ſhall be ſo many exemplifications of the ſtatutes and ordinances aforeſaid made, as be Commiſſions of the Peace in the ſame Shires, and ſent to the Sheriffe to make proclamation, and to deliuer the ſame as is aforeſaid.

St.12.R.3.2.&c.

Iuſtices of P. may ſend their writs for fugitiue ſeruants or laborers to euery Sheriffe of England.

REP.5.El.4.

And that the Iuſtices of the Peace in euery Shire named of the Quorum, be reſiãt within the ſame Shire (except Lords named in the Commiſſion of the peace: and alſo except Iuſtices of the one Bench and of the other, the chief Baron of the Exchequer, Sergeants at the law, & the Kings Atturney, for the time that the ſame Iuſtices, chiefe Baron, Sergeants at the Law, & the Kings Atturney, be intending & occupied in the Kings Courts, or otherwiſe in ſome other place occupied in the Kings ſeruice) and make their Seſſions foure times by the yeare, that is to ſay, in the firſt weeke after the feaſt of S. Michael, and in the firſt weeke after the Epiphany, & in the firſt weeke after the clauſe of Eaſter, and in the firſt weeke after the tranſlatiõ of S. Thomas the Martyr, and more often if need be. And that the ſame Iuſtices hold their Seſſions throughout the Realme of England in the ſame weeks euery yeare from henceforth. And alſo that the Iuſtices of peace from henceforth haue power to examine as well all maner of Laborers, Seruants and their Maſters, as Artificers by their oathes, of all things by them done contrary to the ſaid Ordinances and Statutes, and vpon that to puniſh them vpon their confeſſion, after the effect of the ſtatutes and ordinances aforeſaid, as though they were conuict by enqueſt. And that the Sheriffe in euery Shire of the realme of England ſhall doe well and duely his office in this behalfe, vpon paine to loſe and to forfeit to our Lord the King twenty pound.

Which Iuſtices of peace and Quorum muſt be reſiant in the ſame ſhire, which not.

At what times Iuſt. of peace ſhall hold their quarter Seſſions.

St.36.Ed.3.12.
12.R.2.10.
14.H.6.4.

Iuſt. of peace may examine laborers, ſeruants, & their maſters & artificers by their oathes.

CAP. V.

Proceſſe againſt Felons dwelling in Tyndall or Examſhire in Northumberland.

ITem, foraſmuch as by the Commons of the Countie of Northumberland, grieuous complaints haue béene made to our ſoueraigne Lord the King in this preſent Parliament, for that many murders, treaſons, manſlaughters, robberies, and diuers other offences, to many of the faithfull liege people of the ſame Countie, by people dwelling in the ſame Countie within the Franchiſe of Tindale and Examſhire, where the Kings Writs runneth not, now of late haue béene perpetrated, otherwiſe then haue béene done or knowne before this time, to ſo many perils of the ſaid liege people of our Lord the King, that without due remedie in this behalfe prouided, they dare no longer there dwell, becauſe that ſuch offendors bée ſo fauoured by ſuch Franchiſe: Our ſaid Lord the King, by the aduice and aſſent aforeſaid, and at the requeſt of the ſaid Commons, hath ordained and eſtabliſhed, that if any perſon of the ſaid Franchiſes of Tindale and Examſhire, reſiant or dwelling in the ſame, of what eſtate or condition that he be, doe any murders, treaſons, manſlaughters, or robberies, or conſent to doe them out of the ſaid Franchiſes of Tindale and Examſhire, proceſſe ſhall be made againſt him by the common Law, vntil he be outlawed. And that after ſuch Outlary pronounced and returned, the Iuſtices, before whom ſuch Outlary is returned, ſhall make thereof certificate to ſuch Miniſter or Miniſters of the ſaid Franchiſes as to them ſhall ſéeme beſt in this behalfe, according to their diſcretion. And ſuch felons ſhall be taken by ſuch Miniſter or Miniſters, and his lands and tenements, goods and chattels being within the ſame Franchiſe ſeiſed into the hands of the Lords of the ſame Franchiſes of Tindale and Examſhire for the time being, as forfeit. And that the other lands and tenements, goods and cattels of ſuch felons, being out of the ſame Franchiſes, ſhall wholly remaine to the King, and to other Lords, hauing thereof Franchiſe, as forfeit. Sauing alwaies to the King the forfeitures of ſuch murderers, traitors, manſlayers, robbers, and other offenders, and of other things which to him doe belong, as of the right of his crowne. Stat. 9. H. 5. 7. St. 14. El. 13.

The penalty of offenders dwelling in Tindall or &c. which ſhall commit any robberie &c. out of the ſame precincts.

CAP. VI.

Breaking of Truce and Safe-conduct ſhall be high treaſon. In euery Port there ſhall be a Conſeruator of the Peace and Safe-conduct.

ITem, foraſmuch as before this time diuers people, compriſed within the Truces made as well by our Lord the King which now is, as by his noble father, and alſo diuers other people hauing ſafe conducts as well of our Lord the King that now is, as of his noble father, haue béene ſome ſlaine, robbed and ſpoiled, by the Kings liege people and ſubiects, as well vpon maine Sea, as within the Ports and coaſts of the Sea of England, Ireland, and of Wales, whereby the ſaid truces and ſafe conducts haue béene broken and infringed, to the great diſhonour and ſlander of the King and againſt his dignity. And the ſaid manſlayers, robbers, ſpoilers, and offendors of the ſaid truces and the Kings ſafe conducts, as is afore declared, haue béene by diuers of the Kings liege people and ſubiects within the coaſts of diuers Counties receiued, abetted, procured, concealed, hired, ſuſtained, and maintained. Our ſaid Lord the King, by the aduice and aſſent aforeſaid, and at the requeſt of the ſaid commons hath ordained and declared, that ſuch manſlaughter, robbery, ſpoiling, breaking of truce and ſafe conducts, and voluntary receit, abetment, procurement, concealing, hiring, ſuſtaining, and maintaining of ſuch perſons, to be done in time to come by any of the Kings liege people and ſubiects within the Realme of England, Ireland, and Wales, or vpon the maine ſea, ſhall be adiudged and determined for high Treaſon done againſt the Kings Crowne and his dignity. And in euery Port of the Sea ſhall be made and aſſigned from henceforth by the King by his Letters patents, one lawfull man called a Conſeruator of the Truce, and the Kings Safe conducts, which ſhall haue fortie pound land by the yeare at the leaſt. And that the Conſeruator haue power and authority by the ſaid Letters patents, and alſo by Commiſſion of the Admirall of England, to enquire of all ſuch treaſons and offences to bée done againſt the truce and ſafe conducts vpon the maine Sea, out of the body of the Counties, and out of the Franchiſes of the fiue Ports of the King, as the Admirals of the Kings of England before this time reaſonably, after the old cuſtome and law on the maine Sea vſed, haue done or vſed. And alſo that the ſaid Conſeruator haue like and the ſame power, to puniſh all them, which be or ſhall be indicted or accuſed before him as well at the Kings ſuit as at the parties, of any thing to be done againſt the truce of the Kings ſafe conducts vpon the maine ſea, out of the body of the Counties and Liberties of the Realme of England, and out of the Franchiſe of the fiue Ports, by ſuch proceſſe, examination, proofes, determination, iudgement, and execution, as Admirals of the Kings of England before this time reaſonably, according to the old cuſtom and law vpon the maine ſea vſed, haue done or vſed.

Some haue broken truces and ſafe conducts & others haue receiued and maintained them.

Breaking of truce and ſafe conducts ſhall be high treaſon Rep. 20. H 6. 11. & 1. Ed. 6. 12. & 1. M ſeſſ. 1.

A conſeruator of the truce ſhall be appointed in euery port of the ſea.

The authoritie of the Conſeruator of the truce.

Sauing the determination of the death of a man in this behalfe, and the execution of the ſame ſhall be alwaies reſerued to the ſaid Admirall, or to his generall Lieutenant out of the ſaid Franchiſes of the fiue Ports. And that the ſaid Conſeruator haue full power and authority to enquire as well within Liberties and Franchiſes as without, by men inhabiting within the body of the

The determination of the death of a man excepted out of the Conſeruators authoritie.

Countie,

County and liberty where the ſaid Port is, of all ſuch Treaſons and offences to be done againſt the truces, and againſt the Kings ſafe conducts, within the body of the County and liberty where the ſaid Port is, and to make againſt thoſe perſons before him ſo indited, ſuch Proceſſe as here followeth, that is to ſay, by Capias & Exigend, which ſhall aſwell go into the Counties, of which ſuch men ſo indited be ſuppoſed to be, as into the Counties where ſuch inditements be taken, which Capias and Exigend aforeſaid, in both Counties, ſhall be returned at one day, and that the firſt Capias in both Counties haue day of returne by a moneth at the leaſt. And in caſe that the Capias and Exigend be awarded in this behalfe, that the names and ſurnames of ſuch perſons ſo indited, and the Towne and the County and Miſtery whereof they be, ſhall be ſpecified and declared in the inditements and proceſſes of the ſame. And that the ſaid Conſeruator haue full power to heare at euery mans ſuit, which will complaine before himſelfe or his lieutenant, of any offence done to the party againſt the ſaid truces and ſafe conducts. And that two men learned in the Law be named and aſſociate in euery Commiſſion of our Lord the King, to be made to ſuch Conſeruator, and that the ſaid Conſeruator, and the ſaid men learned in the Law, in the Commiſſion to him aſſociate and aſſigned ſhall haue full power and authority to make deliuerance, according to the Law and vſage of the Land, of ſuch men ſo indited before the ſaid Conſeruator of things to be done within the body of the County, or liberty where the ſaid Port is, againſt the ſaid truce and the Kings ſafe conducts, and to determine ſuch ſuits commenced at any mans ſuit, which will complaine before the ſaid Conſeruator, of any offence to him done againſt the ſaid truce and ſafe conducts, and thereof to make due redreſſe and remedie. And that the ſaid two men to the ſaid Conſeruator ſo aſſociate, be aſſiſting & attending to the ſaid Conſeruator to make the deliuerances and determination in the maner and forme aforeſaid, when they be by the ſaid Conſeruator reaſonably required. And that the ſaid Conſeruator and the ſaid two men of Law, be ſworne that they nor any of them ſhall take fee, gift, hyre, wages, reward or brocage, of any other then of the King in any wiſe in this behalfe, in hinderance of due execution and puniſhment of ſuch traitors, and offendors aforeſaid. And that the ſaid Conſeruator ſhall be reſiant in the Port and places where he ſhall be Conſeruator aſſigned as aforeſaid. And euery Conſeruator ſhall take yearely for the ſaid office forty pound of the King at the leaſt, and that they be ſworne, that if any perſon of what eſtate or condition ſoeuer he be, procure, excite, or abet them or any of them to doe any thing contrary to this Ordinance & oath aforeſaid, that euery of them ſhall make due relation to our Soueraigne Lord the King or to the Chanceller of England for the time being, as ſpeedily as he well may, without concealment in any point, vpon paine of impriſonment, and to make fine and ranſom at the Kings pleaſure. And that the ſaid Conſeruator haue a ſeale of our Lord the King ordained for the ſaid office. And that the Maſter of the Ship, Barge, or Balinger, or other veſſels in the ſaid Port be ſworn, & the poſſeſſor alſo (if he be preſent) before the ſaid Conſeruator, before that he paſſe out of the ſaid Port, that he ſhall not attempt to doe any thing againſt the ſaid truce and the Kings ſafe conducts. And alſo that the ſaid Conſeruator ſhall cauſe to be inrolled of record before him, as wel the names of ſuch owners and maſters, as the names of their Ship, Barge, Balinger, or other veſſel, together with the number of the Mariners in the ſame being. And if they take any thing of the Kings enemies, or of any other, they ſhall cauſe to be brought ſuch things taken into the Port, and thereof make full information to the ſaid Conſeruator, before that they thereof make diſcharge or ſale, If it be not that by force of wind, tempeſt, or of enemies, or ſome other reaſonable cauſe ſuch Ship, Barge, Balinger or other veſſel, muſt enter into another Port for the preſeruation of the ſame veſſell, or other cauſe reaſonable. And that then they ſhall make full information to the ſaid Conſeruator, or to the Conſeruator of the Port, in which the ſaid veſſels arriue or enter, of the price and of the quantity of the thing, receiuing a letter teſtimoniall vnder the ſaid ſeal of the aforeſaid Conſeruator, by the which the Conſeruator of the ſaid Port, whereof the veſſell or veſſels ſhall goe out, may haue notice of the quantity and alſo of the value of the goods and cattels ſo taken. And if any poſſeſſor or maſter of any Ship or other Veſſell, goe out of any Port of the Realme of England, or diſcharge his Ship or Veſſell againſt the forme of this Ordinance, that ſuch Ship or Veſſell, together with the price taken in the ſame duely made, ſhall be forfeit to the King, and the body of the poſſeſſor or maſter of ſuch Ship or Veſſell committed to priſon, there to remaine vntill he hath made a fine and ranſome to the King.

Proceſſe to be awarded againſt thoſe that be indicted.

The additions of the parties indicted ſhall be inſerted.

Two men learned in the Law ſhall be aſſociate in the Conſeruators Commiſſion.

The authority of the Conſeruator and the two aſſociates.

The oath of the Conſeruator and aſſociates.

The Conſeruator ſhall haue a Seale.

The office of the Maſter and poſſeſſor of a ſhip.

What ſhall be inrolled by the Conſeruator.

The Conſeruator ſhal be informed of al things taken from the Kings enemies by the mariners.

Prouided alwaies that no poſſeſſors of ſhips going out of any Port, ſhall make any fine nor ranſome, or haue impriſonment of body, if the ſame poſſeſſors be not in the ſame ſhips at the time of the offence committed againſt this ordinance. And the ſaid Admirall ſhall haue the forfeitures in all caſes out of the ſame franchiſe of fiue Ports aforeſaid, as he hath had, & hath beene accuſtomed of right to the office of the Admiral of England, before the making of this ordinãce. And that all ſuch Conſeruators to be made within the ſaid fiue Ports, haue the ſame authority & power by the Kings Letters patents, and Commiſſion of the Warden of the ſame Ports for the time being, to enquire of ſuch offences to be done vpon the maine Sea within the frãchiſes of the fiue Ports out of the body of the Counties, and to puniſh all them which ſhall be before the ſaid Conſeruator of the ſame offences indicted or accuſed by like proceſſe, examination, proofes, deter-

What forfeitures the Admirall ſhall haue.

The authoritie of the Conſeruators within the fiue Ports.

mination, iudgement & execution, as the ſaid Admirals reaſonably according to the old cuſtome and Law vpon the Sea vſed, haue done and vſed out of the ſaid Franchiſe of the fiue Ports: Sauing that the determination of the death of a man in this behalfe, and the execution of the ſame ſhall be within the ſame Franchiſe of the fiue Ports reſerued to the ſaid Warden, or to his generall lieutenant there. And that the ſame Warden ſhall haue all the forfeitures there, in all ſuch caſes as he hath had, and haue béene accuſtomed of right to the office of the Warden of the fiue Ports aforeſaid before this time. And that the ſaid Conſeruators and euery of them, haue power to make full execution of this Ordinance in the forme aforeſaid. And this Ordinance ſhall hold place & force, for any thing to be done or attempted againſt this ſame ordinance after the Proclamation of this ordinance & declaration made. St.4. *H.*5.7. 14 *H.*6.8. 29.*H.*6.2.

The Warden of the v. Ports ſhall haue all the forfeitures there

CAP. VII.

The intent of the Heretikes called Lollards, was to ſubuert the Chriſtiā faith, the Law of God, the Church and the Realme. All Officers of gouernment ſhall be ſworne to Aſſiſt the Ordinaries, in extirpating of Hereſies. An Heretike conuict ſhall forfeit all his fee ſimple lāds, goods, cattels: They which be indicted of Hereſie ſhall be deliuered to the Ordinaries. Rep.1.Ed.6.12. 1. El.1.Stat.5.R.2.5. 2.*H.*4.15. 25.*H.*8.14.

CAP. VIII.

Commiſſions ſhall be awarded to enquire of a Riot, and of the Iuſtices default therein.

ITem, wheras it is contained in the Statute made the xiij. yeare of the Noble King Henry, father to our Lord the King that now is amongſt other things, that if any riot, aſſembly, or rout of people againſt the Law be made in any part of the realme, then the Iuſtices of the Peace iij. or ij. of them at the leaſt, and the Sheriffe or vnderſheriffe of the Countie where ſuch Riot, Aſſembly, or Rout ſhall be made hereafter, ſhould come with the power of the ſaid County, if néed were, to arreſt them, & them ſhould arreſt, and the ſame Iuſtices, Sheriffe or vnderſheriffe ſhould haue power to record that which they found ſo done in their preſence againſt the Law, and that by record of the ſame Iuſtices, Sheriffe or vnderſheriffe, ſuch treſpaſſers or offenders ſhould be conuict in manner and forme as is containe din the Statute of forcible entries. And if it happen that ſuch treſpaſſors or offenders were departed before the comming of the Iuſtices, Sheriffe or vnderſheriffe, that the ſame Iuſtices, thrée or two of them ſhall diligently enquire within a moneth after ſuch Riot, Aſſembly or Rout of people ſo made, and the ſame heare and determine according to the Law of the Land. And if the truth could not be found in manner as afore is ſaid, within a moneth then next enſuing, the ſaid Iuſtices thrée or two of them and the Sheriffe or vnderſheriffe ſhall certifie before the King and his Counſell all the déed and circumſtance of the ſame, which certificate ſhall be of like force as the preſentment of twelue men: vpon which certificate the ſaid treſpaſſors and offenders ſhall be put to anſwere, and they which be found guiltie, ſhould be puniſhed according to the diſcretion of the King and his Counſell. And moreouer that the Iuſtices of Peace dwelling néereſt in euery County where ſuch Rout, Aſſembly, & Riot of people ſhould be made hereafter, together with the Sheriffe or vnderſheriffe of the ſame Counties, and alſo the Iuſtices of Aſſiſes for the time that they ſhall be in their Seſſions in caſe that any ſuch Riot, Aſſembly or Rout be made in their preſence, ſhall make execution of this Statute euery one of thē vpō paine of an C.li. to be paid to the K. as often as they ſhal be found in default of execution of the ſame ſtatute. And forasmuch as many riots, routs and aſſemblies, haue béene made in diuers parts of the realme, ſince the making & proclamation of the ſame ſtatute, becauſe that the ſame ſtatute hath not bin put in due execution, as our Soueraigne Lord the King hath perceiued by diuers & grieuous complaints to him made in this preſent Parliament. The ſame our Lord the King, willing hereof to prouide a better remedy, by the aduiſe & aſſent aforeſaid, and at the ſuit of the ſaid Commons, hath ordained and eſtabliſhed, that if default be found in the ſaid ij. Iuſtices of the peace, or Iuſtices of aſſiſes, & the ſheriffe or vnderſheriffe of the County where ſuch riot, aſſembly, or rout ſhall be made, touching the execution that they ought to make by vertue of the ſaid ſtatute, & whereof the ſaid ſtatute maketh mention, that then at the inſtance of the party grieued, the kings commiſſiō ſhal go out vnder his great ſeal, to enquire aſwel of the truth of the caſe, & of the originall matter for the party complainant, as of the default or defaults of the ſaid Iuſtices, ſheriffe or vnderſheriffs in this behalf ſuppoſed, to be directed to ſufficient and indifferent perſons at the nomination & by the direction of the Chanceller of the realme of England. And that the ſaid commiſſioners preſently ſhall returne into the Chancery the enqueſts & matters before them in this behalfe taken & found. And moreouer that the coroners of the ſame coūty for the time being, in which county ſuch riot, aſſembly or rout ſhall be made, ſhall make the panell vpon the ſaid commiſſion returnable for the time that the ſheriffe ſo ſuppoſed in default ſhall continue in his office, which coroners ſhall returne no perſons, but only ſuch which haue lands, tenements, or rents to the value of x.li. by yere at leaſt. And alſo that the ſame coroners ſhall returne vpon euery of the ſaid perſons empanelled at the firſt day when iſſues be to be loſt, xx.s. at the leaſt, and at the ſecond day, xl.s. at the leaſt, and at the third day, C.s. at the leaſt, and at euery day after the double at the leaſt, which iſſues ſo returned in reſpect of non appearance of ſuch perſons empanelled, ſhall be adiudged as forfeit to the King, and leuiable to his vſe. And

A rehearſall of the Stat. of 13. H.4.7. prouided againſt thoſe that commit any Riot, Rout, or vnlawfull Aſſembly.

Commiſſions ſhal be awarded to enquire of the Riot, and of the Iuſtices and Sheriffes defaults.

Vpon the Commiſſion the Coroners ſhall returne the enqueſt, and of what ſufficiency the Iurors ſhall be.

if default be found in the ſaid Coroners touching the returne of ſuch perſons to be empanelled, or touching the returne of ſuch iſſues as afore is ſaid,that euery of them ſhall forfeit to the kings vſe,fortie pound. And if it happen that the ſaid Sheriffe ſo reputed in default, be diſcharged of his office at the time that ſuch Commiſſion ſhall be awarded out of the Chancery, that then the new Sheriffe of the ſame Countie, his ſucceſſor mediate or immediate for the time being, and not the Coroners of the ſame Countie, ſhall make the panell vpon this Commiſſion, returnable in maner and forme as the ſaid Coroners ſhould doe in time when the Sheriffe ſo reputed in default,continued in his office. And that the ſame new Sheriffe ſhall incurre like paine of forty pound to the King,if any default in him be found touching the returne of other perſons by him empanelled,which haue not Lands,Tenements,or Rents to the value of tenne pounds by yeare, or of returning ſuch iſſues which the ſaid Coroners be aboue charged to returne, as the ſaid Coroners are to loſe to the King in this behalfe. And that the Chanceller of England for the time being,as ſoone as he may haue knowledge of ſuch Riot, aſſemblie or Rout, ſhall cauſe to be ſent the Kings writ to the Iuſtices of the Peace,and to the Sheriffe or Vnderſheriffe of the County, where they be ſo made,that they ſhall put the Statute in execution, vpon the paine contained in the ſame. And though that ſuch writ come not to the ſaid Iuſtices, Sheriffe or Vnderſheriffe, they ſhall not be excuſed of the paine aforeſaid, if they make not execution of the ſaid Statute.

What iſſues the Coroners ſhall returne vpon the Iurors & vpon what penaltie.

Where the Sheriffe and not the Coroners ſhall returne the Iury. A writ directed out of the chancery to enquire of Riots.

Prouided alwaies that the ſaid Iuſtices and other officers aforeſaid,ſhall execute their offices aforeſaid at the Kings coſts, in going and continuing in doing their ſaid offices, by payment thereof to be made by the Sheriffe of the ſame County for the time being, by indentures betwixt the Sheriffe and the ſaid Iuſtices and other Officers aforeſaid to be made of the payment aforeſaid, whereof the ſaid Sheriffe vpon his account in the Exchequer, may haue due allowance. And that ſuch Rioters attainted of great and heynous Riots,ſhall haue one whole yeares impriſonment at the leaſt,without being let out of priſon by baile,mainpriſe,or in any other manner during the yeare aforeſaid. And that the Rioters attainted of pettie Riots,ſhall haue impriſonment as beſt ſhall ſéeme to the King or to his Counſell. And that the fines of ſuch Rioters attainted,ſhall be by the ſaid Iuſtices encreaſed and put to greater ſummes then they were wont to be put in ſuch caſes before this time,in aide and ſupportation of the Iuſtices and other Officers aforeſaid in this behalfe. And that the Kings liege people being ſufficient to trauell in the County where ſuch Routs,Aſſemblies,or Riots be,ſhall be aſſiſtant to the Iuſtices,Commiſſioners,Sheriffe or Vnderſheriffe of the ſame County whē they ſhall be reaſonably warned to ride with the ſaid Iuſtices,Commiſſioners and Sheriffe,or Vnderſheriffe in aid to reſiſt ſuch Riots, Routs,and Aſſemblies,vpon paine of impriſonment,and to make fine & ranſome to the King. And that the Bailiffes of Franchiſes ſhall cauſe to be impanelled ſufficient perſons as before, vpon pain to loſe to the King fortie pound,in caſe that ſuch ſufficient perſons may be found within the ſame Franchiſes. And that like ordinances and paines ſhall hold place and take effect in Cities,Boroughes,and other places and townes infranchiſed,which haue Iuſtices of the Peace within the cities,boroughs,townes and other places aforeſaid. And that this Statute ſhall beginne to hold place preſently after the Proclamation thereof made. *St.19.H.7.13.*

A Riot ſhall be repreſſed and enquired of at the Kings charges.

The puniſhment of Rioters.

Each able perſon ſhall be aſſiſtant to the Iuſtices and Sheriffe to repreſſe Riots.

Bailiffes of Franchiſes.

Riots committed in cities,Boroughes and townes corporate.

CAP. IX.

A remedy to puniſh him that doth commit felony and flie into an vnknowne place.

ITem,foraſmuch as great and grieuous complaints haue béene made to our Soueraign Lord the King,by the Commons in this preſent Parliamēt of diuers murders,manſlaughters,robberies,batteries,aſſemblies of people in great number,in maner of inſurrection,and of diuers other rebellions and Riots,and after ſuch offences the ſaid Felons and offenders flée, and withdraw themſelues into diuers woods and ſecret places and vnknowne,and elſewhere, to the intent and purpoſe to auoid the execution of the Common Law,and that they might not be brought to anſwere,whereupon our Soueraigne Lord the King,conſidering the aforeſaid complaint, by the aduiſe and aſſent of the Lords ſpirituall and temporall in the ſame Parliament aſſembled,hath ordained & ſtabliſhed at the requeſt of the ſaid Commons,that if any perſon hereafter come into the Chancery,& make cōplaint duly that any ſuch felō or offēdor as afore is ſaid,flée or withdraw himſelfe into any ſuch place,or elſewhere,to the intent aforeſaid, vpon ſuch a complaint a bill ſhall be ſufficiently made for the King. And the Chanceller of England for the time being, after ſuch a bill to him deliuered,if he may be duely enformed,that ſuch a bill containeth truth,ſhal haue power to make according to his diſcretion,a writ of Capias at the Kings ſuit,directed to the Sheriffe of the Countie or Counties where the ſaid murders,manſlaughters,robberies, batteries and other offences be ſuppoſed by the ſaid bill to be done and perpetrate, returnable in the ſaid Chancery at a certaine day. And if the perſons in the ſaid writ contained, be taken by the ſaid Sheriffe or yéeld themſelues in the ſame Chancery,that then ſuch perſons ſhall be put in ward or to mainpriſe,according to the diſcretion of the Chanceller. And moreouer be it commanded to enquire of ſuch offences,& vpō that ſhall be done as the law requireth. And if the Sheriffe return

A remedie to puniſh him which doth commit any murder or robberie,and then doth flie into a ſecret place.

The party accuſed is taken by the Sheriffe or yeeldeth himſelfe.

The Sheriffe returneth that the party cannot be taken.

at the day of the Capias returnable, that the perſons in the ſame compriſed for any of theſe cauſes aforeſaid, cannot be by him taken, neither the ſame perſons doe yéeld themſelues in the ſaid Chancery, that then the ſaid Chancellor ſhall cauſe to be made a writ of Proclamation, directed to the ſaid Sheriffe, returnable in the Kings Bench at a certaine day that he ſhall make Proclamation in two Counties, that the perſons named in the ſaid writ ſhall come at the ſaid day in the Bench aforeſaid, there to anſwere to the matter compriſed within the ſaid bill, vpon paine to be conuict of the matter compriſed in the ſaid bill. And that in euery ſuch writ of Proclamation ſhall be contained the ſubſtance of the matter compriſed within the ſaid bill: and if they come not at the day of ſuch Proclamation returned, then ſhall they be holden and adiudged for conuict and attainted as aforeſaid. And if they come at the Proclamation, it ſhall be of them enquired and done in maner as aboue is ſaid.

The ſuggeſtiōs of ſuch riots ſhall be teſtified vnder ſeales of two Iuſtices of Peace and the Sheriffe.

Riots committed in a County where there is a Chancellor and a Seale.

Prouided alwaies that the ſuggeſtions of ſuch riots be teſtified to the Chancellor of England by letters ſealed vnder the ſeales of two Iuſtices of Peace at the leaſt, and the Sheriffe of the County, where ſuch riots ſhall be made, before that the writ of Capias be granted, in which writ of Capias the matter which is compriſed within the ſame bill ſhall be as well expreſſed, as in the writ of Proclamation thereof to be made. And if ſuch caſe happen in the County Palatine of Lancaſter, or elſe in any franchiſe, where there is a Chancellor and a ſeale, that then the Chancellor of England, ſhall cauſe to be written or ſent by the Kings writ to the Chancellor of ſuch County or franchiſe, all the ſuggeſtion in the ſaid bill compriſed, commanding him to make ſuch execution as in the ſaid article is compriſed, ſo alwaies that the Kings writ ſhall not runne out of the Chancery of England in ſuch a County or franchiſe, otherwiſe then hath béen vſed in time paſt. And that this Ordinance ſhall ſtand in his full force vntill the end of the next Parliament. St.8.*H*.6.14. made perpetuall. Ob.

Other Statutes made at Weſtminſter, Anno 2. H. 5. & anno *Domini* 1414.

OVr Lord the King at his Parliament holden at Weſtminſter, the Munday next after the *Vtas* of Saint *Martin*, the ſecond yeare of his Raigne, by the aduiſe and aſſent of the Lords ſpirituall and temporall, & at the ſpeciall inſtance and requeſt of the Commons of his Realm then there aſſembled, hath ordained & ſtabliſhed diuers Ordinances & Statutes in the forme & maner as followeth.

CAP. I.

What ſort of men ſhall be Iuſtices of the Peace.

Iuſtices of Peace.

What ſort of perſons ſhall be Iuſtices of Peace.
Stat.1.Ed.3.16.
34.Ed.3.1.

FIrſt, that the Iuſtices of the Peace from henceforth to be made within the Counties of England, ſhal be made of moſt ſufficient perſons dwelling in the ſame Counties, by the aduiſe of the Chancellor ⁊ of the Kings Counſel, without taking other perſons dwelling in foraine counties to execute ſuch office, except the Lords and the Iuſtices of Aſſiſes now named, and to be named by the King and his Counſell. And except all the Kings chiefe Stewards of the Lands and Signories of the Duchie of Lancaſter, in the North parts and in the South, for the time being. Statut.13.R.2.7.

CAP. II.

The yearely wages of Chaplaines, ſhall be foure pound thirteene ſhillings foure pence, and of Pariſh Prieſts ſixe pound for their board, apparrell and other neceſſaries. REP.21.Iac.28.Stat.36. Ed.3.8.

CAP. III.

Of what eſtate thoſe Iurors muſt be which are to paſſe touching the life of man, plea reall, or fortie markes dammages.

ITem, the King conſidering the great miſchiefes and diſheriſons, which daily happen through all the Realm of England, as wel in caſe of death of a man, as in caſe of fréehold, and in other caſes by them which paſſe in enqueſts in the ſaid caſes, which be common Iurors and other that haue but little to liue vpon, but by ſuch enqueſts, and which haue nothing to loſe, becauſe of their falſe othes, whereby they offend their conſcience the more largely, and willing thereof to haue correction and amendment: hath ordained and ſtabliſhed by aſſent of the Lords and Commons aforeſaid, that no perſon ſhall be admitted to paſſe in any enqueſt vpon tryall of the death of a man, nor in any enqueſt betwixt party and party in plea reall, nor in plea perſonall, whereof the debt or the damage declared, amount to forty markes, if the ſame perſon haue not Lands, or Tenements of the yearely value of fortie ſhillings, aboue all charges of the ſame, ſo that it be challenged by the party, that any ſuch perſon ſo impanelled in the ſame caſes, hath not Lands or Tenements of the yearely value of fortie ſhillings aboue the charges as afore is ſaid. St.28.Ed.3. 13.8 H.6.29.

.H.7.fo.13.
o.H.7.fo.14.
.H.5.fol 5.
o.H.6.fo.7.8.18.
.H.6.fo.44.
yer fo.144.
o Inſt.part 1.
72.a.

Of what eſtate Iurors muſt be which are to paſſe in any enqueſt touching the life of man, plea reall or forty markes damages. Raſt pla.fo.117.

Cap. IIII.

There ſhall be no gilding of ſiluer ware but of the allay of Engliſh ſterling.

ITem, for that the Goldſmithes of England of their couin & ordinances will not ſell the wares of their Myſtery gilt, but at the double price of the weight of the ſiluer of the ſame, which ſeemeth to the K. very outragious and too exceſſiue a price: The King for the eaſe of his people willing to remedy the ſame, hath ordained and eſtabliſhed that all the Goldſmithes of England ſhal gild no ſiluer wares but of the allay of the Engliſh ſterling, & that they take for a pound of Troy gilt but fortie ſix ſhillings eight pence at the moſt, and of greater weight and leſſe according to the quantity and rate of the ſame ſumme, and that which ſhall be by them gilt from henceforth ſhal be of a reaſonable price and not exceſſiue. And if any Goldſmith doe contrary to this Statute, he ſhall forfeit to the King the value of the thing ſo ſold. Stat.5.H.4.13.

There ſhall be no gilding of ſiluer wares but of the allay of Engliſh ſterling.
The pound troy of ſiluer gilt ſhall be ſold for 46.s.8.d.
Rep.21.Iac.28.

Cap. V.

If a Welſhman that doth forcibly take and detaine an Engliſhman vntill he be ranſomed, will not vpon proceſſe awarded againſt him by the Iuſtices, appeare and anſwer the ſame vntill he be outlawed, The Iuſtices ſhall certifie the ſame vnder their ſeales to the Officers of the Signiories where ſuch outlaw is, who ſhall apprehend & do execution of him according to the Law. Alt.27.Hen.8.26.

Cap. VI.

Merchandiſes of the Staple, viz. Wools, Fels, Leather, Leade, or Tinne whole and molten, ſhall not be caried to any part beyond the Sea, without the Kings Licence vntill they be firſt brought to the Staple, vpon paine of forfeiture of them. Ob. Stat.2.R.2.3. 2.*H.6*.4. 14.E.4.3.

A Statute made Anno 3.H.5.& Anno Dom.1415.

AT the Parliament holden at Weſtminſter the munday next after the Feaſt of all Saints, the third yeare of the Raigne of King *Henry* the fift, a Statute was made by the King our Lord, with the aſſent of all the Lords Spirituall and Temporall, and at the requeſt of the Commons of England there aſſembled for the common profit and weale of the Realme.

Cap I.

It ſhall be felony to bring and put in payment any of the money forbidden. viz. Galley halfepence, Suskin, Dotkin, and all Scottiſh money of ſiluer. Ob.

Statutes made at Weſtminſter *Anno* 3.*H*.5.*&* *Anno Dom*.1415.

OVr Lord the King at his Parliament holden at Weſtminſter, the Munday the ſixt day of *March*, the third yeare of his raigne, by the aduice and aſſent of his Lords Spirituall and Temporall, and at the requeſt of the Cōmons aſſembled, in the ſame Parliament hath ordained and ſtabliſhed diuers Ordinances, and Statutes in the forme as followeth.

Cap. I.

A confirmation of the Liberties of the Church, and of all perſons, Cities, Boroughes.

FIrſt, that holy Church haue all her Liberties and Franchiſes, and that the Lords ſpirituall & temporall, & other the Kings liege people hauing Liberties & Franchiſes, and all the Cities & Boroughes of the Realme, haue and enioy all their Liberties and Franchiſes, which they haue had of the grants of the Kings progenitors, and of the confirmation of the ſame our Lord the

The liberties of the Church, and of all cities, boroughes and perſons confirmed.

King, or his grant: Except alwayes thoſe Franchiſes and Liberties, which be repealed in this preſent Parliament, and thoſe that be repealed by the common Law.

Cap. II.

Certaine Abbots, &c. may make their Atturnies in the Courts of Stanclife and frendles, wapentakes in the Countie of Yorke. Exp. 5. H. 5. 9. 9. H. 6. 10.

Cap. III.

All Brittaines not made Denizens ſhall depart the Realme vpon paine of death. Exp.

Cap. IIII.

All prouiſions, licences and pardons of a benefice full of an Incumbent ſhall be voide.

Sta. 7. H. 4. 8.

ITem, whereas in the time of King Henry the fourth, father to our Soueraigne Lord, whom God forgiue, the ſeuenth yeare of his Raigne, to eſchew many diſcords and debates, and diuers other miſchiefes, which were likely to riſe and happen, becauſe of many prouiſions then made or to be made by the Pope, and alſo of licences thereupon granted, by the ſaid late King, amongſt other things it was ordained and ſtabliſhed that no licence or pardon ſo granted, before the ſame ordinance, nor after to be granted, ſhould be auaileable to any benefice, full of an incumbent at the day of the date of ſuch licence, or pardon granted: Notwithſtanding ſeuerall perſons, hauing prouiſions of the Pope of diuers benefices in England and elſwhere, and licences royall, to execute the ſaid prouiſions, haue by colour of the ſame prouiſions, licences & acceptations of the ſaid benefices, ſubtilly excluded diuers perſons of their benefices, in which they haue bin incumbents by a long ſeaſon, of the collation of the patrons ſpirituall, to them duely made to their intent, to the vtter deſtruction & ſubuerſion of the eſtates of the ſaid incumbents: the King willing to remoue ſuch miſchiefes, hath ordained and eſtabliſhed that all the incumbents of euery benefice of holy Church of the patronage, collation or preſentation of ſpirituall patrons, may peaceably & quietly enioy & ſhall enioy their ſaid benefices, without being inquieted, moleſted, or any wiſe grieued by any colour of ſuch prouiſions, licences and acceptations whatſoeuer. And that all the licences and pardons vpon, & by ſuch prouiſions made, in any manner, ſhall be void & of no value. And if any féele himſelfe grieued, moleſted, or inquieted, in any wiſe from henceforth by any, by any colour of ſuch prouiſions, licences, pardons, or acceptations, that the ſame moleſtors, grieuors, and inquietors, and euery of them, ſhall ſuffer and incurre the paine and puniſhments, contained in the Statutes of prouiſors, before this time made, and that by proces of Præmunire facias formed vpon the caſe. And that the party which ſhall ſue by the ſame writ, ſhall recouer his treble damages, if the defendants named in the ſame writ, or any of them be conuict in that behalfe.

All prouiſions made by the Pope and licences or pardons granted by the King touching any benefices full of an incumbent ſhall be voide.

Cap. V.

In which Courts an Attaint may be brought vpon a falſe verdict giuen in the City of Lincolne, and by whom it ſhall be tryed.

St. 13. R. 2. 18.

ITem, whereas by the Statute made in the Parliament holden at Weſtminſter, the thirtéenth yeare of King Richard the ſecond it was ordained and ſtabliſhed, that in Aſſiſes, Iuries, and all other enqueſts, which from thenceforth ſhould be taken betwixt party & party, before the Maior and Bailiffes of the City of Lincolne, which for the time ſhould be, if any of the parties then did complaine him of falſe Oathes, made by ſuch Aſſiſes, Iuries or enqueſts, that the attaint ſhould be granted to him, and the record ſhould be ſent by writ into the Kings Bench, or into the common bench. And that the Sheriffe ſhould array the panell of the Iury of ſuch attaint of forraines, without ſending to the franchiſe of the ſaid City. And the Iuſtices ſhould take the ſame Iury of the ſame forraines, notwithſtanding any franchiſe granted to the ſaid citie, or any other vſage to the contrary: neuertheleſſe, for as much as the Lord Henry late King of England, father to our Soueraigne the King aforeſaid, the xxj. day of Nouember, the xiij. yeare of his Raigne, by his letters patents amongſt others, granted to the Maior and comminalty of the ſaid Citie, that the name of Bailiffes of the ſame Citie, ſhould be tranſlate into the name of Sheriffes, and that the ſame citie, ſuburbs, and precinct of the ſame (except the caſtle of Lincolne: and the wals and ditches of the ſame) ſhould for euer be called the County of the Citie of Lincolne: diuers people be and haue béene in doubt, whether a man that will complaine of a falſe oath, made in the County of the ſaid City, after by force of the ſaid Statute, ſhould haue a writ of attaint, directed to the Sheriffe of the County of Lincolne, to be arraied by the people of the ſame County or not, and alſo of other Articles and points of the ſaid Statute. The King willing to remoue all manner ambiguities, and doubts in this behalfe, hath ordained, granted, and eſtabliſhed, that in Aſſiſes, Iuries, and all other Enqueſts, which be and ſhall be taken, betwixt party and party, before the Maior and Bailiffes, and before the Sheriffe of the County of the Citie of Lincolne, which

The Maior and Bailiffes of Lincolne tranſlated into the name of the Sheriffes of the County of the City of Lincolne.

Vpon a falſe verdit giuen before the Maior, &c. of the County of the City of Lincolne an attaint may be brought triable by forraines.

for

foꝛ the time is, and ſhall be, oꝛ any of them, if any of the ſaid parties doe complaine of a falſe oath made by ſuch Aſſiſes, Juries, and Enqueſts, a Writ of Attaint ſhall be granted to him, directed to the Sheriffe of the ſaid County of Lincolne, foꝛ the time being, and the ſame Recoꝛd ſhall be ſent by a Writ into the Kings Bench, oꝛ into the common Bench. And that the Sheriffe of the County of Lincolne which foꝛ the time ſhall be, ſhall array the panell of the Jurie of ſuch Attaint, of people of the Countie of Lincolne. And that the Juſtices of the King and of his heires, ſhall take the ſame Jurie of people of the countie of Lincolne, accoꝛding to the intent and effect of the ſaid Statute, notwithſtanding the ſaid Letters Patents, oꝛ any thing therein contained, oꝛ any poſſeſſion oꝛ other thing by the foꝛce of the ſame Letters, had oꝛ made, oꝛ any Franchiſe granted, oꝛ to be granted, to the Citizens of the ſaid Citie oꝛ to their ſucceſſoꝛs; oꝛ other vſage to the contrarie, in the ſaid Citie of Lincolne is ſo made incoꝛpoꝛate.

CAP. VI.

It ſhall be Treaſon to clip, waſh, and file money.

ITem, becauſe that befoꝛe this time, great doubt and ambiguitie hath béene, whether that clipping, waſhing, and filing of the money of the land, ought to be iudged treaſon oꝛ not, foꝛ as much as no mention thereof is made in the declaration of the Articles of treaſon, made in the Parliament holden the xxv. yeare of King Edward the third. The ſame our Loꝛd the King willing to decide ſuch doubt, and to put the ſame in a certainty, hath declared in this pꝛeſent Parliament, that ſuch clipping, waſhing, and filing, ſhall be adiudged foꝛ Treaſon, and they which ſo do clip, waſh and file the money of the land, ſhall be iudged Traitoꝛs to the King, and to the realme, and ſhall incurre the paine of treaſon. REP.1.Ed.6.12.& 1.M.1.St.5.El.11.

Clipping, waſhing and filing of the money of this Realm ſhal be high treaſon

CAP. VII.

Which Iuſtices ſhall haue authoritie to heare and determine the offences of falſifying of money.

ITem, becauſe counterfeiting, clipping, waſhing, and other falſitie of money of the land, is much moꝛe vſed, and daily doth moꝛe abound, then it was wont, foꝛ that the puniſhment of the ſame, pertaineth not to any Judges of the Realme, but to the Kings Juſtices befoꝛe himſelfs, oꝛ by ſpeciall Commiſſioners thereto aſſigned, and it is very likely there will be deſtruction of the money, vnleſſe haſtie execution and remedie be pꝛouided, as the King by the grieuous complaint of the commons hath perceiued: Our ſaid Loꝛ: the King willing to remedie the ſame, hath oꝛdained and eſtabliſhed, that the Kings Juſtices aſſigned to take Aſſiſes in all the counties of England, ſhall haue power by the Kings Commiſſions, to heare and determine in their Seſſions, as well of the counterfeiting, and of the bꝛinging of ſuch falſe money into the Realme, as of clipping, waſhing, and euerie other falſitie of the ſaid money. And that the Juſtices of Peace thꝛough the Realme ſhall haue power by the Kings commiſſions, to inquire of all ſuch matters, and thereupon to make pꝛoceſſe, by Capias onely againſt thoſe, which befoꝛe them ſhall be thereof endicted. Stat.1.Ed 6.12. 1.M.1. 5.Eliz.11.

Which Juſtices ſhall haue authoꝛitie to heare and determine the offences of falſifying of money.

CAP. VIII.

Ordinaries ſhall take no more for prouing of Teſtaments with their Inuentories then was taken in the time of King Ed.3 EXP.Stat.31.Ed.3.4.Stat.21.H.8.9.

Statutes made at Weſtminſter *Anno quarto Hen: quinti, & Anno Domini.* 1416.

AT the Parliament holden at Weſtminſter the ninteenth day of October, the fourth yeare of the raigne of King HENRY the fift after the conqueſt: The ſame our Lord the King, with the aſſent of the Prelates, Dukes, Earles, Barons, and at the ſpeciall inſtance and requeſt of the Commons aſſembled in the ſame Parliament, hath cauſed to be ordained & ſtabliſhed certaine Statutes and ordinances, in the forme as followeth.

CAP. I.

A confirmation of all former Statutes not repealed.

FIrſt, that the great Charter, and the Charter of the Foꝛeſt, and all other Statutes and oꝛdinances made in his time, and in the time of his noble pꝛogenitoꝛs Kings of England, and not repealed, ſhall be firmely holden and kept in all points.

A confirmation of former Statutes not repealed.

Cap. II.

Sheriffes ſhall haue allowance vpon their accompts of things caſuall.

Sheriffes ſhall haue allowance vpon their accompts of things caſuall.

ITem, that all the Sheriffes of England, ſhall haue allowance vpon their accompts, by their oathes of things caſuall, as of eſtreates that be not in ferme, nor in demand. But all ſuch things that be or runne in yearely fermes or yearely demands, they ſhall be charged to the King, as the Sheriffes haue béen charged in that caſe in times paſt.

Cap. III.

No man ſhall make any Patents of Aſpe vpon paine of C. ſhillings. Rep. 1. Iac. 25. & 21. Iac. 28.

Cap. IIII.

The penaltie aſſigned by the Stat. of 12. R. 2. 4. for giuing or taking of exceſſiue wages ſhall be impoſed vpon the taker onely. Exp.

Cap. V.

How Merchant ſtrangers ſhall be vſed, and Hoſts appointed for them.

A confirmation of the Stat. of 5. H. 4. 7 and 5. H. 4. 9. touching the vſing of Merchant ſtrangers.

ITem, whereas in a Statute made in the time of King Henry the fourth after the Conqueſt, the fifth yeare of his raigne, it was ordained and ſtabliſhed, that all the Merchants aliens, of what eſtate or condition they be, comming, abiding, or reſiant within the Realme of England ſhould be entreated and demeaned within the ſame Realme in the ſame forme, maner and condition, as the Merchants Denizens be or ſhall be intreated or demeaned in the parties beyond the Sea, and in no other maner, vpon paine to forfeit to the King all the goods and cattells of the ſaid Merchants aliens. And alſo it was ordained and ſtabliſhed in the time of the ſaid late King Henry, amongſt other things by the Statute, that in euerie Citie, Towne, and Port of the Sea of England, where the ſaid Merchants aliens, or ſtrangers, be or ſhall be repayring, ſufficient hoſts ſhalbe aſſigned to the ſame Merchants by the Maior, Sheriffe, or Bailiffes, of the ſaid Cities, Townes, and Port of the Sea. And that the Merchants aliens, and ſtrangers, ſhall not remaine in other places, but with the ſaid Hoſtes ſo to be aſſigned. And that the ſame Hoſtes ſo to be aſſigned, ſhall take for their labour in the ſame maner as was accuſtomed of old time: and for that our Lord the King hath perceiued, that the ſame Statutes haue not béene put in due execution: he willeth and granteth, that the ſame Statutes ſhall be firmely holden and kept in all points, and put in due execution from henceforth according to the purport of the ſame.

Cap. VI.

If any Archbiſhop, Biſhop, &c. of Ireland Rebell to the King, ſhall make collation of a Benefice to any Iriſhman, or bring any Iriſhman to the Parliament to diſcouer the Counſell of Engliſhmen to Rebels, his Temporalties ſhall be ſeiſed vntill he hath made fine to the King. Ob.

Cap. VII.

In what caſes Letters of Marque may be granted.

Stat. 2. H. 5. 6.

Letters of Marque ſhal be granted to any of the Kings ſubiects with whom Truce is broken vpon the Sea.

ITem, becauſe our Soueraigne Lord the King hath heard and conceiued at the grieuous complaint of the Commons of his Realme, in this Parliament, for that in reſpect of a ſtatute made at his Parliament holden at Leiceſter, the laſt day of Aprill, the ſecond yeare of his raigne, in which Statute is contained, that the breaking of truce and of ſafe conducts, and willing receit, abetment, procurement, counſell, hiring, ſuſtaining and maintaining of breakers of truce, and of the ſafe-conducts of the King our Lord to be made by his liege people from henceforth, within the Realme of England and Ireland, and the Countrey of Wales vpon the maine Sea, ſhall be iudged and determined for high treaſon, done againſt the Crowne, and the Kings dignitie: By reaſon of which Statute, though the Kings ſubiects be ſo much grieued againſt the truce, that they dare not prouide remedy by way of Act, for that the Kings enemies, as well in the parts beyond the Sea, as in the Realme of Scotland, haue thereof taken great courage, to grieue the Kings faithful liege people, in ſlaying ſome of them, and in taking ſome of them priſoners, and alſo taking their goods and cattels, againſt the tenour of the truce, as well vpon the maine Sea, as vpon the Marches of Scotland: whereof the ſaid Commons haue humbly beſéeched our ſaid Soueraigne Lord the King to prouide remedie. The King willing as well in this caſe as in other, to take order for the indemnity of his liege people and faithfull ſubiects, hath declared in this preſent Parliament, that of all attempts made by his enemies vpon any of his faithful liege people againſt the tenour of any truce, taken before this time, wherein is no expreſſe mention made, that all marques and repriſals ſhall ceaſe, the ſame our Soueraigne Lord the King will grant marque in due forme to all them that féele themſelues in this caſe grieued. And our ſaid Lord the King wil do the like to all his liege people that féele them grieued againſt the tenour of any truce, which betwixt him and any of his enemies ſhall be newly taken hereafter. And to the greater comfort of his faithfull liege people, to the intent that they may the more readily, and without long delay, haue remedie in this caſe. The ſame our Lord the King will, that if he or they that feele them grieued, againſt the tenour and forme of ſuch truce within the Realme of England, out of the ſaid marches of Scotland, or vpon the ſea, or in the parties beyond the ſea, ſhall complaine to the keeper of the priuie ſeale, which for the time ſhall be, who, after ſuch complaint heard and perceiued thereof, ſhall make to the partie complainant (if he the ſame require) Letters of requeſt, vnder the priuie ſeale, in a due forme, and if after ſuch requeſt made, the partie required doe not make within a conuenient time due reſtitution or ſatisfaction to the party grieued, then the Chancelor of England, for the time being, ſhall cauſe to be made to ſuch partie grieued (if he that demaund) Letters of Marque vnder the great Seale, in a due forme. And as for remedie to be ordained for the Kings liege people and ſubiects, that feele them grieued in the Realme of Scotland, or in England at the Marches ioyning to Scotland, againſt the forme of ſuch truce, as afore is ſaid: our Lord the King ſhall giue power by commiſſion to the Wardens, as well of the Eaſt marches, as of the weſt marches, towards Scotland, and to euery of them, to heare the complaints of all them his liege people and ſubiects which be or ſhall be grieued, and to cauſe thereupon to be made requeſt by Letters, to be deliuered to him which hath done or ſhall doe ſuch grieuance, or to the Wardens of the Marches, or conſeruator of the truce of the parties of Scotland, if he may well doe it, or otherwiſe to make Proclamation in open places, vpon the Marches, that he or they, which haue done ſuch grieuances againſt the truce, ſhall make due reſtitution or ſatiſfaction to the party grieued. And if they doe it not within a conuenient time, then at the inſtance of euery of the Kings liege people and ſubiects which thereof feeleth, or ſhall feele himſelfe grieued in ſuch caſe, letters of Marque be giuen in due forme, vnder the ſeales of the ſaid Wardens, or vnder his ſeale, to whom the complaint ſhall be made in this caſe without any difficultie.

The manner how to obtaine Let. of Marque.

Let. of Marque where truce is broken in Scotland or the Marches thereof. Rep. 4. Iac. 13.

Cap. VIII.

The Kings pardon of the ſuit of his Peace, and of Iſſues loſt to the ſumme of xxvj.s. viij.d. and vnder, &c. Exp.

A Statute made at Weſtminſter An.5.H.5.& An.Dom.1417.

All perſons vntill the next Parliament may make their Atturneis in Wapentakes, Hundreds, and Court Barons. Exp. Stat. 3. H. 5. 2.

A Statute made at Weſtminſter, Anno 7. Hen. 5. & Anno Domini 1419.

A remedy againſt thoſe that indict others of felony committed in a place where there is none ſuch. Proceſſe againſt makers &c. of falſe Deedes.

HENRIE King of England, &c. To his Chancellor in the Countie Palatine of Lancaſter, greeting. Know ye that for as much as diuers men of malice and enuie, and for gaine and reuenge haue often cauſed to be indicted and appealed diuers of our true liege people of treaſons or felonies, in the County of Lancaſter, pretending by thoſe appeales and indictments, that the ſaid treaſons or felonies were committed in a certaine place where of truth no ſuch place is had in the ſaid County, where the ſaid appeale & indictment is made, to the great damage & perill of ſuch our liege people, conſidering that ſome ſo appealed & indicted, dare not appeare before the Iuſtices in their proper perſons, to anſwer thereof, for feare of beating, maihemming, or killing of them, by the conſpirators or procurors of the ſame appeales and indictments, as by the Commons of the Realme of England, in our laſt Parliament holden at Weſtminſter by their petition there exhibited, grieuouſly complaining, was ſhewed: It is ordained in the ſame parliament by the aſſent of the Prelates, and great men of the ſame Realme, there being, at the requeſt of the ſaid Commons, for the common profit and quietneſſe of the people of the ſame Realme, that euery Iuſtice, which hath power to heare and determine ſuch treaſons and felonies, within the ſaid Countie, by the oath of twelue men, (of whom euerie one ſhall haue freehold in the ſame countie, to the yearly value of an hundred ſhillings aboue all charges) before that the Exigend be awarded without allegation of the partie, as well in the parties abſence, as his preſence, ſhall require of office, whether any ſuch place be in the Countie, where ſuch appeales or indictments be made or to be made, or not. And if it be found that there is no ſuch place

A remedie againſt thoſe that doe indict or appeale others of treaſon or felonie committed in a place within the Countie of Lancaſter, whereas there is no ſuch place. Stat. 9. H. 5. 1. 18. H. 6. 12.

place within the ſame Countie, then ſuch appeales and indictments, and the proceſſe thereupon made, or to be made, ſhall be void and holden for none. And that in ſuch caſe the indictors aforeſaid be puniſhed by impriſonment, fine, and ranſom by the diſcretion of the ſaid Iuſtices. And that this preſent ordinance and remedie extend as well to appeales and indictments not determined before this time, as to appeales and indictments to be taken hereafter. And if any Exigend from henceforth be awarded, before that ſuch inquiſition of office (as afore is ſaid) be taken, that the ſame exigend and the awarding thereof, be likewiſe void and holden for none.

Provided that this preſent ordinance haue ſtrength, and extend onely vntill the next Parliament. And alſo know ye, that in the ſaid Parliament of the aſſent and requeſt aforeſaid, it was ordained and ſtabliſhed, that in Writs to be purchaſed, againſt thoſe that forge or make vntrue Charters, or muniments, and them proclaims or cauſe to be read, like proceſſe ſhall be made by Capias and Exigend, as in Writs of treſpaſſe. And therefore we command you, firmely enioyning, that immediately after the ſight thereof, you cauſe this Statute and ordinance openly to be proclaimed in the places within the ſame Countie where ſhall be moſt expedient and neceſſarie, as well within liberties as without: and that alſo you cauſe all and ſingular our Iuſtices, hauing power to heare and determine felonies and treaſons within the ſaid Countie, fully to be inſtructed, and without delay to be certified of the ſaid ordinance and Statute by our Letters, containing the tenour of the ſame. Witneſſe, &c. the xvj. day of December, the vij. yeare of our reigne. And by petition in the Parliament holden at Weſtminſter, the ſecond day of December, the eight yeare of the ſame King, a like Writ was made. Sauing that the Teſte of the ſame Writ was, Witneſſe Humfrey Duke of Glouceſter, Protector of England, at Weſtminſter the tenth day of Ianuarie, the eight yeare, &c.

The like proces ſhal be awarded againſt him that maketh and publiſheth falſe Deeds by Capias and Exigent, as in Writs of treſpaſſe. Rep. 5.El.14.

A Statute made at Weſtminſter, *Anno octauo Hen. quinti,*
& Anno Domini 1420.

At the Parliament holden at Weſtminſter the ſecond day of December, the eight yeare of the raigne of King *Henry* the fift: The ſame our Lord the King, by the aſſent of the Lords Spirituall and Temporall, and at the ſpeciall inſtance and requeſt of the Commons aſſembled in the ſame Parliament, hath cauſed to be ordained and ſtabliſhed, certaine Statutes and ordinances, in the forme following.

Cap. I.

Parliament Writs being awarded in the name of the Kings Leiutenant ſhall not be ſtayed by the Kings returne into England. Exp.

Cap. II.

Certaine gold or ſiluer ſhall be brought to the Mint in ſtead of Wooll or Tinne tranſported.

Item, it is ordained and ſtabliſhed, that euery Merchant ſtranger buying Woolls in England, to carrie them to the Weſt parties, and elſewhere, not comming to the Staple, there to be ſold, ſhall bring to the Maſter of the Mint of the Tower of London of euerie ſacke, one ounce of bullion of gold, and in the ſame manner of three pieces of Tinne, one ounce of bullion of gold, or the value in bullion of ſiluer, vpon paine of forfeiture of the ſame Woolls and Tinne, or the value of the ſame to the King. Ob.

Certaine gold and ſiluer ſhall be brought to the Mint in ſtead of Wooll or Lead tranſported by Merchants ſtrangers.

Cap. III.

What things onely may be gilded, and what laid on with ſiluer.

Item, that none from henceforth ſhall gild any ſheathes nor metall but ſiluer, and the ornaments of holy Church. Nor ſhall ſiluer no metall but Knights Spurres, and all the apparell that pertaineth to a Baron, and aboue that eſtate, vpon paine of forfeiture to the King ten times as much as the thing ſo gilt is of value, and ſhall haue alſo one yeares impriſonment. And the Iuſtices of Peace ſhall haue power to inquire thereof, and that to determine. And he that will ſue for the King in this behalfe, ſhall haue the third part of the ſaid pecuniar paine.

Provided that this laſt ordinance ſhall beginne to hold place at the Feaſt of Eaſter next comming. Stat.5.H.4.13.

What things onely may be gilded, and what laied on with ſiluer.

A Statute made at Weſtminſter, *Anno nono Hen. quinti, & Anno Domini* 1421.

AT the Parliament holden at Weſtminſter the ſecond day of May, the ninth yeare of the raigne of King *Henry* the fift after the Conqueſt: The ſame our Lord the King, by the aſſent of the Lords Spirituall and Temporall, and at the ſpeciall inſtance & requeſt of the Commons aſſembled in the ſame Parliament, hath cauſed to be ordained and ſtabliſhed, certaine Statutes and ordinances, in the forme following.

Cap. I.

A continuance of the Stat. of 7. H. 5. touching Indictments.

FIrſt, that the Statute made in the Parliament holden at Weſtminſter in the ſeuenth yeare of the raigne of our ſaid Lord the King touching appeales and endictments, ſtand in his force and hold place till the next Parliament to be holden after the Kings returne from beyond the ſea into England.

A confirmation of the Statute of Anno 7. H. 5. Stat. 18. H. 6. 12.

Cap. II.

No perſon outlawed in the Countie of Lancaſter ſhall forfeit any lands or goods, but ſuch as he hath in the ſame Countie. Exp. Stat. 18. H. 6. 13. 20. H. 6. 2. 33. H. 6. 2.

Cap. III.

Protections granted to them that be in the Kings ſeruice in Normandie or Fraunce, or which ſhall paſſe with him into Fraunce. Exp. Stat. 4. H. 6. 2. 14. E. 4. 2.

Cap. IIII.

The Iuſtices may amend defaults in Records or Proces before iudgement giuen.

ITem, whereas it was ordained and ſtabliſhed in the ſtatute made the fourteenth yeare of King Edward the third after the Conqueſt, that for miſpriſion of the Clerke in any place whereſoeuer it be, the proceſſe of the plée ſhould not be auoided nor diſcontinued, by miſtaking in writing one letter or ſillable too much, or too little, but aſſoone as the thing is perceiued, by challenge of the partie or in other maner, it ſhould be haſtily amended in a due forme, without giuing aduantage to the partie that challengeth the ſame, becauſe of ſuch miſpriſion. The King our Soueraigne Lord, conſidering the diuerſitie of opinions which haue béene vpon the ſaid Statute, and to put the thing in more open knowledge, hath declared and ordained at this time by authoritie of this preſent Parliament, that the Iuſtices before whom ſuch plée or record is made, or ſhal be depending, as well by adiournement, as by way of errour, or otherwiſe, ſhall haue power and authority to amend ſuch record and proceſſe, as afore is ſaid, according to the forme of the ſame Statute, as well after iudgement in any ſuch Plée, Record, or Proceſſe giuen, as before iudgement giuen in in any ſuch Plée, Record or Proceſſe, as long as the ſame Record and Proceſſe is before them, in the ſame maner as the Iuſtices had power to amend ſuch Record and Proceſſe, before iudgement giuen by force of the ſaid Statute made in the time of the ſaid King Edward. And that this ordinance endure till the Parliament that ſhall be firſt holden, after the returne of our Soueraigne Lord the King into England from beyond the Sea. Stat. 4. *H.* 6. 3. made perpetuall. St. 8. *H.* 6. 12. 15.

Stat. 14. Ed. 3. 6.

fo. 342. li. 5. 4. 45. .157.

The Iuſtices before whom default ſhall be found in any Records or Proceſſe may amend them before iudgement.

Cap. V.

During foure yeares the King may aſſigne Sheriffes, &c. to continue in their offices aboue one yeare, notwithſtanding the Stat. of 14. Ed. 3. 7. Exp.

Cap. VI.

The Mint ſhall be at Calice. Exp.

Cap. VII.

The Stat. prouided 2. H 5. 5. for offendors in Tindall and Examſhire ſhall be extended againſt the like offendors in Rydeſdale.

ITem, wheras in the Parliament holden at Leiceſter, the laſt day of April, the ſecond yeare of the raigne of our Soueraigne Lord the King that now is, at the grieuous complaint made to him there by certaine of his Commons, for that many murders, treaſons, manſlaughters, robberies, and other offences were committed by diuers of the Kings liege people dwelling within the Franchiſes of Tindale and Examſhire, by fauour of the Franchiſe, where the Kings Writ doth not runne, to the great miſchiefe and perill of the ſaid liege people: It was ordained and ſtabliſhed, that if any perſon of the ſame franchiſes, reſiant and abiding within the ſame, of what eſtate or condition that he be, commit any murders, treaſons, manſlaughters, robberies, or conſent to do the ſame out of the ſaid franchiſes, proceſſe ſhould be made againſt him by the common law, till he were outlawed, and that after ſuch outlawry pronounced & returne made thereof, the Juſtices before whom ſuch outlawrie ſhall be returned, ſhould thereof make certificate to ſuch Miniſter and Miniſters of the ſaid franchiſes, as to them beſt ſhould ſeeme in this behalfe, according to their diſcretion. And ſuch felon ſhall be taken by ſuch miniſter or miniſters, and his lands and tenements, goods and cattels being within the ſame franchiſes ſeiſed into the hands of the Lords of the ſame Franchiſes, for the time being, as forfeit. And that the other lands and tenements, goods and cattels of ſuch Felons out of the ſame Franchiſes, ſhall wholly remaine to the King and to other Lords hauing thereof Franchiſes, as forfeit. Sauing alwaies to the King the forfeitures of ſuch murderers, traitors, manſlayers, robbers, and all ſuch offendors, and of other things, which to him pertaine as of the right of his Crowne. And forasmuch as like murders, treaſons, manſlaughters, robberies, conſents, and offences by diuers perſons, theeues and felons, called intakers and outparters dwelling within the Franchiſe of Rideſdale, in which Franchiſe the Kings Writ doth not runne as it is ſaid, haue beene done now of late in diuers places in the Counties of Northumberland, Cumberland, Weſtmerland, and elſewhere out of the ſame Franchiſe of Rideſdale, be fauour & ſuccour of the ſame Franchiſe, whereof no redreſſe towards them hath beene had by the lawes heretofore vſed, to the great miſchiefe, perill and dammage of the people ſo grieued, as our ſoueraigne Lord the King, by the grieuous complaint to him made in this preſent Parliament hath fully perceiued. Our ſaid Soueraigne Lord the King, willing to remedie the ſame, hath ordained and ſtabliſhed in the ſame Parliament, that ſuch proceſſe, certificate, and execution ſhall be made hereafter againſt ſuch murderers, manſlayers, robbers, conſenters, and offenders, abiding or reſiant within the ſaid Franchiſe of Rideſdale, for their offences done out of the ſaid Franchiſe of Rideſdale. And alſo ſuch maner forfeitures ſhall runne in all points, aſwell to our Soueraigne Lord the King, as to all other perſons, as it was ordained for the ſaid offenders of Tindale and Examſhire, by the ſaid ſtatute made at Leiceſter, and according to the forme and equitie of the ſame ſtatute. Sauing alwaies to the King that which pertaineth to him in this behalfe, as of the right of his Crowne. St.11.*H.7.9.* 14.El.13.

Felons called Intakers and outparters.

The Statute prouided 2.H.5.5, for robbers, &c. in Tindale and Examſhire ſhal be extended againſt the like offendors in Rideſdale.

Cap. VIII.

Thoſe Schollers of Oxford ſhall be baniſhed the Vniuerſitie which doe diſſeiſe men of their lands, or hunt diſorderly in Foreſts: or take Clerkes conuict of Felonie out of the priſons of Ornaries. Exp.

Cap. IX.

No Abbot or Prior ſhall be appointed by any Biſhop to be Collector of Diſmes or Subſidies out of the Countie where he dwelleth. Exp. & Ob.

Cap. X.

Keeles that carrie Seacoales at New caſtle ſhall be meaſured and marked.

ITem, whereas of euerie Chawdron of ſea coales, which be or ſhall be ſold to people not Franchiſed in the Port of the Towne of Newcaſtle vpon Tine ij.d. be due to the King of cuſtome, and in the ſame Port be certaine veſſels called Keeles, by which ſuch coales be carried from the land to the ſhips in the ſaid Port. And euery of the ſaid Keeles ought to be of the portage of twentie Chawdrens, and according to the ſame portage the cuſtome is thereof taken to the Kings vſe: There be now certaine people, that of late haue made ſuch Keeles of the portage of xxij. or xxiij. Chawdrens, whereof the cuſtome hath beene taken according to the portage of xx. Chawdrens only, in deceit of our Lord the King, as he hath perceiued by complaint in this Parliamēt, It is therefore ordained and ſtabliſhed againſt ſuch deceits, that all the Keeles, which now be, and hereafter ſhall be in the ſaid Port, ſhall be meaſured by certaine Commiſſioners thereto aſſigned by the King, and marked, of what portage they be, before that any carriage be made by the ſame, vpon paine of forfeiture to the King all the veſſels called Keeles, by which any ſuch coales ſhall be carried, before that they be marked in the maner aforeſaid.

Keeles that carie Sea coales at Newcaſtle from the land to the ſhips ſhall be meaſured by Commiſſioners.

Cap. XI.

No Engliſh Gold ſhall be receiued in payment but by the Kings weight.

ITem, to auoid the deceipts and perills which long haue continued within the Realme by Waſhers, Clippers, and Counterfeitors of the money of the Realme of England, to the great loſſe and damage of all the people of the ſame Realme: The King by the aduice and aſſent of all the

Lords and Commons aſſembled in this Parliament, hath ordained and ſtabliſhed, that from Chriſtmas euen next comming, none of the Kings liege people ſhall receiue any money of Engliſh gold in payment, but by the Kings weight thereupon ordained. And becauſe a great part of the gold now currant in payment, is not of rightfull weight, nor of good allay, the ſame ſhall be to the great loſſe and coſts of the Kings ſubiects, vnleſſe it pleaſe him to relieue them in this caſe; Our Soueraigne Lord the King of his ſpeciall grace hath remiſed and pardoned to all his liege people, which betwixt this and the ſaid Feaſt of Chriſtmas, ſhall cauſe to be coined of new at the Kings coinage within the Tower of London their money of gold, that is not of iuſt weight nor of good allay, that is to ſay, all that to him pertaineth for this new coinage of ſuch gold, as afore: Sauing alwaies to the Maſter of the Mint, and to other officers of the ſame, that which to them reaſonably pertaineth.

No Engliſh gold ſhall be receiued in payment, but by the Kings weight.

Cap. XII.

Writs purchaſed by the Wardens of Rocheſter Bridge or againſt them ſhall be good, though ſome of them die or be remoued

ITem, it is ordained, that all the Writs to be purchaſed by the Wardens of the new Bridge of Rocheſter and their ſucceſſors, or by other againſt them to be purchaſed, ſhall be maintained and continued by the law of England. And although that the ſaid Wardens or any of them be remoued or expulſed from their ſaid office, or doe die, hanging the ſaid Writs, neuertheleſſe the ſame Writs ſhall ſtand and be good and effectuall in the law for euer. St. 18. El. 17. 27. El. 25.

Writs purchaſed by or againſt the Wardens of Rocheſter bridge ſhall be good though ſome of them die, or, &c.

Other Stat. made at Weſtminſter *A. 9: H. 5. & A°. Dom.* 1421.

Cap. I.

A confirmation of all Statutes made touching money. Exp.

Cap. II.

All men may reſort to the Kings Exchanges, or to the Tower to haue money new coined. Exp.

Cap. III.

At the Kings Exchanges good money ſhall be deliuered to the parties, or elſe he that doth receiue it, may refuſe it. Exp.

Cap. IIII.

The Officers of the Exchanges ſhall bring to the Tower all the gold or ſiluer which they buy or Exchange. Exp.

Cap. V.

The Mint ſhall be at Calice. Exp.

Cap. VI.

The Allay and weight of money. Exp.

Cap. VII.

The weight of gold ſhall be ſent to euerie Citie. Exp.

Cap. VIII.

Inquirie and puniſhment of falſifiers of weights. Exp. Stat. 34. Ed. 3. 5.

Cap. IX.

For euerie Exchange to be made by Merchants to the Court of Rome or elſewhere, they ſhall be bound within nine moneths to buy the value thereof of the commodities of this Realme. Whereas by 14. *R.* 2. 2. they were to buy within three moneths. Exp. Stat. 11. *H.* 4. 8.

Cap. X.

Collectors of diſmes, &c. which be charged in Account for their Companions, ſhall haue an action of debt againſt them. Exp.

Thus endeth the Statutes of King Henrie *the fift.*

Anno primo HENRICI *ſexti.*

STATVTES MADE AT WESTMINSTER IN THE FIRST YEARE OF the Raigne of King HENRIE the ſixt, and in the yeare of our Lord, 1422.

AT the Parliament holden at Weſtminſter, the Munday next before the Feaſt of S. *Martin*, the firſt year of the raigne of our Soueraign Lord King HENRY the ſixt. The ſame King by the aduice and aſſent of the Lords Spirituall and Temporall, and at the ſpeciall inſtance and requeſt of the Commons of the Realme of England being aſſembled in this preſent Parliament, hath cauſed to be ordained and ſtabliſhed diuers Ordinances, and Statutes in the forme following.

CAP. I.

The Kings Counſell may aſſigne money to be coined in as many places as they will.

The Kings Counſell may aſſigne money to be coined and exchanges to be holden in as many places as they will.

FIrſt it is ordained and eſtabliſhed, for the profit of the King, and the eaſe of his people, that the Lords of the Kings Counſel for the time being, may aſſign by authority of the ſaid Parliament, maſters and workemen to make money of gold and ſiluer, to hold the exchanges of money aſwell in the Citie of Yorke, as in the towne of Briſtow, and alſo in as many places as to the ſaid Lords ſhall ſeeme neceſſary, according to their good aduice and diſcretion, any Statute or Ordinance made to the contrary notwithſtanding.

CAP. II.

All the Statutes of Purueyors ſhall be proclaimed in euery County, foure times in the yeare.

Euery Sheriffe ſhall proclaime the Statutes of Purueyors in his Bailiwicke foure times in the yeare.

ITem, that all the Statutes and Ordinances made of Purueiors and buiers, and not repealed, be kept and executed in all points, and alſo Proclaimed in all Counties through the realme by the Kings commandement. And that euery Sheriffe of the Realme of England, after that he hath receiued the ſaid Statutes thereof to make Proclamation by ſuch commaundement, ſhall cauſe them to be proclaimed euery yeare foure times through his Bailiwicke, vpon paine to pay to the King at euery time that he thereof failes, an hundred ſhillings. And that vpon the ſame paine euery of the ſaid Sheriffes ſhall deliuer the ſaid commandement to his ſucceſſor immediatly by Indenture to be made betwixt them, whereby he may make like Proclamation for the time that he continueth in the ſaid office, for the eaſe and ſuretie of the people. And that euery ſuch ſucceſſor, after ſuch commandement by him receiued, ſhall make ſuch Proclamations foure times in the yeare, and ſhall make ſuch deliuerance of the ſaid commandement to his ſucceſſor, as aboue is ſaid, vpon the paine aforeſaid. St.20.*H*.6.8.

CAP. III.

Which ſort of Iriſhmen onely may come to dwell in England.

All perſons borne in Ireland ſhall depart out of the Realme, &c.

ITem, forasmuch as diuers manſlaughters, murders, rapes, robberies, and other Felonies, riots, conuenticles, and diuers other offences now late haue beene done in diuers Counties of the Realme of England, by people borne in the Countrey of Ireland, repairing to the Towne of Oxenford, and there reſiant and dwelling vnder the iuriſdiction of the Uniuerſitie of Oxenford, to the great feare of all maner of people in the realm of England dwelling therabout, as by all the Commons of the ſame realme aſſembled in the ſaid Parliament it was grieuouſly cōplained: Our ſaid Lord the King by the aſſent aforeſaid, and at the requeſt of the ſame commōs hath ordained & ſtabliſhed, that all people borne in Ireland, ſhal depart out of the realm within a moneth after Proclamation made of this ordinance, vpon paine to loſe their goods, and to be impriſoned at the Kings will. Except Graduats in the Schooles, and men hauing Benefice of holy Church in England, and men of law in England, and thoſe which be enherite in England, and thoſe that haue father and mother being Engliſh people religious perſons profeſſed, Merchants Burgeſſes, & other inhabitants within Cities or Boroughes of good fame which can find ſuretie of their good bearing, and Iriſh women maried to Engliſh men, and Iriſhmen maried to Engliſh women, which be of good fame: and that all theſe Iriſh people, which haue Benefices or offices in the land of Ireland, ſhall abide there vpon their Benefices and offices vpon paine to loſe and forfeit the profits of their Benefices and offices, for the defence of the land of Ireland aforeſaid, according to the ordinance made in the time of King Henry the fift, the firſt year of his raigne. And that the Graduats and Beneficed men ſhall find ſuretie of their good bearing, and that they take not vpon them the principalitie of any Hall or Hoſtell, but to remaine amongſt the Engliſh Schollers vnder the principalitie of others. Moreouer that theſe Schollers of Ireland, which be no Graduats, and be of the Kings obeyſance, ſhall find ſurety of their good bearing in the maner as the ſaid Graduats ſhould doe, in ſuch ſort and forme as is aforeſaid. And that all the Schollers of Ireland, being now in England, which will here dwell, euery of them ſhall bring to the Chanceller of England for the time being, before the Feaſt of Saint Iohn Baptiſt next comming, letters vnder the ſeale of the Lieutenant or Iuſtices of Ireland, teſtifying that they be of the Kings obeyſance. And of them that bring not ſuch letters betwixt this & the ſaid Feaſt of S. Iohn Baptiſt, it ſhal be done as of Rebels to our Lord the King. And that from & after the ſaid feaſt of S. Iohn, no perſons borne in Ireland ſhall enter the Realme of England to dwell in the ſaid Uniuerſitie of Oxenford or of Cambridge, or elſewhere within the Realme of England, vnleſſe he bring to the ſaid Chanceller of England, ſuch letters teſtimonials, vpõ pain to be puniſhed as a Rebell to our Lord the King. Stat. 2. Hen. 6. 8.

Iriſh perſons excepted which may remaine in England.

Stat. 1. H. 5. 8. Iriſh men ſhall be no Principals of any Hall, &c.

An Iriſh man ſhall bring a Teſtimoniall that he is of the Kings obedience.

Cap. IIII.

The Maſter of the Mint ſhall ſend to the Mint to be coined all the gold and ſiluer that ſhall come to his hands by Exchange. Exp. Stat. 9. *H.* 5. 4. 2. *H.* 6. 12.

Cap. V.

A certaine allowance made to thoſe which were retained to ſerue King *H.* 5. in his wars out of the gaines of the warres. Thoſe Iewels which King *H.* 5. did morgage ſhall be redeemed or forfeited, Sauing the Iewels of the Crowne. Exp.

Statutes made at Weſtminſter, *Anno ſecundo H. 6.*

& Anno Domini 1423.

AT the Parliament holden at Weſtminſter, the twentieth day of October, the ſecond yeare of the raigne of King HENRY the ſixt after the Cõqueſt, by the aduice and aſſent of the Lords Spirituall and Temporall, and at the ſpeciall inſtance and requeſt of the Commons of England being in the ſame Parliament, certaine ordinances, declarations, and Statutes were made and ſtabliſhed to the honour of God, and for the wealth of the King and of his Realme, in the forme following,

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Cap. I.

A confirmation of the Liberties of the Church, And of all perſons, Cities, &c.

FIrſt, that holy Church, & all the Lords Spirituall and Temporalll, and all other the Kings people, hauing Liberties and Franchiſes, and alſo all the Cities and Boroughes, ſhall haue and enioy all their Liberties and Franchiſes well vſed and not repealed, nor by the Common Law repealeable.

The Liberties of the Church and of all Cities and Boroughs confirmed.

Cap. II.

A remedie for the Maſter, &c. of the Hoſpitall of Saint Leonard *in Yorke to recouer a Thraue of Corne due to them, &c*

ITem, whereas the Hoſpitall of Saint Leonard of Yorke, which is of the foundation of the late Progenitors of our ſaid Lord the King late Kings of England, and of his patronage in

The Hoſpitall of S. Leonard in Yorke was endowed of a Thraue of corne of euerie plough earing within the Counties of Yorke, Cumberland, Weſtmerland and Lancaſter.

firſt foundation of the ſame, was endowed by the ſaid Progenitors of the King of a Thraue of Corne to be taken yearely of euery Plough earing within the Counties of Yorke, Cumberland, Weſtmerland, and Lancaſter, within the Countie of Yorke, of which thraues the Maſter and brethren of the ſaid Hoſpitall, and their predeceſſors haue béene ſeiſed the time whereof runneth no memorie, as parcell of the firſt foundation of the ſaid Hoſpitall, and the ſame they haue leuied and gathered at the Feaſt of Saint Martin in Winter euery yeare, till now late that diuers people of the ſaid Counties, within the Prouince aforeſaid, haue withholden the ſame thraues, whereof the ſaid Maſter and brethren haue no ſufficient nor conuenable remedie at the common law, to the great damage of the ſaid Hoſpitall, and open ſubtraction of the ſuſtenance of the ſaid Maſter and Brethren, if remedie be not for them prouided, as complaint was thereof made in the ſaid Parliament. The King conſidering the premiſſes, of the aſſent and requeſt aforeſaid, hath ordained and ſtabliſhed, that the ſaid Maſter and Brethren, and their ſucceſſors for the time being, may leuie, gather, and take the ſaid thraues within the Prouince aforeſaid in the places where they ought of right, and were wont, after the cuſtome and vſage had in the ſame places heretofore. And alſo that the ſame Maſters and ſucceſſors for the time being, ſhall from time to time haue Actions by Writs or plaints of debt or detinue at their pleaſure, againſt all them and euery of them that detaine the ſame Thraues, ſo of right due to the ſaid Hoſpitall, or any part of them, to recouer the ſaid Thraues, againſt them and euery of them with their damages in this behalfe.

The remedie which the Maſters of S. Leonards Hoſpitall ſhall haue to recouer their duties.

Prouided alwaies that the parties with whom the ſaid Maſter and brethren or their predeceſſors be accorded for ſuch Thraues by compoſitions made and ſealed betwixt them, ſhall of no more be charged then is comprized within the ſame compoſitions, for the poſſeſſions that the ſaid parties had at the time of the making of the aforeſaid compoſitions.

A remedie for the proprietories which haue compounded with the Maſt. and brethren.

Cap. III.

Iohn Duke of Bedford being in the Kings ſeruice in Fraunce ſhall be receiued to defend his right by Attorney. Exp.

Cap. IIII.

All merchandiſes of the Staple paſſing out of England, Wales, and Ireland ſhall be caried to Calice ſo long aa the Staple is at Calice, Exp.

Cap. V.

The penaltie if any carry Wools or Fels not cuſtomed out of the Realme to any place ſauing to Calice, ſhall be to forfeit them and to be impriſoned. Exp.

Cap. VI.

For what cauſes only gold or ſiluer may be carried out of the Realme.

A confirmation of the Stat. of 9. H. 5. 5. That the Mint ſhall be at Caleis. EXP.

ITem, whereas by King Henry the fifth, father to our Lord the King that now is, it was ordained that a Mint of gold and ſiluer ſhould be holden within the town of Caleis, whereby great ſubſtance of money of gold and ſiluer, hath béene brought within the Realme, which money by diuers perſons hath béene and is daily carried out of the ſame to Burdeux, Flanders, and other places, againſt the Statute in old times made and purueyed in this behalfe, as hath béene grieuouſly complained in this Parliament, It is ordained and aſſented, that the ſame Statute be holden and kept, and put in due execution. And moreouer it is ordained and ſtabliſhed, that no gold nor ſiluer ſhall be carried out of the Realme, contrarie to the ſaid Statute, vnleſſe it be for payment of warres, and the Kings Souldiers beyond the Sea, vpon paine of forfeiture of the value of the ſumme of money ſo carried out of the Realme, to be leuied of him that ſhall bring, carrie, or ſend it out of the ſame Realme. And that he which eſpieth it, and thereof giueth knowledge to the Counſell, or to the Treaſurer of England, ſhall haue the fourth part of the forfeiture ſo due to the King. Except the ranſomes for fines of Engliſh priſoners, taken and to be taken beyond the Sea, and the money that the Souldiers ſhall carrie with them for their reaſonable coſts, and alſo for horſes, oxen, ſhéepe, and other things bought in Scotland, to be ſent and carried to the parties adioyning, ſo that the money to be ſent for the fines of the ſaid priſoners, or to be carried by the ſaid Souldiers to the parties beyond the Sea, be not done without the Kings ſpeciall licence. And becauſe it is ſuppoſed, that the money of gold of the Realme, is carried out of the ſame by Merchants aliens: It is ordained and ſtabliſhed, that the Merchants aliens ſhall find ſuretie in the Chancerie, euerie Companie for them of their Companie, that none of them ſhall carrie out of the Realme any gold or ſiluer, againſt the forme of the ſaid Statute, vpõ paine of forfeiture of the ſame gold or ſiluer or the value of the ſame. And if any of them doe the contrarie, and that duely proued, and he ſo doing be gone ouer the Sea, then the pledges of his Company ſhall pay to the King the ſaid forfeiture, whereof he that ſhall eſpie it, and thereof giue notice to the Treaſurer, or to the Kings Counſell, ſhall haue the fourth part as is aforeſaid.

No gold or ſiluer ſhall be caried forth of the Realme but for the cauſes herein excepted. Stat. 9. Ed. 3. 1. 5. R. 2. 2. 2. H. 4. 5. 17. Ed. 4. 1.

Merchants aliens ſhall be bound to cartie no gold out of the Realme.

Cap.

Cap. VII.

The penaltie of a Cordwainer vſing the miſterie of a Tanner. Rep. 5. El. 8. & 1. Iac. 22.

Cap. VIII.

Iriſhmen reſorting into the Realme ſhall put in ſuretie for their good abearing.

Stat. 1. H. 6. 3.

ITem, whereas is ordained in the laſt Parliament amongſt other things that all people borne in Ireland, ſhall depart out of the Realme within a moneth next after Proclamation made of the ſaid ordinance, vpon paine to loſe their goods, and to be impriſoned at the Kings wil, except certaine perſons in the ſame ordinance excepted, and that the Graduats and Beneficed men ſhould finde ſuertie of their good abearing, and that they ſhould not take vpon them the principalitie of any Hall or Hoſtell, but to remaine amongſt other Engliſh Schollers vnder the principalitie of other, and alſo thoſe Schollers of Ireland that be not Graduats, and be of the Kings obeiſance ſhall finde ſuertie of their good abearing in the maner as the ſaid Graduats ſhall doe in the forme aforeſaid. And that all the Schollers of Ireland being elſewhere in Englãd, that will here abide, ſhall bring euery of them by himſelfe to the Chancellor of England for the time being, before the feaſt of Saint Iohn Baptiſt laſt paſt, Letters vnder the ſeale of the Lieutenant or Iuſtices of Ireland, witneſſing that they be of the Kings obeiſance. And that all of them that bring not thoſe Letters before the Feaſt of Saint Iohn, it ſhall be done as of rebells to the King. And from this feaſt of Saint Iohn forward, no perſon borne in Ireland, ſhall enter the Realme of England to abide in the Vniuerſitie of Oxenford or Cantbridge, or elſewhere within the Realme of England, vnleſſe he bring to the ſaid Chancellor ſuch Letters teſtimoniall, vpon paine to be puniſhed as Rebells to the King.

And for as much as in the ſaid ordinance no mention was made, before whom nor in what maner the ſuertie of good abearing as before, ſhall be found: It is ordained and eſtabliſhed, that the Chancellors of the Vniuerſities of Oxenford and Cambridge for the time being, euerie of them within his iuriſdiction, ſhall take the ſureties to be taken of Schollers within the ſame Vniuerſities, and certifie the ſame into the Kings Chancerie. And that the Iuſtices of Peace within the Counties, and Maiors and Bailiffes within Cities and Boroughes enfranchiſed, haue power to take before them ſuch maner ſuertie of good abearing, and to doe execution vpon them which ſhall abide, or doe againſt the ſaid ordinance from henceforth.

Who ſhall take ſureties of Iriſhmen that ſhall reſort into the Realme according to the ſtat. of 1. H. 6. 3.

Cap. IX.

The money called blancke ſhall be wholly put out.

ITem, it is ordained, that Proclamation be made through all the Counties of England within Franchiſes and without, and within Cities, Townes, Boroughes, and elſewhere, that all the money called blanckes ſhall be wholly out and voided out of the Realme before the Feaſt of S. Iohn Baptiſt next comming. And moreouer that no man after the ſaid Feaſt pay or receiue for payment in any maner within the ſaid Realme, the ſaid money called blanckes, vpon the paine contained and ordained by a Statute made the third yeare of King Henry, father to our Lord the King, againſt all that pay or receiue for payment, the money called Gally halfe pence, Suskin, and Dotkins within the Realme.

The money called Blanckes ſhall be wholly put out.

Stat. anno 3. H. 5.

Cap. X.

What maner of inferiour Officers ſhall be appointed in the Kings Courts.

ITem, to the intent that better and more ſure gouernment be had within the Courts of our Lord the King for his profit, and eaſe of his people, which haue to purſue, and to doe in the ſame: it is ordained and ſtabliſhed that all the officers made by the Kings Letters Patents royall within the ſaid Courts, which haue power and authoritie by vertue of their offices of old times accuſtomed, to appoint Clerkes and Miniſters within the ſame Courts, ſhall be charged and ſworne to appoint ſuch Clerkes and Miniſters, for whom they will anſwer at their perill, which be ſufficient, faithfull, and attending to that which pertaineth to them in performance of the buſineſſe, as well of the King as of his people.

What maner of inferior officers ſhalbe appointed in the Kings Courts by ſuperior officers.

Cap. XI.

The ſeuerall meaſures of veſſels of Wine, Eeles, Herrings and Salmons.

ITem, whereas in old time it was ordained and lawfully vſed that Tuns, Pipes, Tercyans, Hoggeſheds of Gaſcoin wine, barrels of Herring & of Eeles, and Buts of Salmon comming by way of merchandiſe into this land, out of ſtrange countries, & alſo made in the ſame land, ſhould

be

The meaſure of a Tunne, &c. of Wine, and of a barrel of Eeles, Herrings, and Salmons.

be of certaine meaſure, that is to ſay, the tunne of Wine CC.lij.gallons, the pipe C.xxvj.galons, the Tertian lxxxiiij.gallons, the hoggeſhed lxiij.gallons, the Barrel of Herring and of Eeles xxx, gallons fully packed, the butte of Salmon lxxxiiij.gallons, fully packed. Neuertheleſſe by deuice and ſubtiltie now late, ſuch veſſels haue béene of much leſſe meaſure, to the great deceipt and loſſe of the King and of his people, whereof ſpeciall remedie was prayed in this Parliament, It is ordained and ſtabliſhed, that no man after the end of twelue moneths from the Feaſt of Eaſter next comming, ſhall bring into the Realme of England, from what countrey ſoeuer it be, nor make within the ſame Realme a Tunne of wine, except it containe of the Engliſh meaſure CC.lij. gallons, the Pipe C.xxvj.gallons, and ſo after the rate, the Tercian and the Hoggeſhed of Gaſcoine wine, vpon paine of forfeiture of the ſame wine, Nor barrell of Herring nor of Eeles, vnleſſe they containe xxx gallons fully packed, nor butte of Salmon, vnleſſe it containe lxxxiiij. gallons, fully packed, nor kinderkins, tercians, and firkins of Herring, nor of Eeles, nor of Salmon, but after the rate fully packed, after the Feaſt of the Natiuitie of Saint Iohn the Baptiſt next comming, vpon paine of forfeiture of the ſaid Herring, Eeles and Salmon, ſo brought or made contrary to this ordinance, in what Citie, Borough, and Towne of the Realme, or in any part of England that ſuch defaults be found, to the Lord of the ſame Towne. And that he which will ſue and proue the ſaid defaults, ſhall haue the fourth part of the ſame forfeiture. And the Iuſtices of Peace in all the counties of England, and Maiors and Bailiffes, hauing power to enquire of the Peace, ſhall inquire, heare and determine all the ſame defaults And that this ordinance extend & haue ſtrength, aſwell within the county of Cheſter, as elſewhere. St.18.H.6.17.1.R.3.13. 28.H.8.14.

Cap. XII.

The office and dutie of the Kings Aſſaier, Comptroller, and Maſter of the Mint.

The Maſter of the Mint ſhall kéepe his Allay in making of white money.

The office and dutie of the K. Aſſaier of the Mint.

The office of the Comptroller of the Mint.

The Maſter of the Mint ſhall conuert into coine all the gold and ſiluer which he ſhall receiue.

The Maſter of the Mint ſhall make ſmall money.

Item, to the intent that the more bullion may be brought to the Mint, and the greater plentie of white money be made and currant within the Realme, for the eaſe and profit of the Comminaltie of the ſame, it is ordained & ſtabliſhed, that the Maſter of the Mint ſhall kéepe his allay in the making of white money, according to the forme of his indenture. And that the ſame Maſter receiue of euerie perſon, that ſhall bring any ſiluer to the Mint, the ſame money at the true value as it is worth, according to the ſame allay, vpon paine to pay to the partie his double damages, And alſo to the intent that this ordinance may the better and more iuſtly be obſerued, it is ordained that the Kings Aſſaier, which is a perſon indifferent betwixt the Maſter of the Mint and the Merchant, and alſo the Comptroller of the Mint ſhall be preſent, when any ſuch Bullion of ſiluer is brought to the Mint, to the intent that the ſaid Aſſaier may rightfully ſet the value of the ſame according to the law, in caſe of variance betwixt the Maſter and the Merchant, and the Comtroller to comptroll as well ſiluer which is brought to the ſaid Mint, as carried ont of the ſame, euerie two daies faithfully and indifferently to doe their dutie without taking any reward other then the fée, which they ſhall take of the King, vpon the paine to yéeld double damages as afore is ſaid. And that the Aſſaier and Comptroller be credible, ſubſtantiall, and expert men, hauing perfit knowledge in the myſterie of Goldſmithes and of the Mint. And alſo that neither the Maſter of the Mint, nor the Exchanger for the time being, ſell nor cauſe to be ſold, nor alien to any other vſe but to the coine, no maner of gold nor of ſiluer wrought or vnwrought, coyned or not coyned, or bullion which is brought to the Mint, or to the Exchange, but apply the ſame only to the money according to the forme of the ſaid Indentnre, vpon the paine contained in the ſame indenture. And that the ſame Maſter of the Mint cauſe to be ſtriken from time to time, halfe nobles, farthings of gold, groats, halfe groats, pence, halfe pence and farthings, for the eaſe of the people, according to the tenour of the Indenture made betwixt the King and him, vpon the paine contained in the ſame, ſo that the common people may haue recourſe to the Exchange for ſmall gold and white money as they reaſonably ſhall néede.

Cap. XIII.

The price of a pound of Siluer in Plate, Peece, or Maſſe. Rep.21.Iac.28.

Cap. XIIII.

The fineneſſe of Harneſſe of ſiluer. And it ſhall be marked with the Leopards head.

None ſhall ſell any worke of ſiluer vnleſſe it be as fine as the ſterling.

None ſhall ſell any worke of ſiluer vntill it be touched & marked with the Goldſmiths knowne marke.

Item, that no Goldſmith nor worker of ſiluer within the Citie of London, ſell any workemanſhip of ſiluer, vnleſſe it be as fine as the ſterling, except the ſame néed ſowdour in the making, which ſhall be allowed according as the ſowdour is neceſſarie to be wrought in the ſame. And that no Goldſmith nor Iewellor, nor any other that worketh harneſſe of ſiluer ſhall ſet any of the ſame to ſell within the Cittie, before that it be touched with the touch, and alſo with a marke or ſigne of the workeman of the ſame, vpon paine of forfeiture of the double, as afore is ſaid. And that the marke and ſigne of euery Goldſmith be knowne to the Wardens of the Craft. And if it may be found, that the ſaid kéeper of the touch, touch any ſuch harneſſe with the Leopards head except it be as fine in allay as the ſterling, that then the keeper of the touch for euery thing ſo proued, not as good in allay as the ſaid ſterling, ſhall forfeit the double value to the King, and to the partie as is aboue recited. And alſo it is likewiſe ordained in the Citie of Yorke, New-caſtle vpon Tine, Lincolne, Norwich, Briſtow, Salesbury, and Couentrie, that euery one ſhall haue diuers touches, according to the Ordinance of the Maiors, Bailiffes, or gouernors of the ſame Townes. And that no Goldſmithes, nor other workers of ſiluer, nor keepers of the ſaid touches within the ſame Townes, ſhall ſet to ſale or touch any ſiluer in other maner then is ordained before, within the City of London, vpon paine of the ſaid forfeiture, and moreouer that no Goldſmith or other worker of ſiluer within the Realme of England, where no touch is ordained, as afore is ſaid, ſhal worke any ſiluer, except it be as fine in allay as the ſterling, and that the Goldſmith or worker of the ſame ſiluer, ſet vpon the ſame his marke or ſigne, before he ſet it to ſale. And if it be found that it is not as fine as the ſterling, that then the worker of the ſame ſhall forfeit the double value, in maner and forme as before is recited, within the City of London. And the Juſtices of Peace, Maiors, and Bailiffes, and all other hauing power as Juſtices of Peace, ſhall heare, enquire, and determine, by bill, plaint, or in other maner, all that doe contrary to the ſaid Ordinances, and thereof to make due execution by their diſcretions. Prouided alwayes that if the Maſter of the Mint that now is, or which for the time ſhall be, offend or haue offended in his office of the ſaid Mint, that then he be puniſhed and iuſtified according to the forme of the ſaid Indentures. Stat.28.Ed.1.20. 17.Ed.4.1. 18.Eliz.15.

The penaltie of the keeper of the touch which toucheth any veſſell not ſufficient in allay.

Seuerall cities & townes ſhall haue ſeuerall touches.

Juſt. of P. Maiors, &c. may enquire of, heare & determine the offences aforeſaid.

Cap. XV.

No man ſhall faſten Nets to any thing ouer Riuers.

ITem, it is ordained, that the ſtanding of nets and engines called trinkes, and all other nets, which be and were wont to be faſtened and hanged continually day & night by a certaine time in the yeare to great poſts, boates & ancres ouerthwart the Riuer of Thamis, and other Riuers of the Realme, which ſtanding is a cauſe of as great and more deſtruction of the brood and fry of fiſh, and diſturbance of the common paſſage of veſſels, as be the weares, kydels, or any other engines, be wholly defended for euer. And that euery perſon that ſetteth or faſteneth them hereafter to ſuch poſtes, boats, and ancres, or like thing continually to ſtand as before is ſaid, and be duly thereof by the courſe of the Law conuict, ſhall forfeit to the King C.s. at euery time that he is ſo proued in default. Prouided alwayes, that it ſhall be lawfull to the poſſeſſors of the ſaid trinkes if they be of aſſiſe, to fiſh with them in all ſeaſonable times, drawing and pulling them by hand, as other fiſhers doe with other nets, and not faſtening or tacking the ſaid nets to poſts, boates, and ancres, continually to ſtand as afore is ſaid. Sauing alwayes to euery of the Kings liege people their right, title, and inheritance in their fiſhings in the ſaid water.

The penalty of thoſe which doe faſten trinkes or other nets ouer any riuer.

In what ſort owners of trinkes may fiſh with them.

Statutes made at Weſtminſter, anno 3. Hen. 6. & Anno Domini 1424.

OVr Lord the King, by the aduice and aſſent of the Lords Spiritual and Temporall, and at the ſpeciall requeſt of the Commons aſſembled in this Parliament holden at Weſtminſter, the laſt day of Aprill, the third yeare of his reigne, hath ordained and eſtabliſhed certaine Ordinances and Statutes, to the honour of God, and for the weale of this Realme, in the forme following.

Cap. I.

Maſons ſhall not confederate themſelues in Chapters and aſſemblies.

FIrſt, whereas by the yearely Congregations and Confederacies made by the Maſons in their generall Chapiters and Aſſemblies, the good courſe and effect of the Statutes of Laborers be openly violated and broken in ſubuerſion of the Law, and to the great dammage of all the Commons. Our ſaid Lord the King willing in this caſe to prouide remedy, by the aduice and aſſent aforeſaid, and at the eſpeciall requeſt of the ſaid Commons, hath ordained and eſtabliſhed, that ſuch Chapiters and congregations ſhall not be hereafter holden. And if any ſuch be made, they that cauſe ſuch Chapiters and Congregations to be aſſembled and holden, if they thereof be conuict, ſhall be iudged for Felons. And that all the other Maſons that come to ſuch Chapiters and Congregations, be puniſhed by impriſonment of their bodies, and make fine and ranſome at the Kings will.

It ſhalbe felony to cauſe Maſons to confederate themſelues in Chapiters and aſſemblies.

Cap. II.

Sheepe ſhall not be tranſported beyond Sea without the Kings licence.

Whoſoeuer ſhall tranſport ſheepe to any parts beyond the ſea ſhal forfeit them. St.8.El.3.

ITem, becauſe that diuers perſons doe from time to time carrie out of the Realme great number of Sheepe with Fleeces into Flanders and other Countreys beyond the Sea, and there they ſheare them, and ſell as well the ſame Sheepe as the Wolles of the ſame to men of the ſame Countrey, ſo that by ſuch perſons the Sheepe within the ſaid Countrey of Flanders, and other parts in ſhort time be likely to be much increaſed, to the great diſceit, loſſe, and damage of our Lord the King, of his cuſtomes and ſubſidies of the ſaid Wolles, and alſo to the great hindrance of all the Realme, and diminution and abatement of the price of Wolles, as well at the Staple, of Caleis, as here in England, vnleſſe remedie be prouided in this behalfe. Our ſaid Lord the King, conſidering the premiſes, by the aduice and aſſent, and at the requeſt aforeſaid, hath ordained and granted by the authoritie of the ſaid Parliament, that no maner perſon, of what eſtate or condition that he be, hereafter be ſuffered to ſhip within the Realme of England any Sheepe fleeced or ſhorne into the ſaid Countrey of Flanders, or to any other parts beyond the Sea except it be to victuall the Towne of Caleis and the Marches thereof. And that euery man that may be eſpied which vnder the color of victualling of the ſame Towne and Marches of Caleis, paſſeth into any other places then to the ſame Towne and Marches with any Sheepe fleeced or ſhorne, (except he haue the Kings licence) ſhall forfeit to the King the ſame Sheepe, or the value thereof as often times as he ſhall be found in default.

Cap. III.

The penaltie of a Cuſtomer, Collector, &c. concealing the Kings Cuſtome.

The penaltie of a Cuſtomer, Collector or Comptroller concealing the Kings cuſtome.

ITem, it is ordained & eſtabliſhed, that if any Cuſtomer, Collector, or Comptroller of the Kings cuſtomes of Cockets of Cloths, of Subſidies, of Tunnage, or Pondage, in any Port or place of England, be duely attainted or conuict at the Kings ſuit of falſe concealing of the Kings Cuſtome or Subſidie, duely entred and paid by any Merchant, that then the ſaid Cuſtomer, Collector, or Comptroller, ſo duely attainted or conuict by the Law, ſhall looſe and forfeit to the King the treble value of the Merchandiſes ſo duely cuſtomed, and make fine and ranſome. And he that will ſue, ſhall haue the third part for his labor. Stat.4.H.4.20.

Cap. IIII.

Licence may be granted to conuaie Butter and cheeſe to any place.

The L. Chancellor may grant licence to any to conuay butter & cheeſe to any other place beſide the ſtaple.

ITem, whereas by a Statute made in the time of the noble King Edward the third, it was ordained, that the ſtaple, and the merchandiſes of the ſtaple ſhould be carried to Caleis, amongſt which merchandiſes, it was ordained by the ſame Statute, that Butter and Cheeſe ſhould be Merchandiſes of the Staple, by which Ordinances, diuers perſons of the Realme of England haue had great damage, becauſe that the ſaid Butter and Cheeſe be ſo tender merchandiſes, that they cannot tarry their Merchants, as our Lord the King hath perceiued by the grieuous complaint of his ſaid Commons: The ſame our Lord the King, willing to prouide remedie in this behalfe, by the aduice and aſſent aforeſaid, hath ordained and eſtabliſhed, that he that will cary Butter and Cheeſe to any other parts then to the ſaid Staple, ſhall ſue to the Chancellor of England for the time being, to haue licence in this behalfe. And that the ſame Chancellor haue power to make to him ſuch licences vnder the Kings great Seale, if it like him ſo to doe by his diſcretion. Stat.18.*H.*6.3. Stat.1.&2.P.&M.5.

Cap. V.

Commiſſions may be awarded to certaine perſons to reforme the Riuer of Ley running from Ware to Thamis, Pr.Stat.9.*H.*6.9. 13.Eliz.18.

Statutes made at Leiceſter, Anno 4.Hen.6.

& Anno Domini 1425.

THeſe be the Ordinances and Statutes made by our Soueraigne Lord the King, by the aduice and aſſent of the Lords Spirituall and Temporall, and at the ſpeciall requeſt of the commons of his Realme, in his Parliament holden at Leiceſter, the eighteenth day of Februarie, the fourth yeare of his reigne, being to the honour of God, and for the weal, profit, and eaſe of his Realme.

Cap.

Cap I.

Euery Sheriffe ſhall returne ſuch Writs as be directed to him at ſuch daies as they be returnable, and ſhall warne thoſe Iurors which be impanelled Exp.

Cap. II.

A rehearſall and confirmation of the Statute of *Anno* 9.*H*.5.3.touching protections granted to thoſe who were in warres in Normandy or France. Exp.

Cap. III.

Iuſtices in certaine caſes may amend their Records according to former Statutes.

Stat.9.H.5.4.
Stat.14.Ed.3.6.

ITem, whereas at the Parliament holden at Weſtminſter, the ſecond day of May, the ninth yeare of the raigne of King Henry, father of our Lord the King that now is, it was rehearſed, how that at the Parliament holden at Weſtminſter, the fourteenth yeare of King Edward the third, it was ordained by the authority of the ſaid Parliament, that for miſpriſion of a Clerke in whatſoeuer place it be, no Proceſſe of plea ſhould be vndone nor diſcontinued by ouerſight in writing a letter or ſillable too much or too little: but as ſoone as the thing were perceiued by challenge of the parties, or in other manner, it ſhould be haſtely amended in due forme, without giuing aduantage to the partie that challengeth the ſame, becauſe of ſuch miſpriſion: The ſaid late King Henry, conſidering the diuerſitie of opinions, which men had vpon the ſaid Statute, and to put the thing in more open knowledge, did declare and ordaine by authoritie of the ſaid Parliament, holden the ſaid ninth yeare, that the Iuſtices before whom ſuch plea or record is made or ſhall be depending, as well by adiournement, as by way of error, or otherwiſe, ſhall haue power and authoritie to amend ſuch record and proceſſe, as well after iudgement giuen, as before, by force of the ſaid Statute made in the time of the ſaid King Edward, whith Ordinance ſhould endure till the next Parliament, which ſhould be firſt holden after the returne of the ſaid King Henry the father into England from beyond the Sea, and which now is determined by the deach of the ſaid late King Henry the father: Our Soueraigne Lord, by the aduice and aſſent aforeſaid hath ordained and eſtabliſhed, that the ſaid Statute, and the effect of the ſame, made the ſaid ninth yeare, ſhall hold ſtrength, force, & effect, in euerie Record and Proceſſe of the ſame as well after iudgement giuen vpon a verdict paſſed, as vpon a matter in Law pleaded, as a Statute auaileable and effectuall in Law to endure for euer. Prouided alwaies, that this Statute doe not extend to records and proceſſes in the parts of Wales, nor to records and proceſſes whereby any perſon is or ſhall be outlawed at any mans ſuit.

lib.5.f.4.45.
fo.157.
fo.250.342.

A confirmation of the St. of 14. Ed.3 6.& 9.H.5 4.authoriſing Iuſt.to amend records.

Cap. IIII.

The Writs, Suits, and proceſſes now depending of certaine that were late made Knights, ſhall not abate for that cauſe. Exp.

Cap. V.

Licence giuen to all the Kings ſubiects to tranſport Corne.

ITem, wheras the noble K. Richard the ij. after the Cōqueſt at his Parliamēt holden at Weſtminſter, the xv. day of Saint *Hillary*. the xvij yeare of his raigne, at the eſpeciall requeſt of the Commons of the ſame Parliament, did grant licence to all his liege people of his Realme of England, to ſhip and carrie Corne out of the ſaid Realme, to what part them pleaſed, except to enemies, paying the ſubſidies, and duties thereof, notwithſtanding any ordinance, porclamation or reſtraint made before to the contrarie. Neuertheleſſe the ſame late King, willing that his Counſell might reſtraine the ſaid paſſage when to them ſeemed needfull for the profit of the Realme. Our Lord the King at the eſpeciall requeſt of the Commons of this preſent Parliament, and by the aduice and aſſent aforeſaid, will and granteth, that the ſaid Statute be holden and kept in all points, ſo that his Counſell may reſtraine the ſaid paſſage when they ſhall thinke it for the profit of the Realme. St.1.& 2.P.& M.5. 1.Iac.25. 21.Iac.28. 3.Car.4.

A confirmation of the St. of 17. R 2.7 giuing licence to all the K.ſubiects to cary corne forth of the Realme.

Statutes made at VVeſtminſter, Anno 6. Hen.6.& *Anno Domini*. 1427.

OVr Lord the King at his Parliamēt holdē at Weſtminſter, the fifteenth of Saint *Michaell*, the ſixth yeare of his raigne, by the aduice and aſſent of the Lords Spirituall and Temporall, and at the ſpeciall inſtance and requeſt of the Commons of his Realme in the ſaid Parliament aſſembled, hath cauſed to be made certaine Statutes and Ordinances to the honour of God, and for the weale and eaſe of his people, in the maner & forme following.

Cap. I.

Within what time a Capias *awarded againſt any perſon indicted in the Kings Bench, ſhall be returnable.*

Upon an indictment of any perſon in the K. bench a Capias ſhal be awarded againſt him returnable at the leaſt 6. weekes after, before any exigend ſhall be awarded.

FIrſt, for that diuers of the Kings faithfull Subiects, by falſe practiſe, couin, and conſpiracie of certaine euill perſons be indicted before our Lord the King, in his Bench, of diuers Felonies and Treaſons, by ſuſpect Iurors, hired and procured to the ſame by confederacy and couin of the ſaid conſpirators, by force of which Indictments a Capias is awarded to the Sheriffes of the Countie, where the ſaid Bench is, returnable within two or foure daies, at which day, if the partie ſo indicted come not, an Exigend is awarded, whereby the goods and cattells of ſuch perſons endicted bee forfeit to our Lord the King, to the vtter vndoing of diuers of the Kings faithfull Subiects, as the ſame our Lord the King, hath conceiued by the grieuous complaint of the ſaid Commons made to him in the ſaid Parliament: Our ſaid Lord the King, willing in this caſe to prouide remedie, hath ordained by the aduice and aſſent of the Lords, that before that any Exigend be awarded againſt ſuch perſons indicted before the King in his ſaid Bench, Writs of Capias ſhall be directed, as well to the Sheriffe or Sheriffes of the County wherein they be indicted, as to the Sheriffe or Sheriffes of the Countie whereof they be named in the Indictments, the ſame Capias hauing the ſpace of ſix weekes at the leaſt, or longer time by the diſcretion of the ſaid Iuſtices, if the caſe require it before the returne of the ſame, which Writs ſo returned, the Iuſtices ſhall proceed in the maner as they haue done before this time: And if any Exigend be awarded, or any outlary pronounced hereafter againſt ſuch perſons indicted, before the returne of the ſaid Writs, the ſame Exigend ſo awarded, with the outlary thereof pronounced, ſhall be void and holden for none. And this Ordinance ſhall indure as long as ſhall pleaſe the King. St.8.H.6.10.

Cap. II.

How long time the Copies of pannells in Aſſiſe ſhall be deliuered to the parties before the Seſſions of the Iuſtices.

How long time the copies of panels in Aſſiſes ſhal be deliuered to the parties before the ſeſſions of the Iuſt.

ITem, becauſe that diuers of the Kings liege people in times paſt haue beene diſherited, for that in ſpeciall Aſſiſes the tenants and defendants could not haue knowlerge nor copie of the panell of them that be impanelled to paſſe in the ſaid Aſſiſes, to enforme them of their right and titles before the day of the Seſſion that the Aſſiſes ſhould be demanded: Our Lord the King, willing thereof to prouide remedie, hath ordained and eſtabliſhed, that the panells of the Aſſiſes ſhall be arraied, and a copie indented of the ſame by the Sheriffe deliuered to plantiffes, tenants, and defendants, ſixe daies at the leaſt before the Seſſion of the Iuſtices, if they the ſame demand. And as to the returne or anſwer of the Bailiffes of Franchiſes, they ſhall make their returnes or anſwers to the Sheriffes of ſuch ſpeciall Aſſiſes, ſixe daies before the Seſſions in the manner aforeſaid. And that vpon paine of fortie pound, to be paid by the ſaid Sheriffes or Bailiffes to our Lord the King, as often as they or any of them doe or cauſe to be done contrarie to this Ordinance or Statute. Stat.42.Ed.3.11.

Cap. III.

The Iuſtices of Peace and chiefe officers in Cities, &c. ſhall make Proclamations what euerie Artificer and Workeman ſhall take for wages. And the penaltie of a ſeruant Artificer or Labourer that taketh more. Exp.5.Eliz 4. Stat.8.H.6.8.

Cap. IIII.

The Sheriffes trauerſe to an Inqueſt found touching returning Knights of the Parliament.

A rehearſall of the St of 7.H.4.15. touching the forme of the chooſing of the knights for the Parliament.

ITem, where it was ordained and eſtabliſhed in the ſeuenth yeare of King Henry the fourth grandfather of our Lord the King that now is, that Knights of Shires for the Parliament, ſhould be choſen in the maner & forme following, that is to ſay, at the next County to be holden after the deliuery of the Writ of the Parliament, Proclamation ſhall be made in the full Countie, of the day and place of the Parliament, and that all they which be preſent there, aſwell ſutors duely ſummoned for this cauſe as other, ſhall attend to the election of their Knights for the Parliament. And then in full Countie they ſhall proceed to the election freely and indifferently, notwithſtanding any requeſt or commandement to the contrarie. And that after they be choſen, whether ſuch perſons choſen be preſent or abſent, their names ſhall be written in Indentures, vnder the Seales of all the choſers, and annexed to the ſaid Writ of Parliament, which Indenture ſo ſealed and tacked, ſhall be holden for the returne of the ſaid Writ, as to the Knights of the ſaid Shires. And alſo in the Writs of the Parliament hereafter to be made, this clauſe ſhall be put in the manner as followeth. Et electionem tuam in pleno Comitatu tuo factam, diſtincte & aperte ſub ſigillo tuo & ſigillis eorum qui electioni illi interfuerint, nos in Cancellaria noſtra ad diem &

locum in breui contentos certifices indilate. And for that in the ſame Statute no paine was ordained nor ſpecially ſet vpon the Sheriffes of the County, if they make their returne contrary to the ſaid Statute: It was ordained and eſtabliſhed the eleuenth yeare of the ſaid King Henry the fourth, that the Iuſtices of Aſſiſes ſhould haue power to enquire in their Seſſions of Aſſiſes of ſuch returnes made; and if it be found by Inqueſt and due examination before the ſame Iuſtices, that any ſuch Sheriffe hath made, or hereafter ſhall make any returne contrarie to the tenor of the ſaid Statute, that the ſame Sheriffe ſhould incur the paine of an hundred pound, to be paid to our ſaid Lord the King. And moreouer, that the Knights ſo vnduely returned, ſhall loſe their wages of the Parliament in old times accuſtomed, to the great miſchiefes of ſheriffes & knights of the ſhire which be forbarred and put out of their anſwer, againſt ſuch Inqueſts of office taken before the ſaid Iudges, becauſe of the Statutes and Ordinances aforeſaid: Our Lord the King willing in this caſe to prouide remedie; hath ordained and eſtabliſhed, that all the Knights of the Shires choſen for this preſent Parliament, & the Sheriffes of the ſame Counties againſt whom any Inqueſts or offices of vndue election be found before the Iuſtices of Aſſiſes ſhall haue their anſwer and trauers to ſuch Inqueſts of office taken. And alſo all the Knights from henceforth ſo to be choſen, and the ſheriffes that ſhall make ſuch elections, ſhall haue their anſwer and trauerſe to ſuch Inqueſts & offices before any Iuſtices of Aſſiſes hereafter to be taken, & the ſaid Knights and Sheriffes ſhall not be endamaged vnto our ſaid Lord the King, or his ſucceſſors, for any ſuch Inqueſt taken or to be taken vntill they be duely conuict according to the forme of the Law. St. 8.H.6.7.

By the St. of 11 H.4.1. Iuſt. of Aſſiſe ſhall inquire of vndue returnes of knights of the Parliament.

The Knights choſen for the Parliament, & ſheriffes of counties may haue their trauerſe to an office found againſt them.

CAP. V.

Seuerall Commiſſions of Sewers ſhall be granted. The forme of the Commiſſion.

ITem, our Soueraigne Lord the King, by the aduice and aſſent aforeſaid, conſidering the great damage and loſſes which now late be happened by the great inundation of waters in diuers parts of the Realme, and that much greater damage is very like to enſue, if remedie be not ſpeedily prouided, hath ordained and granted, that during tenne yeares next enſuing, ſeuerall Commiſſions of Sewers ſhall be made to diuers perſons by the Chancellor of England for the time being, to be ſent into all parts of the Realme, where ſhall be needfull, according to the forme that followeth.

Commiſſions of Sewers, ſhal be granted during tenne yeares.

HENRY, by the grace of God King of England &c. to his well beloued and faithfull A.B.C. and D. greeting. Know ye, that whereas the Walles, Ditches, Gutters, Sewers, Bridges, Caulceis, and Weares by the Coaſt of the Sea, and Marſh, within the Coaſts and Limits of Lindeſey, in the Countie of Lincolne; by rage of the Sea, flowing and reflowing, and trenches of freſh waters by diuers places deſcending to the Sea, be ſo decayed and broken, that many ineſtimable damages for default of reparation of the ſame Walls, Ditches, Gutters, Bridges, Caulceis, and Weares, in times paſt haue happened there, and yet it is to be feared that much more hurt within ſhort time will happen vnleſſe that ſome ſpeedie remedie be prouided therefore: We forasmuch as by reaſon of our Regall dignitie we be bounden to haue regard to the ſafety of our Realme of England in all places, willing in this behalfe to prouide conuenient and ſpeedie remedie, haue aſſigned you, &c. of which, &c. we will to be one, our Iuſtices to ſuruey the ſaid Walls Ditches, Gutters, Sewers, Bridges, Caulceis, Weares, and Trenches, and to enquire by the Othe as well of Knights, as other good and lawfull men of the ſaid Countie, aſwell within Liberties as without, by whom the truth of the matter may be beſt knowne, by whoſe default ſuch damages haue there happened, and who doth hold lands and tenements, or hath any common of paſture or fiſhing in thoſe parts, or elſe in any wiſe haue, or may haue the defence, profit, and ſafegard, aſwel in perill nigh, as from the ſame far off, by the ſaid walls, ditches, gutters, ſewers, bridges, caulceis, & weares, and alſo hurt or commodity by the ſame trenches, & there to diſtraine all them for the quantity of their lands and tenements either by the number of acres, or by their plough lands, for the rate of the portion of their tenure, or for the quantity of their common of paſture or fiſhing, together with the Bailifes of liberties & other places of the counties and places aforeſaid, to repaire the ſaid walls, ditches, gutters, ſewers, bridges, caulceis, & weares in the places neceſſary, & the ſame or other as often & where ſhall be needfull to make of new, & to clenſe the ſaid trenches in places neceſſary, & if need be to ſtop them vp. So that no tenants of lands or tenements, nor any hauing common of paſture or fiſhing, rich or poore, nor other of what condition, ſtate or dignity, which haue or may haue defence, cōmodity & ſafegard by the ſaid walls, ditches, gutters, ſewers, bridges, caulceis, or weares, or elſe any hurt by the ſaid trenches, whether they be within liberties or without (ſhal in any wiſe be ſpared in this) & for agiſtmēts vpon the ſea bāks for preſeruation of the ſaid parts, according to the number of the acres or perches by you, &c. of whom, &c. we wil to be one newly to number, & as often & where ſhal need of new to make. And to depute certain diligent & true keepers for the ſaid preſeruation, & to heare the account of the collectors of the money, which ſhalbe leuied for this cauſe, & to be ſpent in the reparation & amendmēt of the ſaid walles, ditches, gutters, ſewers, bridges, caulceis, and weares, and ſtopping of the ſaid trenches, And to diſtrain by you &c. of whom &c. we wil to be one, or by other whom ye ſhal therto

The forme of the Commiſſion of Sewers. St.23.H.8.5.

Commiſſioners ſhal inquire of the annoyances & by whoſe default they happened.

Inquirie who hath lands, common or fiſhing there and who may haue loſſe by the annoyances, or benefit by the repaire of them.

Diſtraining for reparations.

ke li.10.fo.141

ke li.5.fol.100.

None ſhall be ſpared that may receiue benefit or loſſe.

Taking the accompt of the collectors.

Diſtraining for the arrerages of the Collection.

Making of ordinances for the defence of the ſea bankes.

Taking of laborers to worke in the reparations.

Puniſhment of them which doe neglect or refuſe to repaire their portion aſſigned

The ſheriffes & Jurors ſhall be attendant vpon the Commiſſioners of Sewers

depute, for the arrerages of ſuch collection, as often as néed ſhall be, and as yée ſhall thinke méet, and to make & ordaine neceſſary and conuenient ſtatutes and ordinances for the defence and ſafety of the ſaid ſea banks and marſhes,, and the parts adioyning according to the laws & cuſtomes of Romney marſh, and to heare and determine according to the law & cuſtome of our realme of Englãd, & the cuſtom of Rõney marſh, all, & ſingular the premiſes, aſwel at our ſuit, as the ſuit of any other that wil complain before you in this behalf. And to take & put in the ſaid works & reparations as many ditchers & other workmen & laborers for the ſaid workmanſhip & reparations as may ſuffice for the great, ſpéedy & inſtant neceſſitie vpon competent wages to them in this behalfe to be paid. And therefore we command you, that at certaine daies and places which you, &c. of whom, &c. we will to be one, therto ſhall appoint, ye ſhal ſuruey the ſaid walls, ditches, gutters, ſewers, bridges, caulceis, weares & trenches, and all & ſingular the premiſſes do & accompliſh, and heare and determine in forme aforeſaid, So that for default of reparation of the ſaid walls, ditches, gutters, ſewers, bridges, caulceis & weares, and ſtopping of the ſaid trenches, no hurt nor perill ſhall in any wiſe happen. And that ye compell all them, whom ye ſhall find negligent or ſtubbornly denying to doe reparation or making of their portions, ſpéedily to reforme and amend the ſame by diſtreſſes, and amerciaments, and other waies & meanes which to you ſhall beſt ſéeme for ſuch defaults, And that ye cauſe all things which by you ſhall be ordained in this behalfe, as well within liberties as without firmely to be obſerued, doing therein as to Juſtices pertaineth, according to the law & cuſtome of our realme of England: ſauing to vs the amerciament and other things thereof to vs pertaining. We haue alſo commanded our Sheriffe of the ſaid countie, that at certaine daies and places which you, &c. of whom, &c. we will to be one, ſhall giue him to know, he ſhall cauſe to come before you, &c. of whom, &c. we will to be one, ſo many and ſuch good and lawfull men of his bailiwicke, as well within liberties as without, by whom the truth of the matter in the premiſſes may beſt be knowne and enquired. In witneſſe whereof, &c. witneſſe, &c. Stat. 8. H. 6. 3. 23. H. 6. 9. 6. H. 8. 10.

CAP. VI.

All Merchants may ſhip merchandiſe in Melcombe hauen and carrie them to Calice. OB.

Statutes made at Weſtminſter, Anno 8. H. 6. & Anno Domini. 1429.

TO the laud and honour of Almightie God, and of the holy mother the Church, our moſt noble Chriſtiã Lord HENRY, by the grace of God King of England and France, and Lord of Ireland, in his Parliament holden at Weſtminſter the morrow after S. *Matthew*, the Apoſtle, the eight yeare of his raigne, by the aduice and aſſent of the Prelats and great men of his Realme of England, & at the ſpeciall requeſt & aſſent of the Commons of the ſame Realme being in the ſaid Parliament, hath made certaine Statutes and Ordinances for the common profit of the ſaid Realm, & ſpecially for the good & holſome gouernment & due executiõ of the Law to be had in the ſame, in the forme following.

CAP. I.

The Clergie of the Conuocation ſhall haue ſuch libertie as they which come to the Parliament.

The Clergie comming to the Conuocation ſhall haue ſuch Liberties, as they which come to the Parliament.

FIrſt, becauſe the Prelates and Clergie of the Realm of England called to the Conuocation, and their ſeruants and families that came with them to ſuch Conuocation oftentimes and commonly be arreſted, moleſted, and inquieted, Our ſaid Lord the King, willing graciouſly in this behalfe to prouide for the ſecuritie and quietneſſe of the ſaid Prelates and Clergie, at the ſupplication of the ſame Prelates and Clergie, and by the aſſent of the great men and Commons aforeſaid hath ordained and eſtabliſhed, that all the Clergie hereafter to be called to the Conuocation by the Kings Writ, and their ſeruants and familiars, ſhall for euer hereafter fully vſe and enioy ſuch libertie or defence in comming, tarrying and returning as the great men and comminaltie of the Realme of England, called or to be called to the Kings Parliament, do enioy, and were wont to enioy, or in time to come ought to enioy. Stat. 5. *H.* 4. 6. 11. *H.* 6. 11.

CAP. II.

No Merchants of England ſhall enter into the Dominion of the King of Denmarke, but into Northbaram. REP. 1. *H.* 8. 1.

Cap. III.

Commiſſioners of Sewers may execute their owne ordinance.

ITem, Our Lord the King conſidering how at the laſt Parliament holden at Weſtminſter the ſixth yeare of his raigne, he did ordaine and grant by authoritie of the ſaid Parliamēt, that ſeuerall Commiſſions of Sewers ſhould be made to diuers perſons by the Chancellor of England, for the time being, to be named in all parts of the Realme, where ſhall be néedfull, vnder a certaine forme in the ſaid ordinance and grant contained, by which ordinance and grant the ſaid Commiſſioners had no power nor authority to doe, performe, nor execute, the things compriſed within the ſaid Commiſſions. And therefore he hath ordained and ſtabliſhed by authoritie of this Parliament, that all ſuch Commiſſioners ſhall haue power to doe, ordaine, and execute the Statutes, Ordinances, and other affaires to be made according to the effect and purport of the ſaid Commiſſions.

St.6.H.6.5.

The Commiſſioners of ſewers ſhall haue power to execute their ordinances

Cap. IIII.

None ſhall buy or weare a Liuery to haue maintenance in any quarrell. Rep. 3. Car. 4.

Cap. V.

Euery Citie and Borough ſhall haue a Common ballance and Weight: Who may buy Wooll and yarne.

ITem, Whereas by the great Charter of the Liberties of the Realme of England, and by a Statute made the Fiue and twentieth yeare of King Edward the third, it was ordained and by a Statute made in the thirtéenth yeare of King Richard the ſecond, confirmed, that one weight and one meaſure ſhould be through all the Realme of England, as well out of the Staple as within. And in the ſame Statute of the ſaid Noble King Edward, it is contained, that the weight called Auncell, for the great hurt and ſubtill deceits done by the ſame meaſure to the common people, ſhall be vtterly left, and ſet apart, and the Wools and all other maner of Merchandiſes, and all other things weighable, bought or ſold, ſhall be weighed by the ballance, ſo that the tongue of the ballance doe not incline more to the one partie then to other, with weights ſealed, and according to the Standard of the Eſchequer. And he that doth contrary, to the damage of the Seller, ſhall forfeit to our Lord the King, the value of the goods ſo weighed or meaſured. And that the party complainant ſhall haue his quatreble damages. And by the ſaid Statute of the ſaid noble King Richard, it was added, that the offendor ſhall be impriſoned by two yeares, and make fine and ranſome at the will of our Lord the King. And that the Juſtices of Peace ſhould haue power to enquire of the ſaid defaults, as well at the ſuit of our Lord the King, as the parties. Our Lord the King, by the authoritie of this Parliament, hath ordained and ſtabliſhed, that the Statutes and Ordinances aforeſaid ſhall be firmely kept and holden, and ſtraightly executed.

St.9.H.3.25.
27.Ed.3.10.
14.Ed.3.12.
25.Ed.3.9.
13.R.2.9.

And moreouer, for to eſchew diuers great miſchiefes, which haue happened within the Realm of England, by the ſaid Auncell, and ſpecially for to deſtroy the falſhood of the Regrators of Yarne, called Journe Choppers, it is ordained by our ſaid Lord the King, by authoritie aforeſaid, that in euery Citie Borough, and Towne of the Realme of England, a common ballance ſhall be, with common weights ſealed, and according to the Standard of the Eſchequer, vpon the common Coſts of the ſaid Citie, Borough, or Towne, in the kéeping of the Maior, or Conſtable of the ſame: at which balance, and common weight, all the Inhabitants of the ſame Citie, Borough, or Towne, that haue not ſuch weights, and other that haue if they will, may fréely weigh without any thing paying, taking neuertheleſſe of Foraines for euery draught within the weight of xl.li. a farthing, and for euery draught betwixt forty pound and an hundred pound, an halfe peny, and for euery draught betwixt an hundred pound and a thouſand pound a peny at the moſt: whereof the Weights ſhall be maintained, and the Officers lawfully weighing, rewarded by the diſcretion of the chiefe men of the Citie, Borough, or Towne, according to his attendance to his ſaid buſineſſe be it more or leſſe. And that no man buy yarne of Wooll, called woollen Yarne, vnleſſe he will make Cloth thereof, nor vſe weight nor meaſure, nor other thing in the place of weight or meaſure, that is not ſealed according to the ſaid Standard, nor ſet any thing to the ſame by the way of tacking or hiding, or in any other maner that may encreaſe the meaſure or weight, or let the balance to haue his naturall courſe, vpon the forfeiture and penaltie aforeſaid. And that the Juſtices of Peace, Maiors, Bailiffes, and Stewards of Franchiſes, haue power by authoritie aforeſaid, to examine the Treſpaſſors in this caſe, and to enquire in eſpeciall of offendors againſt this Ordinance, and to doe execution of them that be found faultie, by enqueſts or by examination to be made by the ſaid Judges or Officers in this caſe, in the maner as afore is ſaid. And that this ordinance be holden and obſerued, from the Feaſt of Eaſter next enſuing, for euer. And that euery Citie vpon paine of tenne pound, euery Borouhh vpon paine of an hundred ſhillings, and euery Towne where a Conſtable is, vpon paine of fortie ſhillings, haue a common ballance with weights according to the ſaid Standard,

Regraters of Yarne called Journe Choppers.

Euery Citie, Borough, and Towne ſhall haue a common Balance and Weights.

No man ſhall buy woollen yarne vnleſſe he will make cloth thereof. Rep.21. Jac.28.

The forfeiture of a Citie or Towne wanting common Balance and weights.

within two moneths after Proclamation made of this Ordinance, which penaltie ſhal be leuyed to the vſe of our Lord the King, as often as they ſhall be faulty after the ſaid Proclamation. St.11.H.7.4. 11.H.6.8. 9.*H.6.6.8.*

CAP. VI.

If any threaten by caſting of Billes to burne a houſe, if money be not laid in a certaine place, and after doe burne the houſe, ſuch burning of houſes ſhall be adiudged high Treaſon. REP. 1. Edw.6.12. 1.M.1.

CAP. VII.

What ſort of men ſhall be chooſers, and who ſhall be choſen Knights of the Parliament.

What ſort of people, and of what ſufficiency of eſtate ſhall be chooſers of the Knights for the Parliament.
St.1.H.5.1.
10.H.6.2.
What ſort of perſons ſhall be choſen Knights for the Parliament.
St.6.H.6.4.
The Sheriffe may examine euery chooſer what land he hath in yearely value.
The penaltie of a Sheriffe returning a knight not duly choſen.
St.11.H.4.1.
23.H.6.15.
Raſt.pla.fo.410.
The penaltie of a knight returned which is not duely choſen.

ITem, Whereas the election of Knights of Shires, to come to the Parliaments of our Lord the King, in many Counties of the Realme of England, haue now of late béene made by very great outragious and exceſſiue number of people, dwelling within the ſame Counties of the Realme of England, of the which moſt part was of people of ſmall ſubſtance, and of no value, whereof euery of them pretended a voice equiualent, as to ſuch elections to be made with the moſt worthy Knights and Eſquires dwelling within the ſame Counties, whereby manſlaughters, riots, batteries, and diuiſions among the Gentlemen, and other people of the ſame Counties ſhall very likely riſe and be, vnleſſe conuenient and due remedy be prouided in this behalfe. Our Lord the King conſidering the premiſſes, hath prouided, ordained, and ſtabliſhed by authoritie of this preſent Parliament, that the Knights of the Shires to be choſen within the ſame Realme of England, to come to the Parliaments of our Lord the King, hereafter to be holden, ſhall be choſen in euery County of the Realme of England, by people dwelling and reſiant in the ſame Counties, whereof euery one of them ſhall haue land or Tenement, to the value of forty ſhillings by the yeare at the leaſt, aboue all charges, and that they which ſhall be ſo choſen, ſhall be dwelling, and reſiant within the ſame Counties. And ſuch as haue the greateſt number of them, that may expend forty ſhillings by yeare, and aboue, as afore is ſaid, ſhall be returned by the Sheriffes of euery County Knights for Parliament, by Indentures Sealed betwixt the ſaid Sheriffes, and the ſaid chooſers ſo to be made. And euery Sheriffe of the Realme of England ſhall haue power by the ſaid authority to examine vpon the Euangeliſts euery ſuch choſer, how much he may expend by the yeare: And if any Sheriffe returne Knights, to come to the Parliament contrary to the ſaid Ordinance, the Iuſtices of Aſſiſes in their Seſſions of Aſſiſes ſhall haue power by the authority aforeſaid, thereof to enquire. And if by enqueſt the ſame be found before the Iuſtices, and the Sheriffe thereof be duely attainted, that then the ſaid Sheriffe ſhall incurre the paine of an hundred pound, to be paid to our Lord the King, and alſo that he haue impriſonment by a yeare, without being let to Mainpriſe or baile. And that the Knights for the Parliament returned contrary to the ſaid Ordinance, ſhall loſe their wages,

Prouided alwaies, that he which cannot expend fortie ſhillings by yeare, as afore is ſaid, ſhall in no wiſe be choſer of the Knights for the Parliament. And that in euery Writ that ſhall hereafter goe forth to the Sheriffes, to chooſe Knights for the Parliament, mention be made of the ſaid Ordinances.

CAP. VIII.

The Statutes of *6.H.6.3.* confirmed touching the wages of Labourers, Artificers, Seruants, and workemen. REP. 5.Eliz 4.

CAP. IX.

The dutie of Iuſtices of Peace, where Land is entered vpon or detained with force.

Stat.15.R.2.2. touching forcible entries rehearſed & confirmed.

ITem, Whereas by the noble King Richard, late King of England after the Conqueſt, the ſecond, at his Parliament holden at Weſtminſter, the morrow after All Soules, the fiftéenth yeare of his raigne, amongſt other things, it was ordained and ſtabliſhed, that the Statutes and Ordinances made, and not repealed of them that make Entries with ſtrong hand into Lands, or Tenements, or other poſſeſſions whatſoeuer, and them hold with force, and of them that make Inſurrections, Riots, Routs, Ridings, and Aſſemblies in diſturbance of the Peace, or of the Common Law, or in affray of the people, ſhould be holden and fully executed. And moreouer, it is ordained by the ſame Statute, that at all times that ſuch forcible entries be made and complaint thereof come to the Iuſtices of Peace, or any of them, that the ſame Iuſtices or Iuſtice ſhall take the power of the County, and ſhall goe, or one of them ſhall goe to the place where ſuch force is made. And if they find, or he findeth any holding ſuch place, forcibly after ſuch entrée made, they ſhould be taken and put in the next Gaole, there to remaine conuict by the record of the ſame Iuſtices or Iuſtice, vntill they haue made fine and ranſome to the King. And that all the people of the County, aſwell Sheriffes, as other, ſhall be attending to the ſaid Iuſtices, and to aſſiſt them to arreſt ſuch Malefactors, vpon paine of impriſonment, and to make fine and ranſome to the King. And that in the ſame manner be done of them that make forcible Entries, into Benefices or Offices of holy Church, as in the ſame Statute is contained more at large.

The defects of the ſtatute of 15.R.2.2.

And for that the ſaid Statute doth not extend to Entries in Tenements, in peaceable maner, and after holden with force, nor if the perſons which enter with force into Lands or Tenements, be remoued, and voided before the comming of the ſaid Iuſtices or Iuſtice, as before, nor any paine ordained if the Sheriffe dos not obey the commandements and precepts of the ſaid Iuſtices, for to execute the ſaid ordinance, many wrongfull and forcible entries be daily made, in Lands and Tenements by ſuch as haue no right, and alſo diuers gifts, Feoffements, and diſcontinuances ſometimes made to Lords, and other puiſſant perſons, and extortioners, within the ſaid Counties, where they be conuerſant, to haue maintenance, and ſometime to ſuch perſons as be vnknowne to them ſo put out, to the intent to delay and defraud ſuch rightfull poſſeſſors of their right, and recouery for euer, to the finall diſheriſon of diuers of the Kings faithfull Liege people, and likely daily to encreaſe, if due remedy be not prouided in this behalfe: Our Lord the King conſidering the Premiſſes, hath ordained, that the ſaid Statute and all other Statutes of ſuch entries or alienations made in times paſt, ſhall be holden and duely executed: Ioyned to the ſame, that from henceforth where any doth make any forcible Entrie in Lands and Tenements, or other poſſeſſions, or them hold forcibly, after complaint thereof made within the ſame Countie where ſuch Entrie is made, to the Iuſtices of Peace, or to one of them by the partie grieued, that the Iuſtices or Iuſtice ſo warned within a conuenient time, ſhall cauſe or one of them ſhall cauſe the ſaid Statute duely to be executed; and that at the coſtes of the partie ſo grieued.

The office and duetie of Iuſtices of peace whē any forcible entrie is made into Lands or peaceable entrie and after detaining with force.

li.8.fo.121.

And moreouer, though that ſuch perſons making ſuch entries be preſent, or elſe departed before the comming of the ſaid Iuſtices or Iuſtice, notwithſtanding the ſame Iuſtices or Iuſtice in ſome good Towne next to the Tenements ſo entred or in ſome other conuenient place, according to their diſcretion, ſhall haue, or either of them ſhall haue authority and power to enquire by the people of the ſame County, aſwell of them that make ſuch forcible Entries in Lands and Tenements, as of them which the ſame hold with force. And if it be found before any of them, that any doth contrary to this Statute, then the ſaid Iuſtices or Iuſtice, ſhall cauſe to reſeiſe the Lands and Tenements ſo entred or holden as afore, and ſhall put the party ſo put out in full poſſeſſion of the ſame Lands and Tenements, ſo entred or holden as before. And if any perſon after ſuch entree into Lands or Tenements holden with force, make a feoffement, or other diſcontinuance to any Lord, or other perſon, to haue maintenance, or to take away and defraud the poſſeſſor of his recouery in any wiſe, if after in Aſſiſe or other action thereof to be taken or purſued before Iuſtices of Aſſiſes, or other the Kings Iuſtices whatſoeuer, by due enquiry thereof to be taken, the ſame feoffements and diſcontinuances may be duely proued to be made for maintenance, as afore is ſaid, that then ſuch feoffements or other diſcontinuances, ſo as before made, ſhall be void, fruſtrate, and holden for none.

6.fol.5.
7.fol.8.
fol.122.187
li.9.fo.118.
fo.55.
4.fo.18.
fo.18.

The remedie where any perſō entring by force doth alien the ſame Land to haue maintenance.
St.1.R.2.9.
Raſt.pla fo.62.

And alſo when the ſaid Iuſtices or Iuſtice make ſuch enquiries, as before, they ſhall make, or one of them ſhall make their warrants and precepts to be directed to the Sheriffe of the ſame Countie, commanding him of the Kings behalfe, to cauſe to come before them and euery of them ſufficient and indifferent perſons dwelling next about the Lands ſo entred, as before, to enquire of ſuch entries, whereof euery man which ſhall be empanelled to enquire in this behalfe, ſhall haue Land or Tenement of the yearely value of fortie ſhillings by yeare at the leaſt, aboue repriſes, and that the Sheriffe returne Iſſues vpon euery of them at the day of the firſt precept returnable twentie ſhillings, and at the ſecond day fortie ſhillings, and at the third time an hundred ſhillings, and at euery day after, the double. And if any Sheriffe or Bailiffe within a Franchiſe hauing returne of the Kings Writ, be ſlacke and make not execution duely of the ſaid precepts to him directed, to make ſuch enquiries, that he ſhall forfeit to the King twentie pound for euery default, and moreouer ſhall make fine and ranſome to the King.

The Iuſtices precept to the Sheriffe to returne a Iury to enquire of forcible entries.

What Land euery Iuror muſt haue that is impanelled to enquire of a forcible entrie, and what Iſſues ſhall be returned vpon them.

The Sheriffes penalty for omitting his dutie.

And that aſwell the Iuſtices or Iuſtice aforeſaid, as the Iuſtices of Aſſiſes, and euery of them at their comming into the Country to take Aſſiſes, ſhall haue, and euery of them ſhall haue power to heare and determine ſuch defaults and negligences of the ſaid Sheriffes and Bailiffes, and euery of them, as well by Bill at the ſuit of the party grieued for himſelfe, as for the King to ſue by endictment only to be taken for the King. And if the Sheriffe or Bailiffe be duly attainted in this behalf by indictment, or by Bill, that he which ſueth for himſelfe & for the King, haue the one moitie of the forfeiture of twenty pound, together with his coſts and expences, and that the ſame Proces be made againſt ſuch perſons endicted or ſued by bill in this behalfe, as ſhould be againſt perſōs indicted or ſued by Writ of Treſpas done with force & Armes againſt the peace of the K.

And moreouer, if any perſon be put out or diſſeiſed of any Lands or Tenements in forcible manner, or put out peaceably, and after holden out with ſtrong hand, or after ſuch entree, any

What action the partie grieued ſhall haue againſt him who doth put out oꝛ keepe him out of the poſſeſſion with foꝛce, oꝛ after maketh diſcontinuance of the Land.
Coke pla.fol. 315.
The authoꝛity of the chiefe officers in Cities and Coꝛpoꝛate townes to repꝛeſſe foꝛces.
They may keep their Land by foꝛce which haue had thꝛee yeares poſſeſſion St.31.El.11.

1.H.7.fo.1
10 H.7.fo.
15 H.7.fol.1
6.H.7.fo.12
Dyer fo.14
Fitz,Entrie 1
17.18.21.27.
39.45.
Coke.li.11.f
10.H.7.fo.2
10.Ed 4.fo.
Dyer.fo.214
Fitz,Damag
23.25.
Coke li.10.f
lib.11.fo.30

feoffement oꝛ diſcontinuance in any wiſe thereof be made to defraud and take away the right of the Poſſeſſoꝛ, that the partie grieued in this behalfe ſhall haue Aſſiſe of Nouell diſſeiſin, oꝛ a Writ of Treſpas againſt ſuch diſſeiſoꝛ. And if the partie grieued recouer by Aſſiſe, oꝛ by action of Treſpas, And it be found by verdict oꝛ in other maner by due foꝛme in the law, that the partie defendant entred with foꝛce into the Lands and Tenements, oꝛ them after his entre did hold with foꝛce, that the plaintiffe ſhall recouer his treble damages againſt the defendant. And moꝛeouer that he make fine and ranſome to the King. And that Maioꝛs, Juſtices, oꝛ Juſtice of Peace, Sheriffes and Bailiffes, of Cities, Townes, and Boꝛoughs, hauing Franchiſe, haue in the ſaid Cities, Townes, and Boꝛoughs, like power, to remoue ſuch entrées, and in other articles afoꝛeſaid, riſing within the ſame, as the Juſtices of Peace, and Sheriffes in Counties and Coũtries afoꝛeſaid haue.

22.H.6.fo.
Kel.fol.187
14.H.7.fol.
Dyer.fol.14
Bro.Force,2

Pꝛouided alwaies, that they which kéepe their poſſeſſions with foꝛce in any Lands and Tenements, whereof they oꝛ their Aunceſtoꝛs, oꝛ they whoſe eſtate they haue in ſuch Lands, and Tenements, haue continued their Poſſeſſions in the ſame by thꝛée yeares oꝛ moꝛe, be not endamaged by foꝛce of this Statute. Stat.5.R.2.7.4.H.4.8. Regiſt.fol.289. Fitz.N.B.fol.248. Coke pla.fol.44.46. Raſt.pla.fol.65.68.72.83.320.330. Coke Inſt.1.part 257.

Cap. X.

Proces awarded againſt thoſe, which dwelling in foraine Counties be Indicted, or Appealed.

The inconueniences enſuing by Indicting oꝛ Appealing of any perſon in one County that is conuerſant in an other.

ITem, Our Loꝛd the King conſidering how diuers perſons foꝛ the pꝛiuate reuenge, and not of right, maliciouſly by ſubtill imagination haue cauſed and pꝛocured many of his faithfull liege people falſly to be indicted and appealed of ſeuerall Treaſons, Felonies, and Treſpaſſes, befoꝛe Juſtices of the Peace, and other Commiſſioners, and Juſtices, and other hauing power to take Indictments oꝛ Appeales in diuers foꝛaine Counties, Liberties, and Franchiſes of England, in which the ſaid Lieges be not, noꝛ at any time were conuerſant noꝛ dwelling: By foꝛce of which Indictments and Appeales, and the Pꝛoceſſes vpon them made in the ſaid Counties, Franchiſes and Liberties, the ſaid perſons ſo indicted, haue béene, and daily be put in Exigend, and after outlawed, and thereupon their góods and cattels, Lands and Tenements foꝛfeit, and they in great ieopardie of their liues, whereas the ſaid perſons ſo indicted, Appealed, oꝛ put in Exigend, oꝛ outlawed, had neuer knowledge of ſuch Indictments, Appeales, Exigends, oꝛ outlawꝛies, which falſhód and malice daily doth abound and encreaſe in diuers Counties, Liberties, and Franchiſes of England, in great hinderance, loſſe, and perpetuall deſtruction of many of his ſaid faithfull and innocent Liege people, and very likely to encreaſe hereafter, if conuenient remedie be not oꝛdained and pꝛouided in this behalfe.

Vpon Indictments oꝛ Appeales of perſons dwelling in foꝛaine counties what pꝛoceſſe ſhall be awarded againſt them.
St.10.H.6.6.
Raſt.pl.fo.52.286

1.Ed.4.
19.H.6.f
Fitz.Pro

And therefoꝛe the ſame our Loꝛd the King of his eſpeciall grace, and by authoꝛitie of this Parliament, foꝛ eaſe and tranquilitie of his faithfull lieges of this Realme, hath cauſed to be oꝛdained and ſtabliſhed, that vpon euery Indictment oꝛ Appeale by the which any of the ſaid Lieges dwelling in other Counties then there where ſuch indictment oꝛ appeale is, oꝛ ſhall be taken of Treaſon, Felonie, and Treſpas to be taken hereafter befoꝛe the Juſtices of peace, oꝛ befoꝛe any other hauing power to take ſuch indictments oꝛ appeales, oꝛ other Commiſſioners oꝛ Juſtices in any County, Franchiſe, oꝛ Libertie of England, befoꝛe any Exigend awarded vpon any Indictment oꝛ Appeale in the foꝛme afoꝛeſaid, to be taken, that pꝛeſently after the firſt writ of Capias, vpon euery ſuch Indictment oꝛ Appeale awarded and returned, that another Writ of Capias be awarded, directed to the Sheriffe of the Countie, whereof he which is ſo Indicted is oꝛ was ſuppoſed to be conuerſant by the ſame Indictment, returnable befoꝛe the ſame Juſtices oꝛ Commiſſioners, befoꝛe whõ he is Indicted oꝛ Appealed at a certaine day, containing the ſpace of thꝛée moneths, from the date of the ſaid laſt Writ, where the Counties be holden from moneth to moneth, & where the Counties be holden from ſixe wéeks to ſixe wéeks, he ſhall haue the ſpace of foure moneths, vntill the day of the returne of the ſame Writ, by which Writ of ſecond Capias, be it contained and commanded to the ſame Sheriffe, to take him which is ſo Indicted oꝛ Appealed by his body, if he can be found within his Bailiwicke: and if he cannot be found within his Bailiwicke, that the ſaid Sheriffe ſhall make Pꝛoclamation in two Counties befoꝛe the returne of the ſame Writ, that he which is ſo Indicted oꝛ Appealed, ſhall appeare befoꝛe the ſaid Juſtices oꝛ Commiſſioners in the Countie, Libertie, oꝛ Franchiſe, where he is Indicted, oꝛ Appealed, at the day contained in the ſaid laſt Writ of Capias, to anſwere to our Loꝛd the King, oꝛ to the partie of the Felony, Treaſon, oꝛ Treſpas, whereof he is ſo Indicted oꝛ Appealed: after which ſecond Writ of Capias ſo ſerued and returned, if he which is ſo Indicted oꝛ Appealed, come not at the day of the ſame Writ of Capias returned, the Exigend ſhall be awarded againſt ſuch perſons Indicted oꝛ Appealed, and euery of them.

11.H.
Coke li

And if any Exigend hereafter be awarded vpon any ſuch Indictment oꝛ Appeale, againſt the foꝛme afoꝛeſaid, oꝛ any outlawꝛie be vpon that pꝛonounced, aſwell the Exigend ſo awarded, as the outlawꝛie vpon that pꝛonounced, and euery of them, ſhall be holden foꝛ none, and void.

And that the partie vpon whom ſuch Exigend againſt the forme aforeſaid is awarded, or Outlawrie pronounced, be not endamaged, nor put to loſſe of his goods or cattels, Lands, or Tenements, nor of his life.

Prouided alwaies, that the Statute made in the laſt Parliament, of Proceſſes to be made in ſuch caſe before the King in his Bench ſtand in his force. And moreouer, the ſame our Lord the King, hath granted by authoritie aforeſaid, that euery perſon endicted or appealed in the forme aforeſaid frō henceforth after that he be duly acquit by verdict, that he ſhall haue a Writ and action vpon his caſe againſt euery procuror of ſuch Indictments or appeales, and like Proceſſe ſhall be vpon and in the ſame Writ, as in a Writ of Treſpas done with force and Armes. And if ſuch Procuror be attainted in this behalfe, that the plaintiffe ſhall recouer his treble damages.

St.6.H.6.1

An action vpon the caſe maintainable by the partie indicted or appealed againſt the procurer of the ſame. Fitz.N.B.fo.115.I Raſt.pl.fo.122.

Kel.fol.11.

Prouided alwaies, that this ordinance ſhall not extend to Indictments or Appeales taken or to be taken within the Countie of Cheſter.

Prouided alſo, that if any of the ſaid Lieges, or any of their heires, be or ſhall be appealed or indicted of felony or Treaſon, and at the time of the ſame Felony or Treaſon ſuppoſed, he is and was conuerſant within the County, whereof the Indictment or Appeale maketh mention, the like Proceſſe be made againſt ſuch indicted perſon ſo appealed, as hath been vſed alwaies before this time.

A man indicted or appealed in the Countie where he is conuerſant.

Cap. XI.

The Citizens of London may take Apprentices according to their ancient Cuſtome.

Item, it is ſhewed to our Lord the King by the ſaid Commons for the Maior, and Aldermen and Commons of the Citie of London, that whereas among other Franchiſes, Liberties, and Cuſtomes to them by the ſame our Lord the King and his noble Progenitors granted and confirmed, it is contained, that the maner and forme of taking of Apprentices within the ſaid City of old time vſed and continued, be kept and obſerued: And where it is alſo there vſed by the Cuſtomes of the ſame Citie of time out of mind continued and approued in the ſame, that euerie perſon which was not of villain eſtate or conditiō, but of free eſtate and conditiō might put himſelfe, his Sonne, or Daughter to be Apprentice to any Freeman of the ſame Citie, to learne his Craft, or Miſterie, and that likewiſe euery Freeman of the ſaid Citie may take euery ſuch perſon, Sonne, or Daughter to be his Apprentice, without impeachment, vntill now of late the ſaid Maior, Aldermen, and Commons be and haue beene grieuouſly vexed and inquieted by colour of an Article of the Statute made at Weſtminſter, the ſeuenth yeare of the raigne of King Henry the fourth, rehearſing by generall words, that no man nor woman put their Sonne nor Daughter to be Apprentice within any Citie or Towne of the Realme of England, Except that he haue Land or Rent to the value of twentie ſhillings by yeare, and that by Teſtimony vnder the Seales of the Iuſtices of Peace, nor that any ſhall receiue a Prentice to the contrarie, vpon a grieuous penaltie limited in the ſaid Statute.

The ancient libertie and Cuſtome of the Citizens of London touching taking of Apprentiſes.

Our Lord the King, conſidering the great hinderance which by the ſaid Statute might redound to the Inhabitants of the ſaid Citie, if they ſhould be thereby reſtrained of their ſaid Liberties and Cuſtomes, and how in the beginning of the ſame Statute it is contained, that the ſaid Citie of London haue and enioy all her Liberties, Franchiſes, and Cuſtomes that be not contrary to the ſaid article, and alſo reſpecting the entire affections, and great kindneſſe done and ſhewed to our ſaid Lord the King in all his affaires by the citizens of the ſaid Citie of London, and to encourage them the more to ſuch affections and kindneſſe hereafter, by the aduice and aſſent aforeſaid, hath ordained by the authoritie of this Parliament, that the ſaid ancient manner forme, and cuſtome of putting and taking of Apprentices, vſed and continued in the ſaid Citie of London, be from henceforth kept and obſerued, as long as it ſhall pleaſe our ſaid Lord the King, without being for that impeached, or to incurre the paine contained in the ſaid Statute. Stat.5.Eliz.4.

The citizens of London may take apprentices according to their old cuſtome notwithſtanding the Stat of 7.H.4.17. St.11.H.7.11.

Cap. XII.

No Iudgement or Record ſhall be reuerſed for any Writ, Proceſſe, &c. raſed. Which defects in Records may bee amended by the Iudges, and which not.

Item, our Lord the King hath ordained and eſtabliſhed by the authoritie of this preſent Parliament, That for error aſſigned, or to be aſſigned in any Record, Proceſſe, or Warrant of Atturney, Originall Writ, or Iudiciall, Panell, or Returne in any places of the ſame raſed or interlined, or in any addition, ſubtraction, or diminution of words, letters, titles, or parcell of letters found in any ſuch Record, Proceſſe, warrant of Atturney, Writ, Panell, or Returne, which raſings, enterlinings, addition, ſubtraction, or diminution, at the diſcretion of the Kings Iudges of the Courts of places, in which the ſaid Records or Proceſſe by Writ of Error, or otherwiſe be certified doe appeare ſuſpected, no Iudgement nor Record ſhall be reuerſed nor adnulled.

No iudgement nor record ſhall be reuerſed nor auoided for any writ, returne, proceſſe &c. raſed or interlined.

Dyer fo.105.180.225.230.260.342. Coke li.5.fo.45.& li.8.fo.138.

The Judges may reforme all defects in records, which be miſpriſion of the Clerke. St.14.Ed.3.6. 9.H.5.4. 8.H.6.15.

And that the Kings Judges of the Courts and places, in which any Record, Proceſſe, word, plea, warrant of Atturney, Writ, Panell, or Returne, which for the time ſhall be, ſhall haue power to examine ſuch Records, Proces, Words, Pleas, Warrants of Atturney, Writs, Panels, or Returne, by them and their Clerkes, and to reforme and amend (in affirmance of the iudgements of ſuch Records and Proceſſes) all that which to them in their diſcretion ſeemeth to be miſpriſion of the Clerkes, in ſuch Record, Proceſſes, word, plea, warrant of Atturney, Writ, Panell, and Returne, (except Appeales, Indictments of Treaſon and of Felonies, and the outlaries of the ſame, and the ſubſtance of the proper names, ſurnames, and additions, left out in originall Writs, and Writs of Exigend, according to the Statute another time made the firſt yeare of King Henry, father to our Lord the King that now is, and in other Writs containing Proclamation,) ſo that by ſuch miſpriſion of the Clerke no iudgement ſhall be reuerſed nor adnulled. And if any Record, Proceſſe, Writ, Warrant of Atturney, Returne or Panell, be certified defectiue, otherwiſe then according to the writing, which thereof remaineth in the Treaſury, Courts, or places, from whence they be certified, the parties in affirmance of the iudgements of ſuch Records and Proceſſe, ſhall haue aduantage to alleadge that the ſame writing is variant from the ſaid Certificate, and that found and certified, the ſame variance ſhall be by the ſaid Judges reformed and amended according to the firſt writing.

Which defects in records may not be amended. St.27.El 5. St.1.H.5.5. Variance alledged betweene a record & the certificate thereof, ſhall be by the Judges amended.

Imbeciling of a record, whereby any iudgement ſhall be reuerſed, is felonie. St.8.R.2.4.

Coke li.8.fo.100. Coke li.11.fo.34. 2.R.3.10.

And moreouer, it is ordained, that if any Record, or parcell of the ſame Writ, Returne, Panell, Proceſſe, or warrant of Atturney, in the Kings Courts of Chancery, Eſchequer, the one Bench or the other, or in his Treaſury, be willingly ſtolen, taken away, withdrawne, or auoyded by any Clerke, or by other perſon, becauſe whereof any iudgement ſhall be reuerſed: that ſuch ſtealer, taker away, withdrawer, or a uoyder, their procurators, counſellors, and abettors thereof indicted, and by proceſſe thereupon made thereof duely conuict, by their owne confeſſion (or by inqueſt to be taken of lawfull men, whereof the one halfe ſhall be of the men of any Court of the ſame Courts, and the other halfe of other) ſhall be iudged for felons, and ſhall incurre the paine of felony. And that the Judges of the ſaid Courts, of the one Bench or of the other, haue power to heare and determine ſuch defaults before them, and thereof to make due puniſhment, as afore is ſaid.

Bro Parliam.4.

A Record exemplified vnder the great ſeale, and enrolled in the Chancery.

Prouided alwayes, that if any ſuch Record, Proceſſe, Writ, or warrant of Atturney, Panell, or returne, or parcell of the ſame, be now, or herafter ſhall be exemplified in the Kings Chancery vnder the great ſeale, and ſuch exemplification there of record enrolled without any raſing in the ſame place, in the exemplification, and the inrollment of the ſame, that another time for any error aſſigned or to be aſſigned in the ſaid Record, Proceſſe, Writ, Warrant of Atturney, Panel, or Returne in any letter, word, clauſe, or matter of the ſame varying, or contrary to the ſaid exemplification and the inrollment, there ſhall bée no iudgement of the ſaid Records and Proceſſe reuerſed nor adnulled.

Cap. XIII.

There ſhall be excepted in all the Protections of thoſe that ſhall goe with the King into France, *Aſſiſe nou e diſſeiſine,*

Cap. XIIII.

Riotous perſons committing of Felonies, and the fleeing into ſecret places.

Stat.2.H.5.9.

Riotous perſons commit murders, manſlaughters, robberies, and then flie into ſecret places.

Coke l

ITem, for that great and grieuous complaint was made to King Henry, late King of England, father to our Lord the King that now is, at his Parliament holden at Leiceſter, the ſecond yeare of his raigne, by the Commons of his Parliament aforeſaid, of diuers murders, manſlaughters, robberies, batteries, aſſemblies of people in great number in manner of inſurrections, and of diuers other rebellions and riots: and after ſuch offences the ſaid felons and offenders did flée and withdraw themſelues to diuers woods and ſecret places vnknowne, and elſewhere, to the intent and purpoſe to auoid the execution of the common Law, and that they might not be brought to anſwere according to the proceſſe of the common Law: whereupon the ſaid late King, conſidering the aforeſaid complaint, by the aduice and aſſent of the Lords ſpirituall & temporall, in the ſame Parliament aſſembled, did ordaine and ſtabliſh, at the requeſt of the ſaid commons, that if any after come into the Chancery, and make complaint duely that any ſuch felon or offender as aforeſaid, hath fled or withdrawne him to any ſuch place or elſewhere, to the intent aforeſaid, vpon ſuch complaint a bill ſhall be ſufficiently made for the King, & the Chancellor of England for the time being, after ſuch bill to him deliuered, if he may be duly informed, that ſuch bill containeth truth, ſhall haue power by his diſcretion to award a Writ of Capias at the ſuit of our Lord the King, directed to the Sheriffe of the countie or counties where the ſaid murders, manſlaughters, robberies, batteries, and other offences be ſuppoſed by the ſaid bill to be done and committed, returnable in the ſaid Chancery at a certaine day. And if the perſons ſpecified in the ſaid writ be taken by the ſaid Sheriffe, or yéeld themſelues in the ſame Chancery, that then ſuch perſons be put in priſon or to mainpriſe, according to the diſcretion of the Chancellor. And moreouer it ſhall be commanded to inquire of ſuch offences, and vpon that ſhall be done as the law requireth. And if the Sheriffe returne at the day of the Capias returnable, that the perſons in the ſame compriſed, for any of the ſame cauſes aforeſaid, cannot be taken by him, nor the ſame perſons doe yeeld themſelues in the ſaid Chancery, that then the ſaid Chancellor ſhall cauſe to be made a writ of proclamation directed to the Sherife, returnable in the Kings Bench at a certaine day, that he make proclamation in two counties, that the perſons named in the ſaid writ come at the ſaid day into the aforeſaid Bench there to anſwer to the matter compriſed in the ſaid bill, vpon pain to be conuict of the matter compriſed within the ſaid bill. And in euery ſuch writ of Proclamation ſhall be contained the ſubſtance of the matter compriſed in the ſaid bill. And if they come not at the day of ſuch proclamation returned, then they ſhall be holden and adiudged for conuict and attainted as afore is ſaid. And if they come at the Proclamation, it ſhal be inquired of thē and done in the maner as afore is ſaid. Prouided that the ſuggeſtions of ſuch riots be ſignified to the Chancellor of England by letters ſealed vnder the ſeales of two Iuſtices of the peace at the leaſt, and the Sheriffe of the countie, where ſuch riots ſhall be, before that ſuch writ of Capias be granted, In which writ of Capias, the matter which is compriſed within the ſame bill, ſhall be as well expreſſed as in the writ of proclamation thereof to be made. And if ſuch a caſe happen in the countie Palatine of Lancaſter, or elſewhere in franchiſes, where there is a Chancellor & a ſeale, that then the ſaid Chancellor of England cauſe to be written or ſent by the Kings Writ to the Chancellor of ſuch Countie or Franchiſe, all the ſuggeſtion in the ſaid bill compriſed, commanding him to make ſuch execution as in the ſaid article is compriſed. So alwayes that the Kings Writ out of the Chancery of England ſhall not run in ſuch County or Franchiſe, otherwiſe then hath been vſed in time paſſed, and that the ſaid ordinance ſhall ſtand in his force till the end of the next Parliament, Our Lord the King, conſidering that diuers other murders, manſlaughters, robberies, batteries, aſſemblies of people in great number in manner of inſurrections, and diuers other rebellions and riots, haue bin made in diuers Counties of the Realme, ſince the making of the ſaid ſtatute, not puniſhed, becauſe that the ſaid ſtatute held no force, but vntill the end of the Parliament then next following, hath ordained and ſtabliſhed by authoritie of this preſent Parliament, that the ſaid Statute ſhall now be kept, and firmely holden for a Statute for euer, as well of murders, manſlaughters, robberies, batteries, aſſemblies of people in great number, in manner of inſurrections, and diuers other rebellions and riots made and committed before the beginning of this preſent Parliament as in time to come.

Proces awarded againſt the offenders.

The Stat. of 2 H. 5. 9 of thoſe that doe commit murder, &c. and after flie into woods made perpetuall.

Prouided alwaies, that it be teſtified by two Iuſtices of the Peace of the Counties where ſuch riots ſhall be ſuppoſed, that the common fame and voice, runneth in the ſame Counties of the ſame riots, before that the writ of Capias ſhall be awarded. Prouided alſo, that if any ſuch caſe happen in the ſaid county Palatine of Lancaſter, or elſewhere in a place enfranchiſed, where there is a Chancellor and a ſeale, that then the ſaid Chancellor of ſuch county or place infranchiſed for the time being after complaint to him duely made & teſtified by a Iuſtice, or the Lieutenant of a Iuſtice & Sheriffe of ſuch County Palatine or place infranchiſed, for the time being, in the forme aforeſaid, ſhall haue like power to award a Capias and a writ of Proclamation aforeſaid, as the ſaid Chancellor of England hath.

A prouiſion where any of the ſaid offences be committed in a place franchiſed.

Cap. XV.

The Iuſtices may in certaine caſes amend defaults in Records.

ITem, it is ordained and eſtabliſhed, that the Kings Iuſtices before whom any miſpriſion or default is or ſhall be found, be it in any Records and Proceſſes, which now be or ſhall be depending before them, as well by way of errour as otherwiſe, or in the returnes of the ſame made or to be made by Sheriffes, Corones, Bailiffes of Franchiſes, or any other, by miſpriſion of the Clerkes of any of the ſaid Courts of the King, or by miſpriſiou of the Sheriffes, vnder-Sheriffes, Coroners their Clerkes, or other officers, clerkes, or other Miniſters whatſoeuer in writing one letter or one ſillable too much or too little, ſhall haue power to amend ſuch defaults and miſpriſions, according to their diſcretion, and by examination thereof by the ſaid Iuſtices to be taken, where they ſhall thinke needfull. Prouided that this Statute doe not extend to Records and Proceſſes in the parts of Wales, nor to the Proceſſes and Records of felonies and treaſons, and the dependances thereof. St. 14. Ed. 3. 6. 9. *H.* 5. 4. 4. *H.* 6. 3. 8. *H.* 6. 12.

Coke li. 8. f. 162.

The Iuſt. may in certaine caſes amend defaults in Records and proceſſes.

Proceſſes in Wales & outlaries.

Cap. XVI.

By what perſons Eſcheators ſhall find an office, and in what time he ſhall certifie it.
A Patent made of lands ſeiſed vpon an Enqueſt.

ITem, to eſchewe the dolors grieuances, and diſheriſons, which daily doe happen to many of the Kings liege people, by the Eſcheators, for that they take Enqueſts, to inquire before them as well by vertue of the Kings Writs, as of their offices, fauourably and not duely, by people not empanelled nor returned to them by the Sheriffes of the Counties, and more often for their priuate gaine, and for the diſheriſon of the Kings liege people, then for the profit of the ſame

out

An Eſcheator or Commiſſioner ſhall take no inqueſt, but by ſuch perſons as be returned by the ſheriffe. Raſt. pla fo. 297.

When lands ſeiſed into the K. hands vpon an inqueſt of office ſhall be letten to ferme St. 18. H. 6. 6.

Dyer fo. 145. Kel. fo. 178.

The lands ſhall be let to ferme to him that tendreth a trauerſe to the office. St. 36. Ed 3. 13. 1. H. 8. 10. 23. H. 6. 17.

An Eſcheator & Commiſſioners ſhall returne an office found before them. St. 18. H. 6. 7. Fitz. N. B. fo. 148.

our Lord the King, and alſo for that the lands and tenements of many of the Kings liege people be ſeiſed into the Kings hands vpon ſuch enqueſts, or let to ferme by the Chancellor or treſuror, before ſuch enqueſts be returned in the Chancery. Our Lord the K. hath ordained by the authority of this preſent parliament, that no Eſcheator or Commiſſioner take in any wiſe any enqueſt to inquire, but of people returned and impanelled by the Sheriffes in the Countie, within which he is Eſcheator or Commiſſioner. And if any Eſcheator or Cōmiſſioner take enqueſts of people, which be not impanelled nor returned by the Sheriffe as is aforeſaid, and therof by examination or otherwiſe at the ſuit of the party, which for himſelfe or for the King, or any other perſon that will ſue, be duely conuict, for euery enqueſt ſo taken, that he incurre the paine and forfeiture of xl.li. to be paid, that is to ſay, the one halfe to the King, and the other halfe to the party grieued, at whoſe ſuit he ſhall be conuict. And that no Lands nor Tenements ſeiſed into the hand of our Lord the King, vpon ſuch enqueſts taken before the eſcheators or commiſſioners, be not in any wiſe let nor granted to ferme by the Chancellor or Treaſurer of Englãd, or any other the Kings officer, vntill the ſame enqueſts and verdicts be fully returned in the Chancery, or in the Eſchequer, but all ſuch Lands and Tenements, ſhall intirely and continually remaine in the hands of our Lord the King, vntill the ſaid enqueſts and verdicts be returned, and by a moneth after the ſame returne, if it be not ſo that he or they which feele them grieued by the ſame enqueſts, or putting out of their lands and tenements, come into the Chancery, and profer themſelues to trauerſe the ſaid enqueſts, and then offer to take the ſame lands or tenements to ferme. And if they ſo doe, that then the ſame lands or tenements be committed to them if they ſhew good euidence, prouing their trauerſe to be true, after the forme of the ſtatute made the xxxvj. year of K. Edward 3. after the conqueſt, to hold vntill the iſſue taken vpon the ſame trauerſe be found & diſcuſſed for the king or for the partie, finding ſufficient ſurety to purſue the ſaid trauerſe with effect, and to render and pay to our Lord the King, the yearely value of the lands, whereof the trauerſe ſhalbe ſo taken, if it be diſcuſſed for the King. And if any Letters patents of any of the lands or tenements be made to the contrary to any other perſon, or let to ferme within the ſaid moneth: after the ſaid moneth of returne, they ſhalbe holden for none. And that the Eſcheators or commiſſioners vpon paine of the forfeiture of xx.li. to be paid, that is to ſay, the one halfe to the King & the other halfe to the party, at whoſe ſuit he ſhall be conuict, returne the enqueſts before them taken into the Chancery of our Lord the King, or into the Eſchequer, within a moneth next after the taking of the ſame, and euery man which will ſue for the King ſhall haue the ſuit in this behalfe. Prouided alwayes that this ſtatute begin and take effect and force in the feaſt of Eaſter next comming, and not before, to indure for euer. Stat. 1. H. 8. 8.

CAP. XVII.

They which ſhall ſhip or cauſe to be ſhipped any Wools, fels, &c. out of England, Wales, or Ireland to be caried to any other place but to Calice, ſhall forfeit the double value thereof, & be two yeares impriſoned, ſauing the Merchants, of Iean, Venice, &c. Ob. 2. H. 6. 4.

CAP. XVIII.

Certaine Ordinances made for the prices of Merchandiſes, and maintenance of the Town and Mint at Calice. Exp. Stat. 11. H. 6. 13.

CAP. XIX.

If a Mariner ſhall receiue into his Ship any Merchandiſes, or carrie them to any other place then to the Staple at Calice, the goods and ſhip ſhall be forfeited. Exp.

CAP. XX.

No Merchant dwelling in Calice, ſhall buy beyond the Sea any Merchandiſe of the Staple. Exp.

CAP. XXI.

A Repeale of all Licences granted to men of Newcaſtle and Berwicke to carrie Merchandiſes to other places then to Calice. The penaltie for carrying of Merchandiſes of the Staple into Scotland. Exp.

CAP. XXII.

What is requiſite to be done in winding and packing of Wooll: None ſhall force, clacke, or beard any Wooll.

What is requiſite to be done in winding and packing of Wooll.

ITem, for as much as great hinderance commeth to the King in his Cuſtomes and Subſidies by them that doe clacke and force the good Woolles of the Realme, to carrie them out of the ſame into ſtrange Countreyes. It is ordained, that no ſtranger ſhall cauſe to be forced, clacked, nor bearded any manner of Woolles, to carrie them out of the Realme, vpon paine of forfeiture of the ſame Woolles, with the double value of the ſame, and of impriſonment of his body. And that no Woolpacker ſhall make within the Realme but good and due packing: and that no man make any inwinding within the fléece of Wóolles at the rolling vp of his Wóols, nor put in the ſame lockes, peltwóoll, tarre, ſand, earth, glaſſe, nor any dirt. And if any doe, he that féeleth him grieued, ſhall haue his action at the common Law of Treſpaſſe and deceit. Stat. 3.Ed.4.1. 23.H.8.17.

Cap. XXIII.

No Thrummes or woollen yarne ſhall be carried out of the Realme.

Item, becauſe the Weauers within this Realme be and heretofore haue béene accuſtomed, that when they wrought a Cloth néere the end, to cut away for their priuate profit the thréed which is left vnwouen, and call the ſame Thrummes, and to the great deceit of the owners of the ſame Clothes, they ſell the ſame Thrummes to ſuch perſons which carrie them into Flanders and other places, though the King haue thereof no profit of Cuſtome nor Subſidie: For vnder the colour of ſuch Thrummes, diuers perſons as well ſtrangers as Denizens doe ingroſſe and gather in diuers parts of the ſaid Realme great quantitie of wóollen thréed, called Wóollen yarne, and the ſame doe carrie to the ſaid ſtrange parts, and thereof make góod Clothes, ſo that vnder this ſubtill colour the King is yearly greatly defrauded of his Cuſtomes and Subſidies, which ought to riſe to him, if they were fully wrought within the ſaid Realme, or elſe if they were not wrought but in Wóolles brought to the Staple of Calice: Wherefore it is ordained, that no man ſhall carrie or conuaie out of the ſaid Realme any manner of Thrummes or Wóollen yarne vnder colour of Thrummes, vpon paine to forfeit the double value of the ſame St.23. H.6.3.

Neither thrums nor woollen yarne ſhall be carried forth of the Realme.

Cap. XXIIII.

None ſhall pay Merchants Aliens in gold, but in ſiluer. Merchandiſe ſhall not be ſold to an Alien, but for preſent paiment.

Item, for that Merchants Aliens of late haue taken in cuſtome, that when they ſell any of their Merchandiſes to any perſon within the Realme, they will not demand nor receiue for any paiment for the ſame any manner of Siluer as they were wont, but onely gold nobles, halfe nobles, and farthing, which from time to time they do carrie out of the Realm into other ſtrange Countries, where they be changed to their increaſe, and forged in other coines, ſo that they gaine in the allay of euery Noble, twentie pence, againſt the tenor of the Statutes thereof made and to the great preiudice of his whole Realme.

Our Lord the King, willing in this caſe to prouide remedie, hath ordained that no Merchant Alien ſhall conſtraine nor binde any of the Kings liege people, by promiſe, couenant or bond, to make him paiment in gold for any manner of debt, which to him may be due, nor refuſe to receiue paiment in ſiluer for any manner of ſuch dutie or debt, vpon the paine of the double value of the ſame. And alſo to eſchew the great loſſes, which diuers perſons of this Realme of England haue had, and alſo be likely to haue for their lones made of their merchandiſes to Merchants Aliens, which haue fled with the ſame, and daily take Sanctuaries: It is ordained that no Engliſhman ſhall ſell within this Realme, or cauſe to be ſold hereafter to any Merchant Alien, any manner of Merchandiſes, but onely for ready paiment in hand, or elſe in Merchandiſes for merchandiſes to be paid and contented in hand, vpon paine of forfeiture of the ſame.

H.7.fo.7.

No man ſhall be compelled to pay gold to a Merchant Alien. St.4.H.7.23.

No Engliſhman ſhall ſell his goods to a merchant alien, but for preſent paiment, or other merchandiſe. St.9.H.6.2.

Cap. XXV.

The Maior of the Staple of Calice ſhall continue two yeares in his office. Exp.

Cap. XXVI.

The penaltie if in any Action the Defendant make default to put the Lords Maiors, &c. from their Iuriſdiction.

Item, it is ordained by the authority aforeſaid, that in all Writs of Aſſiſes, and of Actions perſonall, ſued, or to be ſued before the King in his Bench, Juſtices of the Common place, or any other the Kings Juſtices for the time being, of any Lands or Tenements, or of any thing being and riſing within any Seigniory, Franchiſe, or ancient Demeſne, whereof the Cogniſance or Juriſdiction ought to pertaine to any Lords, Maiors, Bailiffes, Citizens, Burgeſſes or Comminaltie of ſuch Seigniories, Franchiſes, or ancient demeſne, that then if any defendant in any ſuch Aſſiſe, or other actions perſonall make any default, to put out, exclude and expell the aforeſaid Lords, Maiors, Bailiffes, Citizens, Burgeſſes, or Comminaltie of their cogniſance, or Franchiſe, that the Juſtices, at the requeſt of the ſaid Lords, Maiors, Bailiffes, Citizens, Burgeſſes, or Comminaltie, ſhall make enquirie by the Aſſiſe where ſuch exception is alledged in Aſſiſes, and in actions perſonals, by enqueſts to be taken before the Juſtices, if ſuch defaults ſhall be made, as afore is ſaid, or not. In which Aſſiſe and Enqueſts ſo be taken, as well the plaintiffes, as the Lords, Maiors, Bailiffes, Citizens, Burgeſſes, and Comminaltie may haue their challenge,

The penaltie if in Aſſiſe or perſonall action, the defendāt make default, to put the Lords, Maiors, &c. from their iuriſdiction. Fitz.N.B,fo. 155.a.

St.9.H.4.5. Maiors. Bailiffes,&c. Lords of ancient demeſne, named diſſeiſors in aſſiſe by colluſion to put them out of their coniſance.

lenge. And if it be found by ſuch Aſſiſes, or Enqueſts ſo to be taken, that ſuch defaults ſhall be made by colluſion, to put out and exclude the ſaid Lords, Maiors, Bailiffes, Citizens, Burgeſſes, or Comminaltie of their Franchiſes, Liberties, Cogniſances, or Iuriſdiction, that in ſuch caſes the ſaid Writs ſhall be abated, and the plaintiffes ſhall be in the Kings mercie: By conſideration that it is ordained by the ſtatute made the ninth yeare of the raigne of King Henry, grandfather to our Lord the King, that if any Maior, Bailiffe, Comminaltie, or Lord of ancient demeſne, be named in writs of Aſſiſes by colluſion, to put them out of their Cogniſance or Iuriſdiction in this behalfe, that the Iuſtices firſt ſhall inquire by the Aſſiſe of the Countrey, of ſuch colluſion, if the ſaid Lords, Maiors, Bailiffes, or Comminaltie the ſame require. And if it be found by ſuch Inquiſition that they be ſo named by colluſion, that then the Writ ſhall abate.

Cap. XXVII.

Any of the inhabitants of Tewkesbury in the Countie of Glouceſter, ſhall haue an action of debt (according to the Statute of Wincheſter) to recouer againſt the Comminaltie of the Foreſt of Deane, and Hundred of Blediſtowe, and Weſtbury, (though they be no Comminaltie) recompence for ſuch robberies, oppreſſions and wrongs, which haue beene, or ſhall be done vnto them vpon their riuer of Seuerne by any of the ſaid Foreſts or *H*undreds. And the goods of euery priuate perſon may be taken vpon an execution awarded againſt the Comminaltie. And euery perſon may arreſt and impriſon the offendors. And he whoſe goods be taken in execution, may haue an action of Treſpaſſe or Debt againſt the offendor, Pr.

Cap. XXVIII.

There ſhall be a Bridge made ouer the water of Burford, and another ouer the water of Culhamford in the Countie of Oxford. Pr.

Cap XXIX.

An Inqueſt ſhall be De medietate linguæ, *where an Alien is partie.*

St.28.Ed.3.13. St.27.Ed.3.8.

ITem, whereas in the Parliament holden at Weſtminſter, the eight and twentieth yeare of King Edward the third, amongſt other things in fauour and libertie of the Merchants ſtrangers, repairing into the Realme of England, it was ordained, that if a plea or debate be moued before the Maior of the Staple, amongſt the Merchants or Miniſters of the ſame, and for to trie the truth thereof, an Enqueſt or proofe is to be taken, if the one partie and the other bee ſtrange, it ſhould be tried by ſtrangers: And if the one partie and the other be Denizens it ſhould be tried by Denizens: and if the one partie be Denizen, and the other an Alien, the one halfe ſhould be of Denizens, and the other halfe Aliens: and moreouer, that in all inqueſts and proofes, which ſhalbe taken and made betwixt Aliens and Denizens, be they Merchants or other as well before the Maior of the Staple, as before any other Iudges or Miniſters, although our Lord the King be partie, the one halfe of the Enqueſt or proofe, ſhould be of Denizens, and the other halfe of aliens, if there be ſo many aliens in the towne or place where ſuch inqueſt or proofe is to be taken, that be not parties, nor with the parties in cōtracts, pleas, or other quarrels, whereof ſuch enqueſt or proofes ought to be taken, & if there be not ſo many aliens, then ſo many aliens ſhall be put in ſuch enqueſts or proofe as ſhall be found in the ſame places or Townes, which be not parties thereunto, nor with the parties as before is ſaid, and the remnant of Denizens, which be good men and not ſuſpect of the one partie nor of the other. Sithence which ordinance the ſaid Merchants aliens haue beene allwayes demeaned and ruled, as well in the Staples as in other of the Kings Courts, after the forme of the ſaid ordinance, vntill now late they haue beene thereof reſtrained and impeached by colour of another Statute made in the Parliament holden at Weſtminſter, the ſecond yeare of King Henry father of our Lord the King that now is, by which Statute for the great miſchiefes, damages, and diſheriſons which daily doe happen thorough the Realme, as well in caſe of the death of a man, as in caſe of freehold and other caſes, by them that paſſe in enqueſts in the ſaid caſe, which were common Iurors and other, which had but little or nothing to liue vpon, but by ſuch enqueſts, and which had nothing to loſe becauſe of their falſe oathes, whereby they doe the more lightly offend their conſciences. And for amendment and correction thereof to be had, it was ordained and ſtabliſhed, that no perſon be admitted to paſſe in any Enqueſt, vpon triall of the death of a man, nor in any Enqueſt betweene partie and partie in plea reall or perſonall, whereof the debt and the damages declared doe amount to fortie markes, except the ſame perſon haue lands or tenements to the yearely value of fortie ſhillings aboue all charges, becauſe of which reſtraint and impeachment ſo made to diuers Merchants aliens, many of the ſame Merchants aliens, haue withdrawne, and daily doe withdraw them, and eſchew to come and be conuerſant on this ſide the ſea, and likely it is, that all the ſame Merchants aliens will depart out of the ſame realme of England, if the ſaid laſt ſtatute bee not more plainely declared, and the ſaid Merchants Aliens ruled, gouerned, and demeaned in ſuch

St.2.H.5.3.

Enqueſts according to the firſt ordinance aforeſaid, to the great diminiſhing of the Kings Subſidies, and grieuous loſſe and damage of all his ſaid realme of England: Our Lord the K. conſidering the premiſſes, and how that it was not the meaning of the ſaid late K. nor of the Lords ſpirituall and temporall of the ſaid Parliament, to hinder or preiudice the ſaid firſt ordinance by the ſaid laſt ſtatute, and that the ſaid laſt ſtatute was made in reſpect of the miſchiefes and diſheriſons that happened by the falſe oathes of the common Iurors of the realme of England, as it appeareth by expreſſe words of the ſame ſtatute, and how that the ſaid Merchants Aliens be not common Iurors, nor inhabiting within the ſaid Realme, nor may not purchaſe nor enioy any lands or tenements in the ſame without the Kings ſpeciall licence: and the ſame our Lord the King willing therein to prouide for the weale and profit of him and all his realm, and to eſchew the damages and inconueniences, which may eaſily happen in this behalfe, and alſo to giue to the ſaid Merchants Aliens the greater courage and deſire to come with their wares and merchandiſes into this Realme; by the aduice and aſſent of the Lords Spirituall and Temporall, being in this preſent Parliament, hath declared the ſaid laſt Statute made in the time of his father, to be in no wiſe preiudiciall to the ſaid Ordinance, nor to extend it ſelfe but only to the Enqueſts to be taken betwixt Denizen and Denizen, and not to other Enqueſts and proofes aforeſaid: and the ſaid firſt Ordinance to be effectuall and ſtand in his force, and to be put in due execution according to the forme of the ſame, notwithſtanding the ſaid laſt Statute, with that the aliens haue no lands or tenements to the value of fortie ſhillings by the yeare, according to the purport of the ſame laſt Statute and Ordinance.

A confirmation of the Stat. of 28.Ed.3.13. ordaining that an Enqueſt ſhall be De medietate linguæ, where an alien is partie. And the Statute of 2.H.5.3. Doth onely extend to enqueſts taken betweene Denizen and Denizen Raſt.pla.fo.7. 248.

Statutes made at Weſtminſter, *Anno 9. Hen.6.*

& Anno Domini 1430.

AT the Parliament holden at Weſtminſter the Friday next before the Feaſt of Saint *Hillarie*, the ninth yeare of the raigne of our Lord the King that now is, diuers Statutes and Ordinances were made and eſtabliſhed by the aduice & aſſent of the Lords Spirituall & Temporall, & at the ſpeciall requeſt of the Cõmõs of the Realm aſſembled in the ſaid Parliament in the forme following.

CAP. I.

All Aſſiſes and *Niſi prius* ſhall be adiourned during this Parliament, vntill certain daies. EXP.

CAP. II.

Engliſh Merchants may ſell their merchandiſes to Aliens, giuing them only ſixe moneths day of payment, notwithſtanding the Stat. of 8.*H.6.*24. EXP. 10.*H.*7.fo.7.

CAP. III.

All indictments, inquiſitions, proceſſe, records and iudgements made or giuen againſt *Owen Glendor*, attainted of high Treaſon, ſhall ſtand good, notwithſtanding any error, miſpriſion or defect: But this ſhall not be preiudiciall to the heires of *Owen* as to any lands intailed. PR.

CAP. IIII.

An Idemptitate nominis *maintaineable by executors, &c.*

ITem, for that before this time many outlawries, haue beene pronounced againſt diuers of the Kings liege people, aſwell before the Statute of additiõs made at Weſtminſter the firſt year of King Henry the fift, father to our Lord the King that now is, as ſithence in reſpect of which outlawries, the bodies of other perſons hauing ſuch and like names, as they had which were outlawed in deed, haue been taken and impriſoned, and their goods and cattels for this cauſe ſeaſed by the Eſchetors of the King and of his noble progenitors. And although that by the common Law of the Realme, a writ of Idemptitate nominis, had been maintainable for the ſame perſon which in the forme aforeſaid was moleſted and grieued: neuertheleſſe if any perſon of the ſaid lieges, hauing like name, as any other perſon of the ſame liege people, which was outlawed in deed, had made his executors and died, often it happened, that by malice and ſubtile imaginations the goods and cattels of ſuch Teſtator, which had the ſame name as he had which was outlawed in deed, were ſeaſed and eſcheted to the hands of our Lord the King and of his progenitors, in retardation of the execution of the teſtament of euery ſuch Teſtator, for the doubt which hath beene, whether any executors may by the common Law haue a writ of Idemptitate nominis or not. Wherefore to take away and remoue all ſuch ambiguities and doubts in this caſe hereafter, of the aſſent and aduice aforeſaid, and at the ſpeciall requeſt of the ſaid Commons, it is ordained and eſtabliſhed by authority of this Parliament, that a writ of Idemptitate nominis be grãted and made good and maintaineable for the executors of euery Teſtator, to the ſame ef-

Stat.1.H.5.

Stat.37.Ed.3.2. Raſt.pla.fo.378.

An Idemptitate nominis maintainable by the executors of a teſtator wrongfully moleſted by colour of any outlawrie.

fect that the ſame action of Idemptitate nominis, was maintainable before this Parliament for any perſon himſelfe which was or might haue béene moleſted or grieued becauſe or by colour of any ſuch outlawry. And that this Ordinance ſhall haue relation and force by authority aforeſaid for the executors of euery Teſtator, as well of euery outlawry pronounced againſt any perſon at any time before this Parliament, as of all maner of outlawries to be pronounced againſt any perſon in time to come. Regiſt. fol. 194. V.N.B. fo. 162. Fitz.N.B. fo. 267.

Cap. V.

All men ſhall haue free paſſage in Seuerne with goods, cattels, &c.

A remedy for them which be hindered of their free paſſage with boates or goods vpon the riuer of Seuerne.

ITem, becauſe the riuer of Seuerne is common to all the Kings liege people, to carry and recarry within the ſtreame of the ſaid riuer, to Briſtow, Glouceſter, and Worceſter, and other places ioyning to the ſaid riuer, all maner of Merchandiſes and other goods and cattels, as well in trowes and boats, as in flotes commonly called dragges, in euery part ioyning to the ſaid Riuer: within which Riuer, many Welſhmen and other perſons dwelling in diuers places ioyning to the ſaid Riuer, haue now late aſſembled in great number, arraied in maner of War, and taken ſuch Flotes otherwiſe called Dragges, and them haue hewed in peices, and with force and Armes beaten the people, which were in ſuch Dragges, to the intent that they ſhould hire of the ſaid Welſhmen, and other perſons for great ſummes of money, Boates and other Veſſels for carriage of ſuch Merchandiſes, and other goods and cattels, to an euill example and great impoueriſhment of the ſaid Liege people, if remedie be not haſtily prouided: It is ordained by authoritie of this Parliament, that the ſaid Liege people of the King may haue and enioy their frée paſſage in the ſaid Riuer, with Flotes and Dragges, and all maner of Merchandiſes, and other goods and cattels at their will, without diſturbance of any: and if any be diſturbed of his frée paſſage in the ſaid Riuer, the party grieued ſhall haue his action according to the courſe of the Common Law. St. 19. *H.* 7. 18. 23. *H.* 8. 12.

Cap. VI.

The Burgeſſes of Dorcheſter ſhall haue their weighing by xij. miles about, &c.

By the Stat. of 8.H.6.5. the Burgeſſes of Dorcheſter ſhall not be diſturbed to vſe their weighing by xii. miles about the ſame.

ITem, it is ordained and aſſented that by force of the Statute made in the laſt Parliament, of weights, according to the ſtandard of the Exchequer to be had in euery Citie, Borough, and Towne within the Realme, the Burgeſſes of the Borough of Dorceſter ſhall not be diſturbed of their right, to vſe their weighing by xij. mile round about the ſame Borough, vſing alwaies ſuch weights as in the ſaid Statute be expreſſed: and that no right nor title of weighing, grow to any by force of the ſame laſt Statute in diſturbance of the right of the ſaid Burgeſſes of the ſaid Borough of Dorceſter.

Cap. VII.

No Sheriffe or vnderſheriffe of the County of Hereford, ſhall take money by extortion, or do any wrong in his turne or other place by colour of his office vpon paine of forfeiture of x. li. Exp. St. 11. *H.* 6. 7.

Cap. VIII.

The weight of a wey of Cheeſe.

Stat. 8.H.6.5. A wey of cheeſe ſhall containe xxxii. cloues.

ITem, whereas it hath béene of old times accuſtomed in all the Counties of England, that all the Chéeſes, which ought to be ſold by the wey, ſhould be weighed by the Auncell, and becauſe that at the laſt Parliament holden at Weſtminſter, it was ordained, that the ſaid Auncels in reſpect of the great deceipt of the ſame, ſhould be deſtroyed, and other weights touching ſhould be in this behalfe ordained, and it is ſo, that the poore people of the Realme be greatly deceiued by the ſaid weights touching, for that they know not how many pounds the wey of Chéeſe doth containe, by the ſaid weights touching. And therefore to the intent that the ſaid poore people ſhall not be in this behalfe deceiued, as they haue béene ſithence the ſaid laſt Parliament: It is ordained by authority of this Parliament, that the weight of a wey of Chéeſe may containe xxxij. cloues, that is to ſay, euery cloue vij. li. by the ſaid weights touching.

Cap. IX.

A Commiſſion may be granted by the Chanceller of England, for the time being, to retaine perſons to ſcowre and amend the riuer of Ley, in the Counties of Eſſex, Hertford, & Middleſex. Pr. and Exp. St. 3. *H.* 6. 5. 13. El. 18.

Cap. X.

A rehearſall and confirmation of the Stat. of 3. *R.* 2. authoriſing certaine Abbots and other religious perſons to make their Atturnies. Exp.

CAP. XI.

Proclamations before a writ be awarded to the Biſhop to certifie Baſtardy.

ITem, wheras by a ſupplication deliuered in this preſent Parliament by the Commons of the ſame, it was declared by Margeret Duches of Clarence, Iohan Duches of Yorke ſiſters, and amongſt other heires to Edmond Earle of Kent, Richard Duke of Yorke, Richard Earle of Saliſbury, and Alice his wife, Ralfe Earle of Weſtmerland, Iohn Lord of Typtoſt & of Powes, and Ioyce his wife, & Henry Gray, coſins, and other of the heires of the ſaid Edmund late Earle, as in the ſame ſupplication is ſuppoſed, that is to ſay, the ſaid Duke, ſon to Anne daughter of Alianour, another of the ſiſters of the ſaid Edmond, The ſaid Alice daughter to Alianour another ſiſter of the ſaid Edmond, The ſaid Ralfe ſonne to Elizabeth, another ſiſter of the ſaid Edmund, The ſaid Ioyce daughter to the ſaid Alianour mother of Anne. And the ſaid Henry Gray, ſonne to Iohan daughter of the ſame Alianour, that whereas Alianour, wife to James Lord of Audeley, pretending, calling and affirming herſelfe daughter and heire to the ſaid Edmund late Earle of Kent, and begotten and borne in marriage pretenſed, had betwixt him and Conſtance late wife of Thomas Lord Diſpenſer, where by the ſaid ſupplication it is ſuppoſed, that the ſaid Alianour, wife to the ſaid Iames is Baſtard, and neuer was any marriage made, had, nor ſolemniſed betwixt the ſaid Edmund and Conſtance but the ſaid Edmund (by the Ordinance, will, and agréement of King Henry the fourth, grandfather to our Lord the King that now is, after great, notable, and long ambaſſage had and ſent to the Duke of Millaine, for a marriage to be had betwixt the ſaid Edmund and Luce ſiſter to the ſaid Duke of Millaine) did take to wife and openly and ſolemnly married the ſaid Luce at London. The ſaid Conſtance then liuing and being there preſent, not claiming the ſaid Edmund to her huſband, nor any dower of his lands after his deceaſe, which mariage betwixt the ſaid Edmund and Luce ſo had and ſolemniſed, continued without any interruption of the ſaid Conſtance or of any other, during the life of the ſaid Edmond, as diuers Lords and other credible and notable perſons of the ſaid Realm doe well remember. And how after the deceaſe of the ſaid Edmund, the ſaid Luce was endowed of his lands, as his lawfull wife continuing thereof her eſtate peaceably all her life:

A ſecret practiſe to proue one mulier in the ſpirituall Court that is a Baſtard.

A practiſe to proue one mulier by the common Law, who is indeed a baſtard.

Neuertheleſſe the ſaid Alianour, the wife of Iames, vpon great ſubtiltie, proceſſe imagined, priuy labour and other meanes, and coloured waies, to the intent that ſhe ought to be certified mulier, by ſome Ordinary, in caſe that Baſtardie ſhould be alledged in her perſon, hath brought (as it is ſaid) in examination before certaine Iudges in the ſpiritual Court not informed nor hauing knowledge of the ſaid ſubtiltie, imagined proceſſe, priuie labour, and coloured waies, certaine ſuborned proofes and perſons of her aſſent and couin, depoſing for her, that the ſaid Alianour the wife of Iames, was begotten within marriage had and ſolemniſed betwixt the ſaid Edmond and Conſtance. The ſaid Ducheſſes, the Duke of Yorke, and Earle of Saliſbury, and Alice, Earle of Weſtmerland, Iohn the Lord of Typtoſt, Ioyce, and Henry, nor any of them thereof warned, nor knowing vntill long time after the depoſition ſo made, whereof the ſaid ſuppliants do feare them to be grieued and impeached of their inheritance had by the ſaid Edmond by another ſubtilty and labour in the temporall Law to be practiſed and wrought by the ſaid Lord of Audely and Alianour his wife. As if they will commence any action againſt any perſons of their owne aſſent and couin, or otherwiſe, will cauſe ſuch perſons of ſuch aſſent and couin to purſue an action againſt them (as it is ſuppoſed that they entend to doe) In which action by the couin and aſſent aforeſaid, Baſtardy ought to be alledged in the perſon of the ſaid Alianour, wife of Iames, and thereupon by the aſſent and couin an iſſue is to be taken, and a writ to be ſent to ſome Ordinary (where it pleaſe them not aduertiſed of the ſaid ſubtilty, aſſent, and couin,) to certifie if the ſaid Alianour the wife of Iames, be mulier or not, before which Ordinary the ſame Alianour, wife of Iames, will alledge and proue her ſelfe mulier by the ſaid depoſitions of the ſaid ſuborned witneſſes. And then the party reputed as aduerſary againſt the Lord of Audely, and Alianour his wife, in the ſaid action taken or to be taken by aſſent and couin aforeſaid, will alledge no proofe nor matter, nor make any defence before the ſaid Ordinary againſt the ſame Lord Audely and Alianour his wife, but ſuffer the matter before the ſaid Ordinary to procéed according to the meaning of the ſaid Lord of Audeley, and Alianour his wife. So that it is very likely, that the ſame Ordinary will certifie the ſaid Alianour the wife of Iames, mulier, which certificate ſo had and made, ought by the Law of England, to diſherite the ſaid Ducheſſes, Duke of Yorke, Earle of Saliſbury, Earle of Weſtmerland, Iohn Lord of Tiproſt, Alice, Ioyce and Henry, and their iſſue for euer of the whole inheritance aforeſaid: whereupon the premiſſes tenderly conſidered, and to eſchew ſuch ſubtile diſheriſons, as well in the ſaid caſe as in other caſes like in time to come, by the aduice and aſſent of all the Lords Spirituall, and alſo at the ſpeciall requeſt of the ſaid Commons in this preſent Parliament aſſembled, it is ordained and eſtabliſhed by authority of this Parliament, that if the ſaid Alianour the wife of Iames be certified mulier in any court before this time, that no maner certificat heretofore made for the ſaid Alianour wife of Iames, ſhall in any wiſe put to preiudice, in dammage, nor conclude any perſon or perſons but him or

Proclamations before a writ awarded to the Ordinary to certifie Baſtardie.

Fitz.Proclam on.14.

his heires that was partie to the plea. And that from henceforth all Juſtices of or in the Courts where any Plea is or ſhall be depending, taken, or moued, in which pleas ſo depending, taken or moued, Baſtardy is or ſhall be alledged againſt any perſon party to the ſame plea, and thereupon an iſſue ioyned, which by the Law ought to be certified by the Ordinary, that the Judges or one Judge of or in the Courts, where the ſaid plea is or ſhall be depending, taken, or moued before the time that any writ of certificate paſſe out of the ſame Court to the Ordinary, to certifie vpon the iſſue ſo ioyned or to be ioyned, ſhall make a remembrance vnder their ſeales or his ſeale, at the ſuit of the demandant or tenant, plaintiffe, or defendant in the plea, in which the Baſtardy is or ſhall be alledged, reciting the iſſue that is ioyned in the ſame plea of Baſtardy, and certifying to the Chanceller of the King of England for the time being, to the intent that thereupon Proclamation be made in the ſaid Chancery by three moneths, once in euery moneth, that all perſons pretending any intereſt to obiect againſt the party, which pretendeth himſelfe to be mulier, that they ſue to the Ordinary, to whom the writ of Certificate is or ſhall be directed, to make their allegations and obiections againſt the party which pretendeth him to be mulier, as the Law of holy Church requireth: and the ſaid Chanceller hauing notice of the ſaid remembrance and iſſue ioyned, and being required by the ſaid demandant or tenant, plaintiffe or defendant hauing the ſaid remembrance, to make the ſaid Proclamation as afore is ſaid, the ſame Chanceller for the time being ſhall cauſe to be made Proclamation in the forme aforeſaid. And the Proclamation ſo made ſhall certifie in the Court where the ſaid plea, in which the Baſtardy is alledged another time, ſhall be depending. And that the Judges of or in the Court, where the ſame plea is, or ſhall be depending, taken, or moued, before any Proclamation ſo to be made in the Chancery, make one time ſuch Proclamation openly in the ſame Court, and alſo another time when the Proclamation ſhall be certified by the Chanceller of England, and made in the forme aboue rehearſed: and then the ſaid Judge ſhall award the ſaid writ of Certificate to the Ordinary, to certifie vpon the iſſue ſo ioyned or to be ioyned: & if any writ of Certificat be made or granted, before that all the Proclamations in the forme aforeſaid be made and certified, that then the ſaid writ of Certificat, and the certificat of the Ordinary therupon made or to be made, ſhall be void in Law, and of none effect: and if any writ before this time be directed to any Ordinary to certifie, if the ſaid Alianour, wife of Iames be Baſtard or not, and at this time not certified, if it be certified hereafter by vertue of the ſaid writ, that the ſame certificat of the ſaid Ordinary ſo made be void and of none effect. Raſt.pla.fo.29.104.261.296.577.609.

Statutes made at Weſtminſter *Anno decimo Hen: ſexti, & Anno Domini* 1432.

OVr Lord the King at his Parliament holden at Weſtminſter, the xij. day of *May*, the tenth yeare of his raign, to the honour of God, and for the wealth of him and his Realme, and for the tranquility and eaſe of his people, by the aduice and aſſent of the Lords Spirituall and Temporall, and at the ſpeciall requeſt of the Commons in the ſame Parliament aſſembled, hath cauſed to be enacted and ſtabliſhed diuers Statutes and Ordinances in the forme following.

Cap. I.

Recogniſances taken before the Maior, &c. of Calis ſhall be effectuall in England.

Recogniſances taken before the Maior of the Staple of Calis ſhall be effectuall within England.

FIrſt, whereas it is granted to the Maior & Conſtables of the Staple of Calis, by the Charter of the Kings noble progenitors, and by him confirmed, that they ſhall haue power to take & record all recogniſances of debts before them made by any perſon. And therefore great doubts were if the recogniſances before the ſaid Maior and Conſtables made beyond the Sea, ſhould be effectuall and executory in all points within the Realme of England, as the recogniſances made before the Maior & Conſtables of the Staple of Weſtminſter be. Our Lord the K. willing in this caſe to take away all ſuch doubts, by the aduice & aſſent of the Lords ſpirituall & temporall, & at the ſpeciall requeſt of the ſaid Commons, hath ordained by authority of the ſame Parliament, that all the recogniſances of debts before the ſaid Maior and Conſtables of Calis made or to be made by any perſons beyond the ſea, ſhall be as effectuall and executory, and of ſuch force in all points within the Realme, and in the ſame forme executory, as the ſaid recogniſances made before the ſaid Maior and Conſtables of the Staple of Weſtminſter, or before any other Maiors or Conſtables of the Staple within the ſaid Realme be.

CAP. II.

Certaine things required in him which ſhall be a chooſer of the Knights of the Parliament.

ITem, whereas at the Parliament holden at Weſtminſter the morrow of Saint Mathew the Apoſtle, the viij, yeare of the King that now is, it was ordained by authoritie of the ſame Parliament, that the Knights of all Counties within the Realme of England to be choſen to come to the Parliaments hereafter to be holden, ſhould be choſen in euery County by people dwelling and reſiant in the ſame, whereof euery one ſhall haue freehold to the value of fortie ſhillings by yeare at the leaſt, aboue all charges, vpon a certaine paine contained in the ſame Statute: not making expreſſe mention in the ſame that euery man that ſhall be chooſer of any ſuch Knights ſhall haue freehold to the value of fortie ſhillings at the leaſt, aboue all charges within the ſame county, where ſuch chooſer with other like, ſhall make ſuch election or elſewhere. And therefore our Lord the King willing to make plaine declaration of the ſaid Statute, by the aduice & aſſent aforeſaid, and at the ſpeciall requeſt of the ſaid Commons, hath ordained that the Knights of all Counties within the ſaid Realme to be choſen to come to Parliaments hereafter to be holden, ſhall be choſen in euery County by people dwelling and reſiant in the ſame, whereof euery man ſhall haue freehold to the value of xl. s. by the yeare at the leaſt aboue all charges within the ſame County where any ſuch chooſer will meddle of any ſuch election. St.1.H.5.1.

A Chooſer of the Knights of the Parliament muſt be reſiant within the ſame County and haue freehold. St.8.H.6.7.

CAP. III.

A letter of requeſt ſhall be granted by the keeper of the priuie ſeale to any of the Kings ſubiects from whom goods be taken by the King of Denmarke or any of his ſubiects. Exp.

CAP. IIII.

The penaltie of him that maketh a falſe entry. That the plaintiffe doth offer himſelfe in perſon where he doth not.

ITem, for that diuers of the Kings liege people before this time haue been outlawed and greatly vexed and diſquieted in diuers ſuits, aſwell before the King in his bench, as in the common bench, in the records of which ſuits the entries haue beene made, that the plaintiffes in the ſame ſuits, Obtulerunt ſe in propria perſona ſua, where the ſame plaintiffes neuer appeared to ſuch ſuits, nor had knowledge of the ſame, in great miſchiefe of the ſaid liege people, if remedy be not prouided in this behalfe. Our Lord the King willing in this caſe to prouide remedy, hath ordained and eſtabliſhed by authority of this preſent parliament, that no maner Fyliſer, Exigenter, nor any other officer whatſoeuer from henceforth ſhall make ſuch entry in any manner ſuit except that the plaintiffe in the ſame ſuit, before that ſuch entry be made, doe appeare in his proper perſon before ſome of the ſaid Iuſtices of the place, where the plea is or ſhall be depending. And there he ſhall be ſworne vpon a booke, that he is the ſame perſon, in whoſe name the ſaid ſuit is ſued, or that ſome other credible perſon of the Kings Counſell make ſuch othe for him. And this ordinance ſhall endure till the next Parliament. Stat.18.H.6.9. made perpetuall.

The penalty of him which maketh a falſe entry, that the plaintiffe doth offer himſelfe in perſon where he doth not.

CAP. V.

A rehearſall of the Stat. of 21.R.2.18. touching the maintenance of certaine places about Calice. Ob.

CAP. VI.

What proceſſe ſhall be awarded vpon an inditement remoued into the Kings Bench.

ITem, whereas in the Parliament holden at Weſtminſter the eight yeare of the King that now is, it was ordained, that vpon euery indictment or appeale, by the which any of the Kings liege people, dwelling in other foraine and diuers Counties then where ſuch endictment or appeale is or ſhall be taken of treaſon, felony, or treſpas, to be taken hereafter before Iuſtices of Peace, or before any other Iuſtice whatſoeuer, hauing power to take ſuch enditements or appeales, or other Commiſſioners or Iuſtices in any Countie, Franchiſe, or Libertie of England, before any Exigend awarded vpon any enditement or appeale in the forme aforeſaid to be takē that preſently after the firſt writ of Capias vpon euery ſuch enditement or appeale awarded and returned, that another writ of Capias ſhalbe awarded, directed to the Sheriffe of the Coũty whereof he that is ſo endited or appealed is or was ſuppoſed to be conuerſant by the ſame enditement or appeale, returnable before the ſame Iuſtices Commiſſioners, before whom he is endited or appealed, at a certaine day containing the ſpace of 3. moneths, from the date of the ſame writ & the return of the ſame as by the ſame ſtatute plainly appeareth, by which clauſe of the ſame Statute, that is to ſay, returnable before the ſame Iuſtices or cõmiſſioners, before whõ he is endited or appealed, ſome doe thinke that the writ of Capias ordained by the ſaid Statute, which ſhall be

Stat.8.H.6.10.

A confirmation of the Stat of 8 H.6.10 touching the awarding of proceſſe againſt perſons indited or appealed that doe dwell in forraine Counties. Raſt.pla fol.52. 286.

Proceſſe awarded againſt perſons indited or appealed in one County that doe dwell in another, after the ſame inditemēt &c. is remoued into the Kings Bench.

directed to the Sheriffe, whereof he that is ſo endited or appealed, is or was ſuppoſed to be conuerſant by the ſame enditement or appeale, ſhall be returned before the ſame Iuſtices or Commiſſioners, or other, before whom the enditement or appeale was taken, and not elſewhere. And imagining to defraud and make fruſtrate the ſaid Statute, doe ſue to remoue ſuch enditements and appeales out of the hands of the Iuſtices or Commiſſioners aforeſaid, into the Kings Bench and elſewhere, by Certiorari and otherwiſe, vnknowne to the partie ſo endicted, and therupon ſue the proces vſed at the Common Law, before the making of the ſaid Statute in the Kings Bench and elſewhere after the remouing, to the great impoueriſhing and vexation of the Kings faithful ſubiects: wherefore the ſame our Lord the King, by the aduice and aſſent aforeſaid, and at the ſpeciall requeſt of the ſaid Commons, by authority aforeſaid, hath ordained that the ſaid Statute be holden and kept and put in due execution in all points. Ioyned to the ſame, that if any ſuch endictments, taken or to be taken before any Iuſtices of Peace, or before any other hauing power to take ſuch endictments or appeales, or other Iuſtices or Commiſſioners in any County, Frāchiſe or Liberty of England ſhall be remoued before the King in his Bench or elſewhere by Certiorari or otherwiſe, then after ſuch remouing, before any Exigend awarded vpon any ſuch endictment or appeale in the forme aforeſaid taken, or to be taken that preſently after the firſt writ of Capias vpon euery ſuch endictment or appeale awarded & returned, that another writ of Capias be awarded, directed to the Sheriffe of the County, whereof he that is ſo endicted or appealed, is or was ſuppoſed to be conuerſant by the ſame endictment or appeale returnable before the King in his Bench at a certaine day, containing the ſpace of thrée moneths or foure, from the date of the ſaid laſt writ of Capias, according to the maner and forme that the Iuſtices of peace, and other in the ſaid firſt Statute contained, ought to haue done before ſuch remouing after the making of the ſaid firſt Statute. And if any ſuch Exigend be hereafter awarded vpon any ſuch endictment or appeale after ſuch remouing againſt the forme aforeſaid, or any outlawry therupon pronounced, as wel the ſame Exigend ſo awarded as the outlawry therupon to be pronounded, and euery of them ſhall be holden for none & void, according as in the ſaid firſt Statute is more fully contained.

Cap. VII.

All Wools and Woolfels that ſhall be carried to any other place then to Calice, ſhall be forfeited to the King and the finder. Ob.

Statutes made at Weſtminſter *Anno vndecimo Hen: ſexti,* *& Anno Domini* 1433.

OVr Soueraigne Lord the King at his Parliament holden at Weſtminſter, the viij. day of *Iuly*, the eleuenth yeare of his raign, to the reuerēce of God, and for the weale of the people of his Realme, by the aſſent of the Lords Spirituall and Temporall, and at the ſpeciall requeſt of the Commons of his Realm in his ſaid Parliament aſſembled, by authority of the ſame Parliament, hath ordained & ſtabliſhed diuers Statutes, declarations & Ordināces in the forme following.

Cap. I.

They that dwell at the Stewes in Southwarke, ſhall not be impanelled in Iuries, nor keepe any Inne or Tauerne but there. Ob. & Pr.

Cap. II.

The penaltie where a Sheriffe is named a diſſeiſor in an Aſſiſe.

The penalty where the Sheriffe is named diſſeiſor in an Aſſiſe to the intent that he ſhall not execute the writ. Fitz.N.B.f.155.A

Fitz.Aſſiſe 373.378. Fitz.diſſeiſ Fitz.Adm caſe 39.

ITem, whereas ſeuerall perſons often do ſue aſſiſes of Nouel diſſeiſin before Iuſtices aſſigned againſt diuers perſons, & by craft and colluſion, to haue their writs of their ſaid Aſſiſes directed to the Coroners of the Counties, where the tenements be, to make execution of the ſaid writs do name in their ſaid aſſiſes the Sherife of the ſame County one of the diſſeiſors, where he is not, neither euer was diſſeiſor or tenant of the tenements in demand, wherby oftentimes the ſaid Aſſiſes be awarded by the default of the tenants which haue no knowledge of thoſe Aſſiſes, for that they found not any Aſſiſe againſt them in the file of the Sheriffe, nor haue any ſuſpection of any ſuch Aſſiſe taken againſt the Sheriffe and them: Our Lord the King, willing in this caſe to prouide remedy, of the aſſent and authority aforeſaid, hath ordained, that in al ſuch Aſſiſes purchaſed at this time depending, or hereafter to be purchaſed betwéene any perſons whatſoeuer they be, before any ſuch Iuſtices, in which Aſſiſes any ſuch Sheriffe is named diſſeiſor, if the tenants in the ſaid Aſſiſes or any of them will auerre, that the ſaid Sheriffe is not nor euer was diſſeiſor nor tenant of the tenements in demand, but was named diſſeiſor by colluſion, the auerment ſhall be receiued. And if it be found by the ſaid Aſſiſe, that the ſaid Sheriffe is not nor euer was diſſeiſor nor tenant of the tenements in demand, but was named diſſeiſor by colluſion, then the ſaid Juſtices ſhall cauſe to be abated and quaſhed the ſaid writ purchiſed or to be purchaſed in the forme abouesaid. And that the plaintiffes or plaintiffe be in the grieuous mercy of the King.

Cap. III.

An aſſiſe &c, maintainable againſt the Perner of the profits.

St. 4.H.4.7.

ITem, whereas by a Statute made the fourth yeare of the Raigne of King Henry, grandfather of our Lord the King that now is, amongſt other things it was ordained, that the diſſeiſees ſhall haue their actions againſt the diſſeiſors during the liues of the diſſeiſors, ſo that ſuch diſſeiſors therof take the profits at the times of the ſuit commenced, as in the ſame Statute is contained more at large, the which Statute according to the opinion of many hath béene intended in writs of Aſſiſe of Nouel diſſeiſin onely, and as great miſchiefes it is to the parties demandants in other writs ſued and grounded vpon Nouel diſſeiſin, as in Aſſiſe: Wherefore our Lord the King, willing all manner of opinions and doubts in that behalfe to ceaſe, hath ordained by the aſſent and authoritie aforeſaid that in all manner of writs grounded vpon Nouel diſſeiſin the diſſeiſees ſhall haue their recoueries, if they will by ſuch writs againſt the diſſeiſors of their feoffées, as well as they ſhall haue in Aſſiſe of Nouel diſſeiſin, ſo that the ſame diſſeiſors or their feoffées, againſt whom the writ ſhall be brought, therof take the profits at the time of the writ purchaſed, notwithſtanding any gifts or feoffements made to other perſons for to delay the demandants. Stat. 1. R. 2. 9. 4. *H.* 4 7. 1. *H.* 7. 1. 4. *H.* 7. 24. 27. *H.* 8. 10.

Aſwell other Actions as an Aſſiſe ſhall be maintainable againſt the pernor of the profits. Raſt pla fo. 86. 110. 258. 341. 342.

Cap. IIII.

The plaintiffes in attaint ſhall recouer their coſts and damages.

ITem, our Lord the King by the grieuous complaint of his Commons, conſidering the miſchiefs had within the Realme, and yet not remedied, and alſo the great dammage and diſheriſon that commeth by the vſuall Periury of Jurors, empanelled vpon enqueſts, as well in the Courts of our Lord the King, as of other, the which periury doth abound & encreaſe daily more then it was wont for the great gifts that ſuch Jurors take of the parties in pleas ſued in the ſaid Courts, wherefore the greater part of people that haue to ſue in the ſaid Courts, leaue their ſuites for the miſchiefs aforeſaid, and namely in reſpect of the delaies that be in the writs of Attaints, for that in times paſt in Writs of Attaints, when the grand Jurie had appeared in Court, and were ready to paſſe, one of the tenants or defendants, or of the pettie Jurors named in ſuch writs, ſometime haue pleaded falſe and faint pleas, which were not triable by the grand Jury of the attaint, and by that meanes delaied the taking of ſuch grand Juries vntill ſuch pleas were tried: and after ſuch pleas tried and found for the plaintiffe another of the Jurors, tenants or defendants might plead another ſuch falſe and faint plea after the laſt continuance in the ſame attaints, and ſo euerie of the defendants, Jurors, or tenants, after other might plead ſuch falſe and faint plea and delay the grand Jurie when it was ready to paſſe: and though that all ſuch falſe and faint pleas were found againſt them which pleaded, no paine was giuen to them by the Common Law. In regard of which delaies, the grand Juries in attaints haue béene often grieuouſly vexed and trauailed, and the plaintiffes in ſuch attaints put to ſo great coſtes, and thereby impoueriſhed, that they could not proſecute their ſaid ſuits, wherefore the Jurors be the more encouraged to be periured & to make their falſe othes in ſuch caſes: Our ſaid Lord the King willing thereof to prouide remedy, at the requeſt of the ſaid Commons, and by the aſſent of the Lords abouesaid, hath ordained and eſtabliſhed, that the parties plaintiffes in all ſuch attaints ſhall recouer their damages and coſtes againſt all ſuch tenants, Jurors, and defendants, which they haue ſuſtained in that behalfe, and that this Statute extend as well to writs of Attaints now hanging, as to writs of Attaints to be purchaſed hereafter.

The ſeuerall pleas & delaies that were in attaint at the common Law.

The plaintiffe in attaint ſhall recouer his coſts and damages againſt the Jurors, tenants, & defendants. St. 23. H. 8. 3.

4 fo. 23.

Cap. V.

The remedie where a Tenant granteth ouer his eſtate, taketh the profits and committeth Waſt.

ITem, becauſe that diuers people in times paſt haue let their Lands and Tenements to diuers perſons, that is to ſay, ſome for terme of life or of another mans life, and ſome for terme of yeares, the ſaid tenants haue oftentimes let and granted their eſtate, which they had in the ſame Lands and Tenements, to many perſons, to the entent that they in the reuerſion, that is to ſay, their Leſſors, their heires or their aſſignes, might not haue knowledge of their names, and after the ſaid firſt tenants continually occupie the ſaid Lands and Tenements, and thereof take the profits to their proper vſe, and in the ſaid Lands and Tenements commit waſt and deſtruction, to the diſheritance of them in the reuerſion: It is ordained and eſtabliſhed, that they in the reuerſion in ſuch caſe may haue and maintaine a Writ of Waſt againſt to ſaid tenants for terme of life, of anothers life, or for yeares, and ſo recouer againſt them the place waſted, and their treble damages, for the waſt by them done, as they ought to haue done for the waſt committed by them

A remedy for him in reuerſion where tenant for life or yeares granteth ouer his eſtate, taketh the profits and cōmitteth waſt.

A prouiſo for him that holdeth his terme without impeachment of waſt

e.li.5.fo.77.
fol.8.

them before the ſaid grant and leaſe of their eſtate. Prouided alwaies, that this Ordinance hold not place, but where the firſt tenants before the leaſe and grant of their ſaid eſtates, in the maner and forme aboue ſaid, were puniſhable of waſt, and alſo where after the ſaid grant and leaſe, the ſaid firſt tenants of the ſaid Lands and Tenements take the profits at the time of the waſt done to their owne proper vſe. And this Ordinance ſhall extend as well to waſt by ſuch tenants done before this Ordinance as after. Fitz.N.B.fo.59.C.

Cap. VI.

No ſuit before any Iuſtices, &c. ſhall be diſcontinued by a new Commiſſion.

No ſuit before any Iuſtices or Commiſſioners ſhall be diſcontinued by a new Commiſſion. St.1.Ed.6.7.

ITem, our Lord the King, conſidering the great loſſes & damages which oftentimes haue come and be likely to come hereafter, as well to himſelfe as to many of his lieges, for that where as well diuers indictments and ſuits for our Lord the King, as other ſuits betweene party and party haue beene taken before diuers Iuſtices of the Peace, aſſigned by ſeuerall Commiſſions of our ſaid Lord the King in diuers Counties of England, and diuers pleas and proceſſes vpon thoſe indictments haue often bin made, & hanging before the ſame Iuſtices not determined, the which pleas and proceſſes been often diſcontinued by making of new Commiſſions of the peace in thoſe Counties, to the great loſſe of our ſaid Lord the King, and of his ſubiects in delay of the ſame pleas and ſuits, and of the deliuerance of his ſaid ſubiects. And vpon that, our Lord the King willing to prouide remedie, of the aſſent and authoritie aboue ſaid, hath ordained and eſtabliſhed that in all ſuch pleas, ſuits, and proceſſes, in them to be taken and to be made before Iuſtices of the Peace in any Countie of England, the ſaid pleas and proceſſes in ſuch ſuits to be done, ſhall not be diſcontinued by ſuch new Commiſſions of the Peace to be made: but thoſe pleas and proceſſes ſhall ſtand in their force. And the Iuſtices in the ſame new Commiſſions ſo aſſigned, after that they ſhall haue the Records of the ſame pleas and proceſſes before them, ſhall haue power and authoritie to continue the ſaid pleas and proceſſes, and the ſame pleas and proceſſes, and all that depend vpon them to heare and finally to determine, as the other Iuſtices might and ought to haue done, of and in the ſame, if no new Commiſſion had beene made.

Cap. VII.

The Statute of *Anno 9.H.6.7.*which reſtraineth the Sheriffe of the Countie of Hereford to take money by extortion,or to do any wrong in his turne or other place reuiued for three yeares. Exp.

Cap. VIII.

A Confirmation of all Statutes made touching weights and meaſures.

ITem, wheras in the Parliament holden at Weſtminſter, the firſt yeare of King Henry, father of our Lord the King that now is, it was ordained, that all the Statutes and Ordinances made of meaſures of Corne, ſhould be firmely holden and kept, after the effect of the ſame, and that no Puruaiors of the King, nor of other, ſhould not after from that time forth, buy nor take any Corne or other meaſure, but by eight buſhels ſtricken for the quarter, and that none ſhould be bound otherwiſe to deliuer for the quarter but eight buſhels ſtricken for the quarter, as before is ſaid, and alſo that paiment ſhall be made preſently for the cariage of the ſame, and that if any Puruaior of our Lord the King, or of other perſon from that time forward, doe buy or puruay any Corne otherwiſe or by other meaſure then by eight buſhels ſtricken for the quarter, as before is ſaid, and of that be attainted, he ſhall haue one yeares impriſonment, and ſhall pay to the King an hundred ſhillings, and to the partie that feeleth him grieued an hundred ſhillings, and that as often as any of them ſhall be thereof attainted, and that the partie that will ſue ſhall haue thereof an Action grounded vpon the Caſe. And that the Iuſtices of Peace ſhall haue power to enquire and to hold plea of all the things aforeſaid, and thereupon to aſſigne puniſhment, as well at the ſuit of the King as of the partie. And that from the ſame time forward, nothing ſhould be taken for the meaſuring of ſuch Corne in any manner: And notwithſtanding the ſaid Ordinances and Statutes, as well the Bakers and all other Merchants and buyers within the Franchiſe and Citie of London, as the Kings Puruaiors of Corne, and all other Merchants and common buyers of Corne, in many other Cities, Townes, Boroughs, and Counties of England, continually from day to day, doe buy and take nine buſhels for the quarter, that is to ſay, the Bakers, buyers, and Merchants within the Citie and Franchiſes of London, by a veſſell called the Fat, which containeth eight buſhells of Corne, with another buſhell of Corne put to that for a quarter, and make the ſellers of the ſame Corne againſt their wil to pay one halfepeny for the meaſuring of euerie quarter, and all the other Puruaiors, buyers, and Merchants of Corne, nine buſhels ſtricken for the quarter, againſt the forme of the ſaid Ordinance and Statute, and in contempt of our Lord the King, for that the ſaid Ordinances and Satutes bee not proclaimed nor put in execution, nor the ſaid penalties and forfeitures limited by the ſaid Statuts, leuied according to the effect of the ſame Statute. Our ſaid Lord the King, willing the

A meaſure in London called the fat.

ſame Statute and Ordinance to be duely holden and kept, by the aſſent and authoritie aboueſaid hath ordained, that as well the ſaid Statute as the Statute of weights and meaſures made at the Parliament of our Lord the King that now is, the eight yeare of his raigne, be proclaimed, as well in the Citie of London, as in all other Cities, Boroughes, & Counties of England, and put in due execution after the forme and effect of the ſame. Ioyning to the ſaid Statute, made the ſaid eight yeare, that in euerie City, Borough, and Towne of the Realme, there ſhall be a common buſhell ſealed, and according to the Standard of the Exchequer, in the ſame maner and forme, and vpon the ſame paine, as in the ſame Statute is ſpecified, and a common ballance to be in euerie ſuch Citie, Borough, and Towne. And that the Maior of the ſaid Citie of London, and all other Maiors of all other Cities and Boroughs of England where there is a Maior, and all Bailiffes of Cities and Boroughs where there is no Maior, and all Iuſtices of Peace in euery County of England for the time being, ſhall haue full power to put all the Statutes & Ordinances aforeſaid in due execution, and to heare & determine all the defaults, miſpriſions, offences, and treſpaſſes againſt the forme and effect of the ſaid Statutes and Ordinances, done or to be done, or committed, as well at the ſuit of the King as of the partie which in ſuch caſe feeleth himſelfe grieued, and of any other of the Kings liege people, which in this behalfe will ſue for the King, and that as well by examination of the parties or any of them, according to the diſcretion of the ſaid Maior, Bailiffes, and Iuſtices of Peace, as by Iſſues to be tried by Inquiſitions duly to be taken, and other Pleas and Proceſſes of the Law of the Land. And that as well the partie grieued, as any other liege man of the King, that will ſue for the King, ſhall haue the ſuit in that caſe at his will, & that he that is ſo attainted of any default, miſpriſion, offence or treſpas, done againſt the ſaid ſtatute, made the ſaid firſt yeare, ſhall pay to him at whoſe ſuit he is thereof attainted, C.s. & his reaſonable coſts of the ſaid ſuit, & to the King another C.s. & that aſwell the Maior of London for the time being after that he is choſen Maior & ſworn within the ſaid Citie, at his firſt comming to the Exchequer before the treaſurer of England & the barons of the kings Exchequer, as euery of the ſaid other Maiors & Bailiffes in their othes to be made for their ſaid offices, ſhalbe charged & ſworne to do, keepe & execute all the ſtatutes aboue ſaid. And that all the Maiors & Bailiffes of Cities & Boroughes of the Realme, accomptable in the ſaid Exchequer, do yearely accompt in the ſaid Exchequer of the profits & forf. that may or ought to pertaine to our Lord the King by the forme of the ſaid Eſtatutes. Sauing alway to Lords, Cities, and Boroughes their Liberties and Franchiſes granted to them by our ſaid Lord the King, or any of his Progenitors, not reuoked, repealed, or adnulled. And ſauing alwayes, that the ſaid Statute made the firſt yeare of King Henry the fift, and all other Statutes of meaſures and weights afore made ſtand in their force.

S. 8. H. 6. 3.

A confirmation of the ſtat. of 1. H. 5. 10. & 8. H. 6. 5. touching weights & meaſures.

There ſhal be a common buſhell in euery towne. St. 11. H. 7. 4.

All Maiors and bailiffes ſhall be ſworne to execute the foreſaid ſtat touching weights and meaſures.

Maiors &c. ſhall accompt of the profits accrued to the King by the foreſaid ſtat.

Cap. IX.

Of what length and breadth Clothes called Straights ſhall be.

ITem, whereas in a Statute made the ſeuenteenth yeare of King Richard the ſecond after the Conqueſt, it was ordained, that euerie man of the Realme might make and ſet to ſale and ſell Clothes, aſwell Kerſies as other, of ſuch length and breadth as him pleaſed, paying the aulnage, ſubſidie, and other deuoires, that is to ſay, of euery piece of Cloth after the rate, notwithſtanding any Statute, Ordinance, Proclamation, reſtraint or defence made to the contrary, and that none ſell nor put to ſale any Clothes before they be meaſured by the Kings Aulneger, and enſealed with the Seale thereunto ordained, vpon paine contained in the Statutes thereof made, and after in the Statute made in the ſeuenth yeare of King Henry the fourth, grandfather of our Lord the King that now is, it was alſo ordained, that the Cloth of color ſhould contain in length eight and twentie yards meaſured by the backe, and in breadth ſixe quarters & a halfe, and if the Cloth makers ſhould make their Clothes of leſſe length or breadth they ſhould bee forfeit to the King. And after by another ſtatute made in the eleuenth yeare of the ſaid King Henry the fourth, it was ordained that proclamation ſhould be made openly through the Realme, that no perſon making ſuch maner of Clothes or Doſins within the Realm, ſhould be ſo hardy to tack and fold together ſuch maner of Clothes, before that the Aulneger hath made his ſearch and ſuruaying duely to the ſame Clothes, that they hold their length and breadth, ordained by the ſaid laſt Statute, made the ſaid ſeuenth yeare, as in the ſame Statute is more fully contained. Vpon which Statutes made in the time of the ſaid King *H*enry the fourth, diuers opinions haue been holden in the Kings Exchequer, as the ſame our Lord the King hath conceiued by the complaint of the commons of his Realme. Our Lord the King willing to repreſſe ſuch opinions, of the aſſent and authority aboueſaid hath declared, that this word (Cloth) in the ſaid Statutes before rehearſed, ſhall haue relation, and ſhall be vnderſtood of whole Cloth called broad Clothes and broade Doſins, and not of other Clothes and pieces of Clothes called Streats, now made, or to be made. And moreouer hath ordained and ſtabliſhed, that euery man may make, ſet to ſale, and ſell all maner of Clothes called Streats, containing in length fourteene yards, and in the breadth one yard, vnwatered, or elſe twelue yards watered, without impeachment of any officer of the Kings, paying to the King

St. 17. R. 2. 2.

St. 7. H. 4. 10.

St. 11. H. 4. 6.

How this word (Cloth) ſhall be interpreted, & of what Clothes it is meant in the ſtat. of 7. H. 4. 10. & 11. H. 4. 6.

What length & breadth the clothes called ſtreits ſhall containe.

St. 27. Eliz. 18.

Clothes ſhall not be put to ſale vntill the Aulneger hath meaſured them & put a ſeale to them.

The Aulnegers penaltie for ſealing of defectiue Cloth.

the aulnage, ſubſidie, cuſtomes, and other deuoires, that is to ſay, of euerie Cloth, and of euery piece of Cloth after the rate contained in the ſaid Statutes. And if the makers of the ſaid Clothes called Streats make any Clothes to ſell of leſſe length and breadth then next aboue is declared that then it ſhall be lawfull to the Aulneger to cut of the liſt at the one end of all ſuch ſtreit Clothes, not containing the ſaid length, and the ſame ſo to be ſold for a remnant or a piece, and not for a Cloth. And that no ſuch Clothes be put to ſale vntill the Aulneger hath meaſured them, made his ſearch, and put to them the Kings Seale thereto ordained, vpon paine of forfeiture of the ſame. And if any Aulneger enſeale any ſuch Clothes called Streats, not containing the length and breadth. of the Streats abouesaid, and cut not of the liſt of all ſuch Clothes that doe not hold the ſaid length and breadth of the Streats, that then the ſaid Aulneger ſhall pay to the King for euerie piece of Cloth ſo found defectiue, ſixe ſhillings eight pence, except alwaies that all Clothes called Streats, made or to be made vntill the day of the Natiuitie of Saint Iohn the Baptiſt next comming, ſhall haue licence to be ſold and deliuered vntill the Feaſt of Chriſtmas then next enſuing, of whatſoeuer length or breadth they be. St.5.Ed.6.6. 4.& 5.P.& M.5.4.Iac.2.

Cap. X.

He ſhall ſinde ſureties &c. that ſueth to defeate an execution vpon a Statute.

He ſhall find ſuretie to the K. & to the party that ſueth to defeate an execution vpon a ſtatute ſtaple. Fitz.N.B fo.150.

ITem, becauſe diuers perſons within this Realme in times paſt often haue béene taken and arreſted by diuers Sheriffes and other officers of the King by Writs, as well going out of the Chancery of the King, as of his Progenitors, to haue execution of diuers Recogniſances made before the Maiors of the Staple of diuers ſummes, of which ſummes ſuch perſons to whom the dutie belonged, had no conuenient remedie, other then the ſaid executions, which perſons ſo taken and arreſted for execution of the ſame Recogniſances, be oftentimes brought by diuers writs De corpus cum cauſa before the King in his Chancerie out of priſons in the which they be ſo kept by force of ſuch executions, and there they doe ſue ſhewing forth diuers Indentures and other things in defeſance of ſuch Recogniſances, deſiring Writs of Scire facias to warne the party or parties, at whoſe ſuit they be taken and arreſted, to anſwere therennto. And thereupon by ſuretie found to the King in the Chancery, haue béene deliuered out of priſon, notwithſtanding their ſaid arreſt for the execution of ſuch Recogniſances, as aboue is ſaid, ne ſuretie found to the Recogniſées, to whom they be ſo bound to ſatisfie them of their duties, in caſe that the matters compriſed within the ſaid writs of Scire facias, be not found nor adiudged for the Recogniſors thereby bound, whereby the ſaid Recogniſées haue béene ſometime greatly delayed, of their execution, and ſometime their execution vtterly loſt, and in time to come likely to be loſt, for that no aduantage nor auaile thereof might come, be, or accrue to the ſaid Recogniſées to whom ſuch perſons be ſo bound by the ſaid ſuretie ſo bound to the King, ſéeing the ſame perſon ſo bound, may by the Kings pardon be acquit and diſcharged for euer. Our Lord the King, conſidering that the ſaid Recogniſées to whom perſons be bound are oftentimes without remedie, if ſo be that the ſaid Recogniſors would not purſue forth their ſaid Writs of Scire facias, with effect, or otherwiſe, that the matters of their ſaid Writs of Scire facias be found or adiudged againſt them, and thereupon they withdraw them to places priuiledged, or eloigne them out of the Realme, or elſe they would not appeare, ſo that their bodies might be put in execution, to the great hindrance and vndoing of ſuch Recogniſées in time to come, and alſo becauſe that the King is inherited of the taking of ſuch ſureties to himſelfe by the courſe of the Chancerie. The King doth will that from henceforth ſuch ſureties be made as well to the King as to the partie.

Cap. XI.

The puniſhment of thoſe that make aſſault vpon any that come to the Parliament.

The puniſhmẽt of ſuch as doe make aſſault vpon any that come to the Parliament or &c.

ITem, the King willing to prouide for the eaſe and tranquilitie of them that come to the Parliaments and Counſells of the King by his commandement, hath ordained and ſtabliſhed, that if any aſſault or affray be made to any Lord, Spirituall or Temporall, Knight of the Shire, Citizen, or Burgeſſe, come to the Parliament or to other Counſell of the King by his commandement, and there being and attending at the Parliament or Counſell, that then Proclamation ſhall be made in the moſt open place of the Town by thrée ſeuerall daies where the aſſault or affray ſhall be made, that the partie which made ſuch affray or aſſault yéeld himſelfe before the King in his Bench, within a quarter of a yeare after the Proclamation made, if it be in the time of the Terme, or otherwiſe at the next day in the time of the Terme following the ſaid quarter, and if he doe not, that he be attainted of the ſaid déed, and pay to the partie grieued his double damages, to be taxed by the diſcretion of the Iuſtices of the ſame Bench for the time being, or by Inqueſt if it be néedfull, and make fine and ranſome at the Kings will. And if he come and be found guiltie by Inqueſt, by examination, or otherwiſe of ſuch affray or aſſault, then he ſhall pay to the partie ſo grieued his double damages found by the Inqueſt, or to be taxed by the diſcretion of the ſaid Iuſtices, and make fine and ranſom at the Kings will, as aboue is ſaid. Stat.5.H.4.6.

Cap. XIII.

A Confirmation for three yeare, of the Statute of 8. *H.6.* 18. That Wool &c. brought to Calice ſhall be ſold for ready money. Exp.

Cap. XIIII.

It ſhall be felonie to ſhip or carrie any Merchandiſes of the Staple in Crickes, during three yeares. Exp.

Cap. XV.

A Cuſtomer ſhall diſcharge the Merchant that hath payed his cuſtome.

ITem, for that our Lord the King by a petition to him deliuered in the ſame Parliament, by the commons of the ſame, for the Merchants of the Realm, hath perceiued, that ſeeing the cuſtomers and Comptrollers in the Kings ports doe not write any warrants in diſcharge of the ſaid Merchants of their merchandiſes by them ſhewed and duely cuſtomed, ſome as well comming into the Realme, as paſſing out of the ſame, the ſame Cuſtomers and Controllers doe imbeſill the Kings cuſtomes, and the merchants be greatly hindred, becauſe that the warrants might plainely ſhew and declare their due cuſtome, when they be vnduely impeached in the Kings Eſchequer. The ſame our Lord the King conſidering the ſaid deceits, by the aduice, aſſent and authoritie aboue ſaid hath ordained, that the ſaid Cuſtomers and Comptrollers ſhall write and deliuer ſufficient warrants, ſealed with the Seale of their office to that ordained, to the ſaid Merchants and to euerie of them, for all and euerie of their merchandiſes euerie time by them to the Cuſtomers and Comptrollers duely ſhewed, And that the ſaid Merchants, nor any of them, ſhall any thing pay for the ſaid warrants, but onely their due cuſtome. And in caſe that any cuſtomer or Comptroller in any of the ſaid Ports, doe the contrary, that then euerie Merchant ſo grieued may haue an action by vertue of this Ordinance, to purſue againſt euery cuſtomer or Comptroller that doth the contrarie, in euery Court of Record: And then euerie Cuſtomer or Comptroller ſo attainted ſhall forfeit to the King for euery default tenne pound, and to the Merchant thereby grieued that will ſue, a hundred ſhillings.

A cuſtomer or comptroller ſhal make a warrant to diſcharge a merchant that hath paid his cuſtome.

Cap. XVI.

Forfeiture of all his goods and three yeares impriſonment for ſealing of a blanke ſcrowle to deceiue the King of his cuſtomes during three yeares. Exp.

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Statutes made at Weſtminſter, Anno 14. Hen. *6.*
& Anno Domini 1435.

OVr Lord the King *Henry* the ſixt after the Conqueſt, at his Parliament holden at Weſtminſter, the tenth day of October, the fourteenth yeare of his raigne, by the aduice and aſſent of the Lords Spirituall and Temporall, and at the ſpeciall requeſt of the Commons of the Realme being in the ſame Parliament, hath cauſed to be made diuers Statutes and Ordinances, to the honour of God, and for the wealth of him and of his Realme, in the forme following.

Cap. I.

Iuſtices of Niſi prius, *may giue iudgement of a man attainted or acquited of felony.*

FIrſt, our ſaid Lord the King hath ordained by authoritie of the ſaid Parliament, that the Iuſtices before whom Inquiſitions, Inqueſts, and Iuries, from henceforth ſhall be taken by the Kings Writ, called Niſi prius, according to the forme of the Statute thereof made, ſhall haue power of all the caſes of felonie and of treaſon, to giue their iudgements, as well where a man is acquit of felonie or of treaſon, as where he is thereof attainted, at the day and place where the ſaid Inquiſitions, Inqueſts, and Iuries, be ſo taken, and then from thenceforth to award execution to be made by force of the ſame iudgements.

St. 13. Ed. 1. 30. The Iuſt. of Niſi prius haue authoritie to giue iudgement as well where one is attainted of treaſon or felonie as where he is acquitted.

Cap.

Cap. II.

All woolles and fells that ſhall be ſhipped to be tranſported ſhall be carried to Calice, And no licence ſhall be granted to the contrarie, But the King with the aduice of his Councell may modifie this Statute, And ſauing to the Merchants of Venice, Iean, Tuſkane, Lumbardy, Florence, Cataloigne, and the Burgeſſes of Berwicke, the liberties granted them by another Statute. Ob. & Exp. St. 23. H.6.6.

Cap. III.

Where the Iuſtices of Aſſiſe of Cumberland ſhall hold their Seſſions.

St.6 R.2.5. The Juſt. of Aſſiſe &c. for the county of Cumberland ſhall hold their Seſſions at Carlile.

ITem, whereas by a Statute made in the time of King Richard the ſecond, it was ordained that the Juſtices aſſigned & to be aſſigned to take Aſſiſes and deliuer Gaoles, ſhall hold their Seſſions in the principall and chiefe Townes of euerie Countie, that is to ſay, where the Shire Courts of the Counties heretofore were and hereafter ſhall be holden. Our Lord the King, willing the ſame Statute to be obſerued and kept in the Countie of Cumberland, conſidering that the Citie of Carlile is the principall and chiefe City and Towne of the ſaid County and in the which the Shire Court of the ſame Countie, hath béene holden before this time, hath granted and ordained by authoritie of the ſame Parliament, that the Seſſion of the Juſtices to take Aſſiſes and to deliuer Goales in the Countie of Cumberland be holden in time of peace and of trewce in the ſaid Citie of Carlile, and in none other place within the ſame County, as it hath béene vſed and accuſtomed of old time.

Cap. IIII.

The Iuſtices of Peace of Middleſex ſhall keepe their Seſſions but twice in the yeare,

St.2.H.5.4.

ITem, whereas it was ordained by a Statute, that the Juſtices of Peace of all the Counties of England for the time being ſhould ſit and hold their Seſſions foure times by yeare, to enquire and execute all charges contained in their Commiſſio, which they be ſworne to doe according to the forme of the ſaid Statute vpon a great paine, as by the ſame Statute more fully appeareth. Our Lord the King, conſidering that all the high Courts be ſet and holden in the County of Middleſex, continually during all the foure times of the Terme, by which time of Terme the Commons inhabiting in and of the ſame Countie, muſt attend from time time to enquire of all the Articles to the ſaid Courts belonging, as reaſon and Law requireth, and that preſently after euerie of the ſaid Termes ended, the ſaid Juſtices of the ſaid County doe ſit and hold their Seſſions in the ſame Countie, as they ought to doe by force of the ſaid Statute, more to auoid the ſaid penaltie then for any other neceſſarie thing there to be enquired, at which Seſſions they cauſe to come before them a great part of the inhabitants and commons of the ſaid Countie of Middleſex, to enquire of all manner of things as to them is giuen in charge, And by that meanes they be charged and vexed throughout all the yeare, as well out of the time of Terme, as in the time of the Terme, ſo that they haue no reſt nor time to doe their husbandry & their labor to get their liuing in any wiſe, to their vtter vndoing if they be not relieued in this behalfe. Therefore the ſame our Lord the King willing in this caſe to prouide for them a remedy, hath ordained, by the aduice and aſſent aforeſaid, and at the requeſt of the ſaid Commons of the Realme, that the Juſtices of Peace which now be, and all other hereafter for the time being, in the ſaid Countie of Middleſex ſhall be cléerely diſcharged of the ſaid penaltie by authoritie of the ſame Parliament from henceforth, the Court of the Kings Bench being ſet in the ſaid Countie of Middleſex. Prouided alwaies, that the ſaid Juſtices of Peace of the ſaid Countie of Middleſex for the time being kéepe, obſerue, and execute the Court of the Seſſions of the Peace, two times in the yeare at the leaſt, and more often if néed be for any riot or forcible entrie made within the ſame Countie of Middleſex, and that vpon the paine and forfeiture of ſuch ſummes as be for that ordained by any Law made before this time, to the end and entent that the ſaid Commons and Inhabitants of the ſaid Countie of Middleſex be not enforced nor compelled to appeare before the Juſtices of Peace of the ſame Countie for the time being, but at ſuch time which ſhall ſéeme by the diſcretions of the ſame Juſtices of Peace neceſſarie and behoofefull.

The Juſt. of P in Middleſex ſhall keepe their ſeſſions but twice in the yeare, ſauing to inquire of riots or forcible entries.

Cap. V.

All merchandiſes ſhipped in Creekes ſhall be forfeited to the King, &c.

ITem, it was ſhewed to our Lord the King, by the Commons of the ſame Parliament, that as well becauſe of vndue ſearch made in the Ports and Créekes within the Realme vpon diuers perſons, which by ſubtile imaginations and meanes doe ſhip woolls and woolfels, and ſeuerall other merchandiſes which ought to repaire to the Staple of Caleis, and them carrie and conuay to diuers other parts beyond the Seas, without paying cuſtome, againſt the tenour of the Statutes thereof made and ordained, by the which meanes the cuſtomes and ſubſidies granted to the

King be greatly impaired and decayed, It was ordained by the King and all the Lords Spirituall and Temporall, and the Cõmons in this preſent Parliament holden at Weſtminſter, the xj. yeare of our Lord the King that now is, that none, vpon paine of felony, ſhould carry nor ſhip any ſuch Merchandiſes of the Staple in any Creekes within the ſaid Realme againſt the Ordinance aforeſaid: neuertheleſſe diuers perſons hauing no feare of the ſaid ſtatute cuſtomably ſhip aſwell in the Ports as in the Creekes aforeſaid, by vndue meanes great value of Wools, Woollfelles and of other Merchandiſes of the Staple, and them carry into Flanders, Holland, Zeland, Brabant, and Normandy, without paying any cuſtome for the ſame, and moreouer diuers perſons doe ſhip cuſtomably Wools and woolfels in diuers parts of the Realme of England which be Cocketted and Cuſtomed to goe to Caleis, and come not there, but the ſame Woolles and Woolfels carry into other parts aforeſaid, contrary to the Statute thereof ordained, by the which vntrue meanes the King is greatly endamaged, and defrauded of his Cuſtomes and ſubſidies, and the ſaid Staple within ſhort time in point to be clearely deſtroied, the Towne of Calice impouerished and decaied, and the Realme not encreaſed. Our Lord the King conſidering the premiſſes, hath ordained by the ſtatute aforeſaid, that all the Wools and Woolfels, and all other Merchandiſes which by ſtatute ought to repaire to the ſaid Staple, found in any Creekes, ſhipped contrarie to the ſaid Statute and Ordinance ſhall be forfeit to our Lord the King. And moreouer that euery perſon whatſoeuer he be, which at any time ſhall ſhip or cauſe to be ſhipped any maner of Wools, Woolfels, and other Merchandiſes to goe to the Staple aforeſaid, & come not there, ſhall forfeit as much goods as the Wools, Woolfels, and other Merchandiſes, by them ſo ſhipped and carried to other places then to Calice doe amount, by extent after the very value, (except the Merchandiſes, which be to be excepted to paſſe by the Kings licence to other places.) Reſerued alwaies to the King the whole moitie of ſuch forfeitures, which be Coketted and accuſtomed to goe to Calice, and come not there, as afore is ſaid, aud to them which find and ſeiſe the Merchandiſes, the other moitie, without any diminution or abatement. And if any perſon take any Wools Woolfels, or any other Merchandiſe of the Staple, iu any ſuſpicious place adioyning to the water ſide, in whatſoeuer place that it be, and no Indenture thereof made betwixt him and the Maior, Bailiffe, or Conſtable of the Towne, in the which ſuch Wooll, Woolfels, and other Merchandiſes of the Staple, be ſo laied, that then the ſame Wools, Woolfels, and Merchandiſes be forfeit. And that the King haue one moity of all ſuch forfeitures, and the Lords of the Towne, where ſuch Merchandiſes be ſo laied, and he which them find and ſeiſe, the other moitie, to be equally diuided betwixt them. And euery man ſhall haue power by authority aforeſaid to make ſearch in euery place for ſuch goods of the Staple ſo carried or ſhipped or layed to be ſhipped as afore is ſaid, without impediment or diſturbance of any perſon. *St.11.H.6.14.*

All merchandiſes of the Staple ſhipped in Creekes ſhall be forfeited to the King.

Merchandiſes laid in ſecret places by the water ſide to be tranſported.

CAP. VI.

None ſhall diſturbe an Alien that bringeth in Victuals to ſell in groſſe, or by retaile.

ITem, our Lord the King is enformed by the ſaid Commous how in the Statute made the vj. yeare of K. Richard the ſecond, late King of England, it was ordained and accorded, that euery Foraine and Alien, being of the Amitie of our Lord the King, and of the Realme, and comming within the Citie of London, and other Cities, Boroughes, and Townes, within the ſaid Realme of England, aſwell within Franchiſes as without, with fiſh, aud other victuals whatſoeuer there abiding and returning, ſhould be from thenceforth vnder the ſafe guard and ſpeciall protection of our Lord the King, and that it ſhould be lawfull to them and to euery of them, that they might cut fiſh and victuals aforeſaid by peices, and to taile and retaile them in part, and in whole or in groſſe, as they ſhall thinke beſt to ſell and make their profit, without impeachment or contradiction of any, notwithſtanding any Statutes, Charters, ordinances, priuiledges, or cuſtomes made or had to the contrary. And thereupon by a Statute made the firſt yeare of K. Henry the iiij. it was ordained and ſtabliſhed that the ſaid ſtatute and ordinance, made the ſaid vj. yeare, ſhould be firmely holden, and kept, and duely executed after the forme and effect of the ſame, notwithſtanding any Letters Patents of Late granted to the Fiſhmongers of the Citie of London, as in the ſaid, Statute, made the firſt yeare fully appeareth: by the ſupplication of the Commons aforeſaid, hath made, ordained, and ſtabliſhed by authority aforeſaid, that the ſaid ſtatutes ſhall be firmely holden and kept, any other ſtatutes or ordinances made to the contrary notwithſtanding. Joined to the ſame, that if any man diſturbe any foraine or alien to ſell their fiſh in groſſe or at retaile, in part or in whole contrary to the ſaid ordinances, and thereof be duely attainted at the ſuit of the King or of the party, that then he ſhall forfeit x. li. and he that will ſue for our Lord the King, or for himſelfe, ſhall haue the one halfe, and the King the other halfe, and ſuch ſuit ſhall be taken for any offence committed in the Citie of London againſt the ſaid ordinance, for him which will ſue for our Lord the King, or for himſelfe, in what Countie that pleaſeth him of the Counties of Middleſex, Hertford, Eſſex, Kent, Surrey, or in the Citie of London. St.9.Ed.3.1.26.Ed.3 2.11.R.2.7.

St.6.R.2.10.

St.1.H.4.17.

The forfeiture of him which diſturbeth an Alien bringing in Victualles to ſell them in groſſe or by retaile.

CAP. VII.

Merchandiſes taken vpon the Sea from any Forainers being in amitie of the King in the ſhips of the Kings enemies ſhall not be reſtored. Exp.

CAP. VIII.

The Statute of 2.*H*.5. touching breakers of truce ſuſpended. Exp. St.20.*H*.6.11.

Statutes made at Weſtminſter Anno 15. H. 6. *& Anno Dom.* 1436.

AT the Parliament holden at Weſtminſter the one and twentieth day of Ianuarie the fifteenth yeare of the raigne of King HENRIE the ſixt, after the Conqueſt, by the aduice and aſſent of the Lords Spirituall and Temporall, and at the ſpeciall inſtance and requeſt of the Commons of the Realme: The ſame our Lord the King hath cauſed to be ordained certaine Statutes to the honor of God, and the profit of him and his Realme in forme following.

CAP. I.

Where in a ſuit before the Marſhall, the defendant may plead, that the Plaintiffe or he are not of the Kings houſe.

St.28.Ed.1.3. 13.R.2.2.

In a ſuit commenced before the Marſhall of the Kings houſe the defendant ſhall not be eſtopped to plead that the plaintiffe or he, are not of the Kings houſe.

FIrſt, becauſe that the Stewards and Marſhals of the Kings Houſe, and their Deputies, before this time haue holden before them pleas of Debt, detinue, and other pleas perſonall moued betwixt people which were not of the ſame houſe, making mention in their Records that the plaintiffes and defendants of the ſame pleas were of the ſaid houſe, and doe not allow to the parties defendants in the ſame pleas, their challenges and exceptions by them alledged, that they themſelues, or plaintiffes in the ſame ſuits be not of the ſame houſes, againſt the Lawes and Statutes before this time had and made, whereby diuers of the Kings Liege people in his Court holden before the ſaid Stewards and Marſhals oftentimes againſt the Law, be grieuouſly vexed and troubled to their great damage and hinderance: Our ſaid Lord the King conſidering the Premiſſes, hath ordained by authoritie of the ſame Parliament, that in euery ſuit from henceforth againſt the ſaid defendants to be taken, they ſhall not be eſtopped by ſuch record, to ſay that themſelues, or the plaintiffes in the ſame record ſpecified, were not, at the time of the ſaid plea or ſuit thereof commenced, of the Kings houſe, as by the ſame record is ſuppoſed: but the defendants ſhall haue their auerrement to ſay that they themſelues or the ſaid plaintiffes were not of the ſame houſe at the time of ſuch plea or ſuit commenced, The ſaid record or other matter within the ſame contained notwithſtanding.

CAP. II.

Corne being of ſmall price viz. wheat at vj.s.viij.d. and barley at iij.s .iiij.d. the quarter may be caried forth of the Realm without Licẽce. ALT. 1.Iac.25. 21.Iac.28. & 3.Car.4. St.20.H.6.6.

CAP. III.

What things be requiſite to make a Safe conduct effectuall.

The clauſe Vidimus ſhall not be put in a ſafeconduct vpon ſome ſpeciall clauſe.

What things be requiſite to be inſerted in a ſafe conduct to make it effectuall. St.18.H.6.8. 20.H.6.1. 24.E.4.4.

ITem, Whereas our ſaid Lord the King of late hath granted his Letters of ſafeconduct to certaine perſons to come and go in and out of the Realmes and Seigniories of England, France, and Ireland, with certaine number of Ships charged with their Merchandiſes, and that faith and credit ſhould as well be giuen to the Copie called Vidimus, ſealed vnder the ſeales Autentique and approued, as to the originall of the ſaid Letters, one Iohn the Guntier one of the perſons aforeſaid, granted and deliuered the Vidimus of the ſaid ſafeconduct to ſuch, and to as many as him pleaſeth, ſealed with the Seale of him that calleth himſelfe King of France vnder the colour of which Vidimus, a great Nauy of the aduerſe part was aſſembled, and did take many Ships, and the Kings Liege people and victuall to the Townes and Fortreſſes of the Aduerſaries, to the great damage of the King, and of the Liege people aforeſaid, as our ſaid Lord the King, at the grieuous complaint to him made by the ſaid Commons in the ſaid Parliament hath perceiued, The ſame our Lord the King, conſidering the great inconueniences may enſue by ſuch and other which doe euill vſe his Letters of ſafeconduct, and that vnder colour of ſuch Vidimus, a whole Nauy of enemies may be coloured, and daily victuall, ſtuffe, and refreſh their partie in great damage of his Realme of England, doth will and hath commanded by the authoritie aforeſaid, to the keepers of his great and priuie Seale, that they ſhall not ſuffer ſuch clauſe Vidimus, to be put in any ſafeconduct, from henceforth to be granted, vnleſſe

leſſe it ſo be, that ſome great or ſome notable cauſe or matter moue the ſame our Lord the King to grant the ſame in ſuch wiſe, & willeth alſo that in all ſafe conducts to be granted from henceforth to any perſon or perſons, the name of them, of the Ships, and of the Maſters, and the number of the Mariners, with the portage of the ſhips, ſhall be expreſſed.

CAP. IIII.

None ſhall ſue a Subpœna *vntill he find ſuretie to ſatisfie the defendant his damages, if he doe not verifie his Bill.*

ITem, For that diuers perſons haue before this time béen greatly vexed and grieued by Writs of ſub Pœna, purchaſed for matters determinable by the Common Law of this Land, to the great damage of ſuch perſons ſo vexed, in ſubuerſion and impediment of the Common Law aforeſaid: Our Lord the King doth command, that the Statutes thereof made ſhall be duely obſerued according to the forme and effect of the ſame, and that no Writ of Subpœna be granted from henceforth vntill ſuretie be found to ſatisfie the party ſo grieued and vexed for his damages and expences, if ſo be that the matter cannot be made góod which is contained in the Bill.

No perſon ſhall ſue forth a Subpœna vntill he find ſuretie to ſatisfie the defendant his damages and coſts, if he doe not verifie his Bill.

CAP. V.

What ſort of perſons may be impanelled vpon an Attaint.

ITem, Our Lord the King conſidering that the triall of life and of death, Lands, and Tenements, góods and cattels of euery perſon of his Liege people of this Realme, touching matters in déed by the Law of the ſame Realme, remaine and ſtand, and daily is very likely to be had and made by the othes of Enqueſts of twelue men duely ſummoned in his Courts, and alſo that the great periurie which horribly continueth, and daily increaſeth in the Common Iurors of the ſaid Realme, is moſt likely to tend to the greateſt miſchiefe which may fall to the ſaid Realme, and that it is to be ſuppoſed by reaſon, that the more ſufficient that men be of Lands, & Tenements, the more vnlikely they are to be drawne or moued to periury by brocage, power, or corruption, & that in euery action and writ of Attaint, at the leaſt there muſt be xiij. defendants, vnles that the death of any cauſe the contrary, of which xiij. defendants euery perſon by the Law may haue a ſeuerall plea and anſwere, triable in whatſoeuer Countie that him pleaſeth of the ſaid Realme, and euery of the ſame thirtéene pleas and anſweres triable out of the countie in which the Action and Writ of Attaint is ſued, doth cauſe the delay of the taking of the graund Iurie of Attaint, vntill the time that euery of the ſaid forraine ſeuerall anſweres be tried. And though that all theſe thirtéene ſeuerall anſweres and pleas, euery one after other, to cauſe more delaies be pleaded, tried, and found, againſt theſe thirtéene defendants, they themſelues haue no preiudice by the ſame, nor the plaintiffes in the ſaid Actions and writs of Attaint no other aduantage, but that the Kings Court then ſhall procéed to the taking of the ſaid grand Iury, which by ſubtiltie that daily encreaſeth, may cauſe the delay of the plaintiffes in the ſaid actions and writs of Attaint by ten yeares or more, by common eſtimation: hath ordained by authority aforeſaid, for part of the remedy of the ſaid miſchiefe, that no Sheriffe, Bailiffe of Franchiſe, nor Coroner in Actions, or Writs of Attaint of plea of Land, of the yearly value of xl.s. or more, nor action of Attaint of déeds concerning Lands or Tenements of like value or more, nor perſonall, whereof the Iudgement of the recouery ſhall extend to the ſumme of forty pounds, or more, ſhall returne nor impanell in any inquiſition nor enqueſt, any perſons, but ſuch as be inhabiting within his Bailiwicke, which haue eſtate to their owne vſe, or they to whoſe vſe other perſons haue eſtate of Fée ſimple, Féetaile, or Fréehold, in Lands and Tenements of the yearely value of twenty pound, or more in his Bailiwicke out of ancient demeane, the fiue Ports, and the tenor of Gauelkind, nor ſhall returne in the Kings Court leſſe iſſues in the ſaid actions of Attaint, then xl.s. at the firſt Writ of Diſtreſſe, and C.s. at the ſecond Writ of Diſtreſſe, and the double of euery other Writ of Diſtreſſe againſt the perſons impanelled, and returned to be ſworne in the ſame actions. And that no perſon of leſſe ſufficiencie of Fréehold then of the yearely value of twenty pound, in the forme aforeſaid, ſhall be ſworne in the Kings Court vpon any iſſue in the ſaid actions of Attaint, if he be for the ſame by the plaintiffes in due forme challenged. And that alſo as often as any Sheriffe, Bailiffe of Franchiſe or Coroner doe contrary to this Ordinance, he ſhall pay & by this Statute be bound to pay to the King tenne pound, and to the plaintiffes in the ſaid Actions and Writs of Attaint, for their delay other ten pound. And if any of the forraine anſweres and pleas be tried and found againſt any of the ſaid defendants, that then the ſame Iudgement, againſt the ſame defendants, and for the ſaid plaintiffes ſhall be giuen by the Kings Iuſtices, and conſideration of his Courts, as by the Law ſhould be giuen againſt the ſame defendants, in caſe that the graund Iury in the ſaid Actions & Writs of Attaint vpon the points and Articles of the ſame Writs, had paſſed againſt the ſame defendants, and with the ſaid plaintiffes. And that by the ſame iudgements no other of the ſaid defendants, but they againſt whom the aforeſaid forraine anſweres and pleas be found and tried, ſhall

fo.23.

What ſort of perſons and of what ſufficiency in eſtate may be impanelled in Iuries vpon an Attaint.

Se.18.H.6.2.

What iſſues ſhall be returned vpon euery Iuror in an attaint

A forraine plea pleaded by any of the defendants found for the plaintiffe and againſt the defendant.

be preiudiced or endamaged. And that this Statute touching the office of Sheriffe, Bailiffe of Franchiſe, and Coroner, in returning of the ſaid perſons of the ſufficiencie of Freehold of the yearely value of xx.li. and that no perſon of leſſe ſufficiencie of Freehold be ſworne in the ſaid actions and writs of Attaint, ſhall not extend to Cities and Boroughs within the ſaid Realme, nor to the inhabitants in the ſame.

This ſtat. doth not extend to Cities or Boroughes.

12.Ed.4.fo.13

Prouided alwaies, that if in any of the ſaid Counties there be not perſons inhabiting (vnder the eſtate of a Baron) of poſſeſſion of Lands and Tenements of the yearely value of twentie pound, in the ſame County, in the forme aforeſaid, to ſuffice the number to be impanelled and returned in the ſaid Actions and Writs of Attaint, that then the Sheriffs, and Bailiffes of Franchiſes, and Coroners of the ſame Countie, ſhall impanell and returne in the ſame actions and writs, perſons there inhabiting, of the moſt ſufficient of poſſeſſion of yearely value of lands and tenements within the value of xx.li. in the ſame countie, in the forme aforeſaid. And that to ſuch perſons the ſaid challenge extend not, that he is not of poſſeſſion of lands and tenements of the yearely value of xx.li. in the ſame county. And that as often as any of the ſame Sheriffes, Bailiffes, or Coroners doe contrary to this preſent article, he ſhall pay to the King x.li. and to the plaintiffes x.li. in the forme aforeſaid. St.23.*H.*8.3.

A remedy if there be not ſufficient men in the ſame Countie which haue Lands of the yearely value of xx.li.

CAP. VI.

A reſtraint of vnlawfull orders made by Maſters of Guildes, Fraternities, and other Companies. EXP. St.19.*H.*7.7.

CAP. VII.

All perſons religious and ſecular may make their generall Atturnies to ſue or plead for them in euery hundred and Wapentake. To endure ſo long as it ſhall pleaſe the King. EXP. St.20.*H.*3.10. 27.Ed.1. 13.Ed.1.10. 7.R.2.14.

CAP. VIII.

No Merchant ſhall ſhippe any Merchandiſes of the Staple, but at Wharffes aſſigned, &c.

ITem, our Lord the King to auoid and eſchew the great diſloialtie and damage, which daily is done to him, in withholding the cuſtomes and Subſidies, and the hinderance to the Staple of Caleis, in the ſale of Wools and Woolfels, by ſuch which doe ſhip their Wools and Woolfels in diuers ſecret parts & Creekes, & other ſuſpect places within this Realme, ſtealing, conueying, and carrying the ſame not cuſtomed, to diuers parts beyond the Sea; and not to Caleis, hath ordained by the authoritie aforeſaid, that hereafter no manner of perſon ſhall ſhippe or cauſe to be ſhipped, Wools, Woolfels, nor other Merchandizes pertaining to the Staple, in any place within this Realme, but onely at the Keies and Wharfes, being in the Ports aſſigned by the Statute, where the Kings weights and his Woolles be ſet. And that euery Maſter of Ships & Veſſells, in the which ſuch Wooll and Woolfels, and Merchandiſes be put, ſhall find ſufficient ſuretie, to the Cuſtomers of the Ports, where they doe ſhip, to cary the ſaid Wools and Woolfels to the Staple of Caleis, and to bring a Certificat from thence that he hath ſo done. Sauing alwaies to the Merchants of Jeane, Venice, Tuſkain, Lumbardy, Florence, and Cateloine, and to the Burgeſſes of Berwicke, the Liberties to them granted by Statute heretofore.

No perſon ſhall ſhippe any Merchandiſe of the Staple but at the Keis aſſigned where the K. weights be 14.H.6.2.5. 4.Ed.4.2. St.8.H.6.17.

Statutes made at Weſtminſter Anno. 18. H. 6. *& Anno Dom.* 1439.

OVr Lord King HENRY the ſixth after the Conqueſt, at his Parliament holden at Weſtminſter, the morrow after S. *Martine* in Winter, the twelfth day of Nouember, the eighteenth yeare of his raigne, to the honour of God, and for the weale of him, and of his Realme, by the aduice and aſſent of the Lords Spirituall and Temporal, and the commons in the ſame Parliament aſſembled hath made, ordained, and ſtabliſhed diuers Statutes and Ordinances in the forme following.

CAP. I.

Letters Patents ſhall beare the date of the Kings warrant deliuered into the Chancerie.

FIrſt, whereas by ſuit made to the King by diuers perſons it hath beene deſired by their petitions, to haue offices, fermes, and other things of the gift and grant of the King by his gracious Letters Patents, thereof to them to be made, deſiring by the ſame petitions the ſame Letters Patents of the King, to beare date at a certaine day limited in the ſame, the which day is often long before the Kings grant to them thereupon made, haue borne the ſame date, by reaſon whereof, diuers of the Kings Liege people hauing ſuch Offices, Fermes, and other things of the gift or grant of the King, by his gracious Letters Patents thereof to them long time before duly made, by ſuch ſubtil imagination of ſuch antedates deſired by ſuch Petition, of ſuch Offices, Fermes, and other things often haue béene put out, amoued, and expelled, againſt right, good conſcience, and reaſon: Our ſaid Lord the King, willing to put out ſuch imaginations, by the aduice and aſſent of the Lords Spirituall and Temporall aforeſaid, and at the ſpeciall requeſt of the ſaid Commons, hath ordained by authoritie of the ſame Parliament, that of euery warrant hereafter ſent by the ſame our Lord the King, or his heires, to the Chanceller of England, for the time being, the day of the deliuery of the ſame to the Chanceller, ſhall be entred of record in the Chancery. And that the Chanceller doe cauſe Letters Patents to be made vpon the ſame warrant, bearing date the day of the ſaid deliuerie in the Chancery and not before in any wiſe. And if any Letters Patents be from henceforth made to the contrary, they ſhall be void, fruſtrate and holden for none.

w.fol 497.
H.7 fol.8.
er fol.133.

The Kings Letters Patents ſhall beare date the day of the Kings warrant into the Chancery deliuered.

Cap. II.

They which haue Gauelkind Lands to the yearely value of twenty pound may be returned in Attaints.

ITem, where in the Parliament of our Lord the King, holden at Weſtminſter the fiftéenth yeare of his raigne, among other Articles, it was ordained, that no Sheriffe, Bailiffe of franchiſe, nor Coroner, in Action or writs of Attaint, of Plea of Land of the yearely value of xl. s. or more, nor in action of Attaint of Déeds concerning Lands and Tenements, of the yearely value of xl. s. and more, nor in perſonall action, whereof the Iudgement of the recouery extends to xl. li. or more, ſhould returne or impanell in any inquiſition or enqueſt any perſons, but them that be inhabiting within his Bailywicke, which haue eſtate to their vſe, or they to whom other perſons haue eſtate of Fée ſimple, Fée taile, or Fréehold in Lands and Tenements of the yearely value of xx. li. or more, within his Bailiwike out of ancient demeane, fiue ports, and the tenure of Gauelkind, in reſpect of which Ordinance, Séeing within the County of Kent, there be but xxx. or xl. perſons at the moſt, which haue any Lands or Tenements out of the tenure of Gauelkind, becauſe the greater part of the ſaid County or well nigh all, is of the tenure of Gauelkind, which perſons be continually impanelled, and returned in the ſaid actions to the great hinderance and impoueriſhment of the ſame perſons. Our ſaid Lord the King conſidering the premiſſes, hath granted, ordained, and ſtabliſhed by authoritie aforeſaid, that thoſe men which haue eſtate to their vſe, and alſo they to whoſe vſe other men haue eſtate of Féeſimple, Féetaile, or Fréehold in Lands and Tenements, of the yearely value of xx. li. of the tenure of Gauelkind ſhall be returned and impanelled, in all ſuch attaints as be aboue recited, which attaints be not now depending, but may depend in time to come, in the ſame manner and forme as any other perſon may be returned and impanelled, by force of the ſaid ſtatute made the ſaid xv. yeare.

St. 15. H. 6. 5.

They which haue Gauelkind lands to the yearely value of xx. li. may be impanelled vpon Attaints notwithſtanding the Stat. of 15. H. 6. 5.
St. 23. H. 8. 3.

Cap. III.

Butter and Cheeſe may be tranſported without licence.

ITem, Whereas in the Statute made the xxj. yeare of King Richard the ſecond, at the grieuous complaint of his Commons, ſhewing how the Staple was limited to reſt at Caleis, and that all maner of Woolles, Woolfels, Leather, Lead, Tinne, Chéeſe, Butter, and Hony, going out of the Realme of England, ought to haue recourſe to the ſaid place of Caleis, and to no place elſewhere: certaine places by their ſuggeſtions, had before that time purchaſed licences to cary out Wools, and other Merchandiſes aforeſaid to what parts beyond the ſea, that pleaſed them of the Kings amitie, to the which their Licences doe extend, without comming to the ſaid place of Caleis, to the great aduantage of the perſons ſo hauing Licences, and great damage of them which haue no Licence: wherfore the ſaid King by authorite of his Parliament holden the yeare aforeſaid, ordained and ſtabliſhed, that the ſaid ſtatute ſhould be holden and obſerued, as to the great Merchandiſes aforeſaid, that is to ſay, Wools, Woolfels, Tinne, & Lead only without Licence thereof to be granted but by the King himſelfe. In reſpect of which ſtatute ſo made, the Chanceller for the time being, often hath denied to grant Licences for Chéeſe and Butter, to be carried to any other place, but onely to the ſame Caleis, to the great damage of the people of this Realme. Our ſaid Lord the King, conſidering that Chéeſe and Butter is a Merchandiſe which cannot be well kept, nor tarry his Merchant, and will be greatly impaired by vermine and wormes, and is alſo tender and of ſo ſimple price, that it cannot well beare the coſts of the Staple, hath ordained by the authority aforeſaid, that the Kings Liege people may conuey and carrie out of his Realme, whether it ſhall pleaſe them, of the Kings amitie, Chéeſe and Butter without any Licence to be purſued in any wiſe, paying for the ſame the Cuſtomes and Subſidies thereof due from time to time, any ſtatute made to the contrary notwithſtanding.

St. 21. R. 2. 17.
St. 3. H. 6. 4.
18. H. 6. 17.
10. H. 6. 7.
14. H. 6. 2.
St. 21. R. 2. 17.

The Kings people may carry butter & cheeſe to any place out of the Realme being in amitie with the King without licence.

Prouided that the King may reſtraine the ſame when it ſhall pleaſe him. St. 1. & 2. P. & M. 5. Stat. 3. *H.* 6. 4.

Cap. IIII.

No Merchant Alien ſhall ſell any Merchandiſes in England to another Merchant Alien vpon paine of Forfeiture thereof. The Maior, Bayliffe, or chiefe Officer of the Citie, Borough, or Towne where any Merchant Alien ſhall repaire, ſhall aſſigne to euery ſuch Alien an Hoſt or Surueyor, who ſhall ſuruey all his buyings and ſellings, and regiſter them in a Booke, and certifie them into the Exchequer, and ſhall haue two pence in the pound for all Merchandiſe by him bought or ſold: The ſame Alien ſhall ſell all his Merchandiſe for other Merchandiſe, or for money, and therewith buy Engliſh Merchandiſe within eight moneths after his arriuall, vpon paine of forfeiture thereof: The Merchants of Almaine ſhall not be compriſed in this Act. Exp. Stat. 4 *H*.4.15. 5.*H*.4.9. 27.*H*.6.3. 17.Ed.4.1. 3.*H*.7.8.

Cap. V.

None appointed to be a Collector of a Fifteene in a Citie ſhall be alſo Collector in the ſame Countie: Except he hath Lands, &c.

No man dwelling in any citie or &c. appointed to be collector for the fifteene there, ſhall be ſo in the ſame County.

ITem, whereas heretofore at the time of euery quinzime and diſme, granted to the King or to his Progenitors, the Collectors of the ſame diſmes, within the Cities and Boroughes of his Realme, hauing Citizens, or Burgeſſes of them comming to the Parliament haue often béen deputed and aſſigned of perſons dwelling within the ſame Cities and Boroughs, which and other perſons dwelling in the ſame, haue béene now often now of late made Collectors of the ſame Quinzimes and Diſmes granted to the K. as well in the Counties within which the ſame cities and boroughs be, as within the ſame cities & boroughs, to their great loſſe & damage & likely more to be hereafter if remedy be not prouided. The ſame our Lord the K. willing againſt ſuch loſſe & damage to prouide a remedy in this behalf hath ordained by the authoritie aforeſaid, that no mā dwelling within any city or borough in the ſaid realm, of which citie or borough it hath béen vſed before this time, and yet is, the names of certain men by the perſons for the ſaid citie or borough comming to the Parliament to be deliuered in the Kings Chancery to be Collectors of Diſmes, in the ſame Citie or Borough, and whereupon the King hath ſent his letters patents to the ſame perſons ſo named and deliuered in his Chancery to be Collectors of the Diſmes, or parcell of the ſame within the ſaid citie or borough, and the which Collectors haue vſed and béene bound to accompt of their receit in this behalfe immediatly in the Kings Eſchequer, ſhall in any wiſe be deputed nor aſſigned to be Collector of any Quinzime, or any parcell of the ſame, granted or to be granted to the King or his heires within any County of this Realme, except that he may diſpẽd in the County out of the ſaid citie or borough in lands or tenements to the value of an hundred ſhillings by yeare ouer the charges and repriſes,

Cap. VI.

No lands ſhall be granted by Letters patents, vntill the Kings title be found by Inquiſitien.

Stat. 8.H.6.16.

Stat. 36.Ed.3.13.

No lands ſhall be granted before the K. title thereunto be found by inquiſition, nor within a moneth after, vnleſſe it be to him that tendreth his trauerſe.

ITem, whereas in a Parliament holden at Weſtminſter, the morrow after Saint Mathew the Apoſtle, the eighth yeare of the raigne of our Lord the King that now is, among all other things it was ordained, that no Lands or Tenements ſeiſed into the Kings hands vpon Enqueſts taken before the Eſcheators or Commiſſioners ſhall not be granted nor let in any wiſe to ferme by the Chancellor, or Treaſurer of England, or any other the Kings Officer, vntill the ſame Enqueſts and Verdicts be fully returned into the Chancery or into the Eſchequer, but all ſuch lands and tenements ſhall wholly and continually remaine in the Kings hands, vntill the ſaid Enqueſts and Verdicts be returned, and by a moneth after the ſame returne, if it be not ſo that he or they which féele themſelues grieued by the ſame Enqueſts, or put out of their lands or tenements come into the Chancery, and offer themſelues to trauerſe the ſaid Enqueſts, and offer themſelues to take the ſame lands or tenements to ferme. And if they ſo doe, that then the ſame lands and tenements ſhall be committed to them if they ſhew good euidences prouing their trauerſe to be true, according to the forme of the ſtatute made the ſixe and thirtieth yeare of Edward the third, to hold vntill the iſſue taken vpon the ſame trauerſe be found and diſcuſſed for the King or for the partie, finding ſufficient ſuretie to purſue the ſaid trauers with effect, and to yéeld and pay to the King the yearely value of the lands or tenements, whereof the trauerſe ſhall be ſo taken, if it be adiudged for the King. And if any Letters patents of any lands or tenements bée made to any other perſon to the contrary, or let to farme within the ſaid moneth of the returne, they ſhall be void and holden for none. the which good ſtatute and ordinance diuers perſons deuiſing to ſubuert, and by their ſubtiltie to ſerue as for no purpoſe, haue ſued to obtaine ſuch gifts, and grants, and fermes by the Kings Letters patents, before any inquiſition or title found for the King of the ſame, pretending ſuch gifts and grants not compriſed nor remedied by the ſaid ſtatute, notwithſtanding that it is in like miſchiefe of the ſaid ſtatute: Our ſaid Lord the King, conſidering the premiſſes, and willing to prouide due remedy in this behalfe, hath ordained by the authority aforeſaid, that no Letters patents ſhal be made to any perſõ or perſons of any lands or

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tenemēts before inquiſition of the kings title in the ſame be found in the Chancery or in his Eſchequer returned, if the kings title in the ſame be not found of record, nor within the moneth after the ſame returne, if it be not to him or them which tender their trauerſes as afore is ſaid, And if any Letters patents be made to the contrary, they ſhalbe voide, and holden for none. St.8.H.6.16 23.H.6.17.1.H 8.10.

Cap. VII.

In what time an Eſcheator ſhall returne an Office found before him.

ITem, it is ordained by the authority aforeſaid, that in caſe that any Eſcheator take any office before him & returne not the ſame office in the Chancery, or in the K. Eſchequer in the moneth after the taking of the ſame, he ſhall incurre the paine of xl.li. which he hath forfeit by the ſtatute made the eight yeare of our ſaid Lord the King & alſo he ſhall be charged to pay to the ſame our Lord the King as much as he is indamaged in reſpect of not returning of ſuch office. And that the Chancellor of England call to him the Treaſurer of England in letting ſuch fermes, to make due execution of the ſaid ſtatute made the ſaid eight yeare. St.8.H.6.16. 1.*H*.8.8.

An Eſcheator ſhall returne an office found before him into the Chancery or Eſchequer within a moneth.

Cap. VIII.

What things be requiſite to make the Kings Safeconduct good.

ITem, whereas many people of the commons aforeſaid owners of ſhips and veſſels of this Realme, and the Maſters and mariners of ſuch ſhips, taking ſhips and veſſels of Spaine and of other parties aduerſaries and enemies to our ſaid Lord the King. by the the ſuit of Merchants aliens of the Kings amitie, made before the King and his Councell, and ſometime before the Chancellor of England, haue béene greatly vexed, and be daily, for that the ſaid takers doe take their goods and Marchandiſes charged in the ſaid ſhips and veſſels of Spaine, and other parts enemies aforeſaid, and ſometime by falſe witneſſe, markes, and letters teſtimonialls contriued, the ſaid aliens be reſtored to the ſaid goods and merchandiſes with their damages and expences, to the great and grieuous loſſe of the ſaid owners, maſters, and mariners, takers aforeſaid, and diſcouragement to the Kings liege people, to make ſuch ſhips and veſſels, and in hindrance of the nauy of the Realme aforeſaid. Our ſaid Lord the King conſidering the matter aforeſaid, and how the goods and merchandiſes of the Kings liege people in like caſe charged and taken be forfeit to the King, hath ordained and granted by the authoritie aforeſaid, that the ſaid Merchants aliens at their pleaſure may charge ſuch ſhips and veſſels of Spaine and of other parts aduerſaries and enemies of the K, if the Maſters, Owners, or Merchants of ſuch veſſels and ſhips, hauing letters patents of the King of his ſafeconduct, ſurety, or ſafegard for ſuch ſhips or veſſels and merchandiſes, making mention of the name of the Shippes or Veſſels; and of the name of the Maſter of the Shippes and Veſſels, as the manner is: And if any ſuch Shippes or Veſſels charged with any merchandiſes of ſuch Merchants aforeſaid bee taken vpon the ſea by the Kings liege people not hauing the Kings Letters patents as afore is ſaid within the boord of ſuch ſhips or veſſels, at the day of the taking, nor that ſuch Letters patents at the day of the taking, be in the Kings Chancery enrolled of Record that then the takers, and poſſeſſors of the goods & merchandiſes ſo taken, may enioy and hold the ſame, any Statute or ordinance made to the contrary notwithſtanding. And that this Statute and Ordinance ſhall beginne to take his force at the Feaſt of Saint Michael next comming. And that Proclamation be thereof made vpon the ſea coaſts, incontinently after this ordinance, to the intent that the ſaid Merchants aliens may haue knowledge of the ſame ordinance. St.15.*H.6*.3. 20.*H.6*.1. 14.E.4.4.

What things be requiſite to be performed by them which will take aduantage of the Kings ſafe conduct.

Cap. IX.

The warrant of Atturney ſhalbe recorded the ſame Terme that the Exigent is awarded.

ITem, whereas in a ſtatute expired, made the tenth yeare of the reigne of our Lord the King that now is, it was contained, that ſéeing diuers of the Kings liege people before that time, had bin outlawed, vexed, and greatly diſquieted in diuers ſuits as well before the King himſelfe in his Bench, as in the common Bench, in the Records of which ſuits, the entries haue béene made that the plaintiffs in the ſame ſuites, Obtulerunt ſe in propria perſona ſua, where the ſame plaintiffes in the ſame ſuites did not appeare to ſuch ſuites, nor had any knowledge of the ſame, to the great miſchiefs of the ſaid leige people, if remedie ſhould not bée prouided. Our Lord the King willing in this caſe to prouide a remedy, did ordaine by authority of the ſame Parliament, holden the ſame yeare, That no Philizer, Exigenter, nor any other officer from the ſame time ſhould make any ſuch entry in any ſuch ſuit, except that the ſame plaintiffes in the ſame ſuit, before any ſuch Entry ſhall be made, do appeare in his proper perſon before ſome of the Juſtices of the place, where the plea was or ſhall be hanging, and they ſhall be ſworne vpon a booke, that he was the ſame perſon in whoſe name the ſaid ſuit was ſued, or that ſome other credible perſon of his Counſell ſhall make ſuch oath for him. And that this ordinance ſhall indure vntill the next

Stat.10.H.6.4.

A falſe entrie that the plaintiffe in a ſuit doth offer himſelfe in proper perſon, where he doth not.

Parliament

The St·of 10·H.6.4.rehearſed and made perpetuall·

The penaltie of an Atturney that doth not enter of record his warrant the ſame terme that the Exigent is awarded.

41.Ed.3.ſo.
8.H.4.ſo.3.

parliament following. Our ſaid lord the K. conſidering moreouer like damages, which happen as well to him as to his poore liege people & ſubiects, for that in the Records of diuers and many outlawries, the entry is, that the parties doe appeare by their Atturneis, where the Atturneis haue no warrant of record, by reaſon whereof the ſaid outlawries bee reuerſible, and for the moſt part reuerſed, hath ordained by authoritie of this Parliament, that the ſaid ſtatute be affirmed, holden and kept, to endure for euer. And that no officer contained in the ſaid ſtatute, ſhall doe to the contrary of the ſame, vpon paine of forfeiture of forty ſhillings, to the King euery time that he of that ſhall be attainted by due examination made by any of the Iuſtices of the ſame place, before whom any Entry or Record is. And that euery Atturney which hath not his Warrant entred of Record in all his ſuites, wherein Proceſſe of Capias, and Exigent be awardable, the ſame Terme in the which the Exigent is awarded, or before, and vpon that be attainted by like examination for euery time that he ſo offendeth, he ſhall incurre the paine aforeſaid. Stat.32.*H.*8,30.2.Ed.6.32.18.Eliz.13.

CAP. X.

Commiſſions of Sewers ſhall be awarded, where need ſhall require, during tenne yeares. Exp.

CAP. XI.

Of what yearely value in lands a Iuſtice of peace ought to be.

Stat.1.Ed.3.16.
18.Ed.3.2.
13.R.2.7.
17.R.2.10.

ITem, whereas by Statutes made in the time of the Kings noble Progenitors, it was ordained, that in euery County of England, Iuſtices ſhould be aſſigned of the moſt worthy of the ſame counties to keepe the peace, and to doe other things, as in the ſame Statutes fully is contained, which ſtatutes notwithſtanding, now of late in many counties of England the greateſt number haue beene deputed and aſſigned which before this were not wont to be, whereof ſome be of ſmall behauiour, by whom the people will not be gouerned nor ruled, and ſome for their neceſſitie doe great extortion and oppreſſion vpon the people, whereof great inconueniences be likely to riſe daily, if the King therefore doe not prouide remedie. The King willing againſt ſuch inconueniences to prouide remedie, hath ordained and ſtabliſhed by authoritie afore ſaid, That no Iuſtice of Peace within the Realme of England in any Countie, ſhall be aſſigned or deputed, if he haue not lands or tenements to the value of xx.li. by yeare: and if any be ordained hereafter to be Iuſtices of peace in any County, which hath not lands or tenements to the value aforeſaid, that he thereof ſhall giue knowledge to the Chancelor of England for the time being, which ſhall put another ſufficient in his place, and if he giue not the ſaid knowledge (as before) within a moneth after that he hath notice of ſuch Commiſſion, or if he ſit or make any warrant or precept by force of ſuch Commiſſion, he ſhall incurre the penaltie of xx.li. and neuertheleſſe be put out of the Commiſſion as before, and the King ſhall haue the one halfe of the ſaid penalty, and he that will ſue for the King the other halfe, and he that will ſue for the King and for himſelfe, ſhall haue an action to demand the ſame penalty by writ of debt at the common law.

No man ſhall be Iuſtice of peace, vnleſſe he hath lands to the yearely value of xx.li.

Prouided alwayes, that this ordinance ſhall not extend to cities, townes, or boroughes, which be Counties incorporate of themſelues, nor to cities, townes, or boroughes, which haue Iuſtices of peace of perſons dwelling in the ſame by commiſſion or warrant of the King, or of his progenitors. Prouided alſo that if there be not ſufficient perſons hauing lands and tenements to the value aforeſaid, learned in the law, and of good gouernance within any ſuch Countie, that the Chancellor of England for the time being ſhall haue power to put other diſcreet perſons learned in the Law in ſuch Commiſſions, though they haue not lands or tenements to the value aforeſaid, by his diſcretion.

Certaine perſons excepted to whom this ſtatute doth not extend.

CAP. XII.

Appeales or Indictments of Felony committed in a place where there is none ſuch.

St.9.H.5.1.

ITem, whereas in the Parliament holden at Weſtminſter the ſecond day of May, the ninth yeare of the raigne of King Henry the fift, father to the King that now is, amongſt other things it was ordained and eſtabliſhed, for that many people by malice, enuy, and reuenge, cauſe often the Kings liege people to be appealed or indicted in diuers Counties of Treaſons or of Felonies, ſuppoſing by the ſaid appeales or indictments, that the ſaid Treaſons or Felonies were done in a certaine place in ſuch a Countie, where the indictment is made, or ſuch a place as is or ſhalbe declared by the ſaid appeales, where no ſuch place is in the ſame County, that the Proceſſe of the ſame ſhall be void, and holden for none, and that the indictors, procurators, and conſpirators ſhalbe alſo puniſhed by impriſonment and fine, and ranſome for the Kings aduantage, by the diſcretion of the Iuſtices, and that the ſaid Appealees or inditees may haue writs of Conſpiracie againſt the Inditors, Procurators and Conſpirators, and ſhall recouer their damages. And this ordinance ſhall ſtand in his fore vntill the next Parliament to be holden after the comming againe of the ſaid late King into England from beyond the ſea, which ſtatute by the deceaſe of the ſaid late King by opinion of ſome is expired, and by the opinion of ſome not expired: The ſame

A writ of conſpiracy mainteneble againſt the inditors, procurators and conſpirators. Regiſt.fo.134. V.N.B.fo.56. Fitz.N.B.f.115.K. Raſt.pl.f.122.&c.

our Lord the King that now is, conſidering that the ſaid ordinance was good and profitable for the weale of him and his liege people, hath declared and ordained by authoritie of this preſent Parliament, that the ſaid ordinance made in the ſaid ninth yeare, and ſo by the death of his ſaid father as ſome thinke expired, and not otherwiſe repealed, ſhalbe and abide an effectual and auailable ſtatute and ordinance in law perpetually to endure.

A confirmation of the Stat. of 7.H.5.1. and 9.H.5.1. touching Appeals or inditements of felony or treaſon.

Cap. XIII.

A Confirmation of the Statute of 9.H.5.2. ordaining that no man outlawed in the Countie of Lancaſter, ſhall forfeit any other lands or goods but which he hath in the ſame Countie. Exp. Stat. 9.H.5.2. 20 *H.6.2.* 31.*H.6.6.* 23.*H.8.2.*

Cap. XIIII.

If any hauing authoritie to make Arraies and Panels, ſhall take reward to make ſuch Array or panell, he ſhall forfeit to the party grieued ten times ſo much as he ſhall receiue. Exp.

Cap. XV.

It ſhall be felonie to carry Wooll or Woolfels to any other place then to Calice. Sauing ſuch which paſſe the ſtreights of Marrocke. Exp.

Cap. XVI.

There ſhall be but one meaſure of Cloth through the realme, by the yard and the inch, and not by the yard and the handfull, according to the meaſure of London. Exp.

Cap. XVII.

Veſſels of Wine, Oyle, and honie ſhall be ganged.

Item, becauſe all the Tunnes, Pipes, Tertians, and Hogſheads of Wine, Oyle, and Honie, vendible within the realme of England, ought and were wont according to the ancient aſſiſe of the ſame Realme to containe a certaine meaſure, that is to ſay, euery Tunne twelue ſcore and twelue gallons, euery Pipe ſixe ſcore and ſixe gallons, euery Tertian foure ſcore and foure gallons, and euery Hogſhead threeſcore and three gallons, and by diuers ſtatutes it hath beene ordained that the Tunnes and Pipes of wine ſhould be gauged: but for the gauging of Tunnes, and pipes of oyle and hony, or of tertians and hogſheads of wine, no ordinance hath been made in certaine before this time, to the great damage of the King and of his people: The King willing againſt this damage to prouide a remedy in this behalfe, hath granted and ordained by authoritie aforeſaid, that from henceforth all manner of tunnes, pipes, tertians, and hogſheads, as well of Wine as of Oyle, to be ſold within the Realme ſhall be well and lawfully gauged by the Kings Gaugeour, or by his deputie before that they be ſold, vpon paine to forfeit to the King all the wine, oyle, and hony contrary ſold, or the value of the ſame. And in caſe that any perſon of what country that he be, from henceforth ſell to any of the Kings liege people for any price in certaine any tunne, pipe, tertian, hogſhead of wine, oyle, and honey, which wanteth in any wiſe of the aſſiſe and meaſure aforeſaid, that he allow and abate of the ſame price to the buyer of ſuch Wine, Oyle, and Hony, as much as ſuch default after the rate ſhall amount vnto, vpon paine to forfeit to the King, the value of all the Wine, Oyle and Hony, contrary ſold, any priuie couenant made or to be made betwixt the ſeller and the buyer, contrarie to this ordinance notwithſtanding. And euery perſon that eſpieth any of the forfeitures aforeſaid, and thereof doth informe the Treaſurer of England, or the Barons of the Eſchequer, ſhall haue the halfe of the ſame forfeitures for his labour.

All veſſels of wine, oyle, and hony ſhall be gauged, and the content of euery veſſell to be ſold.

Abatement ſhall be made of the price for the quantity wanting.

Prouided alwayes, that the ſaid Gaugeor take and haue for his labour for the gauging of euery Tunne and Pipe of Oyle and Hony, as he taketh and hath of euery Tunne and Pipe of wine, and for euery Tertian and Hogſhead after the rate. Stat. 27.Ed.3.8. 23.H.6.16. 1.R.3.13. 11.*H.7.4.* 28.*H.8.14.*

The gaugeors fee for gauging of a tunne or pipe of hony or oyle.

Cap. XVIII.

How much a Captaine ſhall forfeit that doth detaine any part of his ſoldiers wages.

Item, for that the King is and hath beene well certified of many great deceits and falſities, which haue beene done to him and to his realme by ſome of the Captaines, which haue before this time indented with the King to ſerue him in the feat of warre, ſome beyond the ſea, and in diuers parts, as they be appointed and bound by their Indentures, and ſome in his Marches on this ſide the Sea, and their wages haue beene truly paid, and contented by the King, according to their Indentures for them and for all their retinue, according to their degrees, which wages many of the ſaid Captaines haue abuſed, and taken vpon them to deduce from their Soldiers of ſome more, and ſome leſſe, ſo that, ſuch from whom they haue abated, haue not beene able to con-

The inconueniences inſuing by captaines not paying of their ſoldiers.

tinue their ſeruice, nor performe the ſame as of right and reaſon they ought to haue done, and peraduenture willing to haue done, if they had béene fully paid, which hath cauſed them to fall to robbery and pillage, as well on this ſide the ſea before their going, as beyond the ſea, when they came thither, amongſt other things it hath bin a great cauſe of the long continuance of the warre, and great damage and loſſe which hath falne to the Signiories and Countreies of the King in his obeyſance beyond the Sea, and not onely that, but loſſe alſo of great treaſure which hath béene granted to the King, and paid in the forme aforeſaid for the defence of his land.

The forf. of a captaine that doth detaine any part of his ſouldiers wages.

For what cauſe a captaine may abate his ſoldiers wages & how much.

The King willing againſt ſuch damages and loſſes to prouide a remedy in this behalfe, hath ordeined by the authoritie aforeſaid, that no Captaine, which hereafter ſhall haue the conduct of ſuch retinues, and ſhall receiue the Kings wages for the ſame, ſhall abate of his Soldiers, nor any of them, any part of their wages, except it be for their clothing, that is to ſay, if they ſhall be waged for halfe a yeare, tenn ſhillings a gowne for a Gentleman, and ſix ſhillings eight pence for a yeoman, vpon pain of twenty pound for euery Speare, and ten pound for a Bowe to the King, from whom he did abate vpon the tenor of the ſame. St.2.Ed.6.2.

CAP. XIX.

The penaltie of a Souldier not going with or departing from his Captaine without licence.

ITem, ſéeing diuers and many Souldiers before this time, which haue taken parcell or halfe their wages of their Captaines, and ſo haue muſtred and entred of Record the Kings ſoldiers before his Commiſſioners, for ſuch termes, for which their maſters haue endented, haue ſometime preſently after their muſter, and the receit of part or of the whole of their wages, departed and gone where they would, and haue not paſſed the Sea with their ſaid Captaines, and ſome paſſed the Sea, and long within their termes departed from their Captaines and the Kings ſeruice, without apparant Licence to them graunted by their ſaid Captaines, whereof hath growen ſo great damage to the King and to his realme, & ſo many inconueniences, which cannot eaſily be expreſſed as of long time the experience hath ſhewed, and the which ſouldiers ſo doing as much as in them was, decayed the honour and reuerence of the King, and haue bin many waies great cauſers of the loſſes which haue enſued in his Lands and Segniories beyond the Sea, and the aduenture alſo of the perſons of the Lords and Captaines which did conduct them.

It is felony for a ſouldier retained to ſerue the K. in his warres which goeth not with, or departeth from his captaine without licenſe. 7.H.7.1.

Officers ſhall arreſt ſoldiers returning from beyond the ſea, & retaine them vntill the cauſe of their returne be tried.

Coke li.5.

9 Ed.4.fol.

The ſame King conſidering the premiſſes, and willing againſt ſuch inconueniences and damages to prouide a remedy, hath ordeined by the authoritie aforeſaid, that euery man ſo muſtring and receiuing the Kings wages, which departeth from his Captaine within his terme in any manner aforeſaid, except that notorious ſickneſſe or impediment by the viſitation of God, (which may reaſonably be knowne) ſuffer him not to goe, and which he ſhall certifie preſently to his Captaine, and ſhall repay his money, ſo that he may prouide him for an other Souldier in his place, he ſhall bee puniſhed as a Felon: And that the Juſtices of Peace ſhall haue power to enquire thereof, and to heare and determine the ſame. And likewiſe hath ordeined by the ſame authoritie, that no ſouldier, man of armes, or Archer, ſo muſtred of record, and going with his Captaine beyond the Sea, ſhall returne into England within the terme for which his Captaine hath retained him, nor leaue his Captaine there in the Kings ſeruice, and in aduenture of the warre, except that he hath reaſonable cauſe ſhewed by his Captain, & by him to the chefie in the Countrey hauing royall power, and thereupon ſhall haue licence of the ſaid Captaine witneſſed vnder his ſeale, and the cauſe of his licence. And who that ſo doeth muſter of record, and come without Letters Teſtimonialls of the Captaine (as is ſaid) within his terme on this ſide the ſea, that the Maiors, Bailiffes, and other the Kings Miniſters, at what Port or place they ſhall ariue, ſhall haue authoritie to put them in arreſt, and them there to kéepe vntill it be of them enquired, and if it be found by enquiry before Juſtices of Peace, and proued, that they haue ſo muſtred of record and departed from their Captaines aforeſaid without licence as afore is ſaid, that then they ſhall be puniſhed as Felons. Stat. 2. Rich. 2.4. 2. Edw. 6.2. 4. & 5. P. & M. 3. Regiſt. fo. 191. This Statute ſhall extend to Mariners, and Gunners. 5.El.5.

Statutes made at Weſtminſter, *Anno Viceſimo Hen: ſexti, & Anno Domini* 1442.

OVr Lord the King at his Parliament holden at Weſtminſter, the day of the Conuerſion of Saint Paul the fiue & twentieth day of January, the twentieth yeere of his reigne, to the honour of God, and for the weale of him and of his Realme, by the aduice and aſſent of the Lords Spirituall and Temporall, and at the ſpeciall requeſt of the Commons in the ſame Parliament aſſembled, hath made, ordeined and eſtabliſhed diuers Statutes, and Ordinances in the forme following.

Cap.

Cap. I.

All Letters of Safe-conduct ſhall be inrolled in the Chancerie.

FIrſt, whereas poore Merchants of the King of this Realme daily bée robbed by the Kings enemies vpon the Sea, and in diuers Riuers and Ports within the ſame Realme, of their Ships, goods, and merchandiſes, of great riches, and their bodies taken and impriſoned, with dureſſe, and put to great fines and ranſomes, and the Kings poore ſubiects dwelling nigh the Sea coaſts taken out of their owne houſes with their Cattells and Infants vpon land, and carried by the ſaid enemies where it pleaſe them, which miſchiefes come by reaſon that the ſaid Merchants be diſcouraged, with force and puiſſance of Shippes, and of people defenſible to kéep the Sea, and the coaſts of the ſame, for that the Shippes, goods and Merchandiſes, by them taken from the ſaid Kings enemies, be ſometimes claimed by the Kings enemies, by colour of Safe-conducts, not duely purchaſed, nor of Record inrolled, ſo that the Kings Subiects may haue notice of them, and ſometime be claimed by Merchants ſtrangers of the Kings amitie, to be due to them, by colour of falſe witneſſes of their nation, & by Letters of Markes and Charters partly by them counterfeited, and by ſuch proues vpon ſuch claimes, be reſtored to the ſame goods and merchandiſes, often taken in Shippes and Veſſels belonging to the Kings enemies, and the ſaid Kings ſubiects put to great vexation and loſſe of their owne goods, whereby the ſaid Kings enemies be greatly inriched, and their Nauy ſtrongly encreaſed, and the Nauy, and Merchandiſe of the ſaid Realme of our Lord the King greatly diminiſhed, and ſuch damages and inconueniences daily be likely to increaſe and come to the ſaid Realme of our ſaid Lord the King, if ſpéedy remedy in this caſe be not prouided.

Our ſaid Lord the King conſidering the premiſſes, and that if people of the Kings amitie be feared and diſcouraged to freight the Ships and Veſſels of the Kings enemies and aduerſaries, their Nauie in time to come will be decreaſed, and diminiſhed, and the Nauie of the Kings ſubiects and friends increaſed, and enlarged: by the aduice and aſſent aforeſaid, and at the ſpeciall requeſt of the ſaid Commons, to eſchew the miſchiefes aforeſaid, hath ordained by authority of the ſaid Parliament, that all Letters of ſafe conduct to be granted to the Kings enemies and aduerſaries, or any other people whatſoeuer, ſhall be enrolled in the Chancery of our ſaid Lord the King of Record, before that any ſuch Letters ſhall be in any wiſe deliuered to them, to whom the ſame Letters ſhall be granted: and that all ſuch Letters of ſafe-conduct hereafter to be granted not inrolled of Record in the ſaid Chancery, before the deliuery to them, to be made, in the manner as is ſaid, ſhall be void and of no force nor effect.

All letters of ſafe conducts which be not enrolled in the chancery before the deliuery of them, ſhall be void. Stat. 18. H. 6. 8.

And moreouer, if hereafter any goods or merchandiſes be taken by the ſaid ſubiects of our Lord the King vpon the ſea, or the coaſts of the ſame, charged in any ſhip or other veſſell, which is belonging to the enemies or aduerſaries of our Lord the King for the time being, not hauing ſufficient Letters of ſafe conducts, inrolled in the forme aforeſaid, that they which ſo ſhall take the ſame goods and merchandiſes, ſhall them inioy without any reſtitution thereof to be made in any wiſe, to whatſoeuer perſon the ſame goods and merchandiſes ſo taken, at the time of the taking of the ſame or before, were belonging.

They which will take benefit by the K. ſafe conduct, muſt haue it ready inrolled at the time of their apprehenſion.

Prouided alwaies, that if the ſubiects of our Lord the King, taking ſuch ſhips charged with merchandiſes, not hauing nor ſhewing ſuch Letters of ſafe conduct within the ſame ſhips at the time of the ſaid taking, and bringing them by force to a certaine port or place within the ſaid realme, ſhall not be endamaged in their perſon nor goods for ſuch taking, if they be ready to make full reſtitution of the ſame ſhips and merchandiſes, within reaſonable time after that full knowledge is made to them of ſufficient Letters of ſafe conduct for the ſame ſhippes and merchandiſes, enrolled in the ſaid Chancery of Record before the taking of them. Prouided alſo that this Ordinance ſhall beginne to hold his force at the Feaſt of Saint Michael the Archangell next comming. 14.E.4.4.

Though the ſafe conduct be not preſently ſhewed, yet it doth ſuffice if it be after proued to be inrolled.

Cap. II.

¶ No perſon outlawed within the County of Lancaſter, ſhall forfeit any goods or lands but which he hath in the ſame County. Rep. 33.H.6.2. Exp. St.9.H.5.2.18.H.6.13.31.H.6.6.

Cap. III.

It ſhall be high Treaſon for Welſhmen to take and carrie away Engliſh men or their goods into Wales, or there to withhold them. Exp.

Cap. IIII.

What duties they ſhall pay to the King, which carrie Woolles to any other place then to the Staples.

ITem, our ſaid Lord the King, hath granted and ordained by the authoritie aforeſaid, that euery Merchant denizen for Wools, Woolfells, and Tinne, which ſhall be charged and ſhipped in

any

Thoſe denizens which ſhall haue the K. licence to carry wools, &c to any other place then to the ſtaple, ſhall pay ſuch duties as merchants aliens doe.

any Galley, Caracke, or other veſſell, to be conuaied and carried by the ſea by the Kings licence, or otherwiſe, to other places and ports, then to the Kings Staple, ſhall pay to the King ſuch Cuſtomes and Subſidies, and other duties, as merchants aliens pay to the King for their merchandiſes. Prouided alwayes, that this grant and ordinance ſhall not extend to any perſons which haue licences by the Kings letters patents to them made before this time, to ſhip, cary, or conuaie any wools, woolfels, or tinne to other places or ports beyond the ſea, then to the Staple of Calice, but that they ſhall be of this ordinance clearely diſcharged and excepted.

CAP. V.

No Cuſtomer &c. ſhall haue a Ship of his owne, vſe Merchandiſe, keepe a Wharfe, or, Inne, or be a Factor.

St.11.H.4.2.

The cauſe why a common hoſtler ſhall not be a Cuſtomer Comptroller, or Searcher.

ITem, whereas in the Parliament holden at Weſtminſter, the eleuenth yeare of the raigne of King Henry the fourth, it was ordained and ſtabliſhed, that no man that had a common hoſtry in any citie or borough of this realme, ſhall be cuſtomer, comptroller nor ſearcher, & that to eſchew the damages and preiudices, which thereof may grow by the fauour that ſuch common Hoſtlers way and will make to Merchants, and to other their gueſts in their offices. And now of late diuers Cuſtomers, comptrollers, and alſo ſearchers, comptrollers and ſuruaiors of ſearches, haue diuers perſons to be their clerks, deputies, and miniſters in their ſaid offices, of which clerks, deputies, and miniſters, ſome haue ſhips of their owne, and ſome of them meddle with the fraighting of ſhips, and alſo buy and ſell diuers Merchandiſes, and thereof occupy to their owne vſe diuers wharfes and keyes, being by the waters ſides, where common diſcharge of diuers merchandiſes is had in diuers ports of this Realme, by the which as well great deceit and dammages daily doe grow to the King of his Cuſtomes and Subſidies, as a great loſſe to Merchants repairing to the Ports, where the ſaid Clerkes, Deputies, and Miniſters be: alſo many hold hoſteries and Tauernes, and alſo keepe wharfes, and they and their ſeruants be Factors and atturneyes for Merchants, Denizens, and Aliens, by which great damage and loſſe daily doth grow to the King in his Cuſtomes and Subſidies by fauour that ſuch Clerkes, Deputies, and Miniſters, holding ſuch Hoſteries, Tauernes and Wharfes, doe to Merchants and to other their gueſts in the ſaid offices. And greater damage is like thereof to grow in time to come, if ſpeedy remedy be not prouided. Our ſaid Lord the King, willing againſt ſuch damages and loſſes, to prouide a remedy in this behalfe, hath ordained and eſtabliſhed by authoritie aforeſaid, that no Cuſtomer, Comtroller of the Cuſtome, Clerkes, Deputies, Miniſters, nor their ſeruants, Factors, nor Searchers, Comptrollers or Surueiors of Searches, nor their Clerkes, Deputies, miniſters or Factors ſhall haue any ſhips of their owne, or ſhall buy or ſell by way or by colour of Merchandiſe, nor they ſhall not meddle with the fraighting of ſhips, or haue or occupy any ſuch Wharfes or Keyes, or ſhall hold any hoſteries or Tauernes, or ſhall be any Factors or Atturneies for any Merchant Denizen or Alien, nor ſhall be hoſt to any Merchant Alien, vpon the paine of xl.li. to be forfeit as often as they doe the contrary that is to ſay the one halfe to the king, and the other halfe to him that will ſue in this caſe againſt any ſuch perſon doing the contrary this Ordinance to begin at the Feaſt of Saint Michael next comming.

No Cuſtomer Controller, &c. ſhall haue any ſhip of his own, vſe Merchandiſe, keepe a wharfe, an Inne or be a Factor to another.

CAP. VI.

A confirmation for ten yeares of the Stat. of 15. *Hen.* 6. 2. touching the tranſportation of Corne being of certaine prices. EXP.

CAP. VII.

If any carry Merchandiſe into Wales, and after bring them into England not Cuſtomed, he ſhall forfeit them. EXP.

CAP. VIII.

In what caſe the Kings Puruaiors that would take cattell, may be reſiſted.

The Kings Puruaiors who will take cattell to the value of xl.s. or vnder and not make preſent paiment may be reſiſted. Stat.28.Ed.3.12.

ITem, it is ordained by the authority aforeſaid, that the Statutes before this time made of Puruaiors and buyers, ſhall be holden and kept, and put in due execution. And in caſe that any Puruaior, buyer, or taker, will take and make puruaiance or buy any thing to the value of fortie ſhillings, or vnder of any perſon, and make not ready paiment in hand, that then it ſhalbe lawfull to euery of the Kings liege people to retaine their goods and cattells, and to reſiſt ſuch Puruaiors and buyers, and in no wiſe ſuffer them to make any ſuch puruaiances, buyings or takings: And to keepe the Peace better, euery Conſtable, Tithingman, or chiefe pledge of euery towne or hamlet, where ſuch takings or puruaiances ſhall be made, ſhall be helping or aſſiſtant to the owner or ſeller of ſuch things to be taken againſt the forme of this Ordinance, to make reſiſtance in the maner aforeſaid in caſe that ſuch conſtables, Tithingmen, or chiefe pledges be required ſo to doe, vpon paine to yeeld to the party ſo grieued the value of the things ſo taken with his double damages, And that none of the Kings liege people be put to loſſe or damage by the King or any officer for ſuch reſiſtance. And that none of the Kings officers ſhall cauſe to be arreſted,vexed,or impleaded in the Court of the Marſhalſey or elſewhere, any of the Kings liege people for ſuch detaining,or not ſuffering to be done,vpon paine to loſe xx.li.the one moity thereof to the King,and the other moity to him which will in ſuch caſe ſue: and that the Iuſtices of Peace in euery County,ſhall haue power by authority of this ordinance to enquire,heare, and determine as well at the ſuit of the King,as of him that will ſue, of any thing done againſt this ordinance,and thereof to make due puniſhment and execution,and to award damages to the party plaintiffe,when any defendant is thereof duely conuict,and that in euery action to be taken vpon this ordinance,euery party defendant ſhall be put to anſwere vnto it without the aid of the King,and in ſuch actions to be taken,proceſſe ſhall be made as in a writ of treſpaſſe,done againſt the Peace,and that in euery Commiſſion of Purueyors,buyers,or takers to be made,this ordinance ſhall be contained and expreſſed. And moreouer that this Ordinance among other Statuts of Purueyors, buyers, or takers before this time made, ſhall be ſent to the Sheriffes of euery County of England to proclaime and deliuer the ſaid Statutes and Ordinances in the manner and forme contained in the Statute of Purueyors and buyers,made the firſt yeare of the raigne of our ſaid Lord the King,vpon the paine contained in the ſame Statute. And moreouer the king will and commandeth,that the Statute made the xxxvj.year of King Edward,late King of England,the third after the Conqueſt,touching the Purueyors of other perſons then of the King,ſhal be put in due execution. Stat.2.H.4.14.

Stat.1.H.6.2.
Stat.36.Ed.3.6.

Cap. IX.

The order of triall of Counteſſes, &c. being indicted of Treaſon, &c.

ITem, whereas it is contained in the great Charter among other things in the forme which followeth, No freeman ſhall be taken,or impriſoned,or diſſeiſed of his freehold,or his liberties, or free cuſtomes,or ſhall be outlawed,or baniſhed,or in any wiſe deſtroyed,nor we will goe vpon him,nor ſend vpon him,but by the lawfull iudgement of his Peeres,or by the Law of the land. In which Statute is no mention made how women,Ladies of great eſtate in reſpect of their huſbands,Peeres of the land,married or ſole, that is to ſay, Ducheſſes, Counteſſes, or Baroneſſes ſhall be put to anſwere,or before what Iudges that they ſhall be iudged vpon enditements of Treaſons or Felonies by them committed or done,in regard whereof it is a doubt in the Law of England,before whom and by whom ſuch Ladies ſo endited ſhall be put to anſwere, and be iudged. Our ſaid Lord the King willing to put out ſuch ambiguities and doubts,hath declared by authoritie aforeſaid,that ſuch Ladies ſo endited or hereafter to be endited of any Treaſon or Felony by them done,or hereafter to be done,whether they be married or ſole, that they thereof ſhall be brought to anſwere,and put to anſwere and iudged before ſuch Iudges & Peeres of the realm, as Peeres of the Realme ſhould be,if they were endited or impeached of ſuch Treaſons or Felonies done,or hereafter to be done,and in like maner and forme,and in none otherwiſe.

Magna Charta cap.29.

The order of triall of Ducheſſes,Counteſſes or Baroneſſes, being indited of Treaſon or Felony.

Cap. X.

Euery yeare during foure yeares foure Wardens of Worſted Weauers ſhall be choſen to doe right and make due ſearch of Worſteds in Norwich,and two in Norfolke: And of what length and breadth all ſorts of Worſteds made in Norwich and Norfolke,ſhall be. Exp.23.H.6.4. St. 7.Ed.4.1.

Cap. XI.

A repeale of ſo much of the Stat.of 2.Hen.5.6. as maketh the breaking of Truce and ſafe conduits high Treaſon. Exp.

Cap. XII.

There ſhall be a reformation of the partition of mony ariſing be the ſale of Wools and Woolfels,by the Maior and Conſtables of the Staple of Calice,during ſeuen yeares next. Exp.

Statutes made at Weſtminſter, *Anno viceſimo tertio Hen.ſexti, & Anno Domini* 1444.

AT the Parliament holden at Weſtminſt.the xxv. day of February, the xxiij.yeare of the raigne of King HENRIE the ſixt after the Cõqueſt The ſame our Lord the K.by the aduice and aſſent of the Lords ſpirituall and temporall,and the Commons being in the ſaid Parliament, by the authoritie of the ſame Parliament made to be ordained and ſtabliſhed diuers Ordinances and Statutes in the maner and forme following.

Cap. I.

The name of Purueiors turned into Buyers.

FIrſt,whereas in the Parliament holden the xxxvj.yeare of King Edward the third, for the grieuous complaints made againſt Purueyors of victuals, it was ordained and eſtabliſhed,

Stat.36.Ed.3.2.
No purueiance but for the king.
Ready paiment ſhall be made.
The name of Purueyors changed and they named buyers.
By whō goods purueyed ſhall be praiſed.
Prices ſhall bee made where there is plenty.
No more ſhall be taken then is needfull for the time.
A Taker ſhall haue no deputy
The ſeale of the Commiſſion.
Reſiſtance of the Purueyors if they make not ready payment, or take for others ſauing the King, &c.
The corne takē ſhal be meaſured by the ſtrikell.
St.4.Ed.3.3.25.
Ed.3.1.11.H.7.4.
Ready payment for carriage.
Felony to take otherwiſe.

that no man of the Realme ſhould haue any takings but only the King and the Queene his companion: and that vpon ſuch purueiance to be made for the houſes of the King and the Queene, ready payment ſhould be made in hand,that is to ſay,the price for which ſuch victuals ſhould be commonly in Markets neere about: and that the hainous name of Purueyors ſhould be changed and named Buyers : and if the Buyers cannot well agree with the ſeller,for that which ſhall be needfull,then the prices that ſhall be made for the ſaid two houſes ſhall be made by the view, witneſſing and appraiſement of the Lords, or their Bailiffes and Conſtables, and foure good men of euery towne,and that by indenture to be made betwixt the buyers and the ſaid Lords or Bailiffes,Conſtables or foure men containing the quantity of the thing by them taken and the price,and of what perſons:and that the prices ſhall be made in a conuenient and eaſie manner, without dureſſe,menace, rebuke, or otherwiſe:and that the prices & buyings ſhal be made in places where there is greateſt plenty,and that in conuenient time:and that there be no more taken then ſhall need for the ſeaſon for the ſaid two houſes:and that the number of the ſaid buyers ſhall be abated,in as much as a man may well:and that ſuch be buyers which ſhall be ſufficient to anſwer to the King and to his people,and that none of them ſhall haue a deputy:and that the Commiſſions ſhall be ſealed with the great ſeale,and euery halfe yeare returned into the Chancery,& other to be made of new:and that in the ſaid Commiſſions ſhall be compriſed all the maner and matter of their prices and buyings:and that no man ſhall be bound to obey the buyers of other Lords againſt their will,nor to the buyers of the ſaid houſes,if they make not ready payment in hand as afore is ſaid:and that no man ſhall be charged for a contempt becauſe of diſobedience done in this behalfe:and that the prices of all maner of Corne and Malt, for the ſaid two houſes ſhall be meaſured by the meaſure according to the Standard ſtriken and not heaped : and for the carriage of the Corne and Malt,and for all other maner of prices and buyings to be made for theſe two houſes,ready paiment ſhall be made in hand in the ſame manner as for the prices and buyings aforeſaid : and that no more carriage be taken then ſhall be needfull in this behalfe: and if any buyer make any prices and buyings,or be taker of carriage,in any other maner then is compriſed in their Commiſſions,the yſhall haue puniſhment of life and of member as is ordained of Purueyors.

Cap. II.

In what caſe the Kings Purueiors may be reſiſted.

No Purueyor ſhall take or forbeare for fauour or malice.
A Taker ſhall make a particular accompt of each thing takē.

ITem, that no buyer of vitaile,or taker of carriage,ſhall take or receiue of any man any gift or other pleaſure,to ſhew any fauour,or ſhall charge or grieue any man in reſpect of ſuch takings,buyings and carriages for hatred,enuie,euill will,or procurement: and if he doe and thereof be attainted at the ſuit of the party,he ſhal yeeld to the party his treble damages,and ſhal haue impriſonment of two yeares,and ſhall be ranſomed at the Kings will, and after ſhall forſweare the Court : And if the party will not ſue, he that will ſue for the King ſhall haue the third peny of that which ſhall be recouered for his labour,and neuertheleſſe the buyer and taker ſhall haue the puniſhment as afore is ſaid in the ſame article, And that euery buyer vpon his account ſhall cauſe to be declared,and ſeuerally diſtinguiſhed the takings and buyings,of euery County,towne or perſon : Our ſaid Lord the King that now is, conſidering the premiſſes, hath ordained and commanded by authoritie of this ſaid Parliament,that the ſaid ſtatutes from henceforth ſhalbe duely kept and put in execution,and alſo hath ordained by the ſame authority that euery Purueior and buyer before they ſhall haue any Commiſſion,ſhall be ſworne in the Chancery that he ſhall take nothing of the people contrary to the ſaid Ordinances.

A rehearſall and confirmation of the Stat of 36.Ed 3.2.

The Takers Oath.

Reſiſtance of the Takers.

Two ſeuerall remedies for the party wronged by the Takers.
The remedy if the Kings officer doe trouble him which ſeeketh lawfull reuenge.

And moreouer,becauſe the poore people be not able,nor dare make reſiſtance againſt the Purueiors and buyers,nor ſue them by the law though that they doe contrary to the ſaid Statutes, it is ordained by the ſame authority that the Praiſors,& alſo all the towne or townes adioining if need be,ſhall be bound to doe their endeuour and power to reſiſt the buyers and Purueiors, doing contrary to the ſaid Statutes,and as much as in them is,to execute the ſaid Statutes vpon the ſame Purueyors,if they be required,and that he which is grieued for his goods taken contrary to the ſaid Statutes and Ordinances,may chooſe to haue an action of debt againſt the ſaid Praiſors,towne or townes,and euery of them,which doe not their induſtry in reſiſtance of the ſaid Purueiors or buyers in the forme aforeſaid,when they ſhall be required,or elſe againſt the ſaid Purueiors or buyers,and euery of them,to rcouer the treble value of his goods ſo taken, and moreouer his coſts and his treble damages. And if any Purueior,or other the Kings officer doe trouble or vexe any of the Kings liege people in the Marſhalſey, or elſewhere, by any euill ſuggeſtion,or cauſe fained,imagined or coloured vpon them in reſpect of execution of the ſaid Ordinances,he ſhall incurre the paine of xx.li.to be paid to the party grieued, ouer his damages and coſts in this behalfe ſuſtained : And that he thereupon ſhall haue a writ of debt, and that euery iſſue triable in this action, ſhall be tried in the County where the taking of the ſaid goods was made,and that the defendants in all the ſaid caſes ſhall not be admitted to wage their Law , and ſhall be put to anſwere without fourching,and no eſſoine,aid of the King,nor protection ſhall bee to them allowed: and that the Serieant of the Catery ſhall ſatiſfie all the damages, debts, and executions which ſhould be recouered againſt euery Purueyor and buyer vnder him in all the caſes aforeſaid, if the Purueior or buyer be not ſufficient to ſatiſfie: and the party complainant ſhall haue a Scire facias to haue execution againſt the ſaid Serieants in that caſe: and that theſe Statutes and Ordinances ſhall be ſent to the Iuſtices of the Peace in euery County to proclaim them euery yeare, and thereof to enforme the people.

The Serieant of the Catery ſhall anſwere for ſome Takers his inferior officers.

Cap. III.

Whoſoeuer ſhall packe or ſhip Thrummes, or threeds to paſſe beyond the Seas, during three yeares next comming, ſhall forfeit the ſame or the value. Exp. St.8.*H*.6.23.

Cap. IIII.

Foure Wardens of Worſted Weauers ſhall be choſen yearely during three yeares next comming, within the citie of Norwich, and other foure within the County of Norfolke, which ſhall ſet downe orders for the true making of Worſteds within Norwich and Norfolke and Suffolke. Exp. Stat.7.Ed.4.1.20.Hen.6.10.

Cap. V.

Welſhmen indited of Treaſon or Felony, that doe repaire into Herefordſhire, ſhall be apprehended and impriſoned, or elſe purſued by Huy and Cry. And a forfeiture of thoſe which doe not purſue them. Alt.27.*H*.8.26. Ob.

Cap. VI.

A rehearſall of the Statute of 15.Hen.6.2. touching licence to tranſport Corne, when Wheat doth not exceed vj.s.viij.d. the quarter, and Barley iij.s.iiij.d. and the ſame Statute made perpetuall. Alt.1.Iac.25. 21.Iac.28. and 3.Car 4.

Cap. VII.

The gathering of headpence by the Sheriffe of Northumberland, ſhall ceaſe.

ITem, whereas the poore Commons and the Kings faithfull liege people of his County of Northumberland, haue beene of long time oppreſſed and ſurcharged by the Sheriffes of the ſaid County for the time being, leuying or cauſing to be leuyed of their goods and cattels, to the ſumme of xl.li. and more called headpence, two times in ſeuen yeares, that is to ſay, euery third yeare, and euery fourth yeare, to their owne auaile, without any account, profit or aduantage to the King, and without any lawfull cauſe or ground but of their great extortion, which cauſeth diuers men to labour and expend great goods to be Sheriffe, when the ſaid yeares come, to the great oppreſſion of the ſaid Commons. Our Lord the King conſidering the premiſſes, hath ordained ⁊ granted by the authority aforeſaid, that the ſaid gathering of the ſaid headpence, ſhall be clearly put out for euer, any vſe or cuſtome to the contrary notwithſtanding, vpon paine of an C.li. to be payed, the one half of the ſame to the King, and the other halfe to the party which will ſue for the forfeiture againſt the Sheriffe. This ordinance to begin at the Feaſt of the Natiuity of S. Iohn Baptiſt, which ſhall be in the yeare of our Lord M.CCCC.xlvj.

The gathering of Headpence by the Sheriffe of Northumberland ſhall ceaſe.

Cap. VIII.

No man ſhall be Sheriffe, Underſheriffe, &c. aboue a yeare.

ITem, whereas King Edward the third, for diuers and ſpeciall cauſes, in his Parliament holden at Weſtminſter, the Wedneſday next after midlent, the xiiij. yeare of his Raigne, for that ſeuerall Sheriffes in diuers Counties in England then being, had their offices ſome for terme of yeares of the Kings grant, and ſome truſting of longer continuance in their offices, by procurement, ⁊c. were greatly encouraged, and did take vpon them to doe many and diuers oppreſſions to the Kings liege people, vnduely, and euill and falſely to ſerue the King and his people: did ordain and eſtabliſh that no Sheriffe ſhould tarry and abide in his office aboue a yeare, and that then another meet and ſufficient man ſhould be aſſigned in his place by the Chanceller ⁊ Treaſurer of England, and the chiefe Baron of the Exchequer and other, euery yeare in the morrow of All ſoules, as it appeareth in the ſaid Statute: and after the ſaid Statute ſo made, by another Statute made at Weſtminſter in the Parliament of the ſaid King, holden the firſt day of May, the xlij. yeare of his raigne, he ordained and made that no ſheriffe nor vnderſheriffe, nor ſheriffes Clerk, ſhould tarry and abide in his office ouer one year, as it is ordained by other Statutes before this time, as it appeareth more plainly by the ſaid Statute of the ſame xlij. yeare: ⁊ moreouer by another Statute made at Weſtminſter, the xv. of Saint Michael, the firſt yeare of the Raigne of King Richard the ſecond, it was ordained and made, that no man which hath beene Sheriffe of any County by one whole year, ſhal be another time choſen nor put in the ſaid office within three yeares next enſuing, except that there be not other ſufficient within the ſaid County

Stat.14.Ed.3.7.

Stat.42.Ed.3.9.

Stat 1.R.2.11.

A confirmation of the Statutes of 14.Ed.3.7.42. Ed.3.9.and 1.R.2.11. that no man ſhall be Sheriffe aboue one yeare, &c. St.28.Ed.3.7.

The penalty for occupying the ſheriffewicke aboue one yeare. Raſt.pla.fo.202. ALT.12. E.4.8.

All patents made to any to be Sheriffe aboue a yeare, ſhall be void.

Who ſhall take the benefit of the forfeiture.

2.H.7.fol.6.

as it appeareth more plainly by the ſaid Statute of King Richard: And whereas in diuers counties in England after the making of the ſaid Statutes, many and ſeuerall Sheriffes haue béene made, and haue occupied within the ſaid Counties ſome ten yeares, and ſome twelue yeares and more, to the great damage of the King that now is, his progenitors, and their people within the ſaid Counties, contrary to the ſaid Statutes, & all other good rule, and very like in time to come to be to their importable damage, and open diſheriſon, and vpholding of manſlaughter, periury, and great oppreſſion to many of the Kings liege people, conſidering the great conſanguinity, aliance and familiars of the Sheriffe, as well of them as haue béene before this time, as of them which now be in the ſaid Counties: Our ſaid Lord the King, conſidering the premiſſes, hath ordained by the authority aforeſaid, that the Statutes before recited, and euery of them, ſhall be duely obſerued in euery County of England. (The Vnderſheriffes and all other officers within the Citie of London, which now be or ſhall be, at all times excepted, And ſuch Counties onely except in which diuers of the Kings liege people be inheritable to the office of Sheriffes at this day, and alſo ſuch perſons as haue eſtate of fréehold in the office of Sheriffes at this day, and except, the letters patents made to them of the office of ſheriffes, and their vnderſheriffe & Clerks.) And if any Sheriffe or Vnderſheriffe, or Sheriffes Clerke, occupy the office of Sheriffe, Vnderſheriffe, or Sheriffes Clerke, contrary to any of the Statutes afore recited, or againſt the effect or intent of any of them (except before excepted) that then he which doth ſo occupy, ſhal forfeit the ſumme of CC.li. yearely as long as he occupieth contrary to the effect of the ſaid Statutes. And that euery pardon hereafter to be made for ſuch offence or occupation, or forfeiture of ſummes before recited, ſhall be void and not auailable, and all patents made or to be made of any of the ſaid offices for terme of years, for terme of life, or in fée ſimple, or in fée taile, to any of the kings liege people (except before excepted) ſhall be void and of no value by the ſame authority, any clauſe or word of Non obſtante, in any wiſe put or to be put in ſuch patents to be made notwithſtanding. And moreouer, whoſoeuer will take vpon him or them to haue or occupy the ſaid office of Sheriffe, by vertue of ſuch grants or patents now to be made for terme of yeares, for terme of life, fée ſimple, or fée taile, ſhall ſtand for euer and at all times diſabled to be or beare the office of Sheriffe within any County in England by the ſame authority. And that euery liege man, which will ſue for the ſaid ſumme forfeit againſt him or them, which in ſuch maner doth forfeit or ſhall forfeit, ſhall be receiued and admitted to ſue an action of debt in his owne name, Our Lord the King to haue the one halfe of all that ſhal happen by the ſame action to be recouered by ſuch ſuit, and he or they that ſo purſueth, to haue the other halfe. *St.29.H.6.2. 6.H.8.28.*

CAP. IX.

The Chanceller of England may grant Commiſſions of Sewers, during xv. yeares. Exp.

CAP. X.

No Sheriffe ſhall let to farme his County or any Bailiwicke. The Sheriffes and Bailiffes fees and duties in ſeuerall caſes.

No ſheriffe ſhall let to farme his County or any Bailiwicke, Hundred or Wapentake. Stat.4.H.4.5. None of the ſheriffes officers ſhall be returned vpon Enqueſts.

The ſheriffe and his Bailiffes fees for arreſts and attachments. Raſt.pla.fo.318. Coke pla.365.

The Sheriffes and officers fee for the copie of a Panell St.3.E.1.26.

What ſort of perſons the ſheriffe and his officers may let out of priſon to mainpriſe, and what not. Fitz N.B.f.251.B.

20.H.7.fol.13.
21.H.7.fo.16.

Kel.fo.101.

21.H.7.fo.16.

Dyer.fol.119.

ITem, the King conſidering the great periury, extortion and oppreſſion which be and haue béen in this Realme by his Sheriffes, Vnderſheriffes and their Clerkes, Coroners, Stewards of Franchiſes, Bailiffes and kéepers of priſons, and other officers in diuers counties of this realm hath ordained by authority aforeſaid, in eſchewing of all ſuch extortion, periury and oppreſſion, that no Sheriffe ſhall let to farme in any maner his County, nor any of his Bailiwickes, Hundreds, nor Wapentakes, nor that the ſaid Sheriffes, vnderſheriffes, Bailiffes of Franchiſes, nor any other Bailiffe, ſhall returne vpon any writ or precept to them directed to be returned, any enqueſts in any panell thereupon to be made, any Bailiffes, Officers, or ſeruants to any of the Officers aforeſaid, in any panel by them ſo to be made, nor that any of the ſaid Officers and Miniſters, by occaſion or vnder colour of their office, ſhall take any other thing by them nor by any other perſon to their vſe, profit, or auail of any perſon by them or any of them to be arreſted or attached, nor of any other of them, for the omitting of any arreſt or attachment to be made by their body, or of any perſon by them or any of thẽ by force or colour of their office arreſted or attached for fine, fée, ſuit of priſon, mainpriſe, letting to baile, or ſhewing any eaſe or fauour to any ſuch perſon ſo arreſted or to be arreſted for their reward or profit, but ſuch as follow, that is to ſay, For the Sheriffe twenty pence, the Bailiffe which maketh the arreſt or attachment foure pence, and the Gaoler, if the priſoner be committed to his Ward, foure pence. And that the Sheriffe, vnderſheriffe, Sheriffes Clerke, Steward, or Bailiffe of Franchiſe, ſeruant or Bailiffe, or Coroner ſhall not take any thing by colour of his office by him nor by any other perſon to his vſe of any perſon for the making of any returne or panell, and for the copy of any panell, but iiij.d. And that the ſaid Sheriffes and all other Officers and Miniſters aforeſaid, ſhall let out of priſō all maner of perſons by them or any of them arreſted, or being in their cuſtody by force of any writ, bill, or warrant, in any action perſonall, or by cauſe of inditement of treſpaſſe, vpon reaſonable ſureties of ſufficient perſons, hauing ſufficiẽt within the Counties where ſuch perſons be ſo let to baile or mainpriſe,to keepe their daies in ſuch places as the ſaid writs, bills,or warrants ſhall require. (ſuch perſon or perſons which be or ſhall be in their Ward by condemnation, execution, Capias vtlagatum or excommunicatum, ſurety of the peace,and all ſuch perſons, which be or ſhall be committed to ward by ſpeciall commandement of any Iuſtices,and vacabonds refuſing to ſerue according to the forme of the Statute of Labourers onely except.) And that no Sheriffe,nor any of his Officers or Miniſters aforeſaid,ſhall take or cauſe to be taken, or make any obligation for any cauſe aforeſaid, or by colour of their office, but onely to themſelues of any perſon, nor by any perſon which ſhall be in their Ward by the courſe of the Law, but by the name of their office, and vpon condition written, that the ſaid priſoners ſhall appeare at the day contained in the ſaid writ,bill,or warrant,and in ſuch places,as the ſaid writs,bils,or warrants ſhall require. And if any of the ſaid Sheriffes or other Officers or Miniſters aforeſaid take any obligation in other forme by colour of their offices,that it ſhall be void. And that he ſhall take no more for the making of anyſuch Obligation,Warrant,or Precept by them to be made, but foure pence. And alſo that euery of the ſaid Sheriffes ſhall make yearely a deputy in the Kings Courts of his Chancery,the Kings Bench,the Common Place,and in the Exchequer of Record, before that they ſhall returne any Writs,to receiue all maner of Writs and Warrants to be deliuered to them: And that all Sheriffes,Vnderſheriffes,Clerkes, Bailiffes, Gaolers, Coroners,Stewards,Bailiffes of franchiſes or any other officers or miniſters which doe contrary to this Ordinance in any point of the ſame, ſhall loſe to the party in this behalfe indamaged, or grieued his treble damages,and ſhall forfeit the ſumme of xl.li. at euery time that they or any of them doe the contrary thereof in any point of the ſame,whereof the King ſhall haue the one half to be imployed to the vſe of his houſe,and in no otherwiſe, and the party that will ſue the other halfe. And that the Iuſtices of Aſſiſes in their Seſſions, Iuſtices of the one Bench and of the other, and Iuſtices of Peace in their County ſhall haue power to enquire, heare and determine of office without ſpeciall Commiſſion, of and vpon all them that doe contrary to theſe Ordinances in any article or point of the ſame. And if the ſaid Sheriffes returne vpon any perſon Cepi corpus or Reddidit ſe that they ſhall be chargeable to haue the bodies of the ſaid perſons at the daies of the returnes of the ſaid Writs,Bils,or Warrants,in ſuch forme as they were before the making of this Act.

Plow.fol 60.

What obligation and in what forme the Sheriffe ſhall take of them which he doth let to baile for their appearance.

Coke li.10.f.101.
37.H.6.fol 1.
Plow fol.60.
Dyer fol.118.
322.364.
7.Ed.4.fol.5.
Coke li.3.fo.59.
lib.10.fol 99.

The Sheriffes fee for an obligation,warrant or precept.

The Sheriffe ſhall make Deputies in the Kings Courts.
Raſt pla.fol.371.
Stat.31 El 9.

The forfeitures of the offenders and who ſhall haue them.

Which Iuſtices may enquire of, heare and determine the offences aforeſaid.

The Sheriffe returning Cepi Corpus or Reddidit ſe.

Dyer fol.25.

Prouided alwaies,that the Warden of the Kings gaole of the Fleet,and of the Kings Palace of Weſtminſter for the time being,ſhall not be endamaged nor preiudiced by this Ordinance in the duety of his office. And alſo that this Ordinance ſhall begin at the Feaſt of Eaſter,which ſhall be in the yeare of our Lord M.CCCC.xlvj. Coke li.4.fo.76. Dyer fol.119.

The Warden of the Fleet,and of the Palace at Weſtminſter.

Cap. XI.

The order of leuying the wages of the Knights of the Parliament.

ITem, whereas before this time diuers Sheriffes in diuers Counties of England by colour of writs to them directed,to leuy the wages of the Knights of the Shires for the time being of the Parliament of the King that now is,and of his noble progenitors,haue leuyed more money then hath beene due to the ſaid Knights,and more then they haue deliuered,keeping and retaining great part of the money to their owne vſe and profit,to their officers and ſeruants to the great loſſe of the common people of the ſaid Counties. The King conſidering the premiſſes, hath ordained by the authority aforeſaid, that the Sheriffe of euery County for the time being, in the next County Court holden in their Counties,after the deliuery of the ſaid writs directed to them ſhall make open Proclamation, that the Coroners and euery chiefe Conſtable of the Peace of the ſaid Counties,and the Bailiffes of euery Hundred or Wapentake of the ſame County, and alſo other which will be at the aſſeſſing of the wages of the Knights of the Shires ſhal be at the next Countie there to be holden to aſſeſſe the ſaid wages of the ſaid Knights. And that the Sheriffe,Vnderſheriffe,Coroners,or Bailiffes for the time being,be there at the ſame time in their proper perſon,vpon paine of forfeiture to the King of euery of them that maketh default, fortie ſhillings. At which time the ſaid Sheriffe or Vnderſheriffe in the preſence of them that ſhall come to the ſame,and of the ſutors of the ſame Counties then being there in the full County,well and duely ſhall aſſeſſe euery hundred to that aſſeſſable by it ſelfe, to pay a certaine ſumme for the wages of the Knights of the Shire,ſo that the whole ſumme of all the hundreds doe not exceed the ſumme which ſhall be due to the ſaid Knights. And after that in the ſame County they ſhal aſſeſſe well and lawfully, euery Village within the ſaid Hundreds, which ſhould be there aſſeſſable to a certaine ſumme for the payment of the ſaid wages, ſo that the whole ſumme of all the townes within any of the ſaid hundreds doe not exceed the ſumme aſſeſſed vpon the hundred of which they be. And that the ſaid Sheriffes,Vnderſheriffes,Bailiffes,nor any other officer, for the cauſe aforeſaid ſhal leuy more money of any Village then that whereunto they were aſſeſſed: and if any doe,or will aſſeſſe any hundred or village, otherwiſe then is aforeſaid, that they ſhall forfeit for euery default to the King twenty pound, and to any man which will ſue in this caſe tenne pound.

The order of the leuying of the wages of the Knights of the Shire,for the Parliament.

The penaltie of the Sheriffe or his officers which doe leuy more money then is aſſeſſed.

7.H.6,fol 35.
Fitz.Auowry.260.

11.H.4.fol.5

And that the ſaid Sheriffes well and duely ſhall leuy the money ſo aſſeſſed vpon the aforeſaid Villages, as ſpeedily as they well may after the ſaid aſſeſſing, and the ſame ſhall deliuer to the ſaid Knights, according to the writs thereof to be made vpon the ſaid penalties. And he that will ſue in this caſe, ſhall be thereunto admitted, and ſhall haue for his action in this caſe a Scire facias, againſt him that offendeth contrary to this Ordinance, & if the defendant duly warned in the ſame make default, or elſe appeare and be in the ſame conuict, that then the Plaintiffes ſhall recouer againſt them which be ſo conuict, ten pound to their owne vſe, ouer the ſaid twenty pound, with their treble damages for the coſts of their ſuits.

Who may proſecute ſuit againſt the offenders, & by what writ.

Who may enquire of, heare, & puniſh the offenders aforeſaid.

And the Juſtices of the Kings Bench, and of the Common place, Juſtices of Aſſiſes, and goal deliuery, and Juſtices of Peace in their countrey, ſhall haue power to enquire, heare, and determine of all the ſaid defaults, as well by enquiry at the Kings ſuits, as by action at the ſuit of the parties. And that all ſuch expences of Knights ſhall not be leuied of any other Villages ſeigniories or places, but of ſuch, whereof it hath béene leuyed before this time.

The Knights wages ſhall bee leuyed but in ſuch places where they haue beene.

And that in euery ſuch Writ from henceforth to be made to leuy the wages of the ſaid Knights, This Act ſhall be comprehended in the ſame. Regiſt.fol.192. Raſt.pla.fol.595. Fitz. Auowrie.260. St.35.H.8.11.

Cap. XII.

The Triall ſhall be made when the tenant or defendant: after an iſſue ioined, pleadeth a forraine plea, where the ſame writ is brought, and by the Iury ſo returned. Exp.

Cap. XIII.

A Seruant in husbandrie purpoſing to depart from his maſter, muſt giue him halfe a yeares warning, or elſe he ſhall ſerue him the yeare following. The ſeuerall wages of ſeruants in husbandry, and of labourers, with meat and drinke, and without. Rep.5.El.4.

Cap. XIIII.

The penaltie of a Subiects taker, taking any thing without the owners conſent.

The penalty if a Subiects Cator or other, doe take any thing againſt the owners will.

ITem, the King hath ordained and ſtabliſhed by the authoritie aforeſaid, that if any buyer or other officer of the Duke of Glocester, or of any other Lord or perſon of what eſtate, degrée, or condition that he be, preſume vpon him to take, or elſe doe take any victuals, corne, hay, cariages, or any other thing whatſoeuer, of any of the Kings liege people in any wiſe againſt their will, without lawfull bargaine betwixt the ſaid buyers or officers, and the ſaid liege people thereof to be made, to the vſe of the ſaid Duke or other Lord for their houſes, but only for the King and the Quéene, and their houſes, that then if notice or requeſt be made to the Maior, Sheriffe, Bailiffe, Conſtable, Officers, or other of the Kings Miniſters of Cities and Boroughs, or other Counties or places where ſuch taking ſhall happen to be, that then the ſaid Maior, Sheriffe, Conſtable, Officer and miniſter, to whom ſuch notice and requeſt ſhall be made, preſently ſhall take & arreſt all ſuch buyers and officers ſo doing or offending, and them ſhall ſend to the Kings next priſon, there to remaine and not to be let to baile nor mainpriſe, vntill they haue redeliuered the ſaid victuals, cariages, and other things ſo taken, or the very value of the ſame. And if the ſaid Maior, Sheriffes, Bailiffes, Conſtables, and Officers aforeſaid doe contrary to this, that then they ſhall forfeit twentie pound, whereof the King ſhall haue the one halfe, and the party from whom ſuch things be taken, the other halfe, if he will ſue by an action of debt, in the which the defendant ſhall not wage his Law: and if he will not ſue, whoſoeuer will ſue for the King and himſelfe ſhall haue the ſuit to recouer to himſelfe the one halfe therof, & the King the other halfe: And if any of the ſaid buyers, other then of the King and the Quéene, be duely conuict of ſuch vnlawfull taking (as afore is recited) at the ſuit of ſuch parties as ſhall ſue them in this behalf, that then they ſhall yéeld to the partie which ſo ſueth the treble value of the vitailes, or other thing ſo taken, and the double coſts of their ſuits, and for the ſaid treſpaſſe to make fine and ranſome to the King. And that in all ſuch actions or ſuits aforeſaid the Kings protection ſhall not be allowed nor auaileable for the defendant. And this Ordinance ſhall begin to take effect at the Feaſt of Eaſter which ſhall be in the year of our Lord, one thouſand foure hundred forty and ſixe. Prouided alwaies that by this Act the puniſhment ordained againſt the Kings purneyors in no wiſe ſhall be reſtrained. Stat.36.Ed.3.6. 7.R.2.8.

Plow.fo.
Dyer fo.

The forfeiture of Officers which will not aſſiſt the oppreſſed in this caſe.

Cap. XV.

Who ſhall be Knights for the Parliament. The maner of their election. The remedie where one is choſen and another returned.

Sta.1.H.5.11

ITem, wheras by authoritie of a Parliament holden at Weſtminſt. the firſt yeare of the raign of King Henry, father to the King that now is, amongſt other things it was ordained, that the Citizens and Burgeſſes of Cities, and Boroughs, comming to the Parliament, ſhould be choſen men, Citizens and Burgeſſes reſiant, abiding and free in the ſame Cities, & Boroughs, and none other, as in the ſame Statute more fully is contained, which Citizens, and Burgeſſes haue alwaies in Cities and Boroughs, beene choſen by Citizens and Burgeſſes, and no other, and to the Sheriffe of the Counties returned, and vpon their returnes receiued and accepted by the Parliament before this holden. And alſo whereas by authoritie of a Parliament holden at Weſtminſter, the eight yeare of the raign of the King that now is, it was ordained in what maner and forme the Knights of the Shires comming to the Parliaments from thenceforth to be holden ſhould be choſen, and how the Sheriffes of the ſame Counties thereupon ſhould make their returnes, as in the ſame Statute more fully appeareth: by force of which Statute elections of Knights to come to the Parliaments ſometime haue beene duely made and lawfully returned, vntill now of late that diuers Sheriffes of the Counties of the Realme of England, for their ſingular auaile and lucre, haue not made due elections of the Knights, nor in conuenient time, nor good men and true returned, and ſometime no returne of the Knights, Citizens, and Burgeſſes lawfully choſen to come to the Parliaments, but ſuch Knights, Citizens and Burgeſſes haue bin returned, which were neuer duely choſen, and other Citizens and Burgeſſes then thoſe which by the Maiors and Bailiffes were to the ſaid Sheriffes returned: and ſometime the Sheriffes haue not returned the writs, which they had to make election of Knights to come to the Parliaments, but the ſaid writs haue imbeſiled, and moreouer made no precept to the Maior and Bailiffe, or to the Bailiffes or Bailiffe, where no Maior is of Cities and Boroughes, for the election of Citizens and Burgeſſes to come to the Parliament, by the colour of theſe words contained in the ſame writs: Quod in pleno comitatu tuo eligi facias pro comitatu tuo duos milites, & pro qualibet ciuitate in comitatu tuo duos ciues, & pro quolibet burgo in comitatu tuo duos burgenſes, & alſo becauſe ſufficient penaltie and conuenient remedy for the party in ſuch caſe grieued is not ordained in the ſaid Statutes againſt the Sheriffe, Maiors, and Bailiffes, which do contrary to the forme of the ſaid Statutes: The King conſidering the premiſſes, hath ordained by authority aforeſaid, that the ſaid Statutes ſhall be duely kept in all points: and moreouer, that euery Sheriffe, after the deliuery of any ſuch writ to him made, ſhall make and deliuer, without fraud, a ſufficient precept vnder his ſeale, to euery Maior and Bailiffe, or to Bailiffes or Bailiffe where no Maior is of the Cities and Boroughs, within his Countie, reciting the ſaid writ, commanding them by the ſame precept, if it be a City, to chuſe by Citizens of the ſame City Citizens, and in the ſame manner and forme, if it be a Borough, by the Burgeſſes of the ſame to come to the Parliament. And that the ſame Maior and Bailiffes, or Bailiffes or Bailiffe where no Maior is, ſhall returne lawfully the precept to the ſame Sheriffes, by indentures betwixt the ſame Sheriffe and them to be made of the ſaid elections, and of the names of the ſaid Citizens and Burgeſſes, by them ſo choſen, and thereupon euery Sheriffe ſhall make a good and rightfull returne of euery ſuch writ, and of euery returne by the Maiors and Bailiffes, or Bailiffes or Bailiffe, where no Maior is, to him made. And that euery Sheriffe at euery time that he doth contrary to this ſtatute or any other ſtatutes for the election of Knights, Citizens and Burgeſſes, to come to the Parliament before this time made, ſhall incurre the paine contained in the ſaid ſtatute made the ſaid eight yeare, and moreouer ſhall forfeit and pay to euery perſon hereafter choſen Knight, Citizen or Burgeſſe in his Countie, to come to any Parliament, and not duly returned, or to any other perſon, which in default of ſuch Knight, Citizen or Burgeſſe will ſue, an hundred pound, whereof euery Knight, Citizen and Burgeſſe ſo grieued ſeuerally, or any other perſon which in their default will ſue, ſhall haue his action of debt againſt the ſaid Sheriffe, or his Executors or Adminiſtrators, to demand and haue the ſaid hundred pound, with his coſtes ſpent in that caſe. And that, in ſuch action taken by vertue of this ſtatute, the defendant ſhall not wage his law of the demand aforeſaid in any wiſe, and that no defendant in ſuch action ſhall haue any eſſoine. And in the ſame manner at euery time that any Maior and Bailiffes, or Bailiffes or Bailiffe, where no Maior is, ſhall returne other then thoſe which be choſen by the Citizens and Burgeſſes of the Cities or Boroughes, where ſuch elections be, or ſhall be made, ſhall incurre and forfeit to the King fortie pound: and moreouer ſhall forfeit and pay to euery perſon hereafter choſen Citizen or Burgeſſe to come to the Parliament, & not by the ſame Maior and Bailiffes, or Bailiffes or Bailiffe, where no Maior is, returned, or to any other perſon, which in default of ſuch Citizen or Burgeſſe ſo choſen will ſue, fortie pound, whereof euery of the Citizens and Burgeſſes ſo grieued ſeuerally, or any other perſon which in their default will ſue, ſhall haue his action of debt againſt euery of the ſaid Maior and Bailiffes, or Bailiffes or Bailiffe, where no Maior is, againſt their Executors or Adminiſtrators, to demand and haue of euery of the ſaid Maiors and Bailiffes, or Bailiffes or Bailiffe, where no Maior is, fortie pound, with his coſtes in this caſe expended. And that in ſuch action of debt taken by force of this ſtatute, no defendant in any wiſe ſhall wage his law of the ſaid demand, nor haue any eſſoine.

Stat.8.H.6.7.

The ſeuerall defaults of Sheriffes in returning of Knights, Citizens or Burgeſſes, to come to the Parliament.

The Sheriffes precept to Maiors and Bailiffes of Cities and Boroughes to chuſe Citizens and Burgeſſes to come to the Parliament.

Plow. fo.118.
Dyer fo,113. 168.

The penaltie of a Sheriffe making an vntrue returne concerning the election of Knights or Burgeſſes to come to the Parliament.
St.11.H.4.1.
Raſt pla. fo.410.

The penaltie of Maiors or Bailiffes making vntrue returnes touching the election of their Citizens or Burgeſſes.

And that euery Sheriffe that maketh not due election of Knights to come to the Parliament in conuenient time, that is to ſay, euery Sheriffe in his full Countie betwixt the houre of eight, and the houre of eleuen before noone, without colluſion in this behalfe: And that euery Sheriffe

At what time of the day the Knights for the Shire ſhall be choſen.

that maketh not good and true returne of ſuch elections of Knights to come to the Parliament in time to come, as to them pertaineth in manner and forme aforeſaid, ſhall forfeit to the King an hundred pound, and alſo ſhall incurre the paine of a C.li. to be paid to him that will ſue againſt him, his executors or adminiſtrators for this cauſe by way of action of debt, with his coſts in this behalfe expended, without waging of law of his demand, or hauing eſſoine as afore is ſaid.

The party grieued ſhall beginne his ſuit within three moneths after the Parliament begunne.

The penalty if any choſen to be Knight, Citizen or Burgeſſe be put out and another put in his place.

What ſort of perſons ſhall be choſen Knights of the Shires.

Prouided alwaies, that euery Knight, Citizen and Burgeſſe to come to any Parliament hereafter to be holden in due forme choſen and not returned, as afore is ſaid, ſhall begin his action of debt aforeſaid, within thrée moneths after the ſame Parliament commenced, to procéed in the ſame ſuit effectually without fraud, and if he ſo doe not, another that will ſue ſhall haue the ſaid action of debt (as it is before ſaid) and ſhall recouer the ſame ſumme with his coſts ſpent in this behalfe, in manner and forme aforeſaid: ſo that no defendant in ſuch action ſhall wage his law, nor be eſſoined in any wiſe as afore is ſaid. And if any Knight, Citizen or burgeſſe hereafter returned by the Sheriffe to come to the Parliament, in the manner aforeſaid, after ſuch returne be by any perſon put out, and another put in his place, that ſuch perſon ſo put in the place of him which is out, if he take vpon him to be Knight, Citizen or Burgeſſe, at any Parliament in time to come, ſhall forfeit to the King an hundred pound, and an hundred pound to the Knight, Citizen or Burgeſſe ſo returned by the Sheriffe, and after, as afore is ſaid, put out. And that the Knight, Citizen or Burgeſſe which is ſo put out, ſhall haue an action of debt of the ſame. C. li. againſt ſuch perſon put in his place, his executors or adminiſtrators. Prouided alwaies that he ſhall begin his ſuit within thrée moneths after the Parliament commenced. And if he doe not, then he that will ſue, ſhall haue an action of debt of the ſame C.li. againſt him, which is put in place of him that is ſo put out after ſuch returne, his executors or adminiſtrators, and that no defendant in ſuch action ſhall wage his law, nor be eſſoined: & that ſuch proceſſe ſhall be in the actions aforeſaid, as in a writ of treſpaſſe done againſt the Peace at the Common law. So that the Knights of the Shires for the Parliament hereafter to be choſen, ſhall be notable Knights of the ſame Counties, for the which they ſhall be choſen, or otherwiſe ſuch notable Eſquires, or Gentlemen borne of the ſame Counties, as ſhall be able to be Knights: and no man to be ſuch Knight, which ſtandeth in the degrée of a Yeoman, and vnder.

Cap. XVI.

The dutie of a Ganger, and when he ſhall haue it.

Whē the gauge penny ſhall be paid to the Gaugeour.

St. 27. Ed. 3. 8.

ITem, the King hath ordained and eſtabliſhed by the authoritie aforeſaid that the peny, which is called the Gauge peny, ſhal not be paid to the Gaugeour, nor to any other in his name, vntill he or his deputies haue Gauged the wines, and then he to take and receiue his peny for the ſame in grée, without more increaſe or aduantage to claime for it. And alſo that he or his deputie be readie to doe the office of Gaugeour in all places, when he to that by the party ſhall be required, and that to be obſerued through all the Realme of England, vpon the paine compriſed in the ſtatute made the ſeuen and twentieth yeare of the noble King Edward the third, of the gaugeing of Red wine, and White wine duely to be executed. St. 28. H. 8. 14.

Cap. XVII.

When and where an Eſcheator ſhall take his inqueſt of office, And his Fee.

Within what time and where an Eſcheator ſhall take his Enqueſts of Office.
St. 34. Ed 3. 13. 1. H. 8. 8.

An Eſcheators fee for the finding of an office

ITem, it is ordained by authority aforeſaid, that euery Eſcheator ſhall take his inqueſts of office by vertue of the writs of Diem clauſit extremum, and all other writs, within the moneth after the deliuery of ſuch writs, and alſo that all ſuch inquiſitions ſhall be taken in good Townes and open places, and that none of them ſhall take priuily nor openly by him, nor by any perſon, for the execution of any ſuch writs in one County, nor by the occaſion thereof, aboue the ſumme of ſixe ſhillings and eight pence, or thirtéene ſhillings and foure pence, or aboue, where his labour and his coſts ſhall require it, ſo that the ſumme which he ſo ſhall take, doe not excéed in the whole the ſumme of forty ſhillings, for the execution of any ſuch writ in one County: and if any Eſcheator doe contrary to any of the Premiſſes, that then he ſhall forfeit the ſumme of forty pound.

V. N. B. fo. 22.
Leaſes ſhall be made to thoſe which doe tender a Trauerſe to an Office.
St. 36. Ed. 3. 13. 8. H. 6. 16. 18. H. 6. 6.

And if any man trauerſe an office taken before any Eſcheator or Commiſſioner, and thereof hath a Scire facias againſt any patentée, that in this caſe no protection ſhall be allowed, nor allowable. And as to any grant or leaſe to be made to any perſon, which ſhall trauerſe any ſuch office, that the ſtatute in that caſe before this time made, ſhall be duely obſerued, and that the King ſhall haue the halfe of the ſaid forfeiture of forty pound, and the party which in this behalfe will ſue for the King and himſelfe, ſhall haue the other halfe of the ſame.

Cap. XVIII.

No new Impoſitions ſhall be laid vpon them which buy Wines in Gaſcoyne or Guyon, by any of the Kings officers in thoſe parts, vpon paine of forfeiture of twentie pound: and treble damages. Ob.

Statutes made at Saint Edmunds-bury, *Anno viceſimo quinto Henrici ſexti, & Anno Domini* 1447.

All Statutes made againſt Welſhmen confirmed. All grants of Markets, and Faires to any Welſhman ſhall be void, The Kings villaines in North Wales ſhall be conſtrained to ſuch labour as they haue done before. Rep. 21. Iac. 28. Stat. 27. H. 8. 26.

Statutes made at Weſtminſter, Anno 27. Hen. 6. & Anno Domini 1448.

AT the Parliament holden at Weſtminſter the twelfth day of February, the ſeuen and twentieth yeare of the raigne of our Lord King Henry the ſixt after the conqueſt, the ſame our Lord the King, by aduice and aſſent of the Lords Spirituall and Temporall, and the Commons being in the ſame Parliament, hath ordained and eſtabliſhed diuers Ordinances and Statutes in manner and forme following.

Cap. I.

If wollen Clothes made in this Realme ſhall be prohibited, and not accepted in Brabant, Holland and Zeland: then no Merchandiſe growing or wrought there within the Dominion of the Duke of Burgoine, ſhall come into England vpon paine of forfeiture thereof. Exp. St. 28. H. 6. 8.

Cap. II.

Becauſe in the raigne of King *Edward* the third, the Subſidies and Cuſtomes of the Staple of Calice were three ſcore and eight thouſand pounds yearely, and now be not aboue twelue thouſand pounds: Therefore no licence granted, or to be granted by the King, ſhall bee auailable for the carriage of Wools, Fels or Tinne to any place out of the Realme, but to Calice: And whoſoeuer doth obtaine, accept, and put in execution any ſuch Licence, ſhall be out of the Kings protection. Except, &c. Exp.

Cap. III.

Merchants Aliens ſhall beſtow all their money vpon other Merchandiſes, and carrie forth no gold nor ſiluer vpon paine of forfeiture thereof. Exp. St. 4. H. 4. 15. 5. *H.* 4. 9. 3. *H.* 7. 8

Cap. IIII.

A Rehearſall and Confirmation for three yeares of the Stat. of 20. *H.* 6. 3. prouided againſt Welſhmen that take any Engliſhmen, their goods and chattels, and carrie them into Wales. Exp.

Cap. V.

Certaine daies wherein Faires and Markets ought not to be kept.

ITem, conſidering the abominable iniuries and offences done to Almighty God, and to his Saints, alwayes aiders and ſingular aſſiſters in our neceſſities: becauſe of Faires and Markets vpon their high and principall Feaſts, as in the Feaſt of the Aſcenſion of our Lord, in the day of Corpus Chriſti, in the day of Whitſonday, in Trinitie Sunday, with other Sundayes, and alſo in the high Feaſt of the Aſſumption of our bleſſed Lady, the day of all Saints, and on good Friday, accuſtomably and miſerably holden and vſed in the Realme of England. In which principall and feſtiuall dayes for great earthly couetiſe, the people is more willingly vexed and in bodily laboure ſoiled, then in other feriall daies, as in faſtening and making their boothes and ſtalls, bearing and carrying, lifting and placing their wares outward and homeward, as though they did nothing remember the horrible defiling of their ſoules in buying and ſelling, with many deceitfull lies and falſe periury, with drunkenneſſe & ſtrifes, and ſo ſpecially withdrawing themſelues

A penalty inflicted vpon thoſe that ſhall keepe Faires or Markets vpon Sundaies.

ſelues and their ſeruants from diuine Seruice. The foreſaid Lord the King, by the aduice and aſſent of the Lords Spirituall and Temporall, and the Commons of this Realme of England, being in the ſaid Parliament, and by authority of the ſame Parliament, hath ordained that all manner of Faires and Markets in the ſaid principall Feaſts, and Sundayes, and Good-friday, ſhall clearely ceaſe from all ſhewing of any goods or merchandiſes (neceſſary victual only except) vpon paine of forfeiture of all the goods aforeſaid ſo ſhewed, to the Lord of the Franchiſe or Libertie, where ſuch goods, contrary to this ordinance, be, or ſhall be ſhewed (the foure Sundayes in Harueſt except.) Neuertheleſſe of his ſpeciall grace, by authority aforeſaid, granteth to them power, which of old time had no day to hold their Faire or Market, but oncly vpon the feſtiual dayes aforeſaid, to hold by the ſame authority and ſtrength of his old grant, within three dayes next before the ſaid Feaſts or next after, Proclamation firſt made to the ſimple common people, vpon which day the aforeſaid Faire ſhall be holden, alwaies to be certified without any fine or fee to be taken to the Kings vſe. And they which of old time haue by ſpeciall grant ſufficient dayes before the Feaſts aforeſaid, or after, ſhall in like manner as is aforeſaid, hold their Fairs and Markets the full number of their daies. The ſaid Feſtiuall dayes and Sundayes, and Goodfriday except.

Prouided alwaies, that this preſent ordinance ſhall begin to take effect at the Feaſt of Saint Michael next comming, and not before, and ſhall endure vntill the next Parliament, and ſo forth, except in the ſaid Parliament a reaſonable cauſe be alledged, ſhewed and proued, for the which it ſhall ſeeme not expedient that the foreſaid ordinance ſo ſhall endure.

CAP. VI.

The Kings pardon of certaine offences granted to all Prieſts, as well Secular as Religious. Of ſeuerall offences, forfeitures, &c. EXP.

Statutes made at Weſtminſter, Anno 28. Hen. 6. & Anno Domini 1449.

TO the honour of God, and of holy Church, and for the Common wealth and profit of all the Realm of England. Our Lord the King HENRY the ſixt after the conqueſt, by aduice and aſſent of the Lords Spirituall and Temporall, and at the ſpeciall inſtance and requeſt of the Commons in the Parliament aſſembled of our Soueraigne Lord the King, that now is, holden at Weſtminſter the ſixt day of Nouember, the eight and twentieth yeare of his raign, by authority of the ſame Parliament, hath ordained and eſtabliſhed certaine Ordinances and Statutes in manner and forme following.

CAP. I.

A Rehearſall and confirmation for ſeuen yeares, of the Statute of 27.*H.6.*1. prohibiting Merchandiſes growing or wrought in Holland, Zeland and Brabant, to be brought into this Realme, vntill Engliſh Cloth may be ſold there. EXP.

CAP. II.

The penalty for taking any perſons Horſes or Cart without the deliuery of the Owner, or ſome Officer, or for taking money to ſpare them.

ITem, Whereas diuers Hoſtlers, Brewers, and other Victualers, keeping hoſteries and other houſes of retailing of victuals in diuers places in this Realme, haue purchaſed the Kings Letters Patents, ſome to them for terme of life, and ſome to them & to other ioyntly for terme of their liues, to take Horſes and Carts for the cariage of the King and Queene, more for their priuate and ſingular lucre and profit, then for any faithfull ſeruice of the King, or of the Queene: by colour of which Letters Patents they daily take horſes and carts where that no need is, and bring them to their hoſteries and other places of their affinitie, and there keepe them ſecretly, ſometime vntill they haue ſpent xx.d. or xl.d. of their ſtuffe, and ſometime more, and then they make the owners of the ſaid horſes and carts to pay for the ſame before that they can get deliuerie of their horſes and carts, and ſome till they haue made a fine with them for ſuch horſes and carts at their will. And of ſome of the Kings people they take fines to ſhew fauour, and not to take their horſes and Carts, ſo that diuers perſons of the Kings Liege people in this noble Realme, be greatly indamaged by the ſaid takers, aſwell for the none paiment of the hire of the ſaid horſes and carts, as for the great charge they haue for their meat and fines made for their deliuerie after they be ſo taken. Our ſaid Lord the King by the aduice and aſſent aforeſaid hath ordained and ſtabliſhed, that all ſuch Letters Patents, granted to any perſon or perſons holding any Hoſteries, Brewhouſes, or houſe of retailing of Victuall ſhall be void, and of no value, nor effect, and if any ſuch grant be made to any ſuch perſon or perſons from henceforth that all ſuch Patents ſo granted ſhall be void and of none effect. And that no perſon or perſons ſhall take horſe nor cart in any place within this Realme, but by the deliuerie of the Maior, Sheriffe, Bailiffes, or Conſtable, where ſuch taking ſhall be had. And if any ſuch perſon or perſons take any horſe or cart, of any perſon or perſons without agreement made to the poſſeſſor for the ſame, and by the deliuerie of the Maior, Sheriffe, Bailiffe, or Conſtable where ſuch takings ſhall be had, that then he or they, from whom ſuch horſe or cart is taken, and he or they of whom ſuch fines or paiments be taken, as is afore rehearſed, ſhall haue an Action of treſpas at the common Law for ſuch takings. And that he or they that feeleth himſelfe grieued in ſuch action ſhall recouer treble damages againſt him or them which ſo take any horſe or Cart, fines or paiment, contrary to this Ordinance. Sauing alwaies to the King his prerogatiue and his preheminẽce of and in the Premiſſes. St. 3. Ed. 1. 31. 20. R. 2. 5.

The penalty for taking any Horſe or Cart without the deliuery of the owner and ſome officer.

Cap. III.

The Kings pardon to thoſe that were Sheriffes, Vnderſheriffes or Clerks the laſt yeare before, for occupying their places aboue one yeare, contrary to the Statute of 23. H. 6. 8. Exp.

Cap. IIII.

Felony for any Welſh or Lancaſhire man to take other men, their goods or cattels vnder colour of diſtreſſe, where they haue no cauſe. Exp.

Cap. V.

The penaltie for the Officers of the Cuſtome, which by colour of their offices ſhall diſtraine any mans ſhippes or goods.

ITem, whereas diuers Waterbailiffes Searchers, Comptrollers of ſearches, and other their deputies and ſeruants within the Ports of this Realme, and ſpecially within the Ports of Fowey, Plimmouth, Dertmouth, and Pole, by color of their offices daily doe wrongfully take by conſtraint of diſtreſſes and arreſts vpon the Ships, Barges, Balengers, and other veſſells, goods and merchandiſes of the Kings liege Merchants of this ſaid Realme, and among all other vpon the Kings liege Merchants of Gaſcoine, Guien, Ireland, Gerneſey, and Garneſey, in their comming and going in the ſaid Ports great charges and impoſitions, that is to ſay, for euerie piece of Creſcloth, foure pence, for euery hundred of Canuas, ſixe pence, for the weight of euery tunne of Iron, twelue pence, and ſome time more, and likewiſe of all other goods and merchandiſes of the ſaid liege people and other Merchants of the Kings amity: And by ſuch wrongfull diſtreſſes, arreſts, charges, and impoſitions, they do diſcourage the ſaid Merchants freely to come into this ſaid Realme, and to returne, contrary to all Law and conſcience, to the great preiudice of our ſaid Lord the King, in loſſe of his Cuſtomes and Subſidies, and to the great damage of the ſaid Merchants, and their ſucceſſors, vnleſſe due remedie thereof be had in the ſame, By aduice, aſſent, and authoritie aforeſaid, it is ordained and eſtabliſhed, that the ſaid Merchants, their ſucceſſors and euerie of them, of all ſuch iniuries, diſtreſſes, arreſts, charges, and impoſitions, afore recited, to be made to them or any of them, as well by ſuch Waterbailiffes, Searchers, and Comptrollers of the ſearch, as by Collectors of the ſaid cuſtomes and ſubſidies, Comptrollers of the ſame, Surueiors of the cuſtomes and ſubſidies, and of the ſearch packers, or any other officers, or their deputies or ſeruants, by their commandement, or any of them hereafter, may haue thereupon a generall writ of treſpaſſe, againſt ſuch offendors & euery of them, according to the forme of the law, and to recouer againſt them and euery of them, thereof ſo conuicted, fortie pound. And that the ſaid Merchants, their ſucceſſors and euery of them ſo grieued (as before is ſaid) ſhall purſue the ſaid Writ of Treſpas, againſt the ſaid offendors and euery of them, for ſuch iniuries, diſtreſſes, arreſts, charges and impoſitions ſo to be made, as afore is ſaid, within two moneths next after ſuch iniuries, diſtreſſes, arreſts, charges and impoſitions, to be made by them or any of thẽ, as before is ſaid. And in caſe that the ſaid Merchants, their ſucceſſors, or ſome of them doe not purſue the ſaid Writ of Treſpaſſe, of ſuch iniuries, diſtreſſes, arreſts, charges and impoſitions aforeſaid, againſt the ſaid offendors, nor any of them within the ſaid two moneths, that then it ſhall be lawfull to euery other perſon of the Kings liege people to purſue the ſaid writ of treſpas

The remedie when an officer of the Cuſtome doth make any diſtreſſes, or arreſts vpon any ſhips for an vnlawfull cauſe.

of ſuch iniuries, diſtreſſes, arreſts, charges & impoſitions, to be made as is aforeſaid, againſt all ſuch offendors, and euery of them, according to the forme of the Law, and to recouer againſt them and euery of them thereof ſo conuict fortie pound, the King to haue the one halfe, and he or they which will purſue, the other halfe.

Statutes made at Weſtminſter, Anno 29. *Hen.6.* *& Anno Domini* 1450.

OVr Soueraigne Lord King *Henry* the ſixt after the Conqueſt, at his Parliament holden at Weſtminſter, in the Feaſt of Saint *Leonard*, the nine and twentieth yeare of his raigne, by the aduice and aſſent of the Lords Spirituall and Temporall, and at the requeſt of the Commons in the ſame Parliament aſſembled, and by the authoritie of the ſame, hath ordained and ſtabliſhed diuers Ordinances and Statutes in the forme which followeth.

Cap. I.

Iohn Cade attainted of Treaſon, and his lands, tenements, goods &c. giuen to the King, and his blood corrupt. Pr.

Cap. II.

A confirmation of the Statute of 2. H. 5. 6. ordained againſt them which breake Truces and Safeconducts, and appointing Conſeruators of the ſame. Exp.

Cap. III.

All Letters Patents granted, or hereafter to bee granted to Citizens of Yorke to be exempt of the offices of Maioraltie, Sheriffewicke, Chamberlaine, Collector of Diſmes and Quinzimes, and Citizen for the Parliament, ſhall be void: And the Citizen which purchaſeth or taketh ſuch exemption, ſhall forfeit fortie pound to the King, and to the Maior and Citizens of Yorke. Pr.

Statutes made at Reading, *Anno triceſimo primo Henrici ſexti,* & Anno Domini 1452.

AT the Parliament holden at Reading, the ſixth day of March, the one and thirtieth yeare of the raigne of our Lord King *Henry* the ſixt after the Conqueſt, the ſame our Lord the King, by the aduice and aſſent of the Lords Spirituall and Temporall, and the Commons being in the ſaid Parliament, and by authoritie of the ſame Parliament, hath made, ordained and ſtabliſhed diuers Acts and Statutes in the manner and forme following.

Cap. I.

Iohn Cade ſhall be adiudged a Traytor, And all Indictments and Acts done by his authority ſhall be void. Pr.

Cap. II.

If any perſon, which during ſeuen yeares, ſhall receiue the Kings writs vnder the great Seale, of Letters vnder the Priuy-ſeale, or warned by proclamation to appeare before the Kings Counſell, or in the Chancery, to anſwere to Riots, Extortions, Oppreſſions, or grieuous offences, do diſobey or refuſe, At the firſt time he ſhall loſe all his Offices, fees, and other poſſeſſions, which he hath of the Kings gift: At the ſecond proclamation, he ſhall loſe for the terme of his life, the Title of his honour and place in Parliament, and all his lands: And a man of liuing vnder the eſtate of a Lord, ſhall pay a fine, according to the diſcretion of the two chiefe Iuſtices: And he that hath no land, ſhall be out of the Kings Protection: Exp.

Cap.

Cap. III.

Attachments in the Eaſt and Weſt Marches, ſhall be made in Cumberland, Weſtmerland, Northumberland, and the towne of Newcaſtle duely. Rep. 4 Iac. 1.

Cap. IIII.

The remedy for him who having a Safeconduct is robbed vpon the Sea.

ITem, our Soueraigne Lord the King by authority aforeſaid, hath ordained and ſtabliſhed, that if any of his Subiects attempt or offend vpon the Sea, or in any Port within the ſaid Realme vnder the Kings obeyſance, againſt any perſon or perſons, Strangers being vpon the Sea or any other Port aforeſaid, by way of amitie, league or truce, or by force of the Kings ſafeconduct, or ſafegard in any wiſe, & ſpecially in attaching of any ſuch ſtrange perſon, robbing or ſpoiling of him, his ſhippe, or any other maner of goods, or againſt any other perſon of his liege people, the Chancellor of England, for the time being, (as well for the deliuerance of any ſuch perſon ſo attached to be had, as to make reſtitution to euery ſuch perſon ſo robbed or ſpoiled of ſhip or goods, or of the value thereof) ſhall haue authoritie, calling to him any of the Iuſtices of the one Bench or of the other, vpon a bill or bils of complaint to him made in this behalfe, to make ſuch proceſſe out of the ſaid Chancery, as well againſt all ſuch offenders, to bring them into the Kings Chancery, there to anſwere to the parties ſo grieued in this behalfe, and againſt any other perſon or perſons, to whoſe hands any ſuch perſon ſo attached, ſhip or goods, ſhall come, as for the deliuery and reſtitution by them to be made of the ſame perſon, ſhippe and goods, as ſhall ſeeme to the ſame Chancellor moſt expedient and neceſſary. And vpon this Proceſſe ſo made out of the ſaid Chācery, the ſaid Chancellor further to proceed in this matter, if the caſe do ſo require, by aduice of any ſuch Iuſtice, to make the perſon and perſons ſtrangers ſo grieued, to haue full deliuery and reſtitution of any ſuch perſon ſo attached, and of all ſuch ſhippes and goods, and alſo of all their coſts, expences and loſſes, diſburſed and ſuffered by them in this behalfe, and thereupon to award all maner of execution, out of the ſaid Chancery, in ſuch ſort as ſhal ſeeme to the ſaid Chancellor moſt expedient and neceſſary for ſuch deliuery and reſtitution to be had, calling to him any ſuch Iuſtice as before is ſaid, this Act to begin and take effect the firſt day of May, the two and thirtieth yeare of the ſaid King. 14.E.4 4.

By what meanes he ſhall haue remedie, who hauing the Kings Safeconduct, is robbed vpon the Sea by any of the Kings Subiects.

R.3.f.1.2.

Cap. V.

No Cuſtomer, Comptroller, &c. ſhall haue any eſtate certaine in his office.

ITem, whereas it was ordained by a Statute made in the time of King Richard the ſecond, that no Searchers, Gaugeor of Wines, Aulnager, Finder, Weier, Collector of cuſtomes and ſubſidies, or Comptroller ſhall haue eſtate in his office for terme of life, or for terme of yeares, but that the ſaid officers ſhall remaine vnder the gouernment of the Treaſurer of England, for the time being. Alſo where it was ordained by the Statute made in the time of King Henry the iiij. that the aulnage of Clothes within this Realme may be committed to ferme, or in approuement according to the directiō of the Treaſurer of England, for the time being, as in the ſaid Statutes more fully is declared: yet that notwithſtanding diuers perſons haue obtained the Kings Letters patents of the ſaid offices and aulnage, ſome for terme of life, and ſome for terme of yeares, to the great preiudice of the King and of his people, and contrary to the ſaid Statutes. Our ſaid Lord the King conſidering the premiſſes, hath ordained by the authority aforeſaid, that all Letters patents made of any of the ſaid offices or aulnage, to any perſon againſt the effect of the ſaid Statutes, ſhall be void, and of no force. And that no Letters patents of any of the ſaid offices or aulnage ſhall be made hereafter, but by warrant of bill ſealed by the Treaſurer of England, for the time being, ſent by him into the Chancery, as it hath beene accuſtomed before this time.

St. 17.R.2.5.

St.4.H.4.24.

Dyer fol 303.

And that all Letters patents made, or to be made hereafter, of the ſaid offices or aulnage, by other warrant then by bill of the Treaſurer, ſhall be void and of no effect: Prouided alwaies, that this Act ſhall not extend, nor be preiudiciall nor hurtfull to our Soueraigne Lady the Queene, the Prince, the Duke of Buckingham, to the Inheritors of Henry late Duke of Warwike, nor to the Maior and Cominaltie of London, nor to the Maior, Bailiffes and Cominaltie of the Citie of Wincheſter, as to any grant or grants, demiſe or demiſes of the aulnage, or any grant or grants, of any ſumme or ſummes of money of the ferme of the Aulnage to them granted, made, or confirmed, nor to any Comptroller hauing any offices out of the Kings Ports, nor to Iohn Penicock Eſquire, to Gyles Seynrlo Eſquire, nor to any of the Kings or Queenes houſhold ſeruants, of any grant or grants of any office or offices to them made before this time, with the Fees and wages of old time due and accuſtomed. Stat. 14.R.2.10. 17.R.2.5. 1.H.4.13.

No Cuſtomer, Comptroller, Aulnager, Searcher, &c. ſhall haue any eſtate or certaintie in his office.

Cap. VI.

The Stat. of 20. *H.6.*2. touching the forfeiture of them which be outlawed in the County of Lancaſter, made perpetuall. Rep. 33. *H.6.*2.

Cap. VII.

Fees, wages and rewards, due to the Kings officers, ſhall not be compriſed within the Statute of Reſumption made in the eight and twentieth yeare of the Kings raigne. Exp. 33. *H.6.* fol. 34. 9. Ed. 4. fol. 1.

Cap. VIII.

A confirmation of a Subſidie of Wooll, Wooll-fels, and Cloth tranſported, granted by a Statute ordained Anno 31. *H.6.* not printed. Exp.

Cap. IX.

A remedie for a woman inforced to be bound by Statute or Obligation.

ITem, whereas in all parts of this Realme diuers people of great power, moued with vnſatiable couetouſneſſe againſt all right, humanity, integrity and good conſcience, haue ſought and found new inuentions, and them continually doe execute, to the danger, trouble, and great abuſing of all Ladies, Gentlewomen, ane other women ſole, hauing any ſubſtance of lands, tenements, or other moueable goods within this Realme, perceiuing their great weakneſſe and ſimplicity, will take them by force, or otherwiſe come to them, ſeeming to be their great friends promiſing them their faithful friendſhip, and ſo by great diſſimulation, or otherwiſe, get them into their poſſeſſion, conueying them into ſuch places where the ſaid offenders be of moſt power: and when any woman by ſuch meanes, or by any other meane be in their gouernment, the ſaid euill diſpoſed perſon or perſons will not ſuffer them to goe at large, and be at their libertie, vntil that they will bind themſelues to the ſaid offendors, or other perſon or perſons, to their vſe, in great ſummes, by Obligation or Obligations, aſwell ſimple as conditional, or by Obligation or Obligations of Statute Merchant, made before a Maior or Bailiffes, hauing power to take ſuch Recogniſances.

Alſo they will many times compell them to be maried by them, contrary to their owne likings, or otherwiſe they will leuy the ſaid ſumme or ſummes on their lands and goods, and put their perſon or perſons in danger, to their great damage, which hath beene and is like to be an vniuerſall preiudice to the law of holy Church, and the law of this Realme, vnleſſe due remedie thereupon be prouided. Our ſaid Lord the King conſidering the premiſſes, hath ordained and ſtabliſhed by authority of this preſent Parliament, that in all ſuch caſes aforeſaid, the partie bound may haue a writ out of the Chancery, containing all the matter of their vnreaſonable entreatie, directed to the Sheriffe of the County, where any ſuch offences were ſo done, or after ſhall be done, commanding him, that he by force of this writ make proclamation, in the full countie, and in the next County Court, after the receit of the ſaid writ, that the perſon or perſons contained in the ſaid writ, ſhall appeare at a certain day & place prefixed in the ſaid writ, before the Chancellor of England for the time being, or otherwiſe before the Juſtices of Aſſiſes in the Counties, where the ſaid offences were done, or elſe before ſome other notable perſon to be aſſigned by the Chanceller of England, for the time being, at the which day and place if the ſaid parties appeare, that then the ſaid Chancellor of England, Juſtice, or other perſon ſo to be aſſigned by the Chancellor, for the time being, by vertue of this ordinance, ſhall duely examine the ſaid parties vpon the premiſſes. By which examination, if they can find the ſaid Obligation or Obligations, or any of them ſo to be made, as is aforeſaid, that then the ſaid Obligation or Obligations, and all proceſſe and execution ſued, or to be purſued thereupon ſhall be void, and of no force nor effect. And if it be found by examination before them, that the ſaid obligation or obligations or any of them were made, or ſhall be found to be made for a true duetie, and by no ſuch meanes as afore is ſaid, that then the ſaid Obligation or Obligations, and all the proces and execution ſued or to be purſued thereupon, ſhall ſtand good and effectuall. And if it be ſo that the perſon or perſons in ſuch Writs named or to be named, againſt whom any ſuch Letters or Writs, hereafter ſhall be ſued, make default at the day and place limited in the ſame Writ or Writs, that then all ſuch Obligation or Obligations, as be before ſpecified, and declared, and in the ſaid Writ or Writs expreſſed, declared, and ſpecified, and all maner of Proces and execution ſued or to be ſued thereupon, ſhall be void, and of no force, nor effect. And that the ſaid Sheriffe or Sheriffes, to whom ſuch Writ or Writs vpon this ordinance hereafter commenced, ſhall be directed, ſhall execute the ſaid Writs according to the tenor of the ſame, vpon paine of three hundred pound, whereof our Soueraigne Lord the King to haue the one halfe, and the other halfe, to the party which ſhal ſue the ſaid Writ of Proclamation. And that the ſaid party ſo grieued may haue an action of debt in euery ſuch caſe againſt the ſaid Sheriffe for the halfe of the ſaid three hundred pound ſo forfeit, with Proces of Outlarie. And that the party or parties defendants in

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A remedie for a woman that is inforced againſt her will to be bound by Statute or Obligation.

The forfeiture of the Sheriffe which doth not execute the Kings Writ of Proclamatiō.

any ſuch action hereafter to be purſued againſt any Sheriffe oꝛ Sheriffes, ſhall alledge no pꝛotection, noꝛ ſhall wage his Law, noꝛ ſhall be receiued to make oꝛ plead any foꝛaine plea, to be tried in any other place then there where the ſaid wꝛit grounded vpon this Statute is ſued.

Statutes made at Weſtminſter, *Anno triceſimo tertio Henrici ſexti,* & Anno Domini 1455.

HENRIE by the grace of God King of England and France, & Lord of Ireland, the ſixt after the Conqueſt, at his Parliament holden at Weſtminſter, the ninth day of Iuly, the three and thirtieth yeare of his raign, by the aduice and aſſent of the Lords Spiritual & Temporal, and the Commons of his realme of England, being in the ſame Parliament, and by authority of the ſame Parliament, made and ordained certaine Ordinances and Statutes for the Common wealth of the ſame Realme in the forme following.

Cap. I.

A remedie for Executers againſt ſeruants that imbecill their Maſters goods after his death.

FIrſt, our foꝛeſaid Loꝛd the King conſidering how that of late time, diuers houſhold ſeruants as well of Loꝛds, as of other perſons of good degrée, ſhoꝛtly after the death of their ſaid Loꝛds and maſters, violently and riotouſly haue taken and ſpoiled the goods which were of their ſaid Loꝛds and Maſters at the time of their death, and the ſame diſtributed amongſt them, to the impediment of the execution of the Will of their ſaid Loꝛds and Maſters, and to the great diſpleaſure of God, and alſo contrary to the duty and truth, which they ought to haue had towards their ſaid Loꝛds and Maſters, and to a perilous example in time to come, vnleſſe due remedy in this behalfe be pꝛouided: wherefoꝛe the ſame Loꝛd the King, by the aduice, aſſent and authoꝛitie afoꝛeſaid, hath oꝛdained and eſtabliſhed, that after full infoꝛmation made to the Chauncelloꝛ of England foꝛ the time being, by the executoꝛs of any ſuch Loꝛds oꝛ perſon, oꝛ two of the ſame executoꝛs of ſuch riot, taking, and ſpoile made, oꝛ hereafter to be made by the houſhold ſeruants of their oꝛ his ſaid teſtatoꝛ after his death, the ſame Chancelloꝛ by the aduice of the chiefe Iuſtices of the Kings Bench, and of the Common Bench, and chiefe Baron of the Exchequer foꝛ the time being, oꝛ two of them, ſhall haue power to make ſo many, and ſuch Writs to be directed to ſuch Sheriffes by their diſcretion, as to them in this behalfe ſhall ſéeme neceſſary, to make open pꝛoclamation in ſuch Cities, Boꝛoughes, Townes, oꝛ place, two market daies, within twelue daies next after the deliuery of the ſame wꝛits, as to the ſame Chancelloꝛ by the aduice afoꝛeſaid ſhall ſéeme reaſonable, that the ſaid offendoꝛs ſhall appeare befoꝛe the ſame our Loꝛd the King, oꝛ his heires in his Bench, at ſuch a day as by the ſaid wꝛit ſhall be limited, ſo that the ſaid laſt pꝛoclamation be made by fiftéene daies befoꝛe the ſame day of appearance. And if any ſuch wꝛit be returned at the day contained in the ſaid wꝛit, and the wꝛit be executed, that pꝛoclamation is thereupon had and made accoꝛding to the ſaid oꝛdinance, and then if the ſaid perſon oꝛ perſons which ſhould appeare by reaſon of the ſaid pꝛoclamation, make default at the day ſpecified in the ſaid wꝛit, and doe not appeare, then he oꝛ they ſo making default, ſhall be attainted of felony.

A remedie foꝛ the Executoꝛs againſt a ſeruant of their Teſtatoꝛs, which imbeſled his maſters goods after his death: Raſt pla. fol. 572.

And if any ſuch perſon oꝛ perſons doe appeare at the ſame day, then the Iuſtices of the ſaid Kings Bench, ſhal haue power by the ſaid oꝛdinance, to commit ſuch perſon oꝛ perſons, ſo appearing, to pꝛiſon, there to remaine accoꝛding to the ſaid Iuſtices diſcretion, vntill the ſaid offenders in the ſaid Bench, doe anſwere to the ſaid Executoꝛs in ſuch actions, which the ſaid Executoꝛs will declare againſt them oꝛ any of them, by Bil oꝛ by Writ, foꝛ the riot, taking and ſpoiling afoꝛeſaid, and that the ſame actions be determined. So that the ſame actions be purſued with effect, and not ſlackly, to the intent to kéepe the ſame perſon oꝛ perſons in pꝛiſon.

And if ſuch perſon oꝛ perſons be ſet at liberty out of pꝛiſon by the ſaid Iuſtices, that then the ſame perſon oꝛ perſons ſhall find ſufficient perſons to be bounden with them to the ſaid executoꝛs by way of Recogniſance in the ſaid Bench, by diſcretion of the Iuſtices, to kéep ſuch daies as he oꝛ they ſhall haue by the ſame Court. And if the kéepers of the pꝛiſon, whereunto the ſaid perſon oꝛ perſons be committed, doe let them goe at large out of the pꝛiſon, of his owne authoꝛitie, without the conſideration and oꝛder of the ſaid Iuſtices, then the ſaid Kéeper ſhall foꝛfeit and loſe foꝛtie pound to the ſaid executoꝛs. And that no pꝛotection be allowed in any action, to be taken vpon the ſaid oꝛdinance.

A Gaolours foꝛfeiture foꝛ letting at liberty a pꝛiſoner committed to his cuſtody by foꝛce of this Statute.

CAP. II.

Iurors in an Indictment in the Countie of Lancaſter, of a Foraine dwelling in another Countie.

ITem, becauſe that the humble and faithfull liege people of the King, his ſubiects inhabiting within the countie palatine of Lancaſter to doe the King ſeruice, be, and at all times were ready, and haue done to him and his progenitors, as well in the Realme of England, as in the realme of Scotland, France, and other parts, and haue béene gouerned by the Kings lawes, and not damnified by the ſame, otherwiſe thẽ other of the Kings liege people inhabiting in the realm of England out of the ſaid county, vntill now of late by a certaine Statute at the laſt parliament holden at Reading, it was ordained and eſtabliſhed, that none of the Kings liege people againſt whom any exigend ſhould be awarded or outlagary pronounced at the ſuit of the King, or of the party in the ſaid county, ſhould forfeit any goods or cattels, lands, or tenements in any county, but onely the goods and cattels, lands and tenements, which the perſons ſo outlawed, or they againſt whom any ſuch exigend in the ſaid County ſhould be awarded, haue in the ſame County of Lancaſter, and by reaſon of any ſuch outlagary, at the ſuit of the King, or at the ſuit of the party pronounced within the ſame County, ſhould not be barred or diſabled of any manner of action, nor to claime any maner inheritance out of the ſame County, notwithſtanding any outlawrie againſt them pronounced, as in the ſame act doth more plainly appeare.

A rehearſall of the Statute of 20.H.6 2.& 31. H.6.6. That they which be outlawed in the County of Lancaſter ſhall forfeit no lands nor goods that they haue in other Counties.

And by reaſon of the ſame act, if any foraine ſhould come into the ſaid County Palatine, and ſhould ſlea any of the liege people of our Lord the King, or ſhould commit any treaſon, murder, rape, robbery, or other felony or treſpaſſe, or make any contract, or doe any other offence within the ſaid County of Lancaſter, that then he ſhould haue no other puniſhment nor forfeiture in this behalfe, but onely of ſuch goods, which ſuch foraines doing and committing ſuch horrible offences, haue within the ſaid County Palatine, which for the moſt part haue nothing within the ſame County. For which cauſe the ſaid foraines, knowing no perill, puniſhment, nor loſſe of goods in the law, to refraine or reſtraine them of ſuch treaſons, murders and felonies, be the more encouraged daily to commit the ſame within the ſaid County, and giueth them audacitie, daily to offend againſt the lawes of the King, his Crowne, and Dignity, and alſo in reſtraint of the Kings Laws, to the great loſſe and finall deſtruction of the ſaid liege people and ſubiects in the ſaid County Palatine: whereof the foreſaid Lord the King conſidering the premiſſes, by the aduice, aſſent and authoritie aforeſaid, hath willed, granted, and eſtabliſhed, that the act before rehearſed and made at the ſaid laſt Parliament holden at Reading, ſhall be adnulled, void and ſtand in no force. And further for the conſeruation, tranquility, quietneſſe and peace of all his liege people, as well within the ſaid County Palatine, as of other his liege people out of the ſaid Countie, within the Realme of England, the ſame Lord the King by authority aforeſaid, hath granted, ordained and ſtabliſhed, that euery enditement hereafter to be taken before any of the Kings Iuſtices in the ſaid County Palatine of Lancaſter, or before any Sheriffe in his turne, in the ſaid County, whereby any perſon or perſons be ſuppoſed by the ſame enditement to be or to haue béene inhabiting or conuerſant out of the ſaid County of Lancaſter, and within any other County within the Realme of England, ſhall be taken and had by the verdict of twelue men, whereof euery of them or ſome other perſon or perſons to their vſe within the ſame County of Lancaſter, ſhall haue to the yearely value of an hundred ſhillings. And no proceſſe ſhall be made out of any ſuch enditement before it be duely inquired and examined before the Kings Iuſtices within the ſaid County of Lancaſter for the time being, whether the ſaid enditors, and euery of them, at the time of ſuch enditement ſo taken, had lands and tenements within the ſaid County of Lancaſter, to the yearely value of an hundred ſhillings aboue all charges. And if it be found by examination of the ſaid Iuſtices for the time being, within the ſaid Countie, that the ſaid enditors and euery of them at the time of ſuch enditement ſo taken, had not lands and tenements to the yearely value aforeſaid, that then the ſame enditement, as to ſuch perſons ſo endited, ſuppoſed by the ſaid enditements to be inhabiting and conuerſant out of the ſaid Countie of Lancaſter, ſhall be void and of no effect. And alſo the ſame Lord the King, of the aduice and authoritie aforeſaid, hath granted, ordained, and ſtabliſhed, that euery enditement from henceforth to be taken within any County of the ſaid Realme, and out of the ſaid County of Lancaſter, before any Iuſtice, or the Sheriffe in his turne, whereby any perſon or perſons ſuppoſed by the ſame enditement to be, or to haue béen conuerſant or inhabiting within the ſaid County of Lancaſter, and without ſuch County where ſuch enditements ſhall happen to be taken, ſhall be taken by verdict of twelue men, whereof euery of them, or ſome other perſon or perſons to their vſe, ſhall haue lands and tenements within the ſame Countie where the ſaid inditements ſhall be taken, to the yearely value of an hundred ſhillings. And that no proceſſe be made out of any ſuch enditements, before it be duely examined and inquired before the Kings Iuſtices, hauing power to award any proceſſe vpon ſuch enditements, whether the ſaid enditors and euery of them, at the time of ſuch enditements taken,

The inconuenience enſuing by the ſaid Stat. of 31.H.6.6.

A repeale of the foreſaid Stat. of 31.H.6.6.

Of what ſufficiencie of eſtate thoſe Iurors muſt be, which ſhall indite in the County of Lancaſter, a forraine dwelling in another Countie.

Of what eſtate thoſe Iurors muſt be, which ſhall indite in another County any perſon dwelling in the County of Lancaſter.

ken, or any other perſon or perſons to their vſe, had any lands or tenements to the yearely value of an hundred ſhillings within the ſame County aboue all charges, where ſuch enditements happen to be taken. And if it be found before our Lord the King, or any of his Iuſtices, that the ſaid enditors, or any of them, had not at that time of ſuch enditements taken, nor that none other to their vſe had lands and tenements to the value of an hundred ſhillings by yeare, that then the ſaid enditement, as to any ſuch perſon or perſons ſuppoſed by the ſame enditement to be, or to haue been inhabiting or conuerſant within the ſaid County of Lancaſter, ſhall be void and of no effect.

Cap. III.

Seuerall ſorts of Extortion committed by ſeuerall meanes, by the Officers of the Exchequer, and the inconueniences thereof. They ſhall diſcharge accomptants in conuenient time. Their ſeuerall fees for ſeuerall cauſes, and the penaltie if they take more. Exp.

Cap. IIII.

No perſon bruing Ale or Beere in Kent, to be ſold, ſhall during fiue yeares make aboue an hundreds quarters of Malt to his owne vſe. Exp.

Cap. V.

No wrought Silke, belonging to the myſtery of Silke-women, ſhall be brought into this realm by the way of Merchandiſe during fiue yeares. Exp.

Cap. VI.

The Abbot of Fountaine in the County of Yorke, in a ſuit commenced againſt him in a Court Baron, Wapentake, &c. may wage his law by Atturney, and doe his law by a Monke of the ſame houſe. Exp.

Cap. VII.

How many Atturnies may be in Norfolke, how many in Suffolke and in Norwich.

ITem, whereas of time not long paſt within the Citie of Norwich, and the Connties of Norfolke and Suffolke, there were no more but ſixe or eight Atturnies at the moſt, comming to the Kings Courts, in which time great tranquility raigned in the ſaid Citie & Counties, little trouble or vexation was made by vntrue and foraine ſuits. And now ſo it is, that in the ſaid Citie and Counties there be fourſcore Atturnies or more, the more part of them hauing no other thing to liue vpon, but onely his gaine by the practiſe of Atturneyſhip: and alſo the more part of them not being of ſufficient knowledge to be an Atturney: which come to euery Faire, Market, and other places, where is any aſſembly of people, exhorting, procuring, mouing and exciting the people to attempt vntrue and foraine ſuits for ſmall treſpaſſes, little offences, and ſmall ſummes of debt, whoſe actions be triable and determinable in Court barons, whereby proceed many ſuits more of euil will and malice, then of truth of the thing, to the manifold vexations, and no little damage of the Inhabitants of the ſaid Citie and Counties, and all to the perpetuall diminution of all the Court barons in the ſaid Counties, vnleſſe conuenient remedie be prouided in this behalfe: The foreſaid Lord the King, conſidering the premiſſes, by the aduice, aſſent, and authoritie aforeſaid, hath ordained and ſtabliſhed, that at all times from henceforth there ſhall be but ſixe common Atturnies in the ſaid County of Norfolke, and ſixe common Atturnies in the ſaid county of Suffolke, and two common Atturnies in the ſaid Citie of Norwich, to be Atturnies in Courts of Record, and that all the ſaid fourteene Atturnies ſhall be elect and admitted by the two Chiefe Iuſtices of our Lord the King, for the time being, of the moſt ſufficient and beſt inſtructed by their diſcretions. And that the election and admiſſion of all Atturnies, which ſhall be elected and admitted by the ſaid Iuſtices for the time being, aboue the ſaid number in the ſaid Counties, ſhall be void and of no authority nor record. And if any perſon or perſons vſurpe or preſume to be Atturnie in Courts of record in the ſaid Counties or Citie, otherwiſe then before is ſpecified, and that found by inquiſition taken before the Iuſtices of Peace in the ſaid Citie or Counties (which ſhall haue power by vertue of this ordinance to enquire thereof in their Seſſions) or in any other maner lawfully proued, that then he or they that ſo preſume, if they be thereof lawfully conuict, ſhall forfeit twenty pound, as often as he or they be ſo conuict, the one halfe thereof to be taken to the Kings vſe, and the other halfe to his vſe, which for the ſame will ſue. And he that thereof will ſue, ſhall haue an action of debt againſt any ſuch perſon which ſo preſumeth to be Atturney. And ſuch proceſſe for recouery of the ſame, as lyeth in an action of debt at the Commou law vpon an obligation. Prouided alwaies that the ſaid ordinance begin and firſt take effect at the Feaſt of Eaſter next comming, and not before, if the ſame ordinance ſeeme reaſonable to the Iuſtices.

A practiſe of cõtentious Atturnies, to ſtirre vp ſuits for their priuate profits.

There ſhall be but ſix common Atturnies in Norfolke, ſixe in Suffolke, and two in Norwich.

Iuſtices of Peace ſhall haue authority to enquire of offenders.

The forfeiture of offenders.

Statutes made at Weſtminſter, Anno 39. Hen. 6. & Anno Domini 1460.

TO the Honour of Almighty God, and the reuerence of holy Church, for to nouriſh peace, vnitie and concord in all parts within this Realm of England, and for the reliefe and ſuſtentation of our Lord the King, and of this Realm. The ſame our Soueraigne Lord King HENRIE the ſixt, after the Conqueſt, at his high Court of Parliament holden at Weſtminſter vpō the ſeuenth day of the moneth of October, the nine and thirtieth yeare of his noble and gratious raigne, by the aduice and aſſent of his Lords Spirituall and Temporall, and at the ſpeciall requeſt of the Commons of his ſaid Realme, aſſembled in the ſame Parliament, and by the authoritie of the ſame Parliament, hath ordained theſe things vnder written.

CAP. I.

A Parliament holden at Couentry, 20. *die Nouembris, Anno* 38. *H.*6. ſhall be repealed: And all Acts, Statutes, and Ordinances made by the authoritie of the ſame Parliament ſhall be reuerſed, becauſe the Parliament was vnlawfully ſummoned and holden, and the Knights and Burgeſſes not duely choſen. Exp.

CAP. II.

A woman of what age at the death of her Anceſtor ſhall haue liuery of her land.

A woman of the age of fourteene yeares, at the death of her Anceſtor ſhall haue liuerie of her Lands.

ITem, of the aduice, aſſent and authoritie aforeſaid, it is ordained and ſtabliſhed, that Women being of the age of fourtéene yeares, at the time of the death of their Anceſtors, without queſtion or difficultie ſhall haue liuery of their Lands and Tenements deſcended to them: For ſo the Law of this Land will that they ſhould haue.

35.H.6.fol.48. Fitz.gard.67. Bro.Liuery.46.

Thus endeth the Statutes of King Henrie *the ſixt.*

Anno primo EDVVARDI *quarti.*

STATVTES MADE AT WESTMINSTER IN THE FIRST YEARE OF the Raigne of King HENRIE the fourth, and in the yeare of our Lord, 1461.

EDward by the grace of God King of England and of France, and Lord of Ireland, the fourth after the Conqueſt: To the honour of God and of holy Church, to nouriſh Peace, Vnitie, and Concord, within his Realme of England (which he much deſireth) wholly, by the aduice and aſſent of the Lords Spirituall and Temporall of the ſame Realme, and at the ſpeciall requeſt of the Commons of his ſaid Realm aſſembled, at his firſt Parliament holden at Weſtminſter, vpon the fourth day of Nouember, in the firſt yeare of his Raigne by authoritie of the ſame Parliament, hath ordained and eſtabliſhed certaine Statutes, Declarations, and Ordinances, in manner and forme following.

CAP. I.

Which Acts done by King Henry *the fourth, King* Henry *the fifth, and King* Henry *the ſixth, or by others during their Raignes, ſhall continue good, and which not.*

FIrſt, in eſchewing of ambiguities, doubts, and diuerſities of opinions, which may riſe, enſue, and be taken of and vpon Iudiciall Acts, and exemplifications of the ſame made or had in the time or times of Henry the fourth, Henry the fifth his ſonne, and Henry the ſixth his ſonne, or any of them late Kings of England, ſucceſſiuely in déed and not of right: Our ſaid Lord the King, by the aduice and aſſent of his Lords Spirituall and Temporall, and at the requeſt of his ſaid Commons in the ſaid Parliament aſſembled, and by authority of the ſame, hath declared, eſtabliſhed, and enacted, in the ſaid Parliament, that all Fines and finall Concords, leuied or made of any Lands, Tenements, Poſſeſſions, Rents, Inheritances, or other things, and all Iudiciall Acts, Recoueries, & proceſſes, determined or commenced, not reuoked, reuerſed, nor adnulled, made or had in any Court or Courts of record, or any other Court or Courts in any of the times of the pretenſed raignes of any of the ſaid late Kings, in déed and not in right (other then by authority of any Parliamēt holden in any of their times) and exemplifications of the ſaid Fines, Acts Iudiciall, and recoueries, out of any of the ſaid Parliaments, and euery of them, ſhall be of like force, vertue, and effect, as if the ſaid fines, finall Concords, Acts, Recoueries, Proceſſes, and other the premiſſes, had or made out of any of the ſaid Parliaments and exemplifications of the ſame: were commenced, ſued, had, or determined, in the time of any King lawfully raigning in this Realme, obtaining the Crowne of the ſame by iuſt title.

What acts, grants or things done by or during the raignes of K.H. 4. K.H. 5. & K.H. 6. ſhall remaine good and what not.

Iudiciall Acts.

And alſo that all Letters Patents, made by any of the ſaid pretenſed Kings to any perſon or perſons, of Creation, ennobling, and erection of any of them, to any Eſtate, Dignitie, or Preheminence, ſhall be to the ſaid perſon or perſons, and to ſuch of their heires, which be contained in the ſame Letters Patents, of like force, value, and effect, as touching ſuch Creation, Ennobling, or Erection, as if the ſame Letters Patents were made or granted to them by any King lawfully raigning in this Realme of England, and obtaining the Crowne of the ſame by iuſt title. And that they being ſo Created, Ennobled, and Erected, ſhall haue new grants of the King of their Annuities for the maintenance of their Eſtates, as hath béen of old time accuſtomed, except ſuch perſons and euerie of them, whom our Soueraigne Lord the King reputeth and holdeth for his Rebels and Enemies.

Creation of Noble men.

And moreouer, the exceſſiue charges and coſts, which the Cities, Boroughes, Townes, the Cinqueports of England, and alſo the Towne of Calice, with the Marches of the ſame, Liberties granted to counties or corporations: by their ſeuerall names.

haue endured and ſuffered, and the great pouertie amongſt the people of the ſame conſidered, for the eaſe and reliefe of the ſame: the King hath ordained, eſtabliſhed, granted and enacted by the aſſent and authority of the ſaid Lords Spirituall and Temporall, and at the requeſt of the ſaid Commons, that all manner of Liberties, Priuiledges, Franchiſes, Powers, Juriſdictions, Profits, Immunities, Corporations, Munitions, Inlargements, Annexions, Unions, and ſeuerings from Counties, and making of Counties by themſelues, and all manner of Grants, Leaſes, Licences, Pardons, Diſcharges, Exemptions, Releaſes, Faires, and Markets (not reuoked, repealed, nor annulled by authoritie of Parliament, or otherwiſe by proceſſe of the Law) granted in the times of Henry the fourth, Henry the fift, or Henry the ſixt, late Kings of England in deed and not of right, to any Maior, Bailiffe or Bailiffes, Sheriffe or Sheriffes, Maior and Sheriffs, Sheriffe and Bailiffes, Maior and Bailiffes, Comminaltie, Citizens, Maior and Comminaltie, Maior, Comminaltie and Citizens, Maior and Citizens, Maior and Aldermen, and their ſucceſſors, Maior and Citizens, their heires and ſucceſſors, Bailiffes & Citizens, their heires and ſucceſſors, Maior and Comminaltie, their heires and ſucceſſors, Citizens, and their heires, Citizens, their heires and ſucceſſors, Maior and Aldermen, Maior, Aldermen and Burgeſſes, Maior and Burgeſſes, Maior, Aldermen and Sheriffe or Sheriffes, Maior, Burgeſſes, and their ſucceſſors, Maior, Burgeſſes, their heires and ſucceſſors, Maior, Sheriffes and Burgeſſes, Maior, Bailiffes and Comminaltie, Aldermen and Comminaltie, Aldermen, Bailiffes and Comminaltie, Aldermen and Bailiffes, their heires and ſucceſſors, Bailiffes, and Comminaltie, Bailiffes Burgeſſes and Citizens, Burgeſſes and Comminaltie, Maior Bailiffes and Burgeſſes, their heires and ſucceſſors, and the diſcreet men, their heires and ſucceſſors, Portreues, Bailiffes and Commons, Stewards, Burgeſſes, and the diſcreet men, Portreues, Barons and men, Maior, Barons and Comminaltie, Maior and Barons, Barons and Comminaltie, Barons and Jurates, Barons and Jurates men Inhabitants, Maior, Conſtables and Companie of the Merchants of the Staple at Calice, and to euerie of them, and their heires, and to the ſucceſſors of euerie of them, and to the Maſters, Brethren, and Siſters of Guildes, and Fraternities, Maſters and Comminaltie, their heires and ſucceſſors, and Wardens and Maſters of Crafts, Wardens of the Comminaltie of the Miſterie of the Mercers, within the Citie of London, or to any of them before named, and to the ſucceſſors of euery of them, hauing Corporation by whatſoeuer name or names they or any of them bee, or be called or named in any of the ſaid grants: they ſhall be in like ſtrength and vertue, as if they were granted by any King or Kings lawfully raigning in this Realme of England and in like manner and forme to haue confirmations and grants made, as if they had bin granted in the times of the noble King Edward the third and King Richard the ſecond after the Conqueſt, late lawfull Kings of England.

Licences or pardons of Alienation or to enter into lands diſcended after an anceſtors death.

And moreouer it is ordained, granted, eſtabliſhed, and enacted, by the aduice, aſſent and authoritie aforeſaid, that all manner of licences, gifts and grants made by any of the foreſaid late pretenſed Kings of England to any perſon or perſons, to giue, grant, alien, purchaſe or receiue any lands, tenements, rents, poſſeſſions or other hereditaments holden of any of the ſaid late pretenſed Kings in any manner, or to enter into any Lands or Tenements, Rents, Poſſeſſions, or other Hereditaments, after the death of any of their Aunceſtors, without due liuery thereof ſued by due Proceſſe, according to the courſe of the Common Law of this Realme of England, or pardons made by any of the ſaid late pretenſed Kings, to any perſon or perſons for any alienations made of any Lands or Tenements, Rents, poſſeſſions, or other Hereditaments, holden of any of the ſaid late pretenſed Kings of England, or pardon or pardons granted by any of them to any perſon or perſons, for any entry or entries, made in any Lands, Tenements, Rents, Poſſeſſions, or other Hereditaments, which ſhould diſcend, reuert, remaine, or in any other manner ſhould come to them, or any of them, after, or by the death of any of their ſaid Aunceſtors, or any other perſon or perſons, without due liuerie thereof ſued, according to the courſe of the Chancery, and Law and Cuſtome of this Land: or licence made by any of the ſaid late pretenſed Kings of England, to any perſon or perſons to found, erect, or eſtabliſh, any Abby, Priory, houſe of Religion, Colledge, Chantery, Hoſpitall, or other houſe or ſpirituall place, or of almes: or licence made by any of the ſaid late pretenſed Kings to any perſon or perſons, to found or erect any Fraternitie, Guild, Companie, or Fellowſhip, or other bodie corporate, or to giue & grant any Lands, Tenements, Rents, Poſſeſſions, or other Hereditaments, to any perſon or perſõs corporate, or hauing perpetuall ſucceſſion: or licence made by any of the ſaid late pretenſed Kings, to any of theſe afore named, for the acceptance and receite of any thing by any ſuch gift, grant, or licence made by any of the ſaid late pretenſed Kings to any perſon or perſons, to hold or retaine any aduouſõ or church in proper vſe by way of licence, or appropriatiõ, or to make any elections, ſo that any ſuch aduouſon pertaine not to the crowne, or pardon or pardons made by any of the ſaid late Kings to any body or perſons corporate, or hauing perpetuall ſucceſſiõ by purchaſe inquiſition or receite of any of the premiſſes: or liueries or reſtitutions of temporalties made by any of the ſaid late pretenſed Kings to any Archbiſhop, Biſhop, Abbot, Prior, Deane, Chapter, or other perſon or perſõs ſpirituall, ſhal be of like force, vertue & effect, as if the ſaid licences, pardons and liueries were granted by any King in this Realme lawfully raigning, and obtaining the

Licences to found any ſpirituall place or houſe or any fraternitie, guild &c or to giue any lands to them.

Licences of appropriation or to make elections.
Pardons to Corporations.
Liueries or reſtitutions of Temporalties.

Crowne of the ſame by iuſt title. So that the ſame Licences, Reſtitutions, and Liueries, were executed in the time of any of the ſaid late pretenced Kings, in déed & not of right, or if they were executed within the ſame time in part & not in the whole, that the ſame licences, as to that part ſo executed, ſhall be of like force, vertue & effect, as if the ſaid licences were granted by any K. lawfully raigning in this Realme of England, & obtaining the Crown of the ſame by iuſt title. And if any of the ſaid late pretenſed Kings, in déed and not of right, hath by his Letters Patents, or by authoritie of their Parliaments founded or eſtabliſhed any Abby, Priorie, houſe of Religion, Colledge, Chanterie, Hoſpitall, or any other houſe or Spirituall place of almes, that all ſuch foundations, as to the Corporations and ſites of the ſame, ſhall be of like force, vertue and effect, as if ſuch foundations were made by any King lawfully raigning in this Realme, and obtaining the Crowne of the ſame by iuſt title: ſo that this preſent Article concerning the foundations or eſtabliſhments aforeſaid, or any of them, ſhall not extend nor be preiudiciall in any maner to the King or to any other perſon or perſons, for any Lands, Tenements, Rents, Poſſeſſions, or Hereditaments, or any manner aduouſons in any wiſe pertaining to the King, or to any other perſon or perſons, other then ſuch which be and make the ſite or ſites of any ſuch Abby, Priory, houſe of Religion, Colledge, Chanterie, Hoſpitall, or other houſe or place aforeſaid.

Founding of Religious houſes touching the ſites of the ſame.

Aſſignement of dower to any woman during her life.

And that all grants and aſſignements of dower, made by any of the ſaid late pretenſed Kings, to any woman after the death of her husband, to hold for terme of her life, or by any Letters Patents made of ſpeciall grace by any of the ſaid late pretenſed Kings, or aſſignements of dower made to any ſuch wife after the death of her husband in the Chancerie, after the courſe of the ſame in the time of the pretenſed raignes of any of the ſaid late pretenſed Kings, ſhalbe of like vertue, power and effect, as if the ſaid grants and aſſignements were made by any King lawfully reigning, and obtaining the crowne of the ſame by iuſt title.

Prouided alwaies, that this preſent Article doe not extend, nor in any wiſe be preiudiciall to the King, for any Lands, Tenements, Rents, Poſſeſſions, or other Hereditaments, pertaining to the King, in the right of his Crowne, the firſt day of Nouember laſt paſt.

Lands aſſured in mortmaine by the King, which were giuen to him to that intent.

Prouided alſo that by this preſent Act no preiudice be done to the Ducheſſe of Bedford as concerning her Dower. And whereas any Lands, Tenements, Rents, Poſſeſſions, Hereditaments, or other things haue bin giuen to any of the ſaid pretenſed Kings by any perſon or perſons to the intent, that gifts ſhould be therof made by the ſaid Kings, or any of them, by any of their Letters Patents by way of Mortmaine for euer, that all grants and Letters Patents made by any of the ſame late pretenſed Kings, for the amortiſing of any lands, tenements, rents, poſſeſſions, hereditaments, or other things, ſhall be of like force, vertue and effect, as if the ſame grants were made by any King lawfully raigning in this Realme, and obtaining the Crowne of the ſame by iuſt title: ſo that any of the ſaid late pretenſed Kings by whom any ſuch Letters Patents were made, were neuer ſeiſed of and in the ſaid Lands, Tenements, Rents, Poſſeſſions, or Hereditaments, but onely by vertue of ſuch feoffements, grants, gifts, or other eſtates made to them, or any of them.

Lands aſſured to the King by way of recompence or exchange.

Prouided alwaies that this Act extend not to any Lands, Tenements, Rents, Poſſeſſions, aduouſons, hereditaments, or others things that were giuen to any of the ſaid late pretenſed Kings by way of recompence or exchange for any Lands, Tenements, Rents, Poſſeſſions, aduouſons, Hereditaments, or other things which in any wiſe pertained to the Crowne, although no mention were made in any Letters Patents or other writings of any recompence or exchange.

Collations, gifts & preſentations to benefices during the incumbents liues.

And that all Grants, Collations, Gifts or Preſentations, made by any of the ſaid late pretenſed Kings, to any perſon or perſons not corporate, nor hauing perpetuall ſucceſſion of any Benefice, Dignitie, Church, Prebend, Hoſpitall, or Chappell, ſhall be of like force, vertue and effect, as if the ſame Grants, Collations, Gifts and Preſentations were made by any King lawfully raigning in this Realme, and obtaining the Crowne of the ſame by iuſt title, during the life or liues of the ſaid perſon or perſons being Incumbents, Poſſeſſors or occupiers of the ſame, or any of them.

The Kings open enemies and perſons attainted excepted.

Prouided alwaies, that thoſe perſons which be attainted in this preſent Parliament, and ſuch that be out with the Kings enemies, ſhall take no benefit nor aduantage by this Act.

Grants of wards & mariages.

And that all Grants made by any of the ſaid late pretenſed Kings, by any their Letters Patents, to any perſon or perſons of any wards & mariages ſhall be of like force, vertue & effect, as if the ſame Grants were made by any King lawfully raigning in this Realme, and obtaining the Crowne of the ſame by iuſt title.

Grants of faires and markets.

And all Grants and Letters Patents made by any of the ſaid late pretenſed Kings, to any perſon or perſons, to haue any Faire or Faires, Market or Markets, in any Town or Townes, place or places, all ſuch Grants, and Letters Patents, as to ſuch Faires and Markets, and euery of them, ſhall be of like force, vertue and effect, as if the ſame Grants, and Letters Patents were made by any King lawfully raigning in this Realme, and obtaining the Crowne of the ſame by iuſt title.

Grants to heires of liueries of their anceſtors lands.

And alſo if any perſon or perſons hath ſued, obtained and had any Liuerie by the courſe of the Common Law of this Realme, or otherwiſe of any Lands, Tenements, Rents, Poſſeſſions, Aduouſons, or other Hereditaments, which ſhould deſcend, reuert, remaine, or in any other manner come to them or any of them, by any Liuery purſued after or by the death of any of their anceſtors, or any other perſon or perſons, after the fourth day of March laſt paſt, that all ſuch Liueries ſhall be of like force, vertue, and effect, as they were at the time of the ſaid Liueries purſued. So that the ſaid Lands, Tenements, Rents, Poſſeſſions, Aduouſons, and other Hereditaments, or any parcell thereof, were not pertaining to the King in the right of his Crowne.

Wards or marriages granted by K.Ed.4.

Prouided alwaies, that this Article extend not to any Lands, Tenements, or other things which doe pertaine or ought to come into the Kings hands, by reaſon of any attainder in this preſent Parliament. And alſo that all Grants, and Letters Patents made by our Lord the King, to any perſon or perſons, after the fourth day of March laſt paſt, of any Wards or marriages, of any perſon or perſons being within age, ſhall bee of like force and effect to them and euery of them, as they were at the times of the Grants, and Letters Patents thereof made to them or any of them: Any act or Ordinance in this preſent Parliament made or to be made notwithſtanding.

K.Ed.4. letters patents made to ſeuerall perſons of offices.

Prouided alwaies, that this Article extend not to any Wards or marriages of any perſons which doe pertaine or ought to come to the Kings hands, by reaſon of any attainder in this preſent Parliament, and that all Grants made by our ſaid Soueraigne Lord the King by his Letters Patents after the fourth day of March laſt paſt, to any of his faithfull liege men that were not againſt him in any Feeld after the firſt day of his raigne, nor againſt the high and mightie Prince, father to the ſaid King in the Feeld and euill iourney of Wakefeeld, of any office or offices, which ſuch perſon or perſons by the Kings diſcreet conſideration hath deſerued, the effect of ſuch Grant or Grants, ſhall be of like ſtrength and force, as they or any of them were at the time of ſuch Grant or Grants, Letters Patents, and euery of them made: Any Statute, Act or Ordinance made or to be made in this preſent Parliament notwithſtanding.

Certaine officers to whom the King had granted their offices during his pleaſure

K.Ed.4. ſeueral grants to diuers corporations of liberties & other benefits within a certaine time.

Feoffements vpon truſt to the late King, to the vſe of others

Prouided alwaies, that this Act be not preiudiciall nor hurtfull to any perſon or perſons, for any Grant or Grants made to them or any of them of any annuitie, fee, or penſion, or of any Deanry, Hoſpitall, or Benefice, or of any office or offices in the time of the Kings Progenitors, with the fees and wages thereto due and accuſtomed, made by the King by his Letters Patents ſithence the fourth day of March laſt paſt (His Letters Patents made of all the offices of Serieants at Armes, and of the offices of Iuſtices of the one Bench and of the other, Barons of his Eſchequer, Warden of the Rolles of his Chancerie of England, Warden of the Rolles of his Chancerie of his Land of Ireland, Clerke of his Counſell, Secondary in the office of his Priuie Seale, Clerke or Warden of his Hamper of his ſaid Chancerie of England, Keeper of his Parkes of Hellesbury & Lantgles in the County of Cornewall, Clerke of the Market of his houſe, the Chirographer and Warden of the Kings Writs and Records of his Common Bench, Meſſengers of his Eſchequer, Glaſier, Plummer, Browderer, Ioyner, Fletcher within the Tower of London, chiefe Carpenter within the Palace of Weſtminſter, Receiuor of all offices accomptable, Bailiffe of Hauering, Bailiffe of Surrey, and of his Auditors in the Counties of Cheſter and Flint, & of Southwales, Puruaior and comptroller of the ſearch of his Port of London, Warden of his Armor in the Tower of London, Maker of his Poincts, Conſtable of his Caſtell or Lordſhip of Hadlyegh, Clerke of his great Wardrobe, Puruaior of all maner ſtuffe for his workes within his Palace of Weſtminſter, and the Tower of London, and the Captaine of his Caſtell of Hammes, excepted.) The ſame Letters Patents ſo excepted, to endure and be of ſtrength, vertue, and effect at the pleaſure and will of the King. And alſo that all confirmations, Ratifications, Approbations, Leaſes, and Grants, of all Franchiſes, Liberties, Priuiledges, Cuſtomes, or any other Commodities, Profits, or Aduantages, and euery of them, Diſtinctions, Seuerances from Counties, and making of Counties by themſelues, Grants, Releaſes, Diminutions, and Pardons, of fee Fermes, and euery of them, made and granted by our ſaid Soueraigne Lord the King by his Letters Patents ſithence the fourth day of March laſt paſt, in reliefe and benefit of any Citie, Towne, or Borough of this Realme, to any Maior, Bailiffe or Bailiffes, Sheriffe or Sheriffes, Maior and Comminaltie, Maior & Citizens, Maior and Aldermen, Maior and Sheriffe, Maior, Bailiffes, and Commonalty, Citizens, Bailiffes, and Citizens, their heires and ſucceſſors and the heires and ſucceſſors of euerie of them, by whatſoeuer name or names they or any of them be called or named in the ſaid grants or other the premiſſes, or any of them, ſhall be of like force & effect, as they or any of them were at the time of the Grants, and Letters Patents thereof made. And alſo if any of the ſaid late pretenſed Kings, or any of their Anceſtors, hath beene infeoffed by any perſon or perſons, of or in any Lands, Tenements, Rents, Poſſeſſions, Aduouſons, or other Hereditaments, onely vpon truſt and confidence to refeoffe the ſaid perſon or perſons, or their heires or aſſignes of any of the ſame, at ſuch time as they ſhould be thereto required, that all ſuch Grants, Feoffements, or other eſtates made by any of the ſaid late pretenſed Kings, or any of their Anceſtors, of any ſuch Lands, Tenements, Rents, Poſſeſſions, Aduouſons, or other Hereditaments, to any ſuch perſon or perſons, their heires or aſſignes, or to the heires or aſſignes of any of them, ſhall be of like force and effect in the Law, and auaileable to the ſaid perſon or perſons, and to the heires and aſſignes of them and euery of them, as they were at the times of the ſaid grants and feoffments or other eſtates made to them or any of them, any act or ordinance in this preſent Parliament made or to be made notwithſtanding. So that none of the ſaid pretenſed Kings, nor any of their aunceſtors, after the laſt day of the raigne of King Edward the third, progenitor of our ſaid lord the King, were at any time ſeiſed of the lands, tenements, rents, poſſeſſions, aduouſons, or other hereditaments, nor of any parcell thereof, but only by vertue of ſuch feoffments made to them or any of them vpon confidence in maner & forme aforeſaid, and in no other maner: & that the ſame lands, tenements, rents, poſſeſſions, aduouſons or other hereditaments, and euery of them be holdē of the ſame chiefe Lords immediate, or of their heires, & by the ſame ſeruices, as they were holden at the time of the ſame feoffements made to any of the ſaid late pretenſed Kings, or to any of their aunceſtors, any poſſeſſion of the late pretenſed Kings, or of any of their aunceſtors, after the laſt day of the raigne of King Edward the third, notwithſtanding. Prouided alwaies, that no perſon attainted in this preſent Parliament take any benefit or aduantage thereby. Alſo that all Letters Patents granted and directed by our ſaid Lord the King after the firſt day of his raigne, to his Chancellor or Treaſurer of this Realme, Juſtices of the pleas to be holden before the King, Juſtices of the common bench, or Barons of the Exchequer, or to any of them, for the exerciſe of any ſuch thing as pertaineth to the office or offices, authoritie, and power of them or any of them, by reaſon of any of the ſaid letters patents and grants, ſhall be of like force, vertue and effect, as they or any of them were the firſt day of Nouember laſt paſt, any ſtatute, act, or ordinance made in this preſent Parliament notwithſtanding. So that the Barons of the Exchequer ſhall occupy, or exerciſe their offices at the Kings pleaſure as the Juſtices doe. And alſo that euery Commiſſion made, granted, and directed by any of the ſaid late pretenſed Kings in any of their times, to any perſon or perſons to bee aſſigned for the peace in euery or any countie of this Realme to be eſtabliſhed and kept, and to heare and determine all manner of Felonies, Treſpaſſes, and other offences ſpecified in the ſaid Commiſſions, and euery of them, done or committed in any of the ſaid Counties, or to deliuer any gaole or gaoles within this Realme, or in other place or places vnder the obeyſance of the Crowne, of the priſoners being in any of the ſaid gaoles, in the time of any of the ſaid late pretenſed Kings, or to heare and determine all manner Treaſons, Felonies, Treſpaſſes, or other offences done in any of the ſaid Counties, or in any place or places vnder the obeyſance of the Crowne of the ſaid Realme, ſpecified in euerie of the ſame Commiſſions, or for Sewers being aſſigned to ſuruaie and to cauſe to be repaired and amended Walls, Marſhes, Ditches, Gutters, Calceys, and Bridges, and other defaults in any Marſh or Marſhes in any part of this Realme, ſpecified in the ſame Commiſſions and euery of them, and all other Commiſſions made by any of the ſaid late pretenſed Kings to any perſon or perſons before the fourth day of March laſt paſt, and all Proceſſes, Determinations, Executions, Incidents, Adminicles, and other Circumſtances pertaining to the ſame Commiſſions and euery of them, not void, repealed, and adnulled, ſhall be of like force, vertue, and ſtrength, as if the ſame Commiſſions and euery of them were made and granted by any King lawfully raigning in this Realme, and obtaining the Crowne of the ſame by iuſt title: So that a ſpeciall Act be made for ſuch perſons that were before this time indamaged for the King.

The force of the Kings letters patents made to the L. Chancellor, L. Treaſurer, Juſtices &c. or to the Barons of the Exchequer.

Commiſſions of the peace, of gaole deliuery, and to heare and determine, Or of Sewers, and all other Commiſſions.

And alſo that all manner of Acts and Ordinances made by authority of any Parliament or Parliaments holden in the time of any of the ſaid late pretenſed Kings, for the conſeruation and keeping of the towne of Shrewsburie, and of the good, peaceable, and quiet rule and gouernement within the ſaid towne, betwixt the Inhabitants of the ſame, and euery of them, ſhall bee of like force and effect, as if the ſame acts, or ordinances, and euery of them, were made in the time of any King or Kings lawfully raigning in this Realme, and obtaining the Crowne of the ſame by iuſt title.

Acts of Parliament for Shrewsbury.

Alſo whereas the ſaid late pretenſed King Henry the ſixth, in deed, and not of right, king of this realme, by his Charter indented vnder the Seale of the Duchie of Lancaſter ſealed, bearing date the twentieth day of March, the foure and twentieth yeare of his vſurped raigne, did giue and grant, and by the ſame Charter confirmed to William Abbot of Biland the manor of Kilbourne, with the appurtenances, in the Countie of Yorke, with all the Knights fees, viewes of frankepledge, franchiſes, liberties, commodities, profits, and appurtenances to the ſame Manor, in any wiſe belonging or appertaining, to haue and to hold the ſame Manor, with the other premiſſes to the ſaid Abbot, and his ſucceſſours for euer, yeelding therefore to the ſaid pretenſed King Henry the ſixt, and his heires dukes of Lancaſter xxj.li. yearely (where the ſaid pretenſed King, nor any of his anceſtors Dukes of Lancaſter, before the ſame time were euer anſwered of the ſaid yearely iſſues and profits of the ſame Manour, but of xvj.li. by yeare onely) the ſaid xxj.li. to be paid at the feaſts of Pentecoſt and Saint Martin in Winter by euen portions, for all ſecular ſeruices, with clauſe of diſtreſſe for default of paiment of the ſaid rent by halfe a yeare, in all the Manors, lands, and tenements of the ſaid Abbot and Conuent within the ſame County, as in the ſame Charter thereof made more plainely appeareth.

K.H.6. his grant to the Abbot of Biland of the manor of Kilbourne in the county of Yorke

That all the ſame Charter, gift, and grant ſhall be vntill this time, and hereafter to the ſaid Abbot and Couent, and to their ſucceſſors, of like force and effect, as they were the firſt day of March laſt. Any Act or Ordinance made in this preſent Parliament, notwithſtanding.

Grants to Abbots, Priors, &c. to make free election.

And alſo that all grants and licences made by letters patents of any of the ſaid late pretenſed Kings, to any Abbot and Couent Prior and Couent, or to any other perſon or perſons, to haue and make by frée election within themſelues at any voydance, Abbot or Prior, and to be conuentuall, perpetuall, and electiſe, where before they were datiſe and remoueable, ſhall be of like ſtrength, vertue, and effect, as if the ſame grants and licences, or any of them were made by any King lawfully raigning, in this Realme, and obtaining the Crowne of the ſame by iuſt title.

Recogniſances and Deeds inrolled.

Alſo that all Records of Recogniſances and Déeds inrolled, had and made in any court or courts of record, or before any Juſtice of Record, in the time of the raignes of any of the ſaid late pretenſed Kings, ſhall be of like force, vertue, and effect, as if the ſame Records were had or made in the time of any King lawfully raigning in this Realme, and obtaining the Crowne of the ſame by iuſt title.

Licences to make parkes, chaſes, free warrens, or to make caſtles, towers, or to embatell a houſe.

And alſo that all licences and grants made by any of the ſaid late pretenſed Kings to any perſon or perſons, to make, haue, incloſe, and inioy any Parke or Parkes, Warren, or frée Chaſe, or to embatell, to carnall, to maſtoll, or to make any towre, caſtle or fortreſſe, within this realm, ſhall be of like fore, vertue, and effect, as if the ſaid grants and licences were made by any King lawfully raigning in this Realme, and obtaining the Crowne of the ſame by iuſt title.

Cicily Ducheſſe of Yorke, mother to the King

Prouided alwaies, that this act doe not extend, nor be preiudicall to the right noble, high and mighty Princes Cicylie Duches of Yorke, mother vnto our ſaid Soueraigne Lord the King, of any grant or grants made to her by the King by his letters patents before the firſt day of this Parliament, by whatſoeuer name or names ſhe ſhall be called in the ſame Letters Patents, but that the ſame letters patents, and euery grant therein contained, bée of like force and effect, as they were before the firſt day of this Parliament: This Act, or any other, made or to be made in this preſent Parliament notwithſtanding.

Lands deuolued to the King by attainder, or, &c.

Prouided alwayes, that this Act, nor any article of the ſame, doe not extend to any lands, tenements, poſſeſſions, hereditaments, or other things, which the King ought in any wiſe to haue by force of any act of attainder of any perſon or perſons made in this preſent Parliament.

Prouided alſo, that no perſon or perſons attainted in this preſent Parliament, or being out with the Kings enemies, take any benefit or aduantage by this Act, nor any other Act made or to be made in the ſaid Parliament.

CAP. II.

Iuſtices of Peace may award Proces vpon Indictments taken in Sheriffes Turnes.

ALſo wheras many of the Kings faithfull liege people, as wel ſpirituall as temporall, by the inordinate and infinite indictments and preſentments, as well of felony, treſpaſſes, and offences, as of other things, which of long time haue béene had and vſed within the counties of this Realme, and taken before Sheriffes for the time being in their countie ſeuerally, vnderſheriffes, their clerks, bailiffes, and miniſters, at their turnes or lawdayes, holden before them ſeuerally in the counties, which indictments and preſentments be oftentimes affirmed by Jurors hauing no conſcience, nor any fréehold, and little goods, and often by the ſaid ſheriffes meniall ſeruants and bailiffes, and their Vnderſheriffes, by which indictments and preſentments, the ſaid lawfull liege people be attached and arreſted by their bodies, and put in priſon by the ſaid Sheriffes, Vnderſheriffes, their clerks, bailiffes and miniſters, to the great loſſe of their goods, and they ſo being in priſon by the ſaid Sheriffes, Vnderſheriffes, their clerks, Bailiffes, and their miniſters, are conſtrained to make grieuous fines and ranſomes, and leauy of them great fines & amerciaments for the ſaid indictments and preſentments, in great hinderance and vtter vndoing of the ſaid liege people. After which fines, ranſomes, and amerciaments ſo rated and leuyed by the ſaid Sheriffes, Vnderſheriffes, clerkes, Bailiffes and their miniſters, the people aforeſaid be inlarged out of priſon, and the ſaid indictments and preſentments be imbeſiled & withdrawne. Our ſaid Lord the King conſidering the premiſſes, by the aduice and aſſent of the Lords ſpirituall & temporall, and at the requeſt of the commons in this preſent Parliament aſſembled, and by authoritie of the ſame, hath ordained and eſtabliſhed, that all manner indictments and preſentments that ſhall be taken hereafter before any of his ſaid Sheriffes of his counties for the time being, their Vnderſheriffes, clerks, bailiffes, or miniſters, at their turnes or lawdayes, before mentioned, they nor any of them ſhall haue power or authority to attach, arreſt, or put in priſon, or to leauy any fines or amerciaments of any perſon or perſons ſo indicted or preſented, by reaſon or colour of any ſuch indictment or preſentment taken or to be taken before them or any of them, nor to make, or take of any ſuch perſon or perſons ſo indicted or preſented any fine or ranſome, but that the ſaid ſheriffes, and their Vnderſheriffes, clerks or Bailiffes, and their miniſters, ſhall bring, preſent,

The inconueniences of vnlawful indictments in Sheriffes turnes by mean perſons.

Indictments & preſentments taken in the Sheriffes turne ſhall be deliuered to the Juſtices of Peace of the ſame county Stat.11.H.7.15.

Coke li.9.fo.26.
4 Ed.4.fol.31.
8 Ed.4. fo.5.
Fitz. Turne de Viſcount. 26.

and deliuer all ſuch enditements and preſentments taken before them or any of them in their turnes or Lawdaies aforeſaid, to the Iuſtices of Peace at their next Seſſions of the peace, that ſhall be holden in the Countie or Counties where ſuch endictments and preſentments ſhall be taken, before the ſaid Iuſtices of ſuch Countie or Counties for the time being: And if any of the ſaid Sheriffes, Vnderſheriffes, Clerks, Bailiffes, and their Miniſters doe not bring, deliuer, and preſent all ſuch indictments or preſentments ſo taken before them and euery of them in their turnes or Lawdaies, as before is recited, at ſuch Seſſions of the peace, before the ſaid Iuſtices of Peace, that then all ſuch Sheriffes, Vnderſheriffes, Clerks, Bailiffes, and their Miniſters, and euerie of them that ſo ſhall faile in bringing, deliuering and preſenting of ſuch indictments or preſentments, ſhall forfeit to the King forty pounds, at euery time that they or any of them doth the contrarie: And that the ſaid Iuſtices of Peace ſhall haue power and authoritie to award Proces vpon all ſuch indictments and preſentments, as the Law doth require, and in like forme as if the ſaid enditements and preſentments were taken before the ſaid Iuſtices of peace in the ſaid Countie or Counties, and alſo to arraine and deliuer all ſuch perſons or perſon ſo indited and preſented before the ſaid Sheriffes, Vnderſheriffes, their Clerks, Bailiffes, and their Miniſters, or any of them in their turnes or lawdaies. And all ſuch perſon or perſons, which be endited or preſented of treſpaſſe, ſhall make ſuch a fine as ſhall ſeeme lawfull by their diſcretions. And the eſtreats of the ſaid fines and amerciaments ſhall be enrolled, and by indenture be deliuered to the ſaid Sheriffes, Vnderſheriffes, their Clerks, Bailiffes or Miniſters, or ſome of them, to the vſe and profit of him that was Sheriffe in the ſaid Counties or Countie at the time of ſuch indictments or preſentments taken: And if any of the ſaid Sheriffes, their Vnderſheriffes, Clerks, Bailiffes, or their Miniſters doe arreſt, attach, or put in priſon, or cauſe any fine or ranſome to be taken, or leuie any amerciament of any perſon or perſons ſo indicted or preſented, by reaſon or colour of any ſuch indictment or preſentment taken before them at their turnes or lawdaies, aboue rehearſed, before that they haue proceſſe from the ſaid Iuſtices of Peace, or eſtreats deliuered out of the ſaid indictments or preſentments ſo brought, deliuered, & preſented to them, that then the ſaid Sheriffes which ſo doe, ſhall forfeit an hundred pound. The one halfe thereof to be imployed to the expences of the Kings houſe, and the other halfe to the partie or parties which be or is endamaged, and he or they ſhall haue therefore an Action of debt at the common Law, and like Proceſſe, as is in an action of debt at the common Law: and that the defendant or defendants in ſuch ſuits or actions of debt, ſhall not be eſſoined, nor wage their Law: and if he or they or any of them againſt whom this action ſhall be taken, doe offer or caſt any protection or other impediment, in retardation of the ſaid Suits or Actions, that ſhall not be allowed vnto him.

Iuſt of P. ſhall award proceſſe againſt them that be indicted in the ſheriffes turne & arraine & deliuer the offendors.

The eſtreats ſhall be indented & deliuered by the Iuſt. of P. to the ſheriffe.

Prouided alwaies, that this preſent Ordinance doe not extend, nor in any wiſe be preiudiciall to the Sheriffes of the Citie of London now being, or which at any time hereafter ſhall be, concerning any indictments or preſentments to be taken within the ſaid Citie of London.

This ſtat. doth not extend to the Sheriffes of London.

Prouided alſo that this Act extend not, nor be preiudiciall to any perſon or perſons, which hath Graunts of any Fines or Amerciaments by any Letters Patents of our ſaid Soueraigne Lord the King, or of any of his Progenitors or Predeceſſors, bearing date before the tenth day of December, next after the beginning of this Parliament: and that this Act and Ordinance doe not extend nor be preiudiciall to any perſon or perſons, hauing any Liberties or Franchiſes by any of the ſaid Letters Patents, or in any other maner by preſcription. And that this Ordinance be in his force, and beginne to take effect at the fourtieth day next after the firſt day of May next after the beginning of this preſent Parliament, vpon the which firſt day the ſaid Parliament was diſſolued.

Grants of fines made by the King.

Statutes made at Weſtminſter, An. 3. Ed. 4.

& Anno Domini 1463.

AT the Parliament ſummoned at Weſtminſter, the nine and twentieth day of April, the third yeat of the raign of our Lord King EDVVARD the fourth, after the Conqueſt: diuers Statutes and Ordinances, to the honour of God and of holy Church, and for the wealth of the King, & of his people, by the aduice and aſſent of his Lords Spiritual and Temporall, and the Commons in the ſaid Parliament aſſembled, and by authority of the ſame, were made in the maner and form as followeth.

Cap. I.

No Alien ſhall ſhip or carry out of this Realme any Wools, fels, morling or ſhorling: neither ſhall any Denizen carry them but to Calice (except ſuch as be growing in Northumberland, Cumberland, Weſtmerland, and the Biſhoprick of Durham, which ſhall be carried to Newcaſtle) Euerie Merchant ſhall receiue for his merchandiſe of the Staple ready payment, whereof the one halfe ſhall be in Bullion of gold or ſiluer which ſhall be coined at the Mint of Calice: whoſoeuer windeth any deceitfull thing in Wool, ſhall forfeit vj.d. for euerie fleece: If any Engliſh or Welchman ſhall bring in or carry forth any merchandiſe in an aliens ſhip, if he may haue fraught in a denizens Ship, he ſhall forfeit his merchandiſe. Exp. Stat. 5.R.2.3. 6.R.2.8. 14.R.2.6. 4.H.7.10.

Cap. II.

A reſtraint of bringing Corne into this Realme vntill it ſhall exceed certaine prices. Rep. 21. *Iac.* 28.

Cap. III.

Whoſoeuer ſhall bring into this Realme any wrought Silke to be ſold concerning the miſtery of Silkeworkers ſhall forfeit the ſame & x.li. Exp. Stat. 33.H.6.5. 22.Ed.4.3. 1.R.3.10. 1.H.7.9.

Cap. IIII.

Certaine merchandiſes not lawfull to be brought ready wrought into this Realme.

The inconueniences enſuing of bringing of wares ready wrought into this Realme.

Item, whereas in the ſaid Parliament by the Artificers of manuell occupations men and women, inhabiting and reſiant in the Citie of London, and other Cities, Townes, Boroughs, and Villages within the ſame Realme of England and Wales, it hath béene piteouſly ſhewed and complained, how that all they in generall, and euery of them, be greatly impoueriſhed, and much hindred and preiudiced of their worldly encreaſe and daily liuing, by the great multitude of diuers commodities and wares pertaining to their miſteries and occupations, being fully wrought and ready made to ſale, as well by the hands of ſtrangers being the Kings enemies, as other in this Realme and Wales, fetched and brought from beyond the Sea, alwell by Merchants ſtrãgers, and deniſens and other perſons, whereof the greateſt part in ſubſtance is deceitfull and nothing worth in regard of any mans occupation or profit, by which occaſion the ſaid artificers can not liue by their miſteries and occupations as they haue done in times paſt, but diuers of them, as well houſholders as hirelings, and other ſeruants and apprentiſes in great number, be at this day vnoccupyed, and doe hardly liue, in great miſerie, pouertie, and néed, whereby many inconueniences haue growne before this time, and hereafter more be like to come (which God defend) if due remedie be not in this behalfe prouided. Our redoubted Soueraigne Lord the King, conſidering the premiſſes, and willing in this caſe to prouide remedy, by the aduice, aſſent, and authority aforeſaid, hath ordained, enacted and eſtabliſhed, That no Merchant borne ſubiect of our ſaid Lord the King, denizen nor ſtranger, nor other perſon after the Feaſt of S. Michaell the Archangell next comming, ſhall bring, ſend nor conuey, nor cauſe to be brought, ſent nor conueyed into this Realme of England, and Seigniorie of Wales, any of the chaffers, wares, or things vnder written, that is to ſay, any Woollen Cappes, woollen Clothes, Laces, Corſes, Ribands, Fringes of ſilke and of thréed, Laces of thréed, ſilke twined, ſilke in any wiſe imbroydred, Laces of gold, of ſilke or gold, ſadels, ſtirops, or any harneis pertaining to ſadels, ſpurres, boſſes for bridles, aundirons, gredirons,, any maner of lockes, hammers, pinſons, firetongs, drippingpans, Dice, Tenis balles, Points, Purſes, Gloues, Girdles, Harneis for Girdles, of Iron, Latten, Stéele, Tinne, or of Alkemine, any thing wrought of any tawed Leather, any tawed Furres, Buſcans, Shooes, galoches or Corkes, kniues, daggers, woodkniues, bodkins, ſheres for tailors, cyſors, Raſers, Cheſſemen, playing Cardes, Combes, Pattins, Packnéedles, any painted ware, Forcers, Caſkets, Rings of Copper, or of Latten guilt, Chafingdiſhes, hanging Candleſtickes, Chaffing balles, ſacring Belles, rings for Curtaines, Ladles, Scommers, counterfeit Baſons, Ewers, Hatts, Bruſhes, Cardes for wooll, blacke Iron thréed commonly called and named white Wire, or any of thoſe wares or chaffers to be vttered and ſold within the ſame Realme of England, or in the Countrey of Wales, by way of Merchandiſe, vpon paine to forfeit the ſame merchandiſes, at euery time, and as often as they may be found in the hands of any perſon or perſons to be ſold. The one halfe of the ſame forfeiture to be paid to the vſe of our Lord the King, and the other halfe to him that will firſt ſeiſe the ſame for the King. The ſame halfe by him ſo ſeiſed for our Lord the King to be deliuered by the ſaid ſeiſor thereof to the Eſcheator of the Countrey or place where the ſame ſeiſin ſhall be, by Indenture betwixt them made duely to anſwere thereof in his accompt.

Certaine merchandiſes which it is not lawfull to bring into this Realme, wrought. St.1.R.3.12.

A prouiſo for ſuch wares as be taken vpon the Sea or by wrecke.

Prouided alwaies that if any of the ſaid wares or chaffers made out of this Land, be taken vpon the ſea without fraud and colluſion, or come in this Realme of England, or the Countrey of Wales, by way of wrecke, that thoſe be in no wiſe taken within this Act or Statute, but that they may be ſold within this Realme of England, or Wales, this Act or ſtat. notwithſtanding.

Prouided alſo, that all wares and chaffers made ⁊ wrought in the Land of Ireland or Wales may be brought and ſold in this Realme of England, as they were wont before the making of this Statute, this Act or Statute notwithſtanding.

Wares made in Ireland or Wales.

Alſo our Lord the King hath ordained and ſtabliſhed, by the aſſent and authoritie aforeſaid, that the Maſters and Wardens for the time being, of euery Craft and Miſterie in euerie Citie, Borough, Towne, and Village, where any ſuch Craft or Miſterie is vſed or occupyed, ſhall haue ſufficient power and authoritie in euerie ſuch Citie, Towne, Borough, and Village, where they for the time being ſhall be Wardens or Maſters of any ſuch craft or miſtery, and the Maior of ſuch Citie, Borough, Towne, or Village, for the time being, if any Maior be, or the Bailiffes or Bailiffe of any ſuch Citie, Borough, Towne, or Village for the time being, if any Bailiffes or Bailiffe there be and no Maior, or Serieant, or any other officer to them aſſigned by the ſaid Maior, Bailiffes or Bailiffe, in euery ſuch Citie, Borough, Towne, and Village, where any ſuch craft or miſtery is vſed or occupied, where no ſuch Maſters nor Wardens of any ſuch craft or miſterie be, that the Maſters or Wardens of the crafts and miſteries of the Citie, Towne, Borough or Village next adioining to the ſame, and the Conſtable of ſuch City, Borough, Towne, or Village, ſhall haue power and authority to ſearch in their owne crafts and miſteries, and in all other crafts and miſteries, vttering by way of ſale any of the foreſaid wares, as well within Cities, boroughs, townes, and villages of the ſame Realme of England, and of the Countrey of Wales, as within the liberties and Franchiſes of the ſame Cities, boroughs, townes, and villages at all times reaſonable by the day, at Faires and markets, ſhops open, and Warehouſes, all ſuch maner wares, chaffers, and merchandiſes pertaining to euery of their proper crafts and miſteries, which ſhall be made by any Alien artificer, man or womã, or any other perſon or perſons within the ſame Realme of England or Wales, or which at any time ſhall be occupied by any of the ſaid crafts or miſteries, in whoſe hands ſo euer they may be found.

The chiefe officers of Cities, or, &c. ſhall haue authoritie to ſearch for defectiue wares.

Prouided alſo that the ſaid Maſters, Wardens, and other named in the ſaid ordinance to be ſearchers, ſhall not enter in any place exempt by priuiledge, franchiſe or cuſtome to make in the ſame any ſearch as is aforeſaid, but by the ouerſight of ſome officer of euery ſuch place ſo exempt where any ſuch ſearch ſhall happen to be made, and if the ſaid ſearchers by the ſame ſearch do find that ſuch chaffers, wares or merchandiſes, or any part thereof be not pure, lawfull and able chaffers, wares or merchandiſes, and duly wrought and made, as they ought to be, and that ſufficiently proued; that then it ſhal be lawful to ſuch ſearchers to take and ſeiſe all ſuch chaffers, wares, and merchandiſes, which ſhall ſo be found not good, pure, lawfull or able, nor well wrought as a thing forfeit. The one halfe of the ſame forfeiture to be paid to the vſe of our Lord the king, and the other halfe thereof to ſuch Maſters or Wardens, which ſo ſhall make ſearch and find the ſame. And that this preſent ordinance or ſtatute concerning the ſaid Artificers ſtand and be in his force as long as ſhall pleaſe our Soueraigne Lord the King.

Wares and merchandiſes that be not lawfull ſhall be forfeit.

Prouided alwaies that this ordinance and Act, nor any other ordinance, or act made or to be made in this preſent Parliament, ſhall extend or in any wiſe be preiudiciall or hurtfull to Robert Stillington Clerk Deane of the free Chappel of our Lord the King, of S. Martin Legraund of London, nor to his ſucceſſors of the ſaid Chappel hereafter for the time being in any maner, nor to the ſaid Robert, Deane and Chapiter of the ſame Chappel, as in and for all maner Priuiledges, Liberties, Franchiſes, Rights and Cuſtomes, in any maner pertaining to them before this Parliament. Nor to any perſon or perſons dwelling or inhabiting or which ſhall hereafter inhabite and dwell within the Sanctuary and precinct of the ſame Chappel, and eſpecially within the Lane, commonly called S. Martins Lane. St. 5. El. 7.

The Liberties of great Saint Martins in London reſerued.

Cap. V.

What kind of apparell men and women of euery vocation and degree are allowed, and what prohibited to weare. Rep. 22. Ed. 4. 1. 1. *H.* 8. 14. 7. *H.* 8. 6. 14. *H.* 8. 13.

Statutes made at Weſtminſter Anno. 4. Ed. 4. *& Anno Domini.* 1464.

OVr Lord King EDVVARD the fourth after the Conqueſt, at his Parliament ſummoned at Weſtminſter, the nine and twentieth day of Aprill, in the third yeare of his raigne, and by diuers Prorogations and Adiournments, continued till the one and twentieth day of Ianuarie, in the fourth yeare of his ſaid raign, on the ſame one and twentieth day of Ianuarie, to the reuerence of God, and for the wealth of him, and his people, by the aduice and aſſent of his Lords Spirituall and Temporall, and at the ſpeciall requeſt of his Commons, being in the ſaid Parliament, hath ordained and ſtabliſhed certain Statutes and Ordinances in maner and forme following.

Cap. I.

The length and breadth of Clothes made to be ſold. No Clothes wrought beyond Sea ſhall be brought into England.

The inconueniences which haue enſued to this Realme by the deceitfull making of Cloth.

FIrſt, whereas many yeares paſt,and now at this day, the workemanſhippe of Clothes and things requiſite to the ſame,is and hath beene of ſuch fraud,diſceit,and falſitie, that the ſaid Clothes in other Lands and Countries be had in ſmall reputation, to the great ſhame of this Land. And by reaſon thereof a great quantitie of Clothes of other ſtrange Lands be brought into this Realme,and here ſold at an high and exceſſiue price,euidently ſhewing the offence,default and falſehood of the making of Woollen Clothes of this Land. Our ſaid Lord the King,for the remedy of the premiſſes, and to the preferrement of ſuch labours and occupations, which haue beene vſed by the making of the ſaid Clothes, by the aduice,aſſent,and requeſt, and authoritie aforeſaid,hath ordained and eſtabliſhed certaine Statutes and Ordinances, in maner and forme enſuing: Firſt, that euery whole Woollen Cloth,called Broad cloth,which ſhall be made, and ſet to ſale after the Feaſt of Saint Peter,called ad vincula, which ſhall be in the yeare of our L. M,CCCC.lxv. after the full watering and racking,ſtraining,or tenturing of the ſame ready to ſale,ſhall hold and containe in length xxiiij.yards, and to euery yard an inch, containing the breadth of a mans inch,to be meaſured by the creſt of the ſame Cloth. And in breadth ij. yardes or vij.quarters at the leaſt within the liſts. And if the ſaid Cloth be longer in meaſure then the ſaid xxiiij.yards and the ynches, then the buyer thereof ſhall pay to the ſeller for as much as doth exceed ſuch meaſure of xxiiij.yards, according to the rate of the meaſure aboue ordained.

The length and breadth of wollen cloth called broad cloth.

REP.5.Ed.6.6.

The length and breadth of Straits.

And it is enacted and eſtabliſhed,by authoritie of the ſaid Lords,that all maner Clothes called Streits,to be made and put to ſale,after the ſame Feaſt, after the full watering, and racking, ſtraining,or tenturing thereof ready to ſale, ſhall hold and containe in length xij.yards and iij. inches,according to the meaſure aforeſaid,and in breadth one yard within the liſts.

The length and breadth of Kerſey.

Alſo it is ordained and eſtabliſhed by the authoritie aforeſaid,that euery Cloth called Kerſey, to be made and put to ſale after the ſaid Feaſt, after the full watering,racking,ſtraining, or tenturing of the ſame ready to ſale,ſhall hold and containe in length,xviij.yardes and iij.inches, as is aforeſaid,and in breadth one yard and a naile,or at the leaſt one yard within the liſt.

Halfe Clothes.

And alſo it is ordained and eſtabliſhed by the authoritie aforeſaid,that euery halfe cloth of euery of the ſaid whole Clothes,Streits,and Kerſeis,ſhall keep his meaſure in length and breadth according to the rate,forme,and nature of his whole Cloth aforeſaid. And that no perſon which ſhall make or cauſe to be made any woollen Cloth to ſell after the ſaid Feaſt,ſhall mingle,or put in or vpon the ſame Cloth nor the wooll whereof the ſaid Cloth ſhall be made,any Lambs wooll, Flockes,or Corke in any maner,vpon paine to forfeit xx.s.for euery Cloth or halfe cloth,wherein,or whereupon any ſuch Lambs wooll,Flocks or Corke ſhall be put or mingled. The one halfe thereof to be to the King,and the other halfe to him that will ſeiſe the ſame Cloth,and duly proue the ſame to be made contrary to this ordinance. But it ſhall be lawful for him to make Cloth of Lambes wooll by it ſelfe,without mingling with any other wooll. Except alſo that Corke may be vſed in dying vpon woaded wooll,and alſo in dying of all ſuch Cloth that is onely made of woded wooll,ſo that the ſame Wooll and Cloth be perfectly boiled and madered. Except alſo that Corke may be put vpon Cloth which is perfectly boiled and madered.

Lambes Wooll, Flockes, or Corke, ſhall not be put into cloth but for certaine cauſes. St.7 Ed.4.2.

Clothes ſhall perfectly purſue one order of workemanſhip.

A Seale of lead ſhall be ſet vpon fau tie cloth REP.5.Ed.6.6.

Cloth lawfully made ſhall be ſealed with a double print in Lead, St.17.Ed.4.5.

Sealing of Cloth which is leſſe then a whole cloth, and longer then a halfe cloth.

Alſo it is ordained and enacted,that euery of the ſaid Clothes,and halfe Clothes ſhall perfectly and rightly purſue and follow one order of workemanſhip,from one end to the other,without diferẽce in the weauing,fulling,knotting or burling. And in caſe any ſuch differẽce or raw,or ſkaw, cokel,or fagge,happen to be in any part of the ſaid Clothes,Streits,or Kerſeis,that then a ſeale of Lead,therfore ordained & by the Treaſorer of England for the time being prouided, ſhall be ſet and hanged in the loweſt part of the edge of the ſame Cloth, Streit, or Kerſey, for perfect knowledge to be had to the buyer thereof. And that euery of the ſaid Clothes,Streit, and Kerſey, of the length and breadth aforeſaid,and alſo of the ſaid perfection, ſhall be from the Feaſt of S. Peter ad vincula,ſealed at the end of the ſame,with a double print in Lead, deuiſed & ordained by the ſaid Treaſorer,in teſtimonie and witneſſe of the foreſaid true length, breadth and making. And if any of the aforeſaid Clothes,Streits,or Kerſeis,doe not containe the aforeſaid length and breadth,or be not of the perfect workemanſhip aforeſaid,& the ij.parts of the ſame cloths,ſtreits, or kerſeis be of the true & perfect workmanſhip aforeſaid,keeping their ſaid length & bredth, that then euery ſuch Cloth,Streit,& Kerſey ſhal be ſealed with the ſaid Seales,in the forme aforeſaid and that euery halfe cloth containing greater length then the halfe cloth,and leſſe length then the whole cloth, of the ſorts of the clothes aforeſaid, being of the ſaid perfect workmanſhippe and breadth, ſhall be ſealed with a ſeale printed in Lead, hauing a marke differing from both the Seales aforeſaid,in teſtimony and witneſſe of the true length, breadth and making of the halfe cloth. And if any woollen cloth of any ſorts of the clothes before recited, perfectly made and hauing breadth after the ſort before limited,containing iij.yards and an halfe, or more, or leſſe then the halfe cloth,be put to ſale,after the ſaid feaſt, the ſame cloth ſhall be ſealed with a Seale printed in Lead, hauing a marke differing from any of the ſaid Seales for a knowledge to be had of the default of the halfe cloth, the ſaid Seales to be deuiſed and ordained by the ſaid Treaſorer, and to be put at the end of euery of the halfe clothes, and clothes leſſe then halfe clothes. Alſo by the aduice, aſſent and authoritie aforeſaid, it is ordained and eſtabliſhed, that the Treaſorer of England for the time being, ſhall haue power and authoritie to make ſuch and as many keepers of the ſaid Seales as he ſhall thinke neceſſary, So that no ſtranger borne be made any of the ſaid Keepers. And that euery of the ſaid Keepers ſo to be made ſhall accompt yearely of the reuenues of their ſaid offices in the ſaid Eſchequer before the Treaſorer of England, and the Barõs there for the time being, duely ſhewing in the ſame accompts, the number of the clothes, halfe Clothes, Streits, and Kerſeis ſealed by them, with the names of the owners of the ſame. Euery of the ſame Keepers to be rewarded yearely at his ſaid accompt for his labour and diligence had in this behalfe at the receipt of the ſaid Eſchequer, by the diſcretion of the ſaid Treaſorer and Barons, without paiment of any thing in the ſaid Eſchequer, in or for the making of his ſaid accompt. And in caſe any of the ſaid Keepers doe ſeale any of the aforeſaid Clothes with any other Seale, or any of the ſame Clothes otherwiſe made then according to the maner and ordinance aboue ſpecified, and that by ſufficient proofe and examination ſhewed and approued before the ſaid Treaſorer and Barons, by the ſaid depoſition, teſtimony and witneſſe of ſuch ſufficient perſons, of good and due reputation, which haue had prompt experience in weauing, fulling, and making of Clothes: or if the ſame Keeper doe refuſe to ſeale any of theſe Clothes, made according to the ſaid maner and ordinance: or if any ſuch Keeper or Aulneger doe take after the ſaid feaſt for the King of any perſon for the ſealing or meaſuring of any ſorts of Cloth, any other ſumme of money then is contained in the Statutes and Ordinances made before this time, and not repealed, or if any ſuch Keeper or Aulneger, after the ſaid feaſt doe refuſe to ſhew his Commiſſion of his office to any perſon deſiring the ſame vpon the ſealing or meaſuring of any ſuch clothes before rehearſed, and that examined and duely proued, that then he, as often as he ſhall offend in any of the premiſſes, ſhall forfeit the ſumme of xx.s. The one halfe thereof to the King, and the other halfe to the party prouing the ſaid offences therein by ſuit to be made before the ſaid Treaſorer and Barons, by Bill of debt in the ſaid Eſchequer, in which Bill like iudgement and execution ſhall be had, as is accuſtomably had and vſed againſt other accomptants in the ſame Eſchequer. And that theſe Statutes and Ordinãces and other Statutes ⁊ Ordinances made before this time and not repealed, concerning any of the premiſſes ſhall be contained, and ſpecified in euery Commiſſion to be made to euery ſuch Keeper or aulneger, after the ſaid Feaſt. Alſo whereas before this time in the occupations of Clothmaking, the Labourers thereof haue beene driuen to take a great part of their wages in pinnes, girdles, and other vnprofitable wares vnder ſuch price as they did extend to, and alſo haue deliuered to them Woolles to be wrought by very exceſſiue weight, whereby both men and women haue beene diſcouraged of ſuch labour. Therefore it is ordained and eſtabliſhed, by the authoritie aforeſaid, that euery man ⁊ woman being Clothmakers from the Feaſt of Saint Peter, ſhall pay to the Carders, Spinſters, and all ſuch other Labourers in any part of the ſaid Trade, lawfull Money for all their lawfull wages and payment of the ſame. And alſo ſhall deliuer Woolles to be wrought according to the faithfull deliuery and due weight thereof, vpon paine of forfeiture to the ſame Labourer the treble of his ſaid wages ſo not paid as often as the Clothmaker doth refuſe to pay the ſame in the ſaid maner and forme to any ſuch Labourer, put by him to the occupation in any of the ſaid parts of Clothmaking, and alſo to forfeit to the ſame Labourer, for euery deliuery of exceſſiue ⁊ vnlawfull weight to him committed to be wrought vj.d. for euery default.

The L. Treaſorer ſhall make as many keepers of the ſeale to ſeale cloth as he will.

The accompt of the keepers of the ſeale and their reward.

The penaltie of the keeper of the Seale for omitting his dutie.

A Clothier ſhall pay to his workfolkes ready money and ſhall deliuer them wooll according to the weight.

Alſo it is ordained and eſtabliſhed by the authority aforeſaid, that euery Carder, Spinſter, Weauer, Fuller, Sherman, and Dyer ſhal duly performe his duty in his occupation, vpon paine to yeeld to the party grieued in this behalfe his double damages. And that euery fuller from the ſaid Feaſt of Saint Peter, in his craft and occupation of Fulling, Rowing, or taſeyling of Cloth, ſhall exerciſe and vſe taſels, and no Cardes, diſceitfully impairing the ſame cloth, vpon paine to yeeld to the partie grieued, his double damage. And that euery Iuſtice of Peace for the time being, of euery Countie of this Realme throughout the ſame Countie, out of Cities, Boroughes, and Townes where any Maior, Maſter, Warden, Bailiffe, or Bailiffes, is or be, and euery Mayor, where there is no Maſter, and euery Maſter where there is no Maior, and euery Bailiffe or Bailiffes, where there is no Maior nor Maſter, ⁊ euery portreue, where no Maior, Maſter, Bailiffe, nor Bailiffes is or be, of euery Citie, Borough, and Towne, within euery ſuch Countie aforeſaid, and euery Conſtable of Hundred, where any Conſtable of Hundred is, out of euery Citie, Borough, ⁊ town where any Maior, Maſter, Bailiffe, or Bailiffes, or Portreeues is or be, and that euery Steward keeping or holding Wapentake or Leet of any perſon out of Citie, Borough or Towne, where no Maior, Maſter, Bailiffe or Bailiffes, or Portreeues is or be, ſhall haue power ⁊ authoritie by this Ordinance to heare and determine the complaints of euery ſuch Clothmaker, and labourer, alwell for non paiment of the ſaid Labourers wages, as of the ſaid forfeiture and damages, by due examination of the parties in this behalfe, thereupon for non-payment of the ſaid duties and forfeiture, and for the ſaid dammages to commit the

Euery worker of wool ſhall do his duty therein lawfully.

The Fullers dutie in his occupation.

What Magiſtrates may enquire of and puniſh ſuch as doe offend.

What proces ſhall be awarded by Iuſtices of peace againſt offendors.

ſaid offendors in this behalfe to the next Gaole within the ſame Countie, there to remaine till the ſaid duties, forfeitures, and damages be fully paid to the ſaid Labourer or Clothmaker. And alſo that euery of the ſaid Iuſtices of Peace, Maior, Maſter, Warden, Bailiffe or Bailiffes, Portréeue, and Steward of Wapentake and Léet, vpon the information or complaint of any other perſon which is not grieued, in this behalfe, ſhall haue power by the ſaid authoritie within his Iuriſdiction to cauſe the party to come before him, againſt whom ſuch information or complaint ſhall be made, for offending this Ordinance, and to examine him in and vpon the matter contained in the ſame information or complaint: and if the party by examination, or other due proofe be found guiltie or defectiue, that then the ſame partie, as often and for euery time that he is ſo found guiltie or defectiue, ſhall forfeit to the King, or to ſuch perſon or perſons, which is or be intitled to haue fines or amerciaments for offences done within their Iuriſdiction, iij.s.iiij.d. And that euery of the ſaid Iuſtices of Peace, and other officers aforeſaid within his Iuriſdiction vpon euery of the ſaid informations or complaints ſhall haue full power to make like proceſſe againſt the partie, vpon whom any ſuch information or complaint, as before is rehearſed, ſhall be made, to cauſe him perſonally to appeare before him, thereupon to be examined, as Iuſtices of Peace haue vpon information or complaint made to them, for ſuretie of peace, without any fée or reward to be taken or had by any of the ſaid Iuſtices, or any other officer in this party, for the execution of their offices in this behalfe.

No Clothes made in any other Region ſhall be brought into England to be ſold. St.11.Ed.3.3.

Alſo it is ordained and eſtabliſhed, by the authoritie aforeſaid, that all manner of Wóollen Clothes made in any other Region, brought into this Realme of England, and ſet to ſale within any part of this Realme of England after the ſaid Feaſt of S. Peter, ſhall be forfeit to our ſaid Soueraigne Lord the King, except Clothes made in Wales, and Ireland, and Clothes taken by any of the Kings Liege people vpon the Sea without fraud or colluſion. and by the authority aforeſaid it is ordained and eſtabliſhed, that any other Act or Ordinance made in this preſent Parliament concerning Clothmaking, or any of the Premiſſes contrary, or not according to this Act, ſhall be void and of none effect.

CAP. II.

All Woolles, Felles, Morlings, and Shorlings to be tranſported, ſhall be ſhipped at thoſe Ports where the King hath a Beame, Weights, and a Collector of Cuſtomes, and ſhall be caried to Calice. And the Merchant ſhall bring a certificate thereof from the Cuſtomer of Calice to the Exchequer to be entred of Record. OB. St.14.*H.*6.2. 15.*H.*6.8. 18.*H.*6.15.

CAP. III.

The Woolles, Felles, Morlings, and Shorlings of the Countrie beyond the waters of Tweede and Teeſe, and of the Counties of Northumberland, Cumberland, Weſtmerland, Richmondſhire Nothalertonſhire, and the Biſhopricke of Durham onely, and of none other Counties ſhall be caried to Newcaſtle to be tranſported to the Staple of Calice: and of all other Shires to the Staple of Calice, vpon paine that euery offendor that tranſporteth them in other ſort, ſhall forfeit to the King and the Informer the double value thereof. OB. St.3.Ed.4.1. 12.Ed.4.5.

CAP. IIII.

No perſon during three yeares next, ſhall buy or take any promiſe of bargaine for any Woolles then not ſhorne, of the growing of Berkes, &c. before the ſame be ſhorne, and vntill *Bartholomew* day following, but they which ſhall make Cloth or Yarne of them, vpon paine of forfeiture of the double value thereof. EXP. St.4.*H.*7.11. 22.*H.*8.1. 37.*H.*8.15.

CAP. V.

No Merchandiſes of the growth or workemanſhip of any of the Countries ſubiect to the Duke of Burgundie, ſhall be brought into this Realme, vntill he reuoke a Proclamation made for the baniſhment of Engliſh Clothes out of his Realme. EXP. St.27.*H.*6.1. 28.*H.*6.1.

CAP. VI.

A qualification of the Statute of 5.*H.*4.9. touching ſecuritie to be taken of Merchants ſtrangers for the imployment of their money vpon the commodities of this Realme. EXP.

CAP. VII.

A Shooemaker in London, or within three miles compaſſe thereof, ſhall not make any Shooes or Bootes with any Pike or Polein paſſing the length of two inches: Nor ſhall pull vpon the legs or feet of any perſon, any Shooes, Buskins, or Bootes, vpon the Sunday, the Natiuitie, or Aſcenſion of our Lord, or *Corpus Chriſti* day, vpon paine of forfeiture of twentie ſhillings for euery offence. But this ſhall not be preiudiciall to the Deane of Saint *Martins* the *graund*, nor to any perſon dwelling in Saint *Martins*. REP. St.14.*H.*8.9. & 5.El.8.

Cap. VIII.

No ſtranger ſhall buy Engliſh hornes vnwrought, gathered or growing in London or within foure and twenty miles thereof: The Wardens of the Horners in London may ſearch all ware belonging to their Myſtery, in London and foure and twenty miles thereof, and in Sturbridge and Ely Fayres. Rep. 1. Iac. 25. But it is recited, and in part revived 7 Iac. 14.

Cap. IX.

Pattenmakers may make pattens of ſuch timber of Aſpe as is not meet to be made into ſhafts. Rep. 1 Iac. 25.

Cap. X

What perſons ſhall take paſſage or land at Dover in Kent onely, and who not. Rep. 21. Iac. 28.

Statutes made at Weſtminſter, *Anno ſeptimo Edw: quarti,* & Anno Domini 1467.

At the Parliament holden at Weſtminſter, the third day of Iune the ſeventh yeare of the raigne of King *Edward* the fourth after the Conqueſt. Our ſaid Lord the King, by the aduice and aſſent of the Lords Spirituall and Temporall, and at the requeſt of his Commons in the ſaid Parliament aſſembled, and by authoritie of the ſame Parliament, hath ordained and eſtabliſhed certaine Statutes and Ordinances in manner and forme following.

Cap. I.

The Election, Oath, Authority, Searching and Sealing of the Wardens of Worſted Weauers in Norwich and Norfolke.

First, for that there be as well within the City of Norwich, as elſewhere within the County of Norffolke, diuers perſons, which doe make vntrue wares of all manner of Worſteds, not being of the aſſiſe in length nor in bredth, nor of good ſtuffe, and right making as they ought to be, and of old time were accuſtomed, and the ſleyes and yarne pertaining to the ſame, not well made and wrought, in great deceit as well of denizens, as of ſtrangers inhabiting or repayring to this realme, which haue vſed and doe vſe to buy ſuch merchandiſes, truſting that they were within as they ſeemed without, where indeed it is contrary. And for that the Worſteds in times paſt were lawfully wrought, and merchandiſe well liked, and greatly deſired and eſteemed in the parts beyond the Sea: Now becauſe they be of no right making, nor good ſtuffe, they be reported and eſteemed deceitfull and vnlawfull merchandiſe, and of little regard, to the great damage of our Lord the King, and great preiudice of his loyall ſubiects. Our ſaid Lord the King, by the aſſent of the Lords ſpirituall and temporall, and at the requeſt of his Commons, being in the ſaid parliament, and by the authoritie of the ſaid Parliament, for the wealth of his people, and the perpetuall amendment of the ſaid Worſteds, and eſchewing and auoyding all maner deceits to be done and wrought in Worſteds, by them that worke the ſame, and the meanes thereof: hath ordained and eſtabliſhed, that men of the ſaid craft within the ſaid City, ſhall haue power euery yeare the Munday next after the Feaſt of Pentecoſt, to chooſe foure Wardens within the ſaid City of the ſame Craft. And alſo that Artificers of the ſame craft likewiſe out of the City, that is to ſay, within the county of Norfolke, ſhall haue power euery yeare at the ſame day to chooſe foure wardens within and of the ſaid county, of the ſame craft. And the aforeſaid Wardens in the ſaid county and citie, to come before the Mayor of the ſaid citie for the time being, vpon the Munday next after the Feaſt of Corpus Chriſti then next following, & then to be ſworne before the Maior of the ſaid Citie, and the Steward of the Duchy of Lancaſter within the ſaid county for the time being, if it happen him within the ſaid county then to be preſent, or elſe before the ſaid Mayor onely, the ſaid Steward then being abſent. And that all the ſaid Wardens, as well within the ſaid City as without, or elſe the greateſt part of them, vnder this forme before recited, choſen and ſworne, ſhall haue full power for the yeare then next following, to ſuruey the workmanſhip of the ſaid Artificers, and that they make and worke rightfully and well and of good ſtuffe, and to ordaine ſuch rules and ordinances within the ſaid craft, as often as it ſhall ſeeme needfull or neceſſary for the amendment of the ſaid Worſteds and craft: And that all ſuch rules and ordinances ſo made and ordained by them, ſhall be obeyed and kept by the ſaid Artificers.

Foure Wardens of worſted weauers in Norwich, and other foure in Norfolke.

Foure Wardens ſhall take their oath before the Maior, &c. 26. H. 8. 16.

The Wardens power.

Or

Puniſhment of the offendors.

The length and bredth of pieces of Worſted.

Wardens may ſeiſe defectiue ſtuffe.

Or otherwiſe foure of the ſaid Wardens, calling to them ſix of the moſt diſcreet of the ſaid artificers within the ſaid citie, and ſix of the ſame artificers within the ſaid county, by the diſcretion of the ſaid Mayor and Steward, or of one of them, ſhall puniſh ſuch of the ſaid artificers, which breaketh or doth contrary to any of their ſaid rules and ordinances. And that euery peece of worſted ſhall be purſuing through the piece of lawfull making, good and conuenient ſtuffe: And that they ſhall hold the length and bredth as the aſſiſe was wont to be of old time rightfully accuſtomed, that is to ſay, beds of the greateſt aſſiſe, fourteene yards largely in length, and foure yards largely in bredth: and beds of the meane aſſiſe, twelue yards in length, & three yards in bredth: and beds of the leaſt aſſiſe, ten yards in length, and fiue quarters in bredth: and cloaths called Monkes cloaths, twelue yards in length at the leaſt, and fiue quarters in bredth: and cloaths called Chanon cloaths, of the one aſſiſe ſix yards in length, and two yards in bredth, and of the other aſſiſe fiue yards in length, and ſeuen quarters in bredth: and double Motleyes ſeuen yards in length, and fiue quarters in bredth: and ſingle Motleyes ſix yards in length, and fiue quarters in bredth: and double Worſted ten yards in length, and fiue quarters in bredth: and the halfe double Worſted ſix yards in length, and fiue quarters in bredth: & the roll of Worſted thirty yards in length, and halfe a yard in bredth. And that no lambs wooll be put in any of the ſaid worſteds: and that the Wardens of the ſaid craft and euery of them for the time being, ſhall haue power and authoritie to ſeiſe all ſuch cloaths and ſtuffe ſo being defectiue.

The Maior & ſteward, &c. may inquire of, heare & determine al offences

Twelue artificers ſhal inquire of the viii. Wardens.

And that the Mayor and Steward, and euery of them, by twelue of the diſcreet Artificers of the ſaid citie and county, ſhall haue power at all times to enquire, heare, & determine of all ſuch as doe againſt the ſaid Ordinances within the ſaid citie or county. And moreouer, in eſchewing all ſuch deceits and falſhoods which might happen to be wrought and done in the ſaid craft by the eight Wardens aforeſaid, or betwixt themſelues onely, or in concealing of the falſe workmanſhip of other of the ſaid Artificers in the ſaid city and county, That the Mayor of the ſaid city for the time being, and the ſaid Steward or one of them at ſuch time as he ſhall thinke conuenient, ſhall call before him the ſaid twelue Artificers, or the greateſt part of them, and charge them to be ſworne to make rightfull ſearch as well in the ſtuffe, as in all the working of the worſted by the ſaid eight Wardens hereafter to be wrought and made.

The puniſhment of the Wardens defectiue.

Where the Wardens may ſearch.

And that the ſaid Wardens ſo found defectiue either in execution of their Office in ſearch of all other of the ſame Artificers within the ſaid City and Countie, or elſe in their owne ſtuffe or workmanſhip, ſhal be corrected by the ſaid Maior or ſteward in ſuch forme as other offendors of the ſame craft ought of right to be corrected. And that the ſaid wardens & euery of thẽ in euery part of the ſaid Cite of Norwich, and elſewhere in the Counties of Norfolke, Suffolke, and Cambridge at all times conuenient ſhall haue power to ſearch all manner of Worſteds, and the ſtuffe of them, as well within the Loomes, as out of the Loomes, wrought within the ſaid Citie of Norwich, or County of Norfolke.

Defectiue ſtuffe ſhall be forfeit.

Euery man ſhal ſet his proper marke vpon his worſted.

And if any man before the ſaid Maior and Steward or either of them, bee thereof found defectiue, by their diſcretion, he ſhall be corrected, and the Worſted aud ſtuffe found in manner and forme aforeſaid defectiue, ſhall be forfeit. The one halfe of ſuch forfeiture found in the ſaid Citie of Norwich to be to the Maior of the ſame city, and found in any other place, to the Maior, or Bailiffes of the Cities, Boroughs and Townes, or to the chiefe Lords of the Fee, of and in ſuch place as ſhall happen any ſuch Worſteds and ſtuffe by the ſaid Wardens or by any of them by any cauſe aforeſaid to be found defectiue or forfeitable: & the other halfe to the Wardens of the ſaid craft for the time being. And that no man of the ſaid craft make any Worſted, vnleſſe hee put his proper marke fixed or wouen vpon the ſame by the ordinance of the ſaid Wardens, or elſe the ſame worſted ſhall be forfeit to our ſaid Lord the King:

Places of ſearch ſhall be appointed, and alſo dayes.

Wardens ſhall ſet their marke.

Moreouer, for the full reformation of the deceits and falſhood aboue rehearſed, by authority aforeſaid, it is ordeined & enacted, that the ſaid eight wardens. the ſaid munday next after Corpus Chriſti, yearely incontinently after their charge recited before the ſaid Maior and Steward, or one of them, ſhall aſſigne incontinently a certaine place or two within the ſaid citie and certain daies by the weeke, and an other certaine place or two or more if they thinke it neceſſary in the ſaid County of Norfolke, and certaine daies by the weeke for the yeare then next following, to the intent that euery piece of worſted, which in the ſame year ſhall be ſet to ſale, ſhall be brought before the Wardens of the ſaid craft for the time being, to one of the ſaid places ſo by them aſſigned, to the intent that as well the Artificers of worſteds, and the ſaid Wardens may certainly know the place where the ſaid worſteds may duely and rightfully be ſearched, and if the ſaid wardens find the ſaid worſteds by their ſearch well and lawfully made, that then ſuch a marke or token ſhall be ſet by the ſaid Wardens or by one of them, without fine or fee vpon the ſame, ſo that all Buyers may well know, which piece is ſufficiently, and rightfully ſearched & wrought, And that the ſaid ſearch ſhall as well extend to the ſtuffe of the ſame, as to the ſufficient making. And ſuch as they ſhall finde defectiue, that the Maior of the ſaid Citie and Steward of the ſaid Duchie or one of them for the time being, by the aſſent of the ſaid Wardens and twelue Artificers, ſhall haue power by this Act to ſet therein ſuch correction as to them ſhall ſeeme reaſonable, And for euery piece of Worſted, ſold not marked after the forme aforeſaid, that the firſt ſeller thereof ſhall forfeit the price of the piece ſo by him ſold, to our Lord the King. And that all Ordinances, Acts, and Grants made or to be made in preiudice, or contrary to the premiſſes concerning Worſteds, be void, and of none effect.

And that all Maiors, Sheriffes, and Bailiffes, and all other Officers ſhall be attending, ayding and ſupporting to the ſaid Wardens in their ſearch, as often as they or any of them ſhall bee by the ſaid Wardens or any of them reaſonably required. St.20.H.6.10. 23.H.6.4. 14.H.8.3.

All officers ſhall be attendant vpon the ſearchers.

Cap. II.

The inhabitants of certaine Hundreds in the County of Devon, may put flocks in the Cloth made of the Wooll growing in the ſame Hundreds.

ITem, it was ſhewed to our ſaid Lord the King in the ſaid Parliament, by the Inhabitants and reſidents of the Hundreds of Liſton, Taueſtocke, and Rowburgh within the Countie of Deuonſhire, that whereas in the laſt Parliament begunne at Weſtminſter the nine and twentieth day of April, the third year of his raigne, And by diuers prorogations & adiournments continued till the xxi of January, in the fourth yeare of his raigne, amongſt other things it was ordained by authority of the ſame Parliament, that no perſon which ſhould make any woollen Cloth to ſell, from the feaſt of S. Peter called ad vincula, then next following, ſhould put in or vpon the ſame cloth, nor in the wooll whereof the ſaid cloth ſhall be made, any flocks in any wiſe, vpon paine of forfeiture of the ſame cloth, wherein any flockes ſhould be put or mixt, as by the ſaid ordinance more plainely appeareth. By which ordinance the ſaid inhabitants being within the ſaid Hundreds, were likely to be vndone, for that they haue continually vſed from the time whereof is no memory, to mixe and put flockes in the Cloth made thereof, the wooll growing within the ſame Hundreds, without which flocks they might nor could make any cloth there to ſell, by reaſon of the groſſeneſſe and ſtubbornneſſe of the ſaid wooll: For the ſame wooll is not put in clothing, nor in cloth in any part of this realme, ſo that our ſaid Lord the King by the ſaid ordinance ſhall loſe his Cuſtomes, Aulnages, and all other profits pertaining and belonging to him of the ſaid Cloth made in the ſaid Hundreds, and the inhabitants aforeſaid for euer ſhall be vtterly impoueriſhed, and like to be vndone, vnleſſe a reformation be had in the premiſſes.

Stat.4.Ed.4.1.

Our ſaid Lord the King (the premiſſes conſidered) by the aduice and aſſent of the Lords Spiritual & Temporal, & the Commons in this preſent Parliament aſſembled, and by the authority of the ſame hath ordained, that all the ſaid inhabitants and reſidents in any places within the ſame thrée Hundreds, may make and cauſe to bee made all manner woollen cloth of the ſaid wooll, and to the ſame lawfully put and cauſe to be put ſuch quantity of flocks as ſhall be néedfull, and profitable to the maker and owner of the ſame cloth. And that all the clothes after ſuch forme to bee made with flocks within the ſaid thrée Hundreds, and euery of them, may be bought and ſold at all times, without any impeaching or dammage of any perſon, and without forfeiting any of the ſaid clothes, notwithſtanding the ſaid ordinance aboue rehearſed. St.5.Ed.6.6. 27.El.17.

The inhabitants of Liſton, Taueſtock, and Rowburgh may put flockes into their clothes, notwithſtanding the Statute of 4 Ed 4 1.

Cap. III.

No Woollen yarne or Cloth ſhall be carried beyond Sea vnfulled.

ITem, it was ſhewed in the ſaid Parliament by the Commons, that whereas in diuers parts within this realme, Merchants, as well Strangers as Denizens, haue daily vſed to buy woollen yarne by the pound, and other waights, in diuers Markets and Faires, whereof cloth ſhould be made: and likewiſe to buy raw clothes not fulled, and the ſame yarne and raw clothes ſo not fulled, did carry beyond the ſea, For all which yarne and clothes vnfulled our Lord the King did take no manner Cuſtome, Aulnage, nor any other profit or auaile, where if the ſaid yarne were wouen, and the ſaid Clothes fulled within this Realme, the King ſhould haue the cuſtome and aduantage for the ſame, and Weauers and Fullers of the ſaid Realme ſhould be well occupied, for default whereof the Kings liege people be greatly hurt and impoueriſhed, and ſtrangers thereby the better occupied and enriched: Wherefore our ſaid Lord the King by the aſſent of the Lords Spirituall & Temporal, & at the requeſt of his Commons in the ſaid Parliament aſſembled, and by the authority of the ſame, hath ordained and eſtabliſhed, that no perſon, denizen or ſtranger from the Feaſt of the Aſſumption, which ſhall be in the year of our Lord God 1468. ſhal cary or cauſe to be caried into any parts beyond the Sea, any woollen yarne or cloth not fulled, but that the woollen yarne, which ſhall be made after the ſame Feaſt in this realme, ſhal be wouen in the ſame Realme. And alſo all cloth therin made, after the ſaid Feaſt ſhall be fulled, & fully wrought within the ſaid Realme, before that it be had and carried out of this Realme, vpon paine of forfeiture of the very value of all ſuch yarne vnwouen, and Cloth not fulled had or carried out of this Realme. The one halfe of the ſame forfeiture to be leuied to the Kings vſe, and the other halfe thereof to him or them that eſpieth or maketh proofe of any ſuch vnwouen yarne, or Cloth not fulled after the ſaid Feaſt to be carried to any place beyond the Sea. St.50.Ed.3.7.

No perſon ſhall carry beyond the Sea, any woollen yarne or cloth not fulled. St.3.H.7.11. 8.El.6. 3.H.8.7.

Cap. IIII.

The effect of the Kings grant of lands to them, which before had right in them.

The force of the K. grants, releaſes, &c. of lands to them which before had right to them.

ITem, by the aduice, aſſent, and authoritie aforeſaid it is ordained that euery grant, releaſe, confirmation, and reſtitution made and granted by the King in Fee ſimple, or Fee taile, to any perſon or perſons after the fourth day of March, the firſt yeare of his raigne, of any mannor or mannors, lands, or tenements with their appurtenances, whereunto the ſaid perſon or perſons before the time of euery ſuch grant, releaſe, confirmation, or reſtitution to him or them ſo made, had in or to the ſame right or title, ſhall be of ſuch force and effect as they were before the beginning of the ſaid Parliament. Any Act made or to be made in the ſame Parliament notwithſtanding,

Cap. V.

How lands comming to the Kings hands by attainder, and after granted to another, ſhall be holden.

Lands holden of a common perſon by fealty, &c. comming to the K. hands by attainder of treaſon, being after granted to another, ſhall be holden as if the ſame attainder had not beene

ITem, by the aduice, aſſent, and authority aforeſaid it is ordained, that all lands, tenements, hereditaments, and other poſſeſſions, which the firſt day of March, next before the fourth day of March, the firſt yeare of the Kings raigne were holden by fealtie and rent, or other ſeruices, of any perſon or perſons not attainted, which lands, tenements, hereditaments, or other poſſeſſions the fourth day of March, in the firſt yeare of the Kings raigne, or any time after came into the Kings hands or poſſeſſion, by reaſon of any attaindor of treaſon, and after paſſed from the King by any of his Letters patents, to any perſon or perſons, or hereafter ſhall paſſe from the King by any of his Letters patents to any perſon or perſons, that the ſame perſon or perſons and euery of them, and euery their heire and heires, aſſignee and aſſignes, ſucceſſor & ſucceſſors, ſhal haue, perceiue, and take ſuch rent and rents, as to any of them were due, & ought to be due of the ſame lands, tenements, hereditaments, or other poſſeſſions, or any of them being in the hands of any other perſon or perſons then the King, as if the ſaid attaindors had not been had: And that it ſhall be lawfull to euery perſon or perſons not attainted, and to euery of them, & to euery of their heire or heires, aſſignee, and aſſignes, ſucceſſor, and ſucceſſors, in the ſame lands, tenements, hereditaments, or other poſſeſſions, being in the hands of any other perſon or perſons then of the King for the ſaid rent or rents to diſtraine, after ſuch maner and forme as they & euery of them might haue done, if the ſame attaindors had not beene had. This Act to be in his force the firſt day of this ſaid Parliament.

Statutes made at Weſtminſter *Anno octauo Edw. quarti, & Anno Dom.* 1468.

OVr Lord the King EDVVARD the fourth after the Conqueſt, at his Parliament holden at Weſtminſter the third day of Iune, the ſeuenth yeare of his raigne, and by diuers Prorogations and Adiournments continued till the twelfth day of May, the eight year of his raign. The ſame xij. day by the aduice & aſſent of his Lords Spiritual and Temporal, & at the ſpeciall requeſt of his Commons, in the ſame Parliament aſſembled, hath made, ordained, & ſtabliſhed diuers Statutes & Ordinances in the form following.

Cap. I.

The length, breadth, and weight of broad ſet Clothes and ſtrait ſet Clothes made in Norffolk Suffolke, and Eſſex. And they ſhall be ſealed by the Aulneger. Rep. 5. Ed. 6. 6.

Cap. II.

The penaltie for giuing or taking of Liueries, or for retaining. Rep. 3. Car. 4.

Cap. III.

In actions triable by Iurors of Middleſex, the Iurors ſhall be called the fourth day.

The generall charges and troubles which the freeholders of Middleſex being Iurors doe endure.

ITem, it was ſhewed by the Commons in the ſaid Parliament, on the behalf of the freeholders dwelling within the County of Middleſex, within which County there be yearely many actions ſued and tryals had by twelue men, which be within many other Counties of this Realme, in regard of the reſiance of all the Kings Courts holden and remaining at Weſtminſter within the ſaid County, ſo that in euery action brought to an iſſue in the ſaid County, ſome of the ſaid freeholders be impanelled, to their great vexation: and further the Seſſions of Peace holden within the ſaid County, by inquiſitions in the Kings Bench, and vpon the deliuerance of Priſoners there, and by actions vpon patents and tailes ſued in the Kings Eſchequer, & to Sheriffes and other accountants, their deputies and Atturnies, ſurmiſes be ſhewed and iſſues thereupon ioyned and taken, the ſame tenants, alwaies impanelled thereupon be importunately vexed, grieued and impoueriſhed, and (which more hurt is) when they be impannelled vpon diuers actions perſonall, and the Venire facias, and Habeas Corpora returned: a delay by eſſoine or default is by the Law allowed to the party Plaintiffe, or defendant: and though ſome of them, which be impannelled, would appeare, yet the Iury ſhould not be demanded, but all their defaults without demanding (be it amerciament or iſſues ſo vpon them returned) ſhall be entred, no default being in them, which is againſt reaſon. Our Lord the King (the premiſſes conſidered) by the aduice of the Lords Spirituall and Temporall, and at the requeſt of the Commons in the ſaid Parliament aſſembled, and by authority of the ſame, hath ordained, that euery Iuror, from the feaſt of the bleſſed Trinity next comming, that ſhall be impannelled and returned within the ſaid County of Middleſex, in any of the ſaid courts, in any of the ſaid actions, at euery fourth day of the returne thereof ſhall be demanded and called, and that all perſons impannelled in any of thoſe courts that doth appeare at the ſame day, their appearance ſhall be recorded and there entred by the Court, and they ſhall not be amerced, nor loſe any Iſſues the ſame day in that ſuit. And it is ordained by the ſame authority, that euery default, eſſoine, and euery other delay of any perſon plaintiffe or defendant in any ſuch perſonall action by the Law heretofore vſed, by this ordinance ſhall not be preiudiced, nor taken away in any maner, but be adiudged, adiourned, and allowed, in as ample and large forme, as they were before the making of this Statute. This ordinance notwithſtanding.

In actions triable in any court at Weſtminſter by Iurors of Middleſex, at the fourth day after the returne the Iurors ſhall be called.

Delaies in perſonall actions not preiudiced by this Statute.

Cap. IIII.

A pardon to all thoſe that occupyed the Sheriffewick aboue one yeare Anno 1.2.3. Ed.4. And yet the Statutes made 14 Ed.3.7. 42. Ed.3. & 23. H.6.8. for all the other yeares ſhal cõtinue. Exp.

Statutes made at Weſtminſter, *Anno duodecimo Edw. quarti.* & Anno Domini 1472.

AT the Parliament holden at Weſtminſt. the ſixt day of October, in the xij. yeare of the raigne of King *Edward* the fourth after the Conqueſt: our ſaid Soueraigne Lord the King to the honor of God, and the weale of him and of his realme, by the aduice and aſſent of the Lords Spirituall and Temporall, and at the requeſt of his Commons in the ſame Parliament aſſembled and by authority of the ſame Parliament, hath ordained, made and eſtabliſhed certaine Statutes and Ordinances in forme following.

Cap. I.

How long a Sheriffe being not diſcharged may occupy his office.

FIrſt, whereas by a Statute made at Weſtminſter, in the xxiij. yeare of the raigne of King Henry late in deed and not of right King of England called King Henry the ſixt, it was ordained, that no Sheriffe ſhould occupy his office of Sheriffe aboue a yeare, vpon paine of two hundred pounds: Except certaine perſons in the ſaid Statute excepted, as in the ſame is more plainely ſpecified. Diuers and many of the Kings liege people haue beene grieuouſly endamaged and greatly delayed of their ſuits and proceſſes euery yeare, in the terme called Michaelmas Terme, as for their actions, writs and precepts to be returned within the ſame Terme, after the ſixt day of the Moneth of Nouember, becauſe that the kings letters patents whereby any Sheriffe is made, doe moſt commonly beare date, the ſixt day of Nouember. And though it ſo be, that the new Sheriffes be yearly choſen the morrow after the Feaſt of All Soules, of which new Sheriffes ſo choſen and appointed, diuers of them haue refuſed, and diuers of them haue not had their patents, nor taken their othe, vntill long time after the end of the ſaid Michaelmas Terme, by reaſon whereof diuers of the Kings liege people and ſubiects be greatly endamaged and delayed of their ſuits, proceſſes, and precepts, which ſhould be returnable in the Kings Courts at the daies of the returne within the ſame terme after the ſixt day of Nouember, that is to ſay, at the daies of returne, called Craſtino Martini, Octabis Martini, and Quindena Martini, becauſe that the old Sheriffes durſt not, nor would not take vpon them to returne any writ or precept after the yeare, that his patent did beare date, for feare of the penalty contained in the aforeſaid Statute, to the great loſſe as well to the King of that which ſhould grow to him by reaſon of the ſaid proceſſe, as to his liege people, by delayes which they thereby ſuſtaine: It

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Stat. 23. H. 6. 8.

A Sheriffe being not diſcharged may occupy his office during Michaelmas Terme, notwithſtanding the Stat. of 23. H. 6. 8.

Dyer fol. 355.

is ordained by authoritie of the aforeſaid Parliament, that if any Sheriffe of any County doe execute or returne any Writ, Precept, or Warrant in any of the ſaid Courts of the King within the ſaid Terme called Michaelmas Terme, after the firſt day of Nouember, and before any writ of diſcharge deliuered to him of his occupying of Sheriffewick, he ſhall not be damnified by force of the ſaid Statute, nor charged of the penaltie aforeſaid, although that he hath occupied the office of Sheriffe, after any of the ſaid daies of returne called Craſtino Martini, Octabis Martini, or Quindena Martini. St, 17.Ed.4.5.

Cap. II.

Foure Bowſtaues ſhall be brought into this Realme for euery Tunne of Merchandiſe.

ITem, becauſe that our Soueraigne Lord the King by a petition deliuered to him in the ſaid Parliament by the Commons of the ſame, hath perceiued that great ſcarcitie of Bowſtaues is now in this Realme, and the Bowſtaues that be in the Realme, be ſold at an exceſſiue price, whereby the exerciſe of Archery is greatly diſcontinued, and almoſt loſt: Our ſaid Lord the King conſidering the premiſſes, by the aduice, aſſent and authoritie aforeſaid, hath ordained and eſtabliſhed, that euery Merchant ſtranger, and euery, or any of their Factors, Atturnies, or Seruants, which at any time after the Feaſt of Saint Michael the Archangel next comming, ſhall bring, ſend, or conuey into this land any merchandiſe in Carracke, Galley, or Ship, of the Citty or Countrey of Venice, or of other Citie, Towne, or Countrey, from whence any ſuch Bowſtaues haue beene before this time brought, ſent, or conueyed into this land, at euery time of their bringing, ſending, or conueying of any ſuch merchandiſes into this Realme, ſhall bring, ſend, or conuey into this Realme, with the ſaid merchandiſes, in the ſame Carracke, Galley, or Ship, wherein any ſuch merchandiſes ſhall be hereafter brought, ſent, or conueyed, for euery tunne waight of ſuch merchandiſes, which hereafter ſhall be contained in euery Carracke, Galley, or Ship, foure bowſtaues, vpon paine of forfeiture to the King for euery default of bringing of euery ſuch Bowſtaffe ſixe ſhillings eight pence. And alſo the ſaid Bowſtaues ſo brought, ſent, or conueyed by the ſaid Merchants, their Factors, Atturnyes, or ſeruants into this Realme, ſhall be ſearched and ſurueyed by the Maior, Sheriffes, Bailiffes, or chiefe gouerners of ſuch Cities or Townes within this Realme, where any ſuch Carracke, Galley, or Ship ſhall hereafter come to ſafe Port: And the ſaid Maiors, Sheriffes, Bailiffes, or chiefe Gouerners ſhall aſſigne two men moſt expert, to ſearch the ſaid Staues, and the ſaid two men to be ſworne by the ſaid Maior, Sheriffes, Bailiffes, or chief gouernors, that they ſhall truely and indifferently marke the ſtaues that be not good and ſufficient, according to the maner as ſuch Staues in times paſt were wont to be marked, to the intent that all the Kings liege people may haue knowledge of them without fraud. Stat.13.El.14.

Foure Bowſtaues ſhall be brought into this Realme for euery Tunne of Merchandiſes.

Bowſtaues brought into this Realme ſhall be ſurueyed, ſearched and marked.

Cap. III.

Seuerall Ordinances made for the true payment of a Subſidy of Tunnage & Poundage granted to the King during his life, by a Statute not printed, made Anno 4.Ed.4.Exp. 6.*H*.8.14. St. 11.*H*.7.6. 4.*H*.8.6.

Cap. IIII.

Edward Prince of Wales may giue his honourable Liuery and ſigne and retaine notwithſtanding any former Statute, &c. Exp.

Cap. V.

During fiue yeares the Wools, &c. of certaine Counties onely ſhall be carried to Newcaſtle, and all others to Calice vpon paine of Felony. Exp. Stat.3.Ed.4.1. 4.Ed.4.3. 14.Ed.4.3.

Cap. VI.

The Lord Chanceller of England may for fifteene yeares next, grant ſeuerall Commiſſions of Sewers where need requireth. Exp. St.6.*H*.6.5. 18.*H*.6.10. 23.*H* 6.9. 4.*H*.7.1.

Cap. VII.

The penalty of them that doe not performe the award and order of Commiſſioners authoriſed to pull downe Weares.

ITem, whereas by the laudable Statute of Magna Charta, amongſt other things it is contained, that all Kedles by Thamiſe and Medewey, and throughout the realm of England, ſhould be taken away, ſauing by the Sea bankes, which Statute was made for the great wealth of all this land, in auoiding the ſtraitneſſe of all Riuers, ſo that ſhips and Boats might haue in them their large and free paſſage, and alſo in ſafegard of all the fry of Fiſh ſpawned within the ſame, vpon which Magna Charta the great ſentence and Apoſtolike curſe by a great number of Biſhops was pronounced againſt the breakers of the ſame, and the ſame ſentence is foure times in the yeare openly declared according to the Law of the holy Church: and in affirmance of the ſaid Statute of the great Charter diuers Statutes haue beene after made and ordained, amongſt which in a Parliament holden in the firſt yeare of the vſurped raigne of King Henry the fourth

Stat.9.H.3.23. Statutes that haue been made for the pulling downe or reforming of weares and of the Commiſſioners authoritie.

Stat.1.H.4.12. Stat.25.Ed.3.4.

it was recited that in the fiue and twentieth yeare of King Edward the third, progenitor of our Lord the King that now is, becauſe that the common paſſages of Ships and Boats in the great Riuers of England were oftentimes diſturbed by leuying of Weares, Mils, Milſtanks, Stakes and Kedles, to the great damage of the people, it was ordained and eſtabliſhed that all ſuch Weares, Mills, Milſtanks, Stakes Kedles which were leuyed and ſet vp in the time of King Edward, ſonne of King Henry, and after in ſuch Riuers (whereby the Ships and Boats were diſturbed that they could not paſſe as they were wont) ſhould be taken away and broken downe, neuer to be ſet vp againe: and that Writs ſhould be thereupon ſent to the Sheriffe of ſuch places where need ſhould be, to ſurvey and enquire and the ſame to execute: and that Iuſtices ſhould be thereto aſſigned at all times when need requireth. And after grieuous complaint both of great men and of the Commons thereupon made in the Parliament of the ſaid King Edward the third, in the fiue and fortieth yeare of his Raigne, ſhewing by their petition, that the ſaid Statute was not duly executed nor obſerued according to the forme and the effect thereof: It was accorded and eſtabliſhed, that the ſame Statute in that point ſhould be holden and kept, according to the tenor of the ſame, adioyned thereto, that if any ſuch anoyance be done, that the ſame be broken downe by due proces contained in the ſaid Statute, and that he which againe doth leuy ſuch anoiances, and be thereof duly attainted, ſhall runne in the paine of an hundred markes to our Lord the King, to be leuyed by the eſtreats of the Eſchequer. The ſame Law ſhall be holden of anoyance made by the enhanſing of the ſaid Weares, Mils, Milſtanks, Stakes & Kedles as by new leuying, as in the ſaid Statutes more plainely appeareth. And then at the requeſt of the ſaid commons, ſhewing by their petition, that the Common paſſages of ſhips and boats in the great Riuers of England, and alſo medowes and paſtures, and arable lands adioining to the ſaid riuers, were greatly diſturbed, drowned, waſted, and deſtroyed by the outragious enhanſing and ſtreiting of weares, mils, milſtanks, ſtakes, and kedles, made in old time and leuyed before the time of the ſaid King Edward, ſonne to the ſaid King Henry: whereby great loſſe and damage often enſued to the people of the Realme, and daily would enſue if remedy were not prouided.

St 47.Ed.3.1.

Stat.1.H.4.12.

Wherefore it was ordained and enacted by the aſſent of the ſaid Parliament, holden the firſt year of the ſaid pretenſed King Henry the fourth, that the ſaid ſtatutes in all their articles ſhould be obſerued, firmely kept, and duly executed: adioyned thereto that Commiſſions ſhould be made in due forme to ſufficient perſons to be Iuſtices in euery County of England, where need ſhould be, to ſuruey and keep the waters and great riuers there, and to correct and amend the faults, and to make due execution by the ſaid Statutes according to the effect of the ſame, as well by their Suruey, aduice and diſcretion, as by enqueſts to be taken thereof within franchiſe and without, when need ſhall be, and to heare and determine all thoſe things aforeſaid, and moreouer to ſuruey the weares, mils, milſtanks, ſtakes, and kedles, made in old time and leuyed before the ſaid time of King Edward, ſonne to King Henry: and ſuch as they find too much enhanſed or ſtreited, to correct, breake downe, and amend in the maner and forme aforeſaid.

Sauing alwaies a reaſonable ſubſtance of the ſame weares, mils, milſtanks, ſtakes, and kedles, ſo made in old time and leuyed. And if any ſuch anoyances of Weares, Mils, Milſtanks, ſtakes, and kedles, in letting of the paſſages and ſtreiting made in old time and leuyed, be iudged or conſidered by the ſaid Iuſtices to be broken downe or amended, he that hath the freehold of the ſame ſhall doe execution thereof at his owne coſts, within halfe a yeare after knowledge giuen to him vpon paine of forfeiture of an C. markes, to be paid to our Lord the King by eſtreats in the Exchequer: and he that doth leuy them againe, enhance, or ſtreit them contrary to the ſaid iudgement, and thereof be duly conuict, ſhall runne in the paine of an hundred markes, to be paid to our Lord the King by Eſtreats into the Eſchequer aforeſaid, as in the ſame Statutes more fully appeareth: Contrary to which great Charter, & all the Statutes aforeſaid, in diuers parts of this Realme of England, both in the deſtroying of the Fiſh as afore is ſaid, and in diſturbance of the paſſages of ſhips, Barges, Boats, and other veſſels by diuers and many people, diuers fiſh Garthes, Mils, Mildammes, Milſtanks, Locks, Ebbing Weares, Stakes, Kedles, Heckes, or Floodgates, and diuers other diſturbances be daily enhaunced, leuyed and enlarged, to the great damage of our Lord the King, and of his faithfull lieges. Our ſaid Lord the King graciouſly conſidering the premiſſes, by the the aduice and aſſent of the Lords ſpirituall and temporall, and at the requeſt of the ſaid Commons in this Parliament aſſembled, & by authority of the ſame hath ordained and eſtabliſhed, that the ſaid Statute of the great Charter,, and all other ſtatutes concerning the premiſſes, ſhall be duly obſerued and kept: adioyned thereto, that if after the feaſt of Saint Michaell, which ſhall be in the yeare of our Lord God, 1475. by award, rule, or iudgement of any of the ſaid Commiſſioners aſſigned, according to the ſaid Statute made in the ſaid firſt yeare of Henry the fourth, it be found that any ſuch Weares, Fiſh Garthes, Milles, Mildammes, Milſtanks, Locks, Ebbing weares, Stake, Kedles, Heckes, or Floodgates, be made, leuyed, enhaunched, ſtraited or enlarged againſt the ſame Statute, the offendors in this behalf, contrary to the aforeſaid award, rule and iudgment, being duly warned by the Sheriffe or Sheriffes by Scirefacias, directed to the Sheriffe or Sheriffs of ſuch county or counties, where ſuch weares,

Coke li.10.f.1.8.

A confirmation of all Statutes made for the pulling downe of weares.

The penalty of an offender that doth not performe the award of Commiſſioners authorized by the Stat. of 1. H. 4. 12.

Fiſhgarthes, Mils, Mildammes, Milſtanks, and other noyances, diſturbances, or impediments be, and within thrée moneths next after the ſaid garniſhment made they doe not duly and wholly amend, breake downe and auoid the ſaid making, leuying, enhancing, ſtreiting or enlarging, being defectiue as afore is ſaid in the ſaid Statute made in the ſaid firſt yeare, that then he or they being defectiue in this behalfe, ſhall forfeit to our Lord the King, an hundred marks, to be paid by eſtreats in the Eſchequer, in maner and forme as in the ſame Statute more fully is contained.

The penalty of him which doth continue in his offence or doth delay to reforme it.

Moreouer if the ſaid offendor or his heire or heires, aſſignée or aſſignes, or any of them do deferre or continue the ſame default, contrary to the award, rule and iudgement of the Commiſſioners aforeſaid, that he or they ſo doing, deferring or continuing the ſaid default, ſhall forfeit for euery moneth after the ſaid thrée moneths ended, that the ſame default ſhall remaine and be not corrected, amended, nor reformed, an hundred markes, the one halfe thereof to our Lord the King and the other halfe to any of his liege people which in this behalfe will ſue for the ſame by action of debt to be conceiued by originall Writ, without fine to be made or taken for the ſame in the Chancery.

In which action, like proceſſe, rule, iudgement and execution ſhall be allowed, had and made, as is vſed in other actions of debt purſued at the Common Law by Writ, and that the defendant in any ſuch action be not admitted to doe or wage his Law, nor that any protection or eſſoin of the Kings ſeruice be allowed for the defendant in the ſame Writ.

The penalty of the heire or aſſignee of the offender that continueth the ſame offence.

Moreouer it is ordained and eſtabliſhed by the ſame authority, that if any perſon or perſons, other then ſuch, againſt whom ſuch award,, rule or iudgement were made and had, being heire or aſſignée to them or any of them, doe preſume to occupy or continue any ſuch weares, Fiſhgarths, Mils, Mildammes, Milſtanks, Locks, Ebbing Weares, Stakes, Kedles, Heckes, Floodgates or other diſturbances, or impediments as afore is ſaid, he or they ſo preſuming to occupy or continue, ſhall forfeit at euery default for euery moneth as is aforeſaid an hundred markes, the one halfe to our Lord the King, and the other halfe to him of the Kings liege people that will in this behalfe ſue by action of debt, thereupon to be conceiued, without paying any fine for the ſame, as is aforeſaid: In which action like proceſſe, rule, iudgement, and execution ſhall be vſed and made as in all other actions of debt purſued at the Common Law by writ is vſed: and that the defendant in any ſuch action ſhall not be admitted, nor in any wiſe receiued to wage or doe his Law: Nor any maner protection or eſſoine of the Kings ſeruice be for ſuch defendant in any wiſe allowed.

Cap. VIII.

All Mayors, Bailiffes, &c. ſhall haue the ſearching and ſurueying of victuall.

Item, whereas the gouernours, that is to ſay, Maiors, Bailiffes, and other like gouernours of euery City, Borough and Towne of ſubſtance within this Realme of England for the moſt part haue Courts of Léets and viewes of frankpledge, holden yearely within the ſame Cities, Boroughes and Townes, and ſurueying of all victualers there, and correction and puniſhment of the offenders and breakers of the aſſiſe of the ſame, to be preſented and amerced if any default be found in the ſaid Courts, or by their ſurueying, which by reaſon ought not to be contraryed, nor the victualers there by the Law ought to be ſurcharged or oppreſſed, as now of late diuers perſons daily entending their ſingular auaile and profit to oppreſſe the ſaid Victualers and to enter and breake the liberty of diuers places in this Realme, hauing franchiſes, and ſurueying of all victualers and correction of the ſame: haue purchaſed letters patents of our Soueraigne Lord the King, to be Surueyors and Correctors of all ſuch victualers within diuers Cities, Boroughes, and other places of this Realme of England, as of Ale, Béere, Wine, and other ſuch victuals by which pretence and vnlawfull office they doe commit diuers and many extortions and oppreſſions amongſt the Kings liege people, taking of them vnlawfully diuers great fines and ranſomes, to the great damage of the Kings liege people, and alſo wrongfull derogation of the Liberties and Franchiſes of diuers of the ſaid Cities, Boroughes, and Townes. Our ſaid Lord the King (the premiſſes conſidering) by the aduice and aſſent of the Lords Spirituall and Temporall, and at the requeſt of the ſaid Commons in the ſaid Parliament aſſembled, and by authority of the ſame Parliament hath ordained and eſtabliſhed that all letters patents granted by him to any perſon or perſons of any office of ſearching or ſurueying of Wine, Ale, Béere, or any other victuall, ſhall be vtterly void and of none effect. And that no perſon other then ſuch Gouernours before rehearſed or other intitled by point of Charter, from the feaſt of Eaſter next comming by colour of ſuch letters patents ſo obtained, or after to be obtained, as before is ſaid, ſhall vſe or exerciſe any ſuch office, vpon paine of forfeiture for euery default xl.li. The one half thereof to our Lord the King, to be imployed only to the vſe of his houſe, the other halfe to him that in this behalfe will ſue for the ſame by action of debt, wherein like proceſſe, rule and procéeding ſhall be had as is commonly vſed in other actions of debt at the Common Law: and that the defendant in any ſuch action ſhall not be receiued nor admitted to his Law. Nor that any protection or eſſoine of the Kings ſeruice be to him in any wiſe allowed.

All letters patents granted to any perſons for ſearching or ſurueying of victuals ſhall be void.

Chiefe gouernours of Cities, Boroughes and Corporate townes onely ſhall be ſearchers and ſurueyors of victuals.
Stat. 23. Ed 3. 6. 13. R. 2. 8. 25. H. 8. 2.

CAP. IX.

What Lands an Eſchetor muſt haue, who he may make his deputie, he ſhall not let his office to farme.

ITem, whereas by an Ordinance made at Weſtminſter the xlij. yeare of the raigne of King Edward the third, progenitor of our Lord the King, that now is, amongſt other things it was ordained that none ſhould be made Eſcheator, vnleſſe he had twenty pound of land at the leaſt, or more in fee, and that they ſhould doe their offices in their proper perſons, and if any other bee, hee ſhall be out: which ordinance according to the true meaning thereof is not obſerued, to the great damage of diuers people of this Realme of England, becauſe that many perſons inſufficient & of euill conſcience, be yearely made Eſcheators in diuers parts of this Realme of England, which often doe ſet their office of Eſcheatorſhip to Farme to other great men extortioners and oppreſſors of the people, the ſame Eſcheators taking of the ſaid perſōs ſuch ſumme of money as betwixt them may be agreed, and ſurety to be diſcharged vpon their account, and to be ſaued harmeleſſe againſt our Soueraign Lord the King and all other perſons: which perſons ſo vnlawfully taking the ſaid office of Eſcheatorſhip, by an vndue maner to ferme, doe enforce themſelues to the extortioners and offendors to the people, where of old time by the gouernment of the Realme of England, Eſcheators and their deputies ſhould be, and ought to be good, ſufficient, & well diſpoſed perſons and rightfull, aſwell to our Lord the King, as to his people: where at this day few ſuch perſons be made Eſcheators or their Deputies. It is therefore ordained by authority of this preſent Parliament, that no Eſchetor to be made after the feaſt of the Natiuity of our Lord, which ſhal be in the yeare of our Lord God, M.CCCC.lxxiij. ſhall take vpon him the office of Eſcheator, nor occupy the ſame office by himſelfe, nor by any other, vnleſſe the ſaid Eſcheator, or other perſon or perſons to his vſe, haue at the time that he ſhall be choſen Eſcheator, Lands, Tenements, or Rents in fee ſimple, fee taile, or for terme of life, of the yearely value of twenty pound, lying & being within the ſame Countie or Counties, whereof he ſhall be made Eſcheator. Nor that any ſuch Eſcheator to be choſen after the ſaid Feaſt ſhall in any wiſe ſell nor ſet to Ferme the ſaid Office of Eſcheatorſhip, nor make any Deputy or Deputies, but ſuch for whom he will anſwere at his perill: the name or names of the ſaid Deputy or Deputies to be certified by the ſame Eſcheator by his Letters Patents to the Treaſurer, and Barons of the Kings Exchequer for the time being, within twenty daies after ſuch deputation. And that no ſuch deputy or deputies, take vpon him or them to occupy in the office of Eſcheatorſhip, vnleſſe ſuch Eſcheator haue lands, tenements or rents to the aforeſaid yearely value, in maner and forme as is aforeſaid: and if any perſon or perſons after the ſaid feaſt doe contrary to the premiſſes or any of them, he ſhall forfeit for euery default xl. li. the one halfe thereof to our Soueraigne Lord the King, to be imployed to the vſe of his honourable houſe: the other halfe to euery of the Kings liege people, which will therefore ſue by action of debt, wherein like proceſſe, rule, iudgement, coſts and damages, ſhall bee had and awarded, as is vſed in other actions of debt vſually purſued by writ at the common Law. And that no waging of Law, protection, nor eſſoine be in any wiſe allowed in the ſame to the defendant: And the Iuſtices of Peace in euery place corporate, and the Iuſtices of Peace in euery other place hauing Iuſtices of Peace within them, ſhall haue power to heare and determine euery ſuch forfeiture vpon preſentment thereof had before them in their Seſſions, in which preſentment, like proceſſe ſhall be had, as is vſed vpon enditements of treſpaſſe done with force and armes againſt the Kings Peace. Prouided alwaies, that this Act doe not extend to any perſon or perſons made or to be made Eſcheator of any Citie, Borough, or Towne of this Realme of England hauing authority to make or to be Eſcheators within themſelues by the letters patents of the grant of our Soueraign Lord the King, or of any of his noble progenitors or predeceſſors.

Stat. 42. Ed. 3. 5.

No man ſhal be Eſcheator vnles he hath xx. li. land or rent in the ſame County.

No Eſcheator ſhall let his office to farme, or make any deputy but for whom he will anſwere.

Iuſt. of P. may enquire of and puniſh the offences aforeſaid.

Eſchetors made in cities or Boroughs, &c. hauing authority to make Eſcheators.

Statutes made at Weſtminſter *Anno decimoquarto Edw. quarti, & Anno Dom.* 1474.

OVr Lord the King EDVVARD the fourth at his Parliament ſummoned and begunne at Weſtminſter the ſixt day of October, in the xij. year of his raigne, and continued by Prorogation till the three and twentieth day of Ianuary, in the fourteenth of his raign, by the aduice & aſſent of the Lords Spiritual and Temporall, & by the Commons in the ſaid Parliament the ſaid xxiij. day aſſembled, by authority of the ſame Parliament will and granteth, and by the aduice of the ſame hath ordained and enacted.

CAP. I.

They who holding their Lands of the King ſhall paſſe with him in his ſeruice into Frãce ſhall haue licence to paſſe their Lands without fine, and to make a feoffement to the vſe of their willes though it ſhall be done by colluſion: And if he that is the Kings Tenant die in this ſeruice his heire within age, his feoffees and executors ſhall haue the Wardſhip of the Lands and body of the heire. EXP.

CAP. II.

The ſame Law and the ſame protection that was grented by the St. of Anno 9.H.5.3. to thoſe that were then in Normandy, or would then paſſe with K.H.5. into France, ſhall be obſerued and auaile for all ſuch as ſhall paſſe ouer the Sea with the King. EXP.

CAP. III.

An alteration of part of the Statute of 12.Ed.4.5. touching the tranſporting of wools growing in Cumberland, &c. which hereafter ſhall be ſhipped at Newcaſtle and from thence conueyed to Calice, or to any other place at the Kings pleaſure. EXP.

CAP. IIII.

A confirmation of Statutes made againſt the breakers of Truce, &c.

A confirmation of all Statutes not repealed: made againſt the breakers of Truces, leagues ſafe conduits, and licences. St.15.H.6.3.18. H.6.8.20.H.6.1. 31.H.6.4.

ITem, whereas diuers and great offences and attempts haue now of late béene done and committed againſt the amities and leagues made betwixt our ſaid Soueraign Lord the King and ſtrange Princes, againſt the ſafe conduits and licences of our ſaid Soueraigne Lord the King, and againſt the Lawes and Statutes heretofore made for the puniſhment of ſuch offenders in that behalfe, to the great ſlander of our ſaid Soueraigne Lord the King, and the generall hinderance of all this Realme of England. The King therefore by aduice and aſſent of the Lords ſpirituall & temporall, and the Commons in this Parliament aſſembled, and by authoritie of the ſame Parliament, hath ordained, eſtabliſhed and enacted, that all Statutes and Ordinances made before the fourth day of March, in the firſt yeare of his raigne by authority of any Parliament not repealed, againſt the offenders & breakers of amities, truce, leagues, and ſafeconduits aforeſaid, be and ſhall be in their full force and effect. And that euery of the ſame Statutes and Ordinances be put in due execution in all things before the iudge or iudges, perſon or perſons ordained by the ſame Statutes or Ordinãces or any of them, according to the tenures and effects of euery of the ſame Statutes and Ordinances: Any grant or confirmation by Act of Parliament, or otherwiſe, vſe, or cuſtome, made, had, or vſed to the contrary notwithſtanding. Prouided alwaies that this act extend not to any Act or Ordinance made for the puniſhment of any ſuch offenders in the ſecond yeare of King Henry the fift, late in déed and not of right K. of England.

This confirmation doth not extend to the Sta. of 2.H.5.6.

Statutes made at Weſtminſter *Anno* 17. *Edw. quarti,* *& Anno Domini* 1477.

OVr Lord King EDVVARD the fourth after the Conqueſt, at his Parliament holden at Weſtminſt. the ſixteenth day of Ianuary, in the ſeuẽteenth yeare of his raigne, to the houour of God and the wealth of him and his Realme, by the aduice and aſſent of his Lords Spirituall and Temporall, and at the ſuit and requeſt of his Commons in this preſent Parliament aſſembled; and by authority of the ſame Parliament, hath made to be ordained, and eſtabliſhed diuers Ordinances and Statutes in forme following.

CAP. I.

No Iriſh money ſhall runne in payment in England or Wales vpon paine of forfeiture thereof: It ſhall be felonie to carry out of England or Wales any Coine of this Realme, or any Plate, Bullion, Iewels of gold or ſiluer without the Kings licence (except priſoners ranſomes, ſouldiers money, &c.) No perſon ſhall melt any money of gold or ſiluer ſufficient to runne in payment vpon paine of forfeiture of the value thereof: All things wrought of ſiluer to be ſold ſhall be as fine as the ſterling, and ſhall be marked with the Leopards head, and the workemans marke. EXP. St.7. Ed.6.6. All Marchants aliens ſhall employ the money receiued for their merchandiſes vpon the commodities of this Realme. St.3.*H*.7.8. made perpetuall. St.4.*H*.4.15. 27.*H*.6.3.

Cap. II.

In a Court of Pipowders the plaintiffe ſhall be ſworne that the contract was made in the time and iuriſdiction of the ſame Faire.

ITem, whereas diuers Faires be holden and kept in this Realm, ſome by preſcription allowed before Iuſtices in Eyre, and ſome by the grant of our Lord the King that now is, and ſome by the grant of his Progenitors and Predeceſſors: And to euery of the ſame Faires is of right pertaining a Court of Pipowders to miniſter in the ſame due iuſtice in this behalfe, in which Court it hath béene all times accuſtomed, that euery perſon comming to the ſaid Faires ſhould haue lawfull remedie of all maner of contracts, treſpaſſes, couenants, debts, and other déeds made or done within any of the ſame Faires during the time of the ſame Faire, and within the iuriſdiction of the ſame, and to be tried by Merchants being of the ſame Faire: which Courts at this day be miſuſed by Stewards, Underſtewards, Bailiffes, Commiſſioners, and other miniſters holding and gouerning the ſaid Courts of the ſaid Faires, for their priuate profit, holding plées by plaints as well of contracts, debts, treſpaſſes, and other feats done and committed out of the time of the ſaid Faires, or the iuriſdiction of the ſame, whereof of truth they haue no iuriſdiction, ſurmiſing the ſame debts, treſpaſſes, couenants, or other déeds, to be done within the time of the Faires, or within the iuriſdiction of the ſame Faires, where of truth they were not ſo. And ſometime by the deuiſe of euill diſpoſed people ſeuerall ſuits be fained, and trouble them to whom they beare euil will to this intent, that they for lucre may haue fauourable inqueſts of thoſe that come to the ſaid Faires, where they take their actions. And whereby, diuers perſons comming to the ſame Faires, be grieuouſly vexed and troubled by fained actions, and alſo by actions of debts, treſpaſſes, déeds and contracts, made and committed out of the time of the ſaid Faire or the iuriſdiction of the ſame, contrary to equitie and góod conſcience, wherby the Lords of the ſame Faires doe loſe great profit by the not comming of diuers Merchants to their Faires which by this occaſion doe abſtaine, and alſo the Commons be vnſerued of ſuch ſtuffe and merchandiſe, which otherwiſe would come to the ſame Faires: Our ſaid Lord the King, conſidering the premiſſes, by the aduice and aſſent of the Lords Spirituall and Temporall, and at the requeſt of the Commons in the ſaid Parliament aſſembled, and by the authoritie of the ſame, hath ordained and ſtabliſhed, that from the firſt day of May next enſuing, no Steward, Underſteward, Bailiffe, nor Commiſſary, nor other miniſter of any ſuch Courts of Pipowders ſhall hold plea vpon any action at the ſuit of any perſon or perſons, vnleſſe the plaintiffe or plaintiffes, or his or their atturny, in the preſence of the defendant or defendants, doe ſweare vpon the holy Euangeliſt vpon the declaration, that the contract or other déed contained in the ſaid declaration, was made or committed within the Faire, and within the time of the ſame Faire, where he taketh his action, & within the iuriſdiction and bounds of the ſame Faire. And although that the plaintiffe or plaintiffes by their othe doe affirme the ſame, yet neuertheleſſe the ſaid defendant or defendants, ſhall not be concluded by the ſame, but may anſwere and plead to the action, or in abatement of the plaints, and to proffer an iſſue that the ſame contract, treſpaſſe, or other déed contained in ſuch declaration whereupon the plaintiffe or plaintiffes doe declare, was not committed nor done within the time of the Faire and iuriſdiction of the ſame, but out of the time of the Faire, or at other places out of the iuriſdiction of the ſame Faire, according to the truth in this behalfe. And if it be ſo tried, or that the plaintiffe or plaintiffes or their atturnies doe refuſe to take the othes in the forme aforeſaid, that then the defendant or defendants ſhall be quite diſmiſſed and diſcharged in that behalfe out of the ſame Court, the party plaintiffe to take his remedy at the common Law or other place conuenient, as ſhall to him ſéem góod, notwithſtanding this Ordinance. And that euery Steward, Underſteward, Bailiffe, and Commiſſary, or other miniſter, holding, ruling, or gouerning any of the ſaid Courts that doth the contrary of this ordinance, ſhall forfeit for euery default in this behalfe C.s. The one halfe to be to our Lord the King, and the other half to him that will in this behalfe purſue his action vpon this Ordinance, by action of debt in his owne name. And that Writs of proclamation be in all góod haſt directed to euery Sheriffe of euery County of England to cauſe this Ordinance to be proclaimed in euery Faire within his County, as well within franchiſe as without. This Act to endure from the ſaid firſt day of May vntill the firſt day of the next Parliament. Prouided alwaies, that this Act nor any thing compriſed in the ſame Act be hurtfull or preiudiciall to William now Biſhop of Durham, or to his ſucceſſors within the libertie and franchiſe of the Biſhoprick of Durham. Stat. 1. R. 3. 6. made perpetuall.

o. Iuriſdiction

The penalty of a Steward in a court of Pipowders, if the plaintiffe be not depoſed that the contract, &c was made in the time & iuriſdiction of the faire.

Cap. III.

No perſon ſhal vſe any of the games called Cloſſe, half Bowle, Kayles, hand in hand, or Queckbord, vpon paine of two yeares impriſonment, and forfeiture of x. li. And whoſoeuer ſhall ſuffer any other perſon to play at any of the ſaid games in his houſe, or other place, ſhall be three yeares impriſoned, and forfeit xx. li. Rep. 33. *H*. 8. 9. 12. R. 2. 6. 11. *H*. 4. 4.

CAP. IIII.

The preparation of Earth for making of Tile.

ITem, whereas in diuers parts of this Realme, great damage hath béene & daily is, and by likelyhood in time to come will much encreaſe for default of true, ſeaſonable and ſufficient making, whiting, & anealing of Tile, called plaine Tile, otherwiſe called Thaktile, Roofetile, or Creaſtile, Cornertile, & Guttertile, made and to be made within this Realm: Our Lord the King (the premiſſes conſidered) for the generall profit of this Realm, by the aduice of the Lords Spirituall and Temporall, and at the requeſt of the Commons in the ſaid Parliament aſſembled, and by authority of the ſame, hath ordained & eſtabliſhed, that all & euery perſon or perſons, which hereafter ſhall vſe the occupation of making of any ſuch Tile, as before is ſaid, ſhall make it good, ſeaſonable, able & ſufficient, and well whited and anealed. And that the earth whereof any ſuch Tile ſhall be made, ſhall be digged and caſt vp before the firſt day of Nouember next before that they ſhall be made, and that the ſame earth be ſtirred and turned before the firſt day of February then next following the ſame digging and caſting vp, & not wrought before the firſt day of March next following, and that the ſame earth before it be put to making of Tile, be truely wrought & tryed from ſtones. And alſo that the vaines called Malin or Marle, and Chalk lying commonly in the ground nere to the land conuenient to make Tile, after the digging of the ſaid earth, whereof any ſuch Tile ſhall be made, ſhall be well, lawfully, and truly ſeuered and caſt from the earth whereof any ſuch Tile ſhall be made. And that euery ſuch plaine Tile ſo to be made, ſhall containe in length ten inches and an halfe, and in breadth ſixe inches and a quarter of an inch, and in thicknes halfe an inch and halfe a quarter at the leaſt. And that euery ſuch Roofetile or Creaſtile ſo to be made, ſhall containe in length thirtéene inches, and the thicknes of half an inch and halfe a quarter at the leaſt, with conuenient déepneſſe according. And that euery Guttertile and Couertile to be made, ſhall containe in length ten inches and an halfe, with conuenient thickneſſe, breadth and déepneſſe according. And if any perſon or perſons ſet to ſale to any perſon or perſons, any ſuch Tile aboue ſpecified, made or to be made contrary to the ſaid Ordinance, then the ſeller thereof ſhall forfeit to the buyer of the ſame, the double value of the ſame Tile, & beſides that, ſhall make fine & ranſome to the King at his will. And that euery perſon that féeleth himſelfe grieued, and will ſue in this behalfe ſhall haue an action of debt againſt the offendors, wherein ſhall be made and had like proceſſe, recouery and execution, as is or may be at this day in any other actions of debt, purſued at the common Law. And that the plaintiffe in euery ſuch action (if it be found with him) may recouer againſt the defendant in the ſame action his reaſonable coſts and expences of his ſuit. And that the defendāt in any ſuch action ſhal not be admitted to wage his Law, or to haue any eſſoin, or protection allowed, nor any aduantage by fourching of eſſoine or diſtreſſe. And alſo that the Iuſtices of Peace for the time being, within any Coūty of this Realme, & euery of them ſhall haue full power to enquire, heare and determine by their diſcretions, aſwell by examinatiō or otherwiſe, the defaults, offences, and treſpaſſes, which ſhall happen to be committed contrarie to this Ordinance, aſwell at the Kings ſuit, as at the parties which ſhall féele himſelfe grieued in that behalfe. And if it be found, or may appeare to the Iuſtices of Peace, or any of them by examination, or otherwiſe by their diſcretion, that any perſon or perſons hath offended contrary to this Ordinance, that then the ſame Iuſtices, before whom it ſhall be found or appeare, ſhal aſſeſſe vpon the offendor in this behalfe no leſſe fine, then for euery M. of plaine tile ſet to ſale, contrary to this ordinance, v.s. And for euery C. roofetile vj.s. viij.d. And for euery C. cornertile or gutter tile ij.s. ſold contrary to this ordinance. And that leſſe fine be made after the rate of the ſame by the diſcretion of the ſaid Iuſtices or any of them. And that the ſame Iuſtices ſhall haue full power to call before them or any of them, at any time and place requiſite, ſuch & ſo many perſons as by their diſcretion haue or ſhall haue beſt experience or knowledge in the occupatiō of making of Tile, to ſearch and examine the digging, caſting, turning, parting, making, whiting, and anealing aforeſaid. And that the ſame perſon or perſons which ſo ſhal be aſſigned ſearchers, ſhal haue full power to make ſearch. And that no perſon put ſuch Tile to ſale, before that it be ſearched by the ſaid ſearchers, vpon paine of forfeiture of the ſame Tile, And if the ſame ſearchers or any of them doe find, that any perſon or perſons, exerciſing the occupation of Tilemaking doth offend contrary to this Ordinance, that then the ſame ſearchers ſhall preſent ſuch defaults before the Iuſtices of P. at their next ſeſſions. And that euery ſuch preſentment be as ſtrong and effectuall in the law, as the preſentment of xij. men. And that ſuch ſearchers ſo to be ordained, aſſigned & deputed, ſhall haue of euery ſuch Tilemaker for his labour of the ſaid ſearch, for euery M. plaine tile ſearched one peny, for euery C. roofetile ob. And for euery C. Cornertile & guttertils a q. And that the ſame ſearchers ſhall doe and execute their effectuall induſtry and diligence in this behalf according to this Ordinance, vpon paine of forfeiture to our Lord the King, for euery default in this behalfe x.s. And that the Iuſtices of Peace ſhall haue power to examine, enquire and determine the faults of ſuch ſearchers in the premiſſes, in like forme as aboue is ordained for the defaults of Tilemakers. This Ordinance to begin to take effect at the Feaſt of S. Michaell next comming, and not before.

The preparatiō of earth for the making of tiles and the ſeuerall lengths, bredth, & thickneſſe of them.

The forfeiture of the offendor that ſelleth defectiue tiles.

Iuſt. of P. may inquire of, heare & determine theſe offences.

Iuſt. of P. ſhall haue authoritie to appoint ſearchers of tiles.

The ſearchers authoritie, & fee for their paines.

Dyer fo.355

The Iuſt. of P. ſhall inquire of the defaults of ſearchers.

CAP. V.

An alteration of part of the Statute of 4.Ed.4.1.

Stat.4.Ed.4.1.

ITem, whereas by an Act made in the Parliament of our ſaid Lord the King, holden at Weſtminſter in the fourth yeare of his raigne, it was ordained, eſtabliſhed and enacted amongſt other things, that all Woollen Clothes, halfe Clothes, Streits, & Kerſies, of a certaine length and breadth ſpecified in the ſame Act, and being of all perfectneſſe of making, alſo compriſed in the ſame Act, ſhould be from the Feaſt of Saint Peter, called ad Vincula, which was in the yeare of our Lord God 1465. ſealed with a double print in Lead, to be deuiſed and ordained by the Treaſurer of England for the time being, teſtifying the true length and bredth, and lawfull making. Alſo by the ſame Act it was ordained amongſt other things, that the Treaſurer of England for the time being, ſhould haue power and authority to make ſuch and as many keepers of the ſame Seales, as he ſhall thinke neceſſary. So that no ſtrangers borne, ſhould be made any of the ſame keepers. And that euery of the ſaid keepers ſo to be made, ſhall yearly accompt of the reuenues of their ſaid offices in the Kings Eſchequer, before the Treaſurer of England, & the Barons there for the time being, ſhewing in the ſame accompts, the number of all the Clothes, halfe Clothes, Streits, and Kerſies, ſealed by them, with the names of the owners thereof. Euery of the ſaid keepers to be rewarded yearly at his ſaid accompt for his labour and diligence had in this behalf at the receipt of the ſaid Eſchequer, by the diſcretion of the ſaid Treaſurer and Barons, without payment of any thing in the ſaid Eſchequer, for the making of his ſaid accompt, as in the ſaid act thereof made, is more largely contained. The King certainly perceiuing, that ſithence the making of the ſame Act, he hath had yearly greater loſſe by the approuement of the ſubſidie and aulnage of Clothes, then he had at any time before the ſaid Act of approuement made. For the ſame and for diuers other great cauſes mouing him, by the aſſent of the Lords Spiritual and Temporall, and the Commons in this preſent Parliament aſſembled, & by authority of the ſame Parliament, hath ordained, eſtabliſhed, and enacted, that from the Feaſt of Eaſter next comming, all the Woollen Clothes, halfe Clothes, Streits and Kerſies, being of good and perfect making of length and breadth, according to the forme of the ſaid Act, made in the ſaid fourth yeare, ſhall be ſealed with Waxe at both ends, taking no more for the ſame both ſeales, then before was taken for the ſealing of an whole Cloth, halfe Cloth, Streit, or Kerſie. Except only, that in the City of London and in the Town of Briſtow, all the Clothes that ought to be ſealed, ſhall be ſealed with Lead, as hath been there accuſtomed. Moreouer, it is ordained, enacted and eſtabliſhed by the authority aforeſaid, that the ſaid Treaſurer of England for the time being, ſhal haue power & authoritie, to let to ferme the ſubſidie and aulnage of Clothes which ought to be ſealed, unto perſons willing to haue the ſame to ferme, by ſufficient ſurety in the forme as was uſed and done before the ſaid Statute made in the ſaid fourth yeare. The fermors to haue the one half of the forfeiture of all the Clothes and peeces of Clothes to be ſet to ſale, not ſealed with the ſaid Seales to their owne uſe, paying therefore and for the ſaid ſubſidie and aulnage, to our Lord the King at his Eſchequer, ſuch yearly ſummes of money as ſhall be agreed betwixt the Treaſurer of England and them, and to be accomptants to the King of the other halfe of the ſaid forfeiture, at the ſaid Eſchequer, The ſaid Statute made in the ſaid fourth yeare notwithſtanding.

Woollen clothes, halfe clothes, &c. ſhall be ſealed with waxe at both ends, notwithſtanding the St. of 4.Ed. 4.1. REP.5.Ed. 6.6.

The Treaſurer of Englãd may let the Aulneger to farme upon good ſuretie. St.17.R.2 5. 1.H.4.13. 4 H.4.24. 31 H.6.5.

CAP. VI.

How long the old Sheriffe may execute his Office if he haue not before his Writ of Diſcharge.

St.12.Ed.4.1.

ITem, whereas by a Statute in the laſt Parliament holden at Weſtminſter, it was ordained, that the old Sheriffe of euery County might execute and returne euery Writ, Precept or Warrant, in any of the Kings Courts, within the Terme called Michaell Terme, after the vi. day of Nouember, and before any Writ of diſcharge to him deliuered of his occupying of Sheriffe, without hurt, loſſe, or penaltie, by the ſame Statute remembred, as in the ſame doth more largely appeare. And becauſe that the words of the authority giuen by the ſaid Act to the ſaid old Sheriffe, be very eſpeciall, and not generall enough for the Common wealth, purpoſed or intended by the ſame Act. It is therefore ordained by authority of this Parliament, that euery old Sheriffe of euery County, remembred in the ſaid laſt Act, from the ſixth day of Nouember next to come, ſhall haue full authoritie and power, as well lawfully to execute and returne euery writ, Precept, or Warrant, from euery of the ſaid Courts of the King, deliuered to him, as to doe and execute euery other thing, which to the office of Sheriffe lawfully pertaineth, at all times during the Termes of Saint Michaell, and of Saint Hillary, unleſſe before the ſame time he be lawfully diſcharged of his occupation of Sheriffe, without ſuſtaining any damage, forfeiture, or pain in reſpect thereof: Any Act, Ordinance, or Prouiſion before made to the contrary in any wiſe notwithſtanding. Stat.23.*H*.6.8. 12.Ed.4.1.

Dyer fo.355.

Euery old Sheriff may execute his office during Michaelmas & Hillary Terme if he hath not before his Writ of diſcharge.

Cap. VII.

A repeale of a Parliament holden *Anno 9.Ed.4.* & *Anno H.49.H.6.* and of all the Acts therin made, and of their exemplifications. Exp.

Statutes made at Weſtminſter, An. 22.Ed.4. *& Anno Domini* 1482.

OVr Lord the King Edvvard the fourth, at his Parliamẽt holden at Weſtminſter, the twentieth day of Ianuary, in the two and twentieth yeare of his raigne, to the honour of God, and for the wealth of his people of this his Realme, by the aduice & aſſent of the Lords Spirituall and Temporal, & at the requeſt of his Commons in the ſaid Parliament aſſembled, and by the authority of the ſame Parliament, hath ordained & eſtabliſhed certaine Statutes and Ordinances, in maner and forme following.

Cap. I.

A repeale of all former Statutes made, touching the exceſſe of Apparell. What kinde of Apparell Temporall men of euery degree and eſtate are allowed, and what prohibited to weare. None vnder the eſtate of a Lord (except certaine perſons particularly named) ſhall weare any gowne or mantle, vnleſſe it be of ſuch length, that (he being vpright) it ſhal couer his priuy mẽbers, and buttocks. The forfeitures of the offendors and who ſhall haue them. Rep. 1.*H.*8.14. & 1.Iac.25.

Cap. II.

The contents of veſſels of Salmons, Herrings, and Eeles, And how Fiſh ſhall be packed.

Packing of ſalmons & the content of the veſſell thereof. St.11.H 7.13.

ITem, whereas diuers deceits haue béene vſed and done as well in the meaſures of veſſels called Butts, Barrells, and halfe Barrells, ordained for Salmon, And Barrells, halfe Barrells and Firkins, ordained for Herring, Eeles, and other barrelled Fiſh, as in the packing in the ſame veſſells of euery of the ſaid Fiſhes before named, to the great damage of the King, the Lords Spirituall and Temporall, and other of the Kings faithfull ſubiects. For reformation whereof, our ſaid Soueraigne Lord the King, by the aduice, aſſent, and authority aforeſaid, hath ordained and enacted, that no Merchant ſtranger nor denizen, after the Feaſt of S. Michaell next comming, ſhall ſell nor ſet to ſale, any Salmon, by Butt, Barrell, halfe Barrell, or any other veſſell, before it be ſéene, except the ſame Butt doe hold and containe fourescore and foure galons, the Barrell two and fortie galons, the halfe Barrell one and twentie galons, well and truly packed, vpon paine of forfeiture for euery Butt, Barrell, and halfe Barrell, ſo failing their ſaid meaſure ſixe ſhillings and eight pence. Alſo that no ſuch Merchant, being vnder the Kings obeyſance, after the ſaid Feaſt of Saint Michaell, ſhall ſell or put to ſale, any maner Salmon, by Butte, or other veſſell, except it be well and faithfully packed, that is to ſay, the great Salmon by it ſelfe, without mingling with them any grilles or broken bellied Salmon.

Packing of Grilles.

And that all ſmall fiſh called grilles, ſhall be packed by themſelues onely, without any mingling, vpon paine of forfeiture and loſſe of ſixe ſhillings and eight pence for euery Butt, Barrell, and halfe Barrell mingled, packed and ſet to ſale contrary to this act.

The content of a barrell, &c of herring & it ſhall be well packed.

The content of a barrel of eeles, & they ſhall not be mingled.

Alſo that no merchants, nor other perſon ſet any Herring to ſale by Barrell, halfe Barrell, or Firkin, except the ſame Barrell containe two and thirtie galons, the halfe Barrell and Firkin after the ſame rate. And that the ſame Herring be well, truely and iuſtly cowched and packed. And that it be of one times taking and ſalting. And that the ſame Herring be as good and as well packed in the middeſt, and in euery part of the ſame Barrell or other veſſell, as it ſhall be in the ends of the ſame Barrells and other veſſells, vpon paine to forfeit thrée ſhillings and foure pence for euery Barrell, halfe Barrell and Firkin ſo failing their ſaid meaſure, and alſo vpon paine of forfeiture and loſſe of thrée ſhillings and foure pence for euery Barrell, halfe Barrell & Firkin of Herring ſorted, laid or packed contrary to this act. Alſo that no ſuch merchant nor palingman ſell or ſet to ſale any Eeles by Barrell, halfe Barrell or Firkin, except the ſame Barrell containe two and fortie galons, the halfe Barrell and Firkin after the ſame rate. Nor that any ſuch Merchant nor Palingman doe mingle any Gallebetten, ſtorued, or pulled Eeles with the good Eeles, but that the good Eeles be well and iuſtly packed & ſold by themſelues. Nor that they mingle with the góod Eeles, or put to ſale any red Eeles vpon pain of forfeiture and loſſe of ten ſhillings for euery Barrell, halfe Barrell and Firkin, ſo failing their meaſure. And alſo vpon paine of forfeiture and loſſe of ten ſhillings for euery Barrell, halfe Barrell and Firkin ſo mixt, packed ane ſet to ſale, as afore is ſaid, contrary to this act. Alſo that no ſuch Merchant after the ſaid Feaſt ſell or ſet to ſale any barrelled fiſh, except the ſame fiſh be well and faithfully packed, that is to ſay any countable fiſh commonly called tale fiſh, by it ſelfe, and the ſame fiſh, called Grilles, by themſelues, without any mixture of the ſaid fiſhes with the great fiſh, & without mixture or packing of thokes or fiſh with broken bellies, with the ſaid Tale fiſh or ſmall fiſh. And that the ſaid Tale fiſh or ſmall fiſh be not laid double in the packing. And that euery Tale fiſh containe in length from the bone in the finne to the third ioynt in the taile ſixe and twentie inches at the leaſt, and that the napes of all ſuch barrelled fiſh ſhall be no longer then the little bone that reſteth vpon the great finne. And that the bone of euery ſuch ſalt fiſh ſhall be taken away to the nauell of the fiſh.

How fiſh ſhal be packed.

And that euery ſuch fiſh be ſplatted or opened downe to an handfull of the taile, vpon paine of forfeiting and loſing of thrée ſhillings and foure pence for euery barrell of fiſh, which hereafter ſhall be found packed, ſorted, mixt, naped, laid double, or not boned, nor ſplatted or open, according to this act.

Alſo in eſchewing the common loſſes and deceits aforeſaid, Our ſaid Lord the King hath ordained and enacted by the authority aforeſaid, that all Maiors, Bailiffes, and Gouernors of Cities, Boroughs, Market Townes, and all other places of this his Realme for the time being, where there be Maiors, Bailiffes, or Gouernors, ſhall haue power and authoritie to name and choſe diſcréet and expert perſon or perſons daily to ſearch and gauge all ſuch veſſelles as aboue be rehearſed, that they be faithfully packed, and kéep their lawfull meaſure and aſſiſe according to the Ordinances aforeſaid. The one halfe of all the ſaid fines, forfeitures, and penalties, and euery of them, to be to our Lord the King, and the other halfe to him or them of his ſubiects that ſhall ſeiſe or purſue for the ſame by Action of debt, by Writ at the Common Law, by Bill, or Plaint, according to the Cuſtome of the Citie or Town where any ſuch fines, forfeitures, & penalties, ſhall hereafter happen to be or fall. And that the defendant, in any ſuch Action be not admitted to wage nor doe his Law, Nor that any Protection or Eſſoine of the Kings ſeruices for any ſuch defendants be allowed. Prouided alwaies that this Act be not preiudicall to any perſon or perſons hauing the forfeiture of the góods of Felons, Fugitiues, and condemned perſons.

Chiefe officers of cities and boroughs, &c. ſhall appoint ſearchers to ſearch & gauge veſſels of fiſh.

Moreouer, it is ordained and enacted by the authority aforeſaid, that euery ſuch perſon and perſons ſhall haue and enioy like forfeitures of and in euery of the premiſſes within their Franchiſes, as the King now hath in other places without.

Cap. III.

No Ribands, Laces, Corſes, Girdels, Calliſilk, or Colleinſilke twined ſhall be brought into England to be ſold, vpon paine of forfeiture of the ſame, or the value thereof. Exp. St. 33 *H.6.*5. 3.Ed.4.3. 19.*H.7.*21.

Cap. IIII.

Whoſoeuer ſhall ſell a long Bow of Ewe aboue the price of three ſhillings & foure pence ſhall forfeit twentie ſhillings. Rep. 8.Eliz.10. Stat.3.*H.*7.13. 33.*H.*8.9.

Cap. V.

No perſon ſhall full or thicke any Hattes. Bonettes, or Cappes, at any fulling Mill, or ſet to ſale any ſo fulled, vpon paine to forfeit fortie ſhillings. Exp. Rep. 1.Iac.25, Stat.7.Ed.6.8.

Cap. VI.

How much land he muſt haue which ſhall haue a marke or game of Swannes.

ITem, where as well our ſaid Soueraigne Lord the King, as other Lords, Knights, Eſquires, and other noble men of this noble Realme of England, haue béen heretofore greatly ſtored of markes and games of Swannes in diuers parts of this Realme of England, vntill of late that diuers kéepers of Swannes haue bought and made to them markes and games in the Fennes & Marſhes, and other places, and vnder colour of the ſame and of ſuruieying & ſearch for the Swans and Cygnets for their Lords and maſters, haue ſtollen Cygnets, and put vpon them their owne marke, by which vnlawfull meanes, the ſubſtance of the Swannes be in the hands and poſſeſſion of Yeomen and Huſbandmen, and other perſons of little reputation. Wherefore it is ordained, eſtabliſhed, and enacted by our ſaid Soueraigne Lord the King, with the aſſent of the Lords Spirituall and Temporall, and at the ſpeciall petition and requeſt of the Commons in the ſaid Parliament aſſembled, and by authority of the ſaid Parliament, that no perſon, of what eſtate, degrée, or condition he be (other then the ſonne of our Soueraign Lord the King) from the Feaſt of Saint Michaell next comming, ſhall haue or poſſeſſe any ſuch marke or game, of his owne, or

any

No perſon ſhall haue a marke or game of ſwans vnleſſe he haue 5. marke lands.

any other to his vſe ſhall haue or poſſeſſe any ſuch marke or game, except he haue Lands and tenements of the eſtate of freehold to the yearely value of fiue markes aboue all yearely charges. And moreouer, that euery perſon or perſons, now hauing any ſuch marke or game, ſhall ſell or giue the ſame betwixt this and the Feaſt of S. Michaell next comming, to the vſe of them to whō they ſhall be ſo ſold or giuen: and if it happen any perſon or perſons, not hauing any poſſeſſion of Lands or Tenements, to the ſaid yearely value, or any other to haue or poſſeſſe Lands to his or their vſe, to haue or poſſeſſe any ſuch marke or game after the ſaid feaſt, that then it ſhall be lawfull to any of the Kings ſubiects, hauing lands or tenements to the ſaid value, to ſeiſe the ſaid Swannes as forfeit. Whereof the King ſhall haue one halfe, and he that ſhall ſo ſeiſe, the other halfe.

Any perſon hauing 5. markes of freehold may ſeiſe the ſwans forfeited.

Cap. VII.

How long any Woods felled in any Foreſt or purlew may be incloſed and kept ſeuerall.

Woods felled in any foreſt or purlewe may be incloſed & kept ſeuerall 7 yeares St. 35 H. 8. 17. 13. El 25.

Coke. li. 8. fo. 13

ITem, our ſaid Lord the King conſidering that diuers ſubiects hauing Woods growing in their owne ground, within the Foreſt of Rokingham, and other Foreſts and Chaſes within his Realme of England, or purlewes of the ſame, which haue cut their ſaid Wood, becauſe the ſame ſubiects might not before time cut nor incloſe their ſaid ground, to ſaue the yong ſpring of their Woods ſo cut, any longer time then for three yeares, The ſame yong ſpring hath beene in times paſt and daily is deſtroyed with Beaſts and Cattell of the ſame Foreſt, Chaſes, and purlewes, to the great hinderance, as well of his ſaid ſubiects, as of his Deere, Vert, and Veniſon in their couert, and otherwiſe likely to be the deſtruction of the ſame Foreſts, Chaſes, and purlewes: By the aſſent of the Lords ſpirituall and temporall, and the Commons in this ſaid Parliament aſſembled, and by the authority of the ſame, doth ordaine, eſtabliſh, and enact, that if any of his ſubiects, hauing Woods of his owne growing in his owne ground, within any Foreſt, Chaſe, or purlew of the ſame, within this Realme of England, from the firſt day of this Parliament, ſhal cut or cauſe to be cut the ſame Wood or part thereof, by Licence of the King or of his heires, in his Foreſts, Chaſes, or purlewes, or without licence in the Foreſt, Chaſe, or purlew of any other perſon, or make any ſale of the ſame Wood: it ſhall be lawfull to the ſame ſubiects, owners of the ſame ground whereupon the Wood ſo cut did grow, and to other ſuch perſons to whom ſuch Wood ſhall happen to be ſold, immediatly after the Wood ſo cut, to coppie and incloſe the ſame ground with ſufficient hedges, able to keep out all maner Beaſts and Cattell forth of the ſame ground, for the preſeruing of their yong ſpring: and the ſame hedges ſo made, the ſaid ſubiects may keep them continually by the ſpace of ſeuen yeares next after the ſame incloſing, & repaire and ſuſtaine the ſame as often as ſhall need within the ſame ſeuen yeares, without ſuing of any other licence of him or of his heires, or other perſons, or any of their officers of the ſame Foreſts, Chaſes and purlewes.

Cap. VIII.

Merchandiſes caried into or fetched out of Scotland, ſhall be firſt brought to Barwick. The freemen of Barwick ſhall haue to farme the fiſhing there.

Merchandiſes carried into or brought out of Scotland or the Iſles, ſhall be firſt brought to Barwicke.

ITem, our ſaid Soueraigne Lord the King, for the ſuretie of the Towne of Barwicke, and the marches of the ſame, and to haue the ſame Towne to be inhabited with great number of his faithfull liege people, which would there abound and encreaſe by the repaire of Merchants and merchandiſe, and exerciſe of the ſame, hath by the aſſent of the Lords Spirituall and Temporal, and the Commons in the ſaid Parliament aſſembled, and by authority of the ſame Parliament ordained, enacted, and eſtabliſhed, that from the feaſt of the Natiuity of Saint Iohn Baptiſt next comming, all merchants which ſhall cary or bring any merchandiſe out of Scotland, or the Iſles of the ſame, into this Realme of England, or into Ireland, or Wales, firſt ſhall bring the ſame Merchandiſe to the ſaid Towne of Barwick: and that none of the Kings liege people, nor any other perſon vnder the Kings obeyſance, ſhall buy any Merchandiſe brought out of Scotland, and carry the ſame, or cauſe to be carryed into this Realme of England, or any other place vnder the Kings obeyſance, but that the ſame Merchandiſe be bought, ſold and cuſtomed at his ſaid Towne of Barwicke, Except to the Citie of Carleyle, and the Ports or Creeks pertaining to the Weſt Marches. And that no maner Merchant, Denizen, nor Stranger vnder the Kings obeiſance, ſhall carry or conuey to ſell any maner Merchandiſe of England, Ireland, or Wales into Scotland, or the Iſles of the ſame, which be not vnder the Kings obeyſance, & that none vnder the Kings liegeance and obeyſance, ſell any maner merchandiſe of England, Ireland or Wales to any of the inhabitants of Scotland, or the Iles of the ſame, in any place within England, Ireland, or Wales, ſauing only at the ſaid towne of Barwicke and Carleile aforeſaid. And that no Merchandiſe ſhall be ſhipped in any Creeks or other place betwixt Tinmouth and the ſaid Towne of Barwicke, but only in the Port or Hauen of the ſaid Towne of Barwicke: and that no perſon or perſons ſauing the Burgeſſes and Freemen of the ſaid Towne of Barwicke, ſhall cauſe any Salmon to be ſold which ſhall be taken in the water of Twede. And if any perſon or perſons, offend or doe with any Merchandiſe aforeſaid, contrary to any of the ſaid Ordinances, the ſame perſon or perſons ſhall forfeit all the ſaid Merchandiſe, and that it ſhall be lawfull to any of the Kings liege Subiects to ſeiſe all ſuch Merchandiſe ſo forfeit, or elſe to purſue in his owne name an Action of debt againſt the ſame perſon or perſons, which ſo ſhall forfeit, containing the ſumme of the value of the ſaid goods: and in the ſame action to haue like proceſſe, iudgement, and execution, as is vſed in other actions of debt by the courſe of the Kings Laws: and that in none of the ſame ſuits and Actions, any Protection or Eſſoine of the Kings ſeruice be allowed nor any defendant admitted to doe his Law, and our Lord the King to haue aſwell the one halfe of all ſuch merchandiſe forfeit and ſeiſed, as the one halfe of all ſuch ſummes of mony which ſhal be recouered by action in the forme aforeſaid, to purſue for the value of any ſuch goods ſo forfeit: and the perſon or perſons, which ſhall ſeiſe and perſue in the forme aforeſaid, to haue the other halfe of the ſame.

And by the ſaid authority it is ordained and enacted, that the Merchants and Freemen of the ſaid Towne may of the grace of our ſaid Lord the King, haue to ferme all the waters Royall, & fiſhing places within the ſaid Towne of Barwicke and Signiorie of the ſame; paying for the ſame as much as any other perſon will do, and that the ſame Merchants and Freemen & euery of them may from henceforth haue, occupy, and enioy to them, their Heires, and Succeſſors for euer, all Liberties, Franchiſes and Cuſtomes, which at any time before pertained to the ſaid Towne, and that they may ſhip all maner goods and merchandiſes there, and carry them to what place or places, Port, or Ports, that they will, and there diſcharge, and the ſame recharge with Corne or any other Victuall, or Merchandiſes, and bring the ſame to the ſaid Towne of Barwicke for victualling thereof.

The merchants and freemen of Barwicke ſhall haue to ferme the waters royall and fiſhings there.
St. 1. Iac. 28.

Prouided alwaies that this Act, nor any other Act made, or to be made in the ſaid Parliament doe not extend, nor be preiudiciall to William Biſhop of Durham, nor to his Succeſſors, in or for any maner thing pertaining or in any wiſe belonging to him.

Thus endeth the Statutes made in the time of the Noble King Edward *the fourth.*

Statutes

Anno primo RICARDI *tertij.*

STATVTES MADE AT WESTMINSTER IN THE FIRST YEARE OF the Raigne of King RICHAD the third, and in the yeare of our Lord, 1483.

Richard by the grace of God King of England and of France, and Lord of Ireland, the third after the Conqueſt: To the honour of God and of holy Church, and for the Common wealth of his realm of England at his firſt Pahliament holden at Weſtminſter, the three and twentieth day of Ianuary, in the firſt yeare of his Raigne: by the aduice and aſſent of the Lords Spirituall and Temporall, and at the requeſt of the Commons of the ſaid Realme of England ſummoned to the ſaid Parliament, by the authoritie of the ſame Parliament, hath ordained and eſtabliſhed for the quietneſſe of his people certaine Statutes, and Ordinances, in forme following.

CAP. I.

All Acts made by or againſt Ceſtuy que vſe *ſhall be good againſt him his heires and feoffees in truſt.*

The generall inconueniences of ſecret feoffements.

All Acts made by or againſt Ceſtuy que vſe ſhall be good againſt him, his heires and feoffees in truſt.

The eſtate of tenant in taile ſaued.

Foraſmuch as by priuie and vnknowne feoffements great vnſuretie, trouble, coſts, and grieuous vexations daily grow among the Kings Subiects inſomuch that no man that buyeth any Lands, Tenements, Rents, Seruices, or other Hereditaments, nor Women that haue Iointures or Dowers in any Lands, Tenements or other Hereditaments, nor Mens laſt Willes to be performed, nor Leaſes for terme of life, or of yeares, nor annuities granted to any perſon or perſons for their Seruices for terme of their liues, or otherwiſe, be in perfect ſuretie, nor without great trouble and doubt of the ſame, becauſe of the ſaid priuie & vnknowne feoffements: For remedy whereof, be it ordained, eſtabliſhed, and enacted, by the aduice of the Lords Spirituall and Temporall, and by the Commons in this preſent Parliament aſſembled, and by authoritie of the ſame, that euery eſtate, feoffement, gift, releaſe, grant, leaſes, and confirmations of Lands, Tenements, Rents, Seruices, or Hereditaments, made or had, or hereafter to be made or had by any perſon or perſons being of full age, of whole mind, at large, and not in dureſſe, to any perſon or perſons, and all recoueries and executions had or made, ſhall be good and effectuall to him to whom it is ſo made, had, or giuen, and to all other to his vſe, againſt the ſeller, Feoffor, Donor, or Grantor thereof, and againſt the Sellers, Feoffors, Donors, or Grantors, his or their heires, claiming the ſame onely as Heire or Heires to the ſame Sellers, Feoffors, Donors, or Grantors, and euery of them, and againſt all other hauing or claiming any title or intereſt in the ſame, only to the vſe of the ſame Seller, Feoffor, Donor, or Grantor, Sellers, Feoffors, Donors, or Grantors, or his or their ſaid heires at the time of the bargaine, ſale, couenant, gift, or grant made. Sauing to euery perſon or perſons ſuch Right, Title, Action, or Intereſt, by reaſon of any gift in taile thereof made, as they ought to haue had, if this Act had not beene made. Stat. 1. *H.* 7. 1. 4. *H.* 7. 17. 19. *H.* 7. 15. 27. *H.* 8. 10.

CAP.

b.365-396

HENRICI SEPTIMI.

The King our Soueraigne Lord Henry the ſeuenth after the Conqueſt, by the Grace of God, King of England and of France, and Lord of Ireland, at his Parliament holden at Weſtminſter the ſeuenth day of Nouember, in the firſt yeare of his raigne, to the honour of God and holy Church, and for the common profit of the Realme, by the aſſent of the Lords Spirituall and Temporall, and the Commons in the ſaid Parliament aſſembled, and by Authoritie of the ſaid Parliament, hath done to bee made certaine Statutes and Ordinances, in manner and forme following.

Cap. I.

An Act to maintaine a Formedon againſt the Pernour of the profits of Lands enfeoffed to vſe.

FIRST, That where diuers of the Kings ſubiects hauing cauſe of action by Formedon in the deſcender, oꝛ elſe in the remainder, by foꝛce of any taile foꝛ lands and tenements, bee defrauded and delayed of their ſaid actions: and oftentimes without remedie, becauſe of feoffments made of the ſame lands and tenements to perſons vnknowne, to the intent that the demādaints ſhould not know againſt whom they ſhall take their actions: It is oꝛdained, eſtabliſhed, and enacted, by the aduiſe of the Loꝛds ſpirituall and tempoꝛall, and the commons in the ſaid Parliament aſſembled, and by authoꝛity of the ſame, That the * demandant in euery ſuch caſe haue his action againſt the Pernour oꝛ Pernours of the pꝛofits of the lands oꝛ tenements demanded, whereof any perſon oꝛ perſons beene enfeoffed to his oꝛ their vſe, and the ſame Pernour oꝛ pernours named as tenant oꝛ tenants in the ſaid action, haue the ſame * vouchers, and their lyen thereupon, aide pꝛayer, and all other aduantages, as the ſame Pernour oꝛ Pernours ſhould haue had, if they were tenants indeed, oꝛ as their feoffees ſhould haue had, if the ſame action had béene conceiued againſt them. And if it foꝛtune any perſon to deceaſe, ſo hauing feoffées to the vſe of him oꝛ of his heires, the ſaid heire being within age, againſt whom ſuch action is bꝛought as Pernour: then the ſame heire ſhall haue his age in the ſaid action conceiued againſt him and all other aduantages, as if his anceſtoꝛ had dyed ſeiſed of the ſaid lands and tenements ſo in demand. And alſo it is oꝛdained by the ſaid authoꝛity, That all recoueries as ſhall be in any ſuch actions againſt ſuch Pernour oꝛ Pernours, and their heires, and their ſaid feoffees and their heires, and the cofeoffées of the ſaid Pernours and their heires, ſhall bee as good to the recouerers and their heires, as though the ſaid Pernour oꝛ Pernours were tenants indéed, oꝛ feoffées to their vſe, oꝛ their heires, as is aboueſaid, of the fréehold of the ſaid lands and tenements, at any time of the ſaid action vſed. Stat. 1. Richard. 3. 1. 27. H. 8. 10.

h.fol.
d.4.fo.14.
.7.fo.17.
.7 p.8.
bel.11.f.62.

Raſt. Pla. fo: 86. 110. 258. 341.
A Foꝛmedon ſhall be maintenable againſt the pernour of the pꝛofits.
St. 1. R. 2. 9.
4. H. 4. 7.
11. H. 6. 3.
4. H. 7. 24.
Fitz N. B. fo: 115.
The tenant in the ſame action ſhall haue aide pꝛayer, vouchers and other aduantages.
The tenant ſhall haue his age and other aduantages.
Recoueries againſt the pernours of the pꝛofits, and their feoffees.

Cap. II.

Aliens made Denizens, ſhall pay ſuch cuſtomes as they did before.

ITem, Where in time paſt diuers grants haue beene made by King Edward, as well by his Letters Patents, as by Acts of Parliament, to diuers Marchants ſtrangers, boꝛne out of this Realme, to be denizens, whereby they haue and enioy ſuch fréedomes and liberties, as doe denizens boꝛne within this Realme, as well in abatement of their cuſtome, which they ſhould beare if they were no denizens, as in buying and ſelling of their merchandiſe, to their great auaile and lucre: And oft times ſuffer other ſtrangers, not denizens, deceitfully to ſhippe and carry great and notable ſubſtance of merchandiſe in their names, by the which the ſaid goods bee frée of cuſtome, in like wiſe as they were goods of a denizen, where of right they ought to pay cuſtome, as the goods of ſtrangers, by the which they be greatly aduanced in riches and honour: and after they be ſo inriched, foꝛ the moſt part they conuey themſelues with their ſaid goods, Aliens made denizens ſhall pay ſuch cuſtomes and ſubſidies as they did before.

into their owne Countries, wherein they be naturally borne, to the great impouerishing of this Realme, and to the great hurt and defraud of the Kings Highneſſe in paiment of his cuſtomes. Wherefore it is enacted, ſtabliſhed and ordained by the aduiſe of the ſaid Lords ſpirituall and temporall, and Commons in the ſaid Parliament aſſembled, and by authority of the ſame, That any perſon made, or hereafter to be made denizen, ſhall pay for his merchandiſe like Cuſtome and Subſidie, as he ought or ſhould pay afore that he were made denizen: any letters Patents, or other Ordinances by Parliament, or otherwiſe contrary to this made, notwithſtanding. Stat. 11. *H.* 7. 14. 22. *H.* 8. 8. 21. *H.* 8. 16.

Cap. III.

No protection ſhall be allowed in any Court in Calice, or the Marches thereof. Exp.

Cap. IIII.

An Act to puniſh Prieſts for incontinency, by their Ordinaries.

Prieſts and clerkes ſhall be puniſhed for incontinencie by their Ordinaries.

ITem, For the more ſure and likely reformation of Prieſts, Clerkes and religious men, culpable, or by their demerits openly reported of incontinent liuing in their bodies, contrary to their Order: It is enacted, ordained, and ſtabliſhed by the aduice and aſſent of the Lords ſpirituall and temporall, and the Commons in the ſaid Parliament aſſembled, and by authority of the ſame, That it be lawfull to all Archbiſhops, and Biſhops, and other Ordinaries, hauing Epiſcopall iuriſdiction, to puniſh and chaſtiſe Prieſts, Clerkes, and religious men, being within the bounds of their iuriſdiction, as ſhall bee conuicted afore them by examination, and other lawfull proofe, requiſite by the Law of the Church, of Aduoutry, Fornication, Inceſt, or any other fleſhly incontinency, by committing them to ward and priſon, there to abide for ſuch time as ſhall be thought to their diſcretions conuenient for the quality and quantity of their treſpas: & that none of the ſaid Archbiſhops, Biſhops, or other Ordinaries aforeſaid, be thereof chargeable, of, to, or vpon any action of falſe or wrongfull impriſonment, but that they be vtterly thereof diſcharged in any of the caſes aforeſaid, by vertue of this Act.

Cap. V.

An Act, ſhewing the duties of a Cordwainer, Tanner, and Curtier, Rep. 5. *Eliz.* 8. and 1. *Ia.* 22. Stat. 2. *H.* 6. 7. 19. *H.* 7. 19.

Cap. VI.

A pardon granted to all them who aſſiſted the King in his warres againſt R. Duke of Glouceſter, Exp.

Cap. VII.

An Act ſhewing the penalty for hunting in the night, or with diſguiſing.

Inconueniences enſuing by hunting in Parkes, &c. in the night, or diſguiſed.

ITem, For as much as afore this time diuers Ordinances and Statutes haue beene made in diuers Parliaments holden in the ſame Realme, for the punition of inordinate and vnlawfull huntings in Foreſts, Parkes, and in Warrens within the ſaid Realme: Which Statutes and Ordinances notwithſtanding, diuers perſons in great number, ſome with painted faces, ſome with viſors, and otherwiſe diſguiſed, to the intent they ſhould not bee knowne, riotouſly and in manner of warre arrayed, haue oftentimes of late dayes hunted, as well by night as by day, in diuers Foreſts, Parkes, and Warrens in diuers places of this Realme, and in ſpeciall in the County of Kent, Surrey, and Suſſex, by colour whereof haue enſued in times paſt great and heinous Rebellions, inſurrections, Riots, Robberies, Murders, and other inconueniences, to the preuarication and enſample of Riotors and euill diſpoſed perſons of this Realme in ſo offending, which offences could not be puniſhed afore this time, according to the ſaid Statutes, Ordinances, and Lawes of this ſaid Realme, becauſe that the ſaid miſdoers, by reaſon of their painted faces, viſours and other diſguiſings, could not bee knowne: The King our Soueraigne Lord, of his noble and aboundant grace, conſidering the premiſſes, by the aduice and aſſent of the Lords ſpirituall and temporall, at the ſupplication of the Commons in the ſaid Parliament aſſembled, and by authority of the ſame, ordaineth, That at euery ſuch time as information ſhall bee made of any ſuch vnlawfull huntings by night, or with painted faces, hereafter to be done to any of the Kings Counſell, or to any of the Iuſtices of the Kings Peace of the County where any ſuch hunting ſhall be had, of any perſon to be ſuſpect thereof, that then it ſhall be lawfull to any of the ſame Counſell, or Iuſtices of Peace, to whom any ſuch information ſhall be made, to make a warrant to the Sherife of ſuch County, or to any Conſtable, Bayliffe, or other officer within the ſame Countie, to take and arreſt the ſame perſon or perſons of whom any ſuch information ſhall bee made, and to haue him or them afore the maker of any ſuch warrant,

The penalties for hunting in the night or with diſguiſing, and to denie it being examined, Se. 3. Ed. 1. 20.

rant, or any other the Kings ſaid Councell, or Iuſtice of his Peace of the ſame Countie: and that the ſaid Counſellor or Iuſtice of Peace, afore whom ſuch perſon or perſons ſhall bee brought, by his diſcretion haue power to examine him or them ſo brought afore the ſaid Counſellor or Iuſtice, of the ſaid hunting, and of the ſaid doers in that behalfe: and if the ſame perſon wilfully conceale the ſaid huntings, or any perſon with him defectiue therein, that then the ſame concealment be againſt euery ſuch perſon ſo concealing * felony, and the ſame felony to be inquired of and determined, as other felonies within this Realme haue vſed to be: and if hee then confeſſe the truth, and all that he ſhall bee examined of, and knoweth in that behalfe, that then the ſaid offences of huntings by him done be againſt the King our Soueraigne Lord, but treſpaſſe finable, by reaſon of the ſame confeſſion, at the next generall Seſſions of the Peace, to be holden in the ſame County by the Kings Iuſtices of the ſame Seſſions, thers to bee ſeſſed. And if any reſcous or diſobeyſance be made to any perſon, hauing authority to doe execution or iuſtice by any ſuch warrant, by any perſon the which ſo ſhould be arreſted, ſo that the execution of the ſame warrant thereby be not had, that then the ſame reſcous and diſobeyſance be felony, enquirable and determinable, as is aforeſaid. And ouer this it is enacted, and eſtabliſhed by the ſaid authority, That if any perſon or perſons hereafter be conuict of any ſuch huntings, with painted faces, viſors, or otherwiſe diſguiſed, to the intent they ſhould not bee knowne, or of vnlawfull hunting in time of night, that then the ſame perſon or perſons ſo conuict, to haue like punition, as he or they ſhould haue, if he or they were conuict of felony. 9.H.3.10.

yer. fol. 30.

The penaltie if the offendor confeſſe the truth.

Reſcous of an offendor is felony.

Hunting diſguiſed, or in the night, is felony.

Cap. VIII.

No Gaſcoine or Guien wines ſhall be brought in, but by Engliſh, Iriſh, or Welſh men, and by their ſhips. Exp.

Cap. IX.

A Reuiuer for 20. yeares of the Statute of 22. *Ed.*4.3. reſtraining the bringing in of wrought laces, &c. Exp. St. 33. *H.*6.5. 3. *Ed.*4.3.

Cap. X.

The Statute of 1. *R.*3.9. touching Italian Merchants, and other ſtrangers whoſoeuer, and the penalties, forfeitures, and ſeiſors therein limited, be reuoked from all others, and by this Statute be given to the King onely:

THE SECOND PARLIAMENT, Holden in the third yeare of King HENRY *the ſeuenth.*

THE King our Soueraigne Lord Henry the ſeuenth, by the grace of God King of England, and of France, and Lord of Ireland, at his Parliament holden at Weſtminſter the ninth day of Nouember, in the third yeare of his noble raigne, to the worſhip of God and holy Church, and for the Common wealth of this his Realme, by the aduiſe of the Lords ſpirituall and temporall, and the Commons in the preſent Parliament aſſembled, and by authority of the ſame Parliament, hath ordained and eſtabliſhed certaine Statutes and Ordinances, in manner and forme as hereafter enſueth.

Cap. I.

The autheritie of the Court of Star-chamber, where one Enqueſt ſhall enquire of the concealment of another. A Coroners duty after a murder committed. A Iuſtice of Peace ſhall certifie his Recogniſance, Indicts, &c. of Murder.

FIrſt, the King our ſaid Soueraigne Lord remembreth, how by vnlawfull Maintenances, giuing of Liueries, ſignes and tokens, and retainders by indentures, promiſes, oathes, writings, or otherwiſe embraceries of his ſubiects, vntrue demeanings of Sherifes in making of Panels and other vntrue returnes, by taking of Money, by iniuries, by great riots and vnlawfull aſſemblies, the policy and good rule of this Realme is almoſt ſubdued, and for the none puniſhing of theſe inconueniences, and by occaſion of the premiſſes, little or nothing may be found by enquirie, whereby the lawes of this Land in execution may take little effect, to the increaſe of Murders, Robberies, Periuries, and vnſureties of all men liuing, and loſſes of their lands and goods, to the great diſpleaſure of Almighty God.

The authoꝛitie of the Court of the Starre-chamber. St.21.H.8.20.

Therefoꝛe it is oꝛdained, foꝛ reformation of the pꝛemiſſes, by authoꝛity of the ſaid Parliament, that the Chanceloꝛ and Treaſurer of England foꝛ the time being, and keeper of the Kings pꝛiuy Seale, oꝛ two of them, calling to them a Biſhop and a tempoꝛall Loꝛd of the Kings moſt honourable Counſell, and the two [d] chiefe Juſtices of the Kings Bench and Common Place, foꝛ the time being, oꝛ other two Juſtices in their abſence, vpon Bill oꝛ Infoꝛmation put to the ſaid Chanceloꝛ foꝛ the King, oꝛ any other, againſt any perſon, foꝛ any miſbehauing afoꝛe rehearſed, haue authoꝛity to call befoꝛe them by Writ oꝛ by Pꝛiuy Seale the ſaid miſdoers, and they and other by their diſcretion, by whom the truth may be knowne, to examine, and ſuch as they finde therein defectiue, to puniſh them after their demerits, after the foꝛme and effect of Statutes thereof made, in like manner and foꝛme as they ſhould and ought to be puniſhed, if they were thereof conuict, after the due oꝛder of the law.

An Enqueſt charged to inquire of the concealement of another Enqueſt.

And ouer that, it is oꝛdained by the authoꝛity afoꝛeſaid, That the Juſtices of the Peace of euery Shire of this Realme, foꝛ the time being, may take by their diſcretion, an Enqueſt, whereof euery man ſhall haue Lands and tenements to the yearely value of xl. ſhillings at the leaſt, to enquire of the concealements of other Enqueſts taken afoꝛe them, and afoꝛe other, of ſuch matters and offences as are to bee enquired and pꝛeſented afoꝛe Juſtices of Peace, whereof complaint ſhall be made by Bill oꝛ by Bils, as well within franchiſe as without. And if any ſuch concealment be found of any Enqueſt, as is afoꝛe rehearſed, had oꝛ made within the yeare, after the ſame concealment, euery perſon of the ſame Enqueſt to be amerced foꝛ the ſame concealements, by diſcretion of the ſame Juſtices of the Peace, the ſaid amerceaments to be ſeſſed in plaine Seſſions.

The cauſes why murders be committed St. Winton. An.3.Ed.1.

Item, the King remembꝛeth how murders and ſlaying of his ſubiects daily doe increaſe in this Land, the occaſions whereof be diuers, : one, that no men in townes where ſuch Murders hap to fall and bee done, will atache the Murderer, where the Law of the Land is, that if any man be ſlaine in the day, and the Felon not taken, the Townſhip where the death oꝛ Murder is done, ſhall be amerced, and if any man be wounded in perill of death, the party that ſo wounded, ſhould bee arreſted, and put in ſurety, till perfect knowledge bee had, whether he ſo hurt ſhould liue oꝛ die. And the Coꝛoner, vpon the view of the body dead, ſhould enquire of him oꝛ them that had done that Death oꝛ Murder, of their abbettoꝛs and conſentoꝛs, and who were pꝛeſent when the death oꝛ murder was done, whether man oꝛ woman, and the names of them that were pꝛeſent, and ſo found, to enroll and certifie: which law by negligence is diſuſed, and thereby great boldneſſe is giuen to ſlayers and murderers. And ouer this it is vſed, that within the yeare and a day after any Death oꝛ Murder had and done, the felony ſhould not be determined at the Kings ſuit, foꝛ ſauing of the parties ſuit, wherein the party is oftentimes ſlow, and alſo agreed with, and by the end of the yeare all is foꝛgotten, which is another occaſion of Murder. And alſo he that will ſue any Appeale, muſt ſue in pꝛoper perſon, which ſuit is long and coſtly, that it makſth the party appellant weary to ſue.

A Coꝛoner ſhall execute his office accoꝛding to the law.

Foꝛ refoꝛmation of the pꝛemiſſes, the king our Soueraigne Loꝛd, by the aſſent of the Loꝛds ſpirituall and tempoꝛall, and the Commons in the ſaid Parliament aſſembled, and by authoꝛity of the ſame, will that euery Coꝛoner exerciſe and doe his office accoꝛding to the Law, as is afoꝛe rehearſed, and that if any man be ſlaine oꝛ murdered, and therefoꝛe the ſlayers, murderers, abettoꝛs, maintainoꝛs, and comfoꝛtoꝛs of the ſame, be indicted, that the ſame ſlayers and murderers, and all other acceſſaries of the ſame, be arraigned and determined of the ſame Felony and Murder at any time at the Kings ſuit, within the yeare after the ſame Felony and murder done, and not tarry the yeare and day, foꝛ any appeale to be taken foꝛ the ſame Felony oꝛ Murder.

A murderer indicted ſhall bee pꝛeſently arraigned at the Kings ſuit.

A murderer indicted and acquited, ſhall not be let at liberty.

And if it happen any perſon named as pꝛincipall oꝛ acceſſary, to be acquited of any ſuch Murder at the Kings ſuit, within the yeare and day, that then the ſame Juſtices afoꝛe whom he is acquited, ſhall not ſuffer him to goe at large, but either to remit him againe to the pꝛiſon, oꝛ elſe to let him to bayle, after their diſcretion, till that yeare and day be paſſed.

Appeal againſt him that was arraigned of murder. Fitz N.B.fo.115.b,c.

And if it foꝛtune the ſame Felons oꝛ Murderers and acceſſaries ſo arraigned, oꝛ any of them to be acquite, oꝛ the pꝛincipal of the ſaid Felony, oꝛ any of them to be attainted [e], the wife oꝛ next heire to him ſo ſlaine, as ſhall require, may take and haue their appeale of the ſame Death and Murder within the yeare & day after the ſame Felony and murder done, againſt the ſaid perſons ſo arraigned, and acquite, and all other their acceſſaries, againſt the acceſſaries of the ſaid pꝛincipall, oꝛ any of them ſo attainted, oꝛ againſt the ſaid pꝛincipals ſo attainted, if they be on liue, and the benefit of his Clergy thereof befoꝛe not had, and that the appellant haue ſuch and like aduantage, as if the ſaid acquitall oꝛ attainder had not beene, the ſaid acquitall oꝛ attainder notwithſtanding:

Within what time and befoꝛe whom an appeal of murder ſhall be commenced.

The Appellant may make his Atturney. Fitz N B.fo.26.b Raſt.Pla.fo.43.43.

And ouer that the wife oꝛ heire of the ſaid perſon ſo ſlaine oꝛ murdered, as the caſe ſhall require, may commence their [f] appeale in pꝛoper perſon, at any time within the yeare after the ſaid Felony done, befoꝛe the Sherife and Coꝛoners of the County where the ſaid Felony oꝛ Murder was done, oꝛ befoꝛe the King in his Bench, oꝛ Juſtices of Gaole deliuery: and the appellant in any appeales of Murder oꝛ Death of man, where battaile by the courſe of the Common Law lyeth not, may make their Attourneys and appeare in the ſame, in the ſaid appeales after they be commenced, to the end of the ſuit and execution of the ſame. And if any perſon be ſlaine oꝛ murdered in the day, and the murderer ſcaps vntaken, that the Townſhip where the ſaid deed is ſo done, be amerced foꝛ the ſaid eſcape, and that the Coroner haue authority to enquire thereof vpon the view of the body dead. And al'o Juſtices of Peace haue power to enquire of ſuch eſcapes, and that to certifie afore the King in his Bench, and that after the Felony found, the Coroners deliuer their inquiſitions afore the Juſtices of the next Gaole deliuery, in the Shire where the inquiſition is taken, the ſame Juſtices to proceed againſt ſuch Murderers, if they be in the Gaole, or elſe the ſame Juſtices to put the ſaid inquiſitions afore the King in his Bench. And for as much as Coroners had not, nor ought to haue any thing by the Law for their office doing, which ofttimes hath beene the occaſion that Coroners haue beene remiſſe in doing their office: It is ordained, that a Coroner haue for his fee, vpon euery inquiſition taken vpon the view of the body ſlaine, xiii.s. iiii.d. of the goods and cattels of him that is the ſlayer and murderer, if hee haue any goods, and if hee haue no goods, then the Coroner haue for his ſaid fee, of ſuch amercements as ſhall fortune any Towneſhip to be amerced for eſcape of ſuch Murderer as is aforeſaid. And if any Coroner be remiſſe, and make not inquiſitions vpon the view of the body dead, and certifie not according as is afore ordained, that the Coroner for euery default forfeit to the King 100. ſhillings. And alſo it is ordained by the ſame authority, that euery Juſtice of Peace within this Realme, that ſhall take any recogniſance for the keeping of the peace, that the ſame Juſtice doe certifie, ſend, or bring the ſame recogniſance at the next Seſſions of Peace, where hee is or hath beene Juſtice, that the party ſo bound may be called: and if the party make default, the ſame default then there to be recorded, and the ſame recogniſance, with the record of the default be ſent and certified into the Chancery, or afore the King in his Bench, or into the Kings Eſchequer. So much of this Statute as concerneth the puniſhment of thoſe that give or take liueries, is repealed 3. *Car.* 4.

Raſt. pla fo. 48.

The Coroners fee vpon the view of a body ſlaine.

The penaltie of a Coroner being remiſſe.

A Juſtice of peace ſhall certifie a Recogniſance by him taken at the next Seſſions.

CAP. II.

The penaltie for carrying a woman away againſt her will, that hath lands or goods.

ITem, Where women, as well maidens, as widowes and wiues, hauing ſubſtances, ſome in goods moueable, and ſome in lands and tenements, and ſome being heires apparent unto their anceſtors, for the lucre of ſuch ſubſtances beene oftentimes taken by miſdoers, contrary to their will, and after married to ſuch miſdoers, or to other by their aſſent, or defoiled, to the great diſpleaſure of God, and contrary to the Kings lawes, and diſparagements of the ſaid women, and utter heauineſſe and diſcomfort of their friends, and to the euill enſample of all other: It is therefore ordained, eſtabliſhed, and enacted by our Soueraigne Lord the King, by the aduice of the Lords ſpirituall and temporall, and the commons in the ſaid Parliament aſſembled, and by authority of the ſame, That what perſon or perſons from henceforth that taketh any woman ſo againſt her will vnlawfully, that is to ſay, maid, widow or wife, that ſuch taking, procuring and abetting to the ſame, and alſo receiuing wittingly the ſame woman ſo taken againſt her will, and knowing the ſame, be a felony. And that ſuch miſdoers, takers, and procurators to the ſame, and receitors, knowing the ſaid offence in forme aforeſaid, be henceforth reputed and iudged as principall felons. Prouided allway, that this act extend not to any perſon taking any woman, onely claiming her as his ward or bondwoman.

Felony to carry away a woman againſt her will, that hath lands or goods, or is heire apparant to her anceſtors. ſt. 39. El. 9.

CAP. III.

Iuſtices of Peace may let Priſoners to bayle: The Sherife ſhall certifie the names of all his priſoners at the Gaole deliuerie.

ITem, Where in the Parliament late holden at Weſtminſter, the firſt yeare of Richard late indeed, and not of right King of England the third: It was ordained and enacted among other diuers acts, That euery Juſtice of the Peace, in euery Shire, City, or Towne, ſhould haue authority and power by his or their diſcretion, to let priſoners and perſons arreſted for light ſuſpection of felony to bayle or mainpriſe, by colour whereof afterward diuers perſons, ſuch as were not mainpernable, were oftentimes letten to bayle and mainpriſe by Juſtices of Peace againſt the due forme of the Law, whereby many felons eſcaped, to the great diſpleaſure of the King, and annoyance of his liege people: Wherefore the King our ſaid Soueraigne Lord conſidering it, by the aduice and aſſent of the Lords ſpirituall and temporall, and at the prayer of the Commons in this preſent Parliament aſſembled, and by the authority of the ſame hath ordained, eſtabliſhed, and enacted, That the Juſties of Peace in euery Shire, City, and Towne, or two of them at the leaſt, whereof one to be of the Quorum, haue authority and power to let any ſuch priſoners or perſons mainpernable by the Law, that haue beene enpriſoned within their ſeuerall Counties, City, or Towne, to bayle or mainpriſe, vnto their next generall Seſſions, or vnto the next Gaole deliuery of the ſame Gaoles, in euery Shire, City, or Towne, as well within Fraunchiſes as without, where any Gaoles beene or hereafter ſhall bee: and that the ſaid Juſtices of the Peace, or one of them ſo taking any ſuch bayle or mainpriſe, doe certifie the ſame at the next generall Seſſions of the Peace, or the next generall Gaole deliuery of any ſuch Gaole within euery ſuch County, City, or Towne, next following, after any ſuch bayle

ſt. 1. R. 3. 3.

The Juſtices of Peace may let a priſoner to mainpriſe, which is mainpernable. ſt. 1. & 2. Ph. & Ma. 13. Fitz. N. B. f. 251. h.

or mainpriſe ſo taken, vpon paine to forfeit vnto the King for euery default thereupon recorded, x. li. And ouer that, it is enacted by the ſame authority, That euery Sheriſe, Bayliſe of Franchiſe, and euery other perſon, hauing authority or power of keeping of Gaole, or of priſoners for felony, in like manner and forme doe certifie the names of euery ſuch priſoner in their keeping, and of euery priſoner to them committed for any ſuch cauſe, at the next generall Gaole deliuery, in euery County, or Franchiſe, where any ſuch Gaole or Gaoles haue béene, or hereafter ſhall bée, there to be kalendred before the Iuſtices of the deliuerance of the ſame Gaole, whereby they may as well for the King as for the party proceed to make deliuerance of ſuch priſoners, according to the Law, vpon paine to forfeit vnto the King, for euery default there recorded, 100. s. and that the foreſaid Act giuing authority and power in the premiſſes to any Iuſtice of the Peace by himſelfe, be in that behalfe vtterly void, and of none effect, by authority of this preſent Parliament.

The Sheriſe ſhall certifie the names of all priſoners in his cuſtodie to the Iuſtices of gaole deliuerie.

A repeale of the Statute of 1. R. 3. 3. touching bayling of priſoners.

Cap. IIII.

All deeds of gift made to defraud creditors, ſhall be void.

Item, That where oftentimes déeds of gifts of goods and cattels haue béene made to the intent to defraud their Creditors of their duties, and that perſon or perſons that maketh the ſaid déed of gift, goeth to Sanctuary, or other places priuiledged, and occupieth and liueth with the ſaid goods and cattels, their creditors being vnpayed: It is ordained, enacted, and eſtabliſhed, by the aſſent of the Lords ſpirituall and temporall, and at the requeſt of the Commons in the ſaid Parliament aſſembled, and by authority of the ſame, That all déeds of gift of goods and cattels made or to be made of truſt, to the vſe of that perſon or perſons that made the ſame déed of gift, be void and of none effect. St. 50. Ed. 3. 6. 2. R. 2. 3. 13. El. 5.

Deeds of gifts of goods to defraud creditors, ſhall be void.

Cap. V.

All bargains by the name of drie exchange ſhall be void, whereby any certaine ſumme ſhall be loſt. Rep. 11. *H.* 7. 8. & 37. *H.* 8. 9.

Cap. VI.

None ſhall make any exchange without the *Kings* Licence, or make exchange, or rechange of mony to be paid within the Land, but onely ſuch as the King ſhall depute thereunto, to keepe, and make anſwer for ſuch exchanges, and rechanges, vpon the paine conteined in the 14. *R.* 2. 2. *viz.* vpon forfeiture of the ſame. *ſtat.* 25. *Ed.* 3. 12. 9. *Ed.* 3. 7. 18. *Ed* 3. 6. 14. *R.* 2. 2 11. *H.* 4. 1. All vnlawfull Cheviſance, and Vſury ſhall be extirpate; all Brokers of ſuch bargaines ſhall be ſet on the pillory, put to open ſhame, be halfe a yeare impriſoned, and pay twenty pounds. Rep. 37. *H.* 8. 9. *Raſt. Pla. fo.* 45.

Cap. VII.

A certificate ſhall be made of goods brought into one Port and remoued to another.

One man ſhall not enter goods in the name of another.

Item, The King our Soueraigne Lord, by the aduiſe and aſſent of the Lords ſpirituall and temporall, and the Commons aſſembled in this ſaid Parliament, and by authoritie of the ſame, hath ordained and enacted, that euery Marchant, as well denizen as ſtranger, which ſhall bring from henceforth any manner of goods into any Port within this Realme by way of Marchandiſe, and there doe enter the ſaid goods or Marchandiſes in the bookes of the Cuſtomers of the ſaid Port, where the goods or marchandiſes ſhall firſt come to, and the Kings dutie thereof, the ſaid Cuſtomers contented, or therefore with him agréed, and afterward that done, will conuey or carrie the ſame goods or marchandiſes from thence in any other Port within the ſaid Realme: that then the owner of the ſaid goods and marchandiſes, his Factour or Attourney, ſhall bring from the Cuſtomers of the Port where the ſaid goods or marchandiſes be ſo entred, a Certificat vnder the ſame Cuſtomers ſeales, directed to the Cuſtomers of the Port whereto the ſaid goods or marchandiſes ſhall be conueyed or carryed, making mention within the ſame certificat, as well of the naturall colour, length and valure of all manner of marchandiſes ſo entred, vſed to be meaſured with Elne or Yard, as of the naturall waight, content, or valure of all manner other marchandiſes, vſed to be weighed or valured: and that the ſame certificat ſo made, be deliuered to the ſaid Cuſtomers, before the ſaid goods be diſcharged, ſo that they may ſée whether the nature, colour, or length, valure, content, or waight of the ſame, doe agrée with the ſaid certificat, ſo that the King bee not deceiued of his Cuſtomes and Subſidies thereof due. And if any certificat from henceforth bee made by any Cuſtomer of any Port, whereto any ſuch marchandiſes or goods ſhall be firſt brought, and there in their bookes entred, not making mention according as is aforeſaid: that then the ſaid Cuſtomer or Cuſtomers, for their miſbehauing, ſhall loſe their office, & make fine with the King for the ſame at his pleaſure. And furthermore, if any ſuch goods or marchandiſes, or any parcell thereof be diſcharged,

A certificate of goods brought into one Port, and cuſtomed, and then remoued into another.

The penaltie of a Cuſtomer omitting his dutie.

vnpacked, or put to ſale within any Port then within the ſame where they ſhall be firſt entred, before the ſaid certificat ſhall be deliuered, and the ſame goods and merchandiſes ſéene, according as aboue is expreſſed: that then all the ſaid goods or merchandiſes be forfeited to the King our ſoueraigne Lord, the one halfe thereof to remaine to his Highneſſe, and the other half to him or them which ſhall proue any ſuch goods or marchandiſes ſo forfeited. And that the Cuſtomer, or Cuſtomers, nor no deputy to any ſuch common officer, to whom ſuch certificat ſhall come, take nothing for the ſight of the ſame goods ſo certified. Alſo it is ordained and eſtabliſhed by authoritie aforeſaid, That no manner of Marchant denizen, ne ſtranger, do take vpon him to enter, or cauſe to be entred in the bookes of any Cuſtomer of any Port within this Realme, any manner marchandiſes comming into this ſaid Realme, or going out of the ſame, in any other Marchants name, ſauing only the name of the true Marchant owner of the ſame, vpon paine of forfeiture of all ſuch goods and marchandiſes ſo entred. And euery of the ſaid Marchants, which ſo ſhall take vpon him to cauſe ſuch vntrue entry to be made, to haue impriſonment, and make fine therefore at the Kings pleaſure: And that no perſon take vpon him to be Cuſtomer, Comptroller, or Searcher in any Port in any Citie, Borough, or Towne, where he is common officer, nor no deputie to any ſuch common officer, vpon paine of forfeiture for euery halfe yeare, that he occupieth the ſaid common office, ⁊ office of Cuſtomerſhip, Comptroller or Searcher, the ſumme of xl. pound, the one halfe thereof to the King, and the other halfe to him that will ſue for it by Writ, Bill, or Information.

The forfeiture if the goods be ſold before the certificate deliuered.

No goods ſhall be entred in any other perſons name, but in the owners. St.1.H.8.5. 1.El.11.

A common officer in a Citie, Borough ⁊c. ſhalbe no Cuſtomer, Comptroller, or Searcher there.

CAP. VIII.

Marchants aliens &c. and Victuallers ſhall imploy their money vpon the marchandize of this Realme.

ITem, That where in the Parliament of King Edward the fourth, holden at Weſtminſter the xvii. yeare of his raigne: It was ordained among other, That euery Marchant alien, and euery other Victualler and other ſtranger, not being denizen, that reſort to any place or Port within this Realme or Wales, after the feaſt of Eaſter then next following, ſhould duely imploy all the money by him to be receiued within any Port within this Realme, or Wales, vpon the marchandiſes or other commodities of this Realme, or elſe without fraud put the ſame money in due payment within this Realme, the ſame employment or payment duely to be proued by the Marchant, Victualler, or other ſtranger before his departing out of the ſame Port, by writing from the Marchant or Marchants, to whō the ſaid Marchant alien, Victualler, or other ſtranger hath employed or payed his money by him receiued for his marchandiſes brought into this land, witneſſing that he hath ſo done, or elſe by ſuch proofes as ſhall be thought reaſonable to the Cuſtomer or Comptroller of the ſame port, or to the Mayor, Baylife, or other chiefe Gouernours of any Citie, Borough or Towne, where any ſuch Port ſhall be, vpon paine of forfeiture of all his goods being within this Realme, and to haue impriſonment of a yeare: ſauing to euery ſuch Marchant, Victualler, and other ſtranger, his reaſonable coſts, with certaine prouiſions in the ſame, as by the ſame Act more at large doth appeare; which Act was made to endure but only from the ſaid Feaſt of Eaſter, to the end of ſeuen yeares then next enſuing, ſo that no Gold and Siluer receiued by Marchants aliens and other Victuallers and ſtrangers, not being denizens, for marchandiſe brought into this Land, is not employed vpon the commodities of this Land, but conueyed and caryed out of this Realme, to the great loſſe of the King in his Cuſtome and ſubſidie, and the impoueriſhing of this Realme: It is enacted, ordained, and eſtabliſhed by the King our Soueraigne Lord that now is, by the aduiſe of the Lords ſpirituall ⁊ temporall, and at the prayer of the Commons in the ſaid Parliament aſſembled, and by authoritie of the ſame, That the ſaid Act made the ſaid xvii yeare of the reigne of King Edward the fourth, with all things compriſed in the ſame touching the premiſſes, and euery prouiſion made in the ſame, be good, effectuall, and endure for euer. Alſo it is enacted by the ſaid authoritie, That euery Marchant of Ireland, Ierneſey or Garneſey, that bringeth any marchandiſes into this Realme, ſhall employ the money receiued for the ſame marchandiſe, (his reaſonable expences deduct) upon the commodities of this Land, or elſe without fraud put the ſame money in due payment within this Realme: the ſaid employment or payment to be proued, as is aforeſaid, vpon paine of forfeiture of the value of the marchandiſe ſo brought into this Land. And it is ordained by the ſaid authority, That euery Cuſtomer or Comptroller ſhall take ſufficient ſurety of euery of the ſaid Marchant, Victualler, or other ſtranger, to employ the value of the ſaid marchandiſes, or to put the ſame money for the marchandiſe receiued in due payment, his reaſonable expences alway deducted, vpon paine of forfeiture of the value of the ſaid marchandiſes, the one halfe of the ſaid forfeiture to the King, the other halfe to the party that will ſue for the ſame: This to beginne and take effect at the Feaſt of Chriſtmas next comming.

St.17.Ed.4.1.

The Stat. of 17 Ed 4.1. made perpetuall, touching Marchants aliens.

Marchants aliens ſhall imploy the money by them receiued vpon the marchandiſes of this Realme. St.4.H.4.15. 27.H.6.3. 5.H.4.9.

CAP. IX.

Free-men of London may carie their wares to any Faires or Markets.

Citizens and free-men of London may carry their wares to any fayres or markets.

ITem, It was ſhewed vnto the King our Soueraigne Lord, by a petition put vnto him in his ſaid Parliament, That now of late time the Maior and Aldermen and Citizens of the City of London haue made an Ordinance within the ſame Citie, vpon a great paine, that no man that is a free man or Citizen of the ſaid Citie, ſhall goe or come to any Faire or Market out of the ſame Citie of London with any manner of ware or marchandiſe, to ſell or to bartre, to this intent, that all buyers and marchants ſhould reſort to the ſaid Citie to buy their ware and marchandiſes of the ſaid Citizens and freemen of London aforeſaid, becauſe of their ſingular lucre and auaile: The King our Soueraigne Lord, in conſideration of the hurt likely to grow of and by the premiſſes, hath by the aduice and aſſent of the Lords ſpirituall and temporall and the Commons, in the ſaid Parliament aſſembled, and by authoritie of the ſame, ordained, ſtabliſhed, and enacted, That euery freeman and Citizen of the ſaid Citie of London, that now is, or hereafter ſhall be, may lead, carry, and goe with his or their victuall, ware, or marchandiſe, whatſoeuer it be, at his or their liberty, to any Faire or Market that ſhall pleaſe him or them within this Realme of England: any Statute, Act, or Ordinance made or to be made within the ſaid City of London to the contrarie of the premiſſes notwithſtanding. And the ſaid Ordinance and Act made in the ſaid Citie ſhall be void and of none effect. And that no perſon of the ſaid Citie be hurt or preiudiced in loſing of his liberty and fraunchiſe within the ſaid Citie, or otherwiſe, by reaſon or occaſion of adnulling of the ſaid Ordinance and Act, or for not obeying to the effect of the ſame. And if any perſon be preiudiced in any wiſe, by occaſion of the ſame, he that putteth or cauſeth any perſon to ſuch preiudice, ſhall loſe and forfeit vnto the King xl.li. as often as he ſo doth. And he that will ſue for ſuch forfeiture, ſhall haue therefore an action of Debt againſt ſuch offendor, the King to haue execution of the one halfe, and he that ſueth, the other halfe. And in ſuch action the defendant be not admitted to wage his law.

CAP. X.

Coſts &c. awarded to the plantiſe, where the defendant ſueth a writ of Error.

They plaintiſe ſhall recouer coſtes and damages where the defendant ſueth a writ of Error. St.19.H.7.20.

ITem, That where oftentimes plaintiſe or demaundant, plaintiſes or demaundants, that haue iudgement to recouer, be delayed of execution, for that the defendant or tenant, defendants or tenants, againſt whom iudgement is giuen, or other that beene bound by the ſaid iudgement, ſueth a writ or writs of Error, to adnull and reuerſe the ſaid iudgement, to the intent onely to delay execution of the ſaid iudgement: It is enacted, ordained, and eſtabliſhed, by the aduiſe of the Lords ſpirituall and temporall, and at the prayer of the Commons in the ſaid Parliament aſſembled, and by authoritie of the ſame, That if any ſuch defendant or tenant, defendants or tenants, or any other that ſhall be bound by the ſaid iudgement, ſue afore execution had, any writ of Error to reuerſe any ſuch iudgement, in delaying of [h] execution: that then if the ſame iudgement be affirmed good in the ſaid writ of Error, and not erronious, or that the ſaid writ of Error be diſcontinued in the default of the partie, or that perſon or perſons that ſueth writ or writs of Error, be nonſued in the ſame: that then the ſaid perſon or perſons, againſt whom the ſaid writ of Error is uſed, ſhall recouer his coſts and damage, for his delay and wrongfull vexation in the ſame, by diſcretion of the Iuſtice, afore whom the ſaid writ of Error is ſued. Coke Pla.fol.2.24 162.292.

[h] Dyer fol.77.

CAP. XI.

No Cloth ſhall be tranſported, vntill it be barbed, rowed, and ſhorne.

St.7.Ed.4.3.

ITem, Where in the ſaid Parliament it was ſhewed by Shermen, Fullers, and other artificers, that ſhould liue and obtaine their needie ſuſtentation, by meane of Drapery made and draped within this Realme, as well throughout the ſame Realme, as within the Citie of London, that where in a Statute made the ſeuenth yeare of the raigne of King Edward the fourth among other it is conteined, that no perſon denizen ne ſtranger, ſhould carie, or doe to be caried to any parties beyond the ſea, any wollen yarne or cloth vnfulled, but the wollen yarne to be made in this Realme, ſhould be wouen in the ſame, and alſo all cloth in the ſame made ſhould be fulled and fully wrought within this Realme, before that any of the ſame ſhould be had or caried out of this Realme, vpon paine of forfeiture of the verie valure of ſuch yarne not weaued and cloth not fulled, had or caried out of this Realme. The one halfe of the forfeiture to be leuied to the vſe of the King and the other halfe to him or them that ſhould eſpie or make proofe of any ſuch yarne not wouen, or cloth not fulled, caried to any place beyond the ſea.

And foraſmuch as in the ſaid ſtatute of King Edward there is no expreſſe mention made, that the ſaid clothes ſhould be rowed and ſhorne, afore that they be caried and conueyed out of this realme, whereby the ſaid poore Commons of the crafts aforeſaid, might be ſet in labour and occupation:

cupation: therefore the ſaid Clothes euer ſithen vnto this day haue béene, and yet dayly are in great number caried out of this realme, vnrowed and vnſhorne, into the parts of beyond the ſea, as well by denizens as ſtrangers, whereby outlandiſh nations, with the ſame Draperie, are ſet in labour and occupation, to their great enriching, and the poore Commons of the crafts aboueſaid, through all this realme, that of naturall reaſon as the Kings true liege men, ſhould haue and obtaine their néedie ſuſtentation and liuing, by meanes of the ſame drapery, for lack of ſuch occupation daily fall in great number into idleneſſe and pouertie, to their vttermoſt deſtruction, if it ſhould any longer continue. The King our Soueraigne Lord, by the aduiſe of the Lords ſpirituall and temporall, and at the prayer of the commons in this ſaid Parliament aſſembled, and by the authoritie of the ſame, hath ordeined, eſtabliſhed, and enacted, that no ſtranger nor denizen carie, or make to be caried out of this realme any woollen clothes, but that they before bée barbed, rowed, and ſhorne within the ſame realme, for the reliefe and ſetting on worke of the ſaid poore commons, vpon the paine and forfeiture limitted in the ſaid ſtatute of King Edward, made vpon cloth caried out of this land not fulled, to be diuided in manner and forme as in the ſame ſtatute it is conteined. Prouided alway, that clothes called Ueſſes, Raies, Sailing clothes, and other clothes commonly ſold at fourtie ſhillings and vnder, be not compriſed in this preſent Act. St.27.H.8.13.33.H.8.19.8.El.6.

No woollen cloth ſhall be tranſported, before it be barbed, rowed, and ſhorne.

Ueſſes, Raies, ſailing clothes &c. except.

CAP. XII.

The Kings Officers or Tenants ſhall not be retained by Liueries with others. REP. 3. CAR. 4.

CAP. XIII.

No long Bow ſhall be ſold ouer the price of iij.s. iiij.d. REP. 8. *Eliz.* 10. St.33.H.8.9.

CAP. XIIII.

Conſpiring to deſtroy the King, or any Lord Councellor or great Officer ſhall be felony.

ITem, foraſmuch as by quarels made to ſuch as haue béene in great authoritie, office, and of councell with Kings of this Realme, hath enſued the deſtruction of the Kings, and the vndoing of this Realme: ſo as it hath appeared euidently: when compaſſing of the death of ſuch as were of the Kings true ſubiects was had, the deſtruction of the Prince was imagined thereby, and for the moſt part it hath growne and béene occaſioned by enuie and malice of the Kings owne houſhold ſeruants, as now of late ſuch a thing was likely to haue enſued: and for ſo much as by the Law of this Land if actuall déedes be not had, there is no remedie for ſuch falſe compaſſings, imaginations, and confederacies had againſt any Lord, or any of the Kings Counſell, or any of the Kings great Officers in his houſhold, as Steward, Treaſorer, and Comptroller: and ſo great inconueniences might enſue if ſuch vngodly demeaning ſhould not bée ſtraightly puniſhed before that actuall déed were done. Therefore it is ordeined by the King, the Lords Spirituall and Temporall, and the Commons of the ſaid Parliament aſſembled and by authoritie of the ſame, that from hence forward, the Steward, Treaſorer, and Comptroller of the Kings houſe, for the time being, or one of them haue full authoritie and power to enquire by xii. ſad men and diſcréet perſons of the Chequer roll of the Kings honourable houſhold, if any ſeruant admitted to be his ſeruant ſworne, and his name put into the Chequer roll of his houſhold whatſoeuer he be ſeruing in any maner office or roome reputed, had, and taken vnder the ſtate of a Lord, make any confederacies, compaſſing conſpiracies, or imaginations, with any perſon or perſons, to deſtroy or murder the King, or any Lord of this Realm, or any other perſon ſworne to the Kings Counſel, Steward, Treaſorer, or Comptroller of the Kings houſe, that if it bée found afore the ſaid Steward, for the time being, by the ſaid xii. ſad men, that any ſuch of the Kings ſeruants as is aboueſaid, hath confedered, compaſſed, conſpired, or imagined, as is aboue ſaid, that he ſo found by that enquiry, be put thereupon to anſwere. And the Steward, Treaſorer, and Comptroller, or two of them haue power to determine the ſame matter, according to the law. And if he put him in triall that then it be tried by other xii. ſad men of the ſame houſhold: and that ſuch miſdoers haue no challenge, but for malice: And if ſuch miſdoers be found guiltie by confeſſion or otherwiſe, that the ſaid offence be iudged felony: and they to haue iudgement and execution as felons attainted ought for to haue by the Common Lawe. Coke lib.pla. fol.482.

Conſpiring by any of the K. ſeruants ſworn to deſtroy the King, any Lord or Councellor ſworne, ſhall be felony.

THE

THE THIRD PARLIAMENT, holden in the fourth yeare of the raigne of *King* HENRIE *the ſeuenth.*

TO the worſhip of God and holy Church, and for the common weale & profit of this Realme of England, our Soueraigne Lord Henrie by the grace of God King of England, & France, & Lord of Ireland, the ſeuenth after the Conqueſt, at this Parliament holden at Weſtminſter, the thirtéenth day of Ianuarie, in the fourth yeare of his raigne, by the aduiſe and aſſent of the Lords Spirituall and Temporall, and the Commons in the ſaid Parliament aſſembled, and by authoritie of the ſame, hath done to be made, ordeined, and ſtabliſhed diuers Statutes, and Ordinances in forme that followeth.

CAP. I.

Commiſſions of Sewers ſhall be made into all the parts of this Realme, and to the Marches of Calice, Guynes, and Hammes, during twentie fiue yeares. EXP. Stat. 6. *H.* 6. 5. 8. *H.* 6. 2. 18 *H.* 6. 10. 23. *H.* 6. 9. 12. *Ed.* 4. 6. 6. *H.* 8. 10.

CAP. II.

Allaying of Gold and Silver, melting, ſelling, and marking the ſame.

ITem, whereas it was of old time vſed and continued till now of late yeares, that there was for the auaile of the King and the Realme, finors and parters of gold and ſiluer, by fire and water, vnder a rule and order belonging vnto the Mints of London, Caleys, Canterbury, Yorke, and Durham, and other places where Mints béen holden, and at the Goldſmithes Hall in London, to fine and part all gold and ſiluer belonging and néedfull for the ſaid Mints and fellowſhip of Goldſmithes, for the amendment of money, and plate of the Realme, that euery thing might be reformed to the right Standard, as well in money as plate to the leaſt coſt, for the weal of the Kings, Noble men of the Land, and common people. But ſo it is now, that ſuch finors & parters of gold and ſiluer by fire and water dwell abroad in euery place of this Realme, out of the rules aforeſaid, and buy gilt ſiluer from the Mints, changes and Goldſmithes, and part and fine it as is aforeſaid, and for the moſt part the ſiluer ſo fined, they doe alay in diuers maners, and ſell it at their pleaſures to euerie man of what eſtate or degrée ſoeuer he be, that will buy of them to make ſuch works as pleaſeth the buyers: therefore men can get no fine ſiluer when they néed it for their money, for the amendment of money and plate as hath béene in times paſt: wherefore it cauſeth money and plate in diuers places of the Realme, to be made worſe in fineneſſe than it ſhould be, as it appeareth euidently in diuers places, to the great hurt of the Kings, Noble men of the Land, and common people. Wherefore the King our Soueraigne Lord, by the aſſent of the Lords ſpirituall and temporall, and at the requeſt of the Commons in the ſaid Parliament aſſembled, and by authoritie of the ſame, hath ordained, enacted, and eſtabliſhed, that no finor of gold & ſiluer, nor parter of the ſame by fire or water from henceforth alay any fine ſiluer or gold ne none ſell in any other wiſe, ne to any perſon or perſons, but onely to the officers of Mints changes and Goldſmithes within this Realme, for augmentation and amending of coyne and plate as is aforeſaid: and that the Maſters of Mints, changes and Goldſmithes, for all ſuch fine gold or ſiluer comming to them, to anſwere the valure as it is worth according as it is now and hath béene in ancient time accuſtomed after the rate of finneſſe. Ne that no finor nor finors, parter nor parters, ſell to no perſon, neither to one nor to other any maner of ſiluer in maſſe molten and alayed, vpon paine of forfeiture of the ſame, the King thereof to haue one halfe, and the finder that can proue and will ſue for it in the Kings Eſchequer, the other halfe. And if any finor or finors, parter or parters of gold and ſiluer, either by fire or water, alay or ſell any maner fine gold or ſiluer, otherwiſe than it is ordained in this laſt act, he or they to loſe the valure of the ſame gold or ſiluer ſo alayed or ſold, the King to haue the one halfe, and the finder that can proue it and will ſue for it in the Kings Eſchequer, the other halfe. And all ſuch fine ſiluer as ſhall be parted & fined, as is aforeſaid, that it be made ſo fine, that it may beare xii. peny weight of alay in a pound weight, and yet it be as good as ſterling and rather better than worſe, And that euery finor put his ſeuerall marke vpon ſuch fine ſiluer, to beare witneſſe of the ſame to be true, as is aforeſaid, vpon the paine of the valure found contrarie to be forfait, the King thereof to haue the one halfe and the finder that can proue it and will ſue for it in the Eſchequer, the other halfe. And that no Goldſmith, nor Goldſmiths within this Realm, melt or alay any fine ſiluer, to be for any works or other intent, but onely for making of angels, for diuers works of Goldſmithrie, and for amending

Alaying of gold and ſiluer, and ſelling of the ſame.

Of what fineſſe ſiluer ought to be.

A finor of gold and ſiluer muſt put his marke vpon it.

St. 37. Ed. 3. 7. 18 El. 15.

For what purpoſes ſiluer may be melted.

ding

Siluer molten into maſſe ſhall not be ſold.

ding of plate to make it as good as ſterling or better for the commonweale of this Realme. Nor that they ſell no fine ſiluer nor other ſiluer alloyed molten into maſſe, to any perſon or perſons, whatſoeuer they bee, nor one Goldſmith to another. This ordinance to be kept by the Goldſmiths in euery point vpon paine of forfeiture of the ſame ſiluer or the value thereof. The King thereof to haue the one halfe, and the finder that can proue it, and will ſue for it in the Kings Eſchequer, the other halfe.

A Repeal of patents of offices belonging to the Mint.

Alſo it is ordained by the ſame authority, that all Letters Patents, and grants of offices belonging or pertaining to the Mint of our Soueraigne Lord the King, exerciſed in the ſame with fees and wages thereto belonging be from henceforth void, and of none effect.

Cap. III.

Butchers ſhall kill no beaſts within any walled Towne, or Cambridge.

Butchers ſhall kill no beaſts in London, any walled Towne, or in Cambridge.

ITem, it was ſhewed by a petition put to the King our ſaid Soueraigne Lord in the ſaid Parliament, by his ſubiects and Pariſhioners of the Pariſh of S. Faiths and S. Gregories in London, neere adioyning vnto the Cathedrall Church of Paules, that whereas great concourſe of people, as well of his Royall Perſon, as of great Lords and States, with other his true Subiects, oftentimes was had vnto the ſaid Cathedrall Church, and that moſt part throughout the Pariſh aforeſaid, the which oftentimes beene greatly annoyed and diſtempered by corrupt ayres engendred in the ſaid Pariſhes, by occaſion of blood and other fouler things, by reaſon of the ſlaughter of beaſts, and ſcalding of ſwine, had and done in the Bocherie of S. Nicholas fleſhſhambles, whoſe corruption and foule ordure, by violence of vncleane, corrupt, and putrified waters, is borne downe through the ſaid Pariſhes, & compaſſeth two parts of the Pallace, where the Kings moſt royal perſon is wont to abide, when he cõmeth to the Cathedral Church for any act there to be done, to the ieoperdous abiding of his moſt noble perſon, and to ouer great annoyance of the Pariſhioners there, and of other the Kings ſubiects and ſtrangers that paſſe by the ſame; Complaint whereof at many and diuers ſeaſons, alſo by the ſpace of xvi. yeares continually, as well by the Canons and petty canons of the ſaid Cathedrall Church, Landlords there, as alſo by many other of the Kings ſubiects of right honeſt behauiour hath béene made vnto diuers Maires and Aldermen of the City of London, and no remedy had ne found. That it pleaſe our ſaid Soueraigne Lord of his aboundant grace to prouide for the conſeruation as wel of his moſt Royal perſon, as to ſuccour his poore ſubiects, and ſuppliants in this behalfe, conſidering that in few noble Cities and Townes or none within Chriſtendome, whereas trauelling men haue laboured, the common ſlaughter houſe of beaſts ſhould be kept in any ſpeciall part within the walles of the ſame, leaſt it might ingender ſickneſſe, vnto the deſtruction of the people. The King our Soueraigne Lord, in conſideration of the premiſſes, hath by the aduice and aſſent of the Lords Spirituall and Temporall, and the Commons in the ſaid Parliament aſſembled, and by authority of the ſame, ordeined and enacted, that no Butcher nor his ſeruant ſlay no maner beaſt within the ſaid houſe, called the ſcalding houſe, or within the wall of London, vpon paine to forfait for euerie Oxe xii. pence, and euery Cow and euery other beaſt viii. pence. The one halfe thereof to the King our Soueraigne Lord, and the other halfe to euery of the Kings lieges that will ſue for the ſame, by action of debt, and no protection or eſſoine be allowed to any of the defendants, againſt whom any ſuch action ſhal be conceiued: and that in the ſame action of debt ſuch proceſſe be made, as in other actions of debt ſued at the common law. And ouer this it is ordained and enacted by the ſaid authority, that the ſaid ordinance, act, and law extend and be obſerued and kept in euery City, Borough, and Towne walled within his Realme of England, and in the Towne of Cambridge (the Townes of Barwicke and Carlile, except and forepriſed.) Prouided alway that this preſent act begin and take effect at the feaſt of the Annuntiation of our Lady next enſuing and not afore.

Cap. IIII.

Protections granted to them w^{ch} then were or after ſhould be in the Kings ſeruice in Britain. And certaine immunities granted to the Feoffees, Executors, and heires of them which ſhall die in that ſeruice. Ex p. Stat. 7. H. 7. c. 8. & 3. 3. H. 4.

Cap. V.

A Repeale of all Letters patents granted to any Spirituall perſons to be diſcharged of the payment or Collection of diſmes. Ex p.

Cap. VI.

A Repeale of all Letters Patents granted of any Offices within the Forreſt of Engle-wood, ſauing to the Lord *Dacres*, and Earle of Northumberland. Ex p.

Cap. VII.

Fees granted to certaine of the Kings Officers ſhall be no longer of force then whilſt they doe their duties. Exp.

Cap. VIII.

Whoſoeuer ſhall ſell by retaile a broad yard of the fineſt Scarlet grained, or other grained Cloth of the fineſt making aboue xvj. s. or a broad yard of any other coloured Cloth aboue xj. s. &c. ſhall forfait xl. s. for euery yard ſo ſould. Rep. 21. Iac. 28.

Cap. IX.

No Hatter or Capper ſhall ſell any Hatt aboue the price of xx. d. the beſt, nor any Capp aboue ij. s. viij. d. the beſt, vpon paine to forfait xl. s. for euery Hat or Cap ſould abo[illegible] Rep. 3. *H.* 8. 15. & 21. Iac. 28.

Cap. X.

No Gaſcoine, or Guion wine, or Tholouſt wood, ſhall be brought into this Realme but by Engliſh ſhippes and Engliſh maiſters and mariners, nor any perſon ſhall fraight in a Strangers ſhip, to be brought into this Realme or carried forth, if he may haue ſufficient fraught in the ſame Port in a Denizens ſhip. Stat. 1. *El.* 13. St. 5. *R.* 2. 3. 6. R. 2. 8. 5. & 6. *Ed.* 6. 18. 5. *El.* 5. 14. *R.* 2. 6. 3. *Ed.* 4. 1. 32. *H.* 8. 14. 23. *H.* 8. 7. 7. *H.* 8. 2.

Cap. XI.

No perſon during tenne yeares ſhall buy or take promiſe of bargaine of any wooll that ſhall grow in Berke &c. before the Aſſumption of our Lady next after the ſhearing thereof, but ſuch as ſhall make yarne or Cloth thereof, nor any marchant Stranger before the Purification of our Lady &c. vpon paine of forfaiture of the double value. Exp. St. 4. *Ed.* 4. 4. 20. *H.* 8. 1. 37. *H.* 8. 15. 5. *Ed.* 6. 7.

Cap. XII.

All Iuſtices of Peace ſhall execute their Commiſſion, redreſſe iniuries, and maintaine the Lawes.

ITem, the King our Soueraigne Lord conſidereth, that by the negligence, miſdemeaning, fauour, and other inordinate cauſes of Iuſtices of Peace in euery Shire of this his Realme, the Lawes and ordinances made for the politique weale, peace and good rule of the ſame, and for the profit, ſuertie and reſtfull liuing of his ſubiects of the ſame, be not duely executed, according to the tenour and effect that they were made and ordained for: wherefore his ſubiects béene grieuouſly hurt, and out of ſuertie of their bodies and goods to his great diſpleaſure, for to him is nothing more ioyous then to know his ſubiects to liue peaceably vnder his lawes, and to encreaſe in wealth and proſperity, and to auoid ſuch enormities and iniuries, ſo that his ſaid ſubiects may liue reſtfully vnder his peace, and lawes to their encreaſe, He will that it be ordained and enacted by autority of this ſaid Parliament that euery Iuſtice of peace, within euery Shire of this Realme, within the Shire where he is Iuſtice of peace, doe cauſe openly and ſolemnely to be proclamed yearely, foure times a yeare, in foure principall Seſſions, the tenour of this proclamation to this bill annexed: and that euery Iuſtice of peace being preſent at any of the ſaid Seſſions, if they cauſe not the ſaid proclamation for to be made in forme aboue-ſaid, ſhall forfait vnto our Soueraigne Lord at euery time xx. ſhillings.

Euery Iuſtice of Peace ſhall cauſe this Proclamation to be made foure times in the yeare.

Henricus dei gratia, &c. The King our Soueraigne Lord conſidereth, how dayly within this Realme his coine is trayterouſly counterfeited, murders, robberies, felonies, béene grieuouſly committed and done, and alſo vnlawfull reteinours, Idleneſſe, vnlawfull plays, Extortions, miſdemeanings of Sherifes, Eſchetours, and many other enormities and vnlawfull demeanings daily growne more and more within this Realme, to the great diſpleaſure of God, hurt, and impoueriſhing of his ſubiects, and to the ſubuerſion of the policie and good gouernance of this his Realme, for by theſe ſaid enormities and miſchiefes his peace is broken, his ſubiects troubled, inquieted and empoueriſhed, the husbandry of this Land decayed, whereby the Church of England is vpholden, the ſeruice of God continued, euery man thereby hath his ſuſtenance, euery inheritour his rent for his land: for repreſſing and auoiding of the ſaid miſchiefe, ſufficient lawes and ordinances béene made by authority of many and diuers Parliaments, holden within this Realme, to the great coſt of the King, his Lords, and commons of the ſame. And lacketh nothing, but that the ſaid lawes be not put in due execution, which lawes ought to be put in due execution by the Iuſtices of peace of euery Shire of this Realme, to whom his Grace hath put and giuen full authority ſo to do ſith the beginning of his raigne: and now it is come to his knowledge, that his ſubiects be little eaſed of the ſaid miſchiefes by the ſaid Iuſtices, but by many of

The benefit of Husbandrie.

The ſlackeneſſe of Iuſtices of Peace in the due execution of the Lawes.

Cap. II.

The Subiects of this Realme ſhall not be charged by any beneuolence, &c.

THe King remembring how the Commons of this his Realme by new and vnlawfull inuentions and inordinate couetiſe againſt the Law of his Realme, haue beene put to great thraldome and importable charges and exactions, and in eſpeciall by a new impoſition called a Beneuolence, whereby diuers yeares the ſubiects, and Commons of this Land againſt their wils and freedomes, haue paied great ſummes of money to their almoſt vtter deſtruction: For diuers and many worſhipfull men of this Realme by occaſion thereof were compelled of neceſſity to breake vp their houſholds, and to liue in great penurie and wretchedneſſe, their debts vnpaied, and their children vnpreferred, and ſuch memorials as they had ordained to be done for the wealth of their ſoules anentized and annulled, to the great diſpleaſure of God, and the deſtruction of his Realme. Therefore the King will, it be ordained, by the aduiſe and aſſent of the ſaid Lords ſpirituall and temporall, and the Commons of this preſent Parliament aſſembled, and by the authority of the ſame, that his Subiects, & the Comminaltie of this his Realme from henceforth in no wiſe be changed by any ſuch charge, exaction, or impoſition, called a beneuolence nor by ſuch like charge: And that ſuch exactions, called beneuolences, before this time taken, be taken for no example, to make ſuch, or any like charge of any his ſaid ſubiects of this Realme hereafter, but it ſhall be damned, and annulled for euer.

The Subiects of this Realme ſhal not be charged with any Beneuolences or, &c.

Cap. III.

Euery Iuſtice of Peaſe may let a Priſoner to mainpriſe. No officer ſhall ſeiſe the goods of a priſoner vntill he be attainted.

FOraſmuch as diuers perſons haue beene dayly arreſted & impriſoned for ſuſpection of Felony, ſometime of malice, and ſometime of a light ſuſpection, and ſo kept in priſon without baile or mainpriſe to their great vexation and trouble: It be ordeined and eſtabliſhed by authority of this preſent Parliament, that euery Iuſtice of Peace in euery Shire, Citie, or Towne, ſhall haue authority and power by his or their diſcretion, to let ſuch priſoners and perſons ſo arreſted to Baile or Mainepriſe, in like forme as though the ſame priſoners or perſons were indicted thereof of record before the ſame Iuſtices in their Seſſions: and that Iuſtices of Peace haue authority to enquire in their Seſſions of all manner ſcapes of euery perſon arreſted and impriſoned for felony. And that no Sheriffe, vnderſheriffe nor Eſcheator, baylife of Franchiſe, nor any other perſon, take or ſeiſe the good of any perſon arreſted or impriſoned for ſuſpition of Felony, before that the ſame perſon ſo arreſted and impriſoned, be conuict or attainted of ſuch felony according to the Law, or elſe the ſame goods otherwiſe lawfully forfeited, vpon paine to forfeit the double value of the goods ſo taken, to him that is ſo hurt in that behalfe, by action of debt to be purſued by like proceſſe, iudgement and execution, as is commonly vſed in other actions of debt ſued at the Common Law. And that no Eſſoine, or protection bee allowed in any ſuch action: Nor that the defendant in any ſuch action be admitted to wage or doe his Law.

Euery Iuſtice of Peace ſhall haue authority to let a Priſoner to mainepriſe. Rep.3.H.7.3. St.1.& 2.P.& M.13.

Eſcape of Felons inquirable by Iuſtices of peace.

No Officer ſhal ſeiſe the goods of a priſoner vntill he be attainted, or the goods forfeited.

fo 47.
pl 14.
3.fol.24.
1.fo.171.
pl.32.

Cap. IIII.

Of what credit and eſtate thoſe Iurors muſt be which ſhall be impanelled in the Sheriffes Turne.

FOraſmuch as diuers great inconueniences & periuries do daily happen in diuers Shires of England by vntrue verdicts giuen in inquiſitions and inquiries before Sheriffes in their turnes, by perſons of no ſubſtance nor behauior, nor dreading God nor the worlds ſhame, by reaſon whereof diuers and many of the Kings lieges of diuers parts of England, by exciting & procuring of their euill willers, be wrongfully indicted, and other that ought of right to be indicted by ſuch excitation and procuring, oftentimes be ſpared, contrarie to common right and good conſcience. In eſchewing whereof, be it ordeyned by the King our Soueraigne Lord, by the aduice of the Lords Spiritual and Temporall, & at the requeſt of the Commons of this preſent Parliament aſſembled, & by authority of the ſame, that no Bailiffe nor other officer from henceforth returne or impanell any ſuch perſon in any Shire of England, to be taken or put in or vpon any ſuch inquirie in any of the ſaid turnes, but ſuch as be of good name and fame, and hauing Lands and Tenements of freehold within the ſame Shires, to the yeerely value of twenty ſhillings at the leaſt, or elſe Lands and tenements holden by cuſtome of Manor, commonly called Copihold within the ſaid Shires to the yeerely value of ſix and twenty ſhillings and eight pence, ouer all charges at the leaſt. And if any Bailiffe or other officer within the ſaid Counties, hereafter returne or impanell any perſon contrarie hereunto, he to loſe for euerie perſon that he ſo impaneleth & returneth, not being of the ſufficiencie as is aforeſaid as often as he ſo offendeth xl.s.

Of what credit and eſtate thoſe Iurors muſt be which ſhall be impanelled in the Sheriffes Court. St.11.H.7.26.

The Indictmẽt taken by other perſons ſhall be voide.

And the ſaid Sheriffe other xl.s.the one halfe thereof to the King our Soueraigne L. & the other halfe thereof to ſuch as will ſue in that behalfe. And euery man that will ſue for the ſame, to haue their ſeuerall actions of debt therefore at the common Law, aſwell againſt the Sheriffe as the ſaid Bailiffe: and that ſuch and like proceſſe be had and vſed in euery of the ſame action or actions, as be had and vſed in other actions of debt at the Common Law: and that no Protection, ne Eſſoine be allowed in the ſame: and that euery ſuch Indictment before any Sheriffe in his turne otherwiſe taken be void and of none effect. This Act to take effect from the firſt day of this preſent Parliament and not before.

Cap. V.

Thoſe Land whereof the King was enfeoffed ioyntly with others, to the vſe of the Feoffer ſhall be in his cofeoffers. Pr.

Cap. VI.

The Stat of 17.Ed.4.2.rehearſed and made perpetuall, That in euery Court of Pipowders the Plaintiffe or his Atturney ſhall be ſworne &c. See the Petition of the Commons and this Act inſerted after the 15. Chapter.

Cap. VII.

Who ſhall be bound by a fine leuied before the Iuſtices of the common pleas. And Proclamations made thereof.

Annb 18.Ed.1. Modus leuandi Fines.

ITem, whereas it was ordained, eſtabliſhed and enacted in a Parliament holden in the time of the raigne of the noble King Edward the firſt, by the Statute De finibus, that notes and fines leuied in the Kings Court before his Iuſtices, ſhould be openly and ſolemnely read, and that the pleas in the meane time ſhould ceaſe, and that to be done two daies in the weeke after the diſcretion of the Iuſtices, as in the ſame Statute more plainely appeareth. Our ſaid Soueraigne Lord the King conſidering that fines ought to be of the greateſt force and effect to auoid ſtrife and debate, and be a finall end and concluſion: willeth, ordaineth and eſtabliſheth by the aduice and aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That after the engroſſing of euery fine to be leuied after the feaſt of Eaſter next comming, in the Kings Court before his Iuſtices of the Common place, of any lands, tenements or other hereditaments, the ſame fine ſhall be openly and ſolemnly read and proclaimed in the ſame Court the ſame Terme, & in three Termes of the yeere next enſuing, after the ſame engroſſing in the ſame Court at foure ſeuerall dayes in euery terme, and in the ſame time that it is ſo read and proclaimed, al Pleas ſhall ceaſe, and moreouer a tranſcript of the ſame fine ſhall be ſent by the ſaid Iuſtices of the Common place, to the Iuſtices of Aſſizes of the County where the ſaid lands and tenements be. They to cauſe the ſaid fine to be read and proclaimed openly and ſolemnly in euery their ſeſſions of Aſſizes to be holden the ſame yeere if Aſſizes doe then hold, and all the pleas in the meane time to cauſe.

A fine ſhall be openly read and proclaimed the ſame Terme & three Termes after at foure ſeuerall daies St.31.El.2.

A tranſcript of the fine ſhall be ſent to the Iuſt. of Aſſiſe of the Countie where the Land lieth to be there proclaimed.

A tranſcript ſent to the Iuſt. of Peace.

Alſo it is ordained and eſtabliſhed by the ſaid authoritie of Parliament, that a like tranſcript of the ſame fine ſhalbe ſent to the Iuſtices of Peace of the Countie where the ſaid lands & tenements be, they to cauſe open and ſolemne proclamation of the ſaid fine to be made at foure generall Seſſions of the Peace to be holden in the ſame yeere.

Who ſhall be concluded by a fine, who not.

The ſaid Iuſtices of aſſiſes, and alſo Iuſtices of Peace to certifie the ſame proclamation to the Kings Iuſtices of the Common place at the ſecond day of returne of the Terme then next following, after which Proclamation had, made and certified, the ſaid fine to be a finall end, and to conclude, as well priuies as ſtrangers to the ſame, except women couert, other then bee parties to the ſaid fine, and euery perſon or perſons then being within age, in priſon, or out of this Realme of England, or not of whole memory at the time of ſuch fine leuied.

Euery Strangers right ſaued which he preſently hath, ſo he purſue it in time.

Alſo ſauing to euery perſon or perſons ſuch right, title, claime and intereſt, which they haue to or in the ſaid lands, tenements, and other hereditaments, at the time of ſuch fine engroſſed, ſo that they doe purſue their ſaid Right, Title, claime or intereſt, by way of action or lawful entrie within fiue yeeres next after the ſaid proclamation made, had or certified.

The right of Strangers ſaued which ſhall come to them.

Actions maintainablẽ againſt the pernor of the profits.

And alſo ſauing to all other perſons all ſuch action, right, title, claime, and intereſt, in and to all the ſaid Lands, Tenements and other hereditaments, which ſhall growe, remaine, deſcend, or come to them after the ſaid fine engroſſed, by force of any gift in taile, or by any other cauſe or matter, had or made before the ſaid fine leuied, ſo that thoſe perſons take their ſaid Actions, or purſue their ſaid right and title according to the Law within fiue yeares next after ſuch actions, title, claime, or intereſt, growne, deſcended, remained, or come to them. And alſo that the ſaid perſons and their heires may haue their ſaid action againſt the taker of the ſame profits of the ſaid Lands, tenements, and other hereditaments at the time of ſuch action to be taken.

And if the ſame perſons at the time of ſuch action,right,and title,growne,diſcended, remained or come to them,be couert baron,or within age,or in priſon,or out of this Land,or not of whole memory: It is ordained,eſtabliſhed,and enacted by authority aforeſaid,that their actions,right, and title ſhall be reſerued,and ſaued to them and their Heires till the time they come, and be at their full age, out of priſon,within this Land, vnmarried, and of whole memorie, ſo that they or their Heires take their ſaid actions or lawfull entrie according to their right and title within fiue yeares next after they come and be at their full age,out of Priſon, within this Land, vnmaried,and of whole memorie,and purſue the ſame Actions,or take their lawfull entrie with effect according to the Law of England.

The right of infants,women couert,perſons impriſoued,out of this Land, or not of whole memorie ſaued.

Alſo by authority of the ſaid Parliament it is ordained, eſtabliſhed, and enacted, that all ſuch perſons, which be couert not parties to the fine,and euery perſon being within age, in priſon, or out of this Realme,or not of whole memorie at the time of the ſaid fines leuied and ingroſſed, by this Act of Parliament before excepted,hauing any right,or title,or cauſe of action to any of the ſaid Lands,Tenements,and other Hereditaments,that they or their heires,take their ſaid actions or lawfull entry according to their right and title within fiue yeares next after that the ſaid perſons come to be of full age, out of priſon, vnmaried, within this Land, and alſo become of whole memory. And alſo ſue the ſame Actions and take their lawfull entrie, and ſo purſue with effect according to the Law of the Realme of Englande. And moreouer if they doe not take their ſaid actions,and alſo their ſaid lawfull entrie in the maner as is aforeſaid,that then they ſhall be concluded by the ſaid fines for euer,in like forme as they be that be parties and priuies to the ſaid fines leuyed and engroſſed.

An entrie muſt be made, or an action taken within fiue yeares after the defects remoued.

Alſo by the ſaid authoritie it is ordained and eſtabliſhed,that euery fine, which ſhall be from henceforth leuyed in any of the Kings Courts, of any Manors, Lands, Tenement, or other poſſeſſions,after the maner,vſage,and forme that fines haue beene leuyed before the making of this Act before rehearſed,ſhall be of like ſtrength,effect and authority,as fines ſo leuied be or were before the making of this Act,or any other act in this Parliament made,or to be made notwithſtanding. And that euery perſon ſhall be at his liberty to leuy any fine hereafter as he will himſelfe at his pleaſure,after the maner,contained and ordained in and by this Act, or after the maner and forme before vſed. Stat.4.*H.*7.24.

Fines at the common Law be of the ſame force they were before.

Any perſon may leuy a fine according to this ſtat. or the common Law.

CAP. VIII.

The length and bredth of Clothes. Of what abilitie an Aulneger muſt be, and what Clothes he may ſeale.

ITem, In the ſaid Parliament were ſhewed diuers inconueniences and deceits,had,made, and vſed in the ſaid Realme of England,in making of Clothes: for the auoiding whereof our ſaid Soueraigne Lord the King by the aduice and aſſent of the ſaid Lords Spiritual and Temporal, and at the requeſt of the Commons in the ſaid Parliament aſſembled, and by authority of the ſame,hath ordained,eſtabliſhed,and enacted,that no perſon whatſoeuer he be Clothmaker, or other,ſhall ſell,nor put to ſale after the Feaſt of Saint Michael the Archangell next enſuing, any manner woollen Clothes, called broad Clothes, vnleſſe the ſame Cloth be before fully watered.

Broad Cloth ſhal be fully watered before it be put to ſale.

And that euery whole Cloth, & alſo broad Cloth, which ſhall be made in this Realme of England,after the ſaid Feaſt of Saint Michael the Archangell next comming, after that it be fully watered ready to ſale, ſhall hold and containe in length xxiiij. yards,and to euery yard an ynch, containing the bredth of a mans ynch, to be meaſured by creſt of the ſame Cloth, and alſo it ſhall hold and containe in breadth two yardes within the liſts, by the whole length of the ſame.

And that euery halfe Cloth of the ſaid whole Clothes to be made after the ſaid feaſt,after his full watering ready to ſale ſhall hold and containe xij.yards in length at the leaſt, with the inches aforeſaid,to be meaſured by the creſt,and two yards in bredth within the liſts. So that alwaies the ſame halfe Cloth doe not exceed the length of ſixteene yards, vpon paine of cutting the whole Cloth in three peeces,and of cutting the halfe Cloth in two pieces. And alſo to loſe for euery whole Cloth vj.s,viij.pence,and for euery halfe Cloth iij.s.iiij. pence, made, ſold, or put to ſale after the ſaid feaſt not full watered,or made after the ſaid feaſt not keeping their meaſure aboue ordained,and if the whole Cloth be longer in meaſure then the ſaid xxiiij. yards, and the Inches aforeſaid,and the halfe Cloth of the ſame be longer then xij. yards with the ſaid Inches, that then the buyer of the ſame whole Cloth,ſhall pay for as much as it doth exceed in the meaſure of xxiiij.yards,and the buyer of the ſame halfe Cloth to pay for as much as it doth exceed xij. yardes. So that alwaies the ſaid halfe Cloth doe not paſſe the length of ſixteene yardes as aboue is ſaid.

Of what length and breadth whole clothes and half clothes ſhall be made REP.5.Ed.*6.6.*

The penaltie of the offendor.

Alſo that all maner Clothes called Streits to be made after the ſaid Feaſt, after their full watering ready to ſale,ſhall hold and containe xij.yards in length, and the inches after the mea-

The length and breadth of Streits.

ſure aforeſaid,and in bredth one yard within the Liſts,and throughout the length of the ſame,vpon paine of cutting of the ſaid Streit in two pieces, and alſo to loſe for the ſame Streit twentie pence.

The length and bredth of Kerſeis.

Alſo that euery Cloth called Kerſey,to be made or put to ſale after the ſaid feaſt,after the full watering ready to ſale,ſhal hold and containe in length xviij.yards and the inches as is aforeſaid, and in bredth one yard and a naile at the leaſt, within the Liſts,vpon paine of cutting of the ſaid Kerſey in two pieces,and to loſe for the ſame Kerſey iij.s.iiij.d. All the ſaid paines,forfeitures and loſſes to runne vpon the ſellers of the ſaid Clothes,which ſhall be made contrary to this Act: and that euery of the ſaid whole Clothes,halfe Clothes,Streits,and Kerſeis be perfectly and duly made throughout from one end to the other.

Seales of lead to ſeale Cloth for euery Citie, Towne & county where Cloth is made.

Alſo before the ſaid Feaſt,Seales ſhall be prouided and ordained by the Treaſurer of Englãd to be printed in Lead,hauing the Kings armes of England on the one ſide, and on the other ſide the armes ſigne or token of euery City, Borough, or Towne within the Realme of England, where the Cloth is made,hauing ſuch armes,ſigne,or token for a marke,or an euident token & knowledge of the Cloth made within euery ſuch Citie,borough and towne of this Realme, and beſides that ſeales for euery county of this realme for the ſealing of all manner of Cloth made within euery county,out of city,borough or towne of the ſame county,ſhall haue on the one ſide the Kings armes,and on the other ſide the name of the County printed in the ſame: and that the Treaſurer of England for the time being,or his Deputie,after the ſaid Feaſt ſhal make no perſon or perſons to be Aulneger,Sealer,or Keeper of the Seale in any part of this Realme, but ſuch as be expert in making of Cloth,of the ſufficiencie of an hundred pound at the leaſt, at the time of the ſaid deputation,and that no Aulneger,Sealer,or Keeper of any Seale to be prouided as is aforeſaid,after the ſaid Feaſt,ſhall ſeale any of the ſaid whole Clothes, halfe Clothes, Streits,or Kerſies,but ſuch as ſhall be onely made after the ſame Feaſt, within the Countie, Citie,Borough,or Towne where they ſhall be deputed Aulneger,Sealer,or Keeper, vpon paine to forfeit to our Soueraigne Lord the King for euery ſuch whole Cloth contrary ſealed, fiue Markes,for euery halfe Cloth xxx.s.iiij.d. for euery Streit xx.s. and for euery Kerſey,x.s.

Of what ſkill & ſufficiencie an Aulneger muſt be.

The Aulnegers penaltie for ſealing ſuch clothes as he ought not to doe.

The ſhall be no tentoring nor drawing of Cloth.

Alſo that no perſon whatſoeuer he be after the ſaid Feaſt,ſhall ſet,nor draw, nor cauſe to be ſet nor drawne in length nor bredth within this Realm of England, any maner woollen Clothes after that it be fully watered,by tentoring or otherwiſe,vpon paine to forfeit the ſame Cloth.

No deceitfull thing ſhalbe caſt vpon Cloth.

Alſo that no man of what condition ſoeuer he be,within the Realme after the ſaid feaſt, ſhall ſet,caſt,or put vpon any maner of Cloth any Flocks or any other like deceitfull thing vpon pain of forty ſhillings for euery Cloth,whereupon any ſuch perſon ſhall caſt any aockes, or ſuch other thing.

No chalke ſhall be caſt vpon Cloth.

Alſo that no Cloth maker nor other perſon whatſoeuer he be within the ſaid Realme after the ſaid Feaſt,ſhall ſet or caſt vpon any white Cloth or Kerſey any Chalke vpon like paine.

No ſhearing of cloth not fully watered.

Alſo that no Sherman or other perſon after the ſaid Feaſt,ſhall ſheare nor cancell any cloths within this Realme,except ſuch cloth be before fully watered,vpon paine to forfeit xl.s.for euery cloth as often as he ſhall ſo doe.

No cloth ſhalbe tranſported but which is fully watered.

And that no perſon,Stranger,nor other,ſhall ſend nor conuey any woollen Cloth ouer the Sea,after the ſaid Feaſt,vnleſſe the ſame cloth be before fully watered,and after that the ſame Cloth be ſo fully watered,that then it ſhall in no wiſe be ſet nor drawne in length nor breadth vpon paine of fortie ſhillings for euery Cloth conueyed or ſent ouer the Sea, contrary to this Act.

No Cloth ſhall be retailed but which is fully watered.

Alſo that no maner perſon within this Realme,after the ſaid feaſt,retaile any Woollen cloth or clothes,lining nor other,except it be fully watered before,and after that it be fully watered, it ſhall in no wiſe be ſet nor drawne in length or bredth vpon paine to forfeit the ſame cloth, or the value thereof. The ſame paine to runne vpon the ſeller of all ſuch clothes.

None ſhall keep a tentor in his houſe.

Alſo our ſaid Soueraigne Lord the King,in eſchewing of great falſitie and deceit, which hath growne,and daily doth grow by meane of Tentors: by the aſſent and authority aforeſaid hath ordained and enacted,that no perſon whatſoeuer he be, ſhall keep,haue,or occupy any Tentor, or any other thing in his owne houſe or place of his inhabiting, whereby woollen clothes may be in any wiſe drawne out in length or breadth, vpon paine to forfeit twenty pound as often as he ſhall doe contrary to this Act: but that all Tentors hereafter ſhall be vſed or occupyed for due ſtretching of Cloth,onely after that it commeth from the Mill, and before it be rowen, and for none other cauſe,as well within the City of London, as other Cities, Boroughes and Towns of this Realme,ſhall be ſet in open places: and that euery Maior of London for the time being, and all other Maiors and Bailiffes,and other gouernours of Cities, Boroughes, Townes, and Villages of this ſaid Realme,ſhall diligently ſuruey and ouerſee that all clothes, which ſhall be put vpon Tentors ſhall not be drawne out in length and breadth otherwiſe then is before rehearſed.

Tentors ſhal be ſet in open places.

Alſo that after the ſaid Feaſt no ſtranger ſhall buy any wooll,which ſhal be ſent or ſhal paſſe through the ſtreits of Marroke by Galleis,Carrackes or ſhips, or other veſſels ſorted, clacked or Barked: Nor no Wooll whereof any lockes or refuſe ſhall be made, but that the ſame Wooll be as it is clipped and purely wound without deceit, and merchandiſable after the growing of the Countrey, without any ſorting, bearding, clacking of lockes, or refuſe thereof to be made, as afore is ſaid, vpon paine to forfeit the ſame Wooll, and the double value thereof.

What ſort of Wooll ſtrangers may buy.

Moreouer, our ſaid Soueraigne Lord the King hath ordained and enacted by authority aforeſaid, That no Dyer, nor any other perſon, ſhall die, or cauſe to be died within this Realme after the ſaid Feaſt, any Woollen Cloth with Orchell, or Corke, called Jarrocke, vpon paine to forfeit and loſe fortie ſhillings for euery Cloth that he or any other for him or to his vſe ſhall die, or cauſe to be died. Nor that any perſon after the ſaid Feaſt, ſhall ſell or put to ſale within this ſaid Realme, any ſuch Cloth which after the ſaid Feaſt ſhall be died with Orchale or Corke, called Jarrocke, vpon paine of forfeiture of ſuch Cloth ſo died or put to ſale contrary to this Act. This paine and loſſe alwaies to runne vpon the Seller, except that Corke made within this Realme of England may be vſed in dying vpon Woollwards, and alſo in dying all ſuch Cloth which is made onely of Woolwards, ſo that the ſame Wooll and Cloth be perfectly Boyled and Maddered.

No cloth ſhall be died with Corke.

Alſo that Corke made in this Realme may by put vpon Cloth that is perfectly Boyled and Maddered. Alſo that no Dyer after the ſaid Feaſt ſhall die any Cloth within this ſaid Realme, except the ſome Dier doe die the ſaid Cloth and the Liſt of the ſame with one colour, without tacking or ſowing of any Bulruſhes, or ſuch like thing vpon the Liſts of the ſame, vpon paine to forfeit xl. ſhillings for euery Cloth that he ſhall ſo die contrary to this Act. And that no perſon whatſoeuer he be, ſhall put to ſale within this ſaid Realme after the ſaid Feaſt any maner of Cloth, which after the ſame Feaſt ſhall be deceitfully dyed, vpon pain to forfeit the ſame Cloth, or the value thereof. The ſame forfeitures and paines alwaies to runne vpon the Seller.

The Cloth and the Liſt ſhall be dyed with one colour.

Alſo if any of the Kings ſubiects, or any other hereafter happen to ſeiſe any Woollen Cloth otherwiſe made or Dyed then afore is ſaid, then the ſame ſubiect or other ſhall bring all the ſame Cloth or Clothes ſo by him ſeiſed, before the Maior, Bailiffes, or other gouernour of the Cities, Boroughes, Townes, or Villages where any ſuch ſeiſing ſhall happen to be made of the ſame Cloth or Clothes, there to iudge by the diſcretion of the ſaid Maior, Bailiffes, or other gouernor calling to him or them ſuch perſons as by his or their diſcretions ſhall ſeeme conuenient, whether the ſame Cloth be otherwiſe made, wrought or dyed, then is according with the Acts before recited. And if it be iudged by the ſaid Maior, Bailiffe or other gouernour, or other perſons called to them or any of them, as afore is ſaid, that the ſame Cloth is made or Dyed, and put to ſale contrary to the aforeſaid Acts, then the ſame Clothes ſo ſeiſed and by them iudged as is aforeſaid ſhall be cut in three pieces in the preſence of the ſaid Maior, Bailiffe or other gouernour. The one party therof to be deliuered in the Eſchequer by him or them that ſo ſhal ſeiſe the ſame Cloth or Clothes to the Kings vſe, and the ſecond part thereof to be deliuered to the ſeiſor of the ſame Cloth or Clothes, and the third part thereof to be deliuered to the Maior, Bailiffe or gouernour, to the vſe of the Comminalty where they or any of them be Maior, Bailiffe or gouernour: The one halfe of all the other Fines, Forfeitures and penalties aforeſaid, and of euery of them to be to our Soueraign Lord the King, and the other halfe to him or them of the Kings ſubiects that ſhall ſeiſe the ſame, or ſue for the ſame by action of debt, by Writ at the Common law or by Bill or Plaint after the cuſtome of the Citie, Towne, or Port, where ſuch Fines, Forfeitures, and Penalties ſhall happen to fall or be. And that the Defendant in any ſuch action be not admitted to wage or doe his Law. Nor that any Protection or Eſſoine of the Kings ſeruice be allowed for any ſuch defendant.

Faulty Cloth ſhall be brought to the chiefe officer.

The offenders forfeitures and who ſhall haue them. St.12.H.7.4.

Prouided alwaies, that this Act nor any thing therein contained, ſhall extend or be preiudiciall to the making of any Woollen Cloth called Ray, nor to any Cloth made in Wincheſter or Saliſbury, vſed to be put and ioyned with Ray: The Cloth thereof commonly vſed to be ſold at forty ſhillings, or within, nor to the making of any Cloth called Veruiſe, otherwiſe called Plonkets, Turkins, or Celeſtrines with laiſed Liſts. Nor any Clothes called packing Whites, nor to the making of any Clothes called Veſſes, Cogware, or Worſteds, nor to the making of any Clothes called Florences, with Cremill Liſts, nor to the making of any Woollen Clothes called Baſtards, nor of any Clothes called Kendals, nor to Clothes called Sayling ware with Cremill Liſts, laiſed Liſts, or ſmall Liſts, nor to any Cloth called Friſeware, nor to any of them, nor to the maker or ſeller of them.

Clothes whereunto this Statute extendeth not.

So that the ſame Clothes and euery of them for the Kings honour and profit of this Realme be truely, duly and perfectly made according to the nature and making of euery of the ſaid cloths. St.12.*H.*7.4. 1.*H.*8.2. 3.*H.*8.6.

CAP. IX.

In what ſort Italian Merchants may ſell their Merchandiſes, ſeuerall reſtraints of Aliens.

The grieuances done by merchants ſtrangers, to the King and the Realme.

ITem, becauſe our ſaid Soueraign Lord the King, vpon petition made to him in his ſaid Parliament, by the Commons of England, hath conceiued and vnderſtood, that whereas Merchants Strangers of the nation of Italy, as Venetians, Florentines, Apulians, Cicilians, Lucaners, Catelions: and other of the ſame nation in great number doe inhabite and keepe houſes as well in the City of London as in other Cities and Boroughes within this his Realme, and doe take Warehouſes and Cellors, and therein put their Wares and Merchandiſes, which they bring into this ſaid Realme, and in the ſaid Cellors and Warehouſes deceitfully doe pack, mingle and keep the ſame till ſuch time the prices thereof be greatly enhanced for their great lucre, and the ſame Merchandiſes and Wares they then ſell to all maner people, as well within the Ports where they bring the ſaid Wares and Merchandiſes, as to other diuers and many places, within this Realme as well by retaile as otherwiſe.

And alſo doe buy in the ſaid Ports and other places at their owne liberty, the commodities of this Realme and ſell the ſame againe at their pleaſure within the ſame, as commonly and freely, as any of the Kings liege people doth, and doe not employ, a great part of the mony comming thereof, vpon the commodities of this Realme, but make it ouer the Sea by exchange to diuers other Countries, to the Kings great damage in loſſe of his Cuſtomes, and to the great impoueriſhing of his ſaid ſubiects, of whom they ſhould buy the commodities of this Realme.

And the ſame Merchants of Italy and other Merchants Strangers be hoſts, and take to them people of other nations, and be with them daily and doe buy, ſell and make priuy and ſecret contracts and bargaines with the ſame people, to their great encreaſe and profit, and to the importune damage of the Kings ſaid ſubiects, and contrary to diuers Statutes in this caſe prouided and ordained.

Alſo the ſaid Merchants of Italy doe buy in diuers places within this Realme a great quantity of Wool and Woollen Cloth and other Merchandiſes of the Kings ſubiects, and part thereof they ſell again to the ſame ſubiects and other within this Realm, to their greater aduantage, & much of the ſaid Wools they doe deliuer to Clothmakers, therof to make cloth at their pleaſure.

Moreouer a great number of Artificers and other Strangers not borne vnder the Kings obeyſance, doe daily reſort and repaire to the Citie of London, and to other Cities, Boroughes, and Townes of the ſaid Realme, and much more then they were wont to doe in times paſt, and inhabite by themſelues in the ſaid Realme with their wiues, children and houſhold, and will not take vpon them any laborious occupation, as going to plough, or cart, and other like buſineſſe, but vſe the making of Cloth, and other handicrafts and eaſie occupations, and bring and conuey from the parties beyond the Sea, great ſubſtance of Wares and Merchandiſes to Faires and Markets, and all other places of this Realme at their pleaſure, and there ſell the ſame aſwell by retaile, as otherwiſe, as freely as any of the Kings ſubiects vſe to do, to the great damage and impoueriſhment of the Kings ſaid ſubiects, and will in no wiſe ſuffer nor take any of the Kings ſaid ſubiects to worke with them, but they take only into their ſeruice people borne in their owne Countrey, whereby the Kings ſaid ſubiects for lacke of occupation fall into idleneſſe, and bee theeues, beggars, vagabonds, and people of vicious liuing, to the great perturbance both of the King and of all his Realme, and when the Merchants Artificers and Strangers before rehearſed, haue gained within this Realme, by buying and ſelling, or by ſuch eaſie occupations and handy crafts, great ſubſtance of goods, with the ſame ſubſtance they goe out of this ſaid realm, to ſuch parts beyond the Sea, as them liketh beſt, and there ſpend the ſame goods oftentimes amongſt the Kings aduerſaries and enemies, to the great damage of our Soueraigne Lord the King, and his ſubiects, and impoueriſhment of this Realme, and the Commons of the ſame.

And ſo by the occaſion of the premiſſes, the ſubſtance of the Inhabitants in the ſaid Cities, Boroughes, and Townes now late hath fallen and daily doth fall into great pouertie and decay, to their great vndoing, vnleſſe the Kings gracious aide be to them in this behalfe ſhewed.

Italian merchants ſhall ſell their merchandiſes in groſſe, and imploy their money in the commodities of this Realme.

Our ſaid Soueraigne Lord the King, of his abundant grace, willing againſt the premiſſes to prouide remedy in this behalfe, by the aduice and aſſent of his Lords Spirituall and Temporall, and at the prayer of the Commons in the ſaid Parliament aſſembled, and by authority of the ſame, hath ordained, eſtabliſhed and enacted, That all Merchants of the nation of Italy before recited, not made denizens, which haue now within this Realme Wares and Merchandiſes brought from beyond the Sea, and before the Feaſt of Eaſter next comming ſhall haue, ſhall cauſe the ſame to be ſold or bartred in groſſe, and not by retaile to the Kings ſubiects before the firſt day of May, which ſhall be in the yeare of our Lord God, one thouſand foure hundred foure ſcore and fiue, and ſhall imploy the money comming of that ſale, before the firſt day of May within the ſame Port or Ports, where they dóe arriue, vpon the commodities and merchandiſes of this Realme, Their reaſonable coſts and expences alwaies except and deducted, vpon paine of forfeiture of the value as well of all the ſaid Wares and Merchandiſes kept and not ſold before the ſaid firſt day of May, or otherwiſe ſold then is aboue rehearſed, as of as much money as ſhall be made ouer by exchange contrary to this Act. And alſo that all the Marchants of Italy, which after the Feaſt of Eaſter next comming, ſhall bring any marchandiſes or wares into this Realme, to be ſold, ſhall ſell or barter the ſaid wares and marchandiſes in groſſe and not by retaile to the Kings ſubiects, vpon paine of forfeiture of the value of the ſame wares and marchandiſes, which they (as afore is ſaid) ſhal bring after the ſaid Feaſt of Eaſter. And the ſaid Marchants, which ſhall bring in ſuch wares and marchandiſes after the ſaid Feaſt of Eaſter, to ſell or barter, ſhall ſell or elſe barter the ſame within eight moneths next after their firſt arriuall in this Realme, in the forme aforeſaid, and ſhall employ the money comming of or by the ſaid ſale or bartering, and euery of them, and with the ſame buy the commodities or marchandiſes of this Realme, within the ſaid eight months in the ſaid Port or Ports where they doe firſt arriue, Their reaſonable coſtes and expences, alwaies excepted and deducted, & in no wiſe to make ouer ſuch money by exchange.

Strangers ſhall ſell their wares within 8. moneths after their arriuall, & imploy their money, &c.

And that the ſaid Marchants doe in no wiſe ſell nor barter within the ſaid Realme, their ſaid wares and marchandiſes, which remaineth vnſold after the end of the ſaid eight moneths, but cary and conuey the ſame out of this Realme within two moneths next enſuing after the ſaid eight moneths, if winde and time will that ſuffer, or otherwiſe, as ſoone as winde and time will ſuffer them after the ſaid two moneths, vpon paine of forfeiture as well of as much money as ſhalbe made ouer by exchange, as of the ſaid wares and marchandiſes, ſo ſolde or bartered after the end of the ſaid eight moneths, not carried nor conueyed out of this ſaid Realme in the forme aforeſaid, or the value thereof. The penalties, forfeitures, and loſſes of all the premiſſes alwayes to run and bée vpon the ſaid Marchants of the nation of Italy, doing contrary to this Act.

Strangers ſhall cary away ſo much as they cannot ſel within eight moneths.

Prouided alwaies, that it be lawfull to the ſaid Marchants of the nation of Italy, all ſuch wares and marchandiſes, and euery parcell thereof, which after the Feaſt of Eaſter next comming ſhall be brought to any other Port or Ports of this Realme of England, to be ſold, to conuey the ſame wares, and marchandiſe at their liberties to any Port or Ports, or other place within this Realme, and there to ſell the ſame as afore is ſaid, ſo that they ſell or barter the ſame marchandiſes or wares in the Realme within eight moneths next after their firſt arriuall in any of the ſaid Ports of this Realme. And alſo that no Marchant ſtranger of what Countrey ſoeuer he be, ſhall be Hoſte, or take to ſoiourne with him in the ſaid realme any marchant ſtranger, not being of his nation or countrey, vpon paine of xl. pound.

Strangers may remoue their goods from one port to another.
A ſtranger ſhall not be hoſt to a ſtranger, vnleſſe he be of his own country.

Alſo that none of the ſaid Marchants of Italy, not made Denizen, ſhal ſel or barter any Woollen clothes, Wools or other marchandiſes in this ſaid Realme, which the ſame Marchants of Italy ſhall buy within this ſaid Realme. Nor that the ſame Marchants nor any other for them ſhall deliuer any Wool to any perſon, thereof to make Cloth in this realme, but ſhall haue and conuey the ſame Woollen cloth, Wools, and other marchandiſes ouer the Sea by the ſtreits of Marrocke, vpon paine to forfeit the value of all the wollen cloth, wools, and other marchandiſes which by them ſhalbe ſo ſold or deliuered, in whoſe hands they ſhalbe found. The forfeiture of the ſame to runne and be vpon the Marchant Stranger.

Aliens ſhall not buy & ſell wooll or wollen cloth within this realme.
Aliens ſhall make no wollen cloth, nor deliuer wooll to that end.

Moreouer, that no perſon not borne vnder the Kings obeyſance, as afore is ſaid, ſhall exerciſe or occupy any handy craft, or the occupation of any handicraftſman, in this Realme of England but that al ſuch perſons, which after the ſaid Feaſt of Eaſter, ſhall come into this Realme, euery of them ſhal depart into their owne countrey againe, or elſe bée ſeruants to ſuch of the Kings ſubiects onely, as be expert and cunning in ſuch feits, arts, and crafts, which the ſaid ſtrangers can occupy, vpon paine of forfeiture of all their goods, which ſhal come and dwel in this realme contrary to this Act, in whoſe hands ſoeuer they ſhalbe found.

An alien ſhall not be a handicrafts man.

Alſo that no perſon not borne vnder the Kings obeyſance, nor made Denizens, being artificer or handicraftſman, after the ſaid Feaſt of Eaſter, nor yet any other for him or to his vſe, ſhall make any cloth, or put any wool to worke, to make cloth in this realme vpon paine to forfeit the ſame cloth or clothes made contrary to this Act.

Aliens ſhall make no cloth within this realme.

Alſo that all perſons not borne vnder the Kings obeyſance, being artificers or handicraftſmen at the day of the makiug of this Act, dwelling in this ſaid Realme, nor nõne other ſuch artificers or handicraftſman, which hereafter ſhall inhabite and dwell in the ſame, which after the feaſt of the Annuntiation of our Lady next comming, ſhal vſe, exerciſe, or occupy the feat of marchandiſe of any maner wares within this Realme, ſhall ſell or barter the ſame wares or marchandiſes in groſſe, and not by retaile, in the port, towne, or place, where the ſame Artificers be or ſhall be dwelling, and in none other place, vpon paine of forfeiture of the value of all the wares and marchandiſes ſold contrary to this Act. Alſo that no perſon not born vnder the Kings obeiſance, inhabiting, dwelling, or holding any great houſe or chamber in this realme, and occupying any handicraft, or being Artificer or handicraftſman after the ſaid Feaſt of the annunciation of our Lady next comming, ſhall take any apprentice, ſeruant or other perſon to worke with him, or to

Aliens ſhall ſell their wares in groſſe, and not by retaile.

his

Aliens ſhal take no ſeruant but the Kings ſubiect. St. 5. Eliz. 4.
Who ſhal haue the forfeitures.

his vſe, vnleſſe it be his ſonne or his daughter, other then at the ſaid Feaſt ſhal be apprentiſes or ſeruants with him, except that the ſame apprentiſe or ſeruants ſo to be taken, bee the Kings ſubiects borne, vpon paine to forfeit and to loſe for euery apprentiſe or ſeruant taken contrary xx. l. The one halfe of all the ſaid Fines, Forfeitures, and Penalties, and of euery of them to be to the King, and the other halfe to be to him or them that will ſeiſe the ſame, or purſue for the ſame by Action of debt, by Bill at the Common Law, by Bill or plaint after the cuſtome of the Citie or Towne, where ſuch fines, forfeitures, or penalties hereafter ſhall fall and be. And that the defendant in any ſuch Action, ſhall not be admitted to wage or doe his Law, nor no protection, nor eſſoine of the Kings ſeruice ſhalbe allowed for any ſuch defendant in the ſame.

Aliens may bring in books to be ſold. Rep. 25. H. 8. 15.

Prouided alwayes, that this Act, or any parcell thereof, or any other Act made or to be made in this ſaid Parliament, ſhall not extend, or be in preiudice, diſturbance, dammage, or impediment to any Artificer or Merchant ſtranger, of what nation or country he be, or ſhall be of, for bringing into this realme, or ſelling by retaile or otherwiſe, any Bookes written or printed, or for inhabiting within this ſaid Realme for the ſame intent, or any Scriuener, Alluminor, Reader, or Printer of ſuch Bookes, which he hath or ſhall haue to ſell by way of Merchandiſe, or for their dwelling within this ſaid realme for the exerciſe of the ſaid occupations. This Acte or any part thereof notwithſtanding. *St.* 1. *H.* 7. 10. 21. *H.* 8. 16. 22. *H.* 8. 13. 32. *H.* 8. 16.

Cap. X.

The Statute of 22. Ed. 4. 3. prohibiting wrought laces of ſilke to be brought into this Realme, continued for tenne yeares. Exp. St. 1. H *7. 9.*

Cap. XI.

Tenne Bowſtaues ſhalbe brought into this Realme for euery But of Malmeſey.

Ten Bowſtaues ſhalbe brought into this realme for euery Butt of Malmſey or Tyre.

Bowſtaues ſhall not bee ſold vngarbled.

ITem, it was ſhewed in the ſaid Parliament by the Bowyers inhabiting within the cities, townes, and boroughs of this realme, occupying Artillery pertaining to the ſame for the defence of this realme, that whereas in times paſt good and able ſtuffe of Bowſtaues hath beene brought into this realm, as well by English Merchants as ſtrangers, wherby the inhabitants Bowyers might competently liue vpon ſuch ſtuffe, which they bought at fortie ſhillings the hundred, or fortie ſix ſhillings eight pence at the moſt: now it is ſo, that by the ſeditious confederacy of Lombards vſing to diuers ports of this realme, the Bowſtaues be now at ſuch an outragious price, that is to ſay, at eight pound the hundred, where they were wont to bee ſold at fortie ſhillings. And alſo they will not ſuffer any garbling to be made of them, but ſel good and euill at ſuch an exceſſiue price together vngarbled, that by likelihood in ſhort time this Realme is like to faile as well of ſtuffe of Artillery, as of workemen thereof, vnleſſe due remedy be in this behalfe ſhortly found and had. Wherfore our ſaid ſoueraign Lord the K. by the aſſent of the ſaid Lords ſpiritual & temporal, at the prayer of the ſaid commons in the ſaid Parliament aſſembled, & by authoritie of the ſame, hath ordeined, eſtabliſhed & enacted, that no merchant of Venice, nor other which vſeth to repaire into this realme with merchandiſes of thoſe parts, ſhall bring nor conuey into this realme any merchandiſes, vnleſſe the ſame merchants doe bring with euery But of Malmſey, and with euery But of Tyre, ten bowſtaues good and able ſtuffe, vpon paine of forfeiture of xiij. s. iiij. d. for euery But of the ſaid wines ſo brought and conueied, and not of the ſaid number of Bowſtaues with the ſame But. The one halfe of the ſame forfeiture to be to our Soueraigne Lord the King, and the other halfe to the party which will therefore ſue. And that no ſuch Bowſtaues be ſold vngarbled, and but onely to ſuch perſon or perſons which is or ſhalbe borne vnder the Kings obeyſance. This Act to begin and to take effect at the Feaſt of Saint Michaell next comming, *St.* 6. *H.* 8. 11.

Cap. XII.

Certaine merchandiſes prohibited to be brought into this realme ready wrought.

St. 3. Ed. 4. 4.

ITem, it was ſhewed in the ſame Parliament by the artificers of the ſaid realme of England, as well of the Citie of London, as of other cities, townes, boroughes, and villages of the ſame realme, that is to ſay, Girdlers, Pointmakes, Pinners, Purſers, Glouers, Ioyners, Painters, Cardmakers, Wyremongers, Weauers, Horners, Bottlemakers, and Copperſmiths, that whereas they were wont in times paſt to be greatly ſet a worke and occupied in the ſaid crafts for the ſuſtenance of themſelues, their wiues, children, apprentiſes, and ſeruants, and many other of the Kings ſubiects: Now ſo it is, that by Merchant ſtrangers, Denizens and other, there is brought into theſe parts from beyond the ſeas to be ſold within this realme of England, as much wares as may be wrought and made by the Artificers aboue rehearſed, that by reaſon therof the people of ſtrange countries where the ſaid wares be made, be greatly occupied and increaſed, and the ſaid artificers in this realme greatly impoueriſhed, and without the Kings grace ſhewed to them in this behalfe are like to be vndone for lacke of occupation.

Our ſaid Soueraigne Lord the King conſidering the premiſſes, by the aduice and aſſent of the Lords ſpirituall and temporal, and at the prayer of his commons in the ſaid Parliament aſſembled, and by authority of the ſame, hath ordained and prouided, that no Merchant Stranger, after the Feaſt of Eaſter next comming, ſhall bring into this Realme of England to be ſolde any manner girdles, nor no harneys wrought for girdles, points, leather laces, purſes, powches, pinnes, gloues, kniues, hangers, tailers ſheeres, ſyſors, andyrons, cobbards, tongs, fireforkes, gredyrons, ſtocklocks, keyes, henges and garnets, ſpurres, painted glaſſes, painted papers, painted forcers, painted images, painted clothes, beaten gold or beaten ſiluer, wrought in papers for Paintors, ſadles, ſadletrees, horſharnes, bootes, bitts, ſtirrups, buckles, chaines, laton nayles, with yronſhankes, turnets, hanging candleſtickes, holy water ſtopps, chaffingdiſhes, hanging lauers, curtaine rings, cards for wooll, Roane cardes (except claſps for garments) ſheeres, buckles for ſhooes, broches or ſpits, bels, hawks bels, tin and leaden ſpoons, wyre of laton and yron, yron candleſtickes, grates, hornes for lanthornes, or any of the ſaid wares made and wrought pertaining to the crafts aboue ſpecified, or any of them, vpon paine to forfeit all the ſaid wares ſo brought into this realm contrary to this Act, or the value of the ſame, in whoſe hands they or any of them ſhal be found: The one halfe of ſuch fines and forfeitures to be to the King, and the other halfe to him or them that ſhall ſeiſe or purſue for the ſame by action of debt, by writ, or bill at the Common Law, or by bill or plaint after the cuſtome of the city or towne where any ſuch fines, forfeitures and penalties ſhall hereafter happen to be or fall. And that the defendant in ſuch action be not admitted to wage his Law: Nor that any protection or eſſoine of the Kings ſeruice ſhall be allowed in the ſame for any ſuch defendant. *Stat. 5 El. 7.*

Certaine Merchandiſes prohibited to be brought ready wrought into this Realme to be ſold.

Cap. XIII.

The contents of euery Veſſell of Wine or Oyle. And they ſhall not be ſold vntill they be gaged.

ITem, vpon grieuous complaint made to our Soueraigne Lord the King, in the ſaid Parliamēt by the Commons of the ſame, of the defaults of meaſures of Buttes of Malmſey and other Veſſels of Wines and Oyle: Our ſaid Soueraigne Lord the King, by the aduice and aſſent of the ſaid Lords ſpirituall and temporall, and at the ſupplication of the ſaid Commons in the ſaid Parliament aſſembled, and by authority of the ſame, hath ordained, eſtabliſhed and enacted, that no manner Merchant nor other perſon whatſoeuer he be, from the feaſt of Saint Michael the Archangell next comming, ſhall bring nor cauſe to be brought into this Realme any, but if malmeſey to be ſold, vnleſſe it doe containe in meaſure at the leaſt, C.xxvi. galons, nor no Veſſels with any manner wines, whoſe ſoeuer they be, or of what Countrey they be, nor no maner of veſſels of Oyle, vnleſſe the ſame veſſels of wine or oyle doe containe and hold the meaſure and Aſſiſe following, that is to ſay: euery tunne to containe xij. ſcore and twelue gallons. And euery Pype to containe, vj. ſcore and vj. gallons. Euery tertian to contain iiij. ſcore and iiij. gallons. And euery hogſhead to containe lxiij. gallons. And euery barrell to containe xxxj. gallons, and an halfe. And euery Rundlet to containe xviij. gallons and an halfe, according to the old Aſſiſe and meaſure of the ſame veſſels vſed in this Realme. And that all the veſſels of wine and oyle brought into this Realme after the ſaid feaſt to be ſold, ſhall not be put to ſaile after the ſame feaſt, till they be well and truely gauged by the Kings gaugior, or his ſufficient deputy, vpon paine to forfeit to the King, all the ſaid wines and oile ſold contrary to this preſent ordinance, or elſe the value of the ſame. And in caſe that any perſon, of what country he be, from henceforth doe ſell to any of the Kings liege people for any certaine price aſſigned, any But, Tunne, Pype, Tertian, Hogſhead, Barrell or Rundlet of any manner Wine or Oyle, lacking any thing of the ſaid Aſſiſe or meaſure, that the ſeller ſhall allow or rebate of the ſame price to the buyer of ſuch wine or oyle, as much money as ſuch lacking after the rate ſhall amount to, vpon peine to forfeit to our Soueraigne Lord the King the value of al the wine and oile ſo ſold, contrary to this preſent ordinance. Any priuie couenant or contract, made or to be made betwixt the buyer and the ſeller, contrary to this ordinance in any manner notwithſtanding. *St* 18.*H*.6.17.11.*H*.7.4.28.*H*.8.14.

The content of euery veſſell of wine and oyle brought into the Realme to be ſold.

The veſſels of wine ſhalbe gauged. St. 27. Ed. 3. 8.

A recompence ſhall be made for the meaſure lacking.

Cap. XIIII.

Accountants for diſmes are not chargeable to anſwere other mens ſuits in the Exchequer.

ITem, whereas the Clergie of the Prouinces of Canterbury, and Yorke, haue before this time diuers times granted to the Kings progenitors, in their Conuocations, diſmes to be leuyed of their goods, and poſſeſſions, and after that they doe appeare before the Barons of the Kings Exchequer, and the names of the Collectors for the ſame grant be certified in the ſaid Eſchequer, when the ſaid Collectors doe appeare before the Barons of the Exchequer, and enter into their account for the ſaid diſme, that then the ſaid Colectors be often charged, vexed and troubled with bils put by other perſons againſt them for other cauſes and matters then touching the ſaid account, and by occaſion thereof oftentimes they fall to great pouerty, and cauſeth the ſaid account to be two or three yeeres hanging, and the diſmes not contented, to the kings great damage and the ſaid Collector alſo:

Aliens ſhal take no ſeruant but the Kings ſubiect.
St 5.Eliz.4
Who ſhal. haue the forfeitures.

his vſe, vnleſſe it be his ſonne or his daughter, other then at the ſaid Feaſt ſhal be apprentiſes or ſeruants with him, except that the ſame apprentiſe or ſeruants ſo to be taken, bee the Kings ſubiects borne, vpon paine to forfeit and to loſe for euery apprentiſe or ſeruant taken contrary xx. l. The one halfe of all the ſaid Fines, Forfeitures, and Penalties, and of euery of them to be to the King, and the other halfe to be to him or them that will ſeiſe the ſame, or purſue for the ſame by Action of debt, by Bill at the Common Law, by Bill or plaint after the cuſtome of the Citie or Towne, where ſuch fines, forfeitures, or penalties hereafter ſhall fall and be. And that the defendant in any ſuch Action, ſhall not be admitted to wage or doe his Law, nor no protection, nor eſſoine of the Kings ſeruice ſhalbe allowed for any ſuch defendant in the ſame.

Aliens may bring in books to be ſold.
Rep.25.H.8.15.

Prouided alwayes, that this Act, or any parcell thereof, or any other Act made or to be made in this ſaid Parliament, ſhall not extend, or be in preiudice, diſturbance, dammage, or impediment to any Artificer or Merchant ſtranger, of what nation or country he be, or ſhall be of, for bringing into this realme, or ſelling by retaile or otherwiſe, any Bookes written or printed, or for inhabiting within this ſaid Realme for the ſame intent, or any Scriuener, Alluminor, Reader, or Printer of ſuch Bookes, which he hath or ſhall haue to ſell by way of Merchandiſe, or for their dwelling within this ſaid realme for the exerciſe of the ſaid occupations. This Acte or any part thereof notwithſtanding. *St.*1.*H.*7.10.21.*H.*8.16.22.*H.*8.13.32.*H.*8.16.

Cap. X.

The Statute of 22.Ed.4.3. prohibiting wrought laces of ſilke to be brought into this Realme, continued for tenne yeares. Exp.St.1.H *7.9.*

Cap. XI.

Tenne Bowſtaues ſhalbe brought into this Realme for euery But of Malmeſey.

Ten Bowſtaues ſhalbe brought into this realme for euery Butt of Malmſey or Tyre.

Bowſtaues ſhall not bee ſold vngarbled.

ITem, it was ſhewed in the ſaid Parliament by the Bowyers inhabiting within the cities, towns, and boroughs of this realme, occupying Artillery pertaining to the ſame for the defence of this realme, that whereas in times paſt good and able ſtuffe of Bowſtaues hath beene brought into this realm, as well by Engliſh Merchants as ſtrangers, wherby the inhabitants Bowyers might competently liue upon ſuch ſtuffe, which they bought at fortie ſhillings the hundred, or fortie ſix ſhillings eight pence at the moſt: now it is ſo, that by the ſeditious confederacy of Lombards vſing to diuers ports of this realme, the Bowſtaues be now at ſuch an outragious price, that is to ſay, at eight pound the hundred, where they were wont to bee ſold at fortie ſhillings. And alſo they will not ſuffer any garbling to be made of them, but ſel good and euill at ſuch an exceſſiue price together vngarbled, that by likelihood in ſhort time this Realme is like to faile as well of ſtuffe of Artillery, as of workemen thereof, vnleſſe due remedy be in this behalfe ſhortly found and had. Wherfore our ſaid ſoueraign Lord the K. by the aſſent of the ſaid Lords ſpiritual & temporal, at the prayer of the ſaid commons in the ſaid Parliament aſſembled, & by authoritie of the ſame, hath ordeined, eſtabliſhed & enacted, that no merchant of Venice, nor other which vſeth to repaire into this realme with merchandiſes of thoſe parts, ſhall bring nor conuey into this realme any merchandiſes, vnleſſe the ſame merchants doe bring with euery But of Malmſey, and with euery But of Tyre, ten bowſtaues good and able ſtuffe, vpon paine of forfeiture of xiij.s.iiij.d. for euery But of the ſaid wines ſo brought and conueied, and not of the ſaid number of Bowſtaues with the ſame But. The one halfe of the ſame forfeiture to be to our Soueraigne Lord the King, and the other halfe to the party which will therefore ſue. And that no ſuch Bowſtaues be ſold vngarbled, and but onely to ſuch perſon or perſons which is or ſhalbe borne vnder the Kings obeyſance. This Act to begin and to take effect at the Feaſt of Saint Michaell next comming, *St.*6.*H.*8.11.

Cap. XII.

Certaine merchandiſes prohibited to be brought into this realme ready wrought.

St.3.Ed.4.4.

ITem, it was ſhewed in the ſame Parliament by the artificers of the ſaid realme of England, as well of the Citie of London, as of other cities, townes, boroughes, and villages of the ſame realme, that is to ſay, Girdlers, Pointmakes, Pinners, Purſers, Glouers, Ioyners, Painters, Cardmakers, Wyremongers, Weauers, Horners, Bottlemakers, and Copperſmiths, that whereas they were wont in times paſt to be greatly ſet a worke and occupied in the ſaid crafts for the ſuſtenance of themſelues, their wiues, children, apprentiſes, and ſeruants, and many other of the Kings ſubiects: Now ſo it is, that by Merchant ſtrangers, Denizens and other, there is brought into theſe parts from beyond the ſeas to be ſold within this realme of England, as much wares as may be wrought and made by the Artificers aboue rehearſed, that by reaſon therof the people of ſtrange countries where the ſaid wares be made, be greatly occupied and increaſed, and the ſaid artificers in this realme greatly impoueriſhed, and without the Kings grace ſhewed to them in this behalfe are like to be vndone for lacke of occupation.

Our ſaid Soueraigne Lord the King conſidering the premiſſes, by the aduice and aſſent of the Lords ſpirituall and temporal, and at the prayer of his commons in the ſaid Parliament aſſembled, and by authority of the ſame, hath ordained and prouided, that no Merchant Stranger, after the Feaſt of Eaſter next comming, ſhall bring into this Realme of England to be ſolde any manner girdles, nor no harneys wrought for girdles, poitns, leather laces, purſes, powches, pinnes, gloues, kniues, hangers, tailers ſheeres, ſyſors, andyrons, cobbards, tongs, fireforkes, gredyrons, ſtocklocks, keyes, henges and garnets, ſpurres, painted glaſſes, painted papers, painted forcers, painted images, painted clothes, beaten gold or beaten ſiluer, wrought in papers for Paintors, ſadles, ſadletrees, horſharnes, bootes, bitts, ſtirrups, buckles, chaines, laton nayles, with yronſhankes, turnets, hanging candleſtickes, holy water ſtopps, chaffingdiſhes, hanging lauers, curtaine rings, cards for wooll, Roane cardes (except claſps for garments) ſheeres, buckles for ſhooes, broches or ſpits, bels, hawks bels, tin and leaden ſpoons, wyre of laton and yron, yron candleſtickes, grates, hornes for lanthornes, or any of the ſaid wares made and wrought pertaining to the crafts aboue ſpecified, or any of them, vpon paine to forfeit all the ſaid wares ſo brought into this realm contrary to this Act, or the value of the ſame, in whoſe hands they or any of them ſhal be found: The one halfe of ſuch fines and forfeitures to be to the King, and the other halfe to him or them that ſhall ſeiſe or purſue for the ſame by action of debt, by writ, or bill at the Common Law, or by bill or plaint after the cuſtome of the city or towne where any ſuch fines, forfeitures and penalties ſhall hereafter happen to be or fall. And that the defendant in ſuch action be not admitted to wage his Law: Nor that any protection or eſſoine of the Kings ſeruice ſhall be allowed in the ſame for any ſuch defendant. *Stat.5 El.7.*

Certaine Merchandiſes prohibited to be brought ready wrought into this Realme to be ſold.

Cap. XIII.

The contents of euery Veſſell of Wine or Oyle. And they ſhall not be ſold vntill they be gaged.

ITem, vpon grieuous complaint made to our Soueraigne Lord the King, in the ſaid Parliamēt by the Commons of the ſame, of the defaults of meaſures of Buttes of Malmſey and other Veſſels of Wines and Oyle: Our ſaid Soueraigne Lord the King, by the aduice and aſſent of the ſaid Lords ſpirituall and temporall, and at the ſupplication of the ſaid Commons in the ſaid Parliament aſſembled, and by authority of the ſame, hath ordained, eſtabliſhed and enacted, that no manner Merchant nor other perſon whatſoeuer he be, from the feaſt of Saint Michael the Archangell next comming, ſhall bring nor cauſe to be brought into this Realme any, but if malmeſey to be ſold, vnleſſe it doe containe in meaſure at the leaſt, C.xxvi.galons, nor no Veſſels with any manner wines, whoſe ſoeuer they be, or of what Countrey they be, nor no maner of veſſels of Oyle, vnleſſe the ſame veſſels of wine or oyle doe containe and hold the meaſure and Aſſiſe following, that is to ſay: euery tunne to containe xij.ſcore and twelue gallons. And euery Pype to containe, vj.ſcore and vj.gallons. Euery tertian to contain iiij.ſcore and iiij.gallons. And euery hogſhead to containe lxiij,gallons. And euery barrell to containe xxxj.gallons, and an halfe. And euery Rundlet to containe xviij.gallons and an halfe, according to the old Aſſiſe and meaſure of the ſame veſſels vſed in this Realme. And that all the veſſels of wine and oyle brought into this Realme after the ſaid feaſt to be ſold, ſhall not be put to ſaile after the ſame feaſt, till they be well and truely gauged by the Kings gaugior, or his ſufficient deputy, vpon paine to forfeit to the King, all the ſaid wines and oile ſold contrary to this preſent ordinance, or elſe the value of the ſame. And in caſe that any perſon, of what country he be, from henceforth doe ſell to any of the Kings liege people for any certaine price aſſigned, any But, Tunne, Pype, Tertian, Hogſhead, Barrell or Rundlet of any manner Wine or Oyle, lacking any thing of the ſaid Aſſiſe or meaſure, that the ſeller ſhall allow or rebate of the ſame price to the buyer of ſuch wine or oyle, as much money as ſuch lacking after the rate ſhall amount to, vpon peine to forfeit to our Soueraigne Lord the King the value of al the wine and oile ſo ſold, contrary to this preſent ordinance. Any priuie couenant or contract, made or to be made betwixt the buyer and the ſeller, contrary to this ordinance in any manner notwithſtanding. *St 18.H.6.17.11.H.7.4.28.H.8.14.*

The content of euery veſſell of wine and oyle brought into the Realme to be ſold.

The veſſels of wine ſhalbe gauged. St.27.Ed.3.8.

A recompence ſhall be made for the meaſure lacking.

Cap. XIIII.

Accountants for diſmes are not chargeable to anſwere other mens ſuits in the Exchequer.

ITem, whereas the Clergie of the Prouinces of Canterbury, and Yorke, haue before this time diuers times granted to the Kings progenitors, in their Conuocations, diſmes to be leuyed of their goods, and poſſeſſions, and after that they doe appeare before the Barons of the Kings Exchequer, and the names of the Collectors for the ſame grant be certified in the ſaid Eſchequer, when the ſaid Collectors doe appeare before the Barons of the Exchequer, and enter into their account for the ſaid diſme, that then the ſaid Colectors be often charged, vexed and troubled with bils put by other perſons againſt them for other cauſes and matters then touching the ſaid account, and by occaſion thereof oftentimes they fall to great pouerty, and cauſeth the ſaid account to be two or three yeeres hanging, and the diſmes not contented, to the kings great damage and the ſaid Collector alſo:

Accomptants for diſmes are not bound to anſwere other mens ſuits in the Eſchequer.

It is therefore ordained and eſtabliſhed by authority of this preſent Parliament, that from henceforth if any diſme or any part of a diſme be granted by the prouince of either of the ſaid Clergies to the King our Soueraigne Lord or to his heires, that after the ſaid Certificat, in the Eſchequer for the diſme or part of the diſme, and of the names of the Collectors for the gathering of the ſame diſme: that if the ſaid Collectors come by proceſſe before the ſaid Barons of the Eſchequer and enter in their account, that they ſhall not be bound to anſwere to the ſaid bill or billes there put againſt them, by reaſon of the ſaid entry in their account for any maner cauſe but onely for the matter touching the ſaid account.

Prouided alwaies, that if the ſaid accountant be ſued in any other Court by writ, bill, or plaint, that then he ſhall take no priuiledge of the ſaid Eſchequer by reaſon of the ſaid Account for any ſuit, as before is rehearſed.

CAP. XV.

A reſumption of all grants and eſtates of Lands, &c. made to *Elizabeth Grey*, Queene of England. PR.

Here followeth the Preamble and ſixt Chapter of Richard *the third.*

17.E.4.2.

Prayen the Commons in this preſent Parliament aſſembled, that where in a Statute made in the ſeuenteenth year of the Raigne of King Edward the fourth, It was ordained amongſt other, that where diuers Faires haue beene holden and kept in diuers places within this Realme ſome by preſcription allowed afore Iuſtices in Eyre, and ſome by the grant of your noble progenitors and predeceſſors, and to euery of the ſame Faires, is of right pertaining a Court of Pypowders, to miniſter therein due Iuſtice in that party: in which Court it hath euer beene accuſtomed, that euery perſon comming to ſuch Faires ſhould haue lawfull remedy of all manner contracts, treſpaſſes, couenants, debts, and other deeds made or done within any of the ſaid faires during the time of the ſaid Faires, within the iuriſdiction of the ſame, and to be tried by Merchants being at the ſame Faires, which Courts in theſe daies beene miſuſed by Stewards, Bailiffes, Commiſſaries and other Miniſters, holding and ruling the ſaid Courts of the ſaid Faires for their ſingular profit, holding plea by plaints, as well contracts, debts, treſpaſſes, as other deeds done and made out of the time of the ſaid Faires or Faire and iuriſdiction of the ſame, whereof in troth they haue no iuriſdiction, ſurmiſing the contracts, debts, treſpaſſes, couenants, or other deeds to be done within the time of the Faires, and within the iuriſdiction of the ſame Faires where in troth they were not ſo. And ſometime vpon fained plaints, by imagination, by euill diſpoſed people, to trouble them to whom they owe euill will, ſome to the intent to make them loſe their Faire, and ſome to the intent that they ſhould haue for lucre, fauourable enqueſts of Commers to the ſame Faires, where they take their actions, whereby much people comming to the ſaid Faires, be grieuouſly vexed and troubled by fained actions, ⁊ alſo by actions of debts, treſpaſſes, deeds and contracts made and done out of the time of the ſaid Faires or iuriſdiction of the ſame, contrary to equity and good conſcience, Whereby the Lords of the ſaid Faires loſe great profits by the not comming of diuers Merchãts to their Faires, which for that caſe abſtain them, and alſo the Commons for that caſe be worſe ſerued of ſuch ſtuffe and Merchandiſes, as elſe ſhould come to the ſaid Faires: Pleaſe it therefore your highneſſe, the premiſſes conſidered, by the aduice and aſſent of the Lords ſpirituall and temporall in this your preſent Parliament aſſembled, and by the authority of the ſame, to ordaine and to eſtabliſh, that from the firſt day of May next comming, no Steward, Underſteward, Bailiffe, Commiſſary, nor other Miniſter of ſuch courts of Pipowders, hold plea vpon any action at the ſuit of any perſon or perſons without the plaintiffe or plaintiffes, or his or their Atturnies, in preſence of the defendant or defendants (if he or they or his or their Atturnies deſire it) make oath vpon the holy Euangeliſts, vpon the declaration, that the contract, treſpaſſe, or other deed compriſed in the ſame declaration, were made or done within the Faire time of the ſaid Faire, where he taketh his action, and within the bounds and iuriſdiction of the ſame faire. And although the ſaid plaintiffe or plaintiffes by their oath affirme the ſame, that the ſaid defendant or defendants be not concluded thereby, but that they may anſwere and plead to the action, or in abatement of the plaints and to tender an iſſue, that the ſame contract, treſpaſſe, or other deed compriſed within ſuch declaration, whereupon the plaintiffe or plaintiffes declaration, was not done nor made within the Faire time ⁊ iuriſdiction of the ſaid Faire, but out of time of the Faire, or at other places out of the iuriſdiction of the ſame Faire after the troth in that party.

And if it be ſo tryed, or that the plaintiffe or plaintiffes or their Atturnies, refuſe to be ſworne in the forme aforeſaid. That then the defendant or defendants be quite diſmiſſed and diſcharged in that behalfe out of that Court. The party plaintiffe to take his aduantage at the Common Law, or other place conuenient, as him ſeemeth good. This Ordinance notwithſtanding.

And that every Steward, Underſteward, Bailiffe, Commiſſary, or other Miniſter, holding and ruling any of the ſaid Courts, that doth the contrary of this Ordinance, ſhall for every default in that behalfe, forfeit an hundred ſhillings, the one halfe thereof to your Highneſſe, and the other halfe thereof to him that will ſue in that party his action upon this Ordinance by action of debt in his owne name. And that writs of Proclamation in all goodly haſt, be directed to every Sheriffe of every Shire of England, to make this Ordinance to be proclaimed in every part within his Shire, as well within franchiſe as without.

And that the Ordinance touching Faires as is aforeſaid, ſhould endure to the next Parliament, which Ordinance is now expired. And for certaine the ſaid Ordinance is full neceſſary and requiſite to endure for ever, and full profitable to all the Commons of this Realme. Be it therefore ordained and eſtabliſhed by the authority of this preſent Parliament, that the aforeſaid Ordinance be and ſtand in vertue and ſtrength. And to be executory from the Feaſt of the Annunciation of our Lady next comming, perpetually after to endure.

Thus endeth the Statutes made in the yeare of Richard *the third.*

them rather hurt then helped: and if his ſubiects complaine to theſe Iuſtices of Peace, of any wrongs done to them, they haue thereby no remedy, and the ſaid miſchiefes doe encreaſe, and be not ſubdued. And his Grace conſidereth, that a great part of the wealth and proſperity of this Land ſtandeth in that, that his ſubiects may liue in ſurety vnder his peace in their bodies and goods, and that the husbandry of this Land may encreaſe, and be vpholden, which muſt be had by due execution of the ſaid lawes and ordinances: Chargeth and cōmandeth the Iuſtices of the peace, of this his Shire, to indeauour them to doe and execute the tenour of their Commiſſion, & the ſaid lawes and ordinances ordained for the ſubduing of the premiſſes, as they will ſtand in the loue and fauor of his Grace, and in auoiding of the peines that be ordained if they do the contrary. And ouer that he chargeth and commandeth, that euery man, what degree or condition that he be of, that let them in word or deed to execute their ſaid authority in any manner forme aboue-ſaid, that they ſhew it to his Grace. And if they doe it not, and it come to his knowledge by other than by them, they ſhall not be in his fauour, but taken as men out of credence, and bee put out of Commiſſion for euer. And ouer this he chargeth and commandeth all manner of men, as well the poore as the rich (which be to him all one in due miniſtration of iuſtice) that is hurt or grieued in any thing that the ſaid Iuſtice of peace may heare, determine, or execute in any wiſe, that he ſo grieued make his complaint to the Iuſtice of the peace that next dwelleth vnto him, or to any of his fellowes, and deſire a remedy: & if then he haue no remedy, if it be nigh ſuch time as his Iuſtices of Aſſiſes come into that Shire, that then he ſo grieued ſhew his complaint to the ſame Iuſtices. And if then he haue no remedy, or if the complaint be made long afore the comming of the Iuſtices of Aſſiſe, then hee ſo grieued come to the Kings Highneſſe, or to his Chancellor for the time being, & ſhew his griefe: & his ſaid Highneſſe then ſhall ſend for the ſaid Iuſtice, to know the cauſe why his ſaid ſubiects be not eaſed, and his Lawes executed: whereupō if he finde any of them in default of executing of his lawes, in the premiſſes, according to his High commandement, he ſhall doe him ſo offending, to be put out of the Commiſſion: and further to be puniſhed according to his demerits. And ouer that his ſaid Highnes ſhall not let for any fauour, affection, coſt, charge, nor other cauſe, but that he ſhal ſee his lawes to haue plain & true execution, and his ſubiects to liue in ſurety of their lands, bodies, and goods, according to his ſaid lawes, and the ſaid miſchiefes to be auoided, that his ſubiects may increaſe in wealth and proſperity to the pleaſure of God.

The Iuſtices of Peace muſt execute their Commiſſion, and the Lawes.

Hinderers of Iuſtices of Peace to execute their authoritie.

Each perſon grieued ſhall make his complaint to the Iuſtices of Peace, and if hee hath no remedy, to the Iuſtices of Aſſiſe, and then to the King or his Chancellour.

The puniſhment of the Iuſtice of Peace omitting his duty.

Cap. XIII.

Clergy ſhall be allowed but once. A conuict perſon ſhall be marked with the Letters M. *or* T.

A provision for them which be within Orders.

Item, whereas vpon truſt of the priuiledge of the Church, diuers perſons haue beene the more bold to commit Murder, Rape, Robbery, Theft, and all other miſchieuous deeds, becauſe they haue bin continually admitted to the benefit of the Clergy, as oft as they did offend in any of the premiſſes. In auoiding of ſuch preſumptuous boldnes, It is enacted, ordained, & ſtabliſhed by the authority of this preſent Parliamēt, that euery perſon, not being within Orders, which once hath been admitted to the benefit of his Clergy, eftſoones arrained of any ſuch offence, be not admitted to haue the benefit or priuiledge of the Clergy. And that euery perſon ſo conuicted for Murder, to be marked with an M. vpon the braune of the left thumbe. And if he be for any other felony, the ſame perſon to be marked with a T in the ſame place of the * thumbe, & thoſe marks to be made by the Gaylor openly in the Court before the Iudge, before that ſuch perſon be deliuered to the Ordinary. Prouided alway if any perſon at the ſecond time of asking his Clergy, becauſe he is within Orders, hath not there ready his letters of his Orders, or a certificat of his Ordinary, witneſſing the ſame: that then the Iuſtices, afore whom he is ſo arrained, ſhall giue him a day by their diſcretion to bring in his ſaid letters or certificat: & if he faile, & bring not in at ſuch a day his ſaid letters, nor certificat: then the ſame perſon to loſe the benefit of his Clergy, as he ſhal do that is without Orders.

* Coke H.5.fo.50
o.Coron.211.

The benefite of Clergy ſhall bee but once allowed.

A conuict perſon ſhall be marked with the letters M. or T.
Raſt.lib.pla.fo.1.56.

He that is within Orders, vpon the asking of his Clergy, ſhall ſhew his Orders, or his Ordinaries certificate.
Stat.28.H.8.1.

Cap. XIIII.

Sealing of writings touching the Earldome of March.

Item, where afore in the time of King Edward the fourth, all Feoffements, Gifts, Graunts, Demiſes, Preſentments, Nominations, Releaſes, Warrants, and Confirmations, made to any perſon or perſons, of any Caſtels, Honors, Manors, Lands, and Tenements, or other Hereditaments, or Aduantages, Parcell, or pertaining to the Earledome of March, or pertaining to any Manors, Lands, Tenements, or other Hereditaments, in Demeſne or Reuerſion, Parcel, or pertaining to the ſaid Earledome of March, were made and paſſed vnder a ſpecial Seale, named the Seale of the Marches, whereby is growne great vexation, trouble and diſceipt of the Subiects of the King our Soueraigne Lord. Wherefore it is enacted, by the authority of this preſent Parliament, that all Feoffements, Gifts, Graunts, Demiſes, Preſentments, Nominations, and all other writings, whereto ſealing is requiſite to bee made after the Feaſt of the Purification of our Lady, in the fift yeare of the raigne of our ſaid Soueraigne Lord that now is, of any parcell of the ſaid Earldome, be had, done, and made by the King our ſaid Soueraigne Lord, vnder the broad Seale of his Chancery, as it is vſed in all other things concerning the Crowne by the courſe of the Common law, and by none other Seale.

All writings of any parcell of the Earledome of March ſhall be vnder the great Seale.

Cap. XV.

The Maior of London and his Succeſſours ſhall have the like conſeruation and authority in all the Iſſues, Breaches, and ground ouerflowne, as far as the water ebbeth and floweth, growne out of the Riuer of Thames, as touching the puniſhments for vſing vnlawfull Nets and Engines, as he hath within the ſaid Riuer. Pr.

Cap. XVI.

The penaltie of taking of more Farmes than one in the Iſle of Wight.

The neceſſity of the preſeruation of the Iſle of Wight.

ITem, for as much as it is to the King our Soueraigne Lord great ſuerty, and alſo the ſuerty of this Realme of England, that the Iſle of Wight in the County of the South, be well inhabited with Engliſh people, for the defence, as well of his ancient enemies of the Realme of France, as of other parties, the which Iſle is lately decayed of people, by reaſon that many Townes and Villages béene beaten downe, and the fields ditched and made paſtures for beaſts & cattels: & alſo many dwelling places, Fermes and Fermeholds, haue of late time beene vſed to be taken in one mans hold and hands, that of old time were wont to be in many ſeuerall perſons holds and hands, and many ſeuerall houſholds kept in them, and thereby much people multiplied, and the ſame Iſle thereby well inhabited, the which now by the occaſion aforeſaid is deſolate, and not inhabited, but occupied with beaſts and cattel, ſo that if haſty remedy be not prouided, that Iſle cannot be kept and defended, but will be open and ready to the hands of the Kings enemies, which God forbid. For remedy whereof it is ordained, enacted & eſtabliſhed, by the aſſent of the Lords Spirituall and Temporall, and the Commons in the ſaid Parliament aſſembled, and by authority of the ſame, that from henceforth no manner of perſon, of what eſtate, degrée or condition he is, or ſhall be, take any ſeuerall Fermes, mo than one of any Manors, Lands, and Tenements, Parſonages or Tythes within the ſaid Iſle, whereof the Ferme of them altogether ſhall not excéed the ſum of x. Mark yearly, and if any ſeuerall Leaſes afore this time haue been made to any perſon or perſons of diuers ſundry Fermeholds, vnto the yearly value of x. marke: then the perſon or perſons, that now hold the ſame, to chooſe one or mo of the ſaid Fermholds at his pleaſure, ſo that the Ferme of them alſo choſen be not aboue the yearly value of x. mark, to hold after the forme of his Leaſe, and the remnant from the Feaſt of S. Mighell the Archangell, which ſhall be in the yeare of our Lord M.cccc.lxxxx. to ceaſe and be vtterly void: and the Occupier and fermer of them from thence be diſcharged againſt his leſſour of rent reſerued vpon the ſame Leaſes, and if any perſon doe hereafter the contrary of this act: that then the Leaſſée, in that behalfe ſhall forfait to the King for euery ſuch taking, x. li. Prouided alwayes that they, which haue paid any fines, or made any building, or done great reparation vpon any ſuch Ferme, and bee put from the ſaid Ferme by reaſon of this act, ſhall be recompenced for ſuch building or reparation, as right & good conſcience require: that recõpence to be adiudged by the diſcretiõ of the Captain of the ſaid Iſle for the time being, or his Lieutenant of the ſame in his abſence. Stat. 25. *H.*8.13.

None ſhall take more Fermes then one in the Iſle of Wight exceeding ten marke rent.

A remedy for them which haue beene at charge with their Fermes, and then be put from them.

Cap. XVII.

The Charges and benefit of the Heire of Ceſti que vſe.

Stat.52.H.3.6.

ITem, Where by any Eſtatute made at Marlebridge, it was ordained, that when Tenants made Feoffements in fraud to make the Lords of the Fee to léeſe their Wards, the Lords ſhould haue writs to recouer their Wards againſt ſuch Feoffees, as in the ſaid Statute among other things appeareth more plainly at large. Sith the making of which Eſtatute many imaginations haue beene had, and yet been vſed, as well by Feoffements, Fines, and Recoueries, as otherwiſe, to put Lords from their Wards of Lands holden of them by Knights ſeruice: It is therefore ordained, ſtabliſhed and enacted, by authority of this preſent Parliament, that the ſaid Statute of Marlebridge be obſerued and kept in all manner of things after the fourme, and effect thereof. And ouer that it is ordained and enacted by the ſaid authority, that if any perſon or perſons of what eſtate, degrée, or condition he or they be of, or hereafter ſhall bee, ſeiſed in demean or reuerſion of ſtate of inheritance, being Tenant immediate to the Lords of any Caſtell, Manors, Lands, and Tenements, or other Hereditaments, holden by Knights ſeruice in his or their Demeane, as of Fee, to the vſe of any other perſon or perſons, and of his Heires onely, he to whoſe vſe he or they be ſo ſeiſed dyeth, his Heire being within age, no Will by him declared, nor made in his life touching the premiſſes or any of them: the Lord of whõ ſuch Caſtels, Manors, Lands, Tenements, and hereditaments béene holden immediately, ſhall haue a writ of right, of Ward, as well for the body as for the * land, as the Lord ſhould haue had, if the ſame Anceſter had béene in poſſeſſion of that eſtate ſo being in vſe at that time of his death, and no ſuch ſtate to his vſe made. And if any ſuch Heire be of full age at the death of his Anceſter to pay reliefe, as his Anceſter, whoſe Heire hee is, had beene in poſſeſſion of that ſtate ſo being in vſe at time of his death, and no ſuch eſtate to his vſe made nor had. It is alſo ſtabliſhed and enacted by the ſaid authority, that ſuch Heire or Heires, ſo being in Ward, ſhall haue like action of * waſt againſt the ſaid Lords, or againſt them in whoſe ward they ſo be, as they or any of them ſhould haue had, and recouer ſuch damages and ſuch penalties to be to the ſaid Lord and Gardians as ſhould haue béene if their Anceſter had dyed thereof ſeiſed. And ouer if any ſuch Lord bring any ſuch Writt

The Heire of Ceſtuy que vſe holding his Lands by Knights ſeruice within age ſhall be in ward, and of full age, ſhall pay reliefe.

* Fitz.N.B.fo. 142.K.V.N.B.fo. 94.

The Heire ſhall haue an action of waſt againſt his Gardian committing waſt.

* Fitz.N.B.fo. 59.A.

Damages for the Defendant in a writ of Right of ward.

* Kel.fol.8
10.H.7.fo.11.
12.H.7.fo.14.
27.H.8.fo.

of right of Ward againſt ſuch perſon or perſons, and be barred in the ſame: that then the ſame Defendant or Defendants, ſhall recouer damages againſt the ſaid Plaintifs, for their wrongfull vexation in the ſame. Prouided alwayes that this act begin to take effect of the heires of them that ſhall die after the Feaſt of Eaſter, that ſhall be in the yeare of our Lord. M.CCCC.lxxx.
St.1.Rich.3.1. 19.*H*.7.15. 27.*H*.8.10. 34.*H*.8.5.Co Inſt.84.b.

CAP. XVIII.

The forging of the Coyne of other Realmes, allowed to be currant within this Realme ſhall be Treaſon. REP.1.Ed.6.12. 1.M.1.

CAP. XIX.

The penaltie for decaying of houſes of husbandry, or not laying of conuenient land for the maintenance of the ſame. REP,39.El.1.& 21.Iac.28.

CAP. XX.

Actions popular proſecuted by colluſion, ſhall be no barre to thoſe which be purſued with good faith.

Item, that where Actions popular in diuers cauſes haue been ordained by many good Acts and Statutes afore this time made, for the reformation of extortions, maintenance, oppreſſions, iniuries, exactions and wrongs, vſed and committed within this Realme, which actions been very penal to all miſdoers and offenders, in ſuch actions condemned, and much profitable as wel to the King, as to euery of his ſubiects, that them will ſue and maintaine, if the ſame Actions ſo ſued and commenced, might be truly purſued without couin or colluſion. But now it is ſo commonly vſed within this Realme, that if any ſuch offenders, offending in cauſes where any of the ſaid actions lie, then the ſaid miſdoers or offenders, in eſchuing to leeſe the ſaid penalties, will cauſe an action popular to be commenced againſt them by couin of the plaintife vpon that caſe, wherin they haue ſo offended: or elſe if any ſuch action popular be commenced againſt any ſuch ſaid offender by good faith, then the ſame offender will delay the ſaid Action, either by none appearance, or by trauerſe, and hanging the ſame Action, the ſame offender will cauſe like Action popular, to be brought againſt him by couin, for the ſame cauſe and offence, that the firſt action was ſued, and then by couin of the Plaintife in that ſecond action, he will be condemned, either by confeſſion, fained triall, or releaſe, which condemnation or releaſe ſo had by colluſion and couin pleaded by the ſaid offender, ſhall barre the Plaintife in the action ſued in good faith, & by theſe ſubtill means of colluſion and couin, the ſaid good Acts and Statutes ſeldome beene executed againſt ſuch offenders, which cauſeth them to be bolder to offend the King, as well in breaking of the ſaid Statutes, Lawes, & Peace, as in robbing, murdering, exactious taking, quarrelles maintaining and the Kings poore Subiects by extortion and many other vnlawfull meanes oppreſſing. Therefore the King our Soueraigne Lord, in reforming of the premiſſes, by the aduice of the Lords Spirituall and Temporall, and at the requeſt of the ſaid Commons in this ſaid preſent Parliament aſſembled, and by authority of the ſame, hath ordained, eſtabliſhed, and enacted, that if any perſon or perſons hereafter ſue with good faith any Action popular, and the Defendant or Defendants in the ſame Action plead any manner of recouery of Action popular, in barre of the ſaid Action; or elſe that the ſame Defendant or Defendants plead, that he or they before that time barred any ſuch Plaintife or Plaintifes, in any ſuch Action popular, that then the Plaintife or Plaintifes in the Action taken with good faith, may auerre, that the ſaid recouery in the ſaid Action popular, was had by couin, or elſe to auerre, that the ſaid Plaintife or plaintifes was or were barred in the ſaid Action popular, by couin, that then if after the ſaid colluſion or couin ſo auerred, be lawfully found, the plaintife or Plaintifes in that Action ſued with good faith, ſhall haue recouery according to the nature of the Action, and execution vpon the ſame, in like wiſe & effect, as though no ſuch afore had been had. And ouer that it is enacted and ordained by the authority aforeſaid, that in euery ſuch Action popular, wherein the Defendant or Defendants ſhal be lawfully condemned or attainted of couin or colluſion, as is aforeſaid, that euery of the ſame Defendants haue impriſonment of two yeares by Proceſſe of Capias and Vtlegary, to be ſued within the yeare after ſuch iudgement had, or at any time after, till the ſaid Defendant or Defendants ſhall be had and impriſoned, as is aforeſaid, and that as well at the Kings ſuit, as of euery other that will ſue in that behalfe. And that no releaſe of any common perſon hereafter to be made to any ſuch partie, whether before or after any Action popular or Inditement of the ſame had or commenced or made, hanging the ſame Action, be in any wiſe auaileable or effectuall to let or ſurceaſe the ſaid Action, Inditement, Proceſſe, or Execution. Prouided alway that no Plaintife or Plaintifes be in any wiſe receiued to auerre any couin in any action popular, where the point of the ſame Action, or elſe the couin or colluſion haue beene once tried or lawfully found with the Plaintife or Plaintifes, or againſt them, by triall of twelue men, and not otherwiſe.

The enormities of colluſion practiſed in ſuing of Actions popular

Recouery in an Action popular by couin, or a barre in the ſame, is no plea in an action ſued with good faith.

The puniſhment of the Defendant attainted of colluſion.

No releaſe of a common perſon can diſcharge a popular action.

No colluſion auerrable where the point of the Action hath beene tried by verdict.

CAP. XXI.

An Act that no Engines ſhall bee vſed for the deſtroying of Frie of fiſh in Orford hauen in Suffolke, vpon paine of forfeiture of ten pounds for euery offence. EXP.

CAP. XXII.

If any perſon before the next Parliament, bring or put to ſale any gold of Venice, Florence, or Gean for a pound weight, which doth not containe xij. ounces, or that the gold packed be not in greatneſſe of thread and colour wrought according to the outward ſhew thereof, hee ſhall forfait the ſame, or the value thereof. EXP.

CAP. XXIII.

The Statute provided 17. *Ed*. 4. 1. againſt the tranſporting of Money, Plate, or Iewels, reuiued for twenty yeares. *Stat*. 1. *H*. 8. 13.

CAP. XXIIII.

How often a fine levied in the Common Pleas ſhall be read and Proclaimed, and who then ſhall be bound thereby.

ITem, where it was ordained in the time of King Edward the firſt, by the Statute de finibus, that notes and fines to be leuied in the Kings Court afore his Iuſtices ſhould be openly and ſolemnely read, and that pleas in the meane time ſhould ceaſe, and this to be done by two dayes in the weeke, after the diſcretion of the Iuſtices, as in the ſaid Statute more plainly appeareth. The King our Soueraigne Lord conſidereth, that fines ought to be of the greateſt ſtrength to auoid ſtrifes and debates and to be a finall [p] end and concluſion: and of ſuch effect were taken afore a Statute made of none claime, and now is vſed the contrary, to the vniuerſall trouble of the Kings ſubiects, will therefore it be ordained, by the aduice of the Lords ſpirituall and temporall, and the Commons in the ſaid Parliament aſſembled, and by the authority of the ſame, that after the ingroſſing of euery fine to be leuied, after the Feaſt of Eaſter, that ſhall bee in the yeare of our Lord, M. CCCC. lxxx. in the Kings Court, afore his Iuſtices of the Common place, of any Lands, Tenements, or any other Hereditaments, the ſame fine bee openly and ſolemnely read and [q] Proclaimed in the ſame Court the ſame terme, and in * three termes then next following the ſame ingroſſing in the ſame Court, at foure ſeuerall dayes in euery terme; and in the ſame time that it is ſo read and Proclaimed, all pleas to ceaſe. And the ſaid Proclamations ſo had and made, the fine to be a finall end, and conclude as well priuyes as [r] ſtrangers to the ſame, except women couert, other then beene parties to the ſaid fine, and euery perſon then being within age of xxi. yeares, in priſon, or out of this Realme, or not of whole minde, at the time of the ſaid fine leuied not parties to ſuch fine: And ſauing to euery perſon or perſons, and to their heires, other then the parties in the ſaid fine, ſuch right, claime and intereſt, as they haue to, or in the ſaid Lands, Tenements, or other Hereditaments, the time of ſuch fine ingroſſed: So that they purſue their title, claime or intereſt by way of action, or lawfull entre, within [ſ] fiue yeares next after the ſaid * Proclamations had, & made. And alſo ſauing to all perſons ſuch action, right, title, claime, and intereſſe, in or to the ſaid Lands, Tenements, or other Hereditaments, as firſt ſhall grow, [t] remaine, or deſcend, or come to them after the ſaid fine ingroſſed, and Proclamation made, by force of any gift in the taile, or by any other cauſe or matter had and made before the ſaid fine leuied, So that they take their action, or purſue their ſaid right, and title according to the law within fiue yeares next after ſuch action, right, claime, title, or intereſſe to them accrued, deſcended, fallen, or come: And that the ſaid perſons, and their heires may haue their ſaid action againſt the pernour of the profits of the ſaid Lands, and Tenements, and other Hereditaments at the time of the ſaid action to be taken, and if the ſame perſons at the time of ſuch action, right and title accrued, deſcended, remained, or come vnto them, be couert de baron, or within [t] age, in priſon, or out of this land, or not of whole minde, then it is ordained by the ſaid authority, that their action, right, and title to bee reſerued and ſaued to them and to their heires, vnto the time they come and be at their full age of xxi. yeares, out of priſon, within this land, vncouert, and of whole minde, ſo that they or their heires take their ſaid actions, or their lawfull entry according to their right and title, within fiue yeares next after that they come and be at their full age, out of priſon, within this land, vncouert and of whole minde, and the ſame actions purſue, or other lawfull entry take according to the Law. And alſo it is ordayned by the authority aforeſaid, that all ſuch perſons as be couert de baron, not party to the fine, and euery perſon being within age of xxi. yeares, in priſon, or out of this land, or not of whole mind at the time of the ſaid fines leuied and engroſſed, and by this ſaid Act afore except, [u] hauing any right, or title, or cauſe of action to any of the ſaid lands and other hereditaments, that they or their heires inheritable to the ſame, take their ſaid actions or lawfull entry according to their right and title, within v. yeares next after they come

Stat. 18. Ed. 1. Modus leuandi fines.

Proclamations of a fine.
* Stat. 31. El. 2.
Coke pla. fol. 17.

Who ſhall be concluded by the fine, who not.

Euery ſtrangers right ſaued which he preſently hath, ſo that he purſue it within fiue yeares.
* Coke pla. fol. 171. 222. 327.

The right of ſtrangers ſaued which ſhall come to them.

Actions maintenable againſt the pernours of the profits.
Stat. 1. R. 2. 9. 4. H. 4. 7. 11. H. 6. 3. 1. H. 7. 1.

The right of Infants, women couert, perſons impriſoned, out of this Realme, or not of whole memory ſaued.

An entrie muſt be made, or an action taken within fiue yeares after the defects remoued.
u Coke lib. pla. fol. 224.

p. Coke

q Plow. fol.
Dyer fol.
234. 254.

r Dyer fol.
Bro. Tale.
Coke li. 3. fo.
77. 84.

ſ Co. Inſ.
262. a. 3
19. H. fol. 7.
Plow. fo. 35
Dyer fo. 72.
374.
Coke li. 3. fo.
lib. 9. fo.
lib. 11. fo.

t Dyer fo.
224.

t Coke lib. 7.
23. li. 9. fo.

u Dyer fol.
Bro. fines
223.
Coke lib. 3.
91. lib. 4.

come and bee of age of xxi. yeares, out of priſon, vncouert, within this land, and of whole minde, and the ſame actions ſue, or their lawfull entry take and purſue according to the law: And if they doe not take their actions and entry as is aforeſaid, that they and euery of them and their heires, and the heires of euery of them be concluded, by the ſaid fines for euer, in like forme as they be that be parties or priuies to the ſaid fines. Sauing to euery perſon or perſons, not party[z] nor priuy to the ſaid fine, their exception to auoid the ſame fine, by that, that thoſe which were parties to the fine, nor any of thē, nor no perſon or perſons to their vſe, ne to the vſe of any of them had nothing in the lands and tenements compriſed in the ſaid fine at the time of the ſaid fine leuied. And it is ordeined by the ſaid authority, that euery fine that hereafter ſhall be leuied in any of the Kings Courts, of any Mannors, Lands, Tenements, and other poſſeſſions, after the manner, vſe and forme, that fines haue beene leuied afore the making of this Act, be of like force, effect and authoritie, as fines ſo leuied, be or were afore the making of this Act: this Act or any other Act in this ſaid Parliament made or to be made, notwithſtanding. and euery perſon ſhall be at liberty, to leuy any fine hereafter, at his pleaſure, whether he will after the forme contained and ordained in and by this Act, or after the manner and forme afore time vſed. 32.*H*.8.36.

o.Fines
d.109.
.8.fol.20.
fol.115.260

An exception that the parties to the fine had nothing in the land.

z Coke lib.pla. fol.318.

Fines at the Common law be of the ſame they were before.

THE FOVRTH PARLIAMENT Holden at Weſtminſter the ſeuenth yeare of the *raigne of King* HENRY *the ſeuenth.*

Cap. I.

The penalty of a Captaine or Souldier retained to ſerue the King in his intended warres, not doing their duties.

FOr as much as it is notoriouſly knowne, that the King to his great coſts and charges hath ſent his Ambaſſadors to Charles his Aduerſary of France, to haue had conuenient peace with him, and to haue his right without effuſion of Chriſtian blood, which was refuſed: Wherefore the King, by the grace of God, in whoſe hands and diſpoſition reſteth all victorie, hath determined himſelfe to paſſe ouer the ſea, into his Realme of France and reduce the poſſeſſion thereof by the ſaid grace to him and to his heirs Kings of England, according to his rightfull title, whereby he truſteth not onely to bring this his Realme to the ancient forme & honor, but alſo to enrich and ſet in perfect peace & tranquillity, his ſubiects of the ſame, truſting that therby the more part of al Chriſten Realmes ſhall be in more perfit peace and tranquillity, & the better diſpoſed to ſerue God, which cannot bee done by all likelihood without battaile, as well on the ſea, as in other places beyond the ſea, wherein Almighty God muſt be iudge, in whoſe defence, mercy, and goodneſſe, the King putteth his full truſt aboue all other things: howbeit many times by the inordinate couetiſe of Captaines retained with Princes afore this time, great part of the number of Souldiers, for whom ſuch Captaines haue endented with Princes at time of need, haue lacked of their number of ſouldiers, whereby great ieopardies haue enſued, and irrecuperable damages thereby may enſue, if remedie be not therefore foreſeene and had. Be it therfore ordained by the authority of this preſent Parliament, that if any Captaine be retained, or hereafter ſhall be, to ſerue the King on the ſea or beyond the ſea in feat of warre, which hath not his or their whole and perfit number of men and ſouldiers, according as he ſhall be retained with the King, or giue not them their full wages without ſhorting as he ſhall receiue of the King for them, except for Iackets for them that receiue land wages, that is to ſay vi.s. and viii.d. for a yeoman, and xiii.s.iiii.d. for a Gentleman for a whole yeare, he ſhal for ſuch default forfeit to the King all his goods and cattels, and their bodies to priſon.

The penalty of a Captaine which ſhall not haue the whole number of his Souldiers, or not pay them their wages. Stat.3.H.8.5.

And that euery Captaine, petie Captaine, and all other hauing vnder them retinue of any ſouldier or ſouldiers at the Kings wages, ſhall vpon the paine aforeſaid, pay to their retinue of ſouldier or ſouldiers, and euery of the ſame, the wages ratably, as is allowed vnto them by the King our ſoueraigne Lord, or the Treaſorer of his Wars, without leſſening or withdrawing any part thereof: And for as long time as they ſhall receiue wages for them, this payment vnto the ſaid retinues, and euery ſouldier of the ſame, of their Captaines and petie captaines allwayes ſhall be within vi. dayes, next and immediately after that the ſaid Captaine, petie Captaine, or other ſhall haue receiued their wages of the King, or of the Treaſorer of his Warres, or their Lords or Maſters. And if any ſouldier being no Captaine, immediately retained with the King, which herafter ſhall be in wages and retained, or take any preſt to ſerue the King vpon the ſea,

The Captaine ſhall pay to his Souldiers their wages within vi. dayes after their receit thereof.

The penalty of a Souldier departing without licence ſhall be felony. Stat.18.H.6.19. 2.Ed 6.2.

or vpon the land beyond the ſea, depart out of the Kings ſeruice without licence of his Captaine, that ſuch departing be taken, déemed and adiudged felony, and that hee ſo offending ſuffer for the ſaid offence puniſhment and execution of felony. And for as much as his offence ſtretcheth to the hurt and ieopardy of the King our ſoueraigne Lord, the Nobles of the Realme, and of all the Common weale thereof, that therefore hee or they ſo offending enioy not the benefit of his Clergy. And that it be ordained by the ſaid authority, that all the Iuſtices in euery Shire of England, whereas any ſuch offendors be taken, haue power to enquire of the ſaid offences, and the ſame to heare and determine as they doe and may doe of felony, treſpaſſes, and of other offences expreſſed in the Kings Commiſſion to them made, as though the ſaid offences were done in the ſame Shire. And alſo that the ſaid departing of ſuch ſouldiers, and alſo their retainours, if it be trauerſed, be tryed in the ſame ſhire, where they be for ſuch cauſe arreſted and arraigned. Prouided alway, that no maner of Captaine be charged by this Act for lacke of his number retained, as is aboueſaid, whoſe ſouldiers ſhal hap to die, or otherwiſe depart, not in the default of the Captaine, ſo that the ſaid Captaine, if he be at land wages, ſhew the departing or lacking of his ſouldier within ten dayes after the lacking of the ſaid ſouldier, vnto the Treaſorer of the warres: or if the Captaine be at ſea wages, he ſhew the departing or lacking of the ſaid ſouldier, ſo lacking, to the Admirall of the Nauy where he is retained, at next méeting with the ſaid Admirall. Coke li.6.fol.27.

Iuſtices of P. may enquire of, heare and determine the offences of Souldiers departing without licence.

The Captaine ſhall not be charged for the Souldiers offence.

Cap. II.

Euery perſon that ſhall be in the Kings wages beyond the Sea, or on the Sea, ſhall haue a protection, and no diſcent ſhall preiudice him, and by his writing he may make his Atturney to enter into lands diſcended vnto him, to Attorne, &c. Exp. Stat. 3. *H.* 8. 4.

Cap. III.

They that do go with the King in his wars, may make feoffmẽts of their lands to the vſe of their Wills without licence, and they ſhall have their own liveries and authority to diſpoſe the Wardſhip of their heires. Exp. Stat. 3. *H.* 8. 4.

Cap. IIII.

Waights and meaſures ſhall be made of Braſſe and ſent to the chiefe officers of euery Citie, Borough, &c. Alt. 11. *H.* 7. 4. 12. *H.* 7. 5.

Cap. V.

Riens deins le gard *ſhall be no challenge vpon any Iſſue to be tried in London.*

PRayen the Commons in this preſent Parliament aſſembled, that where of long time vſed in any iſſue to be tried within the City of London, a challenge commonly called Riens deins le gard hath béene admitted for a good challenge, ſo that no iſſue could be tryed in any Ward, without that there were foure ſufficient perſons of liuelode to the yearely value of xl. ſhillings, aboue all charges within the ſame Citie, and dwelling or hauing any liuelode within the ſame Ward: and it is ſo now (the cauſe God knoweth why) that there is no Ward, or elſe but few, and in eſpeciall in plée of land, that any plaintife or demaundant can haue ſufficient tryall in this matter, as euidently is knowne, for cauſe of that challenge aforeſaid, for in the moſt part of Wardes as now, there be none ſufficient, and if any be, there are no officers that dare ſummon them, or elſe if they be ſummoned, they will not appeare, their honour is ſo great, and their amerciaments ſo little: That it pleaſe your moſt abundant grace, by the aduice of the Lords Spirituall and Temporall, and by the authority of this preſent Parliament to ordaine, and for the Common wealth of your true ſubiects, eſtabliſh and enact, that from henceforth the challenge commonly called Riens deins le gard, be no challenge: but vtterly void and of none effect: Sauing to euery perſon all maner of other challenges whatſoeuer they be according to the law.

Riens deins le gard, ſhall be no challenge vpon any iſſue to be tried in London.

Cap. VI.

Letters Patents made to ſeuerall ſpirituall perſons to be diſcharged of Diſmes and Quinzimes ſhall extend no further than they did in the time of K. *Ed.* 4. Exp.

Cap. VII.

All Scots not made Denizens ſhall depart this Realme within xl. dayes after Proclamation, vpon paine of forfeiture of all their goods. Rep. 4. *Iac.* 1.

Cap. VIII.

Euery Butt of Malmſie ſhall containe Cxxvj. gallons, and euery Merchant ſtranger ſhall pay for cuſtome xviij. s. a Butt, beſides the old cuſtome. And no Butt ſhall be ſould for aboue iiij. li. which new impoſition ſhal be vntill the Venetians abate their new impoſition of iiij. Ducats at Candie. Exp.

THe King our Soveraigne Lord *Henry* the ſevēth after the Conqueſt by the grace of God King of England and of France, and Lord of Ireland, at his Parliament holden at Weſtminſter, the thirteenth day of October, in the eleventh yeare of his raigne, to the honour of God and holy Church, and for the common profit of the Realm, by the aſſent of the Lo: ſpirituall & temporall, and the Commons in the ſaid Parliament aſſembled, and by authoritie of the ſame Parliament, hath done to be made certaine Statutes and Ordinances in maner and forme following.

Cap. I.

None that ſhall attend upon the King and doe him true ſervice ſhall be attainted, or forfeit any thing.

THe King our Soueraign Lord calling to his remembrance the duty of allegiance of his ſubiects of this his Realme, and that they by reaſon of the ſame are bound to ſerue their Prince and Soueraigne Lord, for the time being in his warres, for the defence of him & the land, againſt euery rebellion, power, and might reared againſt him, and with him to enter and abide in ſeruice in battaile, if caſe ſo require, and that for the ſame ſeruice what fortune euer fall by chaunce in the ſame battaile againſt the mind and will of the Prince (as in this land ſometime paſſed hath beene ſeene) that it is not reaſonable, but againſt all lawes, reaſon and good conſcience, that the ſaid ſubiects going with their Soueraigne Lord in warres, attending vpon him in his perſon, or being in other places by his commandement within this land or without, any thing ſhould loſe or forfeit for doing their true dutie and ſeruice of allegiance. It be therefore ordeined, enacted, and eſtabliſhed by the King our Soueraigne Lord, by the aduice and aſſent of the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, that from henceforth no maner of perſon or perſons whatſoeuer he or they be, that attend vpon the K. and Soueraigne Lord of this land for the time being, in his perſon, and do him true and faithfull ſeruice of allegiance in the ſame, or be in other places by his commandement in his warres, within this land or without: that for the ſaid deed and true dutie of allegiance he or they be in no wiſe conuict or attaint of high treaſon, ne of other offences for that cauſe, by Act of Parliamēt, or otherwiſe by any proces of law, wherby he or any of thē ſhall loſe or forfeit life, lands, tenements, rents, poſſeſſions, hereditaments, goods, cattels, or any other things: but to be for that deed and ſeruice vtterly diſcharged of any vexation, trouble, or loſſe. And if any act or acts or other proceſſe of the law hereafter thereupon for the ſame happen to be made contrary to this ordinance, that then that act or acts or other Proces of the law, whatſoeuer they ſhall be, ſtand and be vtterly void. Prouided alway, that no perſon or perſons ſhall take any benefit or aduantage by this act, which ſhall hereafter decline from his or their ſaid allegiance.

No perſon that ſhall attend vpon the King and doe him true ſeruice, ſhal be attainted therefore of Treaſon or any other offence.

Cap. II.

Vagabonds, idle & ſuſpected perſons ſhall be ſet in the ſtocks iij. daies and iij nights, and haue none other ſuſtenance but bread & water, & then ſhall be put out of the towne. And whoſoever ſhall giue ſuch idle perſons more, ſhall forfeit xij.d. Everie beggar not able to worke, ſhall reſort to the hundred where he laſt dwelled, is beſt knowne, or was borne, and there remaine, vpon the paine aforeſaid. Exp. 39. El. 4. No Artificer, Laborer, or Seruant ſhall play at any unlawfull game, but in Chriſtenmas. Exp. 33. *H.* 8. 9. Two Iuſtices of Peace may reject commō ſelling of Ale &c. Alt. 5. Ed. 6. 25. Rep. 21. Iac. 28.

Cap. III.

The Iuſtices of Aſſiſe in their Seſſions, and the Iuſtices of Peace in every County upon information for the King, ſhall haue authoritie to heare and determine all offences and contempts (ſauing Treaſon, Murder, or Felonie) committed by any perſon againſt the effect of any Statute made, and not repealed. Exp. 1. *H.* 8. 6.

Cap. IIII.

The names of the Cities and Townes limited for the keeping of Weights and Meaſures.

PRayen the Commons in this preſent Parliament aſſembled, where diuers Acts, Statutes and Ordinances, in the times of the noble progenitors and predeceſſors of our now Soueraigne Lord the King, haue beene made, that one meaſure and weight ſhould be vſed throughout this noble Realme: and alſo, that in euery Citie, Borough, and Towne within the ſame Realme, vpon certaine and ſeuerall paines in the ſaid Statutes and Ordinances limitted, ſhould be a common balaunce, with common weights and common meaſures, marked according to the Standard of the Exchequer, by the which and other like balaunces, weights, and meaſures

Statutes concerning weights and meaſures.

ſures, marked according to the ſaid Eſtandard, all men ſhould buy and ſell, for the auoyding of all fraud and diſcord in that behalfe to be vſed: which Acts, Statutes, and Ordinances haue not béene obſerued and kept, as now in this preſent Parliament it hath béene openly, by diuers perſons of diuers parties of this Realme remembred, to the great hurt and vexation of diuers and many of the Kings ſubiects of this his Realme. For remedy whereof, be it of the abundant grace of our moſt gracious ſoueraigne Lord, by the aſſent of the Lords ſpirituall and temporall, and by the Commons in this preſẽt Parliament aſſembled, and by authority of the ſame, enacted and eſtabliſhed, That vnto the Knights and Citizens of euery Shire and Citie, aſſembled in this preſent Parliament, Barons of the Cinque Ports, and certaine Burgeſſes of Burgh Townes, before they depart from this preſent Parliament, be deliuered one of euerie weight and meaſure, which now our ſoueraigne Lord hath cauſed to be made of Braſſe, for the common wealth of all his ſubiects and lieges within this his Realme of England, according to the King our ſoueraigne Lords Standard of his Exchequer of weights and meaſures, as they be in the Exchequer of our ſaid ſoueraigne Lord: and that the ſaid Knights, Citizens, and Burgeſſes, to whom the ſaid weights and meaſures ſhall be deliuered, as is aforeſaid, ſurely conuey or cauſe the ſame to be conueyed on this ſide the Feaſt of Eaſter next comming, by the ſaid Citizens to their Cities, and by the ſaid Knights, vnto ſuch Borough or Towne corporate, or Market Towne within the Shire, for which they be elected, as is ſpecified and contained in a ſchedule vnto this preſent Bill annexed, there to remaine for euer in the kéeping of the Mayor Baylife or other head officer for the time being, of the ſame Citie, Borough, or Towne, as the Kings Standard of weight and meaſure. And that the inhabitants of all Cities, Boroughes, and Market Townes within euery of the ſaid Shires, ſhall on this ſide the Feaſt of the Natiuitie of Saint Iohn Baptiſt next comming, make or cauſe to be made common meaſures and weights, according to the weights and meaſures abouesaid, to remaine within the ſaid Cities, Boroughes, and Market Townes, and euerie of them: and the ſame weights and meaſures to be viewed, examined, printed, ſigned, and marked by the Mayor, Bailife, or other head officer, in whoſe poſſeſſiõ the aforeſaid Standard ſhall remaine. And that euery of the aforeſaid Maior, Bailife, or head officer, hauing the ſaid weights and meaſures ſigned and printed vnder the ſigne and print for the ſame, with a letter H. crowned, haue authoritie and power to make, ſigne, and print like weights and meaſures vnto euery the Kings lieges and ſubiects, duely requiring the ſame, taking for marking of euery buſhell, i.d. And from the ſaid Feaſt of the Natiuitie of S. Iohn Baptiſt, no Marchant, ne other perſon or perſons within any City or Market Towne, buy ne ſell with any weight or meaſure, except it be marked, ſigned, or printed in manner and forme aforeſaid, ne any other perſon or perſons out of the ſaid Cities, Boroughes, and Market Townes, except it be like and egall with the ſaid Eſtandard: and that euery perſon, as well without Cities, Boroughes, and Market Townes, as within, buy and ſell with a buſhell ſealed, ſigned, or marked after the forme aforeſaid, and none otherwiſe. And that all the Mayors Baylifes, and other head officers of euerie Citie, Borough, or Market Towne, ſhall cauſe twice in the yeare, or oftner, as they ſhall thinke neceſſary, all weights and meaſures within the ſaid Cities, Boroughes, and Market Townes, to be brought afore them, and to be duely viewed and examined: and ſuch as they ſhall vpon the ſaid examination find defectiue, immediately to be broken and burnt, and the partie or parties which in that behalfe hath offended, and be found defectiue, ſhall forfeit for the firſt time vi.s.viii.d. the forfeiture thereof to be vnto the ſaid Mayor, Baylife, or any other hauing iuriſdiction and correction in that behalfe: and at the ſecond time the ſaid offendor likewiſe to forfeit xiii.s.iiii.d. and at the third time likewiſe to forfeit xx. s. and for further puniſhment, to be ſet vpon the pillorie, to the enſample of other. And two Iuſtices of Peace, whereof one ſhall be of the Quorum, haue authoritie, as well by examination, as by enquirie, to heare and determine the defaults of the ſaid Mayors, Baylifes, or other head officers in that behalfe, and alſo of all buyers and ſellers doing contrary to this preſent Act and Ordinance, and to ſet fine and amerciament vpon the offendors by their diſcretion: and the ſaid weights and meaſures ſo found defectiue, to be forfeited and burnt. Be it alſo enacted, that there be but onely viii. buſhels raiſed and ſtriken to the quarter of Corne, and xiiii. li. to the ſtone of wooll, and xxvi ſtone to the ſacke. Be it alſo ordained by authoritie abouesaid, That the Iuſtices of Peace abouesaid haue authority to make like Proces againſt all perſons found as is abouesaid defectiue, and for ſuch fines and amerciaments, as vpon them ſhall be aſſeſſed, as if they were indicted afore them for breaking of the Kings peace. And where by other Statutes and Ordinances afore limited, it is ordained, That euery Citie, Borough, and Towne that hath a Conſtable, ſhould haue common weights and meaſures ſealed, vpon penalties in the ſame limited: that thoſe penalties in that behalfe extend not to any Towne, which is no City, Burgh or Market Towne. Prouided alway, that this Act ſhall not extend nor be preiudiciall to any perſon ſelling or buying by water meaſure within the ſhip board. And that it be by the authority abouesaid enacted, the premiſſes or any other Ordinance afore made notwithſtanding, that the ſaid water meaſure within the ſhip-board ſhall only containe fiue pecks, after the ſaid ſtandard raiſed and ſtriken. Prouided alſo, that the examination of defaults abouesaid, and puniſh-

ment

St 9.H.3.26.
51 H.3. 31. E.1.
14 Ed.3.12.
25 E.3.9.10.
27 E.3.10.
34 E.3.6.
13 R.2.9.
15 R.2.4.
16 R.2.3.
8 H 6.5.
18 H.6.17.
1 R.3.13.

A weight and meaſure according to the Standard of the Exchequer ſhall be ſent into euery Citie, Borough, &c.

Euery City and Borough ſhall make common weights according to them receiued, and ſhall marke them.

None ſhall buy or ſell, but with weights and meaſures ſigned and printed.

Weights and meaſures ſhall be viewed and examined twice in the yeare at the leaſt.

The penalty of offendors.

Iuſt. of Peace may heare and determine the offences.

The meaſure of a quarter of Corne, and the weight of a ſtone and ſack of wooll.

St. 14. Ed. 3. 12.

Selling and buying by water meaſure within the ſhip-bord.

ment to the offendors of euery offence committed hereafter within any of the ſaid fiue Ports ſhall be had, done, and adminiſtred by the Lord Warden of the ſaid fiue Ports, or by his Lieutenant of the ſame for the time being, and none other, the premiſſes notwithſtanding. Prouided alſo, that this Act of Weights and Meaſures extend not, nor be in no wiſe hurtfull or preiudiciall to the Prince within the Duchie of Cornwall, or any weights appertaining to the Cuynage of Tinne within the Counties of Cornwall and Deuonſhire, but that all ſuch weights be vſed, ordered, demeaned, and corrected, as it hath beene vſed and accuſtomed before this time, the ſaid Act and Ordinance notwithſtanding. St. 7. H. 7. 4. 12. H. 7. 5.

The L. Warden of the fiue Ports ſhall puniſh offences done there.

Weights for Cunage of Tinne in Cornwall and Deuon.

The names of Townes limited for the ſafe-cuſtodie of *Weights and Meaſures, according to the* Kings Eſtandard for the Shires following, as particularly appeareth.

Weſtmerl.	The towne of Appulby.	Surr.	The towne of Guilford.
Northumb.	The towne of Newcaſtle.	Suſſex.	The towne of Lewes
Cumbr.	The citie of Carleyl.	Oxon.	The towne of Oxenford.
Lanc.	The towne of Lancaſter.	Berk.	The towne of Reding.
Ebor.	The citie of Yorke.	Salop.	The towne of Shrewſbury.
Lincoln.	The citie of Lincolne.	Staff.	The towne of Stafford.
Derb.	The towne of Derby.	Hereford.	The towne of Hereford.
Notingh.	The Towne of Notingham.	Glouc.	The towne of Glouceſter.
Leic.	The towne of Leiceſter.	Wigorn.	The citie of Worceſter.
Warr.	The citie of Couentrie.	Wilts.	The citie of New Saliſbury.
Rotyl.	The towne of Uppingham.	South.	The citie of Wincheſter.
North.	The towne of Northampton.	Somerſ.	The towne of Ilcheſter.
Bedf.	The towne of Bedford.	Dorſ.	The towne of Dorcheſter.
Buck.	The towne of Buckingham.	Deuon.	The Citie of Exeter.
Cantebr.	The towne of Cambridge.	Cornub.	The towne of Luſtudiel.
Hunt.	The towne of Huntingdon.	London.	The ſame citie.
Norf.	The citie of Norwich.	Briſtol.	The ſame towne.
Suff.	The towne of S. Edmonds bury.	Quinque Portus.	The caſtle of Douer.
Eſſex.	The towne of Chelmeſford.	Ciuitas Couent.	The ſame citie.
Hertf.	The towne of Herford.	Southampton.	The ſame towne.
Midd.	In Weſtminſter.	Ciuitas Ceſtr.	The ſame towne.
Kent.	The towne of Maidſtone.		

Cap. V.

Every man may pull downe the Weares and Engines in the Hauen of Southampton, betweene Calſhord and Redbridge: and whoſoeuer leuieth any other there, ſhall pay one hundred pounds to the King. Pr. St. 14. *H.* 8. 13. made perpetuall.

Cap. VI.

Where cuſtome ſhall be payed when Cloathes be packed in one Port and ſhipped in another.

Whereas in the Parliament holden at Weſtminſter the xii. yeare of the raigne of King Edward the fourth late King of England, among other things it was ordained, eſtabliſhed, and enacted, that where any wollen clothes were or ſhould be packed in any Port within the Realme of England, and then to be caried from thence to any Port within this Realm to be caried ouer the ſea, that then the ſame clothes ſo to be packed and caried, ſhould be packed in the preſence in the Cuſtomers and Controullers of the Port where the ſame clothes ſhould be packed, and that the cuſtomes and ſubſidies of the ſaid clothes, due to the King, ſhould be payed and contented vnto the Collectors of the cuſtome within the ſame port, as in the ſaid act more plainly appeareth: Which act for diuers and many cauſes and conſiderations is thought hurtfull and preiudiciall, as well vnto the King our Soueraigne Lord, as to the Marchants: In conſideration whereof be it ordeined, eſtabliſhed, and enacted by the King our Soueraigne Lord, by the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by authoritie of the ſame, that from henceforth the cuſtome and ſubſidie of all woollen clothes to be ſhipped and caried ouer the ſea, whereſoeuer they beene packed, ſhall be payed to the Cuſtomers of the Port or Ports, where any ſuch clothes ſhall be laden or ſhipped, or to their Deputies, The ſaid act, or any other act heretofore made to the contrarie notwithſtanding.

12. E. 4. 3.

Where the Cuſtome ſhall be payd when wollen clothes be packed in one Port and ſhipped in another.

Cap. VII.

The principall leaders of any perſons to commit a Riot or vnlawfull aſſemblie ſhall be committed to priſō ſo lōg time & pay ſuch fine, & be boūd to the peace with ſureties in ſuch a ſūme of money as ſhall ſeeme meete to the Iuſtices of peace before whom the complaint is made or the Indictement found: And if the Riot be with fortie perſons or thought heynous, then the Iuſtices of Peace ſhall certifie the ſame and ſend up the Record of Conuiction to the King and the Councell. Exp. St. 1. M. 12.

Cap. VIII.

A Repeale of the Statute of 3. H. 7. 5. touching vſurie: He that lendeth his money vpon vſurie, or maketh any bargaine of Lands or goods grounded upon uſurie, ſhall forfait the one halfe thereof. Rep. 37. *H.* 8. 9.

Cap. IX.

North and South Tindall and all the lands within the ſame ſhall be gildable and parcell of the County of Northumberland, and no Franchiſe ſhall be there, but all the Kings writs and officers ſhall be obeyed. And no man ſhall demiſe any Lands for yeares, life, or at will there, but the leſſee ſhall before find two ſuerties hauing at the leaſt xl. s. of freehold within the County of Northumberland, to be bound by recogniſance in xx. l. to the King, to make anſwer within viij. daies warning to all murders, treaſons, felonies, &c. And the leſſor ſhall forfeit xl. s. for euery acre otherwiſe let, to the King and Iuſtices, and the leſſee ſhall be void: and the Iuſtices of Peace ſhall enquire of the Recogniſances forfeited. Pr.

Cap. X.

A remedie or meanes to leuie a ſubſidie or beneuolence before granted to the King. Exp.

Cap. XI.

No man ſhall be a worſteed ſhearer in Norwich vnleſſe he hath beene vij. yeares an Apprentice, or be allowed by the Maior & Maſters of the Companie: The worſteed ſhearers in Norwich ſhall make no ordinance but ſuch as the Maior and Aldermen ſhall thinke neceſſary: No Inhabitant in Norwich being not a ſhearman ſhall keepe a ſhearman in his houſe. Rep. 19. H. 7. 17. The Citizens of Norwich may take to Apprentice the ſonne or daughter of any perſon notwithſtanding the Statute of 7. *H.* 4. 17. St. 12. *H.* 7. 1. 19. *H.* 7. 17. 5. *El.* 4.

Cap. XII.

A meane to help and ſpeed poore perſons in their ſuites.

Prayen the Commons in this preſent Parliament aſſembled, that where the King our Soveraigne Lord, of his moſt gracious diſpoſition willeth and intendeth indifferent iuſtice to be had and miniſtred according to his common Lawes, to all his true ſubiects, as well to the poore as rich, which poore ſubiects be not of habilitie ne power to ſue according to the laws of this Land for the redreſſe of iniuries and wrongs to them daily done, aſwell concerning their perſons and their inheritance, as other cauſes. For remedy whereof, in the behalfe of the poore perſons of this Land not abl[illegible] ſue for their remedy after the courſe of the Common Law: be it ordained and enacted by your Highneſſe, and by the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, that euery poore perſon or perſons, which haue or hereafter ſhall haue cauſe of action or actions againſt any perſon or perſons within this Realme, ſhall haue by the diſcretion of the Chancellor of this Realme for the time being, writ or writs originall, and writs of Sub pena. according to the nature of their cauſes, therefore nothing paying to your Highneſſe for the ſeales of the ſame, nor to any perſon for the writing of the ſame writs to be hereafter ſued. And that the ſaid Chancellor for the time being, ſhall aſſigne ſuch of the Clerkes, which ſhall doe and vſe the making and writing of the ſame writs, to write the ſame ready to be ſealed, and alſo learned Counſell and Atturnies for the ſame, without any reward taking therefore, and after the ſaid writ or writs be returned, if it be afore the King in his bench, the Iuſtices there ſhal aſſigne to the ſame poore perſon or perſons Counſel learned by their diſcretions, which ſhall giue their counſels, nothing taking for the ſame. And likewiſe the Iuſtices ſhall appoint Atturnie and Atturnies for the ſame poore perſon or perſons and all other officers requiſite and neceſſary to be had for the ſpeed of the ſaid ſuits to be had and made, which ſhall doe their duties without any reward, for their counſels, help and buſineſſe in the ſame. And the ſame Law and order ſhall be obſerued and kept of all ſuch ſuits to be made afore the Kings Iuſtice of his Common place, and Barons of his Exchequer, and all other Iuſtices in the Courts of Record, where any ſuch ſuits ſhall be.

A meane to help and ſpeed poore perſons in their ſuits in euery Court of record

Cap. XIII.

Who onely may cary a horſe out of this Land without the Kings Licenſe. The cuſtome and price of a mare to be tranſported.

FOraſmuch as many horſes and mares of the breed of this Land, now of late haue been caried and conueyed out of the ſame into the parties of beyond the ſea, which cauſeth not onely the ſmaller number of good horſes to be within this Realm for the defence thereof, but alſo the great and good plenty of the ſame to be in the ſaid parties beyond the ſea, that in times paſt were wont to be within this Land, & ouer that the price of euery of them to be greatly enhaunced here, to the loſſe and noiance of all the Kings ſubiects within the ſame. For remedy whereof, be it ordained, enacted, and eſtabliſhed, by the King our Soueraigne Lord, by the aduiſe of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, that from henceforth no manner perſon ne perſons cary or conuey any horſe out of this Land, without the Kings ſpeciall licence, vpon paine of forfeiture of the ſame, or any mare aboue the value of vi.s.viii. without the Kings ſpeciall licence vpon the ſaid paine of forfeiture of the ſame mare, the owner thereof or his deputie, receiuing for the ſame mare vi.s.viii.d. at the time of the ſeaſure vpon the ſaid forfeiture, or elſe it to be not forfeit: and at the time of ſeaſure of the ſaid mare or mares they ſhall be prayſed by the head officers of the Towne where any ſuch mare is taken and there openly to be ſold to the beſt price, and the halfe deale of the ouer price of her, being aboue vi.s.viii.d. to be to the King, and the other halfe to him that ſeiſeth: and the Kings part thereof to be deliuered to the Cuſtomer of the ſaid port. And that no maner perſon, ne perſons hereafter carie, or conueighe, any mare or mares out of this Land, except euery of the ſaid mares ſo caried be of the age of three yeares at the leaſt, & not ouer the price of vi.s.viii.d. paying to the King for euery of them being not aboue the value of vi.s.viii.d. ſo to be caried or conueyed in the ſame Port, ſuch cuſtomes as hath beene for mares before vſed. And that for euery mare of more value hereafter by the Kings licence, after the forme aforeſaid, conueyed or caried beyond the ſea, the owner thereof or his deputie aſſigned or ſeruant ſhall pay vi.s.viii.d. for the cuſtome of the ſame, before it be ſhipped, vnder the paine of forfeiture of euery mare ſo ſhipped, ere they be cuſtomed. And ouer that be it enacted, that if any perſon at the Port will giue for any of the mares ſo to be caried, vii.s. that it be lawfull to him ſo giuing and paying the ſaid vii.s. to take the ſaid mare, if ſhe be not afore taken by the Kings officer, nor the Kings licence be not in that behalfe aforeſaid, for the ſame mare to be caried, obteined. Prouided alway that it ſhall be lawfull to euery perſon or perſons being denizens, hereafter to cary horſe beyond the ſea, the Kings licence in that behalfe not obteined, for their owne vſe, not intending at the time of the ſhipping of the ſame, nor then fully purpoſed to ſell him, and that intent to be knowne by the oath of them that ſhall ſo ſhip the ſame horſe, taken before the Cuſtomer or Searcher of the ſame Port this act notwithſtanding.

No horſe ſhal be caryed out of this Realme without the Kings licence; 22 H.8.7.

No mare aboue the value of vi.s viii.d. ſhall be tranſported without licence

No mare ſhal be tranſported except ſhe be of the age of iii. years, and not aboue the price of vi.s. viii.d.

The cuſtome of a mare tranſported vi.s.viii.d and her price vii.s.

Any perſon may carry a horſe beyond the ſea for his owne uſe. St.1.E.6.5. Rep.5.Eliz.19.

Cap. XIIII.

What Cuſtomes Aliens made Denizens ſhall pay for their Marchandizes.

VVHere the King our Soueraigne Lord is greatly deceiued in his Cuſtomes and ſubſidies by Marchants and Strangers, ſuch as the King our Soueraigne Lord hath granted by his Letters patents to be Denizens, and to pay no other cuſtoms ne ſubſidies for their Marchandiſe inward and outward, but as a Denizen, vnder colour whereof they cuſtome not onely their owne Marchandiſe vnder the forme aforeſaid, but alſo they colourably enter into the Cuſtomers bookes the Marchandiſe of other Strangers, calling and ſaying the ſaid goods of other Marchants to be the goods of them ſo made Denizens, to the great loſſe and defraud of the King our Soueraign Lord, Wherefore be it enacted by the King our Soueraign Lord, the Lords Spiritual and Temporall, and the Commons of this preſent Parliament aſſembled, and by authority of the ſame, that all Marchant Strangers, and other that be made Denizens by the Kings Letters patents, or otherwiſe, pay from henceforth ſuch cuſtomes and ſubſidies for their goods and Marchandiſe, inward and outward, as they ſhould haue payed, if ſuch Letters patents and grantes had neuer to them beene made.

Aliens made Denizens ſhall pay ſuch cuſtomes & ſubſidies as they did before. St. 1. H. 7. 2. 22.E.8.8.

Cap. XV.

Entering of plaints in Countie Courts: Examining of Sheriſes: Execution of Precepts: Viewing of Eſtreats and gathering of them.

VVHereas great extortion is yearely vſed and had within diuers Counties of this Realm of England by the ſubtiltie and vntrue demeanour of Shiriſes, Vnderſheriſes, Shire Clarkes, or any other Officers, holding and keeping the Counties in the name of the Sheriſe, that is to ſay, if any man affirme a plaint before the Sheriſs in the Counties or before any other

of

Seueral miſdemeanoꝛs pꝛactiſed by Sherifes &c. by entring of plaints.

No plaint ſhall be entred in the Countie Court but where the Plaintife oꝛ his Atturny is pꝛeſent.

There ſhall be but one plaint entred foꝛ one cauſe.

A Juſtice of P. may examine the offence and certifie it into the Exchequer.

The penalty of Bailifs of Hundꝛeds that do not execute their offices.

Two Juſtices of peace ſhall view the Sherifs Eſtretes. St. 1. Ed. 3. 2.

Bailifes ſhall be ſwoꝛne to gather but what is due.

By whom and when the ſaid Juſtices of Peace ſhall be named.

of the ſaid Officers, the ſaid Sherife Underſherife, oꝛ his ſhire Clerke will enter oꝛ cauſe to be entred in their books in the ſame Plaintifes name diuers and many Plaints both of det, treſpaſſe, and couenant, at their pleaſure, and vnknowing to the ſame Plaintife in whoſe name the ſaid plaints béene affirmed, to the intent that if the Defendant appeare not at euery Shire day oꝛ Court, hanging the ſame plaint, he ſhall léeſe foꝛ this default made at euery plaint, iiii. d. where diuers times by couin betwéene the ſaid Sherifs, Underſherifs, and Shire Clerke, and the other foꝛeſaid Officers, the ſaid Defendants being neuer attached, ſommoned, noꝛ warned, accoꝛding to the due foꝛme of the Common Law, wherefoꝛe the ſame parties ſo put in ſuit, haue no knowledge of any ſuch ſuit had againſt them, and ouer that the ſame Sherifs, Underſherifs, and Shire Clerkes, will cauſe diuers plaints to be taken in the names of ſuch perſons that are not in plaine life, where the ſaid defendant ſhall haue like loſſe as is befoꝛe rehearſed: ſo that the vnlawfull demeanour of the ſaid Sherifs, Underſherifs, Shire Clerkes, foꝛ the time being, & the Bailifs of the hundꝛeds foꝛ their default and negligence in their offices, and couin betwéene the ſaid Sherifs Underſherifs, Shire Clerkes, and other of the foꝛeſaid Officers, cauſeth the amerciaments, that be in the one yeare after the bookes be ingroſſed, to amount to great and impoꝛtunable ſummes of money, which ſummes of money bin yearly leuied of the pooꝛe Commons in the ſaid Counties by the Sherifs, Underſherifes, and Shire Clerkes, and other Deputies being of no ſubſtance, neither of hauour, which Deputies take and leuie moꝛe by extoꝛtion then is contained in their eſtretes, to the expꝛeſſe pillage and impoueriſhing of the ſaid Commons. Be it therfoꝛe enacted, oꝛdained, and eſtabliſhed, by the King our Soueraigne Loꝛd, and by the aſſent of the Loꝛds Spirituall and Tempoꝛall, and the Commons in this pꝛeſent Parliament aſſembled, & by authoꝛity of the ſame, that no Sherifes, Underſherifs, oꝛ Shire Clerkes hereafter, neither any perſon in their names, noꝛ by their commandement, ſhall take and enter any plaints into their books, in no mans name, vnleſſe the party Plaintife be in his pꝛoper perſon pꝛeſent in the Court, oꝛ els by ſufficient Atturney oꝛ Deputy, that is knowne to be of good name and diſpoſition: & that the ſame party Plaintife ſhall find pledges to purſue his ſaid plaint, ſuch perſons as are knowne there in the County: and that the party Plaintife ſhall haue but one plaint foꝛ one treſpaſſe oꝛ contract. And if the ſaid Sherifs, Underſherifs, Shire Clerks, take & enter oꝛ cauſe to be entred any mo plaints, then the Plaintife ſuppoſeth that he hath cauſe of action againſt the Defendant, that then the ſaid Sherifs, Underſherifs, Shire Clerks, that doe enter oꝛ cauſe to be entered any ſuch plaints, contrarie to the ſaid pꝛouiſion and oꝛdinance, ſhall foꝛfait foꝛ euery default xl. s. the one halfe thereof to be had to the vſe of our Soueraigne Loꝛd the King, and the other parte to him oꝛ them that will ſue and pꝛoue the ſame matter by action of det oꝛ infoꝛmation in the Eſchequer. And ouer that the Juſtices of peace in the ſame Counties, and euery of them, ſhall haue authoꝛity vpon complaint made by the party, ſo vnlawfully gréeued, to examine the ſaid Sherifs Underſherifs, oꝛ Shire Clerks and Plaintifes, and if the ſaid Juſtices of peace, oꝛ one of them finde by their examination default in the ſaid Sherifs, Underſherifes, oꝛ Shire Clerkes, in entering of the ſaid plaints deceitfully, foꝛ his oꝛ their aduantage, as is befoꝛe rehearſed contrary to this pꝛeſent act, that then the ſaid Sherifes, Underſherifes, and Shire Clarkes ſhall be conuict and attaint of the ſame offence without further enquirie oꝛ examination, and that he ſhall foꝛfeit vpon the ſame examination xl. s. to the vſe of our Soueraigne Loꝛd the King foꝛ euery default. And the ſaid Juſtices of peace, that ſo ſhall take the examination, ſhall certifie the ſame examination within a quarter of a yeare into the Kings Eſchequer, vpon paine of xl. s. And furthermoꝛe that the ſaid Sherifes, Underſherifes, and Shire clarks, make oꝛ cauſe to be made a ſufficient pꝛecept to the Bailifes of the ſaid Hundꝛeds, to attach, ſummon, oꝛ warne, the Defendants that are ſo in ſuit, to appeare and anſwer to the ſaid plaints: and if there be any default in the ſaid Bailifes of the Hundꝛeds, in warning of the Defendants to appeare and anſwer to the ſaid plaints commenced againſt them in their Counties, oꝛ in executing their ſaid office, that then the ſame Bailifes ſhall foꝛfeit foꝛ euery default vnto our Soueraigne Loꝛd the King xl. s. and to be attaint and conuict thereof by the examination of the Juſtices of peace, oꝛ any of them, as befoꝛe is rehearſed, And that the ſame Sherifes, Underſherifes, Shire Clarkes, and their Deputies foꝛ the time being, ſhall make no Eſtretes to leuy the ſaid Sherifs amerciaments, vntill ſuch time that two Juſtices of peace, whereof one ſhall be of the Quorum. haue had the view & ouerſight of their bookes: and that the Eſtretes be indented betwixt the ſaid Juſtices of peace and the ſaid Sherifes, and Underſherifes, and ſealed with their ſeales, the one part to remaine with the ſaid Juſtices, and the other part with the ſaid Sherifes oꝛ Underſherifes, to the intent they may vnderſtand if any deceit be, oꝛ vntrue demeaning in them, in making of their bookes: and that thoſe perſons, which ſhall be gatherers of the ſame amerciaments, as Bailifes, oꝛ other Officers be ſwoꝛne by the ſaid Juſtices, that they take no moꝛe money then is foꝛfeited and contained in the Eſtretes, ſealed with the ſeales of the ſaid Juſtices of peace, vpon the ſame paine of foꝛfeiture as befoꝛe is rehearſed: thereof the ſame gatherers to be conuict by examination of the ſaid Juſtices of peace, oꝛ one of them as befoꝛe is rehearſed: Pꝛouided alway that the ſaid Juſtices of peace ſhall be appointed and named at the generall Seſſions after the Feaſt of S. Michael the Archangell, by him that is Cuſtos Rotulorum of the ſaid Counties, oꝛ elſe by the eldeſt of the

Quorum in his abſence to haue the ouerſight and controlment of the ſaid Sherifs, Vnderſherifs, and Shire Clerkes, and other of the ſaid Officers, and of the ſaid Sherifes amerciaments. And the ſaid Iuſtices of Peace, vpon ſuggeſtion or information of the partie ſo grieued, ſhall make like Proceſſe, as in an Action of Treſpaſſe againſt the ſaid Sherifes, Vnderſherifes, or Shire Clerkes, and other the foreſaid Officers miſdealing as before is rehearſed, for to appeare before them, to anſwere to the ſaid ſuggeſtion or information.

Proceſſe awarded by the Iuſtices of Peace againſt an offender.

Cap. XVI.

He that hath a Freehold in Calice, out of the which any due is iſſuing for the keeping of the ſame, ſhall pay it within one yeare and a day, or elſe ſhall forfeit the Freehold to the King. Exp.

Cap. XVII.

The forfeiture for taking of Feſants or Partriges, or the Egges of Hawkes or Swannes.

ITem foraſmuch as diuers perſons hauing little ſubſtance to liue vpon, vſe many times as wel by nets, ſnares, or other Engines to take and deſtroy Feſants, and Partriges vpon the Lordſhips, Manors, Lands, and Tenements of diuers Owners and Poſſeſſioners of the ſame without licence, conſent, or agreement of the ſame Owners or Poſſeſſioners, by the which the ſame Owners & Poſſeſſioners leeſe not onely their pleaſure and diſport that they, their friends, and Seruants ſhould haue about Hawking, Hunting, and taking of the ſame, but alſo they leeſe the profit and auaile that by that occaſion ſhould grow to their houſhold, to the great hurt of all Lords and Gentlemen, and other hauing any great liuelode within this Realme. Wherefore it is ordayned and enacted, by the authority of this preſent Parliament, That it ſhall not be lawful to any perſon of what condition hee bee, to take, or cauſe to be taken any Feſants or Partriges, by net, ſnares, or other Engines out of his owne Warren, vpon the Freehold of any other perſon without the aſſent, agreement, and ſpeciall licence of the Owner or Poſſeſſioner of the ſame, vpon paine of forfeiture of x. li. the one halfe thereof to the party that will ſue for the ſame by Action of debt, or by bill, or otherwiſe, and the other halfe thereof to the Owner or Poſſeſſioner of the ſaid ground, vpon the which the ſaid Feſants and Partriges be ſo taken. Alſo it is ordained by the ſaid authoritie, that no manner of perſon, of what condition or degree he bee, take or cauſe to be taken, be it vpon his owne ground or any other mans, the egges of any Fawcon, Goſhawkes, Laners, or Swans, out of the neſt, vpon paine of impriſonment of a yeare and a day, and fine at the Kings will, the one halfe thereof to the King, & the other halfe to the owner of the ground where the Egges were ſo taken, And that the Iuſtices of the P. haue authority by this preſent act, to heare and determine ſuch matter, aſwell by inquiſition as information and proofes. Alſo it is ordained, by the ſaid authority, that no man from the Feaſt of Paſche next comming, beare any Hauke of the breed of England called a Nyeſſe, Goſhauke, Taſſell, Laner, Laneret, or Fawlcon, vpon paine of forfeiture of his Hauke to the King, and the ſaid Hauke to bee at the Kings pleaſure. And that all ſuch perſons, that bring any Nyeſſe Hauke, or Haukes, from any the parties beyond the ſea, bring a Certificate vnder the Cuſtomers Seale of the Port where he firſt landed with the ſaid Hauke or Haukes: or if hee come out of Scotland, then vnder the Seale of the Wardein or Lieutenant of that March that hee commeth through, teſtifying that the ſame Hauke or Haukes bee of the parties beyond the Sea, or of Scotland, vpon the ſame paine. And that the perſon that bringeth any ſuch Hauke or Haukes to the King, ſhall haue a reaſonable reward of the King, or elſe the ſame Hauke or Haukes for their labour. Alſo it is ordained by the ſame authority, That no man take any Ayrer, Faulcon, Goſhauke, Taſſel, or Laner or Lanerets in their Warren or Woods, or in other place, nor purpoſely driue them out of their couerts, accuſtomed to breed in, to cauſe them to goe to other couerts to breed, nor flea them for any hurt by them done, but ſuffer them to paſſe at their liberties, vpon paine of x. li. the one halfe thereof to the party that will ſue for the ſame by action of Debt, by examination before the Iuſtices of the Peace, Information, or otherwiſe, and the other halfe to the King. Prouided alway, that the moity of the forfeiture abouesaid giuen to the owner of the ground for taking of Swannes egges, be vnto the owner of the ſaid Swannes, and not to the owner of the ground.

Raſt.li.pla.fo 599

The penalty for taking of Feſants or Partridges in anothers ground by nets, &c.

b.7.fol.18

St.13.El.10.
1.Iac.27.
7.Iac.11.

The penalty for taking of Haukes or Swannes Egges out of their neſts.

St.31.H.8.12.

Certaine Engliſh Haukes prohibited to be borne.

He that bringeth a Nyeſſe Hauke from forraine parts ſhall bring a Certificate.

The penalty for taking, killing, or fearing of Haukes.

Cap. XVIII.

The forfeiture of him which goeth not in perſon with the King in his warres, when he is in perſon.

WHere euery ſubiect, by the duty of his allegeance, is bounden to ſerue and aſſiſt his Prince and Soueraigne Lord at all ſeaſons when need ſhall require, and moſt ſpecially ſuch perſons as haue by him promotion or aduancement, as graunts and gifts of Offices, Fees, and Annuities, which owe and verely be bound of reaſon to giue their attendance vpon his royall perſon, to defend the ſame, when he ſhall fortune to goe in his perſon in warres for defence of the Realme, or againſt his rebels and enemies, for the ſubduing and repreſſing of them and their malicious purpoſe. Wherefore be it enacted and eſtabliſhed by the King our Soueraigne Lord, by the aduice of his Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That if any perſon or perſons, being within this Realme of England or Wales, hauing ſuch offices, fees or annuities, by any of his rehearſed gifts and graunts, doe not giue their attendance vpon him, when hee ſhall fortune to goe in warres in his perſon, in their ſaid perſons, as their duty bindeth them: that then they and euery of them, making therof default, (the Kings ſpeciall licence not had, or elſe he haue ſuch vnfained ſickneſſe, letting, or diſeaſe, that he may not in his perſon come to doe his perſonal attendance and ſeruice after the forme aforeſaid, and that duely proued) that then euery ſuch perſon or perſons forfeit and loſe their ſaid offices, fées and annuities, and to ſtand void at the Kings pleaſure: any Act, Ordinance or Statute to the contrary afore this time had or made in any wiſe notwithſtanding. Prouided, that this Act extend not to any ſpirituall perſon, Maſter of the Rolles, ne to any other officer and clerkes of the Chancery, Iuſtices of either Bench, Barons of the Kings Eſchequer, and other officers and clerkes of the ſaid places, the Kings Attourneyes and Sollicitor, and the Sergeants of the Law. Prouided alway that this Act ſhall not extend to any perſon hauing any ſuch offices of the Kings Highneſſe, and being in his ſeruice within his Townes and Fortilities of Berwicke and Carlyle, ne to the Clerke of the Kings Counſell for the time being. Stat. 19. *H.* 7. 1. Dyer 4. El. fo. 211.

He that will not goe in perſon with the King in his warres where he is in perſon, ſhall loſe his offices, &c. granted by the King.

Certaine perſons whereunto this Statute doth not extend

Dyer fo.

Cap. XIX.

What ſtuffe Vpholſters ſhall put in Bolſters, Fetherbeds, and Pillowes.

TO the right worſhipfull Commons in this preſent Parliament aſſembled, ſheweth vnto your diſcréet wiſedomes, the Wardens of the Fellowſhip of the Craft of Vpholſters within the City of London, That whereas diuers perſons within the Realme of England, out of the ſaid City, make and doe to be made vnlawfull and falſe wares and marchandiſes, to the great rebuke and ſlander, of the ſaid Craft, and alſo great ieopardie, loſſe, & deceit to the Kings ſubiects, wherefore there is no ſufficient remedy purueyed, for ſo much as the ſame Wardens haue no power nor authority to make due ſearch of ſuch falſe deceiueable wares and marchandiſes put to ſale out of the ſaid City, as they haue power and authority within the ſame City, as in Fetherbeds Bolſters and Pillowes, made of two manner of corrupt ſtuffes, that is to ſay, of ſcalded fethers, and drie pulled fethers together, and of flockes and fethers together, which is contagious for mans body to lie on, and alſo in Quilts, Mattreſſes and Cuſhions ſtuffed with Horſe haire, Fenne downe, Neats haire, and Goate haire, which is wrought in Lyme fattes, and by the heat of mans body the ſauor and taſte is ſo abominable, and contagious, that many of the Kings ſubiects thereby béene deſtroyed: which deceitfull making of the foreſaid corrupt and vnlawfull ſtuffe is to the great loſſe and impoueriſhing of the Kings liege people, and alſo to the great rebuke and diſclander to the ſaid Craft of Vpholſters. Therefore it may pleaſe the Kings highnes, by the aduice of the Lords ſpirituall and temporall, and his Cõmons in this preſent Parliament aſſembled, & by authority of the ſame, to eſtabliſh and enact, That from henceforth no perſon ne perſons ſhall make, ordaine, vtter, ne put to ſale in Faires, ne in Markets, within this his ſaid Realme, any Fetherbeds, Bolſters or Pillowes, except they be ſtuffed with one maner of ſtuffe, that is to ſay, with drie pulled fethers, or elſe with cleane downe alone, & with no ſcalded fethers nor fenne downe, nor none other vnlawfull corrupt ſtuffes, as is afore rehearſed, but vtterly to be damned for euer. Except if any perſon or perſons for their owne proper vſe in their houſes, make or doe to be made any of the foreſaid corrupt and vnlawfull ſtuffe and wares, ſo they béene not offered to be ſold in Faires and Markets, vpon paine of forfeiture. And alſo in like wiſe, Quilts, Mattreſſes, and Cuſhions, be ſtuffed with one manner of ſtuffe, that is to ſay, with cleane wooll or cleane flockes alone, and with no ſuch vnlawfull afore rehearſed, vpon paine of loſſe and forfeiture of all ſuch vnlawfull wares and marchandiſe. St. 5. Ed. 6. 23.

What ſtuffe ſhall be put into Boulſters, Pillowes, and Fetherbeds.

What ſtuffe ſhall be put into Quilts, Mattreſſes, and Cuſhions.

Cap. XX.

Certaine alienations made by the wife of the lands of her deceaſed husband, ſhall be void.

FOr certaine reaſonable conſiderations be it ordained, enacted, and eſtabliſhed by the King our Soueraigne Lord, and by the aſſent of the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That if any woman, which hath had, or hereafter ſhall haue any eſtate in dower, or for terme of life, or in taile, ioyntly with her husband, or only to her ſelfe, or to her vſe, in any manors, lands, tenements, or other hereditaments, of the inheritance or purchaſe of her husband, or giuen to the ſaid husband and wife in tayle, or for terme of life, by any of the aunceſtors of the ſaid husband, or by any other perſon ſeiſed, to the vſe of the ſaid husband, or of his anceſtors, and haue or ſhall hereafter, being ſole, or with any other after taken husband, [b] diſcontinued or diſcontinue, aliened, releaſed, or confirmed, alien, releaſe or confirme, with warranty, or by couin ſuffered, or to ſuffer any recouery of

Alienation by the wife of the inheritance of her deceaſed husband, ſhall be void.

the ſame againſt them, or any of them, or any other ſeiſed to their vſe, or to the vſe of either of them, after the forme aforeſaid, that all ſuch recoueries, diſcontinuances, alienations, releaſes, confirmations and warranties, ſo had and made, and from henceforth to be had and made, bee vtterly void and of none effect. And that it ſhall be lawfull to euery perſon and perſons, to whom the intereſt, title or inheritance, after the deceaſe of the ſaid women of the ſaid manors, lands, and tenements, or other hereditaments, being diſcontinued, aliened, and ſuffered to be recouered, after the firſt day of December next comming, in the forme aforeſaid, ſhould appertaine, to enter into all and euery of the premiſſes, and peaceably to poſſede and enioy the ſame, in ſuch manner and forme, as he or they ſhould haue done, if no ſuch diſcontinuance, warrantie, nor recouery had béene had nor made. And ouer this be it ordained and enacted by the ſaid authority, That if any of the ſaid husbands and women, or any other ſeiſed, or that ſhall be ſeiſed to the vſe of them of the eſtate afore ſpecified, after the ſaid firſt day of December, doe make or cauſe to be made, or ſuffer any ſuch diſcontinuance, alienations, warranties, or recoueries in forme aforeſaid, that then it ſhall be lawfull to the perſon or perſons, to whom the ſaid manors, lands, or tenements ſhould or ought to belong after the deceaſe of the ſaid women, to enter into the ſame, and them to poſſede and enioy, according to ſuch title and intereſt as they ſhould haue had in the ſame, if the ſame woman had béene dead, no diſcontinuance, warrantie, nor recouery had, as againſt the ſaid husband during his life, if the ſaid diſcontinuance, alienation, warranties, and recoueries bee hereafter had, by or againſt the ſame husbands and women during the couerture and eſpouſall betwixt them. Prouided alway, that the ſaid women, after the deceaſe of their ſaid husband, may reenter into the ſame manors, lands, and tenements, and them to enioy according to their firſt eſtate in the ſame. And ouer this be it ordained and enacted by the ſaid authoritie, That if the ſaid woman, at the time of ſuch diſcontinuance, alienations, recoueries, warranties, after the ſaid firſt day of December, in forme aforeſaid, to be had and made of any of the premiſſes, be ſole, that then ſhe ſhall be barred and excluded of her title and intereſt in the ſame from thenceforth: and that the perſon and perſons, to whom the title, intereſt, and poſſeſſion of the ſame ſhould belong, after the deceaſe of the ſaid woman, ſhall immediately after the ſaid diſcontinuances, alienations, warranties, and recoueries, enter into the ſame manors, lands, tenements, and other hereditaments, and them to poſſede and enioy, according to his or their title in the ſame. Prouided alſo that this Act extend not to auoid any recouery, diſcontinuance, or warranty, after the forme aforſaid, afore this time had, made, and ſuffered, but onely where the ſaid husband and woman, or either of them now being aliue, or any other to their vſe, now haue entre and title to the ſaid manors, lands, tenements, or other hereditaments, aliened, diſcontinued, or ſuffered to bee recouered after the forme aforeſaid, and thereof now taking the iſſues and profits, or any other perſon or perſons to their vſe. Prouided alſo, that this Act extend not to any ſuch recouery, or diſcontinuance, to be had with the heires next inheritable to the ſaid woman, or where hee or they that next after the death of the ſame woman ſhould haue eſtate of inheritance in the ſame manors, lands, or tenements, be aſſenting or agréeable to the ſaid recoueries, where the ſame aſſent and agréement is of record, or enrolled. Prouided alſo, that it ſhall be lawfull to euery ſuch woman, being ſole or married, after the death of her firſt husband, to giue, ſell, or make diſcontinuance of any ſuch lands for terme of her life onely, after the courſe and vſe of the common Law, before the making of the preſent Act. St 6. Ed. 1. 7. 32 *H*. 8. 36.

Vpon the recouery or alienation of the woman, he in the reuerſion may enter.

A woman couert bound but during her husbands life.

A woman ſole aliening or ſuffering a recouery.

A prouiſo for a recouery had before the time of the Statute.

A woman doth diſcontinue, or ſuffer recouery with the heires conſent.

A woman may alien her land for the terme of her life onely.

H.8.fo.23.
fo.38.459.
li.1.fo.102.
fo.50.58.
fo.3.
fo.111.146.
fo.354.362.
trie
able,140.

Cap. XXI.

The abilitie of euery man that ſhall be impanelled in any Enqueſt or Attaint in London.

WHereas periury is much, and cuſtomably vſed within the City of London among ſuch perſons as paſſen and béene impanelled vpon iſſues ioyned betweene party and party in the Courts of the ſame City, to the great diſpleaſure of Almighty God, and alſo to the diſheritance & manifold wrongs of the Kings ſubiects, for as much as there is impanelled in the ſame Enqueſts perſons of little ſubſtance, diſcretion, and reputation: and alſo no Attaint, ne other ſufficient puniſhment is for ſuch periured perſons before this time purueyed and ordained within the ſame City. Therefore it may pleaſe the Kings highneſſe by the aduice and aſſent of the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, to eſtabliſh, ordaine, and enact, That no perſon ne perſons hereafter be empanelled, ſummoned, or ſworne in any Iury or Enqueſt, in Courts within the ſame City, except he be of lands, tenements, or goods and cattels, to the value of xl. markes: and that no perſon or perſons hereafter be empanelled, ſummoned, nor ſworne in any Iury or Enqueſt in any Court within the ſaid City, for lands or tenements, or action perſonall, wherein the debt or damages amounteth to the ſumme of xl. marks, or aboue, except hée bee in lands, tenements, goods or cattels to the value of C. markes: and the ſame matter and cauſe alleaged by any of the ſaid parties by way of challenge, and ſo founden ſhall be admitted and taken in euery of the

Of what ability euery mã ought to be which ſhall be impanelled in any enqueſt in London.

What a man making default of appearance in London ſhall forfeit, and to whom.

An attaint may be ſued by Bill in the Huſtings in London.

A precept by the Maior to the Aldermen to ſummon a Jury

xlviii. perſons impanelled and ſummoned to appeare vpon an Attaint.

Raſt lib pla fo. 90

A Tales for default of appearance of the Jurors.

Pleas of Attaint commenced in London ſhall be tryed there.

No challenge for lacke of ſufficiency.

ſame Courts as a principal challenge. And that euery ſuch perſon to be hereafter impanelled or ſommoned to appeare in any Jury or Enqueſt, before any of the ſaid Judges in the ſame City, making default at the firſt ſommons léeſe and forfeit in Iſſues xii.d. & at the ſecond default, ii.s. and ſo at euery ſuch default after that, the iſſues and penalties to be double: and all ſuch iſſues loſt in the Mayors Court, ſhall bee forfeited, leuied, and perceiued to the vſe and behoofe of the Maior and Communalty of the ſaid City, & all ſuch iſſues loſt in the Sherifes Court or Courts ſhall be forfeited, leuied, and perceiued to the vſe of the Sherifes of the ſame City for the time being, towards their féeferme. And alſo be it enacted by like authority, that the party grieued by any vntrue or falſe verdit hereafter to be giuen in any of the Courts of the ſaid city, ſhall & may haue and ſue attaint by bill in the Huſtings of London, holden for common pleas before the Maior and Aldermen of the ſame City, for the time being, and thereupon a precept to bee awarded and made by the ſame Mayor to euery Alderman of the ſaid City, or his deputy in his abſence, to preſent or certifie the names of iiii. indifferent & diſcreet perſons of good fame, & euery of them of ſubſtance of c.li. or more, citizens of the ſame city, dwelling in his ward, to the Maior & Aldermē of the ſaid City for the time being at the huſtings of common plées within the ſame city thē next enſuing to be holden: of which perſons ſo preſented, & certified, the ſaid Maior and ſixe Aldermen or mo, holding the ſame Court of Huſtings, ſhall take, name, and impanell xlviii. by their diſcretion thought moſt able, ſufficient and indifferent: and the Maior & his ſucceſſors, Maiors of the ſaid City, ſhall doe to be ſommoned the ſaid xlviii. perſons, ſo by the ſaid Maior and Aldermen named and impanelled, and alſo the Jurors of the Pety Jury, and the party or parties named as Tenants or Defendants in the ſaid bill of attaint to appeare before the Maior & Aldermen of the ſame City at the Huſtings of common plées, then next to be holden in the ſame City: and if the ſame attaint then, or any other time hap to remaine vntaken for or by default of Jurors, by challenge, or otherwiſe, that vpon euery tales granted, the ſaid Maior & Aldermen ſhall impanell the ſaid perſons which were certified by the ſaid Aldermen or their Deputies, and omitted out of the ſaid panell, or put therein other perſon or perſons being Citizens, of the ſaid City, of the ſubſtance of C.li, or more. And alſo that all the plée and plées to be alleaged or pleaded by or for the Tenant or Defendant, Tenants or Defendants, or by any of the Jurors of the petie Jury in the ſame attaint, and triable by any Jury or Enqueſt ſhall be tried within the ſame City, and by the Enqueſts of the ſame, and in none other place, ne County. And that none of the ſaid petie Jury, ne other parties named in any ſuch bill of attaint, ſhall or may haue any challenge to the array or to any perſon or poll therein being impanelled for lacke of ſufficiency of goods or of lands.

The iudgement where the petty Jury in London is attainted, againſt the Defendant and the pety Jury.

The iudgement where the firſt verdict is affirmed.

Inquirie if any of the pety Jurie haue taken rewards.

Ouer that bee it prouided and enacted that the iudgement in any ſuch attaint ſhall not extend to any Lands or Tenements, ne to other puniſhment of the petie Jury, ne other proces to be in the ſame attaint then is limited and appointed in this preſent Act. And if the xxiiii. perſons of the ſaid xlviii. perſons ſworne in the ſame attaint, find that the Jurors named in the petie Jurie haue made and giuen an vntrue verdit, that then the iudgement ſhall be againſt the partie Defendant in the ſame attaint, as is vſed in attaint ſued by writ at Common Law: & furthermore the iudgement in the ſame attaint ſhall be againſt the pety Jury, that euery of the Jurors of the ſame pety Jury ſhall forfeit and leeſe xx. li or more, by the diſcretion of the Maior and Aldermen of the ſaid City, kéeping the ſame Huſtings, or any other Huſtings of common plées, to ſuch vſe and behoofe as other iſſues and penalties béen forfeited and loſt in any action or plaint commenced before the Maior and Aldermen of the ſame City, and his body to be impriſoned, there to remaine without baile or mainpriſe vi. monthes or leſſe, by the diſcretion of the Maior and Aldermen of the ſame Citie for the time being, & to be diſabled for euer to be ſworne in any Jury before any Temporall Judge. And ouer that be it enacted by the ſame authority, that if it be found by the Graund Jury in the ſame Attaint that the Petie Jury haue giuen a true Verdit, that then the Graund Jury ſhall haue authority and power to enquire if any of the Petie Jury tooke or perceiued any ſumme of money, or other reward, or promiſe of money, or other reward of them named Defendants, or Tenants in the ſame Attaint: or if any other perſon or perſons by the commandement, couin, or aſſent of any of them, to or for the intent of their Verdit giuen, whereupon the ſame attaint is grounded, and after any ſuch corruption by the ſaid Graund Jury is founden, that then the Juror or Jurors of the ſaid Pety Jury, that is found ſo defectiue in taking and perceiuing any ſummes of money, or other reward, or promiſe of reward ſhall loſe, forfeit, and pay to the Plaintife or Plaintifes named in the ſaid Attaint x. times the value of that ſumme or other reward ſo taken, perceiued or promiſed, in forme aboueſaid, and ſhal ſuffer impriſonment without baile or mainpriſe vi. moneths or leſſe, by the diſcretion of the ſaid Maior, and Aldermen, and ſhall be diſabled for euer to be ſworne in any Jury before any Temporall Judge. And ouer that be it enacted, that ſuch Defendant or Tenant, Defendants or Tenants in the ſame Attaint, ſhall loſe, forfeit, and pay to ſuch vſe and behoofe as other penalties béene forfeited within the ſame Citie ten times the value of that ſumme of money, or other reward by him or them ſo giuen to any of the ſaid Pety Jury: and the ſame Defendant or Tenant, Defendants or Tenants, ſhall be impriſoned, there to remaine without baile or mainpriſe during vi. moneths or leſſe by the diſcretion of the ſaid Maior, and Aldermen. And if any debts, damages, or coſts bee recouered in any Action whereupon ſuch Attaint is grounded, and by the ſame Attaint it be found, that the Pety Iury haue giuen a falſe ſerement, that then for the recouery and reſtitution of the ſame debt, damages, and coſts, the Plaintife or Plaintifes in euery Attaint ſhall and may ſue an action of debt againſt the ſame Defendant or Tenant, by Writ, Bill, or plaint in euery of the Kings Courts, wherein the ſame Defendant or Tenant, and euery of them ſhall not be receiued to doe his Law. And ouer that be it enacted, that if any Plaintife or Plaintifes, in any ſuch Attaint commenced before the ſaid Maior & Aldermen vpon any Record remaining within the ſame City, therein be none ſuit, or if the firſt ſerement therein bee affirmed, that then he or they ſhall haue impriſonment, and make fine by the diſcretion of the Maior and Aldermen of the ſaid City for the time being: and that fine to bée and goe to the Maior and Comminalty of the ſaid City. And if there bée two or mo Plaintifes in any ſuch Attaint ordained by this Statute, and if any of them die or bee none ſuit, the other by this Act ſhall be enabled to ſue for the procéeding in the ſame Attaint, and notwithſtanding the death of the Defendant or Tenant, Defendants or Tenants, or any of the Petie Iury named in the ſame Attaint, ſo that there be two of the ſaine Petie Iury on liue, the ſame Attaint ſhall not abate. And alſo be it ordained by the ſame authority, that if any of the Iurors of the ſaid Grand Iury, impanelled and ſummoned in forme aforeſaid, at the ſummons make default, ſo that the Attaint remaineth to be taken for default of Iurors, that then euery of the ſaid Iurors ſo making default, loſe and forfeit, for the firſt default xl.s. and at the ſecond default, v.li. and at euery default after that x.li. And like Proceſſe to be made and ſued there, againſt the Graund Iurie and the Petie Iury, and the Party and parties as is to be made and ſued in Attaint ſued at the Common Law: and that the ſame Proceſſe be returneable at euery Huſtings of common plées: and that the Attaint remaine not to bee taken after the firſt ſummons returned for or by the default of the Defendant or Tenant, Defendants or Tenants, or of any of the Petty Iury named in the ſame Attaint by this Act ordained: and that the ſaid iſſues or penalties forfeited by any of the ſaid Graund Iury be forfeit, leuied and perceiued to the vſe of the Maior and Comminalty of the ſaid City: and that no protection, nor eſſoine be allowed in this Attaint by this Act purueyed. Prouided alway that vpon all Attaints hereafter to be commenced within the ſaid City vpon any Record wherein the triall and enqueſt was by halfe tongue, that the ſaid Maior and Aldermen ſhall empanell the Graund Iury in the ſame Attaint, the one halfe of Strangers of good fame, and of the ſubſtance of goods to the value of C.li. and more, inhabiting within the ſame Citie at large, and the reſidue of the ſame Graund Iury to be of like value and ſubſtance of goods impanelled of the Citizens as aforeſaid. And ouer this be it enacted by the ſaid authority, that no Act of Attaint of the Petie Iury made in this preſent Parliament, nor nothing therein contained, other then this preſent Act, nor other penalty or puniſhment in any other Act then is afore contained in this preſent Act, be hurtfull nor extend to any Iurie or Enqueſt hereafter to be taken before any Iudge of and within the ſame Citie. Stat. 4.*H*.8.3. 23.*H*.8.3. 37.*H*.8.5.

Remedies for the debts, coſts and damages recouered in the firſt Action.

The penalties if the Plaintiffe be nonſuit, or the firſt verdit be affirmed.

The attaint ſhall not abate though one of the Plaintifes die, or be nonſuit or any of the Pety Iury.

The penalty of the Graund Iurors making default.

The proceſſe in Attaint.

Defaults ſhall not ſtay the taking of the Attaint.

Who ſhall haue the Iſſues and penalties forfeited.

Where the Attaint ſhall be taken per medietatem linguæ.

Cap. XXII.

The ſeuerall yeares wages of Seruants in husbandry, *viz.* of the Bailife of husbandry, chiefe Hind, Carter, Sheepheard, common Seruant, woman Seruant and Child within xiiij. years of age. And the ſeuerall wages of Artificers and day Labourers with meat and drinke or without. And ſeuerall times limited for their worke, meales and ſleepe. Rep. 5. *El*. 4. *Stat*. 12. *H*. 7. 3.

Cap. XXIII.

The ſelling of Salmons and Eeles, their veſſels, packing, and gauging of them.

WHere at a Parliament holden at Weſtminſter, in the xxii. yeare of the raigne of King Edward the fourth, among other things it was enacted, ordained, and eſtabliſhed, That no Marchant ſtranger nor denizen, after the Feaſt of S. Michael the Archangell then next comming, ſhould ſell nor put to ſale any Salmon by Butt, Barrel, half Barrel, or any other Veſſel, afore it ſhould be ſéene, except the ſame Butt ſhould hold and containe lxxxiiii. gallons, the Barrell xlii. gallons, the halfe Barrell xxi. gallons, well and truely packed, vpon paine of forfeiture for euery Butt, Barrell, & halfe Barrell, ſo lacking their ſaid meaſure, vi.s. viii.d. And that no ſuch Marchant, being vnder the ſaid Kings obeyſance, after the Feaſt of S. Michaell, ſhould ſell or put to ſale any manner of Salmon by Butt, Barrell, or other Veſſell, except it ſhould be well and truely packed, that is to ſay, the great Salmon by it ſelfe, without medling of any Grilles or broken bellied Salmon with the ſame: and that all ſmall fiſh, called Grilles, ſhould be packed by themſelues onely without any medling, vpon paine of forfeiture and léeſing vi.s. viii.d. for euery Butt, Barrell, or halfe Barrell, contrary to the ſaid Act, medled, packed, and put to ſale: And that no ſuch Marchant nor other perſon ſhould put any Herring to ſale by Barrell, demy Barrell, or Firkin, except the ſame Barrell containe xxxii. gallons, the halfe Barrell and Firkin after the ſame rate: and that the ſame Herring ſhould bee well, truely, and iuſtly layed

St. 22. Ed. 4. 2.

The contents of veſſels of Salmon, and how they ſhal be packed.

The contents of veſſels of Herrings, and how they ſhal be packed.

and packed, and ſhould be of one time taking and ſalting, and that the ſame Herring, ſhould be as good and as well packed in the middeſt and euery part of the ſame Barrell & other Veſſels, as it ſhould be at any of the ends of the ſame Barrell and Veſſell, vpon pain of forfeiting and loſing of iii.s.iiii.d. for euery Barrell, halfe Barrell and Firkin, ſo lacking their ſaid meaſure, and alſo vpon paine of forfeiting and loſing of iii.s.iiii. d. for euery Barrell, halfe Barrell and Firkin of Herring, contrary to the ſaid Act, ſorted, layed, or packed.

The contents of veſſels of Eeles, and how they ſhall be packed.

Alſo that no ſuch Marchant or paling man ſhould ſell or put to ſale any Eeles by Barrell, halfe Barrell or Firkin, except the Barrel containe xlii. gallons, the halfe Barrell and Firkin after the ſame rate: nor that any ſuch Marchant nor paling man ſhould meddle any galbytten, ſtoruen, or pyled Eeles with good Eeles, but that the ſame good Eeles ſhould be well and iuſtly packed, and ſo ſold by themſelues, nor ſhould meddle with the ſaid good Eeles, nor put to ſale any red Eeles, vpon paine of forfeiture & leeſing of x.s. for euery Barrell, halfe Barrell, and Firkin, ſo lacking their ſaid meaſure, and vpon pain of leeſing of x.s. for euery Barrell, halfe Barrell, and Firkin, ſo as is aforeſaid medled, and contrary to the ſaid Act, packed or put to ſale.

How fiſh ſhall be packed.

And that no Marchant after the ſaid Feaſt ſhould ſell nor put to ſale any barrelled fiſh, except the ſame fiſh ſhould well and truly be packed, that is to ſay, the taile fiſh by themſelues, and the ſmall fiſh called Guls by themſelues, without any medling of the ſaid ſmall fiſh with the great fiſh, and without medling and packing of Thokes and broken bellied fiſh, with the ſaid taile fiſh or ſmall fiſh: and that neither the taile fiſh nor ſmall fiſh ſhould be laid double in packing, and that euery taile fiſh ſhould containe in length from the bone of the finne to the third ioynt of the taile xxvi. ynches at the leaſt, and that the napes of all ſuch barrelled fiſh ſhould be no longer than the little bone that ſitteth vpon the great finne, and that the bone of euery ſuch ſalt fiſh ſhould be taken away vnto the nauell of the ſame fiſh, and that euery ſuch fiſh ſhould be platted downe to an handfull of the taile, vpon paine of forfeiture of leeſing iii.s.iiii.d. for euery barrell of fiſh which from henceforth ſhould bee found packed, ſorted, and medled, naped, layed double, or not boned nor ſpletted, according to the ſaid Act.

Chiefe officers ſhall appoint Gaugeors of fiſh.

And alſo in eſchewing of the common hurts and deceits aboue rehearſed, the ſaid late king ordained and enacted by the ſaid authority, That all Mayors, Baylifes,, and Gouernours of Cities, Townes, Boroughes, Markets, and all other places of this Realme, for the time being, where they ſhould be Maiors, Baylifes, and Gouernours, ſhould haue power and authority to name, and chuſe a diſcreet and expert perſon or perſons, duely to ſearch and gauge all ſuch Veſſels, as beene aboue rehearſed, that they ſhould be truely packed, and keep their true meaſure and aſſiſe, according to the Ordinance aboueſaid, as in the foreſaid Act thereof made more plainely appeareth.

Gaugeor, Packer and Searcher.

And for as much as in the ſaid Act no certainty is appointed how much euery ſuch Gauger, Packer, and Searcher, ſhould take for his labour in executing of their ſaid Office, they beene their owne iudges, and at their pleaſures take for the ſame gauging, packing, and ſearching by way of extortion, ſuch great ſummes of money as them liketh, whereby the Kings true ſubiects are greatly impoueriſhed and wronged: That it might therfore pleaſe the Kings Highnes, by the aduice of the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, to confirme, ratifie, and eſtabliſh the ſaid Act and euery thing therein compriſed: and ouer that by the ſame authority to ordaine and eſtabliſh, That euery ſuch Gauger, Packer, & Searcher take no more for gauging of a Barrell Salmon, Barrell Herring, Barrell fiſh, Barrell Eeles, halfe Barrel, and Firkin, for euery peece ſo gauged, but a farthing, and for his labour for ſearching and packing, if it be need, of a Barrell Salmon from head to head, i.d. and for his labour for boning, naping, and packing of a Barrell fiſh, if it be need, i.d. and for his labor in ſearching & packing of a Barrel Herring from head to head, if it be needfull, ii.d. and for ſearching and packing of euery Barrel of Eeles, ii.d. & for ſearching and packing of euery halfe Barrel of Herring from head to head, i.d. and for euery halfe Barrel Eeles ſearching and packing, i.d. and for ſearching and packing of euery Firkin of Herring if it be needfull, ob.

What the Gaugeor, Packer, and Searcher ſhall take for gauging, &c. of ſeuerall ſorts of fiſh.

The penalty of a Gaugeor, Searcher, or Parker offending.

And ouer that, that all and euery ſuch Gauger, Searcher and Packer, that miſbehauen or offend in any thing concerning the ſaid Offices of Gauger, Searcher, and Packer, contrary to this Act, and ſo proued before any of the ſaid Maiors, Bailifs, or Gouernours of any City, Towne, Borough, Market, or any other place within this Realme, where he or they be ſo Gaugers, Packers, or Searchers, Gauger, Packer or Searcher, ſhall loſe and forfeit his ſaid office, and the ſame from thenceforth no longer to enioy: any leaſe, grant, or grants thereof made notwithſtanding: and for further puniſhment to haue and ſuffer impriſonment by the ſpace of xl. daies without baile or mainpriſe.

Searchers and Packers ſhall not bee allowed, but where they take paines.

Prouided alwayes that the ſaid Searcher and Packer, or any of them, ſhal nothing receiue of the ſaid fees by colour of their Office, but onely for ſuch Buts, Barrels, half Barrels, and Firkins as by them ſhall hereafter be ſufficiently ſearched and packed, and be not afore ſufficiently packed. This preſent Act to begin and take effect at the Feaſt of Eaſter next comming, and not afore.

CAP. XXIIII.

An Attaint ſhall be maintenable againſt the party, and pety Iury. The Proceſſe therein, the abilitie of the Iurors, the pleas of the defendant and petit Iury, and their puniſhment being attainted. Panels returned by the Sheriſe to enquire for the King, may be reformed by the Iuſtices. Exp. St. 1. H. 8. 11. 3. H. 8. 12. 23. H. 8. 3.

Cap. XXV.

Perjurie committed by unlawfull maintenance, imbracing, or corruption of Officers, or in the Chancerie, or before the Kings Councell, ſhall be puniſhed by the diſcretiō of the Lord Chancelor, Treaſurer, both the chieſe Iuſtices, & the Clerke of the Rolls. And if the Complainant proue not, or purſue not his Bill, he ſhall yeeld to the partie wronged his coſts and damages. Exp. St. 12. H. 7. 2. 5. El. 9.

Cap. XXVI.

It ſhall be lawfull to euery Sheriſe of the Counties of Southampton, Surrey, and Suſſex, to empanell and ſummon xxiiij. lawfull men of ſuch inhabitants within the precinct of his or their Turnes, as owe ſuit to the ſame Turne, whereof euery one hath lands or freehold to the yearely value of x. s. or copyhold lands to the yearely value of xiij. s. iiij. d. aboue all charges within any of the ſaid Counties, or men of leſſe liuelyhood, if there be not ſo many there, notwithſtanding the Statute of 1. R. 3. 4. Exp. 19. H. 7. 16.

Cap. XXVII.

A remedie to auoid deceitfull ſleights vſed upon Fuſtians.

PRayen the Commons in this preſent Parliament aſſembled, That whereas Fuſtians brought from the parties of beyond the Sea, vnſhorne into this Realme, haue béene and ſhould be the moſt profitableſt Cloth for doublets and other wearing cloaths, greatly vſed among the common people of this Realme, and longeſt haue endured of any thing that haue come into the ſame Realme from the ſaid parts, to that intent, whereof the cauſe hath béene that ſuch Fuſtians afore this time haue béene truly wrought and ſhorne with the broad ſhere, and with no other Inſtrument, or other deceitfull meane occupied vpon the ſame. Now ſo it is, that diuers perſons, by ſubtiltie and vndue ſleights and meanes, haue deceiuably imagined and contriued Inſtruments of Iron, with the which Irons, in the moſt higheſt and ſecret places of their houſes, they ſtrike and draw the ſaid Irons on the ſaid Fuſtians vnſhorne, by meanes whereof they plucke off both the noppe and cotton of the ſame Fuſtians, and breake commonly both the ground and threds in ſunder, and after by crafty ſléeking they make the ſame Fuſtians to appeare to the common people fine, whole and ſound: and alſo they rayſe vp the cotton of ſuch Fuſtians, and then take a light candle and ſet in the Fuſtian burning, which ſengeth and burneth away the cotton of the ſame Fuſtian, from the one end to the other, downe to the hard thredes, in ſtead of ſhering, and after that put them in colour, and ſo ſubtilly dreſſe them, that their falſe worke cannot be eſpyed, without it be by workmen ſherers of ſuch Fuſtians, or by the wearers of the ſame: and ſo by ſuch ſubtilties, whereas Fuſtians made in doublets, or put to any other vſe, were wont and might endure the ſpace of two yeares and more, will not endure now whole by the ſpace of foure moneths ſcarcely, to the great hurt of the poore Commons and ſeruingmen of this Realme, to the great damage, loſſe and deceit of the Kings true Subiects, Buyers and wearers of ſuch Fuſtian. For remedy whereof, be it enacted, ordained and eſtabliſhed by the King our Soueraigne Lord, and the Lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by authority of the ſame, That no ſuch Iron or Inſtruments nor any other vntrue ſubtile meane or ſleight be from henceforth vſed vpon any Fuſtian within this Realme, but onely by the broad ſheres, vpon forfeiture of xx. s. to be leuyed for euery default of euery ſuch perſon or perſons hereafter offending and vſing any ſuch deceiueable Inſtruments or ſleights as is aforeſaid: The one halfe of the forfeitures to be to the King our Soueraigne Lord, and the other halfe to him or them that will ſue for the ſame forfeitures, by action of Debt, Bill, Plaint, or Information, in any of the Kings Courts of Record, where the ſame may be determined after the courſe of the Common Law: and that the defendant in ſuch behalfe in no wiſe be admitted to wage his Law, nor that any Protection or Eſſoine be in the ſame allowable. And ouer this, be it ordained by the ſaid authority, That the Mayor and Wardens of Shermen of the Citie of London, for the time being, haue authority to enter and ſearch the workmanſhip of al manner perſons occupying the broad Shere, as well Fuſtian as Cloth, and the execution of this preſent Act to be as well of Denizens as of Forreines and Strangers.

Unlawfull deuiſes practiſed vpon Fuſtians.

A remedy to auoid deceitfull ſleights vſed vpon Fuſtians.

The Mayor and Shermen of London may enter and ſearch the occupiers of Fuſtian and Cloth. St. 39. El. 13.

ANNO DVODECIMO HENRICI SEPTIMI.

THe King our Soveraigne Lord *Henry* the ſevēth after the Conqueſt by the grace of God King of England and of France, and Lord of Ireland, at his Parliament holden at Weſtminſter, the ſixeteenth day of Ianuarie, in the twelfth yeare of his raigne, to the honour of God and holy Church, & for the commō profit of the Realm, & by the aſſent of the Lo: ſpirituall & temporall, and the Commons in the ſaid Parliament aſſembled, and by authoritie of the ſame Parliament, hath done to be made certaine Statutes and Ordinances in maner and forme following.

CAP. I.

The makers of Worſted &c. in Norfolke may take any to be Apprentice.

Stat.7.H.4.17. 11.H.7.11.

Apprentice.

The makers of Worſteds, Saies, & Stamins in Norfolke may be enabled to take any perſon to be an Apprentice. St 5.El.4.

TO the King our Soueraigne Lord, Prayen your Commons in this preſent Parliamēt aſſembled, That where the common wealth and profit of your inhabitants within your Countie of Norfolke, haue in time paſſed liued by the due occupation of making of Worſteds, Sayes, and Stamins, which occupation now is like to decay, for as much as the occupiers of the ſame may not haue an Apprentice, but if his father may diſpend Lands or Rents to the value of xx.s. by yeare, of which abilitie can few or none be had to be Apprentice: ſo that for lacke of Apprentice, the ſaid occupation is like to be ſet apart, and in time to come to be vtterly deſtroyed, which ſhould be to the loſſe of the common weale of your ſaid Countie, and the impoueriſhing of the inhabitants of the ſame: That it may like your Highneſſe, of your benigne grace, in conſideration of the premiſſes, by the aſſent of your Lords ſpirituall and temporall, and of the Commons in this preſent Parliament aſſembled, and by authority of the ſame, to enact, ordeine, and eſtabliſh, That euery perſon of the aforeſaid occupation within your County of Norfolke, the which the foure Wardens of the ſaid occupation within your foreſaid Countie yearely choſen, ſhall enable to kéepe a Prentice, ſhall by this preſent Act be at libertie to take and kéepe at all times one or two Apprentices, any perſon or perſons hereafter put to the foreſaid occupation, ſo that he paſſe not two at once at the moſt, And in likewiſe, hereafter euery perſon ſhall be at his libertie to put any Apprentice to the aforeſaid occupation, any Act or Ordinance afore made to the contrarie notwithſtanding.

CAP. II.

The Statutes ordained 11.*H.7.*24. & 25. to reſtraine Perjurie, continued untill the next Parliament. Exp.

CAP. III.

A Repeale of ſo much of the Statute of 11.*H.7.*22. as toucheth only the wages of Artificers, &c

CAP. IIII.

No forfeiture giuen by the Statute of 1.R.3.8. touching the length and breadth of Clothes ſhall be taken before the next Parliament. Exp.

CAP. V.

The weight of an Engliſh Peny, of an Ounce, a Pound, a Gallon, and a Buſhell.

Stat.11.H.7.4.

The meaſure of a Buſhell, a Gallon, a Pound, an Vnce, and a Sterling. St.31.Ed.1

VVHereas afore this time the King our Soueraigne Lord intending the common weal of his people, and to auoid the deceit of Weights & Meaſures, long time vſed within this his Realme, contrary to the Statute of Magna Charta, and of other Statutes thereof made by diuers of his noble Progenitors, at his great charge and coſt did to make weights and meaſures of Braſſe according to the old Standards thereof remaining within his Treaſury. And for that that one weight and one meaſure ſhould be vſed throughout all this his Realme, in auoiding of all fraud and diſcord in that behalfe, it was at the laſt Parliament, holden the xiiii. day of October, in the xi yeare of our ſaid Soueraigne Lords raigne, ordained, That the ſaid meaſures and weights ſhould be deliuered to the Knights and Citizens of euery Shires and Cities, aſſembled in the ſame Parliament, Boroughes of the fiue Ports, and certaine Burgeſſes of Borough Townes, ſurely by them to be conueyed to certaine Boroughes and Townes ſpecified in a ſchedule vnto the ſame Act annexed, there to remaine for euer, to the intent in the ſame Act more largely declared: which weights and meaſures, vpon more diligent examination had ſith the making of the ſaid Statute, béen approued defectiue, and not made according to the old Lawes and Statutes thereof ordained within the ſaid Realme. Wherefore the King our Soueraigne Lord, by the aſſent of his Lords ſpirituall & temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, ordaineth, eſtabliſheth, and enacteth, That the meaſure of a Buſhell containe viii. gallons of Wheat, and that euery gallon containe viii. li. of Wheat, of Troy weight, and euery li. containe xii. vnces of Troy weight, and euery vnce containe xx. ſterlings, and euery ſterling be of the weight of xxxii. cornes of Wheat, that grew in the midſt of the eare of Wheat, according to the old Law of this Land. And that it pleaſeth the Kings highneſſe to make a Standard of a Buſhell and a gallon after the ſaid aſſiſe, to remaine in his ſaid Treaſury for euer: and from henceforth the ſaid new Buſhels and gallons lately ſent forth be not vſed nor occupied for no meaſures, but that they be ſent againe to the Kings Receit by the Feaſt of Whitſontide next comming, at the coſts and charges of the ſaid Cities, Boroughes, and Townes, hauing the ſaid Buſhels and Gallons in keeping, vpon paine of x.li. to be forfeited to the King: the ſame Buſhels and Gallons ſo ſent againe into the Kings Receit, to be broken, and with the ſtuffe and metall of the ſame Buſhels and Gallons, other new Buſhels & Gallons, by the aduice of the Treaſurer and vndertreaſurer of England for the time being, before the Feaſt of All Saints next comming, to be made and ſyſed according to the ſaid Buſhell and Gallon, which by this preſent Act is ordained to be made, and to remaine in the ſaid Treaſury, at the coſts and charges of the ſame Cities, Boroughes, and Townes. And that euery City, Borough, and Towne within this Realme, which now haue or ſhould haue had, by reaſon of the ſaid Act made in the ſaid xi. yeare, any of the ſaid new Buſhels or Gallons, doe conuey and carry, before the Feaſt of S. Andrew next comming, into euery of the ſame Citie, Borough, and Towne, a Buſhell and a Gallon newly to be made, as is aforeſaid, at the coſts & charges of the ſame City, Borough, and Towne, there to remaine: and all other Buſhels, Gallons, and Meaſures, which be to be made after the forme by this Act ordained, ſhall be marked and ordered after the forme & effect of the ſaid Act, made the ſaid xi. yeare: and in the meane ſeaſon to vſe ſuch Buſhels & Gallons as haue beene vſed laſt afore the comming downe of the ſaid new Buſhels and Gallons, and before the making of the ſaid Statute in the ſaid xi. yeare: and that all penalties in the firſt Act expreſſed, be of none effect vntill the Feaſt of Candlemas, which ſhall be in the yeare of our Lord God M.CCCC.lxxxvii. & after the ſame Feaſt, the ſame Act made in the ſame xi. yere, to ſtand in full ſtrength, with his penalties, vpon the Buſhell & Gallons new to be made, as it ſhould haue done vpon the ſaid new Buſhels and Gallons made afore the making of this preſent Act, if this Act had not been made. And that it be ordained by the ſaid authoritie, That after the ſaid new Buſhels and Gallons be made according to this preſent Act, that all other Buſhels & Gallons of Braſſe, remaining as well in the ſaid Treaſury, as in all other places of England, before the Feaſt of Chriſtmas next comming, be dampned and broken, vpon paine of xx.li. to be leuied vpon euery Citie, Borough, and Towne, or any other place, hauing the keeping of the common meaſures, that keep ſtill any other Buſhell or Gallon vnbroken & not dampned of Braſſe, then is ordained to be made by this preſent Act. St.11.H.7.4.

The weights & meaſures ſent to ſeuerall Cities &c. by the Statute of 11.H.7.4. being defectiue, ſhalbe broken and new ſent.

All other Buſhels and Gallons ſhall be broken.

Cap. VI.

Euery Engliſhman ſhall haue free recourſe to certaine forraine Marts, without exaction to be taken by any Engliſh Fraternitie.

TO the diſcreet Commons in this preſent Parliament aſſembled, ſheweth vnto your diſcreet wiſedomes, the Marchāt Aduenturers, inhabiting & dwelling in diuers parts of this Realm of England out of the Citie of London, That where they haue their paſſage, reſort, courſe, & recourſe, with their goods, wares, and marchandiſe, in diuers Coaſts and parts beyond the Sea, as well into Spaine, Portingall, Britaine, Ireland, Normandie, France, Ciuile, Venice, Danſke, Eſtland, Friſeland, & other diuers and many Places, Regions, and Countries, being in league and amitie with the King our Soueraigne Lord, there to buy and ſell and make their exchanges with their ſaid goods, wares, and marchandizes, according to the law and cuſtome vſed in euery of the ſaid Regions and places: and there euery perſon freely to vſe themſelues to his moſt aduantage, without exaction, fine, impoſition, or contribution to be had or taken of them, or of any of them, to, for, or by any Engliſh perſon or perſons: & in ſemblable wiſe they before this time haue had, vſed, and of right owen to haue and vſe their free paſſage, reſort, and recourſe into the coaſts of Flanders, Holland, Zealand, Braband, and other places thereto nigh adioyning, vnder the obeyſance of the Archduke of Burgoine: In which places the vniuerſall Martes be commonly kept and holden foure times in the yeare, to the which Martes all Engliſh men, and diuers other Nations in time paſt, haue vſed to reſort, there to ſell and vtter the commodities of their Countries, and freely to buy againe ſuch things as ſeemed them moſt neceſſary and expedient, for their profit, and the weale of their Countries & parties that they be come fro, till now of late, that by the Fellowſhip of the Mercers and other Marchants and Aduenturers dwelling and being free within the Citie of London, by confederacie made among themſelues, of their incharitable and inordinate couetiſe, for their ſingular profit and lucre, contrary to euery Engliſh mans liberty, and to the libertie of the ſaid Mart there (which is, that euery perſon, of what Nation that he be ſhould haue their free libertie, there to buy and ſell, and make their commutations, with their wares, goods, & marchandiſes, at their pleaſure) haue contrary to all Law, reaſon, charity, right, and conſcience, among themſelues, to the preiudice of all Engliſhmen, made an Ordinance and Conſtitution, that is to ſay, That no Engliſh man, reſorting to the ſaid Mart, ſhall neither buy ne ſell any goods, wares, or marchandiſes there, except he firſt compound and make fine with the ſaid Fellowſhip of Marchants of London, & their confederates, at their pleaſure, vpon paine of forfeiture to the ſaid Fellowſhip of Marchants of London, and to their confederates, of ſuch marchandiſes, goods, or wares, ſo by him bought or ſold there: which fine, impoſition, and exaction at the beginning, when it was firſt taken, was demaunded by colour of the fraternity of Thomas

A Petition made by certaine marchant aduenturers dwelling out of the Citie of London.

A Fellowſhip in London made an Order, that none ſhould buy or ſell at a Mart without their conſents.

The firſt colour of taking the fine.

The enormities of the Order made by the Marchants of London.

Marchants may reſort into forraine Countries without exactions of the Fraternitie of Londoners.

No Engliſh man ſhall take of another any exaction &c. for his liberty to buy and ſell.

The remedy of the party grieued to recouer the forfeiture.

Becket Biſhop of Canterbury, at which time the ſaid fine was but of the valüe of an old Noble ſterling: and ſo by colour of ſuch fained holineſſe it hath béen ſuffered to be taken of a few yeares paſſed: and after, it was encreaſed to an C.s. Flemmiſh: and now it is ſo, that the ſaid Fellowſhip and Marchants of London take of euery Engliſh man or yoing Marchant being there, at his firſt cõming xl.li. ſterling for a fine, to ſuffer him to buy & ſell his owne proper goods, wares, and marchandiſes, that he hath there: by occaſion whereof, all Marchants, not being of the ſaid Fellowſhip and Confederacie, withdraw themſelues from the ſaid Martes, wherby the woollen Cloth of this Realme, which is one of the greateſt commodities of the ſame, by making wherof the Kings true ſubiects be put in occupation, and the poore people haue moſt their liuing, & alſo other diuers commodities of diuers and ſeuerall parts of this Realm, be not ſold ne vttered, as it was in times paſt, but for lacke of vtterance of the ſame in diuers parts, where ſuch Clothes be made, they be conueyed to London, where they be ſold farre vnder the price that they be worth, and that they coſt the makers of the ſame, and at ſome times they be lent to long daies, & the money thereof at diuers times neuer payed: and ouer that, the commodities and marchandiſes of thoſe parts, which the ſaid Fellowſhip, Marchants of London and other their confederates bring into this Land, is ſold to your ſaid complainants, and other the Kings true ſubiects, at ſo déere & high excéeding price, that the buyer of the ſame cannot liue therevpon: by reaſon whereof, all the Cities, Townes, and Boroughes of this Realme in effect be fallen into great pouerty, ruine, & decay, & as now in manner without hope of comfort or reliefe, & the Kings cuſtomes and ſubſidies, and the Nauie of the Land, greatly decreaſed and miniſhed, and daily they be like more to decay, if due reformation be not had in this behalf. Be it therfore enacted by the King our ſoueraigne Lord, by the aduice and aſſent of the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled, and by authoritie of the ſame, That euery Engliſhman being the Kings true liege man, from henceforth haue frée paſſage, reſort, courſe, and recourſe into the ſaid coaſts of Flanders, Holland, Zeland, Brabant, and other places, therto nigh adioyning, vnder the obeyſance of the ſaid Archduke, to the Martes there, hereafter to be holden, with his or their marchandiſes, goods, and wares, there to buy and ſell, and make their exchange fréely, at his or their pleaſure, without exaction, fine, impoſition, extortiõ, or contribution, to be had, leuied, taken, or perceiued of them or of any of them therefore, or by any Engliſh perſon or perſons, to his or their owne vſe, or to the vſe of the ſaid Fraternitie or Fellowſhip, or of any other like (except only x.marke ſterling) & that no perſõ Engliſh, as is afore rehearſed, hereafter take to his owne vſe, or to the vſe of the ſaid Fraternitie or Fellowſhip there, of any other Engliſh perſõ, of what eſtate, degrée, or condition that he be of, ſo alway that he be the King our Soueraigne Lords true liege men, any fine, exaction, impoſition, or contribution for his libertie or fréedome to buy & ſell goods, wares, or marchandiſes, in or at any of the ſaid Martes, more or aboue the ſaid ſumme of x. marke ſterling only, vpon paine of forfeiture to our Soueraigne Lord for euery time that he doth contrary of this Act, xx.li. and alſo to forfeit to the parties ſo grieued in this behalfe, x.times ſo much as he contrary to this preſent Act taketh of him: and that the parties ſo grieued, ſhall haue in this behalf an Actiõ of Debt for the ſaid forfeiture of ten times in any of the K. Courts within this Realme, by Writ, Bil, Plaint, or Information, and ſuch proceſſe to be made in the ſame, as is or ought to be made in or vpon an Action of Debt at the common Law: & the triall thereof to be had in ſuch Shire, City, or place, where the ſaid Action is commenced or ſued, & that the defendant in any Action be not admitted to wage his Law, nor none Eſſoine nor Protection be for ſuch defendant admitted or allowed in that behalfe.

Cap. VII.

No lay perſon that doth murder his Lord or Maſter, ſhall haue his Clergie.

James Grame murdered Richard Tracy his maiſter.

VVHere abominable and wilfull prepenſed Murders be by the Lawes of God & naturall reaſon forbidden, and are to be eſchewed, yet not the leſſe, many & diuers vnreaſonable and deteſtable perſons, lacking grace, wilfully commit Murder, to the high diſpleaſure of God, and contrary to all the Lawes aboueſaid, and moreouer, againſt their naturall and obliged duty, wilfully commit purpenſed Murder, in ſlaying their Maiſter, or their immediate Soueraign, vnder whom he or they be, or owe obedience, in truſt to eſchew the perill and execution of the Law by the benefit of their Clergie: In hope whereof, of late one James Grame, late of London yeoman, wilfully aſſented and purpenſed the Murder of one Richard Tracy Gentleman, then his maiſter, by him & his purpenſed aſſent, the xix. day of Frebruarie laſt paſt, at Brentwood, in the County of Eſſex, murdred and ſlaine, to the right perilous enſample of other euill diſpoſed: Wherefore in auoiding of like miſchiefes to enſue, by the aſſent of the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled & by authority of the ſame, be it enacted, That the ſaid James Grame, for the murder of the ſaid Richard Tracy his late maiſter be attainted of the ſaid murder as a Felon that hath offended in pety Treaſon, and that the ſame James for the ſame murder, ſhall be drawne and hanged in ſuch maner and forme, as by the Law of this Land hath béen vſed in ſuch caſes as perſons being no clerks, doing like murder, haue or ought to be puniſhed, any priuiledge of his Clergy, or his demand of the ſame, notwithſtanding. Alſo be it ordained by the ſaid anthoritie, That if any lay perſon hereafter purpenſedly murder their Lord, Maſter, or Soueraigne immediate, that they hereafter be not admitted to their Clergy, and after conuiction or attainder of any ſuch perſon ſo hereafter offending, had after the courſe of the Law, that the ſame perſon be put in execution, as though he were no clerke. *St.23.H.8.1. 1.Ed.6.12.*

No lay perſon which doth purpoſely murder his maſter or &c. ſhall haue his Clergie.

ANNO DECIMO NONO HENRICI SEPTIMI.

HENRICUS Dei gratia Rex Angliæ & Franciæ, & Dominus Hiberniæ, Vicecomiti Eſſex ſalutem. Præcipimus tibi firmiter injungentes, quod in ſingulis locis infra Ballivam tuam, tam infra libertates, quam extra, ubi magis expediens videris, publicas Proclamationes quorundam Statutorum & Ordinationum in ultimo Parliamento noſtro, auctoritate ejuſdem Parliamenti editorum, fieri facias in forma ſequenti.

THe King our Soveraigne Lord *Henry* the ſeveth after the Conqueſt by the grace of God King of England and of France, and Lord of Ireland, at his Parliament holden at Weſtminſter, the ſixeteenth day of Ianuarie, in the nineteenth yeare of his raigne, to the honor of God and holy Church, & for the common weale and profit of this his Realm, & by the aſſent of the Lords ſpirituall & temporal, and the Commons in the ſaid Parliament aſſembled, and by authoritie of the ſame Parliament, hath done to be made certaine Statutes and Ordinances in manner and forme following.

CAP. I.

What he ſhall forfeit which doth not attend upon the King in his owne perſon when he is in perſon in warres.

St.11.H.7.18.

WHere in the Parliament holden at Weſtminſter the xi. yeare of the King our Soueraigne Lords raigne, for good and reaſonable conſiderations in an Act of the ſaid Parliament contained, it was ordained by the ſame, that euery perſon and perſons, being within this Realm of England or Wales, hauing Offices, Fees, or Annuities of the Kings gifts, & grants, and did not giue their attendance vpon the Kings Highneſſe, when he ſhould fortune to goe in Warres in his perſon, in their perſons, as their dutie bindeth them in that behalfe, that then they and euery of them, making thereof default (the Kings ſpeciall licence not had, or els the ſaid perſon or perſons hauing ſuch vnfeyned ſickneſſe, letting, or diſeaſe, that he might not in his perſon come to doe his perſonall attendance and ſeruice after the forme aforeſaid,) that he or they after due proofe of the ſame ſhould forfeit and leeſe their ſaid Offices, Fees, and Annuities, and the ſame to ſtand void at the Kings pleaſure, as in the ſame Act more at large it is conteyned. And foraſmuch as diuers and many perſons, hauing of the Kings gifts and grants many Honours, Lordſhips, Caſtles, Mannors, Lands, Tenements, and other Poſſeſſions and Hereditaments, by reaſō wherof they are more bound to giue their attēdance vpon the Kings moſt royall perſon in his ſaid warres, then other rehearſed perſons hauing but fees, offices, and annuityes for terme of life, as well for defence of his moſt noble perſon, as for the defence of this his Realme, which was at that time by ouerſight omitted and left out of the ſaid Act. Be it therefore enacted, ordained, & eſtabliſhed, by the aduice of the Lords Spirituall & Temporall in this preſent Parliament aſſembled, and by authority of the ſame, that euery perſon or perſons hauing or occupying or that hereafter ſhall haue or occupy any Honors, Caſtles, Lordſhips, Manors, Lands, tenements, and other poſſeſſions and hereditaments, by reaſon and vertue of the Letters patents of the King our Soueraigne Lord that now is, now giuen, graunted, and made, or hereafter to be giuē, or grāted, or made by our ſaid Soueraign Lord, & giue not their daily attēdāce in their perſōs vpon his Highnes, when he ſhall fortune to goe in warres, within this his Realme, or elſe for any vrgent or any other reaſonable cauſes in his perſon, for the honour or ſuertie of the ſame his perſon, and the defence of this his Realme, and againſt his enemies and rebells within the ſame realme or without, for the repreſſing and ſubduing of them and their malicious purpoſe, and well and truly according to the dutie of their alleagiance to ſerue the King in his ſaid iourney and voyage, and to giue their attendance vpon his Grace in the ſame, and not for to depart without his ſpecial licence in writing vnder the Kings ſigne manuel or ſignet, or vnder his great Seale, or priuie Seale, or elſe vntill after the generall Proclamation be made, that they ſhall depart, or elſe the ſaid perſon or perſons hauing ſuch vnfained ſickneſſes, letting, or diſeaſe, that he or they may not in their perſons come to doe their perſonall attendance and ſeruice, and that

Whoſoeuer doth not attend vpon the King being in perſon in warres, ſhall loſe ſuch lands as he hath of the Kings gift.

From what time and vntill what time euerie ſuch attendant in warres ſhall be payed wages.

To what perſons this Stat. ſhall not extend.

duely proued, that then all ſuch Letters patents, gifts, and graunts, and all things in them contained be vtterly from henceforth adnulled, void, of none effect,and at the Kings pleaſure. Prouided that all ſuch perſons ſo giuing attendance, ſhall haue the Kings wages from the time of comming from their houſe toward the King,when they come to the King,& from the King home againe at the time of their departing, after the rate of xx.miles for a day, and while they be with the Kings Grace to haue alſo the Kings wages. Prouided alway that this Act extend to no ſpirituall perſon, nor to the Maſter of the Rolls, nor to none other Officer, and Clarkes of the Chancery, Iuſtice of eyther Benches, Barons of the Kings Eſchequer, and other Officers and Clarkes of the ſaid places,the Kings Atturney and Solicitors and the Sergeants at Law,nor to the Clarke of the Kings Counſels for the time being, nor to any perſon being within the age of xxi.yeres,nor to any Graunt or Patent of any Ward,or Ideot,or cuſtody of the ſame,nor to any heires females, inherited by reaſon of any ſuch Graunts. Prouided alſo that it extend not to any Patents, nor Lands, or Tenements compriſed in the ſame, the which Patents make mention, that any graunt is made by the King of ſuch lands of retinue,ſumme or ſumes of money contained in the ſame Letters Patents. 4.El.Dyer fo. 211.

Cap. II.

No cuſtome ſhall be paid for good Bowſtaves brought into this Realme, vntill the next Parliament. Exp.

Cap. III.

The Statute of 11.*H*.7.24.which giveth an Attaint in certaine caſes continued vntill the next Parliament. Exp.

Cap. IIII.

No perſon ſhall ſhoot in a Croſſebow without the Kings Licence,except he be a Lord,or haue two hundred marke land.Rep. St.3.*H*.8.13. 6.*H*.8.13. 25 *H*.8.17.& 33.*H*.8.6.

Cap. V.

Gold or Silver ſhall not be caried into Ireland, nor any Iriſh money brought into England.

The coines of Gold and Siluer currant within this Realme ſhal ſo continue for the ſummes that they were coined for.

What pence ſhalbe currant within this Realme,what not.

The penaltie of thoſe that refuſe to receiue the coines in payment.

The penaltie if a chiefe Officer refuſe to take any of the ſaid coines in payment.

Money clipped or diminiſhed ſhall not be currant in paymēt.

The King our Soueraigne Lord ſeeing euidently that his coine , & ſpecially of Siluer,is ſore impaired,as well by clipping thereof,as by counterfeiting of the ſame,and by bringing into this his Realme of the coyne of Ireland, by occaſion whereof great rumour and variance daily increaſeth among his ſubiects, for taking and refuſing of the ſame: for ceaſing and pacifying whereof, and for the vniuerſall wealth of this his Realme, by the aduice and aſſent of his Lords Spirituall and Temporall,and the Commons in this preſent Parliament aſſembled,and by authority of the ſame,hath ordained,eſtabliſhed,and enacted,that all manner of Gold of the coines of a Soueraigne,halfe Soveraigne,Ryall,halfe Ryall, & the fourth part of a Ryall, the Angell, halfe Angell,and euery of them,being Gold, whole and weight, ſhall goe and be currant in payment through all this his Realme for the ſumme that they were coined for. And alſo aſwell all maner grotes of Engliſh coine,and of the coine of other lands now currant in this Realm for grotes,or for iiii.d.being ſiluer,and not clipped,miniſhed,or otherwiſe impaired, except reaſonable wearing(albeit they be cracked):all maner of half grotes or pence of ii.d.of Engliſh coine, or of the coine of other lands,now currant in this Realm for halfe grotes or ii.d.not clipped,miniſhed or otherwiſe impaired being Siluer(howbeit they be cracked)ſhall in likewiſe goe and be currant through all the ſame Realm,for the ſūme as they were coined for.And ouer that al maner of pence being Siluer,and hauing the print of the Kings coine,ſhall haue courſe and be currant for payment,aſwell to Us in all our receipts,as to all our Receiuors, and to all other Lords ſpirituall and temporall and all their Receiuors, and to all other within this our Realm, without any maner refuſe or contradiction,except only pence bearing diuers ſpurres,or the mullet betwixt the barres of the croſſe,and thoſe pence ſo bearing the print of the ſpurre or the mullet, to haue courſe for halfe d.and not aboue. And if any perſon hereafter refuſe any coine afore rehearſed,to take it in payment after effect of the tenour of this Act,he that ſo refuſeth it ſhall be compelled by the Mayor,Sherife,Bailife,Conſtable, or chief Officer or Gouernor of the town or place where any ſuch payment ſhall be refuſed,to accept and take the ſaid paiment, and furthermore to be impriſoned,or otherwiſe puniſhed by the diſcretion of the ſaid Mayor , Sherife, Conſtable,or other chiefe Officer or Gouernor afore rehearſed.And if the ſaid Sherife,Bailife, Conſtable,or other chiefe Officer or Gouernor,refuſe to take any ſuch coine in payment as it is aboue rehearſed,that then he ſo refuſing the ſaid payment, to be compelled by the Iuſtice of the peace of the ſame county,where ſuch payment ſhall be ſo refuſed, to accept and take the ſaid paiment : and he ſo refuſing the ſame, to be further puniſhed for the ſaid refuſing by the diſcretiō of the ſame Iuſtice. And alſo it is ordained by the ſaid authority,that all maner of grotes, & halfe grotes,or pence of ii d. aſwell Engliſh coyne as coyne of other lands,clipped,miniſhed,,or otherwiſe impaired,except reaſonable wearing,ſhall not goe nor be in any wiſe currant for payment within this Realme, but vtterly to bee refuſed and forſaken in payment from henceforth: and that notwithſtanding it ſhall bee lawfull to any perſon, hauing any ſuch grotes or pence of two pence clipped or miniſhed, to bring the ſame to the Kings Mint, there to bee changed after the cuſtome of the ſame Mint, or conuert the ſame into Plate, Bullion, or otherwiſe ſel or imploy it to his moſt profit and aduantage within this Realme, any other Act or Acts to the contrary in any wiſe notwithſtanding. And in eſchuing and auoiding of ſuch clipping in time to come, the King our Soueraigne Lord, by the aduice of his Counſell, hath cauſed to be made new coynes of grotes, and pence of two pence, & that euery piece of the ſame Coynes ſhall haue a circle about the vtter part thereof. And alſo that all manner of Gold hereafter to be coyned within this his Realme, ſhall haue the whole ſcripture about euery piece of the ſame Gold, without lacking of any part thereof, to the intent that his ſubiects hereafter may haue perfit knowledge by the circle or ſcripture when the ſame coynes be clipped or impaired. And alſo it is enacted by the ſaid authoritie, that if the Wardein and Controller of the Kings Mint, hereafter duely execute not their office in ſearching the ſame coyne, & ſee that it bee made perfit in forme as is aforeſaid before that it paſſe from the Mint: that then the ſame Wardein and Controller ſhal forfeit their ſaid office, and make fine for the ſame at the Kings pleaſure. Moreouer it is enacted by the ſaid authority, that no maner perſon ſhall cary, nor conuey, nor cauſe to be caried out of this Realme, any bullion, plate or coyne of gold or ſiluer into Irelād ouer and aboue the ſumme of vi.s.viii.d. nor conuey any ſuch bullion, plate or coyne into any Ship, Boate, or other veſſels, vpon paine to forfeit the ſaid bullion, plate, or coyne, and to haue impriſonment, and make fine and ranſom at the Kings will: and in likewiſe that no maner perſon bring nor conuey, nor cauſe to be brought nor conueyed any maner of coyne of Gold or Siluer aboue the ſumme of iii.s.iiii.d, of the coyne of Ireland into this Realme, vpon paine of forfeiture of all the ſame coyne aboue the ſaid ſumme of iii.s.iiii.d. ſo brought into this Realme, and to haue impriſonment, and make fine and ranſome at the Kings wil: and that it ſhal be lawfull for euery of the Kings ſubiects to take & ſeiſe all ſuch money of the coyne of Ireland, hereafter to be brought or conueyed into this Realme, ouer and aboue the ſaid ſumme of iii.s.iiii.d. and to bring it to the Kings Mint, there to leaue the ſame to the Kings vſe, and euery perſon that ſo ſhall bring any ſuch Iriſh mony to the ſaid Mint, ſhall haue the value of the one halfe of all ſuch Iriſh money by him ſo brought to the ſaid Mint, at the ſame time deliuered to him to his owne vſe, by the Maſter of the Mint for the time being.

How any perſon may vſe money that is clipped or diminiſhed. St.9 Ed.3.3. 17.R.2.1.

The whole ſcripture ſhall be coyned about the gold coyned.

No mony, plate, or bullion ſhall be carried into Ireland aboue vi.s.viii.d. St.9.Ed.3.1. 5.R.2.2. 2.H.4.5.

No Iriſh coyne of gold or ſiluer ſhall be brought into England.

Cap.VI.

Where Pewter and Braſſe ſhall be ſold: The marking, weighing, and ſearching of them.

Humbly and lamentably ſhewen & complaine vnto your moſt abundant Grace, your humble ſubiects the Pewterers and Braſiers of your City of London and Yorke, & of all other places of this your Realme. That where many ſimple and euill diſpoſed perſons of this your Realme of England, vſing the ſaid crafts, daily goe about this your Realme from village, from towne, and from houſe to houſe, as well in Woods and Foreſts, as in other places to buy Pewter and Braſſe, and that knowing theeues and other pickers that ſteale as well Pewter and Braſſe belonging to your Highneſſe, and vnder your marke, and to the Lords Spirituall and Temporal, as to other your ſubiects of this your Realme, bring ſuch ſtollen veſſels vnto them in ſuch hid places to ſell, and ſell it for little or nought, and about they bring it into Priuy places, or into corners of Cities or townes, & there ſell much part of it to ſtrangers, which cary it ouer the Sea by ſtealth. Alſo the ſaid perſons ſo going about, and diuers other vſing the ſaid crafts, vſe to make new veſſels, and to mixe good metall and bad together, and make it naught, and ſell it for good ſtuffe, where indeed the ſtuffe and metall thereof is not worth the fourth part that it is ſold for, to the great hurt, deceit and loſſe of your ſubiects. Alſo diuers perſons vſing the ſaid crafts, haue deceiueable and vntrue beames and ſcales, that one of them would ſtand euen with twelue, pound weight at one end, againſt a quarter of a pound at the other end, to the ſingular profit of themſelues, and to the great deceit and loſſe of your ſubiects buyers and ſellers with them. For reformation of the premiſſes, it would pleaſe your Highnes of your moſt abundant grace, with the aduice of the Lords Spirituall and Temporal, and the Cōmons in this preſent Parliament aſſembled, and by authority of the ſame to enact and ſtabliſh, that no perſon or perſons, vſing the ſaid crafts of Pewterers & Braſiers, from henceforth ſhal ſell, or change any Pewter or braſſe, new or old at any place within your Realme, but onely in open Faires or Markets, or in their dwelling houſes, except they be deſired by the ſaid buyers of ſuch ware, vpon paine of forfeiture to our Soueraigne Lord the King for euery ſuch default x.li. Alſo that by the ſame authoritie it may be enacted and eſtabliſhed, that no perſon ne perſons, of what condition or degree ſoeuer hee or they be, from henceforth within the ſaid City of London and Yorke, or without, either caſt or worke any Pewter veſſell or Braſſe in any place or places within this your Realme, but that it be as good fine metall as is the Pewter and Braſſe caſt and wrought after the perfit goodneſſe of the ſame within the City of London, and by the ſtatutes of the ſame ought to be, vpon paine of forfeiture of all ſuch Pewter and Braſſe ſo caſt and wrought, or worſe Pewter or Braſſe thē

Generall euill practiſes put in vre by Pewterers & Braſiers.

Vſing of deceitfull beames and ſcales.

Pewter & braſſe ſhall be ſold in Faires & Markets, and in the owners houſe onely.

Of what goodneſſe Pewter and Braſſe ought to be.

Of what Aſſiſe hollow wares of Pewter made of ley metall ſhall be.

The makers ſhall ſet on their markes.

The forfeiture for defaults.

The penalty for occupying of falſe beames and weights about the ſelling and buying of Pewter and Braſſe.

The puniſhment of the offendor if he be not able to pay the money forfeited.

A ſearcher of Pewter and Braſſe within a City or Borough.

Searchers of Pewter and Braſſe appointed by the Juſtices of Peace.

ought to be wrought in the ſame Cities: the one halfe of euery ſuch forfeiture to bee to the vſe of your Highneſſe, and the other halfe to the vſe of the finders thereof. Prouided alway, that this forfeiture in no wiſe ſtretch, ne extend to Braſſe or Pewter, being in the poſſeſſion of any perſon other then the workers of the ſame, or ſuch as haue the ſame to ſell, or being of the crafts or myſteries. Alſo that it may by the ſame authority be enacted and eſtabliſhed, that no maner perſon or perſons, of what degree or condition ſoeuer he or they bee, from henceforth make no hollow wares of Pewter, that is to ſay, Salts and Pots that are made of Pewter called ley metall, but that it may be after the aſſiſe of Pewter ley metall, wrought within the City of London: And that the makers of ſuch wares ſhall marke the ſame wares with ſeuerall markes of their owne, to the intent that the makers of ſuch wares, ſhall auow the ſame wares by them (as aboueſaid) to be wrought: and that all and euery ſuch wares, not ſufficiently made & wrought, and not marked in forme aboueſaid, found in the poſſeſſion of the ſame maker or ſeller, to be forfeited: and if the ſame ware be ſold, the ſaid maker to forfeit the value of the ſame ware ſo vnlawfully wrought and ſold: the one halfe of the ſaid wares, or the value thereof to be to the vſe of your Highnes, and the other halfe to be to the vſe of the finder or finders, or ſearchers thereof. And that it may by the ſame authoritie be enacted and eſtabliſhed, that if any perſon or perſons hereafter vſing buying and ſelling of Pewter or Braſſe, that hereafter occupie any deceiueable or falſe beames or weights of the ſaid wares, and euery ſuch perſon or perſons, vſing or occupying ſuch deceiueable and untrue beames or weights, to forfeit xx.s. the one halfe to the King, & the other halfe to the party that therefore ſhall ſue by action of debt: And that in the ſaid action, no protection nor eſſoine ſhall be allowed, and alſo the ſaid party ſo offending ſhall forfeit his beames to him that ſhall ſeiſe it, and if the ſaid offendor or offendors be not ſufficient to pay the ſaid ſumme or ſummes by them ſo forfeited, that then it ſhall be lawfull to the Mayors, Baylifes or other head officers of ſuch place or places, where any ſuch offendor or offendors ſhall be found, to put them in the Stockes, and them ſo to keepe till the next market day next adioyning, and in the market place to put them on the Pillorie all the market time. And furthermore that it bee lawfull by the ſaid authority, that the Maſters and Wardeins of the ſaid craft of Pewterers, within euery Citie and Borough of this Realme where ſuch Wardeins are, and where no ſuch Wardeins are, the head officers and gouernors of the ſame Citie or Borough, to appoint a certaine perſon moſt expert in knowledge of the ſame, to make ſearch within the ſaid Cities or Boroughs where they dwell. And ouer this the Juſtices of Peace within euery Shire, at the generall Seſſion holden at Michaelmas, ſhal aſſigne and appoint two certain perſons, hauing experience therein, to make ſearch in the premiſſes in euery part of that Shire, as well within Franchiſe as without, ſauing in Cities or Boroughs where Searchers bee appointed by the heads and gouernors of the ſame: and that of all ſuch vnlawfull Pewter or Braſſe, as the ſaid Searchers ſhall find, the one halfe ſhall be to the vſe of your Grace, and the other halfe to the ſaid Searchers: and that in the default of the ſaid Maſters and Wardeins of the ſaid occupatiōs, not ſearching in forme as is aforeſaid, & whereby that any ſuch vnlawfull metall is caſt or made, or vnlawfull waights vſed: it ſhall be lawfull to any perſon or perſons, hauing ſufficient cunning and knowledge in the ſaid occupations by overſight of the Maiors, Baylifes and head Officers of the ſaid Cities and Boroughs, to ſearch all the ſaid places, & to put the ſaid authority and Act in execution in forme aforeſaid. Prouided alway that this preſent Act continue and endure to the next Parliament, and no longer. 4 *H*.8.7. made perpetuall. Stat. 25. *H*.8 9. 33 *H*.8.4. 11.H.7.6.

Cap. VII.

By whoſe conſent Ordinances ſhall be made by Fellowſhips of Crafts: No Order ſhall be made to reſtraine ſuit in the Kings Court.

St. 15. H. 6. 6.

Prayen the Commons in this preſent Parliament aſſembled, that where in a Parliament holden at Weſtminſter the xv. yeere of the raigne of the bleſſed King, Henry the vi. For that, that Maſters, Wardeins, and people of Guilds, Fraternities, and of other Companies Corporate, dwelling in diuers parties of the Realm, oftentimes by color of rule and gouernance to them granted and confirmed by Charters and Letters Patēts of diuers Kings, made among themſelues manie vnlawfull and vnreaſonable Ordinances, as well in priſes of wares as other things for their owne ſingular profit, and to the common hurt and damage of the people: It was enacted, that there ſhould from henceforth no ſuch Maſters, Wardeins, nor Companies, make nor vſe none ordinance in diſheritance or diminution of the prerogatiue of the King nor of other, nor againſt the common profit of the people, nor none other Ordinance of charge, except it were firſt diſcuſſed and proued by good and reaſonable aduice by the Juſtices of Peace, or the chiefe Gouernours of Cities, and before them entred of record and that vpon paine to loſe and forfeit the force and the effect of the Articles in their ſaid Letters Patents and Charters contained concerning the ſame, and ouer that to loſe and pay x.li. to the King for euerie Ordinance that any of them made, or vſed, to the contrary of that Ordinance, the ſame Ordinance to endure at the Kings pleaſure, as in the ſame Act it appeareth: which Act is now expired, and ſith the expiring of the ſame, diuers and many Ordinances haue beene made by many and diuers priuate bodies corporate within Cities, Townes and Boroughes, contrary to the Kings Prerogatiue, his Lawes, and the common weale of his ſubiects. Be it therefore ordained, eſtabliſhed, and enacted, by the King our Soueraigne Lord, by the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That no Maſters, Wardens, and Fellowſhips of Crafts, or Maſteries, nor any of them, nor any rulers of Guilds, or Fraternities, take vpon them to make any Acts or Ordinances, ne to execute any Acts or Ordinances by them heretofore made in diſheritance or diminution of the Prerogatiue of of the King, nor of other, nor againſt the common profit of the people, except the ſame Acts or Ordinances be examined and approued by the Chancellor, Treſorer of England, or chiefe Iuſtices of either benches, or thrée of them, or before both the Iuſtices of Aſſiſe in their circuite or progreſſe, in the Shire where ſuch Actes or Ordinances be made, vpon paine of forfeiture of xl. li. for euery time that they doe contrary. And ouer that it is enacted, that none of the ſame bodies Corporate take vpon them to make any Acts or Ordinances, to reſtraine any perſon or perſons to ſue to the Kings Highneſſe, or to any of his Courts for due remedie to be had in their cauſes, ne put, ne execute any penaltie or puniſhment vpon any of them for any ſuch ſuit to be made, vpon paine of forfeiture of xl. li. for euery time that they doe the contrary. And this Act to begin and take effect at the Feaſt of Pentecoſt next comming, and from thenceforth. St. 22. *H.* 8. 4.

Coke li. 11. fo. 53.

No Maſters or Wardeins of fellowſhips ſhall make any new Ordinances without the conſent of the Chanceller, Treaſurer, or Iuſtices. St. 32. H. 8. 42. 28. H. 8. 5.

No ordinance ſhall be made by a corporation to reſtraine ſuit in the Kings Courts.

Cap. VIII.

No Scauage or Shewage ſhall be payed for Merchandiſe cuſtomed.

PRayen the Commons in this preſent Parliament aſſembled, that where the Merchants and Inhabitants of diuers Cities, Boroughes, and Townes within this Realme, and alwell diuers Tenants of our Soueraigne Lord the King, as of other, that haue by grants made by noble Progenitors, and Predeceſſors of our ſaid Soueraigne Lord, as well to them by ſuch name or names, as they or any of them be Corporate, as by grants made vnto diuers Lords both Spirituall and Temporal, and by the Preſcription that they, their Tenants, Reſiants, & Inhabitants within their ſeuerall Lordſhips, Boroughes, and Townes, ſhould be quit and diſcharged of diuers and many cuſtomes, as of Tolles, and of other exactions, demands, and taskes by diuers Mayors, Sherifes, Bailifes, and other Officers of diuers Cities, Boroughes, & Townes, within this Realme, for their ſingular lucre, of Merchants Denizens, & of the Kings true ſubiects borne, dwelling and Inhabited within this Realme, contrary to their priuiledge, and lately more and otherwiſe then in times paſſed, haue diſtrained, leuied, and taken of them a certaine cuſtome called Scauage, otherwiſe called Shewage, to their great charge and trouble, which Scauage was neuer vſed to be taken nor leuied but only of Merchant Strangers. Be it therefore ordained, eſtabliſhed and enacted by the King our Soueraigne Lord, and by the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by authoritie of the ſame, that if any Maior, Sherife, Bailife, or other Officer, in any City, Borough, or Towne within this Realm, diſtreyne, take, or leuie any cuſtome called Scauage otherwiſe called Shewage, of any Merchant Denizen, or of other the Kings ſubiects Denizens, of or for any maner of Merchandiſe to our Soueraigne Lord the King before truly [a] cuſtomed, that is brought or conueyed by land or by water to be vttered and ſold in any City, Borough, or Towne in this Land: Or if any Maior, Sherife, Bailife, or other Officer, in any Citie, Borough, or towne, for non payment of the ſaid Scauage, let or diſturbe any Merchant, or any other perſon or perſons being Denizens to ſell and vtter their Merchandiſe by them brought into any City, Borough, or Towne, that then euery Maior, Sherife, Bailife, or other Officer deſtreyning, leuying or taking any ſuch Scauage, or otherwiſe offending in any thing contrary to this preſent Act, ſhall forfeit for euery time that he ſo offendeth xx. li. the one moity thereof to our Soueraigne Lord the King and the other moity thereof to the party in that behalfe gréeued, or to any other that firſt ſueth in that party by Action of debt in any Shire within this Realme for to be ſued, and that the Defendants in any ſuch Action be not admitted to wage or doe their Law, nor that any protection, ne eſſoine for any ſuch defendant be allowed in the ſame. Prouided alway that the Mayor, Sherifes, and Comminalty of the City of London, and euery of them, ſhall haue and take all ſuch ſummes of mony for the ſaid Scauage, and of euery perſon Denizen, as by our Soueraign Lord the King and his moſt Honourable Counſell ſhall be determined to be the right and title of the Maior, Sherifes and Comminalty of the ſaid City of London, or any of them, this Act in any wiſe notwithſtanding.

11. H. 7. fo. 14.

No Scauage or Shewage ſhall be payed for merchandiſes cuſtomed.

The penalty for diſturbing any perſon to ſell his merchandiſe for nonpaiment of Scauage.

Scauage to bee taken by the Maior and Sherifes of London.

Cap. IX.

Proces in Actions vpon the caſe, ſued in the Kings Bench and Common Pleas.

FOraſmuch as before this time there hath bin great delaies in Actiõs of the caſe that haue bin ſued aſwell before the King in his Bench, as in his Court of his Cõmon bench, becauſe of w^ch^ delaies many perſons haue béene put from their remedy. Be it therefore ordained, enacted, and eſtabliſhed, by the King our Soueraigne Lord, by the aduiſe and aſſent of the Lords Spirituall

What Proceſſe ſhal be awarded in Actions vpon the caſe ſued in the Kings bench or commō place.

and Temporall, and the Commons in this preſent Parliament aſſembled, and by authoritie of the ſame, that like [a] proceſſe be had hereafter in Actions vpon the caſe as well ſued and hanging, as to be ſued in any of the ſaid Courts, as in Actions of Treſpaſſe or debts. Raſt.lib.pla.fol.175.

[a] Bro.Exigen

Cap.X.

The Sherife ſhall haue the keeping of the Common Gaole and the priſoners therein.

The Sherife of euery County ſhall haue the keeping of the common Gaole of the ſame County, and of all the priſoners therein. St.14.Ed.3.10.

All Letters Patents made of the keeping of any Gaoles ſhall be reſumed and voide.

Generall penalties for the negligent eſcape of ſeuerall ſorts of offenders. Exp.

A ſauing of other mens rights for eſcapes and fines for the ſame.

The penalty for negligent eſcape before the priſoner be brought to the Gaole. Exp.

Letters patents of offices not requiring actuall exerciſe ſhall bee void.

The continuance of this Act concerning penalties.

BE it ordained, eſtabliſhed, and enacted, by the King our Soueraigne Lord, by the aduiſe and aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by authoritie of the ſame, that euery Sherife within euery County within this Realm of England, haue the cuſtody, rule, keeping, and charge from the quindecim of Paſche next comming, of euery of the Kings common Gaoles, Priſons, and priſoners in the ſame, in euery of the ſaid Counties where he is Sherife, during the time of his Office, except all Gaoles, whereof any perſon or perſons Spirituall or Temporal, or body Corporats, haue the keeping of eſtate of inheritance, or by ſucceſſion. And from the ſame quindecim of Paſche next comming, that all Letters Patents made to any perſon or perſons for terme of life or liues, or for terme of yéeres, of the kéeping of the ſaid Gaoles, and of any Conſtable-ſhips of any Caſtle, wherein any ſuch common Gaole is by the King our Soueraigne Lord, or any other Kings of this Land, and euery thing in the ſaid Letters Patents contained, be from henceforth repealed, adnulled, void, and of no force, ne effect in the Law: And that euery ſuch Sherife, from the ſaid quindecim of Pache be charged and chargeable with the ſaid Gaoles, Priſons, and the priſoners remaining in the ſame. And ouer that where diuers and many perſons, for Treaſon, Murther, Robberies and other Felonies before this time haue béen taken, ſome for ſuſpection of the ſame déeds, and ſome vpon inditements, and thereupon brought vnto the ſame Gaoles and Priſons, and ſometime remained in the kéeping of the perſons that ſo areſted them for the ſaid cauſes, and by colour of negligence, ſubtilly and craftely, and oftentimes for fauour, mede, affection, or corruption, ſuffered the ſaid offenders to eſcape, as if it had béene by negligence, to the ouert and expreſſe impediment of Juſtice, and execution of the Kings law, ordered for the puniſhment of ſuch offenders, and when ſuch eſcapes haue béen found before Juſtices, hauing authoritie to enquire thereof, and thereupon the parties conuicted, or yeelded themſelues to make fine for the ſame, ſmall fines haue béene vſed to be ſet in thoſe cauſes, to the little dread and feare, and great enboldning of the ſaid offenders and miſdoers: by mean whereof great and errant Felons, and heynous Murtherers, oftentimes haue by negligence eſcaped, ſo that neither they nor the kéepers of them from whom they eſcaped hitherto haue not béene puniſhed according to their demerits. Bee it therefore enacted, ordained, and eſtabliſhed by the ſaid authority of this preſent Parliament, that for euery negligent eſcape hereafter from any Sherife, hauing the kéeping of any Gaole, or from any Conſtable of Caſtle, or other being kéeper of any Gaoles, where ſuch priſoners accuſtomably haue beene and ſhall be kept of perſons indited of high Treaſon, being in their kéeping, that no leſſe fine be ſet or made for euery ſuch eſcape, then C.mark, & more by the diſcretion of the Juſtices, that ſhal aſſeſſe ſuch fines: and for euery eſcape of perſons eſcaping being in their keeping for ſuſpection of high treaſon, no leſſe fine to be ſet ne made then xl.li. and for euery eſcape of perſons indited of Murther, or petit Treaſon, xx.li. at the leaſt, and more by the diſcretion of the Juſtices that ſo ſhall aſſeſſe ſuch fines: and for euery eſcape of perſons ſuſpected of Murder or petit Treaſon, x.li. or more, by the diſcretion of the Juſtices that ſo ſhall aſſeſſe ſuch fines: And for euery perſon eſcaping, being in their kéeping, endited of Felony, other then Murther or Treaſon, x. li. and for euery perſon ſuſpected of felony, other thē Murther or Treaſon, as is aforeſaid, to forfeit for euery ſuch eſcape C.s. or more, by the diſcretion of the Juſtices, after the manner and quantity of their demerites, ſauing to euery perſon or perſons, their heires and their ſucceſſours, ſuch ſufficient and lawfull right and title, to any ſuch eſcapes and fines for the ſame, or to be quit of ſuch eſcapes, or of any other eſcapes, as they haue or ought to haue at the time of making this Act: this Act or any clauſe contained in the ſame in any thing notwithſtanding. And if any perſon hereafter haue any priſoner in his kéeping, arreſted for ſuſpection of felony, treaſon, or murder, and that perſon that ſo is arreſted, eſcape by negligent keeping before that he be brought to the gaole, that perſon from whom he ſo eſcaped, ſhall forfeit for euery perſon that ſo doth eſcape, ſuch fines as ſhall bée ſet by diſcretion of the Juſtices, that ſhall haue authority to aſſeſſe ſuch fines, as the cauſe wil require, and the ſame forfeiture to goe to them that be intitled to haue ſuch forfeitures the time of making this Act. And moreouer be it enacted and ordained by the ſaid authority, that all offices of Conſtables of Caſtels, Fortreſſes, or other places, and all other offices within this Realm of England or Wales, not requiring actuall exerciſe in any of the ſame offices by them to whom ſuch grant of offices is made or granted, or by their deputy or deputies, graunted by the King our Soueraigne Lord that now is, to any perſon or perſons for terme of life or liues, and letters Patents of the ſame, ſhall be from the feaſt of Paſche next comming vtterly repealed, adnulled, voyd and of no force ne effect in the law. And this Act as concerning the penalties aforeſaid and euery of them, to endure to the next Parliament and no longer. Prouided alway, that neither the Sherife of the county of Surrey for the time being, nor any other Sherife haue any rule, cuſtody or gouernance of the Gaoles of the Kings Bench and Marſhalſey, or of either of them by reaſon or by authority of the ſaid Act: but that Sir Thomas Brandon Knight, and Sir Iohn Dygby Knight, and euery of them haue and enioy the cuſtody and keeping of the ſame Gaoles, according vnto their ſeuerall grants to them made, this Act notwithſtanding. Prouided alway, that the ſame Act of reſumption, or any Articles therein contained, extend not, ne be in any wiſe hurtful or preiudiciall to Edward Courtney Earle of Deuonſhire, for the auoyding and repealing of any letters patents or graunt to him made by the King our Soueraigne Lord, of and for the Conſtableſhip of the Caſtle of Keſtermell, otherwiſe called Keſtormin, in the County of Cornewall: but that ſuch letters Patents or graunt of the ſame office, bee of as great force, ſtrength and effect, and to the ſaid Earle as auaileable, as they ſhould or might haue beene, if the ſaid Act of reſumption had neuer beene had ne made. Prouided alway that this preſent Act of reſumption, or any other made or to be made in this preſent Parliament, extend not, ne in any wiſe be hurtfull or preiudiciall vnto any maner of graunt, made by the King our Soueraigne Lord by his letters Patents to Iohn Morgan, of or for the Parkerſhip of the Parke of Carlion, with the profits of the ſame within the Lordſhip of Uſke of Southwales: but that the ſaid Letters Patents, and euery thing in them contained, be from henceforth good and effectuall to the ſaid Iohn, according to the tenour and purport of the ſame, the foreſaid Act or Acts in any wiſe notwithſtanding.

The Sherife of Surrey ſhal not haue the keeping of the K. Bench and Marſhalſey.

Edw. Courtney Earle of Deuonſhires patent except.

Iohn Morgans patent except.

Cap. XI.

The penalties for keeping of Buckſtals, ſtalking and taking of Herons.

FOraſmuch as it is well vnderſtand and knowne, that the greateſt deſtruction of redde Deere and fallow within this Realme in time paſt, hath beene and yet is with Nets called Deere-hayes, and Buckſtals, and ſtalking with beaſts, to the great diſpleaſure of our Soueraigne Lord the King, and of all the Lords and other Noble-men within this his Realme, hauing Foreſts, Chaſes or Parkes in their poſſeſſion, rule, or keeping, ſo that if the ſaid nets or ſtalking ſhould vnlawfully be vſed and occupied in any time comming, as they haue beene in time paſt, the moſt part of the Foreſts, Chaſes, and Parkes of this Realme ſhould be therewith deſtroyed. Be it therefore eſtabliſhed and enacted by the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, that any perſon Spirituall or Temporall, hauing no Park, Chaſe nor Foreſt of their owne, keepe, nor cauſe for to bee kept any Nets called Deere-hayes, or Buckſtals, by the ſpace of a moneth next after the Proclamation of this Act made: vpon paine of forfeiture for euery moneth that he or they keepe or cauſe to be kept the ſame Nets, Hayes, or Buckſtals, xl.li. And that no perſon from henceforth ſtalke, or cauſe any other perſon to ſtalke with any buſh or beaſts to any Deare, being in any Parke, Chaſe, Foreſt, or without, but if it be within his owne ground, Chaſe, Foreſt. or Parke without licence of the owner, maſter of the game, or keeper of the ſame ground, Chaſe, Foreſt, or Park, vpon paine of forfeiture for euery time that he or they ſo ſtalketh, x.li. And furthermore that no perſon ne perſons without his owne ground ſlea, take, or cauſe to be taken by meane of craft or engine any Herons, without it be with hawking, or with long bow, vpon paine of forfeiture for euery Heron taken or ſlaine vi.s.viii.d, and that no perſon or perſons without his or their owne ground, take any yong Herons out of the neaſt, without licēce of the owner of the ground where the ſaid neaſt is, vpon pain of forfeiture for euery Heron ſo taken out of the neaſt, x.s. and that euery man that will, may & ſhall be admitted to ſue for any of the ſaid forfeitures by action of debt, and like proces to be had and made therein as in other actions of debt at the making of this Act: and that the defendant be not admitted to tend nor to doe his law in any ſuch action, nor any eſſoine nor protection to be allowed for the defendant in the ſame: and that two Iuſtices of Peace in their Seſſions ſhall haue authority to call before them any perſon ſuſpected of the premiſſes, and to their diſcretion to examine them in the premiſſes. And if by their examination the party ſo examined be found in default contrary to the premiſſes, that then he ſo found in default to bee committed to priſon, till he haue found ſurety for payment for the ſame forfeitures to the King. And that thoſe Iuſtices that ſo examine them ſhall haue the tenth part of euery ſuch forfeiturs for their labour in that behalfe.

The penalty for keeping of Deere-hayes or Buckſtals.

The penalty for ſtalking or cauſing another to ſtalke at a Deere without licence.

The penalty for taking of Herons.

The penalty for taking of young Herons out of the neaſt.

Two Iuſtices of P. may examine any perſons ſuſpected, and puniſh them

Cap. XII.

An Act touching the puniſhment of Vagabonds for their firſt offence, and for their ſecond offence, and of them that doe relieue them: A remedy to prouide for beggers not able to worke: Which officers & perſons may puniſh Vagabonds, & their penaltie if they do not. Exp. 39. *El*. 4. Certain perſons prohibited to play at vnlawful games. Exp. 33. *H*. 8. 9. Two Iuſtices of peace may reiect common ſelling of Ale or Beere. Alt. 5. *Ed*. 6. 25. *Rep*. 21. *Iac*. 28.

CAP. XIII.

Iurors impanelled to enquire of Riot, and the Iſſues returned vnto them. The puniſhment of Maintainors, whereby a Riot is not found.

St.13.H.4.7.

St.2.H.5.8.

How many Iurors ſhall be returned to inquire of a Riot, and of what ſufficiency they ſhall be.

What iſſues ſhall be returned vpon the Iurors.

The Sherifes forfeiture for omitting his duty

Certificate of the Maintainors and Embraceors.

The forfeitures of Maintainors and Embraceors whereby a riot is not found

VVHereas in the Parliament holden at Weſtminſter, the Tueſday, the morrow next after Al ſoules day, the xiii. yeare of the raigne of King Henry the fourth, among other things it was enacted, ordained & ſtabliſhed, that if any ryot, aſſembly or rout of people againſt the law, were made in any part of the Realme, that the Iuſtices of the Peace, thrée or two of them at the laſt, & the Sherife or Vnderſherife of the County where ſuch riot, aſſembly, or rout ſhould be done, after the ſame Statute, ſhould come with the power of the Shire (if néed ſhould be) to arreſt them, and them ſhould arreſt, & the ſame Iuſtices & Sherife or Vnderſherife, ſhould haue power to record that which they ſhould finde ſo done in their preſence againſt the law, and that by the record of the ſame Iuſtices and Sherife or Vnderſherife, the ſame treſpaſſers and miſdoers ſhould be conuicted in manner and forme as it is contained in the Statute of forcible entries: with diuers other Articles touching & concerning the premiſſes, as in the ſame Statute made the ſaid xiii. yeare more plainly at large it appeareth, which Statute is thought good and neceſſary: wherefore by the aduiſe and aſſent of his Lords Spirituall and Temporall, and the Commons in this preſent Parliameut aſſembled, and by the authority of the ſame. Be it therefore ordained, eſtabliſhed, and enacted, that the ſaid Act made in the ſaid xiii. year of King Henry the fourth, concerning ryots, aſſemblies and routs of people, and all and euery Article & Articles compriſed in the ſame, and alſo all other eſtatutes before this time made concerning the puniſhment of riotors, at the time of the making of this Act being in force, frō henceforth ſtand in their force, and be duely put in execution, after the tenors and purports of the ſame. And foraſmuch as in the ſaid Statute, made in the ſaid xiii. yeare, it is not expreſſed of what ſufficiency the Iurors impanelled ſhould be, or what iſſues they ſhould loſe if they appeare not, nor no mention therein made of any puniſhment of the maintainors and embraceors of the Iurors, that ſo ſhall be empanelled, ſhould haue for their miſdemeanors, if any be: It is therfore furthermore enacted by the ſaid authority in this preſent Parliament, that if any ryot, rout, or vnlawfull aſſembly be committed & done at any time after the firſt day of May next comming, within this Realme of England, that the Sherife hauing a precept directed to him, ſhal return xxiiii. perſons dwelling within the Shire where ſuch riot, rout, or vnlawfull aſſembly ſhall bée ſo committed and done, whereof euery of them ſhall haue lands and tenements within the ſame ſhire to the yearly value of xx.s. of Charter land or fréehold, or xxvi.s.viii.d. of copyhold, or of both, ouer and aboue all charges, for to enquire of the ſaid riot, rout, or vnlawfull aſſembly. And he ſhall return vpon euery perſon, ſo by him impanelled, in iſſues at the firſt day, xx.s. and at the ſecond day xl.s. if that they appeare not, and be ſworne to enquire of the premiſſes at the firſt day. And if default be found in the Sherife or Vnderſherife, for returning of other perſons, not being of the ſaid ſufficiency, or returne not iſſues in forme aforeſaid, that then the ſaid Sherife ſhall forfeit to our Soueraigne Lord the King for either, xx.li. And if the ſaid riot, rout or vnlawful aſſembly be not found by the ſaid Iury, by reaſon of any maintenance or embracery of the ſaid Iurors, that then the ſame Iuſtices and the Sherife or Vnderſherife ouer and aboue all ſuch certificat that they muſt, & be bound to make, according to the ſaid Statute made the ſaid xiii. yeare, ſhal in the ſame certificat certifie the names of the maintainors and embraceors in that behalfe, if any be, with their miſdemeanors that they know, vpon pain of euery of the ſaid Iuſtices and Sherife or Vnderſherife to forfeit xx.li. if the ſame Iuſtices and Sherife or Vnderſherife haue no reaſonable excuſe, for non certifying of the ſame: which certificate ſo made ſhall be of like force and effect in the law, as if the matter contained in the ſame were duely found by the verdit of xii. men. And euery perſon duly proued to be a maintainor or imbraceor of the ſame, ſhall forfeit to our ſaid Soueraigne Lord xx.li. and as well the ſame maintainors as the embraceors ſhall be committed to ward, there to remaine by the diſcretion of the Iuſtices.

CAP. XIIII.

The penalty for giuing or taking any liuery, &c. or for retaining or being retained with another during the Kings life. EXP. St.1.*R*.2.7. 1.*H*.4.7. 2.*H*.4.21. 8.*Ed*.4.2. 7.*H*.4.14.

CAP. XV.

Seuerall charges impoſed vpon the lands and perſon of Ceſtuy que vſe.

The ſeuerall inconueniencies that many did receiue by Ceſtuy que vſe.

PRayen the Commons in this preſent Parliament aſſembled, that where diuers and many perſons be defrauded of their [f] execution, as well of and vpon Recognizances, Statutes of the Staple, Statutes Merchants to them made, as of their debts and damages recouered in actions of debt, treſpaſſes, or other actions: and ſo in likewiſe the Lords of whom any lands and tenements be holden in ſocage, of their reliefes, and ſometime of their Heriots, by reaſon that hée ſo

being

[f] Coke.l. fo.113

being bound or condemned, and alſo he that of right ought to be very tenant to the Lord, of whom ſuch lands and tenements be holden, cauſeth by fine, feoffement, recouerie, or otherwiſe, diuerſe perſons to be ſeiſed of the ſaid lands, tenements, and other hereditaments onely to his vſe, he taketh the profits of the ſame, to the great hurt, deceipt, and defraud of the Kings true liege people within this his Realme, if that remedie be not therefore purueyed. In conſideration whereof, be it ordained, eſtabliſhed, and enacted by the King our Soueraigne Lord, by the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, & by authoritie of the ſame, that from henceforth it ſhall be lawfull for euery Sherife or other Officer, to whom any Writ or precept is or ſhall be directed at the ſuit of any perſon or perſons, to haue any execution of any lands, tenements, or other hereditaments againſt any perſon or perſons, of, for, and vpon any condemnation, eſtatute merchant, eſtatute of the ſtaple, recogniſance hereafter to be made or had, to doe, make, and deliuer execution vnto the party in that behalfe ſuing, of all ſuch lands & tenements as any other perſon or perſons be in any maner of wiſe ſeiſed, or hereafter ſhall be ſeiſed in any wiſe, to the only vſe of him againſt whom execution is ſo ſued, like as the ſaid Sherife or other Officer might or ought to haue done if the ſaid party, againſt whom execution hereafter ſhall ſo be ſued, had béen ſoly ſeiſed of the ſaid lands and tenements of ſuch eſtate as they be ſeiſed of to his vſe at the time of the ſaid execution ſued. And ouer that be it ordeined by the ſaid authority, that the Lords of whom any ſuch lands and tenements be holden in ſocage, ſhall from henceforth after the death of him, to whoſe vſe any perſon or perſons as is aforeſaid be ſeiſed (and no will thereof declared) haue his[h] reliefe, hariot, and all other duties, like as the ſaid Lord ought or might haue had if he had died ſeiſed of the ſame. Prouided alway, that euery ſuch perſon, againſt whom execution is or ſhall be had of lands and tenements, ſo being in poſſeſſion of other perſons to his vſe, may haue all ſuch aduantage in the law againſt him or them that ſo haue execution of the lands or tenements afore rehearſed, as he might or ſhould haue had if he had béen ſoly ſeiſed of the ſaid lands and tenements at time of the ſaid execution ſued. And ouer that, be it ordeined by the ſaid authoritie, that if any bondman purchaſe any lands or tenements in fée ſimple, fée tayle, or for terme of life, or for terme of yeares, and cauſeth eſtate to be made to diuers perſons to his vſe, or taketh eſtate to himſelfe and to diuers other iointly with him and to his vſe and behoofe, that it ſhall be lawful to the Lord of any ſuch bondman to enter during the ſame vſe, into the lands and tenements and euery parcell thereof ſo purchaſed by his bondman, in like maner and forme as he might haue done, if the ſaid bondman had onely béene ſeiſed of the ſaid lands and tenements in fée or otherwiſe. St. 1. R. 3. 1. 4. *H.* 7. 17. 27 *H.* 8. 10. Coke Inſt. 91 a. 117. a.

g Bro. Recogniſance 13.

The landes of Ceſtuy que vſe ſhall be put in execution for his debt due by Iudgement, &c. Raſt li. pl. fo. 165. 245.

The lands of Ceſtuy que vſe ſhall ſatisfie the chiefe Lord of his reliefe, hariot & other duties.
h V. N. B. fo. 94.

Ceſtuy que vſe ſhall haue ſuch aduantages as he might haue had, if he had been tenant of the land.

Ceſtuy que vſe being a bondman, the land may be ſeiſed by his Lord.

Cap. XVI.

The Statute of 11. H. 7. 26. touching the abilitie of Iurors impanelled in the Sherifes Turnes in Surrey, Suſſex, and Hampſhire continued vntill the next Parliament. Exp.

Cap. XVII.

A Confirmation of part of the Statute of 11. H. 7. 11. and a Repeale of the reſidue.

Prayen the Commons in this preſent Parliament aſſembled, that wheras the Citie of Norwich is an ancient Citie, and in the ſame Citie without time of minde among other Crafts hath béene vſed a certaine Craft called Shermans craft, & the artificers of the ſame haue alway vſed by the ſame time, to ſheare as well Worſteds, Stamins and Fuſtians, as all other woollen cloth: and all apprentiſes of the ſame craft haue béen taken and bound to Shermans craft onely, and by reaſon thereof they haue had and enioyed their liberties and fréedome in their occupation by the name of the Shermans craft generall, and none otherwiſe, and there haue euery yeare vſed within the ſaid Citie to be choſen and ſworne two Wardens of the ſame craft, and all defaults by the ſaid Wardens in their craft found, to be preſented before the Mayor of the ſaid citie for the time being, and the offendors in that behalfe to be puniſhed according to the cuſtome of the ſame Citie, till now of late time diuers perſons for their ſingular profit, contrary to the common weal of the ſaid City, faining to haue a craft of Worſted ſhearing, ſeparate from the ſaid Craft of Shermans craft, ſurmitted a bil into the parliament holdē at Weſtm. the xiiii. day of October, the xi. yeare of the raigne of our Soueraigne Lord the King that now is, by force of which pretended bill, it was in the ſaid Parliament enacted and ordained, that from henceforth no man ſhould take vpon them to ſheare Worſteds within the ſaid Citie, except hée had béene apprentice to the ſaid occupation of Worſted ſhering, by the ſpace of ſeuen yeares, or ſuch other as the Maſters of the ſaid occupation within the ſaid City for the time being, approuing their cunning, with the aduice of the Mayor for the time being in the ſaid City, will admit. And furthermore in the end of the ſaid Act it was prouided, that the ſaid occupation of Worſted ſhearing ſhall not make nor doe to be made any ordinance concerning the ſaid occupation among themſelues, but ſuch as the Mayor of the ſaid City for the time being with his brethren Aldermen, ſhall thinke neceſſary and profitable for the weale of the kings ſubiects, as more plainly in the ſaid Act amongſt other things

The inconueniences which haue enſued to the Shermen of Norwich by the Statute of 11. H. 7. 11.

The ſeuerall practiſes of the Wardens of Worſted Sherers in Norwich.

doth appeare. It is ſo that ſith the making of this Act, by colour of the ſame, the Worſted Shersmen within the ſaid Citie within themſelues, without aduice or conſent of the Mayor of the ſaid City, haue choſen Wardens of Worſted ſhearing, and ſeparated the ſame pretended craft from the foreſaid craft called Shermans craft, contrary to the liberties and good cuſtomes of the ſaid Citie in time paſſed vſed and approued: and ouer that the ſaid pretended Wardens, with their company to them confedered, diuers and many times aſſembled and made Ordinances among themſelues, contrary to the common weale of the ſaid citie, without any aduice of the Mayor of the ſaid citie, intending to bring the ſhearing of Worſteds into few mens hands, and to inhaunce the price of ſhearing of Worſted at their pleaſure, in ſo much that they will not admit to ſhearing of Worſteds but certaine perſons, where many other within the ſaid citie be as perfit, and haue as great cunning in the ſaid ſhearing of Worſteds, as they the ſaid pretended Wardens daily doe ſuffer to ſheare, haue: and will not admit any man, to the ſhearing of Worſteds, though he haue ſufficient, cunning therein, without he will compound with them, and make great and importable fines: By force whereof diuers and many of the Shearmen, lately inhabitants of the ſaid Citie, be departed out of the citie into the countrie, & ſo diuers and many houſes within the ſaid Citie now be vnoccupied and decayed, and daily more are like to be, to the great deſolation of the ſaid City, and alſo to the impoueriſhing of the Marchants buyers of the ſaid Worſteds within the ſaid Citie, whereby the great weale and proſperity of the ſaid Citie ſtandeth, and the inhabitants of the ſame ſupported. In conſideration of all which premiſſes, it may pleaſe the King our Soueraigne Lord of his moſt abundant grace, and for the great zeale his Grace hath to the vniuerſall weale of his ſubiects in this his Realme, by the aduice and aſſent of the Lords Spirituall and Temporall, & of the Commons in this Parliament aſſembled, and by authoritie of the ſame, to ordeine, ſtabliſh, and enact, that the ſaid Act made the xiiii. day of October, the xi. yeare aforeſaid, in euery thing touching and concerning the ſaid Worſted ſhearing, or the ſaid pretended craft of Worſted ſhearing only, be vtterly voyd, repealed, adnulled, & of no force ne effect. Prouided alway, that the reſidue of the foreſaid Act concerning the ſetting or putting, taking or receiuing of apprentiſes for all the Citizens and inhabitants within the ſaid citie of Norwich, may ſtand in his full ſtrength and effect in ſuch forme as in the ſaid Act is expreſſed and conteyned, this preſent Act notwithſtanding.

So much of the Stat. of 11. H. 7. 11. as concerneth the taking of Apprentices confirmed, and the reſidue touching Worſted Sherers repealed.

Cap. XVIII.

The penaltie of thoſe which take impoſition of Boats vpon Severne.

PRayen the Commons in this preſent Parliament aſſembled, that where time out of minde Merchants, Vittailers, and all other your liege people of this your Realme, at their pleaſure haue had and vſed free courſe and paſſage through and vpon your riuer and water of Seuerne, within this your Realme, with Ships, Trowes, Boats, and all other their veſſels, to carry and conuey their Merchandiſes, Vittailes, and other goods from towne to towne, and from place to place, without interruption, trouble, vexation, let or diſturbance, and without any thing therefore paying or giuing, vntil of late time diuers Merchants and others of this your Realme of England, were by diuers and certaine miſ-ruled perſons inhabited in the Foreſt of Deane, and other places to the ſaid Riuer adioyning, wrongfully let, vexed, and interrupted: whereupon for the ſure & peaceable paſſage and courſe vpon the ſame water & riuer of al the Kings liege people to be had and continued, diuers Acts and Lawes were made and purueyed, and in eſpeciall one in the ix. yeare of the raigne of the moſt bleſſed, and of famous memory your Vncle King Henry the vi. by the which Act it was eſtabliſhed, ordained, and prouided that al your liege people and euery of them, ſhould haue their common and frée paſſage vpon your ſaid riuer and water, with their Trowes, Boates, & other veſſels from Briſtow, Glouceſter, Worceſter, and other places, without let, interruption or denier: and if any of your liege people or ſubiects were of their ſaid courſe and paſſage letted or diſturbed, that they ſhould haue actions of treſpaſſe againſt the offendors in that behalfe, and the premiſſes notwithſtanding, diuers perſons late and now being your officers of and in your City of Worceſter and towne of Glouceſter, and other places adioyning to your ſaid riuer and water will not ſuffer any Boate, Trow, or any other veſſell to paſſe through & vpõ your ſaid riuer and water without diuers impoſitions by them thereupon ſet, and by them leuied, gathered, and reared vpon the Merchants and owners of the ſaid goods and merchandiſes, by the ſaid riuer and water paſſing, in manifeſt contempt of your ſaid lawes, and breaking of the laudable cuſtome aforetime remembred. Pleaſe it therefore your Highneſſe, the premiſſes conſidered, by the aduiſe of the Lords Spirituall and Temporall, and the Cõmons in this preſent Parliament aſſembed, and by authoritie of the ſame to ordaine, eſtabliſh and enact, that whatſoeuer perſon or perſons, of what eſtate, degree or condition he or they be, hereafter take any impoſition of any of the Kings liege people, for Trow, Boat, or any other veſſell for any goods or merchandiſes carried or conueyed in and vpon the ſaid riuer and water of Seuerne, or doe let, vexe or interrupt any Boats, Trowes, or veſſels ſo paſſing by the ſaid riuer & water, for any ſuch impoſitiõ or otherwiſe againſt your lawes, that euery ſuch perſon or perſons ſo doing and offending, ſhall for-

The effect of the Stat. of 9. H. 6. 5. prouided for free paſſage vpon the riuer of Seuern feit to the King our Soueraigne Lord for euerie ſuch offence, xx.li. and for euery ſuch ſumme or ſummes ſo forfeit, the partie grieued & other perſons that will ſue for the ſame forfeiture, ſhall haue and ſue an action popular of debt, aſwell to and for the vſe of our Soueraigne Lord the King, as to the vſe of him that ſhall ſo ſue for it in his owne name, and that our Soueraigne Lord the King haue two partes of the ſaid ſumme ſo forfeited, and the party that ſo ſhall ſue for the ſame haue the third part thereof: and the party defendant in euery ſuch action ſhall not be receiued to wage his law, and alſo be outed of all delatories in the ſame action, as protections, eſſoine, and other. And if it fortune the parties in any ſuch action to defend or pleade to an iſſue for any offences done or committed contrary to the premiſſes tryable in the Citie of Worceſter, or the liberties of the ſame, then the ſame iſſue te be tried by xii. men within the county of Worceſter not dwelling nor hauing any lands within the ſame citie, ne the ſuburbs of the ſame. And if the partie aforeſaid in any ſuch action defend and plead to an iſſue for any offence done or committed contrary to the premiſſes, tryable in the Shire of the towne of Glouceſter or in the county of Glouceſter, then the ſame iſſue to be tried by xii. men of or in the county of Glouceſter, thereto adioyning, not hauing any lands ne dwelling within the ſame Shire of the towne of Glouceſter. Prouided alway, that this Act or any thing in the ſame conteined or ſpecified, in any wiſe extend not nor be preiudiciall or hurtfull to any perſon or perſons hauing any lands or medes adioining to the ſaid ſtreame or water of Seuerne, to take of euery perſon or perſons going vpon his or their ſaid lands and medes and haling and drawing any ſuch Trow, Boat or veſſell, reaſonable recompence or ſatiſfaction for ſuch hurts and offences as he or they hauing ſuch lands or medes adioining to the ſaid ſtream or water, ſhall ſuſtain by reaſō of any ſuch going or drawing of any ſuch Trow, Boat, or veſſell. Prouided alway, that if any perſon or perſons ſpirituall or temporall, or any body corporate, come before the Lords of the Kings honourable Councell in the Star-Chamber at Weſtminſter at any time hereafter before the feaſt of the Aſcenſion of our Lord, that ſhall be in the yeare of out Lord God, M.D. and v. and there make any ſufficient proofe and lawfull title of their owne offer, or by other meanes, before the ſame feaſt to haue any maner of duetie and impoſition of and for any maner Boat, Trow, or other veſſell aforeſaid, or for any other marchandiſes or goods in any of the ſame caried and conueyed in and vpon the ſaid riuer and water of Seuerne, and the ſame proofe and title by the ſaid Councell admitted, & decréed before the ſame feaſt to be good and auaileable to the partie or parties that ſue for the ſame: that then from thenceforth after ſuch proofe and title ſhewed, and ſo by the ſaid Councel admitted, and by them before the ſame feaſt decréed to be good, thoſe perſons hauing ſuch lawfull title may and ſhall haue from the time of that decrée made, all maner ſuch duties of euery of the Kings liege people ſo carying or conueying any Boat, Trow; or veſſell in and vpon the ſaid water of Seuerne, according to their title and right, ſo proued and decréed after the maner & forme of the ſame title and decrée: this preſent Act, or any thing therein contained in any wiſe notwithſtanding. *St.23.H.8.12.*

The forfeiture of thoſe that interrupt any with their Boats paſſing vpon the riuer of Seuerne.

Where and by whom iſſues triable in any of the ſaid actions ſhall be tried.

The owners of lands ſhall be ſatiſfied for the hurts which they receiue.

A duetie or impoſition allowed and decreed in the Star-Chamber.

Cap. XIX.

No Shoomaker ſhall occupy the myſterie of a Currier, nor Currier ſhall occupy the myſterie of a Shoomaker. No Tanner ſhall put a hyde to ſale before it be ſufficiently dryed. Rep. 5. El. 8. & 1. Jac. 22.

Cap. XX.

A Confirmation of the Statnte of .3.H.7.10. Touching coſts awarded to the plaintiſe.

PRayen the Commons in this preſent Parliament aſſembled, that where in a Parliament holden at Weſtminſter, in the third yeare of the raigne of our Soueraigne Lord the King that now is, by the aduice of the Lords ſpirituall and temporall, and the Commons in the ſame Parliament aſſembled, and by authoritie of the ſame, it was enacted, ordained and eſtabliſhed among other things, that if any defendant or tenant, defendants or tenants, or any other that ſhall be bound by any iudgement, ſue afore execution had, any writ of errour, to reuerſe any ſuch iudgement in delaying of execution of the party, that then if the ſame iudgment be affirmed good in the ſaid writ of error, and not erronious, or that the ſaid writ of error be diſcontinued in the default of the partie, or the perſon or perſons that ſueth the writ or writs of error be nonſuted in the ſame: then that perſon or perſons, againſt whom the ſaid writ of error is ſo ſued, ſhall recouer his coſts and damages for his delay and wrongfull vexation in the ſame by diſcretion of the Iuſtices, afore whō the ſaid writ of error is ſued: which Act or ordinance hath not béen as yet duly put in execution, by reaſon whereof, aſwell plaintifes & demandants in diuers actions by them ſued, ſith the making of the ſaid Statute, haue béen oftentimes delayed of their execution, to their great and importable hurt, loſſe, and charges. wherefore the King our Soueraigne Lord, by the aduiſe of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, hath ordained, eſtabliſhed and enacted, that the ſaid act made the ſaid third yeare of his reigne concerning the premiſſes, be good and effectuall, and that it from henceforth be duely put in execution. Coke pla.fol.2.24.

Stat.3.H.7.10.

Coſts and damages to the plaintife where the defendant ſueth a writ of Error.

Cap. XXI.

Certaine things wrought of ſilke not lawfull to be brought into this Realme.

Certain things wrought of ſilk out of this Realme prohibited to bee brought into the Realme.

BEe it eſtabliſhed, ordeined, and enacted by the authority of this preſent Parliament, that no maner of perſon from henceforth bring or cauſe for to be brought into this Realme of England to be ſold, any maner ſilke wrought by it ſelfe, or with any other ſtuffe in any place out of this Realm in Ribāds, Laces, Girdles, Corſes, Calles, Corſes of Tiſſues, or Points, vpon pain of forfeiture of all the ſame Ribands, Laces, Girdles, Corſes, Calles, Corſes of Tiſſues and Points, and euery of them, in whoſe hands ſoeuer they be found, or the value of the ſame: the one moitie of the ſaid forfeiture to our ſoueraigne Lord the King, and the other moitie thereof vnto any of the Kings ſubiects that will ſeiſe, or ſue for the ſame, the which to doe, it ſhall be lawfull to euery of the Kings ſubiects at all times. And that it ſhall be lawfull to euery perſon, as well ſtranger as other, to bring into this Realm from henceforth all other maner of ſilkes, as well wrought, as raw or vnwrought, to ſell at his or their pleaſure, any Act or Acts of Parliament heretofore to the contrary made, in any wiſe notwithſtanding. And that it ſhall be lawfull to all perſons, that haue any ſuch Ribands, Laces, Girdles, Calles, Corſes of Tiſſues, or Points, wrought beyond the Sea, & brought into this land by the Kings licence, to be ſold, to make ſale of the ſame, & euery perſon therof to haue licence & liberty thereto vntill the feaſt of Pentecoſt, that ſhall be in the yeare of our Lord M.D.v. St.33.*H* 6.5. 22.Ed.4.3. 3.Ed.4.3. 1.R.3.10. 1.*H*.7.9.

Cap. XXII.

A Repeale of a former Statute prohibiting men of Calice to be Factors for Merchants ſtrangers in England. Exp.

Cap. XXIII.

All Statutes, &c. made in derogation of the Merchants of the Stilliard ſhall be repealed.

All Acts made in derogation of the Marchants of the Stilliard ſhall be void.

BE it ordained, eſtabliſhed, enacted and prouided, by the King our Soueraigne Lord, by the aduice of the Lords ſpirituall and temporall, and the Commons of the ſame in this preſent Parliament aſſembled, for Merchants of the Hanſe in Almain, hauing the houſe in the City of London commonly called Guilhalda Teutonicorum, that by authority of this ſaid Parliament euery Act, Statute, or Ordinance, Acts, Statutes, or Ordinances heretofore made, not concerning Marchants, Marchandiſes, or other wares, extend not to the preiudice, hurt, or charge of the ſaid Marchants of the Hanſe, contrary to their ancient liberties, priuiledges, free vſages, and cuſtomes of old time granted to the ſaid Marchants of the Hanſe, as well by the Kings noble progenitors, and ratified and confirmed by the Kings Grace, as by authority of diuers parliaments: but that all ſuch Act, Statute, and Ordinance, Acts, Statutes, and Ordinances ſo made or to be made in derogation of their ſaid liberties, priuiledges, free vſages, and cuſtomes, ſtand and be as againſt the ſaid Marchants and their ſucceſſors and euery of them void, repealed, adnulled, and of none effect: any Act, Statute, or Ordinance, Acts, Statutes, or Ordinances to the contrary made or to be made, notwithſtanding.

This Statute ſhall not preiudice the liberties of London.

Prouided alway, that this Act or any thing therein contained, extend not, or be in any wiſe preiudiciall or hurtfull to the Mayor, Sherifes, Citizens, or Communalty of the Citie of London, or any of them, or to the ſucceſſors of any of them, of or for any entries, liberties, priuiledges, franchiſes, or other thing to them or any of them giuen or graunted by the Kings moſt noble progenitors or predeceſſors Kings of the Realme, or by authoritie of this Parliament, or otherwiſe: this preſent Act or any thing therein contained notwithſtanding.

Cap. XXIIII.

Where the Shire Court for the County of Suſſex ſhall be holden.

In what towns the Shire court for the County of Suſſex ſhall be holden.

IN conſideration that the Shire Court, of and for the Shire of Suſſex, holden and kept in the Citie of Chicheſter, which is in the extreme party of the ſame Shire, the ſame Shire being lxx. myles in length: by reaſon whereof diuers and many of the Kings ſubiects, inhabiting that Shire, are ſometime outlawed, and ſometime loſe great ſummes of money in that Court ere they haue knowledge thereof, to their vtter vndoing. Be it therefore enacted by the authority of this preſent Parliament, that from the Feaſt of Eaſter next comming, the Shire Court for that Shire ſhall be holden and kept one time at Chicheſter aforeſaid, and the next time at the Borough of Lewes, which Borough is in the middes of that Shire, and ſo to be kept alternis vicibus for euer. And euery ſhire-court holden to the contrary hereof, and all things therein done, to be void.

Here end the Statutes of King HENRY the ſeuenth.

God ſaue the King.

HENRICI OCTAVI.

The King our Soueraigne Lord HENRY the eighth after the Conqueſt, by the Grace of God, King of England and of France, and Lord of Ireland, at his Parliament holden at Weſtminſter the one and twentieth day of January, in the firſt yeare of his moſt noble raigne, after the Prorogation to the honour of God and holy Church, and for the common weale and profit of this his Realme, by the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſēt Parliament aſſembled, & by Authoritie of the ſame, hath done to be ordained, made, and enacted certaine Statutes and Ordinances, in manner and forme following.

CAP. I.

A Repeale of an Act made Anno 8. *H.*6.2. prohibiting the Kings ſubiects to repaire into Denmarke and Iſeland, ſauing to the Towne of Northbarne. EXP.

CAP. II.

The King nor any other ſhall take aduantage of the penalties limited by the Statute of Anno 1. R. 3. 8. touching the making of ſeuerall ſorts of Clothes before the next Parliament. EXP. St. 27. *H.*8.12.

CAP. III.

All acquitances made by Iohn Heron generall Receiuor of the Kings Reuenues, ſhall be a diſcharge againſt the King, & Iohn Heron ſhall ſtād chargeable to others hauing intereſt in receits.

CAP. IIII.

All Actions &c. for the King vpon any penall Statute ſhall be taken within iij. yeares after the offence committed, and for any other perſon within one yeare. EXP. 18. El 5. 31. El. 5.

CAP. V.

The penaltie for cuſtoming of goods, whereby the King loſeth his duties.

WHere at the Parliament holden at Weſtminſter, in the third yeare of the reigne of the moſt noble King Henrie the vii. It was ordeined and eſtabliſhed, by the authoritie of the ſame: that no maner of Marchant Denizen, nor Stranger, ſhould take vpon him to enter, or cauſe to be entred in the bookes of any Cuſtomer of any Port within this Realme, any manner Merchandiſe comming into this ſaid Realme, or going out of the ſame, in any other Merchants name, ſauing only the name of the Merchant owing the ſame, vpon paine of forfeiture of all ſuch goods and merchandiſes ſo entred: and euery of the ſaid Merchants, which ſo ſhall take vpon him to cauſe ſuch vntrue entry to be made, to haue impriſonment, & to make fine therefore at the Kings pleaſure: It is now by our Soueraigne Lord the King, and his Lords Spirituall & Temporall, and the Commons in this preſent Parliament aſſembled, well conſidering that the intent and cauſe of the making of the ſaid Statute was onely for as much as by the ſubtill dealing of ſome Engliſhmen, colourably entring in their owne names the goods of Merchant ſtrangers, the Kings Highnes was deceiued in his cuſtomes, & that the ſaid Statute was made for none other cauſe: yet for as much as the words of the ſaid Statute were generall, it was extended as well vnto the goods of an Engliſhman, entred in the name of one other Engliſhman, as to the goods of a Stranger

The intent and cauſe of the making of the Statute of 3. H. 7. 7.

Stranger, entred in the name of an Engliſhman, to the great hurt, loſſe, and damage of many and diuers of the Kings ſubiects, and contrarie to the verie entent and meaning of the ſaid Statute.

A repeal of part of the Statute of 3.H.7.7. touching Engliſhmen entring into Cuſtomers bookes the goods of Aliens

It is therefore ordeyned, eſtabliſhed, and enacted by authoritie of this preſent Parliament, That the Act afore rehearſed, made the ſaid third yeare, and all things conteyned in the ſame, be from henceforth repealed, adnulled, and vtterly void and of none effect.

One Engliſhman may cuſtome goods in another Engliſhmans name.

And furthermore be it enacted, by our Soueraigne Lord the King, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament, and by the authoritie of the ſame, That it be lawfull from henceforth, that euerie Engliſhman and all other the Kings ſubiects, may in euery Port or Hauen within this Realme of England, Ireland, and Wales, and the Marches of the ſame, and in the Towne of Berwike, where it ſhall happen any Merchandiſe to arriue or to be charged and caried out, to cuſtome in his name all maner of goods & merchandiſe of another Engliſhman, or the Kings ſubiect.

One Merchant Stranger may cuſtome goods in an others name.

And in like fourme, Euerie Merchant Stranger to cuſtome in his name any goods or merchandiſe of any other Merchant Stranger, ſo that the ſaid Merchant Stranger, that cuſtometh the goods of another Merchant Stranger, and the very Owner or Proprietarie of the goods ſo cuſtomed, be charged with like cuſtome, ſubſidie, and other things, ſo that the Kings grace be not defrauded of his right.

The penaltie of him which cuſtometh goods whereby the K. loſeth his cuſtome.

And if any Merchant Stranger or Denizen, or any other the Kings ſubiect, cuſtome any goods or merchandiſes of another Stranger or Denizen, or of any other the Kings ſubiect, whereby the Kings grace ſhould loſe his cuſtome, ſubſidie, or other his right or dutie, that then the ſaid Merchant Stranger, or Denizen, or any other the Kings ſubiect that ſo taketh vpon him or them, to forfeit to our Soueraigne Lord the King, the goods or merchandiſes ſo cuſtomed: and ouer that to forfeit to the partie or parties in this behalfe greeued, as much money as the goods or merchandiſes of the Merchant Stranger, Denizen, or other the Kings ſubiect (ſo cauteouſly cuſtomed) amounted vnto.

The penaltie for wrongfull cuſtoming of Wines by him that is free of priſage &c. St.2.&3.Ed.6.22.

And that no Citizen of London, or other the Kings ſubiects, inhabiting in the Cinke Ports, or any other being free of Priſage, or Butlarage of Wines, by grant, cuſtome, or otherwiſe, cuſtome no Wines of any perſon or perſons, not being free of any Priſage, or Butlarage.

And if any perſon free of the ſaid Priſage, or butlarage ſo doe, that then the ſaid perſon or perſons (that ſo doe) forfeit to our ſaid Soueraigne Lord the double value of the Priſage of the ſaid Wines ſo cuſtomed.

And further that it be lawfull to any perſon or perſons greeued contrarie to this Act, to haue an Action of debt againſt any perſon or perſons that ſo cuſtomed the goods or merchandiſes in his name, and not in the Owners name, of the ſumme of the value of the ſaid merchandiſes ſo cuſtomed and forfeited: in the which Action none eſſoine nor protection ſhall lie, nor the Defendant to wage his law. St.1.Eliz.11.

CAP. VI.

A Repeale of a Statute made Anno 11.*H*.7.3. giuing authoritie to Iuſtices of Aſſiſe, Iuſtices of peace in their Seſſions to heare and determine all offences and contempts committed againſt any Statute in force, ſauing Treaſon, Murder, or Felonie.

CAP. VII.

No fee due to a Coroner where any perſon is ſlaine by miſadventure.

A reherſall of the Statute of 3.H.7.1.touching the fees of Coroners.

WHereas by a Statute made at Weſtminſter, the third yeare of King Henry the ſeuenth it was enacted, that a Coroner ſhall haue for his fee vpon euery inquiſition, taken vpon view of the body ſlaine and murdred xiii.s.iiii.d. of the goods and cattels of him that is the ſleer or murderer: where by the Common Law a Coroner had not, nor ought not to haue any thing for their office doing, as by the ſame Statute more plainly doth appeare. Sith which Statute ſo made, the Coroners haue vſed that if any perſon hath happened to be ſlaine by miſaduenture and by no mans hand, that they will not enquire vpon the view of the body, ſo by miſaduenture ſlaine: except they haue for their labours xiii.s.iiii.d. which is contrary to the Common Law, and alſo to the Statute afore reherſed: wherby great inconuenience doth daily grow to the Kings ſubiects, for as much as oftentimes the perſon that is ſo by miſaduenture ſlaine, lieth long aboue the ground, vnburied, to the great noiance of the Kings Liege people: wherefore the King our Soueraigne Lord, by the aſſent of his Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, & by authoritie of the ſame ordeineth, That vpon a requeſt made to a Coroner to come and enquire vpon the view of any perſon ſlaine, drowned, or otherwiſe dead by miſaduenture, the ſaid Coroner diligently ſhall doe his office vpon the view of the body of euery ſuch perſon or perſons, without taking any thing therefore: vpon paine to euerie Coroner that will not endeuor himſelfe to doe his office, (as afore is ſaid) or that he taketh any thing for doing of his office vpon euerie perſon dead by miſaduenture, for euery time xl.s.

No fee ſhall be due to a Coroner where any perſon ſhall be ſlaine by miſadventure. St.3.Ed.1.10.

And that the Iuſtices of Aſſiſes, and Iuſtices of Peace within the County where any ſuch default of the Coroners be, haue authority and power to enquire thereof and determine the ſame, as well by examination, as by preſentment.

The I. of Aſſiſe and P. may inquire of and determine the defaults of Coroners.

Cap. VIII.

The ſeuerall duties of an Eſcheator and Commiſſioners.

FOr as much as diuers of the Kings ſubiects now of late time haue béene ſore hurt, troubled, and wronged, and ſome diſherited by Eſcheators and Commiſſioners, cauſing vntrue offices to be found, and ſometime returning into the Courts of Record Offices and Inquiſitions that were neuer found: And ſometime changing the matter of the Offices that were truely found, to the great hurt, trouble, and diſheriſon of the Kings true ſubiects, that like before this time hath not béene ſéene in this Realme: wherefore be it ordained, eſtabliſhed, and enacted in this preſent Parliament, and by authority of the ſame, That if any Eſcheator or Commiſſioner hereafter returne or put into any of the Kings Courts, any Inquiſitions or Offices concerning Lands, Tenements or other Hereditaments, not found nor preſented by the oathes of twelue men, and indented, and by them ſealed, that then the ſame Eſcheator or Commiſſioner forfeit for euerie ſuch Office or Inquiſition, ſo returned and put into any of the ſaid Courts, an C. li. to the party or parties grieued for any ſuch Inquiſition or Office: And that from henceforth no Eſcheator, ne no man ſit by vertue of any Commiſſion to enquire of Lands, Tenements, or other Hereditaments, except he, or other to his vſe, haue Lands, Tenements, or Hereditaments of the yearly value of xl. markes aboue all charges and repriſes, vpon paine of xx. li. And that it ſhall be lawfull for all perſons, that be not ſufficient of fréehold in poſſeſſion or vſe, at the time of any ſuch Commiſſion to them deliuered, to refuſe to ſit and enquire by vertue of the ſame Commiſſion.

Eſcheators former offences the cauſe of making of this Act.

No office ſhall be returned into any of the kings Courts but which is found by a Iury.

What lands an Eſcheator or Commiſſioner muſt haue.

And that they vpon proceſſe made againſt them out of the Kings Eſchequer, by vertue of the ſame Commiſſion, be charged vpon their oathes, for their ſaid non ſufficiency, without fine or fée.

And that euery Eſcheator and Commiſſioner, ſhall ſit in conuenient and open places, according to the Statutes heretofore made. And that the ſaid Eſcheators and Commiſſioners, ſhall ſuffer euery perſon to giue euidence openly in their preſence, to ſuch enqueſt as ſhal be takē before any of them, vpon paine of xl. li.

The Eſcheator ſhall ſit in an open place, and ſuffer euery perſon to giue euidence.

St. 34. Ed. 3. 13.
35. Ed. 3. 13.
23. H. 6. 17.

And that no Sherife, nor other perſon, which ſhall or ought to returne Writs or Precepts, returne before Eſcheators, or ſuch Commiſſioners, any perſon or perſons to inquire of any Lands or Tenements, except euery of the ſame Iury ſo returned, or other to their vſe, haue Lands or Tenements of the yearely value of xl. s. within the ſame Shire, where the ſame enquiry ſhall be made, without fraud or colluſion, aboue all charges and repriſes, vpon paine of forfeiture for euery perſon ſo returned one C. s. And that the Iury that ſhall be ſworne before any Eſcheator or ſuch Commiſſioner to enquire of Lands, Tenements, or other Hereditaments, ſhall receiue the counterpane of the Office or Inquiſition, that by them ſhall bee preſented, endented, and ſealed by the Eſcheator, or by ſuch Commiſſioner, and the ſame deliuer & ſuffer to reſt in the poſſeſſion of the firſt perſon that ſhall be ſworne in the ſaid Iury, with him to remaine, to the entent that the ſaid Commiſſioner or Eſcheator may not change nor enbeſel the ſaid Offices or Inquiſitions. And this to be done vpon paine of euery of the ſaid perſons that ſhall be ſworne xx. s.

What lands in value thoſe Iurors muſt haue which be returned to finde any office.

The Iury muſt receiue the Counterpane of an office found and leaue it with the firſt man.

And that euery Eſcheator and Commiſſioner (after a Iury or Enqueſt before any of them ſworne be ready to giue their verdit or preſentment, and offer to preſent the ſame) that the ſame Eſcheator or Commiſſioners, or part of them, ſhal receiue the ſame verdit without further delay vpon paine of one C. li. And deliuer the counterpane of the indenture to the Iury, in forme aboue rehearſed vpon like paine: And that if the Clerke of the Petit Bagge of the Kings Chancery, for the time being, or his Deputy or Deputies, or any other Officer there, hauing authority to receiue any ſuch Office or Inquiſition, to whoſe hands any ſuch Office or Inquiſition ſhall come, which ought to be returned into the ſaid Chancery, wil not receiue the ſame Office or Inquiſition, and put it on the Filas to remain of Record, within thrée dayes after it be returned or offered to him to be receiued, he to forfeit for euery ſuch default xl. li. And the Commiſſioners or Eſcheator, afore whom the ſame Office or Inquiſition is found, and (as is beforeſaid) offered to be deliuered to the Chancery, to be diſcharged of the penalty of xl. li. limited by Statute for non returning of the ſame Office or Inquiſition within the moneth. And that like law and penalty be to charge the Officer or Officers of the Kings Eſchequer, for the time being, which ought to receiue Inquiſitions or Offices returnable into the ſame Eſchequer, for refuſing ſo to receiue thē. And that the Commiſſioners or Eſcheator, before whom the ſaid Inquiſitions or Offices bée found, be diſcharged of the penalty of the Statute for non returning of the ſame Inquiſitions, or Offices, ſo that then the ſaid Eſcheator or Commiſſioners at any time after the month of any ſuch Offices, before them or any of them taken, within another moneth then next enſuing returne the ſaid Office into the Chancery or Eſchequer, as the cauſe ſhall require. And that the ſaid Clerk of the Petit Bagge (for the time being) certifie or cauſe to be certified the Tranſcript

te fol. 170.

An Eſcheator muſt receiue an office found by the Iury.

An officer of the Chancery muſt receiue an Inquiſition found offered vnto him and put it on the filas.

St. 8. H. 6. 16.
18 H. 6. 7.

Officers of the Eſchequer muſt receiue offices found and tendred vnto them.

A Tranſcript of an office ſhal be certified into the Eſchequer.

None ſhall be Eſcheator aboue a yeare.

The penalties of the offenders and who ſhall haue the benefit of them, and by what meanes.

of euery ſuch Office or Inquiſition (take before any Commiſſioners or Eſcheator) to the Kings Eſchequer the next Terme following the receit thereof, vpon paine of forfeiture for euery ſuch default C. s. And that no man be compelled after the feaſt of All Saints next comming, to occupie nor exerciſe the Office of an Eſcheator by any one patent ouer one whole yeare. And that he that is once Eſcheator, ſhal not be made Eſcheator againe within thrée yeares after the foreſaid whole yeare ended. And if any Eſcheator after the feaſt of Al Saints be made Eſcheator, or exerciſe his Office by reaſon of one Patent ouer the time of one whole yeare ended, or be made Eſcheator within three years after, (as is aforeſaid) That then after the ſaid whole year (in forme aforeſaid) ended, his Patent ſo made to be void and of none effect. And that the party or parties ſo grieued, ſhall haue his or their recouery of euery of the ſaid forfeitures of one C. li. by Action of debt, in which Action the Defendant ſhall not wage his law, nor be by protection nor eſſoin, &c. And the reſidue of the other forfeitures, expreſſed in this preſent Act, the King ſhall haue the one moity thereof, and the party that will ſue therefore by Action of debt, the other moity. And the Defendant ſhall haue no other delay, but as is aforeſaid.

Who may be Eſcheators aboue one yeare, and by what meanes.

Prouided alway that this Act concerning Eſcheators for exerciſing of their Office ouer an whole year together, and Letters Patents, or Grants, made or to be made to any Eſcheator for terme of life, or for yeares, or otherwiſe, extend not, ne be preiudiciall to any Eſcheator that now is, and that hereafter ſhall be made and ordained in any Citie, or Towne Corporate, or in the Duchies of Lancaſter, Cornewal, and the Counties Palatines of Lancaſter, Cheſter, Durham, or Ely, or to any other County Palatine within the Realme of England, Wales, or Marches of the ſame. Or to any Eſcheator made, or hereafter to be made by any perſon or perſons, Spirituall or Temporall, hauing authority by reaſon of any Franchiſes, Libertie, Priuiledges, Preſcriptions, or Grant, to depute or make any ſuch Eſcheator in the ſame.

In what places the foreſaid ſufficiency of freehold in Eſcheators or Jurors is not neceſſary.

Prouided alſo that this Act, as to any penalty in the ſame concerning the ſufficiency of Eſcheator, and Jurors aforeſaid, extend not, nor be preiudiciall to any Eſcheator in City, or Townes Corporate, ne to any other Eſcheator made or hereafter to be made by any perſō or perſons, hauing priuiledge to make Eſcheators, for Inquiſition of Lands, Tenements, or Hereditaments, ne to any Sherife or Bailiſe, for returning in any pannell any perſō or perſons before any of the ſaid Eſcheators, of leſſe value than is contained in the ſaid Act. The Eſcheator of the County Palatine of Lancaſter and Cheſter in this Prouiſo only forepriſed and excepted.

Juſtices of P. ſhall not be preiudiced by this Act.

Prouided alſo, that this Act extend nor be preiudiciall to any Juſtices of the Peace, for any thing doing concerning the Commiſſion of the Peace.

Prouided alſo, that nothing penall, contained in this preſent Act, take effect before the Feaſt of Eaſter next comming. And this Act to endure to the next Parliament. Anno. 3. H. 8. 2. confirmed and made perpetuall.

Cap. IX.

The Lord Chancellor or Lord Keeper, may appoint two, three or foure perſons to receiue Toll or Cuſtome, and to imploy the ſame vpon the repaire of the Bridge of Stanes in the County of Middleſex, and to yeeld accompt thereof. Pr.

Cap. X.

Lands lett to farme to him that offereth to trauerſe an office.

A rehearſall of the Statute of 8. H. 6. 16. touching letting to ferme lands ſeiſed into the K. hands vpon an enqueſt of office

WHereas by a Statute made the eight yeare of the raigne of King Henry the ſixt, it is ordained among other things, That no Lands and Tenements ſeiſed into the Kings hands vpon enqueſts taken afore the Eſcheator or Commiſſioners, ſhall in no wiſe be let or granted to ferme by the Chancellor of England, or any other Officer of the Kings, whatſoeuer he be, till the ſame enqueſts and verdits be returned plainly into the Chancery, or into the Eſchequer: but that all ſuch Lands and Tenements ſhall abide wholy and continually in the Kings hands, vnto the ſame enqueſts and verdits be returned. But if it be ſo, that he or they, that bee grieued by the ſame enqueſts, or put out of their Lands and Tenements, come into the Chancery, and offer to trauers the ſame enqueſts, and offer to take the ſame Lands and Tenements to ferme: and if they ſo doe, then the ſame Lands and Tenements be committed vnto them, if they ſhew good euidence, prouing their trauers to be true, and finde ſuerty after the forme of the ſaid Statute, as in the ſame Statute more at large appeareth.

And notwithſtanding the ſaid Statute diuers Eſcheators and Commiſſioners which haue taken ſuch enqueſts, after the death of the Kings ſubiects, of their Couin, to the intent to put them that had cauſe of trauers to the verdits of the ſaid enqueſts from the ferme of the premiſſes; would in the time of vacation put into the Chancery, or into the Eſchequer, their ſaid Office by them taken, becauſe the moneth ſhould paſſe before the beginning of the Terme next enſuing, by reaſon whereof they that ſhould of right haue the ferme vpon their trauers according to the true entent of the ſaid Statute, were put from the ſame fermes, contrary to the right and good conſcience.

For remedy whereof bee it ordained, enacted, and eſtabliſhed, by authority of this preſent Parliament, that from henceforth, After ſuch Office found afore any Eſcheator or Commiſſioner, put into the Chancery or the Eſchequer, if any perſon or perſons, which will tender a trauers to the ſaid Office, and deſireth to haue the Lands contained in the ſame Office to ferme and findeth ſurety, and ſheweth euidence to the Chancellor of England (for the time being) according to the Statute afore rehearſed, come into the Chancery within three months next after the ſame Office ſo put into the Chancery or Eſchequer, that he be then by the ſaid Chancellor thereto admitted, and that then all other Patents or Grants hereafter to be made thereof within the ſaid three moneths ended, be void and of none effect the ſaid Statute made the viii. yeare of the raigne of King Henry the firſt or any other Statute made to the contrary notwithſtanding. *St.* 36. *E.*3.13. 8 *H.6.*16. 18.*H.6.6.*

Lands ſeiſed into the Kings hands vpon an enqueſt of office ſhall be let to farme to him that tendereth to trauers the ſame within three moneths.

Cap. XI.

The Statute made Anno 11.*H.7.*24. which giueth Attaint in certaine caſes againſt the party and Petit Iurie continued vntill the next Parliament. Exp. St. 23.*H.*8.3.

Cap. XII.

Vntrue Inquiſitions found in the raigne of K.*H.7.* by the procurement of Richard Empſon, and Edmũd Dudley, intituling the King to tenures in Capite may be trauerſed by the parties though they haue ſued their Liueries, and their Liuery ſhall be no concluſion. Exp.

Cap. XIII.

The Statutes of 17. *Ed.*4.1. & 4.*H.7.*23. inhibiting the tranſporting of money, plate, or Iuels (ſauing for the penalty of Felony) ſhall be continued vntill the next Parliament. Exp.

Cap. XIIII.

A Repeale of all former Statutes made againſt the exceſſe of Apparell. And what kinde of Apparell men of all degrees and callings are allowed, and what prohibited to weare. Rep. 1. *Iac.* 25.

Cap. XV.

All aſſurances made to Richard Empſon and Edmund Dudley attainted of high Treaſon of Land to the vſe of others ſhal be void, and there ioynt feoffees ſhall ſtand ſeiſed of the whole. But this Statute ſhall not extend to the Lands of Robert Ratcliſe Lord Fitz-water. Pr.

ANNO TERTIO HENRICI OCTAVI.

THe King our Soveraigne Lord *Henry* the eight after the Conqueſt by the grace of God King of England and of France, and Lord of Ireland, at his Parliament holden at Weſtminſter, the fourth day of February, in the third yeare of his moſt noble raigne, to the honor of God and holy Church, and for the common weale and profit of this Realme, by the aſſent of the Lords ſpirituall and temporall and the Commons in this preſent Parliament aſſembled, and by authoritie of the ſame, hath done to be ordained, made, and enacted certaine Statutes and Ordinances in manner and forme following.

Cap. I.

Euery perſon that ſhall cary ouer the ſea any money, plate, and jewels, &c. ſhall forfeit the double value. Exp.

Cap. II.

The Statute made Anno 1.*H.*8.8. concerning Eſcheators, Commiſſioners, finding and returning of Offices, rehearſed, confirmed and made perpetuall.

Cap. III.

All ſorts of men vnder the age of lx. yeares, ſhall haue bowes and arrowes, and vſe ſhooting, certaine perſons excepted. &c. vnlawfull games ſhall not be vſed. Rep. 33.*H.*8.9. *St.*6.*H.*8.2.

Cap. IIII.

Euery perſon that is or ſhall be in the Kings wars beyond the Sea or vpon the Sea, ſhal have a

Protection of profecturus or Moretur cum Clauſula Volumus: & he may alien his Lands holden in Capite without Licence. And if he dye in that ſervice his heire within age and in warde, his Executors, Feoffees or Aſſignes ſhall haue the wardſhip and mariage toward the performance of his Will. Exp. Raſt.pla. fol. 453. St. 4. *H.* 7. 4. 7. *H.* 7. 2, & 3.

Cap. V.

The penalties of a Captaine for abridging the number of Souldiers, or detaining their wages: and of a Souldier departing, &c.

Coke

FOraſmuch as the King our Soueraigne Lord entendeth, by the grace of God, to ſend ouer the ſea a great Armie, truſting therby not only to preſerue this his Realme in his ancient fame, and honour, but alſo to ſet in perfect peace and tranquillitie his ſubiects of the ſame, and the better to be diſpoſed to ſerue God. Howbeit many times by the inordinate couetouſneſſe of Captaines retained with Princes afore this time, great part of the number of Souldiers, for whom ſuch Captaines haue endented with Princes at time of néed, haue lacked of the number of Souldiers, wherby great ieopardy hath enſued, and irrecuperable damages may enſue, if remedie therefore be not ſéene and had. Bee it therefore ordained by authority of this preſent Parliament, That if any Captaine be retained or hereafter ſhal be, to ſerue the King vpon the ſea, or beyond the ſea in feat of Warre, which haue not his, or their whole, and perfect number of men, and Souldiers, according as he ſhall be retained with the King, or giue not them their full wages, without abridgement, as he ſhall receiue of the King for them: he ſhall for ſuch default forfeit to the King all his Goods and Cattels, and his body to priſon. And that euery Captaine, petit Captaine, and all other hauing vnder them retinue of Souldier or Souldiers at the Kings wages, ſhall (vpon the pain aforeſaid) pay to the retinue of Souldier or Souldiers, and euery of the ſame, the wages ratably as is allowed vnto them by the King our Soueraigne Lord, or the Treaſurer of his Warres, without leſſing or withdrawing of any part thereof. And for as long time as they ſhall receiue wages for them, this paiment to be made to the ſaid retinues, and euery Souldier of the ſame, of their Captaines, and petit Captaines, alwayes within ſixe dayes next and immediately after that the ſaid Captaine, petit Captaine or other, ſhall haue receiued their wages of the King, or of the Treaſurer of his Warres, or of their Lords or Maſters.

The perill entring of Captaines lacking their prefixed number of Souldiers.

A Captaine ſhall haue all his Souldiers and pay them al their wages.

It is felony for a Souldier to depart from his Captaine, without licence. St. H. 6. 19. 5. El. 5.

And if any Souldier, being no Captain immediately retained with the King, which hereafter ſhall be in wages, and retained, or take any Preſt to ſerue the King vpon the Sea, or vpon the land, or beyond the ſea, depart out of the Kings ſeruice, without licence of the Kings Lieutenant there, that ſuch departing be taken, déemed, and adiudged Felony. And that hee ſo offending ſuffer for the ſaid offence puniſhment and execution of Felony.

Iuſtices of P. may inquire of, heare, and determine theſe offences.

And foraſmuch as his offence ſtretcheth to the hurt and ieopardy of the King our Soueraigne Lord, the Nobles of the Realme, & of all the Common weale thereof, that therfore he or they ſo offending (not being within orders of holy Church) enioy not the benefit of his Clergy. And that it be ordained by the ſaid authority, that the Iuſtices of the Peace of euery Shire of England, where any ſuch offendors be taken, haue power to enquire of the ſaid offences, & the ſame to heare and determine, as they doe and may doe of Felonies, Treſpaſſes, & other offences expreſſed in the Kings Commiſſion to them made, as though the ſaid offences were done in the ſame Shire. And alſo that the ſaid departing of ſuch Souldiers, and alſo their retainors, if it be trauerſed, be tryed in the ſame Shire, where they be for ſuch cauſes arreſted and arraigned.

The Captaine ſhall be diſcharged if his Souldiers die or depart from him.

Prouided alway that no Captaine be charged by this Act for lacke of his number retained, as is abouesaid, whoſe Souldiers ſhal happen to die, or otherwiſe depart not in the default of the Captaine, ſo that the ſaid Captaine, if he be at land wages, ſhew the departing or lacking of his Souldier within tenne dayes after the lacking of the ſaid Souldier, vnto the Kings Lieutenant there and to the Treaſurer of the Warres. Or if the Captaine be at the ſea wages, if he ſhew the departing or lacking of the Souldier ſo lacking, to the Admirall of the Nauy, where hee is retained at the next méeting with the ſaid Admirall. Prouided alway that this Act extend not to any Captaines or Souldiers, that now be, or hereafter ſhall be retained within the Townes of Caleis, Hammes, and Guiſnes, Riſebanke, Barwicke, and Wales, or any of them, and the Marches of the ſame.

This doth not extend to the houſhould Seruants of a Captaine.

Prouided alway that this Act be not preiudiciall nor hurtful to the ſaid Captaines, petit Captaines, nor any other, hauing vnder them retinue of Souldiers, nor any of them, for non payment of the Kings wages to their houſhold Seruants and other, to whom they daily finde and giue meate and drinke during the ſaid ſeruice of Warre. St. 2. Ed. 6. 2. 4. & 5. P. & M. 3. 7. *H.* 7. 1.

Cap. VI.

The ſeuerall duties of a Breaker, Kember, Carder, Spinner, Weauer, Fuller, Clothier and Aulneger, concerning true making, drawing, and ſealing of woollē Clothes. Exp. St. 5. *Ed.* 6. 6. 39. *El.* 20. 43. *Eliz.* 10.

Cap.

Cap. VII.

A reſtraint of the tranſporting of woollen Cloth before it be Fulled, Rowed, Sherne, &c.

Where at the Parliament holden at Weſtminſter the ix. day of Nouember, the third yeare of the raigne of our late Soueraigne Lord the King Henry the vii. (whoſe ſoule God pardon) it was ſhewed by Shermen, Fullers, and other Artificers, that ſhould liue and obtaine their needy ſuſtentation by meane of Drapery, made and draped within this Realme, aſwell throughout the ſame Realme as within the City of London, that whereas in a Stat. made the vii. year of the raigne of King Edward the iiii. amongſt other it was contained, that no perſon (denizen nor ſtranger) ſhould cary or doe to be caried to any parties beyond the Sea, any woollen yarne nor cloth vnfulled, but the woollen yarn to be made in this Realme, ſhould be wouen in the ſame: and alſo all cloth, within the ſame made ſhould be fulled and fully wrought within the ſame, before that any of the ſame ſhould be had or caried out of this Realme, vpon paine of forfetture of the very value of ſuch yarne not wouen, and cloth not fulled, had or carried out of this Realme: The one halfe of the ſame forfeiture to be leuied to the vſe of the King, and the other halfe to him or them that ſhould eſpie, or make proofe of any ſuch yarne not wouen, or cloth not fulled, caried to any place beyond the ſea. And for aſmuch as in the ſaid Stat. of K. Edward there is no expreſſe mention made, that the ſaid clothes ſhould bee rowed and ſhorne before that they bee caried and conueyd out of this Realme, whereby the ſaid poore Commons of the crafts aforeſaid might be ſet in labour and occupation: therefore the ſaid clothes then were, and yet beene in great number and plenty caried and conueyed out of this Realme vnrowed and vnſhorne, into the parties of beyond the Sea, aſwel by Denizens as by ſtrangers, whereby outlandiſh nations with the ſame drapery beene ſet to labour and occupation, to their great inriching, and the poore Commons of the crafts aforeſaid through all this Realme, which of naturall reaſon (as the Kings true liege men) ſhould haue and obtaine their needy ſuſtentation and liuing by meanes of the ſame drapery, for lacke of ſuch occupation, daily fall in great number into idleneſſe, and pouerty, to their vtter deſtruction, if it ſhould then any longer continue, whereupon our ſaid Soueraigne Lord King Henry the vii. by the aduice of his Lords Spirituall and Temporall, and at the prayers of the Commons in his ſaid Parliament aſſembled, & by authoritie of the ſame, ordained, eſtabliſhed, and enacted, that no ſtranger nor denizen ſhould cary, or make to be caried out of this Realm any woollen clothes, but that they before bee barbed, rowed, and ſhorne within the ſame Realme, for the reliefe & ſetting a worke of the ſaid poore Commons of the crafts aforeſaid, vpon paine of the forfeiture limited in the ſaid Stat. of K. Edward, made vpon cloth caried out of this Realme not fulled, to be diuided in manner and forme as in the ſame Statute is contained. So that cloth called veſſes, raies, ſayling clothes, & all other clothes cõmonly ſold at xl. s. or vnder, be not compriſed in the ſaid Act, made the ſaid third year of the raign of our ſaid late Soueraign Lord K. Henry the vii. as by the ſame Act more plainly appeareth. And for lacke of due execution of the ſaid Acts, little effect or profit hath followed or growne of the ſame to the ſame poore crafts men, being naturall ſubiects, which for lack of worke and occupation daily fall in idleneſſe and pouerty.

The inconueniences enſuing by tranſporting of cloth vnrowed and vnſhorne

Be it therefore ordained, eſtabliſhed, and enacted by the King our Soueraigne Lord, and the Lords Spiritual and Temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, that the ſaid Acts and ordinances may ſtand and continue in their full ſtrength and vertue. And that they from henceforth bee duely put in execution, according to the tenor, purport, and effect of the ſame, and of either of them. And that euery perſon that will ſue for the ſame forfeitures, be admitted to his Action of debt, by bill or information in any of the Kings Courts of Record, where the ſame may be determined after the courſe of the cõmon law, and that the defendant in ſuch behalfe in no wiſe be admitted to wage his law, nor that any protection or eſſoin be in the ſame allowable. Neuertheleſſe for that the draping and making of ſuch clothes called veſſes, raies, ſayling clothes, and other clothes, which at the time of making of the eſtatute of K. Henry the vii. were commonly ſold at xl. s. or vnder, the maker thereof and clothier of times paſſed, and now is, & hereafter is like to be at greater charge, about the draping and making of the ſame, and alſo of all other clothes, for the wooll is of farre greater price, and alſo the coſts and charges for the workemanſhip of ſuch clothes is farre more chargeable, than it was at the time of making of the ſaid eſtatute. Bee it therefore prouided by the authority aforeſaid, that clothes called veſſes, raies, ſayling clothes, and other clothes now commonly ſold at foure marks, or vnder, be not compriſed in this, or any of the ſaid Acts, but may be caried and conueyed out of this Realme into the party of beyond the Sea, not barbed, rowed nor ſhorne, this or any the ſaid Acts notwithſtanding. Alt. 27. H. 8. 13. & 33. H. 8. 19.

A confirmation of the Stat. of 7. E. 4. 3. and 3. H. 7. 11. made to reſtraine the tranſporting of cloth, &c. before it be fulled, &c.

What clothes be not compriſed in this Act; but may bee caried ouer. Se 5. H. 8. 7.

Cap. VIII.

Aſſeſſing of the prices of victuals, when a Victualler is chiefe Officer.

Where in the Parliament of King Edward, ſonne of King Edward, holden at York, in the xii. yeare of his raigne, amongſt other things, it was accorded, & enacted, that no Miniſter in City, or Borough, which by reaſon of his office ought to keepe aſſiſes of wines and victuals, as long as he ſhould be attendant to that office, ſhould merchant wines & victuals in groſſe, or at retaile vpon a certain paine limited and expreſſed in the ſaid ſtatute, as in the ſame more plainly doth appeare. Sithen the making of which Statute and Ordinance, many and the moſt part of all the Cities, Boroughs, and townes corporate within this Realme of England be fallen in ruine, and decay, and not inhabited with Merchants, and men of ſuch ſubſtance as they were at the time of the making of the foreſaid Statute and Ordinance: for at this day the dwellers, and inhabitants of the ſame Cities and Boroughs, be moſt commonly Bakers, Brewers, Vinteners, fiſhmongers, and other victuallers, and few or no other perſons of ſubſtance be within many of the ſaid Cities, Boroughs, and townes corporate other then the foreſaid victuallers, at this day able and ſufficient to beare office within the ſame, and to content, anſwer, and pay vnto the Kings Grace his fee ferme, wherewith they be charged. In conſideration whereof, and for the eaſe, comfort, and reliefe of the foreſaid poore Cities, Boroughs, and towns corporate, and of the inhabitants of the ſame: be it ordained, eſtabliſhed and enacted by the King our Soueraigne Lord, by the aduice of his Lords Spirituall and Temporall, and the Commons of this preſent Parliament aſſembled, and by authority of the ſame, that whenſoeuer, and as often as any Victualler is choſen to beare any office within any Citie, Borough, or towne corporate, which for the time that he ſhall ſtand and be in ſuch office, ſhould haue the aſſiſing and correction for ſelling of victuals, that then two diſcreet and honeſt perſons of the ſame City, Borough, or Towne corporate, not being victuallers, ne any of them being a victualler, ſhall be choſen by the Cominalty of the ſame City, Borough, or towne corporate, in like forme as the ſaid officer ſhall be choſen, which two perſons, with the ſaid officer, ſhall be ſworne truly to ceſſe and ſet the prices and aſſiſes of victuall there, for the time that any ſuch victualler ſhall abide in his ſame office. And that then it ſhall be lawfull to all and euery of the ſaid officers, after the ſame victuals be ſet and ceſſed by the ſame officer and the ſaid two perſons, or one of the ſame two perſons, the other being abſent, to merchant and ſel wines, and al other victual in groſſe and at retaile, during the time that he ſhall be in any ſuch office, without any thing therefore to forfeit. The ſaid Statute, Act, and Ordinance, or any other Act, Ordinance, or Statute to the contrary made in any wiſe notwithſtanding.

The decay of cities and boroughs, &c. the cauſe of alteration of the ſtatut of 12. Ed. 2. 6.

By whom the price of victuall ſhall be aſſeſſed when a Victualler is chiefe officer of a Borough, &c.

Prouided alway, that this Act, or any thing therein contained, extend not to diſcharge any miniſter of the Cities of London, Yorke, and Couentry, nor none of them, for any wine, or victuall to be ſold by any retaile within any the ſaid Cities of London, Yorke, and Couentry: 6.R.2.9.

The Officers in London, Yorke, and Couentry excepted.

Cap. IX.

Mummers ſhall be impriſoned three moneths, and fined at the Iuſtices diſcretion. The penalty for ſelling of Viſors, or keeping them in a houſe, is to forfeit xx.s. for euery Viſor, & to be impriſoned at the diſcretion of the Iuſtices. Exp.

Cap. X.

No Alien ſhall buy any leather but in open market. The Wardens of Curriers in London may make ſearch for leather inſufficiently tanned, ſeiſe the leather, and commit the offendor to priſon. Rep. *5.El.8.& 1.Iac.22. St.2.H.6.7. 1.H.7.5. 19.H.7.19.*

Cap. XI.

By whom euery Phyſition and Surgeon ſhall be allowed.

TO the King our Soueraigne Lord, & to all the Lords Spirituall and Temporal, & Cõmons in this preſent Parliament aſſembled. Foraſmuch as the ſcience and cunning of phyſick and Surgery (to the perfect knowledge whereof, be requiſite both great learning and ripe experience) is daily within this Realme exerciſed by a great multitude of ignorant perſons: of whom the greater part haue no manner of inſight in the ſame, nor in any other kind of learning, ſome alſo can no letters on the booke, ſo far forth that common artificers, as Smiths, Weauers, & women boldly, and cuſtomably take vpon them great cures, and things of great difficulty: in the which they partly vſe ſorcery and witchcraft, partly apply ſuch medicines vnto the diſeaſe, as be very noyous, and nothing meete therefore, to the high diſpleaſure of God, great infamy to the faculty, and the grieuous hurt, damage, and deſtruction of many of the Kings liege people: moſt eſpecially of them that cannot diſcerne the vncunning from the cunning. Be it therefore (to the ſurety and comfort of all maner people) by authority of this preſent Parliament enacted, That no perſon within the City of London, nor within ſeuen miles of the ſame, take vpon him to exerciſe, & occupy as a Phyſition or Surgeon, except he be firſt examined, approued, and admitted by the Biſhop of London, or by the Deane of Paules, for the time being, calling to him or them, foure Doctors of Phyſicke, and for Surgery, other expert perſons in that faculty, and for the firſt examination ſuch as they ſhall thinke conuenient, & afterward alway foure of them that haue beene ſo approued, vpon the paine of forfeiture, for euery moneth that they doe occupie as Phyſitions

Inconueniences enſuing by ignorant perſons practiſing Phyſick or Surgery.

By whom they which practiſe phyſicke or ſurgery in London, &c. ſhall be allowed. Se. 14. H. 8. 5. 34. H. 8. 8.

or Surgeons not admitted nor examined after the tenour of this Act, of v.li. to be imployed the one halfe thereof to the vſe of our Soueraigne Lord the King, and the other halfe thereof to any perſon that will ſue for it by action of debt, in which no wager of Law, nor protection ſhall be allowed.

And ouer this, that no perſon out of the ſaid Citie and precinct of vii. miles of the ſame, except he haue beene (as is aforeſaid) approued in the ſame, take vpon him to exerciſe and occupy as a Phyſitian or Surgeon, in any Dioceſſe within this Realme, except he be firſt examined and approued by the Biſhop of the ſame Dioceſſe, or hee being out of the Dioceſſe, by his Vicar generall: eyther of them calling to them ſuch expert perſons in the ſaid faculties, as their diſcretion ſhall thinke conuenient, and giuing their letters teſtimonials vnder their ſeale to him that they ſhall ſo approue, vpon like paine to them that occupy contrary to this Act (as is aboueſaid) to be leuyed and imployed after the forme before expreſſed.

A Phiſition or Surgeon allowed by the Biſhop of the Dioceſſe.

Prouided alway that this Act nor any thing therein contained, be preiudiciall to the Vniuerſities of Oxford and Cambridge, or eyther of them, or to any priuiledges granted to them. Raſt. pla. fol. 426.

The priuiledges of Oxford and Cambridge.

Cap. XII.

Which pannels returned by the Sherifes may be reformed by the Iuſtices.

WHeras great extortions and oppreſſions be, and haue been within the more party of all the Counties and ſhires within this Realme of England, by the ſubtilty, and vntrue demeanour of Sherifes, and their miniſters, committed and done vnto many perſons in great number of the Kings ſubiects, by meane of making and returning at euery ſeſſions holden within the ſaid Counties and Shires, for the body of the Shire, the names of ſuch perſons, as for the ſingular aduantage, benefit, and gaine of the ſaid Sherifes and their miniſters, will be wilfully forſworne and periured, by the ſiniſter labour of the ſaid Sherifes and their miniſters: by reaſon whereof many and diuers ſubſtantiall perſons (the Kings true ſubiects) contrary to good equitie and right, haue diuers and many times wrongfully been endited of diuers murders, felonies, and other misbehauiour, by their couin and falſhood, to the vtter vndoing of their liues, loſſe of their goods and their lands: by reaſon whereof they and euery of them, in auoyding the vntrue trouble and vexation, which to them might come and enſue by reaſon and occaſion of the ſame falſe inditements: and alſo ſometime by labour of the ſaid Sherifes, diuers great felonies and murders haue beene concealed, and not preſented by the ſaid perſons by the ſaid Sherifs and their miniſters partially returned, to the intent to compell the offendors to make fines, and giue rewards to the ſaid Sherifes and their miniſters. Wherfore be it enacted, ordained and eſtabliſhed by the King our Soueraigne Lord, and by the aſſent of the Lords ſpirituall and temporall, & the Commons in this preſent Parliament aſſembled, and by authoritie of the ſame, That all panels to be returned, which be not at the ſuit of any partie, that ſhall be made, and put in by euery Sherife and their miniſters afore any Iuſtice of Goale deliuerie, or Iuſtice of Peace whereof one to be of the Quorum, in their open ſeſſions to enquire for the King, ſhall be reformed by putting to, and taking out of the names of the perſons, which ſo be empanelled by euery Sherife and their miniſters, by the diſcretion of the ſame Iuſtices, before whom ſuch panels ſhall be returned. And that the ſame Iuſtice and Iuſtices ſhall command euery Sherife and their miniſters in his abſence, to put other perſons in the ſame panell by their diſcretions: and that the ſame panels ſo reformed by the ſaid Iuſtices, be good and lawfull, And that if any Sherife, or any their miniſter, at any time doe not returne the ſame panels ſo reformed, that then euery ſuch Sherife or miniſter ſo offending, for euery ſuch offence ſhall forfeit xx.li. ſterling money of England: the one halfe thereof to our ſoueraigne Lord the King or his heires, and the other halfe to him or them of his ſubiects that will ſue for the ſame by action of debt at the common law, or bill, or complaint, where it ſhall fortune any ſuch to fall and be: and that none eſſoine ne protection be allowed for the defendant or defendants in that action or plaint, nor that the ſaid defendant nor defendants therein be admitted to wage their law. And that the Kings pardon ſhall be no barre againſt the party and parties in the ſame, that any ſuch action ſhall ſue.

The inconueniences inſuing by the Sherifes returning of panels for the K. without controlment of any

Panels returned by the Sherife to enquire for the King, may be reformed by the Iuſtices. St. 11. H. 7. 24.

Cap. XIII.

A confirmation of the Stat. of 19. *H.* 7. 4. ordained againſt ſhooting in Crosbowes. And all placards granted for ſhooting in Crosbowes ſhall be void. Rep. 6. *H.* 8. 13.

Cap. XIIII.

Searching for, and puniſhing ſuch as ſell falſe and mixt Oyles.

PRayen your Highneſſe, the Commons in this preſent Parliament aſſembled, that whereas diuers maner of Oyles been brought into this Realme, as well into the city of London, as to diuers other places within the ſame Realme, which be daily vſed and miniſtred as well for mans ſuſtenance and comfort, as for neceſſaries for draping of woollen clothes, and for other diuers neceſſaries,

ceſſaries, vſed for the weale of your ſubiects: and for lacke of good ouerſight, ſearch and correction of ſuch Oyles, many ſimple perſons (buyers of the ſaid Oyles to ſell after) falſely and deceiueably by crafty meanes doe mixe and alter the ſame Oyles from their former nature and goodneſſe, to the great loſſe, ieopardy, danger and deceit of your ſubiects: Wherefore be it by your Highnes, by the aduice and aſſent of your Lords ſpirituall and temporall, and of your Commons in this preſent Parliament aſſembled, and by authoritie of the ſame ordained, enacted and eſtabliſhed, That the Mayor of the Citie of London for the time being, with the Maſter and Wardens of the myſtery or craft of Tallowchaundlers of the ſame City for the time being, ſhall from henceforth haue full power and authority to ſearch all maner of Oyles brought into the ſaid City of London to be ſold, in whoſe hands ſoeuer they be, or ſhall be found, and that as often as the caſe ſhall require. And that the ſaid Mayor, with the Maſter aud Wardens of the ſaid myſtery or craft of Tallowchaundlers, for the time being, ſhall truely ſearch and ouerſee, that the ſame Oyles to be put to ſale, be not mixt nor altered from their right kinds, but that they be good and lawfull as they ought to be. And that it ſhall be lawfull to the ſaid Mayor, with the ſaid Maſter and Wardens for the time being, to damme, auoid, and vtterly to caſt away, all ſuch Oyles as they ſhall finde defectiue, or falſely or deceiueably mixed, and altered from their right kindes, as is aforeſaid, without any let, or perturbance of any perſon, or perſons whatſoeuer they are, or ſhal be. And alſo the ſaid Mayor, Maſter and Wardens to commit ſuch perſon or perſons, as ſhall be found defectiue for vſing ſuch deceit or craft, to ward, and to puniſh him, or them therefore by their diſcretions, according to the lawes and cuſtomes within the ſaid City or liberty of London vſed, had, and made, of and for other miſdoers, and offendors in the ſaid City. And be it further enacted by the ſaid authoritie, that the Mayor in euery City, Borough, and Towne within this Realme, where a Mayor is (for the time being) or the gouernor or gouernors, or rulers of euery other City, Borough, & Towne corporate within this Realme alſo for the time being, ſhall haue within their iuriſdiction, liberty, and franchiſe, euery of them like authority and power to make, and doe like ſearch, order, direction, correction, puniſhment and execution of the ſame, of, for, and vpon all Oyles being defectiue, or deceiueably or falſely mixed and altered, by any perſon or perſons within their liberties and franchiſe, in maner and forme as is afore rehearſed, as the ſaid Mayor, Maſters and Wardens of the ſaid City of London, by this preſent Act haue, or might haue, of, for, or vpon any Oyle ſold or to be ſold within the ſaid City of London.

Who may ſerch Oile in Londo &c. and puniſh ſuch as ſell falſe Oile.

Cap. XV.

All Statutes made for hattes and cappes repealed. Who onely may buy hats and caps wrought beyond the Sea. The prices of ſeuerall ſorts of hats and caps, Rep. 1 Iac. 25. Stat. 22. Ed. 4. 5. 4. *H.* 7. 9. 21. *H.* 8. 9. 7. Ed. 6. 8.

ANNO QVARTO HENRICI OCTAVI.

THe King our Soveraigne Lord *Henry* the eight after the Conqueſt by the grace of God King of England and of France, and Lord of Ireland, at his Parliament holden at Weſtminſter, the fourth day of Nouember, in the fourth yeare of his moſt noble raigne, to the honor of God and holy Church, and for the common weale and profit of this Realm, & by the aſſent of the Lords ſpirituall and temporall and the Commons in this preſent Parliament aſſembled, and by authoritie of the ſame, hath done to be ordained, made, and enacted certaine Statutes and Ordinances in manner and forme following.

Cap. I.

Bulwarkes, Braies, Walls, and other fortifications ſhall be made by the Sea ſide in Cornwall by the Iuſtices of Peace aſſignment. Exp.

Cap. II.

The benefit of Clergie taken from ſuch as doe commit certaine offences.

WHereas Robberies, Murders, & Felonies daily encreaſe more and more, and been committed and done in more heynous, open, and deteſtable wiſe, then hath been oft ſeen in times paſt: And the perſon ſo offending litle regard the puniſhment thereof, by the courſe of the Common Law, ne by reaſon of any Statute heretofore made, but beare them bold of their Clergy, and imagining and pleading of feined and vntrue forrain pleas, triable in forraine counties, to the intent to be remoued from place to place, by colourable and vntrue ſuggeſtions, and for to

Cauſes imboldening men to commit murders & felonies.

be vntruly acquit by fauour, might, and corruption: ſo that they liue in maner without feare, or dred. For reformation whereof, and for the common wealth of this Realme, and to put the ſaid Murderers, Felons, and offendors in more feare and dred ſo to offend: Be it ordained, eſtabliſhed and enacted by the King our Soueraigne Lord, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by authoritie of the ſame, That all perſon or perſons, hereafter committing Murder or Felonie, in any Church, Chappel, or Hallowed place, or of and vpon malice prepenſed, rob, or murder any perſon or perſons, in the Kings high way, or els robbe or murder any perſon in his houſe, the Owner or dweller of the houſe, his wife, child, or ſeruant then being therein, and put in feare or dred by the ſame, That ſuch perſons ſo offending, be not from henceforth admitted to his or their Clergie, (ſuch as been within holy Orders only except.)

The benefit of Clergy taken from him which committeth murder.
St.23.H.8.1.
32.H.8.3.
1.Ed.6.12.
5.Ed.6.9.
Alt.28.H.8.1.

And ouer that be it enacted by the ſaid authoritie, that if any Murderer or Felon, vpon his arraignement hereafter do allege, that he had taken any Church, or Churchyard, for Murder, Felonie, or other place priuiledged for the ſame, in a forraine Countie, and againſt his will taken out therof: that then the Kings Atturney, or any other perſon that will ſue or alleg for the King, that the ſaid Murderer or Felon ſo arraigned, was taken at large in the ſame Shire, where he is ſo arraigned: that then the ſame allegeance and iſſue ſhall be tried by th'enqueſt that ſhall trie the ſaid Murder or Felonie within the ſame Shire, and before the ſame Juſtice, where the ſaid Murderer, or Felon is arraigned, as though the ſaid forraigne Plea had not been pleaded by the ſaid Felon. And if it be founden by the ſame Enqueſt, that the ſaid Murderer or Felon was taken within the ſame Shire (as is aforeſaid) that then he to haue none aduantage or benefit of the matter alledged by him for taking out of the Church or Churchyard, or other place priuiledged, in any ſuch forraigne Shire. And this Act to endure to the next Parliament.

Tryall of a Felon pleading that he was taken out of a priuiledged place in a forraine Countie.
St.22.H.8.2.
made perpetuall
St.1.Iac.25.
St.21.Iac.28.

Cap. III.

A remedy to recouer Iſſues forfaited by Iurors in London.

St.11.H.7.21.

VVHere at a Parliament holden at Weſtminſter the eleuenth year of the reigne of King Henry the ſeuenth, for the good due adminiſtration and expedition of Juſtice, it was ordained, and among other things enacted, That euery perſon hereafter to be empanelled or ſummoned to appeare in any Jury or Enqueſt, in any Court within the City of London, before any Judges of the ſame City, making default at the firſt ſummons, ſhould loſe and forfeit xii.d. And at the ſecond default ii.s. And ſo at euery ſuch default after that, the iſſues and penalties to be doubled. And alſo ſuch iſſues loſt in the Mayors court ſhould be forfeited, leuied and perceiued to the vſe and behoofe of the Mayor and the communaltie of the ſaid Citie. And that all ſuch iſſues loſt in the Sherifes Court or Courts, ſhould be forfeited, leuyed, and perceiued to the vſe of the Sherifes of the ſame City, for the time being, toward their fee ferme, as by the ſame Act more plainly doth appeare: in the which Act it is not expreſſed, how or by what meanes the foreſaid iſſues ſo loſt and forfeited, for none appearance of the perſons ſo empanelled & ſummoned, ſhould be leuyed. The lacke whereof is the cauſe, that ſuch perſons as haue beene impanelled and ſummoned, as well for the King, as betweene party and party (being ſubſtantiall and indifferent) haue made many times default, and would not appeare. And ſo it remaineth in like miſchiefe as it was before the making of the foreſaid Act, to the great let of Juſtice, and the delay as well in the Kings cauſes, as in other cauſes betweene parties: Wherefore for the good execution of the ſaid Statute and perfit remedy in this behalfe to be had:

Be it eſtabliſhed, ordained, and enacted by the King our Soueraigne Lord, by the aſſent of the Lords Spirituall and Temporall, and of the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That for all ſuch iſſues (in forme aforeſaid) hereafter to be loſt or forfeited in the Mayors Court, it ſhall be lawfull to the ſaid Mayor, and to his ſucceſſors, to diſtraine, and the ſame diſtreſſe to retaine till he or they be ſatisfied of the ſaid iſſues. And in like maner that it ſhall be lawfull to the foreſaid Sherifes and their ſucceſſors, to diſtraine for ſuch iſſues loſt in their Court or Courts, and the ſaid diſtreſſe to retaine till they be ſatisfied of the ſaid iſſues.

A remedie for the Mayor and Sherifes of London to recouer Iſſues forfeited by Jurors
St.11.H.7.21.

Item foraſmuch as after iſſues ioined in actions, and ſuites, commenced, taken, or depending in the Kings Court before himſelfe in his Bench, and before his Juſtices of the Common bench, and alſo in his Eſchequer at the Kings ſuit, or at the ſuit of the parties triable in the ſaid Citie of London, as well the King as the parties haue ſuffered great delay many time for default of apparance of the Jurors impanelled to trie the ſaid iſſues, and many times for lack of Jurors not hauing Landes, and Tenements of the yearely value of xl.s.

Be it ordained and enacted by the ſaid authoritie of this preſent Parliament, That the Sherifes of London (for the time being) haue full authoritie, and power, to returne impanells, or araies of all Actions, and ſuites now depending, or that ſhall depend in any of the ſaid Courts, or Eſchequer, perſons being Citizens, hauing goods to the value of C. marke, or aboue, to trie the iſſues ioyned, or to be ioyned in euery ſuch Action or ſuit. And the perſons ſo returned (hauing goods

The abilitie of the Jurors of London impanelled to trie an Iſſue in any of the Courts at Weſtminſter.

gœds to the value of C.marke, oꝛ aboue) ſhall be ſwoꝛne and doe, in all ſuch Iuries in like wiſe in euerie thing, as other perſons ſhould doe hauing Lands and tenements, of the yearely value of xl.s. ouer all charges.

And ouer that be it oꝛdained by the ſaid authoꝛitie, that the Sherifes of the ſaid Citie (foꝛ the time being) ſhall returne vpon the firſt diſtreſſe in euerie ſuch action oꝛ ſuit vpon euery of the Iuries impanelled to trie the Iſſues thereof xx.d. And vpon the ſecond diſtreſſe, vpon euerie of the ſame Iuroꝛs xl.d. And vpon euerie diſtreſſe after that, vpon euerie of the ſame Iuroꝛs the double till a full Iurie in euerie ſuch action and ſuit ſhall appeare and be ſwoꝛne to trie the iſſues ioined in the ſame. And that the Sherifs, that ſhall make any returne vpon ſuch diſtreſſe contrary to the foꝛme afoꝛeſaid, ſhall foꝛfeit foꝛ every ſuch default x.li. the one halfe thereof to be to the King, & the other halfe thereof to the partie that will ſue therefoꝛe. And that the Defendant in any ſuch action be not admitted to wage his law, noꝛ pꝛotection therein foꝛ him allowed.

What Iſſues ſhall be returned vpon the Iuroꝛs in London. St.3.H.8.5.

Cap. IIII.

Proclamations to giue warning to him that dwelling in one Countie is ſued to an Exigent in another. Exp. St.6.*H*.8.4.

Cap. V.

No penalties for giuing of wages aſſured by any Statute ſhall be impoſed vpon the Maſter or a giuer or wages. Exp. St.12.R.2.4.

Cap. VI.

None ſhall take any thing for ſealing of Cloth of Gold, ſilver, veluet, &c.

VVhere at a Parliament holden in the twelfth yeare of the raigne of King Edward the fourth amongſt other, it was oꝛdeined, eſtabliſhed, and enacted, That the Collectoꝛs of the Subſidy and the Comptroulers ſhould at all times be ready when they ſhould be required, to ſeale any manner of Cloth of gold, ſiluer, baudekin, veluet, damaſke, ſaten, ſarſenet, tartron, chamblet, and euerie other Cloth of ſilke, and euery coꝛſe of ſilke and gold, & euery coꝛſe of ſilke of the making beyond the ſea, and the ſame merchandiſes ſhould ſeale at euery time when they ſhould be required without delay, tarying, oꝛ any thing foꝛ their ſealing to take, by any meane, vpon the pain of foꝛfeiture to the owner of ſuch merchandiſes xx.s. by euery of the ſaid Collectoꝛs and Comptrollers at euerie time when they refuſe to ſeale any ſuch marchandiſes after ſuch requeſt made, oꝛ take any thing foꝛ ſealing of any ſuch Merchandiſes, as by the ſame Act amongſt other things moꝛe plainly appeareth. Sithen the making of which Act the ſaid Collectoꝛs and Comptrollers, and their Clerkes, not fearing the penaltie limited in the ſame Act, haue vſed, and daily vſe to take foꝛ ſealing of euerie pœce of the ſame Marchandizes, aboue rehearſed ii.d. to the great hurt and damage of the Marchants owners of the ſame. Foꝛ the ſame Marchants at many times bꝛing and conueigh in one Ship. iii. oꝛ iiii. M. pœces of the ſame Marchandiſes, which amounteth to xxx. oꝛ xl. li. after the rate of ii.d. a pœce. And foꝛaſmuch as the foꝛeſaid penaltie, expꝛeſſed in the ſaid Statute, is but xx.s. therefoꝛe the ſaid Collectoꝛs, Controulers, noꝛ their Clerkes feare not to runne in ieopardy of the ſame: wherefoꝛe be it oꝛdained and enacted by the King our Soueraigne Loꝛd, the Loꝛds Spirituall and Tempoꝛall, and the Commons in this pꝛeſent Parliament aſſembled, and by the authoꝛitie of the ſame, That from henceforth the Collectoꝛs and Controulers of the ſaid Subſidie, noꝛ their Clerkes, noꝛ any of them, take foꝛ the ſealing of any pœce of the ſaid merchandiſes (aboue rehearſed) any thing, vpon paine of foꝛfeiture at euerie time xx. li.

The cauſe why the Statute of 12.Ed.4.3. is not put in execution

No Collectoꝛ oꝛ Controuler of the Subſidie ſhall take any thing foꝛ ſealing of Cloth of gold, &c.

And alſo be it enacted by the ſame authoꝛitie, that if, and as often as the ſame Collectoꝛs and Controulers, oꝛ any of them, vnreaſonably delay, oꝛ tary the ſaid Merchants, oꝛ any of them, foꝛ and about the ſealing of the ſame Merchandiſes: that then and ſo often the ſame Collectoꝛs and Controulers, and euery of them, ſo vnreaſonably delaying and tarying the ſaid Merchants, oꝛ any of them, to foꝛfeit foꝛ the ſame xl.s. the one moitie of euery of the ſaid penalties (ſo foꝛfeited) to be to the King our Soueraigne Loꝛd, and the other moity thereof to the Merchant ſo grieued, that will ſue foꝛ the ſame by way of Infoꝛmation in the Kings Eſchequer, oꝛ by Action oꝛ bill of debt after the oꝛder of Common Law, as in other Actions of debt is vſed: in which Action the Defendant ſhall not be admitted to wage his Law, noꝛ pꝛotection, noꝛ eſſoine to be to him allowed in the ſame ſuit, foꝛ the ſaid foꝛfeiture.

The Collectoꝛ oꝛ &c. ſhall not delaie the Merchant to ſeale his Cloth of gold.

Cap. VII.

The goodneſſe of Pewter and Braſſe, and in what places it ſhall be ſold or changed.

FOꝛ as much as a certaine Act was made & eſtabliſhed, in the Parliament holden at Weſtminſter the nineteenth yere of the raign of the late moſt famous King your Father Henry the ſeuenth (whom God pardon) concerning Peuterers and Bꝛaſiers, hauking and walking about the countries, and alſo concerning falſe beames, ſcales and weights, with a pꝛouiſion foꝛ caſting of fine mettall and of perfit goodneſſe: which Act was made to endure to the next Parliament, the tenour whereof hereafter enſueth.

That where many ſimple and euill diſpoſed perſons of this your Realme of England (vſing the ſaid craftes) daily goe about this your Realme from village, from towne, and from houſe to houſe, as well in Woods and Foreſts, as other places, to buy Pewter and Braſſe, and that knowing theeues and other pickers, that ſteale aſwell Pewter and Braſſe, belonging to your Highneſſe, and vnder your marke, and to the Lords Spirituall and Temporall, as to your ſubiects of this your Realme, bring ſuch ſtollen veſſels vnto them in ſuch hid places to ſell, and ſell it for little or nought, and about they bring it to priuie places, or into corners of cities or townes, and there ſell much part of it to ſtrangers, the which carrie it ouer the Sea by ſtealth. Alſo the ſaid perſons (ſo going about) and diuers other vſing the ſaid crafts, vſe to make new veſſels, and mixe good mettall and bad together, and make it nought, and ſell it for good ſtuffe, where indeed the ſtuffe and mettall thereof is not worth the fourth part that it is ſold for, to the great hurt, deceit, and loſſe of your ſubiects. Alſo diuers perſons, vſing the ſaid crafts, haue deceiueable and vntrue beames and ſcales, that one of them will ſtand euen with xii. li. weight at the one end againſt a quarter of a pound at the other end, to the ſingular aduantage of themſelues, and to the great deceipt and loſſe of your ſubiects, buyers, and ſellers with them. For reformation of the premiſſes, it would pleaſe your Highneſſe of your moſt abundant grace, with the aduice of your Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, & by authoritie of the ſame, to enact, and ſtabliſh, That no perſon nor perſons, vſing the ſaid crafts of Pewterers and Braſiers, from henceforth ſhall ſell or change any Pewter or Braſſe, new or old, at any place or places within this your Realme, but onely in open Faires or Markets, or in their owne dwelling houſes, but if they be deſired by the ſaid buyers of ſuch wares, vpon paine of forfeiture to our ſoueraigne Lord the King for euerie ſuch default, x. li.

The tenour of the Stat. of 19. H. 7. 6. concerning Pewterers.

In what onely places Pewter and Braſſe ſhall be ſold or changed.

Alſo by the ſame authoritie it may be enacted and eſtabliſhed, that no perſon nor perſons, of what condition, or degree ſoeuer he, or they be, from henceforth within the citie of London and Yorke, or without, either caſt, or worke any Pewter veſſels, or Braſſe at any place, or places within this your Realme, but that it be as good fine mettall, as is the Pewter, and Braſſe caſt, and wrought after the perfit goodneſſe of the ſame, within the citie of London, and by the ſtatutes of the ſame owe to be, vpon paine of forfeiture of all ſuch Pewter and Braſſe, ſo caſt & wrought of worſe Pewter or Braſſe then ought to be wrought in the ſame cities: the one halfe of euerie ſuch forfeiture to be to the vſe of your Highneſſe, and the other halfe to the vſe of the finders thereof.

Of what goodneſſe Pewter & Braſſe ought to be.

Prouided alway, that this forfeiture in no wiſe ſtretch, ne extend, to Braſſe or Pewter, being in the poſſeſſion of any perſon, other then the workers of the ſame, or ſuch as haue the ſame to ſell and being of the craft or myſtery. Alſo that it may by the ſame authority be enacted, and eſtabliſhed, that no maner of perſon or perſons, of what degree, or condition ſoeuer he or they be, from henceforth make no hollow wares of Pewter, that is to ſay, Salts and Pots, that is made of pewter called ley metall, but that it may be after the aſſiſe of Pewter ley metall wrought within the city of London. And that the makers of ſuch wares ſhall mark the ſame with ſeuerall marks of their owne, to the intent that the makers of ſuch wares ſhall auow the ſame wares by them (as is aboueſaid) to be wrought. And that all and euery ſuch wares, not ſufficiently made and wrought, and not marked in forme aboueſaid, found in the poſſeſſion of the ſame maker or ſeller, to be forfeited: and if the ſame ware be ſold, the ſaid maker to forfeit the value of the ſame ſo vnlawfully wrought and ſold, the one halfe of the ſaid wares, or the value thereof, to be to the vſe of your Highneſſe, and the other halfe to be to the vſe of the finder or ſearchers of the ſame.

Hollow wares made of Pewter ley mettall.

The makers of Pewter veſſell ſhall marke the ſame.

Alſo that it may by the ſaid authority be enacted, and eſtabliſhed, that if any perſon or perſons hereafter, vſing buying and ſelling of Pewter and Braſſe, that hereafter occupy any deceiueable of falſe beames or weights of the ſaid wares, that euery ſuch perſon or perſons vſing or occupying ſuch deceiueable and vntrue beames or weights, to forfeit xx. s. the one halfe to the King, and the other halfe to the party that therefore ſhall ſue by action of debt: and that in the ſaid action no protection, nor eſſoine ſhal be alowed. And alſo the ſaid party ſo offending ſhal forfeit his beame to him that ſhall ſeiſe it. And if the ſaid offendor or offendors be not ſufficient to pay the ſaid ſummes or ſummes by them ſo forfeited, that then it ſhall be lawfull to the Mayors, Bayliffes, or other head officers of ſuch place or places, where any ſuch offendors ſhall be found, to put them in the ſtockes, and them ſo to keepe till the next market day next adioyning, and in the market place to put them on the Pillory all the market time.

The penalty for vſing falſe beames and weights about Pewter or Braſſe.

And furthermore that it be lawfull by the ſaid authority, that the Maſter and Wardens of the ſaid craft of Pewterers within euery City and Borough of this Realme, where ſuch Wardens are, and where no ſuch Wardens are, the head Officers or Gouernors of the ſame City, or Borough to appoint certaine perſons moſt expert in knowledge of the ſame, to make ſearch within the ſaid Cities or Boroughs where they dwell. And ouer this the Iuſtices of Peace within euery Shire at the generall Seſſions holden at Michaelmas, ſhall aſſigne and appoint two certaine perſons, hauing experience therein, to make ſearch in the premiſſes, in euery part of that

Searchers ſhall be appointed of Pewter and Braſſe.

Shire, as well within the Franchiſes as without, ſauing in Cities or Boroughs where ſearchers be appointed by the heads or gouernours of the ſame. And that all ſuch vnlawfull Pewter or Braſſe, as the ſaid ſearchers ſhall finde, the one halfe ſhall be to the vſe of your Grace, and the other halfe to the ſaid ſearchers. And that in the default of the ſaid Maſters and Wardens of the ſaid occupations, not ſearching in forme as is aforeſaid, and whereby that any ſuch vnlawfull metals is caſt or made, or vnlawfull weights vſed: that then it ſhall be lawfull to any perſon or perſons, hauing ſufficient cunning and knowledge in the ſaid occupations, by ouerſight of the Mayor, Bailifes, or head officers of the ſaid Cities, Boroughs, and Townes, to ſearch all the ſaid places, and to put the ſaid authority and Act in execution in forme aforeſaid. Pleaſeth it therfore your Grace and Wiſedomes, inſomuch as the ſaid Act is thought good and profitable, that it be ordained, enacted and eſtabliſhed by the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that the ſaid Act may endure for euer.

The Stat. of 19.H.7.6. reherſed, confirmed, and made perpetuall.

And ouer that it be enacted by the ſaid authority, that if any vntrue or deceiueable metall, or workmanſhip of Tinne or Pewter, be founden either in platters, chargers, diſhes, ſaucers, pottingers, trenchers, baſons, flagons, bottles, pots, ſaltſels, goblets, ſpoones, cruets, or candleſtickes, or any other ſuch wares of Tinne or Pewter, whereſoeuer it be caſt, made, or wrought within this Realme or without, and brought to be ſold within the ſame Realme: that then it ſhall be lawfull to the Mayor of the City of London, and the Maſter and Wardens of the craft of Pewterers (of the ſaid City for the time being) and their deputies, to haue ſearch of the ſame within the City of London and the ſuburbs of the ſame. And that in all other Cities, Boroughs, and Townes, where any Wardens be or ſhall be, the Mayors, Bayliffes, or head Officers, and Wardens to haue like authority. And where no Wardens be, then the head Officers or Gouernors of the ſame Cities, Boroughs and Townes, to appoint certaine perſons moſt expert and cunning in knowledge of the ſame, to make ſearch within the ſaid Cities, Boroughes, & townes where they dwell. And if any ſuch new wares wrought of Tinne and Pewter, as is aforeſaid, be found defectiue, and being in the poſſeſſion of the ſeller, that then the ſame perſon or perſons that putteth any ſuch new wares of Pewter to ſale, ſhall forfeit the ſame wares, the one halfe to the vſe of our Soueraigne Lord the King, and the other halfe to the ſearchers or finders of the ſame.

Searchers ſhall be appointed of Tinne or Pewter veſſell.

Prouided alway, that this Act concerning the forfeiture, be not preiudiciall nor hurtfull to any perſon or perſons, hauing grant of our Soueraigne Lord the King, or of any of his noble progenitors by his Letters Patents of ſuch forfeiture, but that they and euery of them ſhall and may enioy the ſame according to their former graunts and liberties. St. 25. *H*. 8. 9. 33. *H*. 8. 4.

This Act ſhall not be preiudiciall to the Kings grantees of Liberties.

Cap. VIII.

All ſuits, condemnations, executions, charges, and impoſitions, put, or hereafter to be put vpon *Richard Strode*, and euerie of his Complices that be of this Parliament, or any other hereafter, for any Bill, ſpeaking, or reaſoning of any thing concerning the Parliament to be communed & treated of, ſhall be void. An enditement of *Richard Strode*. Pr.

ANNO QVINTO HENRICI OCTAVI.

THe King our Soueraigne Lord *Henry* the eight after the Conqueſt, by the grace of God King of England and of France, and Lord of Ireland, at his Parliament holden at Weſtminſter, the xxiij. day of Ianuary, in the fift yeare of his moſt noble raigne, after the prorogation, to the honor of God & holy Church, & for the common weal & profit of this his Realm, by the aſſent of the Lords ſpiritual & temporall and the Commons in this preſent Parliament aſſembled, and by authoritie of the ſame, hath done to be ordained, made, and enacted certaine Statutes and Ordinances in manner and forme following.

Cap. I.

How the Kings ſubiects of Turney and Tyrwin in France may haue aſſurance, and recouerie of their debts due to them by Engliſh men, and how Engliſh men of them. Exp.

Cap. II.

The true making of white ſtraits in Deuonſhire.

PRayen the Commons and inhabitants (cloth makers and buyers of the ſame) within the countie of Deuonſhire, that where diuers and many clothes, called white ſtraites, be, and haue beene continually made within the ſaid Countie, to the great profit of the Kings ſubiects there, the which clothes were wont to be well and ſufficiently made, and beare their breadth yard broad and halfe quarter raw, and xv. yards of length, and that no man in times paſt hath vſed to make them, but that the maker thereof hath ſet his ſpecial marke vpon euery of the ſaid clothes, ſo by him or them made, whereby euery man may know their owne clothes from other mens by reaſon of their ſaid ſeuerall markes: ſo it is that now a dayes the ſaid clothes be not ſufficiently made, ne beare their length and breadth according as they ſhould doe, ne marked with euery mans own marke, whereof great inconuenience doth dayly enſue and increaſe, to the impoueriſhing and hurting aſwel of the Kings ſubiects buyers and ſellers of the ſame, as Merchants ſtrangers. Wherefore the premiſſes conſidered, that it may be therfore enacted by the King our Soueraigne Lord, by the aſſent of the Lords Spirituall and Temporall, and the Cōmons in this preſent Parliament aſſembled, and by the authority of the ſame, that from the feaſt of Pentecoſt next comming no perſon make ſuch clothes (called white ſtraites) to ſell, without that it be whē it is raw, ready to be toked, of the breadth of a yard and halfe a quarter, and of length xv. yardes. And that no perſon make ſuch clothes, except hee ſet his ſpeciall marke vpon euery of the ſaid clothes, ſo by him or them made. And that no perſon vſe no marke on his clothes ſuch as any other perſon doth, and hath vſed before him, vpon paine of forfeiture of euery of the ſaid clothes, the one halfe to the King, and the other halfe to him that ſeiſeth the ſaid clothes ſo made, or marked contrary to the forme and effect afore expreſſed. And this Act to endure vnto the next Parliament. Stat.6.*H*.8.8. made perpetuall. Stat.5.*Ed*.6.6. 7.*Ed*.6.9. 27.*El*.18.

The length and bredth of white ſtraites made in Deuonſhire, & they ſhall be marked by the maker.

Cap. III.

What clouthes may be tranſported vnſhorne.

Where in this preſent Parliament (before the firſt prorogation thereof) it was ordained and enacted, that no woollen cloth, aboue the price of iiii. markes ſhould be conueyed ouer the ſea vnrowed, vnbarbed and vnſhorne, vpon certain penalties in the ſame Act expreſſed more at large, which Act put in executiō ſhall not only turn to the abatements of the Kings cuſtoms, but alſo grow to the vtter vndoing of his ſubiects (cloth makers and Merchants) conueyers of the ſaid clothes. Foraſmuch as wooll in riſen of a farre greater price then it was at the making of the ſaid Act. For where a cloth was then cōmonly ſold at iiii. marks, it is now ſold for v. marks. And alſo by force of the ſaid Act the Merchants ſhould be bound to dreſſe euery white cloth aboue the value of iiii. markes on this ſide the ſea after they haue bought them, which white cloth (ſo dreſſed) when they bee brought into the partes beyond the Sea, and there by the buyers of them, dyed and put in colours, then they muſt be newly dreſſed, barbed, ſhorne, and rowed, and ſo they ſhal be thereby the leſſe in ſubſtance of themſelues, and the worſe to the ſale, and ſold for leſſe price by x. or xii. s. a peece beyond the ſea then they ſhould be if they were vndreſſed: wherfore be it ordained and enacted by like authoritie, That euery white woollen cloth ſold at v. markes and vnder, may be caried and conueyed into the parts beyond the ſea, there to bee ſold at the pleaſure of the buyers of the ſaid cloth, vnbarbed, vnſhorne, and vnrowed, any Act or Acts to the contrary made notwithſtanding. And ouer this be it ordained and enacted by the ſaid authority, that if any perſon or perſons conuey or cauſe to bee conueyed into the partes beyond the Sea any white woollen cloth vnrowed, vnbarbed, and vnſhorne aboue the value of v. marks in other forme then is aforeſaid, that thē the perſon or perſons ſo offending, ſhal forfeit the value of the ſaid cloth or clothes, ſo caried or conueyed into the partes beyond the Sea, the one moity of the ſame forfeiture to be to our ſaid Soueraigne Lord the King, and the other moity to any perſon which will ſue for the ſame, and that the defendant in any plea vpon any ſuch action be not admitted to wage his law, nor any protection or eſſoigne for any ſuch defendant be allowed in the ſame. St.27.*H*.8.13. 33.*H*.8.19. 7.*Ed* 4.3. 3.*H*.7.11.

St.3.H.8.7.

None ſhall cary ouer the Sea white woollen clothes aboue the price of fiue marks vnſhorne vnrowed or vnbarbed.

Cap. IIII.

Deceipts in Worſteds auoyded.

Prayen the Commons in this preſent Parliament aſſembled, that whereas Worſteds, which béene truly made, ſhorne, dyed, and calendred, as of old time haue béene accuſtomed to bée made, ſhorne, dyed, and calendred, haue béene one of the goodlieſt merchandiſe and greateſt commodities of this Realme, and not onely worne within this Realme, but alſo much worne and vſed in other Realmes. And ſo it is that now of late diuers ſtrangers beyond the Sea haue taken vpon them to drie Calender Worſteds with gummes, oyles, and preſſes, ſo that a courſe piece of Worſted, not being paſt the value of xxvi. s. viii. d. is and ſhall be made by their ſaid gummes, oyles, and preſſes to ſhew like to the value of xl. s. or better. And if the ſame Worſted ſo drie calendred, taketh any wet, incontinent it will ſhew ſpotty, and foule, and euer after continue ſtill foule, and wil not endure, to the great deceits and hurt of the wearers thereof and loſſe of the ſaid commodity: and for the ſaid deceits and falſeneſſe, the ſaid calendring is ſcorned, and abhorred in the parts beyond the Sea, ſo that no perſon do, ne ſhall vſe in thoſe partes any ſuch Worſteds

The deceit and loſſe comming by drie calendring of Worſted.

to dry calandre. And alſo now of late the ſaid ſtrangers (called dry calanders) are come into this Realme, and here within the ſame vſe, the ſaid dry calandring of Worſted, to the great hurt of the ſaid Common weale and commodity of this Realme aforeſaid.

No perſon ſhall dry calender Worſted.

What perſons onely ſhall wet calander Worſteds.

The forfeitures of the offenders, who ſhall haue them, and by what meanes.

Wherefore be it enacted, ordained and eſtabliſhed by the aſſent of the Lords Spirituall and temporall, the Commons in this Parliament aſſembled, and by authority of the ſame, that no perſon ne perſons within this ſaid Realm, hereafter do take vpon him or them to dry calandre any Worſted within this ſaid Realme, vpon paine to forfeit for euery worſted, that is ſo dry calendred, one C.s. And ouer that, whereas the ſaid old calendring of Worſteds, called wet calendring, hath been vſed well and ſubſtantially in times paſt in the Citie of Norwich, and yet is by perſons hauing cunning in the ſame. Be it therefore furthermore enacted, ordained, and eſtabliſhed, by the authority aforeſaid, That no perſon ne perſons hereafter doe take vpon him, or them, to wet calandre any Worſted, but onely ſuch perſons as haue beene bound Apprentiſes to other perſons of the ſame craft, or occupation of wet calandring of Worſteds, by the ſpace of vii. yeares, or be cunning in the ſame, and their cunning approued and admitted by the Mayor of the ſaid City of Norwich, (for the time being) and the two Maſters of the ſaid craft and occupation yearly to be choſen within the ſaid Citie of Norwich, or in the County of Norff. of the craft of wet calandring, vpon paine of euery ſuch perſon or perſons which hereafter ſhall doe the contrary, or forfeit for euery peece ſo calendred againſt the ordinances and purueiances aforſaid, C.s. the one moity of which penalties or forfeitures (aboue ſpecified) and euery of them, to be to the King our ſoueraigne Lord, and the other moity thereof to be to the Maſters of the ſaid occupation of wet calendring (for the time being.) And that it ſhall be lawfull to the Maſters of the ſaid occupation (for the time being) and their ſucceſſors, to ſue for the one moytie of all ſuch penalties hereafter to be forfeited, againſt euery ſuch perſon or perſons, as hereafter ſhall doe contrary to the forme and effect of this Statute, by action of debt, by writ at the common law, or by bill, or plaint, after the cuſtome of ſuch Citie, Port, or Towne, where ſhall happen any ſuch forfeiture to be or fall, or by information in the Kings Eſchequer. And that no protection, or eſſoine, ne no wager of law for the defendant, in any ſuch action, plaint, or information be allowed before any maner of Iuſtices, where any ſuch ſuit or information ſhall be vſed for the ſaid forfeiture. And this Act to endure to the next Parliament. St.25.*H* 8.5. made perpetuall.

Cap. V.

Iurors in London.

A rehearſall of the Stat. of 4. H. 8. 3. touching Iuries in London.

Where in this preſent Parliament holden at Weſtminſter the fourth day of February, in the third year of the raigne of our ſoueraigne Lord the King, & prorogued vnto the iiii. day of Nouember, in the fourth year of the raigue of our ſoueraigne Lord the King, and adiourned vnto Weſtminſter aforeſaid, foraſmuch as after iſſues ioyned in actions, and ſuites commenced, taken, or depending in the Kings Courts before himſelfe in his Bench, and before his Iuſtices of the common bench, and alſo in his Eſchequer at the Kings ſuite, or at the ſuite of the party, triable in the City of London, as well the King as the parties ſuffered great delay many times, for default of apparance of the Iuries empanelled to try the ſaid Iſſues, and many times for lack of Iurors, not hauing lands or tenements of the yearly value of xl. s. It was the ſaid fourth day of Nouember ordained and enacted by the authority of this preſent Parliament, that the Sherifes of London, for the time being, ſhould haue full authoritie and power to returne in panels or araies of all Actions and ſuites then depending, or that ſhould depend in any of the ſaid Courts, or Eſchequer, perſons being Citizens, hauing goods to the value of C. marke or aboue, to try the Iſſue ioyned in euery ſuch action or ſuite. And that the perſons ſo returned, hauing goods to the value of C. marke or aboue, ſhould be ſworne, and doe in all ſuch Iuries, in like wiſe in euery thing as other perſons ſhould doe, hauing lands and tenements of the yearely value of xl. s. ouer all charges. And that the Sherifes of the ſaid Citie (for the time being) ſhould returne vpon the firſt diſtreſſe in euery ſuch action or ſuite vpon euery of the Iurors enpanelled to try the iſſues thereof, xx. d. and vpon the ſecond diſtreſſe vpon euery of the ſame Iurors xl. d, and vpon euery diſtreſſe after that vpon euery of the ſame Iurors the double, till a full Iury in euery ſuch action and ſuit ſhould appeare, and be ſworne to try the iſſue ioyned in the ſame. And that the Sherifes that ſhould make any returne vpon ſuch diſtreſſes contrary to the forme aforeſaid, ſhould forfeit for euery ſuch default x. li. the one halfe thereof to the King, and the other halfe to the party that will ſue therefore.

And, that the defendont in any ſuch action ſhould not be admitted to wage his law, nor protection therein for him allowed, Which Statute was onely made for the good expedition of iuſtice, for to haue quick apparance of Iurors Citizens of London at Saint Martins the graund, within the ſaid Citie, where al Iuries were and been bounden only to appeare and try the iſſues ioyned of al things triable in London by proceſſe of Niſi prius out of the ſaid Courts, and in none other place, according to their ancient libertie, priuiledge and cuſtome.

The explanation of the Stat. of 4. H. 8. 3.

Wherefore, for more plaine declaration of the ſame good Statute, be it ordained and eſtabliſhed by the authority of this preſent Parliament, that the ſaid Act be expounded, interpreted, and taken, that the Sherifes for the time being be bounden to returne at euery firſt diſtreſſe of Niſi prius, to be had at the ſaid Saint Martins in euery ſuch action or ſuite, vpon euery of the Iurors impanelled to trie the iſſues thereof xx.d. and vpon the ſecond diſtreſſe of Niſi prius, vpon euery of the ſame Iurors xl.d. And vpon euery diſtreſſe of Niſi prius after that, vpon euery of the ſame Iurors the double, till a ful Iury in euery ſuch action and ſuit ſhall appeare and be ſworne to try the Iſſue ioyned in the ſame. And that no Sherife of the ſaid City, or other, any thing forfeit by force or colour of the ſaid Statute, for any returne to be made, except onely vpon returnes to bee made contrary to the forme, declaration, interpretation, and expoſition of this Stat. That is to ſay, vpon writs of diſtreſſes before Iuſtices, or Iuſtice of Niſi prius within the ſaid City, & that vpon al other writs and proceſſes, that be & ſhall be awarded out of the ſaid Courts, or Eſchequer, it ſhall be lawfull to the Sherifes for the time being to make their returnes according to the order of the law, as the Sherifes of London were wont to doe before the making of the ſaid Statute, without any loſſe or forfeiture.

What iſſues the Sherifes of London ſhall returne vpon Iurors.

Cap. VI.

Surgeons diſcharged of Enqueſts, &c.

SHeweth vnto your diſcreet wiſedomes, your humble Orators the Wardens and fellowſhip of the craft and myſterie of Surgeōs enfranchiſed in the City of London, not paſſing in number xii. perſons, that whereas they and their predeceſſors, from the time that no minde is to the contrary, as well in this noble Citie of London, as in all other Cities and boroughs within this Realme, or elſewhere, for the continuall ſeruice and attendance that they daily and nightly at all houres, and times giuen to the Kings liege people, for the reliefe of the ſame according to their ſcience haue béen exempt and diſcharged from all offices and buſineſſe, wherein they ſhould vſe or beare any manner of armour, or weapon, and with ſuch priuiledge haue béene entreated as Harholts of Armes, as well in battailes and fields, as other places, there for to ſtand vnharneiſed & vnweaponed according to the law of Armes, becauſe they be perſons that neuer vſed feats of war, nor ought to vſe, but onely the buſines and exerciſe of their ſcience, to the helpe and comfort of the Kings liege people in the time of their néed. And in the foreſaid City of London, from the time of their firſt incorporation, when they haue béene many moe in number than they be now, were neuer called nor charged, to be of Enqueſt, Watch, nor other office, whereby they ſhould vſe, or occupie any armour, or defenceable attire of warre, where through they ſhould be vnready, and letted to practiſe their cure of men being in perill, Therefore for that there be ſo ſmall number of the ſaid Fellowſhip of the craft, and myſterie of Surgeons, in regard of the great multitude of Patients that be, and daily chance and infortune hapneth and encreaſeth in the foreſaid City of London, and that many of the Kings liege people ſuddenly wounded and hurt for default of helpe in time to them to be ſhewed, periſh, and ſo diuers haue done, as euidently is knowne by occaſion that your ſaid ſuppliants haue beene compelled to attend vpon ſuch Conſtableſhip, Watches, and Iuries, as is aforeſaid. Be it enacted and eſtabliſhed by the King our Soueraigne Lord, and the Lords Spirituall and Temporall, and by the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That from henceforth your ſaid ſuppliants be diſcharged and not chargeable of Conſtableſhip, Watch, and all maner of Office, bearing any armour, and alſo all Enqueſts and Iuries within the City of London. And alſo that this act in all things do extend to all Barbers Surgeons admitted and approued to exerciſe the ſaid myſterie of Surgeons, according to the forme of the Statute lately made in that behalfe, ſo that they excéed, ne be at one time aboue the number of xii. perſons. Stat. 3. *H.* 8. 11. 32 *H.* 8. 42.

The cauſes why Surgeons haue beene exempt from bearing of armour, or other ſeruices

The Surgeons of London ſhall be exempt from being Conſtables, bearing of armour, or to be put in Watches or Enqueſts.

Cap. VII.

All Strangers being of the fellowſhip of the Trinity, &c. may buy Leather curried, in open markets, &c. ſufficiently wrought and ſealed, &c. Rep. 5. *El.* 8. & 1. *Iac.* 22.

Cap. VIII.

Euery perſon that will ſue for the Kings pardon granted vpon certain articles ſhall haue it. Exp

ANNO SEXTO HENRICI OCTAVI.

THe King our Soveraigne Lord *Henry* the eight after the Conqueſt, by the grace of God King of England and of France, and Lord of Ireland, at his Parliament holden at Weſtminſter the fiſt day of February, in the ſixt yeare of his moſt noble raigne, after the prerogation to the honour of God, and holy Church, and for the Common weale and profit of this his Realme, by the aſſent of the Lords ſpirituall & temporall, and the Commons in this preſent Parliament aſſembled, and by authoritie of the ſame, hath done to be ordained, made, and enacted certaine Statutes and Ordinances in manner and forme following.

Cap. I.

What apparell temporall men of euery degree and eſtate may weare, and what not, the forfeitures of the offendors, and who ſhall haue thoſe forfeitures, and how they ſhall recouer them. Rep. 7. *H*. 8. 6. 1. *Iac*. 25.

Cap. II.

The Stat. made *Anno* 3. *H*. 8. 3. concerning mantenaace of Archery, ſhooting in long bowes, & bringing of bow-ſtaues into this realm, wherſoeuer confirmed & made perpetuall. Rep. 33. *H*. 8. 9

Cap. III.

The ſeuerall wages of ſeuerall ſorts of ſeruants in Husbandry, Artificers, and Laborers, and the penalty of thoſe that take more. At what houres an Artificer and Labourer ſhall begin and end his worke, and what time he ſhall haue for his meales and ſleepe. Rep. 5. *El*. 4. *St*. 7. *H*. 8. 5.

Cap. IIII.

Proclamation ſhall be made before Exigents be awarded into Forrein Shires.

St. 4. H. 8. 4.

Proclamation awarded in a Forrein County then where the Defendant is ſued.

Proclamations where the party is dwelling in a County Palentine.

Three Proclamations.

Dyer. fol. 4

213.

k Bro-Em

l Dyer. fol.

Where at a Parliament holden at Weſtminſter, the fourth day of February, in the third yeare of the raigne of our Soueraigne Lord King Henry the eight that now is, and from thence (for diuers vrgent cauſes) vnto the fourth day of Nouember, the fourth yeare of the raigne of our ſaid Soueraigne Lord proroged, one good and reaſonable Act was made, and ordeined touching Writs of Proclamation to be made vpon Exigents, ſued againſt perſons in forrein or other Shire, then where ſuch Defendant be called of, only to endure from thence vnto the next Parliament: which Act is now determined, the effect and true entent of which ſaid Act is thought right auaileable and commodious, and in auoyding of outlawries hereafter to bee pronounced againſt any perſon by reaſon of ſuch Forrain ſuits, to haue continuance and perpetually to endure. Be it therefore by the King our Soueraigne Lord, with aſſent of the Lords Spirituall and Temporall, and the Commons in this Parliament aſſembled, and by authority of the ſame Parliament, enacted, ordained and eſtabliſhed, that if, and where any writ of Exigent at any time from the fifteenth day of Eaſter, next comming, or after, ſhall be awarded at the ſuit of our Soueraign Lord the King, or any other perſon or perſons, Plaintife or Plaintifes in any Action perſonall, againſt any perſon or perſons called of any Shire or City, being a Shire Corporate of it ſelf, or elſe late of any ſuch Shire or City other then to ſuch ſhire or City, wherinto ſuch Exigent ſhall be awarded, to be called according to the Law. And alſo in euery Writ of Exigent in any Action perſonall, whereof the Proces or Exigent at the ſaid fifteenth day of Eaſter, or after, ſhall be directed into London, or Middleſex, the Defendant being called late of London, or late of Middleſex, and at the time of the Exigent awarded, not dwelling in London, nor in Middleſex, elſe that the ſaid defendant or Defendants in the ſame Exigent dwel in any other ſhire or place, then where the Kings Writ runneth: then the Iuſtices, before whom any ſuch Exigent is to be awarded, in all Actions, where the Exigent ſhall not be directed into London nor Middleſex, to award a Writ of Proclamation to be directed to the Sherife of the ſame County, where it doth appeare by the vſing of ſuch Action, that the partie Defendant is, or lately was [k] dwelling, if the Kings Writ there be currant, and elſe to the next Shire adioyning to the Countie or Counties, or other places, whereof the party is called, or lately ſuppoſed by the ſaid Exigent to haue his being of, where the Kings Writ ſo runneth not. And in euery Action as aforeſaid, whereof the Exigent ſhall be directed into London or Middleſex, and the Defendant or Defendants in the ſame called [l] late of London or Middleſex, & at the time of the Exigent awarded not hauing his or their dwelling in London, or Middleſex, then the Writ of Proclamation to bee awarded, made, and directed vnto the Shirife of the Shire, where the Defendant at the time of the Exigent ſo againſt him or them awarded, ſhall haue his dwelling: Or in caſe where the Kings Writ runneth not, vnto the next Shire therunto adioyning, The which ſaid Writ of Proclamation ſhall containe the effect of the ſame Action, and that the Shirife of the County, to whom any ſuch Writ of Proclamation ſhall be directed, ſhall make three Proclamations within his Countie at three ſeuerall dayes, that is to ſay, two of the ſame Proclamations in the full and plaine Shire Court of the ſame County, and the third of the ſaid Proclamations to be made at the generall Seſſions in thoſe parties, where the party defendant is ſuppoſed to bee dwelling, or in the parties of the County next adioyning to the County or Counties, where the Kings Writ runneth not, that the partie Defendant yeeld himſelf to the Shirife of the Forrein Countie, to whome any ſuch Exigent in any Action perſonall is awarded: ſo that the Shirife of ſuch Forrein County may vpon his yeelding haue the body of the ſaid Defendant before the Iuſtices before whom any ſuch Exigent is awarded, at the day of the ſame Exigent compriſed, there to anſwer to the Plaintife in the ſame according to the Law.

And that euery ſuch Writ of Proclamation ſhall haue the ſame day of returne, as the Writ of Exigent vpon ſuch Forrein Actions ſo awarded ſhall haue: And that euery ſuch Writ of Proclamation be deliuered of Record to the Sherife or Deputy of the Countie, into the which any ſuch Writ of Proclamation is to be awarded. And that the Sherife of the ſame County duely doe execute the ſame, and thereof make true returne at the day of the ſame Writ appointed, vpon paine to forfeit ſuch amerciament vnto the King out Soueraigne Lord and to his heirs, as by the diſcretion of the Iuſtices, before whom ſuch Exigent ſhall be returnable, ſhall be ſet.

The Proclamation ſhall bee deliuered to the Sherife of Record.

And that the Officer, in whoſe office ſuch Exigent is taken, make out the ſaid Writ & Writs of Proclamation, as hereafter ſhall be awarded in any of the ſaid Courts.

And that the ſame Officer take no more for the making of any ſuch Writ of Proclamation, and the entring of the ſame of Record, but onely vi.d.

The officers fee for making of Proclamation.

And if any outlawry hereafter be had, or promulged againſt any perſon or perſons, in any Action perſonall, in any Forrein County, and no Writ of Proclamation (as is aforeſaid) awarded and returned, that then euery ſuch outlawrie to be vtterly void and of no effect, ne force in the Law. And that all outlawries had contrary to this Act be auoided by auerment without ſuing of any Writ of Errour. Raſt.pla.fol.287. St.5.& 6.*Ed*.6.26. 31.*El*.3.9.

An outlawry auoided without writ of Errour.

Cap. V.

Whoſoeuer decaieth any Towne or houſe of Husbandry, or doth conuert Tillage into Paſture, ſhall forfeit to the Lord of the Fee halfe the profits thereof. Exp. St.4.*H*.7.19. 7.*H*.8.1. 27.*H*.8.22. 5.*Ed*.6.5. 5.*El*.2. 39.*El*.1.

Cap. VI.

The remitting priſoners to the place where the crime was committed.

WHere diuers Felons, & Murderers, vpon feined and vntrue ſurmiſes, haue oftentimes remoued as well their bodies, as their Inditements by Writ, and otherwiſe before the King in his Bench, and cannot by the order of the Law be remitted, and ſent downn to the Iuſtices of Gaole deliuery, or of the Peace, ne other Iuſtices, ne Commiſſioners, to proceed vpon them after the courſe of the Common Law: Be it therefore ordained, and enacted by the authority of this preſent Parliament, That the Iuſtices of the Kings Bench (for the time being) haue full authority and power, by their diſcretions, to remaund, and ſend downe, as well the bodies of all Felons and Murderers, brought or remoued, or that ſhall be remoued or brought before the King in his Bench, as their Inditements in the Counties whereas the ſame Murders or felonies haue beene committed or done. And to command all Iuſtices of Gaole deliuery, Iuſtices of Peace, and all other Iuſtices, and Commiſſioners, and euery of them to proceed, and determine vpon all the foreſaid bodies and Inditements, ſo remoued, after the courſe of the Common Law, in ſuch maner as the ſame Iuſtices of Gaole deliuery, Iuſtices of Peace, and other Commiſſioners, or any of them, mought or ſhould haue done, if the ſaid Priſoners or Inditements had neuer beene brought into the ſaid Kings Bench.

The Iuſtices of the K.Bench may remit priſoners out of that Court into the Country to be tried.

Cap. VII.

The ſeuerall ſummes that Watermen ſhall take for their fare from one place to another near to the Citie of London. And the Watermen refuſing to accept the ſaid fares or wages limited, ſhall forfeit the treble value thereof. Alt. 2.& 3.*P*.& *M*.16.

Cap. VIII.

The making of woollen clothes in Deuonſhire.

WHere at a Parliament holden at Weſtminſter, the fourteenth day of Ianuary, after the laſt Prorogation thereof, in the v. yeare of the Kings moſt noble raigne, the Commons and inhabitants (Clothmakers and Diers of the ſame) within the County of Deuon, prayed and deſired, that where diuers and many Clothes, called white Straites, be and haue beene continually made within the ſaid County, to the great profit of the Kings ſubiects there, the which clothes were wont to be well and ſufficiently made, and to beare their bredth, yard broad and halfe quarter raw, and xv. yards of length. And that no man in times paſt hath vſed to make them, but that the maker thereof hath ſet his ſpeciall marke vpon euery of the ſaid cloaths, ſo by him or them made, whereby euery man may know their owne clothes from other mens, by reaſon of their ſaid ſeuerall markes, ſo at the ſaid Parliament it was ſhewed by the inhabitants (clothmakers and buyers of the ſame) in the County aforeſaid, that now a dayes the ſaid clothes be not ſufficiently made, ne beare their length and bredth according as they ſhould doe, ne marked with euery mans own marke, whereof great inconuenience doth dayly enſue & encreaſe, to the impoueriſhing and hurting as well of the Kings ſubiects, buyers, and ſellers of the ſame, as Merchants ſtrangers: whereof the Premiſes conſidered, it was therefore enacted by the King our ſoueraigne Lord, by the aſſent of the Lords Spirituall and Temporall, and the Commons in the

A rehearſall of the Statute made 5.H.8.2. touching white Straites made in Deuonſhire

A confirmation of the Stat. of 5.H.8.2. touching white ſtraites made in Deuonſhire.

Ruſſet ſtraites ſhall be of the like length and bꝛedth, and ſhall weigh 14. pound being raw.

ſame Parliament then aſſembled, and by the authoꝛity of the ſame, that from the feaſt of Pentecoſt next after the making of the ſaid Act, no perſon ſhould make any ſuch cloth, called white ſtraits, to ſell, without that it oꝛ they be, when they be raw ready to be toked, of the bꝛeadth of a yard and halfe a quarter, and of length xv. yards. And that no perſon make any ſuch clothes, except he ſet his ſpeciall marke vpon euery of the ſaid clothes, ſo by him oꝛ them made. And that no perſon vſe no marke on his clothes, ſuch as any other perſon doth, and hath vſed befoꝛe him, vpon paine of foꝛfeiture of euery of the ſaid clothes, the one halfe thereof to be to the King, & the other halfe thereof to him that ſo ſeiſeth the ſaid clothes ſo made oꝛ marked contrary to the foꝛme and effect afoꝛe expꝛeſſed: And this Act to endure vnto the firſt day of this pꝛeſent Parliament. And foꝛaſmuch as the ſaid Act is thought to bée very neceſſary, and behoueable. Be it therefoꝛe oꝛdained, eſtabliſhed and enacted by the King our Soueraign Loꝛd, and the Loꝛds Spirituall and Tempoꝛall, and the Commons in this pꝛeſent Parliament aſſembled, and by authoꝛity of the ſame, that the ſaid Act concerning making of clothes (called white ſtraites) and euery thing therein contained, ſtand and be in his full ſtrength, vertue and effect. And ouer that it is oꝛdained by the ſaid authoꝛity, That no perſon noꝛ perſons from the feaſt of Saint Iohn Baptiſt next comming, ſhall make any ſuch clothes (called white ſtraites) ne any cloth of that making of ruſſet colour (called ruſſet ſtraites) without that they and euery of them (being raw) be of the bꝛeadth and length befoꝛe rehearſed, and to be marked in maner and foꝛme befoꝛe expꝛeſſed, and ſo being raw, to weigh xiiii. pound by true waight at leaſt, vpon paine of foꝛfeiture of euery of the ſaid clothes made, and being leſſe in length oꝛ elſe in bꝛedth, oꝛ marked contrary to the foꝛme and effect befoꝛe rehearſed: oꝛ elſe being of weight contrary to the foꝛme befoꝛe expꝛeſſed, the one halfe of the ſaid foꝛfeiture to be to the King, and the other halfe to him that ſeiſeth the ſaid clothes ſo made, and being of weight contrary to the foꝛme and effect afoꝛeſaid. And this Act to endure foꝛ euer. Stat.7.Ed.6.9. 27 El.18.

CAP. IX.

Deceipts in making woollen clothes auoyded.

The weight of wooll, deliuered to bꝛeak, kembe, card, oꝛ ſpin.

The weight of wooll and yarne redeliuered to the Clothier.

FOꝛ the deceitful dꝛaping, and making of woollen clothes, made, & dꝛaped within this Realme, and alſo foꝛ meaſuring in the ſale of the ſame, our Soueraign Loꝛd the King, by the aduice of the Loꝛds Spirituall and Tempoꝛall, and of the Commons in this pꝛeſent Parliament aſſembled, and by authoꝛity of the ſame hath oꝛdained, eſtabliſhed and enacted diuers oꝛdinances, and ſtatutes foꝛ the true making and dꝛaping of ſuch woollen clothes, and foꝛ meaſuring in ſale the true content of the ſame in maner and foꝛme following. Firſt, that the wooll which ſhall be deliuered foꝛ oꝛ by the Clothier to any perſon oꝛ perſons foꝛ bꝛeaking, kembing, carding, oꝛ ſpinning of the ſame, the deliuery therof therefoꝛe ſhall be by euen, iuſt and true poys, & weight of Hauerdepois, ſealed by authoꝛitie, not excéeding in weight after the rate of xii. pound ſeimed wooll aboue one quarter of a pound foꝛ the waſt of the ſame wooll, and in none other maner. And that the Bꝛeaker oꝛ Kember to deliuer again to the ſame Clothier the ſame wool ſo bꝛoken & kempt, and the Carder and Spinner to deliuer again to the ſaid Clothier yarne of the ſame wooll by the ſame, euen, iuſt, and true pois, and weight (the waſt thereof excepted) without any part thereof concealing, oꝛ any moꝛe Oyle, Water, oꝛ other thing put therunto deceiueably, vpon the paine to foꝛfeit to the Loꝛd of the Léete, within the pꝛecinct whereof ſuch default is done, foꝛ euery ſuch default xii.d. vpon due pꝛoofe of ſuch deceit afoꝛe, and by diſcretion of the Mayoꝛ, Baylife, oꝛ other head Officer of the City, Boꝛough, oꝛ Towne where the deceit ſhall appear, the ſame Mayoꝛ, Baylife oꝛ head Officer calling to him ſuch perſons as ſhall ſéeme to him conuenient foꝛ the pꝛoofe of ſuch deceit.

A Weauer ſhall put all the yarne into the webbe, oꝛ reſtoꝛe it.

Item that the Weauer, which ſhall haue the weauing of any woollen yarne to be webbed into cloth, ſhall weaue, woꝛke, and put into the webbe foꝛ cloth to bée made thereof, as much and all the ſame yarn as the Clothier oꝛ any perſon foꝛ him ſhall deliuer to the ſame Weauer, with his vſed marke put to the ſame, without changing, oꝛ any parcell thereof leauing out of the ſame web, oꝛ that to reſtoꝛe to the ſame Clothier the ſurpluſe of the ſame yarne, if any ſhall bee left not put into the ſame webbe, and without any moꝛe Oyle, Bꝛenne, moyſture, Duſt, Sand oꝛ other thing deceiueably putting, oꝛ caſting to the ſame web, vpon pain to foꝛfeit foꝛ euery default, iii.s.iiii.d.

Buying of coloured wooll in the market only

Item that no maner perſon buy any coloured wooll oꝛ coloured woollen yarne of any Carder, Spinner oꝛ Weauer, but onely in open market, vpon paine of foꝛfeiture of ſuch wooll, and yarne wꝛought.

The Walker & Fullers duty.

Item that the Walker and Fuller ſhall truely walke, full, thicke and woꝛke euery webbe of woollen yarne, which he ſhall haue to walke, full, thicke, oꝛ woꝛke, without any flockes, oꝛ any other deceit to be vſed on the ſame, and ſhall not row, noꝛ woꝛke any cloth oꝛ webbe with any Cards on the right ſide, noꝛ on the wꝛong ſide, vpon paine to foꝛfeit foꝛ euery ſuch default, vi.s. viii.d.

Shꝛinking of cloth. St.14.H.8.11.

Item that the Clothier, noꝛ other perſon whatſoeuer he be, ſhall not put any cloth to ſale, which when it ſhall be full wet, ſhall ſhꝛinke moꝛe than one yard in all the length, and one quarter of a yard in the bredth, for the more part thereof: and clothes called narrowes or ſtraites after the rate, vpon paine to forfeit for euery cloth otherwiſe put to ſale, vi.s. viii.d. and beſide to deduct of his price for the ſame to be rebated to the buyer thereof as much after the rate as the ſame cloth, ſo otherwiſe put to ſale, being full wet, ſhall be ſhrunke more than one yard of that it was in length at time of the ſame ſale, and as it ſhall (being wet) want of the bredth of one yard and iii. quarters of a yard.

Item that the buyer of woollen cloathes, Denizen or Alien, after the buying thereof, ſhall not draw nor cauſe to bee drawne in length, nor ſtraine, nor doe to bee ſtrained in bredth the ſame clothes, or any of them by teinour or wrinch, or by any other meane, vpon pain of forfeiture for euery of the ſame cloathes ſo to be drawne, or ſtrained, C.s.

No ſtraining of cloth, &c. by Tenter or Wrinch. St.5.Ed.6.6. 39.El.20.

Prouided alway, that if ſuch buyer of woollen clothes for proofe, cauſe the ſame to be wet, he may draw and ſtraine them for euening of them onely, ſo that hee exceed not one yard in length more than it ſhall be when it ſhall be full wette.

Item that no manner perſon worke, or put vpon any woollen clothes any flockes, or other deceiuable thing, vpon paine to forfeit for any cloth ſo wrought deceiueably with flockes, or other deceiuable thing, xx.s.

No flockes ſhall be put in cloth.

Item that no maner perſon buy or ſell any woollen clothes, or other meaſure more or leſſe, then after the true content thereof to be meten and meaſured by the yard, adding to euery yard, one ynch of the rule, vpon pain to forfeit for euery cloth to the contrary meaſured, C.s. The one moitie of all the ſaid forfeitures to be to our Soueraigne Lord the King: and to euery perſon which ſhall ſue by writ, bill, or other plaint of debt in that behalfe againſt the perſon doing to the contrary of any of the ſaid ordinances, the other moity. And that the defendant in any plea, vpon any ſuch action, be not admitted to wage his law, nor any protection, nor eſſoine for any ſuch defendant be allowed in the ſame.

The meaſure of cloth by yard and ynch. St.3.Ed.6.6.

Prouided alway, that this Act extend not to woollen clothes called Kendals, nor clothes (called Carpenell whites) commonly made for lyning for hoſen, nor to any clothes called Toſtokes made in the County of Deuonſhire, nor to any woollen clothes made in the County of Cornewall, nor for any Cottons or plaine lyning, or Friſe made or to be made in Wales, Lancaſhire, and Cheſſhire, or any of them.

Kendals, Carpenell whites, Toſtockes.

Cap. X.

A Commiſſion of Sewers may bee granted through this Realme, and the marches of Calice, Guines, and Hammes during x. years, according to the Statutes of *An.6.H.6.5.&* 4.*H.7.1.* Exp.

Cap. XI.

The Stat. of 1 *R.3.11.* touching bringing in of Bowſtaues ſhall be extended to ſtrangers only, and not to the Kings ſubiects. Exp.

Cap. XII.

None ſhall carry beyond the Sea any Norfolke wooll meete for the making of Worſteds or Stammins, vpon paine of forfeiture of xl.s. for euery ſtone. Exp.

Cap. XIII.

Whoſoeuer ſhall ſhoot in or keepe in his houſe any Hand gun or Croſbow without the Kings licence, ſhall forfeit the ſame and x.li. for euery ſhoot, vnleſſe he hath to the yearly value of CCC. markes. Rep. 33.*H.8.6.* All former Statutes touching ſhooting in Croſbowes and Hand-gunnes repealed. *St.*14.*H.8.7.* 25.*H.8.17.*

Cap. XIIII.

The Stat. of 12.*Ed.*4.3. for the payment of tonnage and pondage ſhall ſtand good during the Kings life. Exp.

Cap. XV.

Second Letters Patents making no mention of the firſt adnulled.

THe Kings Highneſſe of his goodneſſe calling to his remembrance, that where his Grace hath graunted to diuers of his ſeruants (for their ſeruice to his Grace done) lands, tenements, fees, offices, and other things, to haue to them during his pleaſure: and after other perſons, by their ſundry ſuits haue obtained of his Highneſſe other Letters Patents of the ſame, not aduertiſing his Grace of his former graunts, whereby the ſaid former Patentees haue beene annoyed, and put from the aduantage of their ſaid former graunts, and Patents, contrary to the intent and graunt of our Soueraigne Lord. Wherefore be it ordained, eſtabliſhed and enacted by our ſaid Soueraigne Lord, the Lords Spirituall and temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That if any perſon or perſons, from henceforth doe make ſuit to the Kings Highneſſe for any lands, tenements, offices, or any other things, ſo by his Grace graunted, or hereafter to be graunted to any perſon or perſons, during his pleaſure, the ſaid

fol.237.339 H.8.fo.28.

What ſhall be expreſſed in the K. Letters Pat. of lands, offices, &c. before granted to ſome other.

ſaid firſt Patentée, then being in life, that he doe expreſſe in his ſaid bill of petition or patent the tenour of the ſaid former patent. And that the King then hath determined his pleaſure againſt the ſaid firſt patentée, or elſe the ſecond Letters patents of any of the premiſſes to any perſon hereafter to be granted, to be void and of none effect.

This Act to commence & take effect from the fourth day of April next comming, & not before.

Cap. XVI.

Knights nor Burgeſſes of the Parliament may not depart before the end thereof.

FOraſmuch as commonly in the end of euery Parliament diuers and many great & weightie matters, as well touching the pleaſure, weale, and ſuertie of our Soueraigne Lord the King, as the common weale of this his Realme and ſubiects, are to be treated, communed of, and by authoritie of Parliament to be concluded. So it is that diuers Knights of Shires, Citizens for Cities, Burgeſſes for Boroughs, & Barons for the Cinque ports, long time before the end of the Parliament, of their owne authorities, depart, and goe home into their countries, whereby the ſaid great and weightie matters are many times greatly delayed. In conſideration whereof, be it enacted by the King our Soueraigne Lord, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, & by authoritie of the ſame, That from henceforth none of the ſaid Knights, Citizens, Burgeſſes, and Barons, nor any of them, that hereafter ſhall be elected to come or be in any Parliament, doe depart from the ſame Parliament, nor abſent himſelfe from the ſame, till the ſaid Parliament be fully finiſhed, ended, or prorogued, except he or they ſo departing, haue licence of the Speaker & Commons in the ſaid Parliament aſſembled, and the ſame licence be entred of Record in the Booke of the Clerk of the Parliament, appointed or to be appointed for the Common houſe, vpon paine to euery of them ſo departing or abſenting themſelues in any other maner, to loſe all thoſe ſummes of money, which he or they ſhould or ought to haue had for his or their wages. And that all the Counties, Cities, and Boroughs, whereof any ſuch perſon ſhall be elected, and the inhabitants of the ſame, ſhall be cleerely diſcharged of the ſaid wages againſt the ſaid perſon and perſons, & their executors for euermore.

No Knight, Citizen, &c. ſhall depart from the Parliament without licence.

Cap. XVII.

The riuer of Canterburie ſhalbe deepned & enhāced, ſo that Lighters &c. may paſſe vpō it. Pr.

Cap. XVIII.

The Vnderſherife, and all other Officers of Sherifes may continue and occupie their Offices within the Countie of the towne of Briſtow, from yeare to yeare, in ſuch ſort as the like do in London without any forfeiture, notwithſtanding the Statutes of An. 42. Ed. 3. 9. & 23. *H.* 6. 8. Pr.

ANNO SEPTIMO HENRICI OCTAVI.

THe King our Soveraigne Lord *Henry* the eight after the Conqueſt, by the grace of God King of England and of France, and Lord of Ireland, at his Parliament holden at Weſtminſter the twelfth day of Nouember, in the ſeuenth yeare of his moſt noble raigne, to the honor of God, and holy Church, & for the Common weal & profit of this his Realm, by the aſſent of the Lords ſpiritual & temporall, and the Commons in this preſent Parliament aſſembled, and by authoritie of the ſame, hath done to be ordained, made, and enacted certaine Statutes and Ordinances in manner and forme following.

Cap. I.

If any perſon ſhall decay a Towne, a Hamlet, or houſe of Husbandrie, or conuert Tillage into Paſture, the immediate Lord of the Fee ſhall haue the moitie of the offenders Land, vntill the offence be reformed. Rep, 39. El. 1. & 21. Iac. 28. St. 5. El. 2. St. 25. *H.* 8. 13.

Cap. II.

A Repeal of all Licences granted contrary to the Statute of 4. *H.* 7. 10. to bring into this Realm Gaſcoyne Wines, or Tholouſe Wood, but in Engliſh ſhippes. Stat. 1. El. 13.

Cap. III.

Within what time, all Actions, Suites, Billes, Inditements or Informations popular ſhall be ſued either for the King, or for the partie, Rep. 31. El. 5. Bro. Action populer. 6.

Cap. IIII.

How rents and ſeruices may be recouered by Auowry.

Recouerors haue no remedy by the common Law to recouer their rents or preſentations.

Co Inſt.114.b.

WHereas diuers, as well Noble men, as other the Kings ſubiects, haue ſuffered recoueries againſt them of diuers their Manors, Lordſhips, Lands, and Tenements, for the performance of their Wills, or for the ſurety of their wiues ioyntures, or for the ioynture of their ſonnes and heires apparant, and their wiues, or for any other perſon or perſons according to their Couenants and Agreements, and thoſe perſons, that ſo haue recouered the ſaid Manors by the courſe of the Common Law had no remedy, nor may haue to compell the Fermor, Freeholders, and Tenants, which held of the ſame Manors by the rents, ſeruices, or cuſtomes, to atturne to them, nor could by the order of the Law attaine to the rents, ſeruices, or cuſtomes (if they were denyed) by Diſtreſſe or Action, without they could once attaine to the poſſeſſion of the ſame rents, ſeruices, and cuſtomes by paying or doing the ſaid rents, ſeruices, or cuſtomes by the ſame Freeholders, Fermors, and Tenants, which to doe, diuers and many of them haue oftentimes refuſed, and yet do, to the great offence and charge of their conſcience, not onely to the diſheritance of the ſaid recouerers, but alſo in breaking of the laſt Wills of them, againſt whom ſuch recouery is had, and alſo to the diſheritance of the ſaid husband, wiues, and other, to whoſe vſe the ſame recouery was ſo had. Alſo if there were any Aduowſon appendant to any of the ſaid Manors, and the ſame aduowſon had fallen void, and a Stranger had preſented, the ſaid recouerers, nor they to whoſe vſe the ſame recoueries were had, had no remedy for the ſame diſturbance, and ſometimes thereby they haue beene diſinherited.

The Recouerors may diſtraine for the rents and ſeruices of the tennant farmor &c. and ſhall haue a Quare impedit Raſt.li.pla.fo.521

a Dier fo.31. Bro.meſne 23.

Be it therefore enacted by this preſent Parliament, and by the authority of the ſame, that the Recouerers in all ſuch recoueries, their heires and all aſſignes, may from henceforth [a] diſtrain for the foreſaid rents, ſeruices and cuſtomes ſo being due and vnpayed, and make Auowry, or iuſtifie the ſame, as thoſe perſons againſt whom the ſaid recouery is, ſhould haue done, if the ſaid recouery had not beene had, and alſo haue like remedy for the recouering of the ſaid rents, ſeruices, and cuſtomes by Auowry. And alſo Quare impedit for the ſaid Aduowſon, if any diſturbance be made, as thoſe perſons againſt whom the ſaid recoueries were had, might or ſhould haue had by the courſe of the Common Law afore the ſaid recouery, if any ſuch rents, ſeruices, or cuſtomes had beene denyed them, or any ſuch diſturbance had beene had in their times.

The auowant in Replegiari ſhall recouer his damages and coſtes of ſuit.

b Dier fol. 141. 19.H.6.fol.11. Bro.damages 8.

And alſo that euery Auowant, and euery other perſon or perſons, that maketh Auowry, coniſance, or knowledge: or iuſtifie, as Baily to any other perſon or perſons in any Replegiari, or Second deliuerance, for any rent, cuſtome, or ſeruice, if their Auowry, coniſance, or iuſtification be found for them, or the Plaintifes in the ſaid Actions otherwiſe barred, ſhall recouer their [b] damages and coſts that they haue ſuſtained, as the Plaintife ſhould haue done, if they had recouered in the ſaid Replevins.

Cap. V.

Certaine Labourers working in London may take ſuch wages as they did take before the Statute of 6.*H*.8. 3. Rep. 5.El.4.

Cap. VI.

A repeale of the Statute made Anno 6.*H*.8.1. and of all other Statutes made for Apparell before it. What kinde of Apparell Temporall men of all degrees and eſtates are allowable, and what prohibited to weare, and vpon what penalties, and who ſhall haue the forfeitures, & by what meanes they ſhall be recouered. Rep.24.*H*.8.13. and 1. Iac.25.

ANNO XIIII. ET XV. HENRICI OCTAVI.

THe King our Soveraigne Lord *Henry* the eight after the Conqueſt, by the grace of God King of England and of France, and Lord of Ireland, at his Parliament holden at London the fifteenth day of Aprill, in the fourteenth yeare of his moſt noble raigne, and from thēce adjournied to Weſtminſter the laſt day of Iuly, the fifteenth yeare of his ſaid reigne, & there holden to the honor of Almighty God, and holy Church, & for the weal & profit of this his Realm, by the aſſent of the Lords ſpiritual & temporall, and the Commons in this preſent Parliament aſſembled, and by authoritie of the ſame, hath done to be ordained, made, and enacted certaine Statutes and Ordinances in manner and forme following.

Cap. I.

No perſon ſhall ſell to a Merchant Stranger any broad white Wollen Cloth made in England, vnleſſe he cānot ſell it to ſome Engliſh Merchāt within eight daies after he brought it to Black-well hall, except the ſale be in Faires, Ports, or Creekes. Exp.

Cap. II.

What Apprentiſes ſtrang Artificers ſhall take, &c.

No Stranger ſhall take an Apprentiſe, but one which was borne vnder the K. obeiſance. 5. El. 4.

Be it enacted by the King our Soueraigne Lord, and the Lords Spirituall and Temporall, & the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That no maner of Stranger, borne out of the Kings obeiſance, be he Denizen, or not Denizen, vſing any maner of Handy Craft within this Realme, ſhall take from henceforth any Apprentiſe, except the ſame Apprentiſe be borne vnder the Kings obeiſance, vpon pain to forfeit for euery Apprentiſe, that he ſhall take contrary to this Act x.li. the one halfe thereof to be to our Soueraigne Lord the King, the other half to him or them that ſhal ſue for it, be it by action of debt, bill, plaint information, or otherwiſe: in which ſuit the Defendant ſhall not be admitted to wage his law, ne any eſſoine, licence, or protection to be allowed.

No Alien ſhall keepe aboue 2. Iournymen except they be borne vnder the K. obeiſance 5. El. 4.

Be it alſo enacted by the authority aforeſaid, and vnder like pain to be forfeited and recouered (as is aforeſaid) that no Stranger, being Alien borne, and vſing any maner of handie Craft within this Realme, from the Feaſt of All Saints next enſuing, ſhall in any maner of wiſe vſe, take, retaine, or keep into his or their ſeruices any maner of Iournyman, or couenant Seruant aboue the number of two at one time, except the ſame Iournyman, or couenant Seruant be borne vnder the Kings obeiſance.

All Strangers dwelling within 2 miles of London ſhall be vnder the reformation of the Wardens of handie crafts within the Citie.

And ouer this be it enacted by authority aforeſaid, that all maner of perſons, being Aliens borne, vſing any maner of handy Craft, be they Denizens, or not Dentzens, and inhabited within the Citie of London, or Suburbes of the ſame, within the Towne of Weſtminſter, the Pariſh of S. Martines in the Field, the Pariſh of our Ladie of the Strond, S. Clement of Danes without Temple barre, S. Giles in the Field, S. Andrewes in Holbourne, the Towne and Borough of Southwarke, Shoreditch, white Cappell Pariſh, S. Iohns Street, the Pariſh of Clerken well, S. Botolphs Pariſh without Alegate, S. Catharins, Barmondſay Street, or within two miles compaſſe of the ſaid Citie of London, or the Pariſhes aforeſaid ſhall be vnder the ſearch, and reformation of the Wardens and Fellowſhippes of handy Crafts within the ſaid Citie of London, with one ſubſtantiall Stranger being an houſholder of the ſame Craft, by the ſame Wardens to be choſen, that is to ſay, euery ſuch Stranger, occupying any myſtery or handie Craft (as is aforeſaid) ſhall be vnder the ſearch and reformation of the Wardens, and one ſubſtantiall Stranger, being an houſholder of that Craft, that they ſhall ſo occupie.

The Wardens &c. ſhall aſſigne a proper marke for Strangers wares.

And that the Wardens of the ſaid Citie of euery ſuch handie Craft with one Stranger or houſeholder (as is aforeſaid) of the ſame Craft haue full power and authoritie, by this preſent Act, to limit and appoint to euery Stranger of the Myſtery and handie Craft, that they be of, inhabiting within the ſaid Citie, Suburbes, places or precinct, aboue remembred, a proper marke, without taking any thing therefore: by the which their wares, veſſels, and workmanſhips, that they make, may be knowne.

Reformation of Strangers wares and workmanſhip.

And that the Wardens of euerie ſuch handy Craft, & Myſtery aforeſaid, calling to them one Stranger of the Myſterie and occupation, that they be of, being an houſeholder, ſhall haue full power and authority to ſearch, view, and reforme, as well within the ſaid Citie of London, as in all other places and limits beforeſaid, all maner of wares of workmanſhips, made by any manner of ſuch handie Craft men, being Aliens borne, as is beforeſaid.

Smithes, Joyners, Coopers, which be ſtrangers muſt mark their wares.

And that no Stranger, borne out of the Kings obeiſance, vſing any of the Myſteries or occupations of Smithes, Ioiners, or Coopers, ſhall make any maner of wares or veſſels, concerning the ſame Myſteries or occupations, except that they and euery of them put ſuch markes to euerie of the ſame wares and veſſels, before they ſhall be put to ſale or vſe, as the Wardens of their occupations, Crafts, or Myſteries, ſhall limit and appoint, without taking any thing therfore, vpon paine of forfeiture the double value of the ſame wares and veſſels: The one halfe of which forfeiture to be to the King our Soueraigne Lord, the other halfe to the partie, that firſt will ſue for the ſame by Action of debt, bill, plaint, or Information, in which the Defendant ſhall not wage his Law, nor any eſſoine ſhall be caſt, or protection allowed.

The forfeiture of wares deceitfully made by an Alien.

And further it is enacted by the authoritie aforeſaid, that if vpon any ſuch ſearch, or view to be made, by the Wardens, and one Stranger, of any Craft or Myſtery, beforeſaid after the forme of this Eſtatute, in veſſels or wares to be foūd in the poſſeſſiō of the workers, or owners thereof, putting the ſame veſſels or wares, to workmanſhip of any Stranger falſely and deceitfully made, to the hurt of the Kings liege people, and ſo adiudged by the ſaid Wardens, and one ſtranger, that then ſuch worker or owner, in whoſe poſſeſſiō the ſame falſe and deceitfull wares ſhall be found, ſhall forfeit the ſame wares: the one halfe thereof to the King our Soueraigne Lord, and the other halfe thereof to the firſt finder thereof, ſuing for the ſame in any of the Kings Courts by Action of detinue, in which Action the Defendant nor Defendants ſhall not be admitted to wage their Law, nor protection, ne eſſoine be to them herein allowable.

Be it alſo enacted by the authority aforeſaid, that all Wardens and Maſters of Fellowſhips of all and euery ſuch handie crafts, within any ſuch City, Borough, or Towne Corporate within this Realme, where any ſuch Wardens happen to be, and in ſuch Boroughs, & Townes Corporate where no Wardens of handie crafts are, the Bailifs or the Gouernor or Gouernors of the ſame Boroughes, or Townes, ſo lacking Wardens, ſhall haue like power and authoritie with the Bailife or Bailifes of the liberties with them, where any ſuch Libertie ſhall be, being content ſo to doe, to view, ſearch, and reforme Stangers, borne out of the Kings obeiſance, inhabiting and vſing within any ſuch Citie, Borough, or Towne Corporate, any manner of handie Craft, in as large and ample maner as the ſaid Wardens and Fellowſhips of the ſaid Citie of London may doe, by vertue of this preſent Act. And that all Strangers, vſing any of the ſaid handie Crafts in any of the ſaid Cities, Boroughes, or Townes Corporate, be bounden to doe & obey in euery thing, according to the Tenour of this preſnt Act, vpon like paines and forfeitures as is aboue remembred, to be had and recouered in forme aboue rehearſed.

Wardens, Bailifes, &c. of Townes Corporate may ſearch, and reforme ſtrangers.

Prouided alway, that if the Wardens of any Fellowſhip or Myſterie before ſaid, Bailifes, Gouernor or Gouernors before ſaid, wrongfully will entreat any Stranger, in executing of this Act, or any thing therein conteined: that then the Stranger ſo grieued, may by authority of this Act, by bill, or information, complaine to the Lord Chancellor and Treſorer of England, or the Iuſtices of Aſſiſe in the County for the time being, which by their examinations, ſhall haue full power, and authoritie to heare, and determine the ſame complaint, and to award to the partie complainant ſuch amends, as by their diſcretions ſhall be thought reaſonable.

Remedie for Strangers which be iniured by Wardens, &c.

Prouided alſo, that it ſhall be lawfull for, and to euerie the ſaid Strangers, borne out of the Kings obeiſance, being a houſholder, to haue and receiue as well all and euerie ſuch Strangers, borne out of the Kings obeiſance, being the time of this Parliament with him retained as a Iourneyman, as to haue and retaine euery ſuch Stranger, being borne out of the Kings obeiſance being Apprentice with him the time of this Parliament, this Act notwithſtanding. This to endure to the laſt day of the next Parliament.

Prouided alſo, that this Act extend not to the inhabitants Strangers, that now be, or hereafter ſhall be, in the Vniuerſities of Oxford or Cambridge, or within the Sanctuarie of S. Martins le Graund within the ſaid Citie of London.

Strangers dwelling in Oxford, Cambridge, S. Martins.

Prouided alwaies, that if the ſaid Wardens of the ſaid Citie of London, with a Stranger, or Gouernor or Gouernors, of any Citie, or Borough Corporate within this Realme, refuſe to marke the wares of any Stranger, after that they be required ſo to marke: that then it ſhall be lawfull to the ſame Eſtranger or Eſtrangers, to whom ſuch refuſall ſhall be made, to ſell and put to ſale his ſaid wares, ſo required to be marked and refuſed, this Act notwithſtanding.

The Wardens refuſing to mark the wares

Prouided alſo, that this Act extend not to any other handie Craft, then to the Crafts of Ioyners, Pouchmakers, Coopers, and black Smiths, for or concerning the foreſaid Articles of making of wares of the ſaid Eſtrangers.

To which only handy Crafts this Statute doth extend.

Alſo that it ſhall be lawfull to any Lord of the Parliament, and euerie other of the Kings ſubiects, hauing Lands, and Tenements to the yearely value of one C.li. to take and retaine Eſtrangers, Ioyners, and Glaſiers in their ſeruice, from time to time, to and for the exerciſing with them their Crafts, this Act notwithſtanding. St. 21. *H.* 8. 16. 32. *H.* 3. 16. 22. *H.* 8. 13.

Who may retaine Aliens.

CAP. III.

Touching Worſted Weauers of Yarmouth and Linne.

BEcauſe it is diſcreetly conſidered in this preſent Parliament, that the true making and draping of Worſteds, Saies, and Stamins is one of the moſt profitable occupations of this Realme: and that the ſame Worſteds, Saies, and Stamins, truly and ſubſtantially made and wrought, beene right acceptable and commodious merchandiſes, as well in this Realme of England, as in forreine regions, and countries. For eſtabliſhment and good order wherof diuers good and laudable Statutes, Acts, and Ordinances heretofore haue beene made and enacted: & namely in a Parliament holden at Weſtminſter the third day of Iune, in the ſeuenth yere of the raigne of the late King of famous memory Edward the fourth. Sithen which Parliament the making of the ſaid Worſteds, Saies, and Stamins, hath much encreaſed, and been multiplied in the Citie of Norwich, and in diuers townes and places in the countie of Norfolke. And becauſe the Townes of great Yarmouth and Linne, in the ſaid Countie been Townes Corporated, and the inhabitants of the ſame townes now daily practiſe, and vſe the making, and draping of the ſaid clothes of Worſteds, Saies, and Stamins, more buſily and diligently then they haue done in times paſt, to whom it is painefull and coſtly to tranſport and conuey their ſaid clothes to the ſaid Citie of Norwich, or to places within the ſaid county of Norfolke, which been farre diſtant from either of the ſaid Townes to be ſearched & ſealed by the Wardens of the Worſted Wea-

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uers

Election of a Warden of Worſted Weauers in great Yarmouth in Norffolke.

The Warden of Yarmouthes oath.

uers of the ſame Citie of Norwich or Countie, according to the ſaid act of Parliament made the ſaid ſeuenth yeare of King Edward the fourth. It is therefore ordained, eſtabliſhed, and enacted by the King our Soueraigne Lord, and by the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by authoritie of the ſame, That the crafts men (called Worſted Weauers) inhabited in the ſaid Towne of great Yarmouth ſhall haue power and authoritie, by this preſent Act, from henceforth to elect and chuſe yearly for euer, in the Munday next after the feaſt of Pentecoſt, one honeſt man of the ſame myſterie and occupation, being an houſeholder within the ſaid Towne of great Yarmouth, and hauing of his proper goods and cattels to the value of x.li. at the leaſt, or lands and tenements to his owne vſe of the eſtate of frehold at the leaſt, to the cléere yearely value of xx.s. to be Warden of the ſame craft & miſtery, for the year next enſuing, which man ſo elected and choſen, ſhall perſonally appeare before the Maior of the ſaid Citie of Norwich, for the time being, the Munday next after the feaſt of Corpus Chriſti then next enſuing, then and there to be ſworne & charged by like oath, concerning the true and ſubſtantiall making of the ſaid clothes within the ſaid Towne of great Yarmouth, as the foure Wardens of the ſaid Citie of Norwich, by vertue of the ſaid Act of Parliament, made in the ſaid ſeuenth yeare of King Edward the fourth béene charged and ſworne for the ſame Citie of Norwich. And if the ſaid Maior happen to be abſent the Munday after Corpus Chriſti, or els then refuſeth to receiue or take the ſaid oath: then the ſaid Wardē ſo elect, within foure daies next after the ſame Munday, ſhall come before the Bailifes of the ſaid Towne of great Yarmouth for the time being, or before one of them the other being abſent: and then and there receiue a corporall oath, for the true exerciſing of the ſame office of Wardenſhip, after the tenour of the oath accuſtomably vſed to be giuen to the ſaid Wardens of the ſaid Citie of Norwich.

The Warden of Yarmouthes authoritie.

And then the ſaid Warden of the ſaid Towne of great Yarmouth for that time being, ſo elect and ſworn, may ordeine and appoint a ſeale, with this letter Y. to be engrauen in the ſame ſeale, and may haue full power and authoritie to view, ſearch, ſeiſe, & ſeale in lead with the ſame ſeale, ſo to be appointed and engrauen, and none other, all Worſteds, Saies, and Stamins within the ſaid Towne of Yarmouth, and ſuburbs of the ſame, made or to be made, and not elſe where, in as large and ample maner, as the ſaid Wardens of the ſaid Citie of Norwich, and Wardens of the ſaid Countie of Norfolke, or any of them hath or haue within the ſaid Citie, or Countie, or in any wiſe may doe in that behalfe, by authoritie or vertue of the before remembred Act, made in the ſaid ſeuenth yeare of King Edward the fourth, any thing in the ſame Act conteined to the contrarie notwithſtanding.

Euerie perſon ſhall marke his Worſteds, ſaies, &c. with his ſeuerall marke.

And that no perſon inhabited within the ſaid Towne of great Yarmouth, or Suburbs thereof, weaue any Worſteds, Saies, or Stamins within the ſame Towne, except he be an Engliſhman borne, and haue béene apprentice to the ſaid occupation, and without he weaue there ſuch proper marke as ſhall be limited and appointed by the ſaid Warden of the ſaid Towne, for the time being, elect and ſworne as is aforeſaid, vpon paine of forfeiture thereof to the King our ſoueraigne Lord: And that euerie Warden of the ſaid towne ſhall limit diſtinct and ſeuerall markes to euerie of the ſaid Worſted Weauers of the ſame towne of great Yarmouth, and the ſame markes by the ſaid Warden to be regiſtred in a booke.

Election of a Warden of Worſted Weauers in Linne in Norffolke.

The Warden of Linnes ſeale and authoritie.

And alſo be it enacted by the authoritie aforeſaid, that if, and whenſoeuer hereafter the ſaid towne of Linne ſhall be inhabited with ten ſundry houſeholders, or more number of houſeholders, exerciſing and vſing the ſaid craft or miſterie of Worſted Weauers, then and from thenceforth that is to ſay, as long as the ſame towne of Linne ſhall be inhabited with the number of ten ſuch houſeholders at the leaſt, it ſhall be lawfull to the ſame inhabitants of the ſaid towne of Linne yearly on the Munday next after the feaſt of Pentecoſt, to elect & chooſe of themſelues one Warden of the ſaid craft and miſterie of Worſted Weauers, to be of the value in land and goods, as is beforeſaid of the Warden of Yarmouth: which Warden ſo elect, ſhall yearely be ſworn and charged at the ſaid Citie of Norwich, in like maner and at like day, as is before limited to the Wardens of Yarmouth: or in default of the ſaid Maior of Norwich, then the ſaid Warden ſo to be elect for the ſaid towne of Linne, to take a corporall oath before the Maior of the ſaid town of Linne, within ſuch time, & after ſuch forme, as is before limited vnto the Warden of Yarmouth. And that the ſaid Warden of the ſaid towne of Linne for the time being, ſo elect and ſworne, by himſelfe may ordeine and appoint a ſeale, with this letter L. to be grauen in the ſame ſeale, and may haue full power and authoritie to view, ſearch, ſeiſe, and ſeale in lead with the ſame ſeale, ſo to be engrauen, and with none other, all Worſteds, Saies, and Stamins, within the ſaid towne of Linne, and ſuburbs of the ſame, made or to be made, and not elſewhere, in as large and ample maner as the ſaid Warden of the ſaid Citie of Norwich, and Wardens of the ſaid Countie of Norff. or any of them hath, or haue within the ſaid Citie or Countie, or otherwiſe may doe by authoritie or vertue of the before remembred Act, made in the ſaid ſeuenth yeare of King Edward the fourth, any thing conteined in the ſame Act to the contrary notwithſtanding.

Every Worſted maker an Engliſhman borne, & ſhall haue his owne marke.

And that no perſon inhabited within the ſaid towne of Linne, or ſuburbs thereof, make any Worſteds, Saies, or Stamins within the ſame towne, except he be an Engliſhman borne, and haue béene apprentiſe to the ſame occupation, and without hée weaue therein ſuch proper marke as ſhall be limited and appointed by the ſaid Warden of the ſame Towne of Lin, for the time being, vpon paine and forfeiture thereof to the King our Soueraigne Lord: And that euery Warden of the ſaid towne ſhall limit diſtinct and ſeuerall markes to euery of the ſaid Worſted weauers of the ſame Towne, and the ſame markes by the ſaid Warden to bee regiſtred in a booke.

A warden of Norwich or Norfolke, ſhall come to Linne when there is no Warden there.

And be it further enacted by the authority aforeſaid, that from the feaſt of Saint Michael the Archangel next comming, vnto ſuch time as the ſaid towne of Linne ſhall be inhabited with the ſaid number of tenne houſholders of the ſaid craft of Worſted weauers, and alwayes after, when that number of ten houſholders ſhall happen to faile, and not be inhabited in the ſaid towne of Linne, the ſaid Wardens of the ſaid City of Norwich, and their ſucceſſours, ſhall procure and cauſe one of themſelues, or one of the Wardens of the ſaid craft of the ſaid County of Norfolke, perſonally to come and be euery xxviij. day from & after the ſaid feaſt of S. Michael the Archangell, in, and to the ſaid towne of Linne, or within ſixe dayes next after euery ſuch xxviij. day, and there to continue and abide by ſo long time as he may ſearch and ſeale all ſuch Worſteds, Saies, and Stamins, made in the ſame towne of Linne, as then ſhall bee brought to him to bee ſealed within the ſpace of one whole day. And the ſaid inhabitants of Worſted weauers, of the ſame towne of Linne being, ſhall content and pay the ſaid Warden of Norwich or Norfolke, which ſhall ſo come to Linne, in the ſaid xxviij. day, or within ſix dayes next after the ſaid xxviij. day, for his coſts and expences, for euery time that hee ſhall ſo come to Linne, betweene the feaſts of Saint Michael the Archangell, and the Annunciation of our Lady S. Mary, iij. s. and for euery time that he ſhall ſo come to the ſaid towne of Linne betweene the feaſt of the Annunciation of our Lady, and the feaſt of Saint Michael the Archangel, ij. s. And if the ſaid inhabitants of Worſted weauers of the ſaid towne of Lin, doe not content and pay to the ſaid Warden comming to Linne, in forme aforeſaid, for the ſaid coſts and charges, the ſaid iij. s. or ij. s. as is aboue limited, then the ſame inhabitants ſhall forfeit and pay to the ſaid Warden, or to his executors, for euery ſuch default of payment, xl. s. And if none of the ſaid Wardens of Norwich and Norfolke, come to the ſaid towne of Linne, for the cauſe aforeſaid, in manner and forme aboue remembred: then the ſaid Wardens of the ſaid City of Norwich, ſhall forfeit and pay to the ſaid inhabitants of Linne, of the ſaid myſterie of Worſted weauers, for euery ſuch default xl. s. For recompence of which penalty, and forfeits, the ſaid Wardens of Norwich or Norfolke, being thereunto intitled by this preſent Act, by his proper name with this addition, That is to ſay, Vnus Gardianorum, or nuper vnus gardianorum artis ſiue myſterij textorum panni lanei vocati Worſtedes in ciuitate Norwiche, vel comi. Norfolke, as the troth requireth, ſhall and may haue action of debt by writ, bill, or plaint in any competent, or lawfull Court of this Realme againſt the ſaid inhabitants of Linne, of the ſaid myſtery for the time being by their ſundry proper names. And the ſaid inhabitants by their ſaid names, with this addition, Textorum panni lanei voc. Worſtedes, inhabitantes villæ de Linne, ſhall and may haue like actions of debt againſt the ſaid Wardens of Norwich, by the name of Gardiani artis ſiue myſterij textorum pannorum laneorum voc. Worſtedes infra ciuitatem Norwic com. Norffo. to be vſed in good congruities of Latine, and forme of the Lawes of this Realme. In which actions or any of them, none eſſoine, protection, or wager of law ſhall be ſuffered or allowed. And that the particular bodies, or goods of any of the ſaid Wardens or inhabitants, being condemned in any of the ſaid actions, ſhall and may be put in execution, after ſuch manner and forme as is vſed in actions of debt, by courſe of the common law of this Realme.

The Wardens allowance by the day for his charges in comming to Linne.

By what names the parties grieued ſhal vſe their actions

The particular bodies or goods of the Wardens or inhabitants put in execution

And moreouer be it enacted by the authority aforeſaid, that all clothes of Worſteds, Saies, and Stamins, made or to be made within any of the ſaid Townes of Linne and great Yarmouth, or ſuburbs of the ſame, or any of them, and marked with ſuch markes as ſhall be limited to the makers by the ſaid Wardens of the ſaid towne in maner and forme aboueſaid: and viewed and ſealed by any of the Wardens of the ſaid towne of Linne and Yarmouth, in forme aboue remembred: by force and vertue of this preſent Act, may be lawfully put to ſale by the owners and makers of the ſame, without any other marking or ſealing vpon the ſaid clothes, or vpon any of them to be had or made by any other Wardens, dwelling or abiding without the ſaid towne, & without any arreſt, ſeaſure, or forfeiture to be had or made of or vpon any of the ſaid clothes, for lack of any other ſeales or markes, any thing contained in the ſaid former Act, made in the ſaid vij. yeare of King Edward the fourth, to the contrary notwithſtanding.

Cloths marked by the Wardens of Linne and Yarmouth.

And ouer this be it enacted by the authority aforeſaid, that euery crafts man of the ſaid myſtery and occupation of Worſted making, dwelling within any of the ſaid townes of Linne and great Yarmouth, and ſuburbes of the ſame at their owne freewils and liberties from henceforth for euer, may haue or take apprentice or apprentices (being male) of the age of xiiij. yeares and vpward, and being the Kings naturall ſubiects, for the terme of vij. yeares, and not vnder, ſo that none of them exceede the number of two at once to learne, vſe, and exerciſe the ſaid craft within either of the ſaid townes of Linne and great Yarmouth or ſuburbs of the ſame. Albeit the father of the ſame apprentices or apprentice, may not expend in lands and tenements to the yearely value of xx. s. any Act or Ordinance, to the contrary made or to be made notwithſtanding.

What Apprentices Worſted weauers in Lin and great Yarmouth may take
St. 5 El. 4.
26. H. 8. 16.

This Statute ſhall not be preiudiciall to the Maior of Norwich or the Wardens there.

Prouided alway that this preſent Act, nor any thing therein contained, be not in any wiſe hurtfull or preiudicial to the Maior of Norwich, or to his Succeſſors, or to the Wardens of the ſaid City and County, or to their Succeſſors, in any point, article, power, or authority, other then for weauing, ſearching, and ſealing of Worſteds, Saies, and Stamins made or to bee made onely within the ſaid Townes of Lin and Yarmouth, or Suburbes of the ſame, or to any of them. And for limiting of markes to the maker of Worſteds, Saies, and Stamins, onely inhabited in either of the ſaid Townes or Suburbs thereof, and taking of Apprentiſes, in forme aboue remembred: but that the ſaid Maior of the ſaid City of Norwich, and Wardens of the ſaid Citie and County, and euery of them may haue and vſe all other points, articles, powers, and authorities contained and ſpecified in the aboue remembred Act, made in the ſaid ſeuenth yeare of King Edward the fourth, as well for the ſearch, ſealing, correction, and reformation of the ſaid Wardens newly to be elect by vertue of this preſent Act, and euery of them, according, and after ſuch forme as they may doe or vſe, any of the ſaid Wardens of the ſaid City or County, by force of the ſaid Act, made in the ſaid ſeuenth yeare of King Edward the fourth, as all and euery other inquiries, corrections, ſearches, ſealings, and reformations to be had, for the true making of Worſteds, Saies, and Stamins, in and vpon any perſon or perſons, as wel within the ſaid Townes of Lin and Yarmouth, as without, without trouble, let, or vexation of any of the inhabitants of the ſaid Towns, in as large and ample wiſe, as they might haue done before the making of this preſent Act, any thing contained in the ſame preſent Act to the contrary notwithſtanding.

And alſo prouided, and be it enacted by the authority aforeſaid, that the ſaid Crafts men of Worſted weauers inhabited, or hereafter to bee inhabited within either of the ſaid Townes of Lin and Yarmouth, or Suburbs of the ſame, and the Merchants, or any other perſon or perſons which ſhal happen to buy of the ſaid Crafts men, or of any of them, or of any other perſon, any of the ſaid Clothes of Worſteds, Stamins, or Saies, made or to be made within either of the ſaid Townes of Lin and Yarmouth, and ſealed by the ſaid Wardens of the ſame Towne to be elect and ſworne as is aforeſaid, and any of them ſhall not ſheere, die, or put in colour, or calendre, any Worſteds, Stamins, or Saies, made or to be made within either of the ſaid Townes of Lin and Yarmouth, or Suburbes of the ſame, in any other place or places, but onely within the ſaid City of Norwich, or Suburbs of the ſame, vpon pain of forfeture for euery piece of Worſted, Saies, or Stammins to be made within any of the ſaid Townes of Lin and yarmouth, or Suburbes of the ſame, or the value thereof, ſhorne, died, coloured, or calendred by any of the ſaid Crafts men, buyers, or Merchants in any other place or places then in the ſaid City of Norwich, or Suburbs of the ſame: the one halfe thereof to the King our Soueraigne Lord, and the other halfe thereof to ſuch perſon or perſons as ſhal ſeiſe the ſame: ſo that the ſaid Worſteds brought to the ſaid Citie of Norwich to be ſhorne, died, coloured, and calendred, without couin or craft of any of the ſaid Inhabitants and Merchants, may be ſhorne, died, coloured, and calendred at, and by as conuenient price or priſes, and in as ready wiſe, as the ſaid Inhabitants of either of the ſaid Towns of Lin and Yarmouth, and Merchants buyers of the ſaid Worſteds, or other of the ſaid City or County hath had in times paſt, or hereafter ſhall haue.

None in Lin or Yarmouth ſhall ſheere, die, or calender, but in Norwich.

And alſo that the ſame Inhabitants and Merchants, and euery of them, ſo bringing their ſaid Worſteds to the ſame City for to be ſhorne, died, coloured, and calendred, be reaſonably and lawfully intreated according to the ſaid Act made in the ſaid ſeuenth yeare of K. Edward the fourth and the ordinances made and affirmed, or hereafter to bee made and affirmed for the ſaid Myſterie, without let or diſturbance, contrary to the ſame Act or Ordinances in that behalfe.

And be it enacted by the authority aforeſaid, that no perſon or perſons any time after conuey, or tranſport into any of the partes beyond the Sea, any maner of clothes or Worſteds, before the ſame clothes be ſhorne, died, coloured, and calendred, vpon pain of forfeiture the value therof: the one halfe to the King our Soueraigne Lord, and the other halfe thereof to the party that will ſue therefore, by action or plaint of debt in any of the Kings Courts: In which Action or ſuit, no protection or eſſoine ſhall be allowed, nor the offender admitted to wage his law. This Act to endure to the next Parliament. 26.*H*.8.16.made perpetuall.*Sa*.21.*H*.8.21.

No Worſteds ſhall be caried beyond the Sea before they be ſhorne, &c.

CAP. IIII.

What Cuſtomes and impoſitions Engliſhmen ſworne to Forrein Princes ſhall pay.

PRayen the Commons in this preſent Parliament, that where many and diuers perſons being the Kings ſubiects naturally borne within this his Realm, haue withdrawne themſelues out of the ſame Realme, and tranſported themſelues, with their wiues, children, and goods, into Holland, Zeland, Braband, Flanders, and into other Countries of Forrein Princes, and there be ſworne to the obeyſance of the Princes and Lords of the Countries, where they be now inhabited, making there great buildings, & bee contributories to all maner of charges, as the ſubiects of thoſe Countries be: and thus they maintaine, as much as in them is, the Cities, Boroughes, and Townes of thoſe Countries, and many more of the Kings ſubiects intend to doe the ſame, if remedy therein be not prouided. Which ſubiects borne in England, notwithſtanding that they thus enſtrange themſelues from the Kings obeyſance, yet they occupie here in all the Ports, Hauens, and Creekes, Cities, Boroughs, and Townes of England, as freely, and as free in cuſtome and ſubſidie, as the Kings ſubiects doe occupie, and not only for themſelues, but alſo colourably for other ſtrangers, their friends, and partners, ⁊ alſo make themſelues quit ⁊ exempt from all charges within this Realme, in preiudice and decay of the Cities, Townes and Boroughs of England: and as for beyond the Sea, they will obey to none authority graunted to the Engliſh Nation, by the Kings Highneſſe and his noble Progenitors, vnder the great ſeale of England and by authority of Parliament, but they giue themſelues ouer to the protection and defence of thoſe outward Princes, to whom they be ſworne ſubiects. And by theſe maner of perſons much coine is conueyed out of the land.

Wherefore be it ordained and enacted, by the King our Soueraigne Lord, and the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſaine, That all and euery ſuch ſubiects borne in England, and ſworne to be ſubiects to forraine Princes and Lords of outward parties, from henceforth, (as long as they ſhal ſo abide, and be as ſubiects to forreine Princes and Lords) that from henceforth ſo long they and euery of them ſhall pay ſuch Cuſtomes, Subſidy, Tolles, and other impoſitions within this Realme of England, as other ſtrangers of thoſe parts where the ſaid Engliſh mẽ make their inhabitation, pay or vſe to pay within this ſaid Realme: And that the knowledge of all and euery ſuch perſon or perſon inhabitants, and ſworne in maner and forme as is before rehearſed within the Archdukes Countries, that is to ſay, Holand, Zeland, Braband, and Flanders onely, ſhall be had by certificate thereof made by the Gouernor of the Merchant Aduenturers, and the Aſſiſtants there for the time being: and alſo for all other Realmes and countries of forrein Princes to be certified by the Kings moſt noble Embaſſadors, being at ſuch time there as they ſhal happẽ to be in the ſaid countries vpon the Kings affairs, ſhal likewiſe certifie, as is beforeſaid vnder their ſeale, into the Chauncery of our Soueraigne Lord the King: and thereupon out of the ſaid Chancery writs to be made and directed vnto the Cuſtomers, Controllers, or other Officers of the Kings Cuſtome, in euery Port, Hauen, or Creeke within this ſaid Realme, to perceiue, leuy and take all maner of ſuch Cuſtomes, Subſidies, Tolles, and other impoſitions, as is before ſpecified, of all ſuch goods and Merchandiſes, as ſhall belong vnto any ſuch perſon or perſons inhabited and ſworne, in manner and forme aboue written, as well in inward as outward.

An Engliſhman ſworn ſubiect to a forrein Prince ſhall pay ſuch impoſitions as Aliens doe.

Prouided alway, that if hereafter it ſhal happen any ſuch perſon or perſons to returne into the Realme, and here to tarry, and inhabite, that then he or they ſhall be reſtored to all ſuch liberties and freedomes in paying of Cuſtomes or Subſidies and other charges, as all other Engliſhmẽ doe vſe to pay, and to haue a Writ out of the Chauncery for the ſame: this Act or any thing therein made to the contrary notwithſtanding.

An Engliſhmã returning and dwelling againe in the Realme.

Cap. V.

The priuiledges and authority of Phyſitians in London.

In their moſt humble wiſe ſhew vnto your Highneſſe, your true ⁊ faithfull ſubiects, and liege men Iohn Chambre, Thomas Linacre, Fernandus de Victoria, your Phyſitians, and Nicholas Halſewell, Iohn Fraunces, and Robert Yaxley, and all other men of the ſame faculty within the City of London, and ſeuen miles about, that where your Highneſſe (by your moſt gracious Letters Patents, bearing date at Weſtminſter the xxiij. day of September, the tenth yeare of your moſt noble raigne) for the common wealth of this your Realme, in due exerciſing and practiſing of the faculty of Phyſicke, and the good miniſtration of medicines to be had, hath incorporate and made of vs and of our Company aforeſaid, one body and perpetuall comminalty or Fellowſhip of the faculty of Phyſicke, and to haue perpetuall ſucceſſion and common ſeale, and to chuſe yearly a Preſident of the ſame Fellowſhip and Comminalty to ouerſee, rule and gouerne the ſaid Fellowſhip and Comminalty, and all men of the ſame faculty, with diuers other liberties and priuiledges, by your Highneſſe to vs graunted, for the common wealth of this your Realme, as in your ſaid moſt gratious Letters Patents more at large is ſpecified and contained, the tenour whereof followeth in theſe words.

A body corporat of the faculty of Phyſick within London, ⁊ vii. miles compaſſe. Anno 10. H. 8.

Henricus *Dei gratia, Rex Angliæ, & Frãciæ, & Dominus Hiberniæ, Omnibus, ad quos præſentes literæ peruenerint, Salutem. Cum Regij officij noſtri munus arbitremur ditionis noſtræ hominũ fœlicitati omni ratione conſulere: Id autem vel inprimis fore, ſi improborum conatibus tempeſtiue occurramus, apprime neceſſariũ duximus, improborũ quoq; hominũ, qui medicinã magis auaritiæ ſuæ cauſa quã vllius bonæ conſcientiæ fiducia profitebuntur, vnde rudi & credulæ plebi plurima incõmoda oriantur, audaciã cõpeſcere. Itaq; partim bene inſtitutarum ciuitatum in Italia, & alijs multis nationibus exemplum imitati, partim grauiũ virorũ doctorũ Ioannis Chambre, Thomæ Linacre, Fernandi de Victoria medicorũ noſtrorũ, Nicholai Halſewel, Ioannis Franciſci, & Roberti Yaxley, medicorũ, ac præcipuè reuerẽdiſſimi in Chriſto patris, ac domini, dom. Thomæ Tituli ſanctæ Ceciliæ, trans Tiberim ſacroſanctæ*

A perpetuall Colledge of Phyſitians erected & granted in London and the Suburbs.

A preſident of the Colledge and his office and duty.

The Colledge ſhall haue perpetuall ſucceſſion & a common ſeale.

They ſhall bee of ability to purchaſe land.

Romanæ Eccleſiæ Presbiteri Cardinalis Eboracenſis Archiepiſcopi, & Regni Noſtri Angliæ Cancellarij chariſſimi, precibus inclinati, Collegium perpetuum dictorũ & grauium virorũ, qui medicinam in vrbe noſtra Londino & ſuburbibus intraq; ſeptem millia paſſuũ, ab ea vrbe quaqua verſus publice exerceant, inſtitui volumus atq; imperamus. Quibus tum ſui honoris tum publicæ vtilitatis nomine, curæ vt ſperamus erit, malicioſorum, quorum nimiam inſcitiam temeritatemq;, tam exemplo grauitateq; ſua deterrere quam per leges noſtras nuper editas, ac per conſtitutiones per idem collegium condendas punire. Quæ quo facilius rite peragi poſſint memoratis Doctoribus Iohanni Chambre, Thomæ Linacre, Fernando de Victoria medicis noſtris, Nicholao Halſewell, Ioanni Frãciſco, & Roberto Yaxley, medicis conceſſimus, quod ipſi omneſq; homines eiuſdem facultatis de & in ciuitate prædicta, ſint in re & nomine vnum corpus & communitas perpetua, ſiue Collegium perpetuum. Et quod eadem communitas ſiue collegium ſingulis annis in perpetuum eligere poſſint & facere de communitate illa aliquem prouidum virum & in facultate medicina expertum in præſidentem eiuſdē Collegij ſiue communitatis, ad ſuperuidend', recognoſcendum, & gubernand', pro illo anno Collegiũ, ſiue communitatem præd' & omnes homines eiuſdem facultatis & negotia eorundem. Et quod idem præſidens & Collegium ſiue communitas habeant ſucceſſionem perpetuam, & commune ſigillum negotij dict' communitatis & præſidentis in perpetuum ſeruiturum. Et quod ipſi & ſucceſſores ſui in perpetuum ſint perſonæ habiles & capaces ad perquirendum, & poſſidendum in feodo & perpetuitate terras & tenementa, redditus & alias poſſeſſiones quaſcunque.

They muſt ſue and be ſued.

They muſt make lawfull aſſemblies, and ordinances for gouernment.

No man ſhall practiſe Phyſicke in Londõ or vij. miles thereof, vnleſſe he be allowed.

Conceſſimus etiam eis & ſucceſſoribus ſuis pro nobis & hæredibus noſtris, quod ipſi & ſucceſſores ſui poſſint perquirere ſibi & ſucceſſoribus ſuis, tam in dicta vrbe quam extra terras & tenementa quæcunque, annuum valorem duodecim librarum non excedendum Statuto de alienatione ad manum mortuam non obſtante. Et quod ipſi per nomina præſidentis Collegij, ſeu communitatis facultatis medicinæ Lond. pl'itari & impl'tari poſſint coram quibuſcunq; Iudicibus in curijs & actionibus quibuſcunq;. Et quod prædict. præſidens & Collegium ſiue cõmunitas, & eorũ ſucceſſores congregationes licitas & honeſtas de ſe ipſis ac Stat. & Ordinationes pro ſalubri gubernatione ſuperuiſu & correctione Collegij, ſeu communitatis prædictæ, & omnem hominum eandem facultatem in dicta ciuitate ſeu per ſeptem miliaria in circuitu eiuſdem ciuitatis exercen. ſecundum neceſſitatis exigentiam (quoties & quando opus fuerit) facere valeant licite & impune, ſine impedimento noſtri, hæredum vel ſucceſſorum noſtror. iuſticiariorũ, eſcaetorũ, vicecomitũ, & aliorũ balliuorũ, vel miniſtrorũ noſtrorũ hæredum vel ſucceſſorum noſtrorum quorumcunque. Conceſſimus etiam eiſdē præſidenti & Collegio, ſeu communitati & ſucceſſoribus ſuis, quod nemo in dicta ciuitate, aut per ſeptē miliaria in circuitu eiuſdem, exerceat dictam facultatem, niſi ad hoc per dictum præſidentem & communitatem, ſeu ſucceſſores eorum, qui pro tempore fuerint, admiſſus ſit per eiuſdem præſidentis & Collegij litteras ſigillo ſuo communi ſigillatas, ſub pœna centum ſolidorum pro quolibet menſe, quo non admiſſus eandem facultatem exercuit, dimidium inde nobis & hæredibus noſtris, & dimidium dicto præſidenti & Collegio applicandum.

Foure Phyſitions of London ſhall be yearely choſen to haue the ouerſight of the others.

Præterea volumus & concedimus pro nobis & ſucceſſoribus noſtris (quantum in nobis eſt) quod per præſidentem & Collegium prædictæ comunitatis pro tempore exiſten. & eorum ſucceſſores in perpetuum quatuor ſingulis annis per ipſos eligantur, qui habeant ſuperuiſum & ſcrutinium correctionem & gubernationem, omnium & ſingulorum dictæ ciuitatis medicorum vtentium facultate medicinæ in eadem ciuitate, ac aliorum medicorum forinſicorum quorumcunq; facultatem illam medicinæ aliquo modo frequentantium & vtentium infra eandem ciuitatem & ſuburbia eiuſdem, ſiue intra ſeptem miliaria in circuitu eiuſdem ciuitatis, ac punitionem eorundem pro delictis ſuis in non bene exequendo faciendo & vtendo illa. Nec non ſuperuiſum & ſcrutinium omni modo medicinarum & earum reception. per dictos medicos, ſeu aliquem eorum huiuſmodi ligeis noſtris pro eorum infirmitatibus curandis, & ſanandis, dandis, imponendis, & vtendis quoties & quando opus fuerit pro commodo & vtilitate eorundem ligeorum noſtrorum. Ita quod punitio huiuſmodi medicorum vtentium dicta facultate medicinæ, ſic in premiſſis delinquentium per fines, amerciamenta, & impriſonamenta corporum ſuorum & per alias vias rationabiles, & congruas exequatur.

Phyſitions ſhal not be ſummoned in Iuries in London St. 32. H. 8. 40.

Volumus etiam et concedimus pro nobis hæredibus & ſucceſſoribus noſtris (quantũ in nobis eſt) quod nec præſidens, nec aliquis de Collegio predicto medicorũ, nec ſucceſſores ſui, nec eorũ aliquis exercens facultatem illam, quoquo modo in futur. infra ciuitatē noſtrã prædictã, & ſuburbia eiuſdem, ſeu alibi ſummoneantur, aut ponantur, neq; eorũ aliquis ſummoneatur, aut ponatur in aliquibꝰ aſſiſis, iuratis, inqueſtis, inquiſitionibꝰ, attinctis, et alijs recognitionibꝰ infra

dictam ciuitatem, & ſuburbia eiuſdem imposterũ coram maiore ac vicecom. ſeu coronatoribus dictæ ciuitatis noſtræ pro tempore exiſten. capiendũ, aut per aliquem officiarium, ſeu miniſtrũ ſuũ, vel officiarios ſiue miniſtros ſuos ſummonend' licet ijdē iurati, inquiſitiones, ſeu recognitiones ſummon. fuerint ſuper breui, vel breuibus noſtris, vel heredum noſtrorum de recto, ſed quod dicti magiſtri, ſiue gubernatores, ac communitas facultatis antedictæ & ſucceſſores ſui & eorum quilibet dictam facultatem exercentes, verſus nos, hæredes, & ſucceſſores noſtros, ac verſus maiorē & vicecomites ciuitatis noſtræ prædictæ (pro tēpore exiſtente) & quoſcunq; officiarios & miniſtros ſuos ſint inde quieti, & penitus exonorati imperpetuũ per preſentes.

Pruiſo quod literæ noſtræ, ſeu aliquid in eis content. non cedent in præiudiciũ ciuitatis noſtræ Lond. ſeu libert. eiuſdē. Et hoc abſq; fine ſeu feodo pro præmiſſis, ſeu ſigillatione præſentiũ nobis facienda, ſoluenda, vel aliqualiter reddenda, aliquo Statuto, ordinatione, vel actu in contrarium ante hac tempora facto, edito, ordinato ſeu prouiſo in aliquo non obſtante. In cuius rei teſtimonium has literas noſtras fieri fecimus patentes. Teſte meipſo apud Weſtmonaſterium, xxiij. die Sept. An. reg. noſtri, x. Per ipſũ regem & de data prædicta authoritate Parl.

Tunſtall.

AND foꝛſomuch that the making of the ſaid Coꝛpoꝛation is meritoꝛious, & very good foꝛ the common wealth of this your Realme, it is therfoꝛe expedient and neceſſary to pꝛouide, that no perſon of the ſaid politique bodie and Comminalty afoꝛeſaid, be ſuffered to exerciſe & pꝛactiſe Phyſicke, but onely thoſe perſons that be pꝛofound, ſad, and diſcreet, groundly learned, and deeply ſtudied in Phyſicke.

In conſideration whereof, and foꝛ the further authoꝛiſing of the ſame Letters Patents, and alſo enlarging of further Articles foꝛ the ſaid common wealth to be had & made: Pleaſeth it your Highneſſe, with the aſſent of your Loꝛds Spirituall and Tempoꝛall and the Commons in this pꝛeſent Parliament aſſembled, to enact, oꝛdaine, & ſtabliſh, that the ſaid Coꝛpoꝛation of the ſaid Comminalty and Felowſhip of the faculty of Phyſicke afoꝛeſaid, and all and euery Gꝛant, Article and other thing contained and ſpecified in the ſaid Letters Patents, be appꝛoued, graunted, ratified and confirmed in this pꝛeſent Parliament, and clearely authoꝛiſed and admitted by the ſame good, lawfull, and auaileable to your ſaid body Coꝛpoꝛate, and their ſucceſſoꝛs foꝛ euer, in as ample and large manner as may be taken, thought, and conſtrued by the ſame. And that it pleaſe your Highneſſe, with the aſſent of your ſaid Loꝛds Spirituall and Tempoꝛall, and the Commons in this your pꝛeſent Parliament aſſembled, further to enact, oꝛdaine, and eſtabliſh, That the ſixe perſons befoꝛeſaid, in your ſaid moſt gracious Letters Patents named as pꝛincipals, and firſt named of the ſaid Comminalty and Fellowſhip, chuſing to them two moe of the ſaid Comminalty from hence foꝛward, be called and cleaped Elects. And that the ſame Elects yearely chuſe one of them to be Pꝛeſident of the ſaid Comminalty, and as oft as any of the roomes and places of the ſame Elects ſhall foꝛtune to be void, by death oꝛ otherwiſe, then the ſuperuiuoꝛs of the ſame Elects (within thirty oꝛ foꝛty daies next after the death of them oꝛ any of them) ſhall chuſe, name, and admit one oꝛ moe, as need ſhall require, of the moſt cunning and expert men, of and in the ſaid faculty in London, to ſupply the ſaid roome and number of eight perſons. So that he oꝛ they that ſhall be ſo choſen, be firſt by the ſaid ſuperuiuoꝛs ſtraightly examined, after a foꝛme deuiſed by the ſaid Elects, and alſo by the ſame ſuperuiuoꝛs appꝛoued.

The Kings letters Patents and euery Article therein confirmed.

There ſhall be eight Elects of the Phyſitions of London.

And where that in Dioceſſes of England out of London it is not light to find alway men able ſufficiently to examine (after the Statute) ſuch as ſhall be admitted to exerciſe Phyſicke in them that it may be enacted in this pꝛeſent Parliament, That no perſon frō hencefoꝛth be ſuffered to exerciſe oꝛ pꝛactiſe in Phyſicke through England, vntill ſuch time that he be examined at Londō by the ſaid Pꝛeſident, and thꝛee of the ſaid Elects: and to haue from the ſaid Pꝛeſident oꝛ Elects Letters teſtimonials of their appꝛouing and examination, except he be a Gꝛaduate of Oxfoꝛd oꝛ Cambꝛidge, which hath accompliſhed all things foꝛ his foꝛme, without any grace. *St. 32. H. 8. 40. 1. M. 9 Coke li. 8. fo. 14.*

Phyſitions in other places muſt be examined by the Pꝛeſident & 3. of the Elects. 3. H. 8. 12.

Cap. VI.

Altering of high wayes in the Weld of Kent.

IN humble wiſe beſeecheth your Highneſſe, your true and faithfull ſubiect George Gilford Eſquire foꝛ your body, that where there is, and of time, whereof minde of man is not to the contrary, hath been an old common way, oꝛ ſtreet foꝛ carriages, and all other paſſages and buſines foꝛ you and your pꝛogenitoꝛs, and your and their people in the Hundꝛed of Cranebꝛoke, in the Weld of your County of Kent, leading and extending betweene and among the lands of the Manoꝛ of Hempſted of the ſaid George in the ſaid Hundꝛed of Cranebꝛoke, from the Bꝛidge called Hempſted Bꝛidge, diuiding the ſaid Hundꝛed of Cranebꝛoke and the Hundꝛed of Roluinden in the ſame weld of your ſaid County, to a Croſſe called Totenden Croſſe, ſtanding nigh to a great Oake, named Hempſted Oake, which is in length vpon an hundꝛed fourſcoꝛe and ten perches:

which common way ſo vſed is in diuers places thereof right déepe, and noyous for the paſſage of your people, and alſo is not ſo directly leading betwéene the ſaid Bridge and Croſſe, neither ſo commodious for your people as another way of like breadth in other places within and ouer the lands of the ſaid Manor might be made.

In conſideration whereof, it may pleaſe your Highneſſe of your bleſſed diſpoſition, with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame to enact and ordaine, That it ſhall be lawfull to your ſaid Beſéecher, his heires and aſſignes, owners of the ſaid Manor of Hempſted, at his and their proper coſt and charges at any time a this ſide the xxvi. day of May, which ſhall bee in the yeare of our Lord God M.D.xxvii. by the ouerſight and aſſent of two Iuſtices of Peace, of the ſaid County of Kent, and xii. other diſcréet men, inhabitants within the ſaid Hundreds of Cranbroke and Roluinden, to aſſigne, limit aud lay out, ouer and through the lands of the ſaid Manor one other way for carriages and paſſages of your Grace, and of your people, and your and their heirs, and ſucceſſours, of as great largeneſſe in bredth, or larger then the ſaid old way now being is: and as commodious for the ſaid carriages and paſſages, as the ſame way now being is, or better, extending and leading directly betweene the ſaid Bridge and Croſſe, ſo that your Grace, and your people by the ſaid new way, ſo to be aſſigned and laid out, ſhall haue the more eaſie carriage and paſſage, then is, or of late time hath béene by the ſaid old way. And that after the ſaid new way ſo laid out and aſſigned, the ſaid carriages, paſſages, and other buſineſſe there, may be as liberally, commonly and fréely from thenceforth there vſed and had for euer, and euery other thing there exerciſed and kept, as before this time hath béene had, vſed, exerciſed, & kept in the ſaid old way, without let or interruption of the ſaid George, his heires or aſſignes, or any other perſon, which hereafter ſhall haue, hold, or poſſede the ſaid Manor. And that immediatly after that the ſaid new way (as is aforeſaid) to be aſſigned and limited, ſhall be (as is aboueſaid) laid out and fully made, it ſhall be lawfull to your ſaid Beſéecher, his heires, & aſſignes, owners of the ſaid Manor, to encloſe the ſaid old way, and euery part thereof: and that from henceforth to hold in ſeueralty to them and to their heires and aſſignes, to their owne vſe and profit for euer, as parcell of the ſaid Manor, without any common way, or paſſage there from thenceforth to bee had, or claimed, any preſcription, or vſe to the contrary heretofore had notwithſtanding.

Gilford may lay out a new way in the Manor of Hempſted, and then keepe in ſeuerall the old.

And in conſideration that many other common wayes in the ſaid Weld of Kent be ſo déepe & noyous, by wearing and courſe of water and other occaſions, that people cannot haue their carriages or paſſages by horſes vpon or by the ſame, but to their great pains, perill and ieopardy: it may be by the ſaid authority enacted & eſtabliſhed, that if any other perſon or perſons any time hereafter, in any place within the ſaid Weld of your ſaid County, of his good mind and diſpoſition, without any value of good by him or them to be receiued for the ſame, will for the common weale of your people, aſſigne and lay out a more commodious way, in and ouer the lands thereunto adioyning, whereof the perſon or other to his vſe ſhall be ſeiſed of fée in eſtate of inheritãce, that the ſame new way ſo to be aſſigned and laid out, by ouerſight and aſſent of two Iuſtices of Peace of the ſaid County, and xii. other diſcréet men, inhabiting within the Hundred, where any ſuch new way ſhall be limited and laid out, or inhabiting within the ſame Hundred, and other Hundreds to that Hundred next adioyning, ſhall be from thenceforth holden, occupied and vſed, in like maner as the old way there now is, or before hath beene.

Any perſon may lay out a more commodious way in the weld of Kent, by the aſſent of two I. of Peace & xii. diſcreet men of that Hundred, and keepe ſeuerall the old.

And that alſo the ſame perſon or perſons ſo diſpoſed, willing and accompliſhing the ſame, ſhal and may for the ſaid new way ſo aſſigned and vſed, retaine and hold in way of recompence for the ſame new way ſo to be giuẽ, the ſoile & ground of the old way in ſeueralty, as is aboue ſaid, to him or them, and to their heires for euer, in like maner as is aboueſaid of the ſaid new way to bee aſſigned at Hempſted. And that the ſaid two Iuſtices of Peace, and xii. other diſcréet perſons by whoſe ouerſight and aſſent the ſaid new way at Hempſted, or any other way by vertue of this Act ſhall be hereafter aſſigned, limited and laid out, ſhall within thrée moneths next after the aſſignement, limitation, and laying out of the ſame make certificat into the Kings moſt honourable Court of Chancery vnder their ſeales, of the length and breadth of the ſame new way or ſtréet, and of other things adioyning or concerning the ſame, as by their diſcretions ſhall bee thought moſt expedient or requiſite for the common wealth of that country to be certified: And that certificate to be made from time to time as oft as any ſuch new way or ſtréet ſhal be aſſigned, limited, and laid out in forme aboue written.

The Iuſtices & xii. men ſhall make Certificat of the new way into the Chancerie.

Prouided alway, that if any perſon or perſons or body politike, haue or ought to haue, or hereafter ſhal haue any Church way or other, whatſoeuer way, or paſſage ouer or through any maner lands adioyning to any of the ſaid old wayes or ſtréetes, which ſhall be taken and vſed by force of this Act, as ſeuerall ſoyle and fréehold, in recompence for any new way to be made and laid out in forme aforeſaid, or haue, or ought to haue, or hereafter ſhal haue any lands or tenements adioyning to the ſaid old way: that they & euery of them, their heires & ſucceſſors, ſhall and may haue & vſe their ſaid way or wayes, out of, and into the ſaid new way ouer and through the land of the ſaid old way or ſtréet, into or ouer the ſaid land or tenement adioyning to the ſame, and ſo to paſſe, and repaſſe, as ſhall appertaine ouer the ſame old way, at ſuch conuenient place or places

They which haue any way through the old way may vſe it.

thereof, as therefore ſhall be limited and aſſigned by the ſaid two Iuſtices of peace, and other xii. men, and by them to be certified into the Chancery among other things by them to be certified in forme aforeſaid: any thing in this Act abone written notwithſtanding. Stat. 26. *H.* 8. 7.

Cap. VII.

Any perſon that hath lands to the yearly value of C. li. may ſhoot in Crosbowes and Handgunnes, notwithſtanding the Statute of 6. *H.* 8. 13. All former placards granted by the King for ſhooting in either of them ſhall be void. Rep. 33. *H.* 8. 6. St. 25. *H.* 8. 17.

Cap. VIII.

The mariage of the Six Clerkes allowed, &c.

IN moſt humble wiſe beſeecheth your true and faithfull ſubiects, and daily ſeruants, the Six Clerkes of your high Court of Chancery, that whereas of old time accuſtomed hath beene vſed in the ſaid Court, That all maner of Clerkes and miniſters of the ſame Court, writing to the great Seale, ſhould be vnmaryed (except only the Clerke of the Crowne) ſo that as well the Courſetours and other Clerks, as the Six clerkes of the ſaid Chauncery, were by the ſame cuſtome reſtrained from mariage, whereby all thoſe that contrary to the ſame did mary, were no longer ſuffered to write in the ſaid Chauncery, not onely to their great hinderance, loſing therby the benefit of their long ſtudy, and tedious labours and paines in youth, taken in the ſaid Court, but alſo to the great decay of the true courſe of the ſaid Court.

By old cuſtome no Clerke of the Chancerie might marie, but only the Clerke of the Crowne.

And forasmuch as the ſaid cuſtome taketh no place nor vſage, but only in the office of the ſaid Six clerkes, but that it is permitted and ſuffered for maintenance of the ſaid courſe, that aſwell the ſaid Courſetours as the other Clerkes aforeſaid, may and doe take wiues and marry at their liberty, after the lawes of holy Church, and of long time haue ſo done, without interruption or let of any perſon: It may therfore pleaſe your Highneſſe, of your moſt abundant grace, with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by authoritie of the ſame, in conſideration of the premiſſes, and alſo for that the ſaid cuſtome is not grounded vpon any law, to ordaine, enact, and eſtabliſh, that Iohn Treuethen, Richard Welles, Oliuer Leder, Iohn Croke, William Ieſſon, and Iohn Lemſey, now being in the office of the ſixe Clerkes of the Chauncery, & euery of them, and all other which in time to come ſhall be in the ſame office, and euery of them, may and doe take wiues and mary at their libertie, after the lawes of holy Church. And that they, and euery of them ſo maried may haue, hold, and enioy their ſaid office of ſixe Clerkes, in as ample, large, and like maner, as they did, or ſhould doe before the ſaid eſpouſals, or as if they had neuer been maried, the ſaid cuſtome or any other cuſtome or ordinance heretofore had, or made to the contrary notwithſtanding.

The ſix Clerks of the Chancerie may marie wiues and enioy their offices.

Prouided alway, that by any thing in this Act conteyned the Maſter of the Rolles (for the time being) be not preiudiced either in the giuing & diſpoſition of the ſaid offices from time to time, as hath been heretofore accuſtomed, the forfeiture of that office by reaſon of mariage onely except. And that the ſaid officers, which now be and hereafter ſhall be, doe giue ſuch attendance vnto the ſaid Maſter of the Rolles for the time being, as heretofore in the ſaid Offices hath been accuſtomed.

Cap. IX.

A Repeale of the Stat. of 4. Ed. 4. 6 inhibiting Cordwainers in London to pull on ſhoes vpon certaine daies. Rep. 5. El. 8. & 1. Iac. 22.

Cap. X.

The penaltie for vnlawfull hunting the Hare.

FOrasmuch as our Soueraigne Lord the King, and other Noble men of this Realme of England, before this time haue vſed and exerciſed the game of hunting of the Hare, for their diſport and pleaſure, which game is now decayed, and almoſt vtterly deſtroyed, for that diuers perſons in diuers parts of this Realme, by reaſon of the traſing in ſnow, haue killed, and deſtroyed, and daily doe kill and deſtroy the ſame Hares, by x. xii. or xvi. vpon a day, to the diſpleaſure of our ſaid Soueraigne Lord the King, and other Noble men of this his Realm. Wherefore be it enacted by our ſaid Soueraign Lord, by the Lords Spiritual and Temporal, & by the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That no perſon or perſons of what eſtate, degree, or condition they be, from henceforth trace, deſtroy, and kill any Hare in the ſnow with any dogge, bitch, nor otherwiſe. And that the Iuſtice of the peace within euery Shire, at euery Seſſions of the Peace, and Stewards of Leetes ſhall haue full authoritie and power to enquire of ſuch offendors. And after ſuch inquiſitions found, the ſaid Iuſtices of the Peace and Stewards of Leets, for euery Hare ſo killed, ſhall ceſſe vpon euery ſuch offendor, vi. s. viii. d. to be forfeited to our ſaid Soueraigne Lord, that ſhall be ſo founden by the Iuſtices of peace in their Seſſions, and the forfeiture found in euerie Leet to be to the Lord of the Leet. St. 1. Iac. 27.

The penaltie for killing of a Hare in the ſnow.

Iuſt. of P. and Stewards in Leets, may enquire of, and puniſh the offendors.

CAP.

Cap. XI.

Clothes made in Suffolke called Veſſes or Set clothes ſhall not be forfeited, for lacke of length or breadth being wette.

St.6.H.8.9.

HUmbly ſhewen vnto your Highneſſe your true ſubiects, and Clothiers of your Countie of Suffolke, that where in the firſt yeare of your moſt noble raigne, it was and is enacted amongſt other things, concerning making of cloth, That any perſon or perſons ſhall not put any cloth to ſale, which when it is full wette, ſhall ſhrinke more then one yard in length, and one quarter of a yard in bredth, for the more part therof: And clothes called narrowes or ſtraits after the rate, vpon paine to forfeit for euery cloth otherwiſe put to ſale, vi.s.viii.d. and beſide to deduct of his price for the ſame, to be rebated to the buyer thereof as much after the rate, as the ſame cloth is otherwiſe put to ſale (being full wette) ſhall be ſhrunke more then one yard of that it was in length at the time of the ſame ſale, and as it ſhall (being wette) lacke of the bredth of one yard & thrée quarters of a yard. And in the ſame Act was & is a prouiſo made after the forme following.

Prouided alway, that this Act extend not to woollen clothes, called Kendalls, nor clothes called Carpenel whites, commonly made for lyning of hoſen, nor to any clothes called Coſtocks, made in the County of Deuonſhire, nor to any woollen clothes made in the Countie of Cornwall, nor for any Cottons or plaine lyning or Friſe, made or to be made in Wales, Lancaſhire, and Cheſhire, or any of them.

So it is moſt gratious Soueraigne Lord, that Veſſes, otherwiſe called Set clothes of diuers colours be made in your ſaid County of Suffolke, which be made to be worne, and be worne in farre countries and not in England, and be of ſmall prices not aboue xl.s. a cloth, that doe not hold the length nor bredth when they be wette, which the buyers do know well whē they buy them ſo that therein is no deceipt, which clothes in the third yeare of the raigne of your moſt noble father K. Henry the ſeuenth, were prouided for, ſo that they might lawfully be ſold without any penaltie or forfeiture, though they lacked in length or bredth when they were full wette, and ſo they haue vſed to doe time out of minde.

St.3.H.7.11.

And in the prouiſo made in the ſaid Act of the firſt yeare of your moſt noble reigne they were forgotten and not prouided for, which ſhould be to the vtter impoueriſhing of the Clothiers of your ſaid Countie, & all other that be wrought by reaſon of cloth making within the ſaid county of Suffolke, if no remedie ſhould be therefore prouided.

The Stat. of 6.H.8.9. touching the ſhrinking of clothes ſhall not extend to Veſſes or Set clothes.

Wherefore your humble ſubiects humbly beſéech your Highneſſe, that it be enacted by all the Lords Spirituall and Temporall, and all the Commons in this preſent Parliament aſſembled, with your moſt royall aſſent to the ſame, That all clothes called Veſſes, otherwiſe called Sette clothes, what colour ſoeuer they be of, not being aboue the value of xl.s. a cloth, ſhal not be forfeit, for that they lacke in length and bredth when they be full wette after the ſale of them afore this time made or hereafter to be made. The ſaid Act made in the firſt yeare of your moſt noble reign or any other Act heretofore made to the contrary notwithſtanding.

Cap. XII.

What Coiners ſhall doe that make money at any Mint within England.

BEe it enacted by the King our Soueraigne Lord, and the Lords ſpirituall and temporall, & the Commons in this preſent Parliament aſſembled, and by authoritie of the ſame, That all ſuch Coiners, as ſhall coine and make any money at any Mint within this Realme of England, ſhall make and coine of euery hundred pounds worth of gold, that they ſhall ſtrike into coine xx.li. in the coyne of halfe Angels, commonly called péeces of gold of xl.d. And of euery hundred pounds worth of Bullion, Plate, or Siluer, that they ſhall ſtrike into coyne, as many grotes as ſhall amount to the ſumme of fifty pounds ſterling: as many halfe grotes, called pence of two pence, as ſhall amount to the ſumme of xx.li. ſterling: as many pence as ſhall amount to the ſumme of xx.li. as many halfe pence as ſhall amount to the ſumme of ten markes ſterling, and as many farthings as amount to the ſumme of fiue markes ſterling. And that at any time that any coyners in any Mint within this Realme, ſhall doe contrary to this Act, the Maſter and kéeper of that Mint, for the time being, ſhall forfeit and loſe x.li. The one moity thereof to be to the King our ſoueraigne Lord, the other moity to the party that ſhall ſue for the ſame, by bill, information, action of debt, or otherwiſe: wherein the ſaid Maſter ſhall not be admitted to doe his law, and no protection ne eſſoine to be allowed for the defendant.

Coyners that ſhall make money at any mint ſhall coine part thereof halfe Angels, grotes, & ſmall money.

And foraſmuch as at this preſent time farthings and halfe pence be ſtriken all with one coyne, ſo that the common people of the Realme many times take thoſe that be farthings for halfpence. Be it therefore enacted by the authority aforeſaid, that all ſuch farthings (that from henceforth ſhall be made within this Realme) ſhall haue vpon the one ſide thereof the print of the port colice, and vpon the other ſide thereof the print of the Roſe with a croſſe, vpon like paine.

The print of the farthing.

And furthermore be it enacted by the authority aforeſaid, that all maner perſons reſorting to the ſaid Mint with any plate or bullion, vnder the value aboueſaid, to be coyned, ſhall haue and receiue at the ſaid Mint the tenth part of all ſuch plate and bullion in halfe pence and farthings.

Prouided alway, that this Act or any thing contained in the ſame, be not in any wiſe preiudiciall to the Coyners and Mintmaſters of Yorke Dureſme, and Canterburie, ne to any of them, for any money to be coined there, other then heretofore hath béene accuſtomed, This Act to begin to take effect at the feaſt of S. Michaell the Archangell next comming, and not before.

The tenth part of money coined for any perſon ſhall be payed in ob. & farthings. The coiners in Yorke, Dureſm, & Canterburie.

Cap. XIII.

A confirmation of the Stat. of 11. *H.*7.5. touching the pulling downe of engines in the Hauen of *Southampton*, and the ſame made perpetuall. Pr.

Cap. XIIII.

They which be in the Kings ſeruice in wars may alien their lands for the performance of their Wills, without any fine for alienation: And if any of them die in the Kings ſeruice in warre his feoffees or executors ſhall haue the Wardſhip of his heire and land. Exp. Stat. 4. *H.*7.4. 7. *H.*7.2.3. 3. *Hen.*8.4

ANNO VICESIMO PRIMO HENRICI OCTAVI.

Statuta ad rempublicam ſpectantia, edita in prima Seßione Parliamenti, primo inchoati in Ciuitate Londin. tertio die Nouembris, Anno regni inuictißimi principis HENRICI *octaui, Angliæ & Franciæ regis, fidei defenſoris, & Domini Hiberniæ viceſimo primo & ex ea ciuitate tam adjurnati quam prorogati ad palatium Weſtmon. & ibidem continuati per quadraginta et quatuor dies, videlicet vſq; ad decimum ſeptimum diem decembris & ab eiſdem loco & die prorogati vſq; ad viceſimum ſeptimum diem Aprilis tunc proxime inſtantis.*

Cap. I.

The Kings pardon to all perſons, of all offences, forfeitures, paines of death, and bodie except Treaſons, Murders, &c. Exp.

Cap. XII.

An abjured perſon ſhall be marked by the Coroner on his thombe with a hotte iron. And if he refuſe to take his paſſage at the time appointed by the Coroner, he ſhal loſe the benefit of Sanctuarie. Rep. 1. Iac. 25. & 21. Iac. 28.

Cap. III

Plaintifes in Aſſiſe may abridge their plaints.

FOr as much as Aſſiſes which haue béen thought the moſt ſpéedy remedy, be now by occaſion of pleading of many barres to moities, and parts of the Lands put in view and plaint, greatly delayed for difficulties and diuiſion of pleading. And one cauſe thereof is, becauſe the Plaintifes in the Aſſiſe in ſuch Plées, to moities, & parties, cannot by the Law abridge their plaints. For remedie whereof, be it enacted, that the Plaintife in euery Aſſiſe from henceforth may at his pleaſure ſeuer, and abridge his plaint, of any part or parts, whereunto any barre is pleaded, in ſuch like maner, as he or they might doe in caſe the Plées in barre had béen made and diuided to any certaintie or number of Acres in the plaint, and that the plaint, for the reſidue of the part or parts of the Lands not abridged, ſhall be and ſtand good and effectuall in the Law.

The plaintife in Aſſiſe may abridge his plaint of any part whereunto a barre is pleaded.

Cap. IIII.

The ſale of lands by part of the Executors lawfull.

WHere diuers ſundry perſons before this time, hauing other perſons ſeaſed to their vſes of and in Lands and other Hereditaments, to and for the declaration of their Willes, haue by their laſt Willes and Teſtaments willed and declared ſuch their ſaid Lands, Tenements, or other Hereditaments, to be ſold by their Executors, as wel to and for the paiments of their debts performance of their legacies neceſſary, and conuenient finding of their wiues, vertuous bringing vp, and aduancement of their children to mariage, as alſo for other charitable déedes to bée done and executed by their Executors for the health of their ſoules. And notwithſtanding ſuch truſt and confidence ſo by them put in their ſaid executors, it hath oft times béene ſéene, where ſuch laſt Willes and Teſtaments of ſuch Lands, Tenements, and other Hereditaments haue béene declared, and in the ſame diuers Executors named and made, that after the deceaſe of ſuch

Land deuiſed to be ſold by diuers executors cannot by common Law be ſold by part of them.

Part of the executors which take vpon them the charge of a Will may ſell any land deuiſed by the Teſtator to be ſold.

39.Aſſ.pl.17. Bro.Deuiſ.31. Co.Inſt.113.

Teſtators, ſome of the ſame Executors willing to accompliſh the truſt and confidence that they were put in by the ſaid Teſtator, haue accepted and taken vpon them the charge of the ſaid Teſtament and haue beene ready to fulfill and performe all things conteyned in the ſame, and the reſidue of the ſame Executors, vncharitably contrary to the truſt that they were put in, haue refuſed to entermedle in any wiſe with the execution of the ſaid Will and Teſtament, or with the ſale of ſuch Lands ſo willed to be ſold by the Teſtator. And for as much as a bargain & ſale of ſuch Lands, Tenements, or other Hereditaments, ſo willed by any perſon to be ſold by his Executors after his deceaſe, after the opinion of diuers perſons, can in no wiſe be good or effectuall in the Law, vnleſſe the ſame bargaine and ſale be made by the whole number of the Executors, named to and for the ſame: by reaſon whereof as well the debts of ſuch Teſtators haue reſted vnpayed and vnſatisfied, to the great danger and perill of the ſoules of ſuch Teſtators, and to the great hinderance, and many times to the vtter vndoing of their Creditors. As alſo the Legacies, and bequeſt made by the Teſtator to his wife, children, and for other charitable deedes to be done for the wealth of the ſoule of the ſame Teſtator, that made the ſame Teſtament, haue beene alſo vnperformed, as well to the extreame miſery of the wife and children of the ſaid Teſtator, as alſo to the let of performance of other charitable deedes for the wealth of the ſoule of the ſaid Teſtator, to the diſpleaſure of Almighty God. For remedie whereof, Be it enacted, ordeined, and eſtabliſhed by the authoritie of this preſent Parliament, that where part of the Executors named in any ſuch Teſtament of any ſuch perſõ ſo making, or declaring any ſuch Will of any Lands, Tenements, or other Hereditaments, to be ſold by his Executors, after the death of any ſuch Teſtator doe refuſe to take vpon him, or them the adminiſtration and charge of the ſame Teſtament and laſt Will, wherein they be ſo named to be Executors, and the reſidue of the ſame Executors doe accept and take vpon them the cure and charge of the ſame Teſtament, and laſt Will: that then all bargaines and ſales of ſuch Lands, Tenements, or other Hereditaments, ſo willed to be ſold by the Executors of any ſuch Teſtator, as well heretofore made, as hereafter to be made by him or them, only of the ſaid Executors that ſo doth accept, or that heretofore hath accepted, and taken vpon him or them any ſuch cure or charge of adminiſtration of any ſuch Will or Teſtament, ſhall be as good, and as effectuall in the Law, as if all the reſidue of the ſame Executors, named in the ſaid Teſtament, ſo refuſing the adminiſtration of the ſame Teſtament, had ioyned with him or them in the making of the bargain, & ſale of ſuch Lands, Tenements, or other Hereditaments, ſo willed to be ſold by the Executors of any ſuch Teſtator, which heretofore hath made or declared, or that hereafter ſhall make or declare any ſuch Will of any ſuch Lands, Tenements, or other Hereditaments after his deceaſe to be ſold by his Executors.

Wils made before this Statute.

43.Ed.3.9.

Prouided alway that this Act ſhall not extend to giue power or authoritie to any Executor or Executors at any time hereafter to bargaine, or put to ſale any Lands, Tenements, or Hereditaments, by vertue and authority of any Will or Teſtament heretofore made, otherwiſe then they might doe by the courſe of the common Law afore the makiug of this Act.

CAP. V.

What fees ought to be taken for probate of Teſtaments.

St.31.Ed.3.4.

St.3.H.5.8.

The Ordinaries duties for probat of teſtamẽts in the time of K.Ed.3.

Admini.47. ...1.3.fo.40. ...fol.39.

WHere in the Parliament holden at Weſtminſter, in the xxxj. yeare of the raigne of the noble King of famous memorie, Edward the third, vpon the complaint of his people for the outragious and greeuous fines, and ſummes of money, taken by the miniſters of Biſhops, and of other Ordinaries of holy Church, for the probate of Teſtaments, and for the acquitances by the ſaid Ordinaries to be made concerning the ſame, the ſaid noble King in the ſame Parliament openly charged and commanded the Archbiſhop of Canterbury, and the other Biſhops for that time being, that amendment thereof ſhould be had. And if none amendment were thereof had, it was by the authority of the ſame Parliament accorded, that the King ſhould thereof make inquiry by his Iuſtices, of ſuch oppreſſion and extortions. And that the ſame Iuſtices ſhould heare and determine them as well at the ſuit of the King as of the party, as of old time hath been vſed, as by the ſame Statute plainly appeareth. And where at the Parliament holden at Weſtminſter in the third yeare of the raigne of King Henry the fift, it was recited, that the Commons of the Realme had often times complained them in diuers Parliaments, for that diuers Ordinaries doe take for the probation of Teſtaments, and other things thereunto belonging, ſometime xl.s. ſometime lx.s. and ſometimes more, againſt right and iuſtice, where in the time of King Edward the third, men were wont to pay for ſuch cauſes but ij.s.vj.d. or v.s. at the moſt, by which vnlawfull exactions the Teſtaments of the Teſtators might not be executed according to their laſt Willes. it was then enacted for the auoiding of ſuch oppreſſions, that no Ordinary from thenceforth ſhould take for the probation of any Teſtament and Inuentorie, or for any other thing to the ſame belonging, any more then was accuſtomed and vſed in the time of the ſaid noble King Edward the third, vpon paine to yeeld to the party ſo greeued three times as much as the ſaid Ordinaries did ſo receiue, which Act did endure but to the next Parliament following, by reaſon that the Ordinaries did then promiſe to reforme and amend the ſaid oppreſſions and exactions.

tions. And for that the ſaid vnlawfull exactions of the ſaid Ordinaries, and their miniſters be nothing reformed, nor amended, but greatly augmented and encreaſed, againſt right and iuſtice, and to the great impoueriſhing of the Kings ſubiects.

The vnlawfull exaction of Ordinaries the cauſe of this Statute.

The King our Soueraigne Lord by the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authoritie of the ſame, hath ordained eſtabliſhed, and enacted, That from the firſt day of Aprill, in the yeare of our Lord, M.D. XXX. that nothing ſhall be demanded, receiued, nor taken by any Biſhoppe, Ordinarie, Archdeacon Chancellor, Commiſſarie, Officiall, nor any other maner of perſon or perſons, what ſo euer they be, which now haue, or which at any time hereafter ſhall haue authority or power to take or receiue probation, inſinuation, or approbation of Teſtament or Teſtaments, by himſelfe or themſelues, nor by his or their Regiſters, Scribes, praiſers, Summoners, Apparators, or by any other of their miniſters, for the probation, inſinuation, and approbation of any Teſtament or Teſtaments, or for writing, ſealing, prayſing, regiſtring, fines, making of inuentories, and giuing of acquitances, or for any other maner of cauſe concerning the ſame, where the goods of the Teſtator of the ſaid Teſtament or perſon ſo dying, doe not amount cleerely ouer and aboue the value of C.s. ſterling, except only to the Scribe to haue for writing of the probate of the Teſtament of him deceaſed, whoſe goods ſhall not be aboue the ſame cleere value of c.s. vj.d. and for the Commiſſion of adminiſtration of the goods of any man deceaſing Inteſtat, not being aboue like value of C.s. cleere vj.d. And that neuertheleſſe the Biſhop, Ordinary, or other perſon or perſons, hauing power or authoritie to take or receiue the probation, or approbation of Teſtaments, refuſe not to approue any ſuch Teſtament, being lawfully tendred or offered to them to be proued or approued, whereof the goods of the Teſtator or perſon ſo dying amount not aboue the value of C.s. ſterling, ſo that the ſaid Teſtament be exhibited to him or them in writing with waxe thervnto affixed ready to be ſealed, and that the ſame Teſtament be lawfully proued before the ſame Ordinarie (before the ſealing) to be true, whole, and the laſt Teſtament of the ſame Teſtator, in ſuch forme as hath beene commonly accuſtomed in that behalfe.

The fees for probat of a Teſtament where the goods excede not the value of C.s.

Commiſſion of Adminiſtration where the goods exceed not the value of C.s.

The fees of the probat of a Teſtament where the goods doe exceed C.s. and not xl.li.

And when the goods of the Teſtator doe amount ouer and aboue the cleere value of C.s. and doe not exceed the ſumme of xl.li. ſterling: that then no Biſhop, Ordinarie nor other maner of perſon or perſons, whatſoeuer he or they be, now hauing or which herafter ſhal haue authority to take probation, or approbation of any Teſtament or Teſtaments, as is aforeſaid, by themſelues, nor any of their ſaid Regiſters, Scribes, Prayſers, Summoners, Apparators nor any other their miniſters for the probation, inſinuation, & approbation, of any Teſtament or Teſtaments, or for the regiſtring, ſealing, writing, prayſing, making of Inuentories, giuing of acquitances, fines, or any other thing concerning the ſame, ſhall take or cauſe to be taken, of any perſon or perſons but onely iij.s.vj.d. and not aboue, whereof to be to the ſaid Biſhop or Ordinary, or to other perſon or perſons, hauing power and authoritie to take the probation or approbation of any Teſtament or Teſtaments, for him and his miniſters, ij.s.vj.d. and not aboue, and xij.d. reſidue of the ſaid iij.s.vj.d. to be to the Scribe for the regiſtring of the ſame.

The fees of the probat of a Teſtament where the goods doe exceed xl.li.

And wher the goods of the Teſtator, or perſon or perſons ſo dying, doe amount ouer and aboue the cleare value of xl.li. ſterling, that then the Biſhop nor Ordinary, nor other perſon or perſons, now hauing or which hereafter ſhall haue authoritie or power to take probat of Teſtaments, as is aforeſaid, by him or themſelues, nor any of his or their ſaid Regiſters, Scribes, Praiſers, Summoners, Apparators, or any other their miniſters, for the probation, inſinuation, and approbation of any Teſtament or teſtaments, or for the regiſtring, ſealing, writing, praiſing, making of Inuentories, fines, giuing of acquitances, or any thing concerning the ſame probat of a Teſtament, ſhall from the ſaid firſt day of Aprill, take or cauſe to be taken of any perſon or perſons, but onely v.s. and not aboue, whereof to be to the ſaid Biſhop, Ordinary, or other perſon hauing power to take the probation of ſuch Teſtament or Teſtaments, for him and his miniſters, ij.s.vj.d. and not aboue, and ij.s.vj.d. reſidue of the ſaid v.s. to be to the Scribe for regiſtring of the ſame, or elſe the ſame Scribe to be at his liberty to refuſe thoſe ij.s.vj.d. and to demand and haue for writing of euery tenne lines of the ſame Teſtament, whereof euery line to containe in length tenne inches, j.d.

Teſtaments ſhall be ſealed and deliuered without delay.

And that euery ſuch Biſhop or Ordinary, and other perſon or perſons, ſo hauing, or which hereafter ſhall haue authoritie or power to take or receiue the probation or approbation of any Teſtament or Teſtaments, as is aboueſaid, their Regiſters, Scribes, and miniſters, ſhall approue, inſinuate, ſeale and regiſter, from time to time the ſaid Teſtaments, and deliuer the ſame ſealed with the Seale of their Office to the Executor or Executors named in any ſuch teſtaments, for the ſaid ſumme or ſummes aboueſaid, and in maner and forme as is aboue rehearſed with conuenient ſpeed, without any fruſtratorie delay.

Adminiſtration granted of the goods of the inteſtat.

Admini.47.
eli.5.fo.40.
fol.37.

And in caſe any perſon die inteſtate, or that the Executors named in any ſuch Teſtament, refuſe to proue the ſaid Teſtament: then the ſaid Ordinarie, or other perſon or perſons, hauing authority to take probat of Teſtaments, as is aboueſaid, ſhall grant the adminiſtration of the goods of the Teſtator, or perſon deceaſed, to the widdow of the ſame perſon deceaſed, or to the next of his kinne, or to both, as by the diſcretion of the ſame Ordinarie ſhall be thought good, taking ſuretie of him or them, to whom ſhall be made ſuch commiſſion, for the true adminiſtration of the goods, cattels, & debts, which he or they ſhall be ſo authoriſed to miniſter. And in caſe where diuers perſons claime the adminiſtration as next of kinne, which be equall in degrée of kindred to the Teſtator or perſon deceaſed, and where any perſon onely deſireth the adminiſtration as next of kinne, where indéed diuers perſons be in equalitie of kindred, as is aforeſaid: Then in euery ſuch caſe the Ordinary to be at his election and libertie, to accept any one, or mo making requeſt, where diuers doe require the adminiſtration.

To whom Adminiſtration ſhall be granted when diuers do requeſt it.

Or where but one or more of them, and not all being in equality of degrée doe make requeſt, then the Ordinarie to admit the widdow and him or them onely making requeſt, or any one of them at his pleaſure, taking nothing for the ſame, vnleſſe the goods of the perſon ſo deceaſed, amount aboue the value or ſumme of C.s. And in caſe the goods of the perſon ſo deceaſed amount aboue the value of C.s. and not aboue the value or ſumme of xl.li. then the ſaid Biſhop, Ordinary, or other perſon or perſons, ſo hauing authoritie to take probat of Teſtaments, as is aforeſaid, their miniſters and officers, ſhall take onely ij.s. vj.d. ſterling, and not aboue. And that the Executor & Executors named by the Teſtator or perſon ſo deceaſed, or ſuch other perſon or perſons, to whom ſuch adminiſtration ſhall be committed, where any perſon dieth inteſtate or by way of inteſtate, calling or taking to him or them ſuch perſon or perſons, two at the leaſt, to whom the ſaid perſon ſo dying was indebted, or made any Legacie, and vpon their refuſall or abſence, two other honeſt perſons being next of kinne to the perſon ſo dying, and in their default or abſence two other honeſt perſons, and in their preſence, & by their diſcretions ſhall make or cauſe to be made a true and perfect inuentorie of all the Goods, Cattels, Wares, Merchandiſes, as wel mouable as not mouable, whatſoeuer that were of the ſaid perſon ſo deceaſed, and the ſame ſhall cauſe to be indented, whereof the one part ſhall be by the ſaid Executor or Executors, Adminiſtrator or Adminiſtrators, vpon his or their oath or oathes to be taken before the ſaid Biſhops, Ordinaries, their Officials, or Commiſſaries, or other perſons hauing power to take probat of Teſtaments, vpon the holy Euangeliſt, to be good and true, and the ſame one part endented ſhall preſent, and deliuer into the kéeping of the ſaid Biſhop, Ordinarie, or Ordinaries, or other perſon hauing power to take probat of Teſtaments, and the other part therof to remaine with the ſaid Executor or Executors, Adminiſtrator or Adminiſtrators, and that no Biſhop, Ordinarie, or other, whatſoeuer porſon, hauing authority to take probat of Teſtament or Teſtaments, as is aboueſaid, vpon the paine in this Eſtatute hereafter contained, refuſe to take any ſuch inuentory or inuentories to him or them preſented, or tendred to be deliuered as is aforeſaid.

How much the Ordinary ſhall take for granting of Adminiſtration.

The Teſtators Inuentorie by whom it ſhall be made and to whom deliuered

Prouided alwaies, that if theperſon ſo deceaſed, will by his Teſtament or laſt Will, any lands, tenements, or hereditaments, to be ſold, that the money thereof comming, nor the profits of the ſaid lands, for any time to be taken, ſhall not be accounted as any of the goods or cattels of the ſaid perſon ſo deceaſed, And that the ſame Biſhop, Ordinarie, or other perſon or perſons, hauing authority to take probat of Teſtament or Teſtaments, as is aforeſaid, vpon the deliuery of the ſeale and ſigne of the Teſtator, doe cauſe the ſame ſeale to be defaced, and thereupon incontinent deliuer the ſame ſeal vnto the ſaid Executor or Executors, without claime or challenge thereunto to be made. And in caſe any perſon or perſons at any time hereafter require a copie or copies of the ſaid Teſtament ſo proued, or of the ſaid Inuentorie ſo made, that then the ſaid Ordinarie or Ordinaries, and the other perſons hauing authority to take probat of Teſtaments, or their miniſters, ſhal from time to time with conuenient ſpéed, without any fruſtratory delay deliuer or cauſe to be deliuered a true copie or copies of the ſame, to the ſaid perſon or perſons ſo demanding them, or any of them, taking for the ſearch and for the making of the copie of either of the ſaid Teſtament or Inuentorie, but only ſuch fée as is before rehearſed for the regiſtring of the ſaid Teſtament, or elſe the Scribe or Regiſter to be at his election and liberty to demaund, haue, and take for euery ten lines thereof, being of the proportion before rehearſed, j.d.

The profits of the lands to be ſold ſhall not be accompted the teſtators goods.

Dier fo. 15 264.310. Fit. Exe. 15

The Teſtators ſeale ſhall be defaced.

The fee for ſearch & copies of Teſtaments or Inuentories.

Prouided alway, that where any perſon or perſons hauing power or authority to take probat of Teſtaments, haue vſed to take leſſe ſummes of money then is aboueſaid for the probat of Teſtaments, or commiſſions of adminiſtrations, or other cauſe concerning the ſame, ſhall take and receiue ſuch ſumme or ſummes of money for the probat of Teſtaments and Commiſſions of the Adminiſtrations, and other cauſes concerning the ſame, as they before the making of this Act haue vſed to take, and not aboue.

Cuſtom to take leſſe money for probat then is aforeſaid.

And it is enacted, that euery Biſhop, Ordinarie, Archdeacon, Chancellor, Commiſſarie, Officiall, and other perſon and perſons, hauing, or which hereafter ſhall haue authority to take probat of Teſtaments, their Regiſters, Scribes, Praiſers, Summoners, Apparators, and all other their miniſters, whatſoeuer they be, that ſhall doe or attempt, or cauſe to be done or attempted againſt this Act or Ordinance in any thing, ſhall forfeit and loſe for euery time ſo offending to the party gréeued in that behalfe, ſo much money as any ſuch perſon aboueſaid ſhall take contrary to this preſent Act. And ouer that ſhall loſe and forfeit x.li. ſterling, whereof the one moity ſhall be to the King our Soueraigne Lord, and the other moity to the party gréeued in that behalfe, that will ſue by action of debt, bill, information, or otherwiſe in any of the Kings Courts for the recouery of the ſame, in which action no eſſoine, protection, nor wager of law ſhall be admitted or allowed. And that euery of the ſame Biſhops, and other perſons, which ſhall hereafter incurre or

The forfeiture of the Ordinary and his officers which ſhall doe any thing contrary to this Statute.
Coke.pl.fo.166.
Raſt pla.fol.603.

fall into the danger of ſuch penalty or forfeiture, ſhall be charged onely for himſelfe. And none of them to be chargeable to that penalty for others offence.

Prouided alway, that this preſent Act be not preiudiciall to any Ordinary or other perſon, which now haue, or hereafter ſhall haue authority for probat of Teſtaments, but that euery of them ſhal and may conuent before them all and euery perſon, or perſons made and named executor or executors of any Teſtamēt, to the intent to proue, or refuſe the Teſtament or Teſtaments of their Teſtator or Teſtators, and to bring in Inuentories, and to doe euerie other thing concerning the ſame, as they might doe before the making of this Act, ſo that alwaies any ſuch Ordinary, or other perſon or perſons hauing ſuch authority by themſelues, their Commiſſaries, Scribes, Regiſters, or other Miniſters aforeſaid, ſhal not in any wiſe take for the ſame aboue the fees limited by this Act, ne in any wiſe attempt any thing contrary to any part of the ſame Act. *St. 26. H. 8. 15.*

An Ordinary may conuent executors to proue the Teſtators Will, and to bring in his Inuentory.

Cap. VI.

Where Mortuaries ought to be paid, for what perſons, and how much: And in what caſe none is due.

FOr as much as queſtion, ambiguitie, and doubt is chanced and riſen vpon the order, maner, and forme of demanding, receiuing, and claiming of Mortuaries, otherwiſe called Corſe preſents, as well for the greatneſſe, and value of the ſame, which, as hath lately bin taken, is thought ouer exceſſiue to the poore people and other perſons of this Realme, as alſo for that ſuch Mortuaries or Corſe preſents haue been demanded and leuied for ſuch as at the time of their death haue had no property in any goods or cattels, And many times for trauelling and wayfaring men, in the places where they haue fortuned to die, to the intent that all doubt, contention, and incertainty herein may be remoued, and as well the generality of the Kings people therein remedied, as alſo of the Parſons, Vicars, Pariſh Prieſts, and other hauing intereſt in ſuch Mortuaries and Corſe preſents indifferently prouided for.

The cauſes of limiting in certainty what ſhall be payed for Mortuaries

Be it therefore enacted, ordained, and eſtabliſhed, by the King our Soueraigne Lord, and the Lords Spirituall and Temporall, and the Commons of this Parliament aſſembled, and by authority of the ſame, that from the firſt day of Aprill, in the yeare of our Lord God M.D.XXX. No Parſon, Vicar, Curat, nor Pariſh Prieſt, ne any other ſpiritual perſon, nor their Fermors, Bayliffs, nor Leſſees, ſhall take, receiue, or demand of any perſon or perſons within this Realm, for any perſon or perſons dying within the ſame, any maner Mortuary or Corſe preſent, ne any ſumme or ſummes of money, ne any other thing for the ſame, more than is hereafter mentioned. Ne alſo ſhall conuent or call any perſon or perſons before any Iudge Spiritual for the recouery of any ſuch Mortuaries or corſe preſents, or any other thing for the ſame, more than is hereafter mentioned vpon paine to forfeit for euery time ſo demanding, receiuing, taking, or conuenting, or calling any ſuch perſon or perſons before any Spirituall Iudge, ſo much in value as they ſhal take aboue the Summe limited by this Act. And ouer that xl.s. to the party grieued contrary to this Act, for the which forfeiture the party ſo grieued contrary to this Act, ſhal haue an Action of debt, by writ, bill, plaint, or information in any of the Kings Courts, wherein no wager of law, eſſoine nor protection ſhall be allowed.

The penalty of him that conuenteth any perſon to pay for a Mortuary more than is due.

Firſt, it is ordained, eſtabliſhed and enacted, that no maner of Mortuary ſhall be taken or demanded of any perſon, whatſoeuer he be, which at the time of his death hath in moueable goods vnder the value of x. marke. Alſo that no Mortuary ſhall be giuen or demanded from henceforth of any maner perſon, but only in ſuch place where heretofore Mortuaries haue beene vſed to bee paid and giuen, and in thoſe places none otherwiſe but after the rate and forme hereafter mentioned. Ne that any perſon pay Mortuaries in more places than one, that is to ſay in the places of their moſt dwelling & habitation, & there but one mortuary. Nor no Parſon, Vicar, Curat, Pariſh Prieſt, or other, ſhall for any perſon dying, or dead, & being at the time of his death, of the value in moueable goods of x. marks, or more, cleerly, aboue his debts paid, & vnder the ſum of xxx. li. take for a Mortuary aboue iij.s.iiij.d. in the whole. And for a perſon dying or dead, being at the time of his death of the value of xxx. li. or aboue cleerly, aboue his debts paid in moueable goods, & vnder the value of xl. li. there ſhall no more be taken or demanded for a Mortuary, then vj.s.viij.d. in the whole: and for any perſon dying or dead, hauing at the time of his death, of the value in moueable goods of xl. li. or aboue, to any ſumme, whatſoeuer it bee, cleerely aboue his debts paid, there ſhall be no more taken, paid, or demanded for a Mortuary then x.s. in the whole.

No Mortuary where the goods be vnder x. markes.

Coke 1. la fo. 164.

No Mortuary but where Mortuaries haue bin.

But one Mortuary for one perſon.

The duty of the Parſon, &c. for all Mortuaries.

Prouided alway, that for no woman being couert baron, nor childe, ne for any perſon not keeping houſe, any maner Mortuary be paid, ne that any Parſon, Vicar, Curat, Pariſh Prieſt, or other, aske, demand, or take for any ſuch woman, childe, or for any perſon not keeping houſe, dying or dead, any maner thing or money by way of Mortuary, ne alſo for any wayfaring man, or other that dwelleth not, ne maketh reſidence in the place where they ſhall happen to dye, but that the Mortuary of ſuch wayfaring perſons, be anſwerable in places where Mortuaries be accuſtomed to be paid, and in maner and forme, and after the rate before mentioned, & none otherwiſe, in the place or places where ſuch waifaring perſons, at the time of their death had their moſt habitation,

A woman couert, a childe, or perſon keeping no houſe ſhall pay no Mortuary.

Waifaring man, or that maketh no reſidence where hee dyeth.

bitation, houſe, and dwelling places, and no where elſe.

A legacy bequeathed to a Parſon, &c. or to the Altar.

Prouided alway, that it ſhal be lawful to al maner Parſons, Vicars, Curats, Pariſh Prieſts and other ſpirituall perſons, to take & receiue any maner ſumme of money, or other thing, which by any perſon dying ſhall fortune to be diſpoſed, giuen or bequeathed vnto them, or any of them, or to the high altar of the Church. This Act or any thing mentioned notwithſtanding.

No mortuaries in Wales, Calice or Berwike

And be it alſo enacted by the authority aforeſaid, that no Mortuaries, nor Corſe preſents, ne any ſumme or ſummes of money, or other thing, for any Mortuary or Corſe preſent ſhall be demanded, taken, receiued or had, in the parts of Wales, nor in the marches of the ſame, nor in the townes of Caleis or Berwike, nor the marches of the ſame, but onely in ſuch parts and places of Wales, marches and townes aforeſaid, where Mortuaries hath been accuſtomed to be taken and paid. And in thoſe parts and places no Mortuaries nor Corſe preſents, ne any other thing for Mortuarie or Corſe preſent from henceforth ſhall be demanded, taken, receiued, or had, but onely after the forme, order, and maner aboue ſpecified in this preſent Act, and none otherwiſe, ne of any other perſon or perſons, then is limited by this preſent Act, vpon the paine aboue contained in this preſent Act.

Mortuaries to be taken by the Biſhops of Bangor, Saint Dauids, Aſſe, &c. Places where Mortuaries haue bin taken of leſſe value.

Prouided alſo that it ſhall be lawfull to the Biſhops of Bangor, Landaffe, S. Dauids, and S. Aſſe, and likewiſe to the Archdeacon of Cheſter, to take ſuch Mortuaries of the Prieſts within their Dioceſſe and Iuriſdictions, as heretofore haue beene accuſtomed.

Prouided alſo, that in ſuch places where Mortuaries haue beene accuſtomed to be taken of leſſe value then is aforeſaid, that no perſon ſhall be compelled to pay in any ſuch place any other Mortuary, or more for any Mortuary than hath beene accuſtomed, ne that any Mortuary in ſuch place ſhall be demanded, taken, receiued, or had, of any perſon or perſons exempt by this Act, nor in any wiſe contrary to this Act, vpon the paine afore limited. *Se. 26.H.8.15.*

Cap. VII.

Seruants imbeſilling their Maſters goods to the value of forty ſhillings, or aboue, ſhall be puniſhed as Felons.

Where before this time diuers, as well Noblemen as other the Kings ſubiects, haue vpon confidence and truſt deliuered vnto their ſeruants their Caskets and other Iewels, money, goods, and cattels, ſafely to be kept to the vſe of their ſaid Maſters or Miſtreſſes, and after ſuch deliuery the ſaid ſeruants haue withdrawne themſelues, & gone away from their ſaid Maſters or Miſtreſſes, with the ſaid caskets, iewels, money, goods, and cattels, or part thereof, to the intent to ſteale the ſame, & defraud their ſaid Maſters, or Miſtreſſes thereof, and ſometime being with their ſaid Maſters and Miſtreſſes, haue conuerted the ſaid iewels, money, & other cattels or part thereof to their owne vſe, which miſbehauiour ſo done, was doubtfull in the common law, whether it were felony or not. And by reaſon thereof the foreſaid ſeruants haue beene in great boldneſſe to commit ſuch or like offences. Be it therefore enacted, ordained, and eſtabliſhed by the King our Soueraigne Lord, by the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That all and ſingular ſuch ſeruants, to whom any ſuch caskets, iewels, money, goods, or cattels, by his or their ſaid Maſters or Miſtreſſes, ſhall from henceforth ſo be deliuered to keepe, that if any ſuch ſeruant or ſeruants withdraw him or them from their ſaid Maſters or Miſtreſſes, and goe away with the ſaid caskets, iewels, money, goods, or cattels, or any part thereof, to the intent to ſteale the ſame, and defraud his or their ſaid Maſters or Miſteſſes thereof, contrary to the truſt, and confidence to him, or them put, by his or their ſaid Maſters, and Miſtreſſes, Or elſe being in the ſeruice of his ſaid Maſter or Miſtreſſe, without aſſent or commandement of his Maſter or Miſtreſſe, he imbeſill the ſame caskets, iewels, money, goods, or cattels: or any part thereof, or otherwiſe conuert the ſame to his own vſe, with like purpoſe to ſteale it, that if the ſaid caskets, iewels, money, goods, or cattels that any ſuch ſeruant ſhall ſo goe away with, or which he ſhall imbeſill with purpoſe to ſteale it, as is aforeſaid, be of the value of xl.s. or aboue. That then the ſame falſe, fraudulent, and vntrue Act, and demeanor from henceforth, ſhall be deemed, and adiudged felony. And he or they ſo offending to be puniſhed, as other felons be puniſhed for felonies committed by the courſe of the common Law.

If a ſeruant ſhall goe away with any money &c. of his Maſters to the value of xl.s. or aboue, it ſhall bee felony.

Dyer fol. 5

This Stat. ſhal not extend to an Apprentice or one within xviii. yeares of age.

Prouided alway, that this Act, or any thing therein contained, ſhall not in any wiſe extend, to be preiudiciall to any apprentice, or apprentices, or any perſon within the age of xviii. yeares, going away with his or their Maſters goods, or iewels, or otherwiſe conuerting the ſame to his or their owne vſes, during the time of their apprentiſhip, or being within the age of xviii. yeares, but that euery apprentice or apprentices, ſuch perſon or perſons, being within the ſaid age, doing or offending contrary to this preſent Act, ſhall be and ſtand in like caſe as they and euery of them were before the making of this Act. The ſame Act to continue and endure vnto the next Parliament. *Se. 5.Ed. 6. 10.* made perpetuall *Se. 27.H.8.17. & 28.H.8. 2.*

Cap. VIII.

No Butcher ſhall kill any Calfe calued betweene the firſt day of Ianuary and the firſt of May, vpon paine of forfeiture of vj.s.viij.d. Exp.24.*H*.8.9.

Cap. IX.

Whoſoeuer ſhall ſell any Hattes or Cappes made beyond the Sea aboue the prices herein limited, ſhall forfeit xl.s. Rep.1. *Iac*.25.

Cap. X.

Whoſoeuer doth carry any Braſſe, &c. to any Port to be conueyed beyond the Sea, ſhall forfeit the ſame, or the value thereof. Exp.St.31.*H*.8.7. 33.*H*.8.7. 2.*Ed*.6.37.

Cap. XI.

At what time reſtitution ſhall be made of goods ſtolne.

BEe it enacted by this preſent Parliament, That if any felon or felons hereafter doe robbe or take away any money, goods, or cattels, from any of the Kings ſubiects, from their perſon, or otherwiſe within this Realme: and therof the ſaid felon or felons be indited, and after arraigned of the ſame felony, and found guilty thereof, or otherwiſe attainted by reaſon of euidence giuen by the party ſo robbed, or owner of the ſaid money, goods, or cattels, or by any other by their procurement, that then the party ſo robbed, or owner ſhall be reſtored to his ſaid money, goods, and cattels, and that as well the Iuſtices of gaole deliuery, as other Iuſtices, afore whom any ſuch felon or felons ſhall be found guilty, or otherwiſe attainted by reaſon of euidence giuen by the party ſo robbed, or owner, or by any other by their procurement, haue power by this preſent Act to award from time to time Writs of reſtitution for the ſaid money, goods, and cattels, in like maner as though any ſuch felon or felons were attainted at the ſuit of the partie in appeale. Coke lib.5.fol.110.

There ſhall bee reſtitution to the owner of ſtollen goods after the attainder of the felon.

Cap. XII.

Touching making of Cables, &c. in Burport.

MOſt humbly beſeeching your Highnes, the Bailiffes, Burgeſes, and other the inhabitants of your towne and Borough of Burport within your county of Dorſet, that where they out of time that no mans minde is to the contrary, haue vſed, and exerciſed to make within the ſame, the moſt part of all the great cables, halſers, ropes and all other tackling, as well for your royall ſhips and nauy, as for the moſt part of all other ſhips within this Realme, by reaſon whereof your ſaid towne was right well maintained, & inhabited, your highnes & your ſubiects right well ſerued, vntill now of late, many diuers, and euill diſpoſed perſons, entending the deſtruction of your ſaid towne, for their priuate lucre, and aduantage, haue withdrawne themſelues into the cointrey in diuers places, there taking farmes, and vſing husbandry out of the ſaid towne, and alſo daily reſort to your ſaid towne to buy and prouide hempe, and thereof make cables, ropes, halſers, traces, halters, and other tackle, which cables, ropes, halſers, traces, halters and other tackle, been by the ſaid perſons ſleightly and deceiueably made, by reaſon whereof not onely the buyers of the ſame beene continually thereby deceiued, but alſo the prices of the ſaid cables, halſers, traces, halters, and other tackle thereby greatly inhaunſed, and your ſaid towne or borough by meanes thereof is like vtterly to bee decaied, ruined and deſolated, if ſpeedy remedy be not by your highnes in that caſe prouided.

The cauſe of the former maintenance of the towne of Burport & of the late decay thereof

Be it therefore enacted by your highneſſe, by the Lords ſpirituall and temporall, and the commons in this preſent Patliament aſſembled, and by the authority of the ſame, That no manner perſon or perſons dwelling or inhabiting within the diſtance of fiue miles from the ſaid towne or borough of Burport, ſhall from henceforth ſell or cauſe to be ſold out of the market, holden and to be holden, within the ſams towne or borough of Burport, to any perſon or perſons, any hempe, which ſhall happen to grow within the ſaid fiue miles in diſtance from the ſaid towne or borough vpon pain of forfeiture of the ſaid hempe ſo ſold, or to be ſold in any place or places within the diſtance of the ſaid fiue miles out of the ſaid towne, borough or market, contrary to the forme and effect of this ſtatute.

Hemp growing within v. miles of Burport, ſhal be ſold there.

And further be it enacted by the authority aboueſaid, That no perſon or perſons, other than ſuch as ſhall dwell and be inhabitants within the ſaid towne, ſhal make after the feaſt of Eaſter next comming, out of the ſaid towne any cables, halſers, ropes, traces, halters, or any other tackle made of hempe in any other place or places within the ſaid diſtance of v. miles from the ſaid towne, vpon paine of forfeiture of the ſaid cables, halſers, ropes, traces, halters, and other tackle, made and to be made contrary to the forme and effect of this ſtatute, the one halfe of euery ſuch forfeitures, as well of the hempe ſo ſold or to be ſold out of the ſaid towne, borough and market, contrary to the forme aforeſaid, as alſo the ſaid cables, halſers, ropes, traces, halters, and other

Cables, Halters, & tackles of Hempe ſhall be made at Burport.

tacle, made out of the ſaid towne contrary to this ſtatute, to be to the vſe of our Soueraigne Lord the King, and the other halfe to him that will ſue for the ſame, by action of debt, bill, or information, wherein neither wager of Law, eſſoine, nor protection ſhall be allowed.

XX. pound weight a ſtone of hempe.

Prouided alwayes that twenty pounds weight ſhall be accompted to the ſtone.

The worker making of it to his owne vſe.

Prouided alſo that euery perſon dwelling within the ſaid diſtance, may make cables, halſers, ropes, traces, halters, and other tackle for their owne vſe and occupations, but in no wiſe againſt this Act. This Act to endure vnto the next Parliament. 3. Car. 4. continued vntill the end of the firſt Seſſion of the next Parliament.

CAP. XIII.

Spirituall perſons abridged from hauing pluralities of liuings, and from taking of farmes, &c.

The ſeuerall benefits enſuing the performance of this ſtatute.

No ſpirituall perſon ſhall take any lands to farme.

27.H.8.

FOr the more quiet and vertuous increaſe and maintenance of diuine ſeruice, the preaching and teaching the word of God, with godly and good example giuing, the better diſcharge of curates, the maintenance of hoſpitality, the relife of poore people, the increaſe of deuotion, and good opinion of the lay fee toward the ſpirituall perſons: be it enacted, ordained, and eſtabliſhed, by the King our Soueraigne Lord, with the aſſent of the Lords ſpirituall and Temporall, & the Commons in this preſent Parliament aſſembled and by authority of the ſame, That no ſpirituall perſon, ſecular or regular, of what degree ſoeuer he or they be, ſhall from henceforth take to farme to himſelfe, or to any perſon or perſons to his vſe the leaſe or grant of the King our Soueraigne Lord, nor of any other perſon or perſons, by letters patents, indentures, writings, by word or otherwiſe, by any manner of meanes, any manors, lands, tenements, or other hereditaments for terme of life, for terme of yeares, or at will, vpon paine to forfeit ten pound for euery moneth that he or any other to his vſe ſhall occupie any ſuch farme, by reaſon of any ſuch leaſe or grant hereafter to be made. The one halfe of which forfeiture to be to the King our Soueraigne Lord, and the other halfe thereof to euery ſuch perſon as will ſue for the ſame by originall writ, bill, or plaint of debt, or by any information in any of the Kings Courts: in which action and ſuit no wager of law ſhall bee admitted for the defendant, nor any eſſoine or protection allowed.

The ſpirituall perſon which hath any farme or profit out of a farme, ſhall alien it forthwith.

Dyer fo.35

And be it alſo enacted by the authority aforeſaid, that all and euery ſuch ſpirituall perſon, or perſons, which now haue, or occupie in farme by themſelues, or by any other to their vſe, any manors, lands, tenements, or hereditaments, of the leaſe, or grant of the King our Soueraigne Lord, or any other perſon or perſons, for terme of life, or for yeares, or at will, by any writing or otherwiſe, or that now haue any annuall rents, or other annuall aduantage or profit, by occaſion or colour of any ſuch leaſe or farme, ſhall clearly bargaine, ſell, giue, or graunt away on this ſide the feaſt of Saint Michaell the Archangel next comming to any ſuch lay perſon or perſons, as they will at their owne nominations and appointment, all ſuch leaſe, terme, intereſt, and profit as any ſuch ſpirituall perſon, or any other to his vſe now hath or haue, in, or by reaſon of any ſuch farme: ſo that in no wiſe any ſuch ſpirituall perſon or perſons at any time after the ſame feaſt, by themſelues, or any other to their vſe by any maner of meanes, fraud or male engine, ſhall haue, vſe, or occupie in farme any manors, lands, tenements, or hereditaments, of the demiſe, leaſe or grant of any perſon or perſons heretofore made, or hereafter to be made, to themſelues, or to any other to their vſes: Nor from the ſaid feaſt ſhall take any annuall rent or other annuall aduantage or profit, by occaſion or colour of any ſuch leaſe or farme by any maner of meanes, vpon paine to forfeit for euery moneth ſo occupying any ſuch farme, at any time after the ſaid feaſt contrary to this preſent Act, ten pound, and vpon paine to forfeit tenne times as much as any ſuch ſpirituall perſon or any to his vſe, ſhall take in any annuall rent, aduantage or profit, by occaſion or colour of any ſuch leaſe at any time after the ſaid feaſt. The one halfe of which forfeitures to be to the King our Soueraigne Lord, and the other halfe to him that wil ſue for the ſame by original writ, bill, or plaint of debt, or by information in any of the Kings Courts, in which action or ſuit no wager of law ſhall be admitted for the defendant, nor any eſſoine or protection allowed.

Leaſes made to ſpirituall perſons or to others to their vſe ſhall be void.

And be it alſo enacted that all ſuch leaſes made, or hereafter to be made vnto any ſuch ſpirituall perſon or perſons, or to any other to their vſe, for terme of life, terme of yeares, or at will, of any manors, lands, tenements, or hereditaments, whereof they or any of them ſhall take any profit, or medling by themſelues, or by any to their vſe, after the ſaid feaſt of Saint Michaell, by colour of any ſuch leaſe or grant, and not by them bargained, granted, and ſold away before the ſaid feaſt, as is before limited, ſhall from thenceforth bee vtterly voide and of none effect, as well againſt the leaſor or leaſors, grantor or grantors, their heires and aſſignes, and againſt euery of them, as againſt the leaſee or leaſees, and their executors and aſſignes, and euery of them.

In ſome caſes a ſpirituall perſon may take to farme the temporalties of a Biſhop, &c.

Prouided alway that this preſent Act ſhall not extend to any ſpirituall perſon or perſons, in and for taking to farme any temporalties, during the time of vacations, of any of the Archbiſhopricks, Biſhopprickes, Abbeyes, Priories, or other Collegiall, Cathedrall, or Conuentuall Churches, Nor to any ſpirituall perſon or perſons,that ſhall tend or make any trauers vpon any offices or office, concerning his or their frehold.

And be it alſo enacted by the authority aforeſaid,that no ſpirituall perſon or perſons,ſecular or regular,of what eſtate or degree ſoeuer they be,ſhall from henceforth by himſelfe, nor by any other for him,nor to his vſe bargaine, and buy to ſell againe for any lucre,gaine or profit,in any markets, faires, and other places,any manner of cattell,corne, lead, tinne, hides, leather, tallow,fiſh,wooll,wood,or any manner of vittaile,or merchandiſe, what kinde ſo euer they bee of, vpon paine to forfeit treble the value of euery thing, by them or by any to their vſe, bargained & bought to ſell againe,contrary to this Act. And that euery ſuch bargaine, and contract hereafter to be made by them,or by any to their vſe contrary to this Act,ſhal be vtterly void and of none effect. And the one halfe of euery ſuch forfeiture to be to the King our Soueraigne Lord,and the other halfe to him that will ſue for the ſame by originall writ of debt,bill,plaint,or information, in any of the Kings Courts. In which action or ſuit no wager of Law for the defendant ſhall be admitted,nor any eſſoine nor protection allowed.

No ſpirituall perſon ſhall buy to ſell againe any merchandiſe, Corne, Cattell, or &c.

Prouided alway, that if any ſuch ſpirituall perſon or perſons,ſhall happen hereafter without fraud or couin to buy any horſes,mares,or mules,to the onely intent to occupie for himſelfe or his ſeruants, to ride too and fro,vpon his neceſſary buſineſſe,or any other cattels or goods, to the onely intent and purpoſe at the buying thereof to be imployed and put, in and about his neceſſary apparell of his own houſe,or of his perſon and ſeruants,or in,for,and about the onely occupying, manuring, or tillage of his owne gleabe or demeane lands annexed to his Church,or for the neceſſary expences of his owne houſhold keeping, and after the buying of any ſuch horſes, cattels, or goods,or exerciſe of them,or any of them hapneth to miſlike any of them that they ſhould not be good, profitable nor conuenient for any of the purpoſes aboueſaid, for the which they were bought: that then euery ſuch ſpirituall perſon or perſons may lawfully bargaine and put away ſuch things ſo by him bought, without fraud or couin for any of the purpoſes aboueſaid at his pleaſure and aduantage,this act or any thing therein contained notwithſtanding.

In what caſes a ſpirituall perſon may ſell againe the things which he hath bought.

Prouided alway,that all Abbots,Priors,Abbeſſes,Prioreſſes, Prouoſts, Preſidents, Maſters of Colledges,and Hoſpitals,and all other ſpirituall Gouernours and Gouerneſſes of any ſpirituall Monaſteries,or Houſes of Religion,by what name or names ſoeuer they bee called, hauing manors,lands,& tenements,hereditaments, and other yearly profits in the right of their monaſteries or houſes,of the yearly value of viij.C.markes,or vnder, and not aboue, may vſe and occupie as much and as many of their demeane lands,fee farmes, and farmes, to their moſt aduantage, commodity,& profit, to and for the onely maintenance of their houſholds,and hoſpitalities,in as ample and large manner as they,or any of them,or their predeceſſors, or the predeceſſors of any of them,at any time by the ſpace of one hundred yeares laſt paſt, before the making of this Act,haue done, vſed, and occupied : Any thing in this preſent Act to the contrary notwithſtanding.

Certaine houſes of religion may keepe Demeſne lands in their hands for the maintenance of their houſes.

Prouided alſo that euery other ſpirituall perſon or perſons,not hauing ſufficient glebe, or demain lands in their owne hands,in the right of their Churches, Monaſteries,and houſes for paſturage of Cattels,or for increaſe of corne,to and for the onely expences of their houſholds,or for their carriages and iournies,may take in farme other lands, and buy and ſell corne and cattell for the onely manurance,tyllage and paſturage of ſuch farmes,ſo that the encreaſe thereof be alwayes imployed and put to,and for the onely expences in their houſholds and hoſpitalities, and not in any wiſe to buy and ſell againe,for any other commodity, lucre or aduantage any corne or cattell, renuing,comming or growing in and vpon any ſuch farme or otherwiſe, but onely the remaine and ouer-plus aboue their expences of their houſholds, if any ſuch ſhall happen to the breed and increaſe thereof,without fraud or couin : Any thing in this preſent Act to the contrary hereof notwithſtanding.

Spirituall perſons may take in farme for the maintenance of their houſes.

And be it enacted by the authority aforeſaid,That if any perſon or perſons hauing one benefice with cure of ſoule, being of the yearly value of viij.pound or aboue, accept and take any other with cure of ſoule,and be inſtituted and inducted in poſſeſſion of the ſame, that then and immediately after ſuch poſſeſſion had thereof, the firſt benefice ſhall bee adiudged in the law to be voide.

The penalty of pluralities.

And that it ſhall be lawfull to euery Patron,hauing the aduowſon thereof,to preſent another, and the Preſentee to haue the benefit of the ſame, in ſuch like maner and forme as though the Incumbent had died or reſigned,any Licence,Union,or other Diſpenſation to the contrary hereof obtained notwithſtanding.

And that euery ſuch Licence,Union, or other Diſpenſation had,or hereafter to bee obtained contrary to this preſent Act,of what name or names,qualitie or qualities ſo euer they be,ſhall be vtterly void and of none effect.

Any Diſpenſation contrary to this ſtatute ſhal be voyd.

And if any perſon or perſons at any time after the firſt day of Aprill, in the yeare of our Lord God,M.D,and XXX.contrary to this preſent Act,procure and obtaine at the Court of Rome, or elſe-where,any Licence or Licences,Union,Toleration,or Diſpenſation,to receiue and take,

St 1.&.2.P.& M.8.
St.1.El.1.

any moe benefices with Cure than is aboue limited, or elſe at any time after the ſaid day put in execution any ſuch Licence, Toleration, or Diſpenſation, before that obtained contrary to this Act, that then euery ſuch perſon or perſons, ſo after the ſaid day ſuing for himſelfe, or receiuing, & taking ſuch benefice by force of ſuch Licence or Licences, Union, Toleration or Diſpenſation, that is to ſay, the ſame perſon or perſons onely and none other, ſhall for euery ſuch default incur the danger, pain, & penalty of xx. li. ſterling. And alſo loſe the whole profits of euery ſuch benefice or benefices, as he receiueth or taketh by force of any ſuch Licence or Licences, Union, Toleration or diſpenſation. The one halfe of which forfeiture to be to the King our Soueraigne Lord, and the other halfe thereof to him that will ſue for the ſame by originall Writ, Bill, plaint of Debt, or Information in any of the Kings Courts, in which Action and ſuit no wager of Law, eſſoine, or protection for the defendant ſhall be admitted or allowed.

Dier fol.

They may keep their benefices which were thereof poſſeſſed An.1530. except they haue aboue foure.

Prouided alwayes, that this Act concerning the not kéeping of moe benefices with Cure of ſoules than one, extend, ne be preiudiciall to any perſon or perſons, which at any time before the ſaid firſt day of Aprill in the yeare of our Lord God, M.D. and XXX. ſhall be really intitled, or poſſeſſed of any ſuch benefices with Cure of ſoule, as concerning or touching any of the ſame benefices, whereof they ſhall then be already really intitled or poſſeſſed before the ſaid day, to or vnder the number of foure, and not aboue. And if any ſuch Spirituall perſon or perſons ſo being intitled or poſſeſſed of moe benefices with Cure of ſoule than foure, doe not by the ſaid firſt day of Aprill cléerely, and without yearely penſion, reſigne, or otherwiſe giue vp all and euery ſuch benefices and benefice, as he ſhall be ſo intitled and poſſeſſed of, aboue the ſaid number, that then it ſhall be lawfull for euery Patron, hauing the aduowſon of any ſuch benefice, ouer the number aforeſaid, to preſent another, and the Preſentée to haue the benefit of the ſame in like maner and forme, as though it had béen void by death, or reſignation of the Incumbent, any Licence, Union, or other diſpenſation to the contrary hereof obtained notwithſtanding. And this clauſe of preſentation to be taken, and vnderſtand of ſuch benefices with Cure of ſoule, as were giuen to any ſuch Spirituall perſon, after the ſaid number of foure benefices with Cure furniſhed and fulfilled.

Dier fol.

These perſons may purchaſe Licences and haue moe benefices with Cure of ſoule than one.

Prouided alſo, that all Spirituall men now being, or which hereafter ſhall bee of the Kings Counſel, may purchaſe Licence or Diſpenſation, and take, receiue, and kéep thrée Parſonages or benefices with Cure of ſoule, and, That all other being the Kings Chaplaines, and not ſworne of his Counſell, the Chaplaines of the Quéene, Prince or Princes, or any of the Kings Children, Brethren, Siſters, Uncles or Aunts, may ſemblably purchaſe Licence or Diſpenſation, to receiue and kéepe two parſonages or benefices with cure of ſoule.

Coke li.4.

And in like wiſe that euery Archbiſhop and Duke may haue ſixe Chaplaines, whereof euery one may purchaſe Licence or Diſpenſation, & take, receiue, and kéepe two parſonages or benefices, with Cure of ſoule.

And that euery Marques and Earle may haue fiue Chaplaines, whereof euery one may purchaſe Licence or Diſpenſation, and take, receiue, and kéepe two parſonages or benefices, with Cure of ſoule.

And that euery Uiſcount and other Biſhop may haue foure Chaplaines, whereof euery one may purchaſe Licence, and receiue, haue and kéepe two parſonages or benefices with Cure of ſoule, as is aforeſaid.

And that the Chancellor of England for the time being, and euery Baron and Knight of the Garter may haue thrée Chaplaines, whereof euery one ſhall now purchaſe Licence or diſpenſation, and receiue, haue and keepe two parſonages or benefices, with Cure of ſoule.

Coke li.4. fo.119.

Co.pla.203. 513.

And that euery Duches, Marques, Counteſſe, and Baroneſſe, being widowes, may haue two Chaplaines, whereof euery one of them may purchaſe Licence or Diſpenſation, to receiue, haue, and keepe two benefices with Cure of ſoule.

And that the Treaſorer and Controuller of the Kings houſe, the Kings Secretary & Deane of his Chapell, the Kings Amner and Maſter of the Rolles, may haue euery of them two Chaplaines, and the chiefe Iuſtice of the Kings Bench one Chaplaine, and the Warden of the fiue Ports for the time being, one Chaplaine, whereof euery one may purchaſe Licence, and receiue, haue, and kéepe two parſonages or benefices, with cure of ſoule.

Coke li.4.

And that the Brethren, and Sonnes of all Temporall Lords, which are borne in wedlock, may euery of them purchaſe Licence or Diſpenſation, to receiue, haue and kéep as many parſonages or benefices with Cure, as the Chaplaines of a Duke or an Archbiſhop.

And likewiſe the Brethren and Sons borne in wedlock of euery Knight, may euery of them purchaſe Licence or Diſpenſation, and receiue, take, and kéepe two parſonages or benefices, with Cure of ſoule.

The Chaplains ſhall ſhew the Letters of their Lords or Maſters.

Prouided alwayes, that the ſaid Chaplaines ſo purchaſing, taking, receiuing, and kéeping benefices with Cure of ſoule, as is aforeſaid, ſhall be bound to haue and exhibit where néede ſhall be Letters vnder the Signe & Seale of the King, or other their Lord and Maſter, teſtifying whoſe Chaplaines they be, & elſe not to enioy any ſuch pluralitie of benefices by being ſuch Chaplaine, Any thing in this Act notwithſtanding.

Be it alſo prouided, that all Doctors and Bachelers of Diuinity, Doctors of Law, and Bachelers of Law Canon, and euery of them, which ſhall be admitted to any the ſaid degrees by any of the Uniuerſities of this Realme, and not by grace onely, may purchaſe licence, and take, haue, and keepe two Parſonages or Benefices with cure of ſoule, ſo that alwayes the ſaid libertie by any of the prouiſion aforeſaid giuen to any of the ſaid Counſellors, Chaplaines, and other perſons before ſpecified, to purchaſe licence or diſpenſation, and take, receiue, and keepe moe Benefices then one, after the maner and forme aforeſaid, be taken and vnderſtanded to extend in number to no moe Benefices with cure of ſoule, then is aboue limited, accompting in the ſame, and as parcell thereof, ſuch Benefices with cure of ſoule, as any the ſaid perſons ſhall haue in reall title, or in their poſſeſſion, at the ſaid firſt day of Aprill, in the yeare of our Lord M.D. and xxx.

Doctors and Bachelers of Diuinitie and Law may by diſpenſation haue two Benefices with cure. No diſpenſation can licence any to haue aboue two Benefices.

Prouided alſo, that euerie Archbiſhop, becauſe he muſt occupie eight Chaplaines at conſecrations of Biſhops, And euerie Biſhop, becauſe hee muſt occupie ſix Chaplaines at giuing of Orders and conſecration of Churches, may euerie of them haue two Chaplaines, ouer & aboue the number aboue limited vnto them, whereof euerie one may purchaſe licence, or diſpenſation, and take, receiue, and keepe as many Parſonages and Benefices with cure of ſoule, as is before aſſigned to ſuch Chaplaines.

Euery Archbiſhop may haue viii. Chaplaines and euery Biſhop vi.

Prouided alſo, and be it enacted by authoritie aforeſaid, that no perſon or perſons, to whom any number of Chaplaines, or any Chaplaine by any of the prouiſions aforeſaid is limited, ſhal in anie wiſe by colour of any of the ſame prouiſions, aduance any Spirituall perſon or perſons, aboue the number to them appointed, to receiue or keepe any moe Benefices with cure of ſoule, then is aboue limited by this Act, any thing ſpecified in the ſaid prouiſions notwithſtanding: and if they doe, then euerie ſuch Spirituall perſon and perſons, ſo aduanced aboue the ſaid number, to incurre the paine and penaltie contained in this Act.

Dier fol.312.

Aduancement to more Benefices then be appointed by this Act.

Coke.pla.fo.515.

Be it alſo further enacted by the authoritie aforeſaid, that as well euerie Spirituall perſon now being promoted to any Archdeaconrie, Deanrie, or dignitie in any Monaſterie, or Cathedrall Church, or other Church conuentuall or collegiall, or being Beneficed with any Parſonage or Uicarage, as all and euery Spirituall perſon and perſons, which hereafter ſhall be promoted to any of the ſaid dignities, or benefices, with any Parſonage or Uicarage from the feaſt of S. Michaell the Archangell next comming, ſhall be perſonally reſident, and abiding, in, at, and vpon his ſaid dignitie, prebend, or benefice, or at one of them at the leaſt: And in caſe any ſuch Spirituall perſon at any time after the ſaid feaſt, keepe not reſidence at one of his ſaid dignities, prebends, or benefices, as is aforeſaid, but abſent himſelfe wilfully by the ſpace of one moneth together, or by the ſpace of two moneths, to be accompted at ſeuerall times in any one yeare, and make his reſidence and abiding in any other Places, by ſuch time, that then he ſhall forfeit for euery ſuch default x.li. ſterling. The one halfe thereof to the King our Soueraigne Lord, and the other halfe of the ſame to the partie that will ſue for the ſame in any of the Kings Courts by originall writ of debt, bill, plaint, or information: In which action, and ſuite the defendant ſhall not wage his law, nor haue any eſſoine or protection allowed.

Raſt.pla.fo.599. What ſhall be adiudged non reſidence, and the penaltie thereof.

oke.li.6.fo.21.
H.8.f.1.10.

And if any perſon or perſons procure or obtaine at the Court of Rome, or elſewhere, any maner of licence, or diſpenſation, to be non reſident at their ſaid dignities, prebend, or benefices, contrary to this Act, that then euery ſuch perſon or perſons, putting in execution any ſuch diſpenſation or licence for himſelfe, from the ſaid firſt day of Aprill, in the yeare of our Lord God M.D. and xxx. ſhall runne & incurre in the penaltie, damage, and paine of xx.li. ſterling for euery time ſo doing, to be forfeited and recouered as is aboueſaid, and ſuch licence or diſpenſation ſo procured, or to be put in execution, to be void and of none effect.

St.1.& 2.P.& M.8
St.1.El.1.
The penalty for procuring of diſpenſations to be non reſident.

Prouided alwayes, that this Act of none reſidence ſhall not in any wiſe extend ne be preiudicial to any ſuch Spirituall perſon as ſhall chance to be in the Kings ſeruice beyond the ſea, nor to any perſon or perſons going to any pilgrimage or holy place beyond the ſea, during the time that they ſhall ſo bee in the Kings ſeruice, or in the pilgrimages going and returning home, Nor to any ſcholar or ſcholars being conuerſant and abiding for ſtudie, without fraud or couin, at any Uniuerſitie within this Realme, or without. Nor to any of the Chaplaines of the Kings or Queenes, daily or quarterly attending and abiding in the Kings or Queenes moſt honourable houſholds. Nor to any of the Chaplaines of the Prince or Princeſſe, or any the Kings or Queenes children, brethren or ſiſters, attending daily in their honourable houſholds, during ſo long as they ſhall attend in any of their ſaid houſholds. Nor to any Chaplaine of any Archbiſhop or Biſhop, or of any Spirituall or Temporall Lords of the Parliament, daily attending, abiding & remaining in any of their honourable houſholds. Nor to any Chaplaine of any Ducheſſe, Marqueſſe, Counteſſe, Uicounteſſe, or Baroneſſe, attending daily and abiding in any of their honourable houſholds. Nor to any Chaplaine of the Lord Chancellor or Treaſorer of England, the Kings Chamberlain or Steward of his houſhold for the time being, the Treaſorer and Controuler of the Kings moſt honourable houſhold for the time being, attending daily in any of their honourable houſholds. Nor to any Chaplain of any of the Knights of the honourable order of the Garter, or of the chiefe Juſtice of the Kings bench, Warden of the Ports, or alſo of the Maſter of the Rolles. Nor to any Chaplaine of the Kings Secretarie and Deane of the Chappell, or Amner for the time being, daily

St.28.H.8.13.

Which Spirituall perſons may be diſcharged of Reſidence, and by what meanes.
St.25.H.8.16.
26.H.8.14.
33.H.8.28.

daily attending and dwelling in any their houſholds, during the time that any ſuch Chaplaine or Chaplaines ſhall abide and dwell, without fraud or couin, in any of the ſaid honourable houſholds. Nor to the Maſter of the Rolles or Deane of the Arches. Nor to any Chancellor or Commiſſarie of any Archbiſhop or Biſhop. Nor to as many of the twelue Maſters of the Chancerie, and twelue Aduocates of the Arches, as be or hereafter ſhall be Spirituall men, during ſo long time as they ſhall occupie their ſaid Roomes and Offices. Nor to any ſuch Spirituall perſons, as ſhall happen by Iniunction of the Lord Chancellor, or the Kings Councell to bee bound to any daily apparance and attendance to anſwer to the Law, during the time of ſuch Iniunction.

The Kings licence of non reſidence.

Prouided alſo that it ſhall be lawfull to euery Spirituall perſon or perſons, being Chaplaines to the King our Soueraigne Lord, to whom it ſhall pleaſe his Highneſſe to giue any benefices or promotions Spirituall, to what number ſo euer it be, to accept and take the ſame, without incurring the danger, penaltie, and forfeiture in this Eſtatute compriſed, And that alſo it ſhall be lawfull to the Kings Highneſſe to giue Licence to euery of his owne Chaplaines for non reſidence vpon their benefices. Any thing in this preſent Act conteined to the contrarie notwithſtanding.

No Spirituall perſon beneficed with cure ſhall take in farme any parſonage or vicarage.

And be it further enacted by the authoritie aforeſaid, that no Spirituall perſon, Secular, or Regular, beneficed with Cure, as is afore rehearſed, from the Feaſt of S. Michaell the Archangel next comming, by authoritie of any maner Licence, Diſpenſation, or otherwiſe, ſhall take any particular ſtipend, or ſalarie to ſing for any ſoule, nor haue, or occupie by himſelfe, or by any other to his vſe, any Parſonage, or Vicarage in ferme, of the Leaſe or Grant of any perſon or perſons, nor take any profit or rent out of any ſuch ferme, vpon paine to forfeit xl.s. for euery ſuch weeke that he, or any to his vſe ſhall occupie, or haue any ſuch ſtipend or ferme contrarie to this preſent Act, And vpon paine to loſe tenne times the value of ſuch profit or rent as he ſhall take out of any ſuch ferme after the ſaid Feaſt. The one halfe of which forfeitures to be to the King our Soueraigne Lord, and the other moitie to him that will ſue for the ſame by originall Writ, Bill, plaint of Debt, or by information in any of the Kings Courts, in which ſuit and action no wager of Law ſhall be admitted for the Defendant, nor any eſſoine, or protection allowed.

Dier.fo.331.

These promotions be not accompted benefices with cure.

Prouided alway that no Deanery, Archdeaconry, Chancellorſhip, Treaſorerſhip, Chanterſhip, or Prebend in any Cathedrall or Collegiall Church, nor Parſonage that hath a Vicar indued, nor any benefice perpetually appropriat, be taken or comprehended vnder the name of benefice hauing Cure of ſoule in any Article afore ſpecified.

No Spirituall perſon ſhal keep a Tanne houſe or Brewhouſe.

Prouided alſo, and be it enacted by the authoritie aforeſaid, that no Spirituall perſon or perſons Regular, or Secular, of what eſtate, degrée or condition ſo euer he or they be, from the firſt day of Aprill next comming, haue, vſe, or kéepe, by him or themſelues, or by any perſon or perſons to his or their vſe or commoditie, any manner of Tanne houſe, or Tanne houſes, to be vſed or occupied to his or their owne vſe, commoditie, or behoofe, Nor from the ſaid firſt day of Aprill next comming, ſhall haue, vſe, or kéepe, any maner of Brewhouſe, or Brewhouſes, to any other vſe, intent, or behoofe, then only to be ſpent and occupied in his or their owne houſes, vpon paine to forfeit for euery moneth ſo vſing and occupying any of the ſaid Myſteries or Occupations x.li. The one moitie thereof to the King our Soueraigne Lord, and the other moitie to him that will ſue for the ſame by originall Writ, Bill, plaint of debt, or information in any of the Kings Courts in which Action and ſuit no wager of Law ſhall be admitted for the Defendant, ne any eſſoine or protection allowed.

The Chaplains of Duches &c. which haue taken husbands.

Prouided alwaies, that euery Duches, Marques, Counteſſe, Baroneſſe, widowes: which haue taken, or that hereafter ſhall take any husbands vnder the degrée of a Baron, may take ſuch number of Chaplaines, as is aboue limited to them being widowes: and that euery ſuch Chaplaine may purchaſe Licence, to haue and take ſuch number of benefices with Cure of ſoule, and haue like libertie of non reſidence in manner and forme as they might haue done if their ſaid Ladies and Miſtreſſes had kept themſelues widowes: Any thing in this preſent Act contained to the contrary notwithſtanding.

Spirituall perſons may keepe ſufficiēt of their owne land to maintaine their houſes.

Prouided alwaies, that euery Spirituall perſon or perſons, hauing Lands, Tenements, or other poſſeſſions in the right of their houſes aboue the yearely value of viij.C. markes, may kéepe and retaine in their occupation and manurance, as much of their ſaid Lands, and Tenements, and other poſſeſſions, as ſhall be neceſſarie and ſufficient for Paſturage of their Cattell, and for Tillage of Cornes to be employed and ſpent for the onely maintenance, ſuſtentation, and kéeping of his or their houſholds and hoſpitalities, without fraud or couin: Any thing in this preſent Act to the contrarie thereof notwithſtanding.

A Spirituall perſon may take a dwelling houſe with an orchard or garden for his dwelling.

Prouided alway, that it may be lawfull to euery Spiritual perſon or perſons to take in ferme any meſes, manſions, or dwelling houſes, hauing but onely Orchards or Gardens, in any Citie, Borough, and Towne, for their owne habitation or dwelling. Any thing in this Act to the contrarie notwithſtanding. So that no perſon Spirituall other then be aboue prouided for, for their non reſidence haue any libertie of non reſidence by colour of this Prouiſo. St.25.H.8.21.

CAP.

Cap. XIIII.

Of what length and bredth euery whole peece and halfe peece of Dowlas and Lockeram, brought into this Realme ſhall be. Rep. 28.*H*.8.4.

Cap. XV.

Farmors ſhall enioy their Leaſes againſt Recoueries by fained titles, &c.

WHere afore this time, diuers perſons haue made Leaſes of their Manors, Lands, Tenements, and other Hereditaments, ſometime by their Indentures, and ſometime without writings to other perſons for terme of yeares, taking of them great fines for the Incums of the ſame leaſes, and after the ſame leaſors, their heyres or aſſignes haue cauſed and ſuffered recoueries to be had againſt them in the Court of our Soueraigne Lord the King, and in other Lords Courts vpon feigned and vntrue titles, by craft and couin to put the ſaid termers from their ſaid termes. And after ſuch recoueries had, the ſame recouerers, by reaſon of ſuch recoueries and iudgements haue entred into the ſame manors, lands, tenements, or other hereditaments, ſo to ferme letten, and thereof haue expulſed the ſaid farmers, contrary to their ſaid leaſes, couenants and agreements. And becauſe it was doubted to ſome perſons, whether the ſaid termers might falſifie ſuch recoueries or not.

Be it therefore enacted by the King our Soueraigne Lord, by the aſſent of the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, That all ſuch termers ſhall and may falſifie for his terme onely, ſuch recoueries, as well heretofore had, as hereafter to be had, in ſuch wiſe and forme as a tenant of a freehold, ſhall and may doe by the courſe of the Common Law, where ſuch tenant of freehold was neither priuie, nor party to the ſame recouery.

Tenant for terme of yeares may falſifie a fained recouery had againſt him in the reuerſion. Stat.6.Ed.1.11. Coke pla.fo.163.

And that the ſame Termers, their executors, and aſſignes, notwithſtanding ſuch recoueries ſo had, ſhall retaine, hold, and enioy their ſaid termes, according to their ſaid leaſes againſt all ſuch recouerers, their heires and aſſignes, after ſuch recouery ſo had, And the ſaid recouerers ſhall haue like remedy againſt the ſaid termers, their executors or aſſignes by auowrie or action of debt for the rents and ſeruices reſerued vpon the ſame leaſes being due after the ſame recoueries, and alſo like actions againſt them for waſt done, after the ſame recoueries ſo had, in like manner and forme as the ſaid leaſors ſhould or might haue had, if the ſame recoueries had neuer beene had.

6.H.8.fo.2. Coke li.11.fo.33.

The remedy of the recoueries againſt tenant for yeares for rent or waſt.

And alſo be it further enacted by the authority aforeſaid, that no manner of ſtatute of the ſtaple, ſtatute marchant, nor execution by elegit, be hereafter auoided, or in any wiſe made fruſtrate, by meanes of any ſuch feined recouerie, but that all perſons hauing any lands, tenements, or other hereditaments in execution, or being intituled to haue execution of any Manors, Lands, or Tenements, by any ſuch meanes, ſhall haue by force of this ſtatute like remedy to auoid and falſifie the ſame recoueries, as before is ordained and prouided for the leaſe for terme of yeares. Fitz.N.B.198.&.Raſt.lib. Pla.fol.81. Co.Inſt.104.b.

Co.Inſt.45.a.

No ſtatute or execution by Elegit ſhall be anoyded by a fained recouery.

Cap. XVI.

Touching Artificers Srangers what they may doe as concerning retaining Apprentiſes, Iaurnymen, &c.

PRayen the Commons in this preſent Parliament aſſembled, that where in the xv. day of February, in the xx. yeare of the reigne of our now moſt gracious Soueraigne Lord the King Henry the 8 by our ſaid Soueraigne Lord the King, his moſt Honourable Counſell in his Star Chamber at Weſtminſter, for the common wealth of his naturall Subiects borne within this his Realme, by great and deliberate aduice, it was deemed, adiudged, and decreed, that No ſtranger Artificer, borne out of our ſaid Soueraigne Lord his obeyſance, inhabiting within any City, Borough, or any other place within this his Realme of England, from henceforth ſhould keepe in his or their houſe or houſes, any manner ſtrangers ſeruants, borne out of his obeyſance, but onely ij. ſeruants ſtrangers, and no moe at one time.

No ſtranger Artificer inhabiting within any Citie or other place ſhall keepe in his houſe but two ſtrangers borne. Rep.5.El.4.

And alſo all and ſingular ſtrangers, that then were, or after the making of the ſaid decree ſhould be made Denizens, that at the time, or after the making thereof, would inhabit within the City of London, Suburbs, or within ij. miles compaſſe of the ſame, and keepe or would keep houſes, or occupie their craft, ſhould be contributories to and with our ſaid Soueraigne Lord his Subiects Artificers within the ſaid Citie of London, paying, bearing and ſuſtaining ſuch charges as hereafter ſhall be expreſſed, that is to ſay, that all other Strangers, Artificers, Denizens, or no Deniſens, of euery Handicraft, or Myſtery, inhabiting as well within the City of London, as in any other Citie, Towne, Borough or Village, within this his Realme, ſhould pay, beare and ſuſtaine all ſuch and like changes, as our ſaid Soueraigne Lord his ſubiects of like craft and myſtery doe alwaies vſe to pay.

Aliens houſekeepers ſhall beare ſuch charges as the Kings Subiects doe.

And if any of them refuſed, or denied the ſame or any part thereof, then he, or they, ſo denying or refuſing ſo to doe, ſhould not any longer occupie any handicraft, vpon the paines, damages, and perils ſpecified, as well in the Acts or Statutes made in the xiiij. and xv. yeares of the reigne of our now Soueraigne Lord, as in one Statute made in the firſt yeare of the Reigne of King Richard the iij.

St 14.H.8.2.
1.Ric.3.9.

And that the ſame Strangers, Denizens or no Denizens houſholders, which would remaine and abide within our ſaid Soueraigne Lord his Realme, ſhould vpon lawfull warning to them giuen, by the Maſter and Wardens of diuers and ſundry myſteries, mentioned and ſpecified in the ſaid Decrée within the ſaid Cities and Townes, preſent themſelues in the Common hall, or méeting place of the ſaid Crafts, and there to receiue and take their Oath, and be ſworne vpon the holy Euangeliſt before the Maſter and Wardens of their ſaid Craft, to be faithfull and true to the King our Soueraigne Lord, and his heyres, Kings of England, and to be obedient to him and them, and his and their Lawes.

Aliens ſhallbee ſworn to be true to the King to obey him and his Lawes.
Stat 32.H.8.16.

Alſo that no Stranger, Artificer, or Handicrafts man, borne out of our ſaid Soueraigne Lord his obeyſance, not being Denizen, which was not a Houſholder, the xv. day of February aboue ſaid, ſhould not ſet vp, ne kéepe any houſe, ſhop, ſhops, or chamber, wherein they ſhould exerciſe or occupie any handicraft or Myſterie within this our ſaid Soueraigne Lord his Realme, vpon paine to incurre and runne into ſuch penalties as be conteined in the Statutes before this time made and enacted, as is aforeſaid.

And that none of the Strangers, Artificers, or Handie Crafts men, borne out of our Soueraigne Lord his obeyſance, as well Denizens as no Denizens, ſhould aſſemble in any company, fellowſhip, congregation, or conuenticle, but onely in the common hall of their crafts with our ſaid Soueraigne Lord his Subiects, which be of the companies of their ſaid Craft or Crafts, at ſuch time as they ſhould be commanded and warned by the ſaid Maſter & Wardens of their ſaid Craft, or Crafts, and at none other place and time, or in any other manner vpon the paine aforeſaid expreſſed, as by the ſaid decrée ſhewed and exemplified, and hereunto annexed, vnder our ſaid Soueraigne Lord the King his great Seale, more plainely and at large it may and doth appeare.

Aliens ſhall not aſſemble in conuenticles but in their Halls.
Stat 1.R.3.9.

That for the Common wealth aboue ſaid, it may bée enacted by the King our Soueraigne Lord, the Lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by the authority of the ſame, that the ſaid Order and Decrée, had, giuen, and made by our ſaid Soueraigne Lord the King, his moſt honourable Counſell, and all and euery thing therein conteined, ſpecified, and declared, be holden and obſerued firme and ſtable, and duly to be put in execution in euery point and article, in maner and forme as is aboue rehearſed, according to the purport, effect, and true meaning of the ſame.

The foreſaid Decree made by the Lords in the Starre chamber confirmed.

Be it furthermore enacted by the authority aboue ſaid, that the Act made in the Parliament begunne at London the xv. day of Aprill, in the xiiij. yeare of the reigne of our ſaid Soueraigne Lord the King that now is, and from London adiourned to Weſtminſter the laſt day of July, in the xv. yeare of the raigne of our ſaid Soueraigne Lord, concerning ſtrangers artificers, for taking of Apprentices, Journeymen, and couenant ſeruants, and euery article and prouiſion conteined in the ſame Act, ſhall be from henceforth put in due execution, according to the true intent, meaning, and purport of the ſame, as well within the Citie of London, as in all other Boroughs, and Townes corporate within this Realme, and the ſame to endure perpetually, any thing conteined in the ſaid act or decrée to the contrary notwithſtanding.

The Sta. made 14.H.8.2. Touching Strangers Artificers taking of Apprentiſes made perpetual.

Prouided alwaies that no Artificer, Alien, or Stranger, borne out of the Kings obeyſance, being a houſholder, or inhabiting within any of the Uniuerſities of Oxford and Cambridge, or within the Sanctuary of Saint Martin le graund, within the Citie of London, ſhall from henceforth haue or retaine in their ſeruice, Journeymen or Apprentiſes, being Aliens, or Strangers borne, aboue the number of x. perſous at one time, vpon paine of the penaltie conteined in the ſaid Act, made in the ſaid xiiij. and xv. yeare of our ſaid Soueraigne Lord: The prouiſion conteined or ſpecified in the ſame Act notwithſtanding. St. 22. *H.* 8.13.

No Alien dwelling in Oxford, Cambridge, or great S. Martins ſhall haue aboue x. perſons Aliens in his houſe.

The Decree made in the Starre Chamber for Artificers Strangers, by the Kings moſt Honourable Counſell, the xx. day of February, in the xx. yeare of the Raigne of our Soueraigne Lord, King HENRY the eight.

HENRICVS Octauus dei gratia Angliæ, Franciæ & Hiberniæ Rex, fidei defenſor, & in terra eccleſiæ Anglicanæ & Hiberniæ, ſupremũ caput: omnibus, ad quos præſentes literæ peruenerint, ſalutem. Inſpeximus quoddam breue noſtrum de certiorand. *Thoma Eliot* Clerico conſilii noſtri direct. & in filaciis cancellar. Noſtræ reſiden. in hæc verba: Dilecto ſibi *Thoma Eliot* armigero clerico conſilii noſtri ſalutẽ.

Volente certis de cauſis certiorari ſuper tenore cuiuſdam finalis decreti coram nobis & conſilio noſtro habit. de & ſuper executione quorundam ſtatutorum & ordinationum contra alienigen. exercentes artes & artificia manualia, inhabitantes infra regnum noſtrum Angliæ edit. & prouiſ. tibi præcœpimus, quod tenorem finalis decreti prædict. cum omnibus eum tangentibus nobis in cancellar. noſtra ſub ſigillo tuo diſtincte & aperte, ſine dilatione mittas, & hoc breue. Teſte me ipſo apud weſtmonaſt. xiiii. die Aprilis, Anno regni noſtri. xx. Inſpeximus etiam quoddam decretum per nos & conſilium noſtrum apud weſtmonaſt. in Camera ſtellata redditum, & in filaciis eiuſdem Cancellar. noſtræ ſimiliter reſiden. in hæc verba.

The Supplication and complaint made by Artificers of London to the King of ſeuerall wrongs and oppreſſions doue to them by ſtrangers borne.
Stat. 1. R. 3. 9.
Stat. 1. H. 7. 2.
Stat 14. H. 8. 2.

VVHere of late our true and faithfull Subiects, Artificers and handie crafts men, borne vnder our obeyſance, inhabiting within our City of London, and the Suburbs of the ſame, exhibited vnto vs a lamentable bill of complaint, conteyning, that notwithſtanding many good, & neceſſary ſtatutes and Acts of Parliament haue béene publiſhed, ordeined, and made, and eſpecially one in the firſt yeare of King Richard the third; And the other being made in the firſt yeare of the raigne of our déereſt Father of noble memorie Henry the vij. late King of this realm, and in the xiiij. and xv. yeare of our raigne, concerning Strangers, Artificers, and handie crafts men, borne out of our obeyſance, vſing and exerciſing handy crafts, within this our Realme of England, as well for the reſtraining of the exceſſiue number and vnreaſonable behauiour of the ſame ſtrangers, artificers, borne out of our obeyſance, which by continuall reſort and repayre into this our ſaid Realme, daily increaſed, to the great detriment of our owne naturall ſubiects, Artificers of the ſame handy crafts and Myſteries, and of other ſundrie inconueniences, by occaſion that diuers of the ſaid Subiects for lacke of occupation, fall into idleneſſe: as alſo for the reformation of ſundry deceits and falſhoods practiſed by the ſaid Strangers, Artificers in their ſaid handy Crafts, to the great damage & loſſe of vs, and of all our ſaid naturall Subiects. The ſaid Strangers, Artificers, nothing pondring or dreading the ſaid Statutes, ne the penalties in the ſame conteined and expreſſed, ceaſe not contemptuouſly, as well to abuſe the ſaid Statutes, as moſt part intirely to infringe and breake the ſame. And to accumulate from time to time more offences and enormities, as well againſt our prerogatiue, as to the detriment of the common wealth of this our Realme, and our louing Subiects of the ſame, For when any ſearch ſhall be made in euery handicraft within any Citie, Towne, or Borough Corporate, within our ſaid Realme by our Subiects, the ſaid Wardens and others ordained by the ſaid laſt Act of handie crafts men, within any City, Towne or Borough corporate, and one houſholder ſtranger borne out of our obeyſance, inhabiting within our ſaid Citie, Towne, or Borough Corporate, vſing any handy craft, be he Denizen or not Denizen, the ſaid ſtranger being a houſholder, as before is ſaid, being lawfully warned and required thereunto, according to the ſaid Act either will refuſe to doe his dutie therein, or elſe he will giue ſecret warning thereof to his brethren of the ſaid Crafts, whereby they haue not onely conuaid and hid all their vnlawfull, vntrue, ſubtill, and deceitfull wares, which they vntruly, ſubtilly, vnſubſtantially and deceitfully haue made, and daily make and vtter to our Subiects at exceſſiue and vnreaſonable prices, to the great detriment and damages of our ſaid Subiects, but alſo their Seruants and Prentices they haue hid from the knowledge of the ſaid Warden, when any ſuch ſearch hath happened to be made, and ſo they defraud the ſame good and honourable Statute and act. So that thereof no lawfull puniſhment, could, can, might, or may enſue, according to the tenour, purport, and effect of the ſaid ſtatute, but they contemne, deſpiſe, and ſet at naught the ſame, whereby and by the other vnlawfull meanes aforeſaid, and others, as ſubtilly ſending and conueying ouer the Sea, Bacon, Cheeſe, poudered Béeffes, Muttons, and other commodities within this our Realme, not onely within and out of the ſaid Cities, Townes, and Boroughs corporate, but alſo within and out of other places throughout our Realme, by them the ſaid ſtrangers practiſed and executed, whereby they daily increaſe in greate riches, and in great multitude in numbers, of ſtrangers handiecrafts men, borne out of our obeyſance. And when they haue gathered much riches and money, they againſt our Lawes conuey the ſame mony ouer the Sea. And then they alſo go ouer the Sea into their Countries, and there purchaſe them lands and tenements with part thereof, and with the reſidue of the ſame they liue thereby, & ſometime they conuert part thereof to the vſe of our enemies in thoſe parts. And ſo as well our poore Subiects Cordwainers, and all our Subiects handy crafts men, borne within our obeyſance, by the meanes aforeſaid, be ſore impoueriſhed, miniſhed, and almoſt vtterly decayed and deſtroyed, and many of them for lacke of occupation in the ſaid handy crafts, be conſtrained to liue in idleneſſe, by occaſion whereof, they doe continually fall to theft, murder, and other great offences, and conſequently in great numbers be put to death by our Lawes, as we be informed. And alſo the great ſcarcity of graine, and victuall at this preſent time throughout our Realme, to be the more enforced, & cauſed by reaſon of the great multitude and continual recourſe of the ſaid ſtrangers handy crafts men, which conſume a great

The manifold & ſeuerall wrongs which ſtrangers do to this whole Realme and to many members thereof.

portion of corne and victuall, growen and bred within this our Realme: the premiſes conſidered, to the intent to be thereof more perfectly and truly inſtructed, for the charitable zeale that wee haue to the common-weale of our realme, & our ſaid ſubiects of the ſame, and for the quietnes of the ſaid ſtrangers, we haue aſſigned and giuen in commandement to our Lords and others of our Counſell, indifferently to examine the premiſes, and as well to heare the ſaid complainants as the ſaid defendants, and their allegations and ſayings, of, in, and to, the premiſes, and to euery part thereof, and the ſame by them heard, examined, and by good deliberate aduiſe vnderſtood, to ordaine and adiudge, and decree the ſame, after their wiſedomes and learning, whereupon as well the ſaid bill of complaint, the anſwere of the ſaid defendants thereunto made, the replication of the ſaid complainants, to the ſaid anſwere alſo made, and all other allegations and ſayings of both the ſaid parties, by mature and deliberate aduiſe, by our ſaid Counſell ripely examined, heard, and vnderſtood.

The decree made by the Lords of the Kings Counſell in the Starre Chamber touching ſtrangers Artificers.

It is ordeined, adiudged, and decreed, the xx. day of February, in this preſent terme of S. Hilarie, in the xx. yeare of our reigne in our Star-chamber, by the moſt Reuerend Father in God, Thomas Lord Cardinall, Legate de latere of the Apoſtolike ſee, Archbiſhop of Yorke, Primate and Chãcellor of England, and by our Nobles, and others of our ſaid Counſell, and by the mutuall aſſents of the Complainants, and Defendants, then there being, in manner and forme following. That is to ſay, that according to the Act of Parliament made the ſaid xiiij. and xv. yeare of our Raigne, that no ſtranger artificer borne out of our obeyſance, inhabiting within any Citie, Towne or Borough, or any other place within this our Realme of England, from thenceforth ſhall keepe in his or their houſe, or houſes, any manner of ſeruants ſtrangers, borne out of our obeyſance, but onely two ſtrangers ſeruants, and no more at one time. And that as many of the ſtrangers artificers, now inhabiting within any City, Towne, or Borough Corporate, or in any other place within our ſaid Realme, that will be Apprentiſes or Seruants to or with any of our Subiects Artificers borne within our obeyſance, exerciſing new or old ſtuffe, inhabiting within our ſaid Realme, ſhall be ſuffered ſo to abide and dwell with them, without interruption, as long as they will ſo continue and abide with them, and can agree together.

A ſtranger artificer ſhall keepe but two ſtrangers born in his houſe. 5. El. 4.

And furthermore it is decreed, that it ſhall be lawfull to all and euery of the ſaid ſtrangers artificers, now being houſholders within our ſaid realme, to take as many of our ſubiects borne within our obeyſance, to be their ſeruants and apprentiſes, in the craft that they doe exerciſe, as they can lawfully get. And that all the ſtrangers artificers, now being houſholders within our ſaid City of London, ſuburbs, pariſhes, or compaſſe thereof expreſſed in the ſaid ſtatutes, or within ij. miles compaſſe of the ſaid pariſhes.

Strangers Artificers may take Engliſh men to be their Prentiſes. 5. El. 4.

And alſo all and ſingular ſtrangers that now be, or hereafter ſhall bee made Denizens, that doe or hereafter will inhabite within our ſaid City of London, Suburbs, or Pariſhes aforeſaid, or within ij. miles compaſſe of the ſame, and keepe houſes, and occupie their craft, ſhall be contributory to, and with our Subiects Artificers within our city of London, paying, bearing and ſuſtaining ſuch charges as hereafter ſhall be expreſſed. That is to ſay, as well of euery of the ſaid ſtrangers, being of the Craft and myſtery of Cordwainers, houſholders, as Denizens that now be, or hereafter ſhall be made Denizens and ſhall inhabite within our ſaid City, Suburbs, Pariſhes, or two miles compaſſe of the ſame, ſhall quarterly pay to the ſaid Maſter, Wardens, and comminalty of the ſaid craft of Cordwainers within our ſaid City of London for the time being, vj. d. And euery ſeruant ſtranger of the ſaid occupation of the ſaid Cordwainers within the ſaid City, Suburbs, and Precinct, not being Denizen, ſhall quarterly pay to the ſaid Maſters, Wardens, and Comminalty, iij. d. And that all other ſtrangers artificers, and denizens, of euery handy craft, and myſterie, inhabiting as well within our ſaid city of London, as in any other city or towne within this our Realme, ſhall pay, beare, and ſuſtaine, all ſuch and like charges, as our Subiects of like Craft and myſtery borne out of our obeyſance, inhabiting within the Citie, Borough, or Towne of their habitation at this time, doe now beare and ſuſtaine.

What charges ſtrangers ſhall be contributory vnto with the Engliſh Artificers.

And alſo all Strangers Artificers and Denizens, exerciſing the Craft and Myſterie of Cordwainers, dwelling out of our Citie of London, in any other Citie or Towne within this our Realme, ſhall pay, beare, and ſuſtaine, ſcotte, taxes, tallages, ſubſidies, preſts, and all other reaſonable exactions from time to time, according as the ſaid Maſters, Wardens, and Companies, of the ſaid Crafts for the time being, ſhall bee bounden to pay, beare, and ſuſtaine when any ſubſidie, taxe, tallage, or preſt or other reaſonable charges, ſhall be by the Maior & Aldermen of our ſaid City of London, and the Maiors and Aldermen of our ſaid other Cities and Townes or by the Common Counſell of the ſaid Citie, Cities and Townes, of and for any charges of paiments of money, to be paid by the Companies of the ſaid Crafts, Citizens of any Citie, for any payment to be made vnto the Kings Highneſſe, or his heires, or elſe to be paid for any cauſe, concerning the Common wealth of any our ſaid Cities or Townes, or Common wealth of the ſaid Artificers, the ſaid ſtrangers ſhall pay all the ſame, that they ſhal be aſſeſſed or taxed to pay, as contributories with the ſaid Companies, being our Subiects, as our ſaid Subiects ſhall be aſſeſſed and taxed to pay. And if any of them deny or refuſe the ſame, or any part thereof then he or they denying and refuſing ſo to doe, ſhal not onely loſe the benefit of this decrée, but alſo ſhal not any longer occupy any handy craft, vpon the paines, dangers, and perils ſpecified in the aboue remembred Acts and Statutes.

The penalty of a ſtranger refuſing to be contributory to lawfull charges with his company.

And that as well all and euery of the ſaid houſholders ſtrangers aforeſaid, as all other ſtrangers Artificers, made or to be made Denizens, that ſhall be houſholders, and inhabite and occupie any craft within our ſaid City, Suburbs, or ij. miles compaſſe of the ſame, as long as they ſhall remaine and abide within the ſaid City, Suburbs, and two miles compaſſe of the ſame, being reaſonably required & warned by the Wardens and other perſons, Gouernours in any City, Towne, or Borough corporate of their ſaid Crafts, within any of our ſaid Cities, or Townes corporate, or by any of them for the time being, or by their lawfull deputies, or deputy, ſhall goe with the ſaid Wardens or other Gouernors, there as no Wardens be, to make ſearch according to the aboue remembred Acts of Parliament made in the xiiij. and xv. yeare of our raigne, which if they refuſe to doe, and that proued before the Chancellour of England, or before the Maior of London, and in other Cities, before the chiefe perſons of the ſaid Cities and Townes, for the time being: That then the ſame houſholders, or houſholder ſo offending, denying, or refuſing the ſame, ſhall no longer the ſame his occupation exerciſe, or vſe, within this our Realme, vpon paine, perill, and danger expreſſed in the afore remembred Acts and Statutes.

Strangers Artificers ſhall goe with the Wardes of the ſame company to make ſearch.

And that the ſame ſtrangers Artificers, Denizens, or not Denizens, houſholders which will remaine and abide within our ſaid Realme, ſhall vpon lawfull notice to them giuen by the Maſter or Wardens of their Craft, or one of them, perſonally preſent themſelues in the Common Hall, or méeting place of their ſaid Crafts, within our ſaid Cities, and Townes, there as they be inhabiting, and then or there euery of them to receiue and take their Oathes, and bée ſworne vpon the holy Euangeliſt, before the ſaid Maſter and Wardens, of their ſaid Craft and Myſtery within our ſaid Cities and Townes corporate, to be faithfull and true to vs and to our heires Kings of England, and to be obedient to vs and them, and to our and their Lawes, and to all Acts, Ordinances, and Decrées, made and confirmed by vs and our Counſell, or by our Counſell, and duely and truely at all times, when they ſhall bee appointed by the Wardens of their Fellowſhip, Craft, or Myſterie, for the the time being, or their Deputies, to make ſearch with them, according to the purport, tenour, or effect of an Eſtatute and Act of Parliament made in the xiiij. and xv. yeare of our raigne, and haue warning and monition thereof by the Wardens or any of them, or any other their ſufficient deputy or deputies, in that behalfe to them giuen and made, and that they ſhall bee ready to goe with the ſaid Wardens to make the ſame ſearch, and that they ſhall not giue notice to any ſtranger of the ſaid ſearch, vntill they with the ſaid Wardens come together to make the ſaid ſearch, and that they ſhall well, indifferently and truely behaue them in the ſame, ſetting all affection, fauour, malice, and dread of any creature, and all fraud and deceit apart, ſo helpe them God and all Saints, and by the holy Euangeliſt. And their oath ſo receiued in forme aforeſaid, the ſaid ſtrangers ſhall pay for their commiſſion, according as our ſaid Subiects haue alwaies vſed to pay.

The oath of all ſtrangers to bee true to the King, & obedient to his Lawes, and to make ſearches, &c.

It is alſo further decréed, that no ſtranger Artificer, or handy Crafts man, borne out of our obeyſance, not being Denizen, which at the day of the making of this decrée, is not a houſholder within this our Realme, or kéepeth any ſhop or ſhops within the ſaid City and Suburbs, or any other City, Towne, or Borough, within this our Realme, ſhall from that day forward ſet vp or kéepe any houſe, ſhop, or Chamber within our City of London, Suburbs, or Pariſhes before rehearſed, or within any other City, Towne, Borough, or Village, within this our Realme, wherein he ſhall exerciſe and practiſe any handie craft or myſterie, vpon paine to incur and runne in ſuch penalties as be contained in the Statutes before this time made and enacted.

No ſtrangers but denizens ſhall kéepe houſe or ſhop.

And that none of the ſaid Strangers, Artificers, or Handy Crafts men, borne out of our obeyſance, as well Denizens, as other ſhall aſſemble in any company, fellowſhip, congregation, or conuenticle, but onely in the common Hall of their Crafts, with our Subiects, which bee of the company of their ſaid Craft or Crafts at ſuch time as they ſhall be commanded and warned by the Maſter and Wardens of their Craft or Crafts, and at none other place or time, and in any other maner, vpon paine afore expreſſed.

Strangers ſhall not aſſemble but in the common Hals of their myſteries.

Prouided alway that this decrée, and euery part thereof, concerning the Craft and Myſterie of Cordwainers, ſhall extend as well to them that worke old ſtuffe, as new, within our City of London, the Suburbs of the ſame, or in any other Citie, Towne, Borough, or Village, within this our Realme of England.

Prouided alſo that notwithſtanding any words compriſed in this Decrée, the ſtrangers Artificers, Denizens, or not Denizens inhabiting in the Uniuerſities of Oxford, & Cambridge, and within the Sanctuary of S. Martins le graund, within the City of London, ſhal enioy all the benefits & aduantages reſerued vnto them by reaſon of any prouiſion made by Act of Parliament expreſſed in the ſtatute made in the xiiij. and xv. yeare of our raigne. So that the ſaid ſtrangers denizens, or not denizens, inhabiting within the ſaid Sanctuary of S. Martine le graund, be con-

A Commiſſion granted to certain perſons to aſſigne how many ſeruants a ſtranger ſhall keepe within great S. Martins. 5.El.4.

formable to ſuch direction, and order, as ſhall be taken by the reuerend Father in God, Cuthbert Biſhop of London, Sir Richard Brooke Knight chiefe Baron of our Eſchequer, Iohn More Knight, one of the Iuſtices of our Bench, Sir Iohn Dauncy, and Sir Iohn Alein Knights, to whom we haue of late directed our Letters patents, and by the ſame giuen them power and authority, and commanding them, and euery of them, to cauſe the houſe of euery ſtranger, and denizen, artificer, inhabiting and dwelling within the ſaid Sanctuary, to bee ſearched and viewed, how many ſeruants he or they keepe borne out of our obeyſance, and they being all viewed and ſeene, then to appoint to euery of the ſaid ſtrangers houſholders, inhabiting within the ſaid Sanctuary, by them in forme aforeſaid ſo tryed, to be within the bounds and limits of the ſaid Sanctuary, ſuch number of ſeruants ſtrangers, borne out of our obeyſance, as they by their diſcretions ſhall thinke conuenient, and ſufficient, and not to be any detriment vnto our ſubiects inhabitants within our ſaid City.

Alſo commanding in our name, all, and euery the ſaid ſtrangers denizens, houſholders, that they from henceforth doe not keepe within their houſes, nor any other houſe, ſhop, or Chamber within our ſaid City of London, or the Suburbs of the ſame, any moe ſeruants, being borne out of our obeyſance, then ſhall be to them at that time appointed, as they will avoid the danger and penalty of our lawes, and what they haue done in the premiſſes, that they doe certifie to vs, and our Counſell in our Starre Chamber at Weſtminſter at the xv. day of Eaſter next comming. In witneſſe whereof we will as well the ſaid decree, as all other the premiſſes, ſhall be exemplified vnder our ſeale.

Nos autem tenorem breuis & decreti predict. ad requiſitionem Magiſtri & Gardianorum artis ſiue myſterij Aulutariorum ſiue Cordweyners London, duximus exemplificand. per praſentes. In cuius rei teſtimonium has literas noſtras fieri fecimus patentes. Teſte me ipſo apud Weſtmonaſt. viceſimo die Aprilis, Anno regni noſtri viceſimo.

CAP. XVII.

An Act for the adnulling of the Letters Patents made to the City of Yorke, concerning ſhipping of Wools. PR.

CAP. XVIII.

No perſon ſhall ſhip, loade, or vnloade any goods to be ſold into, or from any ſhip at any place within the riuer of Tine, betweene the places called Sparhawke, and Hedwinſtremes, but only at the towne of Newcaſtle. The Mayor, Burgeſſes, and Comminaltie of Newcaſtle and their Succeſſors may pluck downe all weares, gores, and engines that ſhall be made in the hauen between the places aforeſaid. PR.

CAP. XIX.

Auowries ſhall be made by the Lord vpon the Land without naming his Tenant.

The reaſon and cauſe of making of this Stat.

WHere as well the Noblemen of this Realme, as diuers other perſons, by fines, recoueries, graunts, and ſecret feoffments, and leaſes, made by their tenants to perſons vnknowne, of the lands and tenements holden of them, haue beene put from the knowledge of their tenants, vpon whom they ſhould by order of the law make their auowries for their rents, cuſtomes, and ſeruices, to their great loſſes and hindrances.

An auowry may be made by the Lord vpon the land holden of him, without naming his tenant.

Auowry in Second deliuerãce.

27.H.8. Coke li. 36.136. Coke li. 311.a.

Be it therefore enacted, eſtabliſhed, and ordained, by authority of this preſent Parliament, That whereſoeuer any maner lands, tenements, and other hereditaments be holden by any maner perſon or perſons, by rents, cuſtomes, or ſeruices, that if the Lord, of whom any ſuch manor lands, tenements, or hereditaments be ſo holden, diſtraine vpon the ſame manors, lands, or tenements, for any ſuch rents, cuſtomes, or ſeruices, and Replevin thereof be ſued, that the Lord, of whom the ſame lands, tenements, or hereditaments be ſo holden, may auow, or his Bayliffe, or ſeruant make coniſance, or iuſtifie for taking of the ſaid diſtreſſes, vpon the ſame lands, tenements or hereditaments ſo holden, as in lands or tenements within his fee or ſigniory, alleaging in the ſaid auowrie, coniſance and iuſtification, the ſame manors, lands, and tenements to be holden of him without naming of any perſon certaine to be tenant of the ſame, and without making any auowry, iuſtification, or coniſance vpon any perſon certaine. And likewiſe the Lord, Baily, or ſeruant, to make auowrie, iuſtification, or coniſance, in like maner and forme vpon euery writ ſued of ſecond deliuerance.

The auowant ſhall recouer dammages and coſts of ſuit.

Dyer fo. Bro.

And alſo be it enacted by the ſaid authority, that euery auowant, and euery other perſon and perſons that make any ſuch auowry, iuſtification, or coniſance, as Baily, or ſeruant to any perſon or perſons in any Replegiare, or ſecond deliuerãce, for rents, cuſtomes, ſeruices, or for damage feſant, or other rent or rents, vpon any diſtreſſe taken in any lands or tenements: if the ſame auowrie, coniſance, or iuſtification be found for them, or the plaintiffs in the ſame be nonſuit, or otherwiſe barred, that then they ſhall recouer their damages & coſts againſt the ſaid plaintiffs, as the ſame plaintifes ſhould haue done or had,if they had recouered in the Replegiare, or ſecond deliuerance found againſt the ſaid defendants.

And be it alſo ordained,that the ſaid plaintifes and defendants in the ſaid writs of Replegiare, or writs of ſecond deliuerance,and in euery of them ſhal haue like pleas and like aide prayers in all ſuch auowries,coniſances,and iuſtifications(pleas of diſclaime onely except) as they might haue had before the making of this Act,and as though the ſaid auowrie,coniſance,or iuſtification had béene made after the due order of the Common law.

Like pleas and aide prayers as at the common law.

And it is further enacted by the ſaid authority,that all ſuch perſons as by the order of the common law may lawfully ioyne to the plaintifes or defendants in the ſaid writs of Replegiare,or ſecond deliuerance,as well without proceſſe, as by proceſſe, ſhall from henceforth ioyne vnto the ſaid plaintifes or defendants,as well without Proceſſe,as by proceſſe,and to haue like pleas,and like aduantages in all things(diſclaime only except)as they might haue done by the order of the common law,before the making of this Act.

Like ioynder in aide as at the common law.

Cap.XX.

The Preſident ſhall be aſſociat with the Chancellor,&c. in examination and puniſhing of Riots,&c.

Where at a Parliament holden at Weſtminſter in the third yeare of the raigne of our late moſt dread Soueraigne Lord Henry the ſeuenth, foraſmuch as by the vnlawfull maintenances,giuing of liueries,ſignes,tokens and retaindors, by indentures, promiſes,oathes, writings,or otherwiſe, embraceries of his ſubiects,vntrue demeaning of Sherifes in making of panels,and other vntrue returnes,by taking of money by Iuries, and great Riots and vnlawfull aſſemblies,the policy and good rule of this realme was almoſt ſubdued. And for the puniſhment of theſe inconueniences by the occaſion of the premiſſes,nothing or little might bee found by enquiry,whereby the lawes of the land in execution might take little effect, which was to the encreaſe of murders,robberies, periuries,and vnſuerties of all men liuing, and loſſes of their lands & goods, to the great diſpleaſure of Almighty God : For reformation of which premiſſes,it was ordained and enacted by the authority of the ſaid Parliament amongſt other things, that the Chancellor & Treaſorer of England for the time being,and the kéeper of the Kings priuy ſeale, or two of them,calling to them a Biſhop and a Temporall Lord of the Kings moſt honourable Counſell,and the two chiefe Iuſtices of the Kings Bench,and the Common place for the time being,or other two Iuſtices in their abſences vpon bill or information put to the ſaid Chauncellor for the King,or any other:againſt any perſon for any miſbehauing afore rehearſed, ſhould haue authority to call before them by writ or by priuy ſeale the ſaid miſdoers. And they and other by their diſcretion, by whom the truth might be knowne, to examine. And ſuch as they ſhould finde defectiue, to puniſh them after their demerits, after the forme and effect of Statutes thereof made,in like maner and forme as they ſhould, and ought to bee puniſhed, if they were thereof conuict after the due order of the law, as by the ſame Statute among other things more plainly doth appeare. Neuertheleſſe in the ſame good and profitable Statute, the Preſident of the Kings moſt honourable Counſell, for the time being, attending vpon his moſt noble, and royall perſon is omitted, and not named in the ſaid former Statute, made in the third yeare of the raigne of King Henry the ſeuenth to be one of the ſaid perſons,that ſhould haue authority to call before them ſuch miſdoers ſo offending the Kings lawes in any of the premiſſes,as is before rehearſed.

A rehearſall of the Statute of 3.H.7.1.touching authority giuen to certain great Magiſtrates to enquire of ſeuerall offences.

Be it therefore now by the authority of this preſent Parliament ordained,and enacted, that from henceforth the Chancellor,Treaſorer of England,and the Preſident of the Kings moſt honourable Counſell,attending vpon his moſt honourable perſon,for the time being,and kéeper of the Kings priuy ſeale,or two of them,calling vnto them one Biſhop, and one Temporall Lord of the Kings moſt honourable Counſell,and the two chiefe Iuſtices of the Kings Bench and the Common place for the time being,or other two of the Kings Iuſtices in their abſence,vpon any bill or information hereafter to be put in,the Chauncellor of England, Treaſorer,Preſident of the Kings ſaid moſt honorable Counſel,or kéeper of the Kings priuy ſeale for the time being,for any miſbehauing before rehearſed,from henceforth haue full power and authority to call before them,by writ or priuy ſeale,ſuch miſdoers,and them,and other by their diſcretion, by whom the truth may be knowne, to examine. And ſuch as they ſhall finde defectiue,to puniſh them after their demerits, after the forme and effect of the ſaid former Statute, and of all other Statutes thereof heretofore made,and not repealed,or expired,in like maner and forme as they ſhould and ought to be puniſhed,if they were thereof conuicted after the due order of the Kings lawes.

The Preſident of the Kings Counſell ſhall be aſſociat with the L. Chancellor,&c. for the examination and puniſhment of Riots,&c.

And alſo be it enacted by authority of this preſent Parliament,that the Preſident of the Kings ſaid moſt honourable Counſel,for the time being,if he be then preſent,may be at all times hereafter aſſotiate with the Chancellor,Treaſorer of England, and kéeper of the Kings priuy ſeale for the time being,as well at the naming of Sherifes,& ſetting of prices of wines, as at all other acts limited,and appointed by any Statute to be done by the ſaid Chancellor,and Treaſorer, or

In what other cauſes the Preſident of the K. Counſel ſhall be aſſociat with the Chancellor,&c.

keeper of the Kings priuy ſeale, for the time being: Any Act, Statute, or vſe heretofore made, or vſed to the contrary notwithſtanding.

Cap. XXI.

The Statute made *Anno* 14. *H.* 8. 3. concerning Worſted Weauers in Yarmouth and Linne rehearſed, and continued vntill next Parliament. Exp. St. 26. *H.* 8. 16.

ANNO VICESIMO SECVNDO HENRICI OCTAVI.

Statuta bonum publicum concernentia, edita in Parliamento tento apud Weſtmonaſterium decimo ſexto die Ianuarij, Anno Regni præpotentiſſimi & metuendiſſimi Angliæ & Franciæ Regis, Fidei defenſoris, & Domini Hiberniæ, Henrici *octaui, viceſimo ſecundo, poſt diuerſas Prorogationes eiuſdem Parliamenti primo incboati apud Londinum tertio die Nouembris, Anno viceſimo primo eiuſdem Regis: & inde adiurnati & prorogati vſq; ad Weſtmonaſterium, & ibidem continuati per quadraginta quatuor dies, videlicet vſq; ad decimum ſeptimum diem Decembris: & ab eodem die & loco vſq; ad viceſimum ſextum diem Aprilis proxime ſequentis: & ab eo die vſque ad viceſimum ſecundum diem Iunij, & ab illo die ad primum diem Octobris, & a primo die Octobris vſque ad viceſimum ſecundum diē eiuſdē menſis, & ab illo die vſque decimum ſextum diem Ianuarij ſecundum leges terræ rite Prorogati, & ibidem continuati per ſeptuaginta quinque dies, videlicet ad vltimum diem Martij eodem Anno viceſimo primo, & inde vlterius Prorogati vſque ad decimum tertium diem Octobris proxime ſequentis.*

Cap. I.

No perſon during ten yeares next enſuing, ſhall buy any Wooll growing in the Counties of Barkſhire, &c. *viz.* 28. Counties before the Aſſumption of our Lady next after the ſheering of the ſame, but ſuch as will make Cloth or Yarne thereof, vpon paine of forfeiture of the double value thereof. No Stranger ſhall buy any Wooll before the Purification of our Lady next after the ſheering thereof, vpon the paine aforeſaid. Exp. St. 4. *Ed.* 4. 4. 4. *H.* 7. 11. 37. *H.* 8. 15.

Cap. II.

Triall of forrein pleas pleaded by Felons.

The incomeniences enſuing the allowance of a Felon to plead a plea triable in a Forein County.

WHere among other things it was conſidered by the whole Court of Parliament of our moſt excellent Soueraigne Lord the King, holden in the fourth year of his noble raigne, that Murderers & Felons, lawfully arraigned of their deteſtable offences, bare them bold vpon imagining, and pleading of fained and vntrue Forein plées triable in Forein Counties, to the intent to be remoued from place to place by colourable and vntrue ſuggeſtions, and for to be vntruely acquit by fauour, might, or corruption, ſo that they liued in maner without feare or dread. For reformation whereof, and for the common wealth of this Realme, it was enacted by authority of the ſaid Parliament, That if any Murtherer, or Felon, vpon his arraignment from thence did alleage, that he had taken any Church or Churchyard, for Murder, or Felony, or other place priuiledged for the ſame in a Forein County, and againſt his will was taken out thereof: That then the Kings Atturney, or any other perſon that would ſhew or alleage for the King, that the ſaid Murderer, or Felon ſo arraigned, was taken at large in the ſame Shire, where he is ſo arraigned, that then the ſame alleageance, and iſſue ſhould be tried by the Inqueſt that ſhould try the ſaid Murder, or Felony, within the ſame Shire, and before the ſame Iuſtices where the ſaid Murderer or Felon is arraigned, as though the ſaid Forein plée had not béene pleaded by the ſaid Felon. And that if it were found by the ſame Inqueſt, that the ſaid Murderer or Felon was taken within the ſame Shire, as is aforeſaid, that then he to haue no aduantage or benefit of the matter alleged by him for taking out of the Church or Churchyard, or other place priuiledged in any ſuch Forein Shire, and that the ſaid Act ſhould endure to the next Parliament from that time enſuing, as by the ſame Act made in the ſaid fourth yeare manifeſtly appeareth. And for as much as ſith the time of expiration of the ſaid Act made in the ſaid fourth yeare many abhominable Murders, as well of Prieſts, as of other perſons, Robberies of Church, and Robberies of perſons in their houſes, as well by day as by night, and other deteſtable Murders, and Felonies, haue béene committed, and done within this Realme. And the moe, and more often, becauſe that the ſaid Statute hath béene expired, and ended, from, and ſince the beginning of the Parliament of our ſaid Soueraigne Lord, holden in the firſt yeare of his moſt noble raigne.

It is ordeyned and enacted by authority of this preſent Parliament, that the ſaid Act made in the ſaid fourth yeare, and euery thing therein contained, concerning the ſaid Forrein plées, and replications thereunto to be made, and trials thereof, ſhall now be reuiued, and ſhall ſtand in full force and effect, and ſhall continue and endure from henceforth for euer, as if the ſame Act had béene originally made perpetuall and not determinable.

So much of the Stat. of 4. H. 8. as toucheth the plea pleaded by a Felon that hee was taken in a Forrein Country out of Sanctuary, made perpetuall.

Cap. III.

How Ceſſes, Scots, and Taxes made for recouery or defence of Plumſted marſh, may be obtained.

Whereas the Marſhes of Plumſted and Leſeues, with the outragiouſneſſe of the Riuer of Thames, hath béene, and yet be drowned by occaſion of the breaches in the Marſh walles of Plumſted, Leſeues, and Erith: And where the breach in Plumſted Marſh aforeſaid hath béene and is made, for inning of which breach of Plumſted and maintenance and defence of the Marſh walles about the ſame breach, as well for making of a new croſſe wall to be made from the Thames unto the upland for inning of the ſaid Marſh of Plumſted, as alſo for the inning of certaine number of Acres in the leuell and Marches of Leſeues to bee incloſed, inned, and defended by the ſaid croſſe wall from the water of Thames, comming in at Erith breach, and drowning and ouerflowing the ſaid Marſh and leuell, and for drayning of the ſame, and for the maintenance of the old Marſh walles from the Thames ſide from the ſaid new croſſe wall nigh unto Wolwich, diuers and ſundry Ceſſes, Scots, and Taxes haue béene made, ceſſed, ſcotted, ſet, and taxed by vertue of Cõmiſſion, and the day of payments thereof in the Pariſh Church of Plumſted, according as heretofore for Ceſſes of Plumſted Marſh hath béen accuſtomed, hath béene declared and proclaimed, which Ceſſes, Scots, and Taxes, diuers Poſſeſſioners, Owners, Landlords, Tenants, and profit takers of the ſaid Lands within the ſaid Marſhes and leuell at the day mentioned and appointed by Proclamation, haue not payed, nor yet doe pay, contrary to the lawes of Plumſted Marſh heretofore made, by which lawes for non payment of ſuch Ceſſes, Scots, and Taxes, they ought to pay them and their doubles. In default of which payment the ſaid Bailiffe of the ſaid Marſh and leuell now being, and other by his aſſignement, to their great hinderance, haue béene conſtrained to pay diuers of the ſaid Scots, Ceſſes, and Taxes, for the inning of the ſaid Marſh, maintenance, and defence of the ſame, or elſe the ſome Marſhes and leuell had béene utterly loſt without remedy.

The law of Plumſted marſh concerning the payment of Ceſſes, Scots, and Taxes.

For the recouery of which ceſſes, ſcots, and taxes ſo by the Bayliffe, and his aſſignes payed, and of other ſcots and ceſſes now due, by the occaſion of the ſaid outragious drowning of the ſaid Marſhes, the ſaid Bailiffe and his aſſignes haue no remedy or meane to leuy the ſame: So that for non payment of the ſaid ceſſes, ſcots and taxes not onely the ſaid worke is like to periſh, and not to be finiſhed, unleſſe ſpéedy remedy may be had for the leuying thereof: but alſo all ſuch ſummes of money as before this time hath béene imployed for the inning, defence, and maintenance of the ſame, are like to be loſt, to the utter deſtruction of the ſaid Marſh, and leuell, and to the extreame ruine and decay of the Country therunto adioyning, and to the great decay of the Riuer of Thames aforeſaid, and to the diſheriſon as well of our Soueraigne Lord the King, as of other owners, poſſeſſioners, and tenants that haue, doe, and will pay ſuch ceſſes, ſcots, and taxes, as before this time, or in time to come hath, or ſhal be ceſſed, ſet, and taxed for the ſame. In conſideration whereof be it enacted by our Soueraigne Lord the King, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Bailiffe of the ſaid Marſhes & leuell now being, or his aſſignes, ſhall and may by force of this Act, make Proclamation on any Sunday hereafter enſuing, in the Pariſh Church of Plumſted aforeſaid, as well of this Act, as alſo that all ſuch Ceſſes, Scots, and Taxes, at the time of the ſaid Proclamation made, being behinde, and unpayed, ſhall be payed at a certaine place in the ſaid Proclamation to be limited, within twenty dayes next enſuing after the day of the ſame Proclamation. And he that ſo payeth, ſhall be diſcharged of any doubles due heretofore for non payment of the ſame. And if the ſaid Ceſſes, Scots, and Taxes be not paid by the end of the ſaid twenty dayes after ſuch Proclamation, to the ſaid Bayliffe, his Executors or Aſſignes, that then euery perſon or perſons, which ought to pay the ſame Ceſſes, Scots, and Taxes, ſhall forfeit the doubles of the ſame Ceſſes, Scots, and Taxes. And that then if the ſaid Ceſſes, Scots, and Taxes, and their doubles be not paid by the feaſt of S. Michaell the Archangell now next comming, unto the ſaid Bailiffe, his Executors or Aſſignes: then it ſhall be lawfull to euery Owner, Poſſeſſioner, Landlord, Tenant, and profit taker of Lands and Tenements, and other profits within the ſaid Marſhes and leuell, or any other perſon or perſons which hath, doth, and will pay to the ſaid Bayliffe, his Executors or Aſſignes, ſuch Ceſſes, Scots, and Taxes, or any of them ſo due, and unpayed by any other Owner, Poſſeſſioner, Landlord, Tenant, profit taker of Lands, and Tenements, within the ſame leuell, to enter into all the ſaid Lands, and Tenements, and other profits, within the ſaid Marſhes and leuell, ſo ceſſed, ſcotted, and taxed, and the ſame from thenceforth to haue, hold, perceiue, and occupy

The Bayliffe of Plumſted marſh ſhall make Proclamation that each perſon ſhall pay his ceſſes, ſcots, &c. within xx. dayes

The forf. of the double, if the ceſſes, &c. be not paid within twenty daies.

The forf. if the ceſſes and their doubles be not paid by Michaelmas.

to him,or them,his or their heires,ſucceſſors,or aſſignes for euer, by vertue of this preſent Act, without let or interruption of any of the ſame owners, poſſeſſioners,Land-lords,tenants,takers of profits,termers,or any other perſon or perſons which haue, or ſhall haue any eſtate,title,intereſt, vſe, or terme in any of thoſe lands and tenements, and other profits ſo ceſſed,ſcotted, and taxed,by reaſon of any intaile, gift,grant,or other title whatſoeuer it be.

Taxes, Ceſſes, and Scots hereafter to be made

Be it further enacted by the authority aforeſaid,that the ſame Law ſhall be had and executed for any ſcot,taxe or ceſſe hereafter to be had and made before the feaſt of the Natiuity of S.Iohn Baptiſt now next comming,by vertue of any Commiſſion within any of the ſaid Marſhes and Leuell,any Act or vſe to the contrary notwithſtanding.

The land forfeited may bee redeemed within three yeares.

Prouided alway this Act notwithſtanding , That ſuch perſon or perſons,their heires and aſſignes, whoſoeuer ſhall ſo runne in the doubles and loſſe of his or their Lands, may at any time within thrée yeares next following the time limited for the loſſe of the ſaid land,bring in,and pay the ſaid ceſſes,taxes,and his or their doubles to him or them that ſhall haue the ſaid land by the authoritie of this Act, or to his heires or aſſignes, and ſo to enioy his or their land againe,from the day of the payment of his or their ſaid money for the ſaid ceſſes,taxes,and doubles,or elſe they and euery of them,their heires and aſſignes to be from thenceforth excluded and barred from all title,right,vſe,poſſeſſion,action,and entry to be had,of or to the ſaid lands,or any parcell thereof for euer,

The particular tenant charged with more than the land is worth,may retaine the ſame land after his eſtate is expired

Prouided alway, and be it further enacted by the authority aforeſaid,That if any man hauing any lands in poſſeſſion,or in vſe,in the right of his wife,tenant by the courteſie,tenant in dower, tenant for terme of life,terme of yeares,tenant by Elegit,tenant by Statute Merchant,gardein in ſocage,gardein in chiualry,or any other hauing any particular intereſt vnder eſtate of inheritance in any lands, tenements, or any other yearely profits chargeable to the ſaid ceſſes, ſcots, taxes,and doubles,now rated, taxed,or ſet,or hereafter to be rated, taxed and ſet, which haue before this time payed,or at any time hereafter ſhall pay during his or their ſaid intereſt in or to the ſame,any ſum or ſums of money for the defence, inning,& maintenance of the ſaid marſhes and leuell,ouer and aboue all ſuch ſumme or ſummes as he or they haue,or ſhal receiue and take of the ſame lands or other yearely profits: that from henceforth it ſhall be lawfull vnto euery ſuch particular tenant,occupier,or other profit taker,their executors or aſſignes, by force and vertue of this preſent Act,to hold,kéepe,poſſede,and retaine the ſame lands,or other yearely profits,to his,or their owne vſe, againſt all and euery ſuch perſon or perſons, to whom the ſame lands,tenements,or other yearely profits ſhould,and ought to diſcend,remaine , or reuert after all and euery ſuch particular eſtate expired and determined,vntil he or they haue fully receiued, taken and had of,and vpon the ſame,all ſuch ſummes of money,as they or any of them haue beſtowed,imployed,expended,and paied in,and for the defence,inning & maintenance of the ſame.

Cap. IIII.

What exactions ſhall be leuied on Apprentices by Maſters,Wardens,&c.

A rehearſall of the Stat.of 19.H.7.7.and how it is abuſed

The fees of Wardens of Companies,for the entry of an Apprentice or Free man into their company.

AT the prayer of the Commons in this preſent Parliament aſſembled, reciting that where it was eſtabliſhed,and enacted in the xix.yeare of our late ſoueraigne Lord King Henry the ſeuenth, that no Maſter,Wardens,and Fellowſhip of Crafts,or any of them,nor any rulers of Guilds or Fraternities,take vpon them to make any Acts or Ordinances,ne to execute any Acts or Ordinances by them heretofore made or hereafter to be made in diſinheritance,or diminutiō of the prerogatiue of the King,nor of other,nor againſt the cōmon profit of the people,except the ſame Act,or Ordinances be examined or approued by the Chancellor,Treaſorer of England,or chiefe Iuſtice of either Bench,or thrée of them,or before the Iuſtices of Aſſiſe in their circuit or progreſſe in the Shire,where ſuch Acts,or Ordinances be made,vpon paine of forfeiture of xl.li. for euery time that they doe the contrarie, as more plainly in the ſaid Act doth appeare. Sith which time diuers Wardens and Fellowſhips haue made acts, and ordinances, that euery prentice ſhall pay at his firſt entry in their commō hall to the Wardens of the ſame fellowſhip, ſome of them xl.s.ſome xxx.s.ſome xx.s.ſome xiii.s.iiii.d.ſome vi.s.viii.d,ſome iii.s.iiii.d. after their owne ſiniſter mind and pleaſure,contrary to the meaning of the Act aforeſaid, and to the great hurt of the Kings true ſubiects putting their child to be prentice. It is therefore now ordeined,eſtabliſhed,and enacted,by the King our Soueraigne Lord, by the aduice of the Lords Spirituall, and Temporall,and of the Commons in this preſent Parliament aſſembled,and by the authority of the ſame,That no Maſter,Wardens,or fellowſhips of crafts,or miſteries,or any of them, nor any rulers of Fraternities,take from henceforth of any apprentice, or of any other perſon or perſons,for the entrie of any prentice into their ſaid Fellowſhip aboue the ſumme of ii.s,vi.d. nor for his entrie when his yeares and terme is expired and ended aboue iii.s.iiii.d. vpon paine of forfeiture of xl.li.for euery time that they do to the contrary:the one half to the King our Soueraigne Lord,the other half to the party that therefore ſhall ſue by action of debt, information, or otherwiſe:& that in the action aforeſaid no protection or eſſoine ſhalbe allowed. St.28.*H*.8.5.

CAP. V.

A remedie to repaire decaied Bridges in high-wayes, and by whom.

Be it enacted by the King our Soueraigne Lord, and the Lords Spiritual, and Temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That the Iuſtices of Peace in euery Shire of this Realme. Franchiſe, Citie, or Borough, or foure of them at the leaſt, whereof one to be of the Quorum, ſhall haue power and authority to enquire, heare, & determine in the Kings generall ſeſſions of peace, of all maner of anoyances of Bridges broken in the high wayes to the damage of the Kings liege people, and to make ſuch proces and paines vpon euery preſentment afore them for the reformation of the ſame, againſt ſuch as own to be charged for the making or amending of ſuch bridges, as the Kings Iuſtices of his bench vſe commonly to doe, or as it ſhall ſeeme by their diſcretions to be neceſſarie and conuenient for the ſpeedie amendment of ſuch Bridges.

Iuſtices of P. may award proces againſt them who ought to repaire Bridges.

And where in many parts of this Realme it cannot be knowne and proued what Hundred, Riding, Wapentake, Citie, Borough, Towne, or Pariſh, nor what perſon certaine, or body politike, ought of right to make ſuch Bridges decayed, by reaſon whereof ſuch decayed Bridges for lacke of knowledge of ſuch as owen to make them, for the moſt part lie long without any amendment, to the great anoyance of the Kings ſubiects.

For the remedy thereof, be it enacted by authority aforeſaid, that in euerie ſuch caſe the ſaid Bridges, if they be without City or Towne corporate, ſhall bee made by the inhabitants of the Shire or Riding, within the which the ſaid Bridge decayed ſhall happen to be: And if it be within any Citie or Towne corporate, then by the inhabitants of euery ſuch Citie, or Towne corporate, wherein ſuch Bridges, ſhall happen to be. And if part of any ſuch Bridges ſo decaied happen to be in one Shire, Riding, Citie, or Towne corporate, & the other part thereof in another Shire, Riding, Citie, or towne corporate, or if part be within the limits of any City or towne corporate, and part without, or part within one Riding, and part within another: that then in euery ſuch caſe the inhabitants of the Shires, Ridings, Cities, or townes corporate ſhall be charged, and chargeable to amend, make, and repaire ſuch part, and portion of ſuch Bridges ſo decaied, as ſhal lie and be within the limits of the Shire, Riding, City, or Towne corporate, wherein they bee inhabited at the time of the ſame decaies.

A remedy where it is not known who ought to re repaire a Bridge.

And be it further enacted, that in euery ſuch caſe, where it cannot be knowen and proued, what perſons, lands, tenements, and bodies politike owen to make and repaire ſuch Bridges, that for ſpeedy reformation and amending of ſuch Bridges, the Iuſtices of peace within the Shires or Ridings wherin ſuch decaied Bridges been out of Cities and townes corporate, and if it be within Cities or townes corporate, then the Iuſtices of Peace within euery ſuch Citie or towne corporate, or foure of the ſaid Iuſtices at the leaſt, wherof one to be of the Quorum, ſhall haue power and authoritie within the limits of their ſeuerall commiſſions, and authorities, to call before them the Conſtables of euery towne and pariſh, being within the Shire, Riding, City or towne corporate, as well within liberty, as without wherin ſuch Bridges or any parcell therof ſhall happẽ to be, or elſe two of the moſt honeſt inhabitants within euerie ſuch towne or pariſh in the ſaid Shire, Riding, City, or towne corporate, by the diſcretion of the ſaid Iuſtices of Peace, or foure of them at the leaſt, whereof one to be of the Quorum: And at, and vpon the apparances of ſuch conſtables, or inhabitants, the ſaid Iuſtices of Peace, or foure of them, whereof one to be of the Quorum, with the aſſent of the ſaid Conſtables, or inhabitants, ſhal haue power and authority to taxe, and ſet euery inhabitant in any ſuch city, towne or pariſh within the limits of their commiſſions, and authorities, to ſuch reaſonable ayde, and ſumme of money, as they ſhall thinke by their diſcretions conuenient and ſufficient for the repayring, reedifying, and amendment of ſuch Bridges, and after ſuch taxation made, the ſaid Iuſtices ſhall cauſe the names and ſummes of euerie particular perſon ſo by them taxed, to be written in a roll indented. And ſhall alſo haue power and authoritie to make two Collectors of euery Hundred, for collection of all ſuch ſummes of money, by them ſet and taxed, which Collectors receiuing the one part of the ſaid Roll indented vnder the Seales of the ſaid Iuſtices, ſhall haue power and authoritie, to collect and receiue all the particular ſummes of money therein conteined, and to diſtraine euery ſuch Inhabitant, as ſhall bee taxed, and refuſe paiment thereof, in his Lands, goods, and cattels, and to ſell ſuch diſtreſſe, and of the ſale thereof reteine and perceiue all the money taxed, and the reſidue (if the diſtreſſe be better) to deliuer to the owner thereof. And that the ſame Iuſtices, or foure of them, within the limits of their commiſſions and authorities, ſhall alſo haue power and authoritie to name and appoint two Surueiors which ſhall ſee euery ſuch decayed Bridge repaired, and amended from time to time, as often as need ſhall require, to whoſe hands the ſaid Collectors ſhall pay the ſaid ſummes of money taxed, and by them receiued: And that the Collectors and Surueiors, and euery of them, and their executors and adminiſtrators, and the executors and adminiſtrators of them, and euery of them, from time to time ſhall make a true declaration and accompt to the Iuſtices of Peace, of the Shire, Riding, Citie, or Towne corporate,

The Iuſtices may taxe the inhabitants with the aſſent of the Conſtables.

Two Collectors of euery Hundred.

The Iuſtices ſhall appoint two who ſhall repaire the Bridge.

The Collectors and Surueiors ſhall accompt to the Iuſtices.

corporat, wherein they ſhall be appointed Collectors or Surueiors, or to foure of the ſame Juſtices, whereof one to be of the Quorum, of the receipts, payments, and expences of the ſaid ſums of money: And if they, or any of them refuſe that to doe, that then the ſame Juſtices of Peace, or foure of them, from time to time by their diſcretions, ſhall haue power & authority to make proceſſe againſt the ſaid Collectors, and Surueiors, and euery of them, their executors and adminiſtrators, and the executors, and adminiſtrators of euery of them, by attachments vnder their ſeales returnable at the generall ſeſſions of Peace: And if they appeare, then to compell them to accompt as is aforeſaid, or elſe if they, or any of them, refuſe that to doe, then to commit ſuch of them as ſhall refuſe, to ward, there to remaine without baile or mainpriſe till the ſaid declaration and accompt be truly made.

And where any Bridge or Bridges lien in one Shire or Riding, and ſuch perſons inhabitants, bodies politicke, lands or tenements, which owen to be charged to the making and amending of ſuch Bridges, lien and abiding in another Shire or Riding, or where ſuch Bridges béene within any Citie, or towne corporat, and the perſons inhabitants, bodies politike, lands, or tenements, that owen to make or repaire any ſuch Bridges, lien and béene out of the ſaid Cities and townes corporat: Be it enacted, that in euery ſuch caſe, the Juſtices of Peace of the Shire, Citie, or Towne corporate, within the which ſuch decayed Bridges, or any part thereof, ſhall happen to be, ſhall haue power to enquire, heare, and determine, all ſuch anoyances, being within the limits of their commiſſions or authorities. And if the anoyance be preſented, then to make proceſſe into euery Shire within this Realme, againſt ſuch as owen to make, or amend any ſuch Bridges ſo preſented before them, to be decayed to the anoyance and let of the paſſage of the Kings ſubiects, and to doe further in euery behalfe in euery ſuch caſe, as they mought doe by authoritie of this Act, in caſe that the perſons or bodies politike, lands or tenements, which owen to be charged to the amending or making of ſuch Bridges, or any part thereof, were in the ſame Shire, Riding, Citie, or Towne corporate, where ſuch anoyance ſhall happen to be. And that all Sherifes and Bailiffes of Liberties and Franchiſes, ſhall truly ſerue and execute ſuch proceſſe, as ſhall come to their hands from the ſaid Juſtices of Peace, afore whom any preſentment ſhall be had for any ſuch anoyance according to the tenour and effect of the ſaid proceſſe to them directed, without fauour, affection or corruption, vpon paine to make ſuch fine as ſhall be ſet vpon them or any of them, by the diſcretion of the ſaid Juſtices.

The Juſtices may make proceſſe into euery Shire againſt offendors.

Sheriffes, &c. ſhall ſerue proceſſe vpon the offendors.

Prouided alway, that this Act nor any thing therein conteined, bee not preiudiciall to the liberties of the fiue Ports, or members of the ſame, and for reformation of anoyance of Bridges within the ſaid ports and members.

The fiue Ports excepted.

Be it enacted by authoritie of this preſent Parliament, that the Warden, Mayors, and Bayliffes elected, and Jurates of the ſame Ports, and euery of them, haue power and authoritie to enquire, heare, and determine all maner of common anoyances of Bridges within the ſame ports and members, and to make ſuch proceſſe, paines, taxations, and all other things within the ſame ports and members, as the Juſtices of Peace may doe in other Shires, or places out of the ſame Ports, by vertue and authoritie of this preſent Act in euery behalfe.

And be it further enacted by the authoritie aforeſaid, that the Juſtices of Peace, or foure of them, ſhall haue full power and authoritie to allow ſuch reaſonable coſts and charges to the ſaid Surueyors and Collectors, as by their diſcretion ſhall be thought conuenient.

Allowance made to the Surueiors and Collectors.

For as much that albeit Bridges decayed were amended, and repaired, according to the tenour of this Act, yet neuertheleſſe if ſpéedie remedie for the amendment of the wayes next adioyning to euery of the ends of ſuch Bridges ſhould not bée had and made, the Kings ſubiects ſhould take little or none auaile or commoditie in any parts of this Realme by the making of the Bridges: In conſideration whereof, be it enacted by the King our Soueraigne Lord, and the Lords Spirituall, and Temporall, & the Commons in this preſent Parliament aſſembled, and by authoritie of the ſame, That ſuch part and portion of the high waies in euery part of this Realme, as well within Franchiſe, as without, as lie next adioyning to any ends of any Bridges within this Realme, diſtant from any of the ſaid ends, by the ſpace of thrée hundred foot, be made, repaired, and amended as often as néede ſhall require. And that the Juſtices of the Peace in euery Shire of this Realme, Franchiſe, Citie, or Borough, or foure of them at the leaſt, whereof one to bée of the Quorum, within the limits of their commiſſions and authorities, ſhall haue power and authoritie to enquire, heare, and determine in the Kings generall Seſſions of Peace, all manner of anoyances of and in ſuch high wayes, ſo being and lying next adioyning to any ends of Bridges within this Realme, diſtant from any of the ends of ſuch Bridges, thrée hundred foot, and to doe in euery thing and things concerning the making, repairing, and amending of ſuch high wayes and euery of them, in as large and ample manner, as they mought and may doe, to and for the making, repairing, and amending of Bridges, by vertue and authority of this preſent Act.

An order for the amending of the waies at the ends of bridges.

Cap. VI.

If any Butcher keepe a Tannehouſe, he ſhall forfeit vj.s.viij.d a day. Rep.5.El.8.&.1.Iac.22.

Cap. VII.

Whoſoeuer ſhall conuey any Horſes, Geldings, Mares, or Sheepe, to any parts beyond the Sea, without the Kings Licence, (ſauing for the victualling of Caliſe) ſhall forfeit xl.s. for euerie poll. [illegible] St.1.El.18. 11.H.7.13. 1.Ed.6.5. 5.El.19.

Cap. VIII.

Denizens ſhall pay like cuſtomes as they did before they were Denizens.

Prayen the Commons in this preſent Parliament aſſembled, that where in a Parliament holden at Weſtminſter the ſeuenth day of Nouember, in the firſt yeare of the reigne of our late Soueraigne Lord of famous memorie King Henry the ſeuenth, (whoſe ſoule God pardon) it was ordeined, eſtabliſhed, and enacted, by authority of the ſaid Parliament that euery perſon made, or after the making of the ſaid Act, to be made Denizen, ſhould pay of his merchandiſes like cuſtome, and ſubſidy, as he ought or ſhould pay afore that he were made Denizen, any Letters Patents, or other Ordinances by Parliament, or otherwiſe, to the contrarie notwithſtanding, which Statute and Ordinance was onely made for cuſtome, and ſubſidie, to be paid to the ſaid late King, and to our now Soueraigne Lord. Sythen which time diuers grants haue béene made to diuers, as well Merchant Strangers, as other Aliens borne out of this Realme to be Denizens, whereby they haue and enioy ſuch Frédomes, and Liberties, as doe Denizens borne within this Realme, being our ſaid Soueraigne Lord the Kings naturall borne Subiects, whereof there is no ſmall number, and euery day encreaſe more and more, by the which the ſaid Aliens to their lucre and auaile béen encreaſed to great and notable ſubſtance and riches, and the naturall Subiects of our ſaid Soueraigne Lord, and his Realme greatly enpoueriſhed: And after they be enriched, for the moſt part conueigh themſelues with their ſaid goods to their owne Countrey, wherein they be naturally borne, to the great detriment of the Common weale of this Realme of England and the Subiects of the ſame. It may therefore pleaſe your Highneſſe of your moſt good and louing diſpoſition, that ye beare and owe to the Common wealth of this your Realme, by the aduice of your Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled: and by authority of the ſame, to ordaine, enact, and eſtabliſh, That euery perſon or perſons, whatſoeuer they be, borne out of this Realme of England out of the Kings obeyſance, made, or hereafter to be made Denizen, doe pay your grace, and to your heires, and to all and euery other perſon or perſons, of what eſtate, degrée, or condition he or they be, and to all and ſingular Officers and Miniſters of Cities, Boroughes, and Townes, within this Realme of England, and to euery of them, all ſuch Subſidies, Cuſtoms, Tolles, Duties, and other ſummes of money, for their Wares, Merchandiſes, and other whatſoeuer goods by whatſoeuer names or name the ſaid Subſidies, Cuſtoms, Tolles, Duties, and other ſummes of money, or any of them be named or called, as they ſhould or ought to haue paid before they were Denizens, any grant or grants to them made, or hereafter to bée made, or any Act or Acts, Statute, or Ordinance, to the contrarie made, or had notwithſtanding.

Aliens borne made Denizens ſhall pay all ſuch cuſtomes and other duties as they did before.
Stat 1.H.7.2. 11.H.7.14.

Prouided alway, that all and ſingular Officers and Miniſters of euery Citie, Borough, or Towne, wherein any ſuch Cuſtome, Tolles, Duties, or ſummes of money ſhall be demanded, as is aboue ſaid, on this ſide the Feaſt of Pentecoſt next comming, ſhall ſet vp, or cauſe to be ſet vp, in open place or places, of euery ſuch Citie, Borough, or Towne, a table or tables, by which the certaintie and very dutie of euerie ſuch Cuſtome, Toll, and Dutie, or ſumme of money, of ſuch Wares, and Merchandiſes, to be demanded or required, as is aboue rehearſed, ſhall and may plainely appeare, and be declared, to the intent that nothing be exacted otherwiſe then in old time hath béene vſed and accuſtomed, vpon paine of euery Citie not doing the ſame to loſe v.li. and euery Towne Corporate, to loſe xl.s. for euery moneth that the ſame table ſhall faile to be ſet vp after the ſame Feaſt, the moite of which forfeiture to be to the King our Soueraigne Lord, and the other moity to the partie that will ſue for the ſame, by Writ, Bill, Plaint or Information: In which Action the Defendant ſhall haue no eſſoine, wager of Law, ne protection allowed.

A table of cuſtomes, tolles, and duties, ſhall be ſet vp in euery city, boroughs or towne.

Prouided alway, and be it enacted by the authoritie aforeſaid, that this Act, ne any other Act or Acts made, or to be made in this preſent Parliament, concerning the premiſſes, be not in any wiſe preiudiciall, or hurtfull, vnto the Merchants of the houſe of Almaigne, nor to any of them, hauing the houſe within the Citie of London, commonly called Gild hall, Theutonicorum, otherwiſe called the Merchants of the Stilyard, in London, nor to their Goods or Merchandiſes, by whatſoeuer name or names they, or any of them bée called, but that they and euerie of them, ſhall haue and enioy all ſuch Liberties, Franchiſes, Cuſtomes, and Priuiledges, as they had the firſt day of this preſent Parliament, any thing, or things, ſpecified in this Act, or in any other Act or Acts, made, or to be made, in this preſent Parliament notwithſtanding.

The Merchants of the Stilyard.

Prouided alway, that the Tables ſo to be ſet vp in the Citie of London, touching Scauage within the ſame, ſhall firſt be viewed, examined, and approued, by the Chancellor and Treaſorer of England, the Preſident of the Kings Counſell, the Lord priuie Seale, the Lord Steward of the Kings moſt honourable houſhold, and the two chiefe Iuſtices of the Kings Bench, and Common place, for the time being, or by foure of them at the leaſt, and by them ſubſcribed.

The tables of ſcauage to be ſet vp in London ſhall be examined &c.

Cap. IX.

Wilfull poyſoning ſhall be adiudged high Treaſon, and the offender therein ſhall be boyled to death. Rep. 1.Ed.6.12. 1.M.1.

Cap. X.

If any calling themſelues Egyptians, doe come into this Realme, they ſhall forfeit all their goods. And being commanded ſhall depart the Realme within fifteene daies, vpon paine of impriſonment. Alt. 1.& 2.P.&.M.4. & 5.El.20.

Cap. XI.

It ſhall be felony to breake vp or cut downe Powdike in marſhland.

Seuerall inconueniences enſuing the breaking downe of Powdike, and Oldfeld dike.

Where tofore this time diuers euill diſpoſed perſons of their peruerſe and euill diſpoſition maliciouſly at diuers and ſundry times, haue cut, caſt downe, and broken vp, diuers parts, of the dike, called the new Powdike in Marſhland, in the Countie of Norffolke, and the broken dike, otherwiſe called Oldfeld dike by Marſhland, in the Iſle of Ely, in the Countie of Cambridge: by reaſon whereof as well by the great abundance of the ſalt water, as alſo by the courſe of the freſh water, entring and comming into and by the ſaid parts of the ſaid diches ſo broken and caſt downe, the ground and paſtures within the Countrey of Marſhland in the Counties aforeſaid, hath beene diuers and many times drowned, and ſurrounded with the waters aforeſaid, ſo that no profit thereof might be taken by the owners and occupiers of the ſaid ground and paſtures, within Marſhland aforeſaid. For the drowning whereof, the ſaid owners and occupiers of the ſaid ground, and the inhabitants within the ſaid Marſhland and the leuell of the ſame, at many and ſundrie times haue beene not onely put to importunate charges, and expences, to their extreme damages, and coſtes, but alſo to their great vndoing haue loſt much of their Cattell, and beaſts then being, and paſturing vpon, and within Marſhland aforeſaid, to their great damage and loſſe, and to the great decay of the Common weale of the Countries adioyning to the ſame. And alſo by reaſon of the ſame waters much people haue beene drowned in their beds within their houſes, and haue loſt the moſt part of their goods being within the ſame.

It ſhalbe felony to breake vp or cut down powdike in marſhland, or oldfeld dike by marſhland.

For the reformation whereof be it ordeined, enacted and eſtabliſhed, by the King our Soueraigne Lord, by the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, That euery ſuch peruerſe, and malicious cutting downe, and breaking vp of any part or parts of the ſaid dikes, or of any other bancke, being parcell of the rinde & vttermoſt part of the ſaid Countrey of Marſhland aforeſaid, made for the defence and ſaluation of the ſame Countrey of Marſhland, at euerie time and times from henceforth by any perſon or perſons committed and done, otherwiſe then in working vpon the ſaid bankes or dikes for the repairing, fortifying, and amending of the ſame: be taken, reputed, and adiudged Felonie. And that the offendors and doers of the ſame, and euery of them be adiudged and reputed Felons.

Iuſtices of P. may enquire of and determine this offence.

And that the Iuſtices of the Peace of the ſaid Counties of Norffolke and Cambridge, within the ſaid Iſle, at euerie of their Seſſions within the ſame Iſle, and Counties, to be kept by the authoritie aforeſaid, haue full power to cauſe enquirie to be made of euerie ſuch offence ſo at any time in forme aforeſaid, heareafter to be commited and done, and to award like proceſſe againſt euerie of the ſaid offendors, with like iudgement and execution of the ſame (if they or any of them be thereof found guiltie by verdit or otherwiſe) as the ſaid Iuſtices haue vſed, and accuſtomed to doe vpon other felonies being felonie at the Common Law, St.2.& 3.P.& M.19.

Cap. XII.

The Iuſtices of Peace of euery Countie, diuiding themſelues into ſeuerall limits, ſhall giue licence vnder their Seales, to ſuch poore, aged, and impotent perſons to begge within a certaine precinct as they ſhall thinke to haue moſt neede. And if any doe begge without ſuch licence, or without his precinct he ſhall be whipped, or elſe be ſet in the ſtockes three daies and three nights with bread and water onely. And a vagabond taken begging ſhall be whipped, and then ſworne to returne to the place where he was borne, or laſt dwelt by the ſpace of three yeares, and there to put himſelfe to labour. Rep.21. Iac.28.St. 27.*H*.8.2.5. 14.El.5. 1.Ed.6.3. 35.El.7. 39.El.4.

CAP. XIII.

What perſons ſhall not be accompted handicraftſmen.

VVhere diuers Statutes penall heretofore haue beene made againſt ſtrangers artificers, for exerciſing of handicrafts within this Realme, and for keeping of houſes, apprentices, and ſeruants eſtrangers, as by the ſaid ſeuerall Statutes more plainly is rehearſed. Sithen the making whereof, Beere-brewers and Bakers, which beene common Victuallers, and alſo Surgeons and Scriueners being ſtrangers, inhabited and dwelling within this Realme, haue beene put to trouble, and great vexation by occaſion of Informations brought againſt them vpon the ſaid Statutes, ſuppoſing that Strangers vſing Baking, Brewing, Surgerie, or writing ſhould be handicrafts men: vpon the which information great doubts and ambiguities haue riſen, whether ſtrangers vſing any of the ſaid myſteries, or ſciences, ſhould be vnderſtood ſuch handicrafts men as were intended by any of the ſaid Statutes, For plaine declaration whereof, it is enacted by the King our Soueraigne Lord, and the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by authoritie of the ſame, That no perſon or perſons ſtrangers being a common Baker, Brewer, Surgeon, or Scriuener ſhall be interpreted or expounded handicrafts men, in, for, or, by reaſon of vſing any of the ſaid myſteries or ſciences of Baking, Brewing, Surgerie, or Writing: And that all informations, ſuites, actions, and proces had, taken, or hereafter to be taken vpon any of the ſaid Statutes, againſt any ſuch ſtranger, or ſtrangers, being Bakers, Brewers, Surgeons or Scriueners, ſhall be by authoritie of this preſent Act voyd and of none effect.

St.1.R.3.9. 14.H.8.2. 21.H.8.16.

No ſtranger being a common Baker, Brewer, Surgeon or Scriuener ſhall be accompted a handicrafts man.

CAP. XIIII.

In what manner perſons committing petty Treaſon ſhall abiure.

THe King our Soueraigne Lord conſidering that many of his ſubiects heretofore for their offences and merits, haue beene put to execution of death by the lawes of this Realme, and many other committing the like offences for tuition of their liues, haue fledde and reſorted to Churches, and other hallowed places within this Realme, and there being haue abiured the Realme before the Kings Coroners of the ſame: Diuers of which men (ſo abiuring) haue beene knowne to be very expert Mariners, and many other haue beene ſeene to be verie able and apt men for the warres, and defence of this Realme, ſo that by the one meane, and the other, the ſtrength and power of this Realme is greatly miniſhed. And diuers of the ſaid perſons, which heretofore haue abiured this Realme, being by reaſon of their abiurations in outward Realmes and countries, haue not onely procured many men of the ſame to the exerciſe and practiſe of Archerie, and haue inſtructed them in the feate and knowledge thereof, to the great increaſe and fortifications of the ſame outward Realmes and Countries: but alſo the ſame abiured perſons haue diſcloſed their knowledges of the commodities and ſecrets of this Realme, to the no little damage, and preiudice of the ſame. The Kings Highneſſe therefore daily ſtudying and deuiſing to prouide for the ſafegard of this his Realme, and of his ſubiects: Albeit they be tranſgreſſors of his lawes, ſo that the incommodities inſuing vpon ſuch abiurations to bee preſerued to the beſt effect as farr as ſhall pleaſe God to giue them grace, Hath ordeined and enacted by authority of this preſent Parliament, that if any perſon hereafter flie or reſort to any Pariſh Church, Cemitorie, or other like hallowed place for tuition of his life, by occaſien of any murder, robbery or other felonie by the ſame perſon committed, and thereupon confeſſe any murder, felonie, or other offence before the Coroner, wherefore the ſame perſon by the lawes of this Realme heretofore vſed ſhould abiure and paſſe out of the ſame. The ſame perſon thereupon ſhall abiure from all his libertie of this Realme, and from all his liberall and free habitations, reſorts and paſſages to and fro the vniuerſall places of this Realme, which apperteine to the libertie of the Kings ſubiects vndefamed, and ſhall forthwith be directed by the Coroner, taking and recording ſuch abiuration, to any one Sanctuarie being within this Realme, which the ſame perſon will elect and chuſe, there to remaine as a Sanctuarie perſon abiured, during his naturall life, and to be ſworne afore the Coroner vpon his abiuration ſo to doe, and to be burned in the hand according to the Statute in that caſe prouided. And euery perſon ſo abiured ſhall bee directed and conueied to the ſame Sanctuarie by him choſen, by the Conſtables, and other officers, and in euery behalfe ordered after like maner and forme, as he ſhould haue beene in caſe he ſhould haue abiured this Realme for any murder or felonie after the laws of the land. And if after ſuch abiuration any perſon ſo abiured come out of the ſame Sanctuarie, to the which he was aſſigned, and be taken without the ſame Sanctuarie, not hauing the Kings ſpeciall pardon or licence ſo to doe: then euery ſuch perſon abiured, and after abiuration taken without Sanctuarie whereunto he was aſſigned, ſhall ſuffer ſuch like paine of death, and after like manner be ordered, as he ſhould haue done and beene, in caſe he had abiured this Realme for murder or felonie, and after ſuch abiuration, had returned againe into this Realme contrarie to the lawes of this land.

By how many meanes abiuration of offendors out of this Realme hath bin preiudiciall to the Realme.

The oath of him which abiureth.

St.21.H.8.2.

Euery abiured perſon ſhall be conueied to the Sanctuarie that he doth chuſe. Rep. 1.Iac.25.& 21.Iac.28.

And

If a Sanctuary perſon doe commit any felony, he loſeth the priuiledge of Sanctuary.

In what caſe an offendor may be taken out of Sanctuary and committed to the Gaole.

Triall in one Countie of a forrein plea pleaded in another.

And furthermore it is enacted, that if any ſuch Sanctuarie perſon ſo abiured, or any other perſon or perſons, which now bée, or is, or hereafter ſhall happen to be in any Sanctuarie of this Realme, for doing any petie treaſon, murder, or felonie, or for being acceſſarie to any ſuch offences: or if any perſon or perſons, which at any time hereafter ſhall take any Sanctuarie of this Realme, for doing any petie treaſon, murder, or felonie, or for being acceſſarie to any ſuch offences, or vpon abiuration, and ſo being in Sanctiuarie for or vpon any ſuch cauſe, matter, or offence, afterward commit or doe any petie Treaſon, Murder, or felony within the ſame Sanctuary, or be acceſſarie to any ſuch offences, or go out of the ſame Sanctuary, and commit any petie treaſon, murder, or felonie, or be acceſſarie to any ſuch offences, & after come againe to the ſame ſanctuarie, or take any other ſanctuarie for the ſame, euery ſuch perſon and perſons being indited for any of the ſaid cauſes, or offences, ſhall loſe the priuiledge of the ſame Sanctuarie by him taken, and of euery other Sanctuarie within this Realme for any ſuch cauſe of petie treaſon, murder, felony, or abiuration, and for any acceſſary to any ſuch offences. And that it ſhall be lawfull to all and ſingular Iuſtices of Peace, and the high Sheriffe of the Countie, or other place, where the Sanctuarie is, and to all and ſingular Mayors, Sheriffs, and Bayliffes of Cities and townes corporate, where ſuch Sanctuary is, and to euery of them, and to the ſeruants, miniſters, and officers, or any, or euery of the ſame Iuſtices of Peace, Sheriffes, Mayors, and Bayliffes in their preſence to take out of the ſame Sanctuarie or Sanctuaries, all and euery ſuch Sanctuary perſon or perſons ſo offending as is aforeſaid, and being indited of the ſame, and to commit or put him, or them into the Kings Gaole within the Shire or libertie, where any ſuch inditement is found againſt any ſuch perſon, ſafely to be kept till they ſhall be of the ſame petie Treaſon, Murder or Felony, or of the acceſſarie to any ſuch offences, whereof they ſhall happen to be endited, conuicted, attainted or diſcharged by the law. And if any perſon or perſons, which ſhall be indited of any petie Treaſon, Murder, or Felony, or of any acceſſarie to any ſuch offence, happen hereafter to be taken out of any Sanctuarie for the ſame by authoritie of this Statute, and vpon his or their arraignment plead Sanctuarie, according to the order of the law: then it is enacted by the authority aforeſaid, that as well the Kings Atturney as euery other perſon for the King ſhall be admitted to obiect and alleage, that the perſon ſo arraigned afore the doing of the offence or offences, whereof he then is arraigned, did take priuiledge of Sanctuarie in the ſame Sanctuarie, whereof he alleageth him to be taken out, or in any other place priuiledged within this Realme, vpon any abiuration, or for any other pety Treaſon, Murder, or Felony then whereof he is arraigned, and that he there had and enioyed, priuiledge of Sanctuarie for the ſame, and that hee ſo hauing once priuiledge of Sanctuary in the ſame, did commit the offence of petie Treaſon, murder, or Felony, whereof he then is arraigned: or that he went out of the ſaid Sanctuary, and committed the ſame offence, whereof he is indited and arraigned, and pray that ſuch perſons ſo arraigned may be excluded of reſtitution to the Sanctuary by him demanded. And in caſe the ſaid plée and obiection, ſo alleaged, be denied by the perſon ſo arraigned, then it is further enacted by the authority aforeſaid, that it ſhall be forthwith tried afore the ſame Iuſtices, where ſuch perſon is ſo arraigned, and by the ſame Iurors of the ſame Countie, that ſhall trie the petie Treaſon, Murder, or Felony, whereof he is arraigned, without further delay, in whatſoeuer countie or counties, place or places of this Realme, the ſame other taking of Sanctuary ſhall bée alleadged or obiected to be done or had. And if the plée ſo obiected againſt the ſaid perſon arraigned, be tried againſt him by verdict of twelue men, or by his owne confeſſion, and alſo it be found by verdict of twelue men, or by his owne confeſſion, according to the order of the law, that hée is guilty of the pety Treaſon, Murder, or Felony, or of any acceſſary to any ſuch offence, whereof hée is ſo arraigned, that then like iudgement and execution ſhall bée giuen and done vpon euery ſuch perſon as though he had béene no Sanctuarie perſon, nor had claimed, or required the priuiledge of the ſame. And if any ſuch perſon be lawfully acquited of the petie Treaſon, Murder, or Felony, whereof he ſhall be ſo indited and arraigned, then he ſhall be reſtored to the ſame ſanctuarie, out of the which he was taken, there to haue the priuiledge of the ſame, in like maner as he had before.

In what caſe a Sanctuary perſon indited of felony ſuppoſed to be committed whilſt he was in Sanctuary ſhal be taken out.

Prouided alway, that if any perſon being, or abiding in any Sanctuarie as a Sanctuarie perſon, hereafter ſhall happen to be endited for any manner of Felony ſuppoſed to be committed by him or her going out of the ſame, or any other Sanctuarie, and committing the ſame Felony whiles that he or ſhe ſo was a Sanctuarie perſon, he or ſhe being endited of any ſuch Felony ſuppoſed to be done without the Sanctuarie, ſhall not be taken out of the Sanctuarie, wherein the ſame perſon ſhall then be reſident, before that he or ſhe be examined thereof by two of the Kings moſt honourable Counſell, or by foure Iuſtices of Peace of the Shire, where the Sanctuarie is, wherein the perſon ſo endited is reſident. And if the ſame perſon ſo endited within foure dayes after the firſt examination doe make ſuch proofe as the ſaid examiners by their diſcretions ſhall thinke ſufficient, that the ſame perſon was in the Sanctuarie at the time of the ſaid Felony committed: then he or ſhe making ſuch proofe ſhall be ſuffered to remaine & be in the ſame Sanctuarie, without any extraction from the ſame, the ſaid enditement or any thing in this Act aboue written notwithſtanding.

Prouided alſo,that if any perſon, which was at any time a Sanctuary perſon for any petit treaſon,murder,or felony,obtaine and haue the Kings pardon, and thereby, or otherwiſe, bee at large and out of Sanctuary diſcharged or purged of that offence or cauſe,wherfore the ſame perſon tooke Sanctuary, and afterward doe commit other petie treaſon,felony, or man-ſlaughter by chaunce-medly,and not murder of malice prepenſed,and thereupon again take Sanctuary for any ſuch pety treaſon,felony, or man-ſlaughter by chaunce medley: the ſame perſon ſhall haue and enioy the priuiledge of Sanctuary for that his or her other offence of petie treaſon,felony, or mã-ſlaughter by chaunce medley,as the ſame perſon mought haue had before the making of this Act,any thing in the ſame Act contained notwithſtanding.

In what caſe one may haue the priuiledge of Sanctuary twice.

And ouer this for more ſpeedy trials of murders and felonies,be it enacted by authority aforeſaid,that all maner of forrein plees triable by the countrey hereafter to be pleaded by any perſon or perſons arraigned vpon any indictment for any pety treaſon,murder. or felony,ſhall be forthwith tried before the ſame Iuſtices afore whom ſuch perſons ſhall be arraigned, and by the ſame Iurors of the ſame County that ſhall try the petit treaſon,murder, or felony, whereof he ſhall ſo be arraigned,without any further reſpite or delay,in whatſoeuer county or counties,place or places of this Realme the matter of the ſame plees be ſuppoſed or alleaged.

Trial of forrein plees. St.32.H.8.3.

And that no perſon arraigned for any pety treaſon,murder,or felony,be from henceforth admitted to any peremptory challenge aboue the number of xx. This Act to endure to the end of the next Parliament.

ro.chaleng 217.

Prouided alwayes,that no perſon or perſons be hereafter excluded,or in any wiſe hurted, to haue and enioy any priuiledge of Sanctuary for any offence or offences,being of any higher nature in the law then the offences and cauſes ſpecified in this Act be: but that euery perſon and perſons for ſuch offences of higher nature may haue and enioy priuiledge of Sanctuary,in as free and liberall maner,and after ſuch forme, as they mought haue done by the lawes and cuſtomes of the Realme,afore the making of this Act,any thing in this Act to the cõtrary hereof notwithſtanding. 28 *H*.8.1. continued. & 32.*H*.8.3.made perpetuall: But ſo much of this Statute, as concerneth abiured perſons and Sanctuaries,or ordering or gouerning of perſons abiured,and in Sanctuaries is repealed. 1.*Iac*.25. & 21.*Iac*,28.

No Parſon arraigned may challenge aboue xx. St.32 H.8 made perpetuall.

CAP. XV.

The Kings generall pardon to his Spirituall ſubiects of all offences committed againſt the Statutes of prouiſors,prouiſions,and premunire,and all other penalties,forfeiture, forfeitures, paines. Except Treaſon, Murder, Robbery, &c.EXP.

CAP.XVI.

The Kings pardon to his Temporall ſubiects,of all offences committed againſt the Stat.of prouiſors,prouiſions,and premunire.EXP.

ANNO VICESIMO TERTIO HENRICI OCTAVI.

THe King our Soveraigne Lord *Henry* the eight by the grace of God King of England and of France,defendor of the faith,and Lord of Ireland, at the ſeſſion of his high Court of Parliament, after diuers prorogations, holden at Weſtminſter the fifteenth day of Ianuary,in the xxiij. yeare of his moſt noble raigne, to the honor of almighty God,and holy Church,& for the Common weal and profit of this his Realme,by the aſſent of the Lords ſpirituall & temporall, and the Commons in this preſent Parliamẽt aſſẽbled, & by authority of the ſame,hath ordained, eſtabliſhed,and enacted certaine good Statutes,Lawes, and Ordinances in maner and forme following.

CAP.I.

Clergy not allowed to any perſon vnder a Sub-Deacon committing petie Treaſon.

WHere at a Parliament holden at Weſtminſter in the third yeare of K. Edward the firſt, the ſame King moued the Prelates of the Realm,and them enioyned vpon their faith,that they owed to him,that in no wiſe they ſhould deliuer thoſe Clerkes,which were indited for felony,without due purgation, ſo that the ſaid King ſhould haue no neede to put other remedy in that behalfe. And that notwithſtanding,after that monition,diuers and many Clerkes conuict were accuſtomably deliuered and ſuffered to make their purgation,to the great courage of euill doers.

St.3.Ed.1.2.

By occaſion whereof,afterward at another Parliament holden at Weſtminſter in the fourth yeare of King Henry the fourth,vpon the complaint of the Commons,the ſame King Henry the fourth then aduertiſed the Prelates of the Realme of the premiſſes,entending then to haue prouided remedy,by authority of the ſaid Parliament,as appertained to his prerogatiue royall, for the

St.4.H.4.3.

The promiſe of the clergy to the K. for the ſafe keeping of notorious offenders conuict without purgation.

the conſeruation of the peace of the Crowne: At which time the Archbiſhop of Canterbury, for himſelfe and all other Biſhops of his Prouince then openly promiſed to the ſame K. Henry the iiij. that if any perſon from thenceforth were conuict of any Treaſon, which touched not the K. nor his royall Maieſtie, and ſuch as were notoriouſly knowne and reputed for Theeues, and for ſuch cauſe deliuered to any Ordinary as a Clerke conuict, that the Ordinary to whom ſuch perſon or perſons were deliuered, ſhould ſafely keepe them after the effect of a conſtitution prouinciall to be made by the ſaid Archbiſhop & Biſhops after the effect of the letters of Simon thẽ afore that time Archb. of Canterbury, bearing date the xij. calends of March, the yeare of our Lord God, M.CCC.L. & that no ſuch Traitor, nor felon ſhould make his purgation againſt the ſaid conſtitution, which cõſtitution the ſaid Archbiſhop then promiſed to deliuer to the ſame K. before his next Parliament, to the intent that if it ſhould ſeem to the ſaid K. that the ſame conſtitution were not ſufficient remedy for the premiſſes that then the ſaid K. might prouide ſuch remedy as ſhould appertaine in that behalfe. Sithen which time the ſame conſtitution was neuer notified ne ſhewed by the Prelates of this Realme, but cõtinually ſithen that time, manifeſt theeues and murderers indited, and found guilty of their miſdeeds, by good and ſubſtantiall Inqueſts, vpon plaine and proueable euidence before the K. Iuſtices, and afterward by the vſages of the commõ Laws of the Land deliuered to the Ordinaries as Clerks conuict, be ſpeedily and haſtily deliuered and ſet at large by the miniſters of the ſaid Ordinaries for corruption & lucre, or elſe becauſe the Ordinaries claiming ſuch offendors by the liberties of the Church, will in no wiſe take the charges in ſafe keeping of them, but little regarding the triall, and conuiction of the ſaid offenders by the due and plain courſe of the common Laws of the Land, doe ſuffer them to make their purgations by ſuch as nothing know of their miſdeeds: and by ſuch fraud, adnull and make void all the good and proueable triall that is vſed againſt ſuch offenders by the K. Laws, to the great ſlãder of ſuch as purſue ſuch miſdoers, and to the pernicious example, encreaſe, & courage of ſuch offendors, if the Kings Highnes by his authority roiall put not ſpeedy remedy in the premiſſes, as appertaineth.

The ordinaries abuſe in ſuffering notorious felons to make purgation.

Coke pla. fo. 352. Clergy taken from ſeuerall perſons which doe commit diuers offences. St. 32. H. 8. 3. St. 1. Ed. 6. 12. St. 5. Ed. 6. 9, 10.

Be it therfore enacted by the King our Soueraigne Lord, and the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That no perſon nor perſons, which hereafter ſhall happen to be found guilty after the Lawes of this Land for any manner of petit treaſon, or for any wilfull murder of malice prepenſed, or for robbing any Churches, Chappels, or other holy places, or for robbing of any perſon or perſons, in their dwelling houſes, or dwelling place, the owner or dweller of the ſame houſe, his wife, his children, or ſeruants then being within, and put in feare and dread by the ſame, or for robbing of any perſon or perſons in or neare the high wayes, or for wilfull burning of any dwelling houſes or barnes, wherein any graine or corne ſhal happen to be, nor any perſon or perſons being found guilty of any abetment, procurement, helping, maintaining, or counſelling of, or to any ſuch petit treaſons, murders, or felonies, ſhall from henceforth be admitted to the benefit of his or their Clergy, but vtterly to be excluded thereof, and ſuffer death in ſuch manner and forme as they ſhould haue done for any the cauſes or offences abouesaid, if they were no Clerkes. Such as be within holy orders, that is to ſay, of the orders of Subdeacon, or aboue all onely except.

Such as be within holy orders except. AL. St. 28. H. 8. 1. St. 32. H. 8. 3.

Dier fo. 114. Coke li. 11.

And be it further enacted by authority aforeſaid, That euery ſuch perſon and perſons within ſuch orders of Subdeacon or aboue, wch at any time hereafter be found guilty of any petit treaſon, or of any murder or malice prepenſed, or of any of the felonies aboue rehearſed, or of any acceſſary to petit treaſon, wilfull murder, or to any other the felonies aboue ſpecified, and admitted to his or their Clergy, and deliuered to the Ordinary for the ſame, ſhal not in any wiſe frõ henceforth be ſuffered to any purgation, nor be ſet at libertie, but remain and abide in perpetual priſon vnder the keeping of the Ordinary, to whom he ſhall be committed and his ſucceſſors, without any maner purgation during the naturall life of euery ſuch conuict, except onely ſuch perſon or perſons ſo being within ſuch holy orders and conuict, of or for any of the offences aforeſaid, and deliuered to the Ordinary for the ſame, doe finde two ſufficient ſuerties by recogniſance before two of the Kings Iuſtices of his peace within the ſame Shire, where the petit treaſon, murder, or felony, whereof he was conuicted, was committed and done, whereof one of them to bee of the Quorum, that ſuch conuict ſhall be of good abearing againſt the King our Soueraigne Lord, his Lawes and ſubjects, euery ſuch conuict to be bound in the ſumms of xl. li. and euery his ſuerties in xx. li. And that no ſuerty be taken vnleſſe ſuch as may diſpend in Lands, Tenements, or Hereditaments yearely aboue all charges of eſtate of inheritance of charterhold, xxvj. s. viij. d. or elſe be worth xx. li. in moueable ſubſtance at the time of the taking of ſuch recogniſance. And that two Iuſtices of peace, whereof one to be of the Quorum, by authority aforeſaid haue power and authority to take ſuch recogniſance. And that the ſaid Iuſtices, afore whom any ſuch recogniſance ſhall be taken, ſhall certifie the ſame into the Kings Bench within foure months next after the taking thereof, vpon paine to loſe and forfeit C. s. for euery default thereof.

None within holy orders conuict of murder &c. ſhall make purgation vnleſſe he become bound with ſuerties for his good abearing. St. 26. H. 8. 12.

Of what eſtate the ſuerties ſhall be.

He that is attainted of felony ſhall not make his purgation.

Prouided alway, that this Act extend not to giue any benefit to any ſuch perſon or perſons, which after their confeſſion, or iudgement giuen againſt them of, or for felony or murder, or after they be outlawed for any ſuch cauſe, be admitted to their Clergy, and deliuered to the Ordinary

for

el 11.fo. 30. for the ſame, but that they and euery of them ſhall remaine in the cuſtody of the Ordinaries without making purgation, vpon ſuch perill and in ſuch maner and forme as it was vſed by the Common Law before the making of this preſent Act, this Act or any thing therein contained notwithſtanding.

Prouided allwayes, that it is further enacted, That euery Ordinary, to whoſe cuſtody any ſuch conuict for any of the offences aboue rehearſed ſhall be cõmitted, may at his liberty diſgrade euery ſuch conuict after the Lawes of the Church, if he ſee cauſe ſo to doe, and ſend the conuict ſo diſgraded in ſure and ſafe keeping into the Kings Bench with a certificate vnder his ſeale teſtifying the ſaid diſgrading, vpon the which the Iuſtices of the Kings Bench, hauing afore thẽ the Record, vpon the which the ſaid perſon ſo diſgraded was firſt conuict, ſhall giue ſuch like iudgement of death vpon the ſame Record againſt euery ſuch perſon ſo conuict, & diſgraded, as the Iuſtices afore whom he was conuict might haue done: if the ſaid perſon ſo diſgraded at the time of his conuiction afore them had beene no Clerke, his admiſſion to his Clergy, & committing to the Ordinary, ne any other thing, vſe, or cuſtome to the contrary hereof notwithſtanding. And that euery ſuch iudgement ſhall be executed accordingly. And that euery Ordinary ſo ſending any ſuch conuict diſgraded into the Kings Bench, ſhal be diſcharged againſt the King our Soueraign Lord, his heires, and ſucceſſors, of, or for, any further cuſtody or keeping of the ſame conuict: This Act to continue vnto the laſt day of the next Parliament. 32.*H*.8.3. made perpetuall *St*: 25.*H*.8.3. 28.*H*.8.1.

An Ordinary may diſgrade a conuict perſon, & ſend him to the K. Bench. St.23.H.8.11.

CAP. II.

Where and after what maner Gaoles ſhall be made.

FOr as much as it is neceſſary, and commendable, that common Gaoles and Priſons, whereunto euill doers ſhall be committed for their offences, ſhould be ſurely and ſubſtantially edified, in ſuch towns in euery Shire within this Realme as ſhall be moſt indifferent for conueyance of priſoners from euery part of the Shire wherein ſuch Gaoles ſhall be, and in eſpeciall in thoſe Townes, where moſt commonly the Aſſiſes and Seſſions beene vſually kept, and where there is moſt reſort and repaire of people, to the intent that by the meane thereof fewer ſhall eſcape, & alſo the rather and oftner reliefe and charitie of the people ſhall be to the priſoners miniſtred: It may therfore pleaſe the Kings Highneſſe, with the aſſent of the Lords Spiritual and Temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame to enact that the Iuſtices of Peace of euery of the Shires of Eſſex, Suff. Dorſ. Suſſex, Surrey, Notingham, Glouc. Bedford, Buck. Huntingdon, Wilteſ. Kent, Warwike, Stafford, Oxen, Barkſ. Leiceſter, Rutl. Lincolne, Hereford, Northt. Salop. Norff. and Cornewall, or the moſt part of the ſaid Iuſtices of Peace in euery of the ſaid Shires within the limits of their commiſſion, ſhall haue full power and authority to limit & appoint at any time within the terme of one yeare from the end of this preſent Parliament, the Townes and places wherein they ſhall thinke moſt neceſſary to haue a common Gaole newly edified and made. And that alſo the ſaid Iuſtices of peace in euery of the ſaid Shires, or the moſt part of the ſaid Iuſtices of peace within the limits of their commiſſion, ſhall haue full power and authority to call before them at times and places by them to be appointed, all the high Conſtables, Tythingmen, or Borough holders of euery Hundred, Lath, or Wapentake in the Shire, whereof they be Iuſtices, and in their preſence, and by their aſſents and agreements, or in the preſence, and by the aſſent of the moſt part of them ſhall conclude and agree vpon ſuch conuenient and certaine ſummes of money, as ſhall be thought by their diſcretions and by examination of workmen to ſuffice for the making and perfect finiſhing of a new Gaole in the Shire, whereof they be Iuſtices of peace, and thereupon ſhall forthwith by their aſſents, agreements, and diſcretions, taxe, and ſet euery ſuch perſon and perſons, as then ſhall be reſiant in the ſame Shire, as well within liberties as without, hauing lands, tenements, rents, or annuities of eſtate of inheritance, or for terme of life, to the cleere yearly value of xl.s. or aboue, or being worth in mouable ſubſtance the cleer value of xx.li. or aboue, to ſuch reaſonable aide and ſummes of money as ſhall be thought conuenient by their diſcretions, to and for the full building, making, and furniſhing of the ſaid common Gaole of the Shire, where ſuch aſſeſſement ſhall be made. And after ſuch taxation, to name and appoint ſuch number of Collectors for the leuying thereof, as ſhall ſeeme beſt by their diſcretions. And that the ſaid Collectors and euery of them, ſhal haue power and authority to deſtrein euery ſuch perſon as ſhall be ſet or taxed by the ſaid Iuſtices of peace as is aforeſaid in their lands, or goods, as well within liberties as without, and to ſell the diſtreſſes by them taken by the appraiſement of foure honeſt perſons for the paiment of the ſaid ſummes to be taxed, if the perſon or perſons taxed refuſe to pay the ſame within tenne dayes next after ſuch diſtreſſe taken, taking vpon euery ſuch ſale but onely the money taxed, with reaſonable coſts for taking of the diſtreſſe: and the ouerplus of ſuch ſales to be deliuered to the owner of the ſaid diſtreſſe.

The neceſſity of cõmon Gaoles, and the places where they ſhall be builded. Vide 5.El.24. Exp. 13.El.25.

The Iuſt. ſhall taxe the inhabitants of the countie for and towards the building of the Gaole.

Collectors for the gathering of the mony taxed and their authority.

And that alſo the ſaid Iuſtices of Peace in euery of the ſaid Shires, or the moſt part of them, within the limits of their Commiſſion, ſhall haue power and authority to name and appoint two honeſt perſons inhabited in the ſaid Shire, wherein they bee Iuſtices, which two

The Iuſtices ſhall appoint 2. Surueiors to ſee the Gaole builded.

The Collectors and Surueyors accompt, & their puniſhment if they doe not.

How the ouerplus ſhall be beſtowed, the Gaole being finiſhed.

perſons ſhall ſuruey, ſee, and prouide, that the ſaid Gables ſhall be ſurely and ſubſtantially made, and finiſhed: to whoſe hands the ſaid Collectors ſhall pay, and deliuer the money by them collected of the Kings Subiects, by the appointment and aſſignement of the ſaid Iuſtices of Peace, or ſixe of them at the leaſt. And that as well euery of the ſaid Collectors, as euery of the ſaid two perſons to be named, their Heires, Executors, and Adminiſtrators, ſhall declare a true and a iuſt accompt to the ſaid Iuſtices of peace in euery of the ſaid Shires, or to ſixe of them at the leaſt from time to time when they ſhall bee required. And in caſe any of them refuſe to make accompt, or refuſe to pay and imploy ſuch ſummes of money as ſhall come to their hands, in ſuch wiſe as ſhall be limited and appointed by the ſaid Iuſtices of Peace, or ſixe of them, (as is aforeſaid) that then the ſame Iuſtices of Peace, or ſixe of them in euery Shire, where ſuch Gaoles ſhall be new made, ſhall haue full power and authoritie, if the ſaid offendors be preſent, to commit them to ward, and if they be abſent to make attachments vnder their ſeales by their diſcretions againſt euery ſuch Collector and perſon, to whoſe hands any of the ſaid ſummes of money taxed ſhall happen to come, their Heires, Executors, and Adminiſtrators, and euery of them, into euery Shire and part of this Realme, as well within liberty as without, to be returnable afore the ſaid Iuſtices of Peace, at ſuch day and place as by them ſhall be appointed, and to be directed to the Sherife or Sherifes of the Shire, wherein the party or parties, againſt whom ſuch attachment ſhall be directed, ſhall be reſident and abiding, if it be within the Bayliwicke of the Sherife, and if it be without, then to be directed to the Baylife of the liberty, wherein ſuch parties ſhall abide. And that euery Sherife and Baylife of liberty, to whoſe hands ſuch attachments ſhall come, without fauour or corruption ſhall attach the ſaid offendors, and perſonally bring them before the ſaid Iuſtices according to the tenour of the attachment to them directed, or elſe declare by his returne of the ſaid attachment ſome reaſonable cauſe why he cannot ſo doe, vpon paine for euery default by them or any of them committed contrary to this Act, to loſe and forfeit C.s. to the King our Soueraigne Lord: and vpon the appearance of euery ſuch perſon ſo attached, the ſaid Iuſtices or ſixe of them ſhall haue full power and authority to commit them to priſon, there to remaine without baile or mainepriſe till they haue truly accompted, and paid all ſuch ſummes of money as came to their hands by the aſſignement of the ſaid Iuſtices by authority of this Act. And in caſe there happen to remaine any ouerplus of money after the Gaoles fully and wholly finiſhed, then it is ordered, that the ſame ouerplus ſhall be imployed and beſtowed in almes to the priſoners to be committed to the ſaid Gaole by the diſcretions of the ſaid Iuſtices of Peace, or the more part of them, as long as it will laſt.

Corporate Townes which haue Gaoles within thẽſelues

Prouided alway, that this Act extend not to charge any perſons inhabited within any Cities, Townes, or Boroughs corporate, which haue common Gaoles for felons taken in the ſame, and haue Iuſtices of Peace for deliuerance of ſuch felons, for any taxes, or lots to the making of the ſaid common Gaoles of any the Shires aboue named, but that euery ſuch inhabitant in any ſuch City, Towne, or Borough corporate, ſhall bee vtterly diſcharged thereof.

The Collectors and Surueiors allowance for their paines.

And be it further enacted, that ſeuerall commiſſions vnder the Kings great ſeale, with this preſent Act thereto affiled, ſhall bee directed to the Iuſtices of Peace of the Shires afore named, authoriſing them to accompliſh and execute this preſent Act according to the tenour thereof in euery behalfe. And that the ſaid Iuſtices of Peace, in euery of the Shires afore named, haue power and authority to limit to euery of the ſaid Collectors, and perſons by them to be named, that ſhall take paines for leuying of the money taxed, or for the ſurueying of the making of the ſaid Gaoles, ſuch reaſonable ſummes for their paines and labours for the collection of the ſaid money, and ſurueying the making of the ſaid Gaoles.

Felons ſhall be impriſoned in the ſaid common Gaoles. Sherifes ſhall haue the keeping of the Gaoles & allowance for the repaire of them.

And be it further enacted by the authority aforeſaid, that all murderers and felons ſhall be impriſoned in the ſaid common Gaoles, and not elſewhere. And that the Sherifes ſhall haue the keeping and charge of the ſame new Gaoles: and that euery Sherife be allowed vpon his accompt in the Eſchequer, for all and euery ſuch ſummes of money as he ſhall hereafter happen to expend in and about the neceſſary reparations and amendments of the ſaid Gaoles, after they be once made from time to time as often as neede ſhall require: and that the Barons of the Kings Eſchequer, haue power to allow euery Sherife in euery ſuch caſe by their diſcretions without any bill or warrant to be ſhewed from the Kings Highneſſe in that behalfe.

A prouiſo for them which haue any eſtate in Gaoles.

Prouided alwayes, that this Act be not in any wiſe hurtfull or preiudiciall to any perſon or perſons, hauing any common Gaoles by inheritance, for terme of life, or for yeares, but that they ſhall haue and enioy their ſaid Gaoles and the profits, fees, and commodities of the ſame as they had or might lawfully haue had before the making of this Act, and as if this Act had neuer beene had, ne made.

Derbie.

Be it further enacted by authority afore ſaid, that like prouiſion in euery behalfe bee had for a new Gaole to be made within the County of Derby, in like forme as is prouided for other Shires aforeſaid. Exp.St.1M.14. 5.El.24. 13.El.25.

Cap. III.

How periury and vntrue verdicts ſhall be puniſhed.

The King our Soueraigne Lord of his moſt godly, and gratious diſpoſition, calling to his remembrance, how that periury in this Land is in manifold cauſes by vnreaſonable meanes deteſtably vſed, to the diſheritance, and great dammage of many, and great number of his ſubiects, well diſpoſed, and to the moſt high diſpleaſure of Almighty God. The good Statutes againſt al Officers hauing returne of writs, and their Deputies making panels partially for rewards to them giuen, againſt vnlawfull Maintainors, Embraceors, and Iurors; and againſt Iurors vntruely giuing their verdict notwithſtanding. For reformation whereof, and foraſmuch as the late noble King Henry the ſeuenth, prouided remedy for the ſame by a Statute made in the eleuenth yeare of his raigne, which Satute is now expired.

St.11.H.7.24.

Be it therefore now enacted by the King our Soueraigne Lord, and the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That vpon euery vntrue verdict hereafter giuen betwixt party and party, in any ſuit, plaint, or demand, before any Iuſtices, and Iudges of Record, where the thing in demand, and verdict thereupon giuen, extendeth to the value of xl. li. and concerneth not the ieopardy of mans life, the party grieued by the ſame verdict ſhal haue a writ of Attaint againſt euery perſon hereafter ſo giuing an vntrue verdict, and euery of them, and againſt the party which ſhall haue iudgement vpon the ſame verdict. And that in the ſame Attaint, there ſhall be awarded againſt the petit Iury, the party, and the graund Iury, Somons, Reſoin, and diſtreſſe infinite, which graund Iury ſhall be of like number as the graund Iury is now in Attaint, and euery of them, that ſhall paſſe in the ſame, ſhall haue lands and tenements to the value of twenty markes by the yeare of freehold, out of the ancient demeane. And vpon the diſtreſſe which ſhall be deliuered of Record vpon the ſame, open proclamation to be made in the Court there, The diſtreſſe ſhall be awarded more than fifteene dayes afore the returne of the ſame diſtreſſe, and euery ſuch diſtreſſe ſhall be made vpon the land of euery of the ſaid graund Iury, as in other diſtreſſes is and hath beene vſed. And if the ſaid party defendant, or the petit Iurors or any of them appeare not vpon the diſtreſſe, then the graund Iury to be taken againſt them and euery of them that ſhall ſo make default. And if any of the ſaid petit Iury appeare, then the party complainant in that behalfe ſhall aſſigne the falſe ſerement of the firſt verdict vntruely giuen, whereunto they of the petit Iury ſhall haue no anſwer, if they be the ſaine perſons, and the writ, proces, returne, and aſſignement good and lawfull, except that the demandant or plaintiffe in the ſame Attaint hath afore beene nonſuit, or diſcontinued his ſuit of Attaint taken for the ſame, or hath for the ſame verdict in a writ of attaint had iudgement againſt the ſaid petit Iury, but only that they made true ſerement, which iſſue ſhall be tried by xxiiij. of the ſaid graund Iury. And the party ſhall plead that they gaue true verdict, or any other matter, which ſhall be a ſufficient Barre of the ſaid Attaint. And that plea notwithſtanding, the graund Iury, to be taken without delay, to enquire whether the firſt Iury gaue true verdict or no.

fo.101.
fo.81.
Inſt.294.b.

Attaint where the thing in demand extendeth to xl.li. and concerneth not mans life.

The proces in Attaint.

Euery of the grand Iury in attaint muſt haue lands to the value of xx. markes.
St 15.H.6 5.
18.H.6.2.
37.H.8 5.

The diſtreſſe awarded xv. daies before the returne thereof.

The graund Iury awarded by default.

What pleas the petit Iury may plead in attaint
Raſt.pla.fo 92.

What pleas the defendant may plead in attaint.

The forfeit of the petit Iury which is attainted.

6.fo.5.
.8.fo.3.
.55.
273.
7.fo.5.

And if they finde that the ſaid petit Iury gaue an vntrue verdict, then euery of the ſaid petit Iury to forfeit xx. li, whereof the one halfe ſhall be to the King our Soueraigne Lord, and the other halfe to the party that ſueth.

And ouer that, that euery of the ſaid petit Iury ſhall ſeuerally make fine and ranſome by the diſcretion of the Iuſtices, before whom the ſaid falſe ſerement ſhall be found after their ſeuerall offences, defaults, and ſufficiency of euery of the ſaid petit Iury. And after that thoſe of the ſaid petit Iury ſo attainted ſhal neuer after be in any credence, nor their oath accepted in any Court. And if ſuch plea as the party pleadeth, which is a Barre of the ſaid Attaint, be found or deemed againſt him that ſo pleadeth, then the party that ſo ſueth ſhall haue iudgement to bee reſtored to that he loſt, with his reaſonable coſt and damages.

33.
4.

If the plea of the party Defendant in attaint be found againſt him.
Raſt.pla.fo.86.

Foreſeene alway that any Vtlare, in action or cauſe perſonall, or excommengement pleaded or alleaged in the party plaintife, or demandant ſhall be taken but as a void plea, and to that he ſhall not be put to anſwer. And that in all the aforeſaid proceſſe ſuch day ſhall be giuen as in a writ of Dower, and none eſſoine or protection to lie nor to be allowed in the ſame. And if the ſaid graund Iury appeare not vpon the firſt diſtreſſe had againſt them, ſo that the Iury for their default doe remaine, he that maketh default ſhall forfeit to the King xx.s. and vpon the ſecond diſtreſſe xl. s. and after making default for euery ſuch default v.li. And like penalties and forfeitures to be againſt them and euery of them that ſhall be named in the Tales, as is before expreſſed againſt euery of the ſaid grand Iury aforeſaid. And that, for and by the death of the party, or any of the ſaid petit Iury, the ſaid attaint ſhall not abate nor be deferred againſt the remnant, as long as two of the ſaid petit Iury be aliue.

Outlawry or excommunication no plea againſt the plaintiffe in attaint.

The forfeiture of the graund Iury making default of appearance.

The attaint maintainable as long as two of the petit Iury doe liue.

And if hereafter any falſe verdict be giuen in any Action, ſuit or demand afore any Iuſtice or Iudge of Record of any thing perſonall, as debt, treſpaſſe, and other like, which ſhall bee vnder the value of xl. pound, that then the party grieued ſhall haue Attaint, with ſuch proceſſe, and pleas,

Attaint of a thing vnder the value of xl.li.

as is afore rehearſed, and delaies to be taken away, as is afore remembred: except that in this caſe of Attaint euery perſon of the graund Jury that may diſpend v. marks by the yeare of frée-hold out of ancient demeane, or is worth an hundred markes of goods and Cattels, ſhall bee able to paſſe in the ſame Attaint. And if the petit Jury bee attainted, that then they ſhall be in this caſe of attaint euery of them to forfeit v.li. whereof one halfe ſhall be to the King, and the other half to the party, after the forme afore rehearſed, and ouer that to make fine and ranſome by the diſcretion of the Juſtices, as is aforeſaid.

Tales into another County if there be not ſufficient in the ſame County of freehold.

An attaint for him in reuerſion or remainder. St.9 R.2.3.

If the plaintife be nonſuit, or diſcontinue his ſuit.

And if there be not perſons of ſuch ſufficiency within the Shire, or place where any of the ſaid attaints ſhal be taken, as may paſſe into the ſame: be it ordained by the authority aboueſaid, that then one Tales ſhall be awarded into the Shire next adioyning by the diſcretion of the Juſtices, afore whom the ſame attaints ſhall be taken, which ſhall be warned to appeare vpon like paines as is aforſaid, and enabled to paſſe in the ſaid attaints, as if they were dwelling in the Shire, where the ſame attaint ſhall be taken. And that the ſame lawes, action, and remedy, ordained by this preſent Act be kept, for, and to all them that ſhal be grieued by ſuch vntrue verdicts of any inheritance, in diſcent, reuerſion, remainder, or of any fréehold in reuerſion or remainder. And if the partie in attaint giuen by this act be nonſuit, or the ſame diſcontinue, that then the ſame partie ſo nonſuit, or ſo diſcontinuing the ſaid attaint, make fine, and ranſome by the diſcretion of the Juſtices afore whom the ſaid attaint ſhall be taken, and depending.

Attaints muſt be ſued in the K. Bench or common place. ALT.37.H.8.5.

Niſi prius in Attaint.

Atturney in Attaint.

Dyer fo.202.

2.H.7.fo.7.

And that al attaints hereafter to be taken, ſhal be taken afore the King in his Bench, or afore the Juſtices of the Common place, and in none other Courts. And that Niſi prius ſhall be granted by diſcretion of the Juſtices vpon the diſtreſſe. And euery of the ſaid petit Jury may appeare, and anſwere by Atturney in the ſaid attaint. And that the moity of the ſaid forfeiture of the petit Jury, ſhall be leuied to the vſe of our Soueraigne Lord the King by Capias ad ſatisfaciend. or Fieri fac', or Elegit, or by action of debt againſt euery perſon of the petit Jury ſo forfeiting, & againſt his Executors and adminiſtrators, hauing then ſufficient goods of their ſaid Teſtator not adminiſtred, and the other moity ſhall by like proceſſe be leuied to the vſe of the partie that ſueth any attaint giuen by this Act againſt euery of the ſaid petit Jury, and his executors, or adminiſtrators, hauing then ſufficiency of goods as is aforeſaid not adminiſtred: and the iudgmēt of reſtitution to the party grieued ſuing this Act, and execution of the ſame, to be had, and like iudgement for the party defendant, or tenant to be diſcharged of reſtitution, as afore this preſent Act in caſe of a grand attaint hath bin vſed. And if there be diuers plaintifs or demandants in attaint, that the nonſuit or releaſe of any of them, ſhall not be in any wiſe hurtfull or preiudicial to the reſidue, but that they and euery of them in ſuch caſes may be ſummoned, and ſeuered like as it is vſed when there be diuers demandants in actions reall.

Judgement and execution in Attaint. Raſt.pla.fo.92.

Dyer fo.23

The nonſuit or releaſe of one plaintife ſhall not preiudice his companions

Be it alſo ordained and enacted by the authority aboueſaid, that in euery writ of attaint hereafter to be taken by or vpon this Act, the which ſhall be ſuch as other writs of attaint be, & after the Teſte of the ſame writ ſhall bee written theſe words in Latine: Per ſtat. continuat. vſque annum viceſimum tertium Domini *Henr.* octaui Dei gratia Angliæ & Franciæ regis, fidei defenſ. & Domini Hiberniæ.

And it is alſo enacted, that this Act ſhall take effect for verdicts hereafter to be giuen, and to continue to the laſt day of the next Parliament.

Prouided alway, that this Act be not preiudiciall to a Statute made in the eleuenth yeare of the late King of famous memory Henry the ſeuenth, for puniſhment of periury in vntrue verdicts giuen in plaints ſued in the Courts of the City of London, but that it ſhall be at the liberty of all perſons, for and vpon any vntrue verdict giuen in any Courts of the ſame City, to ſue their attaint vpon this eſtatute, or elſe vpon the ſaid eſtatute made in the ſaid eleuenth yeare at their owne pleaſures and wils. 13.El.25. made perpetuall. Raſt. pla. fo.84 Dyer fo.201.

Any perſon may ſue an Attaint vpon this Stat. or vpon the Act of 11.H.7.21.

Cap. IIII.

No Brewer ſhall be a Cowper, &c.

WHere the Ale Brewers and Béere Brewers of this Realme of England haue vſed, and daily doe vſe for their owne ſingular lucre, profit, and gaine, to make in their owne houſes their Barrels, Kilderkins, and Firkins, of much leſſe quantity, content, rate, and aſſiſe, then they ought to be, to the great hurt, preiudice, and damage of the Kings liege people, and contrary to diuers Acts, Statutes, ancient Lawes, and cuſtomes heretofore made, had, and vſed, and to the deſtruction of the poore craft, or myſterie of Cowpers. For reformation whereof be it enacted by the King our Soueraigne Lord, the Lords Spirituall & Temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That no Béere Brewer, nor Ale Brewer, that ſhall brew to ſale Beere, or Ale, ſhall from henceforth occupie by himſelf, nor by any other to his vſe, in his houſe, nor elſewhere, the myſtery or craft of Cowpers, nor make any Barrels, Kilderkins, Firkins, or other veſſels by himſelfe, nor by his or their owne ſeruants, whereby they ſhall put their Béere or Ale to ſale: but that all ſuch Barrels, Kilderkins, & other veſſels of wood, wherewith they ſhall put their Béere or Ale to ſale, ſhall from henceforth be made

No Brewer of Ale or Beere to ſell, ſhall vſe the myſtery of a Cowper, nor make any Barrels, &c.

and marked according as hereafter ſhall be expreſſed by the common Artificers of Coopers, exerciſed and practiſed in the ſaid occupation, vpon paine to forfeit and pay for euery ſuch barrell kilderkin, firkin or other veſſell, hereafter to bée made contrary to the tenor of this Act, iij.s. iiij.pence.

And be it alſo enacted, that euery artificer of the craft or myſtery of Coopers, that will exerciſe, or practiſe to make any of the ſaid veſſels for Béere or Ale to be put to ſale, ſhall make the ſame veſſels, and euery of them of good and ſeaſonable wood, and put his proper marke vpon euery of them. And that euery barrell for béere ſhall containe xxxvj gallons, euery kilderkin for béere xviij. gallons, and euery Firkin for béere nine gallons of the Kings ſtanderd gallon. And that euery barrell for Ale, ſhall containe xxxij. gallons, euery kilderkin for Ale xvj.gallons, and euery firkin for Ale viij. gallons of the Kings ſtanderd gallon. So that they ſhall be of good and iuſt meaſure, or elſe aboue, and not vnder, And that no Cooper ſhall make any other veſſell for Béere, or Ale, to bée ſold, within this Realme of any greater, or leſſer number of gallons then is aboue ſaid, vnleſſe he ſhall cauſe to bée marked vpon euery ſuch veſſell, that he ſhall ſo make of greater or leſſer number of gallons, the true and certaine number of as many gallons as euery ſuch other veſſell ſhall containe, to the intent that euery perſon may know the content thereof.

Veſſels for Ale and Beere ſhall be made of ſeaſonable wood and marked. The contents of barrels, kilderkins, &c.

And that no ſuch Artificer of Coopers ſhall inhance the prices of any ſuch barrels, kilderkins, firkins, or other veſſels in the ſale of them to any Ale brewer, or Béere-brewer, or other perſon, but kéepe the rates of ſuch prices as hereafter enſueth, and not aboue, vpon paine to forfeit for euery barrell, kilderkin, and firkin defectiue, or enhanced in price in any point contrary to this Act, iij.s, iiij.d. That is to ſay, for euery béere barrell nine pence. For euery béere kilderkin v.d, and for euery béere firkin iij.d. And the ale barrell xvj.d. and the ale kilderkin ix.d. and the ale firkin v.d.

Prices of barrels, kilderkins & firkins. Rep. 8. El. 9. 35. H. 8. 8.

And be it further enacted by the ſaid authority, that no béere brewer, nor ale brewer, at any time after the feaſt of Lammas now next comming ſhall put their béere or ale to ſale to any perſon, or perſons to be ſpent, and occupied within this Realme, in any other barrells, kilderkins, firkins, or other veſſels of wood, other then ſhall be made and marked by an artificer of Coopers aboueſaid, whereof euery barrell for béere ſhall containe and hold xxxvj.gallons, euery halfe barrell or kilderkin xviij. gallons, and euery firkin ix.gallons. And euery barrell for ale ſhall containe xxxij.gallons, euery kilderkin xvj. gallons, and euery firkin viij.gallons of full and iuſt meaſure or aboue, and not vnder that meaſure.

Veſſels of Ale & Beere to be marked by a Cooper.

And that euery béere brewer, and Ale brewer, ſhall not take ouer, and aboue for euery ſuch barrell, kilderkin, or firkin of ale and béere, but after ſuch prices and rates as ſhall be thought conuenient and ſufficient by the diſcretions of the Iuſtices of peace within euery Shire, where ſuch béere brewer, and ale brewer ſhall dwell, without any City, Borough, or Towne corporate, where no head Officers, as Maiors, Bailiffes, Sheriffes, and other head Officers haue none authority nor rule: and in euery City, Borrow, and Towne, where there be Mayors, Sheriffes, or other head Officers, the ſame rates and prices to be named and ceſſed by them and euery of them, by their diſcretions. And that the ſaid ale brewers or béere brewers, at any time hereafter ſhall not ſell their béere nor ale at any higher rates, or prices, then ſhall be to them aſſigned after the forme aboue rehearſed, vpon paiue to loſe and forfeit for euery barrell ſo put to ſale contrarie to this eſtatute vj.s. for euery halfe barrell, or kilderkin iij.s.iiij.d. and for euery firkin ij.s. and for euery veſſell containing greater number of gallons x.s. and for euery veſſell containing leſſer number of gallons xij.d. The one halfe of all the which penalties and forfeitures to be to the King our Soueraigne Lord, and the other halfe to him that will ſue for the ſame, by action of debt, bill, plaint, or information in any of the Kings Courts, in which action and ſuit the defendant ſhall not wage his Law, nor any eſſoine, protection, or priuiledge to bée admitted.

Prices of Ale & Beere aſſeſſed by Iuſtices of Peace and other Officers.

Be it alſo further enacted by the ſaid authority that all manner of Sopemakers within this Realme of England, which ſhall put to ſale any ſope by barrell, halfe barrell, firkin or other veſſell, ſhall from Lammas now next comming, make, or cauſe to be made their barrells, halfe barrells, firkins and other veſſels, according to the rates, contents, weights, and aſſiſes, of old time vſed and accuſtomed, that is to ſay, euery empty barrell to hold and containe xxxij. gallons or aboue, and to be in weight xxvj. pounds and not aboue of full and iuſt meaſure, and euery halfe barrell empty to be in weight xiij. pound and not aboue, and to hold and containe xvj. gallons or aboue: and euery firkin empty to weigh vj. pounds and an halfe, and not aboue, and to hold and containe viij. gallons or aboue, vpon paine of forfeiture for euery ſuch barrell, halfe barrell, firkin, or other veſſell hereafter to bée made, had, or vſed contrary to this Act, iii.ſhillings iij.pence.

Sope makers.

The content and waight of Sope barrels.

And alſo be it enacted by the authoritie aforeſaid that the Wardens of the occupation, or myſterie of Coopers within the City of London, from henceforth at all times hereafter, when they ſhall thinke conuenient, and expedient, taking with them an officer of the Maiors, ſhall haue full power, and authoritie by vertue of this Act, to ſearch, view, and gage all manner of ſuch

Wardens of Coopers ſhall ſearch in London.

arrells

barrels, kilderkins, firkins, and other veſſels to be made or occupied for ale, beere, and ſope, to be put to ſale within the City of London, and Suburbs of the ſame, and within two miles compaſſe without the ſame Suburbs, to view and ſee that the ſame barrels, kilderkins, firkins, and other veſſels, as well within liberties as without, be made, and marked well and ſufficiently, and beare and containe their true contents, rates, and meaſures according to the effect of this Eſtatute: And alſo to marke euery ſuch barrell, kilderkin, firkin, and other veſſell by them ſo viewed and gaged bearing and containing their true contents, with the ſigne and token of Saint Anthonies croſſe. The ſame Wardens to haue for the ſearch and gaging of euery ſuch barrell, kilderkin, firkin, and other veſſell by them ſo ſearched, viewed, gaged, and marked one farthing, and not aboue, of the owners or makers of the ſaid veſſels. And ſhall and may haue authority by vertue of this Act to retaine euery ſuch veſſell as they ſhall ſo gage, ſearch, and marke, vntill ſuch time as they ſhall be ſatisfied thereof. And in caſe they ſhall finde any of the ſaid veſſels defectiue, not bearing their true contents, that then by authoritie of this Act they may ſeaze, take, and retaine euery ſuch veſſell, and cauſe the ſame to bee marked or amended according to the true content, or elſe cauſe the ſame to be brenned.

And alſo the party owner of ſuch veſſell to loſe and forfeit for euery ſuch veſſell not being of the full contents after the rate aboue expreſſed, xij. pence to be recouered and imployed, as is aboue ſaid.

Search of Coopers in other Cities, Boroughs, or Townes.

And bee it further enacted by the ſaid authoritie, that in all other Cities, Borowes, and Townes, wherein no ſuch Wardens of Coopers be, that the Maiors, Sheriffes, Bailiffes, Conſtables, or other head Officers in ſuch Cities, Borowes and Townes, ſhall haue power and authority to ſearch, view, and gage all ſuch barrels, kilderkins, firkins, and other veſſels to be made hereafter in any ſuch Citie, Borough, or Towne, and to haue and take all ſuch aduantage thereby, and in like manner and forme, as the Wardens of Coopers within the City of London, or other perſons by this Act, ſhould or may haue or take on euery behalfe.

A beere Brewer may keepe a Cooper to hoop and amend his barrels.

Prouided alwaies, that euery beere Brewer may keepe in his houſe one or two Seruants of the myſtery or craft of Coopers, to hoope and amend his barrels, kilderkins, firkins, and other veſſels, wherein they ſhall put their beere to ſale from time to time, this Act, or any thing therein contained to the contrary in any wiſe notwithſtanding.

The penalty for veſſels diminiſhed.

And be it further enacted by the ſaid authority, that if any perſon at any time after the ſaid feaſt of Lammas next comming, doe miniſh or cauſe to be miniſhed any manner of barrell, kilderkin, or firkin to the deceit of any of the Kings Subiects, by reaſon of taking out the head of any ſuch veſſell, or taking out of any ſtaffe, out, or from any ſuch veſſell, that then euery ſuch veſſell to be burnt, and the offender to forfeit for euery ſuch offence iij.s. iiij. pence, the one moity thereof, to be to the King our Soueraigne Lord, and the other moitie therof to him or them of the Kings Subiects that will ſue for the ſame, to be recouered in manner and forme aboue rehearſed. And the party ſo offending to be further puniſhed by the diſcretion of the head Officer or Officers, before whom ſuch default ſhall be preſented.

An ale Brewer may keepe a Cooper.

It is enacted by the authority of this preſent Parliament, that notwithſtanding any thing contained in this Act of Brewers and Coopers, whereunto this Cedule is annexed, it ſhall be lawfull to euery Ale Brewer mentioned in the ſame Act, to haue & retaine in his ſeruice one perſon of the myſterie or craft of Coopers, to exerciſe in his ſeruice the craft of a Cooper only in binding, hooping and pinning his Maſters ale veſſels recited by the ſaid Act, and in none otherwiſe to vſe or exerciſe any making of veſſels, concerning the craft or myſtery of a Cooper, whiles that he is in the ſeruice of any ale Brewer.

Euery Cooper ſhall marke his veſſell with his owne marke. St. 51. H. 3.

Alſo it is enacted, that euery Cooper which hereafter ſhall make any ale veſſell ſpecified in the ſaid Act, ſhall from the feaſt of Pentecoſt next comming make euery ſuch veſſell according to the aſſiſe ſpecified in the Treatiſe called Compoſitio menſurarum, that is to ſay, euery barrell for ale containe xxxij. gallons of the ſaid aſſiſe or aboue, of the which viij. gallons make the common buſhel to be vſed in this Realme of England, euery kilderkin for ale xvj. gallons of the ſaid aſſiſe or aboue, and euery firkin viij. gallons of aſſiſe or aboue, vpon paine of forfeiture of iij.s.iiii.d. for euery of the ſame veſſels by him vntruly made contrary to this Act: the one halfe of the ſame forfeiture to be to the King, and the other to him that will ſue for the ſame by action of debt, bill, plaint, writ, or otherwiſe, In which action no eſſoine, protection, or wager of Law ſhall bee allowed.

And be it alſo enacted, that euery Cooper marke his veſſell with his owne mark, vpon paine of iij.s.iiij.d. to be leuied and recouered after like maner and forme as is abouesaid. And that no manner of perſon in the ſearch making for the true gaging of any ſuch veſſels, ſhall put out the ale of any ſuch veſſell, whereby the ſame ale ſhall be the worſe. And that it ſhall be lawfull to euery Ale Brewer to bring, carry, and cauſe to be brought, and carried their ale to the houſholds of our Soueraigne Lord the King, the Queene, the Princes, and to euery Archbiſhops, Biſhops, Dukes, Marqueſſes, Earles, Barons, or other Honourable mens houſes in Tunnes, Buttes, Pipes, Hogſheads, or other veſſels of greater or larger quantity then is expreſſed in this preſent Act, as before time hath beene vſed in that behalfe. And alſo it ſhall be lawfull to the ſaid Ale Brewers to bring, carry, or cauſe to be brought, conuaied, or carried their Ale to euery mans houſe in Barrels, Kilderkins, and Firkins, bearing and holding their true contents according to the purport and effect of this preſent Act, any thing contained in the ſame Act to the contrary hereof notwithſtanding. St. 31. El. 8.

CAP. V.

How farre the Commiſſion of Sewers ſhall extend.

OUr Soueraigne Lord the King, like a vertuous, and moſt gratious Prince, nothing earthly ſo highly weighing, as the aduancing of the common profit, wealth, and commodity of this his Realme, conſidering the daily great damages and loſſes, which haue happened in many and diuers parts of this his ſaid Realme, as well by the reaſon of the outragious flowing, ſurges and courſe of the Sea, in and vpon marſh grounds and other low places heretofore through politike wiſedome wonne and made profitable for the great common wealth of this Realme, as alſo by occaſion of land waters, and other outragious ſprings, in and vpon meadowes, paſtures, and other low grounds adioyning to riuers, floods, and other water courſes: And ouer that by and through Mills, Mill-dammes, Weares, Fiſhgarthes, Kedels, Gores, Gootes, Floudgates, Lockes, and other impediments, in and vpon the ſame riuers and other water courſes, to the ineſtimable dammages of the common wealth of this Realme, which daily is likely more and more to encreaſe, vnleſſe ſpeedy redreſſe and remedie be in this behalfe ſhortly prouided: wherein albeit that diuers and many prouiſions haue beene before this time made and ordained, yet none of them are ſufficient remedie for reformation of the premiſſes, hath heretofore by deliberat aduice, and aſſent of his Lords Spirituall & Temporall, and alſo his louing Commons in this preſent Parliament aſſembled, ordained, eſtabliſhed, and enacted, That commiſſions of Sewers and other the premiſſes, ſhal be directed in all parts within this Realme from time to time, where and when neede ſhall require, according to the maner, forme, tenour, and effect hereafter enſueing, to ſuch ſubſtantiall and indifferent perſons as ſhall be named by the Lord Chancellor, and Lord Treaſorer of England, and the two chiefe Iuſtices, for the time being, or by three of them, whereof the Lord Chancellor to be one.

The forme of the Commiſſion of Sewers.

Henry the eight, &c. Know ye that foraſmuch as the walls, ditches, bankes, gutters, ſewers, gotes, calcies, bridges, ſtreames, and other defences by the coaſts of the ſea, and marſh ground being and lying within the limits of A. B. or C. in the countie or counties of
or in the borders, or confines of the ſame, by rages of the ſea, flowing and reflowing, and by meane of the trenches of freſh waters deſcending and hauing courſe by diuers wayes to the Sea, bee ſo dirupt, lacerate, and broken: And alſo the common paſſages of Ships, Balengers, and Botes, in the riuers, ſtreames, and other floods, within the limits of A. B. or C. in the county or counties of
or in the borders, or confines of the ſame, by meane of ſetting vp, erecting and making of ſtreames, milles, bridges, ponds, fiſhgarthes, mil-dammes, lockes, hebbing weares, heckes, floodgates, or other like lets, impediments, or anoyances, be letted, or interrupted, So that great and ineſtimable damage for default of reparation of the ſaid walls, ditches, banks, fences, ſewers, gotes, gutters, calcies, bridges, and ſtreames, and alſo by meane of ſetting vp, erecting, making, and enlarging of the ſaid fiſhgarthes, mil-dammes, lockes, hebbing Weares, Heckes, floodgates, and other like anoyances in times paſt, hath happened, and yet is to be feared, that farre greater hurt, loſſe, and damage is like to enſue, vnleſſe that ſpeedy remedie be prouided in that behalfe.

The ſeuerall cauſes of awarding the Commiſſion of Sewers.

We therefore, for that by reaſon of our dignitie, and prerogatiue royall, we bee bound, to prouide for the ſafety, and preſeruation of our Realme of England, willing that ſpeedie remedie be had in the premiſſes, haue aſſigned you and ſixe of you, of the which we will that A. B. and C. ſhall be three to be our Iuſtices, to ſuruey the ſaid walles, ſtreames, ditches, bankes, gutters, ſewers, gotes, calcies, bridges, trenches, mills, mill-dammes, floodgates, ponds, lockes, hebbing weares, and other impediments, lets, and anoyances aforeſaid, and the ſame cauſe to be made, corrected, repaired, amended, put downe or reformed, as caſe ſhall require, after your wiſedomes, and diſcretions, And therein as well to ordaine, and doe, after the forme, tenour, and effect, of all and ſingular the Statutes, and Ordinances made before the firſt day of March, in the three and twentieth yeare of our raigne, touching the premiſes or any of them, as alſo to enquire by the oathes of the honeſt and lawfull men of the ſaid Shire, or Shires, place, or places, where ſuch defaults or anoyances be, as well within the liberties, as without (by whom the truth may the rather be knowen) through whoſe default the ſaid hurts and damages haue happned, & who hath, or holdeth any lands or tenements, or common of paſture, or profit of fiſhing, or hath or may haue any hurt, loſſe, or diſaduantage by any maner of meanes in the ſaid places, as well neere to the ſaid dangers, lets, and impediments, as inhabiting or dwelling thereabouts, by the ſaid wals, ditches, bankes, gutters, gotes, ſewers, trenches, and other the ſaid impediments, and anoyances. And all thoſe perſons and euery of them, to taxe, aſſeſſe, charge, diſtraine, and puniſh as well within the metes, limits, and bounds of old time accuſtomed, or otherwiſe, or elſewhere within our Realme of England, after the quantity of their lands, tenements, and rents by the

Coke li. 10. f. 138.

What things the Commiſſioners of Sewers are authoriſed to doe.

Inquirie by whoſe defaults the anoyances come.

Coke li. 10. fo. 139, 141.

number

Aſſeſſing the perſon to be contributorie to the charge.

number of acers and perches, after the rate of euery perſons portion, tenure, or profit, or after the quantity of their common of paſture, or profit of fiſhing, or other commodities there, by ſuch wayes and meanes, and in ſuch manner and forme, as you or ſixe of you, whereof the ſaid A. B. and C. to be three, ſhall ſeeme moſt conuenient to be ordained and done for redreſſe and reformation to be had in the premiſſes: And alſo to reforme, repaire, & amend the ſaid walls, ditches, bankes, gutters, ſewers, gotes, calcies, bridges, ſtreames, and other the premiſſes in all places needfull: and the ſame as often, and where need ſhal be, to make new, And to clenſe and purge the trenches, ſewers, and ditches in all places neceſſary, And further to reforme, amend, proſtrate, and ouerthrow all ſuch milles, ſtreames, ponds, lockes, fiſhgarthes, hebbing weares, and other impediments and anoyances aforeſaid, as ſhall be found by inquiſition, or by your ſuruaying and diſcretions to be exceſſiue or hurtfull.

Appointing of Bailifes, Collectors, Surueiors, and other inferior officers.

And alſo to depute and aſſigne diligent, faithfull, and true keepers, bailifes, ſuruayors, collectors, expenditors, and other miniſters, and officers for the ſafety, conſeruation, reparation, reformation, and making of the premiſſes, and euery of them, and to heare the accompt of the collectors and other miniſters of and for the receipt and laying out of the money that ſhall be leuied and paid in and about the making, repairing, reforming, & amending of the ſaid walls, ditches, bankes, gutters, gotes, ſewers, calcies, bridges, ſtreames, trenches, mills, ponds, lockes, fiſhgarthes, floodgates, and other impediments and anoyances aforeſaid.

Diſtraining for the arrerages of the money aſſeſſed.

And to diſtraine for the arrerages of euery ſuch collection, taxe, & aſſeſſe, as often as ſhall be expedient, or otherwiſe to puniſh the debtors and detainers of the ſame by fines, amerciaments, paines, or other like meanes after your good diſcretions. And alſo to arreſt, and take, as many carts, horſes, oxen, beaſts, and other inſtruments neceſſary, and as many workemen and labourers as for the ſaid workes and reparation ſhall ſuffice, paying for the ſame competent wages, ſalarie, and ſtipend in that behalfe:

Taking of Labourers, workemen, cariages, timber and other neceſſaries.

And alſo take ſuch, and as many trees, woods, vnderwoods, and timber, and other neceſſaries, as for the ſame workes & reparations ſhall be ſufficient, at a reaſonable price by you, or ſixe of you, of the which we will that A. B. and C. ſhall be three, to be aſſeſſed, or limited, as well within the limits and bounds aforeſaid, as in any other place within the ſaid county, or counties, neere vnto the ſaid places:

To make Statutes and Ordinances.

and to make and ordaine Statutes, Ordinances, and prouiſions, from time to time, as the caſe ſhall require for the ſafegard, conſeruation, redreſſe, correction, and reformation of the premiſſes, and of euery of them, and the parts lying to the ſame neceſſarie and behoofefull after the lawes and cuſtomes of Rumney marſh, in the countie of Kent, or otherwiſe, by any wayes or meanes after your owne wiſedomes and diſcretions. And to heare and determine all and ſingular the premiſſes, as well at our ſuite, as at the ſuit of any other whatſoeuer, complaining before you or ſixe of you: whereof A. B. and C. ſhall be three, after the lawes and cuſtomes aforeſaid, or otherwiſe by any other wayes and meanes after your diſcretions.

Awarding of writs & precepts of Sherifes, Bailifes, and others.

And alſo to make and direct all writs, precepts, warrants, or other commandements by vertue of theſe preſents, to all Sherifes, Bailifes, and all other miniſters, officers, & other perſons, as well within liberties, as without, before you or ſixe of you, whereof the ſaid A. B. and C. to be three, at certaine dayes, termes, and places to be prefixed, to be returned, and receiued. And further to continue the proces of the ſame, and finally to doe all and euery thing and things, as ſhall be requiſite for the due execution of the premiſſes, by all wayes and meanes after your diſcretions. And therefore we command you that at certaine dayes and places, when, and where ye, or ſixe of you, whereof the ſaid A. B. and C. to be three, ſhall thinke expedient, ye doe ſuruay the ſaid walls, fences, ditches, bankes, gutters, gotes, ſewers, calcies, ponds, bridges, riuers, ſtreames, water courſes, milles, lockes, trenches, fiſhgarthes, floodgates, and other lets, impediments, and anoyances aforeſaid, and accompliſh, fulfill, heare, and determine, all and ſingular the premiſſes in due forme, and to the effect aforeſaid, after your good diſcretions:

To compell others to obey their orders.

And all ſuch as ye ſhall finde negligent, gainſaying, or rebelling in the ſaid workes, reparations, or reformation of the premiſſes, or negligent in the due execution of this our commiſſion, that yee doe compell them by diſtreſſe, fines and amerciaments, or by other puniſhments, waies, or meanes, which to you or ſixe of you, whereof the ſaid A. B. and C. ſhall be three, ſhall ſeeme moſt expedient for the ſpeedie remedie redreſſe, and reformation of the premiſſes and due execution of the ſame. And all ſuch things as by you ſhall be made and ordained in this behalfe, as well within liberties as without, that ye doe cauſe the ſame firmely to be obſerued, doing therein as to our Iuſtices appertaineth after the lawes and ſtatutes of this our Realme, and according to your wiſedomes and diſcretions.

Saued alwayes to vs ſuch fines and amerciaments as to vs thereof ſhall belong. And we alſo command our Sherife or Sherifes, of our ſaid countie or counties of
that they ſhall cauſe to come before you or ſixe of you, of the which A. B. and C. ſhall be three, at ſuch dayes and places as ye ſhall appoint to them ſuch and as many honeſt men of his or their Bailywike as well within the liberties as without, by whom the truth may beſt be knowne, to enquire of the premiſſes. Commanding alſo all other miniſters and officers as well within liberties as without, that they and euery of them ſhall be attendant to you in and about the due execution of this our Commiſſion. In witnes whereof we haue cauſed theſe our Letters Patents to be made. Witnes our ſelfe at Weſtminſter the day of in the yeare of our raigne.

A commandement to all Sherifes to returne before the Commiſſioners ſuch Iurors as ſhall be expedient for inquirie.

All other officers ſhall be attendant vnto the Commiſſioners.

And it is alſo enacted, that euery ſuch perſon as ſhall be named Commiſſioner in the ſaid Commiſſion, after hée hath knowledge thereof, ſhall effectually put his diligence and attendance, in and about the execution of the ſaid Commiſſion. And before he ſhall take vpon him the execution of the ſaid Commiſſion, he ſhall take a corporall oath before the Lord Chancellor, or before ſuch to whom the ſaid Lord Chancellor ſhall direct the Kings writte of Dedimus poteſtatem, to take the ſame, or before the Iuſtices of the Peace in the quarter Seſſions holden in the Shire where ſuch Commiſſion ſhall be directed: the tenor of which oath hereafter enſueth.

The Commiſſioners ſhal take an oath. 23.H.8.10.

Ye ſhall ſweare, that you to your cunning, witte, and power ſhall truly and indifferently execute the authority to you giuen by this Commiſſion of Sewers, without any fauour, affection, corruption, dread, or malice to be borne to any manner perſon, or perſons: And as the caſe ſhall require, ye ſhall conſent, and indeauour your ſelfe for your part to the beſt of your knowledge and power, to the making of ſuch holſome, iuſt, equall, and indifferent Lawes and Ordinances, as ſhall be made and deuiſed by the moſt diſcréet and indifferent number of your fellowes being in Commiſſion with you, for the due redreſſe, reformation, and amendment of all and euery ſuch things, as are contained and ſpecified in the ſaid Commiſſion: and the ſame Lawes and Ordinances to your cunning, wit, and power cauſe to be put in due execution, without fauour, méede, dread, malice, or affection, as God you helpe and all Saints.

The forme of the oath.

And it is alſo enacted by the authority aforeſaid, that all and euery Statute, Act, and Ordinance, heretofore made concerning the premiſſes, or any of them, as well in the time of our Soueraigne Lord the King that now is, as in the time of any of his Progenitors Kings of this Realme of England, not being contrary to this preſent Act, nor heretofore repelled, from henceforth ſhall ſtand, and be good and effectuall for euer, and to be put in due execution according to the true meaning and purport of the ſame.

A confirmation of other ſtatutes

And ouer that it be enacted, that the Commiſſioners hereafter to be named in any of the ſaid Commiſſions, according to the purport and effect of the ſame Commiſſions, haue full power and authoritie, to make, conſtitute, and ordaine Lawes, Ordinances, and Decrées, and further to doe all and euery thing mentioned in the ſaid Commiſſion, according to the purport, effect, words, and true meaning of the ſame, And the ſame Lawes, and Ordinances, ſo made, to reforme, repell, and amend, and make new from time to time as the caſes neceſſary ſhall require in that behalfe.

The authority of the Commiſſioners.

St.1.M.11. 13 El.9.

Prouided alway and it is enacted, that if any perſon or perſons being aſſeſſed, or taxed, to any lot, or charge for any lands, tenements, or hereditaments within the limits of any Commiſſion hereafter to be directed, doe not pay the ſaid lot and charge according to the ordinance and aſſignement of the Commiſſioners, hauing power of the execution of the ſaid Commiſſion: by reaſon whereof it ſhall happen the ſaid Commiſſioners hauing power of execution of ſuch Commiſſion, for lacke of paiment of ſuch lot and charge to decrée and ordaine the ſame lands, tenements and hereditaments from the owner, or owners thereof, and their heires, and the heires of euery of them, to any perſon or perſons for terme of yeares, terme of life, in fée ſimple, or in taile, for paiment of the ſame lot and charge, That then euery ſuch decrée and ordinance ſo by them made and engroſſed in parchment, and certified, vnder their ſeales into the Kings Court of Chancerie, with the Kings royall aſſent had to the ſame, ſhall bind all and euery perſon and perſons, that at the making of the ſame decrée had any intereſt in ſuch lands, tenements, or hereditaments in vſe, poſſeſſion, reuerſion or remainder their heires and feoffées and euery of them, and not to be in any wiſe reformed vnles it be by authority of Parliament hereafter to bée ſummoned and holden within this Realme.

The ordinances of Commiſſioners vpon thoſe which refuſe.

St.13.El.9.

And alſo it is prouided by authority aforeſaid, that the ſame Lawes, Ordinances, and decrées to be made and ordained by the ſaid Commiſſioners, or ſixe of them, by authority of the ſaid Commiſſion ſhall bind as well the lands, tenements, and hereditaments of the King our Soueraigne Lord, as all and euery other perſon, and perſons, and their heires, for ſuch their intereſt, as they ſhal fortune to haue, or may haue in any lands tenements, or hereditaments, or other caſuall profit, aduantage, or commodity whatſoeuer they be, whereunto the ſaid Lawes, Ordinances, and Decrees ſhall in any wiſe extend according to the true purport, meaning, and intent of the ſame Lawes.

The Commiſſioners decree ſhal bind the Kings, and all mens Lands. Stat 3.Ed.6.8.

And it is furthermore by the authoritie aforeſaid eſtabliſhed and enacted, that if any maner of perſon or perſons, of what eſtate or degree ſoeuer he, or they be of, that from henceforth doe take vpon him or them, to ſit by vertue of any of the ſaid Commiſſions, not being before ſworne in forme as is aforeſaid, and according to the tenour of the oath afore ſpecified: Or if any perſon ſo named, and ſworne, doe ſit as is aforeſaid, not hauing lands and tenements or other hereditaments in fée ſimple, fée taile, or for terme of life, to the cléere yearely value of xl. marks aboue all charges to his owne vſe, except he be reſiant, and frée of any City, Borough, or Town Corporate, and haue moueable ſubſtance of the cléere value of one hundred pounds, or elſe bée learned in the Lawes of this Realme, in, and concerning the ſame, that is to ſay, admitted in one of the foure principall Innes of Court for an vtter Barreſter, ſhall forfeit xl.li. for euery time

No man may ſit being vnſworne.

What lands each Commiſſioner ſhall haue. Stat.13.El.9. 10. Stat.25.H.8.9.10.

that he ſhall attempt ſo to doe: the one halfe thereof to be to our Soueraigne Lord the King, and the other halfe thereof to the vſe of him, or them that will ſue therefore by action of debt, bill, plaint, or information in any of the Kings Courts: in which action, or ſuite, no wager of law ſhall be admitted, nor any eſſoine, or protection ſhall be allowed.

Avowrie or iuſtification of a diſtreſſe taken by reaſon of the Commiſſion of Sewers. Coke pla. fol 293.

And if any action or treſpaſſe, or other ſuit ſhall happen to be attempted, againſt any perſon or perſons for taking of any diſtreſſe, or any other act doing, by authoritie of the commiſſion, or by authority of any lawes or ordinances made by vertue of the ſaid Commiſſion, the defendant, or defendants in any ſuch action ſhall and may make auowrie, coniſance, or iuſtification for the taking of the ſame diſtreſſe, or other act doing, touching the premiſſes or of any of them, alledging in ſuch aduowrie, coniſance, or inſtification, that the ſaid diſtreſſe, treſpaſſe, or other act, whereof the plaintiffe complaineth, was done by the authority of the commiſſion of Sewers for lot, or taxe aſſeſſed by the ſaid commiſſion, or for ſuch other act or cauſe, as the ſaid defendant did by authoritie of the ſame commiſſion, and according to the tenor purport and effect of this preſent act made the three and twentieth yeare of the raigne of our Soueraigne Lord, King Henry the eight, without any expreſſing, or rehearſall of any other matter or circumſtance contained in this preſent act, or any commiſſion, lawes, ſtatutes, or ordinances thereupon to be made, whereupon the plaintiffe ſhall be admitted to reply, that the defendant did take the ſaid diſtreſſe, or did any other act, or treſpaſſe ſuppoſed in his declaration of his owne wrong, without any ſuch cauſe alledged by the ſaid defendant, whereupon the iſſue in euery ſuch action ſhall be ioyned to be tried by verdict of twelue men, and not otherwiſe, as is accuſtomed in other perſonall actions: And vpon the triall of that iſſue the whole matter to be giuen on both parties in euidence according to the very truth of the ſame.

Where the defendant ſhall repay damages with his coſtes of ſute.

And after ſuch iſſue tried for the defendant, or nonſute of the plaintife after appearance, the ſame defendant to recouer treble damages, by reaſon of his wrongfull vexation in that behalfe with his coſtes alſo in that part ſuſtained, and that to be aſſeſſed by the ſame iurie, or writte to enquire of damages, as the cauſe ſhall require.

The wages and fees of Commiſſioners, Clerkes, Collectors, &c.

And it is alſo enacted, that euery of the ſaid Commiſſioners ſhall haue and perceiue foure ſhillings for euery day that they ſhall take paine in the execution of this commiſſion of Sewers, and one Clerke by them to be aſſigned ij.s. for euery day, of the rates, taxes, lottes, and waynes that ſhall be aſſeſſed or loſt by the authority of the ſaid commiſſion, and to be leuied and paid by their diſcrecions. And that the ſaid Commiſſioners, or ſixe of them ſhall haue power and authoritie to limitte, and aſſigne of the ſame rates, taxes, lots, and waines by their diſcretions, ſuch reaſonable ſummes of money to the ſaid Clerke, for writing of bookes and proces, concerning the premiſſes, and to the collectors, expenditors, and ſuch other as ſhall take paine in the due execution of the ſaid Commiſſion, as by the diſcretions of the ſaid Commiſſioners, or ſixe of them ſhall be thought reaſonable.

Commiſſions within the libertie of the Duchie.

Prouided alway that whenſoeuer, and as often as ſuch Commiſſion, as is afore limited, ſhall be made and directed to any perſon or perſons, for the reformation and amendment, of, or in any of the premiſſes ſpecified in the ſaid commiſſion within the fees, liberties, or poſſeſſiõ, of the Duchie of Lancaſter, that then ſuch Commiſſioners as ſhall execute any ſuch commiſſion ſhall be alwaies named and appointed by the diſcretion of the Lord Chanceller, and Lord Treaſurer of England, and the ſaid two chiefe Iuſtices of either Bench, and the Chanceller of the ſaid Duchie for the time being, or three of them, whereof the ſaid Lord Chanceller, and the Chanceller of the Duchie to bee two. And that in euery ſuch caſe two Commiſſions ſhall be awarded and made according to the tenour of the commiſſion aboue expreſſed, one thereof vnder the great ſeale of England, and the other vnder the ſeale of the ſame Duchie, as before time hath beene accuſtomed, any thing afore rehearſed in this preſent act to the contrarie hereof notwithſtanding.

The charge of the Commiſſions. 3.Ed.6.8.

And it is further enacted, that the ſaid commiſſions from time to time, as the caſe ſhal require, ſhall be had and obtained without any money or other charge to be paid for the ſeales, or writing of the ſame, vnleſſe it be to the King ij.s.vj.d. for the ſeale of euery commiſſion, as hath beene accuſtomed: and for the writing and enrolling of any one commiſſion fiue ſhillings and not aboue.

A Commiſſion of Sewers ſhall endure three yeares. 13.Eliz.9.

A Commiſſion or Commiſſioner diſcharged by Superſedeas.

And it is further enacted, that euery commiſſion to be made by authoritie of this act ſhall endure, and continue for the terme of three yeares, next after the Teſte of the commiſſion. Neuertheleſſe, after any commiſſion made and deliuered out of the Kings court of Chancery, the Kings Highnes ſhall alwaies at his pleaſure by his writte of Superſedeas, out of his ſaid Court of Chancerie, at any time diſcharge as well euery ſuch commiſſion, as euery Commiſſioner that ſhall be made or named by authoritie of this act. After which diſcharge the ſaid Commiſſioners ſhall haue no power, nor authoritie to proceed in the execution of their commiſſion, nor in any thing by authority of this act.

How long the Commiſſioners decree ſhall endure.

Prouided alwaies, that ſuch lawes, actes, decrees, and ordinances as ſhall happen to bee made by the ſaid Commiſſioners according to the tenour of their commiſſion, or by authoritie of this act, ſhall ſtand good and effectuall, and bee put in due execution ſo long time as their commiſſion endureth and no longer: Except the ſaid Lawes and Ordinances be made and ingroſſed in Parchment, and certified vnder the ſeales of the ſaid Commiſſioners into the Kings Court of Chancerie, and then the Kings royall aſſent be had to the ſame: any thing conteined in this preſent Act to the contrary hereof notwithſtanding.

Art.13.El.9.

Prouided alſo, that whenſoeuer and as often as ſuch commiſſion as is afore limited ſhall be made and directed to any perſon or perſons for the reformation and amendment of, or in any of the premiſes ſpecified in the ſaid Commiſſion within the fees, liberties, and poſſeſſions of the principalitie of Wales, the Countie Palatine of Cheſter, or within the fees, liberties, and poſſeſſions of any other place, where there is libertie, and iuriſdiction of County Palatine, that in euery ſuch caſe two Commiſſions ſhall be awarded and made according to the tenor of the Commiſſion aboue expreſſed, one thereof vnder the great ſeale of England, and the other vnder the vſuall ſeale of the Countie Palatine, in manner and forme as is aboue prouided for the Duchie of Lancaſter, any thing afore rehearſed in this preſent Act to the contrary notwithſtanding.

Co mmiſſions into a County Palatine.

And it is prouided, and alſo enacted, that the royall aſſent limited to be had vnto the Lawes and Ordinances to be made by the ſaid Commiſſioners, as is aboue ſaid, ſhall be certified into the ſaid Court of Chancery vnder the Kings priuie ſeale. And that there ſhall not any ſumme of money be paid for the ſame priuie ſeale: but for the writing of the ſame Certificate vnder the ſaid priuie ſeale, ſhall be paid to the writer thereof ii. s. and not aboue, nor no other, nor greater ſumme for any thing touching or concerning the ſame certificate vnder the ſame priuie Seale.

The Kings royall aſſent ſhalbe certified into the Chancery. Art. 13.El.9.

Prouided alway, that the Chancellors, and ſuch other as ſhall haue the cuſtodie of the ſeales of the ſaid Principality of Wales, or the Countie Palatine of Cheſter, or within the fees, liberties, and poſſeſſions of any other place, where there is liberty and iuriſdiction of County Palatine, vpon reaſonable requeſt, and vpon the ſight of the Commiſſion vnder the Kings great Seale of his Chancery, ſhall without delay make out another Commiſſion vnder the ſeale of the ſaid County Palatine according to the tenor of the Kings Commiſſion to them ſhewed vnder his great ſeale. And to thoſe Commiſſioners as ſhall be named by the Lord Chancellor, Lord Treaſurer, and the two chiefe Iuſtices, or by three of them, whereof the Lord Chancellor to be one, except it be within the fees and liberties of the Duchie of Lancaſter, within which fees and liberties, the Commiſſioners ſhall be named, and Commiſſions made, as is afore ordeined by this Act, any thing contained in the ſaid Act, or in any prouiſo thereunto added and annexed to the contrary thereof notwithſtanding. This Act to endure for xx. yeares. Stat.3. Ed.6.8. made perpetuall, Stat.3. Iac.14. Regiſt.fol.127.

Commiſſions in Wales and Counties Palatine.

CAP. VI.

Before whom Recogniſances of debt ſhall be made, and the forme, &c.

FOraſmuch as the Maiors, of the Staple in diuers places of this Realme, where any Staple is kept, in the preſence of the Conſtables of the ſame Staple before this time haue & might lawfully take Recogniſance, or knowledge for debts, onely concerning and touching the Merchandiſe of the ſame Staple, betwixt Merchant and Merchant of the ſame Staple, according to diuers laudable Statutes and prouiſions before this time had, ordained and made. Which Maiors and Conſtables many and ſundry times ſince the making of the ſame Statute, haue taken diuers recogniſances and knowledges of diuers of the Kings ſubiects for debts, ſurmiſing the ſame knowledge or recogniſance to be made for ſurety of payment of ſummes of mony for ſuch wares as were or beene bought in the ſame Staple: where of troth the ſame recogniſance did not in any wiſe touch or concerne the Merchandiſe of the ſame, ne alſo the parties, that is to ſay, the cogniſor, ne the cogniſee, that did knowledge, and take the ſame recogniſances, were Merchants of the ſame Staple: which recogniſances, and knowledges taken in forme aforeſaid are not onely cleare contrary to the true meaning and intent of the ſame former eſtatutes, but alſo thereby diuers great and ſundry inconueniences, damages, and deceits do daily riſe, and grow to diuers of the Subiects of our Soueraigne Lord the King, by reaſon of the miſuſing of the ſame. And for as much as the Kings highneſſe of his moſt high wiſdome perceiueth the miſuſing and execution of the ſame to be contrary to the forme of the ſaid former eſtatutes. Therefore his pleaſure is, that ſome true, lawfull, and reaſonable bond, for ſurety of paiment of the ſaid debts of his Subiects ſhall be made and deuiſed by true and iuſt meanes, which in it ſelfe may, and ſhall purport right and equity, and be alſo conſonant to reaſon.

Statutes of the Staple were deuiſed only for Merchandiſes of the Staple, and betweene Merchant and Merchant.

In conſideration whereof, by the aſſent of the Kings Highneſſe, his Lords Spirituall and Temporall, and his Commons in this preſent Parliament aſſembled, and by authority of the ſame, it is enacted, ordained, and ſtabliſhed, that from the firſt day of Aprill next comming, the 89.b chiefe Iuſtice of the Kings bench, & the chiefe Iuſtice of the Common pleas, which now be, or at any time hereafter ſhall be, and euery of them by himſelfe, & in their abſence out of the terme, the

Who may take a Recogniſance in the nature of a Statute ſtaple. Cokepla.fo.12.

Maior of the ſtaple at Weſtminſter and the Recorder of the Citie of London for time being ioyntly together by his or their diſcretion, ſhall haue full power and authoritie to take recognizances, or knowledges of euery of the Kings Subiects for the payment of debts, according to ſuch forme as hereafter enſueth.

The forme of the Recogniſance,

Nouerint vniuerſi per præſent. me A. B. & D. C. armig. teneri & firmiter obligari Iohanni at Style in C.li. ſterling. ſoluend. eidem Iohanni aut ſuo cert. attornat. hoc ſcriptum oſtend. hered. vel execut. ſuis in tal. feſt. &c. proxi. futur. poſt dat. præſentium. Et ſi deficero vel deficerimus in ſolutione debit. prædict. volo & concedo, *vel ſic*, Volumus & concedimus, quod tunc currat ſuper me, hæred. & executores meos, vel ſuper nos & quemlibet noſtrum hæred. & execut. noſtros pœna in ſtatuto Stapulæ de debit. pro merchandiſis in eadem emptis recuperand. ordinat. & prouiſ. Dat. tal. die Anno regni regis, &c.

By what ſeales the ſame obligation ſhall be ſealed.

And that euery obligation that ſhall be made, as is aforeſaid, and knowledged before any of the ſaid chiefe Iuſtices, or the ſaid Maior and Recorder according to this Act, ſhall be ſealed with the ſeale of the party or parties, that ſhall recognize, or knowledge the ſame, and alſo with ſuch ſeale as the Kings Highneſſe ſhal ordaine and appoint for the ſame, and with the ſeale of one ſuch of the ſaid Iuſtices, or with the ſeales of the ſaid Maior and Recorder, and with his or their name or names ſubſcribed, that ſo ſhall take the ſame Recogniſance or knowledge. And that euery of the ſaid two Iuſtices, and the ſaid Maior and Recorder, ſhall haue the cuſtodie of one ſuch ſeale by the Kings Highneſſe to be appointed, with one like print, ſcripture, or faſhion, which ſhall ſeuerally remaine with them to the intent aboue rehearſed.

The Clarke of the Recogniſances ſhall inroll them, and ſhall dwell in London.

And further be it enacted by the authoritie aforeſaid, that ſuch an honeſt and diſcréet perſon as ſhall be aſſigned by the Kings Highneſſe, or the ſuficient deputie or deputies of the ſame perſon ſo to be aſſigned, ſhall make and write all ſuch obligations, as ſhall be knowledged and recogniſed by authoritie of this Act, and ſhall cauſe the ſame obligations recogniſed and knowledged in forme as is aboueſaid, to be enrolled in two ſeuerall rolles indented, whereof one ſhall remaine with ſuch of the ſaid Iuſtices or with the ſaid Maior and Recorder, that ſo ſhall take the ſame Recogniſance in forme aforeſaid, and the other roll with the writer thereof, appointed for the ſame. And that the ſaid perſon by the Kings Highneſſe to be appointed for making, writing, and enrolling ſuch obligations, or his ſufficient deputie or deputies ſhall be dwelling, or abiding in the ſaid City of London, vpon paine to forfeit for euery time that he and his deputie ſhall be abſent by the ſpace of two dayes, ten pounds.

Certificat of the Recogniſance in the Chancery.

And further it is enacted by authoritie aforeſaid, that the ſaid perſon ſo to be aſſigned by the Kings Highneſſe to write, make, and enroll ſuch obligations, or his ſufficient deputie or deputies, at the requeſt of the Creditors, their Executors, or Adminiſtrators, ſhall certifie ſuch obligations as ſhall be taken and recogniſed by authoritie of this Act, into the Kings Court of Chancerie vnder the ſeale of the ſaid perſon ſo to be appointed for writing, making, and enrolling ſuch obligations.

Execution vpon a Recogniſance acknowledged according to this Statute.

And that euery perſon and perſons, to whom any ſuch obligation ſhall be made, knowledged, and enrolled (as is aforeſaid) their Executors and Adminiſtrators, and the Executors and Adminiſtrators of euery of them, for default of paiment of the debts contained in ſuch obligations, ſhall haue in euery point, degrée and condition, againſt the ſaid recogniſor, and recogniſors, and euery of them, their heires, executors, and adminiſtrators, and the heires, executors, and adminiſtrators of euery of them, like proceſſe, execution, commoditie, and aduantage in euery behalfe, as hath béene vſed and accuſtomed before this time to be had, done, or made of and vpon any obligation of the Statute of the ſtaple, and vnder ſuch manner and forme as is for the ſame Statute of the ſtaple prouided, paying for ſuch proceſſe, and execution to be had, ſuch like fées, as is accuſtomed for proces and excution to be had vpon Obligations of the ſame Statute of the Staple and not aboue.

Where the Recogniſor ſhall be releiued by Audita querela.

And that euery ſuch perſon and perſons that ſhall be bounden or otherwiſe gréeued by vertue of any obligation to bee made by authority of this Act, ſhall haue their like remedy by Audita Querela, and all other remedies in the Law, that they might haue had in caſe they had bin bounden by obligation of the Statute of the Staple.

The King ſhall haue ob. in the pound vpon execution ſued.

And that euery ſuch perſon and perſons that ſhall haue proces for execution to be had by reaſon of any ſuch obligation to be made and knowledged, according to this Act, ſhall pay to the Kings Highnes, his Heyres or Succeſſors at the time of enſealing of the proces for execution to be had, one halfe penny for euery pound that ſhall be conteined in the Obligation, whereof execution ſhall be required, and not aboue.

The remedy for tenant by Recogniſance being diſſeiſed.

And that euery ſuch perſon and perſons that ſhall happen to haue any execution of any lands tenements, or hereditaments, by reaſon of any ſuch obligations to be made and knowledged (as is aboueſaid) their Executors, Adminiſtrators, or Aſſignes, and the Executors, Adminiſtrators and Aſſignes of euery of them, if they, or any of them, being put out or diſſeiſed, ſhall haue like remedy in euery point, and condition, as perſons hauing execution in and vpon any Statute of the Staple, after execution to them had, may, or might haue, by vertue of the ſaid writing obligatory of the Statute of the Staple, and execution of the ſame.

And further be it enacted by the authoritie aforeſaid, that euery of the ſaid Juſtices, and the ſaid Maior, and Recorder, before whom any ſuch obligations ſhal be recogniſed, ſhal take for euery knowledge of euery one ſuch recogniſance iij.s.iiij.d. and not aboue: And the Clerke that ſhall write, make, & enroll the ſame obligations iij.s.iiij.d. And for the certificat of euery one ſuch obligation xx.d. And if any of the ſaid Juſtices, Maior, Recorder, or Clerke take of any of the Kings ſubiects aboue the ſum or ſummes to them limited by this Eſtatute, that then the ſaid Juſtices, Maior, Recorder, or Clerke, that ſo ſhall take contrary to the forme aforeſaid, ſhall forfeit for euery time ſo offending xl.li.

The Juſt. and Clerks fee vpon euery recogniſance.

And further it is enacted by the authority aforeſaid, that from the ſaid firſt day of Aprill, No Maior or Conſtable of the Staple, for the paiment of any ſumme or ſummes of mony, take any knowledge or recogniſance of the ſaid Statute of the Staple, of any of the Kings ſubiects, vpon paine to forfeit for euery time ſo offending xl.li. The one moity of all and ſinguler the ſaid penalties to be to the Kings Highneſſe, and the other moity to the party that wil ſue for the ſame. For the recouery whereof, the party that will purſue ſhall haue his remedy by information, action of debt, bill or plaint, in any of the Kings Courts: in which no eſſoine, protection, nor wager of Law ſhall be admitted. Prouided alway that this Act nor any thing therein contained be in any wiſe preiudiciall or hurtfull to any Maior, and Conſtables of the Staple, for any bond or writing of the Statute of the Staple to bee taken, or receiued betweene Merchants being free of the ſame Staple, for merchandiſe of the ſame Staple betweene them lawfully bought and ſold.

In what caſes recogniſances by Sta. ſtaple may be taken by the Maior, and conſtable of the ſtaple, and in what not.

Prouided alſo and be it enacted by the authority aforeſaid, that all recogniſances before this time taken before the Maior, and Conſtables of any of the ſaid Staples, whereof the ſummes now be not paid, or otherwiſe contented, lawfully auoided, or diſcharged by the Law, ſhal be as good, and effectuall, as though they had beene verily made for merchandiſe of the ſame Staple, and betweene Merchant and Merchant, of the ſame Staple, and as they ſhould haue been, if this Act had neuer beene had ne made. St.11.Ed.1.Acton Burnell.13.Ed.1. Demercatoribus.27.Ed.3.9.27.Eliz,4.

Recogniſances taken before this Statute.

Cap. VII.

The Statutes of *5.R.*2.3.6.*R*,2,8.4.H.7.10. Touching the bringing of Gaſcoine or Guion wines or Toulouſe Ode, into this Realme by ſhips onely of England, Ireland, or Wales, and by onely Maſters and Mariners of the ſame Countries confirmed. No perſon ſhall lay on land out of a ſhip any French wine, betweene the feaſts of Saint Michael and the purification, vpon paine of forfeiture thereof. No perſon ſhall ſell by retaile any French wines aboue viij.d. the Galon. viz. i.d. the pint. Nor any Malmeſey, ſacke, Rumney, or other ſweet wine aboue xij.d. the Galon. The prizes of the Tun, Butt, Pipe, and Hogſhead of the ſaid wines, ſhall be aſſeſſed by the Kings great Officers. The contents and gauging of the ſaid veſſels. Exp. St. 24.*H.* 8.6.26.*H.* 8.10.28.*H.* 8.14.32.*H.*8.14.

Cap. VIII.

How certaine Hauens in Cornwall and Deuonſhire may be amended.

Piteouſly ſheweth, and complaineth, vnto the King our Soueraigne Lord, and to the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, the inhabitants of the Townes and Ports of Plimmouth, Dartmouth and Teingmouth in the County of Deuonſhire, Falmouth and Fowey in the County of Cornewall, that where the ſaid Ports haue beene in time paſt the principall, and moſt commodious Hauens and Ports within this Realm for the rode, ſurety, and preſeruation of ſhips reſorting from all places of the world, as well in perill of ſtorms, as otherwiſe. For where before this time all manner of ſhips being vnder the portage of eight hundred tuns, reſorting vnto any of the ſaid ports or Hauens, might at the low water eaſily enter into the ſame, and there lie in ſurety, what wind or tempeſt ſoeuer did blow. By reaſon whereof not only a great multitude of ſhips, as well of this Realme as of other Regions, and Countreys, before this time had beene preſerued and ſaued, but alſo in time of war, the ſaid Hauens and Ports, haue beene the greateſt fortification and defence of that part of this Realm, and the ſpeciall preſeruation of the great part of the Nauy of the ſame: which ſaid Ports and Hauens beene at this preſent time in manner vtterly decaied & deſtroied by meane of certaine tin workes, called Streme workes, vſed by certaine perſons within the ſaid Counties, which perſons more regarding their owne priuate lucre, than ẏ Common wealth and ſurety of this Realme, haue by working of the ſaid Streme workes, digging, ſearching and waſhing of the ſame neere vnto the freſh riuers, waters, and low places, deſcending & comming out of the land, towards, & into the ſaid Ports, and Hauens to the ſea, conueyed by the force of the ſaid freſh riuers a maruellous great quantity of ſand, grauell, ſtone, robell, earth, ſlime, and filth in the ſaid Ports and Hauens, and haue ſo filled & choked the ſame, that where before this time a ſhip of the portage of eight hundred as is aforeſaid, might haue eaſily entred at a low water

St.27.H.8.13.

The great eaſe and benefit which this Realme and others receiued by the Hauens of Plimouth, Dartmouth, &c.

The decay of the Hauens of Plimouth, &c. and the cauſe thereof.

ter into the ſame, now a ſhip of a hundred can ſcantly enter at the halfe flood, to the decay and vtter deſtruction of the ſaid Hauens and Ports, and alſo to the ruine and vtter vndoing of all the good Townes within the ſaid Counties of Deuonſhire and Cornewall, if remedy be not in that caſe ſpeedily prouided. For reformation whereof, bee it enacted by the King our Soueraigne Lord, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, that no perſon or perſons hereafter ſhall labour or work, or cauſe to be laboured or wrought in any manner of tin workes, called Streme workes within the ſaid Counties of Deuonſhire or Cornewall, nigh to any of the ſaid freſh waters, riuers, or low places deſcending or hauing courſe vnto the ſaid Hauens or Ports, or any of them, nor ſhall labour, dig, or waſh any tin in any of the ſaid tin workes called Stremo workes, vnleſſe the ſaid digger, owner, or waſher, ſhall make, or cauſe to bee made ſufficient hatches, and ties in the end of their buddles, and cords, and therein put and lay, or cauſe to bee put and laid, all the ſand, ſtones, grauell, and robell digged about the inſerching, finding, and waſhing of the ſaid tin, there to be wholly and ſurely kept, by the ſaid hatches and ties, out and from the ſaid freſh riuers or water-courſes, or any of them, ſo that the ſaid ſand, ſtones, grauell, and robell, ne any part therof, be for lack of ſuch hatches, or ties, conueyed into the ſaid Ports and Hauens, or any of them vpon paine to forfeit for euery time that any owner or tinner, ſhall dig or waſh, or cauſe to bee digged or waſhed, any tin contrary to the forme aforeſaid, x.li. The one halfe thereof to be to the vſe of our Soueraigne Lord the King, And the other halfe thereof to be to any of the inhabitants of the ſaid Ports, towns, or Hauens, that will ſue for the ſame, in any of the Kings Courts, by originall writ, bill, plaint, information, or otherwiſe, wherein the defendant ſhal not be admitted to wage his law, ne any protection or eſſoine ſhall be allowable.

A meane to maintaine the Hauens of Plimouth, Dartmouth, &c. in the counties of Deuon & Cornwal.

Who ſhall haue the forf. and by what means he ſhall recouer it. Alt. 27. H. 8. 23.

And be it further enacted by authority aforeſaid that if any perſon or perſons, ſhall happen to be ſued, accuſed, indited, impriſoned, amercied, condemned, or otherwiſe vexed, or troubled in his perſon, lands, tinworks, goods, or cattels, by any of the Miniſters or officers of any the kings Courts of Stannery, or by any other perſon or perſons, for purſuing or attempting any ſuit or action, according to this Eſtatute, againſt ſuch perſon or perſons, as ſhall offend contrary to the forme aforeſaid, that then all ſuch ſuits, accuſements, enditements, impriſonments, actions, condemnations, fines, amerciaments, & euery other act or acts to be done in any of the ſaid Courts of Stannery, or elſwhere, by any perſon or perſons, againſt any perſon or perſons, for ſuing, or attempting any ſuits or actions by vertue of this Eſtatute, ſhall be vtterly void and of none effect in the Law. And that the parties ſued, endited, accuſed, impriſoned, or otherwiſe grieued, or moleſted, for purſuing againſt any perſon or perſons offending this Eſtatute, ſhal haue his action and remedy grounded vpon this Eſtatute, by originall writ, bill, plaint, information, or otherwiſe in any of the Kings Courts, againſt ſuch as ſhall procure, or attempt to vex, trouble, or otherwiſe moleſt any ſuch perſon or perſons, for ſuing or purſuing, for the forfeitures aforeſaid; and ſhall recouer treble damages in that behalfe. And the party defendant ſhall not bee admitted to wage his law, ne any protection eſſoine nor priuilege ſhall be to him allowable. And if it ſhal happen any perſon or perſons, for purſuing any ſuit, or action vpon this Eſtatute, or by occaſion of the ſame hereafter to be impriſoned by any maner perſon or perſons being officers or miniſters of the Stannery, their deputies or ſubſtitutes, that then euery of the Iuſtices of Peace within any of the Counties aforeſaid, wherein the ſaid priſoner ſhall happen to bee committed to priſon, vpon credible information thereof, taking ſurety by his diſcretion for apparance of ſuch priſoner at the next generall Seſſions of Peace, ſhall haue power and authority as well to direct his warrant to the Gaolor, or keeper of the priſon, as to any other perſon or perſons, to whom the ſaid priſoner ſhall be committed vnto, commanding him or them, vpon paine of forfeiture of xl.li, to deliuer and put at large, the ſaid priſoner or priſoners: which if hee refuſe to doe, then euery ſuch offendor ſhall loſe and forfeit the ſaid xl.li. the one halfe of which forfeiture to be to the vſe of our Soueraigne Lord the King, and the other halfe to him that is grieued by reaſon of ſuch impriſonment, to be recouered in maner & forme aforeſaid: And the defendant in any action, or ſuit for the ſame, ſhall not wage his law, ne haue any eſſoine, or protection allowed. And if it ſhall appeare vpon the apparance of ſuch priſoner at the quarter Seſſions by examination of the Iuſtices of peace there being, that he was impriſoned contrary to the forme of this Eſtatute, that then hee ſhall be forthwith dimiſſed, and thereby diſcharged. And if hee were lawfully impriſoned, for any other iuſt cauſe, then to be remaunded to priſon by the diſcretion of the ſaid Iuſtices.

The remedy if any perſon be troubled in the Stannery for proſecuting ſuit according to this ſtatute.

The forf. of the offendor & the meane to recouer it.

Prouided alway, that this Act, or any thing therein contained, bee not in any wiſe preiudiciall, or hurtfull to any of the officers of the Stannery, ne to any of their lawfull liberties, priuileges, vſages, lawes, or cuſtomes, ſauing onely in their caſes, and prouiſions contained and limited within this preſent Act, which ſhall alway bee put in execution according to the tenor of this Act, any vſage, cuſtome, priuilege, ordinance, or liberty to the contrary thereof notwithſtanding.

This Act ſhall not be preiudicial to the officers or liberties of the Stannery.

And it is enacted, that this Act ſhall begin to take effect from the feaſt of S. Michael the Archangell next comming, and not before.

Cap. IX.

No perſon ſhall be cited out of [illegible] Dioceſſe but in certaine caſes.

WHere great number of the Kings ſubiects, as well men, wiues, ſeruants, as other the Kings ſubiects dwelling in diuers Dioceſſes of this Realm of England and of Wales, heretofore haue béene at many times called by citations, and other proceſſes compulſaries, to appeare in the Arches audience, and other high Courts of the Archbiſhops of this Realme, far from, and out of the Dioceſſe, where ſuch men, wiues, ſeruants, and other the Kings ſubiects béene inhabitant, and dwelling, and many times to anſwer to ſurmiſed, and [illegible]ained cauſes, and ſuits of defamation, withholding of tithes, and ſuch other like cauſes, and matters, which haue béene ſued more for malice, and for vexation, than for any iuſt cauſe of ſuit.

The inconuenience of citations to enforce men to appeare out of the Dioces where they dwell.

And where certificat hath béene made by the Sommoner, Apparitor, or any ſuch light literat perſon, that the party againſt whom any ſuch citation hath béene awarded, hath béene cited, or ſommoned, and thereupon the ſame party ſo certified to be cited, or ſummoned, hath not appeared according to the certificat, the ſame party therefore hath béene excommunicated, or at the leaſt ſuſpended from all diuine ſeruice: and thereupon before that hee or ſhee could be abſolued, hath béene compelled not only to pay the fées of the Court, whereunto he or ſhe was ſo called by citation or other proceſſe, amounting to the ſumme of ij.s. or xx.d. at the leaſt: but alſo to pay to the Sommoner, Apparitor, or other light literat perſon, by whom he or ſhe was ſo certified to be ſommoned, for euery mile being diſtant from the place where he or ſhe then dwelled, vnto the ſame Court, whereunto he or ſhe was ſo cited or ſummoned to appeare. ij.d. to the great occaſion of impoueriſhment of the Kings ſubiects, and to the great occaſion of miſbehauiour and miſliuing of wiues, women, and ſeruants, and to the great impeirement and diminution of their gód names and honeſties. Bee it therefore enacted by the King our ſoueraigne Lord, with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, that no maner perſon ſhall be from henceforth cited or ſommoned, or otherwiſe called to appeare by himſelfe or herſelfe, or by any procurator, before any Ordinary, Archdeacon, Commiſſary, Officiall, or any other Iudge Spirituall, out of the Dioceſſe, or peculiar iuriſdiction, where the perſon which ſhall be cited, ſommoned or otherwiſe (as is aboueſaid) called, ſhal be inhabiting, and dwelling, at the time of awarding, or going forth of the ſame citation or ſommons: except that it ſhall be for, in, or vpon any of the caſes or cauſes hereafter written: that is to ſay, for any Spiritual offence or cauſe committed, or done, or omitted, forſlowed or neglected to be done contrary to right or duty by the Biſhop, Archdeacon, Commiſſary, Officiall, or other perſon hauing Spirituall iuriſdiction, or being a Spirituall Iudge, Or by any other perſon or perſons, within the Dioceſſe, or other iuriſdiction, wherunto he or ſhe ſhall be cited, or otherwiſe lawfully called to appeare and anſwer.

No perſon ſhall be cited to appeare out of the Dioceſſe where he dwelleth but in certain caſes. Co.pl.fo.363.448

And except alſo it ſhall be, by or vpon matter, or cauſe of appeale, or for other lawfull cauſe, wherein any party ſhall find himſelfe or herſelfe gréeued or wronged by the Ordinary, Iudge, or Iudges of yͤ Dioceſſe, or iuriſdiction, or by any of his Subſtituts, Officers, or Miniſters, after the matter or cauſe there firſt commenced & begun to be ſhewed vnto the Archbiſhop or Biſhop, or any other hauing peculiar iuriſdiction, within whoſe Prouince the Dioceſſe or place peculiar is: Or in caſe that the Biſhop or other immediate Iudge or Ordinary, dare not nor will not conuent the party to be ſued before him: Or in caſe that the Biſhop of the Dioceſſe, or the Iudge of the place, within whoſe iuriſdiction or before whom the ſuit by this act ſhould be commenced and proſecuted, be party directly or indirectly to the matter or cauſe of the ſame ſuit: Or in caſe that any Biſhop, or any inferiour Iudge hauing vnder him iuriſdiction in his owne right & title, or by commiſſion, make requeſt, or inſtance to the Archbiſhop, Biſhop, or other Superior, Ordinary, or Iudge, to take, treat, examine, or determine the matter before him or his ſubſtitute. And that to be done in caſes onely where the Law Ciuill or Canon doth affirme execution of ſuch requeſt or inſtance of iuriſdiction to be lawfull or tolerable, Vpon paine of forfeiture to euery perſon by any Ordinary, Commiſſary, Officiall, or Subſtitute by vertue of his office, or at the ſuit of any perſon to be cited, or otherwiſe ſommoned, or called contrary to this act of double damages & coſts for the vexation in that behalfe ſuſtained, to be recouered againſt any ſuch Ordinary, Commiſſary, Archdeacon, Officiall or other Iudge, as ſhall award, or make proceſſe, or otherwiſe attempt, or procure to doe any thing contrary to this Act, by action of debt or action vpon the caſe, according to the courſe of the common Law of this Realme in any of the Kings high Courts, or in any other competent Temporall Court of Record, by originall writ of debt, bill, or complaint. In which action, no protection other than ſuch as ſhall be made vnder the Kings great ſeale and ſigned with his ſigne manuell, ſhall be allowed, neither any wager of law nor eſſoine ſhall be admitted. And vpon paine of forfeiture for euery perſon ſo ſommoned, cited or otherwiſe called (as is aboueſaid) to anſwer before any Spirituall Iudge out of the Dioceſſe or other iuriſdiction where yͤ ſaid perſon ſo dwelleth, or is reſident or abiding, x.li. ſterling. The one halfe thereof to be to the King our ſoueraigne Lord, & the other halfe to any perſon that will

The forf. of an ordinary offending againſt the purport of this Statute.

ſue for the ſame in any of the Kings ſaid Courts, or in any other the ſaid Temporall Courts, by writ, information, bill, or plaint. In which action, no protection ſhall be allowed, nor wager of law or eſſoine ſhall be admitted.

Any Archbiſhop may cite for hereſie in another Biſhops Dioces

Prouided alwaies that it ſhal be lawful to euery Archbiſhop of this Realme to cal, cite, & ſummon any perſon, or perſons inhabiting, or dwelling in any Biſhops Dioces within his prouince for cauſes of hereſie, if the Biſhop or other Ordinary immediat therunto conſent, or if yͤ the ſame Biſhop, or other immediate Ordinary or Iudge doe not his duety in puniſhment of the ſame.

Citation by the Archbiſhop of Canterbury for probate of Teſtaments.

Prouided alſo that this act may not extend in any wiſe to the prerogatiue of yͤ moſt reuerend Father in God the Archbiſhop of Canterbury, or any of his ſucceſſors, of, or for calling any perſon or perſons out of yͤ Dioces, where he or they be inhabiting, dwelling, or reſident, for probate of any teſtament or teſtaments, any thing in this act contained to yͤ contrary notwithſtanding.

The fees for the Seale of a Citation.

And be it further enacted by authority aforeſaid, that no Archbiſhop nor Biſhop, Ordinary, Official, Commiſſary, or any other Subſtitute, or Miniſter of any of the ſaid Archbiſhops, Biſhops, Archdeacons, or other hauing any ſpirituall iuriſdiction, at any time from the Feaſt of Eaſter next comming ſhall aſke, demand, take, or receiue of any of the Kings ſubiects any Sum or Sums of money for the ſeale of any Citation, after the ſaid Feaſt to be awarded or obtained than onely thrée pence ſterling, vpon the paines and penalties before limited, contained and expreſſed in this preſent act, to be in like forme recouered, as is aforeſaid.

The Archbiſhop of Yorke for probate of Teſtaments.

Prouided alwaies that this act be not in any wiſe hurtfull or preiudiciall to the Archbiſhop of Yorke, nor to his ſucceſſors, of, for, or concerning probate of teſtaments within his Prouince, and iuriſdiction, by reaſon of any prerogatiue, any thing in this act to the contrary thereof notwithſtanding. Rep. 1. and 2. P. and M. 8. Rep. 1. Eliz. 1.

Cap, X.

Feoffements of lands to the vſe of a Church ſhall be void.

Aſſurances of lands to Churches, Cominalties, &c. as preiudiciall to the Lords as if they were aliened in Mortmaine.

WHere by reaſon of Feoffements, Fines, Recoueries, and other eſtates and aſſurances, made of truſt, of Manors, Lands, Tenements, and Hereditaments to the vſe of pariſh Churches, Chapels, Church-wardens, Guilds, Fraternities, Comminalties, Companies, or Brotherheads erected and made of deuotion, or by common aſſent of the people without any corporation, and alſo by reaſon of Feoffements, Fines, Recoueries, Wils, and other acts made to any vſes aforeſaid, or to the vſes and intents, to haue obites perpetuall, or a continuall ſeruice of a Prieſt for euer, or for thréeſcore or foureſcore yéeres, founden of the iſſues and profits of the Manors, Lands. Tenements, and Hereditaments, whereof ſuch Feoffements, Fines, Recoueries, Wils, and other acts beene made, or that the feffees, coniſees, recouerers, or other perſons and their heires thereof ſeiſed, ſhall take, leuie, receiue, and perceiue or cauſe, or ſuffer to be taken, leuied, and perceiued the iſſues, reuenues, and profits thereof, and the ſame to diſpoſe, pay, conuert, or otherwiſe employ, or ſuffer, or cauſe to be diſpoſed, paid, conuerted, or imployed to any ſuch vſes, intents, or purpoſes, as beene aboue ſpecified, or to any other like vſes or intents: there groweth and iſſueth to the King our ſoueraigne Lord, and to other Lords and Subiects of the Realme, the ſame like loſſes and inconueniences, and is as much preiudiciall to them, as doth, and is in caſe where Lands be aliened to mortmaine.

Be it therefore enacted by the King our ſoueraigne Lord, the Lords Spirituall, and Temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame: That all and euery ſuch vſes, intents, and purpoſes, of what name, nature, or quality they ſhall be called, that ſhall be deuiſed, couenanted, made, declared, or in any wiſe ordained, after the firſt day of March, in the three and twentith yéere of the reigne of our ſoueraigne Lord King Henry the eighth, by any feffée, recouerer, or coniſée, or by any other perſon or perſons, to whoſe vſe any ſuch feffée, recouerer, or coniſée ſhall be ſeaſed, of any Manors, Lands, Tenements, or Hereditaments, or of the iſſues, reuenues and profits of them, or any of them, ſhall bee vtterly void and of no ſtrength, vertue, nor effect in the Law.

Aſſurances of lands to Churches, Chappels, &c. ſhall be void.

Cok.lib.1.f
36.lib.3.f
lib.11.fol.

Aſſurances of lands to Churches, &c. for twenty yeares.

Prouided alway that it ſhall be lawfull to euery perſon being ſeaſed of any Manors, Lands, Tenements, or Hereditaments, to his owne proper vſe, or hauing feoffées, recouerers, or coniſées to his vſe, to make, ordaine, or deuiſe, or cauſe to be made, ordained, or deuiſed any of the vſes, intents, or purpoſes aboue ſpecified, in ſuch manner as they mought haue done afore the making of this Act, and as if this Act had neuer béene had ne made: So that no ſuch vſes, intents, or purpoſes to be made, ordained, or deuiſed after the ſaid firſt day of March, be not in any wiſe made, ordained, deuiſed or appointed to indure, continue, or abide by any craft, colour, termes, ſentences, clauſes, words, or other means, aboue the terme of xx. yeares next after the firſt making and beginning of any ſuch vſes, intents, or purpoſes.

Collaterall aſſurances in defrauding of this Statute, ſhall be void.

And it is further enacted, that if any perſon or perſons in defraud of this Statute, binde, or ordaine any their heires, or ſucceſſors, or any other perſon or perſons, that they ſhall ſuffer ſuch vſes, intents or purpoſes to indure and continue, contrary to this act, vpon pains or penalties of loſſes of any other lands, tenements, hereditaments or of any other thing or things: or do attēpt or deuiſe by any colour, craft, or means any thing or things, to make any ſuch vſes, intēts, or purpoſes to be declared, contrary to the true meaning of this act, to continue or abide for any longer time, or ſeaſon, than is aboue limited for the ſame: that then euery ſuch paine, penalty, craft, colour, and euery other thing and things, of what kinde, nature, or qualitie ſoeuer it be, that ſhall be ſo made, ordained, or deuiſed in defraud of this Act, ſhall be vtterly void in the law to all intents. And that this Statute ſhall be alwayes interpreted, and expounded, as beneficially as may be, to the deſtruction, and vtter auoyding of ſuch vſes, intents, and purpoſes, herein aboue remembred, and of all other like vſes, and intents, otherwiſe than only after ſuch manner as is afore by this preſent Act prouided.

Prouided alway, that in ſuch Cities, and townes corporat, where by their ancient cuſtomes they haue good and lawfull authorities to deuiſe into mortmaine the lands, tenements, and hereditaments with the ſame Cities, or Townes corporat, that this Act ſhall not be in any wiſe preiudiciall or hurtfull to any ſuch cuſtome.

Cuſtome in Cities or Townes to deuiſe lands in Mortmaine.

Prouided alway, that this Act, ne any thing therein contained, ſhal extend, or be in any wiſe preiudiciall, to hinder, or empayre any ſuch ordinances, deuices, or declarations, of vſes as ſhall hereafter be made & declared in writing by the executors of the Teſtaments, and laſt Wils of Robert Iannis, and Iohn Terry, late Aldermen of the City of Norwich, now deceaſed, or by the executors or the ſuruiuor of the executors of either of them, of any lands, tenements, or hereditaments, not amounting in the whole aboue the cleere yearely value of forty pound, to be imployed, and conuerted to, and for the diſcharge of Tolles and cuſtomes within the ſaid City, and at the gates of the ſame, for the diſcharge of the poore people within the ſame City, of Taxes and Tollages hereafter to be aſſeſſed, and leuied, and for the cleanſing of the ſtreets of the ſame City, or for any of the ſaid good purpoſes, according to the true intents and meanings of the ſaid laſt Wills, and teſtaments, and either of them: ſo that the ſame ordinances, deuices, and declarations be had, made, and certified in writing into the Kings Court of Chauncery, within two yeares next enſuing the feaſt of Eaſter next comming.

Deuiſes made by the executors of Iannis and Terry of the Citie of Norwich.

CAP. XI.

Breaking of Priſon by a Clerke conuict is felonie.

Where diuers perſons being conuict of murder, or felonie, hauing the priuiledge of their Clergie, & deliuered to the Ordinaries, afterwards wilfully breake the priſons of the Ordinaries, and eſcape their wayes, doing, and committing great, horrible, and deteſtable offences: and as hitherto for ſuch wilfull breaking of priſons of Ordinaries by Clerks conuict hath not béen prouided any great penalty, whereby they ſhould ſtand in dread of doing of the ſame. Be it therefore enacted by authority of this preſent Parliament, That if any Clerke conuict being in priſon of any Ordinary, wilfully breake the ſaid priſon and eſcape his way out of the ſame, that then euery ſuch breaking of priſon, and eſcape ſhall be from henceforth déemed and adiudged felony, and the offendor therein ſhall haue and ſuffer ſuch paine of death and penaltie, and loſſe of his lands and goods, as for other felonies is accuſtomed by the lawes of this Realme, and ſhal not in any wiſe be admitted to haue the priuiledge or benefit of his Clergie, nor enioy any Sanctuary for the ſame.

It is felonie for a Clerke conuict being in the Ordinaries priſon to breake the ſame. R e p. 1. Ed. 6. 12.

Prouided alway, that if any ſuch offendor be within holy Orders, that is to ſay, of the Orders of Subdeacon, Deacon, or Prieſthood, that then after he is conuict of the premiſes he ſhall be deliuered to the Ordinarie, there to remaine without any purgation.

They which be within holy Orders ſhall be deliuered to the Ordinarie. A l t. 28. H. 8. 1.

And it is enacted, that it ſhall be at the libertie of the Ordinarie ſo diſgrade any ſuch offendor, after he is found guilty, and deliuered to him, as a Clerke conuict and ſend him before the King in his bench, with letters witneſſing the ſaid diſgrading, and thereupon the Iuſtices of the Kings bench, hauing the record of his conuiction, ſhall haue power and authority to giue iudgement againſt euery ſuch offendor, being conuict and diſgraded, that he ſhall ſuffer death, like as they mought do in caſe the ſame offendor had béen a lay-man, and arraigned and found guiltie afore them of the ſaid offence, the deliuering of ſuch offendor afore to the Ordinarie notwithſtanding.

The Ordinary may diſgrade a Clerke conuict, and ſend him to the K. Bench. St. 23. H. 8. 1.

CAP. XII.

The penaltie for hindering of Paſſengers vpon the banke of the Riuer of Seuerne.

Where the Kings ſubiects paſſing vpon the riuer and water of Seuerne, haue vſed time out of minde to haue, and vſe a certaine path of a foot and a halfe broad on euery ſide of the ſaid Riuer, for drawing vp by lines or ropes their Troughes, Barges, Boats, and other veſſels, paſſing or repaſſing on the ſaid Riuer of Seuerne with Wine, or any other merchandiſe, without any impoſition, tax, or toll to be demanded of them that ſo ſhould carry Wine in any of the ſaid veſſels, for the ſaid paſſing and drawing in the ſaid pathes accuſtomed, til now of late certaine couetous perſons haue perturbed, and interrupted many of the Kings ſubiects, haling and drawing vp their veſſels in the ſaid pathes, taking of them fines, and draughts, and bottels of Wine, and yet daily vſe to take, to the diſturbance and loſſe to many of the Kings ſubiects.

An old vſe to haue a path on both ſides the Riuer of Seuerne.

Be

The penalty for hindering paſſengers vpon the banke of the Riuer of Seuerne, or for demanding of Toll.

Be it therfore enacted by the King our Soueraign Lord, and the Lords Spiritual and Temporall, and the Commons in this preſent Parliament aſſembled. That no perſon or perſons interrupt by any obſtacle, let, or otherwiſe, any perſon or perſons paſſing or repaſſing, on and vpon euery of the ſaid pathes accuſtomed, nor alſo aſke, take, or demand, any toll called a draught, or bottle of wine, or any other tax, or impoſition, of any of the Kings ſubiects there going in the ſaid pathes accuſtomed, vpon euery ſide of the riuer of Seuerne, there haling or drawing their Boats, Troughes, or veſſels, vpon paine to forfeit for euery time that he or they ſo ſhall interrupt any of the Kings ſubiects, or aſke, or take any ſuch impoſition, by what name ſoeuer it be called, forty ſhillings. The one halfe thereof to be to the King our Soueraigne Lord, and the other halfe to the party grieued, that will ſue for the ſame by bill, plaint, information, or otherwiſe, in the which ſuit no Eſſoine, Wager of Law, nor protection ſhall be allowed. Stat. 9. Hen. 6.5. 19. Hen. 7.18.

Cap. XIII.

What men in corporate townes ſhall paſſe in triall of murders.

Triall of felons in corporat townes may be by men worth xl.li. in goods.

FOr as much as triall in murders and felonies, in Cities, Boroughes, and Townes corporat within this Realme hauing authority to proceed in the deliuerance of ſuch offendors, bene oftentimes deferred, and delayed, by reaſon of challenge of ſuch offendors, for lacke of ſufficiency of freehold, to the great hinderance of Iuſtice. It may therefore be enacted, by authority of this preſent Parliament. That euery perſon and perſons being the Kings naturall ſubiect born, which either by the name of a Citizen, or of a Freeman, or any other name, doth enioy and vſe the liberties, and priuileges of any City, Borough, or towne corporate, where he dwelleth, and maketh his abode, being worth in moueable goods, and ſubſtance to the cleere value of forty pounds, be from henceforth admitted in triall of murders, and felonies, in euery Seſſions, and Gaole deliuery to bee kept and holden in and for the libertie of ſuch Cities, Boroughes, and Townes corporate, albeit they haue no free-hold, any Act, Statute, vſe, cuſtome, or ordinance to the contrary hereof notwithſtanding.

Prouided alway, that this act doe not extend in any maner of wiſe to any Knight, or Eſquire, dwelling, abiding, or reſorting, in, or to any ſuch City, or Borough corporate, any thing in the ſame Act mentioned or declared to the contrary hereof notwithſtanding.

Cap. XIIII.

Like proces ſhall be had in euery Writ of annuity and Couenant as in an action of debt.

What proceſſe ſhall be had in treſpaſſe vpon the Stat. of 5.K. 2.7. Writs of annuity and couenant.

FOr as much as there is great delayes in actions of treſpas brought vpon the Statute of K. Richard the ſecond, made in the fifth yeare of his reigne, againſt them that make entres into any lands or tenements, where their entre is not giuen by the law, and alſo in actions of annuity, and actions of couenant, becauſe there lieth no proces of Outlary in ſuch nature of actions. For reformation whereof, it may pleaſe the Kings Highneſſe, by the aduice of his Lords Spiritual, & Temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, to ordaine and enact, that like proces bee had hereafter in euery action from henceforth to be brought vpon the ſaid Statute of anno Quinto, as is in a common action of treſpas at the common law, and that alſo like proces be had in euery writ of annuity, and couenant hereafter to be ſued, as is in an action of debt. Bro. Exigent. 29.53.63. Bro. Proces. 12. 125.

Cap. XV.

Where the plaintife is nonſuit, &c. the defendant ſhall recouer coſts.

The defendant ſhall recouer his coſts in certain Actions if the plaintife be nonſuit, or the verdict paſſe againſt him. St. 8. El. 2.4. Iac. 3. Coke. pl. a. fo. 29.

BEe it enacted by the King our Soueraigne Lord, and the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That if any perſon or perſons at any time after the Feaſt of the Purification of our Lady in the xxiij. yeare of the raigne of our Soueraigne Lord King Henry the eighth, commence or ſue in any Court of Record, or elſewhere in any other Court, any action, bil, or plaint of treſpaſſe vpon the Statute of King Richard the ſecond, made in the fift yeere of his raign, for entres into lands and tenemēts, where none entre is giuen by the law, or any action, bill, or plaint of debt, or couenant vpon any eſpecialty, made to ẏ plaintife or plaintifes, or vpon any contract ſuppoſed to be made betweene the plaintife or plaintifes, & any perſon or perſons, or any action, bill, or plaint of Detinue, of any goods or cattels, whereof the plaintife or plaintifes ſhall ſuppoſe that the property belongeth to them, or to any of them, or any action, bill, or plaint of accompt, in the which the plaintife or plaintifes ſuppoſe the defendant or defendants to be their Bailiffe or Bailiffes, receiuor or receiuors of their manner, meſe, mony, or goods to yeeld accompt, or any action, bill, or plaint vpon the caſe, or vpon any Statute, for any offence or wrong perſonall immediately ſuppoſed to bee done to the plaintife or plaintifes: and the plaintife or plaintifes in any ſuch kinde of action, bill, or plaint, after appearance of the defendant or defendants bee nonſuted, or that any verdict happen to paſſe by lawfull triall againſt the plaintife or plaintifes in any ſuch action, bill, or plaint: that then the defendant or defendants in euery ſuch action, bill, or plaint, ſhall haue iudgement to recouer his coſts againſt euery ſuch plaintife or plaintifes. And that to be aſſeſſed and taxed by the diſcretion of the Iudge, or Iudges of the Court, where any ſuch action, bill, or plaint ſhall be commenced, ſued, or taken. And alſo that euery defendant in ſuch action, bill, or plaint ſhall haue ſuch proces and execution, for the recouery, and hauing of his coſts, againſt the plaintife, or plaintifes, as the ſame plaintife, or plaintifes ſhould or might haue had againſt the defendant or defendants, in caſe that iudgement had beene giuen for the part of the ſaid plaintife or plaintifes, in any ſuch action, bill, or plaint. Dier fol. 32. 371. Bro. Coſtes 23.

Prouided alway, that all and euery ſuch poore perſon or perſons being plaintife or plaintifes in any of the ſaid actions, bills, or plaints, which at the commencement of the ſuits, or actions, be admitted by diſcretion of the Iudge or Iudges, where ſuch ſuits or actions ſhall be purſued or taken, to haue their proceſſe and counſell of charity without any mony or fee paying for the ſame, ſhall not be compelled to pay any coſts by vertue and force of this eſtatute, but ſhall ſuffer other puniſhment, as by the diſcretion of the Iuſtices or Iudge, afore whom ſuch ſuits ſhall depend, ſhall be thought reaſonable, any thing afore rehearſed to the contrary hereof notwithſtanding.

He that ſueth in Forma Pauperis ſhall be otherwiſe puniſhed.

Cap. XVI.

It ſhall be felony to ſell, exchange, or deliuer to any Scottiſh man, or within Scotland any horſe, gelding, &c. Rep. 4. *Iac.* 1. 1. *Ed.* 6. 12. 1. *Ed.* 6. 5. 1. *El.* 7.

Cap. XVII.

How and in what manner Woolls ſhall be wound.

Be it enacted by the King our Soueraigne Lord, and the Lords Spirituall and Temporall, with the Commons in this preſent Parliament aſſembled, and by authority of the ſame, that from henceforth no manner perſon ne perſons ſhall winde, or cauſe to bee wound any fleece of Wooll being not ſufficiently riuered, or waſhed, ne winde nor cauſe to be wound within any fleece, clay, lead, ſtones, ſand, tailes, deceitfull lockes, cot, calls, comber, lambs wooll, or any other thing, whereby the fleece may be the more weighty, to the deceit and loſſe of the buyer vpon paine the ſeller of any ſuch deceitfull wools to forfeit for euery ſuch fleece vj. d. the one moity to the King, the other to the finder and prouer of the ſame deceit, by action of debt by originall writ, bill, plaint, information, or otherwiſe in any of the Kings Courts, in which action no wager of Law, Eſſoine, or protection ſhall be allowed for the defendant.

No wool ſhalbe wound that is not ſufficiently waſhed, no deceitfull thing ſhall be put in the fleece. St. 8. H. 6. 22.

Prouided alway that this Act concerning riuering, and waſhing of any wooll, ſhall not in any wiſe extend to any ſhire or ſhires, the inhabitants whereof hath not cuſtomably vſed before this time to riuer, or waſh their ſheepe afore they be ſhorne, nor ſhall in any wiſe be hurtfull or preiudiciall to any perſon or perſons, that haue vſed cuſtomably to ſell their wolles by tale or number of the fleece or fleeces, and not by weight. Any thing in this Act to the contrary notwithſtanding. This Act to endure to the next Parliament. St. 13. Eliz. 25. made perpetuall.

Coũties where wool is not waſhed or where fleeces be ſold by tale.

Cap. XVIII.

Fiſhgarthes in the riuers of Ouſe and Humber ſhall be pulled downe.

The Mayor, Sherifes, and Comminalty of the City of Yorke, and other the Kings true ſubiects inhabiting and dwelling nigh vnto the riuer of Ouſe, and the water of Humber, and all other occupiers of the ſame riuer and water, lamentably complaining, ſhewen vnto our ſoueraigne Lord the King, the Lords Spiritual and Temporall, and the Commons in this preſent Parliament aſſembled, that where ÿ ſaid City, being one of the moſt ancient Cities of this Realme, hath beene much releeued, maintained, and ſupported by the ſaid riuer of Ouſe, and water of Humber, which be the common and direct paſſage, and way from Hull vnto Yorke aforeſaid, by reaſon that many ſhips, keyles, cogs, and boats, and other veſſels haue heretofore had their franke paſſages without let, impediment, or interruption, in and vpon the ſaid riuer and water of Ouſe and Humber from diuers parts of this Realme vnto the ſaid City, whereby the ſaid City hath hitherto moſt chiefly beene aduanced: And now of late certaine perſons ſtudying onely for their owne priuate lucre, not regarding the common weale, but daily imagining the vtter deſtruction, ruine, and decay of the ſaid City, and the Countries adioyning vpon the ſaid riuer of Ouſe and water of Humber, and occupiers thereof, haue, and daily doe keep, preſerue and maintaine certaine engines for taking of fiſh in the ſaid riuer and water of Ouſe and Humber commonly called fiſhgarthes, and ſet in the ſaid riuer and water, in ſuch places of the ſame, where ſhips ſhould haue their liberall and direct paſſage in the mids of the ſtreames of the ſaid riuer of Ouſe and water of Humber, ſtakes, piles, and other things

The inconueniences enſuing the ſetting of fiſhgarths, ſtakes, piles, in Ouſe and Humber.

in and vpon the common paſſage foꝛ ſhips, keyles, cogs, boats, and other veſſels at diuers and many places in the ſaid riuer of Duſe and water of Humber: by reaſon whereof not onely the ſaid ſhips, keyles, cogs, boats, and other veſſels are daily in ieoperdy, and men, childꝛen, goods, and merchandiſes in the ſame of late haue béene, and daily be like moꝛe to increaſe, to be dꝛowned, ſlaine, and deſtroyed, but alſo bꝛood and fry of fiſh in the ſaid riuer and water of Duſe and Humber be commonly thereby deſtroyed, and putrified, to the vtter impoueriſhment, and deſtruction, of the ſaid Citie, vnleſſe ſpéedy remedy be in this behalfe ſhoꝛtly pꝛouided.

A Commiſſion ſhal be directed to viii. perſons to cauſe ſuch fiſhgarths, piles &c. ſet in the riuers of Duſe & Humber to be pulled downe.

Wherefoꝛe it may pleaſe our ſaid Soueraigne Loꝛd, with the aſſent of the Loꝛds Spirituall and Tempoꝛall, and the Commons in this pꝛeſent Parliament aſſembled, and by authoꝛity of the ſame, That the Loꝛd Chancelloꝛ of England, foꝛ the time being, by the Kings Commiſſion vnder his gꝛeat Seale, afoꝛe the firſt day of May now next comming, ſhall by his diſcretion appoint viij. ſad and diſcreet perſons, whereof foure of them to be of the Citizens of the ſaid Citie of Yoꝛke, and Burgeſſes of the ſaid towne of Hull, & the other foure to be two of them Iuſtices of the Peace of the Weſt riding of the county of Yoꝛke, and the other two Iuſtices of the P. of the Eaſt riding of the ſame County, that they viij. vij. vj. v. oꝛ iiij. of them, whereof two of them to be of the ſaid Citizens and Burgeſſes of the ſaid city & towne, and other two to be, one of them Iuſtice of the P. of the Weſt riding, and the other of the Eaſt riding of the ſaid county, on this ſide the firſt day of Iune now next enſuing, ſhal haue power and authoꝛity to ſuruey, and ſée the ſaid fiſhgarthes, weares. piles, ſtakes, and other engines ſet and made in the ſaid riuer and water of Duſe and Humber: which ſaid perſons ſo aſſigned ſhall haue power and authoꝛity by vertue of this act, to appoint & aſſigne by their diſcretions the owners of the ſaid fiſhgarths, ſtakes, piles, and other engines to auoid and pull vp, oꝛ cauſe to be auoided, and pulled vp within foꝛty dayes after ſuch ſurueyance made, and monition giuen to the ſaid owners, euen ſuch, and as much of the ſaid fiſhgarthes, piles, ſtakes, heckes and other engines, which then by their diſcretions ſhall be thought expedient, méet, and conuenient to be auoyded, and pulled vp, that the ſaid ſhips, keyles, cogs, boats, and other veſſels, paſſing and repaſſing on the ſaid riuer, and water of Duſe, and Humber, to oꝛ from the ſaid City of Yoꝛke, and towne of Hull, may haue direct, liberall, and franke paſſage, in, thoꝛow, oꝛ vpon the ſaid riuer of Duſe, and water of Humber, without any perturbance, impediment, let, oꝛ danger by reaſon of any of the ſaid fiſhgarths, piles, ſtakes, oꝛ other engines, then left erected, and ſtanding, in the ſaid riuer, and water of Duſe and Humber, And that the ſaid owners on euery ſide of the ſaid fiſhgarthes, and other engines next to the middle of the ſaid water ſtreame, and paſſage of the ſaid veſſels, there to ſet oꝛ cauſe to be ſet within the ſaid foꝛty daies befoꝛe limited two piles of the length of one yard ouer and aboue the high water marke at the full ſea of the ſaid riuer and water of the Spꝛing tide, there to be and remaine, and to be kept and repaired by the ſaid owners, when néed ſhall require the ſame foꝛ euer, that ſuch perſons as ſhall paſſe, and repaſſe with ſhips, keyles, cogs, and other veſſels in the ſame waters, may haue perfect knowledge, and ſight of the direct way, and paſſage in the ſaid waters, thoꝛow the ſaid fiſhgarthes and engines foꝛ the ſaid ſhips, keyles, boats, and other veſſels.

Two piles foꝛ water markes ſhall be ſet in the Riuer.

The L. Chancelloꝛ may vpon requeſt grant the like Commiſſion at all times.

And be it enacted by the ſaid authoꝛity, That the Loꝛd Chancelloꝛ of England, foꝛ the time being, at all times after the ſaid firſt ſurueiance, vpon requeſt to him to be made by the Maioꝛ & Comminalty of the ſaid City and Towne, foꝛ by any other Citizen and Burgeſſe of the ſaid City and Towne foꝛ the time being, oꝛ other perſon by them vnder the common Seales of the ſaid City and Towne authoꝛiſed, ſhall haue power and authoꝛity by his diſcretion, to make and direct like Commiſſion vnto eight ſad and diſcréet perſons, whereof foure of them to be the Citizens and inhabitants of the ſaid City and Towne, and the other foure to bee Iuſtices of the Peace, whereof two to be of the Weſt riding, and the other two of the Eaſt riding of the County of Yoꝛke, not of fée noꝛ retained with the ſaid City noꝛ Town, that they viij. vij. vj. v. oꝛ iiij. of them, whereof two of them ſhall be of the ſaid City and Towne, and the other two Iuſtices of peace, the one of the Eaſt riding, and the other of the Weſt riding of the ſaid County, by vertue of the ſaid Commiſſion, ſhall and may the ſaid owners aſſigne and appoint to pull vp, and redꝛeſſe, oꝛ cauſe to be pulled vp, and redꝛeſſed within xxx. dayes after monition giuen to the ſaid owners by the ſaid Commiſſioners, oꝛ by ſuch of them taking the charge of the execution of the ſaid Commiſſion, ſuch, and as much of the ſaid fiſhgarthes, and other impediments to be made in the ſaid waters, to the let, diſturbance, dammage, oꝛ ieoperdy of any ſhips, keyles, boats, oꝛ any other veſſels, paſſing oꝛ repaſſing, to, oꝛ from, the ſaid City of Yoꝛke, to the ſaid towne of Hull, as by them ſhall be thought méet and conuenient.

No fiſhgarthes oꝛ other engines ſhall be ſet in Duſe & Humber. With what nets men ſhall fiſh.

And further be it enacted by the ſaid authoꝛity, that no maner of perſon oꝛ perſons within the ſaid riuer and water of Duſe and Humber, ſhall ſet fiſhgarths, oꝛ any other engines, to take fiſh withall, within the waters afoꝛeſaid, but only with ſuch nets, and other engines, as ſhall be of Aſſiſe and meaſure, accoꝛding to the ſtandard, and ancient and laudable cuſtomes vſed in the ſaid riuer and water of Duſe and Humber, and alſo to vſe the fiſhing within the ſaid waters all ſuch times as within the ſame hath of old time béene accuſtomed, and at none other time.

And further bee it enacted by the authoꝛity afoꝛeſaid, that euery of the ſaid owners, and ac-

cupiers

rupiers of ſuch fiſhgarthes, for euery moneth offending contrary to this Act, ſhall forfeit forty pound. And euery other perſon in fiſhing contrary to this Act offending, ſhall forfeit ten pound, the one halfe of which penaltie, and penalties to be to our Soueraigne Lord the King, and the other halfe to the Mayor and Comminalty of the ſaid City of Yorke and their ſucceſſors, and the ſame to be recouered againſt euery perſon and perſons ſo offending, as well by Bill, Information, or otherwiſe at the Kings ſuit, as by originall Writ of debt, at the ſuit of the ſaid Mayor, and Comminalty and their ſucceſſors, in which Action the party defendant ſhall not wage his Law, nor haue any Protection, or Eſſoine allowed.

The forfeiture of the offendors, and who ſhall haue it.

CAP. XIX.

The Kings Pardon to all his Spirituall ſubiects within the Prouince of Yorke of all offences and penalties not herein excepted. EXP.

ANNO VICESIMO QVARTO HENRICI OCTAVI.

ACTS made in the Seſſion of this preſent Parliament, holden vpon prorogation at Weſtminſter the fourth day of February, in the foure and twentieth yeare of the reigne of our moſt dread Soueraign Lord King HENRIE the eighth, and there continued and kept till the ſeuenth day of Aprill then next enſuing, to the honour of God and Holy Church, and for the common weale of this his Realme.

CAP. I.

Tanned Leather ſhall not bee ſold but in open Faires and Markets, nor before it bee ſearched and ſealed. Who ſhall bee Searchers and Sealers, and what their duty is. The Curriers duty in currying of Leather. The offendors forfeitures, and who ſhall haue them. REP. 5. *El.* 8.& 1. *Iac.*22.

CAP. II.

No perſon ſhall Dye or alter any woollen Cloth, or Hats, or Caps, unleſſe the ſame be perfectly boyled, grained, or maddered upon the Woad with good Corke or Orchall. No Dyer ſhall occupie Braſell in the dying of woollen Clothes, Hats, or Caps, nor any thing but Graine onely in the dying of Skarlet. EXP.

CAP. III.

Beefe, Porke, Mutton and Veale ſhall bee ſold by weight called Haberdepois. No perſon ſhall take for a pound of Beefe or Porke above ob. nor for a pound of Mutton or Veale aboue ob. q. and leſſe in thoſe Counties where they be ſold for leſſe. REP.33. *H*.8.11.25.*H*.8.1.27.*H*.8.*ſt*.9.

CAP. IIII.

Euery perſon hauing in his occupation threeſcore acres of land apt for tillage, ſhall ſow one Rood with Flax or Hemp-ſeed, vpon paine to forfeit iii.s.iiii.d. for euery forty acres. An acre ſhall bee accompted 160.perches, and euery perch 16.foot & a halfe. EXP.& REP.35.*El*.7.*ſt*.33.*H*.8.17.5.*El*.5.

CAP. V.

No forfeiture for killing of a theefe attempting to rob one by the high-way, &c.

FOr as much as it hath beene in queſtion and ambiguity, that if any euill diſpoſed perſon or perſons doe attempt felonouſly to rob, or murder, any perſon or perſons, in or nigh any common high-way, cart-way, horſ-way, or foot-way, or in their manſion meſuages, or dwelling places, or that felonouſly doe attempt to break any dwelling houſe in the night time, ſhould happen in his or their being in their ſuch felonious intent to be ſlain by him or them, whom the ſaid euill doers ſhould ſo attempt to rob or murder, or by any perſon or perſons, being in their dwelling houſe, which the ſame euill doers ſhould attempt burglarily to breake by night: if the ſaid perſon, ſo hapning in ſuch caſes to ſlea any ſuch perſon, ſo attempting to commit ſuch murder or burglary, ſhould for the death of the ſaid euil diſpoſed perſon, forfeit or loſe his goods, & catels for the ſame, as any other perſon ſhould do, that by chance medley ſhould happen to kill, or ſlea any other perſon in his or their defence. For the declaration of the which ambiguity, & doubt, be it enacted by the King our ſoueraigne Lord, with the aſſent of the Lords ſpirituall and temporall, and the commons in this preſent parliament aſſembled, and by authority of the ſame,

That

There ſhall be no forfeiture of lands or goods for the killing of any perſon that attempteth to murder or rob.

That if any perſon or perſons, at any time hereafter, bée indicted or appealed, of or for the death of any ſuch euill diſpoſed perſon or perſons, attempting to murder, rob, or burglarily to breake manſion houſes, as is aboue ſaid, that the perſon, or perſons ſo endicted, or appealed thereof, and of the ſame by verdict ſo found and tried, ſhall not forfeit, or loſe any lands, tenements, goods or cattels, for the death of any ſuch euill diſpoſed perſon, in ſuch manner ſlaine, but ſhall bee thereof, and for the ſame fully acquited, and diſcharged in like manner, as the ſame perſon or perſons ſhould bée, if hee or they were lawfully acquited of the death of the ſaid euill diſpoſed perſon or perſons.

Cap. VI.

The penaltie for not ſelling of wines at the prices aſſeſſed. *ſt*.28.*H*.8.14. In what caſes Iuſtices of Peace, and other officers may ſell other mens wine. *ſt*.37.*H*.8.23. He that keepeth wine in his houſe to ſpend or retaile, ſhall not be enforced to ſell it in groſſe. Rep. 21. *Iac*. 28.

Cap. VII.

Whatſoeuer Butcher killeth a Calfe to ſell, that is calued between the firſt day of Ianuarie and the firſt of May, ſhall forfeit vj. s. viij. d. Exp. Stat. 14. *El*. 11.

Cap. VIII.

In what caſe the defendant ſhall not recouer coſts.

Becauſe as well many Recogniſances, Obligations, Indentures and other ſpecialties, as alſo many contracts heretofore haue beene taken, and made, betweene diuers perſons being of the Kings moſt honourable Councell, and other his ſubiects, and by and betwéene other perſons, to the vſe and behoofe of our ſaid Soueraigne Lord the King for great ſummes of money, then being to his Grace due, and for his prouiſion and other cauſes. For which debts, actions by the lawes of this Realme be to be commenced, ſued, and proſecuted to the Kings vſe by and in the name and names of the perſon or perſons, to whom the ſaid Recogniſances, Obligations, and other ſpecialties were made, or by thoſe, to whom the ſaid contracts were made.

There ſhall be no coſts of ſuit awarded to the defendant where any action is ſued to the Kings vſe.

Bee it therefore ordeined and enacted, by authority of this preſent Parliament, That albeit that the plaintife or plaintifes, be or ſhall bée nonſuited in any whatſoeuer action, ſuit, bill, or plaint commenced, or to be commenced, ſued, or to be ſued, to the vſe of our ſaid Soueraign Lord the King, his heires or ſucceſſors, Kings of England, or that it ſhall happen any verdict to paſſe againſt any ſuch plaintife or plaintifes, in any action, ſuit, bill, or plaint, ſued or to bee ſued, to the Kings vſe: the defendant or defendants ſhall not recouer any coſts againſt any ſuch plaintife or plaintifes, any Act, or Statute made in this preſent Parliament, or any other thing to the contrary being in any wiſe notwithſtanding.

Cap. IX.

Butchers ſhall kill no wainlings under two yeares old. Lords Marchers ſhall haue their forfeitures within their Liberties. Iuſtices of Peace ſhall heare and determine the ſame offences. Exp. *ſt*. 14. *El*. 11. 27. *El*. 11. 1. *Iac*. 25. 21. *Iac*. 28.

Cap. X.

Choughs, Crowes, and Rookes ſhall be deſtroyed.

The great inconueniences ſuffered, by reaſon of Choughs Crowes, and Rookes,

Foraſmuch as innumerable number of Rookes, Crowes, and Choughs doe dayly bréed, and increaſe thorowout this Realme, which Rookes, Crowes, and Choughs, doe yéerely deuoure and conſume a wonderful and marueilous great quantity of corne and graine of all kinds, that is to wit, as well in the ſowing of the ſame Corne, and graine, as alſo in the riping and kernelling of the ſame. and ouer that a marueilous deſtruction, and decay of the couertures of thatched houſes, barnes, reekes, ſtackes, and other ſuch like; ſo that if the ſaid Crowes, Rookes, and Choughs ſhould bee ſuffered to bréed and continue, as they haue beene in certaine yeares paſt, they will vndoubtedly bee the cauſe of the great deſtruction, and conſumption of a great part of the Corne and Graine, which hereafter ſhall bee ſowne thorowout this Realme to the great preiudice, damage, and vndoing of the great number of the Tillers, huſbands, and Sowers of the Earth within the ſame.

For remedy whereof bee it enacted by the Authority of this preſent Parliament, that euery perſon and perſons as well ſpirituall as temporall hauing, kéeping, holding, and Inhabiting in any Manors, Meaſes, lands, or tenements in their owne manurance, and occupation of any eſtate of inheritance, or for terme of life, or for yeares, or at will, or by copy of Court Roll, or otherwiſe in poſſeſſion or vſe, ſhall hereafter doe or cauſe to bee done, as much as in him or them reaſonably ſhall or may bee, to kill and vtterly deſtroy all manner of Choughes, Crowes, and Rookes, comming, abiding, breeding, or haunting within or vpon any the ſaid Manors, Meaſes, lands, or tenements which hee or they ſhall inhabit and dwell vpon, and haue in their manurance, and occupation, as is aforeſaid, vpon paine of a grieuous amerciament, to be ſet and aſſeſſed, as hereafter ſhall be expreſſed: that is to ſay, that if any offence be done contrary to this Statute, by any perſon or perſons, inhabited within the limits of the leets, lawdayes, rapes or Court barons of any Lords, hauing ſuch Courts, that then vpon a preſentment thereof made before the Steward of ſuch leets, lawdayes, rapes, or Courts, the Stewards, with two of the Preſentors, (by the Steward, & preſenters to be named) ſhall aſſeſſe & ſet for euery default preſented to be done contrary to this Act, ſuch amerciament as to them ſhall ſeeme reaſonable and conuenient, after the quantity of the offence, the ſaid amerciament to be to the vſe of the Lord, or Lords of the leets, lawdaies, rapes, or courts, where the ſaid offence ſhal be done and preſented, to be leuied by diſtreſſe of the goods and cattels of the offender or offenders, like as other amerciamẽts for common annoyances (preſented in leets) haue been accuſtomed to be leuied.

Euery man ſhal doe his beſt to deſtroy Crows, &c. vpon paine of amerciament being preſented at Leets, Sherifes turnes, Seſſions, &c.

And if the offence bee done contrary to this ſtatute by any perſon or perſons, which ſhall dwell and haue the manurance of and in ſuch manors, meaſes, lands, tenements, or hereditaments, whereunto ſuch leets, lawdayes, rapes, and Courts doe not belong, or by reaſon whereof any ſuch courts be not holden; that then vpon a preſentment thereof had before the ſherifes in their Turnes, or Iuſtices of Peace in their Seſſions, the ſteward of the Turnes with two of the preſenters, to bee choſen as is aforeſaid, if the preſentment bee within the turne, and the Iuſtices of Peace, or two of them at the leaſt, if the preſentment be before them in their Seſſions, ſhall aſſeſſe and ſet the amerciament, after the quantity of the offence, by their diſcretions, to be had and leuied to the vſe of our Soueraigne Lord the King by diſtreſſe like as other amerciaments be leuied vpon preſentments of common annoyances.

And further be it enacted, by the authority aforeſaid, that in euery Pariſh, Towneſhip, Hamlet, Borough, or village within this Realme, wherein is at leaſt ten houſholds inhabited, the tenants and inhabitants thereof ſhall before the Feaſt of Saint Michael the Archangell next, And ſo during ten yeares next enſuing the ſaid Feaſt, at their owne proper coſts, charges, and expences, prouide, make, or cauſe to be made one net commonly called a net to take Choughes Crowes, and Rookes, with all things requiſite, or belonging to the ſame, and the ſaid net ſo made or cauſed to bee made, ſhall keepe, preſerue and renue, as often as ſhall need: And with and after a Sharpe made with Chaffe, and other things meet for that purpoſe ſhall lay, or cauſe to be laid at ſuch time or times in the yeare, as are conuenient for deſtruction of ſuch Choughs, Rookes, and Crowes, and in ſuch place and places; as ſhall be thought expedient to take the ſaid Choughes, Crowes, and Rookes, vpon paine to forfeit ten ſhillings; the one moitie thereof to bee to our Soueraigne Lord the King, and the other moitie to the Lord or Lords of the ſame Courts, Leets, Lawdayes, or Rapes, where any ſuch net ſhall be lacking, and not made, and put in execution according to this act, to be leuied of the tenants of the ſaid Pariſh, Townſhip, Hamlet, Borough, or Village, where any ſuch net ſhall bee lacking, and not pnt in vre and execution, as is aforeſaid. And that euery ſuch net with all things requiſite thereunto, ſhall one time in the yeare at the leaſt be preſented in the Court baron, Leet, Rape, or Lawday, before the Steward of the ſame Court, Leet, Rape, or Lawday, whereunto the ſaid Tenants, and Inhabitants ſhall bee bounden to ſue, and appeare, to be viewed, whether the ſame bee ſufficiently repaired or not, for the foreſaid purpoſe; So that by the aduice of the Steward, Tenants, and Inhabitants of the ſaid Court baron, Leet, Rape, or Lawday, where any ſuch net ſhall be neceſſary to be vſed, a ſure way and ordinance may bee deuiſed for the reparation, continuance, and putting in execution of the ſaid net at times and places conuenient, as is aforeſaid. And that ſuch ordinances, as ſhall be deuiſed and made by the Steward, Tenants and Inhabitants of, and within the ſaid Leets, Lawdayes, Rapes, and Courts, or by the moſt part of them to and for the deſtruction of the ſaid Rookes, Crowes, and Choughes, ſhall ſtand good and effectuall, and be put in due execution, according to the tenour thereof.

Euery Towne, Hamlet, &c. ſhall prouide and maintaine Crownets during ten yeares. Exp.

And further be it enacted by the authority aforeſaid, that as well ſuch perſon and perſons, as ſhall inhabite, and haue in his manurance and occupation, any Manors, Meaſes, Lands, Tenements, or other hereditaments, whereunto any ſuch Leets, Lawdayes, Rapes, or Courts appertaine, or by reaſon whereof any ſuch Courts be holden, as the Tenants, and Farmers inhabiting, and hauing in their manurance and occupation, any meaſes, lands, Tenements, or hereditaments holden of ſuch manors meaſes, or other hereditaments, whereunto ſuch courts as is aforeſaid, doe belong, ſhall yeerely during the ſaid ten yeares at ſuch dayes, places, and times, as by the Steward of ſuch Leets, Lawdayes, Rapes, or Courts ſhall be appointed, aſſemble themſelues together to view, viſit, and ſuruey all the ſaid manors, meaſes, lands, tenements, and hereditaments, where they or any of them ſhall happen to dwell, or inhabite, and

The Inhabitants ſhall, during ten yeares, aſſemble and take order to deſtroy Crows, Rooks, &c. Exp.

be reſident, and thereupon ſhall agree and conclude, how and by what meanes it ſhall bee beſt poſſible to deſtroy all the young breed of the ſaid Choughes, Crowes, and Rokes, for that yeare; and the ſame aſſembly, view, and viſitation ſhall make yearly, during the ſaid ten yeares, at moſt conuenient and apt times for the ſame, and ſhall put the ſame in due execution, ſo as the ſaid young breed of Choughes, Crowes, and Rokes may be vtterly deſtroyed, vpon paine to forfeit for euery yeare omitting ſuch aſſembly, endeuour, & view making according to this Act, twenty ſhillings, after preſentment of ſuch default had before the Kings Iuſtices of Peace: the one halfe of which forfeiture to bee to the King our Soueraigne Lord, and the other halfe to be to the preſenters of the ſaid offence to bee leuied by diſtreſſe, like as amerciaments for common annoyances, haue beene accuſtomed to be leuied.

The defaults ſhall be giuen in charge in leets, &c.

And further bee it enacted by the authority aforeſaid, that as well the Iuſtices of Peace in their Seſſions, and Sherifes in their turnes, as Stewards, Maiors, and Bailiffes elected in their Leets, Lawdayes, Rapes, and Court barons, to be hereafter holden before them, or any of them ſhall giue in charge to the tenants and Inhabitants, and all other appearing before any of them, that they ſhall duely inquire, and put in execution the effect of the premiſes in due time, ſo that this Act may bee fully and truly executed, and the Choughes, Crowes, and Rokes, thereby deſtroyed in all places of this Realme, according to the meaning and true intent of this Statute.

Any man with licence of the owner of the groūd may take Crowes, &c.

And ouer this it is enacted that it ſhall bee lawfull to euery perſon and perſons, onely minding and willing to take and deſtroy the ſaid Crowes, Rokes, or Choughes, after requeſt thereof made to the owner, or occupier of the ſame ground, where ſuch Crowes, Rokes, or Choughes, haunt or breed, to enter, take, and carry away all ſuch Rokes, or Choughes, and Crowes, as hee ſhall take that ſame day, in which ſuch requeſt ſhall bee made from time to time, without let, impediment, or impeachment by any maner meane of the ſaid owner or occupier of the ſame.

The taker of Crowes, &c. ſhall haue after the rate of 2.d. the dozen

And it is further enacted, that euery farmer or owner, hauing in his owne manurance, and occupation any Manors, Meaſes, Lands, Tenements, or other hereditaments, whereof the yearely value, or rent amounteth to fiue pounds ſhall pay, and giue to euery ſuch perſon, which by his diligence, labour, and induſtry at his owne proper coſts doth take any old Crows, Roks or Choughes, within and vpon the ſaid Manors, Meaſes, Lands, or grounds of the yearly value aforeſaid, two pence for euery twelue old Crowes, Rokes, or Choughes, that any ſuch perſon ſhall take, bring, and offer to any ſuch farmer or owner; and for euery ſix old Crowes, Rokes, or Choughes a penny; and for euery three, an halfe peny: And if any ſuch Owner, or farmer refuſe to pay the ſaid money accordingly, as is aforeſaid, then vpon complaint, and proofe thereof made to any of the Iuſtices of Peace, or high Conſtable, the ſaid Iuſtice of Peace or high Conſtable ſhall cauſe the ſaid money to bee leuied by diſtreſſe of the goods and cattels of euery ſuch farmer or occupier refuſing to pay the ſame according to the tenour and effect of this Act.

None under pretence of this Act ſhall kill pigeons.

Prouided alwayes, that no perſon or perſons, by colour or authority of this act, ſhall take or kill any Doues, or Pigeons, vpon the paines limited by the lawes and cuſtomes of this Realme heretofore for ſuch offences vſed, and accuſtomed. Stat. 8. El. 15.

Cap. XI.

The Streetway betweene Charing Croſſe and Strond Croſſe, ſhall bee ſufficiently paued at the charge of the owners of the lands. And the pauement being made, it ſhall be maintained by the owners of the land adioyning to the ſame, vpon paine of forfeiture to the King of vj. d. for euery yard ſquare not paued or repaired. PR.

Cap. XII.

No appeales ſhall be vſed but within this Realme.

The power preeminence & authority of the K. of England.

Where by diuers ſundry old, authentike Hiſtories, and Chronicles, it is manifeſtly declared and expreſſed, that this Realme of England is an Empire, and ſo hath beene accepted in the world, gouerned by one ſupreme head and King, hauing the dignity and royall eſtate of the Imperiall Crowne of the ſame: Unto whom a body politike, compact of all ſorts and degrees of people, diuided in termes, and by names of Spiritualty and Temporalty, beene bounden and owen to beare next to God, a naturall and humble obedience: He being alſo inſtitute and furniſhed by the goodneſſe and ſufferance of Almighty God, with plenary, whole and entire power, preeminence, authority, prerogatiue and iuriſdiction, to render and yeeld Iuſtice, and finall determination to all manner of folke reſiants, or ſubiects within this his Realme in all cauſes, matters, debates, and contentions, happening to occurre, inſurge, or begin within the limits thereof, without reſtraint, or prouocation to any forreine Princes, or Potentates

tates of the world: The body ſpirituall whereof hauing power when any cauſe of the Law diuine happened to come in queſtion, or of ſpirituall learning, that it was declared, interpreted and ſhewed by that part of the ſaid body politike, called the Spiritualtie, now being vſually called the Engliſh Church, which alwayes hath béene reputed, and alſo found of that ſort, that both for knowledge, integritie, and ſufficiencie of number, it hath béene alwayes thought, and is alſo at this houre, ſufficient and méet of it ſelfe, without the intermedling of any exterior perſon or perſons, to declare and determine all ſuch doubts, and to adminiſter all ſuch offices and duties, as to their roomes ſpirituall doth appertaine. For the due adminiſtration whereof, and to kéepe them from corruption, and ſiniſter affection, the Kings moſt noble progenitors, and the anteceſſors of the nobles of this Realme, haue ſufficiently endowed the ſaid Church, both with honour and poſſeſſions. And the lawes temporall, for triall of propertie of lands and goods, and for the conſeruation of the people of this Realme in vnitie and peace, without rapin or ſpoile, was and yet is adminiſtred, adiudged, and executed by ſundry Iudges, and miniſters of the other part of the ſaid body politike, called the Temporaltie: And both their authorities and iuriſdictions doe conioyne together in the due adminiſtration of Iuſtice, the one to helpe the other.

The power, learning and wiſdome of the body ſpirituall.

The forme and manner of gouernment of the eſtate temporal.

And whereas the King his moſt noble progenitors, and the Nobilitie and Commons of this ſaid Realme, at diuers and ſundry Parliaments, as well in the time of King Edward the firſt, Edward the third, Richard the ſecond, Henry the fourth, and other noble Kings of this Realme, made ſundry Ordinances, Lawes, Statutes, and prouiſions for the entier and ſure conſeruation of the prerogatiues, liberties, and preeminences of the ſaid imperiall Crowne of this Realme, and of the iuriſdictions ſpirituall and temporall of the ſame, to kéep it from the annoyance as well of the Sée of Rome, as from the authoritie of other forreine Potentates, attempting the diminution, or violation therof, as often, and from time to time, as any ſuch annoyance or attempt might be knowne or eſpied. And notwithſtanding the ſaid good ſtatutes, and ordinances made in the time of the Kings moſt noble progenitors, in preſeruation of the authoritie and prerogatiue of the ſaid imperiall crowne, as is aforeſaid: yet neuertheleſſe ſithen the making of the ſaid good ſtatutes and ordinances, diuers and ſundry inconueniences, and dangers, not prouided for plainly, by the ſaid former acts, ſtatutes, and ordinances, haue riſen, and ſprung, by reaſon of appeales ſued out of this Realme to the Sée of Rome, in cauſes teſtamentarie, cauſes of matrimonie, and diuorces, right of tythes, oblations, and obuentions, not only to the great inquietation, vexation, trouble, coſts and charges of the Kings Highneſſe, and many of his ſubiects, and reſiants in this his Realme, but alſo to the great delay, and let to the true and ſpéedy determination of the ſaid cauſes, for ſo much as the parties, appealing to the ſaid Court of Rome, moſt commonly doe the ſame for the delay of Iuſtice. And for as much as the great diſtance of way is ſo farre out of this Realme, ſo that the neceſſary proofes, nor the true knowledge of the cauſe, can neither there be ſo well knowne, ne the witneſſes there ſo well examined, as within this Realme, ſo that the parties grieued by meanes of the ſaid appeales, be moſt times without remedie. In conſideration whereof, the Kings Highneſſe, his Nobles and Commons conſidering the great enormities, dangers, long delayes and hurts, that as well to his Highneſſe, as to his ſaid Nobles, ſubiects, Commons, and reſiants of this his Realme, in the ſaid cauſes teſtamentary, cauſes of matrimony, and diuorces, tythes, oblations, and obuentions, doe daily enſue, Doth therefore by his royall aſſent, & by the aſſent of the Lords Spirituall and Temporall, & the Commons in this preſent Parliament aſſembled, & by authority of the ſame, enact, eſtabliſh, and ordeine, that all cauſes teſtamentary, cauſes of matrimony, and diuorces, rights of tythes, oblations, and obuentions (the knowledge whereof by the goodneſſe of Princes of this Realme, and by the lawes and cuſtomes of the ſame appertaineth to the ſpirituall iuriſdiction of this Realme) already commenced, moued, depending, being, happening, or hereafter comming in contention, debate, or queſtion within this Realme, or within any the Kings Dominions or marches of the ſame, or elſewhere, whether they concerne the King our Soueraigne Lord, his heires or ſucceſſors, or any other ſubiects or reſiants within the ſame, of what degrée ſoeuer they be, ſhall be from henceforth, heard, examined, diſcuſſed, cléerely, finally, and definitiuely, adiudged and determined within the Kings iuriſdiction and authority, and not elſewhere, in ſuch Courts ſpirituall and temporall of the ſame, as the natures, conditions, and qualities of the caſes and matters aforeſaid in contention, or hereafter happening in contention, ſhall require, without hauing any reſpect to any cuſtome, vſe, or ſufferance, in hinderance, let, or preiudice of the ſame, or to any other thing vſed, or ſuffered to the contrary thereof by any other manner perſon or perſons in any manner of wiſe, Any forreine inhibitions, appeales, ſentences, ſummons, citations, ſuſpenſions, interdictions, excommunications, reſtraints, iudgements, or any other proces, or impediments, of what natures, names, qualities, or conditions ſoeuer they be from the Sée of Rome, or any other forreine Courts or Potentates of the world, or from and out of this Realme, or any other the Kings Dominions, or marches of the ſame, to the Sée of Rome, or to any other forreine Courts, or Potentates, to the let or impediment thereof, in any wiſe notwithſtanding. And that it ſhall be lawfull to the King our Soueraigne

The ſeuerall inconueniences in ſuing of appeales to Rome.

All cauſes determinable by any ſpirituall iuriſdiction ſhall be adiudged within the Kings authoritie.

Lord, and to his heires and ſucceſſors, and to all other ſubiects, or reſiants within this Realme, or within any the Kings Dominions, or marches of the ſame, notwithſtanding that hereafter it ſhould happen any excommengement, excommunications, interdictions, citations, or any other cenſures, or forreine proces out of any outward parts, to be fulminate, promulged, declared, or put in execution within this ſaid Realme, or any other place or places, for any of the cauſes before rehearſed, in preiudice, derogation, or contempt of this ſaid Act, and the very true meaning and execution thereof, may and ſhall neuertheleſſe as well purſue, execute, haue, and enioy the effects, profits, benefits, & commodities of all ſuch proceſſes, ſentences, iudgements, and determinations, done, or hereafter to be done in any of the ſaid Courts ſpirituall or temporall, as the caſes ſhall require, within the limits, power, and authority of this the Kings ſaid Realme and Dominions, and marches of the ſame: and thoſe onely, and none other to take place, and to be firmely obſerued, and obeyed within the ſame. As alſo that all the ſpirituall Prelates, Paſtors, Miniſters, and Curates within this Realme and Dominions of the ſame, ſhall and may vſe, miniſter, execute, and doe, or cauſe to be vſed, miniſtred, executed and done all Sacraments, ſacramentals, diuine ſeruices, and all other things within the ſaid Realme and Dominions, vnto all the Subiects of the ſame as Catholike and chriſten men owen to doe, any forreine citations, proceſſes, inhibitions, ſuſpenſions, interdictions, excommunications, or appeales, for or touching any of the cauſes aforeſaid, from, or to the See of Rome, or any other forreine Prince, or forreine Courts to the let, or contrary thereof, in any wiſe notwithſtanding.

The Prelats of this Realme may execute all Sacraments & diuine Seruice vnto the ſubiects of this Realme.

And if any of the ſaid Spirituall perſons, by the occaſion of the ſaid fulminations of any of the ſame interdictions, cenſures, inhibitions, excommunications, appeales, ſuſpenſions, ſummons, or other forreine citations, for the cauſes beforeſaid, or for any of them, doe at any time hereafter refuſe to miniſter, or to cauſe to be miniſtred the ſaid ſacraments and ſacramentals, and other diuine ſeruices, in forme as is aforeſaid, then he or they ſhall for euery ſuch time, or times that they, or any of them, doe refuſe ſo to doe, or to cauſe to be done, haue one yeares impriſonment, and to make fine and ranſome at the Kings pleaſure.

The penaltie of them who doe omit to doe their dutie.

And it is further enacted by the authoritie aforeſaid, that if any perſon or perſons inhabiting, or reſiant within this Realme, or within any the Kings Dominions, or marches of the ſame, or any other perſon or perſons, of what eſtate, condition, or degree ſoeuer he or they be, at any time hereafter, for or in any the cauſes aforeſaid, doe attempt moue, purchaſe or procure, from, or to the See of Rome, or from, or to any other forreine Court, or Courts, out of this Realme, any manner forreine proces, inhibitions, appeales, ſentences, ſummons, citations, ſuſpenſions, interdictions, excommunications, reſtraints, or iudgements, of what nature, kind or quality ſoeuer they be, or execute any of the ſame proceſſe, or doe any Act or Acts, to the let, impediment, hinderance, or derogation of any proceſſe, ſentence, iudgement or determination, had, made, done, or hereafter to be had done, or made in any Courts of this Realme, or the Kings ſaid Dominions or Marches of the ſame, for any of the cauſes aforeſaid, contrary to the true meaning of this preſent Act, and the execution of the ſame: that then euery ſuch perſon or perſons, ſo doing, and their fautors, comfortors, abbettors, procurors, executors and counſellors, and euery of them, being conuict of the ſame, for euery ſuch default ſhall incur, and run in the ſame paines, penalties, and forfeitures, ordeined and prouided by the Statute of prouiſion and premunire, made in the ſixteenth yeare of the reigne of the right noble Prince, King Richard the ſecond, againſt ſuch as attempt, procure or make prouiſion to the See of Rome, or elſewhere, for any thing or things, to the Derogation, or contrarie to the Prerogatiue or Iuriſdiction of the Crowne and dignity of this Realme.

Whoſoeuer procureth from the See of Rome, or, &c. any Appeales, Proces, Sentences, &c. ſhall incurre the forfeiture of Premunire.

And furthermore in eſchewing the ſaid great enormities, enquietations, delaies, charges, and expences hereafter to be ſuſteined in purſuing of ſuch appeales, and forreine proceſſe, for & concerning the cauſes aforeſaid, or any of them, doe therfore by authority aforeſaid, ordeine and enact, That in ſuch caſes, where heretofore any of the Kings ſubiects & reſiants, haue vſed to purſue, prouoke or procure, any appeale to the See of Rome, and in all other caſes of appeales, in or for any of the cauſes aforeſaid, they may, and ſhall from henceforth take, haue, and vſe their appeales within this Realme, and not elſewhere, in manner and forme as hereafter enſueth, and not otherwiſe, that is to ſay, Firſt from the Archdeacon or his officiall, if the matter or cauſe be there begun, to the Biſhop dioceſan, of the ſaid See, if in caſe any of the parties be greeued.

And in like wiſe if it be commenced before the Biſhop dioceſan, or his Commiſſary, from the Biſhop dioceſan, or his commiſſarie, within fifteene daies next enſuing the iudgement or ſentence thereof there giuen, to the Archbiſhop of the Prouince of Canterburie, if it be within his Prouince, and if it be within the Prouince of Yorke, then to the Archbiſhop of Yorke, and ſo likewiſe to all other Archbiſhops in other the Kings Dominions, as the caſe by the order of iuſtice ſhall require, and there to be definitiuely and finally ordered, decreed, and adiudged, according to iuſtice, without any other appellation or prouocation to any other perſon or perſons, Court or Courts.

Before whom & in what courts appeales ſhal be ſued within this Realme.

And if the matter or contention for any of the cauſes aforeſaid, be or ſhall be commenced by any of the Kings ſubiects or reſiants, before the Archdeacon of any Archbiſhop or his Comiſſarie, ry, then the party greeued, ſhall or may take his appeale within fifteene dayes next after iudgement or ſentence there giuen to the Court of the Arches or audience of the ſame Archbiſhop or Biſhops, and from the ſaid Court of the Arches or audience within fifteene dayes then next enſuing, after iudgement or ſentence there giuen, to the Archbiſhop of the ſame Prouince, there to be definitiuely and finally determined, without any other or further proceſſe, or appeale thereupon to be had or vſed.

And it is further enacted by the authority aforeſaid, that all and euery matter, cauſe, and contention now depending, or that hereafter ſhall be commenced by any of the Kings Subiects or reſiants, for any of the cauſes aforeſaid, before any of the ſaid Archbiſhops, that then the ſame matter or matters, contention or contentions, ſhall be before the ſame Archbiſhop, where the ſaid matter, cauſe or proceſſe, ſhall bee ſo commenced, definitiuely determined, decreed, or adiudged without any other appeale, prouocation, or any other foreine proceſſe out of this Realme, to bee ſued to the let or derogation of the ſaid iudgement, ſentence, or decree, otherwiſe than is by this Act limited and appointed, ſauing allwayes the prerogatiue of the Archbiſhop, and Church of Canterbury, in all the foreſaid cauſes of Appeales, to him and his ſucceſſors to be ſued within this Realme, in ſuch, and likewiſe as they haue bene accuſtomed, and vſed to haue heretofore.

Suits commenced before an Archbiſhop ſhall be determined by him without any further appeale. Alt. 25. H. 8. 19.

The prerogatiue of the Archbiſhop of Canterbury ſaued.

And in caſe any cauſe, matter or contention, now depending for the cauſes before rehearſed, or any of them, or that hereaftet ſhall come in contention for any of the ſame cauſes, in any of the foreſaid Courts, which hath, doth, ſhall, or may touch the King his Heires, or ſucceſſors, Kings of this Realme: that in all and euery ſuch caſe or caſes, the party greeued as before is ſaid, ſhall or may appeale from any of the ſaid Courts of this Realme, where the ſaid matter now being in contention, or hereafter ſhal come in contention, touching the King, his Heires or Succeſſors (as is aforeſaid) ſhall happen to be ventilate, commenced, or begun to the Spirituall Prelates and other Abbots, and Priors of the vpper houſe, aſſembled and conuocate by the Kings writ in the conuocation being or next inſuing, within the prouince or prouinces, where the ſame matter of contention, is or ſhall be begun. So that euery ſuch appeale bee taken by the party greeued, within fifteene dayes next after the iudgement or ſentence thereupon giuen or to be giuen. And that whatſoeuer be done or ſhal be done and affirmed, determined, decreed and adiudged by the foreſaid Prelats Abbots, & Priors of the vpper houſe of the ſaid conuocation, as is aforeſaid appertaining, concerning, or belonging to the King, his Heires and Succeſſors, in any of the foreſaid cauſes of appeales, ſhal ſtand & be taken for a finall decree, ſentence, iudgement, definition, and determination, and the ſame matter ſo determined, neuer after to come in queſtion and debate, to be examined in any other Court or Courts.

Before whom an appeale ſhall be ſued in any cauſe touching the King.

And if it ſhall happen any perſon or perſons, hereafter to purſue or prouoke, any appeale contrary to the effect of this Act, or refuſe to obey, execute and obſerue all things compriſed within the ſame, concerning the ſaid appeals, prouocations, & other forraine proceſſes to be ſued out of this Realme, for any the cauſes aforeſaid, that then euery ſuch perſon or perſon, ſo doing refuſing or offending, contrary to the true meaning of this Act, their procurers, fautors, aduocates, counſellors, and abbetors, and euery of them, ſhal incur into the paines, forfeitures, and penalties, ordeyned and prouided in the ſaid ſtatute, made in the ſaid ſixteenth yeare of King Richard the ſecond, and with like proceſſe to be made againſt the ſaid offenders, as in the ſame ſtatute made the ſaid ſixteenth yeare more plainly appeareth. St.8.El.5.1.and 2.P.and M.8. 1.El.1.St.28. H.8.7. 25.H.1.22.

Cap. XIII.

A Repeale of all former Statutes made againſt exceſſe of Apparell. What Apparell men of all degrees, vocations and functions are allowed, and what prohibited to weare. The forfeitures of the offenders, and who ſhall haue them. Rep. 1. *Iac.* 25. *Coke pla. fo.* 158.

ANNO VICESIMO QVINTO HENRICI OCTAVI.

ACts made in the Seſſion of this preſent Parliament holden vpon prorogation at weſtminſter, the fifteenth day of Ianuary, in the fiue and twentieth yeare of the reigne of our moſt dread Soueraigne Lord King HENRIE the eighth, and there continued and kept till the thirtieth day of March then next enſuing: to the honour of God and holy Church, and for the common weale and profit of this his Realme.

Cap. I.

Gouernours of Cities and Market Townes vpon complaint to them made of any Butcher refuſing to ſell vitaile by weight according to the Statute of 24.H.8.3. may commit the offender to ward vntill he hath paid all penalties limited by the ſaid Statute, and may ſell or cauſe to bee ſold by weight all ſuch vitaile for ready mony to be deliuered to the owner: And if any Graſier, Fermor, Breeder, Drouer, &c. refuſe to ſell his fat cattell to a Butcher vpon ſuch reaſonable price as hee may retaile it at the price aſſeſſed by the ſaid Statute. The Iuſtices of peace, Maiors or Gouernours, ſhall cauſe indifferent perſons to ſet the prices of the ſame, which if the owner refuſe to accept, then the ſame Iuſtices, &c. ſhall binde him to appeare the next Terme in the Star Chamber to be puniſhed, as the Kings Councell ſhall thinke good. Exp. 33.H.8.11. St.27.H.8.9.

Cap. II.

By whom the prices of victuals ſhallbe aſſeſſed.

The prices of vitailes ſhalbe aſſeſſed by the K. Councellors Iuſt. & officers

FOr as much as dearth, ſcarcity, good cheape and plenty, of cheeſe, butter, capons, hens, chickins and other victuals, neceſſary for mens ſuſtenance, happeneth, riſeth and chanceth, of ſo many and diuers occaſions, that is very hard and difficult to put any certaine prices to any ſuch things. And yet neuertheleſſe the prices of ſuch victuals be many times inhaunſed and raiſed, by the greedy couetouſneſſe & appetites of the owners of ſuch victuals, by occaſion of ingroſſing and regrating the ſame, more than vpon any reaſonable or iuſt ground, or cauſe, to the great damage and enpoueriſhing of the Kings ſubiects. For remedy whereof, bee it enacted by the authority of this preſent Parliament, That vpon euery complaint made of any inhaunſing of prices of ſuch victuals, without ground or cauſe reaſonable in any part of this Realme, or in any other the Kings Dominions, the Lord Chancellor of England, the Lord Treaſurer, the Lord Preſident of the Kings moſt honourable Councell, the Lord priuy ſeale, the Lord Steward, the Lord Chamberlaine, and all other Lords of the Kings Councel, the Treaſurer and Comptroller of the Kings moſt honourable houſe, the Chancellor of the Duchy of Lancaſter, the Kings Iuſtices of either Bench, the Chancellor, Chamberlaines, Under treaſurer, and the Barons of the Kings Eſchequer, or ſeuen of them at the leaſt, whereof the Lord Chancellor, the Lord Treaſurer, the Lord Preſident of the Kings Councell, or the Lord priuy Seale to be one, ſhall haue power and authority from time to time, as the caſe ſhall require, to ſet and tax reaſonable prices of all ſuch kinds of victuals aboue ſpecified, how they ſhall be ſold in groſſe, or by retaile, for reliefe of the Kings ſubiects. And that after ſuch prices ſet and taxed, in forme aforeſaid, proclamation ſhal be made in the Kings name, vnder the great ſeale of the ſaid prices, in ſuch parts of this Realme, as ſhall be conuenient for the ſame.

They which haue victuall muſt ſel them at the prices aſſeſſed.

And be it enacted, That all fermors, owners, broggers, and all other victuallers whatſoeuer, hauing or keeping any of the kinds of victualls afore rehearſed, to the intent to ſell, ſhall ſell the ſame to ſuch of the Kings ſubiects as will buy them, at ſuch prices as ſhall be ſet and taxed by the ſaid proclamation, vpon the paines to be expreſſed and limited in the ſaid proclamation, to be loſt, forfeited, and leuied to the Kings vſe, in ſuch wiſe, as by the ſame proclamation ſhall be declared.

Head officers of corporat towns may ſet the prices of victuals. St.23.Ed.3.6. 12.Ed.4.8.

Prouided alway that this Act, or any thing therein contained, ſhall not be hurtfull to Maiors Sherifes, Bailifes, or other Officers of Cities, Boroughes, or Townes Corporat, nor to any perſon or perſons, or bodies politike, hauing authority to ſet prices of ſuch victuals, or of any of them, but that they and euery of them may ſet prices thereof, as if this Act had neuer beene had nor made.

No victual ſhal be tranſported without licence 1.& 2.P.& M.5. 5.El.5.13.El.13.

And bee it further enacted, by authority aforeſaid, That no perſon or perſons, vnleſſe it bee by licence vnder the Kings great Seale, From henceforth ſhall carry or conuey, or cauſe to bee carried and conueyed, any corne, beefes, muttons, veales, porkes, or any other of the aboueſaid victuals, to any the parties beyond the ſea, Except onely for the victualling of the Towne of Calis, Guiſnes, Hammes, and the Marches of the ſame, And except for victualling of Maſters, Mariners, and Merchants of ſhips paſſing the ſeas, and alſo except barrelled butter, and meale to bee carried to the parties of Iſland, as hath beene accuſtomed vpon paine of forfeiting of the value of the thing conueyed and carried into the parties of beyond the ſea, contrary to this Act: The one halfe thereof to the vſe of our ſaid Soueraigne Lord the King, and the other halfe to the party that will ſue for the ſame, by bill, plaint, writ, or information in any of the Kings Courts. In which ſuits the defendant ſhall not wage his law, nor any protection or eſſoine for him ſhall be allowed.

Cap. III.

Clergy not allowed to thoſe who ſtand mute, or who doe make peremptory challenge

WHere at your Parliament holden at Weſtminſter, in the three and twentieth yeare of your moſt noble reigne, amongſt other things it was ordained, eſtabliſhed, and enacted, That no perſon nor perſons, which thereafter ſhould happen to be found guilty after the lawes of this Land, for any manner of pety treaſon, or for any wilfull murder of malice prepenſed, or for robbing of any Churches, Chapels, or other holy places, or for robbing of any perſon or perſons in their dwelling houſes, or dwelling place, the owner or dweller in the ſame houſe, his wife his children, or ſeruants then being within, and put in feare and dread by the ſame, or for robbing of any perſon or perſons in or neere about the high way, or for wilfull burning of any dwelling houſes or barnes, wherein any graine or corne ſhall happen to be: nor any perſon or perſons, being found guilty of any abetment, procurement, helping, maintaining, or counſelling, of or to any ſuch petit treaſon, murders, or felonies, ſhould from thenceforth be admitted to the benefit of his or their clergy, but vtterly be excluded therof, and ſuffer death in ſuch maner & forme, as they ſhould haue done for any the cauſes or offences abouesaid, if they were no Clerks. Such as be within holy orders, that is to ſay, of the orders of Subdeacon or aboue all, onely except, as more at large appeareth by the ſaid Act. And for as much as the ſaid Act extendeth onely to ſuch perſons as bee found guilty after the due courſe of the Lawes of this Land, diuers and many great arrant robbers, murderers, burglaries, and felons that doe offend and commit diuers and many petit treaſons, robberies, burglaries, and felonies, contrary to the tenour of the ſaid Act perceiuing and cleerely vnderſtanding by the words of the ſame Statute and Act, that they ſhall not leeſe the benefit and aduantage of their Clergy, vnleſſe they be found guilty after the due courſe of the law, vpon their araignment of and vpon the ſaid felonies, robberies, and other offences beforeſaid, ſo by them done and committed, by reaſon whereof, diuers and many of the ſame robbers, and felons, vpon their araignment of the ſame robberies and felonies, vpon their inditements againſt them, ſtand mute, and ſometimes challenge peremptory ouer the number of twenty, or elſe will not directly anſwer to the ſame inditements, whereupon they be ſo arrained, according to the order of the Law. And for that that theſe eſpeciall caſes bee not expreſly compriſed and contained within the letter of the ſame Statute, it is neceſſary and expedient, that the ſame cauſe be cleerly and definitiuely expounded, and declared by authority of this preſent Parliament. And where alſo as diuers and many felons and robbers, that commit and doe diuers and many great heinous robberies, and burglaries in one ſhire, and conuey the ſpoile and robbery into any other ſhire, and there be taken endited, and arrained vpon felony and folonious ſtealing of the ſame goods, in the ſame other ſhire, then there, where the ſame robberies, or burglaries were done and committed, and not vpon the ſame robbery nor burglary, for that it was not done nor committed in the ſame ſhire, where they be ſo indited and arrained, and by reaſon thereof, the ſame miſdemeanors, felons, robbers & burglaries haue and enioy the priuilege and and aduantage of their Clergy, to the great hurt and loſſe of the Kings prerogatiue, and great boldneſſe of ſuch offenders.

Certain defects in the Sta. of 23. H. 8. 1.

In conſideration wherof, be it enacted by the King our Soueraigne Lord, the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, that euery perſon and perſons, that is or hereafter ſhall be indited of petit treaſon, wilfull burning of houſes, murder, robbery, or burglary, or other felony, according to the tenour and meaning of the ſame Statute, and thereupon arrained, and doe ſtand mute of malice or froward minde, or challenge peremptory aboue the number of twenty, or elſe will not, or doe not anſwer directly to the ſame inditement and felony, whereupon he is ſo arraigned, ſhall from henceforth loſe the benefit and priuilege of his or their Clergy, in like manner and forme as if he had directly pleaded to the ſame pety Treaſon, Murder, Robbery, Burglary or other felony whereupon he is ſo arrained not guilty, and thereupon had beene found guilty, after the Lawes of the land.

No man ſhall haue his Clergy which is indited of murder, &c. & vpon his arraignment doth ſtand mute or chalẽge aboue xx. perſons, or will not anſwer directly.

li. fo. 36.

And by the ſame authority be it further enacted, that if any perſon or perſons hereafter be indited of Felony for ſtealing of any goods or cattels, in any County within this Realme of England, and therupon arraigned and be found guilty, or ſtand mute of malice, or challenge peremptory aboue the number of twenty perſons, as is aforeſaid: or will not vpon his ſaid arraignment directly anſwer to the ſame felony, that then the ſame perſon and perſons ſo arraigned and found guilty, or ſtand mute of malice, or challenge peremptory aboue the number of twenty perſons, or wil not directly anſwer to the Law, ſhal loſe and be put from the benefit of their Clergy in like manner and forme as they ſhould haue beene if they had beene indited and arraigned and found guilty in the ſame county, where the ſame robbery or burglary was done or committed, if it ſhall appeare to the Iuſtices, before whom any ſuch felons or robbers be arraigned by euidence

A man attainted where the goods were caried which were ſtolen in another County.

dence giuen before them, or by examination, that the ſame felonies whereupon they bee ſo arreigned, had béene ſuch robberies or burglaries, in the ſame Shire, where ſuch robberies or burglaries were committed or done, by reaſon whereof they ſhould haue loſt the benefit of their Clergy by force of the ſaid Statuts, in caſe they had béene found guilty thereof in the ſame Shire, where ſuch robberies or burglaries were ſo committed and done. Stat.28.H.8.1. 32.H.8.3.1.Ed.6.12.5.Ed.6.10.

Cap. IIII.

Onely ſuch perſons as be Merchants Aduenturers to Iſland for Salt fiſh, Stockfiſh, Ling, Haberdine, or Lobfiſh, or that bee Doggermen, or ſuch as bee fiſhermen, that actually labour for the taking of the ſaid fiſh in the Eaſt ſea ſide, or Eaſt ſea coaſt, ſhall buy any of the kinds of the ſame fiſh, at or vpon the Stone, or at the ſaid Eaſt ſea ſide, or Eaſt ſea coaſt, to ſell the ſame againe at any of the faires of Sturbridge, S. Iues, or Elie. Rep. 35.*H.*8.7.

Cap. V.

In what manner the Callendring of Worſteds is prohibited.

WHereas at the Parliament holden at Weſtminſter, the xxiij. day of Ianuary in the v. yeare of our Soueraigne Lords reigne the King that now is, there was an Act made, prouided and eſtabliſhed for the auoiding of deceits and falſeneſſe, in Worſtéeds as well by reaſon of dry Callendring thereof with gummes, oyles, and preſſes, as alſo by wet Callendring by perſons hauing no cunning in ordering of the ſame, which Act was made to endure but onely to the Parliament then next following. And for as much as it is euidently knowne, that the ſame Act and Statute aforeſaid is very góod and neceſſary for the Common wealth of this Realme. Wherefore the King our Soueraigne Lord by the aduice and conſent of his Lords Spirituall and Temporall, and the Commons of this preſent Parliament aſſembled, and by the authority of the ſame, hath ordeined, enacted, and eſtabliſhed, that the ſaid act and Statute, made in the v. yeare of his moſt Noble Reigne aforeſaid, and euery thing therein contained, ſhall from the feaſt of S. Michael the Archangell next comming, continue and bee góod and effectuall in euery point and article of the ſame for euer.

The St. of 5.H.8.4 touching calendring of Worſteds made perpetuall.

And furthermore be it enacted and eſtabliſhed, by the authority aforeſaid, for the Common wealth of the City of Norwich, and maintenance, ſupportation, and vpholding of the houſes, tenements, and habitations of the ſame, That no manner perſon vſing the Craft or Myſtery of Dying of Worſteds, Stamins, or Sayes, or any of them, neither by themſelues, or any ſeruant, factor, deputy, or any other by his commandement or aſſignment, from the feaſt of Chriſmas now next enſuing, ſhall vſe to Callender any Worſteds, Stamins, or Sayes, or any other commodities made of Worſted Yarne, during all ſuch time as the ſame perſon ſhall vſe the Myſtery or Craft of Dying aforeſaid, vpon paine to forfeit for euery péece ſo died and callendred by colour, couin, fraud, or contrary to the true meaning and intent of this preſent Act, xl.s. and to bee diuided in thrée equall parts, the one part thereof to the King our Soueraigne Lord, and another part to the Mayor for the time being, and the third part to him or them that wil ſue for the ſame by bill, action of debt, plaint, information, or otherwiſe in any of the Kings courts, wherein none eſſoine, delay, or protection ſhall be allowed.

No perſon which dieth Worſteds ſhall Calender them.

Cap. VI.

The puniſhment of Buggery.

FOr as much as there is not yet ſufficient, and condigne puniſhment appointed, and limited by the due courſe of the Lawes of this Realme, for the deteſtable and abhominable Vice of Buggery committed with mankinde, or beaſt. It may therefore pleaſe the Kings Highnes, with the aſſent of his Lords Spirituall & Temporall, and the Commons of this preſent Parliament aſſembled, that it may bee enacted by authority of the ſame, That the ſame offence bee from henceforth adiudged felony, and ſuch order and forme of proces therein to be vſed againſt the offenders, as in caſes of felonie at the Common Law. And that the offenders being hereof conuict by Verdict, Confeſſion, or Outlawry, ſhall ſuffer ſuch paines of death, and loſſes, and penalties of their góods, cattells, debts, lands, tenements, and hereditaments, as felons bee accuſtomed to doe according to the Order of the Common Lawes of this Realme. And that no perſon offending in any ſuch offence, ſhall be admitted to his Clergy. And that Iuſtices of Peace ſhal haue power and authority within the limits of their commiſſions and iuriſdiction, to heare and determine the ſaid offence, as they doe vſe to doe in caſes of other felonies. This Act to endure till the laſt day of the next Parliament. St.32.H.8.3.2.Ed.6.29.St.5.El.17.reuiued and made perpetuall.

He that committeth buggerie with mankind or beaſt ſhall be adiudged a felon Coke pl.fo.351.

Cap. VII.

No perſon with any Nets, Engines, or deuiſe ſhall take any frie, or ſpawne of Eles, or Salmon in any waters during x. yeares, vpon paine of forfeiture of v. li. and his ſaid Nets, Engines, &c. Exp. St. 13. E. 1. 47. St. 13. R. 2. 19. St. 17. R. 2. 9.

Cap. VIII.

The high ſtreet in Holborne, betweene Holborne-bridge, and the bars at the Weſt end of the ſaid ſtreet, ſhall be paued on both ſides with pauing ſtone, at the Charges of the Tenants in Fee-ſimple, Fee-taile, or for life, of the lands thereunto adioyning, their heyres and ſucceſſors, and they ſhall from time to time maintaine the ſame paued. And if the Leſſees doe it, they may defaulke ſo much of their rent. And the Maior and Aldermen of London may enquire euery quarter of a yeare by the oaths of xij. men of the offendors. The like order ſhall be obſerued for the pauing of the Streets in Southwarke. And he that doth not from time to time, maintaine the pauement ſufficiently againſt his owne ground, ſhall forfeit to the King for euery yard ſquare not repaired, vj. pence. PR.

Cap. IX.

How Pewterers ſhall vſe their trade.

In their moſt lamentable wiſe ſhewen, and piteouſly complainen vnto the Kings moſt royall Maieſty, and to this his moſt high Court of Parliament, the Kings moſt humble, poore, and obedient Subiects, the Maſter, Wardens, and poore fellowſhip of the Craft and myſtery of Pewterers, as wel of the City of London, as of all other places within this Realme of England, that where the ſaid craft or myſtery before this time hath bin one of the beſt handicrafts within this Realme, which hath only growne and continued by meane of diuers good Acts and Statutes, made for the true exerciſe of the ſame, whereof one was made in the xix. yeare of the reigne of the Kings moſt renowned Father (whoſe ſoule God pardon) & one other was made in the fourth yeare of the Kings moſt victorious Reigne, concerning the Crafts of Pewterers and Braſiers, of and for the true making, mixing, and ſelling of good and true Pewter, and Brazen veſſels, and alſo for exerciſing and vſing of true weights, and beames, to be occupied by the ſellers of any ſuch Pewter or Brazen veſſels within this Realme, ſo that none of the Kings Subiects, nor any other perſon ſhould by any ſale of any falſe, mixed, brazen and Pewter veſſell, or any vntrue weights be deceiued, as by the ſaid Statutes more plainly doth appeare. Which good ſtatutes duely put in execution, hath cauſed the ſaid Craft to increaſe & multiply, to the great profit and vtility of a great number of the Kings Subiects, and the commodity of Pewter veſſell much to be had in reputation in all ſtrange Regions and Countries, vntill now of late diuers euill diſpoſed perſons, being the Kings Subiects borne, which haue beene Apprentiſes and brought vp in the exerciſe of the ſaid Craft of Pewterers, haue now of late for their ſingular lucre repaired into ſtrange Regions and Countries, and there doe exerciſe the ſaid Craft of Pewterers, teaching Strangers not onely the Cunning of mixing and forgeing of all manner of Pewter veſſell, but alſo doe teach all things belonging to the ſaid Craft of Pewterers, by meane whereof there is not onely brought daily into this Realme out of ſtrange Regions to bee ſold, great number of things made of Pewter, vntruly mixed and made of Tinne, wherewith the Kings Subiects bee daily deceiued, and the people of ſtrange Countries greatly inſtructed in the cunning of the ſaid Craft of Pewterers, ſo that thereby not onely a great number and quantitie of Pewter veſſell and other things of Pewter, made in diuers ſorts and faſhions, amounting to a great value, which was daily and continually wont to bee carried and conueied out of this Realme by Marchants into ſtrange Regions and Countries, there to be ſold and vented; Whereby the Commodity of Tinne made into Pewter veſſell, which hath beene had in great eſtimation, as things very neceſſary and commodious, and the Kings cuſtomes thereby much aduanced, is now like vtterly to ceaſe and decay, and not to be eſteemed, as heretofore hath beene, but alſo the ſaid craft of Pewterers, which at this day ſetteth and keepeth in worke and occupation, a great number of people, ſhall be vtterly vndone, and a great multitude of the Kings naturall Subiects thereby fall into idleneſſe, to the great impoueriſhment of this Realme, if ſpeedie remedie for the redreſſe of the premiſes bee not prouided. In tender conſideration whereof, and for reformation of the premiſes, it may pleaſe the Kings Highneſſe, by the aſſent of the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame to ordeine and enact, That no perſon nor perſons hereafter at any time now inhabiting, or which hereafter ſhall inhabit within this Realme, ſhall buy, or otherwiſe take by exchange for other Wares, any manner wares made, or hereafter to bee made out of this Realme, of Tinne,

St. 19. H. 7. 6.
St. 4. H. 8. 7.

The cauſe why the trade of Pewterers did increaſe, and now doth decay in this Realme.

No perſon ſhall buy any wares made of Tinne out of the Realme.

or mixt with Tin, as Platters, Diſhes, Saucers, Pots, Baſons, Ewers, Flagons, Goblets, Salts, Saltſellers, Spoones, or any other thing made of Tinne or Pewter, as is aforeſaid, whatſoeuer it be, vpon peine of forfeiture of the ſame Ware, in whoſe hands ſoeuer it may be found or take, and alſo lawfull money currant in this Realme, to the full value thereof. The one halfe of the ſame forfeiture to be to the vſe of the Kings Highneſſe, and the other halfe to be to the vſe of the finders of the ſame.

Officers may ſearch and ſeiſe Wares brought into this Realm contrary to this Statute. Stat. 33. H. 8. 4.

And furthermore be it enacted, that it ſhall be lawfull to the Maiſter and Wardens of the ſaid Craft of Pewterers, as wel within the City of London, as within euery other City, Burrough, and Towne of this Realme, where ſuch Wardens be, and where no ſuch Wardens be, to the head Officer or Gouernor, head officers or Gouernors of the ſame City, Burrough or Towne for the time being to appoint diuers perſons moſt expert in knowledge of the ſame, to make ſearch and ſeiſure, and to take into their hands and poſſeſſions all ſuch wares, as hereafter ſhall bee brought contrary to the true intent and effect of this preſent Act, in whoſe ſoeuer hands or poſſeſſion any ſuch ſhall be found.

No Pewterer ſhall take a ſtranger borne to be his Aprentiſe or Journeyman. R E P. 5. El. 4.

No ſtranger borne ſhal work any Pewter or Tinne.

And alſo be it enacted, by the authority aboueſaid, that no perſon or perſons, accupying the ſaid Craft or occupation of Pewterers within this Realme, ſhall ſet on worke or retaine in his or their ſeruice any perſon or perſons to be his or their Apprentice or Journeyman, being ſtranger borne out of this Realme, vpon paine to forfeit for euery ſuch Apprentice and Journeyman, x. li. ſterling. And that no ſtranger borne out of this Realme ſhall occupie, exerciſe or vſe from the feaſt of Pentecoſt next comming, the ſaid Craft of Pewterers, ne worke any manner of veſſell or other ware aforeſaid, to be made of Tinne or Pewter, within any place or places of this Realme, vpon paine of forfeiture of Ten pound ſterling, and alſo vpon paine of forfeiture of the ſame Pewter or Tinne ſo wrought, in whoſe hands ſoeuer it may be found or taken.

No Pewterer ſhall teach his trade in a forreine Country.

And alſo be it enacted by authority aforeſaid, that no perſon or perſons being borne within this Realme, occupying or exerciſing the ſaid Craft of Pewterers, ſhall at any time hereafter reſort into any ſtrange Regions or Countries, there to vſe, teach, or exerciſe the ſaid Craft of Pewterers, vpon paine to loſe the Priuilege and benefit of an Engliſh man.

And if in caſe any of the Kings Subiects, at this preſent time being, dwelling in any ſtrange Country or Region, and there accupying the ſame Craft of Pewterers, doe not repaire into this Realme within three moneths next after requeſt and warning to him to be giuen, by writing, ſealed with the Common ſeale of the Wardens of the ſaid Craft within the ſaid City of London, and here in this Realme continually from henceforth dwell and inhabit, that then and from thenceforth he ſhall be reputed and taken for no Engliſh man, but ſhall ſtand and be from thenceforth out of the Kings protection.

Licenſes & Placards made to haukers for Pewter ſhall be void.

And foraſmuch as ſundry euill diſpoſed perſons, which commonly beene called haukers, by authority of the Kings Letters patents, or placard, doe not onely goe about from place to place within this Realme, vſing buying and ſelling of Braſſe and Pewter, and by colour and pretence of the ſame licences or placards, vſe vnlawfull and deceiueable weights and beames, but alſo doe vſe to ſell both Braſſe and Pewter, which is not good, nor truly, nor lawfully mixt nor wrought, to the great deceit of the Kings true Liege people, contrary to the forme and effect of the ſaid good Act and Statute, made in the ſaid iiij. years of the Kings moſt Noble Reigne. Be it therefore enacted by authoritie of this preſent Parliament, that all ſuch Licenſes and placards, heeretofore had, made, or granted, to any ſuch perſon or perſons, contrary to the true meaning, forme, and effect of this Statute, ſhall bee from henceforth by authoritie of this preſent Parliament, cleerely void, and of none effect. And whereas in the ſaid Act of Parliament concerning the Craft of Pewterers and Braſiers, made in the ſaid iiij. yeare for diuers cauſes and conſiderations in the ſame Act contained, amongſt other things it is expreſſed, That no other perſon or perſons, vſing the ſaid Craft of Pewterers or Braſiers, ſhould from thenceforth ſell or change any Pewter or Braſſe, new or old at any place or places within this Realme, but onely in open Fayers or Markets, or in their owne dwelling houſes, vnleſſe they were deſired by the buyers of ſuch wares, vpon pain of forfeiture for euery ſuch default, x. li.

Pewter ſhall be ſold in Faires and Markets & in the owners houſes, and not elſewhere.

Foraſmuch as the ſame forfeiture is to the only vſe of the Kings Highneſſe, and that any party ſearching or finding the ſame, is not intitled to haue any benefit thereby, it hath not bin knowne that any perſon or perſons haue taken any paine to ſearch or make any inquiry thereof, by reaſon whereof diuers and many euill diſpoſed perſons, vſing buying and ſelling both of braſſe and pewter, and not regarding the ſaid good Act, neither the ſaid penaltie, daily goe about from village to village, towne to towne, and from houſe to houſe, to ſell ſuch pewter and braſſe, which is not good, and alſo vſe deceiueable weights and beames, as they did before the making of the ſaid Act, to the great hurt and deceit of the Kings true Liege people and Subiects. Wherefore be it enacted by the authority aboueſaid, that as well the moity of the ſaid forfeiture of ten pound, limited in the ſaid Statute, made in the ſaid fourth yeare, as alſo the moity of all other forfeitures before expreſſed, and euery of them be, and ſhall to the vſe of the Kings Highneſſe, his heyres and ſucceſſors, and the other moity of the ſame forfeitures and euery of them, to the vſe of him or them that ſhall ſeaſe, finde or preſent the ſaid forfeitures or any of them,

Who ſhall haue the forfeitures, and by what meanes they ſhall be recouered.

or that ſhall ſue for the ſame in any competent Court or Courts within this Realme, by Action, of debt, bill, plaint, or information, wherein the defendant ſhall in no wiſe be admitted to wage his Law, nor any protection, or eſſoine to any perſon or perſons, which ſhall be impeached to haue offended contrary to the forme and effect of this Eſtatute, ſhall bee allowable. This Act to endure to the laſt day of the next Parliament. 33. *H*.8.4. made perpetuall.

CAP. X.

Commiſſioners of Sewers refuſing to take oath ſhall be puniſhed.

BE it enacted by authority of this preſent Parliament, that the Act late made for Sewers, and the Commiſſion therein recited, ſhall bee extended, uſed, and put in execution in the Towne and Marches of Caleis, according to the tenour of the ſame Commiſſion in like effect, as it is enacted to be put in execution within this Realme: and that no perſon ſhall be compelled to bee ſworne, or otherwiſe bound to ſit or trauell in execution of any commiſſion of Sewers within this Realme, unleſſe that he be dwelling within the Countie, whereof he is, or ſhall be aſſigned to be Commiſſioner, and for Caleis, and the ſaid Marches thereof, unleſſe that he be dwelling within the ſame towne of Caleis or Marches.

Stat. 23. H. 8. 5. Euery Commiſſioner of Sewers ſhal be dwelling in the ſame County.

And becauſe that diuers perſons heretofore aſſigned to be Commiſſioners haue refuſed to be ſworne, according to the ſaid former act, whereby diuers Commiſſions, heretofore made, remaine hitherto without effectuall execution. Be it therefore enacted, that if any perſon aſſigned or to be aſſigned, to be ſuch Commiſſioner of Sewers, being required hereafter by ſuch perſon or perſons as haue, or ſhall haue authority by the Kings writ, or otherwiſe to receiue or accept the oath compriſed in the ſaid former Act, euery perſon that ſo refuſeth to take the ſame oath, or upon that requeſt made, doth not receiue the ſame oath, and that refuſall or contempt done in the Chancerie, or returned into the Chancerie with the ſaid writ, ſhall loſe and forfeit for the ſame contempt to the King our Soueraigne Lord, fiue markes, & ſo to loſe from time to time fiue markes for euery ſuch contempt, as ſhall be done or returned into the ſaid Chancerie againſt any ſuch perſons, unleſſe that he in the ſame Chancerie doe ſhew and alleage in the ſaid terme, wherein ſuch returne ſhall be made againſt him, ſufficient and reaſonable matter aand cauſe to be allowed by the Lord Chancellor for his excuſe, and diſcharge in that behalfe.

The forfeiture of a Commiſſioner of Sewers that refuſeth to take the oath aſſigned by the Stat. of 23. H. 8. 5.

CAP. XI.

How deſtroyers of wilde foule ſhall be puniſhed.

WHere before this time there hath beene within this Realme great plentie of Wilde fowle, as Ducks, Mallards, Wigeons, Teales, Wilde Geeſe, and diuers other kinds of wilde fowle, whereby not onely the Kings moſt Honourable houſhold, and all the houſes of the Noble men and Prelates of this Realme, haue beene furniſhed for the neceſſarie expenſes of the ſame houſes at conuenient prices, but alſo all the Markets of the ſame Realme were ſufficiently furniſhed with wilde fowle, there to bee ſold in ſuch wiſe, that ſuch as were meet to make prouiſion of the ſame for their houſes, might at reaſonable prices, at the ſame Markets bee thereof prouided. Neuertheleſſe diuers perſons next inhabiting in the Countries and places within this Realme, where the ſubſtance of the ſame Wilde fowle hath beene accuſtomed to breed, haue in the Sommer ſeaſon, at ſuch time as the old fowle bee mounted, and not repleniſhed with feathers to flie, nor the young fowle fully feathered perfectly to flie, haue by certaine nets and other engines and policies yearely taken in great number of the ſame fowle, in ſuch wiſe, that the brood of wilde fowle is almoſt thereby waſted and conſumed, and daily is like more and more to waſte and conſume, if remedie be not therefore prouided.

The cauſe of the decay of Wilde foule.

Be it therefore enacted by the King our Soueraigne Lord, by the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, That it ſhall not be lawfull to any perſon or perſons hereafter betweene the laſt day of May, and the laſt day of Auguſt, to take, or cauſe to be taken any ſuch wilde fowle, with nets or any other engines, upon paine of one yeares impriſonment, and to forfeit for euery fowle ſo taken iiii. pence. The one halfe thereof to be to the King our Soueraign Lord, and the other halfe to him that will ſue for the ſame by action of debt in any of the Kings Courts, and in the which Action none eſſoine, nor protection ſhall be allowed, nor wager of law receiued.

Wild foule ſhal not be taken betweene the laſt day of May and the laſt day of Auguſt.
Rep. 3. & 4. E. 6. 7.
Rep. 21. Iac. 28.
Cont. 3.
Cont. 4.

And be it enacted by authoritie aforeſaid, that all Juſtices of Peace, within the limits of their commiſſion, ſhall haue power and authority to enquire, heare, and determine the offences aforeſaid, like as they commonly uſe and doe in caſes of treſpaſſe.

Juſtices of P. may enquire of, heare, and determine theſe offences.

Prouided alwaies that it ſhall be lawfull to any gentleman, or any other that may diſpend fortie

Killing of wildfowle with Spaniels by Gentlemen.

fourtie ſhillings by the yeare, of freehold, to hunt and take ſuch wildfowle with their Spaniels onely, without vſing any net or other engines, for the ſame, except it be a long Bowe or long Bowes.

Prouided alwaies, and be it enacted by the ſame authoritie, that from the firſt day of March, which ſhall be in the yeare of our Lord God M. D. XXXIIII. vnto the laſt day of Iune then next enſuing, and ſo yearely from thenceforth, no manner of perſon or perſons ſhall preſume by day or by night, willingly to withdraw, purloine, take, deſtroy, or conuey any manner of egges of any kinde of wilde fowle, from, or in any neſt, place, or places, where they ſhall chance to be laid by any kinde of the ſame wild fowle, vpon paine of impriſonment for one yeare, and to loſe and forfeit for euery egge of any Crane or Buſtard, ſo deſtroyed, purloined, withdrawne, conueied, or taken from any neſt or place xx. pence, and for euery egge, of euery Bittour, Heron, or Shouelard eight pence, and for euery egge of euery Mallard, Tele, or other wilde fowle, one penie. The one moitie thereof to be to the King our Soueraigne Lord, and the other halfe to him that will ſue for the ſame, in forme aforeſaid, wherein no wager of Law, Eſſoine, or Protection ſhall be allowed. And that all Iuſtices of Peace, within the limits of their Commiſſion, ſhall haue full power and authoritie to enquire, heare, and determine the ſame in forme before rehearſed.

No perſon ſhall deſtroy or take away the egges of any wild-fowle.

Prouided alwaies that this Act extend not, nor be hurtfull at any time hereafter to any perſon or perſons, that wil deſtroy any Crowes, Choughes, Rauens, and Boſards or their egges, or to any other fowle or their egges, not comeſtible, nor vſed to be eaten.

Deſtroying of Crowes, Choughes, &c.

Cap. XII.

Elizabeth Barton of Kent, and others attainted of high Treaſon, for that vnder colour of hypocriſie, Reuelations, and falſe miracles, practiſed by the ſaid *Elizabeth*, they conſpired to impugne and ſlander the diuorce betweene the King and Queene *Katherine* his firſt wife, and the laſt mariage betweene him and Queene *Anne* his ſecond wife, to deſtroy the King, and to depriue him of his Crowne. EXP.

Cap. XIII.

What number of Sheepe men may keepe.

FOraſmuch as diuers and ſundrie perſons of the Kings ſubiects of this Realme, to whom God of his goodneſſe hath diſpoſed great plentie of moueable ſubſtance, now of late within few yeares, haue daily ſtudied, practiſed, and inuented wayes and meanes how they might accumulate, and gather together into few hands, as well great multitudes of Fermes, as great plentie of Cattell, and in eſpeciall Sheepe, putting ſuch lands as they can get, to Paſture, and not to Tillage: whereby they haue not onely pulled downe Churches and Townes and inhanſed the old rates of the rents of the poſſeſſions of this Realme, or elſe brought it to ſuch exceſſiue fines that no poore man is able to meddle with it, but alſo haue raiſed and enhaunſed the prices of all manner of corne, cattell, wooll, pigges, geeſe, hennes, chickins, egges, and ſuch other almoſt double aboue the prices which haue beene accuſtomed: By reaſon whereof a maruellous multitude and number of the people of this Realme be not able to prouide meat, drinke, and clothes neceſſarie for themſelues, their wiues and children, but be ſo diſcouraged with miſery, and pouerty, that they fall daily to theft, robbery, and other inconuenience, or pitifully die for hunger and cold. And as it is thought by the Kings moſt humble and louing ſubiects, one of the greateſt occaſions, that moueth and prouoketh thoſe greedie and couetous people ſo to accumulate and keepe in their hands ſuch great portions and parts of the grounds and lands of this Realme from the occupying of the poore huſbandmen, and ſo to vſe it in paſture, and not in tillage, is onely the great profit that commeth of ſheepe, which now be come into a few perſons hands of this Realme, in reſpect of the whole number of the Kings ſubiects, that ſome haue foure and twentie thouſand, ſome twentie thouſand, ſome ten thouſand, ſome ſix thouſand, ſome fiue thouſand, and ſome more, and ſome leſſe, by the which a good ſheepe for victuall, that was accuſtomed to be ſold for two ſhillings foure pence, or three ſhillings at the moſt, is now ſold for ſix ſhillings, or fiue, or foure ſhillings at the leaſt: And a ſtone of clothing wooll, that in ſome Shire of this Realme was accuſtomed to be ſold for eighteene pence, or twentie pence, is now ſold for foure ſhillings, or three ſhillings foure pence at the leaſt: and in ſome countries, where it hath beene ſold for two ſhillings foure pence, or two ſhillings eight pence, or iij. s. at the moſt: it is now ſold for v. s. or iiij. s. viij. d. the leaſt, and ſo are raiſed in euery part of this Realme. Which things thus vſed, be principally to the high diſpleaſure of Almighty God, to the decay of the hoſpitalitie of this Realme, to the diminiſhing of the Kings people, and to the let of the cloth making, whereby many poore people hath been accuſtomed to be ſet on worke: and in concluſion, if remedie be not found, it may turne

The ſeuerall enormities that doe enſue by the greedy deſire of hauing many ſheepe.

turne to the vtter deſtruction and deſolation of this Realme, which God defend. It may therefoꝛe pleaſe the Kings highnes, of his moſt gracious and godly diſpoſition, and the Loꝛds ſpirituall and tempoꝛall of their goodneſſe and charitie, with the aſſent of the commons in this pꝛeſent Parliament aſſembled, to oꝛdaine and enact, by authoꝛitie of the ſame, that no perſon noꝛ perſons from the feaſt of Saint Michaell the Archangell, which ſhall be in the yeare of our Loꝛd God, 1535. ſhall keepe, occupy, oꝛ haue in his poſſeſſion, in his owne pꝛoper lands, noꝛ in the poſſeſſion, lands, noꝛ grounds of any other, which he ſhall haue oꝛ occupie in ferme, noꝛ otherwiſe, haue of his owne pꝛoper cattell, in vſe, poſſeſſion, oꝛ pꝛopertie by any manner of meanes, fraud, craft, oꝛ couine, aboue the number of two thouſand ſheepe at one time within any part of this Realme, of all ſoꝛts and kinds, vpon paine to loſe and foꝛfeit, foꝛ euery ſheepe that any perſon oꝛ perſons ſhall haue oꝛ keepe aboue the number limited by this Act. iij. [illegible]iij, d. The one halfe to the King our Soueraigne Loꝛd, and the other halfe to ſuch perſon as will ſue foꝛ the ſame, by oꝛiginall wꝛit of debt, bill, plaint, oꝛ infoꝛmation in any Court of recoꝛd, in which ſuite, the defendant ſhall not wage his law, noꝛ haue any eſſoine oꝛ pꝛotection allowed.

No man ſhall haue aboue two thouſand ſheep.

Pꝛouided alway, that Lambs ſhall not be accounted of the number of the ſheepe pꝛohibited by this Act, ſo long as they be vnder the age of a yeare and not aboue.

Lambes vnder the age of one yeare, ſhall not be accounted ſheepe.

Pꝛouided alſo, that if any perſon, hauing ſheepe of his owne, happen to be made executoꝛ, oꝛ to be adminiſtratoꝛ to any perſon, which had ſheepe at his death, oꝛ happen to be maried to any perſon, which ſhall happen to haue ſheepe at the time of the mariage, by reaſon whereof the perſon ſo being executoꝛ oꝛ adminiſtratoꝛ, oꝛ being ſo married, ſhall happen by ſuch meanes to be aduanced, and haue aboue the ſaid number of two thouſand, That then in euery ſuch caſe, the perſon ſo aduanced to loſe no penaltie, foꝛ hauing aboue the number of two thouſand ſheepe by ſuch meanes, ſo that within one yeare next after ſuch aduancement, the perſon ſo aduanced from time to time, as often as any ſuch caſe ſhall happen, doe put to ſale, oꝛ otherwiſe diſpoſe ſo many of the ſaid ſheepe, ſo to him aduanced, oꝛ elſe of, his owne ſheepe, that he had befoꝛe, ſo that aboue one yeare he ſhall not keepe, haue, oꝛ occupie by any ſuch meanes, oꝛ otherwiſe by any fraud oꝛ couine, any moꝛe number of them, than is befoꝛe limitted by this act, vpon the paine befoꝛe rehearſed.

Sheepe comming by executoꝛſhip oꝛ mariage.

Pꝛouided alſo, that if any perſon by his laſt will and teſtament, giue to any childe within age, any number of ſheepe, and appoint them by his ſaid will, to be kept by his executoꝛs, oꝛ by any other perſon, vnto ſuch time as the ſaid child ſhall come to a certaine age limitted by his wil, that then in euery ſuch caſe, after the death of the teſtatoꝛ, the ſaid ſheepe ſo being in the poſſeſſion and occupation of the executoꝛs, oꝛ of any other perſon, to the vſe of any ſuch childe within age, foꝛ that time onely that the ſaid childe ſhall be within the age, that he ſhall be limitted to haue the ſaid ſheepe by the will of the teſtatoꝛ, ſhall not be accounted againſt the ſaid executoꝛs, noꝛ noꝛ any perſon ſo hauing the ſaid ſheepe, foꝛ the intent afoꝛeſaid, any of the number of the ſheep pꝛohibited by this Act: any thing in this Act to the contrary thereof notwithſtanding.

Sheep bequeſthed by will to a child within age.

And it is further enacted, that the Iuſtices of the peace of euery Shire, ſhall haue power and authoꝛitie to enquire of the offenders of this Act, as well by the othes of twelue men, as by infoꝛmation of any of the Kings ſubiects, and to make ſuch like pꝛoceſſe vpon euery pꝛeſentment, oꝛ infoꝛmation concerning this Act, as they vſen commonly to doe vpon pꝛeſentments befoꝛe them of treſpaſſe: And that no perſon being conuict by confeſſion oꝛ otherwiſe, that hee hath done oꝛ attempted contrary to this Act, ſhall be put to any leſſe fine than after the rates of foꝛfeitures afoꝛe limitted by this Act.

Iuſtices of peace ſhall inquire of the offenders of this Act.

Pꝛouided alwaies that no perſon ſhall be put to any anſwer oꝛ loſſe of any foꝛfeiture by vertue of this Act, at the ſuite of any the Kings ſubiects, by any oꝛiginall wꝛit of debt, bill, plaint, oꝛ infoꝛmation, except the ſuite be commenced within one yeare next after the offence done oꝛ committed contrary to this act. Noꝛ that any perſon ſhal be put to anſwer, noꝛ to any loſſe of any foꝛfeiture by vertue of this act, by reaſon of any pꝛeſentment, action, oꝛ infoꝛmation at the Kings ſute, except the ſaid pꝛeſentment, action, oꝛ infoꝛmation be had and made foꝛ the King within thꝛee yeares next after the offence done oꝛ committed.

Within what time the ſuite ſhall be commenced againſt an offender. Sta. 31. Eli. 5.

Pꝛouided alway that all and euery perſon and perſons, being the Kings Tempoꝛall ſubiects of this Realme, and boꝛne vnder his obeyſance, which at this pꝛeſent time, oꝛ at any time hereafter ſhall haue and be ſeiſed of inheritance in poſſeſſion oꝛ in vſe, oꝛ that now hath, oꝛ hereafter ſhall haue iuncture in vſe oꝛ poſſeſſion, oꝛ be oꝛ ſhall bee tenant in dower, oꝛ by the curteſie of England, of oꝛ in any manoꝛs, lands, tenements, paſtures, feedings, oꝛ libertie of foldage within any part of this Realme of England, Wales, oꝛ the marches of the ſame, that euery ſuch perſon and perſons, hauing any ſuch poſſeſſion to his owne vſe, and euery ſuch perſon and perſons, to whoſe vſe any other perſon oꝛ perſons now is, oꝛ be, oꝛ hereafter ſhall be ſeiſed of any ſuch eſtate, as is befoꝛe rehearſed, may at all times hereafter haue, enioy, keep, and maintaine vpon the ſame their owne demeine lands, and all other their paſtures, feedings, and foldcourſes, which they ſo haue, as many their owne ſheep and lambes in number to their pꝛoper vſe, pꝛofit, and behoue, as they, oꝛ any of them of right had, oꝛ lawfully might haue had and kept vpon the ſame, oꝛ vpon any part thereof, at any time befoꝛe the making of this pꝛeſent Act,

Euery perſon tempoꝛall may keepe vpon his inheritance, &c. as many ſheepe as he will.

This Act, or any thing therein contained or ſpecified to the contrarie in any wiſe notwithſtanding.

Two thouſand ſheepe may be kept by any perſon vpon Demeſnes and Farmes.

And ouer that be it enacted by the authority aforeſaid, that in caſe any ſuch perſon or perſons, hauing any ſuch eſtate in vſe or in poſſeſſion, of or in any manner lands, tenements, paſtures, féedings or liberties of foldcourſes as is before expreſſed, haue or doe kéepe vpon the ſame their poſſeſſions the number of two thouſand ſhéepe or aboue, the ſame perſon or perſons ſo hauing the number of two thouſand ſhéepe or aboue, ſhall not in any wiſe kéepe, ſuſtaine, or haue any ſhéepe aboue, or beſide the ſaid number of two thouſand, vpon any lands, paſtures, or féedings, which the ſame perſon or perſons haue, or hereafter ſhall haue, or take in ferme, or otherwiſe, vpon ſuch like paines and forfeitures for the ſame as be limited in the ſaid Act, that is to ſay, for euery ſhéepe ouer and aboue the ſaid number of two thouſand, thrée ſhillings foure pence. And in caſe the ſaid demeſne lands, tenements, paſtures, féedings, and liberties of foldcourſes of any perſon or perſons before rehearſed, ſuffice not for the féeding, paſturing, and kéeping of two thouſand ſhéepe, as is beforeſaid, that then euery ſuch perſon ſhall or may haue, ſuſtaine, or féed vpon his ſaid demeſne lands, and vpon his ferme holds, which he lawfully may haue, to the ſaid number of two thouſand ſhéepe and not aboue, vpon paine of forfeiture for euery ſhéep, aboue that number, iij.s: iiij.d.

Sheepe for the maintenance of his houſe aboue two thouſand.

Prouided alway and be it enacted, that it ſhall be lawfull to euerie perſon or perſons within this Realme, kéeping a houſhold, to haue from time to time ſuch conuenient number of ſhéepe, ouer and aboue the number expreſſed in this Act, as ſhall be neceſſarie for the onely expences of his houſhold, to be prouided, kept, and fed, in and vpon his owne lands or other lands, ſuch as he lawfully can or may haue, or prouide for, in ferme or otherwiſe: Any thing in this preſent act contained to the contrarie notwithſtanding. So that the ſame houſholder at no one time ſhall haue or kéepe for the expences of his houſhold, or by colour of the ſame, ouer and aboue the number to him limited by this act, any number of ſhéepe moe than ſhall ſuffice for the onely expences of his houſhold for one yeare, without fraud or couine, any thing in this preſent Act mentioned or expreſſed to the contrarie notwithſtanding.

How foldcourſes in Norfolke ſhall be vſed, and quillets of Land.

Be it alſo further enacted by the authority aforeſaid, that no manner perſon or perſons of what degrée ſoeuer he or they be, being Lord or Lords, owner or owners, fermor or fermors, of or in any libertie of foldcourſes, within any towne, tithing, village, or hamlet, within any of the Counties of Norfolke and Suffolke, from and after the Feaſt of the Natiuitie of our Lord God next comming, ſhall take in ferme for terme of yeares, or otherwiſe any quillets of lands, or paſtures, that is to ſay, any number of acres of land or paſture, appertaining to any other perſon or perſons, lying and being within the limit, extent, or precint of the ſaid libertie of the ſaid foldcourſes: but that they ſhall permit and ſuffer the ſaid perſons, hauing, or being for time owner or owners, leſſée or leſſées of the ſaid qnillets, to manure & paſture the ſaid quillets: And alſo to ſuffer the ſhéepe of the ſaid owner or owners, fermer or fermers of the ſaid quillets, after the rate of the ſame quillets to goe with the flocke of the owner, fermer, or occupier of the ſaid libertie or liberties of the ſaid foldcourſes, paying the cuſtomarie charges for the kéeping and féeding of the ſame, after the rate and vſe of the country there commonly vſed, without any interruption therein to be made by the ſaid owner or owners, fermer or fermers, or occupiers of the ſaid liberties vpon paine of forfeiture for euery time that any ſuch perſon, hauing any ſuch quillet that ſhall be ſo letted or diſturbed of féeding, kéeping, or paſturing any of his ſhéepe ſo to be fed and kept after the rate of his ſaid quillet, for euery ſuch ſhéepe iij. s. iiij. d.

To which ſort of quillets this ſtatute doth extend, and to which not.

Prouided alway that this Act or branch concerning quillets, or any thing therein contained, ſhall not in any wiſe be auailable to any tenant, owner or occupier of any ſuch quillet or quillets, to claime, haue, or vſe hereafter any ſuch paſture or féeding of his ſheepe, in or with any ſuch foldcourſes, but only where the tenants, owners, and occupiers of any ſuch quillets haue had, or might haue had heretofore of right and dutie, vſed to haue paſture and féeding in the ſaid foldcourſes, by reaſon of their tenures and ocupations of the ſame quillet and quillets, and none otherwiſe. And where they haue not vſed, ne ought to haue any ſhéepe fed, or kept within any ſuch foldcourſes, by reaſon of the ſaid tenures that the owners or occupiers of ſuch foldcourſes may take ſuch quillets, lying within their foldcourſes, in ferme, agréeing with the owners or occupiers of the ſaid quillets for the ſame.

Six ſcore ſheep ſhal be accompted an hundred.

And foraſmuch as the number of the C. of ſhéepe in euery countrey be not like, in ſome countrey the great C. where vj. ſcore is accompted for the C. and ſome countrey but onely v. ſcore, it is eſte declared by this preſent Act, that the number of two thouſand ſheepe, limited to euery perſon by this Act, ſhall be accompted x. C. for euery thouſand, after the number of the great hundred, and not after the leſſe C. ſo that euery thouſand ſhall containe xij. hundred after the leſſe number of the hundred.

When lambes ſhall be taken for ſheepe.

It is alſo further prouided by the authoritie aforeſaid, that lambes vnder the age of one whole yeare, and as much as ſhall be from the time of the falling of them vnto the Feaſt of the Natiuitie of Saint Iohn Baptiſt in any yeare to come, ſhall not be adiudged, ne taken for ſhéepe prohibited in this eſtatute: any thing in this Act to the contrarie notwithſtanding.

No man ſhall take aboue two farmes. 32. H.8.28.

It is alſo further enacted by authoritie aforeſaid, that no manner perſon after the ſaid Feaſt of the Natiuitie of our Lord, ſhall receiue or take in ferme for terme of life, yeares, or at will by Indenture, copie of Court Rolle, or otherwiſe, any moe houſes and tenements of huſbandrie, whereunto any lands are belonging, in towne, village, hamlet, or tithing within this Realme, aboue the number of two ſuch holds or tenements. And that no manner perſon ſhall haue or occupie any ſuch holds, ſo newly taken to the number of two, as is before expreſſed, except he or they be dwelling within the ſame Pariſhes, where ſuch holds be, vpon paine of forfeiture for euery weeke, that he or they ſhall haue, occupie, or take any profits of ſuch holds contrarie to this Act, three ſhillings iiij. d. The one moitie of which forfeiture to be to the King our Soueraigne Lord, and the other moitie to the partie that will ſue for the ſame in any of the Kings Courts, by Bill, Plaint, Information, or otherwiſe within one yeare next after ſuch contempt and offence committed and done, in the which none eſſoine, protection, ne wager of Law be admitted or allowed.

St.4.H.7.19. St.7.H.8.1.

It is alſo further enacted by authoritie aforeſaid, that the ſtatutes made the fourth yeare of the noble Prince King Henry the ſeuenth, and the ſeuenth yeare of the reigne of our Soueraigne Lord the King that now is, concerning the decay of townes, and maintenance of tillage and huſbandrie, ſhall be good and effectuall in euery thing according to the true purport and intent of the ſame, any thing in this preſent Act to the contrarie notwithſtanding.

Spirituall perſons.

Prouided alſo that it may be lawfull to all Spirituall perſons and euery of them, to keepe ſuch and as many ſheepe vpon their owne lands, and after ſuch forme and manner and none otherwiſe, as they might haue done afore the making of this Act: any thing mentioned in the ſame to the contrarie notwithſtanding.

Cap. XIIII.

A repeale of the Statute of 2. *H.* 4.15. And a confirmation of the Statutes of 5. *R.* 2.5. and 2. *H.* 5.7. touching the puniſhment of Heretikes. Sheriſes in their Turnes, and Stewards in their Leets, Rapes, and Wapentakes, ſhall haue authoritie to enquire of Heretikes: And euery preſentment made in any Turne, Leet, &c. concerning Heretikes ſhall bee certified to the Ordinarie. Euery perſon preſented or indited of any Hereſie, or duly accuſed by two lawfull witneſſes may be cited, arreſted, or taken by an Ordinarie or other of the Kings Subiects, and committed to the Ordinarie to anſwer in open Court, and being conuict ſhall abiure his hereſies, and refuſing ſo to doe, or falling into relapſe ſhall bee burned in an open place for example of others. REP. 1.*Ed.* 6.12.

Cap. XV.

How and of whom Printers and Bookebinders ſhall print and ſell their bookes.

In the time of K. Richard 3. This Realme did lacke Printers and Binders of bookes, which is now ſupplied by Engliſhmen.

VVhereas by the prouiſion of a Statute made in the firſt yeare of the reigne of King Richard the third, it was prouided in the ſame act, that all ſtrangers reparing into this Realme, might lawfully bring into the ſaid Realme printed and written bookes to ſell at their liberty and pleaſure. By force of which prouiſion there hath come into this Realme ſithen the making of the ſame, a maruellous number of printed bookes and daily doth. And the cauſe of the making of the ſame prouiſion ſeemeth to be, for that there were but few bookes and few Printers within this Realme at that time, which could well exerciſe and occupie the ſaid ſcience and craft of printing: Neuertheleſſe, ſithen the making of the ſaid prouiſion, many of this Realme, being the Kings naturall ſubiects, haue giuen them ſo diligently to learne and exerciſe the ſaid craft of printing, that at this day there be within this Realme a great number cunning and expert in the ſaid ſcience or craft of printing, as able to exerciſe the ſaid craft in all points, as any ſtranger in any other Realme or countrie. And furthermore where there be a great number of the Kings ſubiects within this Realme, which liue by the craft and myſterie of binding of bookes, and that there be a great multitude well expert in the ſame: yet all this notwithſtanding, there are diuers perſons that bring from beyond the Sea great plenty of printed bookes, not onely in the Latine tongue, but alſo in our maternall Engliſh tongue, ſome bound in bourds, ſome in leather, and ſome in parchment, and them ſell by retaile, wereby many of the Kings ſubiects, being Binders of bookes, and hauing none other facultie wherewith to get their liuing, be deſtitute of worke, and like to be vndone: except ſome reformation herein be had. Be it therefore enacted by the King our Soueraigne Lord, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled and by authority of the ſame, that the ſaid prouiſo, made the firſt yeare of the ſaid King Richard the third, from the Feaſt of the Natiuitie of our Lord God next comming, ſhall be void and of none effect.

A repeale of the Stat. of 1. R.3. 9. touching bringing into this Realme and binding of bookes.

No man ſhall buy bookes which bee brought from beyond Seas to ſell againe if they be bound.

And further be it enacted by the authority aforeſaid, that no perſon or perſons, reſiant or inhabitant within this Realme, after the ſaid feaſt of Chriſtmas next comming, ſhall buy to ſell againe any printed bookes, brought from any parts out of the Kings obeyſance, ready bound in boords, leather, or parchment, vpon paine to loſe and forfeit for euery booke bound out of the ſaid Kings obeyſance, and brought into this Realme, and bought by any perſon or perſons within the ſame to ſell againe contrarie to this Act, ſix ſhillings eight pence.

No man ſhall buy bookes by retaile brought from beyond the Seas.

And be it further enacted by the authoritie aforeſaid, that no perſon or perſons inhabitant, or reſiant within this Realme, after the ſaid feaſt of Chriſtmas, ſhall buy within this Realme, of any ſtranger borne out of the Kings obedience, other then of Denizens, any manner of printed bookes brought from any the parties beyond the Sea, except onely by engroſſe, and not by retaile: vpon paine of forfeiture of vi. s. viij. d. for euery booke ſo bought by retaile, contrary to the forme and effect of this eſtatute, the ſaid forfeitures to be alwaies leuyed of the buyers of any ſuch bookes, contrarie to this Act: The one halfe of all the ſaid forfeitures to be to the vſe of our Soueraigne Lord the King, and the other moitie to be to the partie that will ſeiſe or ſue for the ſame, in any of the Kings Courts, be it by bill, plaint, or information, wherein the defendant ſhall not bee admitted to wage his law, nor no protection, ne eſſoine ſhall bee vnto him allowed.

The prices of bookes increaſed to vnmeaſurable rates ſhall be qualified by the Kings great Officers.

Prouided alway, and be it enacted by the authority before ſaid, that if any of the ſaid Printers, or ſellers of printed bookes, inhabited within this Realme at any time hereafter happen in ſuch wiſe to enhaunce and encreaſe the prices of any ſuch printed bookes in ſale or binding, at too high and vnreaſonable prices, in ſuch wiſe as complaint bee made thereof vnto the Kings Highneſſe, or vnto the Lord Chancellor, Lord Treaſurer, or any of the chiefe Iuſtices of the one Bench or of the other: that then the ſame Lord Chancellor, Lord Treaſurer, and two chiefe Iuſtices, or any two of them, ſhall haue power and authority to enquire thereof, as well by the othes of twelue honeſt and diſcreet perſons, as otherwiſe by due examination by their diſcretions. And after the ſame enhaunſing and encreaſing of the ſaid prices of the ſaid bookes and binding ſhall be ſo found by the ſaid twelue men, or otherwiſe by examination of the ſaid Lord Chancellor, Lord Treaſurer, and Iuſtices, or two of them: that then the ſame Lord Chancellor, Lord Treaſruer, and Iuſtices, or two of them at the leaſt, from time to time, ſhall haue power and authoritie to reforme, and redreſſe ſuch enhaunſing of the prices of printed bookes, from time to time by their diſcretions, and to limit prices as well of the bookes, as for the binding of them: and ouer that the offendor or offendors thereof, being conuict by the examination of the ſame Lord Chancellor, Lord Treaſurer, and two Iuſtices, or two of them, or otherwiſe, ſhall loſe and forfeit for euery booke by them ſold, whereof the price ſhall be enhaunſed, for the booke or binding thereof three ſhillings foure pence, the one halfe thereof ſhall be to the Kings Highneſſe, and the other halfe vnto the parties grieued, that will complaine vpon the ſame, in manner and forme before rehearſed.

Cap. XVI.

What perſons may haue a Chaplaine beneficed with cure.

St. 21.H.8.13.

Where in the Parliament holden at Weſtminſter in the xxi. yeare of the raigne of our Soueraigne Lord King Henry the eight, it was among other things ordeined and prouided, that certaine honourable perſons as well Spirituall as Temporall, ſhall haue Chaplaines beneficed with Cure, to ſerue them in their Honourable houſes, which Chaplaines ſhall not incurre the danger of any penaltie or forfeiture, made or declared in the ſame Parliament, for none reſidence vpon their ſaid benefices, or for obtaining licences or diſpenſations of pluralities. In the which Act no prouiſion was made for any of the Kings Iudges of his high Courts, commonly called the Kings Bench and the Common Place, except only for the chiefe Iudge of the Kings Bench, nor for the Chancellor, nor the chiefe Baron of the Kings Exchequer, nor for any other inferiour perſons, being of the Kings moſt Honourable Councell, as by the ſaid Act may appeare.

Euery of the Iudges of the K. Bench and Common place &c. may haue one Chaplaine hauing one benefice with cure of ſoules.

Wherefore it is ordained and enacted by the authoritie of this preſent Parliament, that as well euery Iudge of the ſaid high Courts, and euery of the Chancellor and chiefe Baron of the ſaid Eſchequer, the Kings generall Atturny, and generall Solicitor, which for the time is, be, or ſhall bee, ſhall and may from henceforth at his libertie, reteine, and haue ſingularly to euery of them in his houſe, or attendant to his perſon, one Chaplaine, hauing one benefice with Cure of ſoules, which may be abſent from his ſaid Benefice, and not reſident vpon the ſame: The ſaid Statute made in the ſaid one and twentieth yeare, or any other Statute, Act, or Ordinance made to the contrary, in any wiſe notwithſtanding.

Cap. XVII.

Whoſoeuer ſhall ſhoot in any Handgunne, or Croſſebow, or keepe any in his houſe, except hee hath Lands, Annuities, or offices to the yearely value of an hundred pounds, ſhall forfeit ten pounds for euery offence. And a Iuſtice of peace may commit the offendor to the Gaole, vntill he hath payed the ſame forfeiture. All former Placards made to ſhoot in either of them ſhall be void. Rep. 33.*H*.8.6. Stat. 19.*H*.7.4. 3.*H*.8.13. 6.*H*.8.13. 14.*H*.8.7.

Cap. XVIII.

In what places within the Countie of Worceſter clothes ſhall be made to be ſold.

Sheweth vnto the King our Soueraigne Lord, and to the Lords Spirituall and Temporall, and to the Commons in this preſent Parliament aſſembled, the Citizens, Burgeſſes, & inhabitants of the City of Worceſter, & of the Towns of Eueſham, Droitwiche, Kederminſter, and Browiſgroue within the County of Worceſter, that where the ſaid City, Boroughes, and Townes haue béene in times paſt, well, and ſubſtantially inhabited, occupied, maintained, and vpholden by reaſon of making of woollen clothes, called long clothes, ſhort clothes, and other clothes, as well whites, blewes, and browne blewes, and the poore people of the ſame City, Boroughes, and Townes, and of the Country adioyning to them daily ſet a worke, as in ſpinning, carding, breaking, and ſorting of woolles, and the handicrafts there inhabiting, as Weauers, Fullers, Sheremen, and Diers, haue béene well ſet a worke, and had ſufficient liuing by the ſame: vntill now within few yeares paſſed, that diuers perſons inhabiting and dwelling in the Hamlets, Thorpes, and Villages, adioyning to the ſaid Citie, Boroughes, and Townes, within the ſaid ſhire for their priuate welthes, ſingular aduantages, and commodities, nothing regarding the maintenance, and vpholding of the ſaid City, boroughes, and townes, ne the common wealth of the ſaid handicrafts, inhabiting and dwelling within the ſaid Citie, boroughes, and townes, ne the poore people, which had liuing by the ſame, haue not onely engroſed and taken into their hands, diuers and ſundrie fermes, and become Fermers, Graſiers, and huſbandmen, but alſo doe exerciſe, vſe and occupie the miſteries of Clothmaking, Weauing, Fulling, and Shearing within their ſaid houſes, and doe make all manner of clothes, as well broad clothes, as whites and plaine clothes, within their ſaid houſes, in the countries abroad, to the great decay, depopulation, and ruine of the ſaid Citie, townes, and boroughes.

For remedie whereof, and for the amendment, and good aduancement of the ſaid Citie, boroughes and townes, be it enacted by authority of this preſent Parliament, that after the laſt day of September, which ſhall be in the yeare of our Lord God. 1536. No manner perſon ne perſons, of what degree or conditions ſoeuer he or they be of, ſhall make or cauſe to be made within the ſaid ſhire of Worceſter any manner of woollen clothes to be ſold, except only ſuch perſons or perſon, as after the ſaid laſt day of September, ſhall be dwelling and inhabiting within the ſaid Citie of Worceſter, the Boroughes, and townes of Eueſham, Droitwiche Kederminſter, and Bromiſgroue within the ſaid Countie of Worceſter, or in any one of them, vpon paine of forfeiture, for euery ſuch broad cloth made after the ſaid day by any perſon or perſons, contrarie to the true meaning of this Act. xl. s.

The inhabitants in theſe townes onely in the Countie of Worceſter, ſhall make cloth.

And further it is prouided by the authoritie aforeſaid, that the Lords and owners of the meaſes, tenements, or cottages within the ſaid Citie, or any of the towns and boroughes aforeſaid, ſhall at no time hereafter dimit, ſet, or let any meaſe, tenement, or cottage ſufficiently repaired within the ſaid Citie, boroughes, or townes before limited to any perſon or perſons, that hereafter ſhall inhabit in the ſaid Citie, boroughes or townes, and exerciſing any of the ſaid miſteries or crafts, at any higher rent, impoſition, or charge, than was giuen for the ſame at any time within xx. yeares next before the making of this Act only except.

Houſes in thoſe townes ſhall be let for ſuch rents as they had wont to be. Rep. 21. Iac. 28.

Prouided alway that this act be not hurtfull, ne preiudiciall, to any perſon or perſons, for making any clothes for their owne wearing, their children or ſeruants wearing.

Cloth made for the owners wearing.

Alſo prouided, that in the ſaid Citie, and euery towne, and borough aforeſaid, there ſhall be due ſearch made of euery ſuch cloth beforeſaid, there made, and that they be meated both length and breath, being wet from the mill, and before they he ſet vpon the racks and dried: and that they ſhall be ſealed with the ſeale of the ſearcher of the ſame citie, towne, or borough, which ſeale ſhall haue a ſtampe conteining the true numbers for the length and bredth of the ſame cloth being wet, in paine of forfeiting for euery cloth put to ſale, not hauing the ſaid ſeale of the ſearcher xx. s. And the ſealer to forfeit for euery cloth, by him ſearched, and ſealed contrarie to the true meaning of this act. vj. s. viij. d. The one halfe of the ſaid forfeits to be to the King our Soueraigne Lord, and the other halfe to the party that ſhall ſue for the ſame in any of the Kings Courts, by writ of debt, bill, plaint, or information, in which actions, or action, the defendants or defendant ſhall not wage their law, ne any eſſoine or protection ſhall be allowed: And the ſearcher ſhall haue for the ſearching and ſealing of euery cloth a peny, and not aboue.

Cloth ſhall be ſearched and ſealed in the foreſaid townes St. 27. H8. 12. Rep. 5. Ed. 6. 6.

Cap. XIX.

The Clergie in their Conuocations ſhall enact no Conſtitutions without the Kings aſſent.

Where the Kings humble and obedient ſubiects, the Clergie of this Realme of England, haue not only knowledged according to the truth, that the Conuocations of the ſame Clergie, is, alwaies hath béene, and ought to be aſſembled only by the Kings writ, but alſo ſubmitting themſelues to the Kings Maieſty, haue promiſed in verbo Sacerdotij, that they will ne-

Generall Canons haue been preiudiciall to the Kings Prerogatiue, and to the Lawes and Statutes of this Realme.

The Clergie ſhall not enact any Conſtitutions or Ordinances without the Kings aſſent. St. 1. El. 1.

The conuocation ſhall be aſſembled by the Kings writ.

uer from henceforth preſume to attempt, alleage, claime, or put in vre, enact, promulge, or execute any new Canons, conſtitutions, ordinance prouinciall, or other, or by whatſoeuer other name they ſhall be called in the Conuocation, vnleſſe the Kings moſt royall aſſent, and licence may to them be had, to make, promulge, and execute the ſame: and that his Maieſty doe giue his moſt royal aſſent and authority in that behalfe. And where diuers conſtitutions, ordinances, and Canons prouincial, or Synodal, which heretofore haue bin enacted, and be thought not only to be much preiudiciall to the Kings prerogatiue Royall, and repugnant to the lawes and ſtatutes of this Realme, but alſo ouer much onerous to his Highneſſe and his ſubiects: the ſaid Clergy hath moſt humbly beſought the Kings Highnes, that the ſaid conſtitutions and canons may be committed to the examination and iudgement of his highnes, and of two and thirty perſons of the Kings ſubiects, whereof ſixteen to be of the vpper and nether houſe of the Parliament, of the temporalty, and other ſixteen to be of the Clergy of this Realme, And all the ſaid two and thirty perſons to be choſen and appointed by the Kings Maieſty. And that ſuch of the ſaid conſtitutions, and canons as ſhall be thought and determined by the ſaid two and thirty perſons, or the more part of them, worthy to be abrogated and adnulled, ſhall be abolite and made of no value accordingly. And ſuch other of the ſame conſtitutions, and canons, as by the ſaid two and thirty, or the more part of them, ſhall be approued to ſtand with the lawes of God, and conſonant to the lawes of this Realme, ſhall ſtand in their full ſtrength and power, the Kings moſt royall aſſent firſt had and obtained to the ſame. Be it therefore now enacted by authority of this preſent Parliament, according to the ſaid ſubmiſſion and petition of the ſaid Clergie, that they, ne any of them, from henceforth ſhall preſume to attempt, alleage, claime, or put in vre any conſtitutions, or ordinances, prouinciall or Synodals, or any other canons: Nor ſhall enact, promulge, or execute any ſuch Canons, conſtitutions, or ordinances prouinciall, by whatſoeuer name or names they may be called in their Conuocations in time comming (which alway ſhall be aſſembled by autority of the Kings writ) vnles the ſame clergy may haue the Kings moſt royall aſſent and licence to make, promulge, and execute ſuch canons, conſtitutions, and ordinances prouinciall or Synodall, vpon paine of euery one of the ſaid Clergy, doing contrary to this act, and being thereof conuict, to ſuffer impriſonment, and make fine at the Kings will.

The King may aſſigne two and thirtie perſons to examine the Canons, and to continue ſuch as they think worthie, and to abridge the reſidue. EXP. St. 27. H. 8. 15. 1. Ed. 6. 11. 35. H. 8. 16.

No Canons ſhal be executed which be contrarie to the Kings Prerogatiue, or to the Lawes.

And for as much as ſuch canons, conſtitutions and ordinances, as heretofore haue béene made by the Clergy of this Realme, cannot now at the ſeſſion of this preſent Parliament, by reaſon of ſhortnes of time, be viewed, examined, and determined by the Kings highneſſe, and xxxij. perſons to be choſen and appointed, according to the petition of the ſaid Clergie, in forme aboue rehearſed. Bee it therefore enacted by authority aforeſaid, That the Kings highneſſe ſhall haue power and authoritie to nominate and aſſigne at his pleaſure the ſaid two and thirty perſons, of his ſubiects, whereof ſixteene to be of the Clergie, and ſixtéene to be of the temporalty, of the vpper and nether houſe of the Parliament. And if any of the ſaid two and thirty perſons ſo choſen, ſhall happen to die before their full determination: then his highneſſe to nominate other from time to time, of the ſaid two houſes of the Parliament, to ſupply the number of the ſaid two and thirtie. And that the ſame two and thirty by his highneſſe ſo to be named, ſhall haue power and authority to view, ſearch, and examine the ſaid Canons, conſtitutions and ordinances prouinciall and Synodall heretofore made, and ſuch of them, as the Kings highneſſe, and the ſaid two and thirtie, or the more part of them ſhall déeme and adiudge worthy to be continued, kept, and obeyed, ſhall bée from thenceforth kept, obeyed, and executed within this Realme, ſo that the Kings moſt royall aſſent, vnder his great Seale, be firſt had to the ſame. And the reſidue of the ſaid Canons, conſtitutions and ordinances prouinciall, which the Kings highneſſe, and the ſaid two and thirty perſons, or the more part of them, ſhall not approue, or déeme and iudge worthie to be abolite, abrogate, and made fruſtrate, ſhall from thenceforth be void and of none effect, and neuer be put in execution within this Realme. Prouided alway that no Canons, conſtitutions, or ordinance, ſhall bee made or put in execution within this Realme, by authority of the Conuocation of the Clergie, which ſhall be contrariant or repugnant to the Kings prerogatiue Royall, or the cuſtomes, lawes, or Statutes of this Realme, Any thing contained in this act to the contrarie hereof notwithſtanding.

There ſhall be no appeales to Rome, but appeales ſhall be according to the Statute made 24. H. 8. 12

And be it further enacted by authoritie aforeſaid, that from the Feaſt of Eaſter, which ſhal be in the yeare of our Lord God. M.DXXX[illegible]III. No manner of appeales ſhall be had, prouoked, or made out of this Realme, or out of any the Kings Dominions, to the Biſhop of Rome, nor to the Sée of Rome in any cauſes or matters happening to be in contention, and hauing their commencement, and beginning in any of the Courts within this Realme, or within any the Kings Dominions, of what nature, condition, or quality ſoeuer they be of: but that all manner of appeales, of what nature or condition ſoeuer they be of, or what cauſe or matter ſoeuer they concerne, ſhall be made and had by the parties grieued, or hauing cauſe of appeale, after ſuch manner, forme and condition, as is limitted for appeales to be had and proſecuted within this Realme in cauſes of matrimonie, tithes, oblations, and obuentions, by a ſtatute thereof made and eſtabliſhed ſithen the beginning of this preſent Parliament, and according to the forme and effect of the ſaid eſtatute, any vſage, cuſtome, preſcription, or any thing or things to the contrary hereof notwithſtanding.

And for lacke of Juſtice at or in any the Courts of the Archbiſhops of this Realme, or in any the Kings Dominions: it ſhall be lawfull to the parties grieued, to appeale to the Kings Maieſty, in the Kings Court of Chancerie. And that vpon euery ſuch appeale, a Commiſſion ſhall be directed vnder the great Seale, to ſuch perſons as ſhall be named by the Kings Highneſſe, his Heires or Succeſſors, like as in caſe of appeale from the Admirals Court, to heare, and diffinitiuely determine ſuch [a] appeales, and the cauſes concerning the ſame. Which Commiſſioners ſo by the Kings Highneſſe, his Heires or Succeſſors, to be named or appointed, ſhall haue full power and authoritie to heare, and diffinitiuely determine euery ſuch appeale, with the cauſes and all circumſtances concerning the ſame: and that ſuch iudgement, and ſentence, as the ſaid Commiſſioners ſhall make and decree, in, and vpon any ſuch appeale, ſhall be good and effectuall, and alſo diffinitiue: and no further appeales to be had, or made from the ſaid Commiſſioners for the ſame.

Dyer, fol. 209.

Appeales from from the Archbiſhops Court into the Chancerie.

And if any perſon or perſons, at any time after the ſaid Feaſt of Eaſter, prouoke or ſue any manner of appeales, of what nature or condition ſoeuer they be of, to the ſaid Biſhop of Rome, or to the See of Rome: or doe procure or execute any manner of Proceſſe from the See of Rome, or by authoritie thereof, to the derogation, or let of the due execution of this act, or contrary to the ſame: that then euery ſuch perſon or perſons (ſo doing) their ayders, counſellers, and abbetters, ſhall incurre, and runne into the dangers, paines, and penalties contained, and limited, in the act of Prouiſion and Premunire, made in the ſixteenth yeare of the Kings moſt noble Progenitor, King Richard the ſecond, againſt ſuch as ſue to the Court of Rome, againſt the Kings Crowne, and prerogatiue Royall.

Premunire, for ſuing of appeale to Rome, or execute any Proces from thence. A L T. 13. El 2.

Prouided alwayes, that all manner of prouocations, and appeales hereafter to be had, made, or taken from the iuriſdiction of any Abbots, Priors, or other heads and gouernours of Monaſteries, Abbeyes, Priories, and other houſes, and places exempt, in ſuch caſes as they were wont, or might afore the making of this act, by reaſon of grants or liberties of ſuch places exempt, to haue or make immediately any appeale, or prouocation to the Biſhop of Rome, otherwiſe called the Pope, or to the See of Rome, that in all theſe caſes euery perſon and perſons, hauing cauſe of appeale or prouocation, ſhall and may take, and make their appeales, and prouocations immediately to the Kings Maieſtie of this Realme, into the Court of Chancerie, in like manner and forme, as they vſed afore to doe to the See of Rome: Which appeales and prouocations ſo made, ſhall bee definitiuely determined by authoritie of the Kings Commiſſion: in ſuch manner and forme as in this act is aboue mentioned. So that no Archbiſhop nor Biſhop of this Realme, ſhall intermit or meddle with any ſuch appeales, otherwiſe, or in any other manner, then they might haue done afore the making of this act: any thing in this act to the contrarie thereof notwithſtanding.

Appeales from places exempt, which were to the See of Rome, ſhal now bee into the Chancerie.

Prouided alſo that ſuch Canons, Conſtitutions, Ordinances, and Synodals prouinciall, being already made, which be not contrariant, nor repugnant to the Lawes, Statutes and Cuſtomes of this Realme, nor to the damage or hurt of the Kings prerogatiue Royall, ſhall now ſtill be vſed and executed as they were afore the making of this act, till ſuch time as they be viewed, ſearched, or otherwiſe ordered and determined by the ſaid two and thirty perſons, or the more part of them according to the tenour, forme and effect of this preſent act. Rep. 1. & 2. P. & M. 8. & Reuiued 1. El. 1.

Canons and Conſtitutions alreadie made.

Cap. XX.

No firſt fruits ſhall be paid to the Biſhop of Rome: And within what time a Biſhop ſhall be choſen, inueſted, and conſecrated.

WHere ſithen the beginning of this preſent Parliament for repreſſe of the exaction of Annates and firſt fruits of Archbiſhopricks, and Biſhopricks of this Realme, wrongfully taken by the Biſhop of Rome, otherwiſe called the Pope, and the See of Rome, it is ordained & eſtabliſhed by an act among other things, that the paiments of the Annates or firſt fruits, & all manner contributions for the ſame, for any ſuch Archbiſhoprick or Biſhoprick, or for any Bulls to be obtained from the See of Rome, to, or for the ſaid purpoſe or intent, ſhould vtterly ceaſe, and no ſuch to be paid for any Archbiſhopricke, or Biſhopricke within this Realme, otherwiſe than in the ſame act is expreſſed. And that no manner of perſon or perſons to be named, elected, preſented, or poſtulated to any Archbiſhoprick, or Biſhoprick within this Realme, ſhould pay the ſaid Annates or firſt fruits, nor any other manner of ſum or ſummes of mony, pentions or annuities for the ſame, or for any other like exaction or cauſe, vpon peine to forfeit to our ſoueraigne Lord the King, his Heires, and Succeſſors, all manner his goods and cattels for euer, and all the Temporall lands and poſſeſſions of the ſaid Archbiſhoprick or Biſhoprick, during the time that he or they that ſhould offend contrarie to the ſaid act, ſhould haue, poſſeſſe, and enioy the ſaid Archbiſhoprick or Biſhoprick. And it was further enacted, that if any perſon named or preſented to the See of Rome by the Kings Highneſſe, or his Heires or Succeſſors, to be Biſhop of any See or Dioces within this Realme, ſhould happen to be letted, delayed, or deferred at the See of

The payment of firſt fruits, and all contributions to the See of Rome by any Biſhop, ſhall ceaſe.

Rome from any ſuch Biſhoprick, whereunto he ſhould be ſo preſented, by meane of reſtraint of Buls of the ſaid Biſhop of Rome, otherwiſe called the Pope, and other things requiſite to the ſame, or ſhould be denied at the Sée of Rome, vpon conuenient ſuite made for any Bulles requiſite for any ſuch cauſe: that then euery perſon ſo preſented, might or ſhould be conſecrated in England by the Archbiſhop, in whoſe Prouince the ſaid Biſhoprick ſhall be: ſo alwaies that the ſame perſon ſhould be named, and preſented by the King for the time being to the ſaid Archbiſhop. And if any perſon being named, and preſented (as is beforeſaid) to any Archbiſhoprick of this Realme, making conuenient ſuit as is aforeſaid, ſhould happen to be letted, delayed, deferred, or otherwiſe diſturbed from the ſaid Archbiſhopricke, for lacke of Pall, Bulles, or other things to him requiſite to be obtained at the Sée of Rome: that then euery ſuch perſon ſo named and preſented to be Archbiſhop, might and ſhould be conſecrated inueſted after preſentation made, as is aforeſaid, by any other two Biſhops within this Realme, whom the Kings Highnes, or any his heires or ſucceſſors, Kings of England, would appoint and aſſigne for the ſame, according and after like manner, as diuers Archbiſhops, and Biſhops haue béene heretofore in Ancient time by ſundrie the Kings moſt noble Progenitors made, conſecrated, and inueſted within this Realme. And it was further enacted by the ſaid act, that euery Archbiſhop and Biſhop, being named and preſented by the Kings Highneſſe, his heires and ſucceſſors, Kings of England, and being conſecrated and inueſted, as is aforeſaid, ſhall be inſtalled accordingly, and ſhould be accepted, taken, and reputed, vſed and obeyed, as an Archbiſhop or Biſhop, of the dignitie, Sée or place, whereunto he ſhall be ſo named, preſented, and conſecrated, and as other like Prelates of that Prouince, Sée, or Dioces haue béene vſed, accepted, taken, and obeyed, which haue had and obtained compleatly their Buls and other things requiſite in that behalfe from the Sée of Rome, and alſo ſhould fully & intirely haue & enioy all the ſpiritualties, and temporalties, of the ſaid Archbiſhoprick or Biſhoprick, in as large, ample, and beneficiall manner, as any of his or their Prodeceſſors had or enioyed in the ſaid Archbiſhopricke or Biſhopricke, ſatiſfying and yéelding vnto the Kings Highneſſe, and to his heires and ſucceſſors, all ſuch duties, rights, and intereſts, as before time hath béene accuſtomed to be paid for any ſuch Archbiſhopricke or Biſhopricke, according to the ancient lawes and cuſtomes of this Realme, and the Kings Prerogatiue royall, as in the ſaid act amongſt other things is more at large mentioned.

If any preſented by the King to the Sée of Rome to a Biſhoprick in England be there delayed, he may be conſecrated by an Archbiſhop in England.

One preſented to the Sée of Rome to an Archbiſhoprick, and there letted, may be conſecrated by two Biſhops of England.

The Kings Royall conſent to the foreſaid Statute.

And albeit the ſaid Biſhop of Rome, otherwiſe called the Pope, hath béene enformed and certified of the effectuall contents of the ſaid act, to the intent that by ſome gentle waies the ſaid exactions might haue béene redreſſed and reformed: yet neuertheleſſe the ſaid Biſhop of Rome hitherto hath made none anſwer of his minde therein to the Kings Highnes, nor deuiſed or required any reaſonable waies to and with our ſaid Soueraigne Lord for the ſame. Wherefore his moſt royall Maieſty, of his excellent gódneſſe, for the wealth and profit of this his Realme and ſubiects of the ſame, hath not only put his moſt gracious and royall aſſent to the foreſaid act, but alſo hath ratified and confirmed the ſame, and euery clauſe and article therein contained, as by his Letters patents vnder his great Seale enrolled in the Parliament rolle of this preſent Parilament more at large is contained.

And for as much as in the ſaid act it is not plainly and certainly expreſſed, in what manner, and faſhion, Archbiſhops and Biſhops ſhall bée elected, preſented, inueſted, and conſecrated within this Realme, and in all other the Kings Dominions: Be it now therefore enacted by the King our Soueraigne Lord, by the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, that the ſaid act, and euery thing therein contained, ſhall be and ſtand in ſtrength, vertue, and effect, Except only that no perſon or perſons hereafter ſhal be preſented, nominated or commended to the ſaid Biſhop of Rome, otherwiſe called the Pope, or to the Sée of Rome, to or for the dignity or office of any Archbiſhop or Biſhop within this Realme, or in any other the Kings Dominions, nor ſhall ſend nor procure there for any manner of Bulles, Breues, Palles, or other things requiſite for an Archbiſhop or Biſhop, nor ſhal pay any ſummes of mony for Annates, firſt fruits, nor otherwiſe for expedition of any ſuch Bulles, Breues, or Palles: but that by the authority of this act, ſuch preſenting, nominating, or commending to the ſaid Biſhop of Rome, or to the Sée of Rome, and ſuch Bulles, Breues, Palles, Annates, firſt fruits, and euery other ſummes of money heretofore limited, accuſtomed, or vſed to be paid at the ſaid Sée of Rome, for procuration or expedition of any ſuch Bulles, Breues or Palles, or other thing concerning the ſame, ſhall vtterly ceaſe, and no longer be vſed within this Realme, or within any the Kings Dominions, any thing contained in the ſaid act afore mentioned, or any vſe, cuſtome, or preſcription to the contrarie thereof notwithſtandinh.

No man ſhal be preſented to the Sée of Rome for the dignitie of an Archbiſhop or Biſhop, nor Annates or firſt fruits ſhall be paid to the ſame Sée.

The manner of electing an Archbiſhop or Biſhop.

And furthermore be it ordained and eſtabliſhed by the authority aforeſaid, That at euery auoidance of any Archbiſhoprick or Biſhoprick within this Realme, or in any other the Kings Dominions: the King our Soueraigne Lord, his Heires and Succeſſors, may grant to the Prior and Couent, or the Deane and Chapiter of the Cathedrall Churches or Monaſteries, where the Sée of ſuch Archbiſhoprick or Biſhoprick ſhall happen to be void, a licence vnder the great Seale, as of old time hath béene accuſtomed, to procéed to election of an Archbiſhop or Biſhop of the Sée ſo being void, with a letter miſſiue, containing the name of the perſon, which they ſhall elect and choſe. By vertue of which licence, the ſaid Deane and Chapiter, or Prior and Couent, to whom any ſuch licence & letters miſſiues ſhall be directed, ſhall with all ſpeed and celerity, in due forme elect and choſe the ſaid perſon named in the ſaid letters miſſiue, to the dignity and office of the Archbiſhoprick or Biſhoprick, ſo being void, and none other. And if they doe deferre or delay their election aboue twelue daies next after ſuch licence, and letters miſſiues to them deliuered, That then for euery ſuch default the Kings Highnes, his Heires and Succeſſors, at their libertie and pleaſure, ſhall nominate & preſent by their letters patents vnder their great Seale, ſuch a perſon to the ſaid office and dignitie, ſo being void, as they ſhall thinke able and conuenient for the ſame. And that euery ſuch nomination, and preſentment to be made by the Kings Highnes, his Heires and Succeſſors, if it be to the office and dignity of Biſhop, ſhall be made to the Archbiſhop and Metropolitane of the Prouince, where the See of the ſame Biſhoprick is void, if the See of the ſaid Archbiſhop be then full and not void: and if it be void, then to be made to ſuch Archbiſhop or Metropolitane within this Realme, or in any the Kings Dominions, as ſhall pleaſe the Kings Highneſſe, his Heires or Succeſſors. And if any ſuch nomination or preſentment ſhall happen to be made for default of ſuch election to the dignity or office of any Archbiſhop: then the Kings Highneſſe, his heires and Succeſſors, by his letters patents vnder his great Seale ſhall nominate and preſent ſuch perſon as they will diſpoſe to haue the ſaid office and dignity of Archbiſhoprick being void, to one ſuch Archbiſhop, and two ſuch Biſhops, or elſo to foure ſuch Biſhops in this Realme, or in any the Kings Dominions, as ſhall be aſſigned by our ſaid Soueraigne Lord, his heires or ſucceſſors.

For default of election by the Deane and Chapiter, the King ſhall nominat a Biſhop by his letters patents.

Conſecration of a Biſhop.

And be it enacted by the authority aforeſaid, that whenſoeuer any ſuch preſentment or nomination ſhall be made by the Kings Highneſſe, his heires or ſucceſſors, by vertue and authority of this act, and according to the tenour of the ſame: That then euery Archbiſhop and Biſhop, to whoſe hands any ſuch preſentment and nomination ſhall be directed, ſhall with all ſpeed and celeritie inueſt, and conſecrate the perſon nominate & preſented by the Kings Highnes, his heires or ſucceſſors to the office and dignity that ſuch perſon ſhall be ſo preſented vnto, and giue and vſe to him Pall, and all other benedictions, ceremonies, and things requiſite for the ſame, without ſuing, procuring, or obtaining hereafter any Bulles, or other things at the See of Rome for any ſuch office or dignity in that behalfe. And if the ſaid Deane and Chapiter, or Prior and Couent, after ſuch licence & letters miſſiue to them directed within the ſaid twelue daies, doe elect and chooſe the ſaid perſon mentioned in the ſaid letters miſſiue, according to the requeſt of the Kings Highneſſe, his heires or ſucceſſors, thereof to be made by the ſaid letters miſſiue in that behalfe: then their election ſhall ſtand good and effectuall to all intents, and that the perſon ſo elected, after certification made of the ſame election, vnder the Comon and Couent Seale of the electors to the Kings Highneſſe, his Heires or Succeſſors, ſhall bee reputed and taken by the name of Lord elected of the ſaid dignitie and office, that hee ſhall bee elected vnto: And then making ſuch oath and fealtie onely to the Kings Maieſtie, his heires and ſucceſſors, as ſhall be appointed for the ſame, the Kings Highneſſe by his letters patents vnder his great Seale, ſhall ſignifie the ſaid election, if it be to the dignitie of a Biſhop, to the Archbiſhop and Metropolitane of the Prouince where the See of the ſaid Biſhoprick was void, if the See of the ſaid Archbiſhop be full and not void. And if it bee void, then to any other Archbiſhop within this Realme, or in any other the Kings Dominions, requiring and commanding ſuch Archbiſhop, to whom any ſuch ſignification ſhall bee made, to confirme the ſaid election, and to inueſt and conſecrate the ſaid perſon ſo elected to the office and dignity that he is elected vnto, and to giue and vſe to him all ſuch benedictions, ceremonies, and other things requiſite for the ſame, Without any ſuing, procuring, or obtaining any Bulles, Letters, or other things from the See of Rome for the ſame in any behalfe. And if the perſon be elected to the office and dignitie of an Archbiſhop, according to the tenour of this act, then after ſuch election certified to the Kings Highneſſe, in forme aforeſaid, the ſame perſon ſo elected to the office and dignitie of an Archbiſhop, ſhall bee reputed and taken Lord elect to the ſaid office and dignitie of Archbiſhop, whereunto he ſhall be ſo elect: And then after he hath made ſuch oath and fealtie onely to the Kings Maieſtie, his heires and ſucceſſors, as ſhall bee limited for the ſame, the Kings Highneſſe, by his Letters patents vnder his great Seale, ſhall ſignifie the ſaid election to one Archbiſhop, and two other Biſhops, or elſe to foure Biſhops within this Realme, or within any other the Kings Dominions, to be aſſigned by the Kings Highneſſe, his Heires, or Succeſſors, requiring and commanding the ſaid Archbiſhop and Biſhops with all ſpeed and celeritie, to confirme the ſaid election, and to inueſt and conſecrate the ſaid perſon, ſo elected to the office and dignitie that he is elected vnto, and to giue and vſe to him ſuch Pall, benedictions, ceremonies, and all other things requiſite for the ſame, Without ſuing, procuring or obtaining any Bulles, Briefes, or other things at the ſaid See of Rome, or by the authoritie thereof in any behalfe.

The name of a Biſhop newly choſen viz. a Lord elect.

The Kings ſignification of a Biſhop or Archbiſhop elect.

And be it further enacted by authority aforeſaid, that euery perſon and perſons being hereafter choſen, elected, nominate, preſented, inueſted, and conſecrate to the dignity or office of any Archbiſhop, This election of a Biſhop ſhal be lawfull St. 8. El. 1.

biſhop, or Biſhop within this Realme, or within any other the Kings Dominions, according to the forme, tenure, and effect of this preſent act, and ſuing their Temporalties out of the Kings hands, his Heires or Succeſſors, as hath beene accuſtomed, and making a corporall oath to the Kings Highnes, and to none other, in forme as is afore rehearſed, ſhall and may from henceforth be trononiſed, or inſtalled, as the caſe ſhall require, and ſhal haue and take their only reſtitution, out of the Kings hands, of all the poſſeſſions and profits Spirituall and Temporall belonging to the ſaid Archbiſhoprick, or Biſhorick, whereunto they ſhall be ſo elected or preſented, & ſhall be obeyed in all manner of things, according to the name, title, degrée and dignity, that they ſhall be ſo choſen or preſented vnto, and do and execute in euery thing and things, touching the ſame, as any Archbiſhop, or Biſhop of this Realme, without offending of the Prerogatiue Royall of the Crowne, and the Lawes and Cuſtomes of this Realme, might at any time heretofore doe.

The penaltie for not electing or not conſecrating a Biſhop named.

And be it further enacted by the authority aforeſaid, That, if the Prior and Couent of any Monaſtery, or Deane & Chapiter of any Cathedrall Church, where the Sée of any Archbiſhop or Biſhop is within any the Kings Dominions, after ſuch licence, as is afore rehearſed ſhall be deliuered to them, procéed not to election, and ſignifie the ſame according to the tenour of this act, within the ſpace of twenty daies next after ſuch licence ſhall come to their hands: or elſe if any Archbiſhop or Biſhop within any the Kings Dominions, after any ſuch election, nomination, or preſentation ſhall be ſignified vnto them by the Kings Letters patents, ſhall refuſe and doe not confirme, inueſt, and conſecrate, with all due circumſtance as is aforeſaid euery ſuch perſon as ſhall be ſo elected, nominate or preſented, and to them ſignified, as is aboue mentioned, within twenty daies next after the Kings Letters patents of ſuch ſignification, or preſentation ſhall come to their hands, or elſe if any of them, or any other perſon or perſons, admit, maintaine, allow obey, doe or execute any Cenſures, Excommunications, Interdictions, inhibitions, or any other Proceſſe or Act, of what nature, name, or qualitie ſoeuer it be, to the contrarie, or let of due execution of this act, that then euery Prior and particular perſon of his Couent, and euery Deane, and particular perſon of the Chapiter, and euery Archbiſhop and Biſhop, and all other perſons ſo offending and doing contrarie to this act, or any part thereof, and their aiders, counſellers, abettors ſhall run in the dangers, paines, and penalties of the eſtatute of prouiſion and Premunire, made in the fiue and twentieth yeare of the raigne of King Edward the third, and in the ſixteenth yeare of King Richard the ſecond. Stat. 1. & 2. P. M. 8. 1. Eliz. 1. 31. H. 8. 9. 26. H. 8. 14. 8. El. 1.

Cap. XXI.

No impoſition ſhall be paid to the Biſhop of Rome, &c.

Summes of money which haue beene paid for ſeuerall cauſes to the Biſhop and Sée of Rome.

This Realme is free from any laws of man but ſuch as haue beene deuiſed within the ſame.

Moſt humbly beſéeching your moſt Royall Maieſty your obedient and faithfull ſubiects, the Commons of this your preſent Parliament, aſſembled by your moſt dread commandement, That where your Subiects of this your Realme, and of other Countries and Dominions being vnder your obeyſance, by many yeares paſt haue béen, and yet be greatly decayed and impoueriſhed, by intolerable exactions of great ſummes of money, as haue beene claimed, and taken, and yet continually be claimed to bée taken out of this your Realme, and other your ſaid Countries and Dominions, by the Biſhop of Rome, called the Pope, and the Sée of Rome, as well in pentions, cenſes, Peter pence, procurations, fruits, ſuites for prouiſions, & expeditions of Buls for Archbiſhopricks and Biſhopricks, and for delegacies, & reſcripts in cauſes of contentions & appeales, iuriſdictions legantine, and alſo for diſpenſations, licences, faculties, grantes, relaxations, writs called Perinde valere, rehabilitations, abolitions, and other infinit ſorts of Buls, Breues, and inſtruments of ſundry natures, names and kinds in great numbers heretofore practiſed and obtained, otherwiſe than by the lawes, laudable vſes, and cuſtomes of this Realme ſhould be permitted, the ſpecialties whereof bin ouer long, large in number, and tedious héere particularly to be inſerted. Wherein the Biſhop of Rome aforeſaid, hath not bin, not only to be blamed, for his vſurpation in the premiſes, but alſo for his abuſing and beguiling your ſubiects, pretending & perſwading to them, that he hath power to diſpenſe with all humane lawes, vſes and cuſtomes of all Realmes, in all cauſes, which be called ſpirituall. Which matter hath bin vſurped & practiſed by him and his predeceſſors by many yeares, in great derogation of your Imperiall crowne and authoritie royall, contrary to right and conſcience. For where this your Graces Realme recogniſing no ſuperior vnder God, but only your Grace, hath béene, and is frée from ſubiection to any mans lawes, but only to ſuch as haue bin deuiſed, made, & ordained within this Realme for the wealth of the ſame, or to ſuch other, as by ſufferance of your Grace and your Progenitors, the people of this your Realme haue taken at their frée liberty by their owne conſent to be vſed amongſt them, and haue bound themſelues by long vſe and cuſtome to the obſeruance of the ſame, not as to the obſeruance of the lawes of any forren Prince, Potentate, or Prelate, but as to the cuſtomed & ancient lawes of this Realme, originally eſtabliſhed, as lawes of the ſame, by the ſaid ſufferance, conſents, and cuſtome, and none otherwiſe. It ſtandeth therefore with naturall equity and good reaſon, that in all and euery ſuch lawes humane, made within this Realme, or induced into this Realme by the ſaid ſufferance, conſents, and cuſtome, your royall Maieſty, and your Lords Spirituall and Temporall, and Commons repreſenting the whole ſtate of your Realme, in this your moſt high Court of Parliament, haue full power and authority, not only to diſpenſe, but alſo to authorize ſome elect perſon or perſons, to diſpenſe with thoſe and all other humane lawes of this your Realme, and with euery one of them, as the qualitie of the perſons and matter ſhall require. And alſo the ſaid lawes and euery of them to abrogate, adnull, amplifie or diminiſh, as it ſhall be ſeene vnto your Maieſtie, and the Nobles and Commons of your Realme, preſent in your Parliament, meet and conuenient for the wealth of your Realme, as by diuers good and wholeſome acts of Parliaments, made and eſtabliſhed, as well in your time, as in the time of your moſt noble Progenitors, it may plainly & euidently appeare. And becauſe that it is now in theſe daies preſent, ſeene, that the ſtate, dignitie, ſuperioritie, reputation, and authoritie of the ſaid Imperiall Crowne of this Realme, by the long ſufferance of the ſaid vnreaſonable and vncharitable vſurpations and exactions, practiſed in the times of your moſt noble Progenitors, is much and ſore decayed, and diminiſhed, and the people of this Realme thereby impoueriſhed, and ſo or worſe be like to continue, if remedie bee not therefore ſhortly prouided.

The Parliament hath authoritie to diſpence, and to elect ſome perſons to diſpence with all the humane lawes of this Realme, and to amplifie and adnull the.

It may therefore pleaſe your moſt noble Maieſty, for tho honor of almighty God, and for the tender loue, zeale and affection, that yee beare, and alwaies haue borne to the wealth of this your Realme, and Subiects of the ſame, for as much as your Maieſtie is ſupreme head of the Church of England, as the Prelates and Clergie of your Realme, repreſenting the ſaid Church in their Synods and Conuocations haue recogniſed, in whom conſiſteth full power and authoritie vpon all ſuch lawes as hath beene made and vſed within this Realme, to ordaine and enact by the aſſent of your Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by authoritie of the ſame, That no perſon or perſons of this your Realme, or of any other your Dominions, ſhall from henceforth pay any penſions, cenſes, portions, Peterpence, or any other impoſitions to the vſe of the ſaid Biſhop, or of the See of Rome, like as heretofore they haue vſed, by vſurpation of the ſaid Biſhop of Rome, and his Predeceſſors, and ſufferance of your Highneſſe, and your moſt noble Progenitors to doe, but that all ſuch penſions, cenſes, portions, and Peterpence, which the ſaid Biſhop of Rome, otherwiſe called the Pope, hath heretofore taken and perceiued, or cauſed to be taken and perceiued to his vſe and his Chambers, which hee calleth Apoſtolike, by vſurpation and ſufferance, as is aboueſaid, within this your Realme, or any other your Dominions, ſhall from hencefoth clearely ſurceaſe, and neuer more be leuied, taken, perceiued, nor paid to any perſon or perſons in any manner of wiſe, any conſtitution, vſe, preſcription, or cuſtome to the contrary thereof notwithſtanding.

No impoſitions ſhall be paid to the Biſhop or See of Rome.

And be it further enacted by the authority aforeſaid, that neither your Highneſſe, your Heires nor Succeſſors, Kings of this Realme, nor any your ſubiects of this Realme, nor of any other your Dominions, ſhall from henceforth ſue to the ſaid Biſhop of Rome, called the Pope, or to the See of Rome, or to any perſon or perſons, hauing or pretending any authority by the ſame, for licences, diſpenſations, [a] impoſitions, faculties, grants reſcripts, delegacies, or any other inſtruments or writings, of what kinde, name, nature, or qualitie ſoeuer they be of, for any cauſe or matter: for the which any licence, diſpenſation, compoſition, facultie, grant, reſcript, delegacie, inſtrument or other writing heretofore hath beene vſed and accuſtomed to be had and obtained at the See of Rome, or by authority thereof, or of any Prelate of this Realme: nor for any manner of other licences, diſpenſations, compoſitions, faculties, grants, reſcripts, delegacies, or any other inſtruments or writings, that in cauſes of neceſſitie may lawfully bee granted without offending the holy Scriptures and lawes of God: But that from henceforth euery ſuch licence, diſpenſation, compoſition, facultie, grant, preſcript, delegacie, inſtrument, and other writing aforenamed and mentioned, neceſſary for your Highneſſe, your Heires and Succeſſors, and your and their people and ſubiects, vpon the due examinations of the cauſes and qualities of the perſons procuring ſuch diſpenſations, licences, compoſitions, faculties, graunts, reſcripts, delegacies, inſtruments, or other writings, ſhall be granted, had, and obtained from time to time, within this your Realme, and other your Dominions, and not elſewhere, in manner and forme following, and none otherwiſe: That is to ſay, the Archbiſhop of Canterburie, for the time being, and his Succeſſors ſhall haue power and authoritie from time to time, by their diſcretions, to giue, grant, and diſpoſe by an inſtrument, vnder the Seale of the ſaid Archbiſhop, vnto your Maieſtie, and to your Heires and Succeſſors, Kings of this Realme, as well all manner ſuch licences, diſpenſations, compoſitions, faculties, grants, reſcripts, delegacies, inſtruments, and all other writings, for cauſes not being contrary, or repugnant to the holy Scriptures, and Lawes of God, as heretofore hath beene vſed, and accuſtomed to bee had and obtained by your Highneſſe, or any your moſt noble Progenitors, or any of yours or their ſubiects, at the See of Rome: or of any perſon or perſons by authoritie of the ſame: and all other licences, diſpenſations, faculties, compoſitions, grants, reſcripts, delegacies, inſtruments, and other writings, in, for, and vpon all ſuch cauſes and matters, as ſhall be conuenient and neceſſarie to be had, for the honour and ſuretie of your Highneſſe,

No perſon ſhall ſue for any diſpenſation or licence to the Biſhop of Rome.

[a] Coke.pla.fol. 204. 472.

The Archbiſhop of Canterbury may grant diſpenſations to the King.

your heires and ſucceſſors, and the wealth and profit of this your Realme: So that the ſaid Archbiſhop, or any of his ſucceſſors, in no manner wiſe ſhall grant any diſpenſation, licence, reſcript, or any other writing afore rehearſed, for any cauſe or matter repugnant to the law of Almighty God.

The Biſhop of Canterbury may grant licences of things wonted to be receiued. Cooke pla. f. 512.

Bee it alſo enacted by authoritie aforeſaid, that the ſaid Archbiſhop and his ſucceſſors, after good and due examination by them had, of the cauſes and qualities of the perſons procuring for licences, diſpenſations, compoſitions, faculties, delegacies, reſcripts, inſtruments, or other writings, ſhall haue full power and authority by themſelues, or by their ſufficient and ſubſtanciall Commiſſarie, or Deputie, by their diſcretions from time to time, to grant and diſpoſe by an inſtrument vnder the name and ſeale of the ſaid Archbiſhop, as well to any of your ſubiects, as to the ſubiects of your heires and ſucceſſors, all manner licences, diſpenſations, faculties, compoſitions, delegacies, reſcripts, inſtruments, or other writings for any ſuch cauſe or matter, whereof heretafore ſuch licences, diſpenſations, compoſitions, faculties, delegacies, reſcripts, inſtruments, or writings haue beene accuſtomed to be had at the See of Rome, or by the authority thereof, or of any Prelate of this Realme.

Diſpenſations to cauſes vnwonted to be licenced ſhall not be granted without the approbation of the king or his Counſell.

And that the ſaid Archbiſhop and his Commiſſarie ſhall not grant any other licence, diſpenſation compoſition, facultie, writing, or inſtrument in cauſes vnwont, and not accuſtomed to bee had or obteined at the Court of Rome, nor by authority thereof, nor by any Prelate of this Realme, vntill your Grace, your heires, or ſucceſſors, or your or their Counſell ſhall firſt be aduertiſed thereof, and determine whether ſuch licences, diſpenſations, compoſitions, faculties, or other writings in ſuch cauſes vnwont and not accuſtomed to be diſpenſed withall, or obteined, ſhall commonly paſſe as other diſpenſations, faculties, or other writings, ſhall or no, vpon paine that the grantors of euery ſuch licence, diſpenſation, or writing in ſuch cauſes, vnwont, contrarie to this Act, ſhall make fine at the will and pleaſure of your Grace, your heires, and ſucceſſors. And if it be thought and determined by your Grace, your heires, or ſucceſſors, or your or their counſell, that diſpenſations faculties, licences, or other writings in any ſuch cauſe vnwont, ſhall paſſe, then the ſaid Archbiſhop or his Commiſſarie, hauing licence of your Highneſſe, your heires, or ſucceſſors for the ſame, by your or their bill aſſigned, ſhall diſpence with them accordingly.

Licence of things whereof the taxe extends to iiii. li. ſhall be confirmed by the kings great Seale.

Prouided alwaies, that no manner diſpenſations, licences, faculties, or other reſcripts or writings, hereafter to be granted to any perſon or perſons by vertue or authoritie of this act by the ſaid Archbiſhop, or his Commiſſary, being of ſuch importance, that the taxe for the expedition thereof at Rome, extended to the ſumme of foure pounds or aboue, ſhall in any wiſe be put in execution, till the ſame licence, diſpenſation facultie, reſcript, or other writing, of what name, or nature ſoeuer it be of, be firſt confirmed by your Highneſſe, your heires or ſucceſſors, Kings of this Realme, vnder the great Seale, and inrolled in your Chancerie in a roll by a clerke to be appointed for the ſame. And that this Act ſhall be a ſufficient warrant to the Chancellor of England for the time being, or to him whom your Grace, your heires or ſucceſſors ſhall depute to be Keeper of the great Seale, to confirme in your name, your heires, or ſucceſſors the foreſaid writings paſſed vnder the ſaid Archbiſhops ſeale by letters patents in due forme thereof to be made vuder your great Seale, remitting as well the ſaid writing vnder the Archbiſh. ſeale, as the ſaid confirmation vnder the great ſeale, to the parties from time to time procuring for the ſame.

What diſpenſations may be granted by the Archbiſh. without the Kings confirmation.

And that all ſuch licences, diſpenſations, faculties, and other reſcripts and writings, for the expedition of the which the ſaid taxes to be paid at Rome, was vnder iiij. li. which be matters of no great importance, ſhall paſſe only by the Archbiſhops ſeale, and ſhall not of any neceſſity be confirmed by the great ſeale, vnleſſe the procurers of ſuch licence, faculty, or diſpenſation, deſire to haue them ſo confirmed, In which caſe they ſhall pay for the ſaid great Seale, to the vſe of your Highneſſe, your heires and ſucceſſors v. s. ſterling, and not aboue, ouer and aboue ſuch taxe as ſhall be hereafter limitted for the making, writing, regiſtring, confirming, and inrolling of ſuch licences, confirmations, and writings vnder the ſaid taxe of iiij. li.

All acts done by vertue of any of the foreſaid licences ſhall be good and of force in law.

And that euery ſuch licence, diſpenſation, compoſition, facultie, reſcript, and writing of what name or nature ſoeuer it be, for ſuch cauſes as the taxe was wont to be iiij. li. or aboue, ſo granted by the Archbiſhop, and confirmed vnder the great ſeale, and all other licences, diſpenſations, faculties, reſcripts, and writings hereafter to be granted by the Archbiſhop by vertue and authoritie of this act, whereunto the great Seale is not limitted of neceſſitie to be put to, by reaſon that the taxe of them is vnder iiij. li. ſhall be accepted, approued, allowed, and admitted good and effectuall in the law, in all places, courts, and iuriſdictions, as well ſpirituall, as temporall within this Realme, as elſewhere, within your dominions, and as beneficiall to the perſons obteining the ſame, as they ſhould haue been, if they had beene obteined, with all things requiſite, of the See of Rome, or of any other perſon by authoritie thereof, without any reuocation, or repeale hereafter to be had of any ſuch licences, diſpenſations, faculties, reſcripts, or writings, of what nature ſoeuer they be.

Licences to marry, and children borne after the ſame mariages.

And that all children procreated after ſolemnization of any mariages to be had or done by vertue of ſuch licences or diſpenſations, ſhall be admitted, reputed, and taken legitimate in all

Courts, as well ſpirituall as Temporall, and in all other places, and inherit the inheritance of their parents and anceſtors within this your realme, and all other your dominions, according to the lawes and cuſtomes of the ſame: and all acts to be done, had, or executed according to the tenour of ſuch Licences, Diſpenſations, Faculties, writings, or other inſtruments to be made or granted by authority of this Act, ſhall be firme, permanent, and remaine in force, any forreigne lawes, conſtitutions, decrees, canons, decretalls, inhibitions, vſe, cuſtome, preſcription, or any other thing had, or hereafter to be made to the contrary notwithſtanding.

And be it further enacted, That the ſaid Archbiſhop and his ſucceſſors ſhall haue power and authoritie to ordeine, make & conſtitute a Clerke, which ſhal write, and regiſter euery ſuch Licence, Diſpenſation, Faculty, writing, or other inſtrument to be granted by the ſaid Archbiſhop, and ſhal find parchment, waxe, & ſilken laces conuenient for the ſame, & ſhal take for his paines ſuch ſummes of money as ſhalbe hereafter in this preſent Act to him limited in that behalfe for the ſame. And that likewiſe your Grace, your heires and ſucceſſors, ſhall by your Letters patents vnder your great Seale, ordeine, depute, and conſtitute one ſufficient Clerke, being learned in the courſe of the Chancerie, which alwayes ſhalbe attendant vpon the Lord Chancellor, or the Lord Keeper of the [d] great ſeale, for the time being, and ſhall make, write, and inroll the Confirmations of all ſuch Licences, Diſpenſations, Inſtruments or other writings, as ſhall be thither brought vnder the Archbiſhops ſeale, there to bee confirmed and inrolled: And ſhall alſo intitle in his books and enroll of record ſuch other writings, as thither ſhall be brought vnder the Archbiſhops ſeale not to be confirmed, taking for his pains ſuch reaſonable ſummes of money, as hereafter by this Act to him ſhall be limitted for the ſame, And that as well the ſaid Clerke appointed by the ſaid Archbiſhop, as the ſaid Clerke to be appointed by your Highneſſe, your heires or ſucceſſors, ſhall ſubſcribe their names to euery ſuch Licence, diſpenſation, Facultie, or other writing, that ſhall come to their hands to be written, made, granted, ſealed, confirmed, regiſtred, and enrolled by authoritie of this act, in forme as is before rehearſed.

re fol.133.

A Clerke to regiſter diſpenſations appointed by the Archb.

A Clerke aſſigned by the king to write confirmations.

And foraſmuch as the charges of obtaining the ſaid Licences, Diſpenſations, Faculties, and other Reſcrips, or writings afore named, at the Court of Rome, by the loſſes and exchanges, and in conducting of Currours and waging of Solicitors, to ſue for any ſuch Licences, Diſpenſations, Faculties, Inſtruments, and other Reſcrips or writings, haue beene grieuous and exceſſiue to your people, and many times greater ſummes haue beene demanded for the ſpeedie expedition in the Court of Rome, than be expreſſed in the old taxe, limited to be paid for the ſaid expeditions, whereby your people hath been brought to an incertainty vpon the payment for expeditions of ſuch things, and by reaſon thereof haue been conſtrained to pay more than they were wont to doe, to the great impoueriſhing of this realme, as is aforeſaid. And ſometimes the ſpeeding of ſuch Diſpenſations, Faculties, Licences, and other writings at Rome, hath been ſo long deferred, that the parties labouring for the ſame, haue ſuffered great incommodities, and loſſe for lacke of quicke ſpeed, which hereafter may be had within this your realme, to the great commoditie of your people. Whereby the charges of making exchanges, conducting of Currors, and Solicitors for the ſaid Diſpenſations, ſhall be abated, and your people ſo much releeued and eaſed, to the intent that all ambiguitie, and incertainty of payments for Diſpenſations, Faculties, Licences, and other Reſcrips and writings may be taken away, that no fraud or exaction ſhall bee exerciſed vpon your people, by ſuch officers as ſhall be appointed by this Act, to take paines in ſpeeding ſuch Diſpenſations, Faculties, and Licences: but that your people may bee ſure and certaine what they be appointed to pay for the ſame.

The charges qualified which had wont to be ſpent in obtaining diſpenſations & licences from Rome.

Be it enacted by this preſent Parliament, and by the authoritie of the ſame, that there ſhall be two books drawne and made of one tenour: in which ſhall be conteined the taxes of all cuſtomable Diſpenſations, Faculties, Licences, and other writings, wont to be ſped at Rome, which Bookes and euery leafe of thoſe Bookes, and both ſides of euery leafe, ſhall be ſubſcribed by the Archbiſhop of Canterbury, the Lord Cancellor of England, the Lord Treaſurer of England, and the two chiefe Iuſtices of both Benches for the time being: to the which bookes all ſuters for Diſpenſations, Faculties, Licences, and other writings afore rehearſed, ſhall haue recourſe if they require it. And one of the ſaid bookes ſhall remaine in the hands of him, which ſhall bee appointed to be Regiſter, and Scribe of the ſaid Diſpenſations, Faculties, and Licences, vnder the ſaid Archbiſhop of Canterburie, in forme as is beforeſaid: and the other Booke ſhall remaine with the Clerke of the Chancerie, which by your Grace, your heires or ſucceſſors ſhall be appointed, as is before rehearſed. Which Clerke of the Chancerie ſhall alſo intitle and note particularly and daily in his Booke, ordeined for that purpoſe, the number and qualities of the Diſpenſations, Faculties, Licences, and other reſcripts and writings, which ſhall be ſealed onely with the ſeale of the ſaid Archbiſhop: and alſo which ſhall be ſealed with the ſaid ſeale, and confirmed with the great Seale, in forme as is before ſaid, that all fraud and concealement in this behalfe may be auoided.

Two bookes ſhall be made, wherein the taxes of diſpenſations ſhall be written.

And be it enacted by this preſent Parliament, and by the authoritie of the ſame, that no man ſuing for Diſpenſations, Faculties, Licences, or other reſcripts or writings, which were wont to be ſped at Rome, ſhal pay any more for their Diſpenſations, Licences, or reſcripts, than ſhalbe

The fees of diſpenſations, faculties, licences, &c.

conteined, taxed, and limited in the ſaid duplicate bookes of taxes, onely compoſitions excepted, of which being arbitrarie, no taxe can be made: wherefore the taxe thereof ſhall be ſet and limited by the diſcretion of the ſaid Archbiſhop of Canterbury, and the Lord Chancellor of England, or the Lord Keeper of the great Seale, for the time being. And that ſuch as ſhall exact or receiue of any ſuiter more for any diſpenſation, facultie, or licence than ſhall be conteined in the ſaid bookes of taxes, ſhal forfeit ten times ſo much, as he ſhall ſo extortiouſly exact and receiue: the one halfe of the which forfeiture to be to the vſe of your Grace, your heires, or ſucceſſors, and the other halfe thereof to be to ſuch of your ſubiects as will ſue for the ſame, by action, bill, or plaint, in any of your Graces courts, wherein the defendant ſhall haue none eſſoine, nor protection allowed, neither ſhall be admitted to wage his law.

The penaltie of extortion in officers.

Be it alſo enacted by this Parliament, and authoritie of the ſame, That the taxe or ſumme appointed to be paid for euery ſuch diſpenſation, licence, facultie, inſtrument, reſcript, or other writing to be graunted by authority of this act, ſhall be emploied and ordered, as hereafter enſueth: that is to ſay, if the taxe extend to iiij. li. or aboue, by reaſon whereof the diſpenſation, licence, faculty, reſcript, or writing, which ſhall paſſe by the ſaid Archbiſhops ſeale, muſt be confirmed by thappenſion of the great Seale: then the ſaid taxe ſo extending to iiij. li. or aboue, ſhall be diuided into thrée parts, whereof two ſhall be perceiued by the ſaid Clerke of the Chauncerie to be appointed (as is aforeſaid) to the vſe of your Highneſſe, your heires, and ſucceſſors, and to the vſe of the Lord Chancellor, or the Keeper of the great Seale, for the time being, and to the vſe of the ſaid Clerke, in ſuch wiſe as ſhall hereafter bee declared. And the third part ſhall be taken by the ſaid Clerke of the Archbiſhop, to the vſe of the ſame Archbiſhop and his Commiſſarie, And his ſaid Clerke and Regiſter, in ſuch wiſe as hereafter ſhall be ordered and limited by this Act: That is to ſay, the ſaid two parts ſhall bée diuided in foure parts, of which thrée parts ſhall be taken to the onely vſe of your Highneſſe, your heires, and ſucceſſors: and the fourth part ſhall bée diuided in thrée parts, whereof the Chauncellour of England, or Lord Kéeper of the great Seale, for the time being, ſhall haue two parts, and the ſaid Clerke of the Chauncerie the third part for his paines, trauaile, and labours, that hée is limited to write and doe by vertue of this Act. And the ſaid third part of the whole taxe, appointed to the ſaid Archbiſhop and his officers (as is aforeſaid) ſhall bée diuided into thrée parts, whereof the Archbiſhop ſhall haue to his vſe two parts, and his Officers ſhall haue the third part thereof: of which third part to be diuided into two parts, the ſaid Clerke or Regiſter, which ſhall finde parchment, wax, and ſilke, and ſhall deuiſe and write the ſaid diſpenſations, licences, faculties, reſcripts, or other writings, and regiſter the ſame, ſhall haue for his ſaid labour, and for receiuing and repaying of the ſummes of money, that ſhall come to his hands for diſpenſations, faculties, licences, and other reſcripts aforeſaid, the one moitie thereof, and the Commiſſarie, appointed to ſeale the ſaid diſpenſations, faculties, licences, and other reſcripts, ſhall haue the other part.

How the taxe for euery diſpenſation, facultie or other writing ſhall be diuided.

And if the taxe be vnder iiij. li. and not vnder xl. s. then the ſaid taxe ſhall be diuided into thrée parts, as is aforeſaid, whereof the Kings Highnes, his heires and ſucceſſors ſhall haue two parts thereof, abating iij. s. iiij. d. which ſhall be to the ſaid Clerke of the Chauncerie for ſubſcribing, entituling, and enrolling the ſaid diſpenſations, licences, faculties, reſcripts, and other writings aforeſaid, and receiuing of the Kings money ſo taxed: And the Archbiſhop and his officers ſhall haue the third part, which third part ſhall bee diuided into two parts, whereof the Archbiſhop ſhall haue the one entirely to himſelfe, his Scribe and Commiſſarie ſhall haue the other part thereof, egally to bée diuided amongſt them for their coſts and paines in that behalfe. And if the taxe be vnder fortie ſhillings, and not vnder ſix and twenty ſhillings eight pence, the ſame taxe ſhall be diuided into two parts, whereof the one part ſhall be to your Grace, your heires and ſucceſſors, deducting thereof two ſhillings for the Clerke of the Chancerie, for his paines, as is aforeſaid: and the other part ſhall be to the ſaid Archbiſhop and his Officers, which other part ſhall be diuided into two parts, whereof the Archbiſhop ſhall haue the one, and his Commiſſary, and Scribe ſhall haue the other, egally diuided amongſt them. And if the taxe be vnder ſix and twenty ſhillings eight pence, and not vnder twenty ſhillings, the ſame ſhall be diuided into two parts, whereof your grace, your heires and ſucceſſors ſhall haue the one part entirely, abating two ſhillings thereof to the ſaid Clerke of the Chancerie: & the Archbiſhop and his officers ſhall haue the other part, and the ſame other part ſhall be diuided into thrée parts, whereof the Archbiſhop ſhall haue one, his Commiſſarie the ſecond, and his Scribe or Regiſter the third. And in caſe the taxe be vnder twentie ſhillings, the ſame ſhall be perceiued to the vſe of the ſaid Commiſſarie, Clerke of the ſaid Archbiſhop, and Clerke of the Chancerie, to be egally diuided amongſt them for their paines and labours by them to be ſuſteined by authoritie of this act, as is aforeſaid.

If the taxe be vnder iiii. li. & not vnder xl. s.

If the taxe be vnder xl. s. and not vnder xxvi. s. viii. d.

If the taxe be vnder xxvi. s. viii. d. and not vnder xx. s.

Prouided alwayes that this act ſhall not be preiudiciall to the Archbiſhop of Yorke or to any Biſhop or Prelate of this realme: but that they may lawfully (notwithſtanding this act) diſpenſe in all caſes, in which they were wont to diſpence by the common law or cuſtome of this Realme afore the making of this act.

Diſpenſations by other prelats

Prouided

Diſpenſation by the Guardian of the ſpiritualties.

Pꝛouided alſo, and be it enacted by authoꝛity afoꝛeſaid, that if it happen the See of the Archbiſhopꝛicke of Canterburie to be void, that then all ſuch manner Licences, diſpenſations, Faculties, inſtruments, reſcripts, and other wꝛitings, which may be granted by vertue and authoꝛity of this Act, ſhall (during the vacation of the ſame Sée) bée had, done, and graunted vnder the name and ſeale of the Gardian of the Spiritualties of the ſaid Archbiſhopꝛicke foꝛ the time being, accoꝛding to the tenour and foꝛme of this Act, and ſhall be of like foꝛce, value, and effect, as if they had béene granted vnder the name and ſeale of the Archbiſhop foꝛ the time being.

A remedie where the Archbiſhop oꝛ Guardian of the ſpiritualties deny to grant diſpenſations, licences, &c.

And be it farther enacted, that if the foꝛeſaid Archbiſhop of Canterburie (foꝛ the time being) oꝛ the ſaid Guardian of the Spiritualties, foꝛ the time being, hereafter refuſe, oꝛ denie to grant any Licences, Diſpenſations, Faculties, Inſtruments, oꝛ other wꝛitings, which they be authoꝛiſed to doe by vertue and authoꝛity of this Act, in ſuch manner and foꝛme as is afoꝛe remembꝛed to any perſon oꝛ perſons, that ought vpon a góod, iuſt, and reaſonable cauſe to haue the ſame, by reaſon whereof, this pꝛeſent Act by their wilfulneſſe, negligence, oꝛ default, ſhould take none effect: then the Chancelloꝛ of England, oꝛ the Loꝛd kéeper of the great Seale, foꝛ the time being, vpon any complaint thereof made, ſhall direct the Kings wꝛit to the ſaid Archbiſhop oꝛ Guardian, denying oꝛ refuſing to grant ſuch licences, diſpenſations, faculties, oꝛ other wꝛitings, iniopning him by the ſaid wꝛit, vpon a certain paine therein to be limited by the diſcretion of the ſaid Chancelloꝛ, oꝛ kéeper of the great Seale, that he ſhall in due foꝛme grant ſuch licence, diſpenſation, facultie, oꝛ other wꝛiting, accoꝛding to the requeſt of the pꝛocurers of the ſame: oꝛ elſe ſignifie vnto your Highneſſe, your Heires, oꝛ ſucceſſoꝛs in the Court of Chancerie at a certaine day, foꝛ what occaſion oꝛ cauſe he refuſed and denied to grant ſuch licences, faculties oꝛ diſpenſations: And if it ſhall appeare to the ſaid Chancelloꝛ, oꝛ Loꝛd kéeper of the great Seale, vpon ſuch certificat, that the cauſe of refuſall oꝛ deniall of granting ſuch licences, faculty, oꝛ diſpenſation was reaſonable, iuſt, and góod: that then it ſo being pꝛoued by due ſearch, and examination of the ſaid Chancelloꝛ, oꝛ Loꝛd Kéeper of the great Seale, to be admitted and allowed. And if it ſhall appeare vpon the ſaid Certificat, that the ſaid Archbiſhop oꝛ Guardian of the Spiritualties, foꝛ the time being, of wilfulneſſe, in contemning the due execution of this Act, without a iuſt and reaſonable cauſe, refuſed, oꝛ denied to grant ſuch licence, faculty, oꝛ diſpenſation: that then your Highneſſe, your Heires oꝛ, Succeſſoꝛs being thereof infoꝛmed, after due examination had, that ſuch licences, faculties, oꝛ diſpenſations may be granted, without offending the holy Scriptures, and Lawes of God, ſhall haue power and authoꝛity in euery ſuch caſe, foꝛ the default, negligence, and wilfulnes of the ſaid Archbiſhop, oꝛ Guardian, to ſend your wꝛit of Iniunction vnder your great Seale, out of your ſaid Court of Chancerie, commanding the Archbiſhop, oꝛ Guardian, that ſo ſhall denie oꝛ refuſe to grant ſuch licence, facultie, oꝛ diſpenſation, to make ſufficient grant thereof, accoꝛding to the tenour and effect of this Act, by a certaine day, and vnder a certaine paine in the ſaid wꝛit to be conteined, and to be limited by your Highnes, your Heires oꝛ Succeſſoꝛs, Kings of this Realme. And if the ſaid Archbiſhop oꝛ Guardian after the receipt of the ſaid wꝛit, refuſe oꝛ denie to grant ſuch licences, faculties, oꝛ diſpenſations, as ſhall be enioyned him by vertue of the ſaid wꝛit, and ſhew and pꝛoue befoꝛe your Maieſty, your Heires, oꝛ Succeſſoꝛs, no iuſt oꝛ reaſonable cauſe why hee ſhould ſo doe, then the ſaid Archbiſhop oꝛ Guardian, that ſo ſhall refuſe to put this Act in execution, accoꝛding to the ſaid wꝛit of Iniunction, ſhall ſuffer, loſe, and foꝛfeit to your Highneſſe, your heires, and ſucceſſoꝛs, ſuch paine and penaltie, as ſhall be limited and expꝛeſſed in the ſaid wꝛit of Iniunction, And ouer that it ſhall be lawfull to your Highnes, your heires, and ſucceſſoꝛs foꝛ euery ſuch default and wilfulneſſe of the ſaid Archbiſhop, oꝛ Guardian foꝛ the time being, to giue power and authoꝛity by Commiſſion, vnder your great Seale to ſuch two ſpirituall Pꝛelates, oꝛ perſons to be named by your Highneſſe, your heires, oꝛ ſucceſſoꝛs, as will doe, and grant ſuch licences, faculties, and diſpenſations, refuſed oꝛ denied to be granted by the ſaid Archbiſhop, oꝛ Guardian in contempt of this Act.

Diſpenſations granted by other ſpirituall Pꝛelates.

And be it further enacted, by authoꝛitie afoꝛeſaid, that the ſaid two Spirituall Pꝛelates oꝛ Perſons, to whom in ſuch caſes, any ſuch Commiſſion ſhall be directed, ſhall haue power and authoꝛity to grant euery ſuch licence, facultie, diſpenſation, inſtrument, and other wꝛitings ſo refuſed to be granted by the ſaid Archbiſhop oꝛ Guardian foꝛ the time being, by an inſtrument vnder their Seales, taking like fées and charges foꝛ the ſame, as is befoꝛe rehearſed, and not aboue, vnder the paines afoꝛe remembꝛed. And that euery ſuch licence, faculty, and diſpenſation ſo granted foꝛ any caſes oꝛ matters, whereunto any confirmation vnder the Kings great ſeale is appointed by this Act, to be had in manner and foꝛme aboue declared, ſhall bée had and obtained accoꝛdingly. And ſuch licences and confirmation ſhall be had foꝛ like fées and charges, as they are aboue ſpecified & not aboue, vnder the paines aboue mentioned. And that euery ſuch licence, facultie, oꝛ diſpenſation, & other wꝛiting to be granted by the ſaid Pꝛelates oꝛ perſons to be aſſigned by the Kings highneſſe, his heires and ſucceſſoꝛs, as is afoꝛeſaid, ſhall be of as góod value, ſtrength, and effect, and as beneficiall and pꝛofitable to the perſons pꝛocuring the ſame, as if they had béene made, granted, and obteined vnder the name and ſeale of the ſaid Archbiſhop.

The King and the realme doe not meane to vary from the articles of the catholike faith of Chriſtendom.

Prouided allwayes that this act nor any thing or things therein conteined, ſhall be hereafter interpreted or expounded, that your Grace, your Nobles, and Subiects, intend by the ſame to decline, or varie from the congregation of Chriſts Church, in any things, concerning the verie articles of the Catholike faith of Chriſtendome, or in any other things declared by holy Scripture and the word of God, neceſſary for your and their ſaluations, but onely to make an ordinance by policies neceſſary, and conuenient to repreſſe vice, and for good conſeruation of this realme, in peace, vnitie, and tranquillitie, from rauine and ſpoile, inſuing much the old ancient cuſtomes of this realme in that behalfe. Not minding to ſéeke for any reléeſes, ſuccours, or remedies for any worldly things, and humane lawes, in any cauſe of neceſſitie, but within this realme, at the hands of your Highneſſe, your heires and ſucceſſors, Kings of this realme, which haue and ought to haue an imperiall power and authoritie in the ſame, and not obliged in any wordly cauſes to any other ſuperiour.

The King by Commiſſion may viſit colleges, hoſpitals, & places exempt, & not the Archbiſhop of Canterburie.

Prouided alway, that the ſaid Archbiſhop of Canterburie, or any other perſon or perſons, ſhal haue no power or authoritie by reaſon of this act, to viſit or vex any Monaſteries, Abbeyes, Priories, Colledges, Hoſpitals, houſes, or other places religious, which be or were exempt before the making of this act, any thing in this act to the contrarie thereof notwithſtanding, but that redreſſe, viſitation, and confirmation ſhall be had by the Kings Highneſſe, his heires and ſucceſſors, by Commiſſion vnder the great Seale to be directed to ſuch perſons, as ſhall be appointed requiſite for the ſame, in ſuch Monſteries, Colledges, Hoſpitals, Priories, houſes and places religious exempt. So that no viſitation nor confirmation ſhall from henceforth bee had nor made, in or at any ſuch Monaſteries, Colledges, Hoſpitals, Priories, houſes and places religious exempt by the ſaid Biſhop of Rome, nor by any of his authoritie, nor by any out of the Kings dominions. Nor that any perſon religious, or other reſiant in any the Kings dominions, ſhall from henceforth depart out of the Kings dominions, to or for any viſitation, congregation, or aſſemblie for religion, but that all ſuch viſitations, Congregations, and aſſemblies, ſhall be within the Kings dominions.

None ſhall goe forth of England to general Councils.

This act ſhall not derogate the Stat. of 21. H.8.13. touching pluralities of benefices, or nonreſidence.

Prouided alſo, that this preſent act, or any thing therein conteined, or any licence, or diſpenſation hereafter to be made by vertue and authoritie therof, ſhall not extend to the repeale, or derogation of the late act made ſith the beginning of this preſent Parliament, for reformation of pluralities of benefices, and for nonreſidences of ſpirituall perſons vpon their dignities or benefices, nor to any things conteined or mentioned in the ſaid act. Nor that this act, nor any thing to be done by authoritie thereof, ſhall not be taken, expounded, nor interpreted, to giue licence to any perſon or perſons, to haue any more number of Benefices, than is limited in the ſaid act. And that the ſame act for pluralities and nonreſidences of benefices, and euery thing therein conteined, ſhall ſtand good and effectuall in all intents, according to the true meaning thereof, any thing in this preſent act, or any licence, or diſpenſation to be had by authoritie thereof in any wiſe notwithſtanding.

The penaltie for ſuing to the See of Rome for any licence, diſpenſation, &c. or for obeying any proceſſe from thence. Alt. 13. El. 2.

And be it further enacted by authoritie aforeſaid, that if any perſon or perſons, ſubiect or reſiant within this realme, or within any of the Kings dominions, at any time hereafter ſue to the Court of Rome, or the Sée of Rome, or to any perſon, claiming to haue his authoritie by the ſame, for any Licence, Faculty, diſpenſation, or other thing or things contrary to this act, or put in execucion any Licence, Faculty, or Diſpenſation, or any other thing or things hereafter to be obtained from Rome or the Sée of Rome, or from any claiming authoritie by the ſame, for any of the cauſes aboue mentioned in this act, or for any other cauſes that may be graunted by authoritie of this act, or attempt or doe any thing or things, contrarie to this act: or maintaine, allow, admit, or obey any manner of cenſures, excommunications, interdictions, or any other proceſſe from Rome, of what name or nature ſoeuer it be, to the derogation or let of the execution of this act, or of any thing or things to be done by reaſon of the ſaid act, that then euery ſuch perſon or perſons ſo doing, offending, and being thereof conuict, their aydors, counſellors, and abettors ſhall incurre and runne into the paine, loſſe, and penaltie compriſed and ſpecified in the act of Prouiſion and Premunire, made in the ſixtéene yeare of your moſt noble Progenitor, King Richard the ſecond, againſt ſuch as ſue to the Court of Rome, againſt your Crowne and dignitie royall.

Grants & confirmations of liberties obteined at the See of Rome to any Abbeis or houſes, ſhall be of the ſame effect as they were before.

Prouided alway that this act, or any thing therein conteined, ſhall not hereafter be taken, nor expounded to the derogation, or taking away of any Graunts, or Confirmations of any Liberties, Priuileges, or Juriſdiction af any Monaſteries, Abbeis, Priories, or other houſes or places exempt, which heretofore the making of this act, hath bin obtained at the Sée of Rome, or by authoritie thereof, but that euery ſuch Grant and Confirmation ſhall be of the ſame value, force and effect, as they were afore the making of this act, and as if this Act had neuer bin made. Prouided allwayes, that the Abbots, Priors, and other chiefe Rulers, and Gouernours of ſuch Monaſteries, Abbeyes, Priories, and other houſes, and places exempt, ſhall not hereafter pay any penſion, portion, or other cenſe to the Sée of Rome; nor admit, or accept any viſitation, nor any confirmation, from, or by the ſaid Sée of Rome, or by authoritie thereof, of, or for any perſon to be elect, named, or preſented, to be heads of any ſuch Monaſteries, Abbeis, Priories, places, or houſes exempt: nor ſhall make any corporall oath to the Biſhop of Rome, otherwiſe called the Pope, vpon the paines limited in this Act. But that euerie ſuch viſitation, and confirmation of ſuch heads elect in any ſuch Monaſteries, Abbeis, Priories, houſes, or places exempt, where after their election they were bounden to haue and obtaine any confirmation of their election, or of the perſon named, preſented, or elect ſhall be from henceforth had, made, and done within this Realme, at, and within euery ſuch Abbeis, Monaſteries, Priories, and other houſes and places exempt, by ſuch perſon and perſons, as ſhall be appointed by authoritie of the Kings Commiſſion from time to time, as the caſe ſhall require, and not by the See of Rome nor by authoritie thereof, any thing in this next Prouiſo aboue ſpecified to the contrarie thereof notwithſtanding.

Abbeis ſhall pay no penſions to the ſee of Rome, nor accept any viſitation or confirmation from thence, nor ſhall make any oath to the Biſhop thereof.

Prouided alwayes, that in ſuch Monaſteries, Abbeis, Priories, and houſes exempt, where after election, preſentation, or nomination of their heads, no ſuch confirmation is requiſite to be had, nor hath beene vſed to be taken by reaſon of ſuch priuileges, as they haue concerning the ſame, that in euerie ſuch Monaſteries, Abbeis, Priories, and places exempt, they ſhall not be bounden to obtaine, haue, or take any confirmation for the ſame within this Realme, by authoritie of this act, but vſe their priuileges therein, as they haue done before the making of this act, any thing in this act, or any the Prouiſoes next aboue rehearſed, to the contrarie thereof notwithſtanding.

Monaſteries, houſes, &c. where no confirmation is requiſite.

Prouided alſo and be it enacted, that this act, or any thing or things, word or words therein, or in the Preamble thereof mentioned or conteined is not intended or meant, nor ſhall bee expounded nor interpreted, that any diſpenſations, licences, or confirmations for marriages, granted to any the Kings ſubiects, borne vnder his obeiſance, at any time before the xii. day of March, in the yeare of our Lord God, 1533. ſhall be appaired or of any leſſe value, ſtrength, force or effect than they were at the ſaid xii. day of March. Nor that this Act, or any thing therein conteined, ſhall not extend to the derogation, appairing, or adnullation of any licences, diſpenſations, confirmations, faculties, or indulgences at any time before the ſaid xij. day of March, in the yeare of our Lord God, 1533. had or obteined at the See of Rome, or by authoritie thereof to or for any ſubiects borne in this Realme, or in any the Kings dominions, or to or for the Hoſpitall of the Prior of Saint Iohns of Ieruſalem in England, or any Commandries, or members thereof, or to or for any other Cathedrall Churches, Hoſpitalls, Monaſteries, Abbeyes, Priories, Colledges, Conuentuall Churches, Parochiall Churches, Chappels, Fraternities, Brotherheads, or Bodies politike within this Realme, or in any other the Kings dominions: But that euery ſuch licence, diſpenſation, confirmation, facultie, and indulgence, granted before the ſaid xij. day of March to any ſuch ſubiect, or to the ſaid Hoſpitall of the Prior of Saint Iohns of Ieruſalem in England, and Commandries or members therof, or to any other Cathedrall Church, Hoſpitall, Monaſterie, Abbey, Priorie, Colledge, Church Conuentuall, Parochiall Church, Chappell, Fraternitie, Brotherhead, or Bodie politike, or to their predeceſſors, or anceſtors within this Realme, or in any other the Kings dominions, ſhall be of the ſame force, ſtrength, value, and effect, and may be from time to time put in execution at all times hereafter, by, and to them that will vſe and haue the ſame, as they mought haue been afore the making of this act, and as if this act had neuer beene had ne made, any thing in the ſaid act to the contrarie hereof notwithſtanding.

Licences & diſpenſations obtained at the ſee of Rome, before the xii. of march An. D. 1533. ſhall be of the ſame force that they were before.

Prouided alwaies, that ſuch licences, diſpenſations, confirmations, or faculties heretofore obteined at the See of Rome, or by authority therof contrary to the expreſſe prouiſions of the laws and ſtatutes of this realme heretofore made, ſhall not at any time hereafter be vſed or put in execution in any caſe, to the derogation or contrary to the ſaid lawes & ſtatutes of this realme, and the prouiſions of the ſame: any thing in this prouiſo to the contrary thereof notwithſtanding.

And be it enacted by authoritie of this preſent Parliament, That the King our Soueraigne Lord, by the aduice of his honorable Councell ſhall haue power and authority from time to time, for the ordering, redreſſe, & reformation of all manner of indulgences, & priuileges therof within this realme, or within any the Kings dominions heretofore obteined at the See of Rome, or by authority thereof, and of the abuſes of ſuch indulgences & priuileges thereof, as ſhall ſeeme good, holſome, & reaſonable for the honor of God & weale of his people: and that ſuch order & redreſſe as ſhall be taken by his Highnes in that behalfe, ſhalbe obſerued & firmely kept vpon the paines limited in this act for the offending of the contents of the ſame. St. 1. & 2. P. & M. 8. 1. Eli. 1.

The King with the aduice of his Councell may reforme the manner of Indulgences.

Cap. XXII.

The Succeſſion of the Kings Maieſtie in the Imperiall crowne.

IN their moſt humble wiſe ſhewen vnto your maieſty your moſt humble and obedient ſubiects, the Lords ſpirituall & temporall, and the commons in this preſent Parliament aſſembled, that ſince it is the naturall inclination of euery man, gladly and willingly to prouide for the ſurety of both his title & ſucceſſion, although it touch his only priuate cauſe: We therefore moſt rightfull & dreadful ſouereign Lord, reckon our ſelues much more bounden to beſeech & inſtant your highnes (although we doubt not of your princely heart & wiſdome, mixed with a naturall affection to the ſame) to foreſee & prouide for the perfit ſuretie of both you and of your moſt lawfull ſucceſſion and heires vpon which dependeth all our ioy and wealth: in whom alſo is vnited and knit, the only meere trew inheritance and title of this Realme, without any contradiction. Wherefore we your ſaid moſt humble and obedient Subiects, in this preſent Parliament aſſembled, calling to our remembrance the great diuiſions, which in times paſt haue beene in this Realme, by reaſon of ſeuerall titles pretended to the Imperiall Crowne of the ſame, which ſometimes, and for the moſt part enſued by occaſion of ambiguitie and doubts, then not ſo perfectly declared, but that men might vpon froward intents expound them to euery mans ſiniſter appetite and affection, after their ſence, contrarie to the right Legalite of the ſucceſſion and poſterity of the lawfull Kings and Emperors of this Realme: whereof hath enſued great effuſion and deſtruction of mans blood, as well of a great number of the Nobles, as of other the Subiects, and ſpecially Inheritors in the ſame. And the greateſt occaſion thereof hath beene becauſe no perfect and ſubſtantiall prouiſion by Law hath beene made within this Realme of it ſelfe, when doubts and queſtions haue beene moued and proponed of the certaintie and legaltie of the ſucceſſion and poſteritie of the Crowne. By reaſon whereof the Biſhop of Rome and See Apoſtolike, contrarie to the great and inuiolable grants of iuriſdictions by GOD immediately to Emperors, Kings and Princes, in ſucceſſion to their Heires, hath preſumed in times paſt to inueſt, who ſhould pleaſe them to inherit in other mens Kingdomes and Dominions: which thing we your moſt humble Subiects, both Spirituall and Temporall, doe moſt abhor and deteſt. And ſometimes other forrein Princes and Potentates of ſundrie degrees, minding rather diſſention and diſcord to continue in the Realme, to the vtter deſolation thereof, than charitie, equitie, or vnitie, haue many times ſupported wrong titles, whereby they might the more eaſily and facily aſpire to the ſuperioritie of the ſame. The continuance and ſufferance whereof, deepely conſidered and pondered, were too dangerous, and perillous to be ſuffered any longer within this Realme, and too much contrarie to the vnitie, peace, and tranquillitie of the ſame, being greatly reprochable and diſhonourable to the whole Realme.

The ambiguity of the ſeuerall titles to the Crowne of this Realme, and the not eſtabliſhing of the ſucceſſion thereof hath bin the cauſes of much trouble.

In conſideration whereof, your ſaid moſt humble and obedient Subiects, the Nobles and Commons of this Realme, calling further to their remembrance, that the good vnity, peace, and wealth of this Realme, and the ſucceſſion of the Subiects of the ſame moſt ſpecially and principally aboue all worldly things, conſiſteth and reſteth in the certainty and ſuretie of the procreation and poſteritie of your Highneſſe, in whoſe moſt royall perſon at this preſent time is no manner of doubt nor queſtion, doe therefore moſt humbly beſeech your Highneſſe, that it may pleaſe your Maieſty, that it may be enacted by your Highneſſe, with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, That the mariage heretofore ſolemnized betweene your Highneſſe and the Lady Katherine, being before lawfull wife to Prince Arthur, your elder brother, which by him was carnally knowne, as doth duly appeare by ſufficient proofe in a lawfull proceſſe had and made before Thomas, by the ſufferance of GOD now Archbiſhop of Canterburie and Metropolitane and Primate of all this Realme, ſhall be by authority of this preſent Parliament diffinitiuely, cleerely and abſolutely declared, deemed, and adiudged to be againſt the lawes of Almightie GOD, and alſo accepted, reputed, and taken of no value ne effect, but vtterly void and adnihiled, and the ſeparation thereof made, by the ſaid Archbiſhop ſhall be good and effectuall to all intents and purpoſes: any licence, diſpenſation, or any other Act or Acts going afore, or inſuing the ſame, or to the contrarie thereof, in any wiſe notwithſtanding. And that euery ſuch licence, diſpenſation, act or acts, thing or things heretofore had, made, done or to be done to the contrarie thereof ſhall be void and of none effect. And that the ſaid Lady Katherine, ſhall be from henceforth called and reputed only Dowager to Prince Arthur, and not Queene of this Realme. And that the lawfull matrimonie had and ſolemnized betweene your Highneſſe, and your moſt deere and entirely beloued wife Queene Anne ſhall be eſtabliſhed, and taken for vndoubtfull, trew, ſinceere and perfect euer hereafter, according to the iuſt iudgement of the ſaid Thomas Archbiſhop of Canterburie, Metropolitane, and Primat of all this Realme, whoſe grounds of iudgement haue been confirmed as well by the whole Clergie of this Realme, in both the Conuocations, and by both the Vniuerſities thereof, as by the Vniuerſities of Bonony, Padua, Paris, Orleance, Tolouſe, Angiewe, and diuers others: and alſo by the priuate writings of many right excellent wel learned men. Which grounds ſo confirmed, & iudgement of the ſaid Archbiſhop enſuing the ſame, together with your mariage ſolemnized, betweene your Highneſſe, and your ſaid lawfull wife Queene Anne, We your ſaid ſubiects both Spirituall and Temporall, doe purely, plainly, conſtantly and firmely accept, approue and ratifie for good and conſonant to the lawes of Almighty GOD, without error or default: Moſt humbly beſeeching your Maieſtie, that it may be ſo eſtabliſhed for euer by your moſt gracious and royall aſſent.

The mariage betweene the K. & the Lady Katherine ſhall be adiudged void and the ſeparation good.

The Lady Katherine ſhall be called Dowager to prince Arthur, and not Queene.

The mariage betweene the K. and his wife Q. Anne ſhall be taken for good & conſonant to Gods lawe.

ALT. 28.H.8.7.
Mariage within the degrees prohibited by Gods lawe.
R.32.H.8.38.

And furthermore ſince many inconueniences haue fallen as well within this Realme, as in others, by reaſon of marying within the degrees of mariage prohibited by Gods lawes, that is to ſay, The ſonne to marrie the mother, or the ſtepmother, The brother the ſiſter, The father his ſonnes daughter, or his daughters daughter, or the ſonne to marrie the daughter of his father, procreate and borne by his ſtepmother, or the ſonne to marrie his aunt, being his fathers or mothers ſiſter, or to marrie his vncles wife, or the father to marrie his ſonnes wife, or the brother to marrie his brothers wife, or any man to marrie his wiues daughter, or his wiues ſonnes daughter or his wiues daughters daughter, or his wiues ſiſter. Which mariages all be it they be plainly prohibited and deteſted by the lawes of GOD, yet neuertheleſſe at ſome times they haue proceeded vnder colours of diſpenſations by mans power, which is but vſurped, and of right ought not to be granted, admitted ne allowed. For no man, of what eſtate, degree or condition ſoeuer he be, hath power to diſpenſe with Gods lawes, as all the Clergie of this Realme in the ſaid Conuocations, and the moſt part of all the famous Vniuerſities of Chriſtendome, and we alſo doe affirme and thinke.

No man hath power to diſpenſe with Gods law.

Be it therefore enacted by authority aforeſaid, That no perſon or perſons, ſubiects or reſiants of this Realme, or in any your Dominions, of what eſtate, degree or dignity ſoeuer they be, ſhall from henceforth marrie within the ſaid degrees afore rehearſed, what pretence ſoeuer ſhall be made to the contrarie thereof. And in caſe any perſon or perſons, or what eſtate, dignity, degree or condition ſoeuer it be, hath been heretofore maried within this Realme, or in any the Kings Dominions, within any the degrees aboue expreſſed, & by any the Archbiſhops, Biſhops or miniſters of the Church of England, be ſeparate from the bonds of ſuch vnlawfull mariage, that then euery ſuch ſeparation ſhall be good, lawfull firme, and permanent for euer: and not by any power, authority, or meanes to be reuoked or vndone hereafter: and that the children proceeding or procreate vnder ſuch vnlawfull mariage, ſhal not be lawful ne legitimate: Any forrein laws, licences, diſpenſations, other thing or things to the contrarie thereof notwithſtanding.

And in caſe there be any perſon or perſons within this Realme, or in any the Kings Dominions, already maried within any the ſaid degrees aboue ſpecified, & not yet ſeparat from the bonds of ſuch vnlawfull mariage: that then euery ſuch perſon ſo vnlawfully maired ſhall be ſeparate by the diffinitiue ſentence and iudgements of the Archbiſhops, Biſhops, and other Miniſters of the Church of England, and in other your Dominions within the limits of their iuriſdictions and authorities, and by none other power or authority. And that all ſentences and iudgements, giuen and to be giuen, by any Archbiſhop, Biſhop, or other Miniſter of the Church of England, or in other the Kings Dominions, within the limits of their iuriſdictions and authorities, ſhall be diffinitiue, firme, good and effectuall to all intents, and be obſerued and obeyed without ſuing any prouocations, appeales, prohibitions, or other proceſſe from the Court of Rome, to the derogation thereof, or contrary to the Act made ſince the beginning of this preſent Parliament, for reſtraint of ſuch prouocations, appeales, prohibitions, and other proceſſes.

Thoſe perſons which be heretofore maried within the degrees aforeſaid ſhal be ſeparated by the Ordinaries ſentence.

St. 24. H. 8. 12.

And alſo be it enacted by authoritie aforeſaid, that all the iſſue had and procreate, or hereafter to be had and procreate between your Highneſſe, and your ſaid moſt deare and entirely beloued wife Queene Anne, ſhall be your lawfull children, and be inheritable, and inherit according to the courſe of inheritance and lawes of this Realme, the Imperiall Crowne of the ſame, with all dignities, honours, preheminences, prerogatiues, authorities and iuriſdictions to the ſame annexed or belonging, in as large and ample manner, as your Highneſſe at this preſent time hath the ſame as King of this Realme, the inheritance thereof to be and remaine to your ſaid children and right heires in manner and forme as hereafter ſhall be declared:

Al the iſſue procreate betweene the K. and Q. Anne his wife ſhall be his lawfull children.
ALT. 28. H. 8. 7.

That is to ſay, firſt the ſaid imperiall Crowne, and other the premiſſes ſhall be to your Maieſtie, and to your heires of your bodie lawfully begotten, that is to ſay, to the firſt ſonne of your bodie, betweene your Highneſſe, and your ſaid lawfull wife, Queene Anne, begotten, and to the heires of the body of the ſame firſt ſonne lawfully begotten. And for default of ſuch heires, then to the ſecond ſonne of your body, and of the body of the ſaid Queene Anne, begotten, and to the heires of the body of the ſaid ſecond ſonne lawfully begotten. And ſo to euery ſonne of your body and of the body of the ſaid Queene Anne begotten, and to the heires of the body of euery ſuch ſonne begotten, according to the courſe of inheritance in that behalfe: And if it ſhall happen your ſaid deare and entirely beloued wife Queene Anne to deceaſe without iſſue male of the body of your Highneſſe to be begotten (which GOD defend) Then the ſame Imperiall Crowne, and all other the premiſſes, to be to your Maieſty as is aforeſaid, and to the ſonne and heire male of your body lawfully begotten, and to the heires of the body of the ſame ſonne and heire male lawfully begotten, and for default of ſuch iſſue, then to your ſecond ſonne of your body lawfully begotten, and to the heires of the body of the ſame ſecond ſonne lawfully begotten: and ſo from ſon and heire male, to ſon & heire male, and to the heires of the ſeuerall bodies of euery ſuch ſon and heire male to be begotten, according to the courſe of inheritance, in like manner & forme as is aboueſaid. And for default of ſuch ſons of your bodies begotten, and of the heires of the ſeuerall bodies of euery ſuch ſons lawfully begotten, that then the ſaid Imperiall Crowne, and other the premiſſes, ſhall be to the iſſue female betweene your maieſty & your ſaid moſt deare & entirely beloued wife Q. Anne begotten. That is to ſay, firſt to the eldeſt iſſue female, which is the Lady Elizabeth, now Princeſſe, & to the heires of her body lawfully begotten: & for default of ſuch iſſue then to the ſecond iſſue female, and to the heires of her body lawfully begotten, and ſo from iſſue female to iſſue female & to the heires of their bodies one after another, by courſe of inheritance,

The Imperiall Crown of England &c. intailed.

The Lady Elizabeth the firſt iſſue female of the K. and Q. Anne his wife.

according to their ages, as the Crowne of England hath béene accuſtomed and ought to goe, in caſes when there be heires females to the ſame, and for default of ſuch iſſue: then the ſaid imperiall crowne, and all other the premiſſes, ſhall be in the right heires of your Highneſſe for euer.

This Act ſhall be proclaimed in all the ſhires of England.

And be it further enacted by authority aforeſaid, that on this ſide the firſt day of May next comming, Proclamations ſhall be made in Shires within this Realme of the tenour and contents of this Act: And if any perſon or perſons, of what eſtate, dignity, or condition ſoeuer they be, ſubiect or reſiant within this Realme, or elſewhere, within any the Kings Dominions, after the firſt day of May, by writing or printing, or by any exterior act, or déed, maliciouſly procure, or doe, or cauſe to be procured, or done any thing, or things to the perill of your moſt royall perſon, or maliciouſly giue occaſion by writing, print, déed, or act, whereby your Highneſſe might be diſturbed, or interrupted for the crowne of this Realme: or by writing, print, déed, or act, procure or doe, or cauſe to be procured or done, any thing or things to the preiudice, ſlander, diſturbance, or derogation of the ſaid lawfull matrimonie ſolemniſed betwéene your Maieſtie and the ſaid Quéene Anne, or to the perill, ſlander or diſheriſon of any the iſſues and heires of your Highneſſe, being limited by this Act to inherit and to be inheritable to the Crowne of this Realme, in ſuch forme as is aforeſaid: whereby any ſuch iſſues, or heires of your Highneſſe might be deſtroyed, diſturbed, or interrupted in bodie, or title of inheritance to the crowne of this Realme, as to them is limited in this Act, in forme aboue rehearſed: That then euery ſuch perſon and perſons, of what eſtate, degrée, or condition they be of, ſubiect or reſiant within this Realme, and their ayders, counſellors, maintainors, and abettors, and euery of them, for euery ſuch offence ſhall be adiudged high traytors, and euery ſuch offence ſhall be adiudged high treaſon, & the offendors & their ayders, counſellors, maintainors, & abettors, and euery of them being lawfully conuict of ſuch offence by preſentment, verdict, confeſſion, or proceſſe, according to the cuſtomes and lawes of this Realme, ſhall ſuffer paines of death, as in caſes of high treaſon. And that alſo euery ſuch offendor, being conuict, as is aforeſaid, ſhall loſe, and forfeit to your Highneſſe, and to your heires, Kings of this Realme, all ſuch manors, lands, tenements, rents, annuities, and hereditaments, which they had in poſſeſſion, as owners, or were ſole ſeiſed of, by or in any right, title, or meanes, or any other perſon or perſons had to their vſe, of any eſtate of inheritance, at the day of ſuch treaſons and offences by them committed and done. And ſhall alſo loſe and forfeit to your Highneſſe and to your ſaid heires, as well all manner ſuch eſtates of fréehold and intereſts, for yeares, of lands and rents, and all their goods, cattels, & debts, which they had at the time of conuiction or attainder of any ſuch offence. Sauing alwayes to euery perſon and perſons, and bodies politike to their heires, aſſignes, and ſucceſſors, and euerie of them, other than ſuch perſons as ſhall bee ſo conuict, and their heires and ſucceſſors, and all other claiming to their vſes, all ſuch right, title, intereſt, poſſeſſion, condition, rents, fées, offices, annuities and commons, which they or any of them ſhall happen to haue, in, to, or vpon any ſuch manors, lands, tenements, rents, annuities, or hereditaments, that ſhall ſo happen to be loſt and forfeit by reaſon of attainder, for any the treaſons and offences aboue reharſed, at any time before the ſaid treaſons and offences committed.

The penalty for hurting the K. perſon, diſturbing his title to the crowne, or ſlandering his mariage.

The rights of all others ſauing the offendors ſaued.

The penaltie for publiſhing any thing to the perill of the King, to the ſlander of his mariage, or to the diſheritance of his iſſue.

And be it further enacted by authoritie aforeſaid, that if any perſon or perſons after the ſaid firſt day of May, by any words without writing, or any exterior déed or act, maliciouſly, and obſtinatly ſhall publiſh, diuulge, or vtter any thing or things, to the perill of your Highneſſe, or the ſlander or preiudice of the ſaid matrimony, ſolemnized betwéene your Highneſſe and the ſaid Quéene Anne: or to the ſlander or diſheriſon of the iſſues and heires of your body begotten, and to be begotten of the ſaid Quéene Anne, or any other your lawfull heires, which ſhall be inheritable to the Crowne of this Realme, as is afore limited by this Act: That then euery ſuch offence ſhall be taken and adiudged for miſpriſon of treaſon. And that euery perſon and perſons of what eſtate, degrée or condition ſoeuer they be, ſubiect or reſiant within this Realme, or in any the Kings Dominions, ſo doing and offending, and being thereof lawfully conuict by preſentment, verdict, proceſſe, or confeſſion, ſhall ſuffer impriſonment of their bodies at the Kings will, and ſhall loſe as well all their goods, cattels, and debts, as all ſuch intereſſes, and eſtates of fréehold, or for yeares, which any ſuch offendor ſhall haue, of, or in any lands, rents, or hereditaments, whatſoeuer at the time of conuiction, and attainder of ſuch offence.

An offendor ſhall not haue the priuilege of Sanctuary.

And be it alſo enacted by the authoritie aforeſaid, that no perſon nor perſons offending in any treaſons and miſpriſions conteined and limitted by this Act, ſhall in any wiſe haue or enioy the priuilege and immunitie of any manner of Sanctuaries within this Realme, or elſewhere within any the Kings Dominions, but ſhall vtterly loſe and be excluded of the ſame: any vſe, cuſtome, grant, preſcription, confirmation, or any other thing or things, to the contrary thereof in any wiſe notwithſtanding.

And be it alſo enacted by authoritie aforeſaid, that if your Maieſtie ſhould happen to deceaſe before any ſuch your iſſue and heire male, which ſhould inherit the crowne of this Realme, ſhall be of his age of eightéene yeares, or before ſuch your iſſue and heire female, which ſhould inherit the Crowne of this Realme, ſhall be married, or be of the age of ſixtéene yeares (which Almighty God defend) that then your ſaid iſſue, and heire male to the Crowne ſo being within the ſaid age of eightéene yeares, or your ſaid iſſue and heire female to the Crowne, being vnmaried, or within the ſaid age of ſixtéene yeares, ſhall be and remaine vnto ſuch time as ſuch iſſues and heires ſhall come to their ſaid ſeuerall ages afore limited, at and in the gouernance of their naturall mother, ſhe liuing, with ſuch other counſellors of your Realme, as your maieſtie in your life time ſhall depute, and aſſigne by your will, or otherwiſe for the ſame, without contradiction of any perſon or perſons to the contrarie thereof.

Who ſhall haue the gouernment of the K. iſſue, & heire during the minoritie.

And if any perſon or perſons by writing, or exterior déed or act, procure, or doe, cauſe to be procured or done, any thing or things to the let or diſturbance of the ſame: that then euery ſuch offence ſhall be high treaſon, and the offendors being thereof conuict, ſhall ſuffer ſuch paines of death, and loſſes of inheritance, fréeholds, intereſts of yeares, góods, cattels, and debts, in ſuch manner and forme as is aboue ſpecified in caſes of treaſon afore mentioned.

And for the more ſure eſtabliſhment of the ſucceſſion of your moſt royall Maieſty, according to the tenour and forme of this Act: Be it further enacted by authority aforeſaid, That as well all the Nobles of your Realme Spirituall and Temporall, as all other your ſubiects now liuing and being, or that hereafter ſhall be at their full ages, by the commandement of your Maieſty, or of your heires at all times hereafter from time to time, when it ſhall pleaſe your Highneſſe, or your heires to appoint, ſhall make a Corporall oath in the preſence of your Highneſſe, or your heires: or before ſuch other, as your Maieſty, or your heires will depute for the ſame: that they ſhall truly, firmely, and conſtantly, without fraud or guile, obſerue, fulfill, maintaine, defend, and kéepe, to their cunning, wit, and vttermoſt of their powers, the whole effects and contents of this preſent Act. And that all manner your ſubiects, as well ſpirituall as Temporall, ſuing liuerie, reſtitutions, or Ouſter le main out of the hands of your Highneſſe, or of your heires, or doing any fealtie to your Highneſſe, or to your heires, by reaſon of tenure of their lands, ſhall ſweare a like Corporall oath, that they, and euery of them without fraud or guile, to their cunning, wit, and vttermoſt of their powers, ſhall truly, firmely and conſtantly, obſerue, fulfill, maintaine, defend, and kéepe the effects and contents conteined and ſpecified in this Act, or in any part thereof. And that they, nor any of them, ſhall hereafter haue any liueries, Ouſter le main, or reſtitution out of your hands, nor out of the hands of your heires, till they haue made the ſaid Corporall oath, in forme aboue rehearſed. And if any perſon or perſons, being commanded by authoritie of this Act, to make the ſaid oath afore limited, obſtinatly refuſe that to doe, in contempt of this Act: That then euery ſuch perſon (ſo doing) to be taken and accepted for offendor in miſpriſion of high treaſon: and that euery ſuch refuſall ſhall be déemed and adiudged miſpriſion of high treaſon: and the offendor therein to ſuffer ſuch peines and impriſonment, loſſes, and forfeitures, and alſo loſe priuileges of Sanctuaries, in like manner and forme, as is aboue mentioned for the miſpriſion of treaſons afore limited by this Act.

All perſons ſhal be ſworn to performe the contents of this act St.26.H.8.2.

The penaltie of them which refuſe to take the ſame oath.

Prouided alwaies, that the Article in this Act conteined concerning prohibitions of mariages within the degrées afore mentioned in this Act, ſhall alwaies be taken, interpreted, and expounded of ſuch mariages, where mariages were ſolemnized, and carnall knowledge was had. St.28.H.8.7. 35.H.8.1. 1.M.1.

Mariage with carnall knowledge.

ANNO VICESIMO SEXTO HENRICI OCTAVI.

ACTES made in the Seſſion of this preſent Parliament, holden vpon prorogation at Weſtminſter the third day of Februarie, in the ſix and twentieth yeare of the reigne of our moſt dread Soueraigne Lord King HENRY the eight, and there continued and kept till the eighteenth day of December next enſuing, to the honour of God, and for the common weale and profit of this his Realme.

CAP. I.

The King ſhall be reputed ſupreme head of the Church of England, &c.

ALbeit the Kings Maieſty iuſtly and rightfully is, and ought to be the ſupreme head of the Church of England, and ſo is recogniſed by the Clergie of this Realme in their Conuocations, yet neuertheleſſe for corroboration and confirmation thereof, and for increaſe of vertue in Chriſts religion within this Realme of England, and to repreſſe & extirpe all errors, hereſies, and other enormities and abuſes heretofore vſed in the ſame: Be it enacted by authoritie of this preſent Parliament, that the King our Soueraign Lord, his heires and ſucceſſors,, Kings of this Realm, ſhall be taken accepted & reputed the only Supreme head in earth of the Church of England, called Anglicana Eccleſia. And ſhall haue and enioy, annexed and vnited to the Imperiall Crowne of this Realm, as well the title & ſtile thereof, as all honours, dignities, préeminences, iuriſdictions, priuileges, authorities, immunities, profits and commodities to the ſaid dignitie of Supreme head of the ſame Church belonging and appertaining. And that our ſaid Soue-

The K. ſhall be ſupreme head in earth of the Church of Eng. & correct all hereſies & offences raigne Lord his heires and ſucceſſors, Kings of this Realme, ſhall haue full power and authority from time to time, to viſit, repreſſe, redreſſe, reforme, order, correct, reſtraine, and amend all ſuch errors, hereſies, abuſes, offences, contempts, and enormities, whatſoeuer they be, which by any manner Spirituall authority or iuriſdicton, ought, or may lawfully be reformed, repreſſed, ordered, redreſſed, corrected, reſtrained or amended, moſt to the pleaſure of Almighty GOD, the increaſe of vertue in Chriſts religion, and for the conſeruation of the peace, vnity, and tranquillitie of this Realme, any vſage, cuſtome, foreine lawes, foreine authority, preſcription, or any thing or things, to the contrarie hereof notwithſtanding. REP. 1. & 2. P. & M. 8. Stat. 8. El. 1.

Cap. II.

Oath taken by all the Kings Subiects for the ſuretie of the ſucceſſion of the Crowne of England.

St. 25. H. 8. 22.

WHere at the laſt Seſſion of this preſent Parliament, in the Act then made for the eſtabliſhment of the ſucceſſion of the heires of the Kings Highnes in the Imperiall Crown of this Realme, it is conteined amongſt other things, that all and ſingular the Kings Subiects as well the Nobles Spirituall and Temporall, as other, ſhould make and take a Corporall oath, whenſoeuer it ſhall pleaſe the Kings Maieſty or his Heires to appoint, that they ſhould truly, firmely and conſtantly, without fraud or guile, obſerue, fulfill, maintaine, defend and keepe, to their cunning, wit and vttermoſt of their powers, the whole effects and contents of the ſaid Act, as in the ſame Act amongſt other things more plainly appeareth. And at the day of the laſt prorogation of this preſent Parliament, as well the Nobles Spirituall and Temporall, as other the Commons of this preſent Parliament then aſſembled in the high houſe of the Parliament, moſt louingly accepted and tooke ſuch oath as then was deuiſed in writing for maintenance and defence of the ſaid Act, and meant and intended at that time, that euery other the Kings Subiects ſhould be bound to accept and take the ſame, vpon the peines conteined in the ſaid Act. The tenour of which oath hereafter enſueth.

The oath of obedience to the K. & the heires of his body begotten of Q. Anne

Ye ſhall ſweare to beare faith, truth and obedience all onely to the Kings Maieſty, and to his heires of his body of his moſt deare and entirely beloued lawfull wife Queene Anne begotten and to be begotten. And further to the heires of our ſaid Soueraigne Lord, according to the limitation in the Statute made for ſuerty of his ſucceſſion in the Crowne of this Realme mentioned and conteined, and not to any other within this Realme, nor forrein authority or potentate. And in caſe any oath be made, or hath beene made by you to any perſon or perſons, that then ye to repute the ſame as vaine and adnihilate. And that to your cunning, wit, and vttermoſt of your power, without guile, fraud or other vndue meane, ye ſhall obſerue, keepe, maintaine and defend the ſaid Act of ſucceſſion, and all the whole effects and contents thereof, and all other Acts and Statutes made in confirmation, or for execution of the ſame, or for any thing therein conteined. And this ye ſhall doe againſt all manner of perſons, of what eſtate, dignity, degree or condition ſoeuer they be. And in no wiſe doe or attempt, nor to your power ſuffer to be done or attempted directly or indirectly any thing or things, priuately or appertly, to the let, hinderance, damage or derogation thereof, or of any part of the ſame, by any manner of meanes, or for any manner of pretence, ſo helpe you GOD, and all Saints, and the holy Euangeliſts.

A former oath made ſhal be reputed vaine by the maker.

And forasmuch as it is conuenient for the ſure maintenance, & defence of the ſame act, that the ſaid oath ſhould not only be authorized by the authority of Parliament, but alſo be interpreted and expounded by the whole aſſent of this preſent Parliament, that it was meant and intended by the Kings Maieſtie, the Lords and Commons of the Parliament, at the ſaid day of the ſaid laſt prorogation, that euery ſubiect ſhould be bounden to take the ſame oath according to the tenour and effect thereof, vpon the paines and penalties conteined in the ſaid Act: Therefore be it enacted by authority of this preſent Parliament, that the ſaid oath aboue rehearſed, ſhall be interpreted, expounded, reputed, accepted, and adiudged the very oath that the Kings Highneſſe, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament, meant & intended, that euery ſubiect of this realm ſhould be obliged & bounden to take and accept for maintenance and defence of the ſame act, vpon the paines conteined in the ſaid act, and that euery of the Kings ſubiects, vpon the ſaid peins ſhal be obliged to accept and take the ſaid oath.

The expoſition of the oath and who haue and ſhall be bound to take it.

Certificat ſhall be made into the K. bench of the refuſors of the oath.

And be it further enacted by authority aforeſaid, that the Commiſſioners that hereafter ſhalbe appointed to receiue ſuch oath of the Kings ſubiects, or two of them at the leaſt, ſhal haue power and authoritie to certifie into the Kings bench by writing, vnder their ſeales, euery refuſall that hereafter ſhall bee made afore them of the ſame oath by any perſon or perſons comming afore them to take the ſame oath. And that euery ſuch certificat to be made by ſuch Commiſſioners, as is aforeſaid, ſhall be taken as ſtrong and as auaileable in the law, as an inditement of twelue men lawfully founden of the ſaid refuſall. So that the perſon and perſons, againſt whom any ſuch certificat ſhall be made, ſhall be compelled to anſwer thereunto, as if they were indited. And that ſuch proceſſe, iudgement, execution and euery other thing ſhall be had, vſed, and miniſtred of & vpon euery ſuch certificat againſt the offendors, as if they had been lawfully indited of ſuch offences by the due courſe & order of the common lawes of this realme. REP. 28. H. 8. 7. 1. M. 1.

Cap.

Cap. III.

Firſt fruits of all dignities ſpirituall ſhall be paid to the King, &c.

Foraſmuch as it is, and of very duty ought to be the naturall inclination of all good people, like moſt faithfull, louing, and obedient ſubiects, ſincerely and willingly to deſire to prouide, not onely for the publike weale of their natiue Countrey, but alſo for the ſupportation, maintenance, and defence of the royall eſtate of their moſt dread, benigne, and gracious Soueraigne Lord, vpon whom, and in whom dependeth all their ioy and wealth: in whom alſo is vnited and knit ſo Princely a heart and courage, mixed with mercy, wiſdome, and iuſtice. And alſo a naturall affection ioyned to the ſame, as by the great, ineſtimable, and beneuolent arguments thereof being moſt bountifully, largely, and many times ſhewed, miniſtred, and approued towards his louing and obedient Subiects, hath well appeared: which requireth a like correſpondence of gratitude to be conſidered, according to their moſt bounden duties. Wherefore his ſaid humble and obedient Subiects, as well the Lords Spirituall and Temporall, as the Commons in this preſent Parliament aſſembled, calling to their remembrance, not only the manifold and innumerable benefits, daily adminiſtred by his Highneſſe to them all, and to all other the reſidue of his Subiects of this Realme: But alſo how long time his Maieſty hath moſt victoriouſly, by his high wiſdome and policie, protected, defended and gouerned this his Realme, and maintained his people and Subiects of the ſame in tranquillitie, peace, vnity, quietnes and wealth. And alſo conſidering what great exceſſiue, and ineſtimable charges his Highnes hath heretofore beene at, and ſuſtained by the ſpace of fiue and twenty whole yeares, and alſo daily ſuſtaineth for the maintenance, tuition, and defence of this his Realme, and his louing Subiects of the ſame, which cannot be ſuſtained and borne without ſome honourable prouiſion and remedie may be made, found, prouided, and ordeined for maintenance thereof: Doe therefore deſire and moſt humbly pray, that for the more ſurety of continuance and augmentation of his highneſſe royall eſtate, being not onely now recognized (as he allwaies indeed hath heretofore beene) the onely ſupreme head in earth next and immediately vnder God of the Church of England, but alſo their moſt aſſured and vndoubted natural Soueraigne Liege Lord, and King, hauing the whole gouernance, tuition, defence, and maintenance of this his Realme, and moſt louing obedient Subiects of the ſame. It may therefore be ordeined and enacted by his Highneſſe, and the Lords Spirituall and Temporall and the Commons in this preſent Parliament aſſembled, and by authoritie of the ſame, in manner and forme following.

That is to ſay, that the Kings highneſſe, his heires and ſucceſſors Kings of this Realme, ſhall haue and enioy from time to time to endure for euer, of euery ſuch perſon and perſons, which at any time after the firſt day of Ianuary next comming ſhall be nominated, elected, prefected, preſented, collated or by any other meanes appointed, to haue any Archbiſhopricke, Biſhopricke, Abbacie, Monaſtery, Priorie, Colledge, Hoſpitall, Archdeaconry, Deanry, Prouoſtſhip, Prebend, Parſonage, Vicarage, Chauntrie, Freechappell, or other dignity, benefice, office, or promotion ſpirituall within this Realme, or elſewhere within any of the Kings dominions of what name, nature, or qualitie ſoeuer they be, or to whoſe foundation, patronage or gifts ſoeuer they belong, the firſt fruits, reuenues and profits for one yeare of euery ſuch Archbiſhoprick, Biſhopricke, Abbey, Monaſterie, Priorie, College, Hoſpitall, Archdeaconry, Deanry, Prouoſtſhip, Prebend, Perſonage, Vicarage, Chauntrie, Freechappell, or other Dignity, Benefice, Office, or promotion ſpirituall aforenamed, whereunto any ſuch perſon or perſons after the ſaid firſt day of Ianuary be nominated, elected, prefected, preſented, collated, or by any other meanes appointed. And that euery ſuch perſon and perſons, before any actuall or reall poſſeſſion, or medling with the profits of any ſuch Archbiſhoprick, Biſhoprick, Abbacie,, Monaſterie, Colledge, Hoſpitall, Deanry, Prouoſtſhip, Prebend, Perſonage, Vicarage, Chauntrie, Freechappell, Priorie, or other Dignity, Benefice, Office, or Promotion ſpirituall, ſhall ſatiſfie, content and pay, or compound or agree to pay to the Kings vſe at reaſonable dates, vpon good ſureties, the ſaid firſt fruits and profits for one yeare.

The firſt fruits and profits for one yeare of euery ſpirituall liuing is granted to the King.

Euery ſpirituall perſon ſhall be bound for his firſt fruits before his actuall poſſeſſion of his benefice.

And be it alſo enacted by authority aforeſaid, that the Chancellor of England, and Maſter of the Rolles for the time being, ioyntly and ſeuerally, or ſuch other perſon and perſons, as ſhall pleaſe the Kings highnes, his heires or ſucceſſors from time to time, at his or their pleaſure, to name and depute by Commiſſion or Commiſſions vnder the great Seale, ſhall haue power and authoritie as well to examine and ſearch for the iuſt and true value of the ſaid firſt fruits and profits by all waies and meanes that they can, as to compound and agree for the rate of the ſaid firſt fruits and profits, as to ſtall and limit reaſonable daies of paiment thereof vpon good and ſufficient ſurety or ſureties, by writings obligatorie by their diſcretions. And if compoſition or agreement be had or made for the ſaid firſt fruits before the ſaid Lord Chancellor, or Maſter of the Rolles, that then the writings obligatory or money taken for the ſame, ſhall reſt, remaine and abide in the hanaper of the Kings Chancerie, there ſafely to be kept to the Kings vſe, and the money to be due of ſuch writings obligatorie, or to be receiued in hand by reaſon of any

Commiſſioners to ſearch for the value of benefices and to compound for firſt fruits.

ſuch compoſition, ſhall be paid in the ſaid Hanaper, to the Clerke of the Hanaper for the time being. And that the ſaid Clerke of the Hanaper, ſhall make a true and a iuſt account thereof, like as he is bound to doe of the money receiued of the profits of the Kings great ſeale. And if compoſition or agréement be had or made for the ſaid firſt fruits, afore any other perſon or perſons to be deputed to the Kings highneſſe, his heires or ſucceſſors by Commiſſion vnder his great ſeale, that then the writings obligatorie, and money taken for the ſame, ſhall be deliuered to the Treaſurer of the Kings moſt honourable Chamber for the time being, or elſewhere, to whom it ſhall pleaſe the Kings highneſſe his heires or ſucceſſors, to giue authoritie by Commiſſion vnder the great Seale, to receiue the ſame.

The money taken for firſt fruits ſhall be deliuered to the Treaſurer of the chamber.

Whoſe acquittance ſhall be ſufficient diſcharge for the firſt fruits.

And it is alſo ordeined and enacted by authoritie aforeſaid, That euery writing of acquittance ſubſcribed with the hand and name of the Clerke of the Hanaper, and Treaſurer of the Chamber, or other Commiſſioners aforeſaid, or any of them, witneſſing the receit of the ſaid firſt fruits, or any part thereof, ſhall be as good and effectuall againſt the Kings highneſſe, his heires and ſucceſſors, to euery perſon and perſons hauing the ſame, for ſo much mony as ſhall be mentioned to be receiued and conteined in euery ſuch acquittance, as if ſuch acquittance were, or had béene lawfully had and obteined in the Kings name vnder the Kings great Seale, and ſo ſhall be admitted, accepted, allowed, and taken in euery of the Kings Courts. And that all writings obligatorie to be taken for paiment of the ſaid firſt fruits, by, and afore the ſaid Lord Chancellor, or Maſter of the Rolles, or by and afore any other perſon or perſons, to be deputed to compound and agrée for the ſaid firſt fruits, as is aforeſaid, ſhall be of the ſame ſtrength, force, vertue, quality, and effect to all intents and purpoſes as writings obligatory heretofore made by any lay perſon by authority of the ſtatute of the Staple béen. And that vpon certificat hereafter to be made into the Kings Chancery of any ſuch writings obligatory to be taken for paiment of ſuch firſt fruits, like proceſſe & execution ſhall be thereupon made and had againſt any perſon ſpirituall and temporall, as hath béene accuſtomed to be made againſt any lay perſon vpon certificat of writings obligatory of the ſaid ſtatute of the Staple. And that no perſon ſhall be compelled to pay for any writing obligatory to be made for the ſaid paiment of the ſaid firſt fruits, aboue viij. d. nor for any acquittance to be made for receit of ſuch firſt fruits aboue iiij. d. And that ſuch perſon & perſons as ſhall be deputed by the Kings highneſſe by Commiſſion vnder the great Seale, to compound and agrée for the ſaid firſt fruits, ſhall at the end of euery ſix moneths next after the date of their Commiſſion, and ſo from ſix moneths to ſix moneths, deliuer or cauſe to be deliuered vnto the Treaſurer of the Chamber for the time being, or elſewhere, to ſuch Commiſſioners as ſhal be appointed, as is aforeſaid to receiue the ſame, as well all ſuch money, as all ſuch ſpecialties and bonds, as they ſhall haue taken for the paiment of the ſaid firſt fruits by Indenture to be made betwéene them and the ſaid Treaſurer, or other Commiſſioners as is aforeſaid, containing the certaintie and number of the ſummes of money, and ſpecialties and bonds by them taken and receiued. And if any perſon or perſons to whom any deputation ſhall be made by Commiſſion, to compound and agrée for the paiment of the ſaid firſt fruits, their heires, executors, or adminiſtrators, conceale, or imbezile any of the ſaid ſpecialties or bonds taken for the ſure paiment of the ſaid firſt fruits, and doe not deliuer them according to the tenour of this Act, that then euery ſuch offender ſhall forfeit that office of deputation, and ouer that make fine and ranſome at the Kings owne pleaſure and will.

An Obligation for the firſt fruits, ſhall be of the ſame ſtrength that the ſtatute of the Staple is.

The penalty of commiſſioners, concealing bonds taken for the paiment of firſt fruits.

Who ſo entreth vpon his ſpirituall liuing before compoſition, ſhall forfeit double the value of the firſt fruits.

And it is alſo enacted by authority aforeſaid, that if any perſon or perſons which at any time after the ſaid firſt day of Ianuary, ſhalbe nominated, elected, prefected, preſented collated, or by any other meanes appointed to any of the dignities, offices, benefices, or other promotions ſpirituall before mentioned, doe enter into the actuall and reall poſſeſſion thereof, or meddle with the profits thereof, before they ſhall haue truly ſatiſfied, and paid to the Kings vſe the firſt fruits and profits thereof for one yeare, or elſe ſhal haue agréed or compounded for paiment of the ſame at reaſonable daies vpon good ſureties, in manner & forme as by this Act is aboue ſpecified, that then euery ſuch perſon and perſons ſo doing and offending, and being thereof conuict by preſentment, verdict, confeſſion, or witneſſe before the ſaid Lord Chancellor, or ſuch other as ſhall haue authoritie by commiſſion, to compound for the ſaid firſt fruits and profits as is aforeſaid, ſhall be accepted and taken an intruder vpon the Kings poſſeſſion. And that they, their executors, or adminiſtrators ſhall pay to the vſe of the Kings highnes for euery ſuch offence, ſo much ſummes of money, as ſhall mount to the double value of the ſaid firſt fruits and profits of ſuch dignities, benefices, or other ſpirituall promotions wherein they ſhall ſo enter, and intrude before the paiment of the ſaid firſt fruits and profits for one yeare thereof, or before due agréement made for the ſame in manner and forme as is aboue rehearſed.

All firſt fruits paiable to other perſons ſhall ceaſe, and be paid to the king.

And be it further enacted by authority aforeſaid, that the firſt fruits of benefices heretofore accuſtomed to be paid to the Biſhop of Norwich within his Dioces, & to the Archdeacon of Richmond within his Archdeaconry, or to any other perſon or perſons within this realme, or any other the Kings dominions, ſhall from the ſaid firſt day of Ianuary ceaſe and be extinct, and no longer be paid, but only to the Kings highneſſe, his heires and ſucceſſors in ſuch forme as is aboue mentioned in this Act.

Prouided allwayes, that Archbiſhops and Biſhops, and all other hauing iuriſdiction ordinary, may giue and deliuer letters of Inſtitution and induction, as they might doe before the making of this act, without any offence of any article conteined in this act, any thing in this act conteined to the contrarie thereof notwithſtanding.

The Biſhops may giue Inſtitution and Induction.

Prouided alſo, that where there be diuers Cels appertaining to Monaſteries and Priories, and that the Priours of ſuch Cels bee named and remoueable from time to time, at the onely wils and pleaſures of their maſters and ſoueraignes of the Monaſteries and Priories, whereunto ſuch Cels belong: that the Priours of ſuch Cels ſhall not be compelled to pay any firſt fruits, by vertue or authoritie of this act: any thing in this act conteined to the contrary thereof notwithſtanding: but that the firſt fruits and profits of euery ſuch Cell ſhall be paid to the Kings highneſſe, his heires and ſucceſſors, whenſoeuer, and as often as any perſon ſhall be nominated, elected, prefected, or collated to the Monaſterie or Priorie, whereunto ſuch Cels belongen.

Priors remoueable ſhal pay no firſt fruits.

And ouer this be it enacted by authoritie aforeſaid, that the Kings maieſtie, his heires and ſucceſſors Kings of this Realme, for more augmentation and maintenance of the Royall eſtate of his Imperiall crowne and dignity of ſupreme head of the Church of England, ſhall yearely haue, take, enioy, and receiue vnited, and knit to his Imperiall Crowne for euer, one yearely rent, or penſion, amounting to the value of the tenth part of all the reuenues, rents, farmes, tithes, offerings, emoluments, and of all other profits, as well called ſpirituall as temporall, now appertaining & belonging, or that hereafter ſhall belong to any Archbiſhopricke, Biſhopricke, Abbacie, Monaſtery, Priorie, Archdeaconry, Deanry, Hoſpitall, Colledge, houſe Collegiate, Prebend, Cathedrall Church, Collegiat Church, Conuentuall Church, Parſonage, Vicarage, Chauntry, free Chappell, or other Benefice or Promotion ſpirituall, of what name, nature, or quality ſoeuer they be, within any Dioces of this realme, or in Wales, the ſaid penſion or annuall rent to be yearely paid for euer to our ſaid Soueraigne Lord, to his heires and ſucceſſors Kings of this Realme, at the Feaſt of the Natiuity of our Lord God, and the firſt paiment thereof to begin at the Feaſt of the Natiuity of our Lord God, which ſhall be in the yeare of our Lord God, M.D.XXXV. And to be paid yearely by ſuch as ſhall be appointed to haue the collection thereof by this act, in ſuch manner and forme as ſhall hereafter be limited by this act, before the firſt day of April yearely next following, after the ſaid feaſt of the Natiuitie of our Lord.

A yearely tenth of all ſpirituall liuings giuen to the King. St.32.H.8.45.

The tenth muſt be paid at Chriſtmas.

And it is ordeined and enacted by authoritie aforeſaid, that the ſaid yearely rent and penſion ſhall be taxed, rated, leuied, perceiued, and paid to the Kings vſe, his heires and ſucceſſors, in manner and forme hereafter to be declared by this Act. That is to ſay, that the Chancellor of England for the time being, ſhall haue power and authoritie to direct into euery Dioces in this Realme, and in Wales, ſeuerall Commiſſions in the Kings name vnder his great Seale, as well to the Archbiſhop or Biſhop of euery ſuch Dioces, as to ſuch other perſon or perſons as the Kings highneſſe ſhall name and appoint, commanding and authorizing the ſaid Commiſſioners to be named in euery ſuch Commiſſion, or three of them at the leaſt, to examine, ſearch and enquire by all the waies and means that they can by their diſcretions, of and for the true and iuſt, whole and entire yearely values of all the Manors, Lands, Tenements, Hereditaments, Rents, Tithes, Offerings, Emoluments, and all other profits, as well ſpirituall as Temporall, appertaining or belonging to any Archbiſhopricke, Biſhopricke, Abbacie, Monaſtery, Priory, Archdeaconry, Deanry, Hoſpitall, Colledge, houſe Collegiat, Prebend, Cathedrall Church, Collegiat Church, Conuentuall Church, Parſonage, Vicarage, Chauntery, free Chappell, or of any other benefice or promotion ſpiritual within the limits of their Commiſſion, with a clauſe to be conteined in euery ſuch Commiſſion, that the ſaid Commiſſioners, or three of them at the leaſt, ſhall deduct and allow in the making and rating of the ſaid yearely values of the premiſſes, theſe deductions following and none other: that is to ſay, the rents reſolute to the chiefe Lords, and all other annuel and perpetuall rents and charges, which any ſpirituall perſon or perſons beene bounden yearly to pay to any perſon or perſons, to their heires and ſucceſſors for euer, or to giue yearely in almes by reaſon of any foundation or ordinance, and all fees for Stewards, Receiuers, Bailiffes, and Auditors, and Synods, and Proxies, with an other clauſe to be alſo conteined in euery ſuch Commiſſion, that the ſaid Commiſſioners, or three of them at the leaſt, ſhall certifie vnder their ſeales at ſuch daies as ſhall be limited by the ſaid Commiſſions, as well the whole and entire value, as the deductions aforeſaid of euery Archbiſhopricke, Biſhopricke, Abbacie, Monaſtery, Priorie, Archdeaconry, Deanry, Hoſpitall, Colledge, Houſe Collegiat, Prebend, Cathedrall Church, Collegiat Church, Conuentuall Church, Parſonage, Vicarage, Chaunterie, free Chappell, and of all other benefits and promotions ſpirituall.

Commiſſions ſhalbe awarded into euery Dioces to enquire of the value of euery ſpirituall liuing.

Deductions to be defalked out of ſpirituall liuings.

The Commiſſioners certificat of the tenth of euery ſpirituall liuing.

And it is ordeined and enacted by authority aforeſaid, that the ſaid Commiſſioners that ſhalbe ſo appointed, or three of them at the leaſt, ſhall haue full power and authority to doe, accompliſh, and execute the effects and contents of their ſaid Commiſſions in euery behalfe: And that euery the ſaid Commiſſioners, before they ſhall execute the ſaid Commiſſion, ſhall receiue and take a corporall oath before the Lord Chancellor, or before ſuch other as ſhall be appointed by the ſaid Chancellor, by the Kings writ of Dedimus poteſtatem, that they ſhall diligently and truly without fauour, affection, fraud, couin, meed, dread, or corruption, do, fulfill, & execute the whole effects

The Commiſſioners ſhall be ſworne indifferently to execute their commiſſion.

and contents expreſſed in euery ſuch Commiſſion within the limits thereof, to the cunning, wits, and vttermoſt of their powers.

And it is ordeined and enacted by authoritie aforeſaid, that after ſuch Certificat made by the ſaid Commiſſioners, the ſaid yearely rent and penſion of the tenth part ſhall be ſet, taxed, rated, and taken iuſtly, and truly, and indifferently by the Treaſurer, Chancellor, Chamberlaine and Barons of the Kings Exchequer, of and out of the cleare yearely value of the premiſſes, that ſhall be aboue the deductions afore mentioned, and none otherwiſe. And that euery Archbiſhopricks, Biſhopricke, Abbacie, Monaſterie, Priorie, Archdeaconrie, Deanrie, Hoſpitall, College, houſe Collegiate, Prebend, Cathedrall Church, Collegiate Church, Conuentuall Church, Parſonage, Vicarage, Chanterie, Free Chappell, or other Benefice or promotion ſpirituall, ſhall be ſeuerally and diſtinctly taxed, charged and chargeable in the proper Dioces where they beene, for the paiment of ſuch portion of the ſaid tenth part, as ſhall be taxed and ſet vpon them by authoritie of this Act. That is to ſay, euery of them by and for themſelues, ſhall be taxed, charged, and chargeable in the proper Dioces, where they beene, for the tenth part of the yearely value of their poſſeſſions and profits to them belonging, whereſoeuer their ſaid poſſeſſions and profits ſhall happen to be, or lie in any part of this realme, or elſewhere, in any of the Kings dominions, and that none of them ſhall be charged or chargeable for the paiment of the others charge or portion.

Euery ſpiritual perſon ſhall be charged for his tenths in the Dioces where they be though their poſſeſſions lie in other Dioces.

And it is alſo enacted by authoritie aforeſaid, that after ſuch certificate made into the Kings Eſchequer, and tax ſet of the tenth part, in forme aboue remembred, euery Archbiſhop and Biſhop now being, and that hereafter ſhall be, ſhall be charged and chargeable, to leuie, collect, and receiue within their proper Dioceſſe, as well in places exempt, as not exempt, all ſuch ſummes of money, wherewith the Dignities, Benefices, and other promotions ſpirituall afore mentioned within their Dioces, chargeable by this Act, ſhall be ſet, taxed, and charged towards the paiment of the ſaid yearely penſion, and ſhal pay aud content the ſaid ſummes of money yearely, before the ſaid firſt day of Aprill, to the Treaſurer of the Kings Chamber, for the time being, or to any other perſon or perſons, whom it ſhall pleaſe the Kings highneſſe to appoint to receiue the ſame. And that euery of the ſaid Archbiſhops and biſhops, their Executors and Adminiſtrators, and the poſſeſſions of their dignities and Churches, ſhall ſtand charged and chargeable for the ſure and true paiment of ſuch ſummes of money, as they ſhall collect and receiue of the ſaid yearely rent and penſion.

Biſhops ſhall be charged to the collection of the tenths in their Dioceſſes. St.32.H.8.47. 34.H.8.17.

And that the Treaſurer, Chancellor, Chamberlaine, and Barons of the Kings Eſchequer, ſhall yearely cauſe Proces to be made by their diſcretions for non paiment of the ſaid penſion, or yearely rent, or any parcell thereof, againſt euery Archbiſhop and Biſhop of this realme, that is to ſay, againſt euery Archbiſhop and Biſhop, for ſo much part and portion of the ſaid penſion and yearely rent, wherewith the dignities, benefices, and other promotions ſpirituall afore mentioned within the Dioces, ſhall be taxed and charged, ſo that euery of the ſaid Archbiſhops and Biſhops, ſhall be charged and chargeable for the rate and portion of the ſaid yearely rent and penſion, ſet and taxed within his owne peculiar Dioces, and none otherwiſe.

Proces againſt a Biſhop for the paiment of all tenths within his Dioces.

And be it alſo enacted by authoritie aforeſaid, That euery Archbiſhop and Biſhop, ſhall haue power and authoritie to leuie, take, and perceiue by authoritie of cenſures of the Church, or by diſtreſſe, or otherwiſe by their diſcretion, all ſuch ſummes of money as ſhall be rated, taxed, and ſet to goe out of the lands, tenements, hereditaments, profits, and emoluments of any dignity, office, benefice, or otherplace or promotion ſpirituall within their Dioces, towards the paiment of the ſaid yearely rent and penſion: and that no Repleuin, Prohibition, nor Superſedeas, vpon any excommunication, nor any other Writ or impediment ſhall be ſued, allowed, or obeyed, for any perſon or perſons, making default of paiment of ſuch part and portion, as they ſhall be rated and taxed vnto by authoritie of this Act, till ſuch time as they haue truly ſatiſfied their ſaid part and portion to them allotted of the ſaid yearely rent and penſion.

By what meanes the Biſhop ſhall leuie the Tenths of euery ſpirituall promotion. St.1.Ed.6.20.

And it is alſo enacted by authority aforeſaid, that whenſoeuer, and as often as any of the Archbiſhopricks or Biſhoricks happen to be void, that then the Deane and Chapiter of the Cathedrall Church, or the Prior and Conuent, or Chapiter, or Conuent of the Monaſtery or Cathedrall Church, where the See of ſuch Archbiſhopricke or Biſhopricke, being void, ſhall happen to be, during the time of the vacation thereof, and their executors, adminiſtrators and poſſeſſions ſhall be charged and chargeable to doe, and cauſe to be done, all and euery thing and things, for the due executions of this Act, within the Dioces of ſuch Archbiſhopricke or Biſhopricke being void, as the ſame Archbiſhop or Biſhop of the See being void, ſhould haue done, according as it is limited and appointed by this Act, or by any thing therein conteined.

Who ſhall be Collectors in time of vacatiō of a Biſhoprick.

And it is ordeined and enacted by authority aforeſaid, that if any ſumme of money being once due by any incumbent of any of the dignities, benefices, or promotions ſpiritual afore ſpecified, charged to the paiment of the ſaid yearly penſion and annual rent, be reaſonably demanded and required any time after the ſaid feaſt of the Natiuity of our Lord, at their dignities, [f] Monaſteries, Priories, Hoſpitals, Colleges, Churches, Chanteries, or houſes by the [e] Archbiſhop or Biſhop, or ſuch as ſhalbe charged with the Collection of any part of the ſaid penſion, or by any other

The penalty for default of paiment of Tenths. St.2.Ed.6.20. 1.El.4. [e] Raſt.pla.fol.505

their miniſters, ſeruants, or officers, to pay ſuch portion of the ſaid penſion and yearely rent, as they ſhall be taxed and aſſeſſed, be not truly contented and paid vnto ſuch Archbiſhop or Biſhop, or their Miniſters and Officers, and to ſuch other perſon or perſons, or their miniſters or ſeruants, as ſhall haue the charge of collection thereof, euery yeare yearely at the time of ſuch requeſt and demand thereof, or elſe within forty dayes next after euery ſuch requeſt at the furtheſt, that then euery Incumbent, making ſuch default of payment, after ſuch default thereof certified into the Kings Eſchequer in writing vnder the ſeales of any Archbiſhop or Biſhop, or of ſuch as be limited and charged to the collection of the ſaid penſion by this Act, ſhall be adiudged depriued Ipſo facto, of all ſuch Dignities, Benefices, Penſions, and Promotions ſpirituall, as any ſuch incumbent making ſuch default, ſhall haue at the time of ſuch Certificate to be made, or at any time after. So that all ſuch Dignities, Benefices, Penſion, and Promotion ſpirituall, which any Incumbent making ſuch default of payment, ſhall haue at the time of any ſuch certificate to be made, or at any time after, ſhall be clearely void and deſtitute of Incumbent in the law to all intents and purpoſes, as if ſuch Incumbent making ſuch default of paiment were dead in deed.

And it is ordeined and enacted by authoritie aforeſaid, That if any Archbiſhop or Biſhop, or any other limited and charged by this Act, to the collection and paiment of the ſaid penſion, and annuall rent, doe make a certificate into the Kings Eſchequer, before the ſaid firſt day of April, or at any time within foure and twenty dayes next after the ſaid firſt day of April, that they according to this act, haue reaſonably required, and demanded any incumbent of any dignity, benefice, or promotion ſpirituall, chargeable by this Act to pay ſuch part and portion of the ſaid penſion and annuall rent, as they ſhall happen to be aſſeſſed vnto, and that ſuch Incumbent, ſo being required, hath not paid his ſaid part and portion, according to the forme and effect of this Act, that then euery ſuch Archbiſhop and Biſhop, and euery other perſon, hauing the charge by this Act, for collection and payment of the ſaid penſion and annuall rent, vpon euery ſuch Certificate, ſhall be diſcharged and acquitted for euer againſt the King, his heires and ſucceſſors, of and for all ſuch ſummes of money, as any ſuch Incumbent againſt whom ſuch certificate ſhall be made, ſhould or ought to haue paid by this Act. And that then in euery ſuch caſe the Treaſurer, Chancellor, Chamberlaine, and Barons of the Kings Eſchequer, ſhall deuiſe and direct vpon euery ſuch Certificat, ſuch Proceſſe out of the Kings Eſchequer, againſt euery ſuch Incumbent, againſt whom any ſuch certificate ſhall be made, and their executors, and adminiſtrators, or for inſufficiencie of them, againſt the ſucceſſors of euery ſuch incumbent, whereby the Kings Highneſſe, his heires and ſucceſſors ſhall, and may be truly anſwered, paid, and contented of ſuch portion and part as the Incumbent, againſt whom any ſuch certificate ſhall bee made, was taxed, and aſſeſſed for his Dignities, Benefices, or promotions ſpirituall, chargeable by this Act.

The Biſhop making a certificat of any Incumbent omitting to pay his Tenths, ſhal be diſcharged thereof. St. 7. Ed. 6. 4. St. 32. H. 8. 22.

Proces ſhall be awarded againſt the refuſers to pay their Tenths.

And it is alſo ordeined and enacted, by authoritie aforeſaid, that all manner of acquittances made by the Treaſurer of the Kings Chamber, or by any other ſuch Commiſſioners, as ſhall be appointed, as is aforeſaid, to receiue the ſaid penſion, or any part thereof, and ſubſcribed with the name of the ſaid Treaſurer, or any other ſuch Commiſſioner for the paiment of the ſaid penſion or annuall rent, or any part thereof, to any ſuch perſon or perſons as be limited and charged with the collection thereof, ſhall be of as good ſtrength, force, vertue, and effect to the parties, hauing the ſame, as if they were made in the Kings name vnder his great Seale, and ſo ſhall be allowed, admitted, and accepted in all Courts of this realme: And that the Treaſurer, Chancellor, Chamberlaine, and Barons of the Kings Eſchequer, ſhall by vertue and authoritie of this Act, as well admit and allow ſuch acquittances, as all ſuch Certificates as ſhall be made againſt any ſuch Incumbent for default of paiment, as is aboueſaid, vpon the account of euerie Archbiſhop and Biſhop, and of euery other perſon limited, and charged by this Act, for the collection and paiment of the ſaid penſion and annuall rent, without any Writ, Bill, or Warrant to be ſued in, or for that behalfe.

Whoſe acquittances ſhall be a diſcharge for the paiment of the Tenths.

And that no manner of Officer of the Kings Eſchequer ſhall take of any Archbiſhop or Biſhop, or of any other perſons, hauing charge with the collection and paiment of the ſaid penſion or annuall rent, any manner reward, or thing for making their account or Quietus eſt, in the ſame Eſchequer, or for any manner of thing appertaining to the ſame concerning the ſaid penſion, and annuall rent, vpon paine of euery officer doing contrary to this Act, to loſe and forfeit his office, and make fine to the King at his will and pleaſure.

Nothing ſhalbe taken in the exchequer of a Biſhop or his Collector for his Account, or Quietus eſt.

And foraſmuch as euery Incumbent of the dignities, benefices, and promotions ſpirituall afore mentioned, ſhall be charged by this act to the paiment of the tenth part of the value of their dignities, benefices, and promotions ſpirituall, without any deduction or allowance of ſuch penſion or penſions, wherewith ſome of them beene charged to pay their predeceſſors, during their liues, or to other perſons to the vſe of ſuch their predeceſſors during their liues, it is therfore ordeined and enacted by authoritie aforeſaid, that it ſhall bee lawfull to euery Incumbent, charged with any ſuch penſion, payable to any his predeceſſors, or to any to his vſe, to reteine and keepe in his hand the tenth part of euery ſuch penſion: And that euery ſuch

They which pay penſions to others out of their ſpirituall liuing may retaine the tenth part thereof.

incumbent and his ſureties, ſhall from henceforth be acquited and diſcharged of the ſaid tenth part of euery ſuch penſion, by vertue and authority of this preſent Act, any Decrée, Ordinance, or Aſſignement of any ſuch ordinarie, or any collaterall writing, or ſurety made for ſuch penſion to any ſpirituall perſon or perſons, or to any to their vſes for terme of their liues, in any wiſe notwithſtanding. And that as well euery incumbent, as ſuch perſons as ſtand bound for him, for paiment of any ſuch penſions, ſhall plead this Act in euery of the Kings Courts, for the cleere extinguiſhment and diſcharge of the tenth part of euery ſuch penſion.

No penſion ſhal be reſerued vpon the reſignation of a benefice aboue the value of the third part. Sta. 13. bl. 20.

And be it alſo ordeyned and enacted by authoritie aforeſaid, that no penſion ſhall hereafter be aſſigned by the Ordinarie, or by any other manner of agréement by collaterall ſurety, or otherwiſe, vpon any reſignation of any dignitie, benefice, or promotion ſpirituall, aboue the value of the third part of the dignitie, benefice, or promotion ſpirituall reſigned: And if any penſion, amounting aboue the value of the third part of the dignitie, benefice, or promotion ſpirituall heretofore reſigned, be already limited and made ſure to any Spirituall perſon or perſons, by decrée of the Ordinary, or otherwiſe by any collaterall ſurety, or hereafter ſhall happen to be aſſigned, and made ſure to any perſon or perſons Spirituall, or to any other to their vſe, by decrée of the Ordinarie, or by any other collaterall ſuretie, vpon any reſignation thereof, yet neuertheleſſe the incumbent charged with ſuch penſion, nor his ſureties collaterall, ſhall not be compelled to pay any more penſion, than the value of the third part of his dignity, benefice, or promotion ſpirituall, ſo reſigned ſhall mount vnto: but ſhall by authoritie of this Act, be clearely acquited, and diſcharged of ſo much of the ſaid penſion, as ſhall amount aboue the value of the third part of the dignity or benefice reſigned: any decrée or aſſignement of the ordinary, or any collaterall writings, or ſureties heretofore made, or hereafter to be had, or made for the ſame, to the contrary thereof notwithſtanding.

Abbots or Priors paying penſions to their predeceſſors.

And foraſmuch as diuers Abbots and Priors béene charged to pay great penſions to ſundrie their predeceſſors yet liuing, to the great decay of their hoſpitalities, and houſe kéeping: Be it enacted by authoritie aforeſaid, that euery ſuch predeceſſor of ſuch Abbots, or Priors, hauing any penſion made ſure vnto them, or to any to their vſe during their liues, amounting aboue the yearely value of forty pound, ſhall from henceforth be defaulked, and abated of the moitie and halfe deale of euery ſuch penſion. And that euery Abbot and all other perſons charged for the paiment of ſuch penſion, aboue the ſaid yearely value of forty pound, ſhall be cleerely acquited and diſcharged by authority of this Act, of the moitie, and halfedeale thereof for euer. Any decrée or aſſignement thereof by the Ordinary, or any writing, or ſurety collaterall, had or made for the ſurety thereof notwithſtanding.

The Prior of S. Iohn of Hieruſalem ſhall pay firſt fruits and Tenths.

And foraſmuch as the Lord Prior of Saint Iohns of Hieruſalem in England, and his Brethren be not ſpecially named and expreſſed in this Act, whereby Ambiguity might ariſe, whether they ſhould be compriſed within the limits of this Act: it is therefore for plaine declaration thereof enacted by authority aforeſaid, that euery perſon and perſons which after the ſaid firſt day of Ianuary, ſhall happen to be nominated, elected, collated, or by any other meanes appointed to the dignity of the ſaid Prior of Saint Iohns of Hieruſalem in England, or to any commandry appertaining vnto the ſame, ſhall before their actuall and reall entrie into the ſame dignitie or commandry, or medling with the profits thereof, ſatiſfie and pay to the vſe of the Kings Highneſſe, his Heires and Succeſſors, the firſt fruits and profits thereof for one whole yeare, or agrée or compound for the ſame, at reaſonable daies in like manner and forme, and vpon like paine in euery behalfe, as Archbiſhops and Biſhops, and other ſpirituall perſons be bound to by vertue and authority of this Act. And that alſo the Prior of Saint Iohns now being, and his ſucceſſors, and euery of his Brethren hauing any commandry, and their ſucceſſors, ſhall contribute and pay yearely to the Kings Highneſſe, his heires and ſucceſſors, one yearely rent and penſion amounting to the tenth part of all their poſſeſſions and profits, as well Spirituall as Temporall: And ſhall be charged, rated, taxed, and ſet to the contribution and paiment of the ſaid tenth part. And that alſo the ſaid tenth part ſhall be leuied, collected, and paid in ſuch like manner and forme, to all intents and purpoſes, as the tenth part of other dignities and benefices ſpirituall ſhall be charged, taxed, ſet, leuied, collected, and paid by authoritie of this Act.

They which in one Corporation haue ſeuerall poſſeſſions belonging to their dignities ſhall pay for their owne poſſeſſions and not for others.

And foraſmuch as in ſundry and many Cathedrall Churches, Colleges, and Hoſpitals of this Realme, there is, and time out of minds hath béene certaine Ordinances inſtituted, and made, whereby the Deane, Prouoſt, Maſter, or other chiefe Gouernour of ſuch Churches, Colleges, and Hoſpitals hath a certaine part and portion of the poſſeſſions & profits belonging to ſuch Church, Colleges, and Hoſpitals, all onely limited and belonging to their Offices and Dignities. And euery Prebendary, Brother, Vicar, Fellow, petie Canon and other Miniſters ſpirituall in ſuch Churches, Colleges, and Hoſpitals, hath another portion, all onely and diſtinctly limited, appertaining and belonging to their dignities & offices in ſuch Churches, Hoſpitals and Colleges: It is therefore prouided & ordeined by authority aforeſaid, that ſuch perſon & perſons which at any time after the ſaid firſt day of Ianuary, ſhall be nominated, elected, preſented, preferred, collated, or by other meanes appointed to be Deane, Prouoſt, Maſter, or other chiefe Gouernour of ſuch Cathedrall Churches, Colleges, or Hoſpitals, ſhall be rated, compound and pay for their firſt fruits, but only after the rate of the yearely value of the poſſeſſion and profits, limited, and belonging to their office and dignity.

And that euery other perſon and perſons, that after the ſaid firſt day of Ianuary ſhall be nominated, elected, preſented, prefected, collated, or by any other meanes appointed to haue any Prebend, Brotherſhip, Fellowſhip, or to be any Vicar or pety Canon, or to haue any other dignitie, or Office ſpirituall, in any ſuch Cathedrall Churches, Colleges, or Hoſpitals, ſhall be rated, compound and pay for their firſt fruits after the rate of the yearely value of the poſſeſſions, and profits, limited and belonging to their dignities and offices, in ſuch Churches, Colleges and Hoſpitals, and none otherwiſe. Any thing in this Act to the contrary hereof in any wiſe notwithſtanding.

Prouided alwaies, that ſuch perſon or perſons, that after the ſaid firſt day of Ianuary, ſhall be preſented and collated to any parſonage or Vicarage, whereof the yearely value ſhall not exceed viij. markes ſhall not be compelled to pay any firſt fruits for any ſuch parſonage, or Vicarage, whereunto they ſhalbe preſented or collated, not being aboue the ſaid yearly value of viij. marks: Except that the incumbent preſented or collated to ſuch Parſonage or Vicarage, whereof the yearely value ſhall not exceed viij. markes, doe liue iij. yeares, next and immediately following after his inſtitution, induction, or collation, to ſuch parſonage or vicarage, and if ſuch incumbent doe liue after the ſaid three yeares, then he or his Executors or Adminiſtrators ſhall pay at daies to be limited after the ſaid years vpon ſureties (as is aforeſaid) the firſt fruits of euery ſuch parſonage and vicarage. And that in euery obligation to be made by any incumbent of ſuch parſonage or vicarage and his ſureties for paiment of the firſt fruits of ſuch parſonage or vicarage, there ſhall be conteined a Prouiſo, that if the ſaid incumbent die within iij. yeares next after the date of the inſtitution, induction, or collation of the ſaid parſonage or vicarage, that then the obligation ſhal be void & of none effect. Any thing in this Act to yͤ contrary hereof notwithſtanding.

No firſt fruits ſhall be paid for a benefice being not aboue the yearely value of eight markes, except, &c. Stat. 1.El.4.

A prouiſo in the Obligation if the Incumbent die within three yeares.

And ouer this where the Clergie of the Prouince of Canterburie in their Conuocation haue granted vnto the Kings highneſſe one hundred thouſand pounds, and the Clergy of the Prouince of Yorke, xviij. thouſand, eight hundred forty pound, x, d. to be paid by euen portions in v. yeares, and that which could not be leuied thereof in the ſame v. yeares, to be paid in the ſixt yeare, as by the tenor of their ſeuerall grants thereof made in their ſeuerall Conuocations more plainly appeareth: It may pleaſe the Kings Maieſty of his excellent goodnes, in conſideration that the ſaid yearely penſion and annuall rent ſhal be yearely from henceforth duely paid and ſatisfied to his highneſſe, and to his heires and ſucceſſors according to the tenour, forme, purport and effect of this preſent Act: that it may be enacted by authority of this preſent Parliament, that the Clergy of the ſaid Prouince of Canterburie, and euery of them ſhall be diſcharged and acquited againſt our ſaid Soueraigne Lord, his heires, and ſucceſſors, of, and for the twenty thouſand pound, parcell of the ſaid C. M. li. which ſhould be paid in the v. yeare of paiment, limited by their grant: And that the Clergy of the ſaid Prouince of Yorke ſhall likewiſe be diſcharged and acquited of and for all ſuch ſummes of money, parcell of the ſaid xviij. M. DCCC. xl. li. x. d. which ſhould be paid in the v. yeare of paiment limited by their grant: any thing in their ſaid ſeuerall grants thereof made in any wiſe notwithſtanding.

How much the Clergy of the two Prouinces of Canterburie and Yorke ſhall be yearely diſcharged of, and wherefore.

Prouided alwayes, that all the reſidue of ſummes of money, which be yet to be paid and not releaſed nor diſcharged by this Act, ſhall be truly paid and ſatiſfied to our ſaid Soueraigne Lord, his heires or ſucceſſors, according to the tenor, forme, and effect of their ſaid ſeuerall grants.

Prouided alſo, that all ſuch fees, which any Archbiſhop, Biſhop, Abbot, Prior, or other Prelate of the Church is bounden yearely to pay to any Chancellor, Maiſter of the Rolles, Iuſtices, Sheriffes, or orther Officers or Miniſters of Record, for temporall Iuſtice to be done or miniſtred within their Dioces or iuriſdictions, ſhall be allowed and deducted by the Commiſſioners aforeſaid, in and vpon the valuation of the Dignities, Monaſteries, Priories, or Churches chargeable with ſuch fees: Any thing in this Act to the contrary hereof notwithſtanding.
Stat. 26.H.8.17. 27.H.8.8. 28.H.8.11.2. and 3.P. and M.4. 1.El.4.

Fees which any Prelate is bound to pay for temporall Iuſtice.

CAP. IIII.

How periurie in Iurors in Wales ſhall be puniſhed.

Where for lacke of diligent and ſure cuſtodie of Iurors ſworne for trials of murders, felons, and acceſſaries of felonies and murders in Wales, and the marches of the ſame, diuers adherents, friends, and kinſfolks to ſuch offendors haue reſorted to the ſame Iurors, and haue ſuborned them to acquit diuers murderers, felons, and acceſſaries, openly and notoriouſly knowen, contrary to equity and iuſtice, It is therefore enacted by the King our Soueraigne Lord, and the Lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by the authority of the ſame, That forthwith vpon the charge giuen to any inqueſt hereafter to to be taken & ſworne before any Iuſticer, Steward, Lieutenant or other Officer within Wales, or the Marches of the ſame, of, for, and vpon any trauers againſt the King, or the trial of any Recogniſance broken, or any other forfeiture forfeited to the King, of, for and vpon the triall of any murderer, felon, or acceſſary of felony, or murder, one officer or other perſon ſhall be deputed, and ſworne in the preſence of the ſaid Iuſticer, or other officer, for the true and diligent keeping of the ſame Iurors: And that the ſame Officer, or other perſon ſo ſworne without the ſpeciall commandement of the ſaid Iuſticer, or other Officer, ſhall not doe or ſuffer to be miniſtred to the ſame Iurors any bread, drinke, meat, fire or light, nor ſhall ſuffer the ſame Iurors to ſpeake to any perſon or perſons: nor the ſame officer, or other perſon ſworne, without the commandement aforeſaid, ſhall not ſpeake to the ſaid Iurors, but only to demand of them of their agreement, vnto ſuch time as the ſame Iurors ſhall haue giuen their verdict, any vſage, or cuſtome heretofore vſed to the contrarie notwithſtanding: And if the ſame officer or other perſon ſo ſworne in forme aforeſaid, doe not execute and accompliſh the premiſſes in the oath before rehearſed in euery point and article, then the ſame officer or other perſon ſo ſworne ſhall be puniſhed and impriſoned, and make fine and ranſom to the Kings Highneſſe, by the diſcretion of the ſaid Iuſticer, Steward, Lieutenant, or other officer.

How an officer ſworne for the keeping of Iurors in Wales ſhall demeane himſelfe.

And alſo be it enacted by the authoritie aforeſaid, that if the ſame Iurors do acquit any ſuch felon, murderer, or acceſſary, vpon whoſe triall they ſhall be charged, or giue any vntrue verdict againſt the King, vpon the triall of any trauers, recognizance or other forfeiture, contrary to good and pregnant euidence miniſtred to them by perſons ſworne before the ſaid Iuſticer, Steward, Lieutenant, or other officer, or that the ſaid Iurors or any of them doe eat, drinke, or ſpeake to, or with any other perſon or perſons, than to ſuch as be ſworne with them, or otherwiſe miſdemeane themſelues after they be ſworne, and before they haue giuen their verdict, that then the L. Preſident and other of the counſell of the marches for the time being, vpon notice or complaint thereof to them made, ſhall not only haue power and authoritie by this preſent Act to call ſuch Iurors before them: but alſo the ſame Iuſticer, Steward, or other officer, afore whom any ſuch acquitall, vntrue verdict, or miſdemeanor ſhall happen to be made, ſhall haue full power and authority to compell ſuch Iurors and euery of them, vpon paine of impriſonment to be bounden by recognizance in a certaine ſumme of money,, by their diſcretion to be limited, that the ſame Iurors and euery of them ſhall perſonally appeare, at a certaine day by the ſame Iuſticer, Steward, or other officer to be limited before the Lord Preſident, and other of the counſell aforeſaid, for the time being: then and there to abide, and ſtand to ſuch direction and order, as the ſame councell ſhall make, ordeine, and decree of, in and vpon the ſame. And that the ſame counſell ſhall thereupon haue authority and power by examination, or otherwiſe, to heare and determine all and euery ſuch cauſe, and ſhall haue like authority to commit euery of the ſame Iurors to priſon, or other puniſhment, as ſhall be thought moſt meet by the diſcretion of the ſaid counſell, or otherwiſe aſſeſſe, or tax euery ſuch Iuror to his fine or ranſom by the ſame diſcretion, to be paid and leuied of their lands, goods and cattels, to the vſe of the Kings highneſſe.

The penaltie of Iurors in wales which doe commit periurie, or otherwiſe miſdemeane themſelues.

Cap. V.

No paſſage vpon Seuerne at vnlawfull times.

Foraſmuch as daily diuers felonies, robberies, and murders been many times committed, and done, in the counties of Glouc. & Somerſet, in the parts next adioyning vnto the water, called the water of Seuerne between England and Southwales, & after ſuch murders and felonies done, the ſaid robbers, felons and murderers with the ſaid goods ſo robbed, and ſtollen, make there conueyance with the ſaid goods ſo ſtollen, by night at diuers paſſages, or Ferries, ouer the ſaid riuer, or water, as the paſſages of Auſte, Fremeland, Pyrton, Arlignham, Nowenham, Portſedes, Poynte, and all ſuch other like paſſages ouer the ſaid riuer into Southwales, or into the Foreſt called the Foreſt of Deane, alſo adioyning to the ſame water. And when they be ouer the ſaid water, then the goods ſo ſtollen by diuers priuileges there kept, albeit the owner, and owners haue true and perfite knowledge thereof, yet they ſo robbed and ſpoiled be without remedie for to obtaine their ſaid goods ſo ſtollen: ſo that the ſecret and ſudden conueyance by night of the ſaid goods ouer the ſaid Ferries and paſſages doth not onely greatly encourage diuers perſons to come out of the parts of South-wales to ſteale, rob, and murder diuers perſons in their houſes in the ſaid counties ioyning vpon the ſaid borders of Wales, but alſo cauſeth many robberies and felonies in ſundry wayes to be committed and done vpon the ſaid border neere adioyning to the ſame riuer, to the great damage and hurt of the Kings ſubiects inhabiting there, vnleſſe ſome remedie therefore be prouided. It may therefore pleaſe the King our ſoueraigne Lord, and the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled, by the authoritie of the ſame to enact, That euery perſon or perſons, taking vpon him, or them to haue, and keepe any of the ſaid paſſages, or any other paſſages vpon Seuerne aforeſaid, from henceforth doe not conuey, neither carry with any manner barge, boat, or other veſſell, any perſon or perſons with horſes, mares, oxen, kine, or any other cattell, nor no other perſon or perſons before the time of the Sunne riſing in the morning, and after the time of the Sunne being gone downe at night, vpon paine of impriſonment and fine to be ſet on him that ſhall ſo conueigh or carrie ouer any of the ſaid paſſages of the ſaid Riuer of Seuerne out of England into Wales, or the Foreſt of Deane, or out of Wales, or the ſaid Foreſt of Deane

The penaltie for tranſporting offendors into or forth of Wales, at vnlawfull times.

into England, vnleſſe the ſaid paſſengers and euery of them haue good knowlege of ſuch perſon and perſons, and of their dwelling places, and vpon requeſt to them made by any perſon or perſons to diſcloſe the name, and the dwelling place of euery ſuch perſon or perſons, ſo by them conueyed ouer the ſaid water, to any ſuch perſon or perſons requiring the ſame, if ſuit be made for, and after them vpon any outcrie, huy, or freſh ſuit, of or for any ſelonie, robberie, murder, and manſlaughter, committed and done from henceforth.

And that the Kings Juſtices of Peace within euery the ſaid Counties of Glouceſt. and Somerſet, at their quarter Seſſions, ſhall haue full power and authority to call before them all ſuch perſons, which hereafter ſhall keepe any of the ſaid paſſages, or any other Ferrie or paſſage ouer the ſaid water into Wales, or the ſaid Foreſt, or out of Wales or the ſaid Foreſt into England, and to binde them with ſufficient ſureties with them in Recognizance, in ſuch ſummes of mony as it ſhall ſeeme to the diſcretion of the ſaid Juſtices of Peace, that they and euery of them being paſſengers and keepers of Ferries and paſſages, as is aforeſaid, from henceforth ſhall not after the ſaid times before limited and appointed, conuey or carry, or cauſe to be conueyed or carried any manner of perſon or perſons, or any kind of cattell, but ſuch perſons as they do know and will anſwer for, and know where their abidings, dwellings, and habitations be, and vpon requeſt made to them or any of them, as is aboueſaid, ſhall from time to time diſcloſe, as well the ſame perſon or perſons, as the goods and cattels ſo paſſing the ſaid paſſages vpon freſh ſuit made, or hereafter to be made vpon any felony, murder, or robberie committed and done in the borders of the Counties aforeſaid, or in any other place within this Realme, or Southwales.

Keepers of Ferries ſhall be bound to tranſport no offendors at vnlawfull times.

Cap. VI.

Murders and felonies committed in Wales ſhall be enquired of in the Shires next adioyning, &c.

FOr as much as the people of Wales, and the marches of the ſame, not dreading the good and wholeſome Lawes and Statutes of this Realme, haue of long time continued, and perſeuered in perpetration, and commiſſion of diuers and manifold thefts, murders, rebellions, wilfull burning of houſes, and other ſcelerous deeds & abominable malefacts, to the high diſpleaſure of God, inquietation of the Kings well diſpoſed ſubiects, & diſturbance of the publike weale, which malefacts and ſcelerous deeds be ſo rooted, & fixed in the ſame people, that they be not like to ceaſe, vnleſſe ſome ſharpe correction and puniſhment for redreſſe, and amputation of the premiſſes be prouided, according to the demerits of the offendors. Be it therefore enacted by the King our Soueraigne, Lord, and the Lords Spirituall and Temporall, and the Commons in this Parliament aſſembled, and by authority of the ſame, That all and ſingular perſon and perſons, dwelling or reſiant within Wales, or in the Lordſhips marchers of the ſame, from time to time, and at all times hereafter, vpon ſuch monition or warning giuen for the Court to be kept in Wales, or in any of the Lordſhips marchers aforeſaid, as before this time hath beene vſed, ſhal perſonally repaire, reſort, and appeare before the Juſtice, Steward, Lieutenant, or other officer, at all, and euerie Seſſions, Court and Courts to be holden before the ſame Juſtice, Steward, or other officer in any whatſoeuer Caſtell, Fortreſſe, or other place within Wales, or within the precinct, limits, and iuriſdictions of euery of the Lordſhips marchers, or Seigniories aforeſaid, or the marches of the ſame, as by the ſaid Juſtice, Steward, or other officer ſhall be appointed: And then and there ſhal giue his or their perſonall attendance, to doe, execute, and accompliſh all and euery thing, and things, which to him or them ſhall affere and appertaine, vpon paine of ſuch fines, forfeitures, and amerciaments, as ſhall be affered, aſſeſſed, and taxed by the Juſtice, Steward, or other officer to the Kings vſe, if it be within any of the Kings Lordſhips marchers. And if it be within any other Lordſhips marches, then to the vſe of the Lord of the ſaid Lordſhip, marcher, for the time being: The ſaid forfeitures and amerciaments to be leuied, perceiued, and taken by way of diſtreſſe of the goods and cattels of euery perſon not appearing at the ſaid Court or Courts, or not doing, executing, or accompliſhing his dutie, as is aboueſaid.

The long perſeuerance in wickedneſſe of ſome lewd people in Wales, and the marches thereof.

All perſons ſhal vpon ſummons giuen appeare before the Juſtices, and in Courts in Wales.

And for as much as the officers in the Lordſhips marchers in Wales, haue often and ſundrie times heretofore, vnlawfully exacted of the Kings ſubiects within ſuch Lordſhips, where they haue had rule, or authority, by many and ſundry wayes and meanes, and alſo committed them to ſtreight dureſſe, and impriſonment, for ſmall and light fained cauſes, and extorciouſly compelled them thereby to pay vnto them fines for their redemptions, contrary to the law. Therefore be it further enacted, That if any Steward, Lieutenant, or any other officer of any Lordſhip, marcher, doe faine, procure, or imagine any vntrue ſurmiſe againſt any perſon or perſons, that ſhall ſo giue their perſonall attendance before them at ſuch Court or Courts, and vpon the ſame vntrue ſurmiſe commit them to any dureſſe or impriſonment, contrary to the law, or contrary to the true, and laudable cuſtome of that Lordſhip: that then vpon ſuite made vnto the Kings Commiſſioners or counſel of the marches, for the time being, by any ſuch perſon or perſons ſo impriſoned, or by any of their friends, that then the ſame Commiſſioners or counſell, ſhall haue full power and authority, to ſend for ſuch Steward, Lieutenant, or officer, and alſo for the perſon or perſons ſo impriſoned: And if the ſame perſon or perſons ſo impriſoned, can euidently proue before the ſaid counſell, by good and ſubſtantiall witnes, or otherwiſe, that his impriſonment was

Wrongs done by Officers in Lordſh. marchers.

Untrue ſurmiſes fained againſt them which appeare to impriſon them.

vpon any feined ſurmiſe, without cauſe reaſonable oꝛ lawfull, that then the ſame commiſſioners ſhall haue full power and authoꝛitie to aſſeſſe the ſaid officer to pay to the ſaid perſon oꝛ perſons wrongfully impꝛiſoned, vi. s.viij.d. foꝛ euery day of their impꝛiſonment, oꝛ moꝛe, by the diſcretions of the ſaid Commiſſioners, accoꝛding to the hurts and behauiour of the perſon oꝛ perſons impꝛiſoned.

The parties remedie againſt the officer which doth impꝛiſon him vpon fained ſurmiſes.

And that the ſame Commiſſioners ſhall ſet further fine vpon the ſaid officer to be payed to the Kings vſe, as by their diſcretions ſhall be thought conuenient. And in caſe the ſame officers doe refuſe to appeare befoꝛe the ſame Commiſſioners incontinent after any commandement to them directed and deliuered, after any ſuch complaint made to the ſame Commiſſioners, that then the ſame Commiſſioners ſhall haue full power and authoꝛity vpon euery default made by any officer oꝛ officers, to aſſeſſe and ſet vpon euery ſuch officer oꝛ officers making default, ſuch fine oꝛ fines, to be leuied to the Kings vſe, as by their diſcretions ſhall be thought conuenient. And that the ſame Commiſſioners ſhall haue full power and authoꝛitie, to compell the ſaid officer oꝛ officers by way of impꝛiſonment, as well to pay ſuch fine as ſhall be ſet, and taxed vpon them, to the Kings vſe, as to pay vnto euery perſon oꝛ perſons ſo impꝛiſoned ſuch ſummes of money, as they ſhall be ceſſed to pay foꝛ their wꝛong impꝛiſonment.

No weapon ſhal be bꝛought to Courts, Faires oꝛ Churches in Wales. St.4.H.4.27.&29.

And alſo be it enacted by authoꝛity afoꝛeſaid, That no perſon, oꝛ perſons dwelling oꝛ reſiant within Wales oꝛ the Loꝛdſhips marchers of the ſame, of what eſtate, degrée, oꝛ condition ſoeuer he, oꝛ they be of, comming, reſoꝛting, oꝛ repairing vnto any Seſſions, oꝛ court, to be holden within Wales, oꝛ any Loꝛdſhips marches of the ſame, ſhall bꝛing oꝛ beare, oꝛ cauſe to be bꝛought oꝛ boꝛne to the ſame ſeſſions oꝛ court, oꝛ to any place within the diſtance of two miles from the ſame ſeſſions oꝛ court, noꝛ to any Towne, Church, Faire, Market, oꝛ other congregation, except it be vpon a hute, oꝛ outcrie, made of any felonie, oꝛ robbery done, oꝛ perpetrated, noꝛ in the high wayes in affray of the Kings peace, oꝛ the Kings Liege people, any bill, long-bow, croſ-bow, hand-gun, ſwoꝛd, ſtaffe, dagger, halberd, moꝛeſpike, ſpeare, oꝛ any other manner of weapon, pꝛiuie coat, oꝛ armour defenſiue, vpon paine of foꝛfeiture of the ſame weapon, pꝛiuie coat, oꝛ armour, and to ſuffer impꝛiſonment, and make fine and ranſome to the Kings highneſſe by the diſcretion to the Kings Commiſſioners of his marches foꝛ the time being, except it be by the commandement, licence, oꝛ aſſent of the ſaid Iuſtices, Steward, oꝛ other officer, oꝛ of the Commiſſioners oꝛ Councell of the marches foꝛ the time being.

No man ſhall leuie any exactions oꝛ Commoꝛths, oꝛ Collection oꝛ games in wales

No Arthel ſhall be caſt into any court.

And that no perſon noꝛ perſons from hencefoꝛth, without licence of the ſaid Commiſſioners in wꝛiting, ſhall within Wales, oꝛ the marches of the ſame, oꝛ in any ſhires adioyning to the ſame, require,, pꝛocure, gather, oꝛ leuie any Commoꝛth, Bydalle, tenants ale, oꝛ other collection, oꝛ exactions of goods, cattels, money, oꝛ any other thing, vnder colour of marriage, oꝛ ſuffering of their childꝛen ſaying oꝛ ſinging their firſt Maſſes, oꝛ Goſpels of any Pꝛieſts oꝛ Clerkes, oꝛ foꝛ redemption of any murder, oꝛ any other felony, oꝛ foꝛ any other manner of cauſe, by what name, oꝛ names ſoeuer they ſhall be called: noꝛ ſhall make, oꝛ pꝛocure to be made, any games of running, wꝛaſtling, leaping, oꝛ any other games (the game of ſhooting onely excepted and foꝛepꝛiſed) vpon paine of one whole yeares impꝛiſonment of euery perſon oꝛ perſons, as ſhall gather oꝛ pꝛocure to be gathered, any ſuch collection oꝛ exaction, oꝛ ſhall make oꝛ pꝛocure to be made any games, as is afoꝛeſaid. And further they and euery of them ſhall make ſuch fine, as by the diſcretion of the Kings Commiſſioners of his marches ſhall be thought conuenient. And further the ſaid Commiſſioners, by this pꝛeſent Act, ſhall haue power and authoꝛity, to heare and determine the ſaid offences by their examination. And that no perſon oꝛ perſons ſhall hereafter at any time caſt any thing into any Court within Wales, oꝛ in the Loꝛdſhips marchers of the ſame, by the meane oꝛ name of an Arthel, by reaſon whereof the Court may be letted, diſturbed, oꝛ diſcontinued foꝛ that time, vpon paine of one whole yeares impꝛiſonment of any ſuch perſon oꝛ perſons, as ſhall caſt, oꝛ cauſe to be caſt any ſuch Arthel into any court oꝛ courts hereafter to be holden, within Wales, oꝛ the Loꝛdſhips marchers of the ſame. Any cuſtome befoꝛe this time vſed to the contrary notwithſtanding.

All Courts ſhall be kept within moſt ſure places.

Endictment in the next countie foꝛ a felonie committed within any Loꝛdſh. marcher St. 34. H. 8. 26. St. 27. H. 8. 26.

And that all Seſſions and courts hereafter to be holden within Wales, oꝛ the Loꝛdſhips marchers of the ſame, ſhall be kept within the moſt ſureſt, & peaceable place within the ſame Loꝛdſhip marcher, where the ſaid Iuſtice, Steward, oꝛ other officer ſhall appoint. And foꝛ the puniſhment and ſpéedy trials as well of the counterfeiters of any coyne currant within this Realme, waſhing, clipping, oꝛ miniſhing of the ſame, as of all and ſingular felonies, murthers, wilfull burning of houſes, manſlaughters, robberies, burglaries, rapes, and acceſſaries of the ſame, and other offences, feloniouſly done, perpetrated, and committed, oꝛ hereafter to be done, perpetrated and committed within any Loꝛdſhip marcher of Wales: Be it enacted by the authoritie afoꝛeſaid, that the Iuſtices of the Gaole deliuerie, and of the Peace, and euery of them foꝛ the time being in the Shire oꝛ Shires of England, where the Kings Wꝛit runneth, next adioyning to the ſame Loꝛdſhip marcher, oꝛ other places in Wales, where ſuch counterfeiting, waſhing, clipping, oꝛ miniſhing of any coyne currant within this Realme, oꝛ murther hath béene, oꝛ hereafter ſhall be committed, oꝛ done, oꝛ where any other felonies oꝛ acceſſaries ſhall be hereafter committed, perpetrated, oꝛ done, ſhall haue from hencefoꝛth full power & authoꝛity, at their ſeſſions and Gaole deliuerie, to enquire by verdict of twelue men of the ſame ſhire or ſhires next adioyning within England, where the Kings writ runneth, there to cauſe all ſuch counterfeitors, waſhers, clippers of money, felons, murderers, and acceſſaries to the ſame, to be indicted according to the lawes of this land, in like manner and forme, as if the ſame petie treaſons, murders, felonies and acceſſaries to the ſame, had beene done, committed, or perpetrated within any of the ſaid Shires, within the ſaid Realme: and alſo to heare, determine, and iudge the ſame according to the lawes of the Realme.

And that all forreine pleas, pleaded by any of the ſaid malefactors, and offendors, ſhall be tried and determined in the ſaid Shire or Shires: and that the acquitall or fine making for any of the cauſes aforeſaid, in any of the Lordſhips marches, ſhall be no barre for any perſon or perſons being indicted in the ſaid Shire or Shires, within two yeares next after any ſuch murder or felonie done.

Acquitall in Lordſhips marchers no barre.

And further it is enacted, That the ſaid Juſtices of Peace, and Gaole deliuerie, and euery of them, ſhall haue full power and authority to award all manner of proces, as wel of outlawry, as otherwiſe, againſt all & euery ſuch offendor & offendors, ſo indicted in manner & forme, and according to the cuſtomes and lawes vſed and accuſtomed within this Realme of England. And that the ſaid Juſtices or two of them, afore whom any ſuch offendor ſhall happen to be outlawed, or attained by outlagary, ſhall immediatly vpon the ſame outlagary, or attainder, direct & ſend vnto the Kings officers of his Lordſhips marchers, or to their deputies, or vnto the Lord or Lords marchers of the ſame Lordſhip marcher, or his or their officer or officers, or to their deputies, wherein ſuch offence, murder, or felony ſhall happen to be done, or where any ſuch offendor, murderer, or felon ſhall happen to be reſiant, a certificat vnder the ſeales of them, or two of them, of any ſuch outlagary, or attainder, commanding them and euery of them by the ſame, vnder paine of forfeiture of a hundred pound to the King, to be leuied and perceiued as well of the goods, cattels, lands & tenements, of the ſame Lord or Lords marchers, as of the goods and cattels, lands and tenements of the Kings officer there, to apprehend and attache, or cauſe to be apprehended and attached, the body or bodies of the ſame offendor or offendors, ſo outlawed or attainted, and ſafely to keep, or cauſe to be kept the ſame offendor or offendors, till ſuch conuenient time before the next Seſſions of the Kings Juſtices of his Gaole deliuery, of the Shire, where ſuch offendor or offendors, ſhall happen to be outlawed or attainted, as to the Kings officers of his Lordſhips marchers, or to their deputies, or vnto the Lord marcher, or Lords marchers of the ſame Lordſhip marcher, or his or their officer or officers, or their deputies, where ſuch offendor or offendors ſhall be apprehended, attached, detained and kept, ſhall be thought expedient for the conueyance, and conducting of the ſame offendor or offendors, in manner & forme following to be deliuered from the Kings officers or their deputies, or the Lord marcher or the Lord marchers, or his or their officer or officers, to other perſons aſſigned by this Act, to receiue & conuey ſuch offender or offenders, by indenture to be made betweene the deliuerer or deliuerers, & the receiuer or the receiuers: That is to ſay, that the Kings officers of his Lordſhip marcher, or their deputies, or the Lord or Lords marchers of the Lordſhip marcher, or his or their officer or officers, or their deputies, where ſuch offender or offenders ſhall be apprehended, attached, detained and kept, ſhall ſafely and ſurely conduct, and conuey, or cauſe to be conducted and conueied, the ſame offender or offenders, to the next Lordſhip marcher toward the Shire, where the ſame offender or offenders ſhal happen to be outlawed or attainted. And that the Kings officers of the ſame Lordſhip marcher, or their deputies, or the Lord or Lords marchers of the ſame Lordſhip marcher, or his or their officer or officers, or their deputies, ſhall receiue and ſafely and ſurely conduct, and conuey the ſame offender or offenders to the next Lordſhip marcher. And ſo the Kings officers of euery Lordſhip marcher, or their deputies, or the Lord or Lords marchers of the ſame Lordſhip, or his or their officer or officers, or their deputies, to receiue, conduct, and conuey ſafely and ſurely euery ſuch offender or offenders, from one Lordſhip marcher to another Lordſhip marcher, by indenture, as is aforeſaid, vnto the time that ſuch offender or offenders ſhall be ſafely deliuered before the ſaid Juſtices of the Gaole deliuerie, vpon paine of forfeiture by euery of the Kings officer, or Lord marcher by whoſe default the ſame offender or offenders ſhall, ne may not appeare before the ſame Juſtices at their ſaid Seſſions, there to ſtand and abide the order of the Kings lawes, C. li. to be leuied and perceiued of the goods and cattels, lands and tenements of the ſame officer, or Lord to the Kings vſe.

Juſtices may award proces vnto Lordſhips marchers.

A certificat of an Outlarie to a Lord marcher or &c.

By what meanes an offendor ſhal be conueyed from one Lordſhip marcher to another.

And that all and euery officer and officers, Lord and Lords, or other perſons to whom any certificat ſhall be directed, as is aboueſaid, ſhall at the next Seſſions and Gaole deliuery to be holden after the apprehenſion, or attachment of ſuch offender or offenders, returne the ſame certificat in due forme, and what he or they haue done in that behalfe vpon the paine aforeſaid. Sauing alway to all and euery offender and offenders, all and ſingular trauerſes, challenges, exceptions, aduantages, and all other plees, to, of, and vpon the outlawrie pronounced, or promulged againſt the ſame offender or offenders, in manner and forme as is and hath beene vſed and accuſtomed by the lawes of this Realme for any the Kings ſubiects dwelling within the ſame Realme.

The officer ſhal returne his precept.

All aduantages ſaued to the offendors.

Prouided

An offendor attainted of any felony vpon ſuretie found of his good behauiour may be diſcharged. ALT. 34.H.8.26.

Prouided alwayes, and be it enacted by the authoritie aforeſaid, That if any perſon or perſons which ſhall happen hereafter to be indicted, outlawed, arraigned, conuicted, or attainted by force of this Act, do find ſuch ſufficient ſureties before the Kings Juſtices of his Gaole deliuery, as by their diſcretion ſhall be thought conuenient, that the ſame perſon or perſons ſhall not from thenceforth commit nor do any felony, murder, or felonious offence, nor be acceſſary to any felonie, murder, or felonious offence, but at all times from thenceforth ſhall be of good behauiour againſt the King our Soueraigne Lord, his heires and ſucceſſors, his & their lawes, and ſubiects, that then the ſame Juſtices of Gaole deliuery for the time being, with and by the aſſent, conſent, and agréement of the Lord Preſident, and two of the Kings Commiſſioners, or Councell of the Marches for the time being, or thrée of them at the leaſt, whereof the Lord Preſident or one of the ſaid Councell to be one, ſhall and may by their diſcretion for one time only, admit any ſuch offendor to a certaine fine, or ſumme of money on him by them to be aſſeſſed, and taxed, to be ſurely payed to the Kings vſe, and ſhall haue full power and authority by this preſent Act to diſcharge any ſuch offendor or offendors, ſo arraigned, outlawed, conuicted, and attainted, of all and euery ſuch felony, murder, or felonious offence, and acceſſaries of the ſame, and of all executions and puniſhments of death, which the ſame offendor or offendors ſhould ſuffer by the common lawes of this Realme: ſo that the ſame offendor or offendors ſtand not appealed of the ſaid felonie, murder, or felonious offence, or acceſſarie of the ſame offences, at the time of his ſaid diſcharge. And that euery ſuch offendor ſo diſcharged, as is aboueſaid, ſhall be for the ſame offence, or offences done within any of the Kings Lordſhips marchers, or any other Lordſhips marchers, diſcharged as well againſt the Kings highneſſe, his heires or ſucceſſors, as againſt all other Lords marchers for one time onely.

No liberties of any Lord marcher ſhall be abridged.

Prouided alway, and be it enacted by the authoritie aforeſaid, That this preſent Act, or any thing therein conteined, ſhall not extend, ne take place to abridge, depriue, or minorat any liberties, priuilege, or authority of any Lord marcher, heretofore granted to the ſame Lord, or lawfully vſed or accuſtomed by the ſaid Lord, or any of his anceſtors, vnleſſe the foreſaid offendors happen to be indicted, outlawed, arraigned, conuicted or attainted by force of this Act, as is aboueſaid, within two yeares next after ſuch murther, or other felonious offence perpetrated, done, or committed within the ſaid Lordſhips marchers, or any of them: Any thing in this preſent Act before rehearſed to the contrary notwithſtanding.

Where felonies committed in Merioneth in Wales ſhall be inquired of, heard, and determined.

And furthermore be it enacted by the authority aforeſaid, that all murthers, robberies, felonies, and acceſſaries of the ſame, which ſhall happen hereafter to be done, perpetrated, or committed within the Shire of Merioneth in Wales, ſhall and may be from henceforth enquired, heard, and determined in the counties of Carneruan or Angleſée, before the Kings Juſtices of Northwales, or his deputie for the time being, by the verdict, or enqueſt to be taken by the inhabitants of the ſame Shires of Carneruan and Angleſée, or otherwiſe, if by the diſcretion of the Juſtice there, or his deputie ſhall be thought conuenient. And that the ſame Juſtice, or his deputie, for the time being ſhall haue full power and authoritie by his diſcretion, by force of this preſent Act, to heare and determine all and euery the foreſaid murders, felonies, robberies, and acceſſaries, in forme aforeſaid.

Where and to whom any offendor taken in Wales ſhall be deliuered. St. 27.H.8.26.

And where heretofore vpon diuers murders, robberies, & felonies, perpetrated, and done, as well within the Lordſhips marchers of Wales as in other places of Wales without the ſame Lordſhips, the offendors diuers times flée, and eſcape from the ſame Lordſhip or other place, where ſuch offence was committed, and haue repaired and reſorted into another Lordſhip marcher, and there by the ayd, comfort, and fauour of the ſaid Lord of the ſame Lordſhip or his officer or officers haue béene abiding and reſiant, into the which Lordſhips the ſame Lords marchers haue and doe pretend a cuſtome and priuilege, that none of the Kings miniſters or ſubiects may enter, to purſue, apprehend, and attach any ſuch offender, thereunto repaired, as is aforeſaid, by reaſon whereof the ſame offenders went vnpuniſhed, to the animation, and encouraging of other euill diſpoſed people. It is therefore enacted by the authority aboueſaid, That euery officer and officers, and their deputies, vpon commandement giuen by the Commiſſioners, or Councell of the Marches for the time being, ſhall bring, ſend, or deliuer euery ſuch offendor to the officer of the Lordſhip marcher, or other place, where any ſuch offence is, or ſhalbe committed, or done, vpon the metes and bounds of the ſaid Lordſhips, or to the ſaid Commiſſioners or Councell, according as the ſaid officers by them ſhall be commanded vnder pain of forty pounds, the ſame commandement or Commiſſion to be directed to any ſuch officer to be ſent, conueyed, and deliuered by a Sergeant at Armes, or a Purſeuant, attendant on the ſaid Councell in the Marches, for the time being. 34.& 35.H.8.26.

CAP. VII.

High-wayes in Suſſex ſhall be amended.

WHere it is ordained and enacted by authority of Parliament heretofore holden at London the fiftéenth day of Aprill, in the fourtéenth yere of the Kings moſt noble reigne, and from thence adiourned to Weſtminſter the laſt day of July, the fiftéenth yeare of his reigne, and there holden: in conſideration that many common wayes in the Weld of Kent, be ſo déepe, and noyous by wearing, and courſe of water, and other occaſions, that people cannot haue their paſſages and cariages by horſes vpon, or by the ſame, but to their great paines, perils, and ieopardie: that if any perſon or perſons from that time in any place within the ſaid weld of the ſaid countie of his good minde, and diſpoſition, without any value of good by him or by them to be receiued for the ſame, will for the common weale of the Kings people, aſſigne and lay out, a more commodious way, in and ouer the lands thereunto adioyning, whereof the perſon or perſons, or other to his vſe ſhall be ſeiſed of fée in eſtate of inheritance, that the ſame new way ſo to be aſſigned and layed out, by ouerſight and aſſent of two Iuſtices of the Peace of the ſaid Countie, and twelue other diſcréet men within the ſame Hundred inhabiting, where any ſuch new way ſhall be limited and layed out, or inhabiting within the ſame Hundred and other Hundreds to the ſaid Hundred next adioyning, ſhall be from thenceforth holden, occupied and vſed in like manner as the ſaid old way there now is or before hath béene. And that alſo the ſame perſon or perſons ſo diſpoſed, willing and acompliſhing, ſhall and may for the ſaid new way ſo aſſigned and vſed, receiue and hold in way of recompence for the ſame new way ſo to be giuen, the ſoile and ground of the old way in ſeueraltie, to them, their heires and aſſignes, to their owne vſe and profit for euer, without any common way or paſſage there from thenceforth to be had or claimed, any preſcription or vſe to the contrary notwithſtanding, in like manner and forme as is limited by the ſaid Act of a certaine new way granted by the ſame Act to be made by George Guilford Squier, at Hempſted in the ſaid Weld of Kent. And that the two ſaid Iuſtices of Peace, and twelue other diſcréet men, by whoſe ouerſight and aſſent, the ſaid new way by vertue of the ſaid Act, ſhall be aſſigned, limited, and laid out, ſhall within thrée moneths next after the aſſignment, limitation, and laying out of the ſame, make certificat into the Kings moſt honourable Court of Chancerie vnder their ſeales, of the length and breadth of the ſaid new way or ſtréet, and of other things adioyning or concerning the ſame, as by their diſcretions ſhall be thought moſt expedient or requiſite for the Common wealth of that Country to be certified, and that Certificat to be made from time to time, as oft as any ſuch new way or ſtréet ſhall be aſſigned, limited and layd out in forme aboue written.

St. 14. H. 8. 6.

Any perſon may lay out a new way in his own ground in the Weld of Kent by the conſent of two Iuſt. of P. &c. and keepe ſeuerall the old.

Certificat ſhall be made into the Chancerie of the new way.

Prouided alway, that if any perſon or perſons, or body politike, haue or ought to haue, or hereafter ſhal haue any Church-way, or other whatſoeuer way, or paſſage ouer or thorow any manner lands adioyning to any of the ſaid old waies or ſtréets, which ſhall be taken and vſed by force of that Act as ſeuerall ſoile and fréehold, in recompence for any new way to be made and laid out in forme aforeſaid, or haue or ought to haue, or hereafter ſhal haue any lands or tenements adioyning to the old way, they and euery of them, their heires and ſucceſſors may haue and vſe their ſaid way or waies, out of, and in the ſaid new way ouer and thorow the land of the ſaid old way or ſtréet, into or ouer the ſaid lands or tenements adioyning to the ſame, and ſo to paſſe & repaſſe as ſhall appertaine ouer the ſame old way, at ſuch conuenient place or places thereof, as therfore ſhal be limited and aſſigned by the ſaid two Iuſt. of P. and other twelue men, and by them to be certified in the Chancerie, among other things by them to be certified in forme aforeſaid, any thing in the ſaid Act aboue written notwithſtanding, as by the ſame Act manifeſtly appeareth.

They which haue any way through the old way may vſe it.

And forasmuch as in many places within the Countie of Suſſex, like Act for the alteration of common waies and ſtréets, there being much annoyous, is much neceſſary and expedient for the common wealth and commoditie of the Kings ſubiects of the ſaid county of Suſſex to be had and made. In conſideration whereof, be it ordeined and enacted by the King our Soueraigne Lord, and the Lords ſpirituall & temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That the ſaid Act aboue rehearſed and recited, ſhall and may from henceforth extend, take effect, and be put in execution in euery place conuenient, or neceſſary within the ſaid County of Suſſex, where waies and ſtréets be noyous to the Kings ſaid ſubiects of the ſame County of Suſſex, in like forme and and manner, and in all points and conditions, and with like prouiſo to be had, done, and executed, as it is conteined, and expreſſed in the aboue recited Act concerning the change of the wayes and ſtréets in the ſaid County of Kent, any preſciption, vſe, cuſtome, or other thing to the contrary being in any wiſe notwithſtanding.

The Stat. of 14. H. 8. 6. concerning altering of wayes in the Weld of Kent, ſhall be put in execution in the countie of Suſſex.

Cap. VIII.

Void grounds in Norwich by whom they muſt be reedified.

WHere by infortunat chance of fire, a great number of houſes of habitation within the City of Norwich, about ſix & twenty yeares paſt, were burned, and vtterly conſumed, to the great heauineſſe, diſcomfort, loſſe, and hinderance of the inhabitants of the ſame Citie. By reaſon of which burning, diuers and many void grounds, whereupon before the ſame fire, good and ſubſtantiall houſes of habitation were ſtanding, remaining now at this day vnreedified, and not onely vnreedified, but alſo to lie as deſolate and vacant grounds, many of them nigh adioyning to the high ſtréets, repleniſhed with much vncleanneſſe, and filth,

ſo

to the great annuzance of the ſaid inhabitants, and other the Kings ſubiects paſſing by the ſame: and to the intent that a reformation may be had in that behalfe.

The owner of void ground within Norwich ſhal reedifie them or incloſe them with wals within two yeares after proclamation.

Be it enacted by the King our Soueraigne Lord, and the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if the owner or owners, of ſuch vacant ground or grounds, ſo lying within the precinct of the ſaid Citie, within two yeares next after proclamation made by the commandement of the Maior of the ſaid Citie for the time being, within and vpon ſuch vacant ground and grounds, of the tenor and effect of this preſent Act, doe not ſufficiently reedifie, or elſe with walles of morter and ſtone ſufficiently incloſe the ſame vacant ground or grounds, whereupon ſuch proclamation ſhall bee made, that then it ſhall be lawfull to the Maior, Sheriffes, Citizens, and Comminalty of the ſame Citie, and their ſucceſſors for the time being, immediatly after the ſaid two yeares expired, to enter into euery ſuch ground and grounds ſo vacant, as is aforeſaid, whereupon ſuch proclamation as is before remembred, ſhall be ſo made, and the ſame ground and grounds, to hold and retaine without interruption to them and their ſucceſſors for euer, clearely diſcharged of all rents, as well againſt the Lords of fées thereof, as of all other, ſo that alwaies the ſame Maior, Sheriffes, Citizens, and Comminalty, or their ſucceſſors, doe well and ſufficiently reedifie, or elſe with walles of morter and ſtone, as is aforeſaid, ſufficiently doe incloſe the ſame ground and grounds wherein they ſhall ſo enter, within two yeares next after ſuch entrie by them ſo to be made as is aforeſaid.

The forfeiture of the Maior &c. if they doe not reedifie the ſame within two yeares.

And in caſe the ſame Maior, Sheriffes, Citizens and Comminalty, or their ſucceſſors doe not ſufficiently reedifie or incloſe, or cauſe to be reedified or incloſed the ſame ground and grounds, in forme aforeſaid, within the ſame terme of two yeares next after they ſhall ſo enter into the ſame, that then it ſhall be lawfull to the ſaid firſt owner and owners of all ſuch ground and grounds, their heires or ſucceſſors immediatly after the ſame two yeares ſo expired, to reenter into the ſame ground and grounds, and the ſame to retaine and enioy againe to them, their heires and ſucceſſors, as in their former eſtate and intereſt: any thing in this Act contained to the contrary thereof in any wiſe notwithſtanding.

Where the chief Lord of the fee may enter.

Prouided alwaies, That if the owners of ſuch vacant ground or grounds, ſpecified in this Act, doe not repaire and amend the ſame, according to the tenour of this Act, within two yeares limited by this Act: that then it ſhall be lawfull to the chiefe Lords, of whom ſuch vacant grounds béene or ſhall be holden, to enter and to haue the ſame grounds to them, their heires and ſucceſſors for euer, ſo that euery ſuch chiefe Lord doe repaire and amend the ſaid vacant grounds according to the tenour and effect of this Act, within one yeare next after that ſuch chiefe Lord may enter by authoritie of this Act. And if ſuch chiefe Lord as may enter by this Act, doe not repaire and amend the ſame vacant grounds within one yeare next after they may enter by this Act: that then for euery ſuch default, the Maior, Sheriffes, Citizens and Comminalty ſhall lawfully enter into the ſaid grounds, according to the tenour, forme, effect, and condition aboue expreſſed in this Act: any thing in this Act to the contrary thereof notwithſtanding.

The forfeiture of the chiefe Lord not repairing within one yeare.

Cap. IX.

By whom and by what time void grounds in Linne ſhall be reedified.

Humbly beſéecheth your góod and gracious highneſſe, your obedient ſubiects, the Maior and Burgeſes of the Towne of Linne, Biſhop, in your County of Norfolke, that where at this preſent time, diuers and many meſuages, and tenements of old time builded within the ſaid Towne, are, and by a long time haue béene in great decay and deſolation, whereby the floud and rage of the ſea, comming to the ſaid Towne, & inſurging vpon ſuch decayed tenements in times of tempeſt, doth freat and maruellouſly weare in diuers places of the ſaid Towne, to the great hurt and damage as well of the ſaid Towne, as of diuers perſons hauing grounds adioyning to ſuch places ſo in decay, and that the owners of ſuch decayed grounds will not reedifie and maintaine the ſaid meſuages and tenements ſo decayed for the maintenance and defence of the water, and rage of the ſea, whereby the ſaid Towne is likely to fall in more decay, ruine & deſolation, if remedy therfore be not prouided. In conſideration whereof it may pleaſe your Highnes, that it may be enacted by your Maieſty, by the aſſents of the Lords Spirituall & Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if the owner or owners of ſuch meſuages and tenements ſo decayed, ſet, lying, or being within the precinct of yͤ ſaid Town, within one yeare next after proclamation made by the commandement of the Maior of the ſaid Towne for the time being, within & vpon ſuch decayed meſuages or tenements, doe not ſufficiently reedifie, or elſe with wals of morter & ſtone ſufficiently encloſe the ſame meſuages and tenements and grounds to them belonging, ſo being in decay, for defence of the rage of the water: that then it ſhall be lawfull for the chiefe Lords, of whom ſuch meſuages or tenements ſo decayed ſhalbe holden, to enter into the ſaid meſuages and tenements ſo decayed, and the ſame hold, haue, & retaine to them & their heires for euer: ſo that euery ſuch Lord, which

If the owners of decayed meſuages in Linne doe not repaire them, or incloſe them within one yeare, then the chiefe Lord of the fee may enter.

which ſhall enter into any meſuages or tenements ſo decayed, by authority of this Act, do ſufficiently reedifie, or elſe with wals of morter and ſtone ſufficiently encloſe the ſaid meſuages and tenements ſo decayed in forme, as is aboueſaid, within one yeere next after that ſuch chiefe Lord may enter into the ſame by authority of this Act.

If the chiefe L. faile to repaire them the Maior & Comminalty may doe it.

And if ſuch chiefe Lord, which may enter by authority of this act into the ſaid meſuages or tenements decayed, doe not reedifie the ſaid meſuages and tenements decayed, or elſe with wals of morter and ſtone ſufficiently incloſe the ſame, in forme as is aforeſaid, within one yeere next after ſuch chiefe Lord might enter into the ſame by authority of this Act: that then it ſhall bee lawfull for the Maior and comminalty of the ſaid towne for euery ſuch default to enter into any ſuch meſuages or tenements ſo decayed, and the ſame to haue and retaine to them and their ſucceſſors for euer, without interruption, cleerly diſcharged of all rents, as well againſt the Lords of fees thereof, as of all other.

So that alwaies the ſame Maior and comminalty, or their ſucceſſors, do wel and ſufficiently reedifie, or elſe with wals of morter and ſtone as is aforeſaid, ſufficiently doe incloſe the ſame meſuages, and tenements, or grounds appertaining to the ſame, wherein they ſhall ſo enter by authority of this Act within two yeers next after ſuch entry by them ſo to be made, as is aforeſaid. And in caſe the ſame Mayor and Comminalty, or their ſucceſſors, do not ſufficiently reedifie or incloſe, or cauſe to be reedified or incloſed the ſame meſuages and tenements or grounds to the ſame belonging, in forme aforeſaid, within the ſame terme of two yeeres next after they ſhall ſo enter into the ſame: that then it ſhal be lawful for the ſaid firſt owner and owners of all ſuch meſuages, tenements & grounds, their heires or ſucceſſors, immediatly after the ſame two yeeres ſo expired, to enter into the ſame meſuages, tenements and grounds, and the ſame to retaine and enioy againe to them, their heires and ſucceſſors, as in their former eſtate and intereſt, Any thing in this Act contained to the contrary thereof in any wiſe notwithſtanding.

CAP, X.

The King during his life may repeale the Stat. of 23. *H.* 8. 7. by his proclamation, and reuiue the ſame by like meanes, and all other Statutes made ſithence, *Anno* 21. of his reigne, concerning the carrying forth of the commodities of this realme, or bringing in of forren merchandizes. EXP.

CAP. XI.

Whoſoeuer dwelling in Wales or the Marches thereof, ſhall aſſault, beat, or hurt any perſon of the County of Gloucester, Salop, or Hereford, and ſhal be indited, and conuict therof, ſhall be one yeare impriſoned. EXP. St. 33. *H.* 8. 17.

CAP. XII.

Clerkes conuict in Wales ſhall finde ſurety for their good abearing.

WHere at the Parliament ſummoned and holden at London, the third day of Nouember, in the one and twentieth yeare of the raigne of our Soueraigne Lord King Henry the eight, and from thence adiourned vnto Weſtminſter in the County of Middleſex, and after diuers prorogations, there alſo holden the fifteenth day of January, the three and twentieth yeare of the raigne of our Soueraigne Lord King Henry the eighth.

St. 23. H. 8. 1.

It was enacted among other, that no perſon or perſons, which from thenceforth ſhould happen to be found guilty after the lawes of this land, for any manner of pety treaſon, or for any wilful murder of malice prepenſed, or for robbing of any Churches, Chappels, or other holy places, or for robbing of any perſon or perſons in their dwelling houſes, or dwelling place, the owner or dweller in the ſame houſe, his wife, his children or ſeruants then being within, and put in feare and dread by the ſame, or for robbing of any perſon or perſons, in or neere about the high waies, or for wilfull burning of any dwelling houſes or barns, wherin any grain of cornes ſhould happen to be: nor any perſon or perſons being found guilty of any abbetmēt, procurement, helping, maintaining or councelling of, or to any ſuch pety treaſons, murders, or felonies, ſhould from thenceforth be admitted to the benefit of his or their clergy, but vtterly be excluded thereof, & ſuffer death in ſuch manner and forme, as they ſhould haue done for any the cauſes or offences aboueſaid, if they were no Clerks (ſuch as be within holy orders, that is to ſay, of the orders of Subdeacon or aboue, only except.) And alſo it was then, and therby authority aforeſaid, further enacted, that euery ſuch perſon and perſons within ſuch orders of Subdeacon or aboue, which at any time from thenceforth ſhould bee found guilty of any pety treaſon or of any murder of malice prepenſed, or of any of the felonies aboue rehearſed, or of any acceſſary to pety treaſon, wilfull murder, or to any other the felonies aboue ſpecified, and admitted to his or their Clergy, and deliuered to the Ordinary for the ſame, ſhould not in any wiſe from thenceforth be ſuffered to any purgation, nor be ſet at liberty, but remaine and abide in perpetuall priſon, vnder the keeping of the Ordinary, to whom he ſhould be committed, and his ſucceſſors, without any manner of purgation, during the naturall life of euery ſuch conuict: except onely ſuch perſon and perſons ſo being within ſuch holy orders, and conuict of, or for any of the offences aforeſaid, and deliuered to the Ordinary for the ſame, doe find two ſufficient ſureties by recogniſance before two of the Kings Iuſtices of his peace within the ſame Shire, where the pety treaſon, murder, or felony, whereof he was conuicted, was committed and done, whereof one

The benefit of Clergy taken from offendors in ſeuerall felonies, vnleſſe they be within holy orders.
St. 32. H. 8. 3.
1. Ed 6. 12.
5. Ed 6. 9.
ALT. 28. H. 8. 1.

He within holy order which is conuict of felonie before his purgation ſhall finde ſureties of his good abearing.

of them to be of the Quorum, that ſuch conuict ſhall be of good abearing againſt the King our ſoueraigne Lord, his lawes and ſubiects, euery ſuch conuict to be bounden in the ſumme of forty pounds, and euery his ſureties in twenty pounds, and that no ſurety to be taken, vnleſſe ſuch as may diſpend in lands, tenements, or hereditaments, yeerly aboue all charges of eſtate of inheritance of charter hold, ſix and twenty ſhillings and eight pence, or elſe be worth twenty pounds in moueable ſubſtance, at the time of the taking of ſuch recogniſance. And that two Iuſtices of Peace, whereof one to be of the Quorum, by authority aforeſaid, haue power and authority to take ſuch recogniſance. And that the ſaid Iuſtices, afore whom any ſuch recogniſance ſhall be taken, ſhall certifie the ſame into the Kings bench, within foure moneths next after the taking thereof, vpon paine to loſe and forfeit an hundred ſhillings for euery default thereof.

And foraſmuch as there be no Iuſtices of peace, ne, of the Quorum within Wales, nor in diuers other places, Cities, Honours, Lordſhips, and Manours within the Kings Dominion, where as a Lord Marcher, Steward, Lieutenant, Deputy, or other officer of any ſuch place, City, Honour, Lordſhip, or Manor, haue authority or power, by cuſtome or otherwiſe to arraine afore him or them any ſuch perſon or perſons being within ſuch holy orders of Subdeacon or aboue, for committing or doing any of the ſaid pety treaſons, murders, felonies, or any other of the ſaid offences.

And if it happen the ſame perſon ſo being therof arrained to be found guilty, for to admit him to his Clergy, if he pray the ſame before iudgement, and further to doe and execute againſt any ſuch offendour, being ſo arrained before them, in like manner and forme as Iuſtices of the gayle deliuery within the Shire ground haue vſed to doe by vertue of the Kings Commiſſion vnto them directed: By reaſon whereof, euery ſuch perſon or perſons, within ſuch orders of Subdeacon or aboue, being conuict of any of the ſaid pety treaſons, murders, felonies, or any other the ſaid offences, before any Lord Marcher, Steward, Lieutenant, deputy, or other officer within Wales, or within any other place, City, Honour, Lordſhip, or Manour within the Kings Dominion, where no Iuſtices of Peace be, and thereupon committed vnto the ordinary as Clerk conuict, ſhall there remaine during the naturall life of any ſuch conuict: The ſaid former Act and Statute notwithſtanding. For that there bee no Iuſtices of the peace, ne, of the Quorum, there as the ſaid pety treaſon, murder, or felony, whereof hee is ſo conuicted, was committed and done, to take ſurety by recogniſance for the good abearing of euery ſuch conuict, in manner and forme, as in the ſaid former Act is rehearſed.

A remedy where there be no Iuſtices of Peace in that County in Wales, where the Clerke conuict doeth remaine in priſon.

Be it therefore enacted by the King our ſoueraigne Lord, and the Lords Spirituall and temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That euery ſuch perſon and perſons within ſuch orders of Subdeacon or aboue, being conuict of any pety treaſon, or of any murder of malice prepenſed, or of any of the ſaid felonies aboue rehearſed, or of any acceſſary to pety treaſon, wilfull murder, or to any other the ſaid felonies aboue ſpecified before any Lord Marcher, Steward, Lieutenant, Deputy, or other Iuſtice or Officer within Wales, or within any other place, City, Towne, Honour, Lordſhip, or Manor within the Kings Dominion, where no Iuſtices of ỹ peace and of the Quorum be, and thereupon the ſame conuict admitted vnto his Clergy, that the ſame perſon or perſons ſo being within ſuch holy orders, and conuict before any ſuch Lord Marcher, Steward, Lieutenant, deputy or other Iuſtice or Officer in Wales, or within any ſuch place, City, Town, Honour, Lordſhip or Manour within any the Kings Dominion, where be no Iuſtices of Peace and of the Quorum, of or for any of the offences aforeſaid, and deliuered vnto the Ordinary as Clerk conuict for the ſame, ſhall or may finde two ſureties by recogniſance for his good abearing before two of the Kings Iuſtices of the Peace, wherof the one to be of the Quorum, in the ſhire where the ſaid conuict is or ſhal be kept in the Ordinaries priſon, if the ſame priſon be within the Shire ground, where Iuſtices of the peace and of the Quorum be, or elſe before two of the kings Iuſtices of the peace whereof the one to be of the Quorum, in the next ſhire adioining vnto the ſame priſon: and that the ſame two Iuſtices of the peace, whereof the one to bee of the Quorum, to haue power and authority to take ſuch recogniſance, and to certifie the ſame in like manner and forme, and vpon like paine as it ſhould or ought to haue beene done by vertue of the ſaid former Act, if the ſame pety treaſon, murder felony, or other offence, of, or for which any ſuch conuict was or ſhal be ſo conuict and admitted vnto his Clergy, as is aforeſaid, had beene committed and done within the Shire ground, where Iuſtices of the Peace, and of the Quorum be. St. 27. *H*. 8. 26.

Cap. XIII.

It ſhall be high treaſon to wiſh or deſire by words or writing, or to imagine, inuent, or attempt any bodily harme to be done to the King, the Queen, or their Heirs apparent, or to depriue any of them of the dignity, ſtile, or name of their Royall eſtates, or to publiſh that the king is an Heretik Schiſmatike, Infidell, or Vſurper, or to detaine from the King, his heirs, or ſucceſſors, any of his or their caſtles or holds, or any of his or their ſhips, or munitions of war. Rep. 1. M. 1. St. 1. Ed. 6. 12.

And to the intent that all treaſons ſhould bee the more dread, hated, and deteſted to bee done by any perſon or perſons, and alſo becauſe it is a great boldneſſe, and an occaſion to ill diſpoſed perſons to aduenture, and embrace their malicious intents, and enterpriſes, which all true ſubiects ought to ſtudy to eſchew. Be it therefore enacted by the authority aforeſaid, that none offendor in any kinds of high treaſons whatſoeuer they bee, their aydors, conſentors, Counſellors, nor abettors, ſhall bee admitted to haue the benefit or priuilege of any manner of Sanctuary, conſidering that matters of treaſons toucheth ſo nigh both the ſuerty of the King our ſoueraigne Lords perſon, and his heires and ſucceſſors.

No offendor in high Treaſon ſhall haue the benefit of Sanctuary.

And ouer that be it enacted by authority aforeſaid, that if any of the Kings ſubiects, deniſens or other do commit or practiſe out of the limits of this realm, in any outward parties, any ſuch offences, which by this Act are made, or heretofore haue béene made treaſon, that then ſuch treaſons whatſoeuer they be, or whereſoeuer they ſhall happen ſo to be done, or committed ſhall be inquired, and preſented by the oaths of twelue góod and lawfull men, vpon góod and probable euidence and witneſſe, in ſuch Shire and County of this Realme, and before ſuch perſons, as it ſhall pleaſe the Kings highneſſe to appoint by commiſſion vnder his great ſeale, in like manner and forme as treaſons committed within this realm, haue béene vſed to be inquired of and preſented, and that vpon euery inditement and preſentment found and made of any ſuch treaſons and certified into the Kings[a] Bench, like proceſſe and other circumſtance ſhall be there had, and made againſt the offendors, as if the ſame treaſons ſo preſented had béene lawfully found to bée done and committed within the limits of this Realme. And that all proceſſe of outlary hereafter to be made and had within this Realme, againſt any offendors in treaſon being reſiant, or inhabited out of the limits of this Realme, or in any of the parties of beyond the ſea, at the time of the outlary pronounced againſt them, ſhal be as góod and as effectual in the law to all intents and purpoſes, as if ſuch offenders had[b] béene reſident and dwelling within this Realme, at the time of ſuch proceſſe awarded, and outlary pronounced.

Treaſon committed out of the Realme ſhalbe inquired of in ſuch county and before ſuch perſons as the King ſhall appoint by commiſſion. St.35 H.8.2.

ke li.7.fol.23.
10.360.

Proces of outlary awarded againſt any Traitor remaining beyond the Sea. St.5.Ed.6.11.

fol.18.

And be it further enacted by authority aforeſaid, ý euery offender & offenders being hereafter lawfully conuict of any manner of high treaſons by preſentment, confeſſion, verdict, or proceſſe of outlary, according to the due courſe & cuſtome of ý common laws of this realm, ſhal loſe and forfeit to the Kings highneſſe, his heirs, & ſucceſſors, all ſuch lands, tenements, & hereditaments which any ſuch offender or offenders ſhall haue of any eſtate of[c] inheritance in vſe or poſſeſſion, by any right, title, or means, within this Realm of England, or elſewhere within any the kings dominions, at the time of any ſuch treaſon committed, or any time after. Sauing to euery perſon & perſons, their heirs & ſucceſſors (other then ý offenders in any treaſons, their heirs & ſucceſſors, & ſuch perſon & perſons as claim to any their vſes) all ſuch[d] rights, titles, intereſts, poſſeſſions, leaſes, rents, offices & other profits, wͨ they ſhal haue at ý day of committing ſuch treaſons, or at any time afore, in as large & ample maner, as if this act had neuer béen had nor made.

What an offender in treaſon ſhall forfeit. Coke pla.fol.422.

fol.378.
352.
fol.332.
89.
li.3.fol.10.
fol.33.
371.392.
lib.9.fol.

A ſauing of the right of others.

Cap. XIIII.

By whom Suffragans ſhall be nominated and elected.

St.25.H.8.20.

Albeit that ſithen the beginning of this preſent Parliament, góod and honorable ordinances and ſtatutes haue béene made, and eſtabliſhed for elections, preſentations, conſecrations, and inueſting of Archbiſhops and Biſhops of this Realme, and in all other the Kings Dominions, with all ceremonies appertaining vnto the ſame, as by ſundry ſtatutes thereof made more at large is ſpecified : yet neuertheleſſe no prouiſion hitherto hath béene made for Suffragans, which haue béene accuſtomed to be had within this Realme, for the more ſpéedy adminiſtration of the Sacraments, and other góod, wholeſome and deuout things, and laudable ceremonies to the increaſe of Gods honour, and for the commodity of góod and deuout people. Be it therefore enacted by authority of this preſent Parliament, that the townes of Thetford, Ipſwich, Colcheſter, Douer, Gilford, South-hampton, Taunton, Shafteſbury, Molton, Marlebough, Bedford, Leiceſter, Gloceſter, Shreweſbury, Briſtow, Penreth, Bridgewater, Nottingham, Grantham, Hull, Huntingdon, Cambridge, and the townes of Pereth, and Barwike, S. Germaines in Cornewall, and the Iſle of Wight, ſhall bee taken and accepted for Sées of Biſhops Suffragans to be made in this Realme, and in Wales, and the Biſhops of ſuch Sées ſhall bee called Suffragans of this Realme. And that euery Archbiſhop and Biſhop of this Realme, and of Wales, and elſewhere within the Kings Dominions, being diſpoſed to haue any Suffragan ſhall and may at their liberties name and elect, that is to ſay, euery of them for their peculiar Dioces, two honeſt and diſcréet ſpirituall perſons, being learned and of góod conuerſation, and thoſe ij. perſons ſo by them to be named, ſhall preſent to the Kings highneſſe by their writing vnder their ſeales, making humble requeſt to his Maieſty, to giue to one ſuch of the ſaid ij. perſons, as ſhall pleaſe his Maieſty, ſuch title, name, ſtile, and dignity of Biſhop of ſuch of the Sées aboue ſpecified, as the Kings Highneſſe ſhal think moſt conuenient for the ſame. And that the Kings Maieſty vpon euery ſuch preſentation, ſhal haue ful power and authority to giue to one of thoſe two perſons, ſo to his highneſſe to be preſented, the ſtile, title, and name of a Biſhop of ſuch of the Sées aforeſaid, as to his Maieſty ſhall be thought moſt conuenient and expedient, ſo it be within the ſame Prouince, whereof the Biſhop that doth name him is.

Sees for the Suffragans of Biſhops.

The Biſhop ſhall preſent to the King two perſons for his Suffragans.

The Kings allowance of a Suffragan.

And that euery ſuch perſon, to whom the kings highnes ſhal giue any ſuch ſtile & title, of any of ý ſées aforenamed, ſhalbe called Biſhop Suffragan of the ſame Sée: wherunto he ſhalbe named And after ſuch title, ſtile, and name ſo giuen, as is aforeſaid, the Kings Maieſty ſhal preſent

euery

The King preſenteth the Suffragan to the Archbiſhop.

euery ſuch perſon by his letters patents vnder his great Seale, to the Archbiſhop of Canturbury, if the Towne whereof he hath his title, be within the Prouince of Canturbury, and likewiſe to the Archbiſhop of Yorke, if the towne whereof he hath his title, be within the Prouince of Yorke, ſignifying and declaring by the ſame letters patents, the name of the perſon preſented, and the ſtile and title of dignity of Biſhopricke, whereunto he ſhall be nominated: requiring the ſame Archbiſhop, to whom ſuch letters patents ſhall be directed, to conſecrate the ſaid perſon ſo nominate and preſented, to the ſame name, title, ſtile and dignity of Biſhop: that he ſhall bée nominate and preſented vnto, and to giue him all ſuch conſecrations, benedictions, and ceremonies, as to the degrée and office of a Biſhop Suffragan ſhall be requiſite.

And bee it alſo enacted by authority aforeſaid, that all and euery ſuch perſon and perſons, as ſhall be nominated, elected, preſented, and conſecrated, as is afore rehearſed, ſhall be taken, accepted, and reputed, in all degrées and places, according to the ſtile, title, name and dignity that he ſhall be ſo preſented vnto, and haue ſuch capacity, power and authority, honor, preeminence, and reputation, in as large and ample manner, in and concerning the execution of ſuch Commiſſion, as by any of the ſaid Archbiſhops or Biſhops within their Dioces ſhal be giuen to the ſaid Suffragans, as to Suffragans of this Realme heretofore hath béene and accuſtomed.

Within what time after the Kings preſentation the Archbiſhop ſhal conſecrate a Suffragan.

And be it further enacted by authority aforeſaid, that euery Archbiſhop of this Realme, to whom any the kings letters patents, in the caſes afore rehearſed, ſhalbe directed hauing no lawful impediment, ſhall performe and accompliſh the effects and contents of this act within the time of thrée moneths next after ſuch letters patents ſhall come to their hands, any vſage, cuſtomes, forren lawes, priuileges, preſcriptions, or other thing or things heretofore vſed, had or done to the contrary hereof notwithſtanding.

Prouided alwaies, that no ſuch Suffragans, which ſhal be made and conſecrate by vertue and authority of this Act, ſhall take or perceiue any manner of profits, of the places and Sées, whereof they ſhall be named, nor vſe, haue, or execute any iuriſdiction or Epiſcopall power, or authority within their ſaid Sees, nor within any Dioces or place of this Realme, or elſewhere within the Kings dominions, but onely ſuch profits iuriſdiction, power and authority as ſhall be licenced and limited to them to take, doe, and execute by any Archbiſhop, or Biſhop of this Realme within their Dioces, to whom they ſhall be ſuffragans by their commiſſion vnder their ſeales.

What authority and benefit Suffragans ſhall haue in their Dioceſſes.

And that euery Archbiſhop and Biſhop of this Realme, for their owne peculiar Dioces, may and ſhal giue ſuch commiſſion or commiſſions to euery ſuch Biſhop Suffragan, as ſhalbe ſo conſecrate by authority of this Act, as hath béen accuſtomed for Suffragans heretofore to haue, or elſe ſuch commiſſion as by them ſhall be thought requiſite, reaſonable and conuenient. And that no ſuch Suffragan ſhall vſe any iuriſdiction ordinary, or Epiſcopall power, otherwiſe, nor longer time, than ſhall be limited by ſuch commiſſion to him to bee giuen, as is aforeſaid, vpon paine to incurre into the paines, loſſes, forfeitures and penalties mentioned in the Statute of Prouiſions, made in the ſixtéenth yeare of King Richard the ſecond.

Prouided alwaies, that the Biſhop that ſhall nominate the Suffragan to the kings Highneſſe, or the Suffragan himſelfe that ſhall be nominate, ſhall prouide two Biſhops or Suffragans to conſecrate him with the Archbiſhop, and ſhall beare their reaſonable coſts.

A Suffragans Reſidence ouer the dioces, ſhall be ſufficient for his benefice.

Prouided alſo that the reſidence of him that ſhall be Suffragan ouer the dioces where he ſhal haue commiſſion, ſhall ſerue him for his reſidence as ſufficiently, as if he were reſident vpon any other his Benefice, any Act heretofore made to the contrary notwithſtanding.

A Suffragan may haue two Benefices with cure.

Be it further enacted that all ſuch Suffragans, as ſhal hereafter exerciſe the offices aforeſaid by the commiſſion of the Biſhop, for the better maintenance of his dignity, may haue two Benefices with cure, any former Act made to the contrary notwithſtanding. REP. 1, &. 2. P. & M. 8. Reuiued. 1. El. 1.

Cap. XV.

What duties Spirituall men in Richmond in Yorke-ſhire ſhall take after the deceaſe of any perſon.

FOr as much as diuers, and many the King our Soueraign Lords ſubiects, inhabited within the Archdeaconry of Richmond, in the County of Yorke, be, and of long time haue béen ſore and grieuouſly exacted, and impoueriſhed, by the Parſons, Vicars, and others, ſuch as haue Benefices, and ſpirituall promotions, within the ſame, as by taking of euery perſon, when he dieth, in the name of a penſion, or of a portion, ſometime the ninth part of all his goods and cattels, and ſometime the third part, to the open, and manifeſt impoueriſhing of moſt of all the Kings poore ſubiects, inhabited, and deceaſing within the ſame.

What duties Spiritual perſons beneficed in the Archdeaconry of Richmond ſhall take after the deceaſe of any perſon.

Wherefore be it ordained, enacted, and eſtabliſhed by the King our Soueraigne Lord, the Lords ſpiritual and temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that from the Feaſt of Saint Marke the Euangeliſt next comming, No manner of ſpirituall perſon, or others now hauing, or that from the ſaid feaſt ſhall haue any manner of benefice, or other ſpiritual promotion within the ſaid Archdeaconry, ſhal in no wiſe, aſke, leuie, demaund, or take, after the deceaſe of any perſon or perſons, any ſuch portions or penſions, nor any other demand or duety, in the name or lieu of the ſame, vpon paine to incurre ſuch dangers, forfeitures, and penalties, as be contained in the Statute of Prouiſors made the fiue and twentieth yeare of the raigne of your moſt noble progenitor King Edward the third: but that all and euery the Kings ſubiects of the ſaid Archdeaconry, and their executors and adminiſtrators, from henceforth ſhall be ordered, entreated, and vſed for their goods, and cattels, after their deceaſe, in like manner, forme, order and condition, as is conteined in the Statute made in the one and twentieth yeare of your moſt noble and victorious raigne for probate of teſtaments and none otherwiſe, any ſuch cuſtome, Bull, compoſition, preſcription, or ordinance heretofore had, obtained, or vſed to the contrary, within the foreſaid Archdeaconry, in any wiſe notwithſtanding.

25 E.3.

St.21.H.8.6.

Cap. XVI.

How worſteds are to be made in Norwich, Linne, and Yarmouth.

St.14.H.8.3.

WHereat a Parliament holden at London the fifteenth day of April, in the fourteenth yeere of the raigne of our Soueraigne Lord the king that now is, and from thence adiourned to Weſtminſter, the laſt day of July, in the fifteenth yeare of our ſaid Soueraigne Lord, & there ended: It was ordained, enacted and eſtabliſhed, that the craftſmen called Worſted-weauers inhabited in the towne of great Yarmouth, ſhould haue power and authority by that Act from thence forward, to elect and chooſe yeerly for euer, on the Munday next after the feaſt of Pentecoſt, one honeſt man of the Myſtery and Occupation of Worſted-weauers, being an houſholder within the ſaid towne of great Yarmouth, and hauing of his proper goods and cattels to the value of ten pounds at the leaſt, or lands and tenements to his own vſe of eſtate of freehold at the leaſt, to the cleere yeerly value of twenty ſhillings, to be Warden of the ſame craft and myſtery of worſted-weauers for the yeare next enſuing, which man ſo elected and choſen, ſhould perſonally appeare before the Maior of the city of Norwich for the time being, the Munday next after the Feaſt of Corpus Chriſti, then next enſuing, then and there to be ſworne and charged by like oath, concerning the true and ſubſtantiall making of Worſteds, Saies, and Stamins within the ſaid Towne of great Yarmouth, as the foure Wardens of the ſaid City of Norwich, by vertue of an Act of Parliament, made in the ſeuenth yeare of king Edward the fourth, were charged and ſworne for the ſame City of Norwich. And if the ſaid Mayor happened to be abſent the ſaid Munday next after Corpus Chriſti, or elſe then refuſed to receiue or take the ſaid oath, then the ſaid Warden ſo elect within iiij. daies next after ý ſame munday, ſhould come before the bailifes of the ſaid Towne of great Yarmouth, for the time being, or before one of them, the other being abſent, and then and there receiue a corporal oath for the true exerciſing of the ſame office of Wardenſhip, after the tenour of the oath accuſtomedly vſed to be giuen to the ſaid wardens of the ſaid City of Norwich. And then the ſaid Warden of the ſaid Towne of great Yarmouth for the time being, ſo elected and ſworne, might ordaine and appoint a Seale with this Letter Y to be grauen in the ſame Seale, and might haue full power and authority to view, ſearch, ſeaſe and ſeale in lead with the ſame ſeale, ſo to be appointed and engrauen, and none other, all worſteds, ſaies, and ſtamins, within the ſaid Towne of Yarmouth, and ſuburbs of the ſame, made or to be made, and not elſewhere, in as large and ample manner as the ſaid Wardens of the ſaid City of Norwich, and the Wardens of the County of Norfolke, or any of them, had within the ſaid City or County, or in any wiſe may doe in that behalfe, by authority or vertue of the afore remembred Act made in the ſaid ſeuenth yeere of King Edward the fourth, any thing in the ſame contained to the contray therof notwithſtanding. And that no perſon inhabited within the ſaid Towne of great Yarmouth, or Suburbs thereof, ſhould weaue any Worſteds, Sayes, or Stamins, within the ſame towne, except hee bee an Engliſhman borne, and had beene a Prentice to the ſame occupation, and without he weaued therein ſuch proper marks as ſhould be limited and appointed by the ſaid Warden of the ſaid towne for the time being, elect and ſworne, as is aforeſaid, vpon paine of forfeiture thereof to the King our Soueraigne Lord. And that euery Warden of the ſaid towne ſhould limit diſtinct and ſeueral marks to euery of the ſaid Worſted-weauers of the ſame Towne of great Yarmouth, and the ſame markes by the ſaid Warden to be regiſtred in a booke.

The election of a Warden of Worſted-weauers in great Yarmouth.

The Warden ſhall take an oath. 7.E.4.1.

The Wardens Seale and his authority.

Who only may weaue Worſteds in great Yarmouth.

And alſo it was further enacted, that if, and whenſoeuer the Towne of Linne ſhould be inhabited with ten ſundry houſholders, or more number of houſholders, exerciſing and vſing the ſaid craft, or myſtery of Worſted-weauers, then, and from thenceforth, that is to ſay, as long as the ſame Towne of Lin ſhould be inhabited with the number of ten ſuch houſholders at the leaſt, it ſhould be lawfull to the ſame inhabitants of the ſaid Towne of Linne, yeerly in the Munday next after the feaſt of Pentecoſt, to elect and chooſe of themſelues one Warden of the ſaid craft and myſtery of Worſted-weauers, to bee of the value in lands and goods as is aforeſaid of the Wardens of Yarmouth, which warden ſo elect, ſhould yeerly be ſworne and charged at the ſaid City of Norwich, in like manner and at like day, as is before limited to the Wardens of Yarmouth, or in default of the ſaid Mayor of Norwich, then the ſaid Warden ſo to be elect for the ſaid Towne of Lin, to take a corporall oath before the Mayor of the ſaid Towne within ſuch time, and after ſuch forme as is before limited vnto the ſaid Warden of Yarmouth.

The election and oath of the Warden of Worſted-weauers in Linne, and in Norfolk.

And that the ſaid Warden of the ſaid towne of Lin for the time being ſo elect and ſworne by himſelfe, might ordaine and appoint a ſeale with this letter L. to bee grauen in the ſeale, and might haue ful power and authority, to view, ſearch, ſeiſe, and ſeale, in lead, with the ſame ſeale to be grauen, and with none other, all Worſteds, Saies, and Stamins, within the ſaid towne of Linne, and ſuburbs of the ſame, made or to bee made, and not elſewhere, in as large and ample manner, as the ſaid Warden of the ſaid city of Norwich, and Warden of the ſaid County of Norfolke, or any of them, had within the ſaid City or County, or otherwiſe might doe by the authority or vertue of the aforeſaid Act, made in the ſaid ſeuenth yeare of King Edward the fourth, any thing contained in the ſame Act to the contrary notwithſtanding.

Who only may weaue worſted &c. in Linne.

And that no perſon inhabited within the ſaid town of Linne or ſuburbs thereof, ſhould make any Worſteds, Sayes, or Stamins, within the ſame towne, except he were Engliſh borne, and had béen apprentice to the ſame occupation, and without he weaued therein ſuch proper marke as ſhould be limited and appointed by the ſaid Wardens of the ſame towne of Lin for the time being, vpon paine of forfeiture therefore to the King our Soueraigne Lord. And that euery Warden of the ſaid towne, ſhould limit diſtinct and ſeuerall markes to euery of the ſaid Worſted Weauers of the ſame towne, and the ſame marks by the ſaid Warden to bée regiſtred in a booke.

Who ſhal ſerch and ſeale Worſteds at Linne when there ſhal be no Wardens there.

And it was further enacted, that from the feaſt of Saint Michael the Archangel then next following, vnto ſuch time as the ſaid towne of Linne ſhould bee inhabited with the ſaid number of ten houſholders of the ſaid craft of Worſted weauers, and alwayes after when the number of ten houſholders ſhould happen to faile and not bee inhabited in the ſaid towne of Linne, the ſaid Wardens of the ſaid City of Norwich and their ſucceſſors, ſhould procure and cauſe one of themſelues, or one of the wardens of the ſaid craft of the ſaid County of Norffolke, perſonally to come and be euery xxviij. day, from and after the ſaid feaſt of Saint Michael the Archangell in and to the ſaid towne of Linne, or within ſix dayes next after euery ſuch eight and twentieth day, and there to continue and abide by ſo long time, as he might ſearch and ſeale all ſuch Worſteds, Sayes, and Stamines, made in the ſame towne of Linne, as then ſhould bee brought to him to be ſealed within the ſpace of one whole day. And the ſaid inhabitants of Worſted weauers of the ſame towne of Linne being, ſhould content & pay to the ſaid wardens of Norwich or Norff. which ſhould ſo come to Lin, in the ſaid xxviij. day or within the vj. daies next after the xxviij. day, for his coſts and expences for euery time that he ſhould ſo come to Lin, betwéene the feaſts of Saint Michael the Archangel, & the annunciation of our Lady S. Mary, iij. s. & for euery time that he ſhould ſo come to the ſaid towne of Linne, betwéene the feaſt of the Annunciation of our Lady, and the feaſt of Saint Michael the Archangell two ſhillings. And if the ſaid inhabitants of Worſted weauers of the ſaid towne of Linne, did not content and pay to the ſaid Warden, comming to Lin in forme aforeſaid, for his ſaid coſts and charges, the ſaid three ſhillings or two ſhillings, as is aboue limited, then the ſame inhabitants ſhould forfeit, and pay to the ſaid Warden, or to his executors for euery ſuch default of paiment xl. s. And if none of the ſaid Wardens of Norwich and Norffolke come to the ſaid towne of Linne, for the cauſe aforeſaid, in maner and forme aboue remembred, that the ſaid Wardens of the ſaid City of Norwich ſhould forfeit and pay to the ſaid inhabitants of Linne of the ſaid myſtery of Worſted weauers, for euery ſuch default xl. s. for recompence of the penalties and forfeits, the ſaid Wardens of Norwich or Norffolk being thereunto entitled by that act by his proper name, with this addition, that is to ſay, Vnius Gardianorum, or Nuper vnius Gardianorum, artis ſiue miſterij textorum panni lanei vocat. Worſted in ciuitate Norwici, vel com. Norff. as the truth requireth, ſhould and might haue action of debt by writ, bill, or plaint, in any competent or lawfull Court of this Realme againſt the inhabitants of Linne of the ſaid myſtery for the time, being by their ſundry proper names, and the ſaid inhabitants by their ſaid names, with this addition, Textorum panni lanei vocat. Worſt. inhabitantes villæ de Linne, ſhould and might haue like action of debt againſt the ſaid Wardens of Norwich, by the name of Gardiani artis ſiue myſterij textorum pannorum laneorum vocat. Worſted infra ciuitatem Norwici vel com. Norff. to be vſed in good congruities of Latine, and forme of the lawes of this Realme, in which actions, or any of them, none eſſoins, protection, or wager of Law ſhould bee ſuffered or allowed. And that the particular bodies, or goods of any of the ſaid Wardens or inhabitants, being condemned in any of the ſaid actions, ſhould and might be put in execution, after ſuch manner and forme, as is vſed in an action of debt by courſe of the common law of this Realme.

By what names the parties grieued ſhall vſe their actions.

Clothes marked by the wardens ſhall not be marked againe.

And moreouer it was enacted, that all clothes of worſteds, Saies, and Stamins, made within any of the ſaid townes of Linne, and great Yarmouth or ſuburbs of the ſame, or any of them, and marked with ſuch markes as ſhould be limited to the markers, by the ſaid Wardens of the ſaid town in manner and forme as is aboueſaid, and viewed and ſealed by any of the ſaid Wardens of the ſaid townes of Linne and Yarmouth, in forme remembred, by force and vertue of the ſaid Act might be lawfully put to ſale by the owners and makers of the ſame, without any other marking or ſealing vpon the ſame clothes, or vpon any of them to be had or made, by any other wardens dwelling or abiding without the ſaid towne, and without any arreſt, ſeiſure, or forfeiture to be had or made of or vpon any of the ſaid clothes, for lacke of any other ſeales or markes, any thing conteined in the ſaid ſeventh yeare of King Edward the fourth to the contrary notwithſtanding.

And ouer this it was enacted, that euery craftsman of the ſaid myſtery and occupation of Worſted making, dwelling within any of the ſaid Townes of Linne and Yarmouth, and ſuburbs of the ſame, at their free wills and liberties from henceforth for euer might haue and take apprentice or apprentices, being male of the age of eightéene yeares, and vpward, and being the Kings naturall ſubiects, for terme of ſeuen yeares and not vnder, ſo that none of them exceed the number of two at once, to learne, vſe, and exerciſe the ſaid craft within either of the ſaid two townes of Linne, and great Yarmouth, and ſuburbes of the ſame: all bee it the father of the ſaid apprentice or apprentices might not expend in lands or tenements, to the yearly value of twenty ſhillings: any Act or ordinance to the contrary made or to bee made notwithſtanding.

What apprentices the ſaid Worſted weauers may haue.

Prouided alway that the ſame Act, or any thing therein contained ſhould not in any wiſe be hurtfull, or preiudiciall to the Maior of Norwich, or to his ſucceſſor, or to the Wardens of the ſaid City, or County, or to their ſucceſſors, in any point, or article, power, or authority, other than for weauing, ſearching, and ſealing of Worſteds, Saies, and Stamines, made or to bee made onely within the ſaid Towne of Linne, or Yarmouth, or ſuburbs of the ſame, or to any of them, and for limiting of markes to the makers of Worſteds, Sayes, and Stamines, onely inhabited in either of the ſaid townes or ſuburbs thereof, and taking of the apprentices in forme aboue remembred: but that the Mayor of the ſaid City of Norwich, and Wardens of the ſame city and county, and euery of them, might haue and vſe all other points, articles, powers, and authorities conteined & ſpecified in the aboue remembred act, made in the ſaid vij. yéere of king Edward the fourth, as well for the ſearch, ſealing, correction, and reformation of the ſaid Wardens, newly to bée elected by the vertue of the ſame act, and euery of them, according and after ſuch forme as they might doe or uſe any of the ſaid Wardens of the City, or County, by force of the ſaid Act, made in the ſaid vij. yéere of King Edward the fourth, as all and euery other inquiries, corrections, ſearches, ſealings, & reformations to be had for the true making of Worſteds, Sayes, and Stamins, in and vpon any perſon or perſons, as well within the ſaid towns of Lin and Yarmouth, as without, without trouble, let, or vexation of any of the inhabitants of the ſaid town, in as large and ample wiſe, as they might haue done before the making of the ſaid act, any thing conteined in the ſame Act to the contrary notwithſtanding.

This Act ſhall not be preiudiciall to the Maior of Norwich, or to the wardens there.

And alſo it was further prouided and enacted, that the ſaid craftſmen of Worſted weauers, inhabited, or after that to be inhabited within either of the ſaid towns of Lin, and Yarmouth, or ſuburbes of the ſame: and the Merchants or any other perſon or perſons, which ſhould happen to buy of the ſame craftſmen, or any of them, or any other perſon, any of the ſaid clothes of Worſteds, Sayes, or Stanins, made or to be made within either of the ſaid towns of Lin, and Yarmouth, and ſealed by the ſaid Wardens of the ſame townes, to be elect and ſworne as is aforeſaid, and any of them, ſhould not ſheare, dye, or put in colour, or kalender any Worſteds, Stamines, or Sayes, made, or after that to be made within either of the ſaid townes of Linne and Yarmouth, and ſuburbs of the ſame, in any other place or places, but onely within the ſaid city of Norwich, or ſuburbs of the ſame, vpon paine of forfeiture of euery piece of worſted, ſaies, or Stamins, to be made within any of the ſaid townes of Linne and Yarmouth, or ſuburbes of the ſame, or the value thereof ſhorne, died, coloured or kalendred by any of the ſaid craftſmen, buyers, or merchants, in any other place or places than in the ſaid city of Norwich, or ſuburbes of the ſame. The one halfe therof to be to the King our Soueraigne Lord, and the other halfe therof to ſuch perſon or perſons, as ſhould ſeiſe the ſame, ſo that the ſaid worſteds brought to the ſaid city of Norwich to bee ſhorne, dyed, coloured, and kalendred, without couine or craft of any of the ſaid inhabitants & marchants, might be ſhorne, dyed, coloured, and kalendred at and by as conuenient price or prices, & in as ready wiſe, as the ſaid inhabitants of either of the ſaid towns of Linne and Yarmouth, and Merchants buyers of the ſaid Worſteds, or other of the ſaid City and county, had had in times paſt, or after that ſhould haue. And alſo that the ſame inhabitants, and merchants, and euery of them ſo bringing the ſaid Worſteds to the ſame city to bee ſhorne, dyed, coloured, and kalendred, were reaſonably and lawfully intreated according to the ſaid act, made the ſaid vij. yeare of king Edward the fourth, and the ordinance made and affirmed, or hereafter to be made and affirmed for the ſaid myſtery, without let or diſturbance, contrary to the ſame act or ordinance in that behalfe.

None in Linne or Yarmouth ſhal ſheare, dye, or colour Worſted, but in Norwich.

And it is further enacted, that no perſon or perſons, any time after that ſhould conuey or tranſport into any of the parts of beyond the ſea, any manner of clothes of Worſteds, before the ſame clothes were ſhorne, dyed, coloured and kalendred, vpon paine of forfeiture the value thereof: the one halfe to the king our Soueraigne Lord, and the other halfe thereof to the party that wil ſue therefore, by action, or plaint of debt, in any of the kings courts, in which action or ſuit, no protection or eſſoine, ſhould be allowed, nor the defendant admitted to wage his law, as by the ſaid Act thereof made, more plainly appeareth: which Act was made to endure vnto the next Parliament,

No Worſteds ſhall be carried beyond the ſea before they be ſhorne, died, &c.

ment, whereby it is now expired. In conſideration whereof, and foraſmuch as the ſame Act is a good and neceſſary Act, for the true making of Worſteds, Sayes, and Stamins, and very commodious and profitable for the increaſe of the ſaid Townes of Yarmouth and Lin, Be it therefore enacted by the King our Soueraigne Lord, and the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, that the ſame Act and euery article, ſentence and prouiſion therein contained, ſhall from henceforth be continued, and ſtand for euer in full ſtrength and vertue. 21.H.8.21.

The Stat. of 14.H.8.3. rehearſed and made perpetual

Cap. XVII.

Farmers of ſpirituall perſons ſhall not pay any firſt fruits of the Tenth granted to the King.

FOr certaine reaſonable and vrgent conſiderations mouing the kings moſt high court of Parliament, It is ordeined and enacted by authority of the ſame, that all and ſingular Fermors and Leſſees of any manors, Lordſhips, Lands, Tenements or other Hereditaments, Parſonages, Vicarages, portions of Tithes, or other whatſoeuer profits or commodities, belonging to any Archbiſhop, Biſhop, or other Prelate, or ſpirituall perſon or perſons, or ſpirituall body corporate or politique, whereof any firſt fruits or yéerly penſion of the tenth part is granted to the K. our ſoueraign Lord in this preſent ſeſſion of the ſaid Court of Parliament, ſhalbe diſcharged and not chargeable to pay to our ſaid ſoueraign Lord, of his or their proper mony, coſt, or charge for or in diſcharge of the leſſor or leſſors, owner or owners of the ſame, by reaſon of any couenant, bargaine, bond, condition, clauſe of reentre, or other thing herefore made, or concluded, but that euery of the ſaid leſſors and owners, and their ſucceſſors, ſhall be charged, and chargeable to pay and ſatiſfie the ſame, of his, or their proper coſt and charge, to the King our ſoueraign Lord his heires, and ſucceſſors according to the grant thereof: any couenant, bargaine, contract, bond, condition, clauſe of reentre, or other thing heretofore made or concluded to the contrary thereof in any wiſe notwithſtanding. Exp. 1. El. 4.

Fermors of ſpirituall perſons ſhal not be compelled to pay firſt fruits or Tenthes for their Leſſees. St. 26. H. 8. 3.

Cap. XVIII.

The Kings pardon to all his ſubiects of all felonies, treſpaſſes and offences not excepted. Exp.

ANNO VICESIMO SEPTIMO HENRICI OCTAVI.

ACTES made in the Seſſion of this preſent Parliament, holden vpon prorogation at Weſtminſter the fourth day of Februarie, in the ſeuen and twentieth yeare of the reigne of our moſt dread Soueraigne Lord King HENRY the eight, and there continued and kept till the fourteenth day of April next enſuing, to the honour of God, and for the common weale and profit of this Realme.

Cap. I.

A remedy for repaire of decayed houſes and ground in Nottingham, Shreweſbury, Ludlow, Glocester, Bridgenorth, Quinborow, and Northampton, and the precincts thereof.

FOraſmuch as diuers and many houſes, meſuages and tenements of habitations in the towne of Notingham, Shrewesbury, Ludlow, Bridgnorth, Quinborow, Northampton, and Glouceſter, now are, and of long time haue been in great ruine and decay, and ſpecially in the principall and chiefe ſtréets there being, in the which chiefe ſtréets in times paſſed haue béen beautifull dwelling houſes there, well inhabited, which at this day much part thereof is deſolate, and void grounds, with pits, cellars, and vaults, lying open and vncouered, very perillous for people to go by in the night, without ieoperdy of life: which decayes are to the great impoueriſhing and hinderance of the ſame townes.

For the remedy whereof, it may pleaſe the King our Soueraigne Lord, by the aſſent of his Lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by authority of the ſame it may be enacted, that if the owner or owners of any ſuch void and decayed houſes or grounds within the precinct of the ſaid townes of Notingham, Shrewesbury, Ludlow, Glouceſter, Bridgenorth, Quinborow, and Northampton, within thrée yeares next after Proclamation thereof to be made by the Mayors, Sheriffes, and Bayliffes of any of the ſaid towns, by what name or names ſoeuer they be incorporated, in and vpon any ſuch vacant or decayed houſes and grounds in any ſuch townes, as is aforeſaid, and according to this Act, doe not enter, and ſufficiently reedifie, and build the ſame decayed houſes, or void grounds: that then it ſhall be lawfull to the Lord, of whom ſuch vacant grounds or decayed houſes béen or ſhal be holden, to enter immediately after the ſaid thrée yeares expired, and to haue the ſame grounds to them and their heires or ſucceſſors for euer: So that the ſaid Lords doe ſufficiently reedifie, and build the ſame vacant or void grounds, wherein hée or they may enter by this Act,

The owners of decated houſes or grounds ſhal reedifie them within three yeares within thrée yéeres next after and immediately following the determination of the former thrée yeares, in the which the owners ought to haue entred, reedified, and builded the ſame, by vertue of this Act.

The Lords of the fee may ſeiſe and repaire thē in default of the owners.

And if ſuch Lords as may enter by this Act doe not enter, and well and ſufficiently reedifie, & build the ſame void and decaied houſes and grounds in their ſaid thrée yéeres to them limited by this Act, That then it ſhall be lawfull to the Maiors, Sherifes, Bailifes, and Comminalty of the ſaid townes, by what name or names ſoeuer they bee incorporated, and their ſucceſſors for the time being immediately after the ſaid thrée yeares expired, to enter into euery ſuch void, or decayed grounds, or houſes, and the ſame grounds, or ground to hold, and reteine without interruption to them, and their ſucceſſors for euer, clearely diſcharged of rents going out of the ſame, as well againſt the Lord or Lords, of whom ſuch ground or grounds be holden, as all other: ſo that alwayes the ſame Maiors, Sherifes, Bailifes, or Comminalty or their ſucceſſors for the time being, doe well and ſufficiently reedifie, and build the ſame ground or grounds, wherein they may ſo enter by this Act, within thrée yeares next and immediatly following the determination of the former thrée yéers, in the which the aforeſaid Lords, of whom ſuch ground or grounds were holden, ſhould or ought to haue entred reedified and builded the ſame.

The chiefe officers of the towns may enter, ſeiſe and repaire them if the chiefe Lords doe not.

And in caſe the ſaid Maiors, Sherifes, Bailifes, and Comminalty, or their ſucceſſors for the time being, doe not enter, and ſufficiently reedifie, and build the ſame void, or decaied houſes or grounds, in forme aforeſaid, within the ſaid terme of thrée yéeres, according to this Act, That then it ſhall bee lawfull to the firſt owner, and owners of ſuch decayed and void grounds, their heires or ſucceſſors immediately after the ſame thrée yeares expired, into the ſame ground and grounds to reenter, and them to retains to them their heirs, or ſucceſſors, as in their firſt eſtate, any thing in this Act to the contrary notwithſtanding.

The firſt owner may reenter if the chiefe officers do not reedifie within thrée yeares.

Prouided alwaies that this Act nor any thing therein contained, ſhall be in any wiſe preiudiciall or hurtfull to any perſon or perſons, being at the time of the ſaid proclamation made vnder the age of one and twenty yeares, or to any woman couert baron, or any perſon or perſons being in priſon, or beyond the Sea in the Kings warres, or his other lawfull affaires, during ſuch time as ſuch perſon or perſons ſhall be within age, couert baron, in priſon, or beyond the ſea, ſo that the ſame perſon or perſon, after he or they be come to full age, or being not couert baron, out of priſon, and come againe within this Realme, within thrée yeares next enſuing doe reedifie the ſame houſes ſo decaied.

A prouiſo for an infant, woman couert, any perſon in priſon, or beyond the ſea.

Cap. II.

It ſhall bee high Treaſon to counterfeit the Kings ſigne Manuel, priuy Signet, or priuy Seale, &c. REP. 1.Ed.6.12. 1.M.1.

Cap. III.

A reſtraint of the exactions taken by the Mayor and Comminalty of the Towne of Hull. REP. 33.H.8.33.

Chp. IIII.

The triall, and puniſhment for Pirates on the Sea.

WHere Pirates, Théeues, Robbers, and murtherers vpon the Sea, many times eſcape vnpuniſhed, becauſe the triall of their offences hath heretofore béene ordered before the Admirall, or his Lieutenant, or Commiſſary, after the courſe of the ciuill Lawes, the nature whereof is, that before any iudgement of death can bee giuen againſt the offendors, either they muſt plainly confeſſe their offence (which they will neuer doe without torture or paines) or elſe their offences be ſo plaine and directly proued by witneſſe indifferent, ſuch as ſaw their offences committed, which cannot be gotten but by chance at few times, becauſe ſuch offendors commit their offences vpon the Sea, and at many times murder and kil ſuch perſons being in the ſhip or boat where they commit their offences, which ſhould beare witneſſe againſt them in that behalf: and alſo ſuch as beare witneſſe bee commonly Mariners and ſhipmen, which for the moſt part cannot be gotten, ne had alwaies ready to teſtifie ſuch offences, becauſe of their often voiages & paſſages in the Seas, without long tarrying and protraction of time, and great coſts and charges, as well of the Kings Highneſſe as ſuch as would purſue ſuch offendors. For reformation whereof be it enacted, by authority of this preſent Parliament, that all ſuch offences done in or vpon the Sea, or in any other hauen, riuer or créeke, where the Admirall or Admiralls pretend to haue iuriſdiction, ſhall be inquired, tried, heard, and determined in ſuch Shires and places in the Realme, as ſhall bee limited by the Kings Commiſſion to be directed for the ſame, in like forme and condition, as if ſuch offences had béene done vpon the Land. And that ſuch Commiſſions ſhall be had vnder the Kings great Seale, directed to the Lord Admirall or Admirals, or to his or their Lieutenant, deputie, or deputies, and to thrée or foure ſuch other ſubſtantial perſons as ſhalbe named by the Lord Chancellor for the time being as often as néed ſhal require to heare

The inconueniences of triall of piracy after the courſe of the Ciuill Law.

Before what perſons offences committed vpon the Sea ſhalbe inquired, heard, and determined.

and determine ſuch offences after the common courſe of the lawes of the land, vſed for felonies done and committed within the Realme.

By what iurors the ſame offences ſhalbe inquired of.

And be it enacted by the authority aforeſaid. That ſuch perſons, to whom ſuch Commiſſions ſhalbe directed, or three of them at the leaſt, ſhall haue full power and authority to enquire of ſuch offences by the othes of xij. good and lawfull men inhabited in the ſhire limited in their commiſſion, in ſuch like manner and form, as if ſuch offences had beene committed vpon the land within the ſame ſhire: and that euery inditement found and preſented before ſuch Commiſſioners of any felonies, robberies, murders, or manſlaughters done vpon the Seas, or in, or vpon any other Hauen, Riuer, or Creeke ſhalbe good and effectuall in the law. And if any perſon or perſons happen to be indited, for any ſuch offence, done, or hereafter to be done vpon the Seas, or in any other places aboue limited: that then ſuch order, proces, iudgement and execution ſhall be vſed, had, done, and made to and againſt euery ſuch perſon and perſons ſo being indicted, as againſt felons and murderers for murder or felony done vpon the Land, as by the Laws of the Realme is accuſtomed. And that the triall of ſuch offence, if it be denied by the offenders ſhall be had by twelue men inhabited in the ſhire limited within ſuch Commiſſion, which ſhall be directed as is aforeſaid, and no challenge to bee had for the hundred. And ſuch as ſhall bee conuict of any ſuch offence by verdict, confeſſion, or proces, by authority of any ſuch Commiſſion ſhall haue and ſuffer ſuch paines of death, loſſes of lands, goods, and cattells, as if they had beene conuict of any felonies or murders done vpon the lands.

The triall, iudgement, and forfeiture of offendors in Piracie.

Clergy ſhall not be allowed to Pirats.

And be it enacted by authority aforeſaid, that for robberies, felonies, and murders done vpon the Seas, or in any other places aboue rehearſed, the offenders ſhall not be admitted to haue the benefit of their Clergy, but bee vtterly excluded thereof, and alſo of the Priuilege of any ſanctuary.

Things taken vpon the Sea by neceſſity.

Prouided alway that this act extend not to be preiudicial, or hurtful to any perſon or perſons for taking any victuals, gables, ropes, anchors, or Sailes which any ſuch perſon or perſons compelled by neceſſity taketh of or in any other ſhip, which may conueniently ſpare the ſame: So that the ſame perſon or perſons pay out of hand for the ſame victuall, gables, ropes, anchors, or ſailes, money, or money worth to the value of the thing ſo taken, or deliuer for the ſame a ſufficient bill obligatory to be paid in form following, that is to ſay, if the taking of the ſame things bee on this ſide the Straits of Marrok, then to bee paid within foure moneths. And if it bee beyond the ſaid Straits of Marrok, then to bee paid within twelue moneths next enſuing the making of ſuch bils: And that the makers of ſuch bils well and truly pay the ſame debt at the day to be limited within the ſaid bils.

Commiſſions directed into the fiue Ports.

Prouided alway that whenſoeuer any ſuch commiſſion for the puniſhment of the offences aforeſaid, ſhall be directed or ſent to any place within the iuriſdiction of the fiue Ports, that then euery ſuch Commiſſion ſhall be directed vnto the Lord Warden of the ſame Ports for the time being, or to his deputy, and vnto three or foure ſuch other perſon or perſons, as the Lord Chancellor for the time being ſhall name and appoint: any thing in this preſent Act to the contrary thereof in any wiſe notwithſtanding.

Prouided alſo, that whenſoeuer any Commiſſion ſhall be directed into the fiue Ports, for the inquiſition and triall of any the offences expreſſed in this Act: that euery ſuch inquiſition and triall to be had by vertue of ſuch Commiſſion, ſhall bee made and had by the inhabitants in the ſaid fiue Ports, or the members of the ſame, any thing in this Act to the contrary thereof notwithſtanding. St.28.H.3.15.

CAP. V.

Who ſhall make Iuſtices of Peace, &c. in Cheſter and Wales.

THe Kings Highneſſe conſidering the manifold robberies, murders, thefts, treſpaſſes, riots, routs, embraceries, maintenances, oppreſſions, ruptures of his peace, and many other malefacts, which beene daily practiſed, perpetrated, committed, and done within his Counties, and county Palantine of Cheſter and Flintſhire in Wales, adioyning to the ſaid county of Cheſter, and alſo in his Counties of Anglice, otherwiſe called Angleſea, Kayernervan, and Mereoneth within his principality of Northwales: And alſo in his Counties of Cardigan, Kayermerthen, Pembroke, and Glamorgan in Southwales, by reaſon that common Iuſtice hath not beene indifferently miniſtred there, like and in ſuch forme as it is in other places of this his Realme: By reaſon whereof the ſaid murders, robberies, thefts, treſpaſſes, and breaking of the peace haue remained vnpuniſhed, to the great animation of euil doers in the ſame countries. For redreſſe and amputation whereof, & to the intent that one order of miniſtring of his lawes ſhould bee had, obſerued, and vſed in the ſame, as in other places of this Realme of England is had and vſed: It is ordained and enacted by the King our Soueraigne Lord, and the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That the Lord Chancellor of England, or the Lord Keeper of the great Seale for the time being, from time to time, and at all times, ſhall haue full power and authority by

The lacke of execution of iuſtice the cauſe of diſorder.

his diſcretion, to nominate and appoint Juſtices of Peace, Juſtices of the Quorum, and Juſtices of Gaole deliuery in the ſaid Counties of Cheſter, Flint, Angleſey, Kayernaruan, Mereoneth, Cardigan, Kayermerthen, Pembroke, and Glamorgan, by Commiſſion vnder the Kings great Seale, which ſhal haue ful power and authority to enquire, heare, and determine all maner thing and things enquirable, preſentable, or determinable before Juſtices of Peace, Juſtices of Quorum, and Juſtices of Gaole deliuery in other Shires of this Realme of England, by force or vertue of any ſtatute or ſtatutes made and to be made, or by the courſe of the Common lawes of this Realm. And that the ſaid Juſtices of Peace, Juſtices of Quorum, and Juſtices of gaole deliuery, ſo to be named and appointed by the ſaid Lord Chancellor or Lord Keeper of the great Seale, and euery of them ſhall haue like power and authority within the ſaid Counties of Cheſter, Flint, Angleſey, Kayernaruan, Mereoneth, Cardigan, Kaiermerthen, Pembroke, and Glamorgan, to doe, vſe, and execute euery thing and things, as other Juſtices of Peace, Quorum, and Gaole deliuery, haue within any other of the Shires of this Realme of England: And alſo ſhall be ſworne, aſtricted and obliged to the keeping of their Seſſions of the Peace, and to the due execution of all and ſingular ſtatutes and ordinances made, and to be made in like maner and forme, and vnder like paines and penalties, as Juſtices of Peace, Quorum, and Gaole deliuery, in other ſhires of this Realme of England beene and ſhall be bounden and obliged, any Act, ſtatute, preſcription, vſage, cuſtome, liberty, or priuilege had, made, accuſtomed, or vſed to the contrary notwithſtanding.

Juſtices of P. of Quorum, and of Gaole deliuery ſhalbe aſſigned in certaine ſhires in Wales, and their authority.

And it is further enacted by the authority aforeſaid, that the extreats of the iſſues, fines, and amerciaments, taxed, ſet, loſt or forfeited by or before ſuch Juſtices of P. Quorum, and Gaole deliuery, in the ſaid counties of Cheſter and Flint, ſhall be returned and certified into the Eſchequer of Cheſter before the Kings Chamberlaine there.

Cheſter. Flint.

And that the extreats of the iſſues fines and amerciaments, taxed, ſet, loſt, or forfeited, by or before the Juſtices of P. Quorum, and Gaole deliuery, in the ſaid counties of Angleſey Kayernaruan, and Mereoneth, and euery of them ſhal be returned and certified into the Kings Eſchequer at Kaiernaruan, to, and before the Kings Chamberlaine of Northwales.

Angleſey. Karnaruan. Merioneth.

And that the extreats of the iſſues fines and amerciaments, taxed, ſet, loſt, or forfeited, by or before the Juſtices of Peace, Quorum, and Gaole deliuery, in the ſaid counties of Kaiermerthen and Cardigan, and euery of them ſhall be returned, and certified into the Kings Eſchequer at Kaiermerthen, to, and before the Kings Chamberlaine of Southwales.

Karmerthen. Cardigan.

And that the extreats of the iſſues, fines, and amerciaments, taxed, ſet, loſt, or forfeited by or before the Juſtices of Peace, Quorum, and Gaole deliuery in the county of Pembroke ſhall bee returned and certified vnto the Kings Eſchequer at Pembroke.

Pembroke.

And that the extreats of the iſſues, fines and amerciaments, taxed, ſet, loſt, or forfeited by or before the Juſtices of Peace, Quorum, and Gaole deliuery in the ſaid County of Glamorgan, ſhal be returned and certified into the Kings Eſchequer at Caierdiff. And that the ſaid extreats of the ſaid iſſues, fines, and amerciaments, certified and returned into euery of the foreſaid Eſchequers, ſhall be indented in ſuch like manner and forme, as is vſed in the Kings Eſchequer at Weſtminſter. And that the ſaid Juſtices of Peace, and Quorum, or Gaole deliuery in euery of the ſaid ſhires, ſhal direct ſuch like proces by extreats indented, with the extreats certified into the ſaid Eſchequers, to the ſherife of euery of the ſaid counties, for the leuying and gathering of the ſaid iſſues, fines, and amerciaments, in ſuch like manner and form as is vſed by the Juſtices of Peace, Quorum, and Gaole deliuery in euery other of the ſhires, within this Realme of England. And that euery Sherife of euery of the ſaid Shires ſhall make their accompts in euery of the ſaid Eſchequers of and for the ſaid iſſues, fines, and amerciaments vpon the extreats to them directed in manner and forme, as is vſed in the Kings Eſchequer of Weſtminſter.

Kardiff.

The Sherifes accompts of iſſues, fines, amerciaments.

And it is enacted by the authority aforeſaid, that the ſaid Juſtices of Peace and clerks of the peace within the ſaid Counties of Cheſter, Flint, Angleſey, Kaiernaruan, Mereoneth, Cardigan, Kaiermerthen, Pembroke, and Glamorgan, and euery of them ſhall bee paid, and allowed of the ſaid iſſues, fines, and amerciaments, ſuch like fees, profits, and commodities, as other Juſtices of Peace and Clerkes of the Peace in other ſhires of this Realme, haue and ought to haue.

The Juſtices, and Clerke of the Peace allowances.

And it is further enacted by authority aforeſaid, that the Sherife, or his deputy, and all other his miniſters, in all and euery of the ſaid Shires, and all Coroners, high Conſtables, pety Conſtables, & other officers within euery of the ſaid ſhires, ſhalbe obliged, and bounden to be as well attendant vnto the ſaid Juſtices of peace, Quorum, and Gaole deliuery, in all and euery thing and things concerning their authorities, as in executing and returning of all precepts and proceſſes to them directed by any of the ſaid Juſtices, in like manner & forme, and vnder like pains and penalties, as all and euery ſherifes, Coroners, and other Officers be and ſhall bee bounden and obliged by any Statute, or Common Law in other ſhires of this Realme of England; any Act, ſtatute, preſcription, vſage, cuſtome, liberty, or priuilege, had, accuſtomed, or vſed to the contrary notwithſtanding. St. 32. H. 8. 43. 34. H. 8. 26.

Inferior officers ſhall be attendant to the Juſtices.

CAP. VI.

Order for increaſe of good horſes.

The cauſe of the decay of the breed of horſes.

THe King our Soueraigne Lord continually ſtudying for the aduancement, augmentation, and increaſe of the publike weale of this his realme, calling to his moſt gracious memory the great decay of the generation and breeding of good and ſwift and ſtrong horſes, which heretofore haue beene bred in this Realme, to the great defence, profit, and common commodity of the ſame: And now remembring that like breed of horſes is ſore diminiſhed and decaied, the occaſion whereof is thought to proceed for that, that in many and moſt places of this Realme, commonly little horſes and nags of ſmall ſtature and value, be ſuffered to depaſture and alſo to couer Mares and felys of very ſmall ſtature, by reaſon whereof the breed of good and ſtrong horſes of this Realme is now lately diminiſhed, altered and decayed, and further is like to decay, if ſpeedy remedy bee not ſooner prouided in that behalfe.

Owners & Farmers of parkes ſhall be charged to keep Mares.

The kings highneſſe willing therefore to prouide remedy in that behalfe, by the aduiſe of the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, hath ordeined, enacted and eſtabliſhed, that euery perſon and perſons, as wel ſpiritual as temporal, of what eſtate, degree or condition ſoeuer he or they be, which at this preſent time, or at any time hereafter ſhall haue any Parke or Ground incloſed with hedge, ditch, wall, or pale, wherin any Deere is, or hereafter ſhal be vſually kept for game, containing the quantity of one mile in compaſſe, & is, or ſhall be ſeiſed thereof in fee ſimple, fee taile or for term of life, in poſſeſſion to his or their owne profit and behalfe, that euery ſuch owner of euery ſuch Parke and ground, being in his owne hand; and euery fermer of euery ſuch Parke or ground, being let to ferme, from the firſt day of May, that ſhall be in the yeare of our Lord God, M.D.XXXVII. ſhall keep for euery ſuch parke or ground, being incloſed as is aforeſaid, as long as the ſame parke or ground incloſed ſhall be vſed, and kept with Deere in the ſame for games, two mares being not ſplaied, apt and able to beare foales, each of them of the altitude or height of xiij. handfuls at the leaſt, to be meaſured from the loweſt part of the hoof of the foot vnto the higheſt part of the ſhoulder, and euery handfull to containe iiij. inches of the ſtandard, vpon paine of forfeiture of xl.s. for euery moneth lacking the ſame mares contrary to this Act: & that euery ſuch owner or fermer of parke or ground, whereof the compaſſe is iiij. miles and aboue, vpon paine afore expreſſed, ſhall keep for euery ſuch parke iiij. mares being not ſplaied, apt and able to beare foales, of the altitude or height of xiij. handfuls at the leaſt, to bee meaſured as is aforeſaid.

Prouided, that if it ſhall happen any of the ſaid mares by miſchance or caſualty for to die, that then the Lord, owner or owners of the ſaid Mares prouiding or buying others of like height, & altitude, as is before limited within iij. moneths next after the death of the ſame mares, ſhall not incurre the danger and penalty of this eſtatute, any thing before rehearſed to the contrary notwithſtanding.

Mares ſhall not be couered with ſmall horſes.

And it is alſo enacted by authority aforeſaid, that the Lords, owners, and farmers of all parks and grounds incloſed as is aboue rehearſed, limited and appointed by this Act to keepe mares, ſhall not at any time after the ſaid firſt day of May, which ſhall be in the yeere of our Lord God M.D.XXXVII. willingly ſuffer any of the ſaid mares to be couered and lept with any ſtoned horſe vnder the ſtature of xiiij. handfull to be meaſured, in forme afore rehearſed, vpon paine of forfeiture of xl.s. The moity of all ſuch forfeitures ſhall be to the King our Soueraigne Lord, and the other moity thereof to the party that will ſue for the ſame in any court of our ſaid Soueraigne Lord the King, by action, bill, plaint, or information, or otherwiſe, in which action or ſuit the defendant ſhall not be admitted to wage his Law, nor any eſſoine or protection ſhall be vnto the defendant allowed in that behalfe.

To which counties this ſtatute extendeth not

Prouided alway, that this act extend not to charge the Lord, owner or owners of any parke or ground, incloſed within the counties of Weſtmerland, Cumberland, Northumberland, and the Biſhoprick of Durham, nor any of them to keep any mares, for any parke or parks, ground or grounds incloſed, as is aforeſaid, lying in the ſaid Counties of Weſtmerland, Cumberland, Northumberland, and the Biſhopricke of Durham, otherwiſe than they haue or might haue done before the making of this Act: nor alſo ſhal extend to charge the Lords, owner or owners of any park or parks, or grounds incloſed, with the finding of any mares, the herbage of which parke or parkes is common to the tenants and inhabitants of the townſhips next adioining to the ſame parke or parkes, any thing in this preſent Act made to the contrary hereof notwithſtanding.

Spirituall perſons may ſel the increaſe of their Mares.

Prouided alſo, that euery ſpirituall perſon and perſons charged and chargeable by this Act with the finding of Mares, may lawfully bargaine and ſell the increaſe and breed of their ſaid Mares, any Act or Acts hertofore made to the contrary in any wiſe notwithſtanding.

Cap. VII.

No exactions ſhall be taken in the forreſts of Wales.

Where diuers and many forreſts be in Wales, and the Marches of the ſame, as well of the inheritance and poſſeſſions of our Soueraigne Lord the King, as of diuers others being Lords Marchers: within which Forreſts certaine vnreaſonable cuſtomes and exactions haue beene of long time vnlawfully exacted and vſed, contrary both to the la w of God and man, to the expreſſe wrong, and great impoueriſhing of diuers of the Kings true Subiects: The effect of which ſaid vnlawfull exactions and cuſtomes be hereafter declared, that is to wit, It hath beene there vnlawfully vſed, that if it fortuned any of the Kings Subiects to paſſe, goe, or ride thorow, or in any way or path of any of the ſaid Forreſts, not hauing vpon him or them, that ſo ſhall fortune to paſſe, goe, or ride, a token deliuered to him or them by the chiefe forreſters, rulers, walkers or fermers, the which token ſhall be well known amongſt all them that are walkers and rulers vnder him or them. Or that he or they that ſo ſhall fortune to paſſe, goe, or ride in, or thorowout any of the ſaid Forreſts be not yeerely tributors or chenſers, then he or they ſo going, riding, or trauelling, in, or thorowout any of the ſaid Forreſts, hauing no token, nor being yeerly tributors or chenſers, as is aforeſaid, haue vſed to pay by vnlawfull exactions, vnto the forreſters, rulers, walkers, & fermors of the ſaid forreſts, a grieuous fine or reward. And if any perſon or perſons, not hauing ſuch token or tokens, and not being a yeerly tributor, or a chenſer as is aforeſaid, ſhould happen to be taken, found, or eſpied by any of the ſaid forreſters, rulers, walkers, or fermors or their aſſignes, by the ſpace of xxiiij. foot out of the high way, then he or they ſo being taken, found, or eſpied out of the high way, within any of the ſaid forreſts, as is aforeſaid to forfeit and loſe vnto the ſaid forreſters, rulers, walkers, or farmers all ſuch money or gold, as ſhould be then found vpon him or them, ſo being taken in any of the ſaid forreſts, out of the high way as is aforeſaid.

A rehearſall of diuers vnlawfull and vnreaſonable Cuſtoms that were in ſome forreſts in Wales.

And alſo the ſame perſon or perſons ſo being taken or found out of the high way, to forfeit and loſe a ioynt of one of his or their hands, or elſe to make fine therefore with the ſaid Forreſters, rulers, walkers and fermers, at the will and pleaſure of the ſaid rulers, walkers or fermers.

And if alſo that it happen any beaſt or quicke cattell to come, goe or eſcape into any of the ſaid forreſts by ſtray, or theefe ſtolen, or otherwiſe, the ſaid forreſters, rulers, walkers, or farmers after knowledge to him or them giuen, haue likewiſe vnlawfully vſed to ſeaſe, and take the ſame beaſt or Cattell, as his or their owne, and marke them with the marke of their forreſt there vſed, and ſo ſeaſed, marked, taken thence retaine them as cattell forfeited vnto their own vſe, by reaſon whereof, the owner and owners of the ſame cattell haue beene cleere without remedy for the hauing againe of the ſaid Cattell, except only by way of redemption, or buying againe of their owne cattell, contrary to all equity and Conſcience. In conſideration whereof it may pleaſe the Kings highneſſe, with the aſſent of the Lords ſpirituall, and temporall, and the Commons at this preſent Parliament aſſembled, and by the authority of the ſame, to enact ordeine, and eſtabliſh, that from the feaſt of the natiuity of S. John Baptiſt next comming, which ſhal be in the yeere of our Lord God, M.D.XXXVI. all the ſaid vnlawfull cuſtoms to be determined, void, and had for nought thorowout all and euery of the ſaid forreſts within Wales and the Marches of the ſame.

And that it ſhall be lawfull from thenceforth to all and euery of the Kings true Subiects, and all other perſon or perſons being in league and amity with our Soueraigne Lord the King, his heires and ſucceſſors kings of England, freely, quietly, and in peace to paſſe and repaſſe, trauell and goe into, and thorowout the ſaid forreſts and euery of them, both on horſebacke and of foot, as well following and driuing of cattell, as with carrying of wares, or otherwiſe, about their lawful buſineſſe and affairs, without any fine or forfeiture, toll, cuſtome, exaction, or other impoſition, to be taken, exacted, or demanded of them, or any of them by the ſaid foſters, rulers walkers, fermers, or their aſſignes. And if it ſhall chance or happen any of the ſaid foſters, rulers walkers, fermers or their aſſignes, or any of them, at any time after the ſaid feaſt of S. Iohn Baptiſt, to take any perſon or perſons, being the kings true ſubiects, or otherwiſe in league and amity with our ſaid ſoueraign Lord, his heirs, or ſucceſſors Kings of England, as is aforeſaid, exact and take of them, or any of them, any of the ſaid forfeitures, fines, tols, cuſtomes, & exactions as is aboue mentioned, and be thereof lawfully conuicted, that then he or they ſo doing, and offending contrarary to this Act, to incur and ſtand in the dangers of the ſtatute heretofore prouided for robberies by the Kings high way, and the ſame to bee tried before the Iuſtices of the Peace in the next ſhire adioynant, according to the Law of this Realme of England.

All the Kings Subiects and friends may paſſe freely thorow all the forreſts in Wales, without paiment of any vnlawful exactions.

The penalty of ſuch which doe take any vnlawfull exactions.

And further bee it enacted by the authority aforeſaid, that if any manner of beaſt or quicke Cattell of any the Kings true Subiects, or others of the Kings friends, at any time after the ſaid feaſt of the Natiuity of Saint Iohn Baptiſt, doe come into any of the ſaid forreſts by ſtrayes, theefe ſtollen, or otherwiſe, and there be marked, and ſeaſed by any of the ſaid Forreſters, rulers, walkers, fermers, or their aſſignes or any of them, and the owner and owners of the

Cattell ſtrayed being recouered within a yeare ſhall be redeliuered to the owner.

the ſame cattell within one yeare and a day then next enſuing chance to finde the ſaid cattell ſo taken, and lawfully proue the ſame to bee his or their owne proper cattell, That then the ſame cattell to be redeliuered to the owner or owners thereof, according to the ancient Law of this realme of England, the ſaid owner or owners reaſonably paying for the kéeping of ſuch cattell after the rate of the time that ſuch cattell ſhall haue béene in the cuſtody and kéeping of any ſuch forreſters, rulers, walkers, and farmers, or his or their aſſignes, in ſuch manner and forme, as heretofore hath béene in like caſe vſed to be done by the Law of this Realme of eſtraied cattell claimed and proued by the owners, within a yeare and a day next after the ſeaſing of the ſame cattell. And if any of the ſaid foſters, rulers, walkers, fermors or their aſſignes, or any of them doe deny the redeliuerance of all ſuch cattell, by them or any of them ſo ſeaſed or marked within any of the ſaid forreſts, after the owner or owners of them ſhall haue duly and lawfully proued them to bee his or their owne proper goods and cattels, as is aforeſaid, that then euery ſuch foſter, ruler, walker, fermor, or their aſſignes ſo doing, and offending contrary to this Act, to forfeit and pay vnto the party gréeued the double value of all ſuch cattell as ſhall be ſo taken and marked, and not redeliuered to the owner or owners, as is aforeſaid. And that the party gréeued may haue his action of detinue at the common law of and for the ſame cattel, againſt euery ſuch offendor or offendors, and the ſame to be tried in the next ſhire adioynant : in which action the defendant ſhall not bee admitted to wage his law, nor eſſoine, nor protection ſhall bee allowed for them : And like proces of outlary to be had, and made in the ſaid action of detinue in the next ſhire adioynant againſt euery foſter, ruler, walker, fermer, or their aſſignes, ſo offending contrary to the tenor of this Act, as in an action of treſpas at the common Law of this realme is vſed.

The penalty for detaining cattel ſtraied.

CAP. VIII.

No ſpirituall perſon ſhall pay any tenth the ſame yeare they pay their firſt fruits.

Stat. 26. H. 8. 3.

Where by a late Act made in this Parliament, for and concerning the grant made to the Kings Highneſſe of the tenth of the yearely value of all ſpirituall poſſeſſions of this Realme, and of the firſt fruits therof, there appeareth by the words of the ſaid Act, that Prelats and all other incumbents bee charged to the paiment of the tenth that ſhall bee due to the Kings highneſſe, in and for the firſt yeare that they ſhall be elected prefected, preſented, collated, or admitted to any degrées, benefices, or other promotions ſpirituall, and for the ſame firſt yéere ſhal alſo pay the whole firſt fruits of their ſaid dignities, benefices, and promotions which is a double charge. For reformation whereof, the Kings highneſſe for the entire and hearty loue, that his grace beareth to the Prelats, and other incumbents, chargeable to the paiment of the ſaid tenth and firſt fruits, of his excellent goodneſſe is pleaſed, and contented, that it bee enacted by authority of this preſent Parliament, That whenſoeuer any perſon or perſons, from the firſt day of May, which ſhall be in the yeare of our Lord God, a thouſand fiue hundred thirty and ſix, ſhalbe named, prefected, preſented, collated, or by any other means appointed to haue any Archbiſhoprick, Biſhoprick, Abbacy, Monaſtery, Priory, College, Hoſpitall, Archdeaconry, Deanry, Prouoſtſhip, Prebend, Parſonage, Vicarage, Chauntry, Fréechappell, or other dignity, benefice or promotion ſpirituall, by vertue whereof they ſhallbe charged or chargeable, as well for the paiment of the tenth of euery of the ſaid Archbiſhoprick, Biſhopricke, Abbacy, Monaſtery, Priory, College, Hoſpitall, Archdeaconry, Deanry, Prouoſtſhip, Prebend, Parſonage, Vicarage, Chauntry, Fréechappell, or other dignity, Benefice, or promotion ſpirituall, as with the paiment of the firſt fruits of the ſame, and euery of the ſame, ſhall at his or their compoſition, agréement, or entry into ſpecialty, or ſpecialties, for the paiment of the ſaid firſt fruits, haue allowance and deduction of the ſaid tenth part of the whole, out of the ſumme to bee paid for the ſaid firſt fruits for the yeare, wherein he or they ſhall be firſt nominated, prefected, preſented, collated, or by any other meanes appointed, to haue any of the ſaid dignities, benefices, offices, or other promotions ſpirituall, according to the iuſt rate, taxation, and ceſſement of the tenth of euery of the ſaid Archbiſhopricke, Biſhopricke, Abbacy, Monaſtery, Priory, College, Hoſpitall, Archdeaconry, Deanry, Prouoſtſhip, Prebend, Parſonage, Vicarage, Chauntry, Fréechappell, or other Dignity, Benefice, Office, or promotion ſpirituall within this Realme, or elſewhere within any of the Kings Dominions, of what name, nature, or quality ſoeuer they be, or to whoſe foundation, patronage, or gift ſoeuer they belong, now being enrolled, or that hereafter ſhall be enrolled in the Kings Eſchequer, or in any other the Kings Courts of Record.

The tenth of each ſpirituall promotion ſhall be deducted to euery Eccleſiaſticall perſon.

And bee it further enacted that euery Commiſſioner, or Commiſſioners, or other the Kings Officers, or Miniſters, or any other perſon, or perſons, which either by authority of any Act of Parliament, or by Commiſſion or Commiſſions, vnder the Kings great Seale, or otherwiſe by his Graces Commandement, or by the Commandement of ſuch as by his Highneſſe ſhall bee authoriſed for that purpoſe, bee appointed, aſſigned, or deputed, or that hereafter ſhall be appointed, authoriſed, aſſigned, or deputed, to compound, agrée, and receiue bonds, and ſpecialties to his Maieſties vſe, for paiment of the ſaid firſt fruits of euery of the ſaid dignities, benefices, offices, or other promotions ſpirituall, ſhall may by force of this act, from the ſaid firſt day of May for euer forward, haue authority to deduct & allow vnto euery ſuch perſon or perſons rs from the aforeſaid firſt day of May ſhall nominated, prefected, preſented, collated, or by any other means appointed to haue any of the ſaid Archbiſhoprick, Biſhoprick, Abbacy, Monaſtery Priory College, Hoſpitall, Archdeaconry, Deanry, Prouoſtſhip, Prebend, Parſonage, Vicarage, Chantry, Fréechappell, or other Dignity, Benefice, Office, or promotion ſpirituall, the tenth part of the whole as is aforeſaid, out of the ſame firſt fruits for the yeare, wherein hée or they ſhall be firſt nominated, prefected, preſented, collated, or by any other meanes appointed vnto euery of the ſame as is aforeſaid, without any further ſuit to bee made to the Kings highneſſe, and without impoſition or exaction, or other charge to be in any wiſe demanded or exacted of the perſon or perſons ſo preferred, for the allowance vnto them of the ſaid tenth, for the ſaid firſt yeare in forme aboue expreſſed: any thing or things in the ſaid Act of the graunt of the ſaid tenth and firſt fruits to the contrary notwithſtanding.

Euery perſon authoriſed to compound for firſt fruits may deduct the tenth part out of the firſt fruits.

And it is alſo enacted by the authority aforeſaid, that all and euery perſon and perſons, that vpon his or their compoſition and agréement for the firſt fruits, ſhall be defaulked and allowed the tenth part of the whole ſum of his or their dignities, benefices, offices, or promotions ſpirituall, for the yéere wherein he or they ſhall be firſt nominated, prefected, preſented, collated or by any other meanes appointed vnto any of the ſame, as is abouesaid, ſhall yéeld and pay the ſaid tenth part vnto the Kings Maieſty, his heires and ſucceſſors, the ſaid firſt yeare in like manner and forme, and at ſuch day as is limited in the ſaid Act of the graunt of the ſaid tenth, and firſt fruits: any thing conteined in this Act to the contrary notwithſtanding.

He that hath his tenth deducted out of the firſt fruits ſhall pay it to the King.

Be it further enacted by the authority aforeſaid, that in ſuch caſes where the ſucceſſor of any incumbent ſhall be chargeable to the paiment of ſuch ſummes of money, as ſhall be due of, and for the ſaid tenth, y^t ſhall happen to be behind vnpaid in the time or life of his predeceſſor: there euery ſuch ſucceſſor may lawfully diſtraine ſuch goods and cattels of his predeceſſor, as ſhal happen to be and remaine in and vpon the dignity, benefice, or promotion ſpirituall, of the which the ſame tenth was behind and vnpaid in the life or time of his predeceſſor, and retaine the ſame goods and cattels till ſuch time as the ſaid predeceſſor, if he be aliue, and if hee be dead, then his executors or adminiſtrators, or ſuch other to whom his goods or cattels ſhould appertaine, haue fully ſatiſfied and paid ſuch ſums of money, as ſhall happen to bee behind and vnpaid of the ſaid tenth. And in caſe the ſaid predeceſſor, his executors, adminiſtrators, or ſuch other to whom his goods or cattels ſhould appertaine, within twelue daies next after the diſtreſſe thereof, doe not ſatiſfie the ſaid ſummes of money, being behind of the ſaid tenth, as is aforeſaid: that then for ſuch default of paiment it ſhall be lawfull to euery ſuch ſucceſſor to cauſe the ſaid goods and cattels ſo diſtrained, to be praiſed by two or thrée indifferent perſons to bee ſworne for the ſame: And according to the ſame appreiſing to ſell ſo much thereof, as ſhall amount as well to the full ſatiſfaction of the ſaid ſummes of money, being behind and vnpaid of the ſaid tenth, in the life or time of his predeceſſor, as for the reaſonable coſts that ſhall be ſpent by the occaſion of diſtreining and appreiſing of the ſame goods and cattels. And in caſe no ſufficient goods and cattels may be found in or vpon ſuch dignities benefices, or promotions ſpirituall, for the ſatiſfaction of the ſaid tenth, being behind vnpaid, as is aboue ſaid that then the predeceſſors, by whom ſuch tenth was due to be paid, if he be aliue: and if he be dead, then his executors, adminiſtrators, and other to whom his goods and cattels ſhall appertaine or belong, ſhall be compelled to the payment of the ſaid tenth, being behind, and vnpaid, as is aforeſaid, by bill to be purſued in the Kings chancery, by the ſucceſſor that ſhall be chargeable for the ſame, or elſe by action or plaint of debt to be taken, or commenced by ſuch ſucceſſor, by order of the common lawes. 1.El.4.

What remedy the ſucceſſor ſhal haue which is compelled to pay the tenth for his predeceſſor.

Cap. IX.

Butchers may ſell fleſh during two yeares, as they did before the making of the ſtatute of 24. H.8.3. and 25.H.8.1. notwithſtanding the ſame ſtatutes. Exp.

Cap. X.

An order for vſes and wils.

1.ſo,123.

Where by the common lawes of this Realme, lands, tenements and hereditaments, be not diuiſible by teſtament, nor ought to be transferred from one to another, but by ſolemne liuery and ſeaſon, matter of record, writing ſufficient made bona fide without couin or fraud: yet neuertheleſſe, diuers and ſundry imaginations, ſubtle inuentions and practiſes haue béen vſed: whereby the hereditaments of this realm haue béen conueyed from one to another by fraudulent feoffments, fines, recoueries, and other aſſurances craftily made, to ſecret vſes, in-

How by the common Law Lands ought to be transferred from one perſon to another.

tents and truſts, and alſo by wils and Teſtaments, ſometime made by nude parolx and words, ſometime by ſignes and tokens, and ſometime by writing, and for the moſt part made by ſuch perſons as be viſited with ſickneſſe in their extreme agonies and paines, or at ſuch time as they haue had ſcantly any good memory or remembrance: at which times they being prouoked by greedy and couetous perſons, lying in wait about them, doe many times diſpoſe indiſcreetly and vnaduiſedly their lands and inheritances, by reaſon whereof, and by occaſion of which fraudulent feoffements, fines, recoueries, and other like aſſurances to vſes, confidences and truſts, diuers and many heires haue been iniuſtly at ſundry times diſherited, the Lords haue loſt their Wards, marriages, releefes, hariots, eſchetes, aids pur faire fitz chiualer et pur file marier, and ſcantly any perſon can bee certainly aſſured of any lands by them purchaſed, nor know ſurely againſt whom they ſhall vſe their actions, or execution for their rights, titles and duties. Alſo men married haue loſt their tenances by the courteſie, women their dowers, manifeſt periuries by triall of ſuch ſecret wils and vſes haue beene committed. The Kings Highneſſe hath loſt the profits and aduantages of the lands of perſons attainted, and the lands craftily put in feoffements to the vſes of aliens borne, and alſo the profits of waſt for a yeare and a day, of lands of Felons attainted, and the Lords their eſchetes thereof: and many other inconueniences haue happened, and daily doe increaſe among the Kings ſubiects, to their great trouble, and inquietneſſe, and to the vtter ſubuerſion of the ancient common lawes of this Realme. For the extirping and extinguiſhment of all ſuch ſubtile practiſed feoffments, fines, recoueries, abuſes, and errors heretofore vſed and accuſtomed in this Realme, to the ſubuerſion of the good and ancient lawes of the ſame, and to the intent that the Kings highneſſe, or any other his ſubiects of this Realme, ſhall not in any wiſe hereafter by any meanes or inuentions, be deceiued, domaged, or hurt by reaſon of ſuch truſts, vſes, or confidences, it may pleaſe the Kings moſt royall Maieſty, that it may be enacted by his Highneſſe, by the aſſent of the Lords Spirituall, and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, in manner and forme following: That is to ſay, that where any perſon or perſons ſtand [a] or bee ſeaſed, or at any time hereafter ſhall happen to bee ſeaſed of and in any honours, Caſtles, Manors, Lands, Tenements, rents, ſeruices, reuerſions, remainders, or other Hereditaments, to the vſe, [b] confidence or truſt of any other perſon or perſons, or of any body politike, by reaſon of any bargaine, ſale, feoffement, fine, recouery, couenant, contract, agreement, will or otherwiſe, by any manner meanes whatſoeuer it be: that in euery ſuch caſe, all and euery ſuch perſon and perſons, and bodies politike, that haue or hereafter ſhall haue any ſuch vſe, confidence, or truſt, in fee ſimple, fee taile, for terme of life, or of yeares, or otherwiſe: or any vſe, confidence, or truſt in remainder, or reuerter, ſhall from henceforth ſtand, and be ſeaſed, deemed and adiudged in lawfull ſeiſon, eſtate, and [c] poſſeſſion of, and in the ſame honours, caſtles, manors, lands, tenements, rents, ſeruices, reuerſions, remainders, and hereditaments, with their appurtenances to all intents, conſtructions, and purpoſes in the law, of and in ſuch like eſtates as they had or ſhall haue in vſe, truſt, or confidence of or in the ſame. And that the eſtate, title, right, and poſſeſſion, that was in ſuch perſon or perſons, that were or hereafter ſhall be ſeaſed of any lands, tenements, or hereditaments, to the vſe, confidence, or truſt of any ſuch perſon or perſons, or of any body politike, be from henceforth cleerely deemed, and adiudged, to be in him or them that haue or hereafter ſhall haue ſuch vſe, confidence, or truſt, after ſuch quality, manner, forme, and condition, as they had before in or to the vſe, confidence, or truſt that was in them.

Seuerall inconueniences enſuing by conueiance of lands to vſes, & by the deuiſing them by wills.

The poſſeſſion of lands ſhall be in him or them that haue the vſe.
[b] Coke pla. fo. 33.

Aſſurance made of diuers to the vſe of one or ſome of them.

And be it further enacted by the authority aforeſaid, that where diuers and many perſons be or hereafter ſhall happen to be ioyntly ſeaſed, of and in any lands, tenements, rents, reuerſions, remainders, or other hereditaments, to ye vſe, confidence, or truſt of any of them that be ſo ioyntly ſeaſed, that in euery ſuch caſe, that thoſe perſon or perſons, which haue or hereafter ſhall haue any ſuch vſe, confidence, or truſt in any ſuch lands, tenements, rents, reuerſions, remainders, or hereditaments, ſhall from henceforth haue and be deemed, and adiudged to haue onely to him, or them, that haue or hereafter ſhall haue ſuch vſe confidence or truſt, ſuch eſtate, poſſeſſion, and ſeiſon, of and in the ſame lands, tenements, rents, reuerſions, remainders, and other hereditaments in like nature, manner, forme, condition, and courſe, as he or they had before in the vſe, confidence, or truſt of the ſame lands, tenements, or hereditaments. Sauing, and reſeruing to all and ſingular perſons, and bodies politike, their heires and ſucceſſors, other than thoſe perſon or perſons, which be ſeaſed, or hereafter ſhall be [e] ſeaſed of any lands, tenements, or hereditaments to any vſe, confidence, or truſt, all ſuch right, title, entre, intereſt, poſſeſſion, rents, and action, as they or any of them had or might haue had before the making of this Act.

Sauing of the right of ſtrangers.

Sauing of the right of the feffees to vſe.

And alſo ſauing to all and ſingular thoſe perſons, and to their heires, which be or hereafter ſhall be ſeaſed to any vſe, all ſuch former [f] right, title, entre, intereſt, poſſeſſion, rents, cuſtomes ſeruices, and action, as they or any of them might haue had to his or their owne proper vſe, in, or to any manors, lands, tenements, rents, or hereditaments, whereof they be, or hereafter ſhall be ſeaſed to any other vſe, as if this preſent act had neuer beene had nor made: any thing contained in this Act to the contrary notwithſtanding.

And where alſo diuers perſons ſtand, and be ſeiſed of, and in any lands, tenements, or hereditaments in fee ſimple, or otherwiſe, to the vſe or intent, that ſome other perſon or perſons ſhall haue and perceiue yeerely to them and to his or their heires, one annuall rent of ten pounds, or more, or leſſe, out of the ſame lands and tenements, and ſome other perſon one other annuall rent to him and his aſſignes for terme of life or yeares, or for ſome other ſpeciall time, according to ſuch intent and vſe, as hath beene heretofore declared, limited and made thereof.

Be it therefore enacted by the authority aforeſaid, that in euery ſuch caſe, the ſame perſons, their heires, and aſſignes, that haue ſuch vſe and intereſt, to haue and perceiue any ſuch [g] annuall rents out of any lands, tenements, or hereditaments, that they and euery of them, their heires, and aſſignes bee adiudged, and deemed to be in poſſeſſion and ſeiſon of the ſame rent, of and in ſuch like eſtate, as they had in the title, intereſt, or vſe of the ſaid rent or profit, and as if a ſufficient grant or other lawfull conueiance had bin made, and executed to them, by ſuch as were, or ſhall be ſeiſed to the vſe or intent of any ſuch rent to be had, made, or paied according to the very truſt and intent thereof. And that all and euery ſuch perſon and perſons as haue, or hereafter ſhall haue any title, vſe, and intereſt in, or to any ſuch rent, or profit, ſhall lawfully diſtreine for none paiment of the ſaid rent, and in their owne names make auouries, or by their Bailiffes or ſeruants make coniſances, and iuſtifications, and haue all other ſuits, entrees, and remedies, for ſuch rents, as if the ſame rents had beene actually and really granted to them with ſufficient clauſes of diſtreſſe, reentre, or otherwiſe, according to ſuch conditions pains, or other things limited, and appointed vpon the truſt and intent for paiment or ſurety of ſuch rent.

.361.

Land aſſured to the vſe that rent ſhould be paid out thereof to ſome other.

And be it further enacted by the authority aforeſaid, that whereas diuers perſons haue purchaſed, or haue eſtate made and conueied of and in diuers lands, tenements, and hereditaments vnto them and to their wiues and to the heires of the huſband, or to the huſband and to the wife and to the heirs of their [h] two bodies begotten, or to the heirs of one of their bodies begotten, or to the huſband and to the wife for terme of their liues, or for terme of life of the ſaid wife: Or where any ſuch eſtate, or purchaſe of any lands, tenements, hereditaments, hath beene, or hereafter ſhall be made to any huſband and to his wife, in manner and forme aboue expreſſed, or to any other perſon or perſons, and to their heires or aſſignes, to the vſe and behoofe of the ſaid huſband and wife, or to the vſe of the wife, as is before rehearſed, for the [i] iointer of the wife: that then in euery ſuch caſe, euery woman married, hauing ſuch ioynter made, or hereafter to bee made, ſhall not claime nor haue title to haue any dower of the reſidue of the lands, tenements, or hereditaments, that at any time were her ſaid huſbands, by whom ſhee hath any ſuch ioynter, nor ſhall demand nor claime her dower of, and againſt them that haue the lands, and inheritances of her ſaid huſband. But if ſhe haue no ſuch ioynter, then ſhe ſhall be admitted and inabled to purſue, haue, and demand her dower by writ of dower, after the due courſe and order of the common lawes of this realme: this Act, or any law or prouiſion made to the contrary thereof notwithſtanding.

A woman ſhall not haue both a ioynter and Dower of her huſbands lands.
[h] Coke pla. fo. 171. 172.

wer 69.
4 fo.1.&c.
61.97.
.166.
o.
.36b.

Prouided alway, that if any ſuch woman bee lawfully expulſed or euicted from her ſaid ioynter, or from any part therof, without any fraud or couin by lawfull entree, action, or by diſcontinuance of her huſband: then euery ſuch woman ſhall be endowed of as much of the reſidue of her huſbands tenements, or hereditaments, whereof ſhe was before dowable, as the ſame lands and tenements, ſo euicted and expulſed, ſhall amount or extend vnto.

A woman ſhall be endowed whole ioynter is recouered.

Prouided alſo, that this Act nor any thing therein contained, or expreſſed, extend or be in any wiſe hurtfull or preiudiciall to any woman, or women heretofore being married, of, for, or concerning ſuch right, title, vſe, intereſt, or poſſeſſion, as they or any of them haue, claime, or pretend to haue for her or their ioynter or dower of, in, or to any manors, lands, tenements or other hereditaments of any of their late huſbands, being now dead or deceaſed, any thing contained in this Act to the contrary notwithſtanding.

Women heretofore married.

Prouided alſo, that if any wife haue, or hereafter ſhall haue any manors, lands, tenements or hereditaments, vnto her giuen, or aſſured after marriage, for terme of her life or otherwiſe in ioynter, except the ſame aſſurance be to her made by Act of Parliament, and the ſaid wife after that fortune to ouer-liue the ſame her huſband, in whoſe time the ſaid iointer was made or aſſured vnto her, that then the ſame wife ſo ouer-liuing, ſhall and may at her liberty after the death of her ſaid huſband, [k] refuſe to haue & take the lands, and tenements, ſo to her giuen, appointed, or aſſured, during the couerture, for terme of her life, or otherwiſe in iointer: except the ſame aſſurance be to her made by Act of Parliament, as is aforeſaid, and thereupon to haue, aſke, demand and take her dower by writ of dower, or otherwiſe, according to the common law of and in all ſuch lands, tenements and hereditaments, as her huſband was and ſtood ſeaſed of any ſtate of inheritance, at any time during the couerture, any thing contained in this Act to the contrary in any wiſe notwithſtanding.

A ioynter made after marriage, may be taken or refuſed by the wife.

fol. 358.
3.fo.27.

Prouided alſo that this preſent Act, nor any thing therein contained, extend, nor bee at any time hereafter interpreted, expounded, or taken to extinct, releaſe, diſcharge or ſuſpend any Statute, recogniſancs, or other bond, by the execution of any eſtate, of, or in any lands, tenements, or Hereditaments, by the authority of this Act, to any perſon, or perſons, or bodies

This Statute ſhall extinguiſh no ſtatute or recogniſance. &c.

politike

politike : any thing contained in this Act to the contrary thereof notwithſtanding.

Wils made before the ſtatute or ſhortly after how they ſhall be taken.

And foraſmuch as great ambiguities and doubts may ariſe of the validity and invalidity of wils heretofore made of any lands, tenements, and hereditaments, to the great trouble of the Kings Subiects: the Kings moſt royall Maieſty, minding the tranquillity, and reſt of his louing ſubiects, of his moſt excellent & accuſtomed goodneſſe is pleaſed and contented, that it be enacted by the authority of this preſent parliament, That all manner true and iuſt wils and Teſtaments heretofore [1] made by any perſon or perſons deceaſed, or that ſhall deceaſe before the firſt day of May, that ſhall be in the yeare of our Lord God. M.D.XXXVI. of any lands, tenements or other hereditaments, ſhall be taken, and accepted good, and effectuall in the Law, after ſuch faſhion, manner, and forme as they were commonly taken and vſed at any time within xl. yeers next afore the making of this act: any thing contained in this act, or in the Preamble thereof, or any opinion of the common Law to the contrary thereof notwithſtanding.

How fines for alienation, releefes & harriots ſhall be paid to the King.

Prouided alwaies, that the Kings Highneſſe ſhall not haue, demand, or take any aduantage or profit, for, or by occaſion of ÿ executing of any eſtate only by authority of this Act, to any perſon or perſons, or bodies politike, which now haue, or on this ſide the ſaid firſt day of May, which ſhall be in the yeare of our Lord God M.D.XXXVI. ſhall haue any vſe or vſes, truſts or confidences in any manors, lands, tenements, or hereditaments holden of the Kings highneſſe, by reaſon of primer ſeaſon [m] liuery, ouſter le maine, fine for alienation, releefe or harriot : but that fines for alienations, releefes, and harriots ſhalbe paid to the Kings highneſſe, and alſo liueries, and ouſter le maines ſhall bee ſued for vſes, truſts, and confidences to bee made and executed in poſſeſſion, by authority of this Act, after and from the ſaid firſt day of May, of lands, and tenements and other hereditaments holden of the king in ſuch like manner and form, to all intents, conſtructions, and purpoſes, as hath heretofore beene vſed or accuſtomed by the order of the Lawes of this Realme.

Other lands, fines, releefes and harriots.

Prouided alſo, that no other perſon or perſons or bodies politike, of whom any lands, tenements or hereditaments be or hereafter ſhalbe holden mediate or immediate, ſhall in any wiſe demand or take any fine, releefe, or harriot, for or by occaſion of the executing of any eſtate by the authority of this Act to any perſon or perſons or bodies politike, before the ſaid firſt day of May, which ſhall be in the yeare of our Lord God. M.D, XXXVI.

Ceſtuy que vſe may take all ſuch aduantages as his Feoffees might haue had.

And be it enacted, by authority aforeſaid, that all and ſingular perſon and perſons, and bodies politike, which at any time on this ſide the ſaid firſt day of May, which ſhall be in the yeare of our Lord God, 1536. ſhall haue any eſtate vnto them executed of and in any lands, tenements, or hereditaments, by the authority of this Act, ſhall and may haue and take the ſame or like aduantage, benefit, voucher, aid prayer, remedy, commodity and profit by action, entree, condition, or otherwiſe, to all intents, conſtructions and purpoſes, as the perſon or perſons ſeaſed to their vſe, of or in any ſuch lands, tenements, or hereditaments, ſo executed had, ſhould, might, or ought to haue had at the time of the execution of the eſtate thereof, by the authority of this Act, againſt any other perſon or perſons of or for any waſt, diſſeiſon, treſpas, condition broken, or any other offence, cauſe or thing concerning or touching the ſaid lands or tenements, ſo executed, by the authority of this Act.

Actions now depending.

Prouided alſo, and be it enacted by the authority aforeſaid, that actions now depending againſt any perſon or perſons, ſeaſed of or in any lands, tenements, or hereditaments to any vſe truſt, or confidence, ſhall not abate, ne be diſcharged, for or by reaſon of executing of any eſtate thereof by authority of this act, before the ſaid firſt day of May, which ſhall be in the yeere of our Lord God 1536. any thing contained in this Act to the contrary notwithſtanding.

Wardſhips, liueries, or Ouſtre le main of any now being within age or of full age.

Prouided alſo, that this Act nor any thing therein contained, ſhall not be preiudiciall to the Kings Highneſſe for Wardſhips of Heires now being within age, nor for liueries, or for ouſtre le mains, to be ſued by any perſon or perſons, now being within age, or of full age, of any lands or tenements vnto the ſame heire or heires now already deſcended : any thing in this Act contained to the contrary notwithſtanding.

Recogniſances taken to the Kings vſe concerning recoueries.

Prouided alſo, and be it enacted by the authority aforeſaid, that all and ſingular Recogniſances heretofore knowledged, taken, or made to the Kings vſe, for or concerning any recoueries of any lands, tenements or hereditaments heretofore vſed or had by writ or writs of entry vpon diſſeiſon in le poſt, ſhall from henceforth be vtterly void and of none effect to all intents, conſtructions and purpoſes.

Eſtates of lands executed to perſons born in Wales.

Prouided alſo that this Act, nor any thing therein contained bee in any wiſe preiudiciall or hurtfull to any perſon or perſons, borne in Wales or the marches of the ſame, which ſhall haue any eſtate to them executed by authority of this Act in any lands, tenements, or other hereditaments within this realm, whereof any other perſon or perſons now ſtand, or be ſeaſed to the vſe of any ſuch perſon or perſons borne in Wales or the marches of the ſame: but that the ſame perſon or perſons borne in Wales or the marches of the ſame, ſhall or may lawfully haue, retaine, and keep the ſame lands, tenements, or other hereditaments, whereof eſtate ſhalbe ſo vnto them executed by the authority of this Act, according to the tenour of the ſame : any thing in this Act contained, or any other act or prouiſion heretofore had or made to the contrary notwithſtanding.

Cap. XI.

The courſe of ſuing forth gifts and grants made vnder the Kings Signe manuel, and the Clerke of the Signets fees.

Whereas the Kings Clerkes of his gracious Signet and priuy Seale, giuing their daily attendances for the paſſing and writing of his Maieſties great and weighty affaires, and the cauſes of this his Realme, haue for their entertainement and their Clerkes, no fees nor wages certaine for thoſe offices, other than ſuch fees as commeth and groweth of the ſaid ſignet and priuy Seale: To the intent that from henceforth they ſhould not by any manner of meanes be defeated of any part or portion of the ſame their fees. Be it therefore ordained, eſtabliſhed, and enacted by the conſent and aſſent of the Lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by authority of the ſame, that all and euery gift, grant, and other writing, which ſhall be made or giuen in writing by the Kings highneſſe, or any his moſt noble poſterity, to any perſon or perſons, ſigned with his graces ſigne, or the ſigne or ſignes manuel of any of them, to be paſſed vnder any his graces great ſeals of England, Ireland, Duchy of Lancaſter, or any of his highnes counties palatines, or principalities of Wales, or by other proces out of the Eſchequer, after the xv. day of April, in the xxvij. yeere of his moſt noble reign and that all and euery gifts, grants and other writings, of what name or names, quality or qualities ſoeuer the ſame be, or hereafter ſhall be named, deemed, or called, which the maſter of the Kings Wards, or generall Surueiors of the Kings lands for the time being, or any other officer or officers, that now be or hereafter ſhall be made, ſhal by vertue of any Act of Parliament or any the Kings grants to them or any of them made, or hereafter to be [a] made in that behalfe, giue, grant or make after the aforeſaid xv. day of Aprill, to any perſon or perſons in the Kings name to be paſſed vnder any his Maieſties ſeals, be in any wiſe firſt and before the ſame grant or any of them, bee paſſed vnder any the Kings ſaid ſeales, or other proceſſe made of the ſame, brought and deliuered to the Kings principall ſecretary, or to one of the Kings Clerkes of his graces ſignet for the time being, to be at the ſaid office of the ſignet paſſed accordingly.

The Kings grants ſhall be brought to the Secretary or Clerke of the Signet.

[a] Coke l.8.fo.18.

And be it alſo ordeined and enacted by the authority aforeſaid, that one of the clerks of the ſaid ſignet, to whom any the ſaid writings ſigned with the Kings moſt gracious hand, or the hand of any other aforeſaid, or any of them, fortune to be deliuered, may and ſhal by warrant of the ſame bils, and euery of them, within the ſpace of viij. daies next after he ſhal haue receiued the ſame, vnleſſe he haue knowledge by yͤ ſaid ſecretary, or otherwiſe of yͤ Kings pleaſure to the contrary, make or cauſe to be made in the Kings name letters of warrant, ſubſcribed with the hand of the ſame Clerke, and ſealed with the Kings ſignet to the Lord Keeper of the Kings priuy ſeale, for further proces to be had in that behalfe. And that one of the Kings Clerks of the ſaid priuy ſeale, vpon due examination had by the ſaid Lord Keeper of the ſaid priuy ſeale, of the ſaid warrant to him adreſſed, from the office of the ſaid ſignet as afore, may & ſhall within the ſpace of viij. daies next after he ſhal haue receiued the ſame, vnleſſe the Lord keeper of the priuy ſeale do giue them commandement to the contrary, make or cauſe to be made by warrant of the foreſaid warrant to the ſaid Lord Keeper of the priuy ſeale, addreſſe from the office of the ſignet aforeſaid other letters of like warranty, ſubſcribed with the name of the ſame Clerke of the priuy ſeale to the Lord Chancellor of England, Lord keeper of the great ſeale, Chancellor of the Duchy of Lancaſter, Chancellor of the kings land of Ireland, Treſurer and Chamberlains of the Eſchequer and Chamberlains of any of his counties Palatines, or principality of Wales, or other officer, and to euery of them, for the writing and enſealing with ſuch ſeals as remaine in their cuſtody, of Letters Patent or cloſed, or other proceſſe making, due and requiſite to be had or made vpon any the ſaid grants, according to the tenor of the warrant to them or any of them directed from the Officer of the priuy ſeale as is afore ſpecified.

A warrant by the Clerke of the Signet to the Lord Keeper of the priuy Seale.

A warrant from the priuy Seale to the great Seale, &c.

And alſo be it enacted by the authority aforeſaid, that no manner Clerke or Clerks, or other perſon or perſons, do write, or make any maner writing warrant or warrants vpon any maner gift or grant, made by the Kings highneſſe, or by any other his graces officers, as aforeſaid, or procure the ſame, or any of the ſame to be paſſed vnder any the ſeales aforeſaid after any other ſort, manner or faſhion, or by any other warrant or warrants, than as before is ſpecified & declared, vpon pain to forfeit for euery bill, warant, or writing, paſſed contrary to the order before limited, and preſcribed the ſum of x.li. ſterling, the one halfe therof to be to our ſoueraign Lord the King, and the other halfe to him that ſhall firſt ſue for the ſame by action of debt, writ, bill, plaint, or information, in any of the Kings courts, in which action or ſuit no eſſoine, protection, prouiſion, priuilege, nor wager of Law ſhall be admitted, any manner Act, ſtatute, prouiſion, proclamation, or other ordinance heretofore had, or made contrary to this preſent Act, or any article of the ſame, in any wiſe notwithſtanding.

The penalty for altering of the courſe aforeſaid.

And neuertheleſſe be it alſo enacted, that euery of the ſaid Clerks, or other perſon, which ſhal paſſe in writing, or procure to bee paſſed in writing, any grant, or grants by immediate warrant, wherefore fees be paid at the great Seale, ſhall of the parties receiue for the offices of the ſaid Signet and priuy Seale, as well ſuch fees as in this Act is taxed for writing of any ſuch

Fees for writing which paſſe by immediate warrant.

grant, or other writings, as alſo the fees for the ſeale of the ſame, which fees and euery part and portion thereof, the ſame Clerke or Clerkes, by whom any grant ſhall paſſe in writing by immediat warrant, ſhall vpon a bill of the hand of one of the ſaid Clerkes of the ſaid ſignet or priuy ſeale, deliuer vnto one of the ſame Clerkes of the ſignet or Priuy Seale, within the ſpace of three moneths, next and immediately enſuing after the paſſing and ſealing of the ſaid graunt or grants by immediate warrant, vpon paine of ten pound ſterling, to be by euery ſuch of the ſaid Clerkes or other perſon, as ſhall offend, forfeited, to be leuied in forme aforeſaid, as often as he or they ſhall offend contrary to the meaning of this Act.

This Act ſhall not preiudice the Lord Treaſurer for directing of warrants to the great Seale.

Prouided alſo that this act, or any thing contained in the ſame, be not in any wiſe preiudiciall to the Lord Treaſurer of England for the time being, concerning ſuch warrants or precepts, as he by vertue of his office ſhal and may direct immediatly to the Lord Chancellor of England or to any other perſon, for making out of the kings grants, or letters patents, to any perſon or perſons, of any offices, fermers of lands or tenements, or of any other thing belonging to his nomination and diſpoſition: but that as well he may direct his ſaid warrants, or precepts for the cauſes aboueſaid, as alſo his clerke or clerks, or other perſon may procure the ſame to be ſealed vnder any of the clerks aforeſaid, without any warrant to be before or after ſued, or obtained vnder the Kings Signet or Priuy ſeale for the ſame, in as large and ample manner, and after ſuch ſort and faſhion, as he or they might haue done at any time before the making of this Act, any thing in the ſame Act mentioned to the contrary notwithſtanding.

Leaſes of the Duchy lands, may paſſe vnder the ſeale of the ſame Duchy.

Prouided alſo, that all and euery leaſe, and leaſes of the Kings manors, lands, tenements, poſſeſſions or other profits, or hereditaments within the County Palatine of Lancaſter, or of the Duchy of Lancaſter, out of the ſaid County Palatine, which the Chancellor of the Duchy of Lancaſter for the time being, or the Chancellor of the ſaid County Palatine for the time being, or either of them, ſhall hereafter make, or grant in the name of the King our Soueraigne Lord, his heires or ſucceſſors, to any manner perſon or perſons, ſhal and may paſſe and be paſſed vnder the ſeals of the ſaid Duchy of Lancaſter, or of the ſaid County Palatine of Lancaſter or either of them, in manner and forme as heretofore hath been vſed and accuſtomed: any thing in this preſent Act before made to the contrary notwithſtanding.

A graunt of a ſmall office in the Duchy.

Prouided alſo, that all and euery gift, grant, and patent of any manner office or offices, or any other thing being, or which hereafter ſhall bee in the County Palatine of Lancaſter, or of the ſaid Duchy of Lancaſter, out of the ſaid County Palatine, the yeerely wages or fees whereof amounteth not ouer and aboue the value of ij. d. by the day, ſhall and may paſſe and be paſſed by the ſaid Chancellor of the Duchy of Lancaſter, or by the ſaid Chancellor of the ſaid County Palatine, or of either of them for the time being, in manner and forme as heretofore hath beene vſed and accuſtomed: any article or thing in this preſent Act before made to the contrary notwithſtanding.

What fees in ſeuerall caſes the Clerke of the Signet ſhal haue.

And to the intent that as well ſuch as now be, or hereafter ſhall be Miniſters and Clerkes of the Kings Signet and Priuy ſeale, ſhould haue and take honeſt, and ſufficient ſalary and reward for the writing of the ſaid warrants to bee by them made, as aforeſaid, as alſo the Kings moſt louing, faithfull and obedient ſubiects, knowing the certain charges to be by them laid out for the writing of the ſaid warrants, ſhould not by any manner exaction or other ſiniſter means be conſtrained by any the ſaid clerks to pay more large, and exceſſiue fees for the writing of the ſame, than reaſon and conſcience ſhall require. Be it enacted by the authority aforeſaid, that all and euery Clerke and Clerkes of the ſaid Signet and priuy Seale ſhall haue and take for his or their writing of a warrant vpon a bill for tales of reward, twelue pence. For the writing of a warrant for the gift of euery Office, twenty pence. For the writing of a warrant for a penſion, annuity, or wages, twenty pence. For the writing of a warrant for a ſpeciall livery, or other perpetuity, ſix ſhillings and eight pence. For the writing for a warrant vpon euery bill for a congy deſler, roial aſſent, reſtitution of temporalities, donatiues, aduocations, preſentations, or other Eccleſiaſtical matter, three ſhillings and foure pence. For the writing of euery warant vpon a placard, licence, pardon, or ſherifs reward two ſhillings. For the writing of euery warrant vpon a Deniſen, three ſhillings and foure pence. For the writing of a warrant for keeping of an idiot, twenty pence. For the writing of a warrant for keeping of a Ward, three ſhillings and foure pence. And that no manner of Clerke or Clerks of the ſignet or priuy ſeale aforeſaid ſhall take for the writing of any manner warrant aboue ſpecified, more large and ample fees, than before is preſcribed and appointed, vpon paine of ten pounds ſterling to be by him forfeited, that ſhall offend contrary to the true tenor and meaning of the ſaid Act, the one halfe thereof to be to the King our Soueraigne Lord, the other halfe to him that ſhall firſt ſue for the ſame by Bill, Action, Plaint, or Information in any of the Kings Courts: in which action, or ſuit, no Eſſoine, Protection, nor Wager of law ſhall be admitted.

The penalty for taking more or larger fees.

The L. Chancellor may paſſe things without fees.

Prouided alſo, that the Lord Chancellor of England for the time being, ſhall and may at all times vſe his diſcretion in paſſing and ſpeeding any thing by the great ſeale, and deliuering the ſame without paying any fees for the great Seale, Signet, and priuy ſeale, as the caſe of neceſſity ſhall require, and as hath beene accuſtomed. And that the Clerkes for writing or procuring ſuch writings and patents by his commandement, ſhall be diſcharged of all penalties expreſſed before in this Act, for not receiuing and paying fees to the ſignet and priuy ſeale: any thing in this Act contained to the contrary hereof notwithſtanding.

And be it furthermore enacted by the authority aforeſaid, that this preſent, Act, and euery part and parcel therof, ſhall extend to the court of thaugmentation of the reuenues of the Kings crowne, and binde euery Officer, and Officers, their Clerks and miniſters, that now be, and hereafter ſhalbe of the ſame Court, to thobſeruation thereof, and of euery part therof, for & concerning the ſealing, & writing of any manner, patent, leaſe, or other grant, which vpon the kings bill ſigned ſhall paſſe the great ſeale of the ſame Court: any ſpeciall words contained in the Act made in this preſent ſeſſion for the ſtabliſhment of the officers of the ſaid court of thaugmentation, or any other act or prouiſion made to the contrary hereof in any wiſe notwithſtanding.

This Act ſhall binde euery officer & clerke of the Court of Augmentations.

Prouided neuertheleſſe, that this Act or any thing contained in the ſame, bee not in any wiſe preiudiciall to any maner perſon or perſons, whom the Kings Highneſſe ſhall by expreſſe commandement direct ſend or appoint to procure any thing or things to be ſealed with his Maieſties ſeales, for or concerning his Maieſties priuate affaires, or the affaires of his highneſſe Realme: but that as well the ſame perſon or perſons, being appointed by the Kings Highneſſe as aforeſaid, as alſo ſuch officer, and officers as ſhall haue the keeping of any the Kings ſeales, their miniſters and clerks ſhal and may ſeale, write and deliuer, and procure the ſealing, writing and deliuering of any ſuch thing and things, concerning the Kings highneſſe affairs, as aforeſaid, without being bound to procure any manner warrant, or paying any manner fees at or to the ſignet or priuy ſeale for the ſame, ſo that the name or names of euery ſuch perſon or perſons, as ſhall procure the ſealing of any ſuch thing or things on the kings behalfe, as aforeſaid, be entred in the Clerke of the Hanapers booke, after this ſort, per A. ad mandatum domini regis: any thing in this Act contained to the contrary notwithſtanding.

Sealing of things touching the Kings priuate affaires or the affaires of the Realme.

Prouided alſo that this Act, nor any thing contained in the ſame, be not in any wiſe preiudiciall to any manner perſon, or perſons, which hereafter ſhall haue by the Kings Highneſſe, or by any his Maieſties officers, the grant or leaſe of any manner ferme or ferms to be ſealed with any his highneſſe ſeales, the yeerely rent whereof amounteth not aboue the ſumme of ſix pounds, xiij.s.iiij.d. ſterling: but that as well euery ſuch perſon and perſons, as officer and officers hauing the cuſtody of ſuch ſeale or ſeales, their miniſters and clerks may write, ſeale, and deliuer or procure the writing, ſealing, and deliuering of any ſuch leaſe or leaſes, as aforeſaid, without paying therefore any manner fees, at, or to the Signet or priuy ſeale for the ſame: any thing in this Act mentioned to the contrary notwithſtanding.

The grant or leaſe of any fermes vnder the yeerely rent of vi.l.xiij.s. iiij.d.

Cap. XII.

An order for true making of Wollen clothes.

FOraſmuch as great infamy and ſlander hath riſen of late yeeres in ſundry outward parties beyond the ſea, of the vntrue making of wollen cloths within this realm, to the great derogation of the common weale of the ſame, & to the no little hindrance of the ſale of the ſaid commodity. For remedy wherof be it ordained & enacted by the king our ſoueraigne Lord, the Lords ſpirituall and temporal, and the commons in this preſent Parliament aſſembled, and by the authority of the ſame, that after the feaſt of S. Michael the archangel next comming, all and euery Clothier within this realme, ſhall weaue or cauſe to be wouen his or their ſeuerall token, or marke in all and euery cloth, kerſey, and other cloths whatſoeuer they be, made and wrought to be vttered and ſold. And when any ſuch cloth ſhalbe ready made and dreſſed to be put to ſale, euery of the ſame clothiers ſhal ſet his ſeale of lead vnto euery of the ſame his or their cloths & kerſeies, in which ſeale of lead ſhal be contained the true and iuſt length of euery of the ſame cloths or kerſeys as it ſhalbe duly found by euery buyer of the ſame, vpon due proofe thereof to be tried by the water. And in caſe vpon any ſuch proofe to be made by any buyer of them at the water, there ſhalbe found leſſe or ſmaller content in length, than is contained and ſpecified in euery of their ſaid ſeals: then euery of the ſaid clothiers making ſuch default, ſhal leeſe & forfeit vnto euery ſuch buier of the ſame, the double value of ſo much cloth as ſhal want and lack of the ſaid content in length, at the only ſight and iudgment of any two indifferent perſons, that ſhal meaſure the ſame clothes and kerſeys. And euery clothier ſending or putting any of their clothes to ſell, before ſuch time as all and euery of the ſame clothes ſhall be ſealed by the aulneger of the ſame counties, where it ſhall chance any of the ſaid cloths ſo to be made: and alſo to be ordered & ſealed by euery of the ſaid clothiers in forme aforeſaid, ſhall loſe & forfeit his cloth or cloths whatſoeuer they be, the one halfe thereof ſhalbe to the Kings highneſſe, his heires and ſucceſſors, and the other halfe to him or them that will ſue for the ſame by bill, plaint, action of debt, or otherwiſe: in which action no wager of law, eſſoine or protection ſhall be allowed.

Euery clothier ſhall weaue his marke in his cloth, and ſet his ſeale to it.

The penalty for want in length.

The clothiers forfeiture omitting his duty.

And it is further enacted by authority aforeſaid, that after the ſaid feaſt of Saint Michaell the archangel, euery broad cloth ſhall contain in bredth ſeuen quarters of a yard within the liſts at the leaſt, and to hold the ſame content alwaies if it be proued at the water. The Act made in

The bredth of cloth.

the

Anno.1.H.8.2.

Kerſeys bredth. Rep.33.H.8.18.

the firſt yeare of the raigne of our ſaid Soueraigne Lord, that euery broad cloth ſhould containe two yards in bredth within the liſts, or any other thing therein contained, touching the keeping of the ſame bredth of two yards, in any wiſe notwithſtanding. And euery Kerſey ſhall containe in bredth one yard within the liſts at the leaſt, if it be proued in the water: vpon paine to forfeit for euery ſuch broad cloth iij.s.iiij.d. and for euery Kerſey xx.d. to be recouered to the vſe of the Kings highneſſe, and of any other that will ſue for the ſame in manner and forme before declared.

To what cloths this ſtatute ſhal not extend.

Prouided alwayes, that this preſent Act extend not to any Clothes, called ſet Clothes, of all ſorts, made in the County of Suff. not exceeding the price of xlvi.s.viij.d. the Cloth, or to any clothes called Taueſtocks, weſtern doſeins, frizes, kendals, Cottons, and all manner of courſe clothes made for linings.

When the Alneger ſhal ſeale.

And bee it further enacted by the ſaid authority, that the Aulnager of any County ſhall not ſeale any of the ſaid Clothes with the Kings ſeale, vntill ſuch time as they and euery of them ſhall firſt be ordered, and ſealed with their contents, according to the true meaning of this preſent Act, in forme aforeſaid, vpon paine of loſing of his office. And that no buyer of any the ſaid cloths or kerſeis, marked and ſealed in form aforeſaid, preſume by any maner of ſleight, means or engines, to draw, pull, or to ſtretch out any of the ſame clothes or kerſeis, otherwiſe than to make them euen after they be wet, and to agree with the contents ſpecified and contained in the ſeale of euery of the ſame cloths and kerſeis, as neere as they can, vpon paine to forfeit the double value of euery cloth or Kerſey, ſo miſuſed contrary to the true intent and meaning of this preſent Act. To bee leuied to the vſe of the Kings highneſſe, and of any other that will ſue for the ſame, in like manner and forme as is before declared.

How farre the buiers of cloths or Kerſeys may draw or ſtretch them.

Cloth made in Worceſter, &c. ſhall be ſealed according to the Act therefore prouided St.25.H.8.18.

Prouided alway, that all cloth hereafter made to be ſold within the City of Worceſter, the Townes of Droitwich, Eueſham, Kedirminſter, and Brommeſgroue, in the County of Worceſter, ſhalbe ſealed with the ſeale of the Searchers there, according to an Act of Parliament in that behalfe prouided and made, the fiue and twentieth yeare of the raigne of our Soueraigne Lord, and that the owners of the clothes made within the ſaid City and Townes, ſhall not be compelled by this act, to put their owne ſeales to any cloths there made or hereafter to be made. REP. 5.*Ed.*6.6.

Cap. XIII.

Of what value clothes carried ouer the Sea may be.

The inconueniences which would enſue if the Stat. of 5.H.8 3 ſhould be put in execution.

VVHereas by Act of Parliament, holden in the fifth yeare of the reign of our Soueraigne Lord the King that now is, it was ordained and enacted, that no wollen cloth aboue the price of fiue markes, ſhould be conueyed ouer the ſea vnrowed, vnbarbed, and vnſhorne, vpon certaine penalties in the ſame Act expreſſed more at large. Which Act being put in execution, ſhall not onely redound and turne to the abatement of the Kings cuſtomes, but alſo grow to the vtter vndoing of his Graces ſubiects, cloth makers, and merchants, conueiers of the ſaid cloths; by reaſon that wooll is riſen to a far greater price, than it was at the making of the foreſaid act. For where a cloth was then commonly ſold at fiue markes, it is now ſold for foure pounds. And alſo by force of the ſaid act, the merchants ſhould be bound to dreſſe euery white cloth aboue the value of fiue markes on this ſide the ſea, after that they haue bought them: which white cloth ſo dreſſed, when they be brought into the parties beyond the ſea, and there by the buiers of them died and put in colours, then they muſt be newly dreſſed, barbed, ſhorne, and rowed: and ſo they ſhalbe thereby the leſſe in ſubſtance of thēſelues, and the worſe to the ſale, and ſold for leſſe price by ten or twelue ſhillings apeece beyond the ſea, than they ſhould be vndreſſed. Wherefore be it ordeined and enacted by the King our ſoueraigne Lord, his Lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by authority of the ſame, That euery white wollen cloth ſold for foure pounds & vnder: and euery coloured cloth ſold for three pounds and vnder, may be carried and conueied into the parties beyond the ſea, there to bee ſold at the pleaſure of the buyers of the ſaid cloth or cloths vnbarbed, vnſhorne, and vnrowed: any act or act to the contrary notwithſtanding.

Clothes of what prizes may be carried ouer the ſea vnbarbed, vnſhorn and vnrowed.

The penalties of the offendors

And ouer this be it ordeined and enacted by the ſaid authority, That if any perſon or perſons ſend or conuey, or cauſe to be ſent and conueyed into the parts beyond the ſea, any white wollen cloth aboue the value of foure pounds, or any coloured cloth aboue the price of three pounds vnrowed, vnbarbed, and vnſhorne, in other forme than is aforeſaid: that then the perſon or perſons ſo offending, ſhall forfeit the value of the ſaid clothes, ſo carried and conueied into the parties beyond the Sea: the one moity of the ſame forfeiture to be to the vſe of our ſaid ſoueraigne Lord the King, and the other moity to euery perſon which will or ſhall ſue by bill, writ, information, or otherwiſe, againſt any perſon for the ſame. And that the defendant in any plee, vpon any ſuch action be not admitted to wage his Law, nor any protection, or eſſoine for any ſuch defendant be allowed in the ſame. St.3.*H.*7.11.33.*H.*8.19. 8.El.6.

Cap. XIIII.

In what manner Cuſtome ſhall be taken for leather.

WHere great quantity & much abundance of leather is daily conueyed out of this realme, as well by ſtrangers, as alſo by tanners and other the Kings ſubiects, inhabited in diuers parts of this realm, towards the ſea coaſts, and in eſpecially out of Wales, Cheſhire, and Cornwal, where little or no cuſtome is paid for the ſame, which lether is commonly packed by the ſaid ſtrangers, Tanners, and other the Kings ſubiects in their houſes, and ſo conueyed vnto the Ports and Hauens, where they intend to ſhip the ſame: which packes ſo conueyed & brought to ſuch ports and hauens to be ſhipped, be neuer there vnpacked, to be viewed what number of leather is contained in any ſuch packe, but entered in the cuſtomers bookes, by, and vpon information, and report of the ſaid ſtrangers, tanner, or other perſon tranſporter of the ſame lether. And albeit that the Kings highneſſe in ſuch places and ports, hath very little cuſtomes paid for the ſame, yet for aſmuch as in ſuch places there is no better ſearch nor view had for the perfect knowledge of the number, and quantity of the Leather, ſo by them packed, the Kings grace is much deceiued of ſuch his cuſtomes, as ought therefore to accrue to his Highneſſe. For wherein the Port of London, two perſons be named and appointed by the weigher of the Wools within the ſaid Port for the time being, to tell and number all ſuch leather by the hide, accounting ten hides to the dicker, and alſo all woollfels, as within the ſame Port ſhall be ſhipped from time to time, which two perſons be ſworne before the Cuſtomers of his great Cuſtome, truly and duly to doe and execute their offices, in telling and numbring all ſuch leather and woolfels, in the preſence of the ſaid Cuſtomers, and of the Comptroler of the ſame Cuſtome or of their deputies, who being preſent and viewing the ſame, doe make entry thereof in their bookes. And after ſuch tale made and entry taken, another perſon by the Maior of London for the time being conſtituted and appointed, is alſo ſworne truly to packe the ſame leather ſo told and entred into the cuſtomers bookes, euery of the ſame tellers and packers taking ſuch fees for their labours, as of old time haue beene vſed, limited, and accuſtomed, euery ſtranger paying for cuſtome of euery dicker foure ſhillings and nine pence, and euery deniſen foure ſhillings and a peny, which like cuſtome is alſo paid in the Port of Hampton, but not in any other Ports of this Realme, and ſpecially in Wales, Cheſhire, and Cornewall, out of the which parts, by reaſon of ſuch ſmall cuſtomes, more lether is conueyed ouer the ſea, than out of other places of this realm̃, which is an occaſion of dearth and great prices of the ſame leather. For the redreſſe whereof, and to the intent that one maner of cuſtome for euery ſuch dicker of leather ſo conueyed ouer the ſea, as well by deniſens as ſtrangers, ſhall be paied thorowout this Realme, Wales, and other the Kings Dominions: and alſo that the Kings highneſſe may bee the better aſſured of his cuſtomes to be paied of all ſuch lether as ſhalbe hereafter carried and conueied ouer the ſea. Be it enacted by the authority of this preſent Parliament, that from henceforth no manner ſtranger nor deniſen ſhal pack or cauſe to be packed any manner of leather to be conueied or ſhipped ouer the Sea, out of this Realme, Wales, or other the Kings dominions, otherwiſe than in this Act is expreſſed, that is to ſay, that all ſuch leather ſhalbe hereafter packed by a packer ſworn in euery ſuch port, where any leather ſhall be ſhipped to be conueyed out of this Realme, Wales, or other the Kings dominions, vpon paine of forfeiture of all ſuch leather as hereafter ſhalbe packed contrary to the purport of this Act, or of the value thereof. And alſo that from henceforth euery ſtranger and denizen, which ſhall ſhip ſend or conuey any leather ouer the ſea, out or from any part of this Realme, Wales, Cheſhire, or other the Kings dominions, ſhall pay like cuſtome for the ſame, as is vſed to be paied within the port of London, that is to ſay, euery ſtranger to pay for euery dicker of leather for cuſtome iiij.s.ix.d. and euery deniſen iiij.s.i.d.

The manner of telling of lether in London, and entring the ſame into cuſtomers bookes.

How much ſtrangers and how much Denizens doe pay for the cuſtome of a dicker of leather.

Leather to be carried beyond the ſea ſhall be told and packed by a man ſworn thereunto.

And be it alſo enacted, that within euery port, hauen, and creeke, within this Realme, Wales, and other the kings dominions, where no tellers nor packers at this preſent time be, nor before the making of this Act haue bin, that from henceforth the cuſtomers and Comptrollers of euery ſuch port, hauen, and creeke, where ſuch lether ſhalbe ſhipped to be conueyed into the parties beyond the ſea, ſhal haue power by authority of this act to name, conſtitute, and appoint one able perſon to tell and number all ſuch leather as ſhalbe any time there ſhipped, which perſon ſo named, ſhall be ſworne by the Cuſtomer and Comptroller of euery ſuch port, hauen, and creeke, truly and duly to execute his office in the preſence of the Cuſtomer and Comptroller of euery ſuch port, creeke, or hauen, where any ſuch leather ſhalbe ſhipped, or of his or their deputy or deputies, the ſame Teller taking of euery ſtranger for the telling of euery dicker of Leather ſix pence: whereof the ſame Teller to haue for his labour two pence, and foure pence to be to the Comminalty of the ſame towne and port, toward the paiment of their fee ferme, and other their charges. And of euery Deniſen, not being a freeman of the ſaid port and hauen, for euery dicker foure pence, whereof the teller to haue two pence, and the other two pence tõ be to the comminalty of the ſame port or hauen, for the intent aboue declared: and of euery dicker by any perſon being a freeman of ſuch port and hauen, but onely two pence for his labour. And that immediately after ſuch tale had, and entry thereof made by the cuſtomer or his deputy, another able perſon named, deputed, and aſſigned by the ſaid cuſtomers and controllers of euery ſuch port and

The cuſtomers and comptrollers ſhall name the tellers where none be.

The tellers fee for telling of a dicker of lether.

hauen

A packer of leather ſhall be aſſigned, & his fee.

hauen and before them ſworne, truly and duly to doe and execute his office ſhall pack all ſuch lather ſo told and entred, euery pack to contain as many dicker, vnder the number of vij. dicker, as it ſhall pleaſe the merchant or owner therof to appoint, taking for his labour for the packing of euery packe foure pence.

The ſeuerall forfeitures of the packer and teller not performing their duties.

And be it further enacted by the ſaid authority, that if any packer take vpon him to pack any lether before it be told or numbred, and entry thereof made by the cuſtomer or his deputy, or at any time packs more leather than ſhall be told and entred, according to the purport of this Act: that then the ſame packer to forfeit & loſe for euery time doing the contrary. v. li. and to ſuffer therfore impriſonment at the kings pleaſure. And alſo that if the teller within any ſuch port or hauen, at any time hereafter, take vpon him to tell or number any leather in the abſence of the cuſtomer, controller, or of his or their deputy or deputies, then the ſame teller for euery time ſo doing to loſe and forfeit v. markes.

In what ſort a ſtranger conueying lether from one port to another ſhall vſe it.

And for as much as diuers ſtrangers carry and conuey their lether from one port to another, and by the way cauſe the ſame lether to be packed, which packes ſo conueied be not vndone nor opened at their arriual within the ports wherunto they be ſo tranſported: but there only entred by and vpon the report and information of the Marchant eſtranger, or of his factor, whereby much cuſtome is conceled. Be it therfore alſo enacted by the ſaid authority, that if any ſtranger or other his factor, at any time hereafter do conuey and carry any lether from one port to another, to the intent to ſhip the ſame in ſuch other port whereunto it ſhall be ſo conueied the ſame ſtranger, or other his factor for him, before ſuch tranſporting of the ſame lether, ſhall cauſe the ſaid lether, firſt to be told within the ſame port, from whence hee will or intendeth to carry the ſame: and the ſame ſo told, cauſe to be entred by the cuſtomer of the ſame port, or his deputy: & cauſe to be alſo packed by the ſaid packer of the ſaid port, where it ſhall be ſo told, taking of the cuſtomer or cuſtomers of the ſame port or hauen, or their deputy or deputies a certificat expreſſing the number or quantity of dickers of all the ſame lether, ſo to be carried & tranſported, directed to the cuſtomer of the other port or hauen, whereunto the ſame lether ſhal be ſo conueied, making mention alſo in the ſame certificat, whether the cuſtome thereof accordingly bee truly paid or not. And in caſe any ſuch leather be carried or conueied from one port to another, there to be ſhipped without hauing of ſuch certificate: that then the ſame leather, or the value thereof to be forfeited.

None hauing a Tanhouſe ſhall tranſport tanned leather, or vntanned.

And be it further enacted, That no Tanner within this Realme, Wales, or other the Kings dominions, or other perſons occupying or hauing a Tanhouſe, ſhall from henceforth ſend, or cauſe to be conueied ouer the ſea, by way of merchandiſe or otherwiſe, any manner of leather tanned or vntanned, vpon paine of forfeiture of all ſuch lether, or the value therof. Nor that any perſon or perſons at any time hereafter, ſhall carry or conuey ouer the ſea out of this Realme, Wales, or other the Kings dominions, any ſalt or vntanned hides, or any leather called backes, or ſole leather, the Kings ſpeciall licence not obtained for the ſame, vpon paine of forfeiture of all ſuch hides and lether called backs or ſole leather, or the value thereof: the one halfe of all the ſaid forfeitures to be to the Kings highneſſe, and the other halfe to any of his ſubiects, that will purſue for the ſame in any his Courts by action of debt, bill, plaint, information, or otherwiſe, in which ſuit none eſſoine, protection, wager of law, or other dilatory plea, for the defendant ſhall be admitted or allowed.

The Captaine of a ſhip & owner of a ſhip, in ſome caſe excepted out of this ſtatute.

Prouided alwaies, that this act or any thing therein contained, ſhall not be hurtfull, nor preiudiciall to any captaine of any ſhip in the time of warre, being in the retinue and ſeruice of the Kings highneſſe, nor to any owner or maſter of any ſhip the Kings Subiect going into Iſland, danſke, norway, or ſouthward beyond the ſtraits: but that euery ſuch captain and maſter of euery ſuch ſhip, during the war time, and euery maſter of ſuch ſhips, paſſing into the places before named may and ſhall at their pleaſure haue and carry ſalt hides in their ſhips, ſo that euery of them ſhall not haue at ſuch voiage, or during the war at any one time aboue the number of viij. ſalt hides. This act or any thing therein contained to the contrary in any wiſe notwithſtanding

Hides vntanned of beaſts killed in Wales may be tranſported.

Prouided alwaies, that hides vntanned of any beaſts, being killed within Wales or the marches thereof, may be conueied and carried into outward parties by any perſon or perſons from time to time, except onely by tanners, and ſuch as haue tanne houſes, in ſuch like manner as they might haue béene before the making of this Act, any thing in the ſame mentioned to the contrary notwithſtanding. A L T. 18. El. 9.

Cap. XV.

The King ſhall haue authority to name xxxij. perſons viz. xvj. ſpiritual, and xvj. temporal to examine the canons & conſtitutions heretofore made according to the ſtatute of 25. *H.* 8. *9.* but no canons or conſtitutions ſhalbe made without the Kings aſſent, nor which be contrary to the kings prerogatiue, or the laws of this realm. Exp. & Rep. 1, & 2. *P.* & *M.* 8. St. 35. *H.* 8. 16. 3. *E.* 6. 11.

Cap.

Cap. XVI.

The manner of inrolment of deeds.

Be it enacted by the authority of this preſent Parliament, that from the laſt day of July, which ſhall be in the yeare of our Lord God M.D.XXXVI. No manors, lands, tenements, or other hereditaments, ſhall paſſe, alter, or change from one to another, whereby any ſtate of inheritance or freehold ſhall be made, or take effect in any perſon or perſons, or any vſe thereof to bee made by reaſon only of any bargains and ſale thereof, except the ſame bargaine and ſale be made by writing indented ſealed, and inrolled in one of the kings Courts of record at Weſtminſter, or elſe within the ſame countie or counties where the ſame ſame manors, lands or tenements ſo bargained and ſold lie, or be, before the cuſtos Rotulorum, and ij. Juſtices of the peace and the Clerke of the peace of the ſame countie or counties, or two of them at the leaſt, whereof the Clerke of the peace to be one. And the ſame enrolment to be had and made within ° ſix moneths next after the date of the ſame writings indented, The ſame cuſtos Rotulorum or Juſtices of the peace and Clerke taking for the inrolment of euery ſuch writing indented before them, where the land compriſed in the ſame writing exceeds not the yearely value of forty ſhillings, two ſhillings, that is to ſay. xij.d. to the Juſtices, and xij. pence to the Clerke: and for the enrolment of euery ſuch writing indented before them, wherein the land compriſed exceeds the ſumme of xl.s. in yearely value, v.s. that is to ſay, ij.s.vi.d. to the ſaid Juſtices, and ij.s.vi.d. to the ſaid Clerke, for the enrolling of the ſame. And that the Clerke of the peace for the time being within euery ſuch Countie, ſhall ſufficiently enroll and engroſſe in parchment the ſame deeds or writings indented, as is aforeſaid, and the rolles thereof at the end of euery yeare ſhall deliuer vnto the ſaid Cuſtos Rotulorum of the ſame County for the time being, there to remaine in the cuſtody of the ſaid Cuſtos Rotulorum for the time being amongſt other records of the ſame Counties, where any ſuch enrolments ſhall be ſo made, to the intent that euery partie that hath to doe therewith, may reſort, and ſee the effect and tenor of euery ſuch writing ſo entolled. Prouided alwaies, that this Act, nor any thing therein conteined, extend to any manner lands, tenements, or hereditaments, lying or being within any Citie, Borough, or Towne corporat within this Realme, wherein the Mayors, Recorders, Chamberlaines, Bayliffes, or other officer, or officers haue authority, or haue lawfully vſed to enroll any euidences, deeds, or other writings within their precinct or limits, any thing in this Act contained to the contrary notwithſtanding. St. 5. El. 26.

No land ſhall paſſe by bargain & ſale vnleſſe it be by writing indented ſealed, and inrolled.

° Dyer f. 155. 218. Bro. faits inroll. 9. Coke li. 2. fo. 36. li. 4. fo. 70. li. 5. fo. 1. li. 7. fo. 41. li. 8. fo. 93.

The fees for inrolment in the County.

Dyer fo. 129. 1. Ed. 3. fo. 19.

Corporate towns to inroll.

Chp. XVII.

A ſeruant imbeſilling his Maſters goods to the value of xl.s. ſhal loſe the priuilege of his Clergy and Sanctuary. Rep. 1. *M.* 1. St. 1. *Ed.* 6. 12. St. 21. *H.* 8. 7. 5. *El.* 10. 28. *H.* 8. 2.

Cap. XVIII.

If any perſon do or procure any thing to be done to the annoying of the ſtreame of the riuer of Thames, making of ſhelps by any maner of means, by mining, digging, caſting of dung, rubbiſh, or other thing in the ſame riuer: or take or conuey away any bords, ſtakes, timber work, pillars, or other things from the ſaid banks or wals, except it be to repaire or amend the ſame again: or dig or vndermine any banks or wals vpon the water ſide of Thames, to the hurt, impairing, or dammage of the ſaid banks or wals, he ſhal forfeit for euery time ſo offending C.s. to the K. and to the Maior and Comminalty of London, to bee recouered by the Maior and Comminalty by B. P. A. I. wherein no W.E.P.&c. A prouiſo for taking of ballaſt for ſhips in the ſhelps neere vnto Thames. The ſaid grauell, earth, or rubbiſh of which ſhelps any perſon may take and carry away. PR.

Cap. XIX.

Sanctuary perſons ſhall weare badges, and no weapons. They ſhall not goe abroad before Sunne-riſing, nor after Sunne-ſetting. They ſhall not reſiſt their gouernors. Their gouernors ſhall determine contracts of debts, treſpaſſes, and couenants betweene them vnder xl.s. REP. 1. *Iac.* 25. & 21. *Iac.* 28.

Cap. XX.

Tithes ſhall be paid according to the cuſtome of the Pariſh, &c.

Forasmuch as diuers numbers of euill diſpoſed perſons inhabited in ſundry counties, cities, towns, and places of this Realm, hauing no reſpect to their duties to Almighty God, but againſt right, and good conſcience, haue attemped to ſubtract and withold in ſome places the whole, and in ſome places great parts, of their tiths, and oblations, aſwell perſonall, as prediall due vnto God, and holy Church, and purſuing ſuch their deteſtable enormities, and iniuries, haue attempted in late time paſt to diſobey, contemne and deſpiſe the proceſſe, lawes, and decrees of the Eccleſiaſticall Courts of this Realme, in more temerous and large manner than

Tithes ſhall be paid according to the cuſtom of the pariſh where they be due.

The offendor in ſubtracting of tithes, ſhal be conuēted before the Ordinary.

The offendor ſhalbe bound by two Iuſtices of peace &c. to obey the Ordinaries ſentence.

before this time hath béen ſéene. For reformation of which ſaid iniuries, and for vnity and peace to be preſerued amongſt the Kings ſubiects of this realme, our ſoueraigne Lord the King, being ſupreme head in earth vnder God of the Church of England, willing the ſpirituall rights & duties of that Church to be preſerued, continued, and maintained, hath ordeined and enacted by authority of this preſent Parliament, That euery of his ſubiects of this Realme of England, Ireland, Wales, and Calais, and marches of the ſame, according to the Eccleſiaſticall lawes & ordinances of his Church of England, and after the laudable vſages and cuſtomes of their pariſh, or other place where he dwelleth, or occupieth, ſhall yéeld and pay his tithes, & offerings, and other duties of holy Church: and that for ſuch ſubtractions of any of the ſaid tithes, offerings, or other duties, the Parſon, Vicar, Curat, or other party in that behalfe grieued, may by due Proces of the Kings Eccleſiaſticall lawes of the Church of England conuent the perſon or perſons ſo offending before his Ordinarie, or other competent Iudge of this realme, hauing authoritie to heare and determine the right of tithes, and alſo to compell the ſame perſon or perſons offending to doe and yéeld their ſaid duties in that behalfe. And in caſe the Ordinarie of the Dioces, or his Commiſſary, or the Archdeacon or his Officiall, or any other competent Iudge aforeſaid, for any contempt, contumacie, diſobedience, or other miſdemeanor of the party defendant, make information and requeſt to any of the Kings moſt honourable Councell, or to the Iuſtices of the Peace of the Shire where ſuch offendor dwelleth, to aſſiſt and ayd the ſame Ordinary, Commiſſary, Archdeacon, Officiall, or Iudge, to order or reforme any ſuch perſon in any cauſe before rehearſed: that then he of the Kings ſaid honourable Councel, or ſuch two Iuſtices of Peace, whereof the one to be of the Quorum, to whom ſuch information or requeſt ſhall be made, ſhall haue full power and authoritie by vertue of this Act, to attach or cauſe to be attached the perſon or perſons againſt whom ſuch information, or requeſt ſhall be made, and to commit the ſame perſon or perſons to ward, there to remaine without baile and maineprize, till that he or they ſhal haue found ſufficient ſurety, to be bound by recogniſance, or otherwiſe before the Kings ſaid Counſellor, or Iuſtice of Peace, or any other like Counſellor, or Iuſtice of Peace, to the vſe of our ſaid ſoueraigne Lord the King, to giue due obedience to the Proces, procéedings, decrées and ſentences of the Eccleſiaſticall Court of this realme, wherein ſuch ſuit or matter for the premiſſes ſhall depend or be. And that euery of the Kings ſaid Counſellors, or two Iuſtices of the peace, whereof the one to be of the Quorum, as is aforeſaid, ſhall haue full power and authoritie by vertue of this Act to take, receiue and record Recogniſances and Obligations, in any of the cauſes aboue written.

This act ſhall not extend to the citizens of London.

Prouided alway, that this Act or any thing therein conteined, ſhall not extend to any inhabitant of the citie of London, for or concerning any manner of tithe, offering, or other Eccleſiaſticall dutie growen, and due to be paid or yéelden within the ſame Citie, becauſe there is another order made for the paiment of tithes and other duties within the ſaid citie.

Euery perſon ſhall haue his demand & defence according to the Lawes eccleſiaſticall.

Prouided alſo that euery perſon and perſons, being partie or parties to any ſuch ſuit, ſhall and may make and haue his and their lawfull action, demand, or proſecution, appeales, prohibitions, and all other their lawſull defences and remedies in euery ſuch ſuit, according to the ſaid Eccleſiaſticall lawes, and lawes and ſtatutes of this realme, in as ample and liberall manner and forme as they or any of them might haue had, if this Act had neuer béene made: Any thing in this Act aboue written notwithſtanding.

Prouided alwaies, and be it enacted by authority aforeſaid, that this Act for recouering of tithes, ne any thing therein conteined, ſhall take force and effect, but only vntill ſuch time as the Kings highnes, and ſuch other xxxij. perſons, which his highneſſe ſhall name and appoint for the making and eſtabliſhing of ſuch lawes, as his highnes ſhall affirme and ratifie to be called the Eccleſiaſticall lawes of his Church of England. And after the ſaid lawes ſo ratified and confirmed as is aforeſaid, that then the ſaid tithes to be paid to euery Eccleſiaſticall perſon, according to ſuch lawes, and none otherwiſe. St. 32. H. 8. 7. 2. Ed. 6. 13.

Cap. XXI.

An Act for the paiment of Tithes within the Citie and Suburbs of London, vntill another Law and order ſhall be made and publiſhed for the ſame. EXP. Stat. 37. *H.* 8. 12.

Cap. XXII.

The King ſhall haue the moitie of the profits of thoſe lands alreadie conuerted from tillage to paſture, ſithence three yeares before *An.* 4. *H.* 7. vntill the owner hath builded vp a conuenient houſe to inhabit, and conuerted the ſame paſture to tillage againe: and alſo ſhall take the moitie of the iſſues of thoſe lands hereafter to be conuerted, if the immediat Lord doe it not within one yeare. Rep. 39. *El.* 1. & 21. *Iac.* 28. *St.* 4. *H.* 7. 19. 7. *H.* 8. 1. 5. *Ed.* 6. 5. 5. *El.* 2.

Cap. XXIII.

Preſeruation of Hauens in Deuonſhire and Cornewall.

WHere by a Stat. made in this preſent parliament, for, and concerning the amending & maintenance of the hauens & ports of Plimoth, Dartmouth, Tinmouth, Falmouth, &

Fowey, in the Countie of Deuonſhire and Cornewal, among other things it was ordained and enacted, That no perſon or perſons, from, and after the Feaſt of Saint Michael the Archangel, which was in the xxiiij. yéere of the reigne of the Kings highneſſe that now is, ſhould labour or worke, or cauſe to be laboured or wrought in any manner of Tin works called Streme works, within the ſaid Counties of Deuonſhire & Cornwall, nigh to any of the freſh waters, riuers or low places, deſcending, or hauing courſe vnto the ſaid Hauens or ports, or any of them, nor ſhould labour, digge, or waſh any Tin in any of the ſaid Tin workes, called Streme workes, vnleſſe the ſaid digger, owner, or waſher ſhould make, or cauſe to be made ſufficient hatches and tyes in the end of their buddels and cords, and therein put and lay, or cauſe to be put and laid all the ſaid ſtones, grauell, and robell digged, about the enſearching, finding, and waſhing of the ſaid Tin, there to be wholly and ſurely kept by the ſaid hatches and tyes, out and from the ſaid freſh riuers or water courſes or any of them, ſo that the ſaid ſtones, grauell, and robell, ne any part thereof, be for lacke of ſuch hatches or tyes conueyed into the ſaid Ports and Hauens, or any of them, vpon paine to forfeit for euery time that any owner or digger ſhould digge or waſh, or cauſe to be digged or waſhed any Tin contrary to the forme aforeſaid, x. li. The one halfe thereof to be to the vſe of our Soueraigne Lord the King, and the other halfe thereof to be to any of the inhabitants of the ſaid Port townes, or Hauens, that would ſue for the ſame in any of the Kings Courts by originall Writ, Bill, Plaint, information, or otherwiſe, wherein the defendant ſhould not be admitted to wage his law, ne any protection or eſſoine ſhould be allowable, as in the ſaid Act among other things more plainly is expreſſed and declared.

A rehearſall of the Statute of 23. H. 8. 8. made for the preſeruation of Ports and Hauens in Cornewall and Deuonſhire.

And becauſe ſith the making of the ſaid Statute, the inhabitants of the ſaid Port townes, or Hauens, hauing little regard, reſpect, loue, or affection to the amending, and maintenance of the ſame Townes and Hauens, nor to their poſterity, as they béen naturally bounden and obliged, haue permitted and ſuffered the ſaid owners and diggers to perſeuere and continue in digging, ſearching, and waſhing of Tinne, nigh the ſaid freſh waters, riuers, or low places, not making ſufficient hatches and tyes, as by the ſaid Statute is prouided and ordeined, without any manner of ſuit commenced or purſued by the ſaid Inhabitants, according to the tenour of the ſaid Act, to the great animation and encouragement of the offendors, and to the vtter vndoing and deſtruction of the ſaid Port, Townes, and Hauens. The Kings Maieſtie minding, and intending the ſupportation, and maintenance of his ſaid Townes, and Hauens, and the animaduerſion and correction of the ſaid offendors, hath by the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, ordeined, enacted, and eſtabliſhed, that no perſon or perſons hereafter ſhall labour or worke, or cauſe to be laboured or wrought, in any manner of Tin works, called Streme works, within the ſaid Counties of Deuonſhire and Cornewall, nigh to any of the ſaid freſh waters, riuers, or low places, deſcending, or hauing courſe vnto the ſaid Hauens or Ports, or any of them, nor ſhall labour, digge, or waſh any Tin in any of the ſaid Tin workes, called Streme workes, vnleſſe the ſaid digger, owner, or waſher ſhall make, or cauſe to be made ſufficient hatches and tyes in the end of their buddels and cords, and therein put and lay, or cauſe to be put and layd, all the ſaid ſtones, grauell, and robell, digged about the enſearching, finding, and waſhing of the ſaid Tin, there to be wholly and ſurely kept by the ſaid hatches and tyes, out, and from the ſaid freſh riuers or water courſes, or any of them, ſo that the ſaid ſand, ſtones, grauell, and robell, ne any part thereof be for lacke of ſuch hatches or tyes, conuayed into the ſaid Ports and Hauens, or any of them, vpon peine to forfeit for euery time, that any Owner, Tinner, digger, or labourer ſhall digge, or waſh, or cauſe to be digged or waſhed, any Tinne contrary to the forme aforeſaid, xx. li. The one halfe thereof to be to the vſe of his Highneſſe, and the other halfe thereof to be to any his Graces ſubiects, that will ſue for the ſame in any of his Graces Courts, by Originall Writ, Bill, Plaint, Information, or otherwiſe, wherein the Defendant ſhall not be admitted to wage his Law, ne any protection or eſſoine ſhall be allowable.

They that worke for Tin workes, ſhall make hatches and tyes in the ends of their cords or buddels.

And it is further enacted by the authoritie aforeſaid, that if any perſon or perſons ſhall happen to be ſued, accuſed, indited, impriſoned, amerſed, condemned, or otherwiſe vexed or troubled in his perſon, lands, Tin workes, goods or cattels by any of the Miniſters or Officers of any the Kings Courts of Stannerie, or by any other perſon or perſons for purſuing or attempting any ſuit or action according to this eſtatute, againſt ſuch perſon or perſons as ſhall offend contrary to the forme aforeſaid: that then all ſuch ſuits, accuſements, inditements, impriſonments, actions, condemnations, fines, amerciaments, and euery other Act or Acts to bée done in any of the ſaid Courts of Stannerie, or elſewhere, by any perſon or perſons againſt any perſon or perſons for ſuing or attempting any ſuit or ſuits by vertue of this Eſtatute ſhall be vtterly void and of none effect in the Law. And that the partie ſued, indited, accuſed, impriſoned, or otherwiſe grieued or moleſted for purſuing againſt any perſon or perſons offending this ſtatute, ſhal haue his action & remedy grounded vpon this ſtatute by originall writ, bill, plaint, information, or otherwiſe in any of the Kings Courts, againſt ſuch as ſhall procure, or attempt, to vex, trouble, or otherwiſe moleſt any ſuch perſon or perſons for ſuing

There ſhall be no penaltie inflicted for proſecuting according to this Statute.

or purſuing of the forfeitures aforeſaid, and ſhall recouer treble damages in that behalfe, and the partie defendant ſhall not be admitted to wage his law, ne any protection, eſſoine, nor priuilege ſhall be to him allowable.

A remedy to releiue him that ſhall be impriſoned for ſuing according to this ſtatute.

And if it ſhall happen any perſon or perſons, for purſuing any ſuit or action vpon this ſtatute, or by occaſion of the ſame hereafter to be impriſoned by any manner of perſon or perſons being officers or miniſters of the court of Stannerie, their deputies or ſubſtitutes: that then euery of the Iuſtices of Peace within any of the Counties aforeſaid, wherein the ſaid priſoner ſhall happen to be committed to priſon, vpon credible information thereof, taking ſuretie by his diſcretion for apparance of ſuch priſoner at the next generall Seſſions of Peace, ſhall haue power and authority as well to direct his Warrant to the Gaoler or Keeper of the priſon, as to any other perſon or perſons, to whom the ſaid priſoner ſhall be committed vnto, commanding him or them vpon paine of forfeiture of xl. li. to deliuer and put at large the ſaid priſoner, or priſoners, which if he refuſe ſo to doe, then euery ſuch offender ſhall loſe and forfeit the ſaid xl. li. The one halfe of which forfeiture to be to the vſe of our Soueraigne the Lord King, and the other halfe to him that is grieued by reaſon of ſuch impriſonment, to be recouered in manner and forme aforeſaid. And the defendant in any action or ſuit for the ſame ſhall not wage his law, ne haue any eſſoine, or protection allowed. And if it ſhall appeare vpon the appearance of ſuch priſoner at the quarter Seſſions by examination of the Iuſtices of the Peace there being, that he was impriſoned contrary to the forme of this Statute: that then he ſhall be forthwith diſmiſſed, and thereby diſcharged. And if he were lawfully impriſoned for any other iuſt cauſe, then to be remaunded to priſon by the diſcretion of the ſaid Iuſtices.

The liberties of the Stanneries ſaued.

Prouided alway, that this Act or any thing therein conteined be not in any wiſe preiudiciall, or hurtfull to any of the officers of the Stannery, ne to any of their lawfull liberties, priuileges, vſages, lawes, or cuſtomes, ſauing only in the caſes and prouiſions conteined and limited within this preſent Act: which ſhall alway be put in execution, according to the tenor of this Act; any vſage, cuſtome, priuilege, ordinance or libertie to the contrarie thereof notwithſtanding.

Cap. XXIIII.

The recontinuing of certaine liberties taken from the Crowne.

WHere diuers of the moſt ancient prerogatiues & authorities of Iuſtice appertaining to the Imperiall Crowne of this Realme, haue béene ſeuered and taken from the ſame by ſundrie gifts of the Kings moſt noble progenitors Kings of this Realme, to the great diminution, and detriment of the royall eſtate of the ſame, and to the hindrance & great delay of iuſtice. For reformation whereof, be it enacted by authority of this preſent Parliament, That no perſon or perſons, of what eſtate or degrée ſoeuer they be of, from the firſt day of Iuly, which ſhall be in the yere of our Lord God, M.D.XXXVI. ſhal haue any power or authority to pardon, or remit any treaſons, murders, manſlaughters, or any kinds of felonies, whatſoeuer they be: nor any acceſſaries to any treaſons, murders, manſlaughters, or felonies or any vtlaries for any ſuch offences aforeſaid, committed, perpetrated, done, or diuulged, or hereafter be committed, done, or diuulged by or againſt any perſon or perſons in any part of this realme, Wales, or the marches of the ſame, but that the Kings highneſſe, his heires and ſucceſſors Kings of this Realme, ſhall haue the whole and ſole power and authority thereof, vnited, and knit to the Imperiall Crowne of this realme, as of good right and equity it appertaineth, any grants, vſages, preſcription, Act, or Acts of Parliament, or any other thing to the contrary hereof notwithſtanding.

No perſons ſhal pardon treaſons or felonies but the King.

No perſon ſhall make Iuſtices but the King.

And be it alſo enacted by authority aforeſaid, that no perſon or perſons of what eſtate, degrée, or condition ſoeuer they be, from the ſaid firſt day of Iuly, ſhall haue any power or authority, to make any Iuſtices of Eire, Iuſtices of Aſſiſe, Iuſtices of Peace, or Iuſtices of Gaole deliuerie: but that all ſuch officers and miniſters ſhall be made by Letters Patents vnder the Kings great Seale, in the name, and by authority of the Kings highneſſe, and his heires Kings of this Realme, in all Shires, Counties, Counties Palatine, and other places of this realme, Wales, and the marches of the ſame, or in any other his dominions, at their pleaſure and wils, in ſuch manner and forme as Iuſtices of Eire, Iuſtices of Aſſiſe, Iuſtices of Peace, and Iuſtices of Gaole deliuerie, be commonly made in euery Shire of this Realme, any grants, vſages, preſcription, allowance, Act or Acts of Parliament, or any other thing or things, to the contrarie thereof notwithſtanding.

All writs, &c. in a Countie Palatine ſhall be made in the Kings name.

And be it further enacted by authority of this preſent Parliament, that all originall writs and iudiciall writs, & all manner of inditements of treaſon, felony, & treſpaſſe, & all manner of Proces to be made vpon the ſame in euery Countie Palatine, and other liberty within this realme of England, Wales, and Marches of the ſame, ſhall from the ſaid firſt day of Iuly, be made only in the name of our ſaid ſoueraigne Lord the King, & his heires Kings of England. And that euery perſon or perſons hauing ſuch Countie Palatine, or any other ſuch libertie, to make ſuch originals, iudicials, or other proceſſe of Iuſtice, ſhall make the Teſte in the ſaid originall Writs, and iudiciall in the name of that ſame perſon or perſons that haue ſuch County Palatine or liberty.

And that in euery Writ and inditement that ſhall be made within any ſuch County Palatine, or Libertie, after the ſaid firſt day of July next comming, whereby it ſhall be ſuppoſed any thing to be done againſt the Kings peace, ſhall be made and ſuppoſed to be done only againſt the Kings peace, his heires and ſucceſſors, and not againſt the peace of any other perſon or perſons, whatſoeuer they be, any Act of Parliament, grant, cuſtome, vſage, or allowance in Ceire before this time had, granted or vſed to the contrary notwithſtanding.

Prouided alwaies, that Juſtices of Aſſiſes, Juſtices of Gaole deliuerie, aud Juſtices of Peace to bée made and aſſigned by the Kings highneſſe within the Countie Palatine of Lancaſter, ſhall be made and ordeined by Commiſſion vnder the Kings vſuall ſeale of Lancaſter, in manner and forme as hath béene accuſtomed, any thing in this Act to the contrary thereof notwithſtanding.

Juſtices aſſigned within the Countie Palatine of Lancaſter.

Prouided alſo, that all Cities, Boroughes, and Townes corporate within this realme, which haue liberty, power, and authority to haue Juſtices of Peace, or Juſtices of Gaole deliuery, ſhall ſtill haue and enioy their liberties and authorities in that behalfe, after ſuchlike manner, as they haue beene accuſtomed, without any alteration by occaſion of this act, any thing in this act, or in any article therein contained to the contrary thereof notwithſtanding.

Townes corporate which haue Juſtices.

And it is ordeined by authority aforeſaid, that all Stewards, Bailiffes, and other Miniſters of any Liberties or Franchiſes, which in time paſſed haue vſed or ought to attend vpon the Juſtices of Aſſiſe, Juſtices of Gaole deliuerie, and Juſtices of the peace at large in any County, ſhall be attendant to the Juſtices of Aſſiſe, Juſtices of Gaole deliuerie, and Juſtices of Peace of the ſame Shires, wherein ſuch Liberties and Franchiſes be, and make due execution of all Proces to them to be directed, for miniſtration of Juſtice within ſuch Liberties or Franchiſes. And that alſo all ſuch Bailiffes, or their deputies or deputie, ſhall giue their attendance and aſſiſtance vpon the Sheriffe, together with the Sheriffes Bailiffes at all Courts of Gaole deliuery from time to time for execution of priſoners according to iuſtice.

Bailiffes & officers of liberties ſhall attend vpon the Juſtices as they haue done.

Prouided alway, that the article next aboue rehearſed, ſhall not in any wiſe be preiudiciall to any Stewards, or Bailiffes of any Cities, Boroughes, or townes corporate ſet in any Shire of this realme, which haue priuilege that they ſhould not be compelled to attend, or appeare out of ſuch Cities, Boroughs, or townes wherein they inhabit, but that euery ſuch Citie, Borough and towne corporat, ſhall vſe their ſaid priuileges and liberties, as heretofore hath béen accuſtomed, any thing in any of the articles aboue rehearſed to the contrary thereof notwithſtanding.

Liberties of cities or borowes not to appeare elſe where.

And it is further enacted by authority aforeſaid, that the King our ſoueraigne Lord, his heires and ſucceſſors Kings of this realme, from the ſaid firſt day of July next comming, ſhall haue all manner fines, iſſues, amerciaments, and forfeitures that ſhall be loſt, forfeit, or aſſeſſed, by or vpon any Stewards, Bailiffes, or any other Miniſters or Officers of any Franchiſes or Liberties for none execution, or miſexecution, or inſufficient returnes of ſuch Writs, Warrants, Precepts, or other Proces, which to them or any of them, or to any their deputie or deputies ſhall be directed, or for any contempt or other miſdemeanour whatſoeuer it be, concerning their offices, in and for the due execution or adminiſtration of iuſtice, any grant or allowance, or other thing to the contrary hereof notwithſtanding. And that the Amerciaments for inſufficient returnes of Writs, or other Proces made by Stewards or Bailiffes of liberties or Franchiſes, hauing returnes of Writs and execution of the ſame, ſhall be put and ſet vpon the heads of ſuch Stewards or Bailiffes, and not vpon the Sheriffes.

The King ſhall haue the fines, forfeitures, &c. of Bailiffes of Liberties.

Fines ſhall be aſſeſſed vpō the Bailiffes of liberties for inſufficient returnes, and not vpō the ſheriffe.

And furthermore it is enacted by authority aforeſaid, that Purueyors aſſigned by the Kings commiſſion for prouiſions of his Grace, the Quéene, and their children, ſhall and may prouide all victua's, corne and other kinds of things whatſoeuer it be, according to their Commiſſions, as well within liberties and franchiſes as without, any grants, allowance, or other thing to the contrary or let thereof notwithſtanding.

Purueiors may prouide within liberties notwithſtanding any graunt. Coke pla. fol. 560.

Prouided alwayes, that ſuch Purueyors ſhall obſerue the Statutes for them prouided in euery behalfe.

And ouer this it is ordeined by authority aforeſaid, That in all ſuch places whereſoeuer the Kings highnes in his owne moſt royall perſon ſhal come to reſt, tarry, abide, or make his repoſe within this realme, or any his dominions, within libertie or without, there and within the Verge, limited and accuſtomed to his Graces Court, during the time of his abode, his Grace, his Steward, Marſhall, Coroner, and all other his miniſters, ſhall and may kéepe their Courts for Juſtice, and exerciſe their offices as ſhall appertaine to them, according to the lawes, cuſtomes, and ſtatutes of this realme, as well within liberties as without. And that his Graces Clerks of the market, and none other during the ſame time, as well within libertie as without, ſhall exerciſe the office of Clerke of the Market: any priuilege, grant, allowance or other thing to the contrary thereof notwithſtanding.

The K. officers may keepe court within the verge, and his Clerke of the market onely execute his office there. St. 32. H. 8. 20.

Prouided alway, that this article next afore rehearſed, or any thing therein conteined, be not in any wiſe preiudiciall to the citie of London, but that the ſame Citie ſhall haue and vſe ſuch liberties as they mought, if this article had neuer béene made.

And be it alſo enacted by authority aforeſaid, that all and euery Statute, Act and Acts here-

All Stat. made for Sheriffes Vnderſh. &c. ſhall be in force againſt Stewards & other miniſters of liberties.

fore made, and being in force, againſt Sheriffes, their Vnderſheriffes, Bayliffes, or their miniſters, for making, or returning of panels or Juries, or for due execution and ſeruing of any writs, or other proceſſe, or for taking of fees, or for reformation of extortions, or for any other thing, or things concerning their offices, and all paines and penalties contained in euery ſuch Statute, ſhall from henceforth be extended to all Stewards, Bayliffes, and other miniſters, and officers of liberties and franchiſes, hauing returnes of writs and executions thereof, in like manner, forme, and condition, as they extend to Sheriffes, their Vnderſheriffes, Bayliffes, or other miniſters, and as if the ſaid Stewards, Bayliffes, or other miniſters or officers of liberties and franchiſes, had beene ſpecially and particularly named and rehearſed in ſuch Statutes.

Stewards and Bailiffes of Franchiſes may enioy their offices aboue one yeare.

Prouided alway, that this article next aboue rehearſed, ſhall not be preiudiciall to any Steward, Bayliffes of franchiſes, or to their deputy or deputies, or their Clerks, for exerciſing and occupying their offices ouer and aboue one yeare: but that they and euerie of them may keepe, and occupy their ſaid offices for ſo long time as they be or hereafter ſhall be giuen to them, as if this article next afore rehearſed had neuer beene made, any of the ſaid Acts to be expounded and taken againſt them, or any of them to the contrary thereof notwithſtanding.

And it is enacted by authority aforeſaid, that all ſuch Juſtices to be made, as is afore rehearſed in this Act, ſhall haue authoritie and power to keepe and hold their Seſſions of peace, and to deliuer the ſame Gaoles from time to time only within the ſame liberties and franchiſes, and in ſuch places, and in none other places, by reaſon or authority of that Commiſſion, and to doe and execute all other things within the ſame, in as ample and large manner, as any other Juſtices of Peace and Gaole deliuerie, in any Shire within this Realme may doe and haue authoritie to doe: any Act, grant, vſe, cuſtome, and allowance heretofore had, made or vſed, or any article in this preſent Act made to the contrary notwithſtanding.

The new Juſt. ſhall ſit, where commonly ſuch haue vſed to ſit before.

Prouided alwaies, that all and ſingular Juſtices of the peace, Gaole deliuery, and aſſiſe hereafter to be made, named, and appointed by the Kings highnes, his heires and ſucceſſors, within any libertie, where any ſuch Juſtice of peace, Gaole deliuery, or Aſſiſe, or any of them haue been made by any perſon or perſons, by vertue or authority of any Letters patents, of the gift or grant of our Soueraigne Lord the King, or his moſt noble progenitors Kings of this Realme, or otherwiſe, ſhall ſit and keepe their ſeſſions, Gaole deliuery, and aſſiſes, only in ſuch place and places, as the Juſtices of the ſaid liberties lately haue commonly vſed within the ſaid liberties. And that no perſon or perſons, within the ſaid liberties of any of them, ſhall be hereafter in no wiſe compelled by authority of this Act, to appeare out of the ſaid liberties, before any other Juſtices of aſſiſe, Gaole deliuerie, or of the peace, than before ſuch Juſtices as ſhall be named and aſſigned to ſit, and be by the Kings Highneſſe his heires and ſucceſſors, within the ſaid liberties and forme aboueſaid. And that this Act ſhall not extend or be expounded, or taken, by any other libertie, priuilege or franchiſe, granted, vſed, or had to any perſon or perſons, other than before in this preſent Act is expreſſed and plainly declared and rehearſed: any thing in this Act to the contrary notwithſtanding, and as if this Act had neuer beene made.

Sir Tho. Englefeld Juſtice of Cheſter & Flint

Prouided alwaies, that this Act nor any thing therein conteined, be in any wiſe hurtfull or preiudiciall vnto Sir Thomas Englefeld Knight, Juſtice of the countie Palatine of Cheſter and Flint, nor to his deputy or deputies, nor to any of them, of, for, or concerning the office of Juſtice or Juſticer of the ſaid County Palatine, and Flint, nor for or concerning any fees, profits or aduantages to the ſame office in any manner wiſe appertaining or belonging, but that the ſaid Sir Thomas, his deputy and deputies, and euery of them, may lawfully haue, occupy and exerciſe the ſaid office, and alſo receiue and take, to their owne vſe, all manner profits, commodities, and aduantages to the ſaid office belonging or appertaining according to the tenour, purport, and effect of ſuch Letters patents, as before this time were vnto the ſame Sir Thomas, made vnder the ſeale of the ſaid Countie Palatine, or vnder any other ſeale, by our ſaid Soueraigne Lord the King that now is, of, for, or concerning the ſaid office, and other the premiſſes, or any parcell thereof, in as ample and large manner, as though this Act had neuer beene had ne made: any thing in this Act conteined to the contrary, in any wiſe notwithſtanding.

Cities and towns corporat ſhall haue ſuch liberties, &c. as they had before.

Prouided alway, that this Act, ne any thing therein conteined, be in any wiſe preiudiciall, or hurtfull to any Citie, Borongh, or Towne corporat, by what name or names ſoeuer they, or any of them be incorporat, and their ſucceſſors, and the ſucceſſors of euery of them, of or for, any manner of liberties, priuileges, cuſtomes, and ancient vſages, and franchiſes: and alſo of all manner of fines, iſſues, and amerciaments, and forfeitures, which they or any of them haue of the graunt or graunts of our ſaid Soueraigne Lord the King, or of any of his noble progenitors, Kings of this Realme of England: but that the ſaid Cities, Boroughes, and Townes corporat, and euery of them and their ſucceſſors, may haue, take, leuie, and enioy all and euerie ſuch lawfull liberties, priuileges, franchiſes, cuſtomes, and vſages in as ample and large manner, and in like forme and condition as they and euery of them haue lawfully taken, vſed, and had the ſame before the making of this Act: any thing in this Act to the contrary notwithſtanding, and as if this Act had neuer beene had ne made.

Prouided alway and be it enacted, that Thomas now Biſhop of Ely, & his ſucceſſors, Biſhops of Ely, and their temporall Steward of the Ile of Ely for the time being, and euery of them, ſhall from henceforth be Juſtices of Peace within the ſaid Ile, and ſhall vſe and exerciſe all manner of things within the ſame Ile, that appertaineth or belongeth to any Juſtices of Peace within any Countie of this Realme of England, to doe, exerciſe, and vſe by vertue and authoritie that they be Juſtices of Peace, in as ample and large manner as any other Juſtices of Peace, in any Countie within this Realme haue or might doe, exerciſe, or vſe, any thing or things in this Act conteined to the contrary notwithſtanding.

The Biſhop of Ely and his Steward ſhall be Juſtices of Peace within the ſame Ile.

Prouided alway, and be it enacted, that Cuthbert now Biſhop of Durham, and his ſucceſſors Biſhops of Durham, and their temporall Chancellor of the County Palatine of Durham for the time being, and euery of them, ſhall from henceforth be Juſtices of Peace within the ſaid County Palatine of Durham, and ſhal exerciſe and vſe all manner things within the ſame countie Palatine, that appertaineth or belongeth to any Juſtice of Peace within any Countie of this Realme of England, to doe, exerciſe, and vſe, by vertue and authoritie that they be Juſtices of Peace, in as ample and large manner as any other Juſtices of Peace in any countie within this Realme haue, or might doe, exerciſe or vſe: any thing or things in this Act conteined to the contrary notwithſtanding.

The Biſhop of Durham & his Chancellor.

Prouided alway, and be it enacted, that Edward now Archbiſhop of Yorke, and his ſucceſſors Archbiſhops of Yorke, and their temporal Chancellor of the ſhire and liberty of Heram, otherwiſe called Hextoldſham, for the time being, and euery of them, ſhall from henceforth be Juſtices of Peace within the ſaid ſhire and libertie of Heram, otherwiſe called Hextoldſham: and ſhall exerciſe and vſe all manner things within the ſaid ſhire and libertie, that appertaineth or belongeth to any Juſtice of Peace within any County of this Realme of England, to doe, exerciſe and vſe by vertue and authority that they be Juſtices of peace, in as large and ample manner, as any other Juſtice of Peace in any Countie within this Realme haue or might doe, exerciſe, or vſe: any thing or things in this Act conteined to the contrary notwithſtanding.

The Biſhop of Yorke and his temporall Chancellor of Extoldſham.

Cap. XXV.

Impotent persons

All Gouernors of Shires, Cities, Townes, Hundreds, Hamlets, and Pariſhes ſhall find and keepe euery aged, poore, and impotent perſon which was borne or dwelt three yeares within the ſame limit, by way of voluntary and charitable almes in euery of the ſame Cities and pariſhes, &c. with ſuch conuenient almes as ſhall be thought meet by their diſcretion, ſo as none of them ſhall be compelled to goe openly in begging: And alſo ſhall compell euery ſturdy vagabond to be kept in continuall labour. Children vnder xiiij. yeares of age & aboue v. that liue in idleneſſe and be taken begging, may be put to ſeruice by the gouernors of cities, townes, &c, to husbandry or other crafts or labours. A valiant begger or ſturdy vagabond ſhall at the firſt time be whipped, and ſent to the place where he was borne or laſt dwelled by the ſpace of iij. yeares, there to get his liuing: And if he continue his roguiſh life, he ſhall haue the vpper part of the griſtle of his right eare cut off: And if after that he be taken wandring in idleneſſe, or doth not apply his labour, or is not in ſeruice with any Maſter, he hall be adiudged and executed as a felon. No perſon ſhall make any open or common dole, nor ſhall giue any money in almes but to the common boxes, and common gatherings in euery pariſh, vpon paine to forfeit ten times ſo much as ſhall be giuen. There ſhall be no playing at vnlawfull games. EXP. St. 31. H. 8. 7. St. 39. El. 4.

Cap. XXVI.

Iuſtice executed in Wales in manner as it is in England, &c.

Albeit the Dominion, Principality, and countrey of Wales iuſtly and righteouſly is, and euer hath bin incorporated, annexed, vnited, and ſubiect to, & vnder the temporal Crowne of this realme, as a very member and ioynt of the ſame, whereof the K. moſt royall Maieſty of meere droit, and very right, is very head, King, Lord and Ruler. Yet notwithſtanding, becauſe that in the ſame countrey, principality, and dominion diuers rights, vſages, lawes and cuſtomes, be farre diſcrepant from the lawes and cuſtomes of this realme, and alſo becauſe that the people of the ſame dominion haue, and doe daily vſe a ſpeech nothing like, ne conſonant to the naturall mother tongue vſed within this relame, ſome rude, and ignorant people haue made diſtinction, and diuerſity betweene the Kings ſubiects of this realme, & his ſubiects of the ſaid dominion and principality of Wales, wherby great diſcord, variance, debate, diuiſion, murmur, & ſedition hath growen betweene his ſaid ſubiects. His highneſſe therefore of a ſingular zeale, loue and fauour that he beareth towards his ſubiects of his ſaid dominion of Wales, minding and intending to reduce them to the perfect order, notice, and knowledge of his lawes of this his Realme, and vtterly to extirpe all and ſingular the ſiniſter vſages, & cuſtomes differing from the ſame, and to bring his ſaid ſubiects of this his realme, and of his ſaid dominion of Wales to an amiable concord & vnitie, hath by deliberat aduice, conſent, & agreement of the Lords ſpirituall and temporall, & the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, ordeined, enacted, & eſtabliſhed, That his ſaid country or dominion of Wales ſhall be, ſtand, and continue for euer from henceforth incorporated, united and annexed to, and with this his realme of England. And that all & ſingular perſon and perſons, borne and to be borne in the

The cauſes why a diuerſitie hath been made betweene the Kings ſubiects of England and Wales.

ſaid principality, country, or dominion of Wales, ſhall haue, enioy, and inherit all, and ſingular frœdomes, liberties, rights, priuileges, and lawes within this realme and other the Kings dominions, as other the Kings ſubiects naturally borne within the ſame, haue, enioy, and inherit.

All perſons borne in Wales ſhall enioy all liberties, as other ſubiects in England doe.

Dyer.fo.

And that all and ſingular perſon and perſons inheritable to any manors, lands, tenements, reuerſions, ſeruices, or other hereditaments, which ſhall diſcend after the feaſt of All-Saints next comming, within the ſaid principality, countrey, or dominion of Wales, or within any particular Lordſhip part, or parcell of the ſaid countrey or dominion of Wales, ſhall for euer from and after the ſaid feaſt of All-Saints, inherit and be inheritable to the ſame manors, lands, tenements, rents, reuerſions, and hereditaments after the Engliſh tenour without diuiſion, or partition, and after the forme of the lawes of this realme of England, and not after any tenure, ne after the forme of any Welſh lawes or cuſtomes. And that the lawes, ordinances, and ſtatutes of this realme of England for euer, and none other lawes, ordinances, ne ſtatutes from and after the ſaid feaſt of All-Saints next comming, [p] ſhall be had, vſed, practiſed, and executed in the ſaid countrey, or dominion of Wales, and euery part thereof, in like manner, forme and order, as they be and ſhall be had, vſed, practiſed and executed in this realme: and in ſuch like manner and forme, as hereafter by this Act, ſhall be further eſtabliſhed, and ordeined: any Act, ſtatute, vſage, cuſtome, preſident, libertie, priuilege, or other thing, had, made, vſed, granted or ſuffered to the contrary in any wiſe notwithſtanding.

The lawes of England ſhall be vſed in Wales.
p Coke pla.f.550.

And foraſmuch as there be many, and diuers Lordſhips marchers within the ſaid country or dominion of Wales, lying betwœne the ſhires of England, and the ſhires of the ſaid country or dominion of Wales, and being no parcell of any other ſhires, where the lawes and due correction is vſed and had: by reaſon whereof hath enſued, and hath bœne practiſed, perpetrated, committed and done, within, and among the ſaid Lordſhips and countries to them adioyning, manifold and diuers deteſtable murders, brenning of houſes, robberies, thefts, routs, ryots, vnlawfull aſſemblies, embraceries, maintenances, receiuing of felons, oppreſſions, ruptures of the peace, and manifold other malefacts, contrary to all lawes and iuſtice. And the ſaid offenders thereupon making their refuge from Lordſhip to Lordſhip, were, and continued without puniſhment, or correction: for due reformation whereof, and for as much as diuers, and many of the ſaid Lordſhips marchers be now in the hands and poſſeſſion of our Soueraigne Lord the King, and the ſmalleſt number of them in the poſſeſſion of other Lords, It is therfore enacted by the authority aforeſaid, that diuers of the ſaid Lordſhips marchers, ſhall be vnited, annexed, and ioyned to diuers of the ſhires of England, & diuers of the ſaid Lordſhips marchers ſhall be vnited, annexed, and ioyned to diuers of the ſhires of the ſaid country, or dominion of Wales, in manner & forme hereafter following. And that all the reſidue of the ſaid Lordſhips marchers, within the ſaid countrey or dominion of Wales, ſhall be ſeuered & diuided into certaine particular counties or ſhires, that is to ſay, the countie or ſhire of Monmouth, the countie or ſhire of Brekenoke, the county or ſhire of Radnor, the county or ſhire of Mountgomery, the county or ſhire of Denbigh. And that the Lordſhips, townſhips, pariſhes, commotes, & cantredes of Monmouth, Chepſtow, Matherne, Llannihangel, Magour, Goldecliffe, Newport, Wenllonge, Llanwerne, Caerlion, Vſke, Treleck, Tintern, Skynfreth, Gronſmont, Wite caſtell, Reglan, Calicote, Biſton, Abergeuenny, Penroſe, Grenefeld, Maghen, and Hochuyſlade in the countrey of Wales: and all and ſingular honours, Lordſhips, caſtels, manors, lands, tenements and hereditaments, lying or being within the compaſſe or precinct of the ſaid Lordſhips, towneſhips, hamlets, pariſhes, commotes and cantredes, and euery of them, in whoſe poſſeſſion ſoeuer they be, or ſhall be, and euery part thereof, ſhall ſtand and be from and after the ſaid feaſt of All-Saints guildable, and ſhall be reputed, accepted, named, and taken as part and members of the ſaid ſhire of Monmouth. And that the towne of Monmouth ſhall be named, accepted, reputed, vſed, had, and taken head and Shire towne of the ſaid Countie or Shire of Monmouth. And that the Sheriffes Countie or Shire Court, of and for the ſaid Shire or County of Monmouth ſhall be holden and kept one time at the ſaid Towne of Monmouth, and the next time at the Towne of Newport in the ſame Countie or Shire, and ſo to be kept in the ſame two Townes Alternis vicibus, and according to the lawes of this Realme of England for euer, and in none other places.

Lordſh. marchers, and the diſorders committed therein.

Lordſh. marchers diuided into ſhires.

The countie of Monmouth & the townes within the ſame.

And it is further enacted by the authority aforeſaid, that all actions reals, hereafter ſhall be commenced, or ſued for any lands, tenements, or hereditiments, or any other thing within the ſaid Countie or Shire of Monmouth, and all actions perſonals, within the ſame Shire or Countie of the ſumme of xl.s. or aboue, & all actions mixt, ſhall be ſued by originall writ out of the Kings high Court of Chauncerie in England, and heard, determined and tried, before the Kings Iuſtices in England, by Aſſiſe, or Niſi prius within the ſaid Countie of Monmouth, in ſuch like manner, forme, and wiſe, as all other actions reals, perſonals, and actions mixt, be ſued, heard, determined and tried, in or for any Shire of this Realme of England. And that the Kings Iuſtices of his bench, or of his common bench of Weſtminſter, ſhall haue full power and authoritie to direct all manner proceſſe to the Sheriffe, & all other officers of the ſaid countie of Monmouth, and alſo to direct writs of Venire facias, to the ſame Sheriffe for the triall of euery iſſue ioyned before them: and alſo to award Commiſſions of Niſi prius into the ſaid countie

Actions for lands or other things to be ſued in the county of Monmouth.

The Kings Iuſtices may award venerie fac' into the C. of Monmouth, & all other proces.

tie of Monmouth, for the triall of ſuch iſſues ioyned before them, in like manner & forme as they doe into euery Shire of this Realme of England. And all and euery the Kings ſubiects and inhabitants within the ſaid County of Monmouth, ſhall be for euer from and after the ſaid feaſt of All Saints, obliged and bounden to be obedient and attendant to the Lord Chancellor of England, the Kings Iuſtices, and other of the Kings moſt honourable Councell, and vnto all lawes, cuſtomes, ordinances, and ſtatutes of this Realme of England, in like manner, forme and wiſe, as all other the Kings ſubiects within euery Shire of this Realme of England be obliged and bounden, any act, ſtatute, vſage, cuſtome, libertie, priuilege, or any other thing to the contrarie in any wiſe notwithſtanding. And that the Sheriffe of the ſaid Countie ſhall hold plee of Replegiare, and all other ſuits, and plaints vnder fortie ſhillings in his Countie or Shire Court, in like manner and forme as all other Sheriffes doe within this Realme of England. And that the Sheriffes, Eſchetors, and Coroners, that hereafter ſhall be within the ſaid Countie or Shire of Monmouth, ſhall be obliged, and bounden to execute all the Kings proceſſes, and to make due returnes thereof, and to vſe, and exerciſe their offices, according to the lawes and ſtatutes of this Realme of England in all & euery thing, as the Sheriffes, Eſchetors, and Coroners be obliged and bounden to doe in all and euery other ſhire of this Realme of England. And that the Sheriffes and Eſchetors of the ſaid Shire, or Countie of Monmouth that hereafter ſhall be appointed by our Soueraigne Lord the King, make their accompts for their ſaid offices in the Kings Eſchequer in England in like manner and forme, as other Sheriffes and Eſchetors doe within this Realme of England, and vpon ſuch like paine and penaltie, as is vpon other Sheriffes and Eſchetors in euery other ſhire within this Realme of England.

The inhabitants of the Countie of Monmouth obedient to the Kings officers and lawes.

The Sheriffes and Eſchetors of Monmouth duties.

Breknoke ſhire.

And it is enacted by the authority aforeſaid, that the Lordſhips, Towneſhips, Pariſhes, Commotes, and Cantreds of Breknoke, Crekhowell, Tretowre, Penkelly, Engliſh talgarth, Welſh talgarth, Dyans, The haye, Glynebogh, Broyulles: Cantercely, Lando, Blaynllinby, Eſtrodew, Buelthe, and Lingros, in the ſaid Country or Dominion of Wales, and all & ſingular Honours, Lordſhips, Caſtles manors, lands, tenements, and hereditaments, lying or being within the compaſſe or precinct of the ſaid Lordſhips, Pariſhes, Commotes, and Cantredes, or any of them, in whoſe poſſeſſion ſoeuer they be, or ſhall be, and euery part thereof, ſhall ſtand and be for euer from the ſaid feaſt of All-Saints guildable: and ſhall be reputed,, accepted, named, and taken as parts and members of the ſaid Countie or Shire of Breknoke. And that the ſaid towne of Breknoke ſhall be named, accepted, reputed, vſed, had, and taken, head and Shire-towne of the ſaid countie or ſhire of Brekenoke. And that the ſhire-court, or countie of and for the ſaid ſhire or countie of Brekenoke, ſhall be holden and kept in the ſaid towne of Breknoke.

Radnor ſhire.

And it is enacted by the authority aforeſaid, that the Lordſhips, Towneſhips, Pariſhes, Commotes and Cantredes of new Radnor, Eliſtherman, Eluelles, Bonghred, Glaſebery, Glawdiſtre, Mihelles Church, Meleneth, Blewagh, Knighton, Norton, Preſton, Commorhuder, Rayder, Gwethronyon, and Stanage in the ſaid countrey of Wales and euery of them, and all and ſingular Honours, Lordſhips, Caſtles, manors, Lands, Tenements, and Hereditaments, lying or being within the compaſſe or precinct of the ſaid Lordſhips, Towneſhips, Pariſhes, Commotes, and Cantredes, or any of them, in whoſe poſſeſſions ſoeuer they be, or ſhall be, and euery part thereof, ſhall ſtand and be for euer from the ſaid feaſt of All-Saints, guildable: and ſhall be reputed, accepted, named and taken as parts and members of the ſaid countie or ſhire of Radnor. And the ſaid towne of new Radnor ſhall be named, accepted, reputed, vſed, had, and taken head, and ſhire-towne of the ſaid Countie or ſhire of Radnor. And that the ſhire-court, or countie of, and for the ſaid countie or ſhire of Radnor, ſhall be holden, and kept one time at the ſaid Towne of New Radnor, and the next time at the towne of Rother gowy in the ſame countie or ſhire, and ſo to be kept in the ſame two townes Alternis vicibus for euer, and in none other place.

The Countie Court of Radnor.
A L T. 34. H. 8. 26.

Mountgomery ſhire.

And it is enacted by the authority aforeſaid, that the Lordſhips, Towneſhips, Pariſhes, Commotes and Cantredes of Mountgomery, Kedewenkery, Cawrſland, Aruſtely, Keuiliock, Doythur, Poweſland, Clunes land, Baleſley, Tempceſter, and Alceſtre in the ſaid countrey of Wales, and euery of them, and all and ſingular honours, Lordſhips, caſtles, manors, lands, tenements and hereditaments, lying or being within the compaſſe or precinct of the ſaid Lordſhips, pariſhes, towneſhips, commotes, and cantredes, or any of them in whoſe poſſeſſion ſoeuer they be, or ſhall be, and euery part thereof, ſhall ſtand and be for euer, from the ſaid feaſt of All-Saints guildable: and ſhall be reputed, accepted, named, and taken as parts and members of the ſaid county or ſhire of Mountgomery. And that the ſaid towne of Mountgomery ſhall be named, accepted, reputed, vſed, had, and taken head and ſhire-towne of the ſaid county of Mountgomery. And that the countie or ſhire-court of and for the ſaid countie or ſhire of Mountgomery, ſhall be holden and taken the firſt time at the ſaid towne of Mountgomery, and the next time at the towne Magheneleth in the ſame ſhire or countie, and ſo to be kept in the ſame two townes Alternis vicibus, for euer, and in none other place.

Denbigh ſhire.

And it is alſo enacted by the authority aforeſaid, that the Lordſhips, Towneſhips, Pariſhes, Commotes, and Cantredes of Denbighland, Ruthin, Saint Taſſe, Ryullsthowen, Brom-

filde,

ALT.33.H.8.13.

ſilde, Yale, Chirke, and Chirkeland, Moleſdale, and Hopeſdale, in the ſaid countrey of Wales, and euery of them: and all and ſingular honours, Lordſhips, caſtles, manors, lands, tenements, and hereditaments, lying or being within the compaſſe or precinct of the ſaid Lordſhips, townſhips, commotes, and cantredes, or any of them, in whoſe poſſeſſion ſoeuer they be, or ſhall be, and euery part thereof ſhall ſtand & be for euer from the ſaid feaſt of All-ſaints guildable: and ſhall be reputed, accepted, named, and taken as parts & members of the ſaid countie or ſhire of Denbigh. And that the ſaid towne of Denbigh ſhall be named, accepted, reputed, vſed, had, and taken head, and ſhire towne of the countie or ſhire of Denbigh. And that the countie or ſhire court of and for the ſaid countie or ſhire of Denbigh, ſhall be holden and kept the firſt time at the ſaid towne of Denbigh, and the next time at the towne of Wrixham in the ſaid ſhire or countie, and ſo to be kept in the ſame two townes Alternis vicibus for euer, and in none other place.

And foraſmuch as the counties or ſhires of Brekenoke, Radnor, Mountgomery, and Denbigh be far diſtant from the City of London, where the lawes of England be commonly vſed, miniſtred, exerciſed, and exetuted: and for that the inhabitants of the ſaid ſhires of Brekenoke, Radnor, Mountgomery, and Denbigh be not of ſubſtance, power and abilitie to trauell out of their countries to ſeeke the adminiſtration of Iuſtice. It is therefore enacted by the authority aforeſaid, that the King our Soueraigne Lord ſhall haue one Chancerie, and Eſchequer at his Caſtle of Brekenoke, and one other at his towne and caſtle of Denbigh. And that the Sheriffes, Eſchetors, and other officers accomptants of the counties of Brekenoke, Radnor, Mountgomerie and Denbigh, from and after the ſaid feaſt of All-Saints ſhall be yearely appointed by our Soueraigne Lord the King, for and within euery of the ſaid ſhires of Brekenoke, Radnor, Mountgomery and Denbigh. And that the Sheriffes, Eſchetors, and other officers accomptants of the Counties of Breknoke and Radnor, from and after the ſaid feaſt of All-Saints, ſhall yearely make their accompts before the Kings Auditors, and ſuch Chamberlaine, or Baron of the ſaid Eſchequer, as ſhall be thereunto appointed by our ſaid ſoueraigne Lord the King, in ſuch like manner and forme, as Sheriffes, Eſchetors, and other officers accomptants doe yearely make their accompts in the Kings Eſchequer at Weſtminſter within this Realme of England, And that the Sheriffes, Eſchetors, and other officers accomptants of the counties of Mountgomery and Denbigh, from and after the ſaid feaſt of All-Saints, ſhall yearely make their accompt before the Kings Auditors, and ſuch Chamberlaine or Baron of the ſaid Eſchequer, as ſhall be thereunto appointed by our ſaid Soueraigne Lord the King, in ſuch like manner and forme, as Sheriffes, Eſchetors, and other officers accomptants, doe yearely make their accompts in the Kings Eſchequer at Weſtminſter within this Realme of England.

The K. ſhall haue a Chancerie & Eſchequer at Brekenoke & another at Denbigh.

The accompts of the Sheriffes, Eſchetors, and other officers.

And that Iuſtice ſhall be miniſtred, vſed, exerciſed, and executed vnto the Kings ſubiects, and inhabitants in euery of the ſaid ſhires of Brekenoke, Radnor, Mountgomery, and Denbigh, according to the Lawes and Statutes of this Realme of England, and according to ſuch other cuſtomes, and lawes now vſed in Wales aforeſaid, as the King our Soueraigne Lord, and his moſt honourable Councell ſhall allow, and thinke expedient, requiſite, and neceſſarie by ſuch Iuſticer or Iuſticers, as ſhall be thereunto appointed by our ſaid Soueraigne Lord the King, and after ſuch forme and faſhion, as Iuſtice is vſed, and miniſtred to the Kings ſubiects within the three ſhires of North Wales.

Iuſtice vſed in Brekenoke, Radnor, Mountgomery, and Denbigh.

And alſo it is enacted by the authoritie aforeſaid, that the Lordſhips, townes, pariſhes, commotes, hundreds and cantredes of Oſweſter, Whetington, Maſdroke, Knoking, Elleſmer, Downe, and Churbury hundred in the marches of Wales aforeſaid, that euery of them, and all and ſingular honours, Lordſhips, caſtles, manors, townes, hamlets, lands, tenements, and hereditaments, lying or being within the compaſſe or precinct of the ſaid Lordſhips, townes, pariſhes, commotes, hundreds, and cantredes, or any of them in whoſe poſſeſſion ſoeuer they be, or ſhall be, and euery part thereof, ſhall ſtand and be for euer, from and after the ſaid feaſt of All-Saints guildable, and ſhall be vnited, annexed, and ioyned to and with the countie of Salop, as a member, part, or parcell of the ſame. And that the ſaid Lordſhips of Oſweſter, Whetington, Maſbroke, and Knoking, with their members, ſhalbe taken, named, and knowen by the name of the hundred of Oſweſter, in the countie of Salop: and the inhabitants thereof ſhall be attendant and doe euery thing and things at euery Seſſions, Aſſiſe, and Gaole deliuery to be holden within the countie of Salop, as the inhabitants of all other hundreds doe within the ſaid countie of Salop, according to the Lawes of this Realme of England. And that the Lordſhip of Elleſmer, with the members of the ſame, ſhall be vnited, ioyned, and knit to the hundred of Pymhill in the countie of Salop: and ſhall be taken, named and knowen to be parcell of the ſame hundred: and the inhabitants thereof ſhall be attendant, and doe euery thing and things with the inhabitants of the ſaid hundred of Pymhill, as the inhabitants of the ſame hundred now doe and vſe, according to the lawes of this Realme of England. And that the Lordſhip of Downe, with the members, ſhall be vnited, ioyned, and knit to the hundred of Churbury in the countie of Salop, and that the inhabitants of the ſaid hundred of Churbury, and Lordſhip of Downe, ſhall be attendant to doe euery thing and things, at euery Seſſions, Aſſiſe, and Gaole deliuerie to be holden within the ſaid Countie of Salop, as the inhabitants of all other hundreds doe

Townes annexed to the Countie of Salop.

Oſweſter hundred in the Countie of Salop.

Elleſmer in Pymhill hundred.

Downe in Cherbury hundred.

within the ſaid Countie of Salop according to the lawes of this Realme of England. And that the ſaid hundred of Churbury after the ſaid feaſt of All-Saints, nor the ſaid hundred of Oſweſter, nor yet the Lordſhip of Elleſmer, ſhall be in no wiſe otherwiſe priuileged, nor haue no other libertie, nor priuilege, but as hundreds vnited, annexed, and knit to the ſaid countie of Salop, as other hundreds be within the ſaid Countie.

And that the Lordſhips, townes, pariſhes, commotes, hundreds and cantredes of Ewyas lacy, Ewias harold, Clifford, Wyforton, Perdeſley, Huntyngton, Whytney, Wygmore, Logharneis, and Stepulton, in the ſaid marches of Wales, and euery of them: And all and ſingular honours, Lordſhips, caſtles, manors, lands, tenements, and hereditaments, lying or being within the compaſſe, or precinct of the ſaid Lordſhips, townes, pariſhes, commotes, hundreds, and cantredes, or any of them in whoſe poſſeſſion ſoeuer they be, or ſhall be, and euerie part thereof, ſhall ſtand and be for euer, from and after the ſaid feaſt of All-Saints guildable: and ſhall be vnited, annexed, and ioyned, to and with the countie of Hereford, as a member, part, or parcell of the ſame countie of Hereford, and that the Lordſhips of Wygmore and Logharneys, with their members, ſhall be taken, named and knowen by the name of the hundred of Wigmore in the countie of Hereford aforeſaid: and that the inhabitants thereof ſhall be attendant, and doe euery thing and things, at euery Seſſions, Aſſiſe, and Gaole deliuery to be holden within the ſaid countie of Hereford, as the inhabitants of all other hundreds do within the ſaid county of Hereford, according to the lawes of this Realme of England, and that the whole Lordſhip of Ewias lacy, with the members, ſhall be taken, named, and knowen by the name of the hundred of Ewias lacy within the ſaid countie of Hereford, and the inhabitants thereof ſhall be attendant, and doe euerie thing and things, at euery Seſſions, Aſſiſe, and Gaole deliuery to be holden within the ſaid countie of Hereford, as the inhabitants of all other hundreds doe within the ſaid countie of Hereford, according to the lawes of this Realme of England. And that the Lordſhip of Ewias harold with the members, ſhall be vnited, ioyned, and knit to the hundred of Webtrée, in the ſaid countie of Hereford, and ſhall be taken, named, and knowen to be parcell of the ſaid hundred of Webtrée: and the inhabitants thereof ſhall be attendant, and doe euery thing and things with the inhabitants of the ſame hundred of Webtrée, as the inhabitants of the ſame hundred now doe, according to the lawes of this Realme of England, and that the Lordſhips of Clifford, Winforton, Perdeſley, Whitney, and Huntington, with their members, ſhall be taken, named, and knowen by the name of the ſame hundred of Huntington, within the Countie of Hereford aforeſaid, and that the inhabitants thereof ſhall be attendant, and doe euery thing, and things, at euery Seſſions, Aſſiſe, and Gaole deliuery to be holden within the ſaid County of Hereford, as the inhabitants of all other hundreds doe within the ſaid Countie of Hereford, according to the lawes of this Realme of England. And that the ſaid hundred of Wigmore, with the members, and the ſaid hundred of Ewyas lacy, and the ſaid hundred of Huntington, and the ſaid Lordſhip of Ewyas harold, annexed vnto the hundred of Webtrée, after the ſaid feaſt of All-Saints, ſhall be in no wiſe otherwiſe priuileged, nor haue no other libertie, franchiſes, ne priuilege: but as hundreds, vnited and annexed to the ſaid countie of Hereford, and as other hundreds be within the ſaid countie of Hereford.

Townes annexed to the county of Hereford.

And that the Lordſhips, townes, and pariſhes, of Wollaſton, Tidnam, and Becheley, in the ſaid marches of Wales, & all honours, Lordſhips, caſtles, manors, lands, tenements, and hereditaments, lying or being betwéene Chepſtow bridge in the ſaid marches of Wales, and Glouceſter ſhire, in whoſe poſſeſſion ſoeuer they be or ſhall be, and euery part thereof ſhall ſtand, and be guildable from, and after the ſaid feaſt of All-Saints, and ſhall be vnited, annexed, and ioyned to, and with the ſaid countie or ſhire of Glouceſt. as a member, part, or parcell of the ſame. And that the ſaid Lordſhips, townes, and pariſhes of Wollaſton, Tidnam, and Bechely, and all honours, Lordſhips, caſtles, manors, lands, tenements, and hereditaments, lying or being betwéen Chepſtow bridge and the ſhire of Glouceſter as is aforeſaid, ſhall be vnited, ioyned, and knit to the hundred of Weſebery within the ſaid ſhire of Glouceſter, and ſhall be taken, named, and knowen to be part and parcell of the ſame hundred, and the inhabitants thereof ſhall be attendant, and doe euery thing and things with the inhabitants of the ſaid hundred of Weſebery, as the inhabitants of the ſame hundred now doe according to the law of this Realme of England. And that the ſaid Lordſhips of Wollaſton, Tidnam, and Bechely after the ſaid feaſt of All-Saints ſhall be in no wiſe priuileged, nor haue no other libertie, franchiſe, ne priuilege, but as parcell of the ſaid hundred of Weſebery in the ſaid countie of Glouceſter.

Townes in the marches of Wales annexed to the countie of Glouceſter.

And that the Lordſhips, townes, pariſhes, commotes, hundreds, and cantredes of Gowerkylney, Biſhops towne, Landaffe, Singhnithe ſupra, Singhnith ſubtus, Miſkin, Ogmore, Glynerotheney, Tallagarne, Ruthien, Tallauan, Lanblethyan, Lantwid, Tyeryall, Auan Nethe, Landewey, & the Clays in the ſaid countrey of Wales, & euery of them: and all honours, Lordſhips, caſtles, manors, lands, tenements, and hereditaments, lying, or being within the compaſſe, or precinct of the ſaid Lordſhips, townes, pariſhes, commotes, hundreds, and cantredes, or any of them, in whoſe poſſeſſion ſoeuer they be or ſhall be, and euery part thereof ſhall ſtand and be guildable for euer, from, and after the ſaid feaſt of All-Saints, and ſhall be vnited, annexed,

Townes annexed to the Countie of Glamorgan.

and ioyned to and with the county of Glamorgan, as a member, part, or parcel of the ſame. And that the ſaid ſhire, of Glamorgan, and Mordamoke, and all the aforeſaid Lordſhips, townes, pariſhes, Commotes, Hundreds, and Cantreds, vnited and annexed to the ſaid Countie of Glamorgan, ſhall from and after the ſaid feaſt of All-Saints, be reputed, named, accepted and knowne by the name and ſhire of Glamorgan only, and by none other name.

Iuſtice executed in Glamorgan ſhire.

And that from and after the ſaid feaſt of All-Saints, iuſtice ſhall be miniſtred, and executed to the Kings ſubiects, and inhabitants, of the ſaid Countie of Glamorgan, according to the lawes, cuſtomes, and ſtatutes of this Realme of England, and after no Welſh lawes, and in ſuch forme and faſhion, as iuſtice is miniſtred, and vſed to the Kings ſubiects within the thrée Shires of Northwales.

Townes annexed to the County of Kaiermarthen.

And that the Lordſhips, Townes, Pariſhes, Commotes, Hundreds, and Cantredes of Lanemthevery, Abermerleſe, Redwely, Elkenning, Cornewolthou, Newcaſtle, Emill, Abergoyly, in the ſaid Country of Wales, and euery of them, and all Honors, Lordſhips, Caſtles, Manors, Lands, Tenements, and Hereditaments, lying or being within the compaſſe, or precinct of the ſaid Lordſhips, Townes, Pariſhes, Commotes, Hundreds, and Cantreds, or any of them in whoſe poſſeſſion ſoeuer they be, or ſhall be, and euery part thereof ſhall ſtand and be guildable for euer, from and after the ſaid feaſt of All-Saints, and ſhall be vnited, annexed, and ioyned to and with the Countie of Kaiermarthen, as a member, part, or parcell of the ſame. And that from and after the ſaid Feaſt of All-Saints, iuſtice ſhall bee miniſtred, and executed to the Kings ſubiects, and inhabitants of the ſaid Countie of Kaiermerthen, according to the lawes, cuſtomes and ſtatutes of this Realme of England, and after no Welſh lawes, and in ſuch forme, and faſhion as iuſtice is miniſtred, and vſed to the Kings ſubiects, within the thrée Shires of Northwales.

Townes annexed to the county of Pembroke.

And that the Lordſhips, townes, pariſhes, commotes, hundreds, and cantredes of Hauerfordweſt, Kilgarran, Lanſteffan, Laugeharne, otherwiſe called Tellaugherne, walwynſcaſtell, Dewys land, Lannehadein, Lanfey, Herberth, Slebeche, Roſmarket, Caſtellan, and Llandofloure in the ſaid countrey of Wales, and euery of them, and all honours, lordſhips, caſtels, manors, lands, tenements, and hereditaments, lying and being within the compaſſe or precinct of the ſaid Lordſhips, townes, pariſhes, commots, hundreds, cantreds, or any of them, in whoſe poſſeſſion ſoeuer they be, or ſhall be, and euery part thereof, ſhall ſtand and be guildable for euer, from and after the ſaid feaſt of all-Saints, and ſhall be vnited, annexed and ioyned to and with the county of Pembroke, and that from and after the ſaid feaſt of all-Saints, iuſtice ſhalbe miniſtred and executed to the Kings ſubiects and inhabitants of the ſaid county of Pembroke, according to the Lawes, cuſtomes, and ſtatutes of this Realme of England, and after no Welſh lawes, and in forme and faſhion, as iuſtice is miniſtred and vſed to the kings ſubiects within the thrée ſhires of Northwales.

Towns annexed to the county of Cardigan.

And that the Lordſhips, townes, pariſhes, commotes, hundreds and cantredes of Tregaron, Genergline, Landway, Vreny, in the ſaid country of Wales and euery of them, and all honours, Lordſhips, caſtles, manors, lands, tenements, and hereditaments, lying, or being within the compaſſe or the precinct of the ſaid Lordſhips, townes, pariſhes, commots, hundreds, and cantreds, or any of them, in whoſe poſſeſſion ſoeuer they be, or ſhalbe, and euery part therof ſhal ſtand, and be guildable for euer, from and after the ſaid feaſt of al-ſaints, and ſhalbe vnited, annexed, and ioyned to, and with the county of Cardigan, as a member, part, and parcell of the ſame. And that from and after the ſaid feaſt of all Saints, iuſtice ſhalbe miniſtred, and executed to the Kings ſubiects, and inhabitants of the ſaid county of Cardigan, according to the lawes, cuſtomes, and ſtatutes, of this Realme of England, and after no Welſh Lawes: and in ſuch forme and faſhion as iuſtice is miniſtred and vſed to the Kings ſubiects within the thrée Shires of Northwales.

Towns annexed to the county of Merroneth.

And that the Lordſhips, townes, and pariſhes of Mouthway, in the ſaid countrey of Wales, in whoſe poſſeſſion ſoeuer they be, and all lands, tenements, and hereditaments, now lying, or being within the compaſſe or precinct of the ſaid Lordſhip, Towne, and pariſh of Mouthway, or any of them in whoſe poſſeſſions ſoeuer they bee or ſhall bee, and euery part thereof ſhall ſtand and be guildable for euer, from and after the ſaid feaſt of all Saints, and ſhal be vnited, annexed and ioyned to and with the County of Mereoneth in Northwales, as a commot, member, part or parcell of the ſame.

Seſſions, courts, leets, &c. ſhall bee kept in the Engliſh tongue.

No perſon vſing Welſh ſpeech ſhall haue any office, or fee.

And be it enacted by the authority aforeſaid, that all Iuſtices, Commiſſioners, Shirifes, Coroners, Eſchetors, Stewards, and their Lieutenants, and all other officers and miniſters of the Law ſhall proclaime, and kéepe the Seſſions, Courts, Hundreds, Léets, Shirifes Courts, and all other Courts, in the Engliſh tongue: and all othes of officers, Iuries, and enqueſts and all other affidauits, verdits, and wagers of law, to bee giuen and done in the Engliſh tongue. And alſo that from henceforth no perſon or perſons that vſe the Welſh ſpéech, or language, ſhall haue or enioy any manner office, or fées within this Realme of England, Wales, or other the kings dominion, vpon paine of forfeiting the ſame offices or fées, vnleſſe he or they vſe and exerciſe the ſpéech, or language Engliſh.

And it is further enacted by the authority aforeſaid, that it ſhalbe lawful to the Sherife of euery of the foreſaid ſhires of Monmouth, Brekenoke, Radnor, Mountgomery, and Denbigh, and euery of them, to put euery miſruled and ſuſpect perſon within their Shirifewike, vnder common mainpriſe and ſurety of their perſonal apparance, as the Sherifes doe within euery of the thrée ſhires of Northwales. And that the recogniſances of ſuch common mainpriſe and ſurety of apparance, taken before any of the ſaid Sherifes, ſhalbe as good and effectual, as if it were taken by any Juſtice of Record.

These ſherifes ſhall put euery miſruled perſon vnder common Mainpriſe. 34 H. 8. 26.

And that the Sherife of the County of Monmouth, ſhall certifie ſuch Recogniſances common Mainpriſe, or ſurety of apparance at euery quarter Seſſions, before the Juſtices of the Peace of the ſaid County of Monmouth. And that euery perſon and perſons, within the ſaid County of Monmouth, put vnder common Mainpriſe, and bound to his perſonall appearance, ſhall kéep their perſonall apparance at the Seſſions holden within the ſaid ſhire of Monmouth, next after the clauſe of Eaſter, and at the Seſſions to be holden within the ſaid ſhire next after the feaſt of Saint Michael the Archangel, vntill ſuch time that they be thereof releaſed after the forme of the law.

Certificat of Recogniſance in Monmouth.

And that euery of the Sherifs of the ſaid counties of Brekenoke, Radnor, Mountgomery, and Denbigh, and euery of them ſhall certifie ſuch Recogniſances, common Mainpriſe, or ſurety of apparance by them taken, before ſuch Juſtice as ſhall be appointed by our ſoueraigne Lord the King within euery of the ſaid ſhires, at euery Seſſions to be holden in any of the ſaid ſhires before the ſame Juſtice.

Certificat of Recogniſances.

And that euery perſon and perſons within the ſaid counties of Brekenoke, Radnor, Mountgomery and Denbigh: And alſo within the aboue named Counties of Glamorgan, Kaiermarden, Pembroke, and Cardigan, or any of them, put vnder common Mainpriſe, and bound to his or their perſonall apparance, as well by the foreſaid Sherifes, as by the Juſtices of any of the ſaid Counties, ſhall kéep their apparances before the ſaid Juſtices at euery Seſſions within the the ſaid Counties to be holden, in ſuch like manner and forme, as is vſed in the thrée Shires of Northwales.

Apparance of them which are bound.

And for that the Lords Marchers before this preſent Parliament, haue vſed to put their tenants within their Lordſhips Marchers vnder ſuch common Mainepriſe, and ſurety of apparance, and haue had the forfeitures thereof, which for euer from and after the ſaid Feaſt of All-Saints ſhall vtterly ceaſe and determine: Therefore be it enacted by the authority aforeſaid, that after the ſaid feaſt of Al-ſaints, euery lay and temporal perſon now being a Lord marcher, ſhall haue the moity, or halfe of euery forfeiture of all and euery common Mainpriſe, Recogniſance for yͤ peace or apparance, forfeited by any of their tenants, inhabiting within any of their Lordſhips Marchers: and they to be paid the ſame [q] moity or halfe by the hands of the Sherifes of euery of the ſaid Counties, where ſuch forfeitures ſhall be, if the Sherife can leuy the ſame: and the ſame Sherife to accompt to our Soueraign Lord the King for the other halfe, or moity in ſuch Eſchequer as they be accomptant.

Lord Marcher ſhall haue halfe the forf. of his tenants. St. 1. & 2. P. & M. 15. 9 Cok. pla. fo. 534.

Be it further enacted by the authority aforeſaid, that immediately vpon the prorogation, or diſſolution of this preſent Parliament, the Lord Chancellor of England ſhall direct the Kings Commiſſion vnder his Graces great Seale, to ſuch perſons as to him ſhall be thought conuenient, to enquire and view, all the ſaid Shires of Kaiermarthen, Pembroke, Cardigan, Monmouth, Brekenoke, Radnor, Mountgomery, Glamorgan, and Denbigh, and euery part and parcell of them: and vpon ſuch view and ſearch, to diuide them and euery of them into ſo many Hundreds, as they ſhall thinke moſt méeteſt, and conuenient: And the Hundreds ſo diuided, ſhall returne, and certifie with the ſaid Commiſſion into the High Court of Chauncerie, before the ſaid Feaſt of all Saints, and the ſame to remaine of Record, and to bee of ſuch force and effect as it were by Act of Parliament. And that the ſaid Hundreds, after the ſaid Certificat, ſhall be vſed and taken as other Hundreds be in euery other Shire within this realme of England.

Commiſſions to diuide the ſhires of Wales into Hundreds.

Furthermore it is enacted by the authority aforeſaid, that immediately after the Prorogation or diſſolution of this preſent Parliament, the Lord Chauncellor of England ſhall direct the Kings Commiſſion vnder his Graces great Seale, to ſuch perſons as to him ſhall bee thought conuenient, to enquire and ſearch out by all wayes and meanes that they can, all and ſingular lawes, vſages, and cuſtomes, vſed within the ſaid Dominion and Countrey of Wales: and the ſame ſhall returne, and certifie to the Kings Highneſſe, and his moſt Honourable Councell before the ſaid Feaſt of all-Saints next comming: and that vpon deliberate aduiſe thereof had and taken, all ſuch Lawes, vſages, and cuſtomes, as the Kings Highneſſe and his ſaid moſt Honourable Councell ſhall thinke expedient, requiſite, and neceſſary to be had, vſed, and exerciſed in the before rehearſed Shires, or any of them, or in any other Shire of the Dominion or Countrey of Wales, ſhall [r] ſtand and be of full ſtrength, vertue and effect, and ſhall be for euer inuiolably obſerued, had, vſed, and executed in the ſame Shires, as if this Act had neuer béene had ne made, any thing in the ſame Act contained to the contrary in any wiſe notwithſtanding.

Commiſſions to inquire the Lawes and Cuſtomes of Wales.

Two knights for the ſhire of Monmouth, and one burgeſſe for the towne.

And it is further enacted by the authority aforeſaid, that for this preſent Parliament, and all other Parliaments to be holden and kept for this realme, two knights ſhalbe choſen and elected to the ſame Parliament for the ſhire of Monmouth, and one burgeſſe for the borough of Monmouth, in like manner, forme and order, as knights and burgeſſes of the Parliament be elected and choſen in all other ſhires of this realme of England: And that the ſame knights and burgeſſes ſhall haue like dignity, preeminence, and priuilege, and ſhall bee allowed ſuch fees, as other knights and burgeſſes of the Parliament haue beene allowed: And the knights fees to be leuied, perceiued, receiued, gathered and paid in ſuch manner, forme, and order, as ſuch fees be gathered leuied, perceiued, receiued, and paied in other ſhires of this realme of England: And the burgeſſes fees to be leuied as well within the borough of Monmouth, as within all other ancient boroughs within the ſaid ſhire of Monmouth.

Knights and Burgeſſ.s for the Parliament in Wales, and their fees. 34. & 35. H. 8. 26.

And that for this preſent Parliament, and all other Parliaments to bee holden, and kept for this Realme, one Knight ſhall be choſen and elected to the ſame Parliaments for euery of the ſhires of Breknoke, Radnor, Mountgomery, and Denbigh, and for euery other ſhire within the ſaid countrey or dominion of Wales: and for euery borough being a ſhire towne within the ſaid country or dominion of Wales, except the ſhire town of the aforeſaid county of Mereoneth, one burgeſſe: and the election to be in like manner, forme, and order, as knights and burgeſſes of the Parliament, be elected and choſen in other ſhires of this Realme. And that the knights and burgeſſes, and euery of them ſhall haue like dignity, preeminence, and priuilege, and ſhall be allowed ſuch fees as other knights of the Parliament haue, and be allowed: And the knights fees to be leuied, and gathered of the Commons of the ſhire that they be elected in: and the burgeſſes fees to be leuied, and gathered aſwell of the boroughs, and ſhire townes, as they be burgeſſes of as of all other ancient boroughes within the ſame ſhires.

Lords Marchers ſhall keep their liberties.

And it is further enacted by the authoritie aforeſaid, that all and euery lay and temporall perſon, and perſons, now being Lords marchers, and hauing any Lordſhips marchers or Lordſhips roial, ſhal from and after the ſaid feaſt of alSaints, haue all ſuch miſes and profits of their tenants, as they haue had, or vſed to haue, at the firſt entre into their lands in times paſt: and alſo haue, hold, and keepe within the precinct of their Lordſhips, Courts baron, Court leets, and Lawdayes, and all and euery thing to the ſame courts belonging. And alſo ſhall haue within the precinct of their ſaid Lordſhips, or Lawday, Waife, Straife, Infanthef, Outfanthef, Treaſuretroue, Deodands, goods and cattels of felons, and of perſons condemned, or outlawed of felony or murther, put in Exigent for felony or murther, and alſo Wreke de mer, Wharfage, and cuſtomes of ſtrangers, as they haue had in times paſt, and as though ſuch priuileges were granted vnto them by our Soueraigne Lord the King by point of Charter: any thing in this preſent Act to the contrary notwithſtanding.

The cuſtōes of Northwales & the county Palatine of Lancaſter ſaued.

Prouided alway that this preſent Act, nor any thing therein contained, ſhall take away, or derogate any lawes, vſages, or laudable cuſtomes now vſed within the three ſhires of Northwales, nor ſhall not depriue, nor take away the whole liberties of the Duchy of Lancaſter, but that the ſaid liberties ſhall continue, and bee vſed in euery Lordſhip parcell of the ſaid Duchy within the Dominion or country of Wales, as the liberties of the ſaid Duchy be vſed in Shireground, and not County Palatine within this Realme of England.

A reſeruation of Patents.

Prouided alſo that this Act nor any thing therein contained, doe not extend, nor be preiudiciall to any perſon or perſons, to auoid any Patent, ioynt Patent of any Office, Fees, Annuities, or reuerſion of any Office, Fees, or Annuities to them granted for terme of their life, or liues, by our Soueraigne Lord the King, or by any other perſon or perſons, either for the vſing, exerciſing, or occupying of any manner Office or otherwiſe: But that they ſhall haue, and enioy their ſaid Fees, and all other offices of Conſtableſhips, Porterſhips, Stewardſhips of Leets, Lawdayes, Court barons, and other Offices, being not repugnant againſt this Act: And in caſe any ſuch offices be repugnant againſt this Act, that then the grantees to haue and enioy their fees, during their life or liues, any clauſe in this preſent Act to the contrary in any wiſe notwithſtanding.

Earle of Worceſter Iuſtice of Glamorgan.

Prouided alſo that this Act nor any thing therein contained, be not in any wiſe preiudiciall to the right honourable Henry Earle of Worceſter, for the exerciſing, vſing and occupying of the office of the Iuſtice of the whole county of Glamorgan, any thing in this preſent Act contained to the contrary in any wiſe notwithſtanding.

St. 26. H. 8. 6.

Prouided alſo that this Act nor any thing therein contained, extend not to depriue, take away, or derogate any other Acts before this time made for the trial of treaſon, murther, of felonies, or acceſſaries of the ſame committed and done in any Lordſhip Marcher in Wales, or in the next ſhires of England adioyning to the ſaid Lordſhip Marcher.

Lands partable. Alt. 34. H. 8. 26.

Prouided alway, that lands, tenements, and hereditaments, lying in the ſaid Country and dominion of Wales, which haue beene vſed, time out of minde, by the laudable cuſtomes of the ſaid country, to be departed and departable amongs iſſues and heires males, ſhal ſtil ſo continue and be vſed in like forme, faſhion and condition, as if this Act had neuer beene had nor made, any thing in this Act to the contrarie thereof notwithſtanding.

Prouided alſo, and be it enacted by authoritie aforeſaid, that the Kings Highneſſe, notwithſtanding this Act, or any thing therein conteined, ſhall haue power, and authoritie for the terme of three yeares next after the end and diſſolution of this preſent Parliament, to ſuſpend for ſuch time as ſhall pleaſe his Grace, or vtterly to repeale, reuoke, and abrogate this whole act, or any part thereof from time to time, as ſhall ſtand with his moſt gracious pleaſure, ſo that euery ſuch ſuſpending, repeale, and reuocation from time to time, as often as any ſuch caſe ſhall happen, ſhal be made in writing vnder the great ſeale of England, and be annexed to the roll of this preſent Parliament, wherein this Act ſhall be enrolled, and Proclamations thereupon to be made in euery ſhire within the ſaid countr y and dominion of Wales. And that euery ſuch ſuſpending, repeale, and reuocation ſo to be had, and made by the Kings highneſſe, ſhalbe as good and effectuall to all intents and purpoſes, as if the ſame had béene done by authority of this preſent Parliament, this Act or any thing therein contained to the contrary thereof notwithſtanding.

The King may ſuſpend or reuoke this ſtat.

And where by this preſent Act there is appointed one Chancery and one Eſchequer at Brekenoke: and another Chancery and Eſchequer at Denbigh, it is enacted by authority aforeſaid, that the kings highneſſe from time to time within the terme of fiue yeares next after the end of this Parliament, for due miniſtration of iuſtice in the ſaid country of Wales, ſhall haue power and authority to erect, make, and ordaine ſuch Conrt or Courts, and ſo many Courts of record, and ſuch and ſo many Juſtices, miniſters, officers and Clerks, as by his highneſſe within the time of fiue yeares next after the end of this preſent Parliament ſhall be thought ſufficient and conuenient, as well for the due execution of this Act, or of any thing, or things that ſhall be had, done, or made by authority of the ſame, as for the good gouernance and rule of the ſaid countrey of Wales.

The King may erect in Wales ſo many courts, & Juſtices, &c. as he will.

Prouided alway that this Act, or any thing or things to be done by authority thereof, ſhall not be preiudicial to any perſon or perſons, which now haue by the Kings Letters Patents any office or offices of Protonotary, or clerke of the Crowne in the ſaid Country, and dominion of Wales, but that they and euery of them ſhal and may ſtill haue and vſe their offices, in as large and ample manner, forme, faſhion, and condition as if this Act, or any thing to be done by authority thereof had neuer béene had or made: any thing in this Act to the contrary thereof notwithſtanding.

The office of Protonotary & Clerke of the Crowne.

Prouided alſo that this Act, or any thing therin contained, extend not, or in any wiſe be preiudiciall, or hurtful to ſir VValter Deuereux knight of the noble order of the Garter, and Lord Ferrers of Chartly, of, for, and concerning the offices of chiefe Juſtice of Southwales, the office of Chamberlain of Southwales, and of the counties of Carmarden & Cardigan in Southwales aforeſaid. And of, and for the office of the Stewardſhip of the Lordſhip of Bealth in the marches of Southwales, and of, and for the office of receiuorſhip of the ſaid Lordſhip of Bealth: or of, for, or concerning any of the ſaid offices: but that the ſaid Lord Ferrers may haue, vſe, exerciſe, and enioy the ſaid offices, any and euery of them, with all fées, wages, emoluments, commodities and profits to the ſame offices or to any of them in any wiſe belonging and appertaining, in as large and ample manner, forme, and condition, as if this Act had neuer béene had or made. St. 34. *H.* 8. 26. 1. *Ed.* 6. 10.

Lord Ferrers offices in Wales reſerued.

CAP. XXVII.

The eſtabliſhing the Court of Augmentations, and the order thereof.

FOraſmuch as in this preſent Parliament, begun at London in the third day of Nouember, in the one and twentieth yeare of the reigne of the King our Soueraigne Lord, and from thence adiourned to Weſtminſter, and there holden, and from that time continued by diuers prorogations, vnto the fourth day of February in yͤ xxvij. yeare of his moſt noble raigne, and then there holden, it is enacted, ordeined, eſtabliſhed, by the aſſent of the Kings Maieſty, his Lords Spirituall and Temporall, and the commons in this preſent Parliament aſſembled, and by authority of the ſame, that his Maieſty ſhould haue and enioy, to him his heires, and ſucceſſors for euer, all and ſingular ſuch Monaſteries, Priories, and other religious houſes of Monks, Chanons, and Nunnes, of what kinds or diuerſities of habits, rules, or orders ſoeuer they bee called, or named, which haue not in lands, tenements, rents, tithes, penſions, and other hereditaments aboue the cleare yearely value of two hundred pounds: and all the ſcites, and circuits of all ſuch religious houſes, and all and ſingular the manors, granges, meſes, lands, tenements, reuerſions, rents, ſeruices, tithes, penſions, portions, aduouſons patronages, rights, entrées, conditions, and other hereditaments appertaining and belonging to euery ſuch Monaſtery, Priory and other religious houſe, not hauing as is aforeſaid, lands, and tenements aboue the ſaid cleare yearely value of two hundred pounds, in as large and ample manner, as the Abbots Priors, Abbeſſes, Prioreſſes, and other gouernours of ſuch Monaſteries, Priories, and other religious houſes then had or ought to haue had the ſame in the right of their houſes: and that his highneſſe ſhall haue to him and to his heires, all and ſingular ſuch Monaſteries, Abbeies, and

All Monaſteries giuen to the king which had not in lands aboue CC.li. by yeare. 27.H.8.28.

Priories

The King ſhall haue all Monaſteries and their lands which were ſurrendred vnto him or ſuppreſſed within one yeare before.

Priories, which at any time within one yeare, next afore the making of the ſaid Act, haue beene giuen and granted to his Maieſty by any Abbot, Prior, Abbeſſe, or Prioreſſe, vnder their conuent Seales, or that otherwiſe haue beene ſuppreſſed or diſſolued: and all and ſingular the Manors, lands, tenements, rents, ſeruices, reuerſions, tithes, penſions, portions, Churches, Chappels, aduowſons, patronages, rights, entrees, conditions, and all other intereſts, and hereditaments, to the ſame Monaſteries, Abbies or Priories, or to any of them appertaining or belonging, to doe and vſe therewith his, and their owne wils, to the pleaſure of Almighty God, and to the honour and profit of this Realme.

The King ſhall haue all the goods & debts of the ſaid Monaſteries.

And further it is ordained by the ſaid Act, that the Kings Maieſty ſhould haue and enioy all ſuch ornaments, iewels, goods, cattels, and debts, which appertained or belonged to any of the chiefe gouernors of the ſaid Monaſteries or religious houſes, in the right of their ſaid Monaſteries or houſes at the firſt day of March, in the yeare of our Lord God M.D.XXXV. or at any time ſithen whereſoeuer, and to whoſe poſſeſſions ſoeuer they ſhall come or be found, except ſuch goods, cattels, and other things, excepted and forepriſed in the ſaid Act, as by the ſame act among other things more plainly at large may appeare.

The cauſe of the erection of the Court of Augmentations

For the more ſurety, and eſtabliſhment whereof, and to the intent that the Kings Maieſty, his heires and ſucceſſors ſhall be yearely, as well truly and iuſtly anſwered, contented and paid of the rents, fermes, iſſues, reuenues, and profits, riſing, comming and growing of the ſaid manors, lands, tenements, and other hereditaments before ſpecified, as of the goods, cattels, plate, ſtuffe of houſhold, debts, money, ſtocke, ſtore and other whatſoeuer profit, and commodity, giuen granted, or appointed, to the Kings Maieſty by the ſame, in ſuch Court, place, forme, manner and condition, as hereafter ſhall be limited, declared and appointed. Be it enacted, ordained and eſtabliſhed by the aſſent of the Kings Maieſty, his Lords ſpirituall, and temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, in manner and forme as hereafter followeth in articles, that is to ſay.

The Court of Augmentations erected.
St. 7. Ed. 6. 2.
A great Seale.
A priuy Seale.

Firſt, the king our ſaid ſoueraigne Lord, by authority aforeſaid, ordaineth, maketh, eſtabliſheth and erecteth a certain court, commonly to be called the court of the Augmentations of the reuenues of the kings Crowne, which Court by the authority aforeſaid continually ſhall bee a Court of record, and ſhall haue one great ſeale, and one priuy ſeale, to bee engraued, and made after ſuch forme, faſhion, and manner, as ſhall be appointed by the Kings highneſſe, and ſhall remaine and be ordered, as hereafter ſhall be declared.

Chancellor of the Augmentations.

Alſo be it enacted by authority aforeſaid, that there ſhall be one certaine perſon to be named and aſſigned by the kings highneſſe, which ſhalbe Chancellor of the ſaid Court, and ſhalbe chiefe and principal officer of the ſame court, and ſhalbe called Chancellor of the court of the augmentations of the reuenues of the kings crowne, and ſhall haue the keeping of the ſaid great ſeale and priuy ſeale, to be aſſigned for the ſaid Court.

The Treaſurer of the Augmentations.

Alſo that there ſhall be one perſon to be named by the Kings highneſſe, which ſhall bee called the Kings Treaſurer of the Court of the augmentation of the reuenues of the Kings crowne; and ſhall be the ſecond officer of the ſame Court.

The K. Atturny of the Augmentations.

Alſo it is ordained by authority aforeſaid, that there ſhall be one perſon learned in the lawes of the land, to be named by the Kings highneſſe, which ſhalbe called the Kings Atturney of the ſaid Court, and ſhall be the third officer of the ſame Court.

The Kings Solicitor.

Alſo that there ſhall be one perſon to be named by the Kings highneſſe, which ſhall bee called the Kings Solicitor of the ſaid Court, and ſhall be the fourth officer of the Court.

Ten Auditors of the Augmēt.

Alſo that there ſhalbe ten particular Auditors to be named by the kings highneſſe, which ſhal be called Auditors of the reuenues of the ſaid Augmentations.

Seuenteene Receiuors.

Alſo there ſhalbe ſeuenteene particular Receiuors, to be named by the kings highneſſe, which ſhall be called Receiuers of the ſaid reuenues.

The Clerke of the Court.
The Vſher of the Court.
The Meſſenger of the Court.

Alſo that there ſhall be one perſon to be named by the Kings Highneſſe, which ſhall be called Clerke of the ſaid Court: and one other perſon which ſhalbe Vſher of the ſame Court: and one other perſon, which ſhall bee called Meſſenger of the ſame Court, which Vſher and Meſſenger ſhall be named by the Kings highneſſe, and either of them ſhall haue ſuch yearely fees, rewards and profits as the Vſher and Meſſenger of the Duchy Chamber of Weſtminſter haue and perceiue.

The oath of the Chancellor of the Augmentations.

Alſo the ſaid Chancellor, which ſhalbe appointed by the kings highneſſe, ſhal take a corporal oath afore the Lord Chancellor of England for the time being, after the tenor enſuing: Ye ſhall ſweare that ye wel, and truly ſhal ſerue the king in the office of Chancellorſhip of the Augmentations of the reuenues of the K. crown, ſhal miniſter equall iuſtice to rich and poore, to the beſt of your cunning, wit, and power: and that ye ſhall diligently procure all things, which may honeſtly and iuſtly be to the kings aduantage and profit, and to the augmentation of the rights and prerogatiues of his Crowne, and truly vſe the Kings ſeales appointed to your office, and alſo endeuour your ſelfe to the vttermoſt of your power to ſee the King truly anſwered of all ſuch rents, reuenues, iſſues, and profits, which ſhall, or may ariſe or grow in your office, and from time to time deliuer with ſpeed ſuch as ſhall haue to doe afore you, and that ye ſhall not take nor receiue of any perſon any gift of reward in any cauſe or matter depending before you, or wherin the Kings highneſſe ſhal be party, whereby any preiudice, hinderance, loſſe, or diſheriſon ſhall grow or be to the Kings highneſſe, ſo helpe you God, and all Saints.

The Treaſurers oath.

Alſo that the ſaid Treaſurer ſhall take a corporall oath before the ſaid Chancellor of the ſaid Court, according to the tenour enſuing: ye ſhall ſweare that yee ſhall well, and truly ſerue the King our Soueraigne Lord and his people, in the office of Treaſurer of this Court: And yee ſhall reaſonably and honeſtly procure the king profit, and do right to all manner of people, poore and rich, in thoſe things which touch your office, and the Kings Treaſure yee ſhall truly keepe, and diſpend, and true declaration & accompt therof ſhall make from time to time without any conceilment according to this Act made for the ſtabliſhment of this Court, and further ſhall doe euery thing that of right appertaines to your office, ſo helpe you God, and all Saints.

Atturnies oath & Solicitors oath.

Alſo either of the ſaid Atturney and Solicitor ſhall take a corporall oath before the ſaid Chancellor, according to the tenour enſuing: ye ſhall ſweare, that ye well & truly ſhall ſerue the King as his Atturney in all Courts, for and concerning any matter or cauſe, that ſhall concerne or touch the Poſſeſſions, and Hereditaments limited to the Surney and Gouernance of this Court, and procure the Kings profit thereof, and that yee ſhall truly Councell the King, and his Chancellor of this Court in all things concerning the ſame, to the beſt of your cunning, wit, and power, and with all ſpeed, and diligence, from time to time at the calling of the ſaid Chancellor, yee ſhall endeuour your ſelfe for the hearing and determination indifferently of ſuch matters and cauſes, as ſhall depend before the ſaid Chancellor. And that yee ſhall not take any gift or reward in any matter, or cauſe depending in the ſame Court, or elſewhere, wherein the King ſhall bee party, whereby the Kings Maieſty ſhall bee hurted, hindred, or diſherited, and further doe all, and euery thing that ſhall appertaine to your office, ſo helpe you God, and all Saints.

The Auditors oath.

Alſo that euery of the ſaid Auditors ſhal take a corporall oath before the ſaid Chancellor after the tenour enſuing, ye ſhall ſweare that ye ſhall well and truly ſerue the King in your office, and true allowance make to euery perſon, which ſhall be accomptant before you, yee ſhall not take nor receiue of poore or rich any gift or reward, in any matter or cauſe depending or to be diſcuſſed in the ſame Court, but ſuch that ſhall be your ordinary fees. And ye ſhall doe all and euery other thing, which ſhall appertaine to your office, ſo helpe you God, and all Saints.

The Receiuers oath.

Alſo ẏ euery of the ſaid particular Receiuers ſhal take a corporall oath before the ſaid Chancellor after the tenour enſuing. Ye ſhall ſweare that ye truly ſhall ſerue the King in your office and nothing conceale, but true accompt make, of all ſuch reuenues, rents, ſums of money, and other profits wherewith ye ſhall be lawfully charged by reaſon of your office, yee ſhall make no petition, nor aſke allowance, but ſuch as ſhall be good, iuſt, true and reaſonable, and ye ſhall doe all and euery thing and things, which ye ought to doe by reaſon of your office, according to the forme and effect of this Act, ſo helpe you God, and all Saints.

The Clerkes oath.

Alſo that the ſaid clerke of the Counſell ſhall take a corporall oath before the ſaid Chancellor after the tenour enſuing. Ye ſhall ſweare, that ye ſhal well and truly ſerue the King in your office of Clerke of the Counſell of this Court, and truly doe and execute all and euery thing and things, which yee ought to doe by reaſon of your office, according to the forme and effect of this Act, ſo helpe you God, and all Saints.

What lands ſhall be within ſentence and gouernance of the Court of Augmentations.

Alſo be it enacted by the authority aforeſaid, that all the ſaid Monaſteries, Priories, and other religious houſes, which be diſſolued, and come, or ſhall come to the Kings highneſſe, by the Act aforeſaid, and all the manors, meaſes, lands, tenements, rents, ſeruices, tithes, penſions, portions, aduouſons, patronages, and all hereditaments, appertaining or belonging to any the ſaid Monaſteries, Priories, or other religious houſes, ſhall be in the order, ſuruey, and gouernance of the ſaid Court, and of the officers and miniſters thereof: and all the fermes, iſſues, reuenues, and profits, comming, aud growing of the premiſſes or any part therof, ſhalbe taken and receiued to the kings vſe, by the miniſters and officers of the ſame court, in maner and forme as hereafter ſhalbe declared. Except alwaies, and reſerued ſuch, and as many of the ſame Monaſteries Priories, and houſes, with all their hereditaments poſſeſſions goods and cattels, which the kings Maieſty, by his letters patents vnder his great ſeale ſhall declare and limit to continue and be in their aſſentiall eſtate, and to perſeuere in the body and corporation, as they were before the making of the ſaid Act.

There ſhall be in the gouernance of the Court of Augmentations all Abbey Lands, and all purchaſed lands.

Alſo be it enacted by authority aforeſaid, that all thoſe manors, lands, tenements, and hereditaments, which the Kings Highneſſe hath purchaſed, and now remaine in his graces hands, or in the hands or poſſeſſion of any perſon or perſons to his vſe, and which hereafter his highneſſe ſhall purchaſe, ſhall be and remaine in the order, ſuruey, and gouernance of the ſaid court, in forme, as is aboue rehearſed.

All writings ſhalbe made by the Clerke of the Court of Augmentations.

Alſo bee it enacted by the authority aforeſaid, that all gifts, grants, releaſes, confirmations, leaſes, letters patents, and other writings which ſhall be in the name of the Kings Highneſſe, his heires. or ſucceſſors of any eſtats of freehold onely, or for terme of any yeares, or at will, or at pleaſure, of any Manors, lands, tenements, or other Hereditaments, whatſoeuer they be, which be before aſſigned to the order, ſuruey and gouernance of the ſaid Court, or of any rent, charges, annuities, next aduoidance of aduowſons, offices or wards, to be giuen, letten, or granted out of the ſame, or any part therof, or by any meanes concerning the ſaid court, or any of the premiſſes committed to the ſuruey of the ſaid Court, to any perſon or perſons, or bodies politike, or of any office appertaining or belonging to the ſaid Court of Augmentation, ſhalbe made by the Clerke of the ſaid Court, or his deputy or deputies, and ſubſcribed with his owne proper hand and name, and ſealed with the great ſeale, aſſigned, to and for the ſaid Court. And that all and euery ſuch gifts, grants, releaſes, confirmations, leaſes, letters patents, and other writings, which ſhalbe made and ſealed, as is aforeſaid, ſhalbe good and effectuall in the law without liuery, and ſeaſon, or atturnement againſt the Kings Highneſſe, his heires and ſucceſſors according to the tenours, purports, and effects of ſuch gifts, grants, releaſes, confirmations, leaſes, letters patents, or other writings ſo to be made. And that the ſaid Chancellor vpon euery warrant to be directed to him vnder the Kings ſigne manuell, ſhall haue power and authority to cauſe to be made by the ſaid Clerke of the ſaid Court, or his deputy, or deputies in due order and forme all ſuch gifts grants, releaſes, confirmations, leaſes, letters patents, or other writings, as is aforeſaid, according to the tenour and effect of euery ſuch warrant, which to him ſhalbe directed, and to ſeale all ſuch patents and writings with the ſaid great Seale remaining in his cuſtody: the ſaid Chancellor and other officers to take for his & their fees, for the enſealing and writing of euery patent ſuch fee or fees, as is taken by the Chancellor or other Officer, or officers of the Kings Duchy of Lancaſter in like caſe. And that the ſaid Chancellor ſhall haue power and authority to take ſurrender of any leaſes, or letters patents, that ſhall bee made vnder the ſaid Seale in his cuſtody, and to make cancellation of ſuch leaſes, and letters patents, that ſhalbe to him ſurrendred, and cauſe the day, time and yeere of euery ſuch ſurrender to be regiſtred and enrolled by the ſaid Clerke of the ſaid Court.

Aſſurãces made by the Court of Augmentations ſhall be good without liuery or Atturnemēt.

The fees of the Officers of the Court of Augmentations.

Surrender of Leaſes or Letters patents.

Alſo the ſaid Chancellor by the conſent of the Treaſurer, Atturney and Solicitor, or two of them, without any warrant from the Kings Highneſſe, ſhall haue power and authority, to make any wood-ſales, in, or vpon any the Manors, Lands, Tenements, or Hereditaments, limited to the order, ſuruey, and gouernance of the ſaid Court. And ſhall alſo haue like power, and authority in the Kings name, to make leaſes for terme of one and twenty yeares, and not aboue, by letters patents, to be written by the ſaid Clerke of the ſame Court, and his deputy or deputies, and the name of the ſaid Clerk of the ſame Court, as is aforeſaid, to be ſubſcribed, and to be ſealed with the ſaid great Seale, of any of the Manors, Lands, Tenements, or Hereditaments afore mentioned, which be appointed, or hereafter ſhall happen to be in the order and gouernance of the ſaid Court, the ſaid Chancellor, and other officer, or Officers taking for his or their fees thereof, as is aforeſaid. And that euery leaſe ſo to be made, ſhalbe good and effectuall in the law againſt the King, his heires and ſucceſſors, according to the tenour and effect of the ſame. Prouided alway, that vpon euery ſuch leaſe to be made by the ſaid Chancellor, there ſhalbe reſerued to the Kings highneſſe, and to his heires, ſo much yeerely rent and profit, as the lands, tenements, or hereditaments cōpriſed in ſuch leaſes, haue bin letten heretofore, or more, or after ſuch yeerely value, as they ſhall be certified by the Kings Commiſſioners, into the ſaid Court. Prouided alſo, that no leaſes for terme of yeeres ſhalbe made of any reuerſion, without the Kings eſpeciall warrant for the ſame.

The Chãcellor &c. may make woodſales, and leaſes for one & twenty yeares without the Kings warrant.

Alſo the ſaid Clerke of the ſaid Court, ſhall enroll and regiſter in a great booke in parchment all and euery thoſe gifts, grants, releaſes, confirmations, leaſes, letters patents, and all other writings, which ſhall be made and granted vnder the ſaid great ſeale, and alſo the day, time and yeere of the ſurrender of any of them, when any ſuch ſurrender ſhall happen, which regiſter of enrolments, ſhall remaine and be ſafely kept in the ſaid Court, as a record to the kings vſe, by the appointment of the ſaid Chancellor. And that alſo the ſaid Clerke ſhall enter in a booke the apparances of euery perſon that ſhalbe called to appeare before the ſaid Chancellor, & all acts, decrees and orders, that ſhall be made by the ſaid Chancellor and Councell, taking ſuch fees for the ſame, and for writing and enrolling of any gifts, grants releaſes, confirmations leaſes, letters patents, or other writings, as the Clerke of the Duchy of Lancaſter hath been accuſtomed to take and haue.

The Clerke of the Court ſhall regiſter all aſſurances and apparances, acts, decrees, and orders.

Alſo it is enacted by authority aforeſaid, that vpon all, and ſingular letters patents, to bee made vnder the great Seale of England, of any Manors, lands tenements and hereditaments belonging or appertaining to any of the ſaid houſes, compriſed in the ſaid act, and committed to the ſuruey of the ſaid Court, to any perſon or perſons, or body politike, for any eſtate of inheritance there ſhall be alwayes reſerued to the Kings Highneſſe, his Heires and Succeſſors a tenour by Knights ſeruice in Capite, and a yearely rent of the tenth part of the yearely value of the lands to be compriſed in euery ſuch letters patents, according to ſuch rate, as the ſame manors, lands and tenements giuen, ſhall bee expreſſed to be of yearely value in the ſame letters patents: Any thing or clauſe contained in any warrant to the contrary thereof notwithſtanding. And that the ſaid rent ſo reſerued vpon any ſuch eſtate, ſhall bee contented and paid to the officers of the ſaid Court to the Kings vſe, according as other reuenues there ſhall bee

A tenour in Capite reſerued to the King, and a tenth out of Abbey lands granted in fee. St.35.H.8.14. 37.H.8.20. 7.Ed.6.3.

paid;

paied: and that none auerment ſhalbe made or admitted by or for the King or any other perſon, that the ſame manors, lands and tenements, bee of more yéerely value than in the ſame letters patents ſhall be declared.

No land ſhalbe auerred to be of greater value than be compriſed in the letters patents.

Alſo the ſaid Chancellor ſhall haue power and authority to take recogniſances of euery particular Receiuer, which ſhall be aſſigned for the ſaid Court, and of his ſureties, for the ſure paiment of his receits: and alſo to take recogniſances in the Kings name of euery fermer, bailiffe, Reue, or other accomptants, for the true paiment of receits: and of euery perſon and perſons, which ſhal be indebted to the Kings Highneſſe for any arrerages of his receit, ferme or charge, and for any other cauſe, for and concerning any of the premiſſes, and that all ſuch recogniſances of what ſumme ſoeuer they bee, ſhall bee as góod and effectuall in the Law, to all intents and purpoſes, as recogniſances taken in the Kings Chancery, or elſewhere before any Iudge of Record.

The Chancellor may take recogniſances for all the Kings debts and duties. 33.H.8.22.

Alſo it is ordained by authority aforeſaid, that the Chancellor of the ſame Court for the time being, ſhall haue full power and authority to award writs of Scire fac. vnder the great Seale of his Office vpon euery ſuch recogniſances in the ſaid Court to be taken, if caſe ſo require, and to hold plée vpon the ſame, and to award execution to all intents and purpoſes, as is vſed and accuſtomed to be done in the Kings high Court of Chancery. Prouided alway, that if any iſſue, or triall, triable by the verdict of twelue men fortune to ariſe in the pleading of the ſame, that then in euery ſuch caſe the ſaid Chancellor ſhall & may deliuer the record thereof to the Iuſtices of the Kings bench, for the time being, and thereupon the ſaid Court of the Kings Bench to doe euery thing for the triall of the ſame iſſue, as they ought to doe, in caſe the ſaid iſſue or triall had béene ſent or deliuered to them out of the kings court of Chancery. And after the triall thereof in due forme had, and the iudgement thereupon giuen, the Iuſtices of the Kings Bench to haue power to award execution accordingly, and the money thereof comming to be deliuered by the ſame Iuſtices or Clerke of the papers of the ſame Court to the Treaſurer of the ſaid Court of Augmentations to the Kings vſe.

Awarding of Scirefacias, vnder the great Seale of the Court.

Trial of Iſſues ſhall be in the Kings Bench.

Alſo that the ſaid Chancellor for the time being, ſhall haue full power and authority to award vnder the Priuy ſeale, appointed to the ſaid Court, in the Kings name, ſuch Proceſſe and Precepts, with reaſonable peines to bee therein limited, as bee now commonly vſed in the Court of the Kings Duchy chamber of Lancaſter, being at Weſtminſter, againſt euery perſon or perſons whatſoeuer they be, for, and concerning the intereſt, right, and title of the Kings Maieſtie, his Heires and Succeſſors, of, in, or to any of the premiſſes limited to the ſuruey and gouernance of the ſaid Court: or of, or for any rent, account, receit, or ſeruices in any wiſe touching or concerning the ſame premiſſes or any part of them, for, and on the behalfe of our ſaid Souereigne Lord the King, or of, or for any debt, riſing or growing by occaſion of the ſame.

Proceſſes and Precepts awarded vnder the Priuy Seale.

Alſo it is ordained by yͤ authority aforeſaid, that the ſaid Atturny and Solicitor, ſhal diligently from time to time attend vpon the Chancellor of the ſaid Court, for the hearing and ordering of matters, and cauſes of the ſaid court: and procure with all diligence, that all rents, fermes profits, caſualties, improuements, and all other emoluments of the manors, lands, tenements, and hereditaments, being in the ſuruey and gouernance in the ſaid Court, ſhalbe truly and iuſtly paied and anſwered to the Treaſurer of the ſaid Court, to the vſe of the Kings Highneſſe, without concealing any part thereof. And ſhall alſo cauſe and procure Proceſſe to be made againſt ſuch as ſhall bee indebted to the Kings Highneſſe, and their ſureties of and for any part thereof from time to time, as the time or caſe ſhall require.

The Atturney and Solicitors duties.

Alſo it is enacted by authority aforeſaid, that if any of the ſaid officers appointed for the ſame Court, doe conceale or withdraw willingly any rents, reuenues, caſualties or other góods giuen to the King by the ſaid Act: that then the Officer ſo offending, ſhall loſe the double value of the thing ſo concealed or withdrawne.

The penalty of an officer concealing the Kings duties.

And it is ordained and enacted by authority aforeſaid, that euery of the ſaid particular Auditors and receiuers ſhalbe attendant vpon the ſaid Chancellor from time to time, as cauſes ſhall require. And that euery of the ſaid particular receiuers, ſhall well, diligently and effectually gather and leuy to the kings vſe, all ſuch fermes, iſſues and profits, as ſhalbe limited to his charge, and diſtreine for the ſame if néed ſo require. And that euery of the ſaid particular receiuers and Auditors ſo ioyned together by the appointment of the ſaid Chancellor, ſhall wel and truly ſuruey all manner of reparations néedfull to be done, in or vpon any of the ſaid manors, lands, tenements or hereditaments, limited to his charge, and appoint the ſaid reparations to be done to the Kings moſt profit, and leaſt charge. And alſo to ſuruey the wóods limited to their charge, and what wóod-ſales ſhal be conuenient to be made, and make certificat of the premiſſes from time to time to the ſaid Chancellor.

The auditors and receiuers duties.

Alſo it is ordeined by authority aforeſaid, that all the rents, fermes, iſſues and profits of the ſaid Religious Houſes, Manors, Lands, Tenements, and all other the Premiſſes, which bee aſſigned to the Order, Suruey, and Gouernance of the ſaid Court, as they ſhall grow due and be payable, ſhall be paid and deliuered to the hands of the ſaid Treaſurer by euery of

All the rents and profits of religious lands ſhall be paid to the Treaſurer of the Augmentations.

the ſaid particular receiuers to be ſafely kept to yͤ Kings vſe: And that euery acquitance, which ſhall be ſubſcribed with the name & hand of the ſaid Treaſurer made to any of yͤ ſaid particular receiuers, or to any perſon or perſons, whereby ſhall appeare that the ſaid Treaſurer ſhall haue receiued of any of the ſaid particular receiuers, or other perſon or perſons, any of the Fermes, Rents, Iſſues, and profits in the charge of the ſaid particular receiuers, or for any debt that ſhall be due to the Kings Highneſſe by occaſion of the premiſſes, or any part thereof: or for any ſummes of money, which the ſaid Treaſurer ſhall haue power to receiue for the Kings vſe by reaſon of his office: and all other acquitances made by any of the ſaid particular receiuers, to any whatſoeuer perſon for the receit of any thing touching the premiſſes appointed to his or their charge, ſhall bee a good and effectuall diſcharge for euery of the ſaid particular Receiuers and other whatſoeuer perſons aforeſaid, againſt the Kings Highneſſe, his heires and ſucceſſors for euer.

The Treaſurer and particular Receiuers accompts.

Alſo it is ordained, that the ſaid Treaſurer ſhall yeerely account before the ſaid Chancellor, & ſuch two or moe of the ſaid Auditors, as the ſaid Chancellor ſhall appoint. And that euery of the ſaid particular receiuers ſhall yeerly account before one of the ſaid ten Auditors, to be aſſigned to him by the ſaid Chancellor. And that euery of the ſaid particular receiuers for the yeere, to be ended at the feaſt of Saint Michael the Archangell, ſhall make and finiſh his account before the twentieth day of March next after the ſame Feaſt enſuing. And that the ſaid Treaſurer ſhall yeerly finiſh his account before the laſt day of April next after following.

The Auditors ſhall be aſſigned their particular charges.

Alſo it is enacted by authority aforeſaid, that the ſaid Chancellor by the conſent of the ſaid Treaſurer, Atturney, & Soliciter, or two of them ſhall diuide to euery particular receiuer ſuch portion as euery of them ſhall receiue of the ſaid religious houſes, Manors, lands, tenements, and other hereditaments aforeſaid, and ſhall alſo proportion the ſaid religious houſes and other the premiſſes in ten parts: and ſhall aſſigne to euery part thereof, one of the ſaid ten Auditors, and that euery of the ſaid ten Auditors, as they ſhall be aſſigned, ſhall yeerely ride to the part to him to be limited, betweene the feaſt of Saint Michael the Archangel and Chriſtmas, and take the accounts of all Bailiffes, Reues, Fermers, Tenants and occupiers of the Manors, lands, tenements, and other hereditaments, within the limits of his aſſignement.

The Auditors and Receiuers vpon warning giuen ſhall aſſemble.

Alſo it is enacted by authority aforeſaid, that the ſaid Auditors & particular Receiuers, at all times, vpon warning giuen to them by the ſaid Chancellor, ſhall aſſemble together, as well for the ordering of the ſaid religious houſes, manors, lands, tenements, and other the premiſſes, as of the tenants of the ſame, from time to time, as the caſe ſhall require, as for the viewing and determination of the ſaid accounts to be made thereof.

All accompts ſhall bee engroſſed in parchment.

Alſo it is ordeined by authority aforeſaid, that al the accounts of euery yeere, to be ended at the Feaſt of S. Michael the Archangel, as well of the ſaid particular Receiuers, Bailiffes, Reues, Fermers, Tenants and occupiers of the ſaid houſes, manors, lands, tenements, and other hereditaments aforeſaid, as of the ſaid Treaſurer ſhalbe well and perfectly engroſſed in parchment by the ſaid auditors, & deliuered to the ſaid Chancellor, ſafely to be kept to the kings vſe, euery yeere yeerly before the firſt day of May next enſuing the ſaid feaſt of Saint Michael the Archangel, vpon paine to forfeit and loſe their offices,

Diets, rewards and other duties allowed to Auditors, and other officers.

Alſo it is enacted by the authority aforeſaid, that the auditors, and other officers and miniſters of the ſaid Court for the time being, ſhall yeerly perceiue & take by the hands of the ſaid Treaſurer, particular Receiuers, and all other officers, and miniſters accomptant, all and ſingular ſuch like diets, rewards, profits, and commodities, as well for their attendance vpon the ſaid Chancellor for the time being, and for making of bookes, declarations and values, as for other matters and cauſes, of, for, or concerning the ſaid Court: and alſo for the expences, coſts and charges of the ſaid Auditors and particular receiuers, and euery of them, yeerly riding their ſeuerall circuits and limitations in as large and ample manner and forme as the Kings Auditors of his Duchy of Lancaſter, and other officers and miniſters there, doe yeerly perceiue, receiue take, and be allowed, in, for, and about any ſuch like matters, cauſes and buſineſſes: and that the ſaid Auditors for the time being, and euery of them, ſhall haue power and authority to allow the ſame.

Allowance for reparations and buildings.

Alſo it is ordained by authority aforeſaid, that all reparations, and buildings, which ſhall be done from time to time, in, or vpon any the premiſſes, ſhall be done, and made by the order, and Commandement of the ſaid Chancellor, by the conſent of the ſaid Treaſurer, Atturney, and Solicitor, or two of them. And that the ſaid Treaſurer from time to time vpon his account ſhall bee allowed, as well of ſuch fee, as ſhall bee limited vnto him for exerciſe of his office, as of and for all ſuch ſummes of money as he ſhall pay to any patentee or patentees of any office, fee or annuity, that ſhall bee granted or giuen vnder the Seale of the ſaid Court. And alſo of all ſuch ſummes of Money as hee ſhall pay to any other perſon or perſons, by vertue of the Kings warrant or bill aſſigned; and alſo ſuch ſummes of money, as he ſhall be commanded to pay by any bill aſſigned, and ſubſcribed with the hands of the ſaid Chancellor, Atturney and Solicitor, or two of them, vpon ſuch conſiderations, as ſhall bee thought conuenient by their diſcretions. And that the ſaid Auditors, taking the accompts of the ſaid Treaſurer, or of any

The Treaſurers allowance vpon his accompt.

of the ſaid particular receiuers ſhal haue power and authority to allow to the treaſurer the premiſſes, and euery part therof, and alſo to allow to euery particular receiuer and other accountants, as well their fées and wages, and all other ſuch ſums of money, as they, or any of them ſhal pay for in, and about any buildings or reparations, as all other honeſt and reaſonable petitions and allowances, in as large and ample manner, and after ſuch forme, faſhion and condition, as the Kings Auditors of his Duchy of Lancaſter doe, may doe, and haue béene accuſtomed to doe, without any bill, or warrant to be ſued for the ſame.

Alſo it is enacted by authority aforeſaid, that all manner of proceſſe that ſhall be made out of the kings Eſchequer, to or againſt any perſon or perſons, for any ferms, rents, iſſues, or profits concerning the premiſes or any part therof, limited by this act to be in the ſuruey, order, and gouernance of the ſaid Court and the Miniſters thereof, ſhalbe cléerly void and of none effect.

No proces ſhall be awarded out of the Eſchequer for any lands within the ſuruey of the Court of Augmentations.

Alſo it is ordeined and enacted by authority aforeſaid, that the ſaid Chancellor and Treaſurer ſhall yéerly declare to the Kings highneſſe, the ſtate of the cléere yéerly value of the ſaid houſes, manors, lands, tenements, rents, penſions, portions, tithes, and other hereditaments, and how, where and to whom, they be imployed, and what remaineth therof in the hands of the ſaid Treaſurer.

The King ſhall be yeerly informed of the cleare value of the Abbey lands.

Prouided alway and be it enacted by the authority aforeſaid, that all ſuch Manors, meſuages lands, tenements, rents, reuerſions & other hereditamēts which in any manner wiſe ſhall come to or be in the hands or poſſeſſion of our ſaid ſoueraigne the King, his heires or ſucceſſors by authority of the ſaid former Act of Parliament, ſet, lying and being as well within the County Palatine of Lancaſter, as all other manors, lands, tenements, rents, reuerſions, and hereditaments, with their commodities and appurtenances ſet, lying and being within this Realme of England, Wales, or either of them, out of the ſaid County Palatine, which be or were appertaining or belonging vnto the ſaid Monaſteries or any of them, which were of the foundation of our ſaid ſoueraign Lord, or of any of his right noble progenitors, as Duke or Dukes of Lancaſter, may at the frée will, liberty & pleaſure of our ſaid Lord be aſſigned, limited and appointed vnto the order, ſurueying, receipts, letting and ſetting of the Chancellor and officers of his ſaid Duchy of Lancaſter, in as large and ample manner and forme, as the ſaid Chancellor and officers of the ſaid Duchy haue, vſe and exerciſe at this preſent time, of or vpon, and in any manors lands, tenements, or hereditaments, appertaining or in any wiſe belonging vnto the ſaid Duchy: This Act nor any thing therein contained to the contrary notwithſtanding. Stat. 33. *Hen.* 8.39.7.*Ed.*6.2.1. *M.*10.1.*El.*4.

Which of the foreſaid lands may be aſſigned to the ſuruey of the Duchy Court of Lancaſter.

Cap. XXVIII.

All Monaſteries giuen to the King which haue not lands aboue two hundred pounds by the yeare.

His Maieſty ſhal haue and enioy to him and his heires for euer, all and ſingular ſuch Monaſteries, Priories, and other religious houſes of Monks, Canons and Nuns, of what kinds of diuerſities of habits, rules, or order ſoeuer they be called or named, which haue not in lands tenements, rents, tiths, portions, and other hereditaments, aboue the cléere yéerly value of two hundred pound. And in like manner ſhall haue and enioy all the ſites and circuits, of euery ſuch religious houſes, and all and ſingular the Manors, Granges, Meſes, Lands Tenements, Rents Reuerſions, Seruices, Tithes, Penſions, Churches, Chappels, Aduouſons, Patronages, Annuities, Rights, Conditions, and other hereditaments, appertaining or belonging to euery ſuch Monaſtery Priory or religious houſe, not hauing as is aforeſaid, aboue the ſaid cléere yéerly value of two hundred pound, in as large and ample maner, as the Abbots, Priors, Abbaſſes, and other gouernours of ſuch Monaſteries, Priories, and other religious houſes now haue, or ought to haue the ſame in the right of their houſes. And that alſo his Highneſſe ſhall haue to him and to his heirs, all and ſingular ſuch Monaſteries, Abbies, and Priories, which at any time within one yéere next before the making of this Act, hath béene giuen and granted to his Maieſtie, by any Abbot, Prior, Abbeſſe or Prioreſſe, vnder their Couent ſeale, or that otherwiſe hath béene ſuppreſſed or diſſolued, and all and ſingular the Manors, lands, tenements, rents, reuerſions, tithes penſions, portions, Churches, Chappels, aduouſons, patronages, rights, entries, conditions, and all other intereſts, and hereditaments, to the ſame Monaſteries, Abbies and Priories, or to any of them appertaining or belonging. To haue and to hold, all and ſingular the premiſſes, with all their rights, profits, iuriſdictions and commodities, vnto the Kings Maieſtie and his heires and aſſignes for euer, to doe and vſe therewith his and their owne wils to the pleaſure of Almighty God, and to the honor and profit of this Realme.

All monaſteries giuen to the King, which haue not about two hundred pound lands.

The King ſhall haue all Monaſteries beforeaſſured to him, or that haue beene ſuppreſſed.

And be it enacted by the authoritie of this preſent Parliament, that all, and euery perſon and perſons, and bodies Politike, which now haue or hereafter ſhall haue any letters patents of the Kings Highneſſe, of any of the ſites, circuits, Manors, lands, tenements, reuerſions, ſeruices, tithes, penſions, portions, Churches, Chappels, aduouſons, patronages, tithes, entries, conditions

They ſhal enioy thoſe Abbey lands to whom the King hath giuen them.

ſtions, intereſts, or other hereditaments, which appertained to any Monaſteries, Abbeis, or priories heretofore giuen or granted to the Kings highneſſe, or otherwiſe ſuppreſſed or diſſolued, or which appertaineth to any of the Monaſteries, Abbies, Priories, or other religious houſes, that ſhalbe ſuppreſſed or diſſolued by the authority of this Act, ſhall haue and enioy the ſaid ſites, circuits, manors, lands, tenements, rents, reuerſions, ſeruices, tithes, penſions, portions, Churches, Chappels, aduowſons, patronages, tithes, entries, conditions, intereſts, and all other hereditaments, contained and expreſſed in their letters patents now being therof made, and to be contained and ſpecified in any letters patents hereafter to be made, according to the tenor, purport, and effect of any ſuch letters patents: And ſhal alſo haue all ſuch actions, ſuits, entries, and remedies to all intents and purpoſes, for any thing or things conteined in euery ſuch letters patents now made, or to be contained in ſuch letters hereafter to be made in like manner, forme and conditions, as the Abbots, Priors, Abbeſſes, Prioreſſes, and other chiefe gouernors of any religious houſes which had the ſame, might or ought to haue had, if they had not beene ſuppreſſed or diſſolued.

Sauing of the right of others.

Sauing to euery perſon and perſons, and bodies politique, their heires and ſucceſſors (other than the Abbots, Priors, Abbeſſes, Prioreſſes, or other chiefe gouernours of the ſame religious houſes ſpecified in this Act, and the couents of the ſame and their ſucceſſors, and ſuch as pretend to be founders, patrons or donors of ſuch religious houſes, of any lands, tenements, or hereditaments, belonging to the ſame, and their heires and ſucceſſors) all ſuch right, title, intereſt, poſſeſſions, leaſes for yeeres, rents, ſeruices, annuities, commodities, fees, liberties and liuings, penſions portiõs, corrodies, ſinodies, prories, and all other profits, as they or any of them hath, ought or might haue had, in or to any of the ſaid Monaſteries, Abbeis, Priories or other religious houſes, or in, or to any manors, lands, tenements, rents, reuerſions, tithes, penſions, portions, or other hereditaments, appertaining or belonging, or that appertained to any of the ſaid Monaſteries, Priories or other religious houſes, as if the ſame monaſteries Priories and other religious houſes, had not been ſuppreſſed by this Act, but had continued in their eſſentiall bodies and ſtates that they now be, or were in.

Fraudulent aſſurances made by gouernours of houſes before their diſſolutions ſhalbe void.

Prouided alwaies, and be it enacted, that foraſmuch as diuers of the chiefe gouernors of ſuch religious houſes, &c. haue lately fraudulently and craftily made, feoffements, eſtates, gifts, grants and leaſes, vnder their Couent ſeales, or ſuffered recoueries of their manors, lands, tenements, and Hereditaments in fee ſimple, fee taile, for terme of life or liues, or for yeares, or charged the ſame with rents or corrodies, to the great decay and diminution of the houſes: that all ſuch crafty and fraudulent recoueries, Feoffements, eſtates, gifts, grants and leaſes, and euery of them made by any of the ſaid chiefe Gouernours of ſuch religious houſes, vnder their Couent ſeales, within one yeere next before the making of this Act, ſhall be vtterly void and of none effect. Prouided alwaies, that ſuch perſon and perſons as haue leaſes for terme of life, and yeers, wherupon is reſerued the old rents and fermes accuſtomed, and ſuch as haue any offices, fees or corrodies, that haue beene accuſtomed or vſed in ſuch religious houſes, and haue bought any liuery or liuing in any ſuch houſes, ſhall haue and enioy their ſaid leaſes, offices, fees, corrodies, liberties, liueries, and liuings, as if this Act had neuer beene made.

Ornaments, iewels, goods, cattels, debts of Monaſteries giuen to the King.

And it is further enacted, that the Kings Highneſſe ſhall haue and enioy to his owne proper vſe, all ſuch Ornaments, iewels, goods, cattels and debts which appertained or belonged to any of the chiefe Gouernours of the ſaid Monaſteries or religions houſes in the right of their ſaid Monaſteries or houſes, at the firſt day of March in the yeere of our Lord God 1535. or any time ſithen whereſoeuer, or to whoſe poſſeſſion ſoeuer they ſhall come or be found, except onely ſuch beaſts, grain, and woods, and ſuch other like cattel and reuenues as they haue ſold before the ſaid firſt day of March or ſithen, for the neceſſary or reaſonable expences or charges of any the ſaid Monaſteries or houſes.

The king ſhall haue the actuall poſſeſſion of the Abbey lands.

And be it likewiſe enacted, that the kings highneſſe ſhall haue and enioy according to this Act, the actuall and reall poſſeſſion of all and ſingular ſuch Monaſteries Priories, and other religious houſes, as ſhall appeare by the ſaid certificat remaining in the Kings Eſchequer, not to haue in lands, tenements rents, tithes, portions and other hereditaments, aboue the ſaid cleere yeerely value of two hundred pounds: ſo that his Highneſſe may lawfully giue, grant and diſpoſe them or any of them at his will and pleaſure, to the honor of God and the wealth of this realme, without further inquiſitions or offices to be had or found for the ſame.

A prouiſo for the Cels of other Monaſteries being vnder obedience.

Prouided alwaies, that this Act or any thing therein contained, ſhall not extend nor be preiudiciall to any Abbots or Priors of any Monaſteries or Priories, being certified into the kings Eſchequer, to haue in poſſeſſions and profits Spirituall and Temporall, aboue the ſaid cleere yeerely value of two hundred pounds, for, or concerning ſuch Celles of religious houſes, appertaining or belonging to their Monaſteries or Priories, in which Cels the Priors or other chiefe gouernours therof, be vnder the obedience of the Abbots or Priors, to whom ſuch Cels belong, as the Monks or Canons of the Couent of their Monaſteries or Priories, and cannot ſue, nor be ſued by the lawes of this Realme, or by their owne proper names, for the poſſeſſion or other things appertaining to ſuch Cels, whereof they be Priors or Gouernours, but muſt ſue and be ſued in and by the names of the Abbots or Priors, to whom they bee now obedienciers, and to whom ſuch Cels belong. And alſo the Priors or Gouernours, datiue or remoueable from time to time, and accounts of the profits of ſuch Cels, at the only pleaſure and will of the Abbots and Priors to whom ſuch Cels belong. But that euery ſuch Cell ſhall bee, and remaine vndiſſolued in the ſame eſtate, quality, and condition, as if this Act had neuer been made, any thing in this act to the contrary hereof notwithſtanding.

Sauing alwaies, and reſeruing vnto euery perſon and perſons, being Founders, Patrons, or Donors of any Abbies, Priories, or other religious houſes, that ſhall be ſuppreſſed by this Act, their heires and ſucceſſors, all ſuch right, title, intereſt, poſſeſſion, rents, annuities, fees, offices, leſes, commons, and all other profits whatſoeuer they be, which any of them haue or ſhould haue had without fraud or couin by any maner of means, otherwiſe than by reaſon or occaſion of the diſſolution of the ſaid abbies, priories or other religious houſes, into or vpon any of the ſaid abbies, priories or other religious houſes, whereof they be founders, patrons, or donors, or into, or vpon any lands, tenements, or other hereditaments appertaining or belonging to ye ſame, in like maner, forme, & condition, as other perſons or bodies politike be ſaued by this Act, as is afore rehearſed, and as if the ſaid Abbies, Priories, or other religious houſes had not beene ſuppreſſed and diſſolued by this Act, but had continued ſtill in their eſſentiall bodies and eſtates as they be now, any thing in this Act to the contrary hereof notwithſtanding.

The right of Founders and Patrons ſaued.

And further be it enacted, that all and ſingular perſons and bodies politike and corporate, to whom the Kings Maieſty, his heires or ſucceſſors hereafter ſhall giue, grant, let or demiſe any ſite, or precinct, with the houſes therupon builded, together with the demeanes of any Monaſtery, Priories or other religious houſes that ſhall be diſſolued or giuen to the Kings Highneſſe by this Act, his Heires, Succeſſors or aſſignes, euery ſuch perſon, body politike and corporate, ſhall be bounden by authority of this Act vnder the penalties hereafter, to keepe, or cauſe to be kept, an honeſt continuall houſe and houſhold in the ſame ſite or precinct, and to occupy yearely as much of the demeanes in plowing and tilling of huſbandry, that is to ſay, as much of the ſaid demeanes, which hath beene commonly vſed to be kept in tillage by the gouernours, Abbots, or Priors of the ſame houſes, Monaſteries, Priories, or by their fermer or fermers, occupying the ſame within the time of twenty yeeres next before this Act.

Hoſpitality and huſbandry ſhall be kept vpon the ſite of the houſes ſuppreſſed.
Rep. 21. Iac. 28.

And if any perſon or perſons, bodies politike or corporat, that ſhalbe bounden by this Act, do not keepe an honeſt houſhold of huſbandry and tillage, in manner and forme as is aforeſaid, that then he or they ſo offending, ſhall forfeit to the Kings Highneſſe for euery moneth offending ſix pounds thirteene ſhillings and foure pence, to bee recouered to his vſe in any of his Courts of Record.

And ouer that it is enacted, ye all Iuſtices of Peace in euery ſhire, where any ſuch offence ſhal be committed and doe, contrary to the true meaning and intent of this preſent act, ſhall in euery quarter and generall Seſſions within the limit of their commiſſion, inquire of the premiſſes, and ſhall haue full power and authority to heare and determine the ſame, and to taxe and aſſeſſe no leſſe fine for euery of the ſaid offences, than is afore limited for the ſame offence, and eſtreats thereof to bee made and certified into the Kings Eſchequer, according, and at ſuch time and forme, as other eſtreats of fines, iſſues and amerciaments beene made by the ſame Iuſtices. St. 35. H. 8. 14. 37. H. 8. 20.

Iuſtices of Peace ſhall enquire of, and puniſh offenders.

ANNO VICESIMO OCTAVO HENRICI OCTAVI.

ACTS made in the Parliament begun and holden at Weſtminſter the eighth day of Iune, in the eight and twentith yeare of the raigne of our moſt dread Soueraigne Lord King HENRIE the eight, and there continued and kept till the diſſolution of the ſame Parliament, the eighteenth day of Iuly. To the honour of God, and for the common weale and profit of this Realme.

CAP. I.

Felons abiuring for pety treaſon, &c. ſhall not haue Clergy.

WHere in the laſt Parliament begun and holden at London, the third day of Nouember, in the one and twentieth yeare of the Kings moſt Gracious Raigne, and from thence adiourned to Weſtminſter, and there holden and continued by diuers and ſundrie prorogations. It was enacted amongſt other things, that ſuch perſon and perſons which did flee or reſort to any Pariſh Church, Cimitorie, or other like hallowed place for tuition

A rehearſall of the ſtatute of 22. H.8.14. touching the vſing of ſanctuary perſons.

tion of his life, by occaſion of any murder, robbery, or other felony by the ſame perſon committed, and thereupon confeſſed any murder, felony, or ether offence before a Crowner, for the which the ſame perſon by the Law of this Realme afore that time vſed, ſhould abiure, and paſſe out of this realm, ſhould be directed by the Crowner to take his abiuration to any one ſanctuary being within this Realme, which the ſame perſon would elect and chuſe, there to remaine as a Sanctuary man abiured, during his naturall life. And if after ſuch abiuration, any perſon ſo abiured came out of the ſame ſanctuary to the which he was aſſigned, and be taken without the ſame ſanctuary, not hauing the Kings ſpeciall pardon or licence ſo to doe: that then euery ſuch perſon abiured, and after abiuration taken without ſanctuary, whereunto hee was aſſigned, ſhould ſuffer like paine of death, and after ſuch like manner ſhould be ordered, as he ſhould haue done, and biden, in caſe he had abiured this Realme for murder or felony, and after ſuch abiuration had returned againe into this Realme, contrary to the Lawes of this land. And it was further ordeined by the ſame Act, that if any ſuch ſanctuary perſon ſo abiured, or any other perſon or perſons which then were, or at any time after ſhuld happen to be in any ſanctuary of this Realme, for doing of any pety Treaſon, Murder or Felony, or for being acceſſary to any ſuch offences: or if any perſon or perſons, which at any time after the making of the ſame Act, ſhould take any Sanctuary of this Realme, for any pety Treaſon, Murder, or Felony, or for being acceſſary to any ſuch offences, or vpon abiuration: and ſo being in Sanctuary for any ſuch cauſe matter, or offence, afterward commit any pety Treaſon, Murder, or Felony, within the ſame Sanctuary, or bee acceſſary to any ſuch offences, or goe out of the ſame Sanctuary, and commit any pety Treaſon, Murder, or Felony, or be acceſſary to any ſuch offences, and afterward come againe to the ſame Sanctuary, or take any other Sanctuary for the ſame: that euery ſuch perſon and perſons, being indicted for any of the ſaid cauſes or offences, ſhould loſe the priuilege of the Sanctuary by him taken, and of euery other Sanctuary within this Realme for any ſuch cauſe of pety Treaſon, Murder, felony, or abiuration, or for any acceſſary to any ſuch offences.

Triall of forren Pleas.

No peremptory challenge aboue the number of twenty.

And it was further ordained by the ſame act, that all forren pleas triable by the country, which ſhould be pleded by any perſon or perſons arraigned vpon any inditment for any pety treaſon, murder or felony, ſhould be tried before yͤ ſame Juſtices, afore whom ſuch perſons ſhould be arraigned, and by the ſame Jurors of the County, that ſhall try the pety treaſon, murder, or felony, without any further reſpect or delay: and that no perſon arraigned for any pety treaſon murder or felony, ſhould bee admitted to any peremptory challenge aboue the number of xx. which act was made to endure to the end of the next Parliament, as by the ſaid Act amongſt diuers clauſes and prouiſions contained in the ſame, more plainly is expreſſed.

23.H.8.1.

Clergy taken from diuers perſons which doe commit ſeuerall offences.

And where alſo in the ſame Parliament it was enacted, yͭ no perſon or perſons, which ſhould happen to be found guilty after the lawes of this Realme, for any matter of pety treaſon, or for any wilfull murder of malice prepenſed, or for robbing of any Churches, Chappels, or other holy places, or for robbing any perſon or perſons in their dwelling houſes or dwelling places, the owner or dweller in the ſaid houſe, his wife, his children, or ſeruants then being within, and put in feare and dread by the ſame: Or for robbing of any perſon or perſons in or néere about the high wayes, or for wilfull burning of any dwelling houſes or barnes, wherein any corne or graine ſhall happen to be: nor that any perſon or perſons being found guilty of any abetment, procurement, helping, maintaining or councelling of, or to any ſuch pety treaſons, murders, or felonies, ſhould be admitted the benefit of their Clergy (ſuch as be within holy Orders, that is to ſay, of the orders of Subdeacon or aboue, all onely except) with many other clauſes and prouiſions contained in the ſaid Act, as by the ſame Act more plainly appeareth: which Act was alſo made to continue and endure to the laſt day of the next Parliament.

And where alſo in the ſame Parliament, it was further enacted, that euery ſuch perſon and perſons, which ſhould happen to be indicted of any pety treaſon, wilful burning of houſes, murder, robbery, or burglary, or other felony, according to the tenour and meaning of the ſaid eſtatute next aboue rehearſed, and thereupon arraigned, did ſtand mute of malice or froward mind, or challenge peremptory aboue the number of xx. or elſe wil not anſwer directly to the ſame indictment and felony, wherupon they ſhall be arraigned: that then euery ſuch perſon and perſons ſhould loſe the benefit and priuilege of their Clergy.

25.H.8.3.

And it was alſo ordeined by the ſame Act, that if any perſon or perſons be endicted and found guilty for ſtealing of any goods or Cattels, in any County of this Realme, or being indicted, ſtand mute of malice, or challenge peremptory aboue the number of twenty perſons, or will not anſwer directly to the Law, ſhould alſo loſe the benefit of their Clergy, in like manner and forme as they ſhould haue done, if they had béene endicted, arraigned and found guilty in the ſame County, where the ſame robbery or burglary was done, if it ſhall appeare to the Juſtices by euidence or examination, that the ſaid felons or robbers arraigned before them, ſhould or ought to haue loſt their Clergy by force of the ſaid eſtatute, in caſe they had béene found guilty of the ſame felonies or burglaries in the ſame Shire where they were committed, as by the ſaid Act amongſt other things more at large is expreſſed.

And whereas alſo in the ſaid Parliament it was further ordained, that the deteſtable vice of buggery, committed with mankinde or beaſt, ſhould be felony, and that the offenders therein ſhould loſe the priuilege of their Clergy: which act was made to endure to the laſt day of the next Parliament, as by the ſame act amongſt other things it appeareth more at large. For as much as the ſaid Acts be beneficiall and profitable to the Commonwealth of this Realme, Be it therefore enacted by authority of this preſent Parliament, that the ſaid Acts and euery of them, and all clauſes and prouiſions contained in the ſame, ſhall ſtand in full ſtrength and Vertue, and from henceforth to continue and endure vnto the laſt day of the next Parliament.

Anno. 25. H. 8. 6.

The Stat. of 22. H. 8. 14. 23. H. 8. 1. 25. H. 8. 3. & 6. rehearſed and made to continue vnto the next Parliament.

And be it alſo enaſted by authoritie aforeſaid, that ſuch as be within holy Orders, ſhall from henceforth ſtand and be vnder the ſame peines and dangers for the offences contained in any of the ſaid ſtatutes, and be vſed and ordered to all intents and purpoſes, as other perſons not being within holy orders: Any prouiſion or exception ſpecified in any of the ſaid Acts, or any other vſage or cuſtome of this Realme to the contrary thereof notwithſtanding. This Act to endure vnto the laſt day of the next Parliament. Stat. 32. H. 8. 3. made perpetuall.

Such as be within holy orders, ſhall be vnder the ſame paines and dangers, that others be. St. 23. H. 8. 11.

Cap. II.

The Statutes of 21. *H.* 8. 7. and 27. *H.* 8. 17. touching ſeruants imbezeling their Maſters goods made perpetuall. REP. 1. *Ed.* 6. 12. 1. *M.* 1. 5. *El.* 10.

Cap. III.

Authority giuen to the King during three yeares to alot newly the Townes in the Shires and Marches of VVales, notwithſtanding the Stat. of 27. *H.* 8. 26. EXP. ſt. 31. *H.* 8. 11.

Cap. IV.

In what manner Dowlas and Lockeram ſhall be brought into this Land.

Where in the Parliament holden at Weſtminſter the third day of Nouember in the xxi. yeare of the reigne of our ſoueraigne Lord King Henry the viii. amongſt other things it was enacted and eſtabliſhed, that no perſon nor perſons, Engliſh nor ſtranger, deniſen or alien, from or after the feaſt of Saint Michael the Archangel then next following, ſhould bring or conuey, or cauſe to be conueied or brought by any manner of meanes into this Realme of England, any linnen cloth, called Doulas or Lockeram, vnleſſe euery whole peece of Doulas contained in length fiue ſcore elles of aſſiſe, accounted to euery ell one inch of aſſiſe, and in breadth one yard of aſſiſe: And euery halfe peece fiftie ells in length, and one yard in breadth of like aſſiſe, and all the whole peece and halfe peece of one goodneſſe in making. And alſo it was there enacted and eſtabliſhed, that euery whole peece of Lockeram ſhould be of like length as the whole peece of Doulas: and euery halfe peece of Lockeram ſhould be of like length as the halfe peece of Doulas, and euery ſuch whole peece and halfe peece of Lockeram to be in breadth a whole yard, lacking a nayle of the yard: and euery peece and halfe peece to be in like goodneſſe by all the length of the ſame peece, vpon paine of forfeiture of the ſame Dowlas and Lockeram ſo to be brought or conueied into this Realme, not containing the full length, breadth, and goodneſſe, or the value thereof, as in the ſame ſtatute more plainly at large doth appeare. Sithens the making of which act a great number of the Kings Subiects, that is to ſay, Weauers, Tuckers, Spinners, Diers, and Wolpickers, and many others haue been idle and without worke to their great vnpoueriſhing, which more and more is like daily to increaſe, if remedy be not prouided: For as much as the Clothmakers, which before the making of the ſaid Act, were wont to conuey their ſaid Clothes into Britaine, where the ſaid linnen Cloth called Doulas and Lockeram is made, and from thence to bring with them the ſaid linnen Cloth called Doulas and Lockeram, which they cannot doe ſithence the making of the ſaid act, without danger and forfeiture of the ſaid linnen cloth, by reaſon that there ſhall no Engliſhman be ſuffered to carrie or conuey any of the ſaid clothes, called Doulas or Lockerams, from the parties of beyond the ſea into this Realme of the length contained in the ſaid Act: which will make the ſaid Clothmakers to leaue the making of their cloth, to the great and manifold perils of the Kings Subiects: Be it therefore enacted by the King our Soueraigne Lord with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, that the ſaid Act, made in the ſaid xxi. yeare, be to all intents, purpoſes, and conſtructions in the Law, made vtterly void and of none effect, as if the ſaid Act had neuer beene had or made. Neuertheleſſe to the intent that the buyers of the ſaid linnen clothes ſhall not be at any time hereafter deceiued by the length of the ſaid clothes.

A rehearſall of the Stat. of 21. H. 8. 14. touching the length and breadth of Doulas and Lockeram.

By what meanes the Stat. of 21. H. 8. 14. is preiudiciall to Clothmakers.

A Repeale of the Stat. of 21. H. 8. 14.

Be it therefore enacted by the authoritie aforeſaid, that after the feaſt of Saint Michael the Archangell next comming, no manner of perſon Engliſh nor Stranger, Deniſen nor Alien, put to ſale any whole peece, or halfe peece of the ſaid linnen cloth, called Doulas and Lockeram, vnleſſe there be mentiō expreſſed vpon euery of the ſaid whole peece or halfe peece of the ſaid linnen cloth called Doulas, or Lockeram, ſo put to ſale, as is aforeſaid, the whole and entire number of the yards or ells, that is contained in euery ſuch whole peece, or halfe peece, vpon paine of forfeiture of the ſame whole peece or halfe peece, not containing the number of yards or ells, ſo mentioned vpon euery of the ſaid whole peece, or halfe peece, ſo put to ſale as is aforeſaid: The one halfe of euery ſuch forfeiture to be to the King our Soueraigne Lord, and the other halfe to him that ſhall ſeaſe and will ſue for the ſame by action of debt, bill, plaint, information, or otherwiſe: in which action, ſuit, or information, no wager of Law nor Eſſoine ſhall be admitted or allowed.

The contents of euery peece of Doulas and Lockeram ſhall be ſet vpon the cloth.

Prouided alwayes, that this Act, or any thing therein contained, be not preiudiciall, ne hurtfull to any perſon, or perſons, that before the firſt day of this Parliament hath made any ſeiſure, or put in any information into any of the Kings Courts for any manner of forfeiture, done, or committed by any perſon or perſons, contrary to the ſaid eſtatute, made in the ſaid third day of Nouember, the one and twentieth yeare of the reigne of our Soueraigne Lord King Henry the eight.

Information againſt offenders before this ſtatute.

Cap. V.

Exactions ſhall not be taken vpon Apprentices in Cities, &c.

WHere in the ſaid Parliament begun at London the third day of Nouember in the xxi. yeare of the raigne of our moſt dread Soueraigne Lord King Henry the eight, and from thence adiourned & proroged vnto Weſtminſter, the xvj. day of Ianuarie, in the xxij. yeare of the raigne of our ſaid Soueraigne Lord, and there then alſo holden: it was; and is recited, that where before that time it was eſtabliſhed, and enacted in the nineteenth yeare of our late Soueraigne Lord King Henry the ſeuenth, that no Maſters, Wardens, and fellowſhip of crafts, or any of them, nor any rulers of the gyldes, or fraternities ſhould take vpon them to make any acts, or ordinances, ne to execute any acts, or ordinances by them before that time made, or then hereafter to be made, in diſheritance, or diminution of the prerogatiue of the King, nor of other, nor againſt the common profit of the people, except the ſame acts, or ordinances were examined, or approued by the Chancellor, and Treaſurer of England, or chiefe Iuſtice of either Bench, or three of them, or before the Iuſtices of Aſſiſe in their circuit, or progreſſe, in the Shire where ſuch acts or ordinances be made, vpon paine of forfeiture of fortie pounds, for euery time that they doe the contrarie, as more plainly in the ſaid act doth appeare. Sith which time diuers Wardens, and Fellowſhips haue made acts, and ordinances, that euery Prentice ſhould pay at his firſt entre in their common hall to the Wardens of the ſame Fellowſhip, ſome of them xl.s. ſome xxx.s. ſome xx.s. ſome xiij.s. iiij.d. ſome vj.s. viij.d. ſome iij.s. iiij.d. after their owne ſiniſter mindes, and pleaſure, contrarie to the meaning of the ſaid Act, made in the ſaid xix. yeare of the ſaid late King Henry the ſeuenth, and to the great hurt of the Kings true Subiects putting their children to bee Prentices; It was therefore in the ſaid Parliament, holden at Weſtminſter in the ſaid xxij. yeare of the raigne of King Henry the viij. eſtabliſhed and enacted by the King our Soueraigne Lord, by the aduiſe of his Lords ſpirituall and temporall, and of the Commons in the ſame Parliament aſſembled, and by the authority of the ſame, that no Maſter, Wardens, or Fellowſhips of Crafts, or Maſters of any of them, nor any rulers of fraternities ſhould take from thenceforth of any Prentice, or of any other perſon or perſons for the entrie of any Prentice into their ſaid fellowſhip, aboue the ſumme of ij s. vj.d. nor for his entry when his yeares and terme is expired and ended, aboue iij.s. iiij.d. vpon paine of forfeiture of xl. li. for euery time that they doe to the contrary, the one halfe to the King our Soueraigne Lord, and the other halfe to the partie that therefore ſhall ſue by action of debt, information or otherwiſe, and that in the action aforeſaid, no protection, or eſſoine ſhall be allowed: As by the ſame act amongſt other things therein contained more plainly may appeare. Sithen which ſaid ſeuerall acts eſtabliſhed, and made, as is aforeſaid, diuers Maſters, Wardens, and Fellowſhips of crafts, haue by cautell, and ſubtil meanes, compaſſed and practiſed to defraud and delude the ſaid good and wholeſome ſtatutes, cauſing diuers Prentiſes or young men immediately after their yeares be expired, or that they be made free of their occupation or fellowſhip, to be ſworne vpon the holy Euangeliſt at their firſt entry, that they nor any of them after their yeares or time expired, ſhall not ſet vp, or open any ſhop, houſe, nor ſellar, nor occupy as free men, without the aſſent and licence of the Maſter, Wardens, or Fellowſhips of their occupations, vpon the paine of forfeiting their Freedome, or other like penalty. By reaſon whereof, the ſaid Apprentices and Iourneymen bee put to as much or more charges thereby than they before time were put vnto for the obtaining and entering of their Freedome, to the great hurt and impoueriſhment of the ſaid Prentiſes, and Iourneymen, and other their friends. For remedy whereof be it now, by the authoritie of this preſent Parliament eſtabliſhed, ordained, and enacted, that no Maſter, Wardens, or fellowſhips of crafts, nor any of them, nor any rulers of fraternities, gildes, or brotherhoods from henceforth compel, or cauſe any Prentice, or Iourneyman by oath, or bond heretofore made, or hereafter to be made or otherwiſe, that he after his apprentiſhip or terme expired, ſhall not

19 H. 7. 7. No ordinances ſhall be made by Fellowſhips of Crafts, but by the conſent of the Chancelor, Treaſurer, Iuſtices, &c.

22. H. 8. 4. The fees of officers for the entry of an Apprentice or Freeman into their fellowſhip.

No Prentice or Iourneyman ſhall be reſtrained by oath or bond to keepe ſhop.

ſet vp nor keep any ſhop, houſe, or ſellar, nor occupy as a free man, without licence of the Maſter, Wardens, or Fellowſhip of his or their occupation, for and concerning the ſame, nor by any meane exact or take any ſuch Prentice or Iournyman, nor any other occupying for themſelues, nor of any other perſons for them, after his or their ſaid yeares expired, any ſumme of money or other things, for or concerning his or their freedome or occupation, otherwiſe, or in any other manner than before is recited, limited and appointed in the ſaid former act, made in the ſaid xxii. yeare of the reigne of King Henry the viii. vpon the paine to forfeit for euery time that they or any of them ſhall offend contrary to this act, xl. li. The one halfe thereof to the King our Soueraigne Lord, and the other halfe to the party that will ſue for the ſame in any of the Kings Courts, by action of debt, information, or otherwiſe: in which ſuit or action, no protection nor eſſoine ſhall be allowed for the partie defendant.

The Wardens or Officers fees for entrie of an Apprentice or Iournyman.

Cap. VI.

An act for continuance of the Statutes of 22.*H*.8.12. 22.*H*.8.7. 26.*H*.8.11. and 25.*H*.8.6. for beggers and vacabonds, and againſt conueyance of Horſes and Mares out of this Realme, againſt VVelſhmen making affraies in the Counties of Heref. Glouc. and Salop. and againſt the vice of Buggery, EXP.St.1.*El*.18.

Cap. VII.

Touching the ſucceſſion of the Crowne.

IN their moſt humble wiſe ſhewen to your moſt royall Maieſty, the Lords Spirituall and Temporall, and all other your moſt louing and obedient Subiects, the Commons in this your moſt high Court of Parliament aſſembled, that where in your laſt Parliament begun and holden at London the third day of Nouember, in the one and twentieth yeare of your moſt Gracious reigne and from thence adiourned to Weſtminſter, and there holden and continued by diuers and ſundrie prorogations vnto the fifteenth day of Ianuary, in the xxv. yeare of your moſt Noble reigne, and then there holden: It was made and ordained an act concerning amongſt many things as well for ratification, and confirmation of your marriage, then had and ſolemnized betweene your Highneſſe and the late Lady Anne Boleine Marqueſſe of Pembroke, as for the limitation of the ſucceſſion of your Imperiall Crowne of this Realme, to the iſſue of your body begotten, and to be begotten of the body of the ſaid Lady Anne, with diuers remainders ouer for default of ſuch iſſue, as in the ſaid Act plainly and particularly more at large is expreſſed and mentioned. And where alſo by the ſaid Act it was ordained and eſtabliſhed, that all and ſingular your Subiects ſhould take a corporall oath for the fulfilling, maintaining and defending the whole effects and contents of the ſaid Act. And it was further ordained by the ſaid Act amongſt other things, that if any perſon or perſons, ſubiect or reſiant within this Realme, or within any your Graces dominions, after the firſt day of May, then next enſuing, by writing, print, deed or act procured, or did, or cauſed to be procured or done any thing or things to the preiudice, ſlander, diſturbance or derogation of the ſaid Matrimonie, ſolemniſed betweene your Maieſty and the ſaid Lady Anne, or to the perill, ſlander, or diſheriſon of any the iſſues, and heires of your Highneſſe, being limited by the ſame act to inherit, and to be inheritable to the Crowne of this Realme, whereby any ſuch iſſues or heires of your Highneſſe might be deſtroyed, diſturbed, or interrupted in body, or title of inheritance to the Crowne of this Realme, as to them is limited in the ſame act: that then euery ſuch perſon and perſons and their ayders, counſellers, maintainers, and abetters, and euery of them, for euery ſuch offence, ſhould be adiudged high traitors, and that euery ſuch offence ſhould be adiudged high treaſon. And the offenders and their ayders, counſellers, maintainers, and abetters, and euery of them being lawfully conuict of ſuch offence by preſentment, verdict, confeſſion or proceſſe, according to the cuſtomes and lawes of this Realme, ſhould ſuffer paines of death, as in caſes of high treaſon: as in the ſaid act amongſt many other articles, clauſes, and prouiſions, is more at large mentioned and ſpecified.

A rehearſall of the Stat. of 25. H. 8. 22. touching the Kings marriages, and limitation of ſucceſſion to the Crowne.

And alſo in the ſaid Parliament holden at Weſtminſter by prorogation in the third day of Nouember in the xxvi. yeare of your moſt Noble reigne another act was made for declaration and ratification of the ſaid oath, which diuers of your Subiects then had taken, and all your Subiects after that were bound to take for due obſeruation of the ſaid Act of the ſaid Succeſſion, as by the ſame Act amongſt other things is alſo ſpecified and expreſſed.

Stat. 26. H.8.2.

And albeit moſt dread Soueraigne Lord, the ſaid Acts were then made, as it was then thought by your Maieſty, Nobles and Commons, vpon a pure, perfect, and cleere foundation, thinking the ſaid marriage then had betweene your Highneſſe and the ſaid Lady Anne, in their Conſciences to haue beene pure, ſincere, perfect and good, and ſo was reputed, accepted, and taken in the Realme, till now of late, that God of his infinit goodneſſe, from whom no ſecret things can be hid, hath cauſed to be brought to light, euident and open knowledge, as well certaine iuſt, true and lawfull impediments vnknowne at the making of the ſaid Acts, and ſithen that time hath beene confeſſed by the ſaid Lady Anne, before the moſt reuerend Father in God Thomas Archbiſhop of Canterbury, Metropolitane and Primate of all England, ſitting iudicially

The marriage betweene the K. and L. Anne Boleine was neuer good, nor conſonant to Law.

The Lady Elizabeth not borne in lawfull marriage.

Treaſon committed by the L. Anne Boleine and others attainted and executed.

for the ſame: by the which plainly appeareth, that the ſaid mariage betweene your Grace and the ſame Lady Anne, was neuer good nor conſonant to the Lawes, but utterly void and of none effect. By reaſon whereof your Highneſſe was and is lawfully diuorced, and ſeparated from the bonds of the ſaid marriage in the life of the ſaid Lady Anne. And this notwithſtanding moſt gracious Soueraigne Lord, the Lady Elizabeth your Daughter, being borne under the ſaid unlawfull marriage, by vertue and authority of the Act of your ſucceſſion aboue remembred, for lacke of heire Males of your body ſhould immediatly ſucceede as your lawfull heire in the moſt royall eſtate of your imperiall Crowne of this Realme, againſt all honour, equity, reaſon, and good conſcience, if remedy ſhould not be prouided for the ſame. And ouer this, moſt dread Soueraigne Lord, albeit that your Maieſty not knowing of any lawfull impediments, entered into the bonds of the ſaid vnlawfull mariage, and aduanced the ſame Lady Anne to the honour of the ſoueraigne eſtate of Q. of this Realme: yet neuertheleſſe ſhe inflamed with pride, and carnall deſires of her body, putting apart the dread of God, and excellent benefits receiued of your Highneſſe, confederated her ſelfe with George Boleine late Lord Rochford, her naturall Brother, Henrie Norris Eſquier, Francis VVeſton Knight, VVilliam Brereton Eſquier, Gentlemen of your priuy Chamber, and Marke Smeton Groome of your ſaid priuie Chamber, and ſo being confederate, ſhe and they moſt traiterouſly committed and perpetrated diuers deteſtable and abhominable treaſons, to the moſt fearefull perill and danger of the deſtruction of your moſt royall perſon, and to the vtter loſſe, diſheriſon and deſolation of this Realme, if God of his goodneſſe had not in due time brought their ſaid treaſons to light: for the which being plainly and manifeſtly proued, they were conuict and attainted by the due courſe and order of your common Lawes of this Realme, and haue ſuffered according to their merits, as by the records therof more at large may appeare.

A repeale of the ſtatuts of 25. H. 8. 22. and 26. H. 8. 2.

And albeit moſt Gracious and moſt dread Soueraigne Lord, diuers and ſundry honourable, iuſt, true and reaſonable clauſes be conteined and expreſſed in the ſame act, made for the eſtabliſhment of your ſucceſſion, which be very neceſſary and profitable for the common wealth of this Realme: yet neuertheleſſe becauſe certaine Articles and clauſes contained in the ſame, concerning the ratification of your ſaid vnlawfull marriage, betweene your Highneſſe & the ſaid Lady Anne, and the limitation of your ſucceſſion to the iſſues of your body had by the ſaid Lady Anne, and the other expreſſed and mentioned in both the Acts aboue remembred for the defending and maintaining the whole effects and contents of the ſaid Act, which clauſes and articles be now become of late ſo diſhonourable and ſo farre diſtant from the due courſe of your Common Lawes of your Realme, and alſo ſo much againſt good reaſon, equity and good Conſcience, that they cannot be ſuſtained, nor tolerated to continue, and endure without great perill of diuiſion hereafter to be had, by occaſion of the ſame amongſt vs your ſaid moſt humble, louing, and obedient Subiects, and our poſterities. It may therefore pleaſe your Highneſſe of your moſt excellent and accuſtomable goodnes, and for the entire loue, fauour, and hearty affection, that your Maieſtie hath alwayes borne, and beareth to the common wealth of this your Realme, and for the conſeruation of the good peace, vnity, and reſt of vs your moſt bounden and obedient ſubiects, and of our ſaid poſterities, that it may be enacted by authority of this preſent Parliament, that the ſaid ij. acts and euery of them, and all clauſes, articles, and prouiſions therein contained, from the firſt day of this preſent Parliament, ſhall be repealed, adnulled, and made fruſtrate, & of none effect.

They ſhall not be pardoned which haue offended before the firſt day of this Parliament.

Prouided alway that the ſaid repeale, and adnullation of the ſaid Act, which was made for the eſtabliſhment of your ſucceſſion, ſhall not be taken, expounded, nor vnderſtood to diſcharge any perſon or perſons which haue done or committed any offences of treaſō, or miſpriſion of treaſon, contrary to the ſame act, or any part thereof, at any time afore the firſt day of this preſent Parliament: but that ſuch offences of treaſon and miſpriſion of treaſon, done and committed by any perſon or perſons, contrarie to the ſame Act, afore the firſt day of this preſent Parliament, ſhall be, and remaine in the ſame degree and quality to be puniſhed by authority of the ſame Act, as if the ſame Act had not beene repealed: the repeale and adnullation of the ſame Act by authority of this preſent Parliament in any wiſe notwithſtanding.

Some vpon good will and meaning to the K. that haue ſpoken or written againſt Q. Anne or her daughter, L. Elizabeth.

Neuertheles the Kings moſt royall Maieſtie, moſt graciouſly conſidering that diuers and many of his moſt louing and obedient Subiects now lately afore the beginning of this preſent Parliament, haue ſpoken, done, practiſed, procured, and attempted, as well by word, writing, printing, as by exterior Acts, not onely againſt the ſaid vnlawfull marriage, ſolemnized betweene his Highneſſe and the ſaid Lady Anne, and to the preiudice, ſlaunder, diſturbance, and derogation thereof, but alſo to the perill, ſlaunder and diſheriſon of the Lady Elizabeth the Kings Daughter illegitimate borne vnder the ſame marriage, and to the let, diſturbation and interruption of the ſaid Lady Elizabeth to the title of the Crowne: and alſo to depriue the ſaid Lady Anne, late Queene, and the ſaid Lady Elizabeth, and euery of them of their dignitie, title and name of their royall eſtates, contrarie to the tenors, purports, prouiſions, and ordinances, as well contained in the ſaid Act made in the laſt Parliament for the eſtabliſhment of the Kings ſucceſſion, as in any other Act made in the laſt Parliament for puniſhment of treaſons. Which words, doings, practices, procurements, and attempts of his ſaid Subiects, albeit they proceeded of no malice, but vpon true and iuſt grounds, for puniſhment of the ſaid late

Lady Anne, according to her deſerts, and for reformation of the ſaid vnlawfull marriage, for the ſurety of the Kings highneſſe, and for the vnitie and wealth of his Realme: yet neuertheles the Kings ſaid Subiects might hereafter happen to be impeached, troubled, and vexed for ſuch their words, doings, acts, procurements, and attempts, as well by reaſon of the ſaid eſtatute, made for the eſtabliſhment of the Kings ſucceſſion, and now repealed by this Act, as by occaſion of other Statutes heretofore made for puniſhment of treaſon and miſpriſion of treaſon, to the great danger and perils of the liues, lands, and goods of the Kings ſaid Subiects, which only for hearty good will, and faithfull obedience that they beare to the Kings Maieſty, incurred into the ſaid dangers and perils: The Kings Highneſſe therefore of his moſt bountifull mercy and benignity is pleaſed and contented that it be enacted by authority of this preſent Parliament, That all and ſingular his louing Subiects, which haue ſpoken, done, practiſed, committed or attempted, or procured to be done, or attempted directly or indirectly, by words, writings, prints, or any exterior act: any thing or things whatſoeuer it be, againſt the ſaid marriage, ſolemnized betweene his Highneſſe and the ſaid late Queene Anne, or for the ſetting forth or preferment of the diuorce or diſſolution thereof: or againſt the ſaid late Queene Anne, or the ſaid Lady Elizabeth, or to any of their ſlanders, perils or deſheriſons: or haue wiſhed, willed, or deſired by words or writings, or inuented, imagined, practiſed or attempted any bodily harme to the ſaid late Queene Anne, or Ladie Elizabeth, or to depriue the ſame late Queene Anne, or Lady Elizabeth, or any of them, of the dignitie, title or name of their Royall eſtates, or haue ſpoken, done, or procured to be done, any other words, writings, printings, wiſhing, willing, thing or things, Act or Acts againſt the ſaid late Queene Anne or Lady Elizabeth, which is or might be deemed or interpreted for Treaſon, or miſpriſion of Treaſon by any conſtruction vpon any of the Statutes of this Realme heretofore made, ſhall be freely and cleerely pardoned, diſcharged, and releaſed by authoritie of this Act, of all thoſe and ſuch Treaſons and miſpriſions of Treaſons aboue mentioned. And that none of his ſaid louing ſubiects for any of the ſaid Treaſons or miſpriſions of treaſon aboue mentioned and ſpecified, ſhall hereafter at any time, by any manner of meanes be empeached, vexed, or troubled in their bodies, liues, lands, goods or cattels, any thing in this Act, or in any act or acts heretofore made for treaſons or miſpriſions of treaſon, to the contrary thereof notwithſtanding.

They pardoned which ſpake or did any thing againſt the K. marriage, Q. Anne or Lady Elizabeth.

And be it further enacted by authority aforeſaid, that the ſaid late Queene Anne, George Bolein, late Lord Rochford, Henry Norris, Eſquier, Francis VVeſton Knight, VVilliam Brereton, Eſquier, and Marke Smeton, for their abhominable and deteſtable treaſons, by them and euery of them moſt abhominably and traiterouſly committed and done againſt your Maieſtie and the Realme, ſhall be by authority of this preſent Parliament conuicted and attainted of high treaſon, in ſuch manner and forme, and accordingly as they bee, by the due courſe and order of your lawes of this Realme. And that the ſaid late Q. Anne, George Lord Rochford, Henry Norris, Francis VVeſton, VVilliam Brereton, and Marke Smeton, and euery of them ſhall loſe and forfeit to your highneſſe and to your heires, all ſuch their manors, meaſes, lands, tenements, rents, reuerſions, remainders, vſes, poſſeſſions, offices, rights, conditions, and all other hereditaments, of what names, natures, or qualities ſoeuer they be, which they or any of them, or any other to their vſes, or to the vſe of any of them had, or ought to haue had of any eſtate of inheritance in fee ſimple or in tale, in vſe or poſſeſſion, at the dayes of their ſeuerall treaſons committed, limited, and expreſſed in their inditement, or at any time after. Sauing to euery perſon and perſons, and bodies politike, and to the heires, aſſignes and ſucceſſors of euery of them (other than to the ſaid late Queene Anne, and the other traitors afore named, and the heires, aſſignes, and ſucceſſors of euery of them, and all and euery other perſon and perſons claiming by them, or any of them, or to their vſes, or to the vſes of any of them, or to the vſe of any of their heires) all ſuch right title, vſe, poſſeſſion, intereſt, condition, fees, offices, rents, annuities, commons, and all other commodities, and hereditaments, whatſoeuer they or any of them might, ſhould or ought to haue had, if this act had neuer beene had, ne made.

Q. Anne Bolein and her complices attainted of high treaſon, & their lands ſhal be forfeit to the King.

The right of al others ſaued, but of the offenders, &c.

And ouer this, moſt Gracious Soueraigne Lord, for as much as it hath pleaſed your moſt Royall Maieſty, notwithſtanding the great and intolerable perils and occaſions, which your Highneſſe hath ſuffered and ſuſtained, as well by occaſion of your firſt vnlawfull marriage, ſolemniſed betweene your Highneſſe and the Lady Katherine, late Princeſſe Dowager, as by occaſion of the ſaid vnlawfull marriage betweene your Highneſſe and the ſaid late Queene Anne, at the moſt humble petition and interceſſion of vs your Nobles in this Realme, for the ardent loue, & feruent affection which your Highneſſe beareth to the conſeruation of the peace, and vnitie of the ſame, and for the good and quiet gouernance thereof, of your moſt excellent goodneſſe to enter into marriage againe, and haue choſen and taken a right Noble, Vertuous, and excellent Lady Queene Iane to your true and lawfull wife, and haue lawfully celebrated, and ſolemniſed marriage with her, according to the Lawes of holy Church: Who for her conuenient yeares, excellent beauty, and pureneſſe of fleſh and bloud, is apt, (God willing) to conceiue iſſue by your Highneſſe: which marriage is ſo pure and ſincere, without ſpot, doubt, or impediment, that the iſſue procreated vnder the ſame, when it ſhal pleaſe almighty God to ſend it, cannot be lawfully,

Q. Iane married to the King according to the Lawes of the Church.

truly, nor iuſtly interupted or diſturbed of the right and title in the ſucceſſion of your crowne: It may therefore now pleaſe your moſt gracious Maieſty, at the moſt humble petition, and interceſſion of vs your nobles and commons, aſſembled in this preſent Parliament, as well for the cleere extinguiſhment of all ambiguities, and doubts, as for a pure and perfect vnitie of vs your moſt humble and obedient ſubiects, and of all our poſterities, that it may be enacted by your moſt gracious and royall Maieſty, by conſent of vs the Lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by authoritie of the ſame in manner and forme as heereafter in articles enſueth.

First, foraſmuch as the marriage heretofore ſolemniſed betweene your Highnes, and the ſaid Lady Katherine, late Princeſſe dowager deceaſed, which afore was lawfull wife to your naturall brother Prince Arthur, and by him carnally knowen, as hath duly beene proued by ſufficient witneſſes, at all times was, is, and ought to be deemed and determined, to be againſt the lawes of almighty God, and not diſpenſable by any humane authoritie, and ſo hath beene deemed and determined, as well by the whole Clergy of this Realme, in both Conuocations, and by both the Vniuerſities thereof, as by the Vniuerſities of Bonony, Padua, Paris, Orleance, Tolowes, Aniew, and diuerſe other, and alſo by a great number of priuate writings of many right excellent well learned men: Be it therefore enacted by authoritie of this preſent Parliament, according as it was ordained, and enacted in the ſaid Act made in the laſt Parliament for the eſtabliſhment of your ſucceſſion, That the ſaid marriage heretofore had, and ſolemniſed betweene your Highneſſe and the ſaid Lady Katherine, which was before lawfull wife to the ſaid Prince Arthur your elder brother, and by him carnally knowen, as doth duely appeare by ſufficient proofe in a lawfull proceſſe had and made before the ſaid moſt reuerend father in God, Thomas, by the ſufferance of God Archbiſhop of Canterbury, Metropolitan and primate of all England, ſhall be by authoritie of this preſent Parliament diffinitiuely, cleerely, and abſolutely declared, deemed, and adiudged to be againſt the lawes of almighty God, and alſo accepted, reputed and taken of no value nor effect, but vtterly void and adnichiled: And that the ſeparation thereof made by the ſaid Archbiſhop ſhall be good and effectuall to all intents, and purpoſes, any licence, diſpenſation, or any other Act or Acts going before, or enſuing the ſame, or to the contrary thereof in any wiſe notwithſtanding. And that euery ſuch licence, diſpenſation, Act or Acts, thing or things, had, made, done, or to be done to the contrary thereof, ſhall be to all intents void, and of none effect, and ſo ſhall be reputed, and taken by and amongſt vs your true ſubiects and inhabitants, our heires and ſucceſſors of and in your Realme and Dominions for euer. And that the iſſue borne and procreated vnder the ſame vnlawfull marriage, made and ſolemniſed betweene your Highneſſe, and the ſaid Lady Katherine, ſhall be taken, deemed, and accepted, illegitimate to all intents, and purpoſes, and ſhall be vtterly forcloſed, excluded, and barred to claime, chalenge, or demand any inheritance as lawfull heyre to your Highneſſe by lineall diſſent.

The mariage betweene the K. and Queene Katherine void.

The Lady Mary illegetimate and not inheritable to the King.

And alſo for as much as the marriage ſolemniſed betweene your Highneſſe, and the ſaid late Queene Anne vpon true and iuſt cauſes, was, and is deemed, and adiudged by the ſaid moſt reuerend Father, to be of no value ne effect, and a diuorce and ſeparation thereof had, and made by the due order and proceſſe of the lawes of the Church of England, before the ſaid reuerend Father: Be it therefore enacted, by the authoritie of this preſent Parliament, that the ſame marriage betweene your Highneſſe and the ſaid late Queene Anne, ſhall be taken, reputed, deemed and adiudged to be of no force, ſtrength, vertue, nor effect: and that the ſeparation and diuorce thereof had by the ſentence and iudgement of the ſaid moſt reuerend Father, ſhall be good and effectuall, and ſo hereafter ſhall be taken and reputed for euer by all your ſubiects, their heires and ſucceſſors. And that none appeale, repeale, reuocation or adnullation thereof, or any part of the ſame, ſhal hereafter be had, taken, allowed or admitted in any behalfe. And that all the iſſues and children borne and procreated vnder the ſame marriage betweene your Highneſſe and the ſaid late Queene Anne, ſhall be taken, reputed, and accepted, to be illegitimate to all intents, and purpoſes, and vtterly forcloſed, excluded, and barred to claime, challenge, or demand any inheritance as lawfull heire or heires to your Highneſſe by lineall deſcent, the ſaid former Act made in the laſt Parliament, for the eſtabliſhment of your ſucceſſion, or any thing therein contained, or any other thing or things to the contrary thereof in any wiſe notwithſtanding.

The mariage betweene the King & Queene Anne was void, and the ſeparation & diuorce betweene them lawfull.

The Lady Eliſabeth illegitimate, and not inheritable to the King.

And furthermore, ſith many inconueniences haue fallen, as well within this Realme, as in others, by reaſon of marrying within the degrees of marriage, prohibited by Gods lawes, that is to ſay, the ſonne to marry the mother, or the ſtep-mother carnally knowen by his father, the brother the ſiſter, the father his ſonnes daughter, or his daughters daughter: or the ſonne to marrie the daughter of his father procreate and borne by his ſtep-mother: or the ſonne to marrie his aunt, being his fathers or mothers ſiſter: or to marrie his vncles wife carnally knowne by his vncle: or the father to marry his ſonnes wife carnally knowen by his ſonne: or the brother to marry his brothers wife carnally knowne by his brother: or any man married, and carnally knowing his wife, to marry his wifes daughter, or his wifes ſonnes daughter, or his wifes daughters daughter, or his wifes ſiſter.

Marriing within degrees prohibited by Gods law, and which be thoſe degrees 28. H. 8. 16.

And furthermore to dilate, and declare the meaning of theſe prohibitions, it is to be vnderſtood, that if it chance any man to know carnally any woman, that then all and ſingular perſons being in any degree of conſanguinitie or affinitie, as is aboue written, to any of the parties ſo carnally offending, ſhall be deemed and adiudged to be within the caſes and limits of the ſaid prohibitions of marriage. All which marriages, albeit they be plainly prohibited and deteſted by the lawes of God, yet neuertheleſſe at ſome times they haue proceeded vnder colours of diſpenſations by mans power, which is but vſurped, and of right ought not to be granted, admitted, nor allowed. For no man, of what eſtate, degree, or condition ſoeuer he be, hath power to diſpence with Gods lawes, as all the Clergy of this Realme in the ſaid Conuocations, and the moſt part of all the Vniuerſities of Chriſtendome, and we alſo doe affirme and thinke.

No man can diſpence with the law of God.

Be it therefore enacted by authoritie aforeſaid, according as it is declared and contained in the ſaid Act, made in the laſt Parliament for the eſtabliſhment of your ſucceſſion, that no perſon, or perſons, ſubiects, or reſiants of this Realme, or in any your dominions, of what eſtate, degree, or dignitie ſoeuer they be, ſhall from henceforth marry within the degrees afore rehearſed, what pretence ſoeuer ſhall be made to the contrary thereof. And in caſe any perſon or perſons, of what eſtate, dignitie, degree, or condition ſoeuer they be, that beene heretofore married within this Realme, or in any other the Kings dominions, within any the degrees aboue rehearſed, and by any the Archbiſhops, or Miniſters of the Church of England be ſeparate from the bond of ſuch vnlawfull marriages: that then euery ſuch ſeparation ſhall be good, lawfull, firme and permanent for euer, and not by any power, authoritie or meanes, to be reuoked or vndone hereafter. And that the children proceeding or procreate vnder ſuch vnlawfull marriage, ſhall not be lawfull nor legitimate, any forraine Lawes, Licences, Diſpenſations, or other thing or things to the contrary thereof notwithſtanding. And that in caſe there be any perſon or perſons within this Realme, or in any the Kings dominions already married within any of the ſaid degrees aboue ſpecified, and not yet ſeparate from the bonds of ſuch vnlawfull marriage, that then euery ſuch perſon, ſo vnlawfully married, ſhall be ſeparate by the definitiue ſentence, and iudgement of the Archbiſhops, Biſhops, and other Miniſters of the Church of England, and in other your dominions, within the limits of their iuriſdictions and authorities, and by none other power or authoritie. And that all ſentences, and iudgements, giuen and to be giuen by any Archbiſhop, Biſhop, or other Miniſter of the Church of England, or in any other the Kings dominions, within the limits of their iuriſdictions, and authoritie, ſhall be definitiuely firme, good, effectuall to all intents, and be obſerued, and obeyed, without ſuing any prouocations, appeales, prohibitions, or other proceſſe, from or to the court of Rome, to the derogation thereof, or contrary to the Act made ſince the beginning of the laſt Parliament for reſtraint of ſuch prouocations, appeales, prohibitions, and other proceſſes.

No perſon ſhall marry within the degrees prohibited.

There ſhall be no appeales to the Church of Rome. 24. H. 8, 12.

And alſo be it enacted by authoritie aforeſaid, that all the iſſue hereafter to be had and procreate betweene your Highneſſe, and your ſaid moſt deere & entirely beloued lawfull wife, Queene Iane, ſhall be your lawfull children and heires, and be inheritable and inherit, according to the courſe of inheritance and lawes of this Realme, the imperiall Crowne of the ſame, with all dignities, honours, preeminences, prerogatiues, authorities, and iuriſdictions to the ſame annexed or belonging, in as large and ample manner, as your Highneſſe at this preſent time hath the ſame as King of this Realme, the inheritance therof to be and remaine to your ſaid children and right heires, in manner and forme as hereafter ſhall be declared, that is to ſay.

Firſt, the ſaid Imperiall crowne and other the premiſſes, ſhall be to your Maieſtie, and to your heires of your body lawfully begotten: that is to ſay, to the firſt ſon of your body betweene your Highneſſe and your ſaid lawfull wife Queene Iane begotten, and to the heires of the body of the ſame firſt ſonne lawfully begotten. And for default of ſuch heires, then to the ſecond ſonne of your body, and of the body of the ſaid Queene Iane begotten, and to the heires of the body of the ſame ſecond ſonne lawfully begotten, as aforeſaid, and ſo to euery ſonne of your body, and of the body of the ſaid Queene Iane begotten, and to the heires of the body of euery ſuch ſonne begotten, according to the courſe of inheritance in that behalfe.

The crowne of England entailed to the King & to the heires males of his body begotten, with ſeuerall remainders ouer.

And if it ſhall happen your ſaid moſt deere and entirely beloued wife Queene Iane to deceaſe without iſſue male of the body of your Highneſſe to be begotten (which God defend) then the ſame Imperiall crowne, and all other the premiſſes to be to your Maieſty, as is aforeſaid, and to the ſonne and heire male of your body lawfully begotten by any other lawfull wife, and to the heires of the body of the ſame ſonne and heire male lawfully begotten. And for default of ſuch iſſue, then to your ſecond ſonne of your body lawfully begotten, and to the heires of the body of the ſame ſecond ſonne lawfully begotten: and ſo from ſon and heire male, to ſon and heire male, and to the heires of the ſeuerall bodies of euery ſuch ſon and heire male lawfully begotten, according to the courſe of inheritance, in like manner and forme, as is aboue ſaid.

And for default of ſuch ſonnes of your body lawfully begotten: and of the heires of the ſeuerall bodies of euery ſuch ſonne lawfully begotten, that then the ſaid Imperiall crowne, and other the premiſſes, ſhall be to the iſſue female betweene your Maieſty and your ſaid moſt deere and entirely beloued wife Queene Iane begotten: and for lack of ſuch iſſue, then to the heires females of your body lawfull begotten by any other lawfully wife: that is to ſay, firſt to the eldeſt

For default of iſſue male of the Kings body, the crowne ſhall deſcend to the eldeſt iſſue female of his body begotten.

iſſue female, and to the heires of her body lawfully begotten, and ſo from iſſue female to iſſue female, and to their heires of their bodies one after another by courſe of inheritance according to their ages, as the Crowne of England hath beene accuſtomed and ought to ſucceed and goe, in caſe when there is heire female inheritable to the ſame.

The perils that might enſue to the Realme, for want of knowledge of a lawfull ſucceſſor to the Crowne.

And foraſmuch as it ſtandeth at this preſent time in the onely pleaſure and will of almighty God, whether your Maieſtie ſhall haue heires begotten and procreated betweene your Highneſſe and your ſaid moſt deere and entirely beloued wife Queene Iane, or elſe any lawfull heires and iſſues hereafter of your owne body begotten by any other lawfull wife, and if ſuch heires ſhould faile, as God defend, and no prouiſion made in your life, who ſhould rule, & gouerne this Realme for lack of ſuch heires: that then this Realme after your tranſitory life ſhall be deſtitute of a lawfull Gouernour: Or elſe percaſe encombred with ſuch a perſon, that would couet to aſpire to the ſame, whom the ſubiects of this realme ſhall not find in their harts to loue, dread, and obediently ſerue, as their ſoueraigne Lord. And if your Grace afore it may be certainly knowen, whether ye ſhall haue heires or no, ſhould ſuddenly name & declare any perſon or perſons to ſucceed after your deceaſe, and for lack of heires of your body lawfully begotten, into the royall eſtate of the Imperiall crowne of this Realme: then it is to be doubted, that ſuch perſon that ſhould be ſo named, might happen to take great heart, and courage, and by preſumption fall to inobedience and rebellion, by occaſion of which premiſſes great diuiſion and diſſention may be, and is very likely to ariſe, and ſpring in this Realme, to the great perill and deſtruction of vs your moſt humble and obedient ſubiects, and of all our poſterities, if remedy for the ſame ſhould not be prouided. For reformation and remedy whereof, wee your moſt bounden and louing ſubiects, moſt obediently knowledging, that your Maieſty moſt victoriouſly, prudently, politikely, and indifferently hath maintained, defended, gouerned, and ruled this Realme in good peace, reſt, quietneſſe and obedience, during all the time of your moſt gracious reigne, which wee moſt hartily deſire might continue for euer, putting all our whole truſt and confidence in your Highneſſe, and nothing doubting, but that your Maieſtie, if yee ſhould faile heires of your body lawfully begotten (which God defend) for the hartie loue and feruent affection, that ye beare to this Realme, and for auoyding all the occaſions of diuiſion afore rehearſed, ſo earneſtly mindeth the wealth of the ſame, that ye can beſt and moſt prudently prouide ſuch a Gouernour for vs and this your Realme, as ſhall, and will ſucceed, and follow in the iuſt, and right trade of all your proceedings, and maintaine, keepe, and defend the ſame, and all the lawes, and ordinances eſtabliſhed in your moſt gracious time for the wealth of this Realme, which all wee deſire, whereby wee your ſaid moſt louing and obedient ſubiects, and our heires and ſucceſſors, ſhall and may liue, as neere as may be, in as good peace, vnitie, and obedience after your deceaſe, as wee haue liued in the time of your moſt gracious reigne, Doe therefore moſt humbly beſeech your Highneſſe, that it may be enacted, for auoiding of all ambiguities, doubts, diuiſions, and occeſions in that behalfe, by your moſt royall Maieſty, by the aſſent of vs the Lords ſpirituall and temporall, and the commons in this your preſent Parliament aſſembled, and by authoritie of the ſame, that your Highneſſe ſhall haue full, and plenarie power, and authoritie to giue, diſpoſe, appoint, aſſigne, declare, and limit by your letters patents vnder your great Seale, or elſe by your laſt will made in writing, and aſſigned with your moſt gracious hand, at your only pleaſure, from time to time, hereafter the Imperiall crowne of this Realme, and all other the premiſſes thereunto belonging, to be, remaine, ſucceed, and come after your deceaſe, and for lack of lawfull heires of your body to be procreated and begotten as is afore limited by this Act, to ſuch perſon or perſons in poſſeſſion, and remainder, as ſhall pleaſe your Highneſſe, and according to ſuch eſtate, & after ſuch manner, forme, faſhion, order and condition as ſhall be expreſſed, declared, named, and limited in your ſaid letters patents, or by your ſaid laſt will. And we your moſt humble and obedient ſubiects, doe faithfully promiſe to your Maieſtie by one common aſſent, that after your deceaſe, and for lacke of heires of your body lawfully begotten, as is afore rehearſed, wee, our heires and ſucceſſors, ſhall accept, and take, loue, dread, ſerue and alonely obey ſuch perſon and perſons, males, or females, as your Maieſtie ſhall giue your ſaid Imperiall crowne vnto, by authority of this Act, and to none other, and wholly to ſticke to them, as true and faithfull ſubiects ought to doe, to their regall Rulers, Gouernours, and Supreme heads.

If the King die without iſſue of his body, hee may limit the crowne to any by his letters patents, or his laſt will in writing.

A ſubmiſſion to the Kings Aſſignee.

And for ſure corroboration thereof, be it further enacted by authoritie aforeſaid, that ſuch perſon and perſons, to whom it ſhall pleaſe your Maieſty to diſpoſe, limit, and aſſigne your ſaid Crowne, and other the premiſſes thereto appertaining, by your letters patents, or by your laſt will, as is aforeſaid, ſhall haue and enioy the ſame after your deceaſe, and for lack of heires of your body lawfully begotten, according to ſuch eſtate, and after ſuch manner, forme, faſhion, order and condition as ſhall be thereof expreſſed, mentioned, and contained in your ſaid letters patents, or in your ſaid laſt will, in as large and ample manner, as if ſuch perſon and perſons had beene your lawfull heires to the Imperiall crowne of this Realme, and as if the ſame crowne of this Realme had beene giuen and limited vnto them plainly and particularly by ſpeciall names and ſufficient termes, and words, by the full, and immediat authoritie of this your moſt high court of Parliament.

And it is further enacted by authoritie aforeſaid, that if any of your heires or children hereafter doe vſurpe the one of them vpon the other in the Crowne of this Realme, or claime or chalenge your ſaid Imperiall Crowne in any other forme, or degree of diſcent, or ſucceſſion than is afore limited by this act: Or if any perſon or perſons, to whom it ſhall pleaſe your Highneſſe, of your moſt excellent goodneſſe, by authoritie of this act to giue and diſpoſe your ſaid Crowne and Dignitie of this Realme, or the heires of any of them, doe at any time hereafter demand, chalenge, or claime your ſaid Crowne of this Realme, otherwiſe, or in any other courſe, forme, degree or condition, than the ſame ſhall be giuen, diſpoſed and limited vnto them by your Highneſſe, by vertue and authoritie of this act. Or if any ſuch perſon or perſons, to whom your Maieſtie ſhall hereafter giue, or diſpoſe your ſaid Crowne by authoritie of this act, or any of their heires, do interrupt or let any of the heires of your Maieſtie, that is, or ſhall be begotten, borne, and procreated vnder your lawfull, pure, ſincere and vndoubted marriage now had and ſolemnized betweene your Highneſſe and your ſaid moſt deere and entirely beloued wife Queene Iane, or any other your lawfull heires hereafter to be begotten of your body by any other lawfull marriage, peaceably & quietly to keep, haue, and enioy the ſaid Imperiall Crowne, and other the premiſſes, by courſe of inheritance according to the limitation thereof, expreſſed and declared by this act: that then all and ſingular the offenders in any of the premiſſes contrary to this Act, and all their abettors, maintainers, fautors, counſailors and aiders therein, ſhall be deemed and adiudged high traitors to the Realme, and that euery ſuch offence ſhall be accepted, reputed and taken to be high treaſon, and the offenders therein, their ayders, maintainers, fautors counſailers, and abetters, and euery of them, for euery ſuch offence ſhall ſuffer ſuch iudgement and paines of death, loſſes and forfeitures of lands, goods and priuileges of Sanctuary, as in any caſes of high treaſon. And ouer that as well your ſaid heires, and children, as euery ſuch perſon and perſons, to whom your Highneſſe ſhall limit your ſaid Crowne, in forme as is aforeſaid, and euery of their heires for euery ſuch offence aboue ſpecified, by them or any of them to be committed, ſhall loſe and forfeit as well all ſuch right, title, and intereſt, that they may claime or chalenge in or to the Crowne of this Realme, as heires by diſcent, or by reaſon of any gift or act that ſhall be done by your Highneſſe, for his or their aduancement, by the authoritie of this act, or otherwiſe by any manner of meanes or pretence whatſoeuer it be.

A meanes to preuent vſurpation of the Crowne, and the penalty of the vſurpers.

And be it further enacted by authoritie aforeſaid, That if any perſon or perſons of what eſtate, degree, dignitie, or condition ſoeuer they be at any time hereafter, by words, writing, imprinting, or by any exteriour act or deed, maliciouſly or willingly procure or do, or cauſe to be procured or done, directly, or indirectly, any thing or things to the perill of your moſt royall perſon, or to the perill of the perſon of any of your heires or ſucceſſors, hauing the royall eſtate of the Crowne of this Realme: Or maliciouſly or willingly giue occaſion by words, writing, print, deed or act, whereby your Highneſſe or any your ſaid heires or ſucceſſors, hauing the royall eſtate of the crowne of this Realme, might be diſturbed or interrupted of the Crowne of this Realme: Or by words, writing, print, deed or act, procure or do, or cauſe to bee procured or done, any thing or things, to, or for the interruption, repeale or adnullation of this act, or of any thing therein contained, or of any thing that ſhall be done by your Highneſſe in the limitation and diſpoſition of your Crowne by the authoritie of the ſame. Or by words, writing, print, deed, or act procure or cauſe to bee procured or done, any thing or things to the preiudice, ſlander, diſturbance, or derogation of the ſaid lawfull matrimonies, ſolemnized betweene your Maieſtie and the ſaid Queene Iane, or any other your lawfull wife, or wiues hereafter by your Highneſſe to be taken: Or to the perill, ſlander, or diſheriſon of any of the iſſues, and heires of your Highneſſe, being limited by this act to inherit, and to bee inheritable to the Crowne of this Realme, in ſuch forme as is aforeſaid: Or to the interruption or diſheriſon of any ſuch perſon or perſons, to whom your Highneſſe ſhall aſſigne and diſpoſe your ſaid Imperiall Crowne by authoritie of this act as is afore remembred: whereby any ſuch iſſues or heires of your Highneſſe, or ſuch other perſon or perſons might be deſtroyed, diſturbed, or interrupted in fame, body, or title of the inheritance to the Crowne of this Realme, as to them is limited in this Act, in forme aboue rehearſed, or as to them ſhall bee limited and aſſigned by your Highneſſe, by vertue and authoritie of this Act: Or if any perſon or perſons by words, writing, imprinting, or any other exteriour act, directly or indirectly accept, or take, iudge or beleeue any of the marriages had, and ſolemnized betweene the Kings Highneſſe, and the ſaid Lady Katherine, or betweene the Kings Highneſſe and the ſaid late Queene Anne, to bee good lawfull or of any effect: Or by words, writing, printing, or any other exteriour act, directly or indirectly ſlaunder, interrupt, impeach, gaineſay, or impugne the lawfull iudgements, and ſentences of the ſaid moſt reuerend Father in God, Thomas Archbiſhop of Canterburie, and Primate of all England, for and concerning the Diuorces and ſeparations of the ſaid vnlawfull marriages or any of them. Or by words, writing, print, or any other exteriour act, directly or indirectly take, accept, name, or call by any pretence any of the children borne and procreated vnder any of the ſaid vnlawfull marriages, to be legitimate and lawfull children of your Maieſtie. Or if any perſon or perſons craftily imagine, inuent, or attempt by colour of any pretence, to depriue the Kings Highneſſe, the Queene, or the

It ſhalbe high treaſon to write any of the offences hereafter ſpecified.

Treaſon to beleeue either of the marriages between the K. and the Lady Katherine or Anne to be good.

Treaſon to call Lady Mary or Lady Elizabeth legitimate.

heires

Attempting to depriue the King his heires or aſſignes of the Crowne.

Refuſing to take an oath to anſwer Interrogatories.

The offender ſhall forfeit his lands, leaſes and goods.

Other perſons rights ſerued.

heires of their bodies begotten, or any other the heires of the Kings body lawfully begotten, or any perſon or perſons, to whom the Kings Highneſſe ſhall diſpoſe, giue, and limit the Crowne of this Realme, by authoritie of this Act, or any of their titles, ſtiles, names, degrées, or royall eſtates or regall power. Or if any perſon or perſons at any time hereafter, being required or commanded by the Kings Highneſſe, or by ſuch perſon or perſons, as ſhall be authoriſed by his grace, or his lawfull heires, to make or take an oath, to anſwer to ſuch queſtions, and interrogatories as ſhall be obiected to them, vpon any clauſe, article, ſentence or word, contained in this Act, doe contemptuouſly or vtterly refuſe to make or take ſuch oath, or without fruſtratorie delay doe not make, or take the ſame oath: or after the making or taking ſuch oath, doe contemptuouſly refuſe directly to anſwer to ſuch queſtions and interrogatories, as ſhall be obiected concerning the ſame or any part thereof: that then euery ſuch perſon and perſons, of what eſtate, degrée or condition ſoeuer he or they be, and their ayders, counſellers, maintainers and abettors, and euery of them, for euery ſuch offence afore declared, ſhall be adiudged high traitors. And that euery ſuch offence afore ſpecified, ſhall be adiudged high treaſon, and the offenders therein, and their aiders, counſellers, maintainers, and abettors, and euery of them, being lawfully conuict of any ſuch offence by preſentment, verdit, confeſſion, or proceſſe, according to the cuſtome and lawes of this Realme, ſhall ſuffer paines of death, as in caſes of high treaſon. And that alſo euery ſuch offender, being conuict as is aforeſaid, ſhall loſe and forfeit to your Highneſſe, and to your heires or ſucceſſors Kings or regall Rulers of this Realme, all ſuch manors, lands, tenements, rents, annuities and hereditaments, which they had in poſſeſſion as owners, or were ſole ſeaſed of, by or in any right, title, or meanes, or any other perſon or perſons had to their vſe of any eſtate of inheritance, at the day of ſuch treaſons and offences by them committed, and done. And ſhall alſo loſe and forfeit to your Highneſſe and your ſaid heires, as well all manner ſuch eſtates of fréehold, and intereſt for yeares of lands, and rents, as all other goods, cattels and debts, which they had at the time of their conuiction or attainder, of any ſuch offence: Sauing alway to euery ſuch perſon, and perſons, and bodies politike, to their heires, aſſignes, and ſucceſſors, and to the heires and ſucceſſors of euery of them, (other then ſuch perſon as ſhall be ſo conuict, or attainted, and their heires and ſucceſſors, and all other claiming to their vſes) all ſuch right, title, vſe, intereſt, poſſeſſion, condition, rents, fées, offices, annuities, and commons, which they, or any of them, ſhall haue in or vpon any ſuch manors, lands, tenements, rents, annuities, or hereditaments, that ſo ſhall happen to be loſt and forfeit by reaſon of any conuiction or attainder, for any the treaſons and offences aboue rehearſed, at any time before the ſaid treaſons and offences committed.

None that committeth Treaſon ſhall haue the benefit of Sanctuary.

Be it alſo enacted by authoritie aforeſaid, that no perſon or perſons, offending in any the treaſons contained and limited by this Act, or in any other treaſons, ſhall in any wiſe haue and enioy the priuilege, or immunitie of any manner ſanctuarie within this Realme, or elſewhere within any the Kings dominions: but ſhall utterly loſe and be excluded of the ſame, any vſe, grant, cuſtome, preſcription, confirmation, or any other thing or things to the contrary hereof in any wiſe notwithſtanding.

If the King die, his heire within age, in whoſe cuſtody the ſame heire ſhall be.

And be it alſo enacted by authoritie aforeſaid, that if your Maieſtie ſhall happen to deceaſe before any ſuch your iſſue and heire male of your body, which ſhould inherite the Crowne of this Realme, ſhall be of his age of xviii. yeares, or before that ſuch your iſſue and heire female, which ſhould inherite the Crowne of this Realme, ſhall be married, or be of the age of ſixtéene yeares, (which almightie God defend) that then the ſaid iſſue and heire male to the Crowne, ſo being within the age of eightéene yeares, or your ſaid iſſue and heire female to the Crowne, ſo being unmarried, or within the ſaid age of ſixtéene yeares, ſhall be and remaine, vntill ſuch time as ſuch iſſues and heires ſhall come to their ſaid ſeuerall ages afore limited, at and in the gouernance of their naturall mother, and of ſuch other your counſellers, and nobles of your Realme, as your Highneſſe ſhall limit and appoint by your laſt will made in writing, ſigned with your moſt gracious hand, if it ſhall be thought by your Highneſſe moſt conuenient ſo to be: or elſe the ſaid iſſues and heires ſhall be at, and in the gouernance of ſuch of your Counſellers and Nobles of your Realme, as your Maieſtie ſhall name and appoint by your laſt will made in writing, and ſigned with your moſt gracious hand, as is aforeſaid. And if any perſon or perſons, by writing, printing, or exterior déed, or act, directly or indirectly, procure or doe, or cauſe to be procured or done any thing or things, to the let or diſturbance of the ſame: that then euery ſuch offence ſhall be high treaſon, and the offenders being thereof conuicted, ſhall ſuffer ſuch paines of death and loſſe of inheritance, priuileges of Sanctuaries, fréeholds, intereſts for yeares, goods, cattels, and debts, in ſuch manner and forme as is aboue ſpecified in caſes of treaſon afore mentioned.

And for the more ſure eſtabliſhment of the ſucceſſion of your moſt royall Maieſty, according to the tenour and forme of this Act, be it further enacted by the authoritie aforeſaid, that as well all the Nobles of your Realme ſpirituall and temporall, as all other your Subiects now liuing and being, or that hereafter ſhall be at their full ages, by the commandement of your Maieſtie, or of your heires or ſucceſſors, at all times hereafter from time to time, when it ſhall pleaſe your Highneſſe or your heires or ſucceſſors to appoint, ſhal make a corporall oath in the preſence of your Highneſſe, or your heires or ſucceſſors, or before ſuch other as your Maieſty or your heires or ſucceſſors will aſſigne for the ſame, for the keeping, obſeruing, defending, auowing, and maintaining of this act, and of all things that ſhall be done by your Highneſſe by authority thereof, according to the tenour of an oath hereafter enſuing, that is to ſay, Yee ſhall ſweare to beare faith, truth and obedience all only to the Kings Maieſty, ſupreme head in earth vnder God of the Church of England, during his life, and to his heires of his body of his moſt deere and entirely beloued lawfull wife Queene Iane, begotten and to be begotten and procreated: And further to the heires of our ſaid ſoueraigne Lord, according to the limitation in the ſtatute made for ſurety of his ſucceſſion in the Crowne of this Realme, in the Parliament begun and holden at Weſtminſter on the eight day of Iune, in the xxviii. yeare of the Kings moſt gracious raigne. And alſo for lack of ſuch heires, to ſuch perſon and perſons as the Kings Highneſſe ſhall limit and appoint to ſucceed to the Crowne, by vertue and authoritie of the ſame Act, and not to any other within this Realme, nor forreine authority, power, or potentate. And in caſe any other oath be made, or hath beene made by you to any perſon or perſons: that then ye to repute the ſame as vaine and adnichilate. And that to your cunning, wit, and vttermoſt of your power, without guile, fraud, or other vndue manner, ye ſhall obſerue, keepe, maintaine, and defend the ſaid act of ſucceſſion made in the ſaid Parliament, begun and holden at Weſtminſter in the ſaid viij. day of Iune, in the ſaid xxviij. yeare of the Kings moſt royall reigne, and all the whole effects, and contents thereof, and all things that ſhall be done by the Kings Highneſſe by authoritie of the ſame, and all other Acts and Statutes made in confirmation, or for execution of the ſame, or of any thing therein contained: and this ye ſhall doe againſt all manner of perſons, of what eſtate, dignitie, degree, or condition ſoeuer they be: and in no wiſe doe or attempt, nor to your power ſuffer to be done, or attempted directly, or indirectly any thing or things, priuily or appertly, to the let, hinderance, damage, or derogation thereof, or of any part of the ſame, or of any thing or things that ſhall be done by the Kings Highneſſe, by vertue or authority of the ſaid Act, by any manner of meanes, or for any maner of pretence, ſo help you God, all Saints, and the holy Euangeliſtes.

All the Kings Subiects ſhall take an oath for the performance of this Act.

The forme of the oath.

A diſpenſation of any former oath, and the ſame ſhall be reputed as void.

And it is alſo enacted by authoritie aforeſaid, that all manner your Subiects, as well ſpirituall as temporall, ſuing liuerie, or ouſtre le maine out of the hands of your Highneſſe, or of your heires or ſucceſſors, or doing any fealtie to your Highneſſe, or to your heires or ſucceſſors, by reaſon of tenure of their lands, ſhall ſweare the ſaid corporall Oath aboue mentioned, And that they, nor any of them, ſhall hereafter haue any liueries, ouſtre le maine, or reſtitution out of your hands, nor out of the hands of your heires or ſucceſſors, till they ſhall haue made the ſaid corporall Oath, in forme aboue rehearſed. And if any perſon or perſons, being commanded by authoritie of this Act, to make the ſaid oath afore limited, obſtinately or wilfully refuſe that to doe, or will proteſt and ſay, when they ſhall be examined vpon any Interrogatories, that ſhall be obiected to them, for or concerning this act, or any thing therein contained, that they be not bound to declare their thought and conſcience, and ſtiffely thereon abide: that then euery ſuch perſon ſo doing, for euery ſuch offence ſhall be taken and accepted for offender in high treaſon:

What ſort of perſons ſhall take this oath.

The penalty of refuſers to take the oath.

And that euery ſuch refuſall ſhall be deemed and adiudged high treaſon, and the offender therein, being as afore is limited, lawfully conuicted or attainted thereof by the lawes of this Realme, ſhall ſuffer ſuch paines of death, loſſes, and forfeitures, and alſo loſe priuileges of Sanctuaries, in like manner and forme as is aboue mentioned, for the treaſons afore limited by this Act.

And be it further enacted by authoritie of this preſent Parliament, that if it ſhall pleaſe the Kings Maieſty at any time hereafter, by his letters patents vnder his great Seale, or by his laſt will made in writing, and ſigned with his moſt gracious hand, to aduance any perſon or perſons of his moſt royall bloud to any title, ſtile, or name, of any eſtate, dignitie, or honour, whatſoeuer it be, and to giue to them, or to any of them, any caſtels, honours, manors, lands, tenements, liberties, franchiſes, or other hereditaments, in fee ſimple, fee taile, or for terme of their liues, or the life of any of them: that then all and euery ſuch letters patents, and laſt will of his Highneſſe, ſo to be made to any ſuch perſon or perſons of his bloud, ſhall be good and effectual to them, and euery of them, according to the tenour, purports, and effects of euery ſuch letters patents and laſt will. And that the ſaid perſon and perſons, and euery of them, ſhall haue and enioy as well all ſuch titles, ſtiles, and names of honour, dignitie and eſtate, which ſhall be contained, and expreſſed in any ſuch letters patents or laſt will of the Kings Highneſſe, as ſuch caſtels, honours, manors, lands, tenements, liberties, franchiſes, and all other hereditaments, which ſhall be ſpecified, and mentioned in euery ſuch letters patents, or laſt will, in ſuch manner, forme, faſhion, and condition, and according to ſuch eſtate, or eſtates in the law, as ſhall be expreſſed and limited in euery ſuch letters patents, or laſt will, in as large and ample manner to all intents and purpoſes, as if the titles, ſtiles, and name of honour, dignitie and eſtate, and the caſtles, honours, manors, lands, tenements, liberties, franchiſes, and other hereditaments, which ſhall be compriſed in any ſuch letters patents, or laſt will to bee made, were

Honors, titles, ſtiles or lands giuen by the K. letters patents or laſt will to ſome of his kin.

already giuen by good and ſufficient letters patents to ſuch perſon or perſons of the Kings bloud by their ſpeciall names and ſurnames, and ratified and confirmed by authority of this preſent Parliament: Or as if the names of ſuch perſon or perſons, ſo being of the Kings bloud, and ſuch titles, ſtiles, names, caſtles, honours, manors, lands, tenements, liberties, franchiſes, or other hereditaments, had beene ſpecially named, and expreſſed in this act, and giuen to ſuch perſon or perſons of the Kings bloud by their proper names and ſurnames, by ſufficient words, termes, clauſes and ſentences, immediately by authority of this preſent Parliament. Sauing to all and euery perſon and perſons and bodies politicke, and to their heires, aſſignes and ſucceſſors other than to the Kings Highneſſe, his heires or ſucceſſors, all ſuch right, title, intereſt, poſſeſſion, rents, annuities, fees, offices, commons, rights, intereſts, petitions, conditions, and all other hereditaments, which they or any of them may or might claime, of, in, or to any the ſaid titles, ſtiles, names, caſtels, honours, manors, lands, tenements, liberties, franchiſes, and other hereditaments contained or mentioned in any ſuch letters Patents, or laſt wil, in as large and ample manner as if this act had neuer beene had nor made.

The rights and eſtates of all others ſaued.

And be it finally enacted by authoritie aforeſaid, that this preſent act, and euery clauſe, article, and ſentence compriſed in the ſame, ſhal be taken and accepted according to the plaine words and ſentences therein contained, and ſhall not be interpreted nor expounded by colour of any pretence or cauſe, or by any ſubtill arguments, inuentions or reaſons to the hinderance, diſturbance or derogation of this act, or any part thereof: Any thing or things, act or acts of Parliament heretofore made, or hereafter to be had done or made to the contrary thereof notwithſtanding. And that euery act, ſtatute, law, prouiſion, thing and things heretofore had or made, or hereafter to be had done or made contrary to the effect of this ſtatute, ſhall be void, and of no value nor force. ALT. 35. H. 8. 1. REP. 1. *M.* 1.

This Act ſhall be conſtrued according to the plaine words thereof.

CAP. VIII.

An Act for continuance of the Statutes of 21. *H.* 8. 10. 21. *H.* 8. 12. 23. *H.* 8. 17. and 24. *H.* 8. 9. againſt the cariage of Braſſe, Laten and Copper out of this Realme, And for making of Cables and Ropes: for the winding of VVools, and againſt killing of VVinelings vnder the age of two yeares. EXP. St. 1. *El.* 18.

CAP. IX.

An Act for continuance of the Statutes of 23. *H.* 8. 3. 23. *H.* 8. 2. 25. *H.* 8. 9. and 24. *H.* 8. 4. of Periury, for making of Iayles, for Pewterers, and for ſowing of Flax and Hempe. EXP. St. 1. *El.* 18.

CAP. X.

If any perſon ſhall extoll the authority of the Biſhop of Rome, hee ſhall incurre the penalty of *Premunire*, prouided Anno 16. *R.* 2. Euery Eccleſiaſticall and Lay Officer ſhall be ſworne to renounce the ſaid Biſhop and his authority, and to reſiſt it to his power, and to repute any oath taken in maintenance of the ſaid Biſhop or his authority to be void. And the refuſing of the ſaid oath being tendred ſhall be adiudged high treaſon. REP. 1. and 2. *P.* and *M.* 8. 13. *El.* 2.

CAP. XI.

Fruits taken during the vacation of a benefice, ſhall be reſtored to the next Incumbent, whoſe charge for firſt fruits ſhall begin from the firſt Vacation.

16. H. 8. 3.

Foraſmuch as in the Statute of the paiment vnto the Kings Maieſty, his heires & ſucceſſors of the firſt fruits of ſpirituall promotions, offices, benefices, & dignities within this realme, and other the Kings dominions expreſſe mention and declaration is not had, ne from what time the yeare ſhall be accounted, in which the firſt fruits ſhall be due and payable to his Highneſſe, that is to wit, whether immediately from the death, reſignation, or depriuation of euery incumbent, or from the time of admiſſion or new taking of poſſeſſion in euery ſuch promotion.

And alſo by reaſon that in the ſame Statute it is not declared who ſhall haue the fruits, tithes and other profits of the ſaid benefices, offices, promotions, and dignities ſpirituall, during the time of vacation thereof, diuers of the Archbiſhops and Biſhops of this Realme, haue not only when the time of perceiuing and of taking tithes (that is to ſay) Wooll, Lambe, Corne, and Hay, and of tithes vſually paid at the holy time of Eaſter) hath approached, deferred the collation of ſuch benefices as haue beene of their owne patronage, but alſo haue vpon preſentations of Clerkes made vnto them by the iuſt Patrons, protracted and deferred to inſtitute, induct and admit the ſame Clerkes, to the intent that they might haue and perceiue to their owne vſe, the ſame tithes growing, during the Vacation: So that through ſuch delayes (ouer and aboue the firſt fruits, which be iuſtly due to the Kings Highneſſe) they haue beene conſtrained alſo to loſe all, or the moſt part of one yeares profits of their benefices, and promotions, and to ſerue the cure at their and their friends proper coſts and charges, or vtterly

The ordinaries delay to inſtitute Clerkes for their priuate gaine.

to forſake and giue ouer their benefices and promotions, to their great loſſe and hinderance.

For reformation whereof, it is ordained and enacted by the King our Soueraigne Lord, with the aſſent of the Lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by the authority of the ſame, that the ſaid yeare, in which the firſt fruits ſhall be paid to the Kings grace, ſhall begin, and be accounted immediatly after the auoidance or vacation of any ſuch benefice or promotion ſpirituall afore rehearſed. And that the tithes, fruits oblations, obuentions, emoluments, commodities, aduantages, rents, and all other whatſoeuer reuenues, caſualties, or profits certaine and vncertaine, affering or belonging to any Archdeaconrie, Deanery, Prebend, Parſonage, Vicarage, Hoſpitall, Wardenſhip, Prouoſtſhip, or other ſpirituall promotion, benefice, dignitie or office, (Chauntries only except) within this Realme, or other the Kings dominions, growing, riſing, or comming, during the time of vacation of the ſame promotion ſpirituall, ſhall belong, and affere to ſuch perſon, as ſhall be thereunto next preſented, promoted, inſtituted, inducted, or admitted, and to his executors, toward the payment of the firſt fruits, to the Kings Highneſſe, his heires and ſucceſſors: Any vſage, cuſtome, liberty, priuilege, or preſcription to the contrary had, vſed, or being in any wiſe notwithſtanding.

The next Incumbents charged to the King, ſhall begin from the firſt vacation of the benefice.

The fruits taken during the vacation of a benefice, ſhall be reſtored to the next Incumbent.
Coke pla. fo. 368.

And it is alſo enacted by the authoritie aforeſaid, that if any Archbiſhop, Biſhop, Archdeacon, Ordinary, or any other perſon or perſons, to their vſes and behoofe, at any time heretofore ſith the firſt day of May laſt paſt, haue perceiued, receiued, or taken, or at any time hereafter doe perceiue, receiue, or take the fruits, tithes, obuentions, oblations, emoluments, commodities, reuenues, rents, aduantages, profits, or caſualties, comming, growing, or belonging, or which hereafter ſhall come, grow, affere, or belong to any Archdeaconry, Deanery, Prebend, Parſonage, Vicarage, Hoſpitall, Wardenſhip, Prouoſtſhip, or other ſpirituall promotion, benefice, dignitie, or office (Chauntries only excepted) within this Realme, or other the Kings dominions, during the vacation of ſuch Archdeaconry, Deanery, Prebend, Parſonage, Vicarage, Hoſpitall, Wardenſhip, Prouoſtſhip, or other ſpirituall promotion, benefice, dignity or office (Chauntries only excepted.)

And the ſame vpon reaſonable requeſt from henceforth to be made, doth not render, reſtore, ſatiſfie, content, and pay to the next Incumbent, being lawfully inſtituted, inducted, or admitted to ſuch Archdeaconrie, Deanery, Prebend, Parſonage or Vicarage, or other promotion, benefice, dignitie, or office ſpirituall, except before excepted: or doe let or interrupt the ſaid Incumbent to haue the ſame: that then euery Archbiſhop, Biſhop, Archdeacon, Ordinary, or other perſon ſo doing, ſhall forfeit, and loſe the treble value of ſo much as hee ſhall then haue receiued of the fruits of euery Prebend, Parſonage, Vicarage, Hoſpitall, Wardenſhip, Prouoſtſhip, or other ſpirituall promotion, whereof hee ſo ſhall perceiue, receiue, or detaine, let, or interrupt the Incumbent, to perceiue, receiue, and haue the fruits, tithes, obuentions, oblations, emoluments, commodities, reuenues, rents, aduantages, profits, or caſualties: The moity of which forfeiture ſhall be to the King our Soueraigne Lord, and the other moity thereof to the Incumbent of the ſame Prebend, Parſonage, or Vicarage, or other ſpirituall promotion, to be recouered in any of the Kings Courts by action, bill, plaint, information, or otherwiſe, in which action or ſuit the defendant ſhall not be admitted to wage his law, nor any protection, or eſſoyne ſhall be vnto the defendant allowed.

The forfeiture of the Ordinarie which receiueth the fruits of a benefice during the vacation, and doth not reſtore them to the next Incumbent.

Prouided alway, that it ſhall be lawfull to euery Archbiſhop, Biſhop, Archdeacon, and Ordinarie, their officers and Miniſters, to retaine in his or their cuſtody, ſo much of the tithes, fruits, obuentions, oblations, emoluments, commodities, aduantages, rents, reuenues, caſualties, and profits, as ſhall amount to pay vnto ſuch perſon or perſons, as hath or ſhall ſerue or keep the cure of ſuch Archdeaconry, Deanery, Prebend, Parſonage, or Vicarage, or other ſpirituall promotion, during the vacation, his or their reaſonable ſtipend, or ſalary. And alſo for the collection, gathering, and leuying of ſuch tithes, fruits, emoluments, rents and other profits, riſing, and growing during the vacation aforeſaid: any thing in this Act contained to the contrary in any wiſe notwithſtanding.

What part of the fruits of a benefice the ordinary may retaine in his hands, and for what cauſes.

Prouided alſo, and be it further enacted by the authority aforeſaid, That in caſe any of the Incumbents aforeſaid, happen to dye, and before his death hath cauſed any of his glebe landes to be [a] manured and ſowen at his proper coſtes and charges with any corne or graine: that then in that caſe, all and euery of the ſame Incumbents may make and declare their teſtaments of all the profits of the corne, growing vpon the ſame glebe lands, ſo manured and ſowen. Any thing contained in this preſent Act in any wiſe notwithſtanding.

The Incumbents may declare their wils of any corne ſowen by them vpon their glebe lands.

And where alſo before this time diuerſe and many Parſons, Vicars, and other ſpirituall perſons, being ſeaſed for terme of their liues, of and in the ſaid ſpirituall promotions aforenamed, as well for great ſummes of mony to them before hand paid, as for other cauſes and conſiderations, haue let in ferme for terme of yeares, by ſufficient writings, their ſaid parſonages, vicarages, and other ſpirituall promotions, or part thereof, vnto diuerſe and many of the Kings Subiects, and after ſuch leaſes by them ſo made, the Leaſors thereof haue often times vſed to reſigne their ſaid benefices, or ſpirituall promotions, ſo demiſed and letten in ferme: by reaſon of which reſignation, and other the acts of the ſaid Leaſors, the ſaid benefices, and other ſpirituall promotions haue beene void, and the title and intereſts of the ſaid leaſes, hath beene thereby adnichilate, and of none effect in the Law, contrary to right and good conſcience. For reformation whereof, and for a quietneſſe the better hereafter to be had and continued betweene the Kings Subiects: Be it enacted by authority of this preſent Parliament, that from the foreſaid firſt day of May laſt paſt, no manner of ſuch leaſe, by ſufficient writing heretofore made, nor hereafter to be made by any ſpirituall perſon within this Realme of England, Wales, or the Marches of the ſame, to any lay perſon, of any Parſonage, Vicarage, or other ſpirituall promotion aforeſaid within this Realme, vpon which leaſe the rent and ſeruices reſerued, with other the yearely charges of the leaſe, as in ſeruing the cure, and otherwiſe, ſhall amount within forty ſhillings by the yeare, of as much as the ſaid Parſonage, Vicarage, or other ſpirituall promotion aforeſaid, ſo letten, is rated and valued at, vpon the Kings bookes, for paying the firſt fruits, ſhall be adiudged void, adnichilate, or determined, by reaſon of any ſuch reſignation, or other auoidance of the ſaid benefice or ſpirituall promotion ſo letten by the only act of the ſaid leaſor, but that euery ſuch leaſſee or grantee of any ſuch benefices or ſpirituall promotions aforeſaid, their executors or aſſignes, ſhall haue and may enioy their termes and intereſts of, and in the ſame, for the terme of ſix yeares, to be accounted next and immediately after the ſaid auoydance, if the ſaid leaſor doe ſo long liue, and the leaſe ſo by him before made, do ſo long continue and endure. And that after ſuch auoidance, the ſucceſſor or ſucceſſors of euery ſuch leaſor ſhall and may diſtraine for the rent and ſeruices ſo reſerued, and haue their actions of debt, and all other aduantages by way of action, entry, or otherwiſe, againſt the ſaid leſſee, his executors or aſſignes, for recouery of the ſaid rent, and couenants vpon the ſaid leaſe reſerued, as the leaſour thereof might haue had, if no ſuch auoidance had beene had.

If a ſpirituall perſon do demiſe his benefice for yeares and after doth reſigne or die, how long the leſſee may enioy it. ALT. 1. & 2. P. & M. 17.

And further be it enacted by the authoritie aforeſaid, that if hereafter it happen any ſuch leaſour to deceaſe, and dye before the end of the terme by him ſo made, and that there be one yeare at leaſt to come of the ſaid terme: that then it ſhall be lawfull to the leaſee thereof, his executors or aſſignes, to hold and enioy their ſaid leaſe to the end of the ſame yeare, wherein he is ſo entered at the time of his ſaid leaſors death, if his ſaid leaſe doe ſo long continue, bearing and paying vnto the ſucceſſor of euery ſuch leaſor, all ſuch rent and ſeruices, as for the remnant of the ſaid yeare ſhall vpon euery ſuch leaſe be due: for the recouery whereof the ſaid ſucceſſor ſhall and may haue all ſuch wayes and aduantages, as before is limited and giuen to the ſucceſſor, where his predeceſſor maketh ſuch leaſe and reſigneth.

The ſucceſſor ſhall haue the parſonage houſe, and the glebe not ſowne.

Prouided alway, that euery ſucceſſor after the death of his predeceſſor, may and ſhall haue vpon one moneths warning after the time of his induction, the manſion houſe of euery ſuch parſonage, vicarage, or other ſpirituall promotion aforeſaid, with the glebe belonging to the ſame, not being ſowne at the time of his ſaid predeceſſors death, for maintenance of his houſhold, deducting therefore in his rent as heretofore hath beene borne for the ſame, or as it is reaſonably worth: any thing in this ſaid act contained to the contrarie notwithſtanding.

How the Curat ſhall be paid his wages, if the fruit be not ſufficient.

Prouided alway, that if the fruits of the vacation of the ſaid ſpirituall promotions be not ſufficient to pay the Curates ſtipend, and wages for ſeruing the cure the vacation time, that then the ſame time to be borne and paid by the next incumbent within xiiii. dayes next after that he hath the poſſeſſion of the ſaid promotions ſpirituall. 1. *El.* 4.

CAP. XII.

The limits of the Kings Palace at Weſtminſter be from Charing Croſſe to Weſtminſter-Hall, which ſhall haue ſuch Priuileges as the Kings ancient Palaces haue. PR.

CAP. XIII.

Which ſpirituall perſons ſhall be reſident vpon their benefices, and which not, and for what cauſes.

A rehearſall of 21. H. 8. 13. touching reſidence of ſpiritual perſons vpon their benefices.

WHere in the Parliament begun at London, the third day of Nouember, in the xxi. yeare of the reigne of our Soueraigne Lord King Henry the viij. and from thence adiorned and proroged to the Palace of Weſtminſter, the xvij. day of December then next enſuing, amongſt other good acts and ordinances, then and there by the authority of the ſaid Parliament, it was eſtabliſhed ordained and enacted, that as well euery ſpirituall perſon, then being promoted to any Archdeaconry, Deanry, or dignitie in any Monaſtery, or Cathedrall Church, or other Church conuentuall or collegiall, or being beneficed with any Parſonage or Vicarage, as all and euery ſpirituall perſon and perſons, which ſhould after the feaſt of S. Michael the Archangell, which was in the foreſaid xxi. yeare of the reigne of our ſaid ſoueraigne Lord K. Henry the viii. be promoted to any of the ſaid dignities or benefices with any parſonage or vicarage, ſhould from the ſaid feaſt of S. Michael the Archangell, be perſonally reſident and abiding at and vpon his ſaid dignity, prebend or benefice, or at one of them at the leaſt. And in caſe any ſuch ſpirituall perſon at any time after the ſaid feaſt, kept not reſidence at one of his ſaid dignities, prebend or benefices (as is aforeſaid) but abſent himſelfe wilfully by the ſpace of one moneth together, or by the ſpace of two moneths, to be accounted at ſeuerall times in any one yeare, and make his reſidence and abiding in any other places by ſuch time: that then he ſhall forfeit for euery ſuch default, x. pound ſterling, as in the ſame act more plainly doth appeare. In which act among other prouiſions contained and ſpecified in the ſame, it was prouided, that the ſaid act of none reſidence ſhould not in any wiſe extend ne be preiudicall to any Scholler or Schollers, being conuerſant & abiding for ſtudy without fraud or couin at any Vniuerſitie within this Realme, or without, as by the ſame prouiſion doth alſo appeare more at large. Sithence the making of which good act and ſtatute, diuers and many perſons being beneficed with cure of ſoule (as is aforeſaid) and being not apt to ſtudy by reaſon of their age, or otherwiſe, ne neuer extending before the making of the ſaid act to trauell in ſtudy within any of the ſaid Vniuerſities, for the increaſe of learning, but rather minding and intending their owne eaſe, ſinguler lucre and pleaſure, by the ſame prouiſion colourably to defraud the ſame good ſtatute and ordinance, doe daily and commonly reſort and repaire to the ſaid Vniuerſities of Oxford and Cambridge, and to either of them, where they vnder the ſaid pretence and color of ſtudy doe continue and abide, liuing diſſolutely, nothing profiting themſelues by ſtudy at all in learning, but conſume the time in idleneſſe, and in other paſtimes and inſolent pleaſures, giuing occaſion and euill example thereby to other young men and ſtudents within the ſaid Vniuerſities, little or nothing regarding their cure, & charge of ſoules, contrary to the mindes, and intent of the makers of the foreſaid good ſtatute and ordinance. And alſo diuers and many old beneficed men haue and doe continually remaine there, neuer exerciſing nor practiſing their learning, to the example of vertue, and maintainance of the Common weale, in diſcharge of their conſcience, according to their duety, hauing neuertheleſſe, and occupying ſuch roomes and commodities as were inſtituted and ordained for the maintenance and releefe of poore Schollers, to the great hinderance and detriment of the ſame.

Generall perſons vnder the color of ſtudy in one of the Vniuerſities do endeuour to defraud the meaning of the ſtatute of 21.H.8. 13.

Be it therefore enacted by the King our Soueraigne Lord, with the aſſent of the Lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, That all and ſingular ſpirituall perſon and perſons, which now be, or hereafter ſhall be to any benefice or benefices promoted as is aforeſaid, being aboue the age of xl. yeares, (the Chancellor, Vicechancellor, Commiſſary of the ſaid Vniuerſities, or any of them; Wardens, Deanes, Prouoſts, Preſidents, Rectors, Maſters, Principals, and other head Rulers of Colleges, Hals, and other Houſes or places Corporate within the ſaid Vniuerſities, or any of them; Doctors of the Chaire, Readers of Diuinity, in the common ſchools of Diuinity, in any of the ſaid Vniuerſities only excepted) ſhall be reſident and abiding at, and vpon one of their ſaid benefices, according to the intent and true meaning of the ſaid former act, vpon ſuch paine and penalties as be contained in the ſaid former act, made and appointed for ſuch beneficed perſons for their none reſidence. And that none of the ſaid beneficed perſons being aboue the age aforeſaid, except before except, ſhal from henceforth be excuſed of their none reſidence vpon the ſaid benefices, for that they be ſtudents or reſiant within the ſaid Vniuerſities or any of them: any prouiſo, or any other clauſe or ſentence ſpecified or contained in the ſaid former act of none reſidence, or any other thing or things to the contrarie hereof in any wiſe notwithſtanding.

Which ſpirituall perſons may be diſcharged from reſidence vpon their benefices, and for what cauſe.

And ouer this be it enacted by the authority beforeſaid, that all and ſingular ſuch beneficed perſons being vnder the age of xl. yeares, reſiant and abiding within the ſaid Vniuerſities, or any of them, ſhall not enioy the priuilege and liberty of none reſidence contained in the prouiſo of the ſaid former act, made for the Schollers of the ſaid Vniuerſities or any of them, vnleſſe hee or they be preſent at the ordinary Lecture and Lectures, as well at home in their houſes, as in the common ſchoole or ſchooles: and in their proper perſon keeps ſophemes, problemes, diſputations, and other exerciſes of learning, and be opponent, and reſpondent in the ſame, according to the ordinances and ſtatutes of either of the ſaid Vniuerſities, where he or they ſhall be ſo abiding or reſiant, any thing contained in the ſaid prouiſo or former act to the contrary notwithſtanding.

Prouided alway that this act ſhall begin to take effect at the feaſt of S. Michael the Archangell next comming, and not before.

Prouided alway, that this act, nor any thing therein contained, ſhall extend to any perſon or perſons, which now is, or hereafter ſhall be readers of any publique, or common Lecture in Diuinity, Law ciuill, Phiſick, Philoſophy, Humanity, or of any of the liberall ſciences, or publike, or common interpreters or teachers of the Hebrew tongue, Caldy, or Greeke, in whatſoeuer College or place of any of the ſaid Vniuerſities the ſaid perſons for the time being, ſhall read the ſaid common or publique Lectures: Nor yet to any perſon or perſons, which after or aboue the age of xl. yeares, which ſhall reſort to any of the ſaid Vniuerſities to proceed Doctors in Diuinity, Law ciuill, or Phyſicke, for the time of their ſaid proceedings, and executing of ſuch Sermons, Diſputations, or Lectures, which they be bound by the Statutes of the Vniuerſities there to doe for the ſaid degrees ſo obtained.

Readers of Lectures or interpreters of tongues in either of the Vniuerſities.

Proceeding Doctor in Diuinity, Law, or Phyſicke.

CAP. XIV.

At what prices Wines ſhall be ſold.

No perſon ſhall ſell Gaſcoyne or Guyon wine aboue viii.d. the galon. Stat.7.Ed.6.5. 5.El.5. REP.1.Iac.25. & 21.Iac.28.

BE it enacted by authoritie of this preſent Parliament, that no perſon or perſons ſhall ſell any Gaſcoyne, Guyon, or French Wines aboue viij. pence the galon, that is to ſay, a penny the pint, two pence the quart, foure pence the pottle, and eight pence the Galon, vpon paine of forfeiture for euery pint to be ſold aboue the ſaid price, foure pence, and for euery quart ſold aboue the ſaid price, viij.d. and for euery pottle ſo ſold aboue the ſaid price, xii. d. And for euery galon ſo ſold, aboue the ſaid price afore limited, ij.s. And that no Malmeſeyes, Romneyes, Sacks, nor other ſweet Wines ſhall be ſold by retaile aboue xii. pence the galon, vi. pence the pottell, iii. pence the quart, and i.d.ob. the pint, vpon paine to loſe and forfeit iij.s.iiij.d. for euery galon, xx. pence for euery pottle, xii. d. for euery quart, and vi. pence for euery pint that ſhall be ſold contrary to this Act.

The prices of veſſels of wines ſhall be aſſeſſed by the Kings great Officers. St.37.H.8.23. 34.H.8.7.

Prouided alway, that the Lord Chancellor, Lord Treaſurer, Lord Preſident of the Kings moſt honorable Councell, Lord Priuy-ſeale, and the two chiefe Iuſtices of either Bench, or fiue, foure or thrée of them, ſhall haue power and authoritie by their diſcretions, to ſet the prices of all kinde of wines, that is to ſay, of the prices of the butte, ton, pype, hoggeſhead, poncheon, ters, barrell, or rundlet, when it ſhall be ſold in groſſe, ſo that they or any of them cauſe the prices by them ſet, to be written, and open proclamation thereof to be made in the Kings Court of Chancery openly in the Terme time, or elſe in the City, Borough or Towne, where any ſuch wines ſhalbe ſold in groſſe: any thing contained in this act to the contrary hereof notwithſtanding.

The forfeiture of them which ſell wines in groſſe, contrary to the prices aſſeſſed.

And it is further enacted, that if any perſon or perſons, after ſuch prices be ſet, and put in writing by the ſaid Lord Chancellor, Lord Treaſurer, Lord Preſident of the Kings moſt honorable Councell, Lord Priuie-ſeale, and the two chiefe Iuſtices, or by fiue, foure, or thrée of them, and proclamation thereof had (as is aforeſaid) doe ſell any wines in groſſe, by any fraud or couin, contrarie to the ſaid prices ſo ſet, and proclaimed: that then euery offender in that behalfe, ſhall loſe and forfeit for euery veſſell by them ſold in groſſe, contrarie to the ſaid prices, xl. s. the one halfe of all which forfeitures to be to the King our Soueraigne Lord, and the other halfe thereof, if it be within any City, Borough, or Towne corporat, to be to the Mayors, Sheriffes, Bayliffes, or other head rulers of ſuch Cities, Boroughes, or Townes corporat. And if it be without Citie, Borough, or Towne corporat, then to be to ſuch of the Kings Subiects as will ſue for the ſame. And that euery ſuch forfeiture ſhall be recouered by originall writ of debt, bill, plaint, or information, In which ſuit no wager of law ſhall be admitted, nor any protection or eſſoigne allowed.

I. of Peace and chiefe Officers in Boroughes, &c. ſhall enquire of, and puniſh offendors.

And it is alſo enacted, that the Iuſtices of Peace in euery Shire of this preſent Realme, and al Mayors, Sheriffes, Bayliffes, and other head Officers in Cities, Boroughes, and Townes corporat, that is to ſay, euery of them within the limits of their Commiſſions, and authorities, as well within franchiſes, as without, ſhall haue power and authority to examine, heare, inquire, and determine the defaults of ſuch as ſhall attempt to ſell any Wines in groſſe or by retaile contrary to this act, and to puniſh the offendors by impriſonment, or otherwiſe by their diſcretions.

The contents of euery veſſell of wine, and the Stat. of 1. R. 3. 13. and other Stat. made touching the ſame confirmed. St.18.H.6.17.

And whereas in the Parliament holden at Weſtminſter in the firſt yeare of the reigne of King Richard the third, among other things it was eſtabliſhed, ordained, and enacted, that euery tun of Wine ſhould containe CClij. gallons, euery butte of Malmeſey ſhould containe Cxxvj. gallons, euery pipe Cxxvi. gallons, euery tercyan or poncheon lxxxiiij. gallons, euery hoggeſhead lxiii. gallons, euery tierce xli. gallons, and euery barrell xxxi. gallons and di. and euery rondelet xviii. gallons and di. And that no veſſell ſhould be put to ſale, till it were gauged, vpon paine of forfeiture, as by the ſame Statute it doth appeare more at large. Neuertheleſſe great deceit is daily vſed in ſelling of Wines, and Oyles in Caſkes and Veſſels, not bearing the contents aboue limited, to the great loſſe of the Kings poore Subiects. For remedy whereof, it is enacted by the authoritie of this preſent Parliament, that the ſaid Statute made in the firſt yeare of King Richard the third, and all other Statutes heretofore made for true gauging and meaſuring of Wines, Oyles, Honey, or any other licours, which Statutes afore this time be not repealed nor expired, ſhall ſtand in their ſtrength and vertue, and be put in due execution, according to their tenours and effects in euery behalfe.

Euery veſſell of wine, &c. ſhal be truly gauged and marked vpon the head. St.27.Ed.3.8. 23.H.6.16.

And ouer that be it enacted by authoritie of this preſent Parliament, that euery gauger within this Realme ſhall truly and effectually within the limits of his office, gauge all the ſaid tons, buttes, pypes, terſes, poncheons, tercians, barrelles, hoggeſheads, and rundlets, and ſhall plainly and truly marke vpon the head of euery ſuch veſſell the content of the ſame, vpon paine to forfeit to the partie, to whoſe vſe the wine, oyle, or other thing therein being ſhall bée ſold, foure times the value of that which the veſſell ſo marked ſhall lacke of his lawfull content aboue written: the ſame forfeiture to be recouered ouer and beſide the coſtes of the ſuit, by the Kings originall writ, or by bill in any of the Kings Courts of his common lawes, or in any competent Court, hauing iuriſdiction in the place where that offence ſhall be committed, by action or bill of debt, in which action or ſuit none eſſoine, protection, nor wager of Law ſhall be accepted, admitted, or allowed to the defendant or defendants. And that euery merchant or other perſon, ſelling the ſaid wine, oyle, or other thing contained in the ſaid veſſell marked, ſhall allow of the price thereof to the buyer of the ſame, for euery quantity of wine, oyle, or other thing contained in the ſaid marked veſſell, the full value of the lacke thereof, being by reaſon of default of full gauge of the veſſell marked, or of default of filling of the ſame veſſell, or by reaſon of default of any of them, after the rate of the whole price of the wine, oyle, or other thing ſo being ſold by that veſſel marked: and that vpon paine of forfeiture to the ſame buyer the double value of the ſame veſſell and wine, oyle, or other thing therein being ſo ſold: the ſame forfeiture to be recouered together with the coſts of the ſuit, in manner and forme as the forfeiture laſt before written is limited to be recouered.

How he ſhall be recompenced which lacketh meaſure.

Cap. XV.

How Pirates on the ſea ſhall be tried and puniſhed.

Where traitors, pirates, theeues, robbers, murderers, and confederaters vpon the Sea, many times eſcaped vnpuniſhed, becauſe the triall of their offences hath heretofore been ordered, iudged, and determined before the Admirall or his Lieutenant, or Commiſſary, after the courſe of the Ciuill lawes, the nature whereof is, that before any iudgement of death can be giuen againſt the offenders, either they muſt plainly confeſſe their offences (which they will neuer doe without torture or paines) or elſe their offences be ſo plainly and directly proued by witneſſe indifferent, ſuch as ſaw their offences committed, which cannot be gotten but by chance at few times, becauſe ſuch offenders commit their offences vpon the Sea, and at many times murder and kill ſuch perſons, being in the ſhip or bote, where they commit their offences, which ſhould witneſſe againſt them in that behalfe, and alſo ſuch as ſhould beare witneſſe bee commonly mariners and ſhip-men, which becauſe of their often voyages and paſſages in the Seas, depart without long tarrying and protraction of time, to the great coſts and charges, as well of the Kings Highneſſe, as ſuch as would purſue ſuch offenders. For reformation whereof, bee it enacted by the authority of this preſent Parliament, That all treaſons, felonies, robberies, murders, & confederacies hereafter to be committed in, or vpon the ſea, or in any other hauen, riuer, creeke, or place where the Admirall or Admirals haue, or pretend to haue power, authority, or iuriſdiction, ſhall bee inquired, tried, heard, determined and iudged in ſuch ſhires, and places in the realme, as ſhall be limited by the Kings Commiſſion or Commiſſions to be directed for the ſame, in like forme and condition, as if any ſuch offence or offences had beene committed or done in or vpon the land, and ſuch Commiſſions ſhall bee had vnder the Kings great ſeale, directed to the Admirall or Admirals, or to his or their lieutenant, deputy and deputies, and to iij. or iiij. ſuch other ſubſtantial perſons, as ſhalbe named or appointed by the Lord[b] Chancellor of England, for the time being, from time to time, and as oft as need ſhall require, to heare & determine ſuch offences, after the common courſe of the lawes of this land, vſed for treaſons, felonies, robberies, murders, and confederacies of the ſame done and committed vpon the land within this Realme.

The inconuenience of triall of piracie by the courſe of the ciuill law.

Triall of offences committed vpon the ſea or &c. within the Admirals iuriſdiction by the Kings Commiſſion.

Dyer.fo.311.

And be it enacted by the authority aforeſaid, that ſuch perſons, to whom ſuch Commiſſion or commiſſions ſhall bee directed, or iiij. of them at the leaſt, ſhall haue full power and authority to enquire of ſuch offences, and of euery of them, by the oathes of twelue good, and lawfull inhabitants in the Shire limited in their commiſſion: in ſuch like manner and forme, as if ſuch offences had beene committed vpon the land within the ſame Shire. And that euery inditement found and preſented before ſuch Commiſſioners of any treaſons, felonies, robberies, murders, manſlaughters or ſuch other offences committed or done in and vpon the ſeas, or in or vpon any other hauen, riuer, or creeke ſhall be good and effectuall in the Law. And if any perſon or perſons happen to be indited for any ſuch offence done, or hereafter to be done vpon the ſeas, or in any other place aboue limited: that then ſuch order, proceſſe, iudgement and execution ſhall bee vſed, had, done, and made, to, and againſt euery ſuch perſon and perſons ſo being endited, as againſt traitors, felons, and murderers, for treaſon, felony, robbery, murder, or other ſuch offences done vpon the land, as by the Lawes of the realme is accuſtomed. And that the triall of ſuch offence or offences, if it be denied by the offendor or offendors, ſhalbe had by xij. lawfull men, inhabited in the ſhire limited within ſuch Commiſſion, which ſhall be directed as is aforeſaid, and no challenge or challenges to be had for the hundred. And ſuch as ſhall be conuict of any ſuch offence or offences, by verdict, confeſſion, or proceſſe by authority of any ſuch Commiſſion, ſhall haue and ſuffer ſuch paines of [c] death, loſſes of lands, goods, and cattels, as if they had beene attainted and conuicted of any treaſons, felonies, robberies, or other the ſaid offences done vpon the lands.

The Commiſſioners authority.

The puniſhment of the offenders.

fo.241.
391.a.

And be it enacted by authority aforeſaid, that for treaſons, robberies, felonies, murders, and confederacies, done vpon the ſea or ſeas, or in any place aboue rehearſed, the offenders ſhall not be admitted to haue the benefit of his or their Clergy, but bee vtterly excluded thereof and from the ſame, and alſo of the priuilege of any ſanctuary.

Prouided

Taking of things that may be ſpared vpon neceſſity, and paying for them.

Prouided alway, that this Act extend not to be preiudiciall, or hurtfull to any perſon or perſons, for taking any victuall, gables, ropes, ankers or ſayls, which any ſuch perſon or perſons (compelled by neceſſity) taketh of, or in any ſhip, which may conueniently ſpare the ſame, ſo the ſame perſon or perſons pay out of hand for the ſame victuall, gables, ropes, ankers or ſayles, money or money worth, to the value of the thing ſo taken, or do deliuer for the ſame a ſufficient bill obligatory, to be paid in forme following, that is to ſay, if the taking of the ſame things be on this ſide the ſtraits of Marroke, then to be paid within foure moneths. And if it be beyond the ſaid ſtraits of Marroke, then to be paid within twelue moneths next enſuing the making of ſuch bills. And that the makers of ſuch bills well and truly pay the ſame debt at the day to be limited within the ſaid bills.

Commiſſions directed into any place within the fiue Ports.

Prouided alway, that whenſoeuer any ſuch Commiſſion for the puniſhment of the offences aforeſaid, or of any of them, ſhall be directed or ſent to any place within the iuriſdiction of the fiue ports, that then euery ſuch commiſſion ſhall be directed vnto the Lord Warden of the ſaid ports for the time being, or to his deputie, and vnto three, or foure ſuch other perſon or perſons, as the Lord Chancellor for the time being ſhall name, and appoint: Any thing in this preſent act to the contrary notwithſtanding.

Prouided alway, that whenſoeuer any Commiſſion ſhall be directed vnto the fiue ports, for the inquiſition and trials of any the offences, expreſſed in this Act, that euery ſuch inquiſition and triall to be had by vertue of ſuch Commiſſion ſhall be made, and had, by the inhabitants in the ſaid fiue Ports, or the members of the ſame: Any thing in this Act to the contrary thereof notwithſtanding. Stat.27.Hen.8.4.

Cap. XVI.

Releaſe of ſuch who haue obtained licenſes from the See of Rome.

WHere the Biſhop of Rome and his predeceſſors, of his and their couetous, and ambitious minde, to the intent to aduance, and enrich themſelues, and the See of Rome, to the great impoueriſhing of this Realme of England, and other the Kings Dominions, contrary to Gods law, the lawes and ſtatutes of this Realme, and in derogation of the Imperiall crowne of this ſaid realme, haue heretofore wrongfully pretended, extorted, vſed, & exerciſed within the ſame, diuers and many vſurped powers, iuriſdictions, and authorities, during, and by the which time the ſaid Biſhop, and his predeceſſors, arrogantly, and iniuſtly haue taken vpon them for great ſummes of money, and other profits to them giuen, to grant vnto the Kings Subiects, and other inhabitants within this Realme, and other the Kings dominions, many, diuers, and ſundry authorities, immunities, faculties, priuileges, licences, indulgences, and preeminences, of diuers kindes, natures, and qualities: which although they proceeded by an iniuſt, and vſurped authoritie, haue beene vntill now of late by the Subiects of this Realme timorouſly, and ignorantly accepted, receiued, vſed, and erroniouſly put in exerciſe, and execution: the which vſurped authority, iuriſdiction, and power is now iuſtly, truly, and ought to be cleerely, and abſolutely extinguiſhed, extirped, and aboliſhed within this Realme and other the Kings dominions. And foraſmuch as all and euery ſuch perſon and perſons, bodies politike and corporat, which vnlawfully and without any manner of authoritie, or iuſt ground, heretofore haue timorouſly, and ignorantly accepted, receiued, vſed, and erroniouſly put in execution and exerciſe the ſaid faculties, immunities, authorities, priuileges, licences, indulgences, and preeminences, haue now ſincere, pure, and perfit intelligence, and knowledge of the ſaid vſurped authoritie, iuriſdiction and power: And that the ſaid faculties, authorities, priuileges, licences and indulgences, ſo as is aforeſaid accepted, receiued, vſed and erroniouſly exerciſed, were and beene to all intents and purpoſes, cleerely void, fruſtrate, and of none effect. Albeit if they ſhould be impeached, or interrupted of ſuch priuileges, liberties, preeminences, authorities, iuriſdictions, profits and other commodities, which they now haue, vſe, and exerciſe by colour of ſuch vaine, and void licences, diſpenſations, and faculties, it ſhould be to their intollerable inquietations, and vtter vndoing.

All Bulls and diſpenſations from the Biſhop or See of Rome to any Subiects of this Realme, ſhall be void.

Dyer.fo.233.
7.352.

Wherefore be it enacted by authority of this preſent Parliament, That all bulls, breues, faculties, and diſpenſations, of what names, natures or qualities ſoeuer they be of, heretofore had, or obtained of the Biſhop of Rome, or of any his predeceſſors, or by the authoritie of the See of Rome, by, or to any ſubiects, reſiants or bodies politike, or corporat of or in this Realme, or of or in any other the Kings Dominions, ſhall from henceforth be cleerely void and of no value, force, ſtrength, nor vertue, and ſhall neuer hereafter be vſed, admitted, allowed, pleaded or alleaged in any places or Courts of this Realme, or of any other the Kings Dominions, vpon the paines contained in the Statuts of prouiſion, and premunire, made in the ſixteenth yeare of the reigne of King Richard the ſecond. Yet notwithſtanding at the moſt humble petition and interceſſion of the Lords Spirituall, and Temporall, and the Commons in preſent Parliament aſſembled, it may pleaſe the Kings Maieſty, of his moſt gratious benignitie, goodneſſe, and bleſſed diſpoſition, that it may be enacted by authority of this Parliament, that all marriages, had and ſolemniſed within this Realme, or in any other the Kings dominions, before the third day of Nouember, in the ſix and twentieth yeare of the Kings moſt gratious reigne, whereof there is no diuorce, or ſeparation had by the Eccleſiaſticall lawes of this Realme, and which marriages be not prohibited by Gods lawes, limited and declared in the Act made in this preſent Parliament for the eſtabliſhment of the Kings ſucceſſion, or otherwiſe by holy Scripture, ſhall be by authoritie of this preſent Parliament good, lawfull, and effectuall, and ſhal be from the beginning of ſuch marriages reputed, eſteemed, taken, adiudged, receiued, approued, and allowed by the authority of this preſent Parliament, to all, and ſingular purpoſes, effects, and intents, as good, as ſufficient, and as uaileable, as though no impediment of matrimony had euer beene betweene them that haue contracted, and ſolemniſed ſuch marriages: And that all children procreated, and to be procreated, in, and vnder ſuch marriages, ſhall be lawfull to all intents and purpoſes.

Stat. 28. H. 8. 7. A confirmation of former lawfull marriages.

And that it may be alſo enacted by the authoritie of this preſent Parliament, That all Archbiſhops and Biſhops of this Realme, or of any the Kings dominions conſecrated, and at this preſent time taken, and reputed for Archbiſhops and Biſhops, may by authoritie of this preſent Parliament, and not by vertue of any prouiſion, or other forrein authority, licence, faculty, or diſpenſation, keepe, enioy, and retaine their Archbiſhopricks and Biſhopricks, in as large, and ample manner, as if they had beene promoted, elected, confirmed, and conſecrated, according to the due courſe of the lawes of this Realme. And that euery Archbiſhop and Biſhop of this Realme, and of other the Kings Dominions, may Miniſter, vſe, and exerciſe all and euery thing and things, pertaining to the office or order of an Archbiſhop and Biſhop, with all tokens, inſignes, and ceremonies thereunto lawfully belonging.

A confirmation of all Archb. & Biſhops, and their authority, and other Eccleſiaſtill perſons and orders.

And that all Eccleſiaſticall perſons of the Kings Realme, and Dominions, which at this time be taken, had and reputed for Abbots, Priors, Abbaſſes, Prioreſſes, and other heads of religion (which be not neither ſhall be excluded from their dignities by the late Act of ſuppreſſion) and the religious perſons liuing vnder their obedience, and all perſons now taken and reputed as Maſters, Preſidents, Prouoſts, and Wardeins of Cathedrall Churches and Colleges, with the Companies and Fellowſhips of the ſame, all Prieſts & Clerkes, which haue receiued any of the Eccleſiaſticall Orders, all Archdeacons and Deanes, and other hauing Offices, Cures and dignities ſpirituall, may by authority of this Act, and not by the vertue of any forrein power or authority, adminiſter, vſe & exerciſe all things pertaining to their dignities, offices, orders, cures, religions and fellowſhips, and may lawfully hereafter vſe all tokens, inſignes, and ceremonies, which they haue beene accuſtomed to vſe in times paſt (ſo it be not expreſly againſt the lawes of God, & this Realme) any thing or things contained in any act or actes made ſithen the beginning of this preſent Parliament to the contrary of any the premiſſes in any wiſe notwithſtanding.

And where diuers, and many of the Kings ſaid Subiects haue purchaſed and obtained many diſpenſations, bulles, breues, and faculties of the Biſhop of Rome for the time being, or by authority of the See of Rome, as pluralities, vnions, trialties, appropriations, commendams, exemptions, and other bulls, breues, and faculties, for diuers cauſes, and matters, other than be afore expreſſed, which be of no ſtrength or vertue, It may therefore pleaſe the Kings Maieſtie, that it may be enacted by authoritie aforeſaid, that all and euery his ſaid Subiects during the time of one whole yeare next after the feaſt of S. Michael the Archangell next comming, may enioy, vſe, and haue by authoritie of this preſent Act, and not by the vertue of the ſaid bulls, breues, and faculties, all and euery the effects contained and ſpecified in ſuch bulls, breues, and faculties, in all ſuch caſes only as may be diſpenſed with, by the Archbiſhop of Canterbury, by authoritie of the lawes and ſtatutes of this Realme.

And that it may be further enacted by authority aforeſaid, That all and euery the Kings ſaid Subiects, bringing, rendring, and deliuering to ſuch perſons of his Counſell, or of the Maſters of his Chancery, as the Kings Highneſſe ſhall name and appoint, any bulls, breues, or any other faculties, concerning any the premiſſes: that then if it ſhall appeare to ſuch perſons, as the Kings Highneſſe ſhall ſo name and appoint to receiue ſuch bulls, faculties, and breues, after due examination thereof had, that the effects contained and ſpecified in ſuch bulls, faculties and breues, or any part thereof, may be lawfully granted by the ſaid Archbiſhop of Canterbury, by authoritie of the lawes and ſtatutes of this Realme: that then and in euery ſuch caſe the Kings ſaid Subiects, making humble ſuit to haue the effects contained in the ſaid bulls, breues, and faculties to be granted vnto them, ſhall haue, receiue, and obtaine of the Chancellor of England, or keeper of the great Seale for the time being, by ſufficient writing in due forme to be made, and to be ſealed vnder the Kings [d] great Seale, all and euery ſuch effects contained and ſpecified in ſuch buls, breues and faculties, as may be lawfully granted by the ſaid Archbiſhop of Canterbury, by authority of the lawes and ſtatutes of this Realme, paying only for the ſealing of euery ſuch writing, xx. s. iiij. d. And ouer that for the reaſonable coſts for paines of the writing thereof, iij. s. iiij. d. and not aboue, and for the paine taken for due examination of euery ſuch bulls, breues, and faculties, iij. s. iiij. d. and not aboue. And that this preſent Act ſhalbe ſufficient, and immediat warrant to the Chancellor or keeper of the great Seale, for the enſealing and deliuery of ſuch licences, faculties, diſpenſations and other writings, which ſhalbe made, granted, and ſealed vnder the Kings great Seale by vertue and authority of this Act.

The effect and contents of buls, breues, faculties, &c. purchaſed of the See of Rome, which be allowable ſhalbe confirmed vnder the great Seale.

Dyer.fo.233. 7.152.

And it is alſo enacted by authoritie aforeſaid, that all and euery ſuch licence, diſpenſation, faculty, confirmation, or other writing, to be had, made, or granted vnder the Kings great Seale out of the ſaid Court of Chancery by authority of this Act, in forme as is aboue rehearſed, ſhall be good and effectuall to the ſaid parties ſuing for the ſame, according to the tenor and effects thereof, and ſhall be admitted, accepted, and allowed in all Courts and places of this Realme, and in all other the Kings Dominions: any vſage, preſcription, forreine lawes, cuſtomes, or ordinance to the contrary thereof notwithſtanding. Stat. 1. & 2. P. & M. 8. 1. El. 1.

Cap. XVII.

Any inheritable to the Crowne (to be limited by K.H. 8.) after his age of xxiiij. yeares may repeale ſuch Statutes as were made in his time before the ſaid age. REP. 1. *Ed.6.* 11.

Cap. XVIII.

It ſhall be high Treaſon for any man to eſpouſe, marrie, or take to his wife any of the Kings children being lawfully borne, or otherwiſe commonly reputed for his children, or any of the Kings ſiſters or aunts of the part of the father, or any of the lawfull children of the Kings brethren or ſiſters, or to contract matrimony with any of them without the K. licence firſt had under the great Seale, or to deflower any of them being married. And the woman ſo offending ſhall incurre the like danger. REP. 1. *Ed.6.* 12. 1. *M.* 1.

ANNO TRICESIMO PRIMO HENRICI OCTAVI.

HENRY the eight by the grace of God, King of England and of France, Defendor of faith, Lord of Ireland, and in earth ſupreme head immediately vnder Chriſt of the Church of England, to the honour of Almightie God, conſeruation of the true doctrine of Chriſts Religion, and for the concord, quiet, and wealth of this his Realme, and Subiects of the ſame, held his moſt high Court of Parliament, begun at Weſtminſter the xxviij. day of Aprill, and there continued till the xxviij. day of Iune, the xxxj. yeare of his moſt noble, and victorious reigne, wherein were eſtabliſhed theſe Acts following.

Cap. I.

Iointenants and Tenants in common ſhall make partition by Writ.

FOraſmuch as by the common lawes of this Realme diuers of the Kings Subiects, being ſeiſed of manors, lands, tenements, and hereditaments, as ioynt tenants, or as tenants in common, with other of any eſtate of inheritance, in their owne rights, or in the right of their wiues, by purchaſe, deſcent, or otherwiſe, and euery of them ſo being ioynt tenants, or tenants in common, haue like right, title, intereſt, and poſſeſſion in the ſame manors, lands, tenements and hereditaments for their parts or portions ioyntly, or in common vndeuidedly together with other, and none of them by the law doth, or may know their ſeuerall parts, or portions in the ſame, or that that is his, or theirs, by it ſelfe vndeuided: and cannot by the lawes of this Realme otherwiſe occupy, or take the profits of the ſame, or make any ſeuerance, deuiſion, or partition thereof, without other, of their mutuall aſſents, and conſents: by reaſon whereof diuers and many of them, being ſo ioyntly and vndeuidedly ſeiſed of the ſaid manors, lands, tenements, and hereditaments, oftentimes of their peruerſe, couetous, and malicious mindes, and wills, againſt all right, iuſtice, equitie, and good conſcience, by ſtrength and power, haue not only cut, and fallen downe all the woods, and trees growing vpon the ſame, but alſo haue extirped, ſubuerted, pulled downe, and deſtroyed all the houſes, edificions, and buildings, meadowes, paſtures, commons, and the whole commodities of the ſame, and haue taken, and conuerted them to their owne vſes and behoofes, to the open wrong, and diſheriſon, and againſt the mindes, and wills of other, holding the ſame manors, lands, tenements, and hereditaments ioyntly, or in common with them, and they haue beene allwayes without aſſured remedy for the ſame.

Seuerall inconueniences enſuing by holding lands ioyntly, or in common, being vndeuided.

Be it therefore enacted by the King our moſt dread Soueraigne Lord, and by the aſſent of the Lords Spirituall and Temporall, and by the Commons in this preſent Parliament aſſembled, that all ioynt tenants, and tenants in common that now be, or hereafter ſhall be, of any eſtate, or eſtates of inheritance in their owne rights, or in the right of their wiues of any manors, lands, tenements or hereditaments within this realme of England, Wales, or the marches of the ſame, ſhall & may be coacted, and compelled, by vertue of this preſent act, to [e] make partition betweene them of all ſuch manors, lands, tenements, and hereditaments as they now hold, or hereafter ſhall hold as ioynt tenants, or tenants in common, [f] by writ De participatione facienda, in that caſe

Ioyntenants and tenants in common are compellable to make partition by writs. f Raſt.pla.fo.412. Coke.pla.fo.410.

e Dyer.fo.11 243.265.35 Bro.pi.n 3841.

caſe to be deuiſed in the King our Soueraigne Lords Court of Chauncery, in like manner and forme as Coperceners by the common lawes of this Realme haue béene, and are compelled to doe, and the ſame writ to be purſued at the common law.

Prouided alway, and be it enacted, that euery of the ſaid ioynt tenants, or tenants in common, and their heires, after ſuch partition made, ſhall, and may haue ayde of the other, or of their heires, to the intent to dereigne the warranty paramount, and to recouer for the rate, as is vſed betwéene Coperceners after partition made by the order of the common law, any thing in this act contained to the contrary notwithſtanding. 32.*H*.8.32. Coke.li.6.fo.12.

Euery of the ioyntenants and tenants in common ſhall haue ayd of the other.

Cap. II.

All fiſhing with Nets,&c.with intent to ſteale fiſh in the night,or breaking the head of a pond to take fiſh ſhall be felonie.REP.1.*Ed.6*.12. 1. *M*.1.The penalty for fiſhing in any pond,ſtew,or more in the day time, without the owners conſent, is three moneths impriſonment, and after to finde ſuertie for his good abearing. ALT.5.*El*.21.

Cap. III.

The manors &c. of Thomas Lord Crumwell and of others, to the number of 34. perſons, being within the Countie of Kent and Gauelkind land, ſhall hereafter diſcend as lands at the Common law.

The King our Soueraigne Lord, for diuers conſiderations his Maieſty mouing, by authoritie of this his high Court of Parliament, enacteth, ordaineth, and eſtabliſheth, That as well all the lordſhips, manors, lands, tenements, woods, paſtures, rents, ſeruices, reuerſions, remainders, aduowſons, and all other whatſoeuer hereditaments, ſet, lying, and being within the countie of Kent, of the which Thomas Crumwell Knight of his honorable Order of the Garter, Lord Crumwell of Wimbildon, Lord Priuie-ſeale, Thomas Burgh Knight Lord Burgh, George Broke Knight Lord Cobham, Andrew Windſor Knight Lord Windſor, Thomas Cheine Knight Treaſurer of our ſaid Soueraigne Lord the Kings moſt honorable houſhold, Chriſtopher Hales Knight Maſt. of the Rolls of our ſaid ſoueraigne Lords Court of Chancerie, Thomas Willoughby Knight one of the Iudges of the Kings Court of the Common place, Anthony Saintleger Knight, Edward Wotton Knight, Edward Boueton Knight, Roger Cholmeley Knight Serieant at Law, Iohn Champneis Knight, Iohn Baker Squier, our ſaid ſoueraigne Lord the Kings generall Atturney, Reinold Scotte Squier, Iohn Guldford Squier, Thomas Kempe Squier, Edward Thwaitis Squier, William Roper Squier, Anthony Sandes Squier, Edward Iſaac Squier, Perciuall Hart Squier, Edward Monyns Squier, William Whetnall Squier, Iohn Fogge Squier, Edmund Fetyplace Squier, Thomas Hardres Squier, William Waller Squier, Thomas Wylford Squier, Thomas Moile Squier, Thomas Harlakinden Squier, Geffrey Lee Squier, Iames Hales, Henry Huſee, and Thomas Roidon Gentlemen, or any of them is, or be ſeiſed to his, or their owne vſe, or vſes, in fée ſimple, or in fée taile, the which now béene of the tenure, and nature of Gauelkind, and heretofore haue béene departed, or be departible betwéene heires males, by the cuſtome of Gauelkind, ſhall from henceforth be cléerely changed from the ſaid cuſtome, tenure, and nature of Gauelkind, and in no wiſe hereafter be departed, or departible by the ſaid cuſtome of Gauelkind, betwéene heires males, but ſhall remaine, reuert, abide, deſcend, come, and be, after and according as lordſhips, manors, lands, tenements, and other hereditaments doe, or may deſcend, remaine, reuert, abide, come, or be, according to the common law of this Realme, and as other manors, lands, and tenements being in the ſaid Countie of Kent, which neuer were holden by ſeruice of ſocage, but be and alwayes haue béene holden by knight ſeruice, do diſcend, remaine, reuert, abide, come and be: And in like manner to diſcend, and be diſcendable, remaine, reuert, come, and be inheritable to the heire or heires, after and according to the ſaid Common lawes of this Realme of England. And that all and ſingular the ſaid Lordſhips, manors, lands, tenements and other hereditaments, with the appurtenances of the ſaid Lord Crumwell, Lord Burgh, Lord Cobham, Lord Windſor, Thomas Cheine, Chriſtopher Hales, Thomas Willoughby, Anthony Seintleger, Edward Wotton, Edward Boueton, Roger Cholmeley, Iohn Champneis, Iohn Baker, Reinold Scotte, Iohn Guldford, Thomas Kempe, Edward Thwaites, William Roper, Anthony Sandes, Edward Iſaac, Perciuall Hart, Edward Monyns, William Whetnall, Iohn Fogge, Edmund Fetyplace, Thomas Hardres, William Waller, Thomas Wylford, Thomas Moile, Thomas Harlakinden, Geffrey Lee, Iames Hales, Henry Huſee, and Thomas Roidon, or of any of them, and which before the making of this Act haue béene of the ſaid nature and tenure of Gauilkind in the ſaid Countie of Kent, ſhall from henceforth be accepted, taken, inherited, déemed, and iudged to be, like as Lordſhips, manors, lands, tenements, and other hereditaments at the common law of this Realme, and in ſuch manner and forme as if the ſame manors, lordſhips, lands, tenements, and other hereditamens, had neuer béene of the ſaid nature of Gauelkind, any vſage or cuſtome in the ſaid countie of Kent heretofore had, accepted, or vſed to the contrary notwithſtanding. Sauing alwayes, and reſeruing to all and ſingular perſons, other than the ſaid

The cuſtome of Gauelkind in Kent in ſeueral perſons lands ſhall be changed, and ſhall diſcend according to the common law.

A ſauing of other mens rights, and of the right of any of theſe perſons in anothers lands.

Lord Crumwell, Lord Burgh, Lord Cobham, Lord Windſor, Thomas Cheine, Chriſtopher Hales, Thomas Willoughby, Anthony Seintleger, Edward Wotton, Edward Boueton, Roger Cholmeley, Iohn Champneis, Iohn Baker, Reinold Scotte, Iohn Guldford, Thomas Kempe, Edward Thwaites, William Roper, Anthony Sandes, Edward Iſaac, Perciual Hart, Edward Monyns, William Whetnall, Iohn Fogge, Edmund Fetyplace, Thomas Herdres, William Waller, Thomas Wilford, Thomas Moile, Thomas Harlakinden, Geffrey Lee, Iames Hales, Henry Huſee, and Thomas Roidon, or any of them, and to euery of them, againſt any other of them, all ſuch right, title, intereſt, and inheritance as they or any of them had before the making of this act, of, to, or in any of the ſaid manors, lands, tenements, woods, paſtures, rents, ſeruices, reuerſions, remainders, aduowſons, and other the premiſſes, as if this preſent Act had neuer béene had, nor made.

CAP. IIII.

The Mayor and Bayliffes of Exeter may breake all weares and lets in the riuer of Exe, and ſhal pay to the owners and Fermors of ſo much ground as they ſhall digge, the rate of twentie yeares purchaſe, of ſo much as ſhall be adiudged by the Iuſtices of Aſſiſe in the Countie of Deuon. PR.

CAP. V.

The Manor of Hampton Court, with diuers Lordſhips, lands and tenements thereunto vnited, ſhall be called the Honour of Hampton Court. And the King ſhall haue therein a Chaſe and free Chaſe, and Warren for all beaſts of venery, and fowles of Warren, which ſhall be called Hampton Court Chaſe. And all offendors in the ſame ſhall incurre ſuch penalties as the like offendors doe in any other Foreſt or Chaſe. And the ſaid Honour and Chaſe of Hampton Court, and all the manors and lands within the ſame ſhall be in the ſuruey and gouernance of the Court of Augmentations. The manor of Shippon in the Countie of Berks made parcell of the Duchy of Cornwall in reſpect of the manors of Biſlete, and Weibridge by this Act taken from the ſaid Duchie. PR.

CAP. VI.

Religious perſons enabled to purchaſe, ſue, and be ſued.

Religious perſons profeſſed ſhalbe enabled to purchaſe, ſue, and to be ſued, for any matter, or cauſe ſithence their deraignements.
32.H.8.24.
33.H.8.29.

BEe it enacted by authoritie of this preſent Parliament, That all and ſingular ſuch religious perſons, as well men, as women profeſſed, of what order, rule, or habit ſoeuer they were, which be, or hereafter ſhall be put at their liberties from the danger, ſeruitude, and condition of their religion, and profeſſion, wherunto they were profeſſed, by reaſon of ſuppreſſion, diſſoluing, forfeiture, by attainder, rendring, or otherwiſe giuing to the hands of the Kings Maieſty, or any other the ſame Monaſteries, Abbeis, Priories, or other religious houſes, or places, wherein the ſame religious perſons were profeſſed, ſhall by authority of this preſent Parliament, from and after the firſt day of the ſame Parliament, and from and after the time that they were, or ſhall be put at ſuch libertie, haue frée libertie to purchaſe to them and their heires in fée ſimple, fée taile, for terme of life, for yeares, or at wil, manors, lands, tenements, rents, annuities, and other hereditaments, and things whatſoeuer they be, in like manner, and forme, as though they or any of them had neuer béene profeſſed, nor entered into any ſuch Religion. And furthermore, that they the ſame religious perſons, and euery of them ſhall be made able by authority of this preſent Act, to ſue, and be ſued in all manner of actions, plaints, and ſuits, whatſoeuer they be, of, and for any matter, or cauſe growing ſithence, and after the time of their ſeuerall deraignements, or departing out of their religion, in all Courts and places within this Realme, as other the Kings Subiects be. And furthermore, that they and euery of them, ſhall and may from henceforth, vſe and exerciſe, receiue, take, haue, and enioy all, and euery lawfull thing, and things to be growen, fall, or happened to them, or any of them, after the ſaid deraignement, or departing out of their religion, in as large and ample manner, forme, and condition, as if they had neuer béene profeſſed, nor entred into religion, the ſame profeſſion, or religion, or any law, cuſtome, or vſe within this Realme to the contrary thereof in any wiſe notwithſtanding.

Religious perſons dereigned ſhall not ſue for any former right deſcended vnto them.
St.5.Ed.6.13.

Religious perſons being Prieſts, or that haue vowed religion at xxi yeares of age ſhall not marry.

Prouided alwayes, and be it further enacted by authoritie aforeſaid, that none of the ſame religious perſons, ſhall or may at any time hereafter be taken, déemed, or iudged for or as heire, or heires, or inheritable to any perſon or perſons, to any purpoſe, reſpect, conſtruction or intent in the law, nor that they nor any of them by vertue of this Act be receiued, admitted or déemed able in the law, to demand, challenge, receiue, or take any manors, lands, tenements, or hereditaments, or any other thing or things, by reaſon of or for any former title, right, intereſt, matter, or cauſe, had, made, done; or growen to any reſpect or purpoſe, before the ſaid ſeuerall deraignements or departings out of their religion. Nor that any of the ſaid religious perſons being Prieſts, or ſuch as haue auowed Religion at one and twenty yeares or aboue, and thereto then conſented, continuing in the ſame any while after (not duely prouing by witneſſe or other lawfull meanes ſome vnlawfull coherſion or compulſion done to them or any of them, for making of any ſuch vow, or conſtraining them to remaine in their religion) be enabled by vertue of any words, clauſe, or ſentence before in this act expreſſed, to marry or take any wife or wiues, but that they and euery of them be cleerely excluded and put from the ſame to all intents and purpoſes: any thing before in this Act contained to the contrarie hereof in any wiſe notwithſtanding.

CAP. VII.

A continuance vntill the laſt day of the next Parliament of the Statutes of 22.*H*.8.12. 27.*H*.8.25. 22.*H*.8.7. 26.*H*.8.11. 25.*H*.8.6. 21.*H*.8.10. 21.*H*.8.12. 23.*H*.8.17. 24.*H*.8.9. 23.*H*.8.3. 25.*H*.8.9. 24.*H*.8.4. 23.*H*.8.2. 28.*H*.8.6.8.9. concerning Beggars, &c. EXP. St.1. *El*.18.

CAP. VIII.

The King for the time being, with the aduice of his Councell, or the more part of them, may ſet forth Proclamations vnder ſuch penalties and paines, as to him and them ſhall ſeeme neceſſarie, which ſhall be obſerued as though they were made by Act of Parliament. But this ſhall not be preiudiciall to any perſons inheritances, offices, liberties, goods, cattels, or life. And whoſoeuer ſhall willingly offend any article contained in the ſaid Proclamations ſhall pay ſuch forfeitures, or be ſo long impriſoned as ſhall be expreſſed in the ſaid Proclamation. And if any offending will depart the Realme to the intent he will not anſwer his ſaid offence, hee ſhall be adiudged a Traitor. REP. 1.*Ed*.6.12. 34.*H*.8.23.

CAP. IX.

The King may nominate ſuch number of Biſhops, Sees for Biſhops, Cathedrall Churches, and endow them with ſuch poſſeſſions as he will. REP. 1.& 2.*P*.& *M*.8. 25.*H*.8.20. 8.*El*.1.

CAP. X.

How Lords in the Parliament ſhall be placed.

FOr as much as in all great Councels and Congregations of men, hauing ſundry degrees and offices in the Common wealth, It is very requiſit, and conuenient that an order ſhould be had, and taken for the placing and ſitting of ſuch perſons as beene bounden to reſort to the ſame, to the intent that they knowing their places, may vſe the ſame without diſpleaſure, or let of the Councell. Therefore the Kings moſt Royall Maieſty, although it appertaineth vnto his Prerogatiue Royall, to giue ſuch honor, reputation, and placing to his Councellors, and other his Subiects, as ſhall be ſeeming to his moſt excellent wiſdome, is neuertheleſſe pleaſed, and contented for an order to be had, and taken in this his moſt high Court of Parliament, that it ſhall be enacted by authority of the ſame, in manner and forme as hereafter followeth.

A knowen order of placing of great men according to their degrees is neceſſarie.

Firſt it is enacted by authority aforeſaid, that no perſon or perſons, of what eſtate, degree, or condition ſoeuer he, or they be of, (except only the Kings children) ſhal at any time hereafter attempt, or preſume, to ſit or haue place at any ſide of the cloth of eſtate in the Parliament chamber, neither of the one hand of the Kings Highneſſe, nor of the other, whether the Kings Maieſtie be there perſonally preſent, or abſent. And for as much as the Kings Maieſty is iuſtly, and lawfully ſupreme head in earth vnder God of the Church of England, and for the good exerciſe of the ſaid moſt royall dignity and office, hath made Thomas Lord Crumwell, and Lord priuy Seale his Vicegerent, for good and due miniſtration of Iuſtice to be had in all cauſes, and caſes touching the Eccleſiaſticall iuriſdition, and for the godly information and redreſſe of all errors, hereſies, and abuſes in the ſaid Church. It is therefore alſo enacted by authoritie aforeſaid, that the ſaid Lord Crumwell, hauing the ſaid office of Vicegerent, and all other perſons, which hereafter ſhal haue the ſaid office of the grant of the Kings Highneſſe, his heires or ſucceſſors, ſhall ſit, and be placed as well in this preſent Parliament, as in all Parliaments to be holden hereafter, on the right ſide of the Parliament chamber, and vpon the ſame forme that the Archbiſhop of Canterbury ſitteth on, and aboue the ſame Archbiſhop and his Succeſſors, and ſhall haue voice in euery Parliament to aſſent or diſſent, as other the Lords of the Parliament.

None ſhal ſit on either ſide of the cloth of eſtate.

The Kings Vicegerent in Eccleſiaſticall iuriſdiction.

And it is alſo enacted, that next to the ſaid Vicegerent ſhall ſit the Archbiſhop of Canterbury, and then next him on the ſame forme and ſide ſhall ſit the Archbiſhop of Yorke: and next to him on the ſame forme and ſide, the Biſhop of London: and next to him on the ſame ſide and forme the Biſhop of Dureſme: and next to him on the ſame ſide and forme, the Biſhop of Wincheſter, and then all the other Biſhops of both Prouinces of Canterbury and Yorke, ſhall ſit and be placed on the ſame ſide after their ancienties, as it hath beene accuſtomed.

How the Biſhops ſhall be placed in the Parliament houſe.

And foraſmuch as ſuch other perſonages, which now haue, and hereafter ſhall happen to haue other great Offices of the Realme, that is to ſay, the Offices of the Lord Chancellor, the Lord Treaſurer, the Lord Preſident of the Kings moſt honorable Councell, the Lord priuie Seale, the great Chamberlaine of England, the Conſtable of England, the Marſhall of England, the Lord Admirall, the Grand Maſter or Lord Steward of the Kings moſt honourable houſhold, the Kings Chamberlaine, and the Kings Secretarie haue not heretofore beene appointed and ordered

for

The Lord Chauncelor, Treaſurer, Preſident of the K. Counſel, and L. priuie Seale.

for the placing and ſitting in the Kings moſt high Court of Parliament by reaſon of their offices. It is therefore now ordained and enacted by the authoritie aforeſaid, that the Lord Chancellor, the Lord Treaſurer, the Lord Preſident of the Kings Councell, and the Lord Priuy ſeale, being of the degrée of Barons of the Parliament, or aboue ſhall ſit and be placed as well in this preſent Parliament, as in all other Parliaments hereafter to be holden, on the left ſide of the ſaid Parliament chamber, on the higher part of the forme of the ſame ſide aboue all Dukes, except onely ſuch as ſhall happen to be the Kings ſonne, the Kings brother, the Kings vncle, the Kings neuew, or the Kings brothers, or ſiſters ſonnes.

The great Chamberlaine, Conſtable, Marſhall, Admirall, Steward, &c.

And it is alſo ordained and enacted by authoritie aforeſaid, that the great Chamberlaine, the Conſtable, the Marſhall, the Lord Admirall, the great Maſter or Lord Steward, and the Kings Chamberlaine, ſhall ſit and be placed after the Lord Priuie Seale, in manner and forme following, that is to ſay, euery of them ſhall ſit and be placed aboue all other perſonages being of the ſame eſtates or degrées, that they ſhall happen to be of, that is to ſay, the great Chamberlaine, firſt, the Conſtable next, the Marſhall third, the Lord Admirall the fourth, the grand Maſter or Lord Steward the fifth, and the Kings Chamberlaine the ſixth.

The Kings chiefe Secretarie.

And it is alſo enacted by authoritie aforeſaid, that the Kings chiefe Secretarie, being of the degrée of a Baron of the Parliament, ſhall ſit and be placed afore and aboue all Barons, not hauing any of the offices afore mentioned. And if he be a Biſhop, that then he ſhall ſit and be placed aboue all other Biſhops, not hauing any of the offices aboue remembred.

Dukes, Marqueſſes, Earles, Vicounts, Barons.

And it is alſo ordained and enacted by authoritie aforeſaid, that all Dukes not afore mentioned, Marqueſſes, Erles, Vicounts, and Barons, not hauing any of the offices aforeſaid, ſhall ſit and be placed after their ancientie, as it hath béene accuſtomed.

The places of great Officers vnder the degree of Barons.

And it is further enacted, that if any perſon or perſons, which at any time hereafter ſhall happen to haue any of the ſaid offices of Lord Chancellour, Lord Treaſurer, Lord Preſident of the Kings Counſell, Lord Priuie ſeale, or chiefe Secretary, ſhall be vnder the degrée of a Baron of the Parliament, by reaſon whereof they can haue no intereſt to giue any aſſent or diſſent in the ſaid houſe, that then in euery ſuch caſe, ſuch of them as ſhall happen to be vnder the ſaid degrée of a Baron, ſhall ſit and be placed at the vppermoſt part of the ſackes, in the middeſt of the ſaid Parliament Chamber, either there to ſit vpon one forme, or vpon the vppermoſt ſacke, the one of them aboue the other in order, as is aboue rehearſed.

Places in trials by Peeres.

Be it alſo enacted by authoritie aforeſaid, that in all trials of treaſons by Péeres of this Realme, if any of the Péeres that ſhall be called hereafter to be tryors of ſuch treaſons, ſhall happen to haue any of the offices aforeſaid, that then they hauing ſuch offices, ſhall ſit and be placed according to their offices, aboue all the other Péeres, that ſhall be called to ſuch trials, in manner and forme as is aboue mentioned and rehearſed.

Places in the Starre chamber, and other aſſemblies.

And it is alſo enacted by authority aforeſaid, that as well in all Parliaments, as in the Starrechamber, and in all other aſſemblies and conferences of counſell, the Lord Chancellor, the Lord Treaſurer, the Lord Preſident, the Lord Priuie ſeale, the great Chamberlaine, the Conſtable, the Marſhall, the Lord Admirall, the grand Maſter or Lord Steward, the Kings Chamberlaine, and the Kings chiefe Secretary ſhall ſit and be placed in ſuch order and faſhion as is aboue rehearſed, and not in any other place, by authority of this preſent act.

CAP. XI.

The authoritie giuen to the King by the Stat. of 28. *H.* 8. 3. to alot the townes in Wales continued for three yeares. EXP.

CAP. XII.

It ſhall bee felony to take in the Kings ground any egge or bird of any faulcon, Goshauke, or Laner, out of the neaſt: or to finde and take vp any faulcon, Ierfaulcon, Ierken, Sacer, or Sacerit, Goſhawke, Laner, or Lanerit of the Kings, and hauing on it the Kings armes and veruiles, and doe not within twelue dayes bring or ſend the ſame to the Maſter of the Kings Haukes, or to one of his faulconers, or to the chiefe of the Shire: or betweene the riſing of the Sunne, and ſetting of the ſame, with his face hid or couered with hood, or viſert, or painted, or diſguiſed, to the intent he would not be knowen to enter into any forreſt chaſe or parke, of the Kings, Queenes, Princes, or any of the Kings children, or into any other ground of either of theirs incloſed with wall or pale, ordained for the keeping of Deere, to the intent to ſteale any of them, or to driue any of them forth of the ſame forreſt, in, or at any time of the day with his face hid, or diſguiſed to kill any Conies or Rabets within any ground being the lawfull Warren of the Kings, &c. in or within any of his or their Parkes: or in the night to enter into any park, chaſe, or forreſt of the Kings, &c. to the intent to ſteale any Deere: or into his or their warren to kill and ſteale any Conies. REP. 1. *Ed.*6. 12. 1. *M.* 1. St. 11. *H.* 7. 17. 3. *Ed.* 6. 17. 7. *Ed.* 6. 11.

Cap. XIII.

How Leaſes made of Manors belonging to Monaſteries diſſolued, and aſſured to the King, ſhall take effect.

Where diuers and ſundry Abbots, Priors, Abbeſſes, Prioreſſes, and other eccleſiaſtical gouernors, and gouerneſſes of diuers Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, and other religious and eccleſiaſtical houſes and places within this our ſoueraigne Lord the Kings realme of England and Wales, of their owne free and voluntary minds, good wils and aſſents without conſtraint, coaction, or compulſion of any manner of perſon or perſons, ſithen the iiij. day of February, the xxvij. yeere of the raign of our now moſt dread ſoueraigne Lord, by the due order and courſe of the common lawes of this his Realme of England, and by their ſufficient writings of record vnder their couent, and common ſeales, haue ſeuerally giuen, granted, and by the ſame their writings ſeuerally confirmed all their ſaid Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, and other religious and Eccleſiaſticall houſes and places, and all their ſites, circuits, and precincts of the ſame, and all and ſingular their Manors, Lordſhips, granges, meaſes, lands, tenements, medowes paſtures, rents, reuerſions, ſeruices, woods, tithes, penſions, portions, Churches, Chappels, aduowſons, patronages, annuities, rights, entries, conditions, commons, leets, courts, liberties, priuileges, and franchiſes appertaining or in any wiſe belonging, to any ſuch Monaſtery, Abbathy Priory, Nunnery, College, Hoſpitall, houſe of Friers, and other religious and Eccleſiaſticall houſes and places, or to any of them, by whatſoeuer name or Corporation, they, or any of them were then named or called, and of what order, habit, religion, or other kinde or quality ſoeuer, they or any of them then were reputed, knowne, or taken: To haue and to hold all the ſaid Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, and other religious and Eccleſiaſticall houſes and places, ſites, circuits, precincts, manors, lands, tenements, medows, paſtures, rents, reuerſions, ſeruices, and all other the premiſſes, to our ſaid ſoueraigne Lord, his heires and ſucceſſors for euer, and the ſame the ſaid Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, and other religious and Eccleſiaſticall houſes and places, ſites, circuits, precincts, manors, Lordſhips, granges, meaſes, lands, tenements, medows, paſtures, rents, reuerſions, ſeruices, and other the premiſſes voluntarily as is aforeſaid, haue renounced, left, and forſaken, and euery of them hath renounced, left and forſaken.

Diuers religious perſons haue ſurrendred the ſite of their Monaſteries & all their lands to the King.

Be it therefore enacted by the King our ſoueraigne Lord, and the Lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by authority of the ſame, that the King our ſoueraigne Lord ſhall haue, hold, poſſede, and inioy to him, his heires and ſucceſſors, for euer, all and ſingular ſuch late Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, and other religious and Eccleſiaſticall houſes and places, of what kinds natures, qualities, or diuerſities of habits, rules, profeſſions, or orders they or any of them were named, knowne, or called, which ſith the ſaid iiij. day of February the xxvij. yeere of the raigne of our ſaid Soueraigne Lord, haue been diſſolued, ſuppreſſed, renounced, relinquiſhed forfeited, giuen vp, or by any other mean come to his highneſſe, and by the ſame authority, and in like maner ſhall haue, hold, poſſede, and inioy all the ſites, circuits, precincts manors, lordſhips, granges, meſes, lands, tenements, medows, paſtures, rents, reuerſions, ſeruices, woods, tithes, penſions, portions, parſonages appropriated, Vicarages, Churches, Chappels, aduowſons, Nominations, patronages, annuities, rights, intereſts, entrees, conditions, [g] commons, leets, Courts, Liberties, priuileges, franchiſes, and other whatſoeuer Hereditaments, which appertained or belonged to the ſaid late monaſteries, abbathies, priories, nunneries, colleges, hoſpitals, houſes of friers, and other religious or eccleſiaſtical houſes and places, or to any of them, in as large and ample manner and forme, as the late Abbots, Priors, Abbeſſes, Prioreſſes, and other Eccleſiaſticall gouernours and gouerneſſes of ſuch late Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, and other religious and Eccleſiaſtical houſes and places, had, held, or occupied, or of right ought to haue had, holden, or occupied, in the right of their ſaid late Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, or other Religious and Eccleſiaſticall houſes or places, at the time of the ſaid diſſolution, ſuppreſſion, renouncing, relinquiſhing, forfeiting, giuing vp, or by any other manner of meanes comming of the ſame to the Kings Highneſſe ſithen the fourth day of February aboue ſpecified.

Monaſteries & their lands before ſurrendred or diſſolued, giuen to the King

And it is further enacted by the authority aforeſaid, that not only all the ſaid late monaſteries abbathies, priories, nunneries, colleges, hoſpitals, houſes of friers, and other religious and [h] eccleſiaſticall houſes and places, ſites, circuits, precincts, Manors, Lordſhips, granges, meaſes, lands, tenements, medowes, paſtures, rents, reuerſions, ſeruices, and all other the premiſſes, forthwith immediatly, and preſently, but alſo all other Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, and all other Religious and Eccleſiaſticall houſes and places, which hereafter ſhall happen to be diſſolued, ſuppreſſed, renounced, relinquiſhed,

[h] Coke. pl. f. 445. All houſes to be diſſolued and their lands giuen to the king.

Coke pla. fol. 187. 546.

The Scites & Lands of the Monaſteries ſhalbe in the actuall poſſeſſion of the King.

forfeited, giuen vp, or by any other meane come to the Kings highneſſe, and alſo all the ſites, circuits, procincts, Manors, Lordſhips, Granges, meaſes, Lands, tenements, Medowes, Paſtures rents, reuerſions, ſeruices, woods, tithes, penſions, portions, parſonages appropriat, Vicarages, Churches, Chappels, Aduouſons, Nominations, Patronages, Annuities, Rights, Intereſts, entrees, conditions, commons, leets, courts, liberties, priuileges, franchiſes, and other hereditaments whatſeuer they be, belonging or appertaining to the ſame, or any of them whenſoeuer, and as ſone as they ſhall be diſſolued, ſuppreſſed, renounced, relinquiſhed, forfeited, giuen vp, or by any other meane come vnto the Kings highneſſe [i], ſhall be veſted deemed, and adiudged by authority of this preſent Parliament, in the very[k] actual and reall ſeaſon and poſſeſſion of the King our Soueraigne Lord, his heires and ſucceſſors for euer, in the ſtate and condition as they now be, and as though all the ſaid late Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, and all other religious and Eccleſiaſticall houſes and places ſo diſſolued ſuppreſſed, renounced, relinquiſhed, forfeited, giuen vp or come vnto the Kings Highneſſe, as is aforeſaid, as alſo the ſaid Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, and other religious and Eccleſiaſticall houſes and places, which hereafter ſhall happen to be diſſolued, ſuppreſſed, renounced, relinquiſhed, forfeited, giuen vp, or come vnto the Kings highneſſe ſites, circuits, procincts, manors, Lordſhips, granges, lands, tenements, and other the premiſſes, whatſoeuer they be, and euery of them were in this preſent Act ſpecially and particularly rehearſed, named and expreſſed by expreſſe words, names, titles, and faculties, and in their natures, kinds and qualities.

All Abby lands ſhal be within the ſuruey of the Court of Augmentations, except ſuch which come by Attainder.

Other mens Titles ſaued.

And be it alſo enacted by the authority aforeſaid, that all the ſaid late Monaſteries, Abbathies Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, and other religious and eccleſiaſtical houſes and places, which being diſſolued ſuppreſſed renounced, relinquiſhed, giuen vp, or come to the Kings highneſſe by any manner of means as is aforeſaid, and all the Manors, Lordſhips, granges, lands, tenements, and other the premiſſes (except ſuch thereof as be come to the Kings hands by attainder or attainders of treaſon) and all the ſaid Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, and other religious and Eccleſiaſticall houſes, or places, which hereafter ſhall happen to bee diſſolued ſuppreſſed, renounced, relinquiſhed, forfeited, giuen vp, or come vnto the Kings highneſſe, and all the Manors, Lordſhips, Granges, lands, tenements medows, paſtures, rents, reuerſions, ſeruices, woods, tithes, portions, penſions parſonages appropriat, Vicarages, Churches, Chappels, aduouſons, nominations, patronages, annuities, rights, intereſts, entries, conditions, commons, leets, Courts, liberties, priuileges, franchiſes, and other hereditaments whatſoeuer they be, belonging to the ſame or to any of them (except ſuch therof, which ſhall happen to come to the Kings highneſſe by atteinder or atteinders of treaſon) ſhall be in the order, ſuruey and gouernance of our ſaid Soueraigne Lord the Kings Court of Augmentations of the reuenues of his Crowne, and of the Chancellors, officers, and miniſters of the ſame. And all the fermes, iſſues reuenues and profits, comming and growing of the premiſſes, and of euery part thereof (except before except) ſhalbe ordered, taken and receiued to the Kings vſe by the ſaid Chancellor, Miniſters and officers of the ſame court, in ſuch, and like manner and forme as the Monaſteries, Priories, ſites, circuits, manors, granges, meaſes, lands, tenements, rents, reuerſions, ſeruices, tithes, Penſions, Portions, aduouſons, Patronages, rights, entrees, conditions, and other hereditaments late appertaining, or belonging vnto the Monaſteries, Abbathies, Priories, or other religious houſes, late by authority of Parliament ſuppreſſed, beene ordered ſurueied and gouerned. Sauing to all and euery perſon, and perſons, and bodies politike and their heires and ſucceſſors, and the heires and ſucceſſors of all and euery of them, (other than the ſaid late Abbots, Priors, Abbeſſes, Prioreſſes, and other Eccleſiaſticall gouernors and gouerneſſes of the ſaid late Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, and other religious and Eccleſiaſticall houſes and places, and their ſucceſſors, and the ſucceſſor of euery of them, and ſuch as pretend to be Founders, Patrons or Donors of ſuch Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, and other Eccleſiaſticall houſes and places, or of any Manors, Meſuages, lands, tenements, or other hereditaments belonging to the ſame or to any of them, their heires and ſucceſſors, and the heires and ſucceſſors of euery ſuch founder patron, or donor and the now Abbots Priors, Abbeſſes, Prioreſſes, and other Eccleſiaſticall Gouernors, and gouerneſſes of ſuch Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, and other Religious and Eccleſiaſticall houſes and places, which hereafter ſhall happen to bee diſſolued, ſuppreſſed, renounced, relinquiſhed, forfeited, giuen vp, or come to the Kings highneſſe, and ſuch as pretend to be founders, patrons or donors of ſuch Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, and other Eccleſiaſticall houſes and places, or of any Manors, Meſuages, lands, tenements, or other hereditaments to the ſame belonging, or to any of them, their heires and ſucceſſors, and the heires and ſucceſſors of euery of them) all ſuch[l] Right, Title, Claime, Intereſt, Poſſeſſion, Rents, Charges, Annuities, Leaſes, Fermes, Offices, Fees, Liueries, and Liuings, Portions, Penſions, Corrodies, Commons, Synodes, Proxies, and other profits, which they, or any of them haue, claime, ought, may, or might haue had, in or to the premiſſes, or to any part or parcell therof, in ſuch like manner forme and condition, to all intents, reſpects, conſtructions, and purpoſes, as if this Act had neuer beene had ne made (rents, ſeruices, rents ſecke, and all other ſeruices and ſuits only except.)

Rents ſeruice rents ſecke and other ſeruices and ſutes excepted out of the ſauing.

Leaſes or grants made within a yeare of lands not vſed to be let to farme

Prouided alwaies, and be it enacted by the authority aboueſaid that if any late Abbot, Prior, Prioreſſe, Abbeſſe, or other Eccleſiaſticall gouernor or gouerneſſe aboueſaid, within one yeare next before the diſſolution, ſuppreſſion, renouncing, relinquiſhing, forfeiting, giuing vp, or comming to the Kings Highneſſe of his late Monaſtery, Abbathy, Priory, Nunnery, College, Hoſpitall, houſe of Friers, or other Religious or [m] Eccleſiaſticall houſe or place, hath made any leaſe or graunt vnder his couent or common ſeale, or otherwiſe for terme of life, or for terme of yeers, of the ſite, circuit, & precinct of his ſaid late Monaſtery, Abbathy, Priory, Nunnery, College, Hoſpital, houſe of Friers, or other religious or Eccleſiaſtical houſe or place; or of any part thereof, or of any manors, meſuages, graunges, lands, tenements, parſonages appropriat, tithes penſions, portions, or other hereditaments, which belonged or appertained to his ſaid late Monaſtery, Abbathy, Priory, Nunnery, College, Hoſpitall, houſe of Friers, or other religious or Eccleſiaſticall houſe or place, which Manors, Meſuages, graunges, lands, tenements, parſonages, appropriate, tithes, penſions, portions, or other hereditaments, were not before the ſame leaſe, commonly vſed to be ſet, nor let to ferme, but kept and reſerued in the manurance tillage, or occupation of the ſaid gouernor or gouerneſſe for the maintenance of hoſpitality, and good houſekeeping; or within one yeare as is aboueſaid, hath made any leaſe or grant for terme of life, or for terme of yeares, of any Manors, meſuages, lands, tenements, medowes, paſtures, woods, parſonages appropriate, tithes, penſions, portions, Churches, Chappels, or other hereditaments, whatſoeuer they be, wherof or in the which any [n] eſtate or intereſt for terme of life yeere or yeers at the time of the making of any ſuch graunt or leaſe, then had his being or continuance, and then was not determined, finiſhed, or expired, or within the time of one yeere, as is aboueſaid, hath made any leaſe or graunt for terme of life, or for terme of yeeres of any Manors, Meſuages, lands, tenements, medowes, paſtures, woods, parſonages appropriate, tithes, penſions, portions, Churches, Chappels, or other [o] hereditaments, whatſoeuer they bee, vpon the which leaſes and grants, the vſuall and old rents and fermes accuſtomed to bee yeelded and reſerued by the ſpace of twenty yeeres next before the firſt day of this preſent Parliament is and bee not thereupon reſerued and yeelden: Or if any ſuch gouernor or gouerneſſe hath made any bargaine or ſale of his woods within one yeere, as is afore limited, which woods bee yet growing and ſtanding, that then all and euery ſuch leaſe, graunt, bargaine and ſale of wood or woods ſhall be vtterly void and of none effect.

Leaſes made in reuerſion within one yeare before the diſſolution.

Leaſes made not reſeruing the old rent.

Wood ſales within one yeere before the diſſolution.

Feoffements, fines and recoueries, knowledged by Abbots of lands of the Kings gift, or of their ancient freedome.

And it is alſo enacted by the authority aforeſaid that all feoffements fines and recoueries had, made, acknowledged or ſuffered by any Gouernor or Gouerneſſe, without the Kings licence vnder his Great Seale, within one yeare next before the diſſolution, renouncing relinquiſhing, forfeiting, giuing vp or comming vnto the Kings Highneſſe of his ſaid Monaſtery, Abbathy, Priory, Nunnery, College, Hoſpitall, houſe of Friers, or other Religious or Eccleſiaſticall houſe or place, or any Manors, Meaſes, Lands, tenements, or other hereditaments whatſoeuer they be, which the ſaid late Abbot Prior, Abbeſſe Prioreſſe and other eccleſiaſtical gouernor and gouerneſſe, or any of them, or any of their predeceſſors had or held of the gift, grant, or confirmation of our ſaid Soueraigne Lord, or any of his Highneſſe progenitors, or of the which Monaſteries, Abbathies, Priories Nunneries Colleges, Hoſpitals, houſes of Friers, or other religious or Eccleſiaſticall houſes or places our ſaid Soueraigne Lord was Founder or Patron, or which Manors, meaſes lands, Tenements or other hereditaments were of the auncient or old foundation, or poſſeſſion of the ſaid late Monaſteries, Abbathies, Priories Nunneries Colleges Hoſpitals, houſes of Friers, or other religious or Eccleſiaſticall houſes or places, ſhall be vtterly void and of none effect.

And it is further enacted by the authority aboueſaid, that if any Abbot Prior, Abbeſſe Prioreſſe, or other Eccleſiaſticall gouernor, or gouerneſſe of any Monaſtery, Abbathy, Priory, Nunnery, College, Hoſpitall, houſe of Friers, or other Religious or Eccleſiaſticall houſe or place, which hereafter ſhall happen to be diſſolued, ſuppreſſed renounced relinquiſhed, forfeited, giuen vp or come to the kings highneſſe within one yeere next before the firſt day of this preſent parliament haue made, or hereafter doe make any leaſe or grant vnder his couent or common ſeale, or otherwiſe for terme yeeres, or life or liues, of the ſite, circuite, and precinct of his ſaid Monaſterie, Abbathie, Priorie, Nunnery, College, Hoſpitall, Houſe of Friers, or other Religious or Eccleſiaſticall houſe or place, or of any part thereof, or of any Manours Meſuages, lands, tenements parſonages appropriate, tithes, penſions portions, and other hereditaments belonging or appertaining to his ſaid Monaſtery, Abbathy, Priory, Nunnery, College, Hoſpital, houſe of Friers or other Religious or Eccleſiaſticall houſe or place, which Manours, Meaſes, granges, lands, tenements, parſonages appropriate, tithes, penſions, portions, and other hereditaments, whatſoeuer they bee, were not like the ſame leaſe commonly vſed to bee ſet nor let to ferme, but kept and reſerued in the manurance, tillage, or occupation of the ſaid Gouernour or Gouerneſſe, for the maintenance of Hoſpitality and good houſe keeping, or now bee

Leaſes of lands not vſually let of ſuch Monaſteries as hereafter ſhall be ſuppreſſed.

Leaſe of lands in leaſe.

[q] Coke pla. f. 372.

in the manurance, tillage or occupation of the ſaid Gouernor, or Gouerneſſe, for the maintenance of hoſpitality and good houſekeeping: or within one yeare next before the firſt day of this preſent Parliament, hath made, or hereafter ſhal make any leaſe or grant for terme of life, or for terme of yeares, of any manors, meaſes, lands, tenements, medowes, paſtures, woods, parſonages appropriat, tithes, penſions, portions, Churches, Chappels, or other hereditaments, whatſoeuer they be, whereof and in the which any [p] eſtate or intereſt for terme of life, yeare or yeares, at the time of the making any ſuch grant or leaſe then had his being [q] or continuance, or hereafter ſhall haue his being or continuance, And that was not determined, finiſhed, or expired, or at the time of any ſuch leaſe to be made ſhal not be determined, finiſhed, or expired or within one yeare next before the firſt day of this preſent Parliament hath made, or hereafter ſhal make any leaſe or grant for terme of life, or for terme of yeeres, of any manors, meſuages, lands, tenements, medowes, paſtures, woods, parſonages appropriat, tithes, penſions, portions, Churches, Chappels or other hereditaments, whatſoeuer they be, vpon the which leaſes and grants the vſuall and old rents and fermes accuſtomed to bee yeelden and reſerued by the ſpace of twenty yeeres next before the ſaid firſt day of this preſent Parliament is, or be not, or hereafter ſhall not be thervpon reſerued and yeelden: or of any ſuch Gouernor or Gouerneſſe of any ſuch Monaſtery, Abbathy Priory, Nunnery, College, Hoſpitall, houſe of Friers, or other Religious or Eccleſiaſticall houſe or place which hereafter ſhal happen to be diſſolued, ſuppreſſed, renounced, relinquiſhed, forfeited given vp, or come to the Kings Highneſſe, within one yeare next before the firſt day of this preſent Parliament, hath made or hereafter ſhall make any bargaine or ſale of his woods, which woods be yet growing and ſtanding, that then all and euery ſuch leaſe, grant, bargaine and ſale of wood or woods, ſhall be vtterly void and of none effect.

Leaſes of Abby Lands which are to bee diſſolued not reſeruing the old rent.

Wood-ſales made, or to be made within one yeare before the diſſolution.

And it is alſo enacted by the authority aforeſaid, that all feoffements, fines and recoueries, had made, knowledged or ſuffered within one yeere next before the firſt day of this preſent Parliament: or hereafter to bee had, made, knowledged or ſuffered by any Gouernor or Gouerneſſe of any Monaſtery, Abbathy, Priory, Nunnery, College, Hoſpitall, houſe of Friers or other religious or Eccleſiaſticall houſe or place, which hereafter ſhall happen to bee diſſolued, ſuppreſſed, renounced, relinquiſhed, forfeited, giuen vp or come to the Kings Highneſſe, without the Kings licence vnder his great Seale, of any manors, meaſes, lands, tenements, or other hereditaments, whatſoeuer they be, which the ſaid Abbots, Priors, Abbeſſes, Prioreſſes, and other Eccleſiaſticall Gouernors and Gouerneſſes, which hereafter ſhall happen to bee diſſolued, ſuppreſſed, relinquiſhed, forfeited, giuen vp, or come vnto the Kings highneſſe, as is aforeſaid, or any of them, or any of their predeceſſors had or held, or haue, and hold, of the gift, grant, or confirmation of our ſaid Soueraigne Lord, or of any of his highneſſe progenitors, or of the which Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, or other religious and Eccleſiaſticall houſes and places, our ſaid Soueraigne Lord is Founder or Patron, or which manors, meaſes, lands, tenements, or other hereditaments, were or be of the ancient or old foundation, or poſſeſſion of the ſaid Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, or other religious or Eccleſiaſticall houſes or places, ſhalbe vtterly void and of none effect.

Aſſurāces made by gouernors of houſes of religion ſuppreſſed of any of their lands, within one yeare before.

Prouided alway and bee it enacted by authority abouesaid, that if any Abbot, Prior, Abbeſſe or Prioreſſe, or other Gouernor or Gouerneſſe abouesaid, within one yeare next before the firſt day of this preſent Parliament, or if any late Abbot, Prior, Abbeſſe, Prioreſſe, or other late gouernor or gouerneſſe abouesaid, within one yeare next before any ſuch diſſolution, ſuppreſſion, renouncing, relinquiſhing, forfeiting, giuing vp, or comming to the Kings Highneſſe of the premiſſes, or of any parcell thereof, as is aforeſaid, haue made any demiſe, leaſe, or grant, to any perſon or perſons for terme of yeares, of any Manors, Meaſes, Lands, Tenements, Parſonages appropriat, tythes, Penſions, Portions, or other [q] hereditaments aforeſaid, which perſon or perſons at the time of the ſaid demiſe, leaſe, or graunt, had, and held the ſame to ferme for terme of yeares then not [r] expired: that then the ſaid perſon or perſons to whom any ſuch demiſe, leaſe, or grant hath been ſo made, ſhall haue, and hold the ſame for the terme of one and twenty yeares only from the time of the making of the ſaid demiſe, leaſe, or grant, if ſo many yeares bee by the ſame demiſe, leaſe, or grant ſpecified, limited, and expreſſed, or elſe for ſo many yeares, as in ſuch demiſe, leaſe, or grant beene expreſſed, ſo that the old rent be thereupon reſerued, and ſo that the ſame leaſe or leaſes exceed not xxi. yeares. This Act or any thing therein contained to the contrary notwithſtanding.

A leaſe for years made to the old leſſee for yeares within a yeare before the diſſolution, or of this Parliament.
[q] Coke pla. f. 188.

Prouided alſo, and be it enacted by the authority abouesaid, that if any Abbot, Prior, Abbeſſe Prioreſſe, or other late gouernor, or gouerneſſe within one yeare next before any ſuch diſſolution, ſuppreſſion, renouncing, relinquiſhing, forfeiting, giuing vp, or comming vnto the Kings highneſſe of the premiſſes or of any parcell thereof, as is aforeſaid, haue made any demiſe, leaſe, or grant to any perſon, or perſons, for terme of life or liues, of any manors, meaſes, lands, tenements, perſonages appropriate, tithes, penſions, portions, or other Hereditaments aforeſaid, which perſon, or perſons, or any of them, at the time of the ſaid demiſe, leaſe, or grant, had and held the ſame for terme of life or liues, or for terme of yeares then not expired: that then the

A leaſe for life, made to the old Leſſee for life or yeares.

ſaid perſon or perſons, to whom any ſuch leaſe or grant hath béene ſo made, ſhall haue and hold the ſame for terme of their life or liues, ſo that the old rent be thereupon reſerued: This Act or any other thing therein contained to the contrary thereof notwithſtanding.

Prouided alſo and bee it enacted by the authority aforeſaid, that all and ſingular leaſes and grants, made by copy to any perſon or perſons of any of the ſaid Meſſuages, lands, tenements, perſonages appropriat, tithes, penſions, portions, or other hereditaments aforeſaid, for terme of life or liues, which by the cuſtome of the Country, hath béene vſed to be demiſed, letten, or granted by copy of Court roll, ſhall be good and effectuall in the Law, ſo that the old rent be reſerued vp, and vpon euery ſuch leaſe and leaſes: this Act or any thing therein contained to the contrary in any wiſe notwithſtanding.

All Copies for life granted according to the Cuſtome ſhall be good.

Prouided alway, and be it further enacted by the authority aforeſaid, that all leaſes heretofore made of any of the premiſſes by authority of our Soueraigne Lord the Kings Courts of Augmentations [b], of the reuenues of his Crowne, and all ſuch leaſes, feoffements, and wood-ſales, made by the ſaid gouernor and gouerneſſes, or any of them vnder their Couent ſeales, or vnder the Couent or common ſeale of any of them, within one yéere next before the diſſolution, ſuppreſſion, renouncing, relinquiſhing, forfeiting, giuing vp, or comming to the Kings highneſſe, of the ſaid Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, or other religious or Eccleſiaſticall houſes or places, which ſaid leaſes, grants, feoffements, and wood-ſales haue béene examined, enrolled, decréed, or affirmed, in our ſaid Soueraigne Lord the Kings Court of Augmentations and the decrée of the ſame put in writing, ſealed with the ſeale of the ſaid Court of Augmentations, ſhalbe good and effectuall according to the ſame decrée, any clauſe or Act heretofore in this preſent Act to the contrary notwithſtanding.

Dyer fol. 80.

Leaſes allowed in the Court of Augmentations.

Prouided alway, and be it alſo further enacted by the authority aboueſaid, that if any perſon or perſons haue iuſtly and truly, without fraud, or couin, paied or giuen in any ſum or ſummes of money to any the ſaid late gouernors and gouerneſſes, for the bargaine and ſale of any woods, being and growing in, or vpon any manors, lands, tenements, or hereditaments, which appertained, or belonged to the ſaid late Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, or other religious or Eccleſiaſticall places, or vnto any of them, which bargaine and ſale, by authority of this Act is made void and of none effect, and by meane thereof the Kings highneſſe may haue and take the commodity and profit of ſuch woods, ſo bargained and ſold: that then the Chancellor and other officers of our ſaid Soueraigne Lord the Kings Court of Augmentations, or thrée of them, whereof the Chancellor for the time being ſhalbe one, of our ſaid Soueraigne Lord the Kings Treaſour, remaining in the Treaſury of the ſame Court, ſhall ſatiſfie and recompence euery ſuch perſon or perſons, ſuch ſum of money, or other recompence, as the ſame Chancellor & officers or thrée of them, whereof the ſaid Chancellor ſhall be one, ſhall thinke méet and conuenient. And if any other perſon or perſons, ſhal happen to take profit and commodity, by reaſon of auoiding of ſuch wood-ſales by authority of this Act, that then euery perſon and perſons, which may or ſhall take ſuch profit, ſhall be ordered for ſatiſfaction to bee made to the parties that ſhall happen to be gréeued by this Act, by the ſaid Chancellor and other the officers of the ſame Court.

How they ſhall be relieued which haue truly paid money for wood to any Eccleſiaſticall gouernor.

Prouided alſo and bee it further enacted by the authority aboueſaid, that all and euery perſon and perſons, their heires and aſſignes, which ſithen the ſaid fourth day of February, by licence pardon, confirmation, releaſe, aſſent or conſent of our ſaid Soueraigne Lord the King, vnder his great Seale, heretofore giuen, had or made, or hereafter to be had or made, haue obteined or purchaſed by Indenture, Fine, Feoffement, Recouery, or otherwiſe of the ſaid late Abbots, Priors, Abbeſſes, Prioreſſes, or other Gouernors or Gouerneſſes of any ſuch Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, or other religious or other Eccleſiaſticall houſes or places, any Monaſteries, Priories, Colleges, Hoſpitals, Manors, Lands, Tenements, Medowes, Paſtures, Woods, Churches, Chappels, parſonages, tithes, penſions, portions, or other hereditaments, ſhal haue and enioy the ſame, according to ſuch writings and aſſurances as béene thereof before the firſt day of this preſent Parliament, or hereafter ſhall be had or made.

Aſſurance to others by the K. licence of any Abbey lands.

Sauing to all and euery perſon and perſons, and bodies politike their heires and ſucceſſors, and to the Heires and Succeſſors of euery of them (other than the ſaid late Abbots, Abbeſſes, Priors, Prioreſſes, and other Gouernors and Gouerneſſes, and their Succeſſors, and the Succeſſors of euery of them, and ſuch as pretend to bee Founders, Patrons, or Donors of the Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, and other Religious or Eccleſiaſticall houſes or places, or of any of them, or of any Manors, Meſuages, Lands, Tenements, or other Hereditaments late belonging to the ſame, or to any of them, and their Heires Succeſſors, and the Heires and Succeſſors of euery ſuch Founder, Patron, or Donor) all ſuch right, title, intereſt, poſſeſſion, rents, annuities, commodities, offices, fées, liueries, and liuings, portions, penſions, corrodies, ſynodes, proxies, or other profits, which they or any of them haue, ought or might haue had, in, or to any of the ſaid Monaſteries, Abbathies, Priories Colleges, Hoſpitals, manors, lands, tenements, rents, ſeruices, reuerſions, tithes, penſions,

A ſauing of the right of others accrued vnto them before the ſaid purchaſe.

portions or other hereditaments, at any time before any ſuch purchas, indentures, fines, feoffements, recoueries or other lawful mean betwéen any ſuch parties had or made, as is aboueſaid, this Act or any thing therein contained to the contrary notwithſtanding.

A confirmation of the Kings purchaſes made ſithence 4. Februarij, An 27.H.8.

And where our ſaid Soueraigne Lord, ſith the fourth day of February the ſaid xxvij. yéere of the reigne of our ſaid Soueraigne Lord, hath obtained and purchaſed, as well by exchanges, as by gifts, bargaines, fines, feoffements, recoueries, déeds enrolled, and otherwiſe of diuers and ſundry perſons, many and diuers honors, caſtles, manors, lands, tenements, medowes, paſtures woods, rents, reuerſions, ſeruices and other hereditaments, and hath not onely paid diuers, and ſundry great ſums of money for the ſame, but alſo hath giuen and granted for the ſame, vnto diuers and ſundry perſons, diuers and ſundry manors, lands, tenements, and hereditaments, and other recompences in and for full ſatiſfaction of all ſuch honors, caſtles, manors, lands, tenements, rents, reuerſions, ſeruices and other his hereditaments, by his highneſſe obtained or had as is aboueſaid. Be it therefore enacted by the authority aboueſaid, that our ſaid ſoueraign Lord the King, his heires and ſucceſſors, ſhall haue, hold, poſſede and enioy all ſuch honors, caſtles manors, lands, tenements, and other hereditaments, as his highneſſe ſith the ſaid fourth day of February, the xxvij. yéere aboueſaid, hath obtained and had by way of exchange, bargaine, purchaſe, or other whatſoeuer meane or meanes, according to the true meaning and intent of his highneſſe bargaine, exchange or purchaſe, miſrecitall, miſnaming, or non-recitall, or not naming of the ſaid honors, caſtles, manors, lands, tenements and other hereditaments compriſed or mentioned in the bargaines or writings made betwéene the Kings highneſſe, and any other party or parties, or of the Townes or Countries, where the ſaid honors, Caſtles, manors, lands, Tenements and hereditaments lie and béen, or any other matter or cauſe whatſoeuer it be in any wiſe notwithſtanding.

A ſauing of the right of all others, but of the ſellers, their heires & wiues.

Sauing to all and euery perſon and perſons, and to their heires, bodies politike and corporat, and to their ſucceſſors, and to euery of them (other than ſuch perſon and perſons and their heires, and their wiues, and the wiues of euery of them, bodies politike and corporate, and their ſucceſſors and euery of them, of whom the Kings highneſſe hath obtained by exchange, gift, bargaine, fine, feoffement, recouery, déed enrolled or otherwiſe, any ſuch honors, caſtles, manors, lands, tenements, and other hereditaments, as is aforeſaid) all ſuch right, title, vſe, intereſt, poſſeſſion, rents, charges, annuities, commodities, fées and other profits, (rents, ſeruices, and rents ſeckes only except) which they or any of them haue, might or ought to haue had, in or to the premiſſes, ſo obtained and had, or in or to any parcell thereof, if this Act had neuer béene had nor made, this preſent Act or any thing therein contained to the contrary notwithſtanding.

An exception of rents ſeruices, & rents ſecke.

And where it hath pleaſed the Kings highneſſe of his moſt abundant Grace and goodneſſe, aſwell vpon diuers and ſundry conſiderations his Maieſty ſpecially mouing, as alſo otherwiſe to haue bargained, ſold, changed or giuen & granted by his graces ſeueral letters patẽts, indentures or other writings, as wel vnder his Highneſſe great Seale, as vnder the ſeale of his highneſſe Duchy of Lancaſter, & the ſeale of the office of the Augmentations of his crowne, vnto diuers, & ſundry of his louing and obedient ſubiects, diuers and ſundry honors, caſtles, manors, monaſteries abbathies, priories, lands, tenements, rents, reuerſions, ſeruices, parſonages appropriate, aduouſons, liberties, tithes, oblations, portions, penſions, franchiſes, priuileges, liberties and other hereditaments, commodities and profits in fée ſimple, fée taile, for terme of life or for terme of yéeres: for auoiding of which ſaid letters patents, & of the contents of the ſame, diuers, ſundry and many ambiguities, doubts and queſtions might hereafter ariſe, be moued and ſtirred, aſwel for miſrecitall; or non-recitall, as for diuers other matters, things or cauſes to be alleaged, obiected or inuented againſt the ſaid letters patents, as alſo for lack of finding of offices or Inquiſitions, whereby the title of his highneſſe therein ought to haue béen found, before the making of the ſame letters patẽts, or for miſrecitall, or non-recital of leſes, as well of record as not of record, or for lack of the certainty of the values, or by reaſon of miſnaming of the honors, caſtles, manors, monaſteries, abbathies, priories, lands, tenements and other hereditaments compriſed and mentioned within the ſame letters patents, or of the townes & counties, where the ſame honors, caſtles, manors, monaſteries, abbathies, priories, lands, tenements, rents & other hereditaments lien & béen, as for diuers and ſundry other ſuggeſtions & ſurmiſes which hereafter might happen to be moued, ſurmiſed & procured againſt yͤ ſame letters patents; albeit the words in effect cõtained in yͤ ſaid letters patents be according to the true intent & meaning of his moſt royal maieſty.

The Kings patents ſufficient notwithſtanding miſrecital, not finding of Offices, &c. St. 34.& 35.H.8. 21.

Be it therefore enacted by the authority of this preſent parliament, that aſwell all & euery the ſaid letters patents, indentures or other writings & euery of them, vnder yͤ ſeale or ſeales aboueſaid, or of any of them, made or granted by the kings highneſſe, ſithen the ſaid fourth day of Febr. the ſaid xxvij. yéere of his moſt noble raigne, as all and ſingular other his graces letters patents, indentures or other writings to bee had, made, or granted to any perſon or perſons within thrée yéeres next after the making of this preſent Act of any honors, caſtles, manors, monaſteries abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, or of other Religious or Eccleſiaſtical houſes or places, ſites, circuits, precincts, lands, tenemẽts, parſonages, tithes, penſions, portions, aduouſons, nominations, & all other hereditaments, & poſſeſſions, of what kinde, nature or quality ſoeuer they be, or by whatſoeuer name or names they or any of thembe named, knowne or reputed, ſhall ſtand and be good, effectuall and auaileable in the law of this Realme to all reſpects, purpoſes, conſtructions and intents againſt his Maieſty, his heires and ſucceſſors, without any other licence, diſpenſation or tollerance of the Kings Highneſſe, his heires, and ſucceſſors, or of any other perſon or perſons whatſoeuer they be, for any thing or things contained, or hereafter to be contained in any ſuch letters patents indentures, or other writings: any cauſe, conſideration or thing materiall to the contrary in any wiſe notwithſtanding.

A ſauing of the right of others in the lands aſſured by the King.

Sauing to all and ſingular perſons, bodies politike and corporate, their heires and ſucceſſors, and their heires & ſucceſſors of euery of them (other then his highneſſe, his heires and ſucceſſors, and the ſaid Gouernours, and Gouerneſſes, and their ſucceſſors, Donors, Founders, and Patron aforenamed, and their heires and ſucceſſors, and all other perſons claiming in their rights, or to their vſe, or in the right, or to the vſe of any of them) all ſuch right, title, claime, intereſt, poſſeſſion, reuerſion, remainder, offices, annuities, rent, charges and commons, which they, or any of them haue, ought, or might haue had, in or to any of the ſaid honors, Caſtles, Manors, Monaſteries, Abbathies, Priories, lands, Tenements & other hereditaments in the ſaid Letters patents, made, or hereafter to bee made, compriſed at any time before the making of the ſaid ſuch Letters Patents: This Act or any thing therein contained to the contrary notwithſtanding.

Such Abbey lands as before the diſſolution of them were diſcharged of tithes, ſhall ſo continue.

And where diuers and ſundry Abbots, Priors, Abbeſſes Prioreſſes, and other Eccleſiaſticall gouernors and gouerneſſes, of the ſaid late Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, and other religious and Eccleſiaſticall houſes and places, haue had, poſſeſſed and enioyed diuers and ſundry parſonages appropriated, tithes, penſions, and portions, and alſo were acquitted and diſcharged of and for the paiment, or paiments of tithes, to be paid out or for their ſaid Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, and other Religious and Eccleſiaſtical houſes and places, manors, meſuages, lands, tenements, and hereditaments. Be it therefore enacted by the authority aboueſaid, that aſwell the King our Soueraigne Lord, his heires and ſucceſſors, as all and euery ſuch perſon and perſons, their heires and aſſignes, which haue or hereafter ſhall haue any Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, or other Eccleſiaſticall houſes or places, ſites, circuits, precincts of the ſame, or any of them, or any manors, meſuages, [a] parſonages appropriat, tithes, pẽſions, portions or other hereditaments whatſoeuer they be, which belonged or appertained, or which now belong or appertain vnto the ſaid Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, or other Religious and Eccleſiaſticall houſes or places, or vnto any of them, ſhal haue, hold, retaine, keep and enioy aſwel ẏ ſaid parſonages appropriat, tithes, penſions and portions of the ſaid monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, & other religious and Eccleſiaſticall houſes & places, ſites, circuits, precincts, manors, meaſes, lands, tenements and other hereditaments whatſoeuer they be, & euery of them according to their eſtates & titles, [b] diſcharged and acquitted of paiment of tithes, as freely, and in as large and ample manner, as the ſaid late Abbots, Priors, Abbeſſes, Prioreſſes, and other Eccleſiaſticall Gouernors and Gouerneſſes, or any of them had, held, occupied, poſſeſſed, vſed, retained or inioied the ſame, or any parcell thereof at the dayes of their diſſolution, ſuppreſſion, renouncing, relinquiſhing, forfeiting, giuing vp or comming to the Kings Highneſſe of ſuch Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, or other religious or Eccleſiaſtical houſes or places, or at the day of the diſſolution, ſuppreſſion, renouncing, relinquiſhing, giuing vp, or comming to the Kings Highneſſe of any of them, this Act or any thing therein contained to the contrary notwithſtanding.

[a] Dyer fol. 277. 349. Coke lib. 2. fol. 46. lib. 11. fol. 8. 15.

[b] Coke pla. fol. 391. 454.

All rents ſeruices, and other duties reſerued to the King.

Sauing to the Kings highneſſe, his heires and ſucceſſors, all and all manner of rents, ſeruices and other duties whatſoeuer they be, as if this Act had neuer beene had nor made.

Monaſteries exempt from Viſitations and Iuriſdiction of the Ordinary.

And be it further enacted by authority of this preſent Parliament, that ſuch of the ſaid late Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, and other Religious and Eccleſiaſticall houſes and places, and all Churches and Chappels, to them or any of them belonging, which before the diſſolution, ſuppreſſion, renouncing, relinquiſhing, forfeiting, giuing vp, or comming vnto the Kings Highneſſe, were exempted from the viſitation or viſitations, and all other iuriſdiction of the Ordinary or Ordinaries, within whoſe Dioceſſe they were ſituate or ſet, ſhall from henceforth be within the iuriſdiction and viſitation of the Ordinary or Ordinaries, within whoſe Dioceſſe they or any of them be ſituate and ſet, or within the iuriſdiction and viſitation of ſuch perſon or perſons, as by the Kings Highneſſe ſhal be limited or appointed: this Act or any other exemption, liberty, or iuriſdiction to the contrary notwithſtanding.

Duke of Norfolke. Sipton Abbey.

And where before this time it hath pleaſed the kings maieſty, at the contemplation and humble petition of the right Noble Thomas Duke of Norfolke, to giue his royall aſſent of licence by his Graces word without any manner of Letters patents, or other writing, to purchaſe and receiue to him & to his heires for euer, of VVilliam Flatbery, late Abbot of the monaſtery of Sipton in the County of Suffolke,and Couent of the ſame late Monaſtery now being diſſolued, all the ſame Monaſtery,together with all and ſingular manors,lordſhips,lands,tenements,woods,waters,cōmons,courts,leets,aduouſons,patronages,parſonages,Vicarages Chantries,free chapels,tithes,portions of tithes,penſions,annuities,rents,ſuits,ſeruices,reuerſions,remainders and all other things,which were the hereditaments,or the poſſeſſions of the ſaid late Monaſtery, whereſoeuer they lay or were within the realme of England. And in likewiſe our ſaid ſoueraign Lord gaue like licēce by his graces word,vnto the right honorable George Lord Cobham to purchaſe and receiue to him and to his heires for euer,of the late Maſter and brethren of the College or Chantry of Cobham,in the County of Kent, now being vtterly diſſolued, the ſite of the ſame College or Chantry,and all and ſingular,their hereditaments and poſſeſſions, as well Temporall as Eccleſiaſticall,whereſoeuer they lay, or were within the Realme of England.

Lord Cobham. Cobham Chauntry.

Be it therfore enacted by the authority of this preſent parliament,that the act aboue written or any thing therein contained,ſhall not be in any wiſe preiudiciall,or hurtful to the ſaid Duke, and Lord Cobham,or to either of them or to the heires or aſſignes of either of them,but that the ſame Duke and Lord Cobham,and either of them ſundrily,and the heires and aſſigns of either of them,ſhall and may haue,hold,receiue,and enioy the premiſſes by them ſundrily purchaſed or receiued,according to the purports and effects of ſuch euidences,writings & conueyances, as they or any of them ſundrily haue cauſed to be deuiſed and made to them or to their vſes for the ſame.

Sauing alway, and reſeruing to all and ſingular perſons, and bodies politike, and to their heires and ſucceſſors(other than the ſaid late Abbot and Couent,and their ſucceſſors,and the ſaid late Maſter and brethren and their ſucceſſors,and the founders of the ſame Monaſtery, or of the ſaid College or Chauntry,and the heires of either of them,and all doners,granters,or augmenters of them, or of either of them, and the heires and aſſignes of either of them) all ſuch rights, titles,poſſeſſions,rents,ſeruices,fees,offices,annuities,corrodies, liueries,leaſes,and all other ſuch their interreſſes, profits and commodities, as they or any of them had, ſhould, or ought to haue, of, to, or in any of the premiſſes ſundrily purchaſed or receiued by the ſaid Duke, or Lord Cobham, if this preſent act had neuer been had or made, any thing in the ſame Act to the contrary being in any wiſe notwithſtanding. St.34.*H*.8.19.

Sauing of other mens rights in the Monaſtery of Sipton,& Cobham Chauntry.

Cap. XIIII.

1 If any perſon by word,writing,printing,ciphering,or any otherwiſe,doe preach,teach,diſpute, or hold opinion that in the bleſſed ſacrament of the Altar,vnder forme of bread and wine(after the conſecration thereof) there is not preſent really the naturall body and bloud of our Sauiour Ieſus Chriſt conceiued of the Virgin *Mary*. Or that after the ſaid conſecration,there remaineth any ſubſtance of bread or wine,or any other ſubſtance,but the ſubſtance of Chriſt God and man: Or that in the fleſh vnder forme of bread, is not the very bloud of Chriſt: Or that with the bloud vnder the forme of wine,is not the very fleſh of Chriſt,as wel apart,as though they were both together. Or affirme the ſaid ſacrament to be of other ſubſtance than is aforeſaid:or depraue the ſaid bleſſed Sacrament:then he ſhall be adiudged an Heretike,and ſuffer death by burning,and ſhall forfeit to the King all his lands,tenements,hereditaments,goods and cattels,as in caſe of high Treaſon.

2 And if any perſon preach in any Sermon, or Collation openly made, or teach in any common Schoole or congregation,or obſtinately affirme or defend,that the Communion of the bleſſed Sacrament in both kinds is neceſſary for the health of mans ſoule,or ought or ſhould be miniſtred in both kindes: Or that it is neceſſary to bee receiued by any perſon (other than by Prieſts)being at Maſſe,and conſecrating the ſame.

3 Or that any man after the order of Prieſthood receiued,may marry or contract Matrimony.

4 Or that any man or woman which aduiſedly hath vowed or profeſſed, or ſhould vow or profeſſe Chaſtity or widowhood,may marry, or contract mariage.

5 Or that priuate maſſes be not lawfull,or not laudable,or ſhould not be vſed,or be not agreeable to the Lawes of God.

6 Or that Auriculer confeſſion is not expedient,and neceſſary to be vſed in the Church of God,he ſhall be adiudged,ſuffer death, and forfeit lands and goods, as a Felon. If any Prieſt or other man or woman,which aduiſedly hath vowed chaſtity, or widowhood,doe actually marry or contract Matrimony with another: Or any man which is or hath beene a Prieſt, doe carnally vſe any woman, to whom he is,or hath beene married, or with whom hee hath contracted Matrimony,or openly be conuerſant or familiar with any ſuch woman:both the man and the woman ſhall be adiudged Felons. Commiſſions ſhall be awarded to the Biſhop of the Dioceſſe,his Chancellor Commiſſary, and others, to enquire of the Hereſies,Felonies, and offences aforeſaid. And alſo Iuſtices of Peace in their ſeſſions,and euery Steward Vnderſteward,and deputy of Steward in their Leet, or Lawday,by the oaths of twelue men haue authority to inquire of all the hereſies,Felonies and offences aforeſaid. REP. 1.*Ed*.6.12. St.35.*H*.8.5. 32.*H*.8.10. 32.*H*.8.15.

ANNO

ANNO TRICESIMO SECVNDO HENRICI OCTAVI.

IN the Parliament begun at Weſtminſter, the eight and twentieth of April, the two and thirtieth yeare of the raigne of the moſt excellent, moſt high, and moſt mighty Prince, HENRY the eighth, by the grace of God, King of England, and France, Defender of the Faith, Lord of Ireland, and in earth, vnder Chriſt ſupreme head of the Church of England: our moſt redoubted Soueraigne Lord, there holden, and afterward continued by diuers prorogations vnto the twelfth day of Aprill in the ſaid yeare, In the laſt Seſſion thereof begun the ſame twelfth day of April, and from the ſame holden vnto the 11. day of May, in the 32. yeare of his Maieſties moſt proſperous raigne, from the which it was by prorogation continued vntill the 25. of the ſame moneth of May, and holden vntill the 24. day of Iuly, the ſaid 32. yeare, At which day the ſaid Parliament was by his Graces authority finiſhed and diſſolued. Amongſt many other the Acts following by his Highneſſe, with the aſſent of the Lords Spirituall and Temporall, and the Commons aſſembled in the ſaid Parliament, haue beene eſtabliſhed, ordained and enacted.

CAP. I.

In what caſes a man may diſpoſe all his lands by his laſt will in writing, and in what but part thereof: And in what caſes the King and other Lords ſhall haue their wardſhips. &c.

WHere the kings moſt royall maieſty in all the time of his moſt gracious and noble raign hath euer bin a mercifull, louing, beneuolent and moſt gracious ſoueraign Lord, vnto all and ſingular his louing and obedient ſubiects, and by many times paſt hath not only ſhewed and imparted to them generally by his many & often great and beneficiall pardons heretofore by authority of his Parliaments granted, but alſo by diuers other waies and means, many great and ample grants and benignities, in ſuch wiſe as all his ſaid ſubiects bin moſt bounden to the vttermoſt of all their powers, and graces by them receiued of God, to render & giue vnto his Maieſty their moſt humble reuerence and obedient thankes and ſeruices, with their daily and continuall praier to almighty God for yͤ continual preſeruation of his moſt royall eſtate in moſt kingly honor & proſperity: yet alwaies his maieſty being repleat and endowed by God with grace, goodneſſe & liberality, moſt tenderly conſidering that his ſaid obedient & louing ſubiects cannot vſe or exercise thẽſelues according to their eſtates, degrées, faculties, & qualities, or to beare themſelues in ſuch wiſe, as that they may conueniently kéep & maintaine their hoſpitalities, and [a] families, nor the good education and bringing vp of their lawfull generations, which in this Realme, laud be to God, is in all parts very great & abundant, but that in maner of neceſſity, as by daily experience is manifeſted and known, they ſhal not be able of their proper goods, cattels, & other moueable ſubſtance to diſcharge their debts, & after their degrées ſet forth, & aduance their children, and poſterities. Wherfore our ſaid ſoueraign Lord moſt vertuouſly conſidering the mortality that is to euery perſon at Gods will & pleaſure moſt common & vncertain, of his moſt bleſſed diſpoſition & liberality, being willing to relieue & help his ſaid ſubiects in their ſaid neceſſities, & debility, is contented & pleaſed yͭ it be ordained & enacted by authority of this preſent Parliament, in manner & forme as hereafter followeth, that is to ſay, that all & euery perſon & perſons, hauing, or which hereafter ſhall haue any Manors, Lands, Tenements, or Hereditaments holden in ſocage, or of the nature of ſocage tenure and not hauing any manors, lands, tenements or hereditaments holden of the King our Soueraigne Lord, by Knights ſeruice, [b] by ſocage tenure in chiefe, or of the nature of ſocage tenure in chiefe, nor of any other perſon or perſons by Knights ſeruice, from the twentieth day of July, in the yeare of our Lord God, M.D.C. and forty, ſhall haue full and frée liberty, power and authority to giue, diſpoſe, will and deuiſe as well by his laſt will and teſtament in [c] writing, or otherwiſe by any Act or Acts lawfully executed in his life, all his ſaid Manors, Lands, Tenements, or Hereditaments, or any of them at his frée will and pleaſure, any law, ſtatute, or other thing heretofore had, made, or vſed to the contrary notwithſtanding.

The reaſon that moued the King to agrée to the making of this Statute of Wils.

Lands holden in ſocage and none in chiefe or by Knights ſeruice.

Lands deuiſed by will in writing.

And that all & euery perſon and perſons, hauing manors, lands, tenements or hereditaments, holden of the king our Soueraigne Lord, his heires or ſucceſſors in ſocage, or of the nature of ſocage tenure in chiefe, & hauing any other manors, lands, tenements, or hereditaments holden of any other perſon or perſons in ſocage, or of the nature of ſocage tenure, and not hauing any manors, lands, tenements or hereditaments holden of the King our Soueraigne Lord by Knights ſeruice, nor of any other Lord or perſon by like ſeruice, from the twentith day of July in the ſaid yéere of our Lord God, M.D.C. and forty, ſhall haue full and frée liberty, power and authority to giue, will, diſpoſe and deuiſe, as well by his laſt will or teſtament in writing, or otherwiſe by any Act or Acts lawfully executed in his life, all his ſaid manors, lands, tenements and hereditaments,

Lands holden of the King in ſocage in chiefe, and none holden by Knights ſeruice.

ments, or any of them at his free wil and pleaſure, any law, ſtatute, cuſtome or other thing heretofore had, made or vſed to the contrary notwithſtanding.

A ſauing of the Kings primer ſeiſon, and his fines for alienation.

Sauing alway and reſeruing to the King our Soueraigne Lord, his heires and ſucceſſors, all his right, title and intereſt of primer ſeaſon, and releefes, and alſo all other rights and duties for tenures in ſocage, or of the nature of ſocage tenure in chiefe, as heretofore hath beene vſed and accuſtomed, the ſame manors, lands, tenements or hereditaments to be taken, had and [a] ſued out of, and from the hands of his Highneſſe, his heires and ſucceſſors, by the perſon or perſons to whom any ſuch manors, lands, tenements or hereditaments ſhalbe diſpoſed, willed or deuiſed in ſuch & like manner and forme, as hath been vſed by any heire or heires before the making of this ſtatute. And ſauing, and reſeruing alſo fines for alienations of ſuch manors, lands, tenements or hereditaments holden of the King our Soueraigne Lord in ſocage, or of the nature of ſocage tenure in chiefe, whereof there ſhalbe any alteration of freehold or inheritance made by will or otherwiſe as is aforeſaid.

Lands holden of the King by Knights ſeruice in chiefe.

And it is further enacted by the authority aforeſaid, that all and ſingular perſon and perſons hauing any manors, lands, tenements or hereditaments of eſtate of inheritance, holden of the kings Highneſſe in chiefe by [b] Knights ſeruice, or of the nature of Knights ſeruice in chiefe, from the ſaid twentieth day of July, ſhal haue ful power and authority by his laſt wil by writing, or otherwiſe by any Act or Acts lawfully executed in his life, to giue, diſpoſe, will or aſſigne two parts of the ſame manors, lands, tenements or hereditaments in three parts to be diuided, or elſe as much of the ſaid Manors, lands, tenements, or hereditaments, as ſhall extend or amount to the yeerly value of two parts of the ſame in three parts to be diuided in certainty, and by ſpeciall diuiſions, as it may bee knowne in ſeueralty, to and for the aduancement of his wife, preferment of his children, and paiment of his debts, or otherwiſe at his will and pleaſure, any law, ſtatute, cuſtome, or other thing to the contrary thereof notwithſtanding.

Wardſhip, primer ſeiſon and fines for alienation ſaued to the King.

Sauing and reſeruing to the King our Soueraigne Lord, the cuſtody, wardſhip and [c] primer ſeaſon or any them, as the caſe ſhall require, of as much of the ſame manors, lands, tenements or hereditaments, as ſhall amount and extend to the full and cleere yeerely value of the third part thereof, without any diminution, dower, fraud, couin, charge, or abridgement of any of the ſame third part, or of the full profits thereof.

Sauing alſo, and reſeruing to the King our ſaid Soueraigne Lord, all fines for alienations of all ſuch manors, lands, tenements and hereditaments, holden of the King by Knights ſeruice in chiefe, whereof there ſhall be any alteration of freehold or inheritance made by will or otherwiſe, as is abouesaid.

Lands holden of the King by Knights ſeruice in chiefe, and other lands holden by Knights ſeruice or otherwiſe.

And be it enacted by authority aforeſaid, that all and ſingular perſon and perſons, hauing manors, lands, Tenements or Hereditaments of eſtate of inheritance, holden of the King in chiefe by Knights ſeruice, and hauing other Manors, lands, tenements or hereditaments holden of the King, or of any other perſon or perſons by [d] knights ſeruice, or otherwiſe euery ſuch perſon and perſons, from the ſaid twentieth day of July, ſhall haue full power and authority to giue, diſpoſe will or aſſigne by his laſt Will in writing, or otherwiſe by any Act or Acts lawfully executed in his life, two parts of the ſame manors, lands, tenements or hereditaments, in three parts to bee diuided, or elſe as much of the ſame manors, lands, tenements and hereditaments, as ſhall extend or amount to the yeerely value of two parts of the ſame, in three parts to be diuided in certainty, and by ſpeciall diuiſions, as it may bee knowne in ſeueralty, to and for the aduancement of his wife, preferment of his children, [e] and paiment of his debts, or otherwiſe at his wil and pleaſure, any law, ſtatute, cuſtome, or other thing to the contrary thereof notwithſtanding.

Wardſhip, primer ſeiſon and fines for alienation ſaued to the King.

Sauing alway, and reſeruing to the King our Soueraigne Lord, the cuſtody, wardſhip, and primer ſeaſon, or any of them as the caſe ſhall require, of as much of the ſame manors, lands, tenements or other hereditaments, as ſhall amount and extend to the full and cleere yeerly value of the third part thereof, without any manner diminution, dower, fraud, couin, charge, or ſubtraition of the ſame third part, or of the full profits thereof.

Sauing alſo, and reſeruing to our ſaid ſoueraigne Lord the king, all [f] fines for alienation of any ſuch manors, lands tenements or hereditaments holden of the King by knights ſeruice in chiefe, whereof there ſhall be any alteration of freehold or inheritance made by will or otherwiſe, as is abouesaid.

Lands holden by Knights ſeruice of other Lords than of the King, and other lands holden in ſocage.

Be it further enacted by the authority abouesaid, that if any perſon or perſons, hold any manors, lands, tenements or hereditaments only of any other Lord or perſon, than the King our ſaid Soueraigne Lord by Knights ſeruice, and other lands and tenements in ſocage, or of the nature of ſocage tenure, that then euery ſuch perſon ſhall or may giue, diſpoſe or aſſure, by his laſt Will or otherwiſe by any Act or Acts lawfully executed in his life, two parts of the ſaid Manors, lands and tenements holden by Knights ſeruice, or of as much thereof as ſhall amount to the full yearely value of two parts, in manner and forme as is aboue declared: And alſo all the Lands and Tenements holden by ſocage, or of the nature of ſocage tenure, at his will and pleaſure as is aboue written,

The Lords wardſhip of the third part ſaued.

Sauing and reſeruing to the Lord of the lands and tenements holden by Knights ſeruice, for his cuſtody and wardſhip, as much of the ſame Lands and Tenements,

[a] Dyer fol. 3

[b] Coke li. 6. f. 7 lib. 11. fol. 24. Dyer fo. 155. 21 Co. Inſt. 76. a.

[c] Dyer fol. 155. 181. 191. 193. 25 308. 313. 370. Co. Inſt. 78. a.

[d] Dyer fol. 15 158. 366. Coke lib. 6. fo. 1 l. b. 11. fol. 9

[e] Dyer fol. 15 286. 296. 31 354. Coke li. 6. fol.

[f] Dyer fol. 3 370. Coke li. 6. fol. lib. 8. fol. 165. lib. 6. fol. 125. 133. Bro. Teſtam.

fol.367.
lib.2. fo.25.
Teſtament 19

ments, as ſhall extend or amount to the full and cleere yeerely value of the[a] third part of the ſame lands and tenements holden by Knights ſeruice, without any diminution, dower, fraud, couin, charge, or ſubtraction of any portion of that third part, or of the cleere yeerely value thereof, in maner and forme aforeſaid

Lands holden of the King by knights ſeruice and not in chief. And lands holden in ſocage of others.

And be it further enacted by the authoritie aboueſaid, that if any perſon or perſons, hold any manors, lands, tenements, or hereditaments, only of the King our ſoueragine Lord by Knights ſeruice, and not in chiefe, or hold any manors, lands, tenements, or hereditaments of our ſaid ſoueraigne Lord by knights ſeruice, and not in chiefe, and alſo hold other manors, lands, tenements and other hereditaments of any other perſon or perſons by knights ſeruice, & alſo hold other manors lands, tenements or hereditaments, of any other perſon or perſons in ſocage, or of the nature of ſocage tenure: that then all, & euery ſuch perſon and perſons, ſhall & may giue, diſpoſe, will, deuiſe and aſſure, by his laſt will or otherwiſe, by any act or acts lawfully done, and executed in his life, two parts of the ſame manors, lands, tenements and hereditaments, holden of our ſaid Soueraigne Lord the king by knights ſeruice, and two parts of the manors, lands, tenements and hereditaments, holden of any perſon or perſons by Knights ſeruice, or as much of either of them as ſhall amount to the full yeerly value of two parts in manner and forme as is aboue declared: and alſo of all his lands and tenements ſo holden in ſocage, or of the nature of ſocage tenure, at his free will and pleaſure.

Dyer fol.155.
o.191.193.

Sauing to the King and other Lords, cuſtodie and wardſhip.

Sauing and reſeruing to the Kings Highneſſe, the cuſtody and wardſhip of as much of the ſame manors, lands, tenements or other hereditaments, as ſhall extend and amount to the full and cleere yeerly value of the[b] third part of the ſaid manors, lands, tenements and hereditaments ſo holden of his Highneſſe by Knights ſeruice, without any diminution, dower, fraud, Couin, charge, and ſubtraction of any portion of that third part, or of the full profits thereof. And alſo ſauing and reſeruing to the Lords of whom any of the ſaid manors, lands, tenements or other hereditaments beene holden by Knights ſeruice for the cuſtody and wardſhip, as[c] much of the ſame manors, lands, tenements or hereditaments holden of them or any of them by knights ſeruice, as ſhall extend and amount to the full and cleere yeerly value of the third part of the ſame, without any diminution, charge, fraud, couin, or ſubtraction of any portion of that third part, or of the cleere yearely value of the third part thereof, in manner and forme aboue declared.

Coke li.2.f.93.

The King or any other Lord may take ſo much as will amount to his third part, if it be not left vnto them.

Prouided alway, and it is further enacted by the authority aforeſaid, that if that third part of the manors, lands, tenements or hereditaments, of any of the Kings Subiects, which in any of the caſes aboueſaid ſhall hereafter come to the Kings Highneſſe, his heires or ſucceſſors by vertue of this act, as is aboueſaid, be not, or doe not amount to the cleere yearely value of the third part of all the ſaid manors, lands, tenements or other hereditaments, whereof the ſaid Kings Highneſſe is or ſhalbe intituled to haue the cuſtody or primer ſeaſon, as is aboueſaid: that then our ſaid ſoueraigne Lord and his heires, ſhall and may at his or their free liberty and pleaſure take into his or their hands and poſſeſſion, as much of the other two parts of the ſaid manor, lands, tenements and other hereditaments, as with that of the ſame manors, lands, tenements or hereditaments holden, or remaining in the Kings hands ſhall make vp the cleere yearely value of the full third part of the ſaid manors, lands and tenements ſo to bee had of the Kings Highneſſe in title of wardſhip and primer ſeaſon, or any of them, as the caſe ſhall require. And like benefit and aduantage to be giuen to euery Lord and Lords, of whom any ſuch manors, lands, tenements or hereditaments beene, or ſhall be holden by Knights ſeruice, as is aboueſaid, concerning only his third part of or for title of wardſhip.

Suing of Liueries, paying for reliefe and hariots, for poſſeſſions, reuerſions, remainders ſhal be as they haue beene.

Prouided alway, and be it further enacted by the authority aforeſaid, that euery perſon and perſons, ſhall ſue their liueries, for poſſeſſions, reuerſions or remainders, and alſo pay reliefes and heriots, after ſuch manner and forme, as they ſhould or ought to haue done before the making of this act, and as if this act had neuer beene made.

Dy li.6.fo.17.
Alienation,32

Fines for alienations vpon common recoueries.

And that fines for alienations ſhall bee paid in the Kings Chancery for, and vpon writs of [a] entry in the poſt, to be obtained in the ſame Court of Chancery, after the ſaid twentieth day of July, for common recoueries to be had or ſuffered of any manors, lands, tenements or hereditaments holden of the King in chiefe; in like manner and forme as is vſed vpon alienations of ſuch manors, lands, tenements or hereditaments, ſo holden in chiefe, by fine or Feoffement.

Prouided alſo, and be it enacted by the authority aforeſaid, that in ſuch caſes, where fines for alienations ſhall be paid in the Kings Chancery, for writs of entry in the poſt, as is aforeſaid, that then none other fine ſhalbe paid in the ſame Court for any ſuch writs: any vſage or cuſtome to the contrary thereof notwithſtanding.

1.157.172.
lib.9.fo.26.
Ord.100.

Two perſons ſeiſed of lands holden of the King by Knights ſeruice, and to the heirs of one of them.

And be it further enacted by the authority aforeſaid, that where two or more perſons now hold or hereafter ſhall hold any manors, lands, tenements or hereditaments of the King our Soueraigne Lord by Knights ſeruice, [b] ioyntly to them and to the heires of one of them, and hee that hath the inheritance thereof, dieth, his heire being within age, that in euery ſuch caſe the King ſhall haue the ward and the marriage of the body of ſuch heire ſo being within age, the life of the freeholder or freeholders of the ſaid manors, lands, tenements, or hereditaments, ſo holden by Knights ſeruice notwithſtanding. Sauing and reſeruing to all and euery woman, and women,

Women ſhall haue their dowers of the two parts.

The reuerſion of the Tenant in dower in the King, if the tenant do die during the minority of the Kings ward.

all and every ſuch right, title, intereſt of dower, as they or any of them ought to haue, or be, or ſhal be iuſtly intitled to haue, claime, or demand, of any manors, lands, tenements, or hereditaments by the laws of this realm, to be taken or aſſigned vnto them or any of them, out of the two parts of the ſaid manors, lands, tenements, or hereditaments ſeuered, and diuided from the third part as is aboueſaid, and not otherwiſe. And ſauing alſo to the King our Soueraigne Lord, his heires and ſucceſſors, the reuerſions of all ſuch tenants in ioynt tenure and dower, immediately after the death of all ſuch tenants, if they ſhall happen to dye during the minority of the Kings wards. St.34.*H*.8.5. Co.Inſt.111.b.

CAP. II.

VVithin what time any perſon ſhall bring his writ of right, poſſeſſary action, Auowry, Formedon, Scire Facias, &c.

It is a great benefit to haue a certaine limitacion of time for the quiet poſſeſſion of lands.

The limitation of preſcription in a writ of right.

Foraſmuch as the time of limitation appointed for ſuing of writs of right, and other writs of poſſeſſion and ſeiſon of mens anceſtors, or predeceſſors, or of their own poſſeſſion or ſeiſon by the lawes and ſtatutes of this realme heretofore made, limited, and appointed, extend, and be ſo farre and long time paſt, that it is aboue the remembrance of any liuing man, truly to try, and know the perfect certainty of ſuch things, as hath or ſhall come in triall, or doe extend vnto the time and times limited by the ſaid lawes and Statutes, to the great danger of mens conſcience, that haue or ſhall be impanelled in any Iury for the triall of the ſame: and it is alſo a great occaſion of much trouble, vexation, and ſuits to the Kings louing Subiects, at the common Lawes of this realme, ſo that no man although he and his anceſtors, and thoſe whoſe eſtate he or they haue, haue béene in peaceable poſſeſſion of a long ſeaſon, of and in lands, tenements, and other hereditaments, is or can be in any ſurety, quietneſſe, or reſt, of and in the ſame, without a good remedy and reformation be had, made, and prouided for the ſame. Be it therefore enacted by the King our Soueraigne Lord, the Lords ſpirituall and temporal, and the commons in this preſent parliament aſſembled, and by the authority of the ſame, That no manner of perſon or perſons ſhall from henceforth ſue, haue, or maintaine any writ of right, or make any preſcription, title, or claime to, or for any Manors, Lands, tenements, rents, annuities, commons, penſions, portions, corrodies, or other Hereditaments, of the poſſeſſion of his or their aunceſtor or predeceſſor: and declare and alleage any further ſeiſon, or [a] poſſeſſion of his or their anceſtor or predeceſſor, but onely of the ſeiſon or poſſeſſion of his Aunceſtor or predeceſſor, which hath béene, or now is, or ſhall be ſeiſed of the ſaid manors, lands, tenements, rents, annuities, commons, penſions, portions, corrodies or other hereditaments within thréeſcore yeares next before the teſte of the ſame writ, or next before the ſaid preſcription, title, or claime, ſo hereafter to be ſued, commenced, brought, made, or had.

[a] Coke li.4.l.11.
Bro.limitati
Co.Inſt.115.a

Limitation of preſcription in actions poſſeſſary.

And be it further enacted by the authority aforeſaid, that no manner of perſon nor perſons ſhal hereafter ſue, haue, or maintaine any aſſiſe of mort anceſtor, Coſinage, Ayle, writ of entry vpon diſſeiſon done to any of his anceſtors, or predeceſſors, or any other action poſſeſſary, vpon the poſſeſſion of any of his aunceſtors, or predeceſſors, for any manors, lands, tenements, or other hereditaments of any further ſeiſon, or poſſeſſion of his or their aunceſtor, or predeceſſor, but only of the ſeiſon, or poſſeſſion of his or their anceſtor or predeceſſor which was or hereafter ſhalbe ſeaſed of the ſame manors, lands tenements or other hereditaments within fifty yéeres next before the teſte of the originall of the ſame writ hereafter to be brought.

Concerning ſuit for land of his owne poſſeſſion.

And be it further enacted by the authority aforeſaid, that no perſon nor perſons ſhal hereafter ſue, haue, or maintaine any action for any manors, lands, tenements, or other hereditaments, of, or vpon his, or their owne ſeiſon, or poſſeſſion therein aboue thirty yeares next before the teſte of the originall of the ſame writ hereafter to be brought.

Auowry or cogniſance for any rent, ſuit or ſeruice.

And bee it alſo enacted by the authority aforeſaid, that no perſon nor perſons ſhall hereafter make any Auowry or cogniſance, for any rent, ſuit or ſeruice, and alleage any ſeaſon of any rent ſuit or ſeruice in the ſame auowry or cogniſance in the poſſeſſion of his or their anceſtors, or predeceſſor or predeceſſors, or in his owne poſſeſſion, or in the poſſeſſion of any other, whoſe eſtate he ſhall pretend or claime to haue aboue forty [a] yéeres next before the making of the ſaid auowry or cogniſance.

[a] Coke li.l.
Bro.Auowry

Formidons in reuerter, formidons in remainder, ſcire facias vpon fines. Alt.21.Iac.16.

And ouer that be it enacted by the authority aforeſaid, that all formedones in reuerter, formedones in remainder, and ſcire facias vpon fines of any manors, lands, tenements, or other hereditaments at any time hereafter to be ſued, ſhalbe ſued and taken within fifty [b] yeares next after the title and cauſe of Action, fallen, and at no time after the ſaid fifty yéeres paſſed.

[b] Dyer fo.315.
Dyer fo.374.
330.
Coke li.4.fo.
Bro.limitati

Barre for default of ſeiſon within the time of limitation.

And bee it alſo enacted by the authority aforeſaid, that if any perſon or perſons at any time hereafter doe ſue any of the ſaid actions or writs, for any manors, lands, tenements, or other hereditamens, or make any auowry, cogniſance, preſcription, title, or claime of or for any rent, ſuit, ſeruice, or other hereditaments, and cannot proue, that hee, or they, or his or their Anceſtors, ceſſors, or predeceſſors, were in actuall[a] poſſeſſion or ſeiſon of and in the ſame manors, lands, tenements, rents, ſuits, ſeruices, annuities, commons, penſions, portions, corrodies, or other hereditaments at any time or times within the yéeres before limited, and appointed in this preſent Act, and in manner and forme as is aforeſaid, if the ſame be trauerſed, or denied by the partie plaintiffe, demandant or auowant, or by the party tenant or defendant, that then and after ſuch triall therein had, all and euery ſuch perſon and perſons, and their heires ſhall from henceforth be vtterly barred for euer, of all and euery the ſaid[b] writs, actions, auowries, cogniſence, preſcription, title or claime hereafter to be ſued, had, or made, of and for the ſame manors, lands, tenements, hereditaments, or other the premiſſes, or any part of the ſame, for the which the ſame action, writ, auowry, cogniſance preſcription, title, or claime hereafter ſhalbe at any time had, ſewed, or made.

[a] Dyer.f.278.291. 310. Coke l.4.fo.10. Bro.limitation.

[b] Bro.Peremptory

Prouided alway, and be it enacted by the authority aforeſaid, that all and euery perſon and perſons which now haue any of the ſaid actions, writs, auowries, Scire facias, cogniſance, preſcription, title, or claime depending, or that hereafter ſhall ſue, commence, make, or bring any of the ſaid writs, or actions, or make any of the ſaid auowries, cogniſances, preſcription, titles, or claim at any time before the feaſt of the aſcenſion of our Lord God, which ſhall bee in the yéere of our Lord, a thouſand fiue hundred forty and ſix, ſhall alleage the ſeiſon of his or their anceſtors or predeceſſors, or his owne poſſeſſion and ſeiſon, and alſo haue all other like aduantages to all intents and purpoſes in the ſame writs, actions, auowries, cogniſances, preſcriptions, titles and claims, as hee or they might haue had at any time before the making of this eſtatute, this Act or any thing therein contained to the contrary notwithſtanding.

A prouiſo for ſuits depending. Anno.D. 1546.

Prouided alſo, and be it further enacted by the authority aforeſaid, that if any perſon or perſons being now within the age of xxi. yeares, or couert baron, or in priſon, or out of this realme of England, now hauing cauſe to haue, ſue, commence, make, or bring any of the ſaid writs, or actions, or to make any auowries, cogniſances, preſcription, titles, or claimes, that it ſhall be lawfull to ſuch perſon and perſons being within age, couert Baron, in priſon, or out of this Realme to ſue, commence, or bring any of the ſaid writs, or actions, or make any of the ſaid auowries, cogniſances, preſcription, titles, or claimes at any time within ſix yeeres next after ſuch perſon or perſons, now being within age ſhall accompliſh the age of one and twenty yeeres, or within ſix yeeres next after ſuch perſon or perſons now being couert baron ſhall bee ſole, or within ſix yeeres next after ſuch perſon or perſons now being in priſon, ſhall bee at this liberty, or within ſix yeeres next after ſuch perſon or perſons now being out of this Realme, ſhall come and be within this Realme, And that euery ſuch perſon and perſons in their ſaid actions, writs, auowries, cogniſances, preſcription, titles, or claimes to bee made, ſued, or commenced within the ſaid ſix yeeres ſhall alleage within the ſaid ſix yeers the ſeiſon of his or their anceſtors or predeceſſors or of his owne poſſeſſion, or of the poſſeſſion of thoſe whoſe eſtate hee ſhall then claime: And alſo within the ſame ſix yeeres ſhall haue all and euery like aduantages, to all intents and purpoſes in the ſame, as hee or they might haue had before the making of this Act, and as though this Act had neuer béene had, ne made: This Act nor any thing therein contained to the contrary notwithſtanding.

A prouiſo to relieue women couert, infants within age, perſons in priſon or out of the realme at the time of this ſtatute made.

Prouided alſo, that if it happen the ſaid perſon or perſons now being within age, or couert baron, in priſon, or out of this Realme, hauing cauſe to ſue, commence, make, or bring any the ſaid Writs, Actions, Auowries, Cogniſance, Preſcription, Title, or claime, to deceaſe within age, or being couert, as is aforeſaid, or during the time he or they ſhall be in priſon, or out of this Realme, or to deceaſe within ſix yeeres next after ſuch perſon or perſons ſhall accompliſh his or their full age, or ſhalbe at large within this Realme, or ſhall become ſole, and no determination or iudgement had of ſuch titles, actions, rights, ſo to them acrewed: that then the next heire or heires of ſuch perſon or perſons being in priſon, or out of this realme, or within age, or being couert baron ſo dying, ſhall haue and enioy all and euery ſuch liberty and aduantage, to ſue demand aduow, declare or make the ſaid titles, claimes, or preſcriptions, within ſix yéeres next after the death of ſuch perſon or perſons now impriſoned, or being out of this realm, or within age, or couert de baron, in ſuch or like manner and forme to all intents and purpoſes, as the ſame infant, after his full age, or the ſaid woman couert after the death of her huſband, or the ſame perſon being out of this realme, after his repaire or comming into the ſame, or the ſaid perſon impriſoned after his enlargement and comming out of priſon, ſhould or might haue had within ſix yéeres then next enſuing by force, and vertue of the prouiſion laſt before rehearſed, any thing in this Act contained to the contrary thereof in any wiſe notwithſtanding.

A remedy to relieue the heires of an infant, a woman couert, any perſon in priſon or out of the realme, if the party himſelfe dye before iudgement.

Prouided alſo, that if any perſon or perſons, before the ſaid feaſt of the aſcenſion of our Lord God, which ſhall be in the ſaid yéere of our Lord God, a thouſand fiue hundred and forty and ſix commence and ſue any of the ſaid actions or writs, or make any auowry, preſcription, title, or claime, and the ſame action, writ, auowry, cogniſance, preſcription, title, or claime happen by the death of any the parties to the ſame, to be abated before iudgement, or determination thereof had, that then the ſaid perſon or perſons, being demaundants or auowants, or making any ſuch Cogniſance, Preſcription, Title, or claime, being then aliue, and if not then the next heire or

A remedy for the heire if the ſuit of his anceſtor abate before iudgement.

heires of ſuch perſon or perſons ſo deceaſed, may commence and purſue his or their action & ſuit, and make his or their auoury, coniſance, preſcription, title or claime, for or vpon the ſame matter within one yeere next after ſuch action or ſuit abated, and ſhall haue and inioy all and euery ſuch liberty and aduantage, to ſue, demand, auow, declare, or make their ſaid titles, claimes, and preſcriptions within the ſaid one yeere as the demandant, or demandants in ſuch writ or ſuit abated, or as ſuch as did auow, or make cogniſance, title or claime, or preſcription ſhould or might haue done, had, vſed, made, or inioyed in the ſaid former action, or ſuit, any thing in this Act to the contrary notwithſtanding.

The party grieued may haue an attaint vpon a falſe verdict giuen.

Prouided furthermore, that if any falſe verdict happen hereafter to be giuen or made, in any of the ſaid actions, ſuits, auowries, preſcriptions, titles, or claimes, that then the party grieued by reaſon of the ſame, ſhall and may haue his attaint vpon euery ſuch verdict ſo giuen or made, and the plaintife in the ſame attaint vpon iudgment for him giuen, ſhal haue his recouery, execution, and other aduantage in like manner and forme as heretofore hath been vſed and accuſtomed, any thing before in this Act contained to the contrary thereof notwithſtanding. St. 1. M. 5.

CAP. III.

Statutes continued concerning burning in the hand, &c.

WHere in the laſt Parliament, begun and holden at London, the third day of Nouember, in the xxi. yeere of the kings moſt gracious raigne, and from thence adiourned to Weſtminſter and there holden and continued by ſundry prorogations.

Stat. 22. H. 8. 14. Triall of forein pleas.

It was enacted amongſt other things, that all forain pleas, triable by the Countrey, which ſhould be pleaded by any perſon or perſons arraigned vpon any inditement for any pety treaſon murder, or felony, ſhould bee tried before the ſame Iuſtices, afore whom ſuch perſon ſhould bee arraigned, and by the ſame Iurors of the County, that ſhall try the pety treaſon, murder, or felony, without any further reſpit or delay, And that no perſon or perſons arraigned for any pety treaſon, murder or felony, ſhould be admitted to any peremptory challenge, aboue the number of xx. which Act was made to endure to the end of the next Parliament, as by the ſaid Act amongſt diuers cauſes, and prouiſions contained in the ſame more plainly is expreſſed.

Stat. 23. H. 8. 1. Clergy taken away from offendors in certaine caſes.

And where alſo in the ſame parliament it was enacted that no perſon or perſons, which ſhould happen to be found guilty after the Laws of this Realme, for any manner of petty Treaſon, or for any wilfull murder of malice prepenſed, or for robbing of any Churches, Chappels, or other holy places, or for robbing of any perſon or perſons in their dwelling houſes, or dwelling place, the owner and dweller in the ſaid houſe, his wife, his children, or ſeruants then being within, and put in feare, and dread by the ſame, or for robbing of any perſon or perſons, in or neere about the high waies, or for wilfull burning of any dwelling houſes or barnes, wherein any corne or graine ſhal happen to be, nor that any perſon or perſons be found guilty of any abetment, procurement, helping, maintaining, or councelling, of, or to any ſuch pety Treaſon, murders, or Felonies, ſhould bee admitted to the benefit of their Clergy (ſuch as bee within holy orders, that is to ſay, of the orders of Subdeacon or aboue all onely except) with many other clauſes and prouiſions contained in the ſaid Act as by the ſame Act more plainly appeareth, which Act was alſo made to continue and endure to the laſt day of the next Parliament.

Stat. 25. H. 8. 3. A felon ſtanding mute, challenging aboue xx. or not anſwering directly.

And where alſo in the ſame Parliament it was further enacted that euery ſuch perſon & perſons, which ſhould happen to be indited of any pety treaſon, wilfull burning of houſes, murder, robbery, or burglary, or other felony, according to the tenour and meaning of the ſaid eſtatute next aboue rehearſed, and thereupon arraigned, did ſtand mute of malice or froward minde, or challenge peremptory aboue the number of twenty perſons, or will not anſwer directly to the ſame inditement and felony, whereupon they ſhalbe arraigned, that then euery ſuch perſon and perſons ſhould loſe the benefit and priuilege of their Clergy.

And it was alſo ordained by the ſame Act, that if any perſon or perſons bee indited and found guilty for ſtealing of any goods or cattels, in any County of this Realme, or being indited, ſtand mute of malice, or challenge peremptory aboue the number of xx. perſons, or will not anſwer directly to the Law, ſhould alſo loſe the benefit of their Clergy, in like manner and forme as they ſhould haue done, if they had bin indited, arraigned and found guilty in the ſame County, where the ſame robbery or burglary was done, if it ſhall appeare to the Iuſtices by euidence or examination, that the ſaid felons or robbers arraigned afore them, ſhould or ought to haue loſt their Clergy by force of the ſaid eſtatute, in caſe they had beene found guilty of the ſame felonies, or burglaries in the ſame ſhire where they were committed, as by the ſaid act amongſt other things more at large is expreſſed.

Stat. 25. H. 8. 6. Buggery ſhalbe felony.

And where alſo in the ſaid Parliament it was further ordeined that the deteſtable vice of buggery committed with mankinde or beaſt, ſhould bee felony, and that the offenders therein ſhould loſe the priuilege of their Clergy, which Act was made to endure to the laſt day of the next Parliament, as by the ſame Act amongſt other things it appeareth more at large.

And where alſo in the Parliament begun and holden at Weſtminſter, the eighth day of Iune, in the xxviij. yeare of the raigne of our ſaid moſt dread Soueraigne Lord King Henry the eight, and there continued and kept vntill the diſſolution thereof. It was ordeined and enacted, that all and ſingular the ſaid ſeuerall Acts aboue remembred, and euery of them ſhould continue and endure in their force and ſtrength, and alſo bee obſerued and kept vntill the laſt day of the next Parliament. And it was alſo ordained by the authority of the ſame Parliament, that ſuch as be within holy orders, ſhould from thenceforth ſtand and be vnder the ſame paines and dangers for the offences contained in any of the ſaid ſtatutes, and be vſed and ordered to all intents and purpoſes, as other perſons not being within holy orders, any prouiſion, or exception ſpecified in any of the ſaid Acts, or any other vſage or cuſtome of this Realme to the contrary thereof notwithſtanding, as by the ſame acts among other things therin contained more plainly appeareth. And foraſmuch as all and ſingular the ſaid ſeuerall acts aboue mentioned bee good and beneficiall for the commonwealth of this Realme.

St.28.H.8.1.

Such as be within orders ſhall be vſed as others be.

Be it therefore enacted and ordained by the authority of this preſent Parliament, that all and ſingular the ſaid ſeuerall acts, and euery of them; and all clauſes, articles, and prouiſions in them and euery of them contained, ſhall continue and endure in their force and ſtrength, and be obſerued and kept for euer.

The St. of 22. H.8.14.23.H.8.1.25 H.8.3.&6.& 28.H.8.1. rehearſed & made perpetuall

And be it alſo enacted by authority of this preſent Parliament, that ſuch perſons as be, or ſhall be within holy orders, which by the Lawes of this realme ought or may haue their Clergy for any felonies, and ſhalbe admitted to the ſame, ſhalbe brent in the hand in like manner and forme as lay clerkes be accuſtomed in ſuch caſes, and ſhall ſuffer and incurre afterward all ſuch paines, dangers and forfeitures, and be ordered and vſed for their offences of felony, to all intents, purpoſes and conſtructions, as lay perſons admitted to their Clergy, be or ought to be ordered and vſed by the lawes and ſtatutes of this Realme, any Statutes, Lawes, prouiſions, priuileges, cuſtomes, or any other thing to the contrary thereof heretofore vſed notwithſtanding.

CAP. IIII.

Treaſons ſhalbe tried that be committed in Wales, or where the Kings writ runneth not in ſuch ſhires, and before ſuch Commiſſioners as the King ſhall from time to time aſſigne by his Commiſſion. Alt. 1. and 2. *P.* and *M.* 10.

CAP. V.

A remedy for the cogniſee or Obligee, where lands deliuered to him in execution be recouered from him.

Whereas before this time diuers and ſundry perſons haue ſued executions, as well vpon iudgments for them giuen of their debts or dammages, as vpon ſuch ſtatutes merchant and ſtatutes of the ſtaple, or recogniſances, as haue beene to them before made, recogniſed, and knowledged, and thereupon ſuch lands, tenements, and other hereditaments as were liable to the ſame execution, haue beene by reaſonable extent to them deliuered in execution for the ſatiſfaction of their ſaid debts and dammages according to the laws of this Realme: Neuertheleſſe it hath beene oftentimes ſeene, that ſuch lands tenements, and hereditaments ſo deliuered and had in execution haue beene recouered, or lawfully deueſted, taken away, or euicted, from the poſſeſſion of the ſaid recouerers, obligees or recogniſees, their executors or aſſignes before ſuch time as they haue beene fully ſatiſfied and paid of their debts and dammages, without any manner fraud deceit, couin, colluſion, or other default in the ſaid recouerers, obligees, or recogniſees, their executors and aſſignes: by reaſon whereof the ſaid recouerers, obligees, and recogniſees haue beene thereby ſet cleerely without remedy by any manner ſuit of the Law to recouer, or come by any ſuch part or parcell of their ſaid debts and dammages, as was behinde and not by them leuied, or receiued before ſuch time as the ſaid lands, tenements, and other hereditaments ſo by them had in execution were recouered, lawfully deueſted, taken, or euicted out, of and from their poſſeſſions as is aforeſaid, to their hurt and loſſe, and much ſeeming to be againſt equall iuſtice, and good conſcience. For reformation whereof, be it enacted by authority of this preſent Parliament, that if hereafter any ſuch lands, tenements, or hereditaments, as be, or ſhall be had, and deliuered to any perſon or perſons in execution as is aforeſaid vpon any iuſt & lawfull title, matter condition or cauſe, wherewithal the ſaid lands tenements, and hereditaments, were liable, tied, and bound at ſuch time as they were deliuered and taken into execution, ſhall happen to be recouered, lawfully deueſted, taken or euicted out, of and from the poſſeſſion of any ſuch perſon and perſons, as now haue and hold, or hereafter ſhall haue and hold the ſame in execution as is aforeſaid, without any fraud, deceit, couin, colluſion or other default of the ſaid Tenant or Tenants by execution, before ſuch time as the ſaid tenants by execution, their executors or aſſignes ſhall haue fully and wholly leuied or receiued the ſaid whole debts dammages, for the which the ſaid lands,

A remedy for the Recogniſee where lands deliuered to him in execution be recouered from him.

ke li.4.fo.66.
.fo.299.
Inſt.189 b.

tenements, and other hereditaments were deliuered and taken in execution, as is aforeſaid, then euery ſuch recouerer, obligée, and recogniſée, ſhall and may haue, and purſue a writ of ſcire facias out of the ſame court from whence the ſaid former writ of execution did procéed againſt ſuch perſon or perſons, as the ſaid writ of execution was firſt purſued, their heires, executors, or aſſignes of ſuch lands, tenements, or hereditaments, as were or béen then liable, or charged to the ſaid execution, returnable into the ſame court at a certaine day, being full forty daies after the date of the ſame writ. At which day if the defendant being lawfully warned, make default, or appeare and do not ſhew & plead a ſufficient matter or cauſe (other than the acceptance of the ſaid lands, tenements, or hereditaments by the ſaid former writ of execution) to barre, auoid, or diſcharge, the ſaid ſuit for the reſidue of the ſaid debt, and dammages remaining vnleuied, or vnreceiued by the ſaid former execution: then the Lord Chanceller or other ſuch Juſtice or Juſtices, before whom ſuch writ of ſcire facias ſhall be returnable, ſhall make eftſoones a new writ or writs out of the ſaid former record of iudgement, ſtatute merchant, ſtatute ſtaple, or recogniſance, of like nature and effect, as the ſaid former writ of execution was for the leuying of the reſidue of all ſuch debt and dammage as then ſhall appeare to be vnleuied, vnſatiſfied or vnpaid of the whole ſum, or ſums in the ſaid former writ of execution contained, any law, cuſtome, or other thing to the contrary hereof heretofore vſed in any wiſe notwithſtanding.

Cap. VI.

VVhoſoeuer ſhall deliuer any horſe into Scotland or the batable ground to the vſe of a Scottiſh man without the Kings licence, ſhall be adiudged a felon, and the VVardens of the Marches may heare and determine ſuch felonies. REP. 4. *Iac.* 1. Stat. 23. *H.* 8. 16. 1. *El.* 7.

Cap. VII.

How tithes ought to be paid, and how to be recouered being not paid.

What hath encouraged diuers perſons to detain their tithes from Lay men which haue eſtates in them.

WHere diuers and many perſons inhabiting in ſundry Counties and places of this realme and other the Kings dominions, not regarding their duties to almighty God, and to the King our Soueraigne Lord, but in few yéeres paſt more contemptuouſly and commonly preſuming to offend and infringe the good and wholeſome Lawes of this Realme, and gracious commandements of our ſaid Soueraigne Lord, than in times paſt hath béene ſéene or knowne, haue not letted to ſubtract and withdraw the lawful and accuſtomed tithes of Cornes, Hay, Paſturages, and other ſort of tithes and oblations commonly due to the owners, proprietaries, and poſſeſſors of the Parſonages, Vicarages, and other Eccleſiaſticall places, of and within the ſaid Realme and dominions, being the more incouraged thereto for that diuers of the Kings ſubiects being lay perſons, hauing Parſonages, Vicarages, and tithes to them and to their heires, or to them and to their heires of their bodies lawfully begotten, or for terme of life or yéers, cannot by the order and courſe of the Eccleſiaſticall lawes of this Realme, ſue in any Eccleſiaſticall Court for the wrongfull withholding and detaining of the ſaid tithes or other duties, nor cannot by the order of the common Lawes of this Realme haue any due remedy againſt any perſon or perſons their heires or aſſignes, that wrongfully detaineth, or withholdeth the ſame: by occaſion whereof much controuerſie, ſuit, variance, and diſcord is like to inſurge, and inſue among the Kings Subiects, to the great detriment, dammage, and decay of many of them, if conuenient and ſpéedy remedy therefore be not had and prouided.

Euery perſon ſhall ſet out and pay his tithes according to the cuſtome of the pariſh where they be due.

The offendor conuented before the ordinarie.

Wherefore it is ordained and enacted by our ſaid Soueraigne Lord the King, with the aſſent of the Lords Spirituall and temporall, and the commons in this preſent Parliament aſſembled, and by authority of the ſame, That all and ſingular perſons of this his ſaid Realme, or other his dominions, of what eſtate, degrée, or condition ſoeuer he or they be, ſhall fully truly, and effectually diuide, ſet out, yéeld, or pay all and ſingular tithes and offerings aforeſaid, according to the lawfull cuſtomes and vſages of the Pariſhes and places, where ſuch tithes or duties ſhall grow, ariſe, come, or be due, And in caſe that ſhall happen any perſon or perſons of his or their vngodly and peruerſe will and minde, to detaine or withhold any of the ſaid tithes or offerings, or part or parcell thereof, then the perſon or party being eccleſiaſticall, or lay perſon, hauing cauſe to demand or haue the ſaid tithes or offerings, being thereby wronged or grieued ſhall and may conuent the perſon or perſons ſo offending before the ordinary his commiſſary, or other competent Miniſter, or lawfull iudge of the place where ſuch wrong ſhall be done, according to the Eccleſiaſticall Lawes. And in euery ſuch caſe of matter or ſuit, the ſame ordinary, commiſſary, or other competent Miniſter, or lawfull iudge, hauing the parties or their lawfull procurators before him or them, ſhall and may by vertue of this Act procéed to the examination, hearing and determination of euery ſuch cauſe or matter ordinarily, or ſummarily, according to the courſe and proceſſe of the ſaid Eccleſiaſticall lawes, and thereupon may giue ſentence accordingly.

And in caſe that any of the parties, for any cauſe or matter concerning that ſuit, do appeale frõ the ſentence, order, and difinitiue iudgement of the ſaid ordinary or other competent Iudge, as is aforeſaid, then the ſame Iudge by vertue of this Act, forthwith vpon ſuch appellation made, ſhall adiudge to the other party the reaſonable coſts of his ſuit therein before expended, and ſhall compell the ſame party appellant to ſatiſfie and pay the ſame coſts ſo adiudged by compulſory proceſſe, and cenſures of the ſaid lawes Eccleſiaſticall, taking ſurety of the other party to whom ſuch coſts ſhall be adiudged and paid, to reſtore the ſame coſts to the appellant, if after the principall cauſe of that ſuit of appeale ſhall be adiudged againſt the ſame party, to whom the ſaid coſts ſhall be yeelden. And ſo euery ordinary or other competent Iudge eccleſiaſticall, by vertue of this Act ſhall adiudge coſts to the other party vpon euery appeale to bee made in any ſuit, or cauſe of ſubtraction, or detention of any tithes or offerings, or in any other ſuit to be made for or concerning the duty of ſuch tithes or offerings.

The appellant ſhall pay coſts of ſuit to the other party.

And further bee it enacted by the authority aforeſaid, that if any perſon or perſons after ſuch ſentence difinitiue giuen againſt them, obſtinately and wilfully refuſe for to pay their tithes or ſuch ſummes of money ſo adiudged, wherein they be condemned for the ſame, that then two Iuſtices of the Peace for the ſame ſhire, whereof one to be of the Quorum, ſhall haue authority by this Act, vpon information, certificat, or complaint to them made by writing by the ſaid Eccleſiaſticall Iudge that gaue the ſame ſentence, to cauſe the ſame party ſo refuſing, to bee attached, and committed to the next gayle, and there to remaine without baile or mainpriſe, till he or they ſhall haue found ſufficient ſureties to be bound by recogniſance or otherwiſe before the ſame Iuſtices, to the vſe of our Soueraigne Lord the King, to performe the ſaid diffinitiue ſentence and iudgement.

The offendor ſhall be bound by two Iuſtices of peace to obey the Ordinaries ſentence. St.27.H.8,20.

Prouided alwaies and be it enacted by the authority aforeſaid, that no perſon or perſons ſhall bee ſued, or otherwiſe compelled to yeeld, giue or pay any manner of tithes, for any Manors, lands, tenements, or other hereditaments which by lawes or ſtatutes of this Realme are [a] diſcharged, or not chargeable with the paiment of any ſuch tithes.

[a] Coke l.2.fo.44.

Lands diſcharged of tithes. Coke pla.fo. 454.

Prouided alſo and be it enacted by authority aforeſaid, that this Act nor any thing therein contained, ſhall in any wiſe binde the inhabitants of the City of London and Suburbs of the ſame, for to pay their tithes and offerings within the ſame City and Suburbs otherwiſe than they ought, or ſhould haue done before the making of this Act: any thing in this Act contained to the contrary notwithſtanding.

The inhabitants of London.

And be it further enacted by the authority aforeſaid, that all caſes, where any perſon or perſons, Which now haue, or which hereafter ſhall haue any eſtate of inheritance, freehold, terme, right or intereſt of, in, or to any parſonage, vicarage, portion, penſion, tithes, oblations, or other Eccleſiaſticall or ſpirituall profit, which now be, or which hereafter ſhall be made temporall, or admitted, to be, abide, & go to, or in temporall hands & lay vſes and profits by the law or ſtatutes of this Realme, ſhal hereafter fortune to be diſeiſed, deforced, wronged, or otherwiſe kept or put from their lawfull inheritance eſtate, ſeaſon, poſſeſſion, occupation, terme, right, or intereſt of, in or to the ſame, or of, in or to any parcell thereof, by any other perſon or perſons, claiming or pretending to haue intereſt or title in or to the ſame: that then in all & euery ſuch caſe or caſes the perſon or perſons ſo diſeiſed, deforced, or wrõgfully kept or put from his or their right, or poſſeſſion, as is afore rehearſed, their heires, wiues, and ſuch other to whom ſuch iniury and wrong, ſhall be done or committed, ſhall and may haue their remedy in the [b] Kings temporall Courts, or other temporall Courts, as the caſe ſhal require for the recouery, getting or obtaining of ſuch inheritance, eſtate, freehold, ſeiſon, poſſeſſion, terme, right, or intereſt, by [c] writs originall of Prec. quod reddat, Aſſ. of nouell diſſeiſon, mortdanc. Quod ei deforciat, writs of dower or other writs originall, as the caſe ſhall require, to be deuiſed and granted in the Kings court of Chancery, of euery ſuch parſonage, vicarage, portion, penſion, or other profit called eccleſiaſticall or ſpirituall, ſo to be demanded according to the nature and cauſe of the ſuit thereof in like manner and forme as they ſhould, ought, or might haue had, of or for lands, tenements, or other hereditaments in ſuch manner to be demanded. And that writs of [d] couenant and other writs for fines to bee leuied, & all other aſſurances to be had made, or conueyed of any ſuch parſonage, vicarage, portion, penſion, or other profit called eccleſiaſticall or ſpirituall, as is aforeſaid, ſhalbe hereafter deuiſed and granted in the ſaid Chancery, according as hath beene vſed for fines to bee leuied, and aſſurance to bee had or made, or conueied of lands, tenements or other hereditaments. And that all iudgements to be giuen vpon any of the ſaid writs originall ſo to bee deuiſed or granted of or for any the premiſſes, or any of them: and all fines to be leuied and knowledged in any of the Kings ſaid Courts thereof ſhall bee of like force and effect in the Law, to all intents and purpoſes, as iudgements giuen and fines leuied of lands, tenements, and hereditaments in the ſame Courts vpon writs originall therefore duly purſued and proſecuted, albeit no ſuch forme of writs originall out of the ſaid Court of Chancery haue heretofore proceeded or beene awarded.

Recoueries may be had and conueiances made in temporall Courts of tithes, as of lands.

[b] Dy.fo.87. Co.Inſt.159.a.

[c] 12.H.4.fo.10.

[d] Coke l.11.f.25.

Iudgements giuen, & fines leuied in the K. courts of tithes ſhall be of like force as of lands.

Prouided alwayes, that this laſt Act ſhall not extend nor bee expounded to giue any remedy, cauſe of action, or ſuit in the Courts temporall againſt any perſon or perſons which ſhall refuſe, or deny to ſet out his or their tithes, or which ſhall detaine, with-hold or refuſe to pay his tithes or offerings, or any parcell thereof: but that in all ſuch caſes the perſon or party being Eccleſia-

Remedy ſhall be had for tithes & offerings in the ſpiritual courts and not in the temporall.

ſticall or lay perſon, hauing cauſe to demaund, or haue the ſaid tithes or offerings, and thereby wronged or grieued, ſhall take and haue their remedy for their ſaid tithes or offerings in euery ſuch caſe in the Spirituall Courts, according to the ordinance in the firſt part of this Act mentioned, and not otherwiſe: Any thing herein expreſſed to the contrary thereof notwithſtanding. St.27.H.8.20. 2,Ed.6.13. Coke li.2.fo.43.

Cap. VIII.

Whoſoeuer ſhall ſell or buy any Feſant or Partridge (ſauing the officers of the Kings, Queenes, or Princes houſes) ſhall forfeit for euery Feſant vj.s.viij.d. and for euery Partridge iij.s.iiij.d. to the King and I.&c.EXP.St.1.*Iac*.27.

Cap. IX.

No perſon ſhall ſell or buy any right or title, or maintaine it, or procure maintenance in any ſuite.

Maintenance, embracery, ſubornation of witneſſes, and buying of titles great hinderances to iuſtice.

THE King our Soueraigne Lord calling to his moſt bleſſed remembrance, that there is nothing within this Realme that conſerueth his louing ſubiects in more quietneſſe reſt, peace, and good concord, than the due and iuſt miniſtration of his lawes, and the true and indifferent trials of ſuch titles and iſſues, as béene to be tried, according to the lawes of this Realme, which his moſt royall Maieſty perceiueth to be greatly hindered by maintenance, embracery, Champerty, ſubornation of witneſſes, ſiniſter labour, buying of titles and pretenced rights of perſons not being in poſſeſſion, whereupon great periury hath enſued, and much inquietneſſe, oppreſſion, vexation, trouble, wrongs, and diſinheritance hath followed among his moſt louing Subiects, to the great diſpleaſure of Almighty God, the diſcontentation of his Maieſty, and to the great hinderance and let of Iuſtice within this his Realme. For the auoyding of all which miſdemeanors, and buying of titles, and pretenced rights, and to the intent that Iuſtice may be more fully, and indifferently miniſtred, and the truth in cauſes of contention plainly tried betwéene his ſubiects of this Realme: Be it enacted by our ſaid Soueraigne Lord, with the aſſent of the Lords Spirituall and Temporall, and the commons in this preſent Parliament aſſembled, and by authority of the ſame, that from henceforth all ſtatutes heretofore made, concerning maintenance, Champerty, and Embracery, or any of them now ſtanding and being in their full ſtrength, and force, ſhalbe put in due execution, according to the tenures and effects of the ſame ſtatutes. Stat.1.Ed.3.14.20.Ed.3.4. 1,R.2.4. 3.Ed.1.25. 33.Ed.1. 28.Ed.1.11.

All Stat. made concerning Maintenance, Embracery, and Champerty ſhall be put in execution.

And ouer that, be it further enacted by the authority aforeſaid, that no perſon nor perſons of what eſtate, degrée, or condition ſoeuer he or they be, ſhall from henceforth bargaine, buy, or ſell, or by any wayes or meanes obtaine, get, or haue any pretenced rights or titles, or take, promiſe, graunt, or couenant to haue any [a] right, or title of any perſon or perſons, in, or to any Manors, lands, tenements or hereditaments, (except ſuch perſon or perſons, which ſhall ſo bargaine, ſell, giue, graunt, couenant, or promiſe the ſame, their anteceſſors or they by whom hee or they claime the ſame, haue béene in poſſeſſion of the ſame, or of the reuerſion, or remainder thereof, or taken, the rents or profits thereof by the ſpace of one whole [b] yeare next before the ſaid bargaine, couenant, graunt, or promiſe made) vpon paine that hee that ſhall make any ſuch bargaine, ſale, promiſe, couenant, or graunt, to forfeit the whole value of the lands, tenements, or hereditaments ſo bargained, ſold, promiſed, couenanted or graunted, contrary to the forme of this Act: And the buyer or taker thereof, knowing the ſame, to forfeit alſo the value of the ſaid lands, tenements, or hereditaments ſo by him bought, or taken, as is aboueſaid. The one halfe of the ſaid forfeitures to bee to the King our Soueraigne Lord, and the other halfe to the party that will ſue for the ſame in any of the Kings Courts of Record by action of debt, bill, plaint, or information. In which action, bill, plaint, or information, no eſſoine, protection, wager of law, nor iniunction ſhall be allowed.

[a] Cok.pla.f.258. 364.

None ſhall buy any pretenced right in any land, vnleſſe the ſeller hath take the profit therof one yeere before.

[b] Plow.fo.77. Dyer.fo.74.37. Coke li.4.fo.6. Bro. Mainten 38.

And furthermore, that no manner of perſon or perſons, of what eſtate, degrée, or condition ſoeuer he or they be, doe hereafter vnlawfully maintaine or cauſe, or procure any vnlawfull maintenance in any action, demaund, ſuit or complaint in any of the Kings Courts of the Chancery, the Starrs Chamber, White-hall, or elſwhere, within any of the Kings Dominions of England or Wales, or the marches of the ſame, where any perſon or perſons haue, or hereafter ſhall haue authority by vertue of the Kings Commiſſion, Patent, or Writ, to hold plea of lands, or to examine, heare, or determine any [c] title of lands, or any matter or witneſſes concerning the title, right or intereſt of any lands, tenements, or hereditaments. And alſo that no perſon or perſons, of what eſtate, degrée, or condition ſoeuer he or they be, do hereafter vnlawfully retaine for maintenance of any [d] ſuit or plee, any perſon or perſons, or embrace any Fréeholders, or Iurors, or ſuborne any witneſſe by letters, rewards, promiſes, or any other ſiniſter labour or meanes, for to maintaine any matter, or cauſe, or to the diſturbance or hinderance of Iuſtice, or to the procurement, by occaſion of any manner of periury by falſe verdict, or otherwiſe, in any manner of Courts aforeſaid, vpon paine to forfeit for euery ſuch offence, x.li. the one moity thereof vnto the

Unlawfull maintaining of a ſuit depending in any of the Kings Courts.

[c] Raſt.pla.fo. 430. St.5.El.9.

[d] Kel.fo.58. Bro. Mainten 1.3.5.6.7. 14.16.17. 20.24 32.34.39. 42.43 51.53.

King our Soueraigne Lord, and the other moity to him that will ſue for the ſame by Action of debt, bill, plaint, or information, in any the Kings Courts, in which action no eſſoine, protection, wager of law, nor iniunction ſhall be allowed.

Prouided alway, and bee it enacted by the authority aforeſaid, that it ſhall bee lawfull to any perſon or perſons being in lawfull poſſeſſion by taking of the yearely ferme, rents, or profits, of, or for any manors, lands, tenements, or hereditaments, to buy, obtaine, get or haue by any reaſonable way, or meanes the pretenſed right, or title of any other perſon or perſons, hereafter to be made, to, of, or in ſuch manors, lands, tenements, or hereditaments whereof he or they ſhall ſo be in lawfull poſſeſſion: any thing in this Act contained to the contrary notwithſtanding.

Dyer fo.33.

Purchaſing of pretenſed title by him that is in poſſeſſion is lawfull.

And for the due execution of this preſent Act, be it further enacted by authority abouesaid that the Juſtices of Aſſiſe of euery circuit within this Realme, and elſewhere within the Kings Dominions ſhall in euery County within their circuits two times in the yeare, that is to ſay, in the time of their ſittings, for the taking of Aſſiſes, or deliuery of the Gaoles, cauſe open Proclamation to be made, as well of this preſent Act, and of euery thing therein contained, as alſo of all other ſtatutes heretofore made againſt vnlawfull Maintenance, Champerty, Embracery, or vnlawfull retainers, to the intent that no manner of perſon or perſons, hearing the ſame, ſhould be ignorant, or miſcogniſant of the dangers and penalties therein contained and ſpecified.

Proclamations ſhall be made at Aſſiſes of the Statutes of maintenance, champerty, &c.

Prouided alway, and be it enacted by the authority aforeſaid, that this Act ſhall not extend to charge any perſon or perſons with any of the penalties mentioned in the ſaid Act, for any offence by him or them committed contrary to the ſaid Act, except the ſame perſon or perſons ſo offending be ſued therof by action of debt, bill, plaint, or information in any of the Kings Courts within one yéere next after the ſame offence by him or them committed, as is aforeſaid. Raſt. pla. fol. 395. Coke pla. fo. 163. Coke Inſt. 369. a.

Within what time the offendor ſhalbe ſued.

Cap. X.

A repeale of the puniſhment by death of Prieſts married or vnmarried, and of women offending with them by incontinency limited by the Stat. of 31. *H.* 8. 14. A Prieſt offending by incontinency ſhall the firſt time forfeit to the King all his goods, cattels, debts, and all his Spirituall promotions ſauing one. And being the ſecond time conuict, he ſhal forfeit all his goods, cattels, debts, & the iſſues and profits of all his lands, benefices, and promotions: And being the third time conuict, ſhall forfeit all his goods, debts, lands, benefices, &c. and be impriſoned during his life. And the woman, if married, ſhee ſhalbe impriſoned during life, but being vnmarried ſhe ſhall the firſt time ſhee is conuict, forfeit all her goods, cattels, and debts: the ſecond time the moity of the iſſues of her lands during her life: and the third time the whole iſſues and profits of all her lands, &c. and ſhall be impriſoned during her life. St. 2. *Ed.* 6. 21. St. 5. *Ed.* 6. 12.

Cap. XI.

It ſhall be felony to take, or cauſe to be taken the egge or egges of any Fawlcon, Goſhawke or Lanard, or their birds out of their neſts: or with vizards, or painted faces, or otherwiſe diſguiſed to the intent he would not be knowne, to ſteale Deere or Conies in the day time in a lawfull Warren or Parke: Or to ſteale Deere or Conies in the night there. Rep. 1. *Ed.* 6. 12. St. 1. *M.* 1. 11. *H.* 7. 17. 3. *Ed.* 6. 17. 7. *Ed.* 6. 11.

Cap. XII.

All Sanctuaries and places priuileged, which haue beene vſed for Sanctuary, ſhall be vtterly extinguiſhed, except pariſh Churches, and their Church-yards, Cathedrall Churches, Hoſpitals, and Churches Collegiat, and all Churches dedicated, vſed as pariſh Churches, and the Sanctuaries to euery of them belonging, and Wels in the County of Somerſet, Weſtminſt. Mancheſt. Northampton, Norwich, Yorke. Darby, and Launceſter. None of the ſaid places ſhall giue immunity or defence to any perſon which ſhall commit wilfull murder, rape, burglary, robbery in the high way, or in any houſe, or in any Church or Chappell, or which ſhall burne wilfully any houſe or barne with Corne. He that taketh Sanctuary in any Church, Church-yard, &c. may remaine there forty dayes as hath beene vſed, vnleſſe the Coroner repaire to him to take his abiuration. In which caſe he ſhall abiure to any of the foreſaid priuileged places, not being full of the number appointed to them, *viz.* aboue Twenty perſons, there to remaine during his life. If a Priuileged perſon, daily called to appeare before the Gouernor, ſhall make default three dayes: or if he commit any felony he ſhall loſe the benefit of Sanctuary. A priuileged perſon abiuring to any of the foreſaid places, ſhall be conducted from Conſtable to Conſtable directly, vntill he be brought to the Gouernor of the ſaid priuileged place. And if that place be full of his number, then he ſhall be conducted to the next priuileged place, and ſo to the next, &c. vntill, &c. Rep. 1. *Iac.* 25. & 21. *Iac.* 28. St. 21. *H.* 8. 2. 22. *H.* 8. 14. 27. *H.* 8. 19. 33. *H.* 8. 15.

CAP. XIII.

Horſes feeding on Commons not being of lawfull height ſhall be ſeiſed and meaſured, &c.

FOraſmuch as the generation, and breed of good and ſtrong Horſes within this Realme, extendeth not onely to a great helpe of defence of the ſame, but alſo is great commodity and profit to the inhabitants thereof, which now is much decayed and diminiſhed, by reaſon that in forreſts Chaſes, Moores, Mariſhes, Heaths, Commons, and waſt grounds within this realme, little ſtoned Horſes and Nags of ſmall ſtature, and of little value be not only ſuffered to paſture and feed thereupon, but alſo to couer and leape Mares feeding there, whereof commeth in manner no profit or commodity.

For reformation whereof, and for the increaſe and breed of better and ſtronger Horſes, hereafter to be had within this Realme: Be it enacted by the King our Soueraigne Lord, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That no Commoner or Commoners within any Foreſt, chaſe, Moore, Mariſh, Heath, common or waſt ground, nor any officer or officers of, or within any of the ſaid Foreſts or Chaſes, nor any other perſon or perſons, whatſoeuer he or they be, at any time after the laſt day of March, which ſhalbe in the yeere of our Lord God, one thouſand fiue hundred and three and forty, ſhall haue, or put to paſture into, or vpon any ſuch ground, forreſt, Chaſe, Moore, Mariſh Heath, Common, or waſt ground, any ſtoned Horſe or Horſes being aboue the age of two yeeres, and not being of the altitude and height of fifteene handfull, to be meaſured from the loweſt part of the hoofe of the forefoot, vnto the higheſt part of the wither, and euery handfull to containe foure inches of the Standard, to paſture, feed, or be, in or vpon any of the ſaid Foreſts, Chaſes, Commons, Moores, Mariſhes, Heaths, or waſt grounds within any of the Shires and Territories of Norffolke, Suffolke, Cambridge, Buckingham, Huntingdon, Eſſex, Kent, Southamſhire, Northwilſhire, Oxford, Berkſhire, Worceſter, Glouceſter, Somerſet, Northwales, Southwales, Bedford, Warwick, Northampton, Yorkſhire, Cheſhire, Staffordſhire, the county of the City of Yorke, the towne and liberties of Glouceſter, the county of the town of Kingſton vpon Hull, the county Palatine of Lancaſter, the county of Salop, Leiceſter, Hereford and Lincolne, or within any of them, nor ſhall put to feed, or paſture any ſtoned horſe, or horſes, being aboue the ſaid age of two yeers, and not being of the altitude and height of fourteene handfull to bee meaſured, as is aboueſaid, within or vpon any like ground or grounds as beene aboue written, lying or being within any other ſhire of this realme, nor within any of them, vpon paine of forfeiture of the ſaid horſe or horſes, which ſhall be ſo found in or vpon any ſuch ground, foreſt chaſe, moore, mariſh, heath, common, or waſt ground at any time after the ſaid laſt day of March, which ſhall bee in the ſaid yeere of our Lord God one thouſand fiue hundred and three and forty contrary to the forme of this Statute.

Of what height thoſe ſtoned horſes ſhall be which doe feed vpon the Commons in certain counties.
St.8.El.8.
21.Iac.28.

And it ſhall bee lawfull to euery perſon and perſons that ſhall finde any ſuch horſe, or horſes, contrary to the forme of this Statute, to ſeiſe the ſame in manner and forme following, that is to ſay, the ſaid perſon and perſons ſo finding any Horſe, or Horſes, contrary to this Act, in any Foreſt, Chaſe, Common, Moore, Mariſh, Heath, or waſt ground within the ſaid Shires, or other limits aforeſaid, or in any of them, ſhall firſt goe vnto the Keeper or Keepers of the ſame Foreſt, or Chaſe, or to his deputy or deputies, or to the Conſtable Bailiffe, Headborough, Burſholder, or Tithing-man, of any Towneſhip next adioyning vnto the ſaid place where the ſaid Horſe or Horſes ſhall bee: And ſhall commaund, or require him or them, or any of them, in the Kings behalfe, to goe with him or them, to bring euery ſuch horſe or horſes, as hee or they ſhall thinke to be there feeding and going, contrary to this Statute, to the next Pound, and there the ſaid horſe and horſes to be meaſured by any of the ſame officer or officers in the preſence of three other honeſt men to be named, and appointed by the ſaid officer, and if it ſo be found that the ſame horſe or horſes be contrary to this Act, that then it ſhall be lawfull to euery ſuch perſon and perſons that ſo ſhall challenge and ſeiſe the ſaid horſe or horſes as before is ſaid, to take and retaine the ſame horſe and horſes, and euery of them to his owne vſe, as his owne proper goods and cattels for euer, without let, interruption, vexation, ſuit, or trouble of the owner or owners of them or any of them, or of any other perſon or perſons.

Seiſure & meaſuring of a horſe not of a lawfull height.

And it is further enacted by the authority aboueſaid, That if any of the ſaid Keepers, their deputy or deputies, Bayliffes, Conſtables, Headboroughs, Burſholders, or Tithing men, or any of the ſaid three other honeſt men, which ſhall be required to be at the meaſuring of the ſaid horſe or horſes, as is beforeſaid, do refuſe to doe as is aforeſaid, or elſe do not truly meaſure ſuch horſe and horſes, that then euery ſuch Bailiffe, Keeper, deputy or deputies, Conſtable, Headborough, Burſholder, and Tithing man, and the ſaid three honeſt perſons to be named, as is aforeſaid, and euery of them, not doing, and refuſing to doe his or their duty in the premiſſes ſhall forfeit and loſe forty ſhillings for euery time ſo refuſing to doe, or not doing as is aforeſaid, the one halfe thereof to be to our Soueraigne Lord the King, and the other halfe thereof to be to the

The penalty of thoſe that refuſe to meaſure a horſe not of a lawfull height being thereunto required.

party that will ſue for the ſame in any Court of our ſaid Soveraigne Lord the King by bill, or plaint of debt, information or otherwiſe, in which action none eſſoine, wager of law, or protection ſhall be admitted or allowed.

Provided alway that this Act ſhall not extend to any ſtoned horſe or horſes, that ſhall happen once in a yeare after the ſaid laſt day of March, to breake, eſcape, or goe out of any ſeverall paſture or ground againſt the will and minde of the owner or poſſeſſor of ſuch horſe or horſes, into any of the ſaid Foreſts, chaſes, moores, mariſhes, heaths, commons or waſt grounds, ſo that the ſaid horſe or horſes ſo breaking, eſcaping, or going out, doe not remaine or abide in the ſaid Foreſts, Chaſes, Moores, Mariſhes, Heaths, Commons, or waſt Grounds, or any of them by the ſpace of foure dayes, next after ſufficient and open notice and knowledge given at the dwelling houſe of the owner of the ſaid horſe or horſes, or after open publication thereof made, vpon a Sunday, or other feſtivall day, in the Pariſh Church where the owner or poſſeſſor of ſuch horſe doth dwell.

Horſes breaking forth into the common againſt the owners will.

And be it further enacted by authority aforeſaid, that all foreſts, chaſes, commons, moores, mariſhes, heaths, and waſt grounds within this realme of England and Wales, and the Marches of the ſame, & every of them ſhall be driven at the feaſt of S. Michael the Archangel next comming or within xv. daies then next after, and ſo yearely to be driven by the Lords owners and poſſeſſors of the ſaid Foreſts, or chaſes, or by the officers of the ſame, and by the Conſtables, Headboroughs, Bailiffes, Burſholders, and Tithingmen, within whoſe offices, precincts, and limits, the commons, moores, mariſhes, heaths, and waſt grounds, being out of foreſts, and chaſes, be, or lye, vpon paine of xl. s. to bee forfeited to our ſaid Soveraigne Lord the King, by every of the ſaid officers, Bailifes, Conſtables, Headboroughs Burſholders, and Tithingmen, as often, and at every time, as the ſaid drift ſhalbe omitted, or left vndone, or not effectually done within xv. daies after the ſaid feaſt of S. Michael the Archangel as is aforeſaid. And it ſhall alſo be lawfull to the Lords, owners, and poſſeſſioners of the ſaid Foreſts, and Chaſes, by their officers of the ſame, and by the conſtables, bailiffes, headboroughes, burſholders, and tithingmen, and every of them within the limits of their offices, to make like drift of the ſaid foreſts, chaſes, commons, moores mariſhes, heaths, and waſt grounds at any other ſeaſon and time of the yeare whenſoever, and as often as they ſhall thinke meet and convenient.

Foreſts, heaths, Chaſes, Commons, and waſt grounds ſhall be driven once in the yeare.

And furthermore be it enacted that if in any of the ſaid drifts, there ſhall be found any Mare, filly, fole, or gelding, that then ſhall bee thought not to bee able, nor like to grow to bee able to beare foles of reaſonable ſtature, or not able nor like to grow to be able to do profitable labors, by the diſcretions of the drivers aforeſaid or of the more number of them, then the ſame driver or drivers ſhall cauſe the ſame vnprofitable beaſts and every of them to be killed, and the bodies of them to be buried in the ground, or otherwiſe beſtowed, as no noiance thereby ſhal come, or grow to the people, there neere inhabiting, or thither reſorting.

Vpon the drift of Commons vnlikely Tits ſhalbe killed. 21. Iac. 28.

And it is further enacted by the authority of this preſent Parliament, that the Juſtices of peace in every Shire, Riding, and other place in their quarter ſeſſions to be kept and holden by vertue of the Kings commiſſion of the peace to them directed, and all Stewards of Leets, and lawdaies in the ſame Leets, and lawdayes, ſhall haue authority by this Act, to enquire of all defaults, contempts, omiſſions, and offences, contrary to the effects above written, and every of them. And all preſentments thereof to be found in any of the ſaid Leets, and Lawdaies, ſhalbe certified by the Steward, or deputy Steward, or Courtholder of the ſame Leet, or Lawday in the next generall Seſſions of the peace to be holden in the County where ſuch preſentment ſhall be found or had, or vnto the Cuſtos Rotulorum of the ſame Shire, within forty dayes next after that preſentment made, which Juſtices of Peace in their quarter Seſſions of the Peace ſhal haue power and authority by this Act, to heare and determine every ſuch preſentment before themſelves found, or in any of the ſaid leets, or lawdaies, to be preſented and certified as is aforeſaid, aſwell by examination, as otherwiſe, and if any ſuch Steward, deputy Steward, or Courtholder aforeſaid, imbeſil, or conceale any ſuch preſentment, or doe not certifie the ſame as is afore written, every of them ſo offending ſhall forfeit and loſe for every ſuch offence, xl. s. The one halfe of every ſuch forfeiture, and every other of the forfeitures afore written to be to the king our ſoveraign Lord, and the other halfe to the perſon or perſons that will ſue for the ſame, before the ſaid Juſtices of peace in their ſaid quarter Seſſions by bill, or information which Juſtice ſhall haue full power, and authority by vertue of this Act, to heare and determine every ſuch offence, as well by examination, as otherwiſe, as is before mentioned.

Juſtices of P. in the Seſſions, and Stewards in their Leets and lawdayes ſhall inquire of all offences aforeſaid.

And be it further enacted by the authority aforeſaid, that no perſon or perſons after the feaſt of S. Michael the Archangell next comming, ſhal haue or put to paſture any horſe, gelding, or mare infect with ſcabbe or mange, in, to, or vpon any of the ſaid Foreſts, Chaſes, Moores, Mariſhes, Heaths, Commons, waſt grounds, or common fields: vpon paine to forfeit for every Horſe, Gelding, or Mare ſo infect, paſturing in any of the ſaid grounds, ten ſhillings, which offence ſhal be inquirable and preſentable before the Steward in every Leet, as other common annoiances be. And the forfeiture therefore to be to the Lord of the ſame leet, where the ſaid offences ſhalbe preſented.

No horſe, gelding or mare, infected with the ſcab ſhall be put vpon the Common.

Horſes of ſmall height may be put where mares are vſed not to be kept.

Prouided alway, that this Act, or any thing therein contained, ſhall not extend, nor be preiudiciall to any perſon or perſons, hauing any ſtoned horſe or horſes, vnder the heights and altitudes aboue mentioned, for or concerning the hauing or putting any of the ſaid horſes to feeding in, or vpon any common, or waſt grounds, where any Mares, or Fillies are not vſed, nor ſuffered to be fed, paſtured, or kept. St. 33. H. 8. 5.

CAP. XIIII.

The Statutes of 5. *R.* 2. 3. 6. *R.* 2. 8. 4. *H.* 7. 10. and 23. *H.* 8. 7. touching fraighting in Engliſh ſhips only rehearſed and confirmed. A rate what ſhall be paid for the fraight or portage of the ſeuerall ſorts of merchandiſes from the Port of London to other places, and from thence to London. OB. Stat. 1. *El.* 13. 5. *El.* 5. 13. *El.* 15.

CAP. XV.

In all Commiſſions to be granted to the Biſhop of the Dioceſſe, his Chancellor and Commiſſary concerning Chriſtian religion according to the Statute of 31. *H.* 8. 14. there ſhalbe ioyned with them the Archdeacons and their Officials, all which ſhall bee named in the ſaid Commiſſions by their names of dignity, and not by their Chriſtian names and ſurnames. EXP. 1. *Ed.* 6. 12. becauſe the ſaid 31. *H.* 8 14. is by that Act repealed.

CAP. XVI.

Aliens ſhallbe bound by and vnto all the lawes and ſtatutes of this Realme.

St. 1. R. 3. 9.

No alien borne not made denizen being an Artificer ſhall take or occupy any houſe or chamber, nor ſoiourne with a ſtranger, nor occupy any craft.

THE King our moſt dread Soueraigne Lord calling vnto his bleſſed remembrance the infinite number of ſtrangers and aliens, of foraine countries and nations, which daily doe encreaſe and multiply within his Graces realme and dominions, in exceſſiue numbers to the great detriment, hinderance, loſſe and impoueriſhment of his Graces naturall lieges and ſubiects of this his Realme, and to the great decay of the ſame, remembring alſo the manifold Acts, and good ſtatutes, which haue been heretofore made, as well by his moſt noble progenitors, as by his owne moſt royall Maieſty for reformation of the ſame in diuers and ſundry Parliaments, that is to wit: Firſt in the firſt yeare of the raigne of King Richard the third, where it was enacted that no perſon not born vnder the ſame kings obeiſance, nor made denizen, taking vpon him to be an artificer, or handy crafts man, ſhould take nor occupy any houſe or chamber within this Realme, nor abide or remain in the ſame, nor ſoiourne with any ſtrange perſon, not being borne vnder the obeiſance of the ſame king as is aforeſaid, nor exerciſe or occupy any craft, or manuel occupatiõ within this ſame Realme: but that ſuch ſtrangers ſhould depart from this ſame Realme, within a certaine time appointed by the ſaid eſtatute, vnleſſe they were retained in ſeruice, to or with any ſubiects or lieges of the King onely which were expert in their crafts or occupations, vnder paine to forfeit all their goods.

An alien ſhall not make any cloth, ſell any ware by retaile, or ſhall take any ſeruant but the Kings ſubiect, or his owne child

And that no perſon, not being borne vnder the ſaid Kings obeiſance, nor made denizen, being an artificer or handy crafts man ſhould make any cloth within this Realme. And alſo that no ſuch ſtranger ſhould ſell any wares within this Realme but onely in groſſe, and not by retaile, vnder paine of forfeiture of the ſaid wares.

And moreouer, that no perſon, not being borne vnder the ſaid Kings obeiſance, abiding in any houſe or chamber within this realme, occupying any handy craft after a certaine time in the ſaid Act limited, ſhould take any ſeruant to worke with him, except it were his ſonne or daughter, or elſe one of the ſubiects of the ſaid King, and borne vnder his obeiſance, vpon paine to forfeit for euery ſuch default xx. li. as in the ſaid Act amongſt other things more plainly appeareth.

Stat. 14. H. 8. 2. What prentices aliens muſt take and whom for Iourneyman, and they muſt be vnder reformation. St. 5. El. 4.

And where alſo in the xiiij. and xv. yeere of the raigne of our ſaid ſoueraigne Lord the king that now is, it was enacted that no ſtranger borne out of his Graces obeiſance, were hee denizen, or not denizen, vſing any handy craft, or occupation within this realme ſhould take any apprentice, except the ſame apprentice were borne within his graces dominions and obeiſance, vpon paine to forfeit for euery ſuch apprentice ſo taken, x. li.

And that alſo no ſtranger, nor alien borne vnder like paine, vſing any handy craft within this Realme, after a certaine time limited in the ſaid Act, ſhould take or haue any Iourney man, or couenant ſeruant, except ſuch Iourney man or couenant ſeruant were borne vnder his Graces obeiſance.

St. 21. H. 8 16. Aliens ſhall be contributorie to charges with the Kings ſubiects they ſhall ſweare to be true to the King, and ſhall make no aſſemblies but at their Hals.

And that all manner of aliens borne as well being denizens, as not being denizens inhabiting within the city of London, or a certaine ſpace about the ſame, ſhould be vnder the ſearch, and reformation of the Wardens of the Fellowſhips of handy crafts within the ſaid Citie of London, as in the ſaid eſtatute among other things more plainly appeareth.

And where alſo in the Parliament of our ſaid ſoueraign Lord, holden at Weſtminſter in the xxj. yeere of his moſt gracious reigne, it was enacted among other things that no ſtranger ſhould keep any moe ſeruants ſtrangers but only two at one time, and that all denizens then made, or after to be made which would inhabit within the ſaid city of London, or within a certain circuit of the ſame, and would there keepe any houſe, or occupy any craft or occupation, ſhould be contributory to, and with the Kings graces ſubiects of the ſame craft or occupation within the ſaid city of London, paying, bearing, and ſuſtaining, ſuch charges of the ſame crafts men, as in the ſame Act is contained: And that they ſhould alſo preſent themſelues at the common hall, or meeting place of the ſaid crafts in the City of London, and there to take a corporall oath before the Maſter and Wardens of the ſame craft to be true to our ſaid Soueraigne Lord the King and his heires. And alſo that no ſtranger artificer, or handy crafts man, borne out of his Graces allegiance, not being denizen, ſhould ſet vp, or keepe any houſe, ſhops, or chambers wherein they ſhould exerciſe any handy craft or myſtery, within this Realme, vpon like penalties as beene mentioned in the ſaid former eſtatute. And that alſo no ſtranger, nor deniſen not being borne within this Realme, ſhould aſſemble in any company, fellowſhip, congregation, or conuenticle, but only in the common hall of their crafts with his Graces ſubiects of the ſame craft vpon like paine, as is aforeſaid, as in the ſaid Acts and Statutes, among many other things more plainly appeareth All which good wholſome and beneficiall Acts and Statutes beene in manner infringed, fruſtrated, and defrauded, chiefly by the means of diuers Letters Patents obtained by the crafty ſuits inuentions and practiſes of ſtrangers lately made denizens in great number, which Letters patents doth containe, that euery ſuch deniſen ſhalbe as free as Engliſhmen naturally borne within the Kings Graces Dominions and obeiſance, any acts or ſtatutes made, or to be made to the contrary notwithſtanding, by reaſon whereof the ſaid denizens refuſe to obey and performe ſuch orders and directions as in the ſaid former eſtatutes were limited, preſcribed, and declared, aſwell to, and for ſuch ſtrangers borne out of the kings obeiſance, as at that time were made denizens, or that after ſhould bee made denizens, to the great hinderance, and decay of the handy crafts men, being the Kings Graces naturall lieges and ſubiects.

For reformation whereof, the Kings moſt royall Maieſty is contented, and pleaſed, that it be enacted by his moſt Gracious Highneſſe, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That all manner of ſtrangers borne out of his Graces obeiſance which heretofore haue beene made denizens, or that hereafter ſhall be made denizens, from and after the firſt day of September next comming ſhall be bound and obedient, by, and vnto all the foreſaid Acts, and Statutes, and to all the contents of the ſame, and to all other Acts and Statutes of this Realme, heretofore made, now being in their force and not repealed: Any Letters Patents, or ordinances heretofore made, or hereafter to be made, to the contrary thereof in any wiſe notwithſtanding. And that alſo in all and euery Letters patents of or for the making of any denizen, from and after the laſt day of this preſent Parliament to be made to any ſtranger not being borne vnder the Kings Graces obeiſance, ſhall be contained a prouiſo that he or they, to whom ſuch Letters Patents ſhall be ſo made and granted ſhall be bounden and obedient by and vnto all the Acts and eſtatutes of this Realme, as is aforeſaid, and to all and euery the contents of the ſame: Except it ſhall bee the Kings moſt gracious pleaſure to grant to any ſuch alien any ſpeciall liberties, or priuileges, more or otherwiſe than is contained in the ſaid eſtatutes. And in that caſe all ſuch liberties, and priuileges ſo to be granted to any ſuch alien, contrary to the forme of any of the ſaid eſtatutes ſhall be plainly wholly and particularly expreſſed, ſpecified, and declared by ſpeciall words, as well in the bill aſſigned with the Kings graces hand, for obtaining of any ſuch graunt, as in the letters patents to be made out of the Chancerie for and concerning the ſame.

All ſtrangers made denizens, ſhal be obedient vnto the ſtatuts 1.R.3. 14.H.8. 21.H.8.

A prouiſo in all Letters Pat. for making of denizens that they ſhal be obedient to the lawes.

And furthermore be it enacted by the authoritie aforeſaid, that no alien or ſtranger denizen, or not denizen, vſing any handy craft, being borne out of the Kings Graces obeyſance, inhabiting within the Vniuerſities of Oxford or Cambridge, or within the precinct of S. Martins le graund in London, or within any other ſuch like places priuileged, ſhall from the feaſt of Saint Michael the Archangell next comming, retaine, haue, or keepe in their ſeruice, any Apprentice, Iourney man, or ſeruant being aliens borne out of the Kings obeyſance, aboue the number of two perſons at one time, vpon paine and penalty contained in the ſaid Act, made in the ſaid fourteene and fifteene yeares of his graces raigne: Any Act or prouiſion heretofore made to the contrary in any wiſe notwithſtanding.

No alien dwelling in Oxford, &c ſhall keep aboue two ſeruants that be ſtrangers at one time. St 5.El.4.

And that it be alſo enacted by the authority aforeſaid, that euery alien, and ſtranger, borne out of the Kings obeiſance, not being denizen, which now or hereafter ſhall come in, or to this Realme, or elſewhere within the Kings Dominions, ſhall after the ſaid firſt day of September next comming, be bounden by, and vnto the lawes and ſtatutes of this realme, and to all and ſingular the contents of the ſame.

Euery alien bound to the lawes of this Realme.

And that none of the Kings ſubiects ſhal retaine or keepe together at one time in his houſhold, ſeruice, or family, aboue the number of foure ſtrangers borne out of the Kings obeiſance, Nor that any alien, being denizen, and vſing no handy craft, ſhall retaine or keep in his houſhold, ſeruice or family together at one time aboue the ſaid number of foure ſtrangers, vpon pain that the offendor and offendors contrary to this article, ſhall loſe and forfeit for euery ſtranger borne out of the Kings obeiſance, retained and kept aboue that number ten pound. The moity of all which forfeitures ſhall be to the Kings highneſſe, his heires and ſucceſſors, and the other moity thereof

No man may keep aboue 4. ſtrangers in his ſeruice at one time. Stat. 5. Eliz. 4.

to ſuch perſon or perſons as will ſue for the ſame by originall writ, bill, plaint or information in any of the Kings Courts. In which ſuit, none eſſoine, protection, nor wager of Law ſhall bee admitted or allowed.

A Proclamation publiſhed by the king for the paiment of Cuſtome.

Prouided alway that this Act nor any thing therein contained, ſhall be hurtfull or preiudiciall to ſuch Proclamation as the Kings Maieſty hath publiſhed, or proclaimed for, and concerning the paiment of cuſtome for ſtrangers, granted by the goodneſſe of his Maieſty to endure for certaine yeares, but that the ſame Proclamation ſhall abide, be, and remaine in the ſame plight and ſtrength that it is, and as if this Act had neuer beene made: Any thing in this Act to the contrary thereof notwithſtanding.

Lords of the Parliament may keepe ſix ſtrangers. No ſtrangers except denizens may take any leaſes of houſes.

Prouided alſo, that euery Lord of the Parliament may keep the number of ſix ſtrangers borne out of the Kings obeiſance together at one time: Any thing in this Act to the contrary thereof notwithſtanding.

And it is further enacted by authority aforeſaid, that all leaſes of any dwelling houſe or ſhop, within this Realme, or any the Kings dominions, made to any ſtranger, artificer, or handycraft man borne out of the Kings obeiſance, not being deniſen, from and after the ſaid feaſt of S. Michael the Archangel next comming, ſhalbe void and of none effect. And that no ſtranger artificer, or handy craft man, borne out of the kings obeiſance, not being deniſen, ſhall after the ſame feaſt take any leaſe of any dwelling houſe, or ſhop within this Realme, or in any other the Kings dominions, vpon paine to loſe and forfeit for euery time doing contrary to this Act, one hundred ſhillings. And that no perſon after the ſame feaſt, ſhall grant or let to ferme any dwelling houſe or ſhop, to any ſuch ſtranger, artificer, or handy crafts man, not being deniſen, to the intent to dwell or inhabit in the ſame, vpon like paine of one hundred ſhillings. The moity of which paines and forfeitures to be to the King our Soueraigne Lord, and the other moity to ſuch as will ſue for the ſame, in manner and forme, as in this Act is aboue expreſſed.

Cap. XVII.

Pauing of certaine ſtreets within London.

They which haue a certaine eſtate in lands: adioyning to theſe ſtreets & lanes ſhal paue the ſame before the feaſt of S. Iohn Baptiſt. An.Dom. 1542. to the mids of the cauſeys

FOraſmuch as the ſtreet or way leading from Algate within the City of London, to White Chappell Church without the ſame gate, in the county of Middleſex, The lane called Chancery lane, and the way leading from the barres in Holborne Weſtwards, toward Saint Gyles in the field, And the Lane called Graies Inne lane within the ſaid County. And alſo the Lane lying beſides Saint Andrewes Church in Holborne, called Shoe-lane, And alſo the lane called Feuter lane, being thorow fares and paſſages from Fleetſtreet into Holborne, within the liberty of the City of London, bee very foule, and full of pits and ſloughes, very perillous, and noyous, as well for all the Kings ſubiects, through and by them repairing as well on horſe backe as on foot, as alſo with carriage: For the amendment and reformation whereof, it may pleaſe the Kings Highneſſe with the aſſent of his Lords Spirituall and Temporall, and of his Commons in this high Court of Parliament aſſembled, and by the authority of the ſame, that it may be ordained, eſtabliſhed, and enacted, That all and euery perſon, bodies politike, and corporate, which now haue, or at any time hereafter ſhall haue, any lands, tenements, or other hereditaments in fee ſimple, fee taile, or for terme of life, or for terme of yeeres, or by reaſon of the wardſhip of any heire during the nonage of the ſame heire, or by execution, by writ of Eligit, or by any eſtatute of the Staple, lying and being betweene the ſaid Gate called Algate and White Chappell Church next adioyning to the ſaid high way, or next adioining to any of the ſaid lanes, or waies called Chancery lane, Graies Inne lane, Shoe lane, Feuter lane, and the way from the barres in Holborne Weſtwards to the farre end of high Holborne, ſhall on this ſide the feaſt of the Natiuity of Saint Iohn Baptiſt, which ſhall bee in the yeare of our Lord God. M.D.XLII. well and ſufficiently paue, or cauſe to be paued with pauing ſtone, the bridge at Holborne bars, at the cauſey, beginning at the ſame bars, vnto the end of high Holborne Weſtwards, as farre as any habitation or dwelling is on both the ſides of the ſame ſtreet: And alſo the cauſey or high way leading from Algate to White Chappell Church: And the lane called Chancery lane from the bars beſides the Rols late made and ſet vp by the Lord priuy Seale, vnto the ſaid high way in Holborne. And the ſaid lane called Graies Inne lane, from Holborne bars northward, as farre as any habitation is there: And alſo the lanes called Shoelane, and Feuter lane, euery man ſuch part and quantity of the ſame cauſeyes, and lanes vnto the mids of the ſame cauſeyes, and lanes, and euery of them in length, as his, or their lands, or tenements doe lye, or extend, in like manner and forme as the cauſey or high way leading from Strand bridge to Charing croſſe is made and paued: and alſo the lanes called Shoelane, and Feuter lane, in euery part of the ſame lanes, as other ſtreets within the city of London be paued with a canell in the mids of the ſame lanes, vpon paine euery perſon in his owne default to forfeit for euery yard ſquare of the ſame cauſeys and lanes, and euery of them not ſufficiently paued before the ſaid feaſt of Saint Iohn Baptiſt, ſix pence, They which ſhal haue eſtate in lands adioyning to the high way in the foreſaid ſtreets or lanes ſhall continue the ſame paued.

And that all and euery ſuch perſons hauing, or which hereafter ſhall haue lands or tenements in fee ſimple, fee taile, or for terme of life, or otherwiſe as is aforeſaid, adioyning, or lying to, and next either ſide of the ſaid cauſeis, or lanes, or any of them, their heires, aſſignes or ſucceſſors, after and from the ſaid feaſt of S. Iohn Baptiſt, which ſhall be in the yeare of our Lord God. M.D.XLII. ſhall yearely maintaine, and repaire the ſame pauements, and euery of them, ouer againſt his ſaid lands and tenements, well and ſufficiently from time to time, as often, and when need ſhal require, at all times hereafter with pauing ſtone, vpon paine to forfeit for euery yard ſquare not ſufficiently paued, ſix pence, as often as any ſuch default of any perſon ſhall be preſented before the Juſtices of Peace within the ſaid County of Middleſex for that part of the ſaid way being within the ſaid County of Middleſex. And before the Maior and Aldermen, or Juſtices of the peace within the City of London, for that which is within the liberties of the ſaid City.

The Juſtices of P. of Middleſex ſhall enquire of them which omit their duty there.

And be it further enacted by the ſaid authoritie, that the Juſtices of Peace of the ſaid County of Middleſex for the time being, ſhall haue full power and authority, to enquire in euery quarter Seſſions to be kept after the ſaid feaſt of S. Iohn Baptiſt, by the oath of twelue men of the ſaid County, as wel of them that haue not paued ſuch part or portion of the ſame cauſeis, and euery of them being within the ſaid County, ouer againſt and along vnto the middes of the ſame cauſeis, as their lands and tenements doe extend or lye, as alſo of ſuch perſons as haue beene remiſſe and negligent, in amending and repairing the ſame cauſeis from time to time, as need ſhall require, according to the meaning of this Act.

The Maior & Aldermen of London ſhall inquire of offences committed within the Liberties of the ſaid City.

And alſo be it enacted by the authority aforeſaid, that the Maior of London, Aldermen, and Juſtices of the Peace of the ſame City for the time being, ſhall haue like power and authority by vertue of this act, to enquire both in their quarter Seſſions, and all Wardmote enqueſts, to be kept within the City of London, after the ſaid feaſt of the Natiuity of Saint Iohn Baptiſt, by the oath of twelue men of euery Ward, within the ſaid City, and Liberties thereof, as well of all ſuch perſon and perſons that from time to time as need doth, and ſhall require, haue not paued ſuch part and portion of the ſtreets and lanes within the ſaid City and liberties thereof, and alſo within all priuileged places being within the ſaid City and liberties thereof: As alſo of all ſuch perſon and perſons as be remiſſe and negligent in amending and repairing of the ſame ſtreets and lanes, and euery of them, as often, and when as need requireth according to the purport of this act, vpon like paines and penalties to be aſſeſſed, and afferred vpon the offenders, within the ſaid City and liberties thereof in euery condition, as be limited before for them which doe not paue and repaire the ſaid cauſeis, in Holborne, Chancery lane, and without Algate. And that the ſaid Juſtices of Peace within the ſaid County of Middleſex, for the time being within their iuriſdiction, ſhall haue full power and authority by their diſcretions to amerce, and ſet fines vpon ſuch perſons as ſhall be remiſſe and negligent or make default in the obſeruing of the tenor of this Act. And if the ſaid Juſtices of Peace within the ſaid County of Middleſex, or the Maior and Aldermen, and Juſtices of Peace of the ſaid City of London, at any their quarter Seſſions after the ſaid feaſt of the natiuity of Saint Iohn Baptiſt, to be holden and kept within the ſaid County of Middleſex, by the Juſtices of Peace of the ſame County: or the Maior, Aldermen, and Juſtices of Peace of the City of London at any their quarter Seſſions or enqueſts of Wardemot kept within the City of London, be negligent and remiſſe on their parts to charge by oath ſuch perſons to find and preſent the ſaid defaults and negligence of all perſons offending contrary to the meaning of this Act, then the ſaid Juſtices of Peace within the ſaid County of Middleſex, being preſent at the ſame quarter Seſſions to loſe and forfeit for euery time ſo neglecting the ſaid charge C.s. And in likewiſe the Maior, Aldermen and Juſtices of Peace of London for euery like default and neglecting, to loſe and forfeit C.s.

The penalty of the Juſtices of P. and of the Maior that be remiſſe to enquire of the offences aforeſaid.

The Clerke of P. ſhall certifie into the Eſchequer all fines and forfeitures

And be it further enacted by the ſaid authority, that the Clerke of the Peace of the ſaid County of Middleſex, for the time being, ſhall from time to time certifie into the Kings Eſchequer, all ſuch fines, and forfeitures ſo aſſeſſed within the ſaid County loſt and forfeited before the ſaid Juſtices of Middleſex, into the Kings Eſchequer to the vſe of the Kings Highneſſe, and his heires, and the Barons of the ſaid Eſchequer to make out proceſſe by diſtreſſe to be taken, and leuied vpon the ſaid lands and tenements, or otherwiſe by their diſcretions, as well for the ſaid fines aſſeſſed, as alſo for the ſaid forfeitures and penalties before limited. And if the Clerke of the peace within the ſaid County of Middleſex, be remiſſe and negligent in making ſuch certificat, or doing his duty according to this Act, then the ſame Clerke to loſe and forfeit for euery ſuch default fiue pounds, the one halfe to be to the vſe of the Kings Highneſſe, and the other halfe to the vſe of any the Kings Subiects that will ſue for the ſame in any the Kings Courts, by bill, action, information, or otherwiſe, wherein no wager of law, eſſoine, or protection ſhall lie for the defendant.

The Maior of London, &c. may ſet fines vpon thoſe which doe not paue or repaire any ſtreet or lane.

And further be it enacted by the authority aforeſaid, that the Maior, Aldermen, and Juſtices of Peace within the City of London and Suburbs of the ſame, or three of them, whereof the Maior to be one, by vertue of this act, ſhall haue full power and authority from time to time, to ſet fines and amerciaments on all and ſingular perſons, for not pauing and repairing of any ſtreet, lane, ſtreets, lanes, within the ſaid City or Liberties of the ſame, which now be paued, or by force of this Act hereafter ſhall bee paued, and the ſame fines and amerciaments to be leuied by diſtreſſe, plaint or action, within the ſame City, by the Chamberlaine of the ſaid City for the time being, to the vſe of the Maior and Comminalty of the ſaid City, and their Succeſſors, as other fines, and amerciaments for any other matter or cauſe within the ſaid City haue béne vſed, and accuſtomed.

An inhabitant pauing the ſtréet may defalke ſo much of his rent from his Leſſor.

Prouided alwayes, That if the Inhabitants of ſuch lands, or tenements doe ſufficiently repaire, and paue before their manſions and dwelling places, the ſaid ſtréts, lanes, and cauſeis, that then euery ſuch inhabitant by vertue of this act, ſhal defalke, abate, and retaine in his hands as much of the rent due vnto his leſſor, as he can proue to haue expended, in and about the ſame pauing. And the leſſor for ſo much mony, as ſuch ſumme doth amount vnto, to haue no action, reentrée, or other remedy for nonpaiment of the ſame, vnles it be otherwiſe agréed betwéne them.

CAP. XVIII.

Houſes decaied within Yorke, Lincolne, Buckingham, &c. muſt be repaired.

FOraſmuch as there hath béne in time paſt, diuers and many beautifull houſes of habitation within the walles and liberties of the Cities, Boroughes, and Townes of Yorke, Lincolne, Canterbury, Couentry, Bath, Chicheſter, Saliſbury, Wincheſter, Briſtow, Scarburgh, Hereford, Colcheſter, Rocheſter, Porteſmouth, Poole, Linne, Feuerſham, Worceſter, Stafford, Buckingham, Pontfret, Grantham, Exeter, Ipſwych, Southhampton great Yermouth, Oxenford, great Wicombe, Gulford, Eſtretfore, Kingſton vpon Hull, Newcaſtle vpon Tine, Beuerley, Bedford, Leyceſter, and Berwicke, and now are fallen downe, decaied, and at this day remaine vnreedified, and doe lye as deſolate and vacant grounds, many of them nigh adioyning to the high ſtréts, repleniſhed with much vncleanneſſe and filth, with pits, ſellers and vautes, lying open and vncouered, to the great perill and danger of the inhabitants, and other the Kings ſubiects paſſing by the ſame, and ſome houſes be féeble and very like to fall downe, dangerous to paſſe by, which decaies are to the great impoueriſhing and hinderance of the ſame Cities, Boroughes, and Townes. It may therfore pleaſe the King our ſoueraigne Lord by the aſſent of the Lords ſpirituall, and temporall, and the commons in this preſent Parliament aſſembled, that it may be enacted by the authoritie of the ſame, That if any perſon, or perſons, or bodies politike, being owners or poſſeſſioners of any ſuch deſolate or void grounds, that haue béne at any time within fiue & twenty yeares immediately paſt before the xij. day of Aprill, in the one & thirtieth yeare of his Maieſties raigne, builded for houſes of habitation, or of any other houſe or houſes of habitation, now, or hereafter being in decay, and not fully fallen downe within the liberties or precincts of any of the ſaid Cities, Boroughes, or Townes, do not ſufficiently reedifie, build, and repaire, or cauſe to be reedified, builded, and repaired the ſaid deſolate, void grounds, or decaied houſes, conuenient for habitation and dwelling, within thrée yeares next after Proclamation thereof to be made, in, or vpon the ſame void ground or grounds, decaied houſe or houſes, by the Maiors, Sherifes, Bailifes, or other head Officers of euery of the ſaid Cities, Boroughes, and townes, by what name or names ſoeuer they be incorporated, euery of them within the precinct of their owne authoritie: that then it ſhall be lawful for the Lord or Lords, of whom ſuch deſolate void grounds, or decaied or ruinous houſes béene holden, after the ſaid three yeares expired, to enter into the ſame, and to haue the ſame grounds or houſes to them and to their heires, or ſucceſſors, to their owne proper vſe for euer, ſo that the ſaid Lord or Lords ſo entring by authority of this act, do ſufficiently reedifie, build, and repaire the ſame void grounds, or decaied houſes, within two yeares next and immediatly following the determination of the ſaid thrée yeares.

If the owner of any decayed houſe doe not repaire it within two yeares after Proclamation, The Lord of the ſame may enter and retaine it to him, &c.

The entrie of them which haue a rent charge.

And in caſe ſuch Lord or Lords as may enter by this Act, doe not enter, and well and ſufficiently reedifie, build, or repaire the ſame void grounds or decaied houſes, within the ſaid ij. yeares to them limited by this Act, That then it ſhall be lawfull to ſuch perſon or perſons, or bodies politicke as ſhall then haue any rent charge going ſeuerally out of any of the ſaid void ground or grounds, or decayed houſe or houſes, in any of the ſaid Cities, Boroughes, or Townes, immediately after the ſaid two yeares expired, to enter into the ſame, & to haue the ſame void grounds, or decayed houſes to them, their heires or ſucceſſors for euer, to their owne proper vſe, ſo that the ſaid perſon or perſons, or bodies politicke, hauing the ſaid rent charge, entring by authority of this Act, do ſufficiently build, reedifie, and repaire the ſame deſolate and void ground or grounds, or decayed houſe or houſes, within one yeare next and immediately following the determination of the ſaid two yeares to the ſaid Lord or Lords appointed by this Act.

The entrie of head Officers of corporate Townes.

And in caſe ſuch perſon or perſons or bodies politicke hauing the ſaid rents charges as may enter by this act, doe not enter, and well and ſufficiently reedifie, build, and repaire the ſame void grounds, or decayed houſes, within the ſaid one yeare to them appointed by vertue of this Act: That then it ſhall be lawfull to the Maiors, Sherifes, Bailifes, or Comminalty or other head officers of the ſaid Cities, Boroughes and Townes, by what name or names ſoeuer they be incorporat, or their ſucceſſors, euery of them within the limits of their authorities, immediately after the ſaid yeare expired, into ſuch deſolate, or void grounds, decayed, or ruineus houſes, to enter, and the ſame grounds and houſes, and euery of them, to hold and enioy to them and their ſucceſſors for euer cleerely diſcharged of all rent going out of the ſaid grounds or houſes, as well againſt the ſaid Lord or Lords, as all perſon, or perſons, or bodies politique, hauing any ſuch rent or rents, as before is ſaid: ſo that the ſame Maiors, Sherifes, Bailifes, and Comminaltie, or other head officers, as is aforeſaid, or their ſucceſſors, for the time being, doe re-edifie, build, or repaire, or cauſe to be re-edified, builded, or repaired the ſame ground or grounds, houſe or houſes, within three yeares next and immediatly following the determination of the ſaid yeare appointed to ſuch perſon or perſons, or bodies politike, that ſhall haue any ſuch rent, as is aforeſaid.

And in caſe the ſaid Maiors, Sherifes, Bailifes, Comminaltie, or other head Officers, as is aforeſaid, or their ſucceſſors doe not enter, and re-edifie, build, and repaire the ſame void ground, or grounds, or decayed houſe or houſes, in forme beforeſaid, within the ſaid terme of three yeares after the ſaid entre, that then it ſhall be lawfull to the firſt owner or owners, poſſeſſioner or poſſeſſioners of ſuch void ground or grounds, or decayed houſe or houſes, their heires or ſucceſſors, immediatly after the ſaid three yeares to the ſaid Maiors, Sherifes, Bailifes, Comminalty, or other head Officers, as is before ſaid, limited, expired, into the ſame ground or grounds, houſe, or houſes, to reenter, and the ſame to retaine to them, their heires, or ſucceſſors, as in their firſt eſtate, any thing contained in this preſent Act to the contrarie notwithſtanding.

The entry of the firſt owners or poſſeſſors.

Prouided alwayes, that this preſent Act, nor any thing therein contained be in any wiſe, preiudiciall, or hurtfull to any perſon, or perſons, being at the time of the ſaid Proclamation made vnder the age of one and twenty yeares, to any woman being married, or to any perſon or perſons being in priſon, or beyond the Sea in the Kings warres, or in his other lawfull affaires during ſuch times as ſuch perſon or perſons ſhall be within age, married, in priſon, or beyond the Sea: ſo that the ſame perſon or perſons, after he or they ſhall come to the age of one and twenty yeares, or being not married, out of priſon, or come againe within this Realme, within three yeares next enſuing, do re-edifie the ſame deſolate or void grounds, or repaire the decaied houſes.

A prouiſion for ſuch as be within age, married, in priſon or out of the Realme.

Cap. XIX.

Houſes decayed within ſundry Townes in the Weſt parts, &c. muſt be repaired.

FOraſmuch as in time paſt diuers and many beautifull houſes of habitation haue beene within the walles and liberties of the Boroughes, and Townes of Shafton, Shireborne, Birtport, Dorceſter, and Weimouth, within the County of Dorcet, and the Boroughes and Townes of Plimmouth, Plimton, Barſtable, Taniſtocke, and Dartmouth, within the County of Deuonſhire, and the Boroughes and Townes of Lanceſton, Lyſkerde, Leſtuthiel, Bodman, Truru, and Helſton, within the County of Cornewall, and the Boroughes and Townes, of Bridgewater, Taunton, Somerton and Alcheſter, within the County of Somerſet, and the Borough of Maldon in the County of Eſſex, and alſo the Borough and Shire Towne of Warw. in the County of Warw. which now are fallen downe, decayed, and at this time remaine vnre-edified, lying as deſolate and void grounds, and many of them adioyning nigh vnto the high ſtreets, repleniſhed with much ordure, filth, and vncleanneſſe, with pits, ſellers, and vauts, lying open, and vncouered, to the great perill and danger, of all the inhabitants, and other the Kings Subiects, paſſing by the ſame: and ſome houſes be very weake and feeble, ready to fall downe, and therefore dangerous to paſſe by, to the great decay, and hinderance of the ſaid Boroughes and Townes. It may be therfore enacted by the King our ſoueraigne Lord, by the aſſent of the Lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by the authority of the ſame, that if any perſon or perſons, or bodies politike, being owners or poſſeſſioners of any ſuch deſolat or void grounds, that at any time within fiue and twenty yeares next before the making of this act, haue beene builded for houſes of habitation, or of any other houſe or houſes of habitation, now or hereafter being in decay, and not fully fallen downe within the liberties or precincts of any of the ſaid Boroughes and Townes, doe not ſufficiently re-edifie, build, and repaire, or cauſe to be re-edified, builded, and repaired the ſaid deſolate, void grounds, and decayed houſes conuenient for habitation, and dwelling, within three yeares next after Proclamation to be made in or vpon the ſame void ground or grounds, decayed houſe or houſes, by the Maiors, Bailifes, or other head officers of the ſaid Boroughes and Townes, by what name or names ſoeuer they be incorporated, euery of them within the precinct of their owne authorities, that then it ſhall bee lawful to the high Lord or Lords, of whom ſuch deſolate & void grounds decaied or ruinous houſes be holden, after the ſaid three yeares be expired to enter into the ſame, and to haue the ſame grounds, or houſes to them and their heires or ſucceſſors to their owne proper vſe for euer: ſo that the ſaid Lord, or Lords entring by the authority of this Act, doe ſufficiently re-edifie, build, or repaire the ſame void grounds, or decayed houſes within two yeares next and immediately following the determination of the foreſaid three yeares.

If the owner of any decayed houſe within any of the foreſaid Townes, doe not repaire the ſame within 3 yeares after proclamation. The chiefe Lord may enter and reteine it.

And in caſe ſuch Lord or Lords, as may enter by this Act, doe not enter, and well, and ſufficiently re-edifie, build, or repaire the ſame void grounds, or decayed houſes, within the ſaid two yeares to them limited by this Act: that then it ſhall be lawfull to all ſuch perſon, or perſons, or bodies politike, as ſhall then haue any rent charge going ſeuerally out of the ſaid void

The entry of them which haue a rent charge out of the decayed houſes.

ground or grounds, or decayed houſe or houſes, in any of the ſaid Boroughes or Townes, immediately after the ſaid two yeares expired, to enter into the ſame, and to haue the ſame void grounds or decayed houſes, to them, and to their heires, or ſucceſſors for euer, to their owne proper vſe: ſo that the ſaid perſon, or perſons, or bodies politike, hauing the ſaid rent charge, entring by authority of this Act, doe ſufficiently re-edifie, build, and repaire the ſame deſolate, and void ground or grounds, or decayed houſe or houſes, within one yeare next and immediately following the determination of the ſaid two yeares, to the ſaid Lord or Lords appointed by this Act.

The entry of the head Officers of the ſame Corporat Towne.

And in caſe ſuch perſon, or perſons, or bodies politike, hauing the ſaid rents charges, as may enter by this act, doe not enter, and well and ſufficiently re-edifie, build, or repaire the ſame void grounds, or houſes decayed within one yeare to them appointed by vertue of this act, that then it ſhall be lawfull to the Maiors, Bailifes, or cominalty, or other head Officers of the ſaid Boroughes, and Townes, by what name or names ſoeuer they be incorporated or their ſucceſſors, euery of them within the limits of their authorities, immediatly after the ſaid yeare expired into euery ſuch deſolat, or void grounds decayed, or ruinous houſes to enter, and the ſame grounds or houſes, and euery of them, to hold and enioy to them and their ſucceſſors for euer, cleerely diſcharged of all rents going out of the ſame grounds, or houſes, as well againſt the ſaid Lord, or Lords, as all other perſon or perſons, or bodies politike, hauing any ſuch rent or rents, as before is ſaid: ſo that the ſame Maior, Baylifes, and Comminalty, or other head officers as is aforeſaid, or their ſucceſſors for the time being doe re-edifie, build, or repaire, or cauſe to be re-edified, builded, or repaired the ſame ground, or grounds, houſe, or houſes, within three yeares, next and immediately following the determination of the ſaid yeare appointed to ſuch perſon, or perſons, or bodies politike, that ſhall haue any rent as is aforeſaid.

The entry of the firſt owners or poſſeſſors.

And in caſe the ſaid Maiors Baylifes, Comminalty, or other head officers as is aforeſaid, or their ſucceſſors doe not enter, and re-edifie, build, or repaire the ſame void ground, or grounds, or decayed houſe, or houſes, in forme aforeſaid, within the ſaid terme of three yeares after their ſaid entree: that then it ſhall be lawfull to the firſt owner, or owners, poſſeſſioner, or poſſeſſioners of ſuch void ground, or grounds, or decayed houſe or houſes, their heires or ſucceſſors, immediatly after the ſaid three yeares, to the ſaid Maior, Bailife, Comminalty, or other head officers as is afore limited, expired, into the ſame ground or grounds, to enter, and the ſame to retaine, to them, their heires, and ſucceſſors, as in their firſt eſtate: any thing contained in this preſent Act to the contrarie notwithſtanding.

A reliefe for ſuch as be within age, married, or in priſon, or out of the Realme.

Prouided alway, that this act, nor any thing therein contained, be not in any wiſe hurtfull nor preiudiciall to any perſon or perſons being at the time of the ſaid Proclamation made, vnder the age of xxj. yeares, or to any woman being married, or to any perſon, or perſons being in priſon, or beyond the Sea in the Kings warres, or in his other lawfull affaires, during ſuch time as ſuch perſon, or perſons ſhall be within age, married, in priſon or beyond the Sea: ſo that the ſame perſon or perſons, after that he or they come to their pleine age, be vnmarried, out of priſon, or come againe within this Realme, within three yeares next enſuing doe re-edifie the ſame deſolate or void grounds, or repaire the ſaid decayed houſes.

Cap. XX.

Priuileges and liberties of owners of Lands, Manors, &c. by former Statutes aſſured to the King, ſhall be continued.

a Coke pla. fol. 440. 445. 546.

Where diuers and ſundry Scites, Circuits, and Precincts of late Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, and other Eccleſiaſtical and Religious houſes and places, and diuers Honours, Caſtles, Manors, Meſſuages, lands, tenements, liberties, priuileges, franchiſes, and other hereditaments, by diuers and ſundry Statutes heretofore made, beene aſſigned, limited, and appointed to the order[a], rule, ſuruey, and gouernance of the Court of our Soueraigne Lord the King, called the Court of Augmentations of the reuenues of his Crowne, and of the Chancellor, Officers, and Miniſters of the ſame, by the which ſtatutes it is not fully, plainly, nor expreſſy declared, or rehearſed, how, and in what wiſe, and by what ſpeciall Officers, and Miniſters the liberties, priuileges, and franchiſes, which the late owners of the ſame Scites, circuits, procincts, Honors, Caſtles, Manors, meſſuages, lands, tenements, and other the premiſſes, had, vſed, and exerciſed, ſhould be ordered, vſed, exerciſed, and put in execution. Be it therefore enacted by the King our Soueraigne Lord, with the aſſent of the Lords ſpirituall and temporall, and of the Commons of this preſent Parliament aſſembled, and by the authority of the ſame, That all and ſingular the ſame liberties, franchiſes, priuileges, and temporall iuriſdictions, which the ſaid late owners had, vſed, and exerciſed lawfully, by themſelues, or by their Officers or Miniſters, or might haue vſed or exerciſed them in three moneths next before that the ſaid Scites, circuits, procincts, Honours, Caſtles, manors, meſſuages, lands, tenements, and other the premiſſes came to the poſſeſſion of the Kings Highneſſe, ſhall be by vertue of this preſent Act reuiued, and be [b]really and actually in the Kings Highneſſe, his heires, and ſucceſſors, and ſhall be in the rule, order, ſuruey, and gouernance of the Kings ſaid Court of Augmentations

The ſame franchiſes that the late owners of religious houſes had within three moneths before their diſſolutions ſhalbe reuiued, and bee actually in the King, and in the ſuruey of the Court of Augmentations.

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mentations of the reuenues of his Crowne, and of the Chancellor, Officers, and Miniſters of the ſame. And that the ſame liberties, franchiſes, priuileges, and temporall iuriſdictions and all manner fines, iſſues, amerciaments, and other profits, and commodities, of what kinds, or natures ſoeuer they be, comming, growing, or riſing, by reaſon, or occaſion of them, or of any of them, ſhall be vſed, exerciſed, and occupied to all intents, purpoſes, conditions, and reſpects, and ſhall be claimed, leuied, collected, and taken by ſuch ſtewards, bailifes, and other Officers, and Miniſters, as ſhall pleaſe the Kings Highneſſe to name and appoint, in like manner, forme, faſhion, and condition, as they, or any of them were lawfully vſed, exerciſed, executed, claimed, leuied, collected, and taken before that they came to the hands and poſſeſſions of our ſaid Soueraigne Lord: and that the ſame ſtewards, bailifes, Officers, and Miniſters, ſhall be accomptant for the iſſues and reuenues of their bailiwiks and offices, and ſhalbe compelled to accompt in the ſaid Court of Augmentations, like as the Kings receiuers, or other Officers accomptants in that Court heretofore haue done, or ought to doe.

And where alſo diuers and ſundry ſcites, circuits, and procincts of late Monaſteries, Abbies, Priories, Nunneries, Colleges, Hoſpitals, and other Eccleſiaſticall and Religious houſes and places, and alſo diuers Honors, Caſtles, Manors, meſſuages, lands, tenements, liberties, priuileges, franchiſes, and other hereditaments, which béene commen to the Kings hands by attainder, or atteinders of high treaſon, béene aſſigned, limited, and appointed to the order, rule, ſuruey, and gouernance of the Kings generall ſurueyors: And foraſmuch as it is not fully, plainly, nor expreſly knowne or declared, how & in what wiſe, and by what ſpeciall Officers, or Miniſters the temporall liberties, priuileges, franchiſes, and temporall iuriſdictions, which the late owners of the ſaid ſcites, circuits, procincts, honours, caſtles, manors, meſſuages, lands, tenements, and other the premiſſes, had, vſed, and exerciſed, ſhould be ordered, vſed, and put in execution. Be it therefore enacted by authority aforeſaid, that all and ſingular the ſame liberties, franchiſes, priuileges, and temporall iuriſdictions, which the late owners, of the ſaid ſcites, circuits, procincts, honours caſtles, manors, and other the premiſſes, which béene commen, into the Kings hands by attainders, as is aforeſaid, lawfully had, vſed, and exerciſed by themſelues, or by their Officers, or Miniſters, or which they might haue vſed, or exerciſed within thrée moneths next before that the ſame ſcites, circuits, procincts, honors, caſtles, manors, and other the premiſſes, came to the poſſeſſion of the Kings Highneſſe, ſhall be by vertue of this act reuiued, and be really and actually in the Kings Highneſſe, his heires and ſucceſſors, and ſhalbe in the rule, order, ſuruey, and gouernance of the Kings ſaid generall ſurueyors, and of the Officers and Miniſters of the ſame. And that the ſame liberties, franchiſes, priuileges, and temporall iuriſdictions, and all manner fines, iſſues, and amerciaments, and other profits and commodities, of what kinds or natures ſoeuer they be, comming, growing, or riſing, by reaſon or occaſion of them, or any of them, ſhalbe vſed, exerciſed, & executed to all intents, purpoſes, conditions & reſpects, & ſhalbe claimed, leuied, collected & taken by ſuch ſtewards, bailifes, and other officers and miniſters as ſhall pleaſe the Kings Highneſſe to name & appoint for the ſame, in like manner, forme, faſhion, & condition, as they, or any of them were vſed, exerciſed, executed, claimed, leuied, collected, and taken before they came to the hands and poſſeſſion of our ſaid ſoueraigne Lord by attainder, as is aforeſaid. And that the ſaid ſtewards, bailifes, Officers, and Miniſters thereof ſhal be accomptant for the iſſues and reuenues of their bailiwikes, and offices, and ſhall be compelled to accompt before the ſaid general ſurueyors, as other Officers accomptants in that Court heretofore haue done, or ought to doe.

Thoſe lands, &c. of the late Abbeis which came to the King by attainder, ſhall be in the order of the court of generall ſurueyors.

And be it enacted by authority aforeſaid, that the ſaid ſtewards, bailifes, and other Officers, and Miniſters, ſhall be attendant, and obedient to all other the Kings Courts, aſwell for all executions, and returnes of writs, warrants, and precepts, as for their perſonall apparances, and other duties of their offices, like as the Officers and Miniſters of the ſaid late owners did, and ought to doe, or ſhould haue done by reaſon of their ſaid ſeuerall offices, before that the ſame liberties, priuileges, and temporall iuriſdictions did come to the poſſeſſion of our ſaid Soueraigne Lord, and that to be done, and obſerued, vpon all paines, and penalties by the lawes of this Realme limited and ordained for any offence or default in the ſame. And that no Sheriffe, Vnderſheriffe, of other Officer, or Miniſter of any Sheriffe, or other forreine Officer or Miniſter ſhall in any wiſe intromit, or meddle in, with, or vpon any of the premiſſes, otherwiſe, or in any other manner, nor for any other cauſe, than they, or any of them lawfully might haue done before the ſame premiſſes did come to the peſſeſſion of our Soueraigne Lord.

The iuriſdiction of the Stewards and bailifes of thoſe liberties that were late the Abbeies, &c. and their attendance to the Kings Courts.

Prouided alwayes, and be it enacted, that all and ſingular perſons, and bodies politike, and the heires, ſucceſſors, and aſſignes of euery of them, ſhall haue, hold, vſe, execute, and exerciſe as well by themſelues, their officers, ſeruants, and miniſters, as by, and for their tenants, fermors, and reſiants, all and ſingular, liberties, priuileges, and franchiſes which they or any of them now haue by, or from the K. Maieſty, by any Letters patents, indentures, writings, vnder any his Highneſſe ſeale, or by authority of Parliament, or otherwiſe, or by the lawfull grant, or leaſe of any perſon or perſons, or by any other meanes, or lawfull title, in as large, ample, and beneficial manner, to all intents, reſpects, and purpoſes, as they or any of them now haue, or of right ought to haue the ſaid liberties, franchiſes, and priuileges, or any of them, and as though this Act had

Euery perſon may vſe ſuch liberties as he hath by the K. grants, or otherwiſe.

A ſauing to all perſons their offices, fees, annuities and profits out of any of the lands of an Abbey, &c.

neuer béene had, ne made any thing aboue written notwithſtanding (the priuileges of Sanctuaries, Church, Church-yards, or cemitories for tuition of tranſgreſſors, and offendors only excepted.) Sauing to all and ſingular perſons and bodies politike, and the heires, ſucceſſors and aſſignes of euery of them, all ſuch office and offices, fées, annuities, profits, and commodities, which they or any of them now haue, or of right ought to haue, in or vpon, or by reaſon of the ſaid ſites, circuits, procincts, caſtles, honors, manors, meſſuages, lands, tenements, liberties, franchiſes, priuileges and other the premiſſes, or in any part or parcell of them, in as large and ample manner, forme, faſhion and condition to all reſpects and purpoſes, as if this act had neuer béene had nor made: any thing in this act to the contrary thereof notwithſtanding.

Fines may be leuied in the Court of Augmentations to the King.

And furthermore be it enacted by the authority of this preſent Parliament, That the Chancellor of the ſaid Court of Augmentations now being, and euery of his ſucceſſors, being Chancellor of the ſame Court, and the Kings generall Attourney, and his Graces Attourney of the ſaid Court of Augmentation for the time being, and euery of them, and their ſucceſſors, and the ſucceſſors of euery of them, ſhall haue full power and authority by vertue of this Act, to take to the vſe of the King our Soueraigne Lord, his heires and ſucceſſors, knowledges of all manner of concords for fines thereupon to be had, and recorded in the Court of our ſaid Soueraigne Lord the King, and of his heires and ſucceſſors commonly called the Common place, of and vpon all and ſingular manors, lordſhips, lands, tenements, and other hereditaments, being, and which by reaſon of thoſe fines or otherwiſe ſhall be vnder the order, rule or ſuruey of the ſaid Court of Augmentations, without any fine or fée to be payed for the ſame. And that the Iudges and Iuſtices for the time being, of the ſaid Court called the Common place, and their ſucceſſors, ſhall accept, receiue and allow, all the ſaid knowledges of concord by the ſaid Chancellor, and Attourneyes, or any of them, to bée certified or deliuered into the ſaid Court called the Common place.

Inrolments in the Court of Augmentations of all deeds made to the vſe of the King, and of all Obligations.

And the ſame to be as effectuall in the law to all intents and purpoſes, as if the ſame knowledges of concords had béene made, taken or knowledged before the chiefe Iudge of the ſaid Common place out of the ſame Court, or openly in that Court. And alſo that the ſaid Chancellor and Attourneyes for the time being, and euery of them, and the ſucceſſors of euery of them, ſhall haue full power and authority, to take knowledge for enrolments of all déeds made, or to be made to the vſe of the King our Soueraigne Lord, his heires and ſucceſſors, of any manors, lands, and tenements, and of all obligations to be made to the King, his heires and ſucceſſors, or to other perſon or perſons to the vſe of the King, his heires and ſucceſſors, for any matter or cauſe concerning the ſaid Court of Augmentations, or concerning the ſaid manors, lands, and tenements, without any fée, gift, or reward by them or any of them to be taken therefore. And the ſame déed ſo knowledged to be enrolled, or regiſtred in the ſaid Court of Augmentation, and ſo being there enrolled or regiſtred amongſt other records there remaining, and the enrolements and regiſtrings of the ſame, to ſtand and be of record, and of as góod ſtrength and effect, as if the ſame were or had béene knowledged before any other Iudge or Iuſticer of record, and enrolled in any other Court of record.

The Kings officers may keep Court within the Virge, and his Clerke of the market only execute his office there. St. 27. H. 8. 24.

Prouided alway, and be it enacted by the authority aforeſaid, that in all ſuch of the ſaid liberties, franchiſes, and places priuileged, and in euery of them limited to the ſaid Court of Augmentations, and to the Surueyours Court, whereſoeuer the Kings Highneſſe in his owne moſt royall perſon ſhall come to reſt, tary, abide, or make his repoſe within this his Realme, or any of his Dominions, within liberty or without, there and within the virge limited and accuſtomed to his Graces Court, during the time of his abode, the Steward or great Maſter of his Graces houſhold, the Marſhall, Coroner, Clerke of the market, and all other his Miniſters, ſhall and may kéepe their Courts for iuſtice, and exerciſe their office and offices, as ſhall appertaine to them according to the lawes, cuſtomes, and ſtatutes of this Realme, as well within liberties and franchiſes, as without. And that his Graces Clerkes of the market, and none other, during the ſame time, as well within the ſaid liberties and franchiſes, as without, ſhall exerciſe the office of Clerkes of the market within the ſaid Virge, any priuilege, grant, allowance or other thing to the contrary thereof notwithſtanding.

The liberty of the City of London reſerued.

Prouided alway that this article next aboue rehearſed, or any thing therein contained be not in any wiſe preiudiciall to the City of London, but that the ſame City ſhall haue and vſe ſuch liberties as they might, if that article had neuer béene had ne made.

And where alſo the ſites, circuits and procincts of the late Monaſtery of Furnes, and of the late Monaſteries and Priories of Cartemele, Coningſhed, Burſtough and Holland, and alſo diuers honors, caſtles, manors, meſſuages, lands, tenements, liberties, priuileges, franchiſes, and other hereditaments, late parcell and appertaining to the ſaid late Monaſteries and Priories or to any of them, which béene comen into the Kings hands, béene aſſigned, limited, and appointed, to the order, rule, ſuruey, and gouernance of the Chancellor, Officers and Miniſters of the County Palatine, and Duchy of Lancaſter. And forasmuch as it is not fully, plainly, nor expreſly knowne or declared, how, and in what wiſe, and by what eſpeciall Officers and Miniſters, the temporall liberties, priuileges, franchiſes, and temporall iuriſdictions which the late owners of the ſaid ſites,circuits,procincts,honors,caſtles,manors,meſſuages,lands,tenements and other the premiſſes had,vſed or exerciſed,ſhould be ordered,vſed and put in execution.

Be it therefore enacted by the authority aforeſaid, that all and ſingular the ſame liberties, franchiſes, priuileges and temporall iuriſdictions, which the ſaid late owners of the ſaid ſites, circuits,procincts,honors, caſtles, manors and other the premiſſes, lawfully had,vſed and exerciſed by themſelues, or by their Officers or Miniſters, or which they might haue vſed or exerciſed within thrée moneths next before the ſame ſites,circuits, procincts, honors, caſtles, manors and other the premiſſes came to the poſſe[illegible]ion of the Kings Highneſſe, ſhall be by vertue of this act reuiued and be really and actually in the Kings Highneſſe, his heires and ſucceſſors, and ſhall be for euer in the rule,order,ſuruey and gouernance of the ſaid Chancellor, Officers and Miniſters of the ſaid County Palatine and Duchy of Lancaſter. And that the ſame liberties,franchiſes,priuileges and temporall iuriſdictions,and all manner of fines,iſſues, amerciaments and other profits and commodities, of what kinds or nature ſoeuer they be, comming, growing or riſing by reaſon or occaſion of them or of any of them, ſhall be vſed, exerciſed and executed to all purpoſes,intents,conditions and reſpects,and ſhal be claimed,leuied,collected and taken by ſuch Stewards, Bailiffes and other Officers and Miniſters, as ſhall pleaſe the Kings Highneſſe to name and appoint for the ſame,in like manner, forme and condition, as they or any of them were vſed,exerciſed,executed,claimed,leuied, collected and taken before they came to the hands and poſſeſſion of our ſaid Soueraigne Lord. And that the ſaid Steward,Bailiffes,Officers and Miniſters ſhall be compelled to accompt for the ſame before the ſaid Chancellor, Officers and Miniſters of the ſaid County Palatine and Duchy of Lancaſter,as other Officers and accomptants in the Court of the ſaid Duchy heretofore haue done,or owe to doe.

The Lands of the late Monaſteries of Friers,&c.ſhall be in the gouernment of the Officers of the Duchy.

And be it enacted by authority aforeſaid, that the ſaid Stewards, Bayliffes and other Officers and Miniſters,ſhall be attendant and obedient to all other the Kings Courts,as well for all executions and returnes of writs,warrants and precepts,as for perſonall apparances,and other duties of their offices,like as the Officers and Miniſters of the ſaid late owners did or ought to doe, or ſhould haue done, by reaſon of their ſaid ſeuerall offices, before that the ſame liberties, priuileges and temporall iuriſdictions, did come to the poſſeſſion of our ſaid Soueraigne Lord: and that to be done and obſerued, vpon all peines and penalties by the lawes of this Realme limited and ordained for any offence or default in the ſame. And that no Sheriffe, Vnderſheriffe or other Officer or Miniſter of any Sheriffe,or other forren Officer or Miniſter,ſhall in any wiſe intromit or meddle in,with or vpon any of the premiſſes, otherwiſe, or in any other manner or for any other cauſe,than they or any of them might lawfully haue done before the ſame premiſſes did come to the poſſeſſion of our ſaid Soueraigne Lord.

The Stewards and Bayliffes of thoſe Liberties ſhall be attendant to the Kings Courts.

The Sheriffe, or other Officers ſhall not meddle within thoſe Liberties.

Prouided alwayes that this act, nor any thing therein contained, ſhall in any wiſe extend to abrogate,adnull,diminiſh,nor to take any liberties,franchiſes,priuileges, iuriſdictions, royalties,or any other profits,commodities and aduantages whatſoeuer they be, belonging or in any wiſe appertaining to any the Kings caſtles, honors, manors, lands,tenements or other his poſſeſſions of his ſaid County Palatine of Lancaſter,and Duchy of Lancaſter or of either of them, but that all ſuch liberties,franchiſes,priuileges, iuriſdictions, royalties, and all other ſuch profits and commodities and aduantages whatſoeuer they be, ſhall bée receiued, taken and anſwered to the Kings Highneſſe,his heires and ſucceſſors,by the Chancellor, Officer and Miniſters of the ſaid County Palatine of Lancaſter and Duchy of Lancaſter and either of them, as heretofore hath béene vſed and done at any time before the fourth day of February in the ſeuen and twentieth yeare of his moſt Noble raigne. Any thing, matter or clauſe in this Act contained to the contrary hereof in any wiſe notwithſtanding.

This Statute ſhall not diminiſh the liberties of any lands being parcell of the Duchy of Lancaſter.

Prouided alwayes,that this act or any thing therein contained,doe not extend to diſanull,or be hurtfull to any of the liberties or priuileges of the fiue Ports, or the members of the ſame, but that they and euery of them ſhall enioy,poſſeſſe and haue,all and ſingular liberties,cuſtomes and grants to them granted heretofore by the moſt famous Prince of memory King Edward the fourth,and other his Noble Progenitors, confirmed by our Soueraigne Lord the Kings Maieſty that now is,in like manner and forme,as though this act had neuer béene had,ne made. Stat. 7.Ed.6.2. 1.M.10.

The liberties of the fiue ports reformed.

CAP. XXI.

Trinity Terme abbreuiated.

WHere the Terme called Trinitie terme,of long time hath béene,and yet is yearely vſed to be holden and kept in ſuch time and ſeaſon of the yéere,that by occaſion thereof not onely great perill and danger of infection of the Plague, and ſundry other ſickneſſes, haue happened to the Kings louing Subiects,as well Nobles as other,but alſo hath béene,and yet is a great impediment and let to a great multitude of the Kings poore Subiects for prouiſion and gathering in of harueſt,and other their neceſſary buſineſſe, and liuings in that ſeaſon of the yeare moſt expedient to be exerciſed. The Kings moſt royall Maieſty hauing eſpeciall reſpect as wel to the health,as to the wealth of his people,by the aſſent of the Lords Spirituall and Temporall,and the

The cauſes of abreuiating of Trinity Terme.

There ſhall be foure only dayes of Returne in Trinity Terme and not aboue. St. 51. H. 3.

the Commons in this pꝛeſent Parliament aſſembled, and by the authoꝛity of the ſame, oꝛdaineth, enacteth and eſtabliſheth, that in the ſaid Trinity terme ſhall be foure common dayes of returne only, and not aboue, that is to ſay, the firſt day of returne ſhalbe, and be called, In craſtino ſancte Trinitatis: the ſecond day of returne of the ſame terme ſhalbe, and be called In octabis ſancte Trinitatis: the third day of returne of the ſame terme ſhalbe, and be called In quindena ſancte Trinitatis: and the fourth day of returne of the ſame terme ſhalbe, and be called A die ſancte Trinitatis in tres ſeptimanas. And that the ſame dayes of returne ſhalbe obſerued, and kept in all our Soueraigne Loꝛd the Kings high Courts of recoꝛd, hereafter to be holden at Weſtminſter, oꝛ other place oꝛ places, at the aſſignement, appointment oꝛ agreement of our Soueraigne Loꝛd, his heires oꝛ ſucceſſoꝛs: And that from oꝛ after the Feaſt of Saint Michael the Archangell next comming there ſhall not be, noꝛ be called any dayes of returne. In craſtino ſancti Ioannis Baptiſti. Octabis ſancte Ioannis Baptiſti, noꝛ Quindena ſancti Ioannis Baptiſti, noꝛ any of them.

When Trinity Terme ſhall begin, and euery Returne thereof.

And be it further enacted by the authoꝛity aboueſaid, that the ſaid terme of the holy Trinity ſhall yearely foꝛ euer, from the ſaid Feaſt of Saint Michael the Archangell next comming, begin the munday next after Trinity Sunday, when ſoeuer it ſhall happen to fall, foꝛ the keeping of the eſſoignes, pꝛofers, returnes, and other ceremonies heretofoꝛe vſed and kept, in like manner and foꝛme as in times paſt hath béene vſed to be done in the day of returne commonly called In octabis ſancte Trinitatis. And that the full terme of the ſaid Trinity terme ſhall yearely foꝛ euer, begin, and take his commencement the Friday next after Corpus Chriſti day, in ſuch and like manner and foꝛme to all purpoſes, intents and reſpects, as heretofoꝛe hath béene vſed the Wedneſday next after Corpus Chriſti day. And that from and after the ſaid Feaſt of Saint Michael the Archangell next comming, the ſaid ſecond and third dayes of returne called Octabis ſancte Trinitatis, and Quindena ſancte Trinitatis, ſhall take their commencement, and begin as in times paſt hath béene vſed. And that the ſaid fourth day called A die ſancte Trinitatis in tres ſeptimanas, ſhall take his commencement and begin, from the ſame Trinity Sunday into thꝛée wéekes then next following, and ſhall haue his returne with the fourth day, as is accuſtomed in other like dayes of returne.

Dayes giuen in reall Actions.

And be it further enacted by the authoꝛity aboue ſaid, that if after the ſaid Feaſt of Saint Michael the Archangell next comming, any wꝛit in any reall action come in, oꝛ be returnable into any of our ſaid Soueraigne Loꝛd the Kings Courts, In octabis ſancti Hillarii, then day ſhalbe giuen In craſtino ſancte Trinitatis, If In quindena ſancti Hillarii, in octabis ſancte Trinitatis. If in craſtino Purificationis beate Marie, In quindena ſancte Trinitatis. If in octabis Purificationis beate Marie, then A die ſancte Trinitatis in tres ſeptimanas. And if after the ſame Feaſt of Saint Michael the Archangel, any wꝛit in any reall action come into any of our ſaid Soueraigne Loꝛd the Kings Courts returnable In craſtino ſancte Trinitatis, then day ſhalbe giuen in craſtino animarum. If in octabis ſancte Trinitatis, in craſtino ſancti Martini, If in quindena ſancte Trinitatis, in octabis ſancti Martini. If A die ſancte Trinitatis in tres ſeptimanas, in quindena ſancti Martini.

Dayes giuen in a wꝛit of Dower. St. 52. H. 3. 12.

And be it further enacted by the authoꝛity aboueſaid, that if after the ſaid Feaſt of Saint Michael the Archangell next comming, any wꝛit of Dower come into any of our Soueraigne Loꝛd the Kings Courts, and be returnable, In quindena Paſche, then day ſhalbe giuen in craſtino ſancte Trinitatis, If A die Paſche in tres ſeptimanas, in octabis ſancte Trinitatis, If A die Paſche in vnum menſem, In quindena ſancte Trinitatis, If A die Paſche in quinque ſeptimanas, oꝛ in craſtino Aſcenſionis Domini, then day ſhalbe giuen into the day of A die ſancte Trinitatis in tres ſeptimanas. And if after the Feaſt of Saint Michael the Archangel next comming, any wꝛit of Dower come into any of our ſaid Soueraigne Loꝛd the Kings Courts of Recoꝛd. In craſtino ſancte Trinitatis, then day ſhalbe giuen in octabis ſancti Michaelis, if in octabis ſancte Trinitatis, in quindena ſancti Michaelis, If in quindena ſancte Trinitatis, A die ſancti Michaelis in tres ſeptimanas, If A die ſancte Trinitatis in tres ſeptimanas. A die ſancte Michaelis in vnum menſem, oꝛ otherwiſe as is appointed, limited and declared by the ſtatute of Marlebꝛidge in the twelfth Chapter thereof made and pꝛouided.

And it is further enacted by the authoꝛity afoꝛeſaid, that all common wꝛits and pꝛoceſſes as well perſonall as mixt, which ſhall foꝛtune to be returneable in the ſaid Trinity terme ſhall haue and kéepe the ſaid returnes of Craſtino ſancte Trinitatis, octabis ſancte Trinitatis, quindena ſancte Trinitatis, and A die ſancte Trinitatis in tres ſeptimanas, oꝛ any one of them.

Where the Juſtices may aſſigne ſpeciall Dayes foꝛ the returning of wꝛits.

Pꝛouided alway, and it is further enacted by the authoꝛitie aboueſaid, that in ſuch and like caſes, and pꝛoceſſes, as ſpeciall dayes haue béene vſed to be appointed, aſſigned, and giuen foꝛ the returning of wꝛits and pꝛoceſſes, it ſhalbe lawfull to the Juſtices of euery of the Kings ſaid Courts of Recoꝛd foꝛ the time being, in all the pꝛoceſſes by them awarded, to aſſigne and appoint ſpeciall dayes of returnes, as by their diſcretions ſhalbe thought conuenient.

Dayes giuen in Aſſiſe of darrein pꝛeſentment, Q. impedit and attaint. St. 52. H. 3. 12. 5. Edw. 3. 7.

Pꝛouided alſo, and be it further enacted by the authoꝛity abouesaid, that the dayes in aſſiſe of darraine preſentment, and in plea of Quare impedit, limited and appointed by the Statute of Marlebꝛidge, and alſo the dayes to be giuen in attaint limited in the ſtatute made in the fifth yeare of the raigne of the Noble King Edward the third, being not contrariant to the tenour of this act, ſhalbe holden, firme, and ſtable, and ſhall ſtand in their full foꝛce and effect.

CAP. XXII.

A Biſhop or his deputy taking oath vpon his accompt that he cannot leuy the tenth, &c. ſhall be diſcharged.

IN moſt humble wiſe beſeeching your moſt royall Maieſty, your humble Subiects, the Archbiſhops and Biſhops of this your Realme, that where in the Parliament begun at London, the third day of Nouember, the one and twentieth yeare of your moſt Gracious raigne, and from thence adiourned to Weſtminſter, and there holden and continued by diuers prorogations, vnto the third day of Nouember, in the ſix and twentieth yeare of your moſt Noble raigne, it was enacted by the authoritie of the ſame Parliament among other things, that your Maieſtie, your heires and ſucceſſors, Kings of this Realme, for more augmentation and maintenance of the royall eſtate of your Imperiall Crowne, and Dignity of Supreme head of the Church of England, ſhould yearely haue, take, poſſeſſe and enioy, vnited and knit to your Imperiall Crowne for euer, one yearely rent or penſion, amounting to the value of the tenth part of all the reuenues, rents, fermes, tithes, offerings, emoluments, and of all other profits, as well called Spirituall as Temporall, then appertaining or belonging, or that hereafter ſhould belong to any Archbiſhopricke, Biſhopricke, Abbacie, Monaſtery, Priory, Archdeaconry, Deanry, Hoſpitall, College, Houſe collegiat, Prebend, Cathedrall Church, Collegiate Church, Conuentuall Church, Parſonage, Vicarage, Chauntery, free Chappell, and other Benefice or promotion Spirituall, of what name, nature or quality ſoeuer they then were, within any Dioceſſe of this your realme, or in Wales, the ſaid penſion or annuall rent to be yearely payed for euer to your Maieſty, your heires and ſucceſſors Kings of this Realme, at the Feaſt of the natiuity of our Lord God, as in the ſaid act more plainly appeareth.

By the Statut of 26.H 8.3. a tenth was granted to the King of all Spirituall liuings.

And furthermore it was enacted by the ſaid authority in the ſame Parliament, that after a certificat made vnto your Eſchequer, and tax ſet in ſuch maner and forme, as by the ſaid act is limited, euery Archbiſhop and Biſhop then being, and after that to bee, ſhould bee charged, and chargeable to leuy, collect and receiue within their proper Dioceſſe, as well in place exempt, as not exempt, all ſuch ſummes of mony, wherewith the dignities, benefices and other promotions ſpirituall afore named within their Dioceſſe chargeable by the ſaid act, ſhould be ſet, taxed and charged, towards the payment of the ſaid yearely penſion, and ſhould pay and content the ſaid ſummes of money before the firſt day of Aprill to the Treaſurer of your Chamber for time being, or to any other perſon or perſons, whom it ſhould pleaſe your Highneſſe to appoint to receiue the ſame: and that the Treaſurer, Chancellor, Chamberlaine and Barons of your Eſchequer, ſhould cauſe yearely proceſſe to be made by their diſcretions for non-payment of the ſaid penſion and yearely rent, as by the ſaid act among other things more at large appeareth.

Euery Biſhop charged with the collection of the tenth of all ſpirituall liuings within his Dioceſſe.

And foraſmuch as ſince the making of the ſaid act, all and ſingular Abbacies, Priories, Monaſteries and other religious houſes, which were then conuentuall, being cleerely diſſolued, and come to your Highneſſe by authority of Parliament, and otherwiſe by your Lawes, whereby the ſaid yearely rents and penſions, which before that time were of them ſeuerally to be payed, bee now not payable or leuiable: And alſo that the ſaid Archbiſhops and Biſhops, vpon certificat made into the ſaid Eſchequer, by reaſon of the ſaid Act made in the ſaid ſix and twentieth yeare of your raigne, beene charged and chargeable with the ſaid yearely rents or penſions of the tenth of diuers and many perſons, which were certified into your ſaid Eſchequer by the Commiſſioners aſſigned to tax and ceſſe the ſaid ſpirituall dignities and promotions, to haue perpetuities and chanteries, and other ſalaries, where neuer any ſuch chantery or perpetuall ſalary was founded or ordained, and many chanteries, and other perpetuities ſpirituall, then being in eſſe, beene ſince that time vtterly diſſolued and extincted: And alſo many Prebends, Parſonages and Vicaries, beene double certified by the ſaid Commiſſioners, and ſome certified to be in places where none ſuch be, In rerum natura, and ſome by wrong names or otherwiſe miſcertified, and alſo ſome parts of the profits and emoluments, which did then belong to ſome dignities, Parſonages, Vicarages, Cathedrall Churches, and Collegiat Churches, as in Prories, Sinodales, Oblations and Indulgences, Pardons and other profits be now decayed and diminiſhed by ſundry meanes, and many chanteries, and other ſmall promotions ſpirituall, beene ſince that time decayed and extinguiſhed, and no Prieſts thereon abiding.

Cauſes why the Biſhops could not leuy ſo much mony for tenths as by Commiſſions was certified to be due.

And alſo ſith the making of the ſaid Act, made in the ſaid ſix and twentieth yeare, there haue beene aſſurances made to your Maieſty by ſome of the ſaid Archbiſhops and Biſhops, of parcels of their poſſeſſions, charged with the ſaid rent or penſion, and parcell of the ſaid poſſeſſions charged with the payment of the ſaid yearely rent or penſion, beene comen to your hands by other lawfull meanes. By reaſon whereof, and of many other cauſes, doubts and ambiguities, which doe daily riſe, concerning the premiſſes, the ſaid Collectors cannot leuy the ſaid yearely rents or penſions, concerning many promotions or profits ſpirituall, certified in your ſaid Eſchequer, by the ſaid Commiſſioners: and yet that notwithſtanding the ſaid Archbiſhops and Biſhops, for lacke of ſufficient warrant, and authority to the Barons of your ſaid Eſchequer, for their diſcharge in that behalfe, beene greatly prolonged and letted, in yeelding of their accompts in your ſaid Eſchequer of the ſaid annuall rent or penſion, and put to great coſts and charges to their great inquietneſſe, charges, loſſes and troubles, where they haue nothing allowed them, or to any of their Officers, for the collecting, leuying, gathering or paying of the ſaid annuall rents, or penſions to the vſe of your Highneſſe.

It may therefore pleaſe your Highneſſe, by the aſſent of the Lords Spirituall and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame. That it may be enacted by the authority aforeſaid, that, if the ſaid Archbiſhops and Biſhops, or any of them, their deputies or other accomptants or any of them, that now bee, or hereafter ſhall bee chargeable with the collection of the ſaid annuall rent or penſion, or of any part or portion thereof, ſhew and alleage by the oath of any of the ſaid Archbiſhops, Biſhops or other accomptants, or other perſon or perſons authoriſed to accompt for any of them, before the Treaſurer, Chancellor and Barons of your Eſchequer, or before the more part of them, or before ſuch other perſons as it ſhall pleaſe the Kings Highneſſe to appoint to heare the ſame accompt, that they or any of them, for any of the cauſes aboue ſaid, or for any other ſufficient cauſe or matter by any of them to be alleaged, cannot, or may not, in any wiſe lawfully leuy any ſuch particular ſumme or ſummes of mony of the ſaid annuall rent, or penſion, as they or any of them now be, or hereafter ſhall be chargeable and charged with, and no matter apparant there ſhewed to the contrary for your Highneſſe by any of your Sergeants at the Law, or by your Attourny generall for the time being, or by any other for your Maieſty: That then your ſaid Treaſurer, Chancellor, and Barons, or more part of them, or ſuch other perſons as ſhall bee appointed by the Kings Highneſſe, ſhall by vertue and authoritie of this Act, haue full power and authority by their diſcretions, to accept and allow that allegation, and thereupon, thereof to diſcharge the accomptant, or elſe by their diſcretions to direct the Kings writ vnto any of the Kings Courts, for to certifie vnto them the truth thereof. And thereupon the ſaid Treaſurer, Chancellor and Barons, or the more part of them, or ſuch perſons as ſhall bee thereunto appointed by the Kings Highneſſe, ſhall proceed further to heare and examine the ſame matter and cauſe, by witneſſe and depoſitions of ſuch as can enforme the Court, or the ſaid other perſons, as ſhall be thereunto appointed by the Kings Highneſſe of the truth thereof, or by any other wayes and meanes that they can beſt deuiſe: And if need require to award Commiſſions by their diſcretions, to certaine indifferent perſons in euery ſuch Dioceſſe, where any ſuch matter or cauſe ſhall be alleaged, without any charge aſking, or taking for the making of the ſame Commiſſions ſo to be awarded, which ſaid Commiſſioners ſhall and may by vertue of their Commiſſions, haue full power and authority to examine the ſame matter and cauſe ſo alleaged by any of the ſaid Biſhops, or other accomptants for them and in their diſcharge by the oathes of ſuch perſons as ſhall haue perfect notice therof, or otherwiſe, and thereupon to make certificat thereof to the ſaid Treaſurer, Chancellor and Barons, or to the more part of them in the ſaid Eſchequer, or to ſuch other perſons, as thereunto ſhall be appointed by the Kings Highneſſe.

If a Biſhop or any of his deputies will take his oath that he cannot leuy the tenth of any promotion, he ſhall be diſcharged thereof.

Commiſſions may be awarded to inquire the cauſe of any tenth defalked.

And vpon certificat ſo made of the ſaid matter, or if by any other matter or certificat, it ſhall appeare to the ſaid Treaſurer, Chancellor and Barons, or to the more part of them, or to ſuch other perſons as thereunto ſhall bee appointed by the Kings Highneſſe, that the ſaid matter, and the allegations thereof be good and true: Then the ſaid Treaſurer, Chancellor and Barons, or the more part of them, or the ſaid ſuch other perſons as thereunto ſhall bee appointed by the Kings Highneſſe, thereupon to make a cleare and ſufficient deduction, allowance, determination and diſcharge to any of the ſaid Archbiſhops, Biſhops, and other accomptants, and to euery of them, of and for the ſame, without further ſuit or delay, and the ſame allowance and diſcharge, to cauſe to bee entered in that Court, there to remaine of record, as by their diſcretions ſhall bee thought requiſit from time to time, without further ſuit, charge, or other inquietting of any of the ſaid Archbiſhops, Biſhops, or other accomptants, or any of them, or any of the ſucceſſours or executors of any of them in that behalfe.

A meane how the King ſhalbe anſwered of the tenth of any ſpirituall liuing omitted in the former certificat.

And that it may be further enacted by the authority aforeſaid, that in caſe it be hereafter certified by commiſſion or otherwiſe, by ſufficient and probable witneſſes, had and found before the ſaid Treaſurer, Chancellor, and Barons, or before the more part of them, or before ſuch other perſons as thereunto ſhall be appointed by the Kings Highneſſe, that any Benefice, Chantery, Hoſpitall, or other Eccleſiaſticall promotion, is omitted, and not ſpecified or not certified, by, or in the ſaid originall, or former certificat: That then vpon due proofe, information, knowledge or certificat thereof by any of the ſaid Archbiſhops or Biſhops, or otherwiſe made or declared before the ſaid Treaſurer, Chancellor or Barons, or before the more part of them, or before ſuch other perſons, as thereunto ſhalbe appointed by the Kings Highneſſe, of any ſumme or ſummes of mony, concerning the premiſſes ſo omitted, and not charged for lacke of knowledge or certificat thereof, whereof the King of right ought to be anſwered. The ſaid Treaſurer, Chancellor and Barons, or the more part of them, or ſuch other perſons as thereunto ſhall be appointed by the Kings Highneſſe, ſhall make a ſufficient entry thereof, to bee annexed to, and with the ſaid originall of the ſame tenth, and thereupon to charge the ſaid accomptants, to make, leuy, and anſwer thereof yearely from henceforth, ſo that the Kings Highneſſe may be truly anſwered thereof from time to time, according to his lawfull title in that behalfe. 1. El. 4.

CAP. XXIII.

A confirmation of a ſubſidy to be paid within two yeares, of foure ſhillings in the pound granted to the King by the Clergy of the Prouince of Canterbury, and of ſuch ſummes of money which after ſhall be granted to him by the Clergy of the Prouince of Yorke. EXP.

CAP. XXIIII.

The lands and goods of Saint Iohns of Ieruſalem ſhall be in the Kings diſpoſition.

The Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, hauing credible knowledge, that diuers and ſundry the Kings Subiects, called the Knights of the Rhodes, otherwiſe called Knights of Saint Iohns, otherwiſe called Friers of the religion of Saint Iohn of Ieruſalem in England, and of a like houſe being in Ireland, abiding in the parties of beyond the ſea, and hauing as well out of this Realme, as out of Ireland and other the Kings Dominions, yearely great ſummes of money for maintenance of their liuings: Haue vnnaturally, and contrary to the duty of their alleagances ſuſtained, and maintained the vſurped power and authority of the Biſhop of Rome, lately vſed and practiſed within this Realme, and other the Kings Dominions, and haue not onely adhered themſelues to the ſaid Biſhop, being common enemy to the King our Soueraigne Lord, and to this his Realme, vntruly vpholding, knowledging, and affirming maliciouſly and trayterouſly, the ſame Biſhop to be ſupreme and chiefe head of Chriſts Church by Gods holy word, entending thereby to ſubuert and ouerthrow the good and godly Lawes and Statutes of this Realme, their naturall Country, made and grounded by authority of holy Church, by the moſt excellent wiſdome, policy, and goodnes of the Kings Maieſty, with the whole aſſent and conſent of the Realme, for the aboliſhing, expulſing and vtter extincting of the ſaid vſurped power and authority; but alſo haue defamed and ſlandered as wel the Kings Maieſtie, as the Noble men, Prelates, and other the Kings true and louing Subiects of this Realme, for their good and godly proceeding in that behalfe: haue therefore deeply pondered and conſidered, that like as it is, and was a moſt godly act of the Kings moſt royall Maieſty, and the ſaid Noble men, Prelates and Commons of this Realme, vtterly to expulſe and aboliſh not only from this Realme, but alſo from other the Kings Dominions, the ſaid vſurped power and authority of the Biſhop of Rome, and alſo the hypocriticall and ſuperſtitious religion in this Realme, and other the Kings Dominions, being his members and adherents, hauing their originall erection and foundation by the ſaid vſurped authority, by expulſing whereof Gods holy Word neceſſary for increaſe of vertue and ſaluation of Chriſten ſoules, is not onely purely and ſincerely aduanced and ſet forth, but alſo their extorted exactions of innumerable ſums of money, craftily exhauſted out of this Realme, and of other the Kings Dominions, by the colour of the ſaid vſurped authority is remoued and taken away, to the ineſtimable benefit and commodity of the Kings louing Subiects; ſo in like maner of wiſe, it ſhould be moſt dangerous to be ſuffered or permitted within this Realme, or in any other the Kings Dominions, any religion being ſparkes, leaues, and impes of the ſaid roote of iniquity: conſidering alſo that the Iſle of Rhodes, whereby the ſaid religion tooke their old name and foundation is ſurpriſed by the Turke: And that it were, and is much better, that the poſſeſſions in this Realme, and in other the Kings Dominions appertaining to the ſaid Religion, ſhould rather be employed and ſpent within this Realme, and in other the Kings Dominions for the defence and ſurety of the ſame, than conuerted to, and among ſuch vnnaturall Subiects, which haue declined not only from their naturall duty of obedience that they ought to beare vnto the King our Soueraigne Lord, but alſo from the good Lawes and Statutes of this Realme their naturall Countrey, daily doing and attempting priuily and craftily all that they can, to ſubuert the good and godly policie, in the which, thanks be to God, and our moſt dread Soueraigne Lord, this Realme, and other the Kings Dominions now ſtand in. In conſideration whereof, the ſaid Lords Spirituall and Temporall, and the Commons of this preſent Parliament aſſembled, moſt humbly beſeechen the Kings moſt royall Maieſty, that it may be enacted by his Highneſſe, and by the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, that the Corporation of the ſaid religion, as well within this Realme, as within the Kings dominion and Land of Ireland, by whatſoeuer name or names they be founded, encorporated or knowne, ſhall bee vtterly diſſolued and void to all entents and purpoſes. And that Sir William Weſton Knight, now being Prior of the ſaid Religion of this Realme of England, ſhall not be named or called from henceforth Prior of Saint Iohns of Ieruſalem in England, but ſhall bee called by his proper name of William Weſton Knight, without further addition touching the ſaid Religion. And that likewiſe Iohn Rauſon Knight, now being Prior of Kilmainam in Ireland, ſhall not bee

The cauſes why the houſes of S. Iohns of Ieruſalem were diſſolued, and their lands giuen to the King.

The Corporation or the Religion of Saint Iohns in England and Ireland ſhall be diſſolued.

The Priors and Confreres of S. Iohn ſhal be called by their owne names and ſirnames, without any addition of their Religion.

bee called or named from henceforth Prior of Kilmainam in Ireland, but only by his proper name of Iohn Rauſon Knight, without farther addition touching the ſaid Religion: Nor that any of the Brethren or Confreeres of the ſaid religion in this Realme of England, and Land of Ireland ſhall bee called Knights of the Rhodes nor Knights of Saint Iohns, but ſhall bee called by their owne proper Chriſten names and ſurnames of their parents, without any other additions touching the ſaid religion.

The penalty for the ſaid Priors and confreres to weare any ſigne of their religion, or to make any aſſemblies touching the ſame, or to defend any priuileges thereof.

And be it furthermore enacted by authority of this preſent Parliament, that if the ſaid William Weston or any or his Brethren or Confreres of the Hoſpitall or houſe of S. Iohn of Jeruſalem in England now abiding and dwelling within this Realme of England, or any other perſon or perſons being members profeſſed of, or in the ſaid Hoſpitall now dwelling within the ſaid Realme at any time after the firſt day of July next comming, doe vſe or weare within this Realme or elſe where, in, or vpon any apparell of their bodies, any ſigne, marke, or token heretofore vſed, and accuſtomed, or hereafter to bee deuiſed for the knowledge of the ſaid Religion, or make any Congregations, Chapiters, or aſſemblies touching the ſame Religion, or maintaine, ſupport, vſe, or defend any liberties, franchiſes, or priuileges heretofore granted to the ſaid religion by the authoritie of the Biſhop of Rome, or of the See of the ſame, that then euery of them ſo offending, ſhall incurre and run into the paines, forfeitures, and penalties ordained and prouided by the Statute of Prouiſion and Premunire, made in the xvj. yeare of King Richard the ſecond. And if the ſaid Iohn Rauſon Knight, or any of his Brethren, or Confreres of the ſaid Hoſpitall, or houſe of Kilmainam in Ireland, or any other perſon or perſons, being members profeſſed, of, or in the ſaid Hoſpitall of Kilmainam, now abiding and dwelling within the ſaid Land of Ireland at any time after the laſt day of September next comming doe vſe, or weare within this Realme, or within the ſaid land of Ireland, or elſe weare, in, or vpon any apparell of their bodies, any ſigne, marke, or token heretofore vſed, and accuſtomed, or hereafter to be deuiſed for the knowledge of the ſame Religion, or make any Congregations, Chapiters, or aſſemblies touching the ſame religion, or maintaine, ſupport, vſe, or defend any manner of liberties, franchiſes, or priuileges heretofore granted to the ſame by authoritie of the Biſhop of Rome, or of the See of the ſame: That then euery of them ſo offending, ſhall incurre and run into the paines, forfeitures, and penalties, ordained and prouided by the ſaid Statute of prouiſion and Premunire, made in the ſaid xvj. yeare of Richard the ſecond.

And be it likewiſe enacted by the authority aforeſaid, that if any the Knights or Confreres of the ſaid religion being the Kings naturall Subiects, which now inhabite, abide, and dwell out of any the Kings Dominions, at any time after the firſt day of February next comming doe offend in any of the articles or offences next aboue rehearſed, that then euery of them ſo offending ſhall incurre and run into the paines, forfeitures, and penalties next aboue remembred.

The King ſhall haue al the manors, lands, &c. lately belonging to the Prior and brethren of S. Iohn in England and Ireland.

And be it further enacted by the authority aforeſaid, that the Kings Maieſty his heires and Succeſſors, ſhall haue and enioy all that Hoſpitall, manſion houſe, Church, and all other houſes, edificies, buildings, and gardens to the ſame belonging, being neere to the City of London in the County of Middl. called the houſe of Saint Iohns of Jeruſalem in England, and alſo all that hoſpitall Church, and houſe of Kilmainam in the land of Ireland, and all and ſingular Caſtels, honours, manors, meaſes, lands, tenements, rents, reuerſions, ſeruices, woods, meadowes, paſtures, parkes, warrens, liberties, franchiſes, priuileges, parſonages, tithes, penſions, portions, Knights fees, aduouſons, commandries, preceptories, contributions, reſponſions, rents, titles, entries, conditions, couenants, and all other poſſeſſions and hereditaments, of what natures, names, or qualities ſoeuer they bee, and whereſoeuer they bee, or lie within this Realme of England, or within the Land of Ireland, or elſewhere within any the Kings Dominions, which appertained or belonged to the ſaid Religion, or to the Priors, Maſters, or Gouernors, Knights, or other Miniſters profeſſed of or in the ſame, by the pretence, or in the right of the ſaid religion: And all and ſingular goods, cattels, debts, arrerages of rents and fermes, and all other things reall and perſonall, whatſoeuer they bee, whereof or whereunto any of the ſaid Priors, Brethren or Confreres, or perſons profeſſed in the ſaid religion, can haue nor claime any particular propriety to their owne proper vſe by the rules and ſtatutes of the ſaid Religion: To haue and to hold the premiſſes, and euery of them, to our ſaid Soueraigne Lord and to his heires and ſucceſſors for euer, to vſe, and employ by his moſt excellent wiſdome and diſcretion, at his owne free will and pleaſure. And that his Highneſſe ſhall bee deemed, and adiudged in the reall and actuall poſſeſſion of the premiſſes, by vertue and authority of this preſent act, ſauing to all perſons and bodies politike their heires and ſucceſſors, and the heires and ſucceſſors of euery of them (other then the ſaid Prior of Saint Iohns of Jeruſalem in England, and the ſaid Prior of Kilmainam, in the land of Ireland, and the Brethren or Confreres of euery of them, and the ſucceſſors of euery of them, and all and euery other perſon or perſons of the ſaid Religion, and their ſucceſſors, and euery of them, and the ſucceſſors of euery of them) all ſuch right, title, intereſt poſſeſſion, leaſſes, grants, annuities, fees, offices, corodies, reuerſions, rents, and ſeruices, rent-charges, commons, rights, titles, entries, actions, petitions, penſions, portions, and all other hereditaments, of what names, natures, or qualities ſoeuer they bee, which they haue,

A ſauing of the right of others.

ſhould or ought to haue had, if this Act had neuer béene had, ne made, any thing in this Act to the contrary thereof notwithſtanding.

Prouided alway and be it enacted by the authority of this preſent Parliament, by the agréement and aſſent of the Kings moſt excellent goodneſſe, that the ſaid William Weſton, during his naturall life, ſhall haue and enioy to his owne vſe out of the premiſſes yéerly one annuall rent or penſion of one thouſand pounds to be paid to him or his aſſignes at the feaſt of Saint Michael the Archangell, and the Annunciation of our Lady by euen portions, and alſo ſhall haue to his owne vſe ſuch reaſonable portion of the goods, and cattels appertaining to the ſame religion as it ſhall pleaſe the Kings Maieſty of his moſt excellent goodneſſe to limit and appoint of the ſame. And that the ſaid Iohn Rauſon Knight ſhall haue and enioy to his owne vſe, out of ſuch poſſeſſions as he now hath in England and Ireland, one annuall penſion of fiue hundreth markes to bee paid to him or to his aſſignes at the feaſts aforeſaid by euen portions, and likewiſe ſhall haue to his own proper vſe, ſuch reaſonable portion of the goods of the ſaid religion, as ſhal pleaſe the Kings Maieſty of his moſt excellent goodneſſe to limit and appoint for the ſame, And that Clement Weſt, being one of the confreres of the ſaid religion, ſhall haue and enioy during his naturall life, one annuity or penſion of two hundred pounds. And that Thomas Pemberton, another of the confreres of the ſaid Religion, ſhall haue and enioy yéerely during his naturall life, one yéerely penſion of foure ſcore pound. And that Giles Ruſſel, another of the ſaid confreres, ſhall haue and enioy yéerly during his naturall life, one yéerly penſion of one hundred pound. And that George Aylmer, another of the ſaid confreres, ſhall haue and enioy yéerly during his naturall life one yéerely penſion of one hundred pound. And that Iohn Sutton, another of the Confreres of the ſaid Religion, ſhall haue and enioy yéerly during his naturall life, one yéerly penſion of two hundred pound. And that Edward Belingham, another of the confreres of the ſaid religion, ſhall haue and enioy yéerly during his life naturall, one yéerly penſion of one hundred pound. And that Edward Browne, another of the confreres of the ſaid religion, ſhall haue and enioy yéerly during his naturall life, one yéerely penſion of fifty pound. And that Edmund Huſſe, another of the Confreres of the ſaid religion ſhall haue and enioy yéerely during his life naturall, one yéerely penſion of one hundred marks. And that Ambroſe Caue, another of the confreres of the ſaid religion, ſhall haue and enioy yéerly during his naturall life one yéerly penſion of one C. markes. And that Thomas Copledike another of the confreres of the ſaid religion, ſhall haue and inioy during his naturall life one yéerely penſion of fifty pound.

Sir William Weſton Prior of S. Iohn ſhall haue M.li. penſion during his life.

Iohn Rauſon v.C. markes.

Clement Weſt. C.C.li.

Thomas Pemberton, lxxx.li.

Giles Ruſſel. C.li.

George Aylmer C.l.

Iohn Sutton CC.li

Edward Belingham. C.li.

Edward Browne. L.li.

Edmund Huſe. C.markes.

Ambroſe Caue C markes.

Tho. Copledike. L.li.

And that Cuthbert Leighton another of the Confreres of the ſaid religion, ſhall haue and enioy yéerely during his naturall life, one yéerely penſion of thréeſcore pound. And that Richard Broke, another of the confreres of the ſaid Religion, ſhall haue and enioy yéerely during his naturall life, one yéerely penſion of one hundred markes. And that Henry Poole, another of the confreres of the ſaid religion, ſhall haue and enioy yéerly during his naturall life one yéerly penſion of two hundred markes. And that William Tyrrill, another of the confreres of the ſaid religion, ſhall haue and enioy yéerely during his naturall life one yéerely penſion of thirty pound. And that Iohn Rauſon another of the Confreres of the ſaid Religion, ſhall haue and enioy yeerely during his naturall life one yéerely penſion of two hundred markes. And that Anthony Rogers, Ouſwald Maſſingberd, Iames Huſſe, Thomas Thornel, Nicolas Hupton, Philip Babington, Henry Ierad, Dunſtan Nudegate, Nicolas Lambert, and Dauid Gonſon, being Confreres profeſſed in the ſaid Religion and hauing at this preſent time no manner of certainty towards their liuing, ſhall haue and enioy euery of them yéerly, one yéerly penſion of ten pounds, the ſaid ſeueral yéerly penſions to be paid at the feaſt of Saint Michael the Archangell and the Annunciation of our Lady by euen portions, as is aforeſaid, And ouer this euery of the ſaid Confreres aboue named and mentioned ſhall haue to their owne proper vſes ſuch reaſonable portions of the goods and cattels, being in their hands and poſſeſſions, appertaining to the ſaid religion, as it ſhall pleaſe the Kings Maieſty to limit and appoint to euery of them of the ſame.

Cuthbert Leighton. Lx.li.

Richard Broke C.markes.

Henry Poole CC.markes.

William Tyrel xxx.li.

Iohn Rauſon CC.markes.

Confreres profeſſed hauing no certaine liuing x.li. a piece.

And be it alſo enacted by the authority aforeſaid, that if any the Kings ſubiects being profeſſed in the ſaid religion, be negligently forgotten or omitted out of this preſent act, for lack of knowledge of their names, that yet neuertheleſſe euery of them ſo forgotten, and not now preſently named or remembred, ſhall haue and enioy ſuch honeſt, conuenient, and reaſonable yéerly penſion, and portion of goods, as ſhall pleaſe the Kings Maieſty, to limit, and appoint in that behalfe.

Profeſſed perſons omitted in this Statute.

Prouided alwaies that none of the ſaid Priors, or confreres of the ſaid religion ſhall haue and enioy any of the penſions afore ſpecified, except ſuch of them as bee the Kings true and faithfull ſubiect. Any thing in this Act to the contrary thereof notwithſtanding.

Onely true ſubiects ſhall haue penſions.

Prouided alſo, and bee it enacted by the authority aforeſaid, that Iohn Mapleſden, otherwiſe called Iohn Mableſton Clerke, ſubprior of the ſaid Religion of the ſaid Hoſpitall S. Iohn of Ieruſalem in England, William Ermeſted Clerke, Maſter of the temple of London, Walter Lymſey and Iohn Winter Chapleines there, and euery of them, ſhall haue perceiue, and enioy during their naturall liues, all ſuch Manſion houſes, Stipends, and wages, and all other profits of money, in as large and ample manner, as they, or any of them now lawfully haue the ſame, without let or interruption of the King our Soueraigne Lord his heires or ſucceſſors, or

The Subprior Maſter of the Temple, & two Chapleines, ſhall retaine their houſes and wages.

any other his Officers, or Miniſters, the ſaid Maſter and two Chaplaines of the Temple doing their duties and ſeruices there, as they haue accuſtomed to doe.

The foreſaid parties ſhall haue the Kings letters Patents of the things before granted.

And be it further enacted by authority aforeſaid, that the ſaid William Weſton and Iohn Rauſon, and euery of the ſaid brethren, or confreres afore named, and the ſaid ſuperiour, and the ſaid Maſter of the Temple, and two Chaplaines, and euery of them being the Kings true and faithfull ſubiects vpon their reaſonable ſuits and petitions, ſhall haue ſufficient letters patents of the ſaid ſeuerall yeerly annuities, penſions, manſions, ſtipends and wages, and other profits of money to them limited by authority of this Act, vnder the Kings great ſeale without any fine or fee to be paid to the Kings vſe for the ſame.

The Confreres & brethren diſcharged of their obedience to their Priors, & may ſue and be ſued by their proper names.

And be it further enacted by the authority aforeſaid that the ſaid brethren or confreres of the ſaid religion, and all other obediencers being members of the ſaid religion ſhall be acquitted and diſcharged of their obedience, that they haue vſed to beare and giue vnto the ſaid William Weſton, or to the ſaid Iohn Rauſon, or to any other of the ſaid religion by the Ordinances, Uſages, rules, or ſtatutes of the ſaid religion. And that as well the ſame William Weſton, and Iohn Rauſon, as the ſaid brethren or Confreres of the ſaid religion called knights, as is aforeſaid and euery of them being the kings ſubiects borne in this Realme of England, or in the land of Ireland, or elſewhere within any the Kings Dominions, ſhall be enabled to ſue and be ſued, by their owne ſaid proper names and ſurnames, and haue ſuch capacity, and other freedome, liberties, and priuileges, to all intents and purpoſes, in as large and ample manner, forme, faſhion and condition, as in the firſt ſeſſion of this preſent Parliament was ordeined and enacted for religious perſons. Any ſtatutes, ordinances, lawes, cuſtomes, vſages, or any other thing or things to the contrary thereof in any wiſe notwithſtanding.

31.H.8.6.

Prouided alſo, and be it enacted by the authority aforeſaid, that all priuileges of Sanctuaries, heretofore vſed, or claimed in manſion houſes, and other places commonly called S. Iohns hold, and all other Sanctuaries heretofore vſed in any place within this Realme, or in Ireland, which heretofore hath beene belonging to any of the ſaid Hoſpitals, ſhall ſtand and be vtterly void, and of none effect, for, or concerning any Sanctuary, or priuileges of Sanctuary, there to bee had or vſed. The priuileges of common Churches, and Churchyards, applyed and vſed to Gods ſeruice, and burials of Chriſtian people, only excepted.

All the lands of Saint Iohns ſhall be in the gouernement of the Court of Augmentations. ALT.1.M.10.

And be it alſo enacted by the authority aforeſaid, that all the ſaid manors, meaſes, lands, tenements and all and ſingular other poſſeſſions, priuileges, liberties, franchiſes, and other hereditaments granted to the Kings maieſty by this Act, ſhalbe in the ſuruey, rule, order, and gouernance of the Chancellor and other miniſters and officers of the Court of the Augmentions of the reuenues of the Kings Crowne, in like manner, forme, faſhion and condition, as the poſſeſſions of the lands of the Abbeyes, Monaſteries, or Priories ſuppreſſed, or ſurrendred beene.

The Confreres which be out of the realme ſhall returne and ſubmit themſelues to the obedience of the law.

And be it alſo enacted by the authority aforeſaid, that all and euery ſuch perſon and perſons as be now Confreres of the ſaid Hoſpitall or Hoſpitals, and at this preſent time out of this realme ſhall before the feaſt of Pentecoſt, which ſhall be in the yeere of our Lord God, a thouſand fiue hundreth, forty and one, returne into the ſame, and here perſonally preſent themſelues to the Kings Maieſty, or to the Lord Chancellor of England, the Lord Treaſurer, the Lord Preſident of the Kings Councell, and the Lord priuy Seale, or two of them for the time being at the leaſt, both knowledging themſelues to be his highneſſe true and loyall ſubiects, & declaring themſelues to be content willingly to obſerue, keep, and maintaine all the laws and ſtatutes of this realme, as to good and true ſubiects appertaineth: or elſe the ſame Confrere or confreres, making default of ſuch his repaire and preſentment, as is beforeſaid, ſhall in no wiſe claime and enioy any penſion by vertue of this Act: any thing in the ſame contained notwithſtanding: vnleſſe the perſon or perſons ſo making default of repaire, and apparance, can ſhew and declare themſelues to haue beene detained, or by a neceſſary meane impeached and letted of their will, purpoſe, and deſire to haue come hither, and to haue accompliſhed the whole contents of this ſtatute accordingly.

Cap. XXV.

The mariage ſolemniſed betweene the King and the Lady *Anne* of Cleues by the iudgement of the Clergy of England in their conuocation is adiudged and pronounced to be voyd, and alſo by her owne conſent. And the King ſhall be at liberty to marry any other woman, and ſhee any other man. It ſhalbe high treaſon by writing, word, or deed to accept take, iudge, or beleeue the ſaid mariage to be good or to procure or doe any thing to the repeale of this Act. Exp.

Cap. XXVI.

All decrees and ordinances which according to Gods word, and Chriſts Goſpell by the kings aduice and confirmation by his letters patents, ſhalbe made and ordained by the Archbiſhops, Biſhops and doctors appointed or to be appointed in and vpon the matter of Chriſtian religion and Chriſtian faith, and the lawfull rites, ceremonies, & obſeruations of the ſame, ſhalbe in euery point thereof beleeued, obeyed, and performed to all intents and purpoſes vpon the pains therein compriſed

priſed. Prouided that nothing ſhall be ordeined or deſired which ſhall be repugnant to the Lawes and ſtatutes of this Realme. Exp. Stat. 1. *Ed.* 6. 12.

Cap. XXVII.

A reſumption of extraordinary grants and licenſes made by the King to certaine perſons of abſence and reuerſions in the towne of Caleys, and the Marches of the ſame, and in Berwicke and of the Sheriſwickes for life in VVales. EXP.

Cap. XXVIII.

Leaſes made by Tenants in Fee or Fee-taile, in the right of their wiues or Churches, which be good, which void.

Where great number of the Kings Subiects haue heretofoꝛe taken leaſes of lands, tenements and other herditaments foꝛ terme of yeers, and diuers of them foꝛ terme of liues and haue giuen, and payed great fines, and great ſums foꝛ the ſame, and alſo haue beene at great coſts and charges, as well in and about great reparations and buildings vpon their ſaid fermes, as otherwiſe concerning their ſaid ferms: yet notwithſtanding the ſaid fermoꝛs, after the deaths oꝛ reſignations of their leſſoꝛs, haue been and be daily with great cruelty expulſed, and put out of their ſaid fermes and takings, by the heires oꝛ ſucceſſoꝛs of their ſaid leſſoꝛs, oꝛ by ſuch perſons as haue intereſt therein, after the deaths oꝛ reſignations of their ſaid leſſoꝛs, by reaſon of pꝛiuy gifts of entaile, oꝛ foꝛ that the leſſoꝛs had nothing in the lands, tenements, oꝛ other hereditaments ſo letten, at the time of the leaſes therof made, but only in the right of their wiues, oꝛ ſuch other like cauſe to the great impoueriſhment, and in manner vtter vndoing of the ſaid fermoꝛs: foꝛ refoꝛmation whereof, be it oꝛdained, eſtabliſhed, and enacted by the King our ſoueraign Loꝛd, the Loꝛds ſpirituall and tempoꝛall, and the commons in this pꝛeſent Parliament aſſembled, and by authoꝛity of the ſame, that all leaſes hereafter to be made of any manoꝛs, lands, tenements, oꝛ other hereditaments by wꝛiting indented vnder ſeale, foꝛ terme of yeeres, oꝛ foꝛ terme of life by any perſon oꝛ perſons, being of ful age of xxi. yeers, hauing any eſtate of inheritance, either in fee ſimple, oꝛ in fee taile, in their owne right oꝛ in the right of their Churches oꝛ Wiues, oꝛ ioyntly with their wiues, of any eſtate of inheritance made befoꝛe the couerture oꝛ after ſhall be good and [a]effectuall in the law, againſt the leſſoꝛs, their wiues, heires and ſucceſſoꝛs and euery of them, accoꝛding to ſuch eſtate as is compꝛiſed and ſpecified in euery ſuch indenture of leaſe, in like maner and foꝛme as the ſame ſhould haue been if the leſſoꝛs thereof, and euery of them, at the time of the making of ſuch leaſes had been lawfully ſeaſed of the ſame lands, tenements, and hereditaments compꝛiſed in ſuch indenture, of a good, perfect, and pure eſtate of fee ſimple thereof to their owne only vſes.

Leaſes made by tenant in taile, oꝛ by him which is ſeiſed in the right of his wife oꝛ Church, &c. St. 34. H. 8. 20.

Pꝛouided alway, that this act, noꝛ any thing therein contained ſhall not extend to any leaſes to be made of any manoꝛs, lands, tenements oꝛ hereditaments being in the hands of any fermoꝛ, oꝛ fermoꝛs by vertue of any old leaſe, vnleſſe the ſame old leaſe bee expired, ſurrendꝛed, oꝛ ended within one [b] yeere next after the making of the ſaid new leaſe, noꝛ ſhall extend to any grant to be made of any reuerſion of any manoꝛs, lands, tenements, oꝛ hereditaments, noꝛ to any leaſe of any manoꝛs, lands, tenements, oꝛ hereditaments which haue not moſt commonly beene letten to ferme, oꝛ occupied by the fermoꝛs thereof by the ſpace of [c] twenty yeeres next befoꝛe ſuch leaſe thereof made: noꝛ to any leaſe to be made, without impeachment of waſt: noꝛ to any leaſe to bee made aboue the number of [d] xxi. yeeres oꝛ iii. liues at the moſt, from the day of making thereof. And that vpon euery ſuch leaſe there be reſerued yeerly during the ſame leaſe, due and payable to the leſſoꝛs, their heires and ſucceſſoꝛs, to whom the ſame lands ſhould haue come after the deaths of the leſſoꝛs if no ſuch leaſe had beene thereof made, and to whom the reuerſion thereof ſhall appertaine, accoꝛding to their eſtates and intereſts, ſo much yeerly ferme, oꝛ rent, oꝛ moꝛe, as hath bin moſt accuſtomably yeelden oꝛ paid foꝛ the manoꝛs, lands, tenements & hereditaments ſo to be letten within xx. yeeres next befoꝛe ſuch leaſe therof made; And that euery ſuch perſon & perſons to whom the reuerſion of ſuch manoꝛs, lands, tenements, oꝛ hereditaments ſo to bee letten, ſhall appertaine, as is afoꝛeſaid, after the deaths of ſuch leſſoꝛs oꝛ their heires, ſhall and may haue ſuch like remedy, and aduantage to all intents and purpoſes againſt the leſſees therof, their executoꝛs and aſſignes, as the ſame leſſoꝛ ſhould, oꝛ might haue had againſt the ſame leſſees. So that if the leſſoꝛ were ſeaſed of any eſpecial eſtate taile of the ſame hereditaments, at the time of ſuch leaſe that yͤ iſſue oꝛ heire of that ſpeciall eſtate, ſhal haue the reuerſion, rents, & ſeruices reſerued vpon ſuch leaſe after yͤ death of the ſaid leſſoꝛ as the leſſoꝛ himſelfe might oꝛ ought to had if he had liued.

Speciall obſeruations of leaſes to be made by tenant in taile, oꝛ of the wiues land.

Pꝛouided alway, that the [e]wife be made party to euery ſuch leaſe which hereafter ſhalbe made by her huſband of any manoꝛs, lands, tenements, oꝛ hereditaments being the inheritance of the wife, & that euery ſuch leaſe be made by indenture in the name of the huſband & his wife, & ſhe to ſeale to the ſame: And that the ferme and rent bee reſerued to the huſband and to the wife, and

Leaſes made by the huſband & wife of the wiues Land.

to the heires of the wife, according to her eſtate of inheritance in the ſame. And that the huſband ſhall not in any wiſe alien, diſcharge, grant, or giue away the ſame rent reſerued, nor any part thereof longer than during the couerture, without it bee by fine leuied by the ſaid huſband and wife. But that the ſame rent ſhall remaine, deſcend, reuert, or come after the death of ſuch huſband, vnto ſuch perſon or perſons, and their heires in ſuch manner and ſort, as the lands ſo leaſed ſhould haue done if no ſuch leaſe had thereof beene made.

St.25.H.8.13.
Leaſes of fermes.

Leaſes of Parſonages or Vicarages.

Prouided alſo, that this Act extend not to giue any liberty, or power to any perſon or perſons to take any moe fermes, leaſes, or takings of any manors, lands, tenements, or other hereditaments, than he or they ſhould or might lawfully haue done before the making of this Act: nor extend to giue any liberty or power to any Parſon, or Vicar of any Church, or Vicarage, for to make any leaſe, or grant of any of their meſuages, lands, tenements, tithes, profits, or hereditaments belonging to their Churches or Vicarages, otherwiſe or in any manner, than they ſhould or might haue done before the making of this Act, Any thing contained in this Act to the contrary notwithſtanding.

A confirmation of leaſes made before the Stat. by certaine perſons, and vpon certaine conditions.

And furthermore bee it enacted by authority aforeſaid, that all leaſes at any time within the ſpace of three yeeres next before the twelfth day of April, and in the one and thirtieth yeere of our ſoueraigne Lord the Kings raigne, made by writing endented vnder ſeale by any perſon or perſons of full age, of whole memory, not vnlawfully coarcted, nor being couert baron for terme of yeeres, of any manors, lands, tenements, or other hereditaments, whereof the leſſor or leſſors were ſeiſed of any eſtate of inheritance of and in the ſame to their owne onely vſe at the time of making any ſuch leaſe thereof, and whereof the leſſees, their executors or aſſignes be now in poſſeſſion by vertue of the ſame leaſe, and no cauſe of reentre, or forfeiture therof had or made, ſhall be good and effectuall in the law, againſt the leſſors their heires, and ſucceſſors, and the heires and ſucceſſors of euery of them, according to the couenants articles, and agreements ſpecified in euery ſuch indenture of leaſe. So alwayes there be reſerued, and yeerely payable during the ſame leaſe, to the ſaid leſſors their heires or ſucceſſors, or to ſuch other as ſhould or ought to haue had the ſame manors, lands, tenements or hereditaments ſo leaſed after the deceaſe of ſuch leſſors, in caſe no ſuch leaſe had thereof beene made, as much yeerely rent for the ſame, as was at any time therefore yeelden or paid within twenty yeeres next before the making of any ſuch leaſe, or elſe ſuch leaſes to be of no other force, ne effect, then they were before the making of this preſent act.

The huſbands only Act of the wiues land ſhall not preiudice her or her heirs. St.6.Ed.1.3. 13.Ed.1.3.

And moreouer for certaine conſideration be it enacted by authority aforeſaid, That no fine, feoffement, or other Act or Acts hereafter to be made, ſuffered, or done by the huſband only of any manors, lands, tenements, or hereditaments, being the inheritance or freehold of his wife, during the couerture betweene them, ſhall in any wiſe be or make any [a] diſcontinuance thereof, or be preiudiciall or hurtful to the ſaid wife, or to her heires or to ſuch as ſhal haue right, title or intereſt to the ſame by the death of ſuch wife or wiues: But that the ſame wife, or her heires, and ſuch other to whom ſuch right ſhall appertaine after her deceaſe ſhall and may then lawfully enter into all ſuch manors, lands, tenements, and hereditaments according to their rights and titles therein, any ſuch fine, feoffement, or other act to the contrary notwithſtanding: fines leuied by the huſband and wife (whereunto the ſaid wife is party and priuy) only except.

[a] Coke li.8.fo Dyer fo.72.161. 191.264.363. Co.Inſt.326.

Leaſes made by the huſband & the wife of the inheritance of the wife. St.34.H.8.22.

Prouided furthermore, that this clauſe or act extend not to giue any liberty to any ſuch wife, or to her heires, for to auoid any leaſe hereafter to be made of any inheritance of the wife by her huſband and her for terme of one and twentie yeares, or vnder, or any her inheritance for terme of three liues at the vttermoſt, whereupon as much yearely rent or more is or ſhall be reſerued, and yeerly payable during the ſame leaſe, as was at any time therefore yeelden or payed within twenty yeeres next before the making of any ſuch leaſe, according to the tenor of this preſent Act, any thing therein contained to the contrary notwithſtanding.

Leaſes made by Eccleſiaſticall perſons attainted of Treaſon.

Prouided alſo that this Act extend not to make good any leaſe, or leaſes heretofore made by any Eccleſiaſticall perſon or perſons by their couent or common ſeale, which be made void or taken away by authority of any Act of Parliament heretofore made, nor extend to make good any leaſe or leaſes heretofore made by any Eccleſiaſticall perſon or perſons now being attainted of treaſon vnder their couent ſeale or otherwiſe, or by any other perſon or perſons now being attainted of treaſon by Act of Parliament or otherwiſe: But that all and ſingular ſuch leaſe, and leaſes, and euery of them, now made or hereafter to be made, ſhalbe of ſuch like effect & ſtrength in the law and none other, as they and euery of them were before the making of this Act: any thing before mentioned in this Act to the contrary thereof notwithſtanding.

Cap. XXIX.

All lands lying in Oſwelbecke Soke in the County of Notingham ſhall bee inheritable according to the Common law, and not partable betweene heires males, as they haue beene. PR.

Cap. XXX.

After iſſue tried iudgement ſhall be, notwithſtanding any Ieofaile or miſpleading, &c.

FOraſmuch as the party plaintifes and demandants in all manner of actions and ſuits, aſwell reall, as perſonall at the common law of this Realme, before this time haue béen greatly delaied, and hindred in their ſuits, and demands by reaſon of the crafty, ſubtile, and negligent pleadings of the plaintifes, or demandants, defendants or tenants, where any action or demand hath béen ſued, had, or made, as well in miniſtring of their declarations, and bars, as alſo in their replications, reioynders, rebutters, ioyning of iſſues and other pleadings to the great hurt, delay, and hinderance of the ſaid plaintifes or demandants, or to the vexation of the defendants or tenants. Inſomuch, that when the iſſues ioyned in the ſame actions betwéen the parties to the ſame hath béen tried, and found by the verdit of thirtéen or moe indifferent perſons, for the ſaid plaintifes or demandants, or for the tenants or defendants, and the Iuſtices ready to giue iudgement for the ſaid parties, for whom the ſaid iſſue was found: The ſame parties haue béen compelled by the courſe and order of the common law of this realme afore this time, to replead, and the ſaid verdits ſo giuen as is afore rehearſed, to be taken as void, and of none effect, ſometime becauſe the iſſues haue béene miſioynd, and ioyfaile, and ſometime by taking aduantages of the parties own miſpleading, or in the purſuing, miſconueying, or diſcontinuing of proceſſe of any of the parties, and for diuers other cauſes, the which is thought as well a great ſlander to the ſaid common law of this realm, and to the miniſters of the ſame, as alſo a plaine delay, and hindrance vnto the ſaid parties, in that they ſhould not haue their iudgments when the iſſue hath béen found and tried as is aforeſaid, to their great coſts and charge. Be it therefore enacted by the King our ſoueraigne Lord, the Lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from henceforth if any iſſue bee tried by the oath of twelue, or moe indifferent men for the party plaintife or demandant, or for the party tenant or defendant, in any manner of action, or ſuit at the common law of this Realme in any the Kings courts of record that then the Iuſtice and Iuſtices by whom iudgement thereof ought to be giuen ſhall procéed and giue iudgement in the ſame, any[a] miſpleading, lack of colour, inſufficient pleading, or ioyfaile, any miſcontinuance, or diſcontinuance, or miſconueying of proceſſe, miſiſoyning of the iſſue, lack of warrant of atturney of the party againſt whom the ſame iſſue ſhall happen to be tried, or any other default or negligence of any of the parties, their councellors or atturneyes, had or made to the contrary notwithſtanding, and the ſaid iudgements thereof ſo to be had and giuen, ſhall ſtand in full ſtrength and force, to all intents and purpoſes, according to the ſaid verdict without any reuerſall or vndoing of the ſame, by writ of error or of falſe iudgement, in like form as though no ſuch default or negligence had neuer béene had or committed.

The ſeueral inconueniences which haue heretofore followed by delayes in ſuites.

Coke li.5.f.35. 17.49.li.8. 16; li.11.fol.7. Repleder.40. fo.284.357. 7.333.367.

After an iſſue tried there ſhall be iudgement giuen notwithſtanding any Ieofaile or miſpleading.

Prouided alway and be it enacted by the authority aforeſaid, in auoyding of errors, and other great inconueniences, that daily doe fortune to riſe and grow in the Kings Courts of record at Weſtminſter through the negligence of atturneyes, becauſe they deliuer not their warrants of atturney in ſuch actions and ſuits, wherin they be named atturney, according to the lawes of this realme, that all and euery ſuch perſon and perſons, which ſhall fortune hereafter to be Atturney to or for any other perſon or perſons, being demandant or plaintife, tenant or defendant in any action or ſuit, at any time hereafter commenced or taken in any of the Kings ſaid Courts, and plead to any iſſue in the ſame action or ſuit: that then the ſame atturneis, and euery of them from time to time ſhall deliuer, or cauſe to be deliuered his or their ſufficient and lawfull [b] warrant of atturney, to bee [c] entred of record for euery of the ſaid actions or ſuits, wherein they bee named atturneys, to the Officer or his deputy, ordained for the receipt and entring thereof in the ſame terme when the ſaid iſſue is entred of record in the ſaid court, or afore, vpon paine of forfeiting vnto our ſaid Soueraigne Lord, ten pounds ſterling for euery default for not deliuering of the ſaid warrant of atturney.

When an Atturney ſhall enter his warrant in Court.

a Coke.pla.f.167.

ly.a.180.

And alſo further to ſuffer ſuch impriſonment as by the diſcretion of the Iuſtices of the court for the time being, where any ſuch default ſhall fortune, to be had or made, ſhalbe thought conuenient: This preſent Act with the prouiſo to endure till the laſt day of the next Parliament. 2.*Ed*.6.32. made perpetuall. St.18.*Eli*.13. 21.*Iac*.13.

Cap. XXXI.

A Recouerie of land had by aſſent of the parties againſt tenant for terme of life ſhall be void; vnleſſe it be by good title, or aſſent of him in the Reuerſion or Remainder. REP.14.*Eli*.8.*Coke*lib. 10.fo.44.*Cok*.Inſt.362.2.

Cap. XXXII.

Ioynt tenants and Tenants in common for liues or yeares ſhall make partition.

FOraſmuch as in the Parliament begun at Weſtminſter the eight and twenty day of Aprill, and there continued till the xxviii. day of Iune, the xxxi. yeare of the Kings moſt noble and 41.H.8.1.

victorious raigne that now is. It was amongſt other things there enacted and eſtabliſhed, that all ioynt tenants, and tenants in common, that then were, or hereafter ſhould be of any eſtate, or eſtates of inheritance in their owne rights, or in the right of their wiues, of any manors, lands, tenements or hereditaments within this realme of England, Wales, or marches of the ſame, ſhall and may be coacted and compelled by vertue of the ſaid Act, to make partition between them, of all ſuch manors, lands, tenements, and hereditaments as they then held, or hereafter ſhould hold, as ioynt tenants, or tenants in common, as more plainly at large appeareth by the ſaid ſtatute. And foraſmuch as the ſaid ſtatute doth not extend to ioynt tenants, and tenants in common for terme of life or yéeres, neither to ioynt tenants, and tenants in common, where one or ſome of them haue but a particular eſtate for terme of life or yéers, and the other haue eſtate or eſtates of inheritance of, and in any manors, lands, tenements, and hereditaments. Be it therfore enacted by the King our Soueraigne Lord, and by the aſſent of the Lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by the authority of the ſame, that all ioyntenants and tenants in common, and euery of them, which now hold or hereafter ſhall hold ioyntly, or in common for terme of life, yéere or yéeres: or ioyntenants, or tenants in common, where one or ſome of them haue, or ſhall haue eſtate or eſtates, for terme of life or yéeres, with the other that haue, or ſhall haue eſtate or eſtates of inheritance, or fréehold in any manors, lands, tenements, or[a] hereditaments, ſhall and may bee compellable from henceforth by writ of partition to be purſued out of the Kings court of Chancery, vpon his or their caſe or caſes, to make ſeuerance, and partition of all ſuch manors, lands, tenements, and hereditaments, which they hold ioyntly, or in common for terme of life or liues, yéere or yéeres, or where one or ſome of them hold ioyntly, or in common for terme of life, or yéeres with other, that haue an eſtate or eſtates of inheritance or fréehold.

Iointtenants for life or yeares are compellable to make partition.

[a] Bro.parti 38 41. Co.Inſt.164. 175.a.172.

Prouided alway and be it enacted that no ſuch partition, nor ſeuerance hereafter to be made by force of this act be, nor ſhall be preiudiciall, or hurtfull to any perſon or perſons, their heires, or ſucceſſors, other than ſuch which be parties vnto the ſaid partition, their Executors or aſſignes. Coke fo.p.418.

Partition ſhall be preiudiciall to none but parties.

Cap. XXXIII.

Wrongfull diſſeiſin is no deſcent in Law.

WHere diuers perſons of their inſatiable mindes haue heretofore by ſtrength, and without title, entred into manors, lands, tenements, and other hereditaments, and wrongfully diſſeiſed the rightfull owners and poſſeſſors thereof, and ſo being ſeaſed by diſſeiſin, haue thereof died ſeaſed, by reaſon of which dying ſeaſed the diſſeiſee, or ſuch other perſons as before ſuch diſcent might haue lawfully entred into the ſaid manors, lands and tenements were, and be thereby cleerly excluded of their entre into the ſaid manors, lands and tenements, and put to their action for their remedy and recouery therein, to their great coſts and charges. For reformation whereof be it enacted by the authority of this preſent Parliament, that the[b] dying ſeaſed hereafter of any ſuch diſſeiſor of, or in any manors, lands, tenemẽts, or other hereditaments hauing no right or title therin, ſhall not be taken or déemed from henceforth any ſuch diſcent in the law, for to toll, or take away the entrée of any ſuch perſon or perſons, or their heires, which at any time of the ſame diſcent, had good and lawfull title of entre into the ſaid manors, lands, tenements, or hereditaments, Except that ſuch diſſeiſor hath had the peaceable poſſeſſion of ſuch manors, lands tenements or hereditaments, whereof he ſhall ſo dye ſeaſed, by the ſpace of fiue yéeres next after the diſſeiſin therein by him committed, without entre, or continuall claime, by or of ſuch perſon or perſons, as haue lawfull title thereunto.

A diſſeiſor dying ſeiſed taketh away no title of entrie from the diſſeiſee or his heire.

Fiue yeeres poſſeſſion in the diſſeiſor before his death.

[b] Dyer.fo. Co.lib.11. Co.Inſt.

Cap. XXXIIII.

Grantees of reuerſions may take aduantage of reuerſions and couenants againſt the leſſees: and leſſees may haue the like remedy againſt Grantees, as they might haue had againſt their grantors.

WHere before this time diuers, as well temporall as eccleſiaſticall and religious perſons haue made ſundry leaſes, demiſes and grants to diuers other perſons of ſundry manors, lordſhips, ferms, meaſes, lands, tenements, medows, paſtures or other hereditaments for terme of life or liues, or for terme of yéeres, by writing vnder their ſeale or ſeales containing certaine conditions, couenants and agréements to be performed, as wel on the part and behalfe of the ſaid leſſées and grantées, their executors and aſſignes, as on the behalfe of the ſaid leſſors, and grantors, their heires and ſucceſſors: and foraſmuch as by the common law of this realme no ſtranger to any couenant, action or condition, ſhall take any aduantage or benefit of the ſame by any meanes or waies in the law, but only ſuch as be parties or priuies thereunto, by the reaſon whereof, as well all grantées of reuerſions, as alſo all grantées, and patentées of the King our ſoueraign Lord of ſundry manors, lordſhips, granges, fermes, meaſes, lands, tenements, medowes, paſtures, or other hereditaments late belonging to Monaſteries and other religious and Eccleſiaſticall

By the common Law no ſtranger to any couenant, action or condition could take aduantage thereof.

ſticall houſes diſſolued ſuppreſſed, renounced, relinquiſhed, forfeited, giuen vp, or by other means come to the hands and poſſeſſion of the Kings Maieſty ſince the fourth day of February, the ſeuen and twentieth yeere of his moſt noble raigne be excluded to haue any entre, or action againſt the ſaid leſſees, and grantees their executors or aſſignes, which the leſſors before that time might by the law haue had againſt the ſame leſſees for the breach of any condition, couenant or agreement, compriſed in the indentures of their ſaid leaſes, demiſes, and grants. Be it therefore enacted by the King our ſoueraigne Lord, the Lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by authority of the ſame, that as well all and euery perſon and perſons, and bodies politike, their heires, ſucceſſors and aſſignes, which haue, or ſhall haue any gift or grant of our ſaid ſoueraigne Lord by his letters patents, of any Lordſhips, manors, lands tenements, rents, parſonages, tithes, portions, or any other hereditaments, or of any reuerſion, or reuerſions of the ſame, which did belong, and appertaine to any of the ſaid Monaſteries, and other religious and Eccleſiaſticall houſes, diſſolued, ſuppreſſed, relinquiſhed, forfeited, or by any other meanes come to the Kings hands ſince the ſaid fourth day of February the ſeuen and twentieth yeere of his moſt noble raigne, or which at any time heretofore did belong or appertaine to any other perſon or perſons, and after came to the hands of our ſaid Soueraigne Lord, as alſo all other perſons being grantees, or aſſignees to, or by our ſaid Soueraigne Lord the King, or to or by any other perſon or perſons, then the Kings highneſſe, and the heires executors, ſucceſſors, and aſſignes of euery of them, ſhall and may haue and enioy like aduantages againſt the leſſees, their executors, adminiſtrators, and aſſignes, [a] by entre for none paiment of the rent, or for doing of waſt, or other forfeiture: and alſo ſhall and may haue, and enioy all, and euery ſuch like, and the ſame aduantage, benefit, and remedies by action only, for not performing of other conditions, couenants or agreements, contained and expreſſed in the indentures of their ſaid leaſes, dimiſes, or grants, againſt all and euery the ſaid leſſees and fermors, and grantees, their executors, adminiſtrators and aſſignes, as the ſaid leſſors or grantors themſelues, or their heires, or ſucceſſors ought, ſhould, or might haue had, and enioyed at any time or times, in like manner and forme, as if the reuerſion of ſuch lands, tenements, or hereditaments had not come to the hands of our ſaid Soueraigne Lord, his heires and ſucceſſors, ſhould or might haue had and enioyed in certaine caſes by vertue of the Act made at the firſt [illegible]ſſion of this preſent Parliament, if no ſuch grant by Letters Patents had beene made by his Highneſſe,

Grantees of reuerſions may take aduantage of conditions and couenants againſt the leſſees of the ſame lands.

[a] Plow. fo. 175. Dyer. fo. 68. 131. 309. Cok. li. 3. fo. 62. li. 5. fo. 56. 112. Bro. entre congeable 37.

Moreouer be it enacted by authority aforeſaid, that all fermors, leſſees and grantees of Lordſhips, manors, lands, tenements, rents, parſonages, tithes, portions or any other hereditaments for terme of yeers, life or liues, their executors, adminiſtrators, and aſſignes, ſhall and may haue like action, aduantage, and remedy againſt all and euery perſon and perſons, and bodies politiks their heires, ſucceſſors, and aſſignes which haue, or ſhall haue any gift, or grant of the King our Soueraigne Lord, or of any other perſon or perſons of the reuerſion of the ſame manors, lands, tenements, and other hereditaments ſo letten, or any parcell thereof, for any [b] condition, couenant or agreement contained, or expreſſed in the indentures of their leaſe and leaſes, as the ſame leſſees, or any of them might, and ſhould haue had againſt the ſaid leſſors and grantors, their heirs or ſucceſſors[illegible] All benefits and aduantages of recoueries in value, by reaſon of any warranty in deed, or law by voucher, or otherwiſe only excepted.

Leſſees may haue the like remedy againſt the grantees of reuerſions, which they might haue had againſt their grantees.

[b] Dyer. fo. 157. Coke li. 3. fo. 63. li. 5. fo. 56.

Prouided alwaies that this act, nor any thing or things therein contained, ſhall extend to hinder or charge any perſon or perſons for the breach of any couenant, or cõdition compriſed in any ſuch writing as is aforeſaid, but for ſuch couenants, and conditions, as ſhall be broken or not performed after the firſt day of September next comming, and not before: any thing before in this Act contained to the contrary thereof notwithſtanding. Coke Inſt. 215.

CAP. XXXV.

Iuſtices of Foreſts may make their deputies.

FOr as much as it is much doubted whether the Kings Iuſtices of his Foreſts, Parkes, and Chaſes within this realme, may lawfully make or depute any deputy or deputies, for the exerciſing of their ſaid roomthes, or office of Iuſtices of the foreſts, for the auoiding of which ambiguity and doubt, and to the intent that the laws of the foreſt may be more truly, and ſpeedily executed, it may be enacted by the king our ſoueraign Lord, by the aſſent of the Lords ſpiritual and temporall, and the commons in this preſent Parliament aſſembled, and by authority of the ſame that from henceforth all, and euery the Iuſtice and Iuſtices of the Kings Foreſts, Parkes, and Chaſes within this realme, which now be, or hereafter ſhall bee, by their writing ſealed with the ſeale of their office, ſhall make, aſſigne, depute, and appoint as many deputy, or deputies for the exerciſing of the ſame office of Iuſtice, or Iuſtices of the foreſts, as to ſuch Iuſtice or Iuſtices from time to time ſhalbe thought conuenient, which deputy and deputies ſo appointed, ſhall haue like power and authority to do, and execute all things concerning the Kings foreſts, Parks and Chaſes, and al[illegible] other things concerning the office, and offices of the Iuſtice of the foreſts, to all intents

Euery Iuſtice of the Kings foreſts, chaſes, and parkes, may make as many deputies as he will.

intents and purpoſes, and in as large and ample manner and forme, as the ſame Iuſtice or Iuſtices might or may lawfully doe or execute by the lawes of this realm, and as though the ſame Iuſtice or Iuſtices were there perſonally preſent in his or their owne perſon or perſons.

Cap. XXXVI.

A fine leuied by tenant in taile ſhalbe a barre to the heire of his body: but a fine leuied by a wife of her husbands lands deceaſed doth not binde, &c.

St.4.H.7.24.

For as much as in the fourth yeere of the raigne of the late King of famous memory, King Henry the ſeuenth, father of our moſt dread Soueraigne Lord the King that now is, it was among many good and ſundry ſtatutes, and ordinances then made for the commonwealth, enacted ordained, and eſtabliſhed, the forme and manner how fines ſhould be leuied with proclamations, in the Kings Court before his Iuſtices of his common place, and that ſuch fines with proclamations ſo had and made, to the intent to void all ſtrifes, and debates ſhould be a finall end, and conclude as wel priuies as ſtrangers to the ſame, certain perſons excepted, and ſaued, as in the ſame ſtatute more plainly appeareth: Sithen which time by diuerſity of interpretation & expounding of the ſame ſtatute, it hath been, and yet is by ſome manner of perſons doubted and called in queſtion, whether fines with proclamations leuied, or to bee leuied before the ſaid Iuſtices by any perſon or perſons, hauing, or claming to haue in any manors, lands, tenements, or hereditamẽts compriſed in the ſame fine, in poſſeſſion, reuerſion, remainder, or in vſe, any manner of eſtate taile, ſhould immediatly after the ſaid fine leuied, engroſſed, and proclamation made, binde the right heire and heires of ſuch tenant in taile, and euery other perſon and perſons ſeiſed or claming to their vſe or vſes, by occaſion whereof diuers debates, controuerſies, ſuites, and troubles haue beene begun, moued, and had within this realme and moe be like to inſue, if remedy for the ſame be not prouided: for the eſtabliſhment and reformation wherof, and for the ſure and ſincere interpretation of the ſaid ſtatute, in auoiding all dangers, contentions, controuerſies, ambiguities, and doubts that hereafter may inſurge, grow, and happen. Our ſoueraigne Lord the King, with the aſſent of the Lords ſpirituall, and temporall, and the commons in this preſent Parliament aſſembled, and by authority of the ſame, hath enacted and ordeined, that all & ſingular fines as well heretofore leuied, as hereafter to be leuied, before the ſaid Iuſtices with[a] proclamations according to the ſaid ſtatute, by any perſon or perſons of full age of xxi. yeeres, of any manors, lands, tenements, or hereditaments, before the time of the ſaid fine leuied in any wiſe entailed to the perſon or perſons ſo leuying the ſame fine, or to any the aunceſtors of the ſame perſon or perſons in poſſeſſion, reuerſion, remainder or in vſe ſhalbe immediatly after the ſame fine leuied engroſſed, and [b] proclamations made, adiudged, accepted, deemed, and taken to all intents and purpoſes, a ſufficient barre and diſcharge for euer againſt the ſaid perſon and perſons, and their heires, claming the ſame lands, tenements, and hereditaments, or any parcell thereof, onely by force of any ſuch entaile, & againſt all other perſons claming the ſame or any parcell therof, only to their vſe, or to the vſe of any manner of heire of the bodies of them, any ambiguity, doubt, or contrarioſity of opinion, riſen or grown vpon the ſaid eſtatute to the contrary notwithſtanding.

A fine leuied by tenant in taile, ſhall be a barre to the heire of his body.
St.13.E.1.1.

[a] Plow. fo. 46. Dyer f. 213. 351. Coke li. 1. f. 8. 87. li. 3. fo. 91. & 84. & li. 7. fo. 32. li. 9. f. 140. li. 11. fo. 74.
[b] Br. aſſurances 6. Bro. teſtament 1 vſes 57. Bro. Taile 2. Bro. fines 107. 109. 118. 121. Co. Inſt. 371. 2.

A fine leuied by the wife, of the inheritance of her late huſband, ſhall be void

St.11.H.7.20.

Prouided alway that this Act, nor any thing therein contained, ſhall extend to barre or exclude the lawfull entre, title, or intereſt of any heire or heires, perſon or perſons heretofore giuen, or hereafter to be giuen, growne, or acrewed to them, or any of them in, or to any manors, lands, tenements, and hereditaments, by reaſon of any fine or fines heretofore leuied, or hereafter to be leuied by any woman after the death of her huſband contrary to the forme, intent, and effect of the ſtatute made in the eleuenth yeere of the ſaid late King Henry the ſeuenth of any manors, lands, tenements, and hereditaments of the inheritance, or purchaſe of the ſaid huſband, or of any his anceſtors, giuen or aſſigned to any ſuch woman in dower, for terme of life, or in taile, in vſe, or in poſſeſſion, but that the ſame Act made in the ſaid eleuenth yeere of the ſaid late King Henry the ſeuenth ſhall ſtand, remaine, and be in full ſtrength and vertue in euery article, ſentence, and clauſe therein contained, in like manner and forme as though this preſent Act had neuer beene had, ne made.

A fine leuied by him which is reſtrained by Parliament, ſhall be void.

Prouided alſo that this Act, ne any thing therein contained, doe extend to any fine or fines at any time heretofore leuied or hereafter to be leuied, of any lordſhips, manors, lands, tenements, or other hereditaments whatſoeuer they be, the poſſeſſioners and owners whereof, by reaſon of any expreſſe words contained in any ſpeciall act or acts of Parliament made or ordained ſince the ſaid fourth yeere of the raigne of the ſaid late King Henry the ſeuenth ſtand, bee bounden, or reſtrained from making any alienations, diſcontinuances, or other alterations, of any of the ſame lordſhips, manors, lands, tenements, or hereditaments, contained in the ſaid fine or fines, but that all and euery ſuch fine & fines, at any time heretofore leuied, or hereafter to be leuied by any ſuch perſon or perſons, or their heires of any ſuch lordſhips, manors, lands, tenements, or other hereditaments ſhall bee of ſuch like force and ſtrength in the Law, and of none other effect than the ſame fine ſo leuied, or to bee leuied, ſhould haue beene if this preſent Act had neuer beene had, nor made, any thing therein contained to the contrary thereof in any wiſe notwithſtanding.

Prouided alſo that this Act nor any thing therein contained, ſhall extend to any fine or fines heretofore leuied of any manors, lands, tenements or hereditaments now in ſuit, demand, or variance in any of the Kings Courts, or whereof any Charters, Euidences, or muniments concerning the ſame, be now in demand in the Kings high Court of Chancery, nor to any fine or fines, heretofore leuied of any manors, lands, tenements, or hereditaments which before the firſt day of this preſent Parliament haue beene recouered, gotten or obtained by reaſon of any iudgment entry, decrée, arbitrement, or other lawfull meanes, contrary to the purport, intent, or effect of any ſuch fine or fines thereof heretofore leuied, nor to any fine or fines heretofore leuied, or hereafter to be leuied by any perſon or perſons of any manors, lands, tenemẽts, or hereditaments before the time of the leuying of the ſame fine giuen, granted, or aſſigned to the ſaid perſon or perſons ſo leuying the ſame fine, or to any of his or their anceſtors in the taile, by vertue of any letters patents of our ſaid ſoueraigne Lord, or any of his progenitors, or by vertue of any act or acts of parliament the[a] reuerſion whereof at the time of the ſame fine or fines ſo leuied being in our ſaid ſoueraigne Lord his heires or ſucceſſors: But that euery ſuch fine and fines ſhal be of like force, ſtrength and effect, as they were, or ſhould haue béene, if this Act had neuer béene had nor made.

A fine leuied of Lands in ſuit.

A fine of lands before recouered.

A fine of lands whereof the reuerſion is in the King.

A fine leuied by one reſtrained by act of Parliament.

Dyer fo.32. Coke li.6.fo.55. 3.fo74. o.aſſurances.6. o.fines.112.

CAP. XXXVII.

How Executors may recouer rents due to the Teſtator, &c.

FOraſmuch as by the order of the common law, the executors or adminiſtrators of tenants in fée ſimple, tenants in fée taile, and tenants for terme of life, of rents ſeruices, rent charges, rents ſeckes, and fée fermes, haue no remedy to recouer ſuch arrerages of the ſaid rents or fée fermes as were due vnto their teſtators in their liues, nor yet the heires of ſuch teſtator, nor any perſon hauing the reuerſion of his eſtate after his deceaſe may diſtreine, or haue any lawful action to leuy any ſuch arrerages of rents, or of the fée fermes, due vnto him in his life, as is aforeſaid: By reaſon whereof the tenants of the demeane of ſuch lands, tenements, or hereditaments out of the which ſuch rents were due and payable, who of right ought to pay their rents & fermes at ſuch day and termes as they were due, doe many times kéep, hold, and retaine ſuch arrerages in their owne hands, ſo that the executors, and adminiſtrators of the perſons to whom ſuch rents or fée fermes were due, cannot haue or come by the ſaid arrerages of the ſame, towards the paiment of the debts, and performance of the will of the ſaid teſtators. For remedy whereof be it enacted by authority of this preſent Parliament, that the executors and adminiſtrators of euery ſuch perſon or perſons, vnto whom any ſuch rent, or fée ferme is, or ſhalbe due, and not paid at the time of his death, ſhall and may haue an action of [b] debt for all ſuch arrerages againſt the tenant, or tenants that ought to haue paid the ſaid rent or fée fermes ſo being behind, in the life of their teſtator or againſt the executors and adminiſtrators of the ſaid tenants. And alſo furthermore it ſhalbe lawfull to euery ſuch executor, & adminiſtrator of any ſuch perſon or perſons vnto whom ſuch rent or fée ferme ſhalbe due, and not paid at the time of his death, as is aforeſaid, to diſtrain for the arrerages of all ſuch rents, and fée fermes, vpon the lands, tenements and other hereditaments, which were charged with the paiment of ſuch rents or fée fermes, and chargeable to the diſtreſſe of the ſaid teſtator, ſo long as the ſaid lands, tenements, or hereditaments continue, remaine, and be in the ſeiſon or poſſeſſion of the ſaid tenant in demeſne, who ought immediately to haue paid yͤ ſaid rent or fée ferm ſo being behind to the ſaid teſtator, in his life, or in the ſeiſon, or poſſeſſion of any other perſon or perſons claiming the ſaid lands, tenements, and hereditaments only by, and from the ſame tenant by purchaſe, gift or diſcent in like manner and forme as their ſaid[c] teſtator might or ought to haue done in his life time, and the ſaid executors and adminiſtrators, ſhall for the ſame diſtreſſe lawfully make auowry vpon their matter aforeſaid.

Dyer fo.375. li.4.fo.48.

A remedy for executors, &c. to recouer a rent due to their Teſtator in his life time.

li.1.fo.64.

Prouided alway that this Act nor any thing therin conteined, ſhall not extend to any ſuch manor, lordſhip, or dominion in Wales, or in the marches of the ſame, whereof the inhabitants haue vſed time out of the mind of man, to pay vnto euery Lord or owner of ſuch Lordſhip, manor, or dominion, at his or their firſt entre into the ſame, any ſum or ſums of money, for the redemption and diſcharge of all duties, forfeitures, and penalties wherewith the ſaid inhabitants were chargeable to any of their ſaid Lords, anceſtors, or predeceſſors before his ſaid entry.

Redemption money paid in Wales and the Marches.

And further be it enacted by the authority aforeſaid, that if any man which now hath, or hereafter ſhall haue in the right of his wife, any eſtate in fée ſimple, fée taile, or for terme of life, of, or in any rents or fée fermes, and the ſame rents or fée fermes now be, or hereafter ſhal be due, behind and vnpaid in the ſaid wiues life: then the ſaid [d] huſband, after the [e] death of his ſaid wife, his executors and adminiſtrators ſhall haue an action of debt for the ſaid arrerages againſt the tenant of the demeſne that ought to haue paid the ſame, his executors or adminiſtrators. And alſo the ſaid huſband after the death of his ſaid wife, may diſtreine for the ſaid arrerages, in like maner and forme, as hee might haue done, if his ſaid wife had béene then liuing, and make auowry vpon his matter as is aforeſaid.

The huſbands remedy for rent due in the right and in the life of his wife.

li.4.fo.51. 331.b.

[d] Coke pla. fo. 119.

XUM

The remedy for a rent the eſtate whereof dependeth vpon anothers life being dead.

And likewiſe it is further enacted by the authority aforeſaid, that if any perſon or perſons which now hath, or hereafter ſhall haue any rents, or fee fermes for terme of life, or liues of any other perſon or perſons, and the ſaid rent or fee ferme now be, or hereafter ſhall bee due, and behind, and vnpaid in the [d] life of ſuch perſon or perſons for whoſe life or liues the eſtate of the ſaid rent, or fee ferme did depend, or continue, and after the ſaid perſon or perſons doe die: then he vnto whom the ſaid rent or ferme was due in forme aforeſaid, his executors, and adminiſtrators, ſhall and may haue an action of debt againſt the tenant in demeſne, that ought to haue paied the ſame when it firſt was due, his executors and adminiſtrators, and alſo diſtraine for the ſame arrerages vpon ſuch lands and tenements, out of the which the ſaid rents or fee fermes were iſſuing, and payable, in ſuch like manner and forme as he ought or might haue done, if ſuch perſon or perſons, by whoſe death the aforeſaid eſtate in the ſaid rents and fee ferms was determined and expired, had beene in full life, and not dead: And the auowry for the taking of the ſame diſtreſſe, to be made in manner and forme aforeſaid. Coke Inſt. 162. a.

[d] Coke li.5.fo li.7.fo.33.

CAP. XXXVIII.

What marriages are lawfull, and what not.

WHereas heretofore the vſurped power of the Biſhop of Rome, hath alwayes entangled, and troubled the meere iuriſdiction, and regall power of this realme of England, and alſo vnquieted much the ſubiects of the ſame, by his vſurped power in them, as by making that vnlawfull which by Gods word is lawful, both in marriages and other things, as hereafter ſhal appeare more at length, and till now of late in our Soueraigne Lords time, which is otherwiſe by learning taught than his predeceſſors in times paſt long time haue beene, hath ſo continued the ſame, whereof yet ſome ſparks be left, which hereafter might kindle a greater fire, and ſo remaining his power not to ſeeme vtterly extinct.

The enormity of auoiding marriages by precontracts.

The inconueniences of diſpenſations to marry.

Therefore it is thought moſt conuenient to the Kings highneſſe, his Lords ſpirituall and temporall, with the commons of this Realme aſſembled in this preſent Parliament, that two things ſpecially for this time bee with diligence prouided for, whereby many inconueniences hath enſued, & many moe elſe mought enſue and follow: as where heretofore diuers and many perſons after long continuance together in matrimony without any allegation of either of the parties, or any other at their marriage, why the ſame matrimony ſhould not be good, iuſt, and lawfull, and after the ſame matrimony ſolemnized, and conſummate by carnall knowledge, and alſo ſometime fruit of children enſued of the ſame marriage, vpon pretence of a former contract made and not conſummate by carnall copulation (for proofe whereof two witneſſes by that law were only required) beene diuorſed and ſeparat, contrary to Gods law, and ſo the true matrimony both ſolemnized in the face of the Church, and conſummate with bodily knowledge, and confirmed alſo with the fruit of children had betweene them cleerly fruſtrate and diſſolued: Further alſo by reaſon of other prohibitions than Gods law admitteth, for their lucre by that Court inuented, the diſpenſation whereof they alwayes reſerued to themſelues, as in kindred, or affinity betweene coſin germanes, and ſo to fourth and fourth degree, carnall knowledge of any of the ſame kin, or affinity before in ſuch outward degrees, which elſe were lawfull and be not prohibited by Gods law, and all becauſe they would get money by it, and keep a reputation of their vſurped iuriſdiction, whereby not only much diſcord betweene lawfull married perſons hath (contrary to Gods ordinance) ariſen, much debate and ſuit at the law with wrongfull vexation, and great dammage of the innocent party hath beene procured, and many iuſt marriages brought in doubt, and danger of vndoing, and alſo many times vndone, and lawfull heires diſherited, whereof there had neuer elſe, but for his vaineglorious vſurpation beene moued any ſuch queſtion, ſince freedome in them was giuen vs by Gods law, which ought to be moſt ſure, and certaine. But that notwithſtanding marriages haue beene brought into ſuch an incertainty thereby, that no marriage could be ſurely knit and bounden, but it ſhould lye in either of the parties power, and arbiter, caſting away the feare of God by meanes, and compaſſes to proue a precontract, a kindred, and alience, or a carnall knowledge, to defeat the ſame, and ſo vnder the pretence of theſe allegations afore rehearſed, to liue all the dayes of their life in deteſtable adultery to the vtter deſtruction of their owne ſoules, and the prouocation of the terrible wrath of God, vpon the places where ſuch abominations were vſed and ſuffered. Be it therefore enacted by the King our ſoueraigne Lord, the Lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by authority of the ſame, that from the firſt day of the moneth of July next comming in the yeere of our Lord God 1540. all and euery ſuch marriages as within this Church of England ſhall be contracted betweene lawfull perſons, (as by this Act we declare all perſons to be lawfull, that bee not prohibited by Gods law to marry) ſuch marriages being contract and ſolemnized in the face of the Church and conſummate with bodily knowledge, or fruit of children, or childe, being had therein betweene the parties ſo married, ſhalbe by authority of this preſent Parliament aforeſaid deemed, iudged, and taken to be lawfull, good, iuſt, and indiſſoluble, notwithſtanding any precon-

All perſons be lawfull to contract marriage that be not prohibited by Gods law. 2. Ed. 6. 23. 1. Eli. 1.

Co. Inſt. 235

tract, or precontracts of matrimony not conſummate, with bodily knowledge which either of the parties ſo married, or both ſhall haue made with any other perſon or perſons before the time of contracting that marriage which is ſolemnized and conſummate, or whereof ſuch fruit is enſued or may enſue as afore, and notwithſtanding any diſpenſation, preſcription, law, or other thing granted, or confirmed by Act or otherwiſe, And that no reſeruation, or prohibition, Gods law except, ſhall trouble or impeach any marriage without the leuiticall degrees. And that no perſon of what eſtate, degree, or condition ſoeuer he or ſhe bee, ſhall after the ſaid firſt day of the moneth of Iuly aforeſaid, bee admitted to any of the ſpirituall Courts within this the kings Realme, or any his Graces other lands and dominions, to any proceſſe, plea, or allegation, contrary to this foreſaid Act. Rep. 1. & 2. P. & M. 8. Rep. 1. El. 1.

That marriage is indiſſoluble which is contracted & ſolemnized in the face of the Church, and conſummat with bodily knowledge or fruit of child notwithſtanding any precontract. Rep. 2. Ed. 6. 23

Cap. XXXIX.

The great Maſter of the Kings houſe, ſhall haue all authority that the Lord Steward had. Rep. 1. *M.* 4.

Cap. XL.

Priuileges granted to Phyſitians in London.

In moſt humble wiſe ſhewen vnto your Maieſty your true and faithfull ſubiects, and liege men, the Preſident of the corporation of the comminalty and fellowſhip of the ſcience and faculty of phyſick in your city of London, and the commons of the fellowes of the ſame, that whereas diuers of them many times hauing in cure, as well ſome of the Lords of your moſt honourable Councell, and diuers times many of the Nobility of this Realme, as many other your faithful and liege people, cannot giue their due attendance to them and other their patients with ſuch diligence, as their duty were and is to do, by reaſon they be many times compelled as well within the city of London, and ſuburbs of the ſame, as in other townes and villages, to keepe watch, and ward, and be choſen to the office of Conſtable, and other offices within the ſaid city, and ſuburbs of the ſame, as in other places within this your Realme, to their great fatigation and vnquieting, and to the perill of their patients, by reaſon they cannot be conueniently attended. It may therefore pleaſe your moſt excellent Maieſty, with the aſſent of your Lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by authority of the ſame to enact, ordeine, and eſtabliſh, that the Preſident of the ſaid comminalty and fellowſhip for the time being, and the commons and fellowes of the ſame, and euery fellow thereof that now be, or that any time hereafter ſhall bee their ſucceſſors, and the ſucceſſors of euery of them, at all time and times after the making of this preſent Act, ſhall be diſcharged to keep any watch and ward, in your ſaid city of London, or the ſuburbs of the ſame, or any part thereof: And that they or any of them ſhalbe choſen Conſtable, or any other officer in the ſaid city or ſuburbs. And that if any time hereafter the ſaid preſident for the time being, or any of the ſaid commons, or fellowes for the time being, by any wayes or meanes be appointed, or elected to any watch, or ward, office of Conſtable, or any other office within the ſaid city or ſuburbs, the ſame appointment, or election to bee vtterly void and of none effect, any order, cuſtome or law to the contrary before this time vſed in the ſaid City notwithſtanding.

The Phyſitians in London ſhall be diſcharged to beare certaine offices there.

And that it may pleaſe your moſt royall Maieſty, by the authority aforeſaid, that it may bee further enacted, ordained and eſtabliſhed, for the common wealth and ſurety of your louing ſubiects of this your realme, in, and for the adminiſtration of medicines to ſuch your ſaid ſubiects as as ſhall haue need of the ſame, That from henceforth the ſaid Preſident for the time being, commons, and fellowes, and their ſucceſſors, may yeerely as ſuch time as they ſhall thinke moſt meet and conuenient for the ſame, elect and choſe foure perſons of the ſaid commons, and fellows of the beſt learned, wiſeſt, and moſt diſcreet, ſuch as they ſhall thinke conuenient, and haue experience in the ſaid faculty of Phyſicke: And that the ſaid foure perſons ſo elected and choſen after a corporall Oath to them miniſtred by the ſaid Preſident, or his Deputy ſhall and may by vertue of this preſent Act, haue full authority and power, as often as they ſhall thinke meet, and conuenient, to enter into the houſe or houſes of all, and euery Apothecary, now or any time hereafter vſing the myſtery or craft of Apothecary within the ſaid Citie, onely to ſearch, view, and ſee ſuch Pothecary wares, drugs, and ſtuffes as the ſaid Apothecaries, or any of them haue, or at any time hereafter ſhall haue in their houſe or houſes, And all ſuch Wares, Drugs, and ſtuffes as the ſaid foure perſons ſhall then finde defectiue, corrupted, and not meet, nor conuenient to be miniſtred in any medicines for the health of mans body, the ſame foure perſons calling to them the Wardens of the ſaid myſtery of Apothecaries within the ſaid City for that time being, or one of them, ſhall cauſe to bee brent, or otherwiſe deſtroy the ſame, as they ſhall thinke meet by their diſcretion. And if the ſaid Apothecaries, or any of them, at any time hereafter doe obſtinately, or willingly refuſe, or deny the ſaid foure perſons yeerely elected and choſen, as

Foure Phyſitians ſhalbe choſen yearely to ſearch Pottecary wares in London.

Inſt.235

The forfeiture of an Apothecary that refuſeth to haue his houſe ſearched. St. 1. M. 9.

The forfeiture of ſuch as being elect, refuſe to be ſworne or to make ſearch.

is before ſaid, to enter into their ſaid houſe or houſes for the cauſes intent and purpoſe before rehearſed, That then they and euery of them ſo offending contrary to this act, for euery time that hee or they doe ſo offend, to forfeit C.s. the one halfe to your Maieſty, and the other halfe to him that will ſue for the ſame by action of debt, bill plaint, or information in any of the kings courts wherein no wager of law, eſſoine, or protection ſhall be allowed. And if the ſaid foure perſons, or any of them ſo elected and choſen as before is ſaid, do refuſe to be ſworne, or after his ſaid oath to him or them adminiſtred, do obſtinatly refuſe to make the ſaid ſearch, and view once in the yéer at ſuch time as they ſhall thinke moſt conuenient by their diſcretions, hauing no lawfull impediment by ſickneſſe, or otherwiſe to the contrary: That then for euery ſuch wilfull and obſtinate default, euery of the ſaid foure perſons making default, to forfeit forty ſhillings.

Any of the phyſitians of London may practiſe Surgery.

And foraſmuch as the Science of Phyſicke doth comprehend, include and containe the knowledge of Surgery, as a ſpeciall member and part of the ſame, therefore be it enacted, that any of the ſaid company or fellowſhip of Phyſitians, being able, choſen, and admitted by the ſaid preſident and fellowſhip of Phyſitians, may from time to time as well within the city of London, as elſewhere within this realme, practiſe, and exerciſe the ſaid Science of Phyſick in all and euery his members and parts, any Act, ſtatute, or prouiſion made to the contrary notwithſtanding.

CAP. XLI.

Which In-holders may bake horſebread within their houſes notwithſtanding the ſtatutes of 13. R. 2. 8. and 4. H. 4. 25. Rep. 21. *Iac.* 21.

CAP. XLII.

The authority and liberties of Barbers and Surgeons in London, being made of one company.

THe king our Soueraigne Lord by the aduice of his Lords ſpirituall and temporall, and the commons in this preſent parliament aſſembled, and by the authority of the ſame, by all their common aſſents, duly pondering among other things neceſſary for the Common wealth of this realme, that it is very expedient and néedfull to prouide for men expert in the ſcience of Phyſick and ſurgery for the health of mans body, when infirmities and ſickneſſe ſhall happen, for the due exerciſe and maintenance whereof, good and neceſſary Acts be already made and prouided. Yet neuertheleſſe, foraſmuch as within the city of London, where men of great experience as well in ſpeculation, as in practice of the ſcience and faculty of ſurgery, bee abiding and inhabiting, and haue more commonly the daily exerciſe and experience of the ſame ſcience of Surgery, than is had or vſed within any parts of this Realme: And by occaſion thereof many expert perſons bee brought vp vnder them, as their ſeruants, apprentices, and others, who by the exerciſe and diligent information of their ſaid maſters, as well now, as hereafter ſhall exerciſe the ſaid ſcience within diuers other parts of this realme, to the great reliefe, comfort, and ſuccor of much people, and to the ſure ſafegard of their bodily health, their limbs and liues. And for as much as within the ſaid City of London, there bee now two ſeuerall and diſtinct Companies of Surgeons, occupying and exerciſing the ſaid Science and Faculty of Surgery, the one Company being commonly called the Barbers of London, and the other Company called the Surgeons of London, Which Company of Barbers bee incorporated to ſue, and bee ſued by the name of Maſters, or Gouernors of the Myſtery or Communalty of the Barbers of London, by vertue and authority of the Letters Patents vnder the great Seale of the late King of famous memory King Edward the fourth, dated at Weſtminſter the foure and twentieth day of February in the firſt yéere of his reigne, which afterward, as well by our moſt dread ſoueraigne Lord, as by the right noble and vertuous Prince King Henry the ſeuenth, father vnto the Kings moſt excellent highneſſe now being, were and be confirmed, as by ſundry Letters Patents thereof made, amongſt other things in the ſame contained more at large may appeare. And the other Company called the Surgeons, bee not incorporate, nor haue any manner Corporation: which two ſeuerall and diſtinct Companies of Surgeons were neceſſary to bee vnited and made one body incorporate, to the intent that by their vnion and often aſſembly together, the good and due order, exerciſe, and knowledge in the ſaid Science or Faculty of Surgery, ſhould bee as well in ſpeculation, as in practice, both to themſelues and all other their ſaid ſeruants and apprentices, now and hereafter to bee brought vp vnder them, and by their learning, and diligent, and ripe informations, more perfect, ſpéedy, and effectuall remedy ſhould bee than it hath béene, or ſhould bee, if the ſaid two Companies of Barbers and Surgeons, ſhould continue ſeuered aſunder, and not ioyned together, as they before this time haue beene, and vſed themſelues, not medling together. Wherefore in conſideration of the premiſſes, bee it enacted by the King our Soueraigne Lord, and by the Lords Spirituall and Temporall, and by the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid two ſeuerall and diſtinct Companies of Surgeons, that is to ſay, both the Barbers, and the Surgeons,

By whom and at what time the Barbers of London were incorporate.

The benefit like to enſue by ioyning the Barbers and Surgeons in one company.

geons, and euery perſon of them being a free man of either of the ſaid Companies after the cuſtome of the ſaid City of London, and their ſucceſſors, from henceforth immediately be vnited, and made one entire and whole bodie corporate, and one Comminalty perpetuall, which at all times hereafter ſhall be called by the name of Maſters, or Gouernors of the myſtery and Comminalty of Barbers and Surgeons of London for euermore, and by none other name: And by the ſame name to implead, and be impleaded before all manner of Iuſtices, in all Courts, in all manner of actions and ſuits. And alſo to purchaſe, enioy, and take to them and to their ſucceſſors all manner of lands, tenements, rents, and other poſſeſſions whatſoeuer they be, and alſo ſhall haue a common ſeale, to ſerue for the buſineſſe of the ſaid Company and Corporation for euer. And by the ſame name peaceably, quietly, and indifferently, haue, poſſeſſe, and enioy to them, and to their ſucceſſors for euer, all ſuch lands and tenements, and other hereditaments whatſoeuer; which the ſaid Company, or Comminalty of Barbers haue and enioy to the vſe of the ſaid Myſtery and Comminalty of Barbers of London. And alſo ſhall peaceably, and quietly haue, and enioy all and ſingular benefits, grants, liberties, priuileges, franchiſes, and free cuſtomes, and alſo all manner of other things, at any time giuen or granted vnto the ſaid Companies of Barbers or Surgeons, by whatſoeuer name or names they or any of them were called, and which they, or any of them now haue, or any of their predeceſſors haue had, by acts of Parliament, Letters Patents of the Kings Highneſſe, or other his moſt Noble progenitors, or otherwiſe, by any lawfull meanes had at any time afore this preſent act, in as large and ample manner and forme, as they, or any of them haue, had, might, or ſhould enioy the ſame, this vnion, or communction of the ſaid Companies together notwithſtanding. And as largely to haue and enioy the premiſſes, as if the ſame were, and had beene ſpecially, and particularly expreſſed, and declared with the beſt and moſt cleareſt words, and termes in the law, to all intents and purpoſes. And that all perſons of the ſaid Company now incorporate by this preſent act, and their ſucceſſors, that ſhall be lawfully admitted, and approued to occupy Surgery after the forme of the ſtatute in that caſe ordained and prouided, ſhall be exempt for bearing of armour, or to be put in any watches, or inqueſtes: And that they, and their ſucceſſors ſhall haue the ſearch, ouerſight, puniſhment, and correction as well of Freemen, as of foreins, for ſuch offences as they, or any of them ſhall commit, or doe againſt the good order of Barbery, or Surgery, as afore this time among the ſaid myſtery and Company of Barbers of London, hath beene vſed and accuſtomed, according to the good and politike rules and ordinances by them made, and approued by the Lords Chancellor, Treaſurer, and two chiefe Iuſtices of either Bench or any three of them after the forme of the ſtatute in that caſe ordained and prouided.

The Barbers and Surgeons of London made one company, and incorporated.

The Barbers and Surgeons in London ſhall be exempt from bearing of armes, or to be in watches or enqueſts. 5.H.8.6.

19.H.7.7.

And further be it enacted by the authority aforeſaid, that the ſaid Maſters or Gouernors of the Myſtery and Comminalty of Barbers and Surgeons of London, and their ſucceſſors yearely for euer after their ſaid diſcretions at their free liberty and pleaſure, ſhall and may haue and take without contradiction foure perſons condemned, adiudged, and put to death for felony, by the due order of the Kings lawes of this Realme, for Anatomies, without any further ſuit or labour to be made to the Kings Highneſſe, his heires or ſucceſſors for the ſame. And to make inciſion of the ſame dead bodies, or other wiſe to order the ſame, after their ſaid diſcretions at their pleaſures, for their further and better knowledge, inſtruction, inſight, learning, and experience in the ſaid Science or Faculty of Surgery. Sauing vnto all perſons, their heires and ſucceſſors, all ſuch right, title, intereſt, and demand, which they, or any of them might lawfully claime, to haue, in, or to any of the lands and tenements with the appurtenances belonging vnto the ſaid Companie of Barbers and Surgeons, or any of them, at any time afore the making of this Act, in as ample manner and forme as they or any of them had or ought to haue had heretofore: Any thing in this preſent act compriſed, to the contrary hereof in any wiſe notwithſtanding.

The Surgeons may take yearely foure condemned perſons for Anatomies.

And foraſmuch as ſuch perſons being of the Myſtery or Faculty of Surgery, oftentimes meddle, and take into their cure, and houſes ſuch ſicke and diſeaſed perſons, as beene infected with the peſtilence, great pockes, and ſuch other contagious infirmites, doe vſe, or exerciſe Barbery, as waſhing, or ſhauing, and other feates thereunto belonging, which is very perillous for infecting the Kings liege people, reſorting to their ſhops, and houſes there being waſhed or ſhauen. Wherefore it is now enacted, ordained, and prouided by the authority aforeſaid, that no manner perſon within the City of London, Suburbs of the ſame, and one mile compaſſe of the ſaid City of London, after the feaſt of the natiuity of our Lord God next comming, vſing any Barbery or ſhauing, or that hereafter ſhall vſe any Barbery or ſhauing within the ſaid City of London, Suburbs, or one mile circuit of the ſame City of London, he nor they, nor none other for them, to his, or their vſe, ſhall occupy any Surgery, letting of bloud, or any other thing belonging to Surgery, (drawing of teeth only except.) And furthermore in like manner whoſoeuer that vſeth the myſtery or craft of Surgery within the circuit aforeſaid, as long as he ſhall fortune to vſe the ſaid miſtery or craft of Surgery, ſhall in no wiſe occupy nor exerciſe the feat or craft of Barbery or ſhauing, neither by himſelfe, nor by none other for him to his or their vſe: And moreouer, that all manner of perſons vſing Surgery for the time being, as well free men, as fo-

No Barber in London ſhall vſe Surgery.

No Surgeon in London ſhall vſe the craft of ſhauing.

Euery Surgeon in London ſhall haue a ſigne at his doore.

rens, aliens, and ſtrangers within the ſaid City of London, the Suburbs thereof, and one mile compaſſe of the ſame City of London, before the feaſt of Saint Michael the Archangel next comming, ſhall haue an open ſigne on the ſtreete ſide where they ſhall fortune to dwell, that all the Kings liege people there paſſing by may know at all times whither to reſort for their remedies in time of neceſſity.

None ſhall be a Barber in London but a Freeman of that Company.

And further be it enacted by the authority aforeſaid, that no manner of perſon after the ſaid feaſt of Saint Michael the Archangell next comming, preſume to keepe any ſhop of Barbery or ſhauing within the City of London, except hee be a Freeman of the ſame Corporation and Company.

Foure Wardens ſhall be choſen, and their authority.

The forfeitures of the offenders.

And furthermore at ſuch times as haue beene heretofore accuſtomed, there ſhall bee choſen by the ſame Company, foure Maſters or Gouernors of the ſame Corporation or Company, of the which foure, two of them ſhalbe expert in Surgery, and the other two in Barbery, which foure Maſters, and euery of them ſhall haue full power and authority from time to time, during their ſaid office, to haue the ouerſight, ſearch, puniſhment, and correction of all ſuch defaults, and inconueniences, as ſhall be found among the ſaid Company vſing Barbery, or Surgery, as well of freemen, as foreins, aliens, and ſtrangers within the City of London and the circuit aforeſaid after their ſaid diſcretions. And if any perſon or perſons vſing any Barbery, or Surgery, at any time hereafter, offend in any of theſe articles aforeſaid: then for euery moneth the ſaid perſons ſo offending ſhall loſe, forfeit, and pay fiue pounds, the one moity therof to the King our Soueraigne Lord, and the other moity to any perſon that will or ſhall ſue therefore by action of debt, bill, plaint, or information in any the Kings Courts, wherein no wager of law, eſſoine, or protection ſhall be admitted or allowed in the ſame.

Prouided that the ſaid Barbers and Surgeons, and euery of them ſhall beare and pay lot and ſcot, and ſuch other charges, as they and their predeceſſors haue beene accuſtomed to pay within the ſaid City of London, this act or any thing therein contained to the contrary hereof in any wiſe notwithſtanding.

Any perſon may keepe a Barber or Surgeon as his ſeruant.

Prouided alway, and be it enacted by authority aforeſaid, that it ſhall bee lawfull to any of the Kings Subiects, not being Barber or Surgeon, to retaine, haue, and keepe in his houſe, as his ſeruant, any perſon being a Barber or Surgeon, which ſhall and may vſe, and exerciſe thoſe arts and faculties of Barbery and Surgery, or either of them, in his maſters houſe, or elſewhere by his Maſters licence or commandement, any thing in this Act aboue written to the contrary notwithſtanding.

CAP. XLIII.

Seſſions ſhall be kept in Cheſter twice in the yeare only.

27.H.8.5.

WHere it is enacted and eſtabliſhed in the xxvij. yeare of our Soueraigne Lord the King that now is, as well for the increaſe and augmentation of good rule and order, to be had and done in the County Palatine of Cheſter, & other Shires, as for the adminiſtration of iuſtice among the Kings Subiects there, that the Lord Chancellor of England, and the Lord Keeper of the great ſeale for the time being, ſhall haue authority from time to time to nominate and appoint Iuſtices of Peace, Iuſtices of Quorum, and Iuſtices of Gaole deliuery, as well within the ſaid County Palatine of Cheſter, and other Shires and parts of Wales by Commiſſion vnder the Kings great ſeale, which perſons named ſhall haue power and authority to enquire, heare, and determine all manner thing and things enquirable, preſentable, or determinable before Iuſtices of Peace, Iuſtices of Quorum, and Iuſtices of Gaole deliuery in other Shires of this Realme of England, and to doe, vſe, and execute euery thing and things as other Iuſtices of Peace, Quorum, and Gaole deliuery doe in other Shires of England, and that they ſhall keepe their ſeſſions there as they do in other ſhires of England, vpon like penalty as hath been ordained for ſuch abuſes, in ſuch Iuſtices in other ſhires of England: any law, act, ſtatute, vſage, cuſtome, priuilege, preſcription, or liberty to the contrary thereof in any wiſe notwithſtanding, as in the ſaid ſtatute made in the ſaid xxvii. yeare amongſt other things more plainly appeareth. By reaſon of which act it is now vſed to keepe Seſſions in the ſaid County Palatine of Cheſter, as it is vſed in other Shires of England. Alſo it is vſed in the ſaid County Palatine of Cheſter that the Iuſticer of the ſame for the time being hath, yearely time out of minde, vſed to keepe the Shires or County dayes, in manner and forme following (that is to ſay) one yeare viii. Shires or County dayes, and another yeare ix. Shires or County dayes, to the which the Gentlemen, freeholders, and ſuiters of the ſaid County are bounden of ancient cuſtome and duty to appeare, and giuen their attendance to ſerue the King, which Shires and County dayes come very oftentimes in the yeare. And now by reaſon of the ſaid new ſtatute of Iuſtices of the Peace had in the ſaid County, the ſaid Gentlemen, Freeholders, and ſuiters of the ſaid County being bounden of their ſaid old cuſtome, and law to giue their attendance and apparance to the ſaid Shires and Countie dayes, are now bounden alſo to giue their apparance and attendance at foure quarter Seſſions,

In what manner Shire dayes in the County of Cheſter had wont to be kept.

and other priuy Seſſions in the ſaid County: By meane whereof, the ſaid apparance and attendance commeth ſo often and thicke together, that at many times they cannot depart from the one Court, and attend their buſineſſe ſcarcely one day, or ſometime leſſe, but they muſt againe ride to ſerue the other Court, which is too painefull, chargeable, intolerable, and importune, for any man to ſuſtaine and abide. In conſideration whereof bee it enacted by the King our Soueraigne Lord, the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that from henceforth the law and adminiſtration of Iuſtice, and all other things in the ſaid County in time paſt vſed to be had at the ſaid Shire dayes, ſhall be holden, had, made, done and executed by the Iuſticer of the ſaid County for the time being at two times in the yeare onely, that is to wit, at the Seſſions next after the feaſt of S. Michael the Archangell, and at the Seſſions next after Eaſter yearely for euer, during ſo many dayes at euery of the ſaid times as need ſhall require, in like manner and forme as it is now vſed and executed in the County Palatine of Lancaſter. And that no actions ſuit, or proceſſe now or hereafter, to be depending in the ſaid Counties, ſhall be thereby diſcontinued, hurt, or impaired, nor any aduantage therein to be taken by error, diſcontinuance of Proces, ne otherwiſe, but the ſame to proceed after the ſame new order. And that from henceforth the ſaid old order, rule, and cuſtome in holding of the Counties or Shire dayes, ſhall vtterly ceaſe, and determine for euer: Any act, ſtatute, preſcription, grant, vſage, cuſtome, priuilege, law, liberty, conſtitution, or confirmation heretofore had, made, accuſtomed, or vſed, to the contrary in any wiſe notwithſtanding. St.33.H.8.13.

Seſſions ſhalbe kept in the County of Cheſter, twice in the yeare only.

The old order of keeping the Countie dayes ſhall ceaſe.

Cap. XLIIII.

The Towne of Roiſton being before in fiue pariſhes, ſhall be reduced into one Pariſh, which ſhall haue the Priory Church to their pariſh Church, and be called the pariſh of S. Iohn Baptiſt in Roiſton. And there ſhall be a Vicar alwayes to be preſented by the King, his heires and ſucceſſors: which Vicar may ſue and be ſued, and purchaſe lands to him and his ſucceſſors. And the pariſh Church and Towne of Royſton ſhall be in the Dioces of London. PR.

Cap. XLV.

There ſhall be erected a Court of Record, commonly called the Court of the Firſt Fruits and Tenths, for the leuying and gouernment of the Firſt fruits and Tenths granted to the King by the Statute of 26.*H.* 8.3. which ſhall haue a Seale. The Officers whereof ſhall be the Chancellor, the Treaſurer, the Kings Atturney, two Auditors, two Clerkes, a Meſſenger, and an Vſher. Their ſeuerall Oathes, Charges, and Duties. AL. 1.*M.*10. St.34.*H.* 8. 17. 7.*Ed.*6.2. 1.*El.*4.

Cap. XLVI.

The erection of the Court of Wards, and the names and ſeuerall duties of the Officers thereof.

FOraſmuch as the Kings Highneſſe hath beene heretofore, and hereafter is like to be yearely anſwered of great rents, reuenues, and profits, which to his Maieſty hath, or ſhall grow as well by reaſon of ſuch perſons as haue been, or hereafter ſhal be in ward to his Highneſſe, as alſo by meane of ideots and fooles naturall, now remaining or being, or that hereafter ſhall remaine and be in his graces cuſtody, and alſo for licences to marry made, and to be made to women being his graces widows, and fines made for them for marrying without his graces licence: All which premiſſes of right appertaineth to his Maieſty, in the right of the Imperiall Crowne of this Realme. For the more ſurety and eſtabliſhment whereof, and to the intent the Kings Maieſty his heires and ſucceſſors ſhall be the better ſerued in obtaining or hauing of the cuſtody of the bodies of his Highneſſe Wards, and their honors, manors, lands, tenements, and hereditaments into his graces cuſtody and gouernance, during the minority of ſuch wards, and alſo ſhall yeerely as well be truly anſwered, contented and paid for the ſale of the bodies of the wards and their lands bargained for them during the ſaid minority, and of other the premiſſes, as of the rents, fermes, iſſues and profits, riſing, comming, and growing, or which hereafter ſhall riſe and grow, of all and ſingular the caſtels, manors, lands, tenements, and other hereditaments, belonging, and which hereafter ſhall riſe, and belong to the King his heires and ſucceſſors, by reaſon of the ſaid wards and other the premiſſes in ſuch court, place, manner, forme and condition, as hereafter ſhall be limited, declared and appointed. Be it enacted, ordained, and eſtabliſhed by the aſſent of the aſſent of the Kings Maieſty, his Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, in manner and forme as hereafter followeth in articles, that is to ſay.

The cauſes of the erecting of the Court of Wards.

Firſt the King our ſaid Soueraigne Lord by the authority aforeſaid, ordaineth, maketh, eſtabliſheth, and erecteth a certaine Court, commonly to be called for euer, the Court of the Kings Wards, which court by authority aforeſaid, continually and for euer ſhal be a Court of Record, and ſhall haue one ſeale to be engraued and made, after ſuch forme, faſhion and manner as ſhall

The erection of the Court of the Kings Wards.

be appointed by the Kings Highneſſe, and ſhall remaine and be oꝛdered as hereafter ſhall be declared.

Maſter of the Wards.

And alſo be it enacted by the authoꝛity afoꝛeſaid, that there ſhall be one certaine perſon to be named, and aſſigned by the Kings Highneſſe his heires and ſucceſſoꝛs, which ſhalbe Maſter of the ſame Court, and ſhalbe chiefe and pꝛincipall officer of the ſame Court, and ſhalbe called Maſter of the Wards, and ſhall haue the keeping of the ſaid ſeale, to be aſſigned foꝛ the ſaid Court.

Atturney of the Court.

Alſo be it enacted by the authoꝛitie afoꝛeſaid, that there ſhall be one perſon to bee learned in the lawes of this land, to be named and aſſigned by the Kings Highneſſe, which ſhall be called the Kings Atturney of the ſaid Court, and ſhall be the ſecond Officer of the ſame Court.

Receiuoꝛ of the Court.

Alſo be it enacted by the authoꝛity afoꝛeſaid, that there ſhall be one perſon to be named and aſſigned by the Kings Highneſſe, which ſhall be called the Kings Receiuoꝛ generall of the lands of his Wards, and ſhall be the third Officer in the ſame court.

Auditoꝛs of the Court.

Alſo be it enacted by the authoꝛity afoꝛeſaid, that there ſhall be [a]two perſons to bee named by the Kings Highneſſe, which ſhall be called the Auditoꝛs of the lands of his Graces Wards, and ſhall bee called the fourth Officer of the ſame Court.

[a] Cok. li. 11. fo.

Clerkes of the Court.

Alſo be it enacted by the authoꝛity afoꝛeſaid, that there ſhall be two Clerks to be named and aſſigned by the Kings Highneſſe, to be Clerks of the ſaid Court, which ſhall make all indentures, bargaines, and leaſes, to be made and granted of the Kings Wards lands, recoꝛd all apparances, and make all oꝛdinary pꝛoceſſe, and entrees, out and from the ſaid Court.

Meſſenger of the Court.

Alſo be it enacted by the authoꝛity afoꝛeſaid, that there ſhall be one other perſon to be named, and aſſigned by the Kings Highneſſe, which ſhall be the meſſenger of the ſaid Court. And another perſon to be named and aſſigned by the Kings Highneſſe, which ſhall be called the Huſher of the ſame Court, which Meſſenger and Huſher, and either of them ſhall haue ſuch, and like pꝛofits, and aduantages, as the Meſſenger and Huſher of the Kings Duchy chamber at Weſtminſter haue and perceiue.

Huſher of the Court.

And the ſaid Maſter of the Kings Wards, which ſhall be appointed by the Kings Highneſſe ſhall take a coꝛpoꝛall oath afoꝛe the Loꝛd Chancelloꝛ of England foꝛ the time being, after the tenoꝛ enſuing.

The Maſters oath.

Ye ſhall ſweare, that yee well and truly ſhall ſerue the King in the office of the Maſter of the Kings Wards, and ſhall Miniſter equall iuſtice to rich and pooꝛe, to the beſt of your cunning, wit and power, and that ye ſhall diligently pꝛocure all things, which may honeſtly and iuſtly be to the Kings aduantage and pꝛofit, and to the augmentation of the rights and pꝛeꝛogatiues of his Crowne, and truly vſe the Kings ſeale appointed to your office, and alſo endeuour your ſelfe to the vttermoſt of your power, to ſee the King truly and iuſtly anſwered yearely of all ſuch rents, reuenues, iſſues, and pꝛofits, which ſhall oꝛ may ariſe, grow, oꝛ be due to the King in your office, and from time to time deliuer with ſpeed ſuch as ſhall haue to doe afoꝛe you. And that ye ſhall not take noꝛ receiue of any perſon any gift oꝛ reward in any caſe, oꝛ matter depending befoꝛe you, wherein the Kings Highneſſe ſhall be party, whereby any pꝛeiudice, loſſe, hindꝛance oꝛ diſheriſon ſhall grow, oꝛ be to the Kings Highneſſe, ſo helpe you God and all Saints.

The Atturneis oath.

Alſo the ſaid Atturney ſhall take a coꝛpoꝛall oath befoꝛe the ſaid Maſter of the Wards, accoꝛding to the tenoꝛ enſuing. Yee ſhall ſweare that ye well and truly ſhall ſerue the King as his Atturney in all Courts, foꝛ and concerning any matter, oꝛ cauſe that ſhall concerne the poſſeſſions and hereditaments limited to the ſuruey and gouernance of this Court, and pꝛocure the Kings pꝛofit thereof. And that ye ſhall truly counſaile the King, and the Maſter of this Court in all things concerning the ſame to the beſt of your cunning, wit, and power. And with all ſpeed and diligence, from time to time at the calling of the ſaid Maſter: ye ſhall endeuour your ſelfe foꝛ the hearing and determination indifferently of ſuch matters and cauſes, as ſhall depend befoꝛe the ſaid Maſter: And that yee ſhall not take any gift oꝛ reward, in any matter oꝛ cauſe depending in the ſame Court, oꝛ elſewhere, wherein the King ſhall bee party, whereby the Kings Maieſty ſhall bee hurted, hindered, oꝛ diſherited: And further yee ſhall doe to your power, wit, and cunning, all and euery thing that ſhall appertaine to your office. So helpe you God, and all Saints.

The Receiuers oath.

Alſo the ſaid Receiuer generall ſhall take a coꝛporall oath befoꝛe the ſaid Maſter of the ſaid Court, accoꝛding to the tenour enſuing: ye ſhall ſweare, that yee ſhall well and truly ſerue the King our Soueraigne Loꝛd and his people in the office of the generall Receiuer of this Court. And ye ſhall reaſonably and honeſtly pꝛocure the Kings pꝛofit, and doe right to all maner of people, pooꝛe and rich, in thoſe things which touch your office, and the Kings receipt of his mony, you ſhall truly keepe, diſpend, pay, and deliuer, and true declaration, and account thereof ſhall make from time to time without any concealement accoꝛding to this Act, made foꝛ the eſtabliſhment of this Court. And further ſhall doe euery thing that of right appertaineth to your office, ſo helpe you God, and all Saints.

The Auditoꝛs oath.

Alſo the ſaid Auditoꝛs ſhall take a coꝛpoꝛall oath befoꝛe the ſaid Maſter, after the tenoꝛ enſuing: ye ſhall ſweare that ye truly ſhall ſerue the King in your office, and true allowance make to euery perſon which ſhall be accomptant befoꝛe you, and you ſhall not take oꝛ receiue of pooꝛe noꝛ rich any[a] gift or reward, in any matter or cauſe depending, or to bee diſcuſſed in the ſame Court, but ſuch as ſhall be ordinary appertaining to your office, whereby the King ſhall be hurted, hindred, or diſherited, and ye ſhall doe all and euery thing, which ſhall be appertaining to your office: ſo helpe you God, and all Saints.

li.11.fo.2.

Alſo all particular Auditors, that ſhal belong & be appointed to the ſaid Court, ſhal take a like corporal oath before the ſaid Maſter of the Wards: ye ſhal ſweare as before is in the next article.

Particular Auditors.

Alſo all particular Receiuers appointed by the ſaid Maſter, Atturney, Receiuer generall, and Auditors, or three, or two of them, whereof the Maſter to be one, to receiue any reuenues and profits within the ſuruey of the ſame Court, ſhall take a corporall oath before the ſaid Maſter of the Wards, after the tenor enſuing: ye ſhall ſweare, that ye truly ſhall ſerue the King in your office, and nothing conceale, but true account make of all ſuch reuenues, rents, ſummes of mony, and other profits wherewith ye ſhall be lawfully charged by reaſon of your office, ye ſhall make no petition, or aſke allowance but ſuch as ſhall be good, iuſt, true, and reaſonable, and alſo truly content and pay to the King all ſuch ſummes of mony as ſhall come to your hands: and yee ſhall doe all and euery thing and things, which ye ought to doe by reaſon of your office, according to the forme and effect of this act: ſo helpe you God, and all Saints.

Particular Receiuers oath.

Alſo the ſaid Clerks of the Councell of the ſaid Court, and euery of them ſhall take a corporall oath before the ſaid Maſter, after the forme enſuing: ye ſhall ſweare, that ye ſhall well and truly ſerue the King in your offices of Clerks of the Councell of this Court, and truly doe, and execute all and euery thing and things, which ye ought to doe by reaſon of your office, according to the forme and effect of this act: ſo helpe you God, and all Saints.

Clerkes of the Councell of the Court oathes.

Alſo that all ſurueyors and feodaries, that ſhall be appointed by the ſaid Maſter, Atturney, Receiuer generall, and Auditors of the ſaid Court, or three or two of them, whereof the Maſter to be one, ſhall take a corporall oath before the ſaid Maſter. Ye ſhall ſweare, &c. vt in proximo articulo precedente.

Surueyors and feodaries oath.

Alſo be it enacted by authority aforeſaid, that all Wards which the Kings Highneſſe now is, or hereafter ſhall be intituled to haue, with their manors, lands, tenements, rents, remainders, reuerſions, ſeruices, and all other hereditaments whatſoeuer they bee, as well in poſſeſſion as in reuerſion, and all reuenues, iſſues, and profits of the ſame, and euery part thereof, for the time the ſame ſhall be or ought to be in the Kings poſſeſſion, ſhall be in the order, ſuruey, and gouernance of the ſaid Court, and the Miniſters of the ſame, in manner and forme as by this act is declared and limited.

All the Kings Wards with their lands ſhal be in the order of the Court of Wards.

Alſo be it enacted by the authority aforeſaid, that the ſaid Maſter of the Wards, Atturney, Receiuer generall, and Auditors, or three of them, whereof the ſaid Maſter ſhall bee one for the time being, ſhal haue authority to make ſale, and grant of the Kings Wards, and euery of them from time to time, and of ſuch part and portion of the lands in poſſeſſion, and reuerſion, or any of them, during the minoritie and nonage of the ſame Ward, that ſhall be ſo ſold or granted, and as long as the ſame lands and reuerſion ſhall remaine or bee in the Kings hands, as they ſhall thinke moſt conuenient: The ſame ſale and grant to paſſe by the Kings bill aſſigned, which bill aſſigned ſhall be warrant ſufficient to the Chancellor of England for the time being, to make forth the Kings Letters Patents vnder the great Seale of England, according to the tenor of the ſame bill, paying for the ſame all and ſingular like fees for ſeales, and writings, as heretofore hath beene vſed and accuſtomed to be payed for the ſame in the Chancery, and to the Signet, and priuy Seale, and to euery of them.

The Maſter, Atturney, &c. may make ſale of, and grant the Kings Wards and demiſe their lands.

The ſale and grant to paſſe by bill aſſigned.

Alſo be it enacted by the authority aforeſaid, that the ſaid Maſter of the Wards for the time being, with the aduice of the ſaid Atturney, and Receiuor generall, or one of them, ſhall haue authority without the Kings bill aſſigned, to make woodſales to the Kings vſe of all vnderwoods vpon any of the Kings Wards lands, being lawfully in the Kings poſſeſſion, and to take and appoint timber for the neceſſary reparations of all the caſtles, manors, lands, tenements, and parkes of the ſaid Wards: and ſhall alſo haue like power and authority by their diſcretions in the Kings name to make [a] leaſes during the minority of the ſaid Wards, of all and ſingular lordſhips, manors, lands, and tenements remaining in the Kings hands and poſſeſſion, belonging to the ſaid Wards, and euery parcell thereof, yeelding to the Kings Highneſſe, his heires and ſucceſſors ſuch rents, as by the ſaid Maſter of the Wards, Atturney, Receiuor generall, and Auditors, or three of them, whereof the ſaid Maſter to be one, ſhall be thought conuenient by their diſcretions and ſuruey.

The Maſter, Atturney, &c. may make woodſals without bill aſſigned of the Wards lands.

To appoint timber for reparations of houſes.

To make leaſes of wards lands.

Alſo be it enacted by the authority aforeſaid, that the ſaid Maſter of the Wards for the time being, ſhall haue authority by this Act, to make, and appoint all and ſingular particular Receiuors, feodaries, and Surueyors, in euery Shire, and alſo fees for the executing of the ſame vnder the ſeale of the ſame office, in ſuch wiſe as the ſame Officers may be alwayes remoueable at the diſcretion of the ſaid Court.

The Maſter may appoint Receiuors, Feodaries, Surueyors in euery Shire.

Alſo be it enacted by the authority aforeſaid, that the ſaid Maſter of the Wards for the time being ſhall haue authority by this act, to make allowance likewiſe of the coſts of all Commiſſioners, particular Receiuors, Surueyors, Auditors, Counſellors, and Feodaries, and euery of

The Maſt. may make allowance of the coſts of Commiſſioners.

them, by his bill aſſigned, which bill ſhall be warrant ſufficient to the Auditors belonging to the ſame office, to make due allowance of the ſame.

Taking lands of Receiuors.

Taking obligations of accomptants.

All obligac. to be of the force of the ſtat. ſtaple.

Alſo be it enacted by the authority aforeſaid, that the ſaid Maſter of the Wards in all places, and the ſaid Atturney, Receiuor general, and Auditors, or two of them in the ſaid Court, the ſaid Maſter being abſent, ſhall haue power and authority to take obligations to the Kings vſe of euery particular Receiuor, which ſhalbe aſſigned for the ſaid Court, and of his ſuerties for ſure paiment of his receipts: And alſo to take obligations to the Kings vſe, as well of euery Fermor, Bailiffe, Reue, or other accomptants, for the true payment of their receipts, and of euery perſon and perſons which ſhall be indebted to the Kings Highneſſe for any arrerages of his or their receipts, fermes, or charges, as of any other perſon, or perſons, for any other cauſe, or matter, concerning the premiſſes, determinable within the ſame Court. And that all ſuch obligations, and writings obligatory, of what ſumme ſoeuer they be, ſhall be of the ſame ſtrength, vertue, force, quality, and effect, to all intents and purpoſes, as writings obligatory heretofore made by any lay perſon by authority of the Statute of the Staple, béene or ought to be. And that vpon certificat hereafter to bée made in the Kings Chancery of any ſuch writings obligatorie to be taken for ſuch payments, like Proces and executions ſhall bée thereupon had, and made againſt any perſon Spirituall, and Temporall, as hath béene accuſtomed to be made againſt any lay perſon, vpon certificat of writings obligatory, of the ſaid ſtatute of the ſtaple.

Awarding of Proces.

Alſo that the ſaid Maſter of the Wards for the time being, ſhall haue full power and authority to award vnder the ſeale to be appointed to the ſaid Court, in the Kings name, ſuch proceſſe and precepts with reaſonable paines to be therein limited, as be now commonly vſed in the Court of the Kings Duchy chamber of Lancaſter, being at Weſtminſter, againſt euery perſon or perſons whatſoeuer they be, for and concerning the intereſt, right, and title of the Kings Maieſty, his heires, and ſucceſſors, of, in, or for any Wards lands, tenements, rents, accompt, receipt, ſeruices, or other cauſe, in any wiſe touching, or concerning any thing appointed to the order of the ſaid Court, or any part thereof, for and on the behalfe of our ſaid Soueraigne Lord the King, or to or for any debt riſing and growing by occaſion of the ſame.

The Officers ſhall attend in the 4. termes.

Awarding of Proces againſt debtors.

Alſo be it enacted by the authority aforeſaid, that the ſaid Atturney, Receiuor generall, and Auditors, ſhall diligently from time to time attend vpon the ſaid Maſter in the ſaid Court, for the hearing and ordering of matters, and cauſes in the ſame Court, for the time of foure termes of the yeare vſually kept for the law at Weſtminſter, and procure with all diligence, that all rents, fermes, profits, caſualties, improuements, and other emoluments of the Wards, marriages, Ideots, and of all manors, lands, tenements, and hereditaments, being in the ſuruey and gouernance of the ſaid Court, ſhall be truly and iuſtly payed, and anſwered to the ſaid Receiuor generall of the ſaid Court, to the vſe of the Kings Highneſſe, without concealing any part thereof. And ſhall alſo cauſe and procure proceſſe to be made againſt ſuch as ſhall be indebted to the Kings Highneſſe, and their ſuerties, of, and for any part thereof, from time to time, as the time and caſe ſhall require without any delay.

Under officers ſhall giue attendance vpon the Maſter.

And be it enacted by the authority aforeſaid, that the ſaid Clerkes, particular Receiuors, Auditors, Surueyors, Meſſengers, and Huſher, and euery of them, ſhall vpon reaſonable warning giue at all times, and places, from time to time attendance vpon the ſaid Maſter for the time being, for the due execution, and expedition of the premiſſes without delay, vpon ſuch paines as ſhall be aſſeſſed by the Kings Maieſty, vpon information thereof giuen by the ſaid Maſter to his Highneſſe.

The penalty of Officers concealing any profits.

Alſo be it enacted by the authority aforeſaid, that if any of the ſaid Officers appointed for the ſame Court, doe conceale or withdraw willingly any rents, reuenues, caſualties, or other profits, falling, growing, or comming to the King by the minority of any of his Graces Wards, or by reaſon of any other thing appointed by this act to be within the ſuruey and order of the ſaid Court, that then the Officers ſo offending ſhall loſe to the King our ſaid Soueraigne Lord, the double value of the thing concealed or withdrawen.

Auditors generall may examine particular accomptants.

Particular accomptants ſhal finiſh their accompt before the firſt of February.

Alſo be it enacted by the authority aforeſaid, that the Auditors generall of the Wards lands, and euery of them for the time being, ſhall haue authority to examine the accompts of all particular accomptants taken by any particular Auditor or Auditors, vpon any part of the Wards lands, Ideots lands, and of other things appointed by this act to the order of the ſaid Court, and to allow and diſallow all that ſhall be reaſonable, within the ſaid accompts as largely as to the ſaid Maſter of the Wards, Atturney, Receiuor generall, and Auditors, or thrée of them, whereof the ſaid Maſter to be one, ſhall be thought expedient and neceſſary. And that euery of the ſaid particular accomptants for the yeare to be ended at the Feaſt of S. Michael the Archangel yearely for euer, ſhall make and finiſh his accompt, and certifie the ſame into the ſaid Court, before the firſt day of February next after the ſame feaſt enſuing, and within thrée moneths next after the ſaid accompt, to make full payment to the Receiuor generall of the ſaid Court, of all ſuch ſummes of money as ſhall appeare to be due to the King by the ſame accompt.

The generall Receiuor ſhall giue his acquitance.

Alſo be it enacted by the authority aforeſaid, that the ſaid Receiuor generall for the time being, ſhall haue authority by this act, to giue his acquitance of, and for ſuch money, and obligations, as he ſhall receiue of them to the Kings vſe, for the Wards lands, Ideots lands, and other things appointed to the ſaid Court. And that his ſaid acquitance ſhall be from henceforth ſufficient acquitance and diſcharge, as well for the diſcharge of the parties againſt the Kings Highneſſe, his heires and ſucceſſors, for payment of ſo much mony, as alſo to the Auditor for the time being, for making due allowance of the ſame.

Alſo be it ordeined by the authority aforeſaid, that the ſaid Receiuor generall, before the xx. day of March, next after the Feaſt of S. Michael the Archangell ſhall yearely declare truly his whole accompt to the ſaid Maſter of the Wards, Atturney, and to one or both of the ſaid Auditors generall, of the Wards lands, which Maſter, Atturney, and one or both of the ſaid Auditors, ſhall by this act haue authority to take and determine the ſame accompt before the laſt day of July next enſuing, vpon which determination of accompt the ſaid Receiuor generall within one moneth next enſuing the determination of the ſame accompt, ſhall truly content and pay to the Kings vſe, all ſuch ſummes of money as ſhall appeare to be due to the Kings Highneſſe, and vnpayd vpon the ſaid accompt.

The Receiuor generall ſhall declare his accompt to the Maſter, Atturney, &c.

After which determination, the ſaid Auditor ſhall engroſſe the ſame into parchment, and the ſame ſo engroſſed ſhall returne into the Office of the Wards before the laſt day of February next after the determination of the ſame accompt, there to remaine as the Kings Records.

The Auditor ſhall ingroſſe the Receiuors accompt.

Alſo be it enacted by the authority aforeſaid, that the particular Auditors, and other Officers, Councellors, and Miniſters of the ſame Court for the time being, ſhall yearely perceiue and take, by the hands of the ſaid Receiuor generall, particular Receiuors, and all other Officers and Miniſters accomptant, all, and ſingular ſuch diets, rewards, profits, and commodities, aſwell for their attendance vpon the ſaid Maſter for the time being, and for making of bookes, declarations, and values, as for other matters, councels, and cauſes, of, for, and concerning the ſaid Court, and alſo for expences, coſts, and charges of the ſaid Auditors, and particular Receiuors, and euery of them, yearely riding their ſeuerall circuits, and limitation, in as ample, and large manner and forme, as to the ſaid Maſter of the Wards, Atturney, Receiuor generall, and Auditors, or thrée of them (whereof the ſaid Maſter to be one) ſhall be thought conuenient to be appointed by their diſcretions.

The rewards of particular Officers.

Alſo be it enacted by the authority aforeſaid, that the ſaid generall Receiuor from time to time vpon his accompt, ſhall be allowed as well of ſuch fées as ſhall be limited vnto him for the exerciſe of his office, as of, and for all ſuch ſummes of money as he ſhall pay to any Patentée, or Patentées of any office, fée, or annuity, that ſhall be granted or giuen vnder the ſeale of the ſaid Court, and alſo of all ſuch money as he ſhall pay to any other perſon or perſons by vertue of the Kings warrant, or bill aſſigned, and alſo of all ſuch ſummes of money as he ſhall be commanded to pay by any bill aſſigned or ſubſcribed by the hand of the ſaid Maſter for the time being, vpon ſuch conſiderations as ſhalbe thought conuenient by his diſcretion, as well for the finding and exhibition of the Kings Wards in his Graces cuſtody, as of, and for any other cauſe, thing, or matter concerning the ſaid Court of the Wards, whatſoeuer it ſhall be. And that the ſaid Auditors taking accompts of the ſaid Receiuor generall, and of any of the ſaid particular Receiuors, ſhall haue power and authority to allow to the ſaid Receiuor generall the premiſſes, and euery part of them. And alſo to allow to euery particular Receiuor, and other accomptants, aſwell their fées, wages, and all other ſuch ſummes of mony, as they, or any of them ſhall pay, of, for, in, and about any buildings or reparations of the Wards lands to be made vpon any warrant to be directed from the ſaid Court, as all other honeſt petitions, and allowances, in as large, and ample maner as the ſaid Maſter of the Wards, Atturney, and Auditors, or two of them, whereof the ſaid Maſter to be one, ſhall thinke moſt expedient.

What allowances the generall Receiuor ſhall haue.

Allowance of particular Receiuors.

Alſo be it enacted by the authority aforeſaid, that all manner of Proces that ſhall be made out of the Kings Eſchequer, to or againſt any perſon or perſons for any ferme, rents, iſſues, or profits, concerning the premiſſes, or any part thereof, or any other thing limited in this act, to be in the ſuruey, order, and gouernance of the ſaid Court, and the Miniſters thereof, ſhall be cléerely void and of none effect to all intents and purpoſes.

No proces ſhall be made out of the Eſchequer for any thing in the order of the Court.

Alſo be it ordeined and enacted by the authority aforeſaid, that the money and obligations taken for mony by the ſaid Maſter for the ſale of the Kings Wards, and other things appointed by this act to the order of the ſaid Court, and alſo the money and obligations taken for mony by the ſaid Receiuor generall for the Kings rents, and for widowes fines for their licence to marry, and other caſualties of the Wards lands, Ideots lands, iſſues, profits, and debts, yearely growing to the Kings Highneſſe by reaſon of the premiſſes, ſhall be yearely payed and deliuered to the hands of the Treaſurer of the Kings chamber for the time being, or elſe to whom it ſhall pleaſe the Kings Highneſſe, his heires or ſucceſſors to giue authority by Commiſſion vnder his great ſeale, to receiue the ſame. And that a bill ſubſcribed with the hand of the ſaid Treaſurer or other Commiſſioner, ſhall be a ſufficient acquitance, and diſcharge to the Maſter, and Receiuor, vpon all and euery payment by them to be made, and alſo to the Auditors there for the allowance of the ſame. And that the ſame Maſter and Receiuor generall, ſhall once in the yeare declare vnto the Kings Maieſty the profits and eſtate of the ſaid office.

To whom the reuenues of this Court ſhall be payed.

The Maſter ſhall declare the profits to the King.

Alſo

Fees for ſeales and writing.

Alſo be it enacted by the authority aforeſaid, that the ſaid Maſter and Officers of the ſaid Court, ſhall take ſuch, and like fees for the ſeales, and writings to be made, and granted out of the ſaid Court, at the ſuit of the parties, as they now vſe to take, that is to ſay, For the fees of all proces at the ſuit of the parties vnder the priuy ſeale of the ſaid Court, ij.s.vj.d. And for the fees of all Commiſſions directed out at the ſuit of the parties ij.s.vj.d. And for recording of all apparances, iiij.d. and no more.

The Maſter, Atturney, &c. may conclude with the Kings widowes.

Alſo be it enacted by the authority aforeſaid, that the ſaid Maſter, by the aduice of the ſaid Atturney, Receiuor generall, and Auditors, or three of them, whereof the ſaid Maſter to be one of them, ſhall haue authority by this Act, to ſuruey all the Kings widowes, and to treat, commune, and conclude as well with all and euery of the Kings widowes that now be, or that hereafter ſhal be, and that haue married themſelues without the Kings licence, or that hereafter ſhall happen to marry themſelues without the Kings licence, for their reaſonable fines to be made to the Kings vſe, and to tax and aſſeſſe the ſame by their diſcretion, according to the Statute of Prærogatiua Regis: the ſame fines to be payed to the Receiuor generall of the Wards lands, as the ſame may appeare yearely in his accompt.

Stat. 17. Ed. 2. 4.

Natural fooles lands.
Stat. 17. Ed. 2. 10.

Alſo be it enacted by the authority aforeſaid, that the ſaid Maſter by the aduice of the ſaid Atturney, Receiuor generall, and Auditors, or three of them, ſhall haue authority by this act, to ſuruey, gouerne, and order all and ſingular Ideots, and [b] naturall fooles, now being in the Kings hands, or that hereafter ſhall come and be in the Kings hands: And alſo to ſuruey and order all the manors, lands, tenements, and other hereditaments whatſoeuer now being in the Kings hands, or in the hands of any other perſon or perſons, to their vſes, or to the vſe of any of them, that hereafter ſhall come and be in the Kings hands, his heires, and ſucceſſors in the right of any of them, by reaſon of his Graces prerogatiue royall: And alſo by the aduice of the ſaid Atturney, Receiuor generall, and Auditors, or three, or two of them, to let and ſet the manors, lands, and tenements to the Kings vſe for the time of the Kings intereſt, for ſuch rent, and fine as by their diſcretion ſhall be thought conuenient: The finding and keeping of the ſaid perſons, their wiues and children, and the reparations of their houſes and lands alway to be conſidered in the doing thereof, the ſame rents and fines reſerued to the Kings Grace to be payed alwayes to the hands of the Receiuor generall of the Wards lands for the time being, as the ſame may appeare in his accompt, and be recorded in the Court of Wards.

[b] Dyer. fo. 303.

No Liuery to paſſe without knowledge from the Court.

And be it enacted by the authority aforeſaid, that the Maſter of the Kings Liueries ſhall paſſe no Liuery with any perſon, or perſons, that be or that haue beene or hereafter ſhall be the Kings Wards, vnto ſuch time they ſhall receiue knowledge from the Court of the Kings Wards, what caſe the accomptants, tenants, and fermors of the Wards lands ſtand in with the Kings Highneſſe, and what ſuerty, and order is taken therefore, and for the rates to the Kings vſe. And that euery Ward hauing his Liuery, ſhall within ſix moneths next after the Liuery had, bring the ſame Liuery to the Auditors of the Wards, for the time being, or to one of them, to haue the ſame there enrolled, for the diſcharge of the lands againſt the Kings Highneſſe, according to the tenor of the ſaid Liuery, and ſhall pay for the enrolment thereof ſuch reaſonable ſumme of money as ſhall be appointed by the ſaid Maſter of the Wards, ſo that it exceed not the ſumme of x. s.

Euery Ward ſhall bring his Liuery to the Auditor of the Wards.
Fees of the enrolment of the liuery.

Euery grantee of a Wardſhip muſt ſue forth his patent within foure moneths.

Alſo be it enacted by the authority aforeſaid, that all, and euery perſon and perſons, to whom the Kings Highneſſe ſhall grant the cuſtody and wardſhip of any his Graces Wards, ſhall vpon his bill aſſigned thereof, ſue forth his Patent within foure moneths next after the aſſignement of the ſaid bill, or elſe the ſame bill, and the effect thereof to be vtterly void and of no force.

Rewards of the generall Receiuor, and chiefe Auditors.

Alſo be it enacted by the authority aforeſaid, that the generall Receiuor, and chiefe Auditors of the ſaid Court for the time being, ſhall yearely perceiue and take, as well by the hands of the generall Receiuor, as by the hands of all and ſingular particular Receiuors, and all other Officers and Miniſters accomptant within the ſuruey of the ſaid Court for the time being, all and ſingular ſuch ſummes of mony, for ſuch like diets, rewards, profits, and commodities, as well for their attendance vpon the ſaid Court, and for making and writing of bookes, declarations, and values, as for their expences, coſts, and charges of the ſame generall Receiuor, and Auditors, and euery of them, for the time being, yearely riding their ſeuerall circuits, and limits, in as large, and ample manner, and forme as ſhall be appointed by the ſaid Maſter of the Wards, and Atturney of the ſaid Court by their diſcretions. And that the ſaid Auditors for the time being ſhall haue power and authority yearely from time to time to allow the ſame.

Accompts heretofore made, and not returned into the Eſchequer.

And alſo be it enacted by the authority aforeſaid, that as many accompts of the Kings Wards lands, Ideots lands, fines for marriages of widowes, and licences for the ſame, as beene cleerely accompted, and not returned into the Kings Eſchequer: and alſo as many other accompts of the Wards lands, Ideots lands, fines for marying of widowes, and licences, for the ſame, as been not yet fully accompted and engroſſed, ſhall be engroſſed and returned within three yeares next comming into the office of the Wards, there to remaine as the Kings Records. And that the Kings Highneſſe Surueyors generall of his Graces lands, and Auditors of his Graces Wards lands, and euery of them, ſhall be thereof diſcharged againſt the Kings Maieſty, of and for the returne of the ſame accompts into his Graces Eſchequer. Any act, ſtatute, or ordinance heretofore made to the contrary in any wiſe notwithſtanding.

And it is further enacted, and eſtabliſhed by the authority aforeſaid, that the ſaid Maſter of the Wards for the time being, ſhall haue authority by this Act, with the aduice of the Atturney, and Receiuor generall of the ſame Court, or one of them, to call at all times before them into the office of the Wards by the proces of the ſame Court, all and euery perſon and perſons, which is, or hath béene the Kings Ward, intruding, or entring into or vpon his or their lands, or vpon any part thereof, after his or their full age of xxi. yeares, and before that he or they haue ſued, and obtained Liuery or Ouſter le maine, for the ſame, out of the Kings hands, vnder his great Seale, as well to make anſwer for his or their intruſion vpon the Kings poſſeſſion, as to make payment to the Kings Receiuor generall of the ſame office of all ſuch rents, iſſues, and profits by him or them taken, at any time after his or their ſaid full age of xxi. yeares, and before Liuery ſued for the ſame out of the Kings hands in forme aforeſaid.

The maſter, &c. may call into the Court Intruders which enter without Liuery, or &c.

And be it enacted by the authority aforeſaid, that if any perſon or perſons, called by the Kings proceſſe of the ſame Court to appeare at Weſtminſter in the ſame Court, within the terme at a certaine day to him prefixed in the Proces to appeare, and haue day giuen in Court, to make anſwer to the matters, againſt him obiected in the ſame Court, on the Kings behalfe, depart the Court before anſwer made, and Atturney put into the Court with aſſent of the Court for the proſecuting the matter with effect, ſhall forfeit to the Kings Grace, his heires and ſucceſſors ſuch fine as ſhall be ſet vpon him for his contempt and offence in that behalfe, as the ſaid Maſter, Atturney, and Receiuor generall, or two of them ſhall thinke conuenient by their diſcretions, to be leuied of his lands and tenements, goods, and cattels to the Kings vſe.

Departing without anſwer made, and Atturney put in.

Prouided alway, and be it enacted by the authority aforeſaid, that Iohn Perin, which by the Kings Let. Patents hath béene heretofore, and now is Auditor of his Graces Wards lands, ſhal continue to be one of the two Auditors in this act before mentioned during the terme of his naturall life: Any thing contained in this act to the contrary in any wiſe notwithſtanding. Stat. 33.*H*.8. 22. & 39. 7. *Ed*. 6. 2. Coke Inſt. 77. a.

Iohn Perin Auditor.

Cap. XLVII.

The Biſhop of Norwich charged with the collection of the Tenth within his Dioces.

Where in the Parliament holden in the ſix and twentieth yeare of our Soueraigne Lord the King that now is, amongſt other it was ordeined, and enacted, that the Kings Maieſty, his heires and ſucceſſors Kings of this Realme, for more augmentation, and maintenance of the royall eſtate of his Imperiall Crowne and dignity of ſupreme head of the Church of England, ſhould yearely take, haue, enioy, and receiue vnited, and knit to his Imperiall Crowne for euer, one yearely rent or penſion amounting to the value of the tenth part of all the reuenues, rents, fermes, tythes, offerings, emolluments, and of all other profits as well called Spirituall as Temporall then appertaining or belonging, or that after that time ſhould belong to any Archbiſhopricke, Biſhopricke, Abbey, Monaſtery, Priory, Archdeaconry, Deanry, Hoſpitall, College, houſe Collegiat, Prebend, Cathedral Church, Collegiat Church, Conuentual Church, Parſonage, Vicarage, Chauntrey, frée Chappell, or other Benefice, or promotion Spirituall, of what name, nature, or qualitie ſoeuer they were within any Dioces of this Realme or in Wales. The ſaid penſion or annuall rent to be yearely payed for euer to our ſaid Soueraigne Lord, to his heires, and ſucceſſors Kings of this Realme at the feaſt of the Natiuity of our Lord God, which then ſhould be in the yeare of our Lord God M. D. XXXV. and to be payed yearely by ſuch as ſhould be appointed to haue the collection thereof by the ſaid Act, in ſuch manner, and forme as hereafter ſhould be limited by the ſaid Act before the firſt day of Aprill yearely next enſuing after the ſaid feaſt of the Natiuity of our Lord God. And that euery Archbiſhop, and Biſhop then being, or that hereafter ſhould be, ſhould be charged, and chargeable to leuy, collect, and receiue within their proper Dioces, as well in places exempt, as not exempt, all ſuch ſummes of mony wherewith the dignities, benefices, and other promotions ſpirituall afore named within their Dioces, chargeable by the ſaid act, ſhould be ſet, taxed, and charged, towards the payment of the ſaid yearely penſion, and ſhould pay and content the ſaid ſummes of mony yearely before the firſt day of April to the Treaſurer of the Kings Chamber for the time being, or to any other perſon or perſons, whom it ſhould pleaſe the Kings Highneſſe to appoint to receiue the ſame. And that euery of the ſaid Archbiſhops, and Biſhops, their executors and adminiſtrators, and the poſſeſſions of their dignities, and Churches, ſhould ſtand charged, and chargeable for the ſure payment of ſuch ſummes of mony as they ſhould collect and receiue of the ſaid yearely rent and penſion, as by the ſaid Act more plainly it doth appeare.

Stat. 26. H. 8. 3.

And by like act of Parliament holden in the xxvij. yeare of our ſaid Soueraigne Lords reigne, the Biſhop of Norwich that now is, and his ſucceſſors, were clœrely acquited and diſcharged of, and for the collection of the ſaid yearely tenth, that was then or ſhould be due and leuiable to the

Anno 27. H. 8. A Statute not imprinted exempteth the

Kings

Biſhop of Norwich from collecting of tenths in his Dioces.

Kings vſe within his ſaid Dioces of Norwich, of any perſon or perſons, or bodies politike or corporate, chargeable to the yearely payment of the ſaid tenth, the act made for the ſame collection of tenth to the contrary notwithſtanding, as by the ſame act it will appeare. But foraſmuch as the Kings Highneſſe in recompence of diuers and ſundry Lordſhips and manors parcell of the ſaid Biſhopricke giuen vnto his Grace by act of Parliament, hath vnited and knit to the See of the ſaid Biſhopricke of Norwich, the Monaſtery of S. Benetts, with diuers other poſſeſſions being of a greater value than the ſaid Lordſhips and manors ſo to his Grace giuen were.

The Biſhop of Norwich and his ſucceſſors ſhall collect the the tenth of all ſpirituall promotions within his Dioces.

It may be by the authority of this preſent Parliament ordeined, and enacted, that from henceforth the Biſhop of Norwich that now is, and his ſucceſſors, Biſhops there, and in the time of vacation of the ſaid Biſhopricke, the Deane and the chapiter of the Cathedrall Church of Norwich, ſhal collect and gather together the ſaid annuall rent, or penſion of all the promotions ſpirituall within the ſaid Dioces, as well in places exempt, as not exempt. And all and ſingular ſuch ſummes of money ſo by him or them to be collected and gathered, to pay yearely to the hands of the Treaſurer of the firſt fruits and tenths before the ſaid firſt day of Aprill, and thereof yearely to accompt before the Barons of the Kings Eſchequer, and to haue like allowance and diſcharge vpon the ſame accompt by the acquitance of the ſaid Treaſurer, as other Biſhops and Collectors of the ſaid tenths haue had, or ſhall haue: the act made in the ſaid ſeuen and twentieth yeare of our ſaid Soueraigne Lords reigne to the contrary in any wiſe nothwithſtanding. Stat. 1. *El.* 4.

CAP. XLVIII.

The owners of lands holden of the Caſtle of Douer which are bound by their tenures to pay their rents at the ſaid Caſtle vpon great penalties called Surſiſes, ſhall hereafter pay the ſame rents to the King in the Eſchequer in the day of *Simon* and *Iude*, or within fifteene dayes after. And hee that maketh default at that time, ſhall pay double the rent. But he that is bound to build or repaire there ſhall doe it accordingly. During the time that the King ſhall haue any of the lands in his hands for wardſhip or *primer ſeiſon* no rent ſhall be payed for Caſtle ward to Douer. Clx. li. ſhall be quarterly payed euery yeare to the Conſtable of the Caſtle of Douer at the doore of the common Hall in the Citie of Canterbury by the Kings generall Receiuor, to diſcharge officers and ſouldiers. The Conſtable of the Caſtle of Douer ſhall ſuruey and controll the Keepers and chiefe officers of the Caſtles, Block-houſes, and Bulwarkes in Kent and Suſſex, and all Officers, Souldiers, and Munitions there. PR.

CAP. XLIX.

A confirmation by Act of Parliament of the Kings generall and free Pardon to all his Subiects, of all hereſies, treaſons, felonies, offences, &c. ſauing certaine perſons and certaine offences particularly excepted. EXP.

ANNO TRICESIMO TERTIO HENRICI OCTAVI.

HENRY the eight by the grace of God, King of England, France, and Ireland, Defendor of the faith, and of the Church of England and alſo of Ireland, in earth ſupreme head, to the honour of Almighty God, and for the concord, quiet, and wealth of this his Realme, and Subiects of the ſame, held his moſt high Court of Parliament, begun at Weſtminſter the xvj. day of Ianuary, and continued till the firſt day of Aprill, the three and thirtieth yeare of his moſt noble and victorious reigne, wherein were eſtabliſhed theſe Acts following.

CAP. I.

Puniſhment of him who getteth mony into his hands of another perſons, vnder colour of a falſe token or counterfeit letter.

FOraſmuch as many light and euill diſpoſed perſons not minding to get their liuings by truth, according to the Lawes of this Realme, but compaſſing and deuiſing daily how they may vnlawfully obtaine and get into their hands, and poſſeſſion, goods, cattels, and jewels of other perſons for the maintenance of their vnthrifty liuings, and alſo knowing that if they come to any of the ſame goods, cattels, and jewels by ſtealth, that then they being thereof lawfully conuict, according to the lawes of this Realme, ſhall die therefore: haue now of late falſely, and deceitfully contriued, deuiſed, and imagined, priuy tokens, and counterfeit letters in other mens names, vnto diuers perſons their ſpeciall friends, and acquaintances, for the obtaining of mony, goods, cattels, and iewels of the ſame perſons, their friends and acquaintances, by colour whereof, the ſaid light, and euill diſpoſed perſons haue deceitfully, and vnlawfully obtained and gotten great ſubſtance of mony, goods, cattels, and iewels into their hands and poſſeſſions, contrarie to right and conſcience.

For reformation whereof, be it ordained and enacted by authority of this preſent Parliament, that if any perſon or perſons, of what eſtate, or degrée ſoeuer he, or they be, at any time after the firſt day of Aprill next comming, falſely, and deceitfully obtaine, or get into his, or their hands or poſſeſſion any mony, goods, cattels, iewels, or other things, of any other perſon or perſons, by colour and meanes of any ſuch falſe token, or counterfeit letter made in any other mans name, as is aforeſaid, that then euery ſuch perſon and perſons, ſo offending, and being thereof lawfully conuict by witneſſes, taken before the Lord Chancellor of England for the time being, or by examination of witneſſes, or confeſſion taken in the Starre Chamber at Weſtminſter before the Kings moſt honourable Councell, or before the Iuſtices of Aſſiſe in their circuits for the time being, or before the Iuſtices of Peace within any part of the Kings Dominions in their generall Seſſions, or by action in any of the Kings Courts of Record, ſhall haue and ſuffer ſuch correction, and puniſhment by impriſonment of his body, ſetting vpon the Pillory, or otherwiſe by any corporall paine (except paines of death) as ſhall be vnto him, or them limited, adiudged, or appointed by the perſon and perſons, before whom he ſhall be ſo conuict of the ſaid offences, or of any of them.

The puniſhment of him that doth get into his hands any mony or goods of anothers by a falſe token, or &c.

And be it further enacted by the authoritie aforeſaid, That as well the Iuſtices of Aſſiſe for the time being, as alſo two Iuſtices of Peace in euery County, whereof one to be of the Quorum, ſhall haue full power and authority to call and conuent by Proces or otherwiſe, to the ſaid Aſſiſes or generall Seſſions, any perſon or perſons being ſuſpected of any of the offences aforeſaid, and to commit him or them to ward, or let him or them to bayle, till the next Aſſiſes, or generall Seſſions, there to be examined, and further to be ordered by their diſcretions, as is aboueſaid.

The Iuſtices authority touching the ſaid offendors.

Prouided alwayes, and be it further enacted by authority aforeſaid, that Iuſtices of the Peace within euery City, Borough, Towne, and Franchiſe within this Realme, or other the Kings Dominions, ſhall haue like iuriſdiction, power, and authority at their generall Seſſions, and otherwiſe to doe, and execute all, and euery thing, and things in all points, as other Iuſtices of the Aſſiſes in their circuits, or Iuſtices of the Peace in the Counties by vertue of this act be limited and appointed to doe and execute, for the puniſhment and correction of like offendors, as by this aforeſaid act is ſpecified and declared. Sauing to the party grieued by ſuch deceit ſuch remedy by way of action or otherwiſe, of and for the ſame mony, goods, cattels, iewels, or other things ſo obtained, as he might haue had, if this act had neuer béene had ne made, any thing in the ſame contained to the contrary in any wiſe notwithſtanding.

The authority of Iuſtices of Peace in Cities, &c.

The remedy of the party grieued.

Prouided alwayes, and be it further enacted by the authority aforeſaid, that the Kings Highneſſe Councell of his Towne of Calice, or thrée of them for the time being, ſhall haue ſuch and like authority for the examination, bailement, and puniſhment of ſuch offendor, or offendors, and for ſuch offences hereafter to be committed, and done within the Towne and Marches of Calais, and County of Guiſnes, as the foreſaid Iuſtices of Aſſiſe, or Iuſtices of Peace haue by force of this Act within their iuriſdictions and authorities.

The Kings Councell of Calice.

CAP. II.

Whoſoeuer ſhall buy any freſh fiſh (except Sturgeon, Porpoſe, and Seale) of any Stranger in the parts of Flanders, Zeland, Picardy, or France, or vpon the Sea betweene ſhore and ſhore, or in any place beyond the Sea, to put to ſale to any perſon within this Realme, ſhall forfeit for euery time ten pounds. But this ſhall not extend to any perſons which ſhall buy fiſh in any part of Iſeland, Scotland, Orkeney, Shotland, Ireland, or Newland. EXP. St. 1. *M*. 13. Stat. 23. *El*. 7. 27. *El*. 15. 39. *Eli*. 10.

CAP. III.

Welſh Cloathes called Whites, Ruſſets and Kennets ſhalbe folded either in plaits or cuttles,

Where a certaine kinde, and ſort of Welſh clothes, called Whites, Ruſſets, and Kennets, made and wrought in Northwales, and Orceſter hundred, adioyning to Northwales, of long time haue béene, and be ſo craftily and hard rolled together, that the buyer thereof cannot perceiue nor diſcerne the vntrue making and breadth thereof, to the great hurt, diſceit, and empoueriſhing of the Kings true and louing Subiects. For remedy whereof be it enacted, ordeined, and eſtabliſhed, by the King our Soueraigne Lord, his Lords Spirituall and Temporall,

and

Folding of clothes in Northwales which are to be ſold.

and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, that all and euery the ſaid Cloathes, from and after the Feaſt of the Natiuity of Saint Iohn Baptiſt next comming, that ſhall bee brought to any common Markets or Faires, to bee vttered and ſold, ſhall be folded either in pleights, or cuttell, as the clothes of all other Countries of this Realme commonly haue beene vſed, and be vſed, to the intent that the buyers thereof may plainly ſee and perceiue the breadth, and goodneſſe of ſuch cloth and cloathes that he ſhall buy. And that euery piece of the ſaid cloathes, which after the ſaid feaſt ſhall be brought to any Market or Faire to be vttered, and ſold, contrary to the forme aboue ſaid, ſhall be forfeited, that is to ſay, the moity, or one halfe thereof to the vſe of our ſaid Soueraigne Lord the King, and the other moity thereof to any of the Kings ſubiects, which will ſue for the ſame in any of the Kings Courts of Record, by action of debt, bill, plaint, information, or otherwiſe, wherein the defendant ſhall not be admitted to wage his law, nor any protection, nor eſſoine, nor any other delatory plea admitted or allowed.

Cap. IIII.

The goodneſſe of Pewter and Braſſe, and in what places it ſhall be ſold or changed.

St.25.H.8.9.

None ſhall buy wares made of Tinne out of the Realme.

Where at the Parliament begun at London the third day of Nouember, in the one and twentieth yeare of the raigne of the King our Soueraigne Lord, and from thence adiourned to Weſtminſter, and there holden, and from that time continued by diuers prorogations vnto the fifteenth day of January, the xxv. yeare of his moſt Noble raigne: it was ordained, and eſtabliſhed by the aſſent of the Kings Maieſty, his Lords ſpirituall and temporall, and the commons in the ſaid Parliament then aſſembled, and by authority of the ſame, that no perſon, nor perſons, from that time then inhabiting, or which after that time ſhould inhabite within this Realme, ſhould buy, or otherwiſe take by exchange for other wares, any manner wares made, or hereafter to be made out of this Realme, of Tinne, or mixt with Tinne, as platters, diſhes, ſaucers, pots, baſons, ewers, flagons, goblets, ſalts, ſaltſellers, ſpoones, or any other thing made of Tinne or Pewter, as aforeſaid, whatſoeuer it were, vpon paine of forfeitures of the ſame wares, in whoſe hands ſoeuer it might be found or taken, and alſo lawfull money currant in this Realme, to the full value thereof, the one halfe of the ſame forfeiture to be to the vſe of the Kings Highneſſe, and the other halfe to be to the vſe of the finders of the ſame.

Searchers of wares made of Tinne brought into this Realme.

And further it was enacted, that it ſhould be lawfull to the Maſter and Warden of the Pewterers, aſwell within the City of London, as within euery other City, Borough, or Towne within this Realme, where ſuch Wardens were, and where no ſuch Wardens were, to the head Officer or Gouernor, head Officers or Gouernors of the ſame City, Borough, or Towne for the time being, to appoint diuers perſons moſt expert in knowledge of the ſame, to make ſearch and ſeiſure, and to take into their hands and poſſeſſion, all ſuch wares, as thereafter ſhould be brought contrary to the true intent and effect of the ſaid Act, in whoſeſoeuer hands or poſſeſſions any ſuch ſhould be found.

No Pewterer ſhall take a ſtranger borne to be his Prentice, &c.

And it was alſo enacted by the authority aboue ſaid, that no perſon nor perſons, occupying the ſaid craft or occupation of Pewterers within this Realme, ſhould ſet on worke, or retaine in his or their ſeruice any perſon or perſons, to be his or their Prentice or Iourneyman, eſtranger borne out of this Realme, vpon paine to forfeit for euery ſuch Prentice and Iourneyman x. li. ſterling: And that not ſtranger borne out of this Realme, ſhould occupy, exerciſe or vſe, from the Feaſt of Pentecoſt then next comming, the ſaid craft of Pewterers, ne worke any manner of veſſels, or other ware aforeſaid, to be made of Tinne or Pewter, within any place or places of this Realme, vpon paine of forfeiture of x. li. ſterling, and alſo vpon paine of forfeiture of the ſame Pewter or Tinne ſo wrought, in whoſe hands ſo euer it ſhould be found or taken.

No ſtranger borne ſhall worke any Pewter or Tinne.

No Pewterer ſhall teach this trade in a forein Realme.

And it was further enacted by the ſaid authority, that no perſon nor perſons being borne within this Realme, then occupying or exerciſing the ſaid craft of Pewterers, ſhould from thenceforth reſort into any ſtrange regions, or countries, there to vſe, teach, or exerciſe the ſaid craft of Pewterers vpon paine to loſe the priuilege and benefit of an Engliſh man. And if in caſe any of the Kings Subiects, at that time being dwelling in any ſtrange countrey, or region, and there occupying the ſaid craft of Pewterers, did not repaire into this Realme within three moneths next after requeſt and warning to him to be giuen by writing ſealed with the common Seale of the Wardens of the ſaid craft within the ſaid City of London, and here in this Realme continually from thenceforth dwell, and inhabit, that then, and from henceforth he ſhould be reputed and taken as no Engliſhman, but ſhould ſtand and be from henceforth out of the Kings protection.

And it was then further enacted, that where ſundry euill diſpoſed perſons, which commonly were called haukers, by authority of the Kings Letters Patents or Placard, did not onely goe about from place to place within this Realme, vſing, buying, and ſelling of Braſſe and Pewter, and by colour and pretence of the ſame Licences or Placards, did not only vſe vnlawfull and deceiuable weights and beames, but alſo did vſe to ſell both braſſe and pewter, which was not good, nor truly or lawfully mixt or wrought, to the great deceit of the Kings true liege people, contrary to the forme and effect of a good and laudable act and ſtatute, made in the fourth yeere of the Kings ſaid moſt noble reigne, that all ſuch licences and placards afore that time had, made, or granted to any ſuch perſon or perſons, contrary to the true meaning, forme, and effect of the ſaid eſtatute, ſhould be from thenceforth by the authority of the ſaid Parliament clearely void and of none effect. And whereas in the ſaid act of Parliament, concerning the ſaid craft of Pewterers and Braſiers, made in the ſaid fourth yeere, for diuers cauſes and conſiderations in the ſame Act conteined, amongſt other things it was expreſſed that no perſon nor perſons, vſing the ſaid craft of pewterers or braſiers ſhould from henceforth ſell or change any pewter or braſſe, new or old, at any place or places within this Realme, but only in open faires or markets, or in their owne dwelling houſes, except they were deſired by the buyers of ſuch wares, vpon paine of forfeiture for euery ſuch default x.li. And ſo then the ſame forfeiture being to the only vſe of the Kings Highneſſe, and the partie ſearching or finding the ſame, not being intituled to haue any benefit thereby, it was not knowne, that any perſon or perſons had taken any paines, to enſearch or make any inquirie thereof, by reaſon whereof diuers and many euill diſpoſed perſons, then vſing buying and ſelling aſwell of braſſe as pewter, and not regarding the ſaid good act, nor the ſaid penalty, went daily about from village to village, towne to towne, and from houſe to houſe, to ſell ſuch pewter and braſſe, which was not good, and alſo vſed diſceiuable weights and beames, as they did before the making of the ſaid act, to the great hurt and diſceit of the Kings true liege people and ſubiects. Wherefore it was enacted by the authority of the ſaid Parliament, that as well the moity of the ſaid forfeiture of x.li. limited in the ſaid ſtatute, made in the ſaid fourth yeere, as alſo the moity of all other forfeitures and penalties, expreſſed and ſpecified in the ſaid acts, and euery of them, ſhould be to the vſe of the Kings Highneſſe, his heires and ſucceſſors, and the other moity of the ſame forfeitures & penalties, & euery of them, to the vſe of him or them that would ſeiſe, finde, or preſent the ſame forfeitures, or any of them, or that would ſue for the ſame in any competent court or courts within this realme, by action of debt, bil, plaint, or information, wherein the defendant ſhould in no wiſe be admitted to wage his law, or any protection or eſſoine to any perſon or perſons, which ſhould be impeached to haue offended contrary to the forme and effect of this eſtatute, ſhould be allowable, as in the ſaid act more plainly appeareth, which act was appointed to endure only to the end of the next Parliament then next following: and which act was after renued in the Parliament holden at Weſtm. in the xxviij. yeere of the raigne of our ſaid ſoueraigne Lord, to endure to the end of the next Parliament then next following: and which act was alſo renued at the Parliament holden at Weſtm. in the xxxj. and xxxij. yeeres of our ſaid ſoueraigne Lords reigne, to endure vntill the laſt day of the next Parliament then next enſuing.

Licences and placards made to hawkers of Pewter ſhall be void. 4.H.8.7.

Pewter and Braſſe ſhall be ſould only in faires or markets, or in their owne houſes.

Who ſhall haue the penalties forfeited by the Stat. of 4.H.8.7. & 25.H.8.9. and by what meanes they ſhall be recouered.

28.H.8.9.

31.H.8.7.

Prayen therefore in this preſent Parliament our ſaid Soueraigne Lords true and obedient Subiects, the Pewterers of this his ſaid Realme, and other the true commons of the ſame, becauſe the ſame act is beneficiall, and neceſſary for the Common wealth of this Realme: That it may be enacted by the King our ſaid Soueraigne Lord, the Lords ſpirituall and temporall, and other the commons in this preſent Parliament aſſembled, and by authority of the ſame, foraſmuch as the ſame act, and euery thing therein conteined, is good and beneficiall to the Common wealth of this Realme, that all and euery the ſaid acts and ſtatutes, and all and euery article, ſentence and clauſe compriſed in the ſame, may from henceforth ſtand, and abide in full ſtrength, and effect for euer more from henceforth to endure, according to the purport, tenor, and effect of the ſame act, and acts, as though the ſaid articles, ſentences, and clauſes, were ſpecially limited, recited, or declared in this preſent act.

The ſtatute of 25.H.8.9. made perpetuall.

And that no perſon ne perſons from henceforth buy, or take by exchange, or otherwiſe take into, or within this Realme, to the intent to ſell any ſuch things or wares aboue rehearſed, made, or to be made out of this Realme, vpon paine of like forfeitures, and penalties, as are and were expreſſed in the ſaid ſeuerall acts, the ſame penalties and forfeitures to be leuied as is afore expreſſed.

And that it may be further enacted by authority aforeſaid, That if any perſon or perſons doe vnlawfully withſtand, interrupt, diſturbe, or let the Maſter and Wardens, or their deputies of the ſaid craft of Pewterers for the time being, or the head Officer or Gouernor, head Officers or Gouernors of Cities, Townes, and Boroughes, within this Realme, wherein no ſuch Maſter and Wardens are, or ſhall be, or any of them, in ſearching, ſeaſing, and taking into their hands and poſſeſſions, ſuch wares as ſhall happen to be bought, or brought into this Realme, contrary to the purport and effect of the ſaid eſtatute, made in the ſaid xxv. yeere of the reige of our ſaid Soueraigne Lord, that then euery ſuch perſon and perſons ſo offending, in letting, diſturbing, or withſtanding the ſaid ſeiſure, or taking of ſuch wares, as is aforeſaid, ſhall loſe and forfeit for euery time ſo doing, the ſum of v.li. ſterling, the one halfe whereof, ſhall be to the Kings vſe, and the other halfe to him or them, that will or ſhall ſue for the ſame, by action of debt, writ, bill, plaint, or information in any the Kings Courts of record. In which action or ſuit, no protection, priuilege, nor wager of law ſhall be allowed nor admitted.

The penalty for withſtanding or letting of ſearching or ſeiſing of pewter, &c.

Cap. V.

How many ſtoned trotting horſes for the ſaddle euery man ſhall keepe for his degree. REP: 21.Iac.28.4. & 5.P.& M.2.

Cap. VI.

Who may ſhoot in Gunne or Croſſebow, and who not.

St.25.H.8.17.

Inconueniences enſuing the vſe of Croſſebowes and Handguns.

WHere in the Parliament holden at Weſtminſter, the fifteenth day of Ianuary, in the fiue and twentieth yeare of the Kings moſt gratious reigne, and there continued & kept vntill the thirtieth day of March then next enſuing, among diuers and ſundry wholeſome and laudable acts, ſtatutes, and ordinances, one ſtatute and ordinance was made, and ordeined for the auoiding and eſchewing of ſhooting in Croſſebowes and Handguns: Since the making of which act diuers malicious and euill diſpoſed perſons, not only preſuming wilfully and obſtinately the violation and breach of the ſaid act, but alſo of their malicious, and euill diſpoſed minds, and purpoſes, haue wilfully and ſhamefully committed, perpetrated, and done diuers deteſtable & ſhamefull murders, robberies, felonies, riots, and routs, with Croſſebowes, little ſhort Handguns, and little Hagbuts, to the great perill and continuall feare and danger of the Kings moſt louing Subiects, and alſo diuers Keepers of Foreſts, Chaſes, and Parks, aſwell of our ſaid Soueraigne Lord, as other his Nobles and Commons, and diuers Gentlemen, Yeomen, and Seruing men, now of late haue laid apart the good and laudable exerciſe of the Longbow, which alwayes heretofore hath beene the ſurety, ſafegard, and continuall defence of this Realme of England, and an ineſtimable dread and terror to the enemies of the ſame. And now of late the ſaid euill diſpoſed perſons haue vſed, and yet doe daily vſe to ride and goe in the Kings high wayes, and elſewhere, hauing with them Croſſebowes and little Handguns, ready furniſhed with quarrels, gunpowder, fire, and touch, to the great perill and feare of the Kings moſt louing Subiects, for reformation whereof, be it enacted, ordeined, and eſtabliſhed by the King our Soueraigne Lord, the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, in manner and forme following, that is to ſay, That no perſon or perſons, of what eſtate or degree he or they be, except he or they in their owne right, or in the right of his or their wiues, to his or their owne vſes, or any other to the vſe of any ſuch perſon or perſons, haue lands, tenements, fees, annuities, or offices to the yeerly value of one hundreth pounds, from or after the laſt day of Iune next comming, ſhall[a] ſhoot in any Croſſebow, Handgun, Hagbut, or demy hake, or vſe to keepe in his or their houſes, or elſewhere, any Croſſebow, Handgun, Hagbut, or demy hake, otherwiſe or in any other maner than is hereafter in this preſent act declared, vpon peine to forfeit for euery time that he or they ſo offend contrary to this Act. x.li.

Who may keep or ſhoot in a Gun or Croſſebow, and who not.

[a] Coke li.5.fo.

Of what length a Handgun, Hagbut, and Demyhake ſhall be.

And furthermore be it enacted by the authority aforeſaid, that no perſon or perſons, of what eſtate or degree ſoeuer he or they be, from or after the ſaid laſt day of Iune, ſhall ſhoot in, carry, keepe, vſe or haue in his houſe, or elſewhere any handgun, other than ſuch as ſhall be in the ſtocke and gun of the length of one whole yard, or any hagbut or demy hake, other than ſuch as ſhall be in the ſtocke and gun of the length of three quarters of one yard, vpon peine to forfeit for euery time that he or they ſhall ſhoot in, carry, vſe, or haue any ſuch gun, being not of the length of one whole yard, or hagbut, or demy hake, being not of the length of three quarters of a yard, ten pound ſterling. And that it may be lawfull to euery perſon and perſons, which haue lands, tenements, fees, annuities, or offices, to the yeerely value of C.li. as is aforeſaid, to ſeiſe, & take euery ſuch Croſſebowe, and alſo euery handgun being in ſtocke, and gun ſhorter in length than one whole yard, and euery hagbutt, and demy hake, being ſhorter in length than three quarters of a yard, or any of them, from the keeping or poſſeſſion of euery ſuch offendor contrary to the forme of this act, and the ſame Croſſebow or Croſſebowes to keepe and retaine to his or their owne vſe. And alſo the ſame Handguns, Hagbuts, and Demy hakes, ſo ſeiſed and taken, within xx. dayes next after the ſame ſeiſure or taking, to break and deſtroy, vpon peine of xl. s. for euery gun ſo ſeiſed, and not broken and deſtroyed, and the ſame ſo broken and deſtroyed, to keepe and reteine to his or their owne vſe.

He that hath C.li. by yeere may take the Croſſebow or Gun from another.

No perſon ſhall carry a Gun charged.

And be it further enacted by the authority aforeſaid that no perſon or perſons, other than ſuch as haue lands, tenements, rents, fees, annuities, or offices, to the yeerely value of C.li. as is aforeſaid, from or after the ſaid laſt day of Iune, ſhal carry, or haue in his or their iourney, going, or riding in the Kings high wayes, or elſewhere, any Croſſebow bent, or Gun charged or furniſhed with powder, fire, or touch for the ſame, except it be in time and ſeruice of warre, vpon paine to forfeit for euery ſuch offence x.li. this preſent Act, or any thing therein conteined to the contrary notwithſtanding.

Shooting in a Market towne with a Gun.

And be it further enacted by the authority aforeſaid, that no perſon or perſons from the ſaid laſt day of Iune, ſhall in any wiſe ſhoot in, or with any Handgun, Demy hake, or Hagbut, at any thing at large, within any City, Borough, or Market-towne, nor within one quarter of a mile of any City, Borough, or Market towne, except it be at a butte, or banke of earth in place conuenient, or for the defence of his perſon, or houſe, vpon paine to forfeit for euery ſuch ſhoote x. li. this preſent act, or any therein conteined to the contrary notwithſtanding.

No man ſhall command his ſeruant to ſhoot.

And be it further enacted by the authority aforeſaid, that no perſon or perſons of what eſtate or degrée ſoeuer he, or they be, ſhall from, or after the ſaid laſt day of Iune, command any of his, or their ſeruants to ſhoote in any Croſſebow, Handgun, Hagbut, or Demy hake, of his, or their ſaid Maſters, or of any other perſons: at any Déere, Fowle or other thing, except it be only at a butte or banke of earth, or in the time of warre, as is aboueſaid, vpon paine to forfeit for euery ſuch offence ten pounds. The one moity of all which forfeitures, and penalties in this preſent act aboue ſpecified, ſhall be to the King our Soueraigne Lord, his heires and ſucceſſors, and the other moity thereof to the party that will ſue for the ſame, by bill, plaint, action of debt, or information in any of the Kings courts of record, in which ſuit no eſſoine, protection, nor wager of law ſhall be allowed.

Shooting at a Butt, or banke of earth.

Prouided alway, and be it enacted by the authority aforeſaid, that it ſhall bee lawfull from henceforth to all Gentlemen, Yeomen, and Seruingmen of euery Lord ſpirituall and temporal, and of all Knights, Eſquires, and Gentlemen, and to all inhabitants of Cities, Boroughes, and Market townes of this Realme of England, to ſhoote with any Handgun, Demyhake, or Hagbut, at any butte, or banke of earth, only in place conuenient for the ſame, ſo that euery ſuch Handgun, Demy hake, and Hagbut be of the ſeuerall lengthes aforeſaid, and not vnder. And that it ſhall be lawfull to euery of the ſaid Lord, and Lords, Knights, Eſquires, and Gentlemen, and the inhabitants of euery City, Borough, and Market-towne, to haue and kéepe in euery of their houſes any ſuch hangun, or handguns of the length of one whole yard, or any hagbut or demy hake of the length of thrée quarters of a yard, as is aforeſaid, and not vnder, to the intent to vſe and ſhoot in the ſame at a butte, or banke of earth only, as is aboueſaid, whereby they and euery of them by the exerciſe thereof in forme aboueſaid, may the better ayd and aſſiſt to the defence of this Realme, when néed ſhall require, this preſent act, or any thing therein conteined to the contrary notwithſtanding.

Theſe may keepe in their houſes guns of a lawful length.

He that dwelleth in a houſe ſtanding two furlongs from a Towne.

And be it further enacted by the authority aforeſaid, that it ſhall be lawfull to euery perſon and perſons, which dwelleth and inhabiteth in any houſe ſtanding and being ſet diſtant two furlongs from any City, Borough, or Towne, to kéepe and haue in his ſaid houſe, for the only defence of the ſame, Handgunnes, Hagbuttes, and Demy hakes, being of the ſeuerall lengthes aforeſaid, and not vnder, and to vſe and exerciſe to ſhoot in the ſame at any butte or banke of earth néere to his houſe, and not otherwiſe: any thing conteined in this Act to the contrary notwithſtanding.

Placards of licence to ſhoot in Croſſebowes &c. void.

And furthermore the Kings moſt louing Subiects, the Lords ſpirituall and temporall, and the commons, in this preſent Parliament aſſembled, moſt humbly doe beſéech the Kings Maieſty, that it be further enacted by the authority aforeſaid, that all letters Patents, fraternities, and alſo all other placards, licences, and bils aſſigned heretofore had, made, or ſigned by his Highneſſe, or by any other authoriſed by his Higneſſe letters Patents vnder his great ſeale, to giue licence and placard to ſhoot in Croſſebowes, and Handguns, or any of them, ſhall be from and after the ſaid laſt day of Iune, fruſtrate, void and of none effect.

All ſtatutes for ſhooting in Croſſebowes, and Guns repealed.

And alſo that it may be further enacted by authority aforeſaid, that the ſaid ſtat. made in the ſaid xxv. yéere of the Kings moſt gracious raigne, and all other ſtatutes heretofore made and prouided for the auoiding and reſtraint of ſhooting in Croſſebowes, and handguns, or for any of them, or for the vſing, and kéeping of the ſame, be from henceforth vtterly void and of none effect.

Prouided alwayes, that euery proceſſe, ſuit, or information, conceiued, commenced, and now depending, for any offence done contrary to the forme of the ſaid ſtatute, made in the ſaid fiue and twentieth yéere of the Kings moſt noble raigne, or of any other ſtatute, made, prouided for, and concerning the ſhooting in croſſe-bowes and hand-guns not repealed, and for the kéeping of the ſame, ſhall be as good and effectuall to the parties that haue commenced the ſame, and ſhall ſtand and be in ſuch forme, effect, degrée, and condition, as if this act had neuer béene made.

Receiuers of Croſſebowes forfeit to the King.

Prouided alſo, that this act, or any thing therein conteined, be not in any wiſe hurtfull, or preiudiciall to any perſon or perſons, now being, or that hereafter ſhall be appointed by the Kings Highneſſe, to kéepe, receiue, or take any croſſebowes, or handguns, that ſhall be forfeited or taken within the precinct or liberty of the Kings forreſts, parkes or chaſes, but that he or they may lawfully kéepe, and reteine the ſame croſſebowes or handguns from time to time, vntill ſuch time as the further pleaſure of the Kings Highneſſe in that behalfe be to euery ſuch perſon ſhewed and declared.

Croſſebow and handgun makers.

Prouided alſo, that this act extend not to the makers of croſſebowes or handguns, but that they may lawfully kéeps croſſebowes and handguns, hagbuts and demy hakes in their houſes, and ſhoot in the ſame, only for prouing and aſſaying of them at a butt or banke of earth, in a place conuenient, and not otherwiſe: ſo that the ſaid handguns, hagbuts, and demy hakes, be of the ſeuerall length in ſtocke and gun, as is aboue limited.

Merchants hauing to ſell croſſebowes, &c.

Prouided alſo, that this act, nor any thing therein conteined, extend not, or be preiudiciall to any Merchants, which haue, or ſhall haue any croſſebowes, handgunnes, hagbuts, and demy hakes, or any of them, to ſell within this Realme, and to none other vſe: ſo that the ſame handgunnes, hagbuts and demy hakes, be of the ſeuerall length in gun and ſtocke, as is aboue limited, and not vnder.

Proclamation made in the County.

Prouided alſo, that no manner of perſon run in any danger or take hurt by reaſon of any penalty or forfeiture contained in this act, vntill ſuch time as proclamation be made of the ſame act, within the County, where the party, that ſhall or may offend contrary to this act dwelleth, by the ſpace of twenty dayes next after the making of the ſaid proclamation.

One bringing a croſſebow or &c. into anothers houſe.

Prouided alſo, that if any manner of perſon bring, or cauſe to be brought with him into his lodging, or in or to any other mans houſe, any croſſebow or handgun, that then the penalty and forfeiture, if any ſuch be, or hereafter ſhall be forfeited by reaſon of this act, to run and be only vpon the bringer of the ſaid croſſebow and handgun, and not to the owner of the ſame lodging or houſe, if the ſaid owner of the ſaid lodging or houſe, cauſe the bringer thereof to take and to carry away the ſaid croſſebow or handgun againe with him at his departing: Any thing in this act made to the contrary notwithſtanding.

Any may bring the offender to a Iuſtice of Peace.

And be it alſo enacted by the authority of this preſent Parliament, that if any perſon or perſons from or after the laſt day of Iune next comming, ſee, or finde any perſon or perſons offending, or doing contrary to the forme and effect of this preſent act, that then it ſhall be lawfull to euery ſuch perſon or perſons, perceiuing, finding or ſeeing any ſuch perſon or perſons ſo offending contrarie to this act, to arreſt, and attache euery ſuch offender, or offenders, and to bring or conuey the ſame to the next Iuſtice of the Peace of the ſame Countie, where the ſame offender or offenders ſhalbe found ſo offending. And that the ſame Iuſtice of the Peace, vpon a due examination, and proofe thereof before him had, or made by his diſcretion, ſhall haue full power and authoritie to ſend, or commit the ſame offender or offenders to the next iayle, there to remaine till ſuch time as the ſaid penalty or forfeiture ſhall be truly contented and paid, by the ſaid offender; The one moity of the ſame penalty to be paid to the Kings Highneſſe, and the other moity thereof to the firſt bringer or conueyer of the ſaid offender to the ſame Iuſtice of Peace.

In euery placard granted to ſhoot in croſſebow, &c. there ſhall be contained at what beaſts or fowles he ſhall ſhoot.

And be it further enacted by the authority aforeſaid, that if any perſon or perſons, doe at any time hereafter obtaine, get or purchaſe of the Kings Maieſty, his heires or ſucceſſors, any placard, licence or bill aſſigned, to ſhoot in any croſſebow, handgun, hagbut or demy hake, contrary to the tenor, purport and effect of this preſent act: that then there ſhall be contained in euery ſuch placard, licence and bill aſſigned, at what beaſts, fowles, or other things, the ſaid perſon or perſons ſo obtaining any ſuch placard, licence, or bill aſſigned, ſhall ſhoote at, with any croſſebow, handgun, hagbut or demy hake, or elſe that euery ſuch placard, licence and bill aſſigned hereafter to be obtained, gotten or purchaſed, ſhall be cleerely void, fruſtrate, and of none effect.

And alſo that euery ſuch perſon or perſons ſo obtaining any ſuch placard, licence or bill aſſigned, before they ſhoot in any ſuch croſſebow, handgun, hagbut or demy hake, in any ſuch manner or forme as ſhall be mentioned in any ſuch placard, licence or bill aſſigned, ſhall be bounden in the Kings Court of Chancery by recogniſance in the ſumme of twenty pound to the Kings vſe, with and vpon condition, that he ſo obtaining or hauing the ſaid licence, placard, or bill aſſigned, ſhall not ſhoote in any croſſebow, handgun, hagbut or demy hake, at any other beaſts or fowles, than in any ſuch placard, licence or bill aſſigned, ſhall be conteined and ſpecified, and elſe all ſuch placards, licences and bils aſſigned, ſo hereafter to be made to any perſon or perſons, not being ſo bounden by recogniſance in the Court of Chancery, as is aforeſaid, to be vtterly void, and of none effect.

Who may enquire of and puniſh offendors.

And be it further enacted by the authority aforeſaid, that it ſhall be lawfull to all Iuſtices of the Peace in their Seſſions, and to all Stewards and Bailiffes in their ſeuerall Leetes and Lawdayes, to enquire, heare, and determine euery ſuch offence, after the ſaid laſt day of Iune, to be committed and done contrary to the tenor of this preſent act: ſo that alwayes no leſſe fine than ten pounds be aſſeſſed vpon euery ſuch preſentment and conuiction, made according to the due courſe of the law, the ſame fine ſo by the ſame Iuſtices of Peace vpon euery ſuch preſentment and conuiction made before them in their Seſſions, to be paid and leuied only to the Kings vſe: and the one moity of euery fine to be aſſeſſed by the Steward or Bailiffes of any Leete or Lawday, vpon euery preſentment or conuiction before them to be made, to be paid and leuied to the vſe of the King our Soueraigne Lord. And the other moity the one halfe to the owner of the ſaid Leete or Lawday, by diſtreſſe or action of debt, and the other halfe of the ſame ſecond moity of the ſame fine, to bee to the party that will purſue for the ſame, in any of the King Courts, by bill, plaint, information, or action of debt, in the which none eſſoine, protection, nor wager of law ſhall be allowed.

Who ſhall haue the forfeitures, and by what meanes they ſhall receiue them.

Wilfull concealement of the Iury ſhalbe enquired of by another Iury.

And be it further enacted, that if any Iury being ſworne, and charged to enquire for the King our Soueraigne Lord, before any Iuſtices of the Peace, or Stewards of Leetes or lawdayes, of any offences committed, or done contrary to this preſent act, do wilfully conceale any of the ſame offences, that then the ſaid Iuſtices, Stewards or Bailiffes, before whom any concealement ſhall be had and done, ſhall haue authority by vertue of this preſent act, from time to time to charge and ſweare another Jury of twelue or moe good and ſubſtantiall honeſt perſons, to enquire of euery ſuch concealement: And if any ſuch conlealement be found and preſented by the ſaid Jury, ſo charged to enquire of the ſame, that then euery one of the ſaid firſt Jury, that ſo did conceale the ſame, ſhall loſe and forfeit for euery ſuch concealement of euery ſuch offence, twenty ſhillings. All which forfeitures, and penalties of twenty ſhillings, for euery ſuch concealement of euery ſuch offence ſo found and preſented before the ſame Juſtices of Peace, ſhall wholly be leuied and payed to the Kings vſe.

And the moity of all the ſame forfeitures and penalties of twenty ſhillings, ſo found and preſented before the Steward or Bayliffes of any Leet or lawday, ſhall be leuied and paid to the vſe of the owner of the ſaid Leet or lawday by diſtreſſe or action of debt: and the other moity thereof to be to the partie or parties, that will ſue for the ſame by action, information, bill or plaint, in any of the Kings Courts, in the which actions, informations, billes or plaints, no wager of law, eſſoine, nor protection ſhall be allowed.

Prouided alway, and it is further enacted by the authority aforeſaid, that if any perſon or perſons hereafter in any part doe offend, or doe contrary to the purueiw and remedy of this act, whereupon cauſe of action for the ſame offence ſhall be giuen to the King, his heires or ſucceſſors, or to any other perſon or perſons, that will ſue by vertue of this act, for the puniſhment of the ſaid offence or forfeits, that if the King our Soueraigne Lord, his heires or ſucceſſors, within one yeare next and immediatly after ſuch offences and forfeits had and made, do not purſue their action or actions, ſo giuen by this act, or cauſe examination vpon ſuch defaults and offences to be had and made, before their counſaile, or other preſentments thereof to be had, according to the meaning of the ſame act: And euery other perſon, which hereafter by vertue of this act, may haue action, or actions, ſuit, or information vpon this ſtatute, within halfe a yeare next and immediatly after ſuch offences or forfeits had and made, do not commence their ſuits, information, actions, or preſentments of, and vpon the ſaid forfeits by action, or otherwiſe, as in this preſent act is limited and declared: that then aſwell the King our Soueraigne Lord, his heires and ſucceſſors, after one yeare next after ſuch offences and forfeits had and made, if no ſuit in his or their name be taken by action or otherwiſe, as is before expreſſed, before the ſame yeare ended and determined, as euery other perſon after halfe a yeare next after like offences and forfeits had and done in the forme aforeſaid, if no ſuit therupon be taken by none of them, in forme aboue declared, be vtterly excluded and debarred of their ſaid ſuits, actions, informations and examinations to them giuen by vertue of this ſaid act: and the parties and euery of them ſo offending, ſhall be of all ſuch offences and forfeits cleerely diſcharged and quit: any thing in this act compriſed to the contrary notwithſtanding.

Within what time a ſuit ſhall be commenced againſt an offender, by the King or any other.

Prouided alwayes, and be it enacted by the authority aforeſaid, that this preſent act, ne any thing therein contained, ſhall in any wiſe extend, or be preiudicall vnto the Kings Subiects reſident, or inhabiting neere vnto the coaſts of the ſea in any part of this Realme, their houſes being not aboue fiue miles diſtant from the ſame coaſts: Nor alſo to any of the Kings ſaid Subiects, inhabiting within twelue miles of the borders of Scotland: Nor to any the Kings Subiects inhabitants of the Towne and marches of Calice, nor to any of the inhabitants of the Iſles of Gerſey, Gerneſey, Angleſey, and the Iſles of Wight and Man, but that it ſhall be lawfull for euery of the ſaid inhabitants at all times hereafter, to haue, exerciſe, and vſe their hand-gunnes, hagbuts, and demy hakes, of the lengthes aboueſaid, within the limites and Iſles aboueſaid, ſo that it bee at no manner of Deere, Hearon, Souelard, Feſaunt, Partrich, Wildſwine, or wild Elke, or any of them, this preſent Act or any thing therein contained to the contrary notwithſtanding.

Dwellers within twelue miles of Scotland.
Rep. 4. Iac. 1.

The inhabitants of certaine places priuileged.

Prouided alſo that this act, ne any thing therein conteined, be in any wiſe hurtfull or preiudiciall to any ſeruant, or perſon, that hereafter from the ſaid laſt day of June, ſhal bend, beare, carry, charge, vſe, or aſſay, any croſſebow or any handgunne, demy hake or hagbut, of the lengthes aboueſaid, by the commandement of his Lord or Maſter, ſo that the ſaid ſeruant or perſon, do not ſhoot at any fowle, deere, or other game, of what kinde or nature ſoeuer they be of: Nor alſo to any ſuch ſeruant, perſon or perſons, that ſhall after the ſaid laſt day of June, beare or conuey any croſſebow, handgunne, hagbut or demy hake, of the lengthes aforeſaid, to any place or places, by the commandement of his Lord or Maſter, that may ſhoot by authority of this act, to be amended, repaired, deliuered or aſſayed, ſo that the ſaid ſeruant or other perſon, ſo bringing or conueying the ſaid croſſebow, handgunne, hagbut or demy hake, haue ready to ſhew to euery perſon, requiring the ſight thereof, one licence in writing ſealed or ſubſcribed by his ſaid Lord or Maſter, to carry and conuey the ſame croſſebow, handgunne, hagbut or demy hake, to the intent to be amended, repaired, aſſayed or deliuered, as is aforeſaid.

A ſeruant charging a gun by the commandement of his maſter.

A ſeruant hauing licence in writing may carry his maſters gun.

Prouided alwayes, that this act, or any thing therein contained, ſhall not extend to any owner of any ſhip, for hauing or keeping of any handgunne, hagbut or demy hake, of the ſeuerall lengthes in this act expreſſed, or vnder, only to be had and occupied within any their ſhip or other veſſell, or for the carriage and recarriage of them, or any of them on land or keeping of them,

The owner of a ſhip may keepe a gun.

for the only exerciſe and occupying of them within their ſaid ſhip or veſſell: Any thing in this act to the contrary in any wiſe notwithſtanding. Stat.2.& 3. Edw.6.14.

Cap. VII.

No man may conuey any Braſſe, &c. ont of the Kings Dominions.

21. H.8.10.

Where in the Parliament holden at Weſtminſter, the third day of Nouember, in the one and twentieth yéere of the raigne of our ſoueraigne Lord the King that now is, amongſt other things it was enacted, That no perſon or perſons ſhould from thenceforth carry or conuey any braſſe, copper, latten, bell metall, gunne metall, ne ſhroffe metall into any part or parts beyond the Sea, vpon peine of forfeiture of the ſaid metall, as by the ſaid act more plainely appeareth. Sith the making of which eſtatute, diuers perſons, as well Engliſh men as ſtrangers, haue by deceit fully obtained licences of the Kings Highneſſe, to cary ouer bell metall, and other broken metall, ſurmiſing the ſame metals not to be méet for making of gunnes, and other engins of warre, nor for implements neceſſary for houſhold, which ſurmiſe is proued vntrue, as the common experience thereof daily declareth: So that all other Realmes and Countries be full of Artillery and munitions, and this Realme like to lacke, if more haſty remedy to ſtop the conueiance of the ſame be not further prouided than is in the ſame act.

No perſon ſhall conuey any braſſe, copper, latten, bell metall, &c. out of the Kings Dominions.

Wherefore may it pleaſe the Kings Highneſſe, and the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame to enact, that no perſon nor perſons from henceforth ſhall carry, or conuey by water or otherwiſe, any braſſe, copper, latten, bell metall, pan metall, gunne metall, nor ſhroffe metall, whether it be cleane or mixed (tinne and lead only excepted) into any part beyond the Sea, or into any outward Realme or Dominion whatſoeuer it be, vpon paine to forfeit the double value of the ſame metall ſo carried and conueyed, the one halfe thereof to be to the King our Soueraigne Lord, and the other to the partie that will ſue for the ſame by writ, bill, plaint or information, in the which no eſſoine or protection ſhall be allowed.

Triall within this Realme of a forren Acte.

And further be it enacted by the authority aforeſaid, that for the true meaning of this eſtatute, that the arriuall, diſcharge and deliuery of the ſaid metals in any parts beyond the Sea, or in any other forein Realme or Dominion, ſhall be tried and determined within this Realme, in ſuch County or place where the ſaid metall or metals were ſhipped, or firſt caried, with like proceſſe and determination as all other informations or actions to be tried and adiudged within this Realme, or as the ſame fact had béene done within this Realme and Dominion.

He that carieth braſſe, &c. in any ſhip, ſhall bee bound to diſcharge the ſame within this Realme.

And be it further enacted by the authoritie aforeſaid, that no perſon nor perſons at any time hereafter, ſhall ſhip, or carry any of the ſaid metals afore rehearſed, to carry or diſcharge the ſame in any part of this Realme, vnleſſe ſuch perſon or perſons before the ſhipping thereof, doe declare and manifeſt vnto the Cuſtomer of ſuch Port or cricke, where the ſame metall ſhall bée ſhipped, the true weight of all ſuch metall as ſhall bée ſhipped, and alſo ſhall make a ſufficient obligation in the Law, in the which hée ſhall bée bounden to the ſaid Cuſtomer to the Kings vſe, in ſuch ſumme as ſhall amount to the double value of the ſaid metall ſo declared, and manifeſted, with condition that the ſame ſhall be diſcharged at ſome Port or cricke within this Realme, and in no other place, vpon peine to forfeit the ſame, in manner and forme aboue rehearſed. And that euery ſuch perſon or perſons, that ſhall ſhip ſuch metals, and bée and ſhall bée bounden as is aforeſaid, ſhall within eight moneths next after the ſhipping thereof, bring a true certificat from the Cuſtomer of the Port, cricke, or place, where hée or they ſhall happen to diſcharge the ſame metall, teſtifying that the ſame metall ſo ſhipped, and the true weight thereof, is there diſcharged: which certificat the Cuſtomer of ſuch place where the ſaid metall ſhall be diſcharged, ſhall vpon the diſcharge thereof, make and deliuer to the partie ſo diſcharging, or to his factor without any delay.

The penalty of a Cuſtomer making a falſe certificat.

And be it further enacted, that if any Cuſtomer or his deputy, by couin, or by any other vndue meane, doe make any falſe, or vntrue certificat concerning the ſaid diſcharging of ſuch metall, contrary to the true meaning of this act, that then ſuch Cuſtomer, ſo falſely or vntruly certifying, as is aforeſaid, ſhall loſe his office, and alſo the value of the goods ſo concealed out of the ſaid certificat.

A remedy if the metall bee drowned or robbed.

Prouided alway, that if the ſaid metall by tempeſt of weather be drowned, or by enemies or pirats robbed and ſpoiled, and that ſufficiently proued without fraud or couin before the Cuſtomer and Comptroller, or their ſufficient deputies, in the Port where the party or parties ſo ſhipped the metals aforeſaid or any of them, by the ſaid party or parties, or their executors, that then he or they ſo bringing ſuch ſufficient proofe, ſhall haue his obligation to him deliuered, or elſe hée and his executors thereof to be acquited and cléerely diſcharged, any thing in this act to the contrary conteined notwithſtanding.

Prouided alway, and be it enacted by the authority aforeſaid, that this act ſhall only take his effect and be put in execution from and after the firſt day of April next comming. St.2. Ed.6.37.

Cap.

CAP. VIII.

It ſhall be felony to practiſe, or cauſe to be practiſed Coniuration, Witchcraft, Enchantment, or Sorcery to get money, or to conſume any perſon in his body, members or goods: or to prouoke any perſon to vnlawfull loue, or for the deſpight of Chriſt, or lucre of money, to pull downe any Croſſe, or to declare where goods ſtollen be. REP. 1. *Ed*.6.12. & 1. *M*.1. 5. *Eliz*. 16. 1. *Iac*.12.

CAP. IX.

Artillery ſhall be maintained, and vnlawfull games debarred.

Moſt humbly complaining, ſhew vnto your Highneſſe your daily Orators, the Bowyers, Fletchers, Stringers, and Arrow-head makers of this your Realme, that where for the aduancement and maintenance of Archery, the better to be maintained and had within the ſame, and for the auoiding of diuers and many vnlawfull games and playes, occupied and practiſed within this Realme, to the great hurt and let of ſhooting and archery, diuers good and lawfull Statutes haue beene deuiſed, enacted and made, amongſt which one was made in a Parliament holden at Weſtminſter, in the third yeare of your moſt Gracious reigne, and the ſame act made perpetuall in the Parliament there holden, in the ſixth yeare of your ſaid reigne: The which good and laudable act notwithſtanding, diuers and many ſubtill, inuentatiue, and crafty perſons, intending to defraud the ſame eſtatute, ſithens the making thereof, haue found and daily find many ſundry new and crafty games and playes, as logating in the fields, ſlide thrift, otherwiſe called ſhoue grote, as well within the City of London as elſewhere, in many other and diuers parts of this Realme, keeping houſes, playes and alleyes for the maintenance thereof, by reaſon whereof archerie is ſore decayed, and daily is like to be more and more miniſhed, and diuers Bowyers and Fletchers, for lacke of worke, gone and inhabite themſelues in Scotland, and other places out of this Realme, there working and teaching their ſcience to the puiſſance of the ſame, the great comfort of eſtrangers, and detriment of this Realme.

3. H. 8. 3.
6. H. 8. 2.

Seuerall new deuiſed games, the cauſe of the decay of archery.

And where alſo your Graces ſubiects, Bowyers, Fletchers, and other artificers afore named, from time to time reſort, repaire, and come out of all places of this your Realme, vnto the City of London, for lacke of liuing, and do inhabite nigh the ſame City, or in the Suburbs of the ſame City, and in ſtreets and lanes of the ſame City, being no free mes of the ſame City, nor bearing neither ſcot, lot, nor other charges within your ſaid City, as other Citizens and Free men of the ſame City doe, and are bound to doe, and by their oathes are ſworne to doe, and which Citizens and Free men of your ſaid City of the myſteries and crafts before rehearſed, which haue beene brought vp as prentiſes from their youth, dwelling within the freedome of your ſaid City of London, are alwaies in readineſſe to furniſh your Graces affaires when they ſhalbe commanded: By reaſon of the which reſorting and abode of ſuch foreiners and ſtrangers, of the myſteries and crafts before rehearſed, in the ſuburbs, ſtreets, and lanes of the ſame City, other Cities, townes, Villages, and places within this Realme remaine and be vnfurniſhed of artificers & crafts men before rehearſed, to the great decay of the archery of this Realme. And forſomuch as it appeareth by the preamble of the ſaid eſtatute, enacted the ſaid third yeare, which was eſtabliſhed and made perpetual in the foreſaid ſixth yeere of your moſt Gracious reigne, that your Highneſſe, calling to your moſt Noble and Gracious remembrance, that by the feat and exerciſe of the Subiects of this your Realme, in ſhooting in long bowes, there hath continually growen and beene within the ſame great number and multitude of good archers, which hath not only defended this Realme, and the Subiects thereof, againſt the cruel malice and danger of their outward enemies in time heretofore paſt, but alſo with little number and puiſſance, in regard, haue done many notable acts and diſcomfitures of warre, againſt the Infidels and other, and furthermore ſubdued and reduced diuers and many regions and countries, to their due obeyſance, to the great honour, fame and ſurety of this Realme and Subiects, and to the terrible dread and feare of all ſtrange nations, any thing to attempt or doe to the hurt or damage of them or any of them: yet neuertheleſſe archery and ſhooting in long bowes, was little vſed, but daily did miniſh, decay and abate more and more, for that much part of the comminalty and poore people of the Realme, whereby of old time the great number and ſubſtance of archers hath growen and multiplied, were not of power or ability to buy them long bowes of ewe, to exerciſe ſhooting in the ſame, and to ſuſteine the continuall charge thereof, and alſo by meanes and occaſion of cuſtomable vſage of tennis play, boules, cloyſh, and other vnlawfull games, prohibited by many good and beneficiall eſtatutes, by authority of Parliament in that behalfe prouided and made, great impoueriſhment hath enſued, and many heinous murders, robberies and felonies were committed and done, and alſo the Diuine ſeruice by ſuch miſdoers on holy and feſtiuall daies not heard or ſolemniſed, to the high diſpleaſure of almighty God, as by the foreſaid preamble more plainly may appeare.

The cauſes of the decay of Archery.

It may therefore be enacted by your Highneſſe, the Lords Spirituall and Temporall, and the

Commons

Moſt men vnder the age of threeſcore yeeres ſhall haue bowes and arrowes for ſhooting.

Mens children betweene ſeuen yeeres and ſeuenteene.

Men aboue ſeuenteene yeeres of age.

Commons in this preſent Parliament aſſembled, and by the authority of the ſame: That euery man, being the Kings Subiects, not lame, decrepit, nor maimed, nor hauing any other lawfull or reaſonable cauſe, or impediment, being within the age of threeſcore yeares (except Spirituall men, Iuſtices of one Bench and of the other, Iuſtices of the Aſſiſe, and Barons of the Eſchequer) ſhall from the Feaſt of Pentecoſt next comming, vſe and exerciſe ſhooting in long bowes, and alſo haue a bow and arrowes ready continually in his houſe, to vſe himſelfe, and doe vſe himſelfe in ſhooting: And alſo the father, gouernours and rulers of ſuch as be of tender age doe teach and bring vp them in the knowledge of the ſame ſhooting: And that euery man hauing a man child or men children in his houſe, ſhall prouide, ordaine, and haue in his houſe, for euery man childe, being of the age of ſeuen yeares and aboue, till he ſhall come to the age of ſeuenteene yeares, a bow and two ſhafts, to induce and learne them, and bring them vp in ſhooting, and ſhall deliuer all the ſame bow and arrowes to the ſame young men, to vſe and occupy. And if the ſame young men bee ſeruants, that then their Maſters ſhall abate the mony, that they ſhall pay for the ſame bowes and arrowes of their wages. And after all ſuch young men ſhall come to the age of ſeuenteene yeeres, euery of them ſhall prouide and haue a bow and foure arrowes continually for himſelfe at his proper coſtes and charges, or elſe of the gift or prouiſion of his friends, and vſe and occupy the ſame in ſhooting, as is before rehearſed. And if the maſter ſuffer any of his ſeruants, taking wages, being in his houſhold, and vnder the age of ſeuenteene yeeres, or the father ſuffer any of his ſonnes, being in houſhold, and vnder the age of ſeuenteene yeares, to lack a bow and two arrowes, contrary to the forme of this eſtatute, by the ſpace of one moneth together: then the maſter or father, in whom ſuch negligences ſhall bee, ſhall for euery ſuch default forfeit ſix ſhillings eight pence. And that euery ſeruant, paſſing the age of ſeuenteene yeares, and vnder the age of threeſcore yeeres, and taking wages, which can or is able to ſhoote, and ſhall lacke a bow and foure arrowes, by the ſpace of one moneth together, ſhall for euery ſuch default forfeit and loſe ſix ſhillings eight pence.

Who ſhall ſhoot at rouers, and not at a ſtanding pricke.

Shooting in ewe bowes.

The inhabitants of euery Towne ſhall cut buts and ſhoot at them.

Be it further enacted by authority aforeſaid, that no man vnder the age of foure and twenty yeeres, ſhall ſhoote at any ſtanding pricke, except it be at a rouer, whereat he ſhall change at euery ſhoote his marke, vpon paine for euery ſhoote doing the contrary, foure pence. And that no other perſon aboue the ſaid age of foure and twenty yeeres, ſhall ſhoote at any marke of eleuen ſcore yards or vnder, with any prick-ſhaft or flight, vnder the peine to forfeit for euery ſhoote ſix ſhillings eight pence. And that no perſon, vnder the age of ſeuenteene yeeres, except he or his father or mother, haue lands or tenements to the yeerely value of ten pound, or be worth in moueables the ſumme of forty markes ſterling, ſhall ſhoote in any bow of ewe which ſhall be bought for him after the Feaſt of the Purification of our Lady next comming, vnder the peine to loſe and forfeit ſix ſhillings eight pence. And alſo that buttes be made on this ſide the Feaſt of Saint Michael the Archangell next comming, in euery City, Towne and place by the inhabitants of euery ſuch City, Towne and place, according to the law of ancient time vſed. And that the inhabitants and dwellers in euery of them be compelled to make and continue ſuch buts, vpon peine to forfeit for euery three moneths ſo lacking, twenty ſhillings. And that the ſaid inhabitants ſhall exerciſe themſelues with long bowes in ſhooting at the ſame, and elſewhere, in holy dayes, and other times conuenient.

Bowes of elme, aſhe, &c. 8. Eli. 10.

And to the intent that euery perſon may haue bowes of meane price, be it enacted by authority aforeſaid, that euery Bowyer, dwelling out of the City and Suburbs of London, ſhall after the ſaid Feaſt of the Purification of our Lady next comming, for euery bow that he maketh of ewe, make foure other bowes meet to ſhoot in, of elme, wich-haſill, aſhe, or other wood apt for the ſame, vnder the paine to loſe, and forfeit for euery ſuch bow ſo lacking, three ſhillings foure pence. And euery Bowyer, dwelling within the ſaid City, or Suburbs of London, ſhall after the ſaid Feaſt of the Purification of our Lady next comming, for euery bow of ewe that he ſhall make, ſhall alſo make two other bowes apt for ſhooting, of aſhe, elme, wich-haſill, or other wood meet for the ſame, vnder like peine and forfeiture.

The ſeuerall prices of ſeuerall ſorts of Bowes REP. 8. El. 10.

22. Edw. 4. 4. 3. H. 7. 13.

And be it alſo enacted by the authority aforeſaid, that no Bowyer ſhall ſell any bow of ewe, for any perſon being betweene the age of ſeuen yeeres and fourteene yeeres, aboue the price of twelue pence. And that the ſame bowyers ſhall haue bowes of ewe of all prices from ſix pence the peece, to twelue pence the peece, for youth betweene the ſaid ages of ſeuen yeeres and fourteene yeeres. And likewiſe haue bowes of ewe for youth betweene the age of fourteene yeeres and one and twenty yeeres, and ſhall ſell the ſame at reaſonable prices. And moreouer that no bowyer ſhal ſell or put to ſale to any the Kings Subiects, any bow of ewe of the tax called elke, aboue the price of three ſhillings foure pence, vnder the peine to forfeit twenty ſhillings for euery bow ſold to the contrary, aboue the ſaid price of three ſhillings foure pence, as appeareth by a ſtatute made in the two and twentieth yeere of the raigne of King Edward the fourth, the fourth Chapter. And that all bowſtaues of ewe hereafter to be brought into this Realme ſhall bee ſold open, and not in bundels nor cloſe, to the intent the buiers of them may haue perfect knowledge of the goodneſſe of them, and giue the better price for them, if they be ſo worth.

And furthermore be it enacted by the authority aforeſaid, that Fletchers of London, and the

Suburbs of the ſame, may at their liberty ſell ſeaſonable timber to euery Fletcher of the country, without falling into any penalty or danger to any of their Wardens for ſo doing, and that all ordinances and other lawes made or to be made by their Wardens, or otherwiſe to the contrary, ſhall be from henceforth cleerely fruſtrate and void.

Sale of ſeaſonable timber by one Fletcher to another.

And alſo be it enacted by the authority aforeſaid, that the Bowyers, Fletchers, Stringers, and Arrow-head makers, repairing and reſorting vnto the ſaid City or the Suburbs of the ſame, and there making their dwelling or abiding, being not free men of the ſaid City, bearing neither ſcot nor lot within the ſaid City, ſhall at all times, by the appointment of your Graces moſt honourable Counſell, the Lord Chancellor of England for the time being, Lord Treaſurer, or the Lord Priuy ſeale, or one of them, go and inhabite ſuch Cities, Boroughes and Townes, as be deſtitute of ſuch Artificers, and there to exerciſe, occupy and practiſe their ſaid crafts and faculties, for the maintenance of Artillery and Archery. And if any ſuch perſon, to whom warning ſhall be ſo giuen by the Kings moſt honourable Counſell, the Lord Chancellor, the Lord Treaſurer, or the Lord Priuie ſeale, as is aforeſaid, to depart vnto other Townes or places of the ſaid Realme of England, from the ſaid City of London, the ſuburbs, ſtreets, lanes, and places neere the ſame, refuſe to accompliſh the ſame, that then he or they ſo refuſing, ſhall forfeit for euery day that he ſhall make his abode contrary to this Act, forty ſhillings.

Bowyers and Fletchers, &c. of London vpon commandement ſhall dwell elſewhere.

Be it alſo enacted by the authority aforeſaid, that no ſtranger borne out of the Kings obeyſance, not being deniſen, ſhall conuey, or do to be conueyed, giue, ſell or exchange into any parties out of the Kings obeyſance, any long bowes, arrowes or ſhafts, without the Kings ſpecial licence, vpon peine of forfeiture of the ſame, whereſoeuer they ſhall be taken, or the value thereof, within the Kings power, and vpon paine of impriſonment, without baile or mainpriſe, vntill ſuch time as he or they ſo being in ward, haue made a reaſonable fine to the King for his or their offences afore the Iuſtices of Peace, or two of them in their Seſſions in the ſame County, where he or they ſhall bee committed to ward, or finde ſufficient ſurety for the payment of the ſame fine.

Aliens ſhall not conuey Bowes or Arrowes beyond the Sea.

And that no manner of perſon, not being borne within the Kings obeyſance, nor made deniſen, vſe within the Kings obeyſance ſhooting with long bowes, without the Kings licence, vpon peine of forfeiture of ſuch bowes, arrowes and ſhafts, as they ſhalbe founden ſo ſhooting with, and euery of the Kings Subiects may haue authority to take and ſeiſe the ſame forfeitures to his owne vſe. And that Iuſtices of Aſſiſe, of gaole deliuery, Iuſtices of Peace, and Stewards of Franchiſes, Leets and Lawdayes, haue power to enquire of all the premiſſes in their Seſſions, Leets and Lawdayes, and heare and determine the ſame, and alſo by their diſcretion, examine all perſons, lacking and not hauing bowes, ſhafts and arrowes according to the forme aforeſaid

Aliens ſhall not vſe ſhooting in long bowes.

Magiſtrates may heare and determine theſe offences.

Be it alſo enacted by the authority aforeſaid, that no manner of perſon or perſons, of what degree, quality or condition ſoeuer he or they be, from the Feaſt of the Natiuity of Saint Iohn Baptiſt now next comming, by himſelfe, factor, deputy, ſeruant or other perſon, ſhall for his or their gaine, lucre, or liuing, keepe, haue, hold, occupy, exerciſe or maintaine any common houſe, alley, or place of bowling, coyting, cloyſhcayles, halfe bowle, tennis, dicing table, or carding, or any other maner of game prohibite by any eſtatute heretofore made, or any vnlawful new game now inuented or made, or any other new vnlawfull game hereafter to be inuented, found, had or made, vpon peine to forfeit, and pay for euery day, keeping, hauing or maintaining, or ſuffering any ſuch game to be had, kept, exercited, played or maintained within any ſuch houſe, garden, alley or other place, contrary to the forme and effect of this eſtatute, forty ſhillings.

The penalty for maintenance of a houſe for vnlawfull games.

And alſo euery perſon, vſing and haunting any of the ſaid houſes and playes, and there playing, to forfeit for euery time ſo doing, ſix ſhillings eight pence.

The penalty for reſorting to a houſe of vnlawfull games.

And if any perſon hereafter ſue for any placard, to haue common gaming in his houſe, contrary to this eſtatute, that then it ſhall be conteined in the ſame placard, what game ſhalbe vſed in the ſame houſe, and what perſons ſhall play thereat, and euery placard granted to the contrary, to bee void: and alſo that the partie obtaining any ſuch placard before he put the ſame in execution, ſhall be bound with ſufficient ſureties with him by recogniſance in the Chancery in a certaine ſumme, to be appointed by the diſcretion of the Lord Chancellor of England, that he ſhall not vſe the ſaid placard contrary to the forme thereof.

A placard to keepe a houſe of gaming.

Be it further enacted by the authority aforeſaid, that it ſhall be lawfull to all and euery the Iuſtices of Peace in euery Shire, Maiors, Sheriffs, Bailiffes, and other head Officers, within euery City, Towne, and Borough within this Realme, from time to time, as well within liberties as without, as need and caſe ſhall require, to come, enter, and reſort into all and euery houſes, places, and allies, where ſuch games ſhall be ſuſpected to be holden, exerciſed, vſed, or occupied, contrary to the forme of this eſtatute, and as well the keepers of the ſame, as alſo the perſons there hanting, reſorting and playing, to take, arreſt, and impriſon, and them ſo taken and arreſted, to keepe in priſon vnto ſuch time as the keepers and maintainers of the ſaid playes and games, haue found ſureties to the Kings vſe, to be bound by recogniſance or otherwiſe, no longer to vſe, keepe, or occupy any ſuch houſe, play, game, alley or place: and alſo that the perſons there ſo found be in like caſe bound by themſelues, or elſe with ſureties, by the diſcretion of the Iuſtices,

Magiſtrates may repreſſe vnlawfull games and puniſh the offenders.

ces, Maiors, Sheriffs, Bailiffs, or other head Officers, no more to play, haunt, or exerciſe from thenceforth, in, at, or to any of the ſaid places, or at any of the ſaid games.

Searching of houſes where vnlawfull games be kept.

Alſo be it further enacted by the authority aforeſaid, that the Maiors, Sheriffs, Bailiffs, Conſtables and other head Officers, within euery City, Borough, or Towne, within this Realme, where any ſuch Officers ſhall fortune to be, as well within the franchiſes, as without, ſhall make due ſearch weekely, or at the furtheſt at all times hereafter once euery moneth, in all places where any ſuch houſes, allies, playes, or places ſhall be ſuſpected to be had, kept, and maintained. And if the ſaid Maiors, Sheriffs, Bailiffes, Conſtables, and other head Officers within their Cities, Boroughs, and Townes, as well within franchiſes as without, doe not make due ſearch at the furtheſt once euery moneth, if the caſe ſo require, according to the tenor of this act, and doe not execute the ſame in all things according to the purport and force of the ſame: that then euery ſuch Maior, Sheriffs, Bailiffes, Conſtable, or other head Officer, to pay and forfeit for euery moneth, not making ſuch ſearch, nor executing the ſame, xl.s.

Perſons prohibited to play at vnlawfull games.

Be it alſo enacted by the authority aforeſaid, that no manner of artificer, or Crafts man of any handy Craft, or occupation, huſbandman, apprentice, labourer, ſeruant at huſbandry, iourneyman or ſeruant of artificer, mariners, fiſhermen, watermen or any ſeruing man, ſhall from the ſaid Feaſt of the natiuity of S. Iohn Baptiſt, play at the tables, tenis, dice, cards, bowles, claſh, coyting, logating, or any other vnlawfull game, out of Chriſtmas, vnder the paine of xx.s. to be forfeit for euery time, and in Chriſtmas to play at any of the ſaid games in their maſters houſes, or in their maſters preſence. And alſo that no manner of perſon ſhall at any time play at any bowle or bowles in open places out of his garden or orchard, vnder the peine for euery time ſo offending to forfeit vi.s. viii. d. And that all Iuſtices of Peace, Maiors, Bailiffes, Sheriffs, and all other head Officers, and euery of them, finding or knowing any manner perſon or perſons, vſing or exerciſing any vnlawfull games contrary to this preſent ſtatute, ſhall haue full power and authority to commit euery ſuch offender to Ward, there to remaine without bale or mainpriſe, vntill ſuch time that they ſo offending, be bounden by obligation to the Kings vſe, in ſuch ſums of mony, as by the diſcretion of the ſaid Iuſtices, Maiors, Bailiffs, or other head Officers, ſhall be thought reaſonable, that they or any of them ſhal not from henceforth, vſe ſuch vnlawfull games.

Playing at Bowles.

Certaine Officers may commit offenders to priſon.

All other Statutes made againſt vnlawfull games, and for the maintenance of artillery repealed.

Be it further enacted by the authority aforeſaid, that all other ſtatutes made for the reſtraint of vnlawfull games, or for the maintenance of artillery as touching the penalties or forfeitures of the ſame, ſhalbe from henceforth vtterly void. And all informations, plaints, actions, or ſuits that ſhall be taken or ſued vpon any part of this eſtatute, ſhall be commenced within the yeare after the offence committed and done, or otherwiſe no aduantage or ſuit thereof to be taken.

Within what time any ſuit ſhall be proſecuted vpon this Stat. and who ſhall haue the forfeitures.

And where any ſuch forfeitures ſhall happen to be found within the precinct of any franchiſe, leet or lawday, then the Lord of the ſame franchiſe, leet, or lawday, to haue the one moitie thereof, and the other moity thereof to any of the Kings Subiects that will ſue for the ſame, in any of the Kings Courts, by action, information, bill, or otherwiſe, in which action or ſuit the defendant ſhall not be admitted to wage his Law, nor any protection, nor eſſoine ſhall be allowed: And where ſuch forfeiture ſhall be found out of the precinct of any franchiſe, leet, or lawday, that the moity of all ſuch forfeitures ſhall be to the King our ſoueraigne Lord, and the other moity thereof to any the Kings Subiects that will ſue for the ſame, by bill, plaint, action, information, or otherwiſe in any of the Kings Courts, in which ſuit or action the defendant ſhall not be admitted to wage his Law, nor any protection or eſſoine ſhall be allowed.

Proclamation of this ſtatute.

And to the intent that euery perſon may haue knowledge of this Act, and avoid the danger and penalties of the ſame, be it enacted by the authority aforeſaid, that all Maiors, Bailiffes, Sheriffes, and all other head officers, ſhall foure times in the yeare, that is to ſay, euery quarter once, make open Proclamation of this preſent act, in euery market to be holden within their ſeuerall iuriſdictions and authorities.

And alſo that the Iuſtices of Gaole deliuery, aſſyſes, and Iuſtices of Peace, doe cauſe the ſame to be proclaimed in their ſeuerall circuits and ſeſſions before them holden, and that this Statute ſhall begin to take his effect, concerning the penalties of the ſame, from the ſaid Feaſt of S. Iohn Baptiſt now next comming, and to continue and endure for euer.

Leaſes of houſes where vnlawfull games be vſed.

Prouided alway and be it enacted by the authority aforeſaid, that if any perſon or perſons hauing taken by leaſe, whether it be by word, writing, or otherwiſe, any houſe, alley, or place wherein any ſuch vnlawfull game now is, and at the time of ſuch leaſe made, was vſed, that then euery ſuch leſſee ſhall at the liberty of him or them, to whom ſuch leaſe is made, their executors, adminiſtrators, or aſſignes, from the ſaid Feaſt of the natiuity of S. Iohn Baptiſt, be vtterly void, except it be for breach of couenants or agreements, or payment of rent due, or to be due at the ſaid Feaſt, or any time before, ſo that then at the ſame Feaſt, or within one moneth next after the ſame, the ſaid leſſee giue knowledge to ſuch leſſor or leſſors, their heires and aſſignes, that he will no longer occupy the ſame, and that then it ſhall be lawfull to the inheritor, leſſor or owner thereof, or to his heires or aſſignes, in the ſame houſe, alley, or place to reenter.

Prouided alſo, and be it enacted by the authority aforeſaid, that it ſhall be lawfull for euery

Maſter to licence his, or their ſeruants, to play at Cards, Dice, or Tables with their ſaid Maſter, or with any other Gentleman, repairing to their ſaid Maſter, openly in his or their houſe, or in his or their preſence, according to his or their diſcretion. And that it ſhall be lawfull to euery ſuch ſeruant, for euery time ſo being commanded or licenced by his ſaid Maſter, as is aforeſaid, to play at Cards, Dice, or Tables with his ſaid Maſter or other Gentleman, ſo to him repairing, any thing in this act to the contrary notwithſtanding.

The ſeruant by licence may play with his Maſter.

Prouided alſo, and be it enacted by the authority aforeſaid, that it ſhall be lawfull to euery Noble man, and other, hauing Manors, Lands, Tenements, or other yearely profits, for tearme of life in his owne right, or in his Wiues right, to the yearely value of a hundred pound, or aboue, to command, appoint, or licence by his or their diſcretion, his or their Seruants or family of his or their houſe or houſes, for to play within the precinct of his or their houſes, gardens, or orchards, at Cards, Dice, Tables, Bowles, or Tenis, as well amongſt themſelues as other repairing to the ſame houſe or houſes. And that they ſo playing by commandement, appointment or licence, as is aforeſaid, ſhall not incurre any danger, or penalty conteined in this act for the ſame, this act or any thing therein conteined to the contrary thereof in any wiſe notwithſtanding.

In what caſes ſeruants may play at Dice, Cards, tables, Bowles or Tenis.

Prouided alway, and be it enacted by the authority aforeſaid, that all informations, actions, and ſuits, now depending in any of the Kings Courts, for or concerning any penalty or forfeiture conteined in any of the ſaid Statutes, by this act repealed, and no iudgement therein yet giuen, the ſame informations, actions and ſuits ſhall be, remaine, and ſtand as good and effectuall in the Law, to all intents, conſtructions and purpoſes, as if this act had neuer béene had ne made, any thing in this Act conteined to the contrary thereof in any wiſe notwithſtanding.

Suites depending at this time vpon any ſtatute repealed.

Cap. X.

All Iuſtices of Peace within euery County, City, Borough, &c. ſhall yearely at the generall quarter Seſſions holden next after Eaſter diuide themſelues, and limiting two at the leaſt into Hundreds, Wapentakes, number of Townes, &c. They ſhal hold one Seſſions for the limits of their diuiſions, beſides the quarter Seſſions, ſix weekes before the quarter Seſſions, wherin they ſhall inquire of Vagabonds, Retainers, giuing of Liueries, Badges, Mainteinance, Imbracery, &c. and heare and determine the ſame, according to the Statutes for ſuch offences prouided. And they may reforme panels returned before them, EXP. & REP. 37. *H.* 8. 7. for the vj. weekes Seſſions.

Cap. XI.

A rehearſall and repeale of the Stat. made 24. *H.* 8. 3. & 25. *H.* 8. 1. touching ſelling of fleſh by the pound, and at certaine prices.

Cap. XII.

Puniſhment of murder and bloudſhed within the Kings Court.

Where treaſons, miſpriſions of treaſons, murders, manſlaughters, and other malicious ſtrikings, by reaſon whereof bloud is, or ſhall be ſhed againſt the Kings peace, béene often and many times done and committed within the limits of the Kings Palace or Houſe, or other houſe or houſes, where and when his Maieſty is there demurrant and abiding in his owne moſt royall Perſon, which offences when they be done, be beſt knowne by his Highneſſe Officers and Miniſters of his moſt Honourable houſhold, and by his Maieſties Seruants of his Chequer roll: And if his Maieſty ſhall happen to remoue from ſuch his Palace or houſe, or other houſe or houſes, where ſuch offences were done, before the triall and determination thereof, then ſuch offenſes might not lawfully be tried, heard, and determined by and before the ſaid Officers, but be remitted to be tried and determined by the orders of the common Lawes of this Realme, by reaſon whereof, the puniſhment of the ſaid offenders in ſuch caſes hath béene long delayed, and ſometime their offences forgotten, and not remembred, and ſo eſcape vnpuniſhed, Be it therefore enacted by the King our Soueraigne Lord, with the aſſent of the Lords ſpiritual and temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all treaſons, miſpriſions of treaſons, murthers, manſlaughters, bloudſheds, and other malicious ſtrikings, by reaſon whereof, bloud is, or ſhall be ſhed, againſt the Kings peace, which hath béene done ſince the feaſt of all Saints laſt paſt, or hereafter ſhalbe done within any the palaces or houſes of his Highneſſe or his heires, or any other houſe or houſes, at ſuch time as his Maieſty hath béene, ſince the ſaid feaſt of all Saints, or hereafter ſhall happen to be then demurrant or abiding in his royall perſon, ſhall be from henceforth enquired of, tried, heard, and determined within any the Kings palaces or houſes, or other houſe or houſes, where his Maieſty or his heires ſhall hereafter repaire vnto, or be abiding, in manner and forme following: That is

to

Where, and before whom murders, malicious ſtrikings, &c. committed in the K. houſe ſhall be tried.
[a] Raſt.pla.fo. 124.

to ſay, before the Lord great Maſter, or Lord Steward for the time being of the Kings moſt honourable houſhold, and of his heires and ſucceſſors: And in the abſence of the ſaid Lord great Maſter, or Lord Steward of the houſhold, before the Treaſurer and Comptroller for the time being of the Kings moſt honourable houſhold, and of his heires and ſucceſſors, and Steward of the [a] Marſhalſey for the time being, or two of them, whereof the Steward of the Marſhalſey for the time being, to be one, by vertue of their Offices, without any Commiſſion or other authority or power, other than by authority of this preſent act to be giuen vnto them or any of them, which Steward of the Marſhalſey ſhall be for euer from time to time aſſigned and appointed by writing vnder the ſeale of the ſaid Lord great Maſter, or Lord Steward for the time being. And, whether the Kings Maieſty or his heires hath, or at any time hereafter ſhall be remoued from the Pallace, houſe, or houſes, where ſuch offences were or ſhall be done, or not remoued before they be enquired of, tried, heard, and determined: yet ſuch offences ſhall by the authority of this act, alwayes from henceforth be enquired of, tried, heard and determined before the Kings Maieſties and his heires Officers, and Miniſters of houſhold before named, or two of them, as is aboueſaid, by the inquiſition and verdict of his Highneſſe, and his heires houſhold ſeruants, in his and their Checke roll, in manner and forme as before and hereafter is expreſſed in this preſent Act, and at ſuch Palace, houſe, or houſes where his Maieſty or his heires ſhall be at any time hereafter demurrant or abiding.

And that all ſuch returnes of proces, and all executions and iudgements concerning the premiſes, ſhall be had and done by the Officers, before and hereafter expreſſed, and in manner and forme as before and hereafter in this preſent act is conteined.

Inquirie of perſons ſlaine within the K. houſe, or where he ſhall abide.

And that all inquiſitions vpon the view of perſons ſlaine, or hereafter to be ſlaine within any the Kings ſaid Palaces or houſes, or other houſe or houſes aforeſaid, ſhall be by authority of this act had and taken hereafter for euer, by the Coroner for the time being of the houſhold of our Soueraigne Lord the King, or his heires, without any adioyning, or aſſiſting of another [a] Coroner of any Shire within this Realme, by the oath of twelue, or mo of the Yeomen Officers of the Kings and his heires moſt honourable houſhold, returned by the two Clerkes Comptrollers, the Clerkes of the Checke, and the Clerkes Marſhals, or one of them for the time being of the ſaid houſhold, to whom the ſaid Coroner of the ſame houſhold ſhall direct his precept, which Coroner of our ſaid Soueraigne Lord the Kings houſhold, ſhall be from time to time named appointed and aſſigned by the ſaid Lord great Maſter, or Lord Steward for the time being, and that the ſaid Coroner of the ſaid houſhold ſhall from time to time for euer without delay, certifie vnder his ſeale, and the ſeales of ſuch perſons as ſhall be ſo ſworne before him, all ſuch inquiſitions, inditements, and offices vpon the view of all dead bodies being ſlaine at any time ſith the Feaſt of All Saints aforeſaid, or which hereafter ſhall be ſlaine within any the Kings ſaid Palaces or houſes, or other houſe or houſes aforeſaid, before the ſaid Lord great Maſter, or Lord Steward, and in his abſence before the Treaſurer, Comptroller, and Steward of the Marſhalſey aforeſaid, or before two of them, whereof the ſaid Steward of the Marſhalſey to be one: and that ſuch inquiſitions and offices ſo certified, ſhall be deemed, adiudged, and taken for euer, as good and effectuall in the Law, to all intents, conſtructions, and purpoſes, as any inquiſition taken vpon the view of the body of any perſon being dead, by any Coroner of any County of this Realme, hath beene, or ſhall be adiudged or taken.

[a] Coke

The Coroners certificat of an inquiſition found before him.

And be it further enacted by the authority aforeſaid, that the ſaid two Clerkes, Comptrollers, Clerkes of the Checke, and Clerks Marſhals for the time being of the Kings ſaid houſhold, and of his heires, or one of them for euer, vpon a precept to them or to any of them hereafter to be made by the ſaid Lord great Maſter or Lord Steward, or in the abſence of the ſaid Lord great Maſter or Lord Steward, by the ſaid Treaſurer and Comptroller of the Kings moſt honourable houſhold, and the ſaid Steward of the Marſhalſey, or by two of them, whereof the ſaid Steward of the Marſhalſey, to bee one, ſhall haue full power to ſummon, warne, and returne the names of xxiiij. perſons, being yeomen Officers of the Kings ſaid houſhold, & of his heires in the ſaid Checke roll, to enquire of ſuch treaſons, miſpriſion of treaſons, murders, manſlaughters, and other malicious ſtrikings, by reaſon whereof bloud is, or ſhall be ſhed againſt the Kings peace, before the ſaid Lord great Maſter, or Lord Steward, and in his abſence before the ſaid Treaſurer, Comptroller, and Steward of the Marſhalſey, or before two of them at the leaſt, whereof the Steward to be one.

Inquirie of murders, bloudſhed, &c. by the yeomen Officers of the Kings houſe.

And that it ſhalbe lawfull to the ſaid Lord great Maſter, or Lord Steward, and in his abſence to the ſaid Treaſurer, Comptroller, and the ſaid Steward aforeſaid, or two of them, whereof the ſaid Steward to be one, before whom ſuch returnes ſhall be ſo made, as is aforeſaid, to cauſe ſuch number of the ſaid xxiiij. perſons ſo returned aboue the number of xij. perſons, as to him or them ſhall ſeeme expedient, to enquire of ſuch treaſons, miſpriſions of treaſons, murders, manſlaughters, and other malicious ſtrikings, by reaſon whereof, bloud is or ſhall be ſhed againſt the Kings peace within the ſaid Palaces or houſes, or other the ſaid houſe or houſes, ſith the ſaid feaſt of all Saints, or at any time hereafter ſhall be committed or done within the ſaid Palace or houſes, or other the ſaid houſe or houſes.

And if any perſon or perſons be indicted by the ſaid Jury, ſo ſworne before them as is aforeſaid; or by inquiſition before the ſaid Coroner of the ſaid houſhold, and certified before the ſaid Lord great Maſter, or Lord Steward, or in the abſence of the ſaid Lord great Maſter, or Lord Steward before the ſaid Treaſurer, Comptroller, and Steward, or before two of them, whereof the ſaid Steward to be one, as is aforeſaid: that then immediatly without delay the ſaid Lord great Maſter, or Lord Steward, and in his abſence the ſaid Treaſurer, Comptroller, and Steward, or two of them, whereof the ſaid Steward to bee one, before whom the ſaid preſentment, inquiſition, or indictment ſhall ſo be found or certified by the ſaid Coroner of the ſame houſhold, ſhall arraigne before them all and euery ſuch perſon and perſons ſo indicted, according to the courſe of the common Law of this realme, and forthwith after iſſue ioyned betweene the King our Soueraigne Lord, his heires or ſucceſſors, and the priſoner ſo arraigned, the ſame day and place, or any other day and place, at the pleaſure of the ſaid Lord great Maſter, Lord Steward, and in his abſence at the pleaſure of the ſaid Treaſurer, Comptroller, and Steward of the Marſhalſey, or two of them as is aforeſaid, ſhall make another precept to the ſaid Clerkes, Comptrollers, Clerks of the Checke, and Clerkes Marſhals, for the time being of the ſaid houſhold, or to one of them, to ſummon and return one other Jury of xxiiii perſons, to appeare before the ſaid Lord great Maſter, or Lord Steward, and in his abſence before the ſaid Treaſurer, Comptroller and Steward of the Marſhalſey, or before two of them whereof the ſame Steward to be one, at ſuch day, time, and place, and vpon ſuch paine as ſhall be then limited and appointed, of the ſeruants and Gentlemen officers of the Kings Chamber, his heires and ſucceſſors, and of the ſaid houſhold, which now take, or hereafter ſhall take wages by the Kings Cheque roll. And that the ſaid Lord grand Maſter, or Lord Steward (if he be there preſent) or in his abſence the ſaid treaſurer, Comptroller, and Steward of the ſaid Marſhalſey, or two of them, whereof the ſame Steward to be one, before whom ſuch Jury ſhall be ſo returned, ſhall cauſe xii. of the ſame Jury to bee ſworne without any manner of challenge to bee had or allowed for any manner of cauſe, to any of the ſaid Jury, (malice onely excepted) truly to try betweene our ſaid Soueraigne Lord the King, and his heires, and ſuch perſon and perſons, as ſhall be ſo indicted and arraigned of ſuch treaſons, miſpriſions of treaſons, murders, manſlaughters, and other malicious ſtrikings, by reaſon whereof bloud is or ſhall be ſhed againſt the Kings peace, or any of them. And if any ſuch perſon or perſons, ſo indicted and arraigned, bee found guilty of any treaſon, miſpriſion of treaſon, murders, or manſlaughters: that then all and euery ſuch perſon and perſons, ſo found guilty, ſhall haue iudgement of life and member, and ſuffer ſuch paines of death, and ſhall forfeit all their Manors, Lands, Tenements, Goods, and Cattels, in like manner and forme, as if the ſame perſon and perſons had beene found guilty of any the ſaid offences by the order of the common Lawes of this Realme, without allowing to any ſuch perſon or perſons ſo found guilty of any the ſame offences, the benefits of his or their Clergy, or priuilege of any ſanctuary.

Arraignement of an offendor indited.

The iudgment of an offender found guilty, & his forfeiture.

And if any perſon or perſons ſo arraigned bee found guilty for malicious ſtriking, by reaſon whereof bloud is, hath beene, or ſhall bee ſhed againſt the Kings Peace, within the ſaid Palace or houſe, or any other houſe, or any other the ſaid houſe or houſes: that then euery ſuch perſon or perſons ſhall from henceforth haue iudgement by the ſaid Lord great Maſter, or Lord ſteward (if hee be preſent) and in his abſence by the other before named, before whom ſuch perſon or perſons ſhall bee ſo found guilty, to haue his right hand ſtriken off, before the ſaid Lord great Maſter or Lord ſteward (if he be there preſent) and in his abſence before the ſaid treaſurer, controller, and Steward of the Marſhalſey, or two of them at the leaſt, whereof the ſaid Steward to be one, and at ſuch place or time as he or they, before whom ſuch perſon or perſons ſhallbe ſo found guilty ſhall appoint execution to be done: and the ſame execution to be done by ſuch perſon as the ſaid Lord great Maſter, or Lord Steward (if he be there preſent) and in his abſence as the ſaid Treaſurer, Comptroller, and Steward of the Marſhalſey, or two of them, whereof the Steward to bee one, ſhall name or appoint, and alſo ſhall haue iudgement to haue perpetuall impriſonment during his life, and ſhall pay fine and ranſome at the Kings Maieſties pleaſure his heires and ſucceſſors.

The iudgment for ſtriking in the Kings Palace, whereby bloud ſhall be ſhed.

Who ſhall doe execution.

And for the further declaration of the ſolemne, & due circumſtance of the execution appertaining, and of long time vſed, & accuſtomed, to and for ſuch malicious ſtrikings, by reaſon whereof bloud is, hath been, or hereafter ſhall be ſhed againſt the Kings peace: It is therefore enacted by the authority aforeſaid, that the Sergeant, or chiefe Surgeon for the time being, or his deputy of the Kings houſhold, his heires and ſucceſſors, ſhalbe ready at the place and time of execution, as ſhall be appointed, as is aforeſaid, to ſeare the ſtumpe, when the hand is ſo ſtricken off.

The Kings officers attendant at the executiō. Chiefe Surgeō.

And the Sergeant of the Pantry for the time being of the ſaid houſhold, or his deputy, ſhall be alſo then and there ready to giue bread to the party, that ſhall haue his hand ſo ſtricken off.

Sergeant of the Pantry.

And the Sergeant of the Celler for the time being of the ſame houſhold, or his deputy, ſhall alſo be then and there ready with a pot of red Wine, to giue the ſame party drinke, after his hand is ſo ſtriken off, and the ſtumpe ſeared.

Sergeant of the Celler.

And the Sergeant of the Ewry for the time being of the ſame houſhold, or his deputy ſhall alſo

Sergeant of the Ewry.

be then & there ready with clothes ſufficient for the Surgeon to occupy about the ſame execution.

Sergeant of the Chandry.

And the Yeoman of the Chandry for the time being of the ſame houſhold, or his deputy ſhall alſo be then and there, and haue in readineſſe ſeared clothes; ſufficient for the Surgeon to occupy about the execution.

The Maſter Cooke.

The Sergeant of the Larder.

And the Maſter Cooke for the time being of the ſame houſhold, or his deputy, ſhall alſo be then and there ready, and bring with him a dreſſing knife, and ſhall deliuer the ſame knife at the place of execution, to the Sergeant of the Larder for the time being of the ſame houſhold, or to his deputy, who ſhalbe alſo then and there ready, and hold vpright the ſaid dreſſing knife till execution be done.

The Sergeant of the Poultry.

And the Sergeant of the Poultry for the time being of the ſame houſhold, or his deputy, ſhalbe alſo then and there ready with a cocke in his hand ready for the Surgeon to wrap about the ſame ſtumpe, when the hand ſhalbe ſo ſtricken off.

Yeoman of the Scullery.

And the Yeoman of the ſcullery for the time being of the ſame houſhold or his deputy, to be alſo then and there ready and prepare and make at the place of execution a fire of coales, and there to make ready ſearing yrons, againſt the ſaid Surgeon or his deputy ſhall occupy the ſame.

The chiefe Ferror.

And the Serieant or chiefe Ferror for the time being of the ſame houſhold or his deputy, ſhall bee alſo then and there ready, and bring with him the ſearing irons, and deliuer the ſame to the ſame Sergeant, or chiefe Surgeon, or to his deputy when they be hot.

Groome of the Salcery.

And the groome of the Salcery for the time being of the ſame houſhold or his deputy, ſhall be alſo then and there ready with vinegar and cold water, and giue attendance vpon the ſaid Surgeon or his deputy, vntill the ſame execution be done.

The Sergeant of the Woodyard.

And the Sergeant of the Woodyard for the time being of the ſame houſhold or his deputy, ſhall bring to the ſaid place of execution a blocke, with a betill, a ſtaple, and cords to bind the ſaid hand vpon the blocke while execution is in doing.

The party indited refuſing to anſwer directly, or ſtanding mute.

A Crier ſhall be appointed.

And be it further enacted by the authority aforeſaid, that if any perſon or perſons ſo indicted of treaſon, miſpriſion of treaſon, murder manſlaughter, or other malicious ſtriking, by reaſon whereof, bloud is, hath beene, or ſhall be ſhed againſt the Kings peace, as is aforeſaid, and thereof be arraigned, and obſtinately refuſe to anſwer directly to the ſame offences, whereof he or they be ſo indited, or if ſuch perſon or perſons ſo indited and arraigned ſtand mute, and will not ſpeake, then ſuch perſon and perſons ſo refuſing to anſwer or ſtanding mute, ſhall bee conuict, iudged, and deemed guilty of the thing, whereof he or they is or ſhall be ſo indicted & arraigned, and ſhall haue iudgement to haue like paines of death: and other paines, puniſhments, executions, forfeitures, loſſes, and ſeiſures of lands, tenements, goods and cattels for the ſame, as he or they ought or ſhould haue had for ſuch like offences, if he or they were or ſhould be found guilty thereof by the verdict of xii. men. And be it further enacted by the authority aforeſaid, that the ſaid Clerks Comptrolers, Clerks of the Checke, & Clerks marſhall, or one of them for the time being, ſhall from time to time name, aſſigne, and appoint a crier to make Proclamations, and to call the Iuries, and to doe other things as becommeth a crier of a court to doe belonging to that office.

Triall by Peeres.

Prouided alwayes, and bee it enacted by the authority aforeſaid, that the triall of Peeres of this Realme, for committing or doing any Offences in this Act before mentioned, ſhall bee as it hath beene vſed in times paſt, any thing in this Act contained to the contrary notwithſtanding.

The liberty of the verge.

Prouided alſo that the liberty and iuriſdiction of the Marſhalſey court and circuit of the verge ſhalbe in all points, priuileges, and authorities vſed by the Miniſters and officers of the ſame, in as full and as ample manner as it hath beene heretofore lawfully vſed, for murders, felonies, offences, and all treſpaſſes, contracts, and other ſuits whatſoeuer they bee, any thing in this Act to the contrary notwithſtanding.

The Coroner of the Kings houſe.

And foraſmuch as before this time one Richard Stauerton of Lincolnes Inne Gentleman, was commanded and appointed by the Kings Maieſty to occupy the office of the Coroner of his ſaid houſe, by force whereof he hath continued officer in the ſame by the ſpace of ſixteen yeers or more: be it enacted by the authority aforeſaid, that the ſaid Richard Stauerton ſhall haue, occupy and enioy the ſaid office of Coroner during his life, together with all ſuch profits and commodities, as before this time haue beene due and appertaining in any wiſe to the ſame. And after his deceaſe the ſaid Coroner alwaies to be made, aſſigned, and appointed by the ſaid Lord great Maſter, or Lord Steward for the time being.

And for that hereafter it might be doubted, how far the limits and bounds of the ſaid houſe or houſes ſhould extend or be taken, within which limits or bounds any the ſaid offences, which haue beene committed or done ſith the ſaid feaſt of all Saints, or hereafter ſhall be committed or done, for the which all and euery perſon and perſons ſo offending ſhould haue and ſuffer the paines, penalties, and forfeitures as is aforeſaid: for plaine declaration thereof, and for the auoiding of all doubts and queſtions, which may hereafter happen to ariſe of, for, or vpon the ſame.

Be it enacted by the authority aforeſaid, that the limits and bounds of the ſaid houſe & houſes, within which any the offences aforeſaid, now committed or done ſith the ſaid feaſt of all-Saints or hereafter to be committed and done, ſhall bee puniſhed as is aforeſaid, ſhall extend and be taken within theſe places enſuing, and in none other, that is to ſay: Within any edifices, Courts, Places, Gardens, Orchards or houſes, within the Porters Ward of any of the houſe or houſes aboue rehearſed, or within any Gardens, Priuy walks, Orchards, Tiltyards, Woodyards, Tenis plaies, Cockfights, Bouling allies, neere adioyning to any of the houſes aboue rehearſed, and being part of the ſame,, or within two hundred foot of the ſtandard of any outward gate or gates of any of the houſes aboue rehearſed, commonly vſed for paſſage out or from any the houſe or houſes aboue rehearſed.

The limits and bounds of the Kings houſe.

Prouided allwayes that this Act ſhall not take effect, or be put in execution till from and after the firſt day of May next enſuing, except onely for murders and manſlaughters, for the which offences of murder and manſlaughter, the ſame to take effect from the feaſt of all Saints laſt paſt according to the tenour and effect of the ſaid Act.

Prouided alway and bee it enacted by the authority aforeſaid, that this Act before rehearſed concerning malicious ſtrikings, by reaſon whereof bloud is, hath beene, or ſhall bee ſhed againſt the Kings peace, ne the paines and forfeitures before rehearſed for the puniſhment of the ſame, ſhall not in any wiſe extend, or be preiudiciall, or hurtfull to any noble man, ne to any other perſon or perſons, that ſhall happen to ſtrike his or their ſeruants within the ſaid Palaces or houſe, or any other houſe or houſes, place or places aforeſaid, or within the limits of the ſame, with his or their hands or fiſts, or with any ſmall ſtaffe or ſtick, for correction and puniſhment, for any offences committed and done, or to be committed and done, ne to any of the Kings officer or officers, that in executing of his or their office ſhall ſtrike any perſon or perſons, with his or their hands or fiſts, or with any ſmall ſtaffe or ſticke, or with any ſtaffe commonly called a tip ſtaffe within the ſame Palace or houſe, or any other Palaces or houſes or places aforeſaid, ne to any other perſon or perſons, that in doing ſeruice at any triumph, or any other time of ſeruice by the Kings commandement, or of any his graces Councell or other his graces head officers, ſhal happen for the executing of their ſaid ſeruice, to ſtrike any perſon or perſons with his or their hands or fiſts, or with any ſmall ſtaffe or ſticke, or with any ſtaffe commonly called a tip ſtaffe within the ſame Palace or houſe, or any other Palaces or houſes or place or places aforeſaid, although by reaſon of the ſame ſtroke or ſtrokes there happen to bee any bloodſhed of ſuch perſon as ſhall be ſo ſtriken, except the perſon ſo ſtriken doe dye of the ſame ſtroke within one yeere next after the ſtroke ſo giuen.

To what ſtrokes giuen in the Kings houſe whereby bloud ſhalbe ſhed, this ſtatute doth not extend.

And alſo be it further enacted by the authority aforeſaid, that if any perſon or perſons ſhall from the firſt day of April next comming, ſteale, or feloniouſly take away any Plate, Iewels, or other goods of our ſaid ſoueraigne Lord the King, his heires or ſucceſſors Kings, of the valure of xii.d. or aboue, or break or enter into any the kings houſes, to ye intent to ſteale any the Kings goods, his heires or ſucceſſors Kings, though his Maieſty be abſent, or any other houſe, while it ſhall fortune the ſame his Maieſty to be lodged or abiding therein, euery ſuch offence to bee deemed felony, and the perſon or perſons ſo offending, their abetters, procurers, Councellors and recepters thereof lawfully conuicted, to ſuffer like penalties, forfeitures, & paines of death, as appertaineth to felons, without hauing benefit of their clergy or ſanctuary: and euery ſuch offendor being apprehended within the verge of the Kings houſe, to be arreigned and tried by men of the Countrey, as other offendors for offences done within the verge, before the Steward of the ſaid Marſhalſey & other unto him aſſociated, are to be arraigned and tried within the ſame precinct.

Stealing the kings goods or entring his houſe to ſteale ſhall be felony. Rep. 1. Ed. 6. 12. 1. M. 1.

The triall of the offendor.

Cap. XIII.

Lordſhips in Wales remoued from the County of Denbigh to the County of Flint, &c.

Where in the Parliament holden at Weſtminſter in the xxxii. yeere of the reigne of our Soueraigne Lord King Henry the viii. that now is: it was amongſt other enacted that notwithſtanding viii. county daies in one yeere, and ix. County daies another yeere, were before that time holden and kept within the County Palatine of Cheſter, before the Iuſticer of the ſame County, that from that time forthward the ſaid Iuſticer ſhould hold and keepe but only ii. ſeſſions euery yeere within the ſame county, the one whereof to be kept after Michaelmas and the other after Eaſter, and that from thenceforth all the ſaid County dayes ſhould cleerely ceaſe and determine for euer, as by the ſame Act at large more plainly appeareth. And for as much as within the ſame County Palatine it hath not beene vſed, nor ſeene, that the Sheriffe of the ſame County hath kept any ſhire Court for determination of plaints, and calling the exigends, as is commonly vſed in other Shires of this Realme, there was therfore neuer ſithen the making of the ſaid Act any exigend of felony or other clauſe proclaimed within the ſaid county, to the no little hindrance of iuſtice, & to the great boldneſſe of offenders. For reformation whereof be it enacted by the King our ſoueraign Lord, by the aſſent of the Lords ſpirituall and temporall and the commonons in this preſent Parliament aſſembled, and by the authority of the ſame that the Sherife of the ſaid County for the time being, after the feaſt of Eaſter next comming, ſhalbe bound to keepe his Shire Court in the Shire hall of the ſaid County euery moneth for euer, for determination of plaints and actions vnder xl. s. and for proclamations, and calling of exigends

Stat. 32. H. 8. 43.

When & where the Shirecourt in the County of Cheſter ſhall be kept.

There ſhall bee two Coroners choſen for the County of Cheſter.

and other neceſſary cauſes, as is vſed in other Shires of this Realme of England, and that two head Coroners for the body of the ſaid Shire, ſhall bee elected and choſen by vertue of the Kings writ, De coronatore eligendo, to bee awarded out of the Eſchequer of Cheſter, which Coroners, ſhall bee bound to ſit with the ſaid Sheriffe at the ſaid Courts, to giue iudgement vpon vtlaries, and to doe all other things as appertaineth.

And be it further enacted by the authority aforeſaid, that the ſaid two Seſſions, in forme aforeſaid to be holden within the ſaid County, ſhall and may be holden at ſuch time and times: as by the ſaid Iuſticer, or his deputy ſhall be appointed, as well before the ſaid feaſt of Eaſter and Michaelmas, as any other time, according as is moſt commonly vſed in other Shires of this Realme, ſo alwayes open proclamation be thereof made by the ſpace of xv. dayes at the leaſt, before the firſt day of the kéeping of the ſame Seſſions.

When the Seſſions for the County of Cheſter ſhalbe holden.

27.H.8.26.

Certaine Lordſhips and Pariſhes in Wales annexed to the County of Flint.

And where the lordſhips, townes, and hamlets of Hope and Aſſaph, haue of old time béene reputed, accepted and taken as part and parcell of the county of Flint, and ſo haue béene continued vntill now of late, that by an Act of Parliament, made in the xxvii. yéere of the raigne of our moſt dread ſoueraigne Lord the Kings Maieſty that now is, the ſame were aſſigned to the county of Denbigh. And alſo where parcell of the Pariſh of Hawarden is at this day, and of old time hath béene accepted, taken and vſed as part of the ſaid county of Flint, and the reſidue of the ſaid Pariſh of Hawarden is, and alwayes hath béene without the precinct, limits, and iuriſdiction of the ſame County: Be it alſo enacted by the authority aforeſaid, that as well the ſaid Lordſhips, Townes, and Hamlets of Hope, Aſſaph, and the ſaid whole Pariſh of Hawarden together with the Lordſhip of the ſame, as alſo the Lordſhips, Townes, and Pariſhes of Moldeſdale, Mereford, and Oſeley, and all the lands, tenements, and hereditaments within the precinct and limits of the ſame, or any of them, ſhall from henceforth be reputed, accepted, taken and adiudged to bée within the ſaid county of Flint, as a member, part, and parcell of the ſame county of Flint, and not of, nor within any other county or ſhire, any ſtatute, ordinance, law, or cuſtome heretofore had or vſed to the contrary thereof in any wiſe notwithſtanding.

Certain towns in the County of Flint in Wales aſſigned to be within the hundreds of Moldeſdale and Ruthland.

Prouided alwayes that the inhabitants and tenants, of the ſaid Lordſhips, townes, hamlets, and pariſhes of Hope, Aſſaph, Moldeſdale, Mereford, and Hawarden, ſhall pay their miſes, and tallages when, and as oft as the ſame ſhall be due, with the inhabitants of ſuch ſhire or ſhires, as before time haue béen accuſtomed. And that the ſaid Lordſhips of Hope, Moldeſdale, Mereford, Oſeley, and Hawarden, with the whole and entire Pariſh of Hawarden, and all the grounds, lands, tenements, and hereditaments within the precinct & limits of the ſame, ſhall from henceforth be called, taken, and accepted the hundreds of Moldeſdale in the County of Flint. And that the ſaid lordſhip of Aſſaph, with all the grounds, lands, tenements, and hereditaments within the precinct and limits of the ſame, ſhall be taken, accepted, and adiudged to bee as part and parcell of the hundred of Ruthland in the ſame County. St.34.& 35.H.8.26.

CAP. XIIII.

It ſhall be felony to declare to another any falſe prophecie, vpon occaſion of Armes, fields, letters, &c. REP.1.*Ed.6*.12.1.*M*.1.3.and 4.*Ed.6*.15.5.*El*.15.

CAP. XV.

A repeale of ſo much of the Statute of 32.*H*.8.12. as doth aſſigne the towne of Mancheſter to be a place of Sanctuary. But in ſtead thereof the City of Weſtcheſter in the county of Cheſter ſhal be a place of Sanctuary. REP.1,*Iac*.25,& 21.*Iac*.28.

CAP. XVI.

Who may buy Worſted yarne in Norwich, and who not, &c,

Worſted yarne is the priuate commodity of the city of Norwich, and the County of Norffolke.

Whereas for the moſt part in all the ſhires and counties of this realme of England, there be, and haue béene certaine priuate commodities, growing and ariſing onely within the ſaid Shires or Counties, by which onely commodities politikely prouided for, and continued, the Cities and Townes within the ſaid Shires and Counties, and the inhabitants of the ſame, be, and haue béene without any forraine aid or ſuccour plenteouſly and wealthily kept, maintained, defended, and preſerued: all which commodities, by the deceit and ſubtill practices, as well of Merchants ſtrangers, as of diuers other couetous and euill conſcioned perſons, haue béene and bee many times clérely deſtroyed, and ſubuerted to the great loſſe, and decay as well of the ſaid Cities and Townes, within euery ſuch Shires and Counties, as of the inhabitants of the ſame, Amongſt the which ſaid Cities Townes, Shires, and Counties, hauing priuate commodities, the city of Norwich, and diuers other, and many Townes in the Countie of Norf. hath béene alwaies heretofore kept, preſerued, and maintained, and the poore men and other dwellers and inhabitants in the ſame, godly, honeſtly, and vertuouſly brought vp, occupied, and exerciſed, by a commodity growing and riſing onely within the ſaid County, that is to ſay by the making and weauing of Worſteds, and other clothes, which hath béen made & wouen of the yarne called Worſted yarne, ſpunne of the Wooll growing and comming of the ſheep bred onely within the county of Norffolk and in no place elſe where. And foraſmuch as the ſaid commodity of making, and weauing of Worſteds, within the ſaid city of Norwich, and county of Norffolk, by the deceit, and crafty practiſes of the great multitude of regrators, and buyers of the ſaid yarne, called Worſted yarne, is wholly decaied, and taken away from the ſaid dwellers, and inhabitants in the ſaid City and Shire, that is to ſay, in that, that the ſaid regrators doe buy the ſaid yarne by ſmall parcels of many men, and after that they haue ſo by little and little bought a great quantity of the ſaid yarne, doe not cauſe it to be wouen or otherwiſe wrought in the ſaid City or county, but doe ſell, ſend, and carry away the ſame yarne out of this Realme of England, into France, Flanders, and ſuch other like places beyond the ſea, wherewith the ſaid yarne, ſtrangers not being borne vnder the Kings dominions, doe make and weaue ſayes, ruſſels, worſteds, and diuers and ſundry other clothes and things, the which after they haue ſo made and wouen the ſaid ſtrangers doe ſell againe to vs Engliſhmen within this ſaid Realme of England, to their great profit, lucre, and aduantage, and to the cleere decay, and deſtruction of the ſaid commodity: by reaſon whereof, the ſaid city of Norwich and other the ſaid townes in the ſaid county of Norf. are not only moſt likely to be brought to vtter ruine and decay, and the poore men and other dwellers and inhabitants of the ſame, which haue beene heretofore ſet on worke, kept, and maintained only by the ſaid commodity, illuded and deceiued thereof, but alſo are very likely to bee left deſtitute and vnprouided of a liuing, or any manner of art, or occupation, by the which they ſhalbe able within the ſaid city or county to acquire to themſelues, their wiues and children, any honeſt way and trade to liue. Be it therefore ordained and enacted by the aſſent of the Kings moſt roiall maieſty, and the Lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by authority of the ſame, that no perſon ne perſons from henceforth ſhall buy, ne ne cauſe to be bought within the ſaid city of Norwich, or county of Norf. any yarne called worſted yarne the which ſhall be ſpun within the ſaid city or county, but only ſuch perſon or perſons, being weauers, or other artificers, the which ſhall weaue or otherwiſe worke, or cauſe to be wouen or otherwiſe wrought the ſaid yarne ſo bought within the ſaid city and county, in the ſaid city of Norwich, or ſome other market towne or townes, or elſewhere within the ſaid county of Norffolke vpon the paine of forfeiting for euery pound weight of yarne called worſted yarne, ſo bought within the ſaid city of Norwich or county of Norf. and not wouen or otherwiſe wrought within the ſaid city or county, as is aforeſaid, xl.s. the one halfe thereof to our Soueraigne Lord the King, and the other halfe to him or them that ſhall ſo take the ſaid yarne, or ſue for the ſame by bill, plaint, information, or otherwiſe in which ſuit none eſſoine, protection, ne wager of law ſhall be allowed or admitted.

Who only may buy Worſted yarne in the City of Norwich, or County of Norffolke.

And be it further ordeined and enacted by authority aforeſaid, that if any perſon or perſons do from or after the firſt day of April next enſuing, ſhip to carry or conuey, or cauſe to be ſhipped, to carry or conuey into the parties beyõd the ſea, or elſe doe carry or conuey, or cauſe to be carried and conueyed into the parties beyond the ſea, any yarne called Worſted yarne not wrought or made in cloth, ſo ſuch yarne bee ſpunne or made within this realme of England: that then euery perſon and perſons, ſo ſhipping, conueying, or carrying, or cauſing ſuch yarne ſo to bee ſhipped, carried or conueyed, ſhall forfeit for euery pound of worſted yarne, ſo ſhipped, conueyed, or carried, xl.s. the one halfe thereof to be vnto our ſoueraigne Lord the King, the other halfe vnto him or them that wil ſue for the ſame in any court of record, by information, bil, plaint, or otherwiſe, wherein no wager of law, eſſoine or protection ſhalbe allowed. This Act to continue and indure vntill the laſt day of the next Parliament. 1. Ed. 6. 6. made perpetuall.

No Worſted yarne ſhall be tranſported, or ſhipped to be tranſported.

Cap. XVII.

Certaine ſtatutes continued: And where Hempe and Flax ſhall be watered.

A Continuance vntill the laſt day of the next Parliament of the ſtatutes of 22. *H*. 8. 12. touching poore perſons and vagabonds, and. 22. *H*. 8. 7. againſt conueying of horſes out of the Realme, and 26. *H*. 8. 11. for the puniſhment of Welchmen, and 21. *H*. 8. 12. for the making of Cables, &c. and 23. *H*. 8. 17. for the winding of Wooll, and 24. *H*. 8. 9. for the killing of Wainelings, and 23 *H*. 8. 3. for the puniſhment of periury, and 24. *H*. 8. 4. for the ſowing of Flax and Hempe, and 23. *H*. 8. 2. for the making of Gaoles, and 32. *H*. 8. 30. concerning Ieofailes and Atturneyes. Exp.

Prouided alwaies, and be it enacted by the authority of this preſent Parliament, that it ſhall not be lawfull to any perſon or perſons, at any time hereafter, to water any manner of hempe or flax in any riuer, running water, ſtreame, broke or other common pond, where beaſts be vſed to be watered, but only on the ground, or in pits for the ſame ordeined, and to be ordeined, made, and prouided, or elſe in other their owne ſeueral ponds, vpon paine euery perſon and perſons offending or doing contrary to the tenour, meaning, and purport of this Eſtatute, to loſe and forfeit for euery time ſo doing xx.s. the one halfe thereof to be to our Soueraigne Lord the king, and the other halfe thereof to be to the party greeued, or to any other the Kings ſubiects that will ſue

Hempe or flax ſhall not be watered in any running ſtream, but on the ground.

for the ſame forfeiture in any Court of record, leet, or lawday, by action of debt, bill, plaint, information, or otherwiſe, in which ſuit no protection, wager of law, eſſoine, or other delatory plea ſhall be admitted or allowed.

CAP. XVIII.

So much of the ſtatute of 27. *H.* 8. 12. as doth concerne the breadth of Kerſey repealed, and the reſidue confirmed, Rep. 5. *Ed.* 6. 6.

CAP. XIX.

Of what value woollen cloth, carried ouer the Sea, may be.

WHere in the Parliament begun and holden at London, the third day of November, in the one and twentieth yeere of the Raigne of our moſt dread Soueraigne Lord, King Henery the eight, and from thence adiourned to Weſtminſter, and there alſo holden and continued by diuers prorogations, vnto the fourth day of Februarie, in the ſeuen and twentieth yeere of our ſaid Soueraigne Lord the Kings raigne, and there then holden vntill the diſſolution thereof. 27. H. 8. 13. It was by Act of Parliament ordained and eſtabliſhed, that euery white woollen cloth ſold for foure pound and vnder, and euery coloured cloth ſold for three pound and vnder, might be carried and conueyed into the parties beyond the Sea, there to be ſold at the pleaſure of the buyers of the ſaid cloth and clothes vnbarbed, vnſhorne, and vnrowed, any Act or Acts to the contrary made notwithſtanding.

And by the ſame Act it was further enacted that if any perſon or perſons did ſend or conuey, or cauſe to bee ſent and conueyed into the parts beyond the Sea, any white woollen cloth aboue the value of iiii. li. or any coloured cloth aboue the price of iii. li. vnrowed, vnbarbed, and vnſhorne, in other forme than is aboue mentioned, that then the perſon or perſons ſo offending ſhal forfeit the value of the ſaid clothes ſo carried and conueyed into the parts beyond the ſea, the one moity of the ſame forfeiture to be to the vſe of our ſaid Soueraigne Lord the King, and the other moity to any perſon which will or ſhall ſue by bill, writ, or otherwiſe, againſt any perſon for the ſame: and the defendant in any plea vpon any ſuch ſuit or action bee not admitted to wage his law, nor any protection or eſſoin for any ſuch defendant be allowed in the ſame, as by the ſame act more plainly appeareth: vpon the interpretation & expounding of certaine words within the ſaid act diuerſity of opinions hath riſen amongſt ſome perſons, that if any perſon or perſons ſend or conuey, or cauſe to be ſent or conueyed towards the parts beyond the ſea, any white woollen cloth aboue the value of iiii. li. or any coloured cloth aboue the value of iii. li. vnrowed, vnbarbed, or vnſhorne, whether the ſame cloth ſo ſent or the value thereof be forfeited, before the ſame cloth be carried & conueyed into the parts of beyond the ſea. For a plaine declaration of the premiſſes, bee it ordeined and enacted by the authority of this preſent Parliament, that no perſon or perſons from henceforth ſhall carry or ſhip, or cauſe to be ſhipped in any ſhip, Boat, Cray, or veſſell, any white woollen cloth aboue the value of iiii. li. or any coloured cloth aboue the value iii. li. vnrowed, vnbarbed or vnſhorne, to the intent to be conueyed into the parts beyond the ſea, vpon paine of forfeiture of the ſame cloth or clothes, or the value thereof, the ſame forfeiture to be recouered in ſuch manner and forme as is afore mentioned. 3. H. 7. 11. 27. H. 8. 13. 8. El. 6.

Of what value woollen cloth white or coloured carried ouer the ſea, or ſhipped to be carried may be. St. 3. H. 7. 11. 27. H. 8. 13.

CAP. XX.

How Treaſon committed by a Lunatike ſhall be puniſhed, and in what manner hee ſhall bee tried

IF any perſon ſhall commit high treaſon when he is of perfect memory, and after accuſation, examination, and confeſſion thereof before any of the Kings Councell, ſhall fall into Lunacy: hee ſhalbe inquired of in any County where the King by his Commiſſion ſhall aſſigne, and if hee bee there indited, he ſhalbe there arraigned without his perſonall preſence. And if he be found guilty, he ſhall ſuffer death and forfeit, as if he had beene of perfect memory. Alt. 1. & 2. *P.* & *M.* 10.

And bee it further enacted by the authority of this preſent Parliament, that if any perſon or perſons ſhall be attainted of high Treaſon by the courſe of the Common lawes, or Statutes of this Realme, that in euery ſuch caſe euery ſuch attainder by the Common law ſhall be of as good ſtrength, value, force, and effect, as if it had beene done by authority of Parliament: And that the Kings Maieſty his heires and ſucceſſors, ſhall haue as much benefit and aduantage by ſuch attainder, as well of vſes, rights, entries, conditions, as poſſeſſions reuerſions, remainders and all other things as if it had beene done and declared by authority of Parliament, and ſhall be deemed and adiudged in [a] actuall and reall poſſeſſion of the lands, tenements, hereditaments, vſes, goods, cattels, and all other things of the offenders ſo attainted, which his highneſſe ought lawfully to haue, and which they ſo being attainted, ought or [b] might lawfully loſe and forfeit, if the attainder had been done by authority of Parliament, without any office or inquiſition to be found of the ſame, any law, ſtatute, or vſe of the realme to the contrary thereof in any wiſe notwithſtanding.

Attainder of treaſon by the common law ſhall be of as good force as by act of Parliament.

[a] Coke
li. 7. fo
Dyer fo
Coke li

[b] Coke pla. fo. 389. 422.

Sauing to all and euery perſon and perſons, and bodies politicke, and their heires, aſſignes, and ſucceſſors, and euery of them, (other than ſuch perſon and perſons, which hereafter ſhall bee attainted of high treaſon, and their heires, aſſignes, and ſucceſſors, & euery of them; and all and euery other perſon & perſons, claiming by them or any of them, or to their vſes, or to the vſes of any of them, after the ſaid treaſons committed) all ſuch right, title, vſe, poſſeſſion, entry, reuerſions, remainders, intereſts, conditions, fées, offices, rents, annuities, commons, leaſes, and all other commodities, profits and hereditaments, whatſoeuer they, or any of them ſhould might, or ought to haue had, if this Act had neuer béene had ne made. A ſauing of the right of others.

Cap. XXI.

Queene Katherine and her complices attainted of high Treaſon.

QVeene *Katherine* attainted of Treaſon for her incontinent life, and *I.R.T.C.* and *F.D.* her complices, and all their lands and tenements, goods and Cattels, ſhalbe forfeit to the King. It ſhall be lawfull for any of the Kings ſubiects, if themſelues doe perfectly know, or by vehement preſumption doe perceiue any will, act or condition of lightneſſe of body in her which ſhalbe the the Queene of this realme, to diſcloſe the ſame to the King or ſome of his Councell. But they ſhall not openly blow it abroad, or whiſper it, vntill it be diuulged by the King or his Councell. If the King or any of his ſucceſſors ſhall marry a woman which was before incontinent, if ſhee conceale the ſame it ſhall be high treaſon. And ſo ſhall it be in any other knowing it, and not reuealing it to the King or one of his Gouncell before the ſaid marriage, or within xx. dayes after. If the Queene, or wife of the Prince ſhall by writing, meſſage, words, tokens, or otherwiſe, moue any others to haue carnall knowledge with them, or any others ſhall moue either of them to that end, then in the offendor it ſhall be adiudged high Treaſon. Rep. 1. *Ed.* 6. 12. & 1. *M.* 1. 33.H.8.28.

Be it declared by authority of this preſent Parliament, that the Kings royall aſſent, by his Letters Patents vnder his great Seale, and aſſigned with his hand, and declared and notified in his abſence to the Lords Spirituall and Temporall and to the Commons aſſembled together in the high houſe, is and euer was of as good ſtrength and force, as though the Kings perſon had béen there perſonally preſent, and had aſſented openly and publikely to the ſame. The Kings aſſent to Acts of Parliament by his let. patents. Dyer fo 93.

And be it alſo enacted that this royall aſſent, and all other royall aſſents hereafter to be ſo giuen by the Kings of this realm, and notified as is aforeſaid, ſhalbe taken and reputed good and effectuall to all intents and purpoſes without doubt or ambiguity, any cuſtome or vſe to the contrary notwithſtanding.

Cap. XXII.

The authority of the Officers of the Court of Wards and Liueries.

WHere in the Parliament holden at Weſtminſter the xxvii. day of April in the xxxi. yéere of the Reigne of our Soueraigne Lord King Henry the eight, by the grace of God King of England, France, and Ireland, defender of the faith, and of the Church of England, and alſo of Ireland in earth the ſupreme head, & from thence adiourned to Weſtminſter aforeſaid, by diuers prorogations, vntil the xxv. day of May, in the xxxii. yéere of the reigne of our ſaid ſoueraign Lord, and then & there holden, among other things the Kings graces Court, called the court of the Kings Wards, was then and there by authority of the ſaid Parliament eſtabliſhed, made, and authoriſed into a court of Record, as by an Act thereof made in the ſaid Parliament more plainly appeareth. 32.H.8.46. To the which Court it ſéemeth to the Kings maieſty to be neceſſary and very expedient, to haue the liueries, which ſhall be ſued within this his realme and other his dominions, incorporated and vnited, and alſo all Indentures, ſcedules, bonds, and writings to be made in, for, and vpon liueries to be regiſtred and enrolled in the ſaid court, being a court of record, to the intent that ſuch indentures, ſcedules, bonds and writings, may be there ſurely & certainly knowne, ſearched, and vſed aſwel for the King as the party, as caſe ſhal require. In conſideration wherof, and for that it ſhall not onely bee honourable and commodious to the Kings Maieſty, to haue all the procéedings of the ſaid Liueries to be of record, but alſo greatly to the comfort and profit of his Graces ſubiects, that ſhall make any ſearch for the ſame for his or their commodities. The Kings highneſſe is therefore pleaſed and contented, that it be enacted by authority of this preſent Parliament, That the office of the Maſter or Maſters of the Liueryes, with the circumſtances thereof ſhall be vnited, annexed, and knit vnto the ſaid Court of the Kings Wards: And that the authority and office to compound for any liueries, with the procéedings therein, ſhall bée from henceforth in the rule, power, and gouernance of the ſaid Court, in manner and forme hereafter declared, any law, cuſtome, patent, grant, or vſage heretofore had, or vſed to the contrary notwithſtanding. The office of Liueries annexed to the office of Wards. And that the Maſter of the Kings Wards for the time being, which is the chiefe and principall head officer of the ſame Court, ſhall from henceforth for euer bee maſter of the kings wards and of the liueries, and that all other officers and miniſters appointed, or hereafter to bee appointed in the ſame Court of the Kings wards, by authority of the Statute made a Coke li. li.7.fo. Dyer fo. Coke li.

of the erection of the ſame Court, ſhall be called officers and miniſters of the Kings court of his wards and liueries.

Surueior of the liueries the ſecond officer in the Court of Wards.

And be it alſo enacted by authority aforeſaid, that the kings ſaid highneſſe, his heires and ſucceſſors from time to time, ſhall make, name, and appoint one officer, and miniſter of and in the ſaid Court, which ſhall be called the Surueyor of the Kings liueries, and ſhall be the ſecond perſon of the ſame Court. And that the Atturney of the Kings wards for the time being which by the ſaid former Act of the ſaid Court of the Kings wards, was appointed to be the ſecond perſon of the ſaid Court, ſhal from henceforth for euer ſtand and be the third perſon of the ſaid Court of the Kings wards and liueries. And all other officers and miniſters of the ſaid Court, to bee placed as is limited in the ſame former Act.

Clerke of the Liueries, & his office & duty.

And further be it enacted by authority aforeſaid, that the Kings highneſſe, his heires and ſucceſſors may from time to time make, name and appoint an apt perſon to be Clerke of the ſaid liueries, which ſhall make all Indentures, ſcedules, obligations and writings of bargaines hereafter to be made and granted for any liueries, And that one part of the ſaid Indentures, and ſcedules, or other writings indented, neceſſary for the ſame ſhal remaine with the party or parties, and ſhal be ſealed with the ſeale of the ſaid maſter of the wards and liueries, and of the ſaid Surueior of the ſaid liueries And that the ſame indentures, obligations and the accounts to be made vpon the ſame, and euery of them from henceforth ſhalbe taken, ordered, and vſed, and alſo be of the ſame force, ſtrength, and effect, to all intents and purpoſes, as the obligations, indentures, and acounts be and ought to be by the ſaid former act. And that euery ſuch perſon which in forme aforeſaid ſhall be appointed to bee ſurueyor of theſaid liueries, ſhall take a corporall oath afore the ſaid Maſter of the Kings wards and liueries for the time being, after the tenour enſuing.

The Surueyors oath.

Yee ſhall ſweare that ye ſhall well and truly ſerue our ſoueraigne Lord the King in the office of Surueyor of his graces liueries, and ſhal miniſter equall iuſtice to rich and poore to the beſt of your power, wit, and knowledge, and that you ſhall diligently procure all things which may honeſtly, and wiſtly be to the Kings aduantage and profit, and to the augmentation of the right and prerogatiue of his graces crowne, and from time to time deliuer with ſpeed ſuch as ſhall haue to doe afore you, and that you ſhall not take, ne receiue of any perſon or perſons any gift, or reward in any caſe or matter depending, or to depend in the ſaid Court of the Kings wards, wherein the Kings highneſſe ſhal be party, by reaſon whereof any preiudice, loſſe, hinderance, or diſheriſon ſhal or may grow to the Kings highneſſe his heires or ſucceſſors, ſo help you God and all Saints.

The Clerke of the Liueries oath.

And be it alſo enacted by authority aforeſaid that the ſaid Clerke of the ſaid liueries ſhall take a corporall oath afore the ſaid maſter of the wards aud liueries for the time being, after the tenor hereafter enſuing.

Ye ſhall ſweare, that you ſhall well and truly ſerue the King our ſoueraigne Lord in your office of Clerke of the liueries, and truly doe and execute without delay, fraud, or couin, all and euery thing and things, which you ought to doe by reaſon of your ſaid office, according to the forme and effect of this preſent Act, ſo helpe you God and all Saints.

All Liueries ſhall be in the order of the court of Wards

And that all liueries, which hereafter ſhalbe ſued out of the Kings Graces hands, his heires, and ſucceſſors, and out of the hands of any of them, of any caſtels, honours, manors, lands, tenements, rents, reuerſions, remainders, or other hereditaments, whatſoeuer they be, ſhall be in the order, ſuruey, and gouernance of the ſaid Court of the Kings wards and liueries, and of the miniſters of the ſame.

No man hauing land aboue v li. ſhall ſue for liuery before office found.

The fees of Commiſſions &c. for inquiſitions to be made.

And bee it enacted by authority aforeſaid, that no perſon or perſons hauing lands, or tenements aboue the yeerely value of fiue pounds, ſhall haue, or ſue any liuery before inquiſition, or office found before the Eſchetor, or other Commiſſioner, or Commiſſioners, by vertue of the Kings writ or commiſſion to be directed out the Kings Chauncery, or other Courts hauing authority to make ſuch writs or Commiſſions for ſuing of liueries, which writs or Commiſſions ſhall not paſſe out of the Chauncery or any other courts, but by a warrant or bill to be aſſigned and ſubſcribed with the hands and names of the ſaid Maſter, Surueyor, Atturney, and Receiuor, or three, or two, or one of them, to bee directed and deliuered to the Chancellor of England, or to any other Chauncellor or officer, hauing power to award ſuch writs. And if the lands, and tenements, whereof any inquiſition is to be had by vertue of any ſuch writ or commiſſion, exceed the yeerly value of fiue pound, that then ſuch as ſue for ſuch writs or commiſſions, ſhall pay for the ſeale and writing thereof ſuch fees as hath been accuſtomed. And if the ſaid lands and tenements, whereof any ſuch inquiſition and office is to be found by vertue of any ſuch writ or commiſſion, exceed not the ſaid yeerely value of v. li. then ſuch as ſhall ſue for ſuch writs or commiſſions, ſhall pay for the ſeale of euery of them ſix pence, and for writing ſix pence and not aboue.

Inquiſitions ſhalbe returned by the Eſchetors into the Courts from whence the writs came.

And it is alſo enacted by authority aforeſaid, that all inquiſitions and offices to bee found by vertue of any ſuch writs or commiſſions, ſhalbe returned by the Eſcheators, or Commiſſioners, to whom ſuch writs or commiſſions ſhall bee directed into the ſaid Chauncery, or into ſuch other Courts from whence ſuch writs or commiſſions were awarded, in ſuch manner and forme, and vpon ſuch paines as is limited by the Lawes and Statutes of this Realme in ſuch caſes.

And that the Clerkes of the pety bag ſhall receiue ſuch offices, and make a tranſcript thereof from time to time to the ſaid Maſter of the Wards and Liueries, in like manner and forme, as they are bounden, and haue béen accuſtomed to do in the Kings Eſchequer, and vpon ſuch paines as be limited and appointed by the lawes and ſtatutes of the Realme in ſuch caſes.

Clerks of the petit bag ſhall make a tranſcript of offices into the Court of Wards.

And it is alſo enacted by the authority aforeſaid, that the ſaid Maſter of the Wards and Liueries, and the Surueyor, Atturney, and generall Receiuor of the ſaid Court, or thrée of them, whereof the ſaid Maſter or Surueyor to bee one, ſhall haue power and authority by vertue of this preſent Act, after ſuch offices and inquiſitions found, as is aforeſaid to couenant and indent with euery perſon and perſons, for his and their liuery of the caſtles, manors, Lordſhips, lands, tenements and hereditaments, compriſed or not compriſed in ſuch offices, and to make and ſet the rate and price for the ſame and to appoint and ſtall the dayes of payment thereof by obligation or obligations, to be taken for the ſame to the King our Soueraigne Lord, which obligation and obligations ſo made, and euery of them, ſhall be good and effectuall in the law, and ſhall bee of like authority and ſtrength as obligations to bee taken by authority of the ſame Court of the Kings Wards bee of, by vertue of the ſaid former Act. And that all and ſingular bils for any ſpeciall or generall Liuery to bee ſued, aſſigned by the hands of the ſaid Maſter, Surueyor, Atturney, Receiuor, or thrée of them, whereof the ſaid Maſter or Surueyor to be one, ſhall bee a good and ſufficient warrant as well to the Chancellor of England, as to the Chancellor of the Duchy of Lancaſter, and to all other Chancellors and officers hauing power to paſſe liueries vnder any of the Kings ſeales, for the making out, ſealing, and deliuery of any liueries, according to the tenor, purport and effect of ſuch bils, with other clauſes of courſe neceſſary for the ſame, any law, or cuſtome to the contrary hereof notwithſtanding.

Bargaine for the Liuery.

Bils aſſigned by the Maſter, Surueyor, &c a warrant to the Chancellor to paſſe Liueries.

Prouided alway, and be it enacted by authority aforeſaid, that the Lord priuy Seale, the Lord great Chamberlaine, the Kings chiefe and principall Secretaries, the Maſter of the Rolls, and the Kings Clerks of the Signet, and priuy Seale, the Clerks of the pety bag, and all and euery other officer and officers, and clerks of the Chancery, or elſewhere in any other Courts, where ſuch liueries ſhall paſſe, ſhall haue and be paid all ſuch their fées, as hath béene accuſtomed, all which fées ſhall be receiued, and paid by the hands of the Clerks of the pety bag, if the Liueries be ſued in the Chancery, or by other Clerkes, by whoſe hands liueries ſhall be written in other Courts, any thing in this Act to the contrary thereof notwithſtanding.

Officers fees vpon the ſuit of any Liuery.

And it is further enacted by authority aforeſaid, that euery perſon & perſons from henceforth may ſue at their pleaſure a generall Liuery for any manors, lands, tenements, rents, reuerſions, remainders, and other hereditaments, whereof the cléere yéerely value ſhall not excéed [a] xx. li. after office thereof by writ or commiſſion found, returned, and certified as is aforeſaid.

Who may ſue a generall Liuery

[a] Dyer fo.377.

Prouided alwayes, that no ſuch Liuery ſhall paſſe, or be ſued without a bill or warraut to bee firſt obtained for the ſame from the ſaid Maſter of the Wards and Liueries, and the ſaid Surueyor, Atturney, and generall Receiuor or thrée of them, and ſigned, and ſubſcribed with the names and hands of the ſaid maſter, Surueyor, Atturney, and generall receiuor, or thrée of them, as is aforeſaid.

No generall Liuery ſhall paſſe without warrant.

And it is ordeined and enacted by authority aforeſaid, that if the manors, lands, tenements, or hereditaments, whereof a generall liuery may bee ſued by authority of this Act, excéed the cléere yéerely value of fiue pound, that then ſuch as ſhall ſue, and haue ſuch generall liuery for any manors lands, tenements, or hereditaments, excéeding the cléere yéerely value of v. li. ſhall pay for the ſeale therof xx. s. iiii. d and all other ſuch fées as heretofore in ſuch caſes hath bin accuſtomed, in and vpon the ſuing of any generall liueries. And if the lands, tenements, and hereditaments, whereof any ſuch generall liuery ſhall be ſued, excéed not the cléere yéerely value of fiue pounds, that then euery perſon and perſons, ſuing for any general liuery for any lands, tenements, rents reuerſions, remainders, or other hereditaments not excéeding the cléere yéerly value of v. li. ſhall pay ſuch fées as hereafter followeth, and none other: That is to ſay, for the ſeale of euery ſuch liuery twelue pence, and to the Clerks of the pety bag for the writing & enrolling thereof twenty pence, and for the reſpite of homage in the hanaper eight pence, and to the Lord great Chamberlaine twenty pence, and to the Maſter of the Rols xx. d. and to the Clerke of the liueries for the warrant and enrolling of the liuery xx. d.

The fees of a generall liuery of lands excéeding v. li.

The fees of a generall liuery of lands not excéeding v. li.

And be it alſo enacted by authority aforeſaid, that no perſon or perſons ſhall pay in the Kings Eſchequer, or any other Courts for ye reſpite of homage, of or for any manors, lands, tenements, or hereditaments, whereof the cléere yéerly value excéedeth not v. li. aboue viii. d. And for the entring therof, and warrant of Atturney aboue iiii. d. And that the value of ſuch manors, lands, tenements, and hereditaments not excéeding the yéerly value of xx. li. ſhalbe taken as it is limited, in the offices founden thereof, except by the examination and certificate of the ſaid Maſter of the Wards and liueries, and the ſaid Surueyor, Atturney, and generall receiuor, or thrée of them, as is aforeſaid, it ſhall otherwiſe appeare and be declared in any of the Kings Courts.

The reſpite of homage of lands not excéeding fiue li.

The value of lands.

And it is alſo enacted by authority aforeſaid, that all and euery ſuch perſon and perſons, which ſhall be named and certified into the Kings Chancery by the Lord Treaſurer of England, to be Eſchetor, ſhall within one moneth next after his Letters Patents ſhalbe offered vnto him, take vpon him the execution of the ſame office, or elſe appeare in the ſaid Eſchequer, & ſhew a reaſo-

The Eſchetor ſhall within one moneth take his patent or ſhew a cauſe.

nable cauſe why he ought not ſo to do: and if any ſuch perſon ſo named, and certified to be Eſchetor, do not appeare as is aforeſaid, within one moneth next after notice to him giuen as is aforeſaid, nor ſhew any reaſonable cauſe why he ought not to doe the ſame: that then hee ſhall loſe and forfeit for euery ſuch default, xx.li. to the King our Soueraigne Lord, to be leuied to his Maieſties vſe in any his highneſſe Courts of Record.

No Eſchetor ſhall ſit virtute officii, where the lands be v.li. by yeere or aboue.

What the Eſchetor ſhall take for an office of lands not exceeding v.li. by yere

The officers ſhall receiue the Inquiſitions offered to them.

And be it alſo enacted by authority aforeſaid, that no Eſchetor after the firſt day of May next comming, ſhall ſit onely by vertue of his office, for inquiry of the tenure, title, or value of any lands, tenements, or hereditaments, where the ſame lands, tenements, or hereditaments beene of the value of v.li. by the yéere or aboue, and holden of the King, without the Kings Writ to bee directed to him for the ſame, vpon paine to loſe & forfeit for euery time that he ſhall ſit & make enquire contrary to the forme of this eſtatute, v.li. nor that no Eſchetor ſhal take for the finding of any office of any manors, lands, tenements, or hereditaments, that ſhall not excéed the cléere value of v.li. aboue the yéerly ſum of xv.s. That is to ſay for the Eſchetors fée, vi.s. viii. d. and for the writing of the office, iii.s. iiii.d. and for the charges of the Iury, iii.s. and for the officers and miniſters that ſhal receiue the ſaid office in any Court of record, ii.s. vpon paine that euery Eſchetor offending this Act ſhall loſe and forfeit for euery time ſo offending, v.li. And that the officers and miniſters of euery Court of record, where ſuch inquiſitions ſhalbe returned, being offered vnto them within one moneth next after the finding thereof, ſhall receiue, and take the ſame, vpon paine to loſe and forfeit for euery time offending this Act, v.li. The one moity of all which forfeitures aforeſaid, ſhalbe to the King our Soueraigne Lord, and the other moity thereof to the party that will ſue for the ſame in any of the Kings Courts of record, in which ſuit the defendant ſhall not wage his law nor any protection or eſſoine ſhall be allowed.

The penalty if the Surueior or Clerke doe cōceale or withdraw any record or profit.

And it is alſo enacted by authority aforeſaid, that if the ſaid Surueyor of the Liueries, or the clerke of the ſame, doe willingly withdraw, or conceale any record or profit, that ſhould come or grow to the Kings Maieſty, his heires or ſucceſſors, by reaſon of the ſame: that then he or they ſo offending, ſhall loſe to the King our ſoueraigne Lord his heires and ſucceſſors the double value of the thing ſo concealed, or withdrawne, the ſame to be leuied and recouered againſt ſuch perſons ſo offending vpon an information thereof to bee made by the party gréeued. And the ſame duly proued in the ſame Court of the Wards and Liueries.

Authority to take recogniſances for apparance.

Authority to moderate recogniſances and ſet fines.

27.H 8.27.

Authority to commit any perſon to priſon

And alſo be it enacted by authority aforeſaid, that the ſaid Maſter for the time being ſhall haue power and authority to take recogniſances of all and euery perſon and perſons, that ſhall be called into the Court of Wards and liueries, to anſwer to any matter alleaged againſt them in the ſaid Court, to make their daily appearance in the ſaid court, to anſwer to ſuch matter as to them then and there from time to time ſhall be alleaged. And that all ſuch recogniſances, of what ſum ſoeuer they be, ſhall bee as góod and effectuall in the law to all intents and purpoſes, as recogniſances taken in the Kings high court of Chancery or elſewhere before any Iudge of record within this Realme. And that the ſaid Maſter for the time being, with the aduice of the Court, or of ſuch number of the ſame as then ſhall be preſent, ſo that they be two beſide the ſaid Maſter, ſhall haue full power and authority to moderate ſuch recogniſances, as be, or ſhall be there forfeited, and to ſet fines for the ſame to the Kings vſe, vnder the ſums contained in the ſaid recogniſances: The ſame fines to be leuied by like proces of Scire facias, as by the ſtatute made in yͤ xxvii. yéere of our Soueraigne Lord the Kings raigne is giuen to the Chancellor of the Court of augmentations of the reuenues of his graces Crowne. And that the ſaid Maſter for the time being, with the aduice aforeſaid ſhall haue power and authority to commit to Ward any perſon or perſons for his or their diſobedience, contempt, or other offence made, or to bee made triable within the Kings ſaid Court of the wards and liueries: and vpon the ſaid matters ordered or decréed there, to deliuer them from priſon, and to cancell and make void all recogniſances, and obligations taken, or hereafter to be taken in the ſame Court to the Kings vſe, when, and as often as the ſaid Maſter with the aduice of the ſaid Court, or thrée of them ſhall ſée and perceiue the matters and cauſes, for the which any ſuch recogniſances or obligations hath or hereafter ſhall happen to bee taken to be finiſhed and ended, and the kings grace his heires or ſucceſſors or the party therupon ſatiſfied, without any other warrant for the ſame.

The heire of lands not exceeding v.li. may ſue his generall liuery by warrant out of the court of wards.

And be it further enacted, that all and euery ſuch heire and heires, which hereafter ſhall bee in caſe to ſue liuery, where the lands and tenements of the ſaid heire and heires excéed not the yéerely value of v.li. that then euery ſuch heire ſhall lawfully ſue forth his generall liuery by warrant to be made and had from the ſaid Court of the Kings Wards and liueries, as aforeſaid, although there be none other inquiſition or inquiſitions thereof then had, ne certified: and that this act ſhall be warrant ſufficient as well to the Chancellor of England, Chancellor of the Duchie of Lancaſter, and to all other Chancellors and Officers of the Kings Courts, hauing power to paſſe liueries vnder any the Kings ſeales, for the making out, ſealing, and deliuery of any Liueries according to the tenor, purport, and effect of ſuch bils with other clauſes of courſe neceſſary for the ſame, taking for the fées of euery ſuch liuery, as is afore expreſſed for the fees of general liueries not excéeding the yéerly value of v.li. as though the ſame Liuery were made and ſued forth vpon an office found by vertue of the Kings Writ, any law heretofore made, or other thing in this preſent Act to the contrary notwithſtanding.

XUM

And be it alſo enacted by authority aforeſaid, that all and euery perſon and perſons, to whom the Kings highneſſe ſhall grant any Liuery in forme aforeſaid, to bee ſued vpon his bill aſſigned thereof with the Kings moſt gracious hand, or with the hands of the officers of his graces Court of the wards and liueries, as before is expreſſed, ſhall ſue forth his Patent within three moneths next after the aſſignment of the ſaid Bill, or elſe the ſame Bill, and the effect thereof to be vtterly void, and of none effect.

Euery Liuery muſt be ſued forth within iii. moneths next after the bill aſſigned.

Prouided alwaies, and bee it enacted by authority aforeſaid, that the Clerks of the Petit bag in the Chancery, ſhal not be compelled to certifie any tranſcript of any office into the Kings Exchequer but twice in the yeere, that is to ſay: they ſhall certifie the tranſcripts of all offices founden and returned into the Chancery betweene Eaſter and S. Michael the Archangell yeerely in the terme of S. Michael: And the tranſcripts of all offices founden and returned into the ſaid Chancery betweene Michaelmas and Eaſter, they ſhall certifie into the ſaid Exchequer yeerely in the terme of Eaſter, and not otherwiſe, any thing conteined in this Statute or in any other Statute heretofore made to the contrary thereof notwithſtanding.

Whē the clerks of the Petit bag ſhall certifie the tranſcript of offices.

Prouided alwaies that this act nor any thing therein contained, ſhall in any wiſe extend to bee preiudiciall, or hurtfull to any royalties, liberties, franchiſes, priuileges, preeminences, & iuriſdictions of the County palatine and Duchy of Lancaſter, or any of them, but that the ſame roialties, liberties, franchiſes, priuileges, preeminences, and iuriſdictions and euery of them ſhall ſtill continue and remaine to the County Palatine and Duchy of Lancaſter, as fully, plenarly, and wholly as they did before the making of this Act, any thing in the ſame Act contained to the contrary notwithſtanding. Coke Inſt. 77.a.

The Liberties of the County Palatine and Duchy of Lancaſter ſaued.

CAP. XXIII.

Proceeding againſt confeſſors of treaſon, &c. by commiſſion of Oier and Terminer, without remanding them to the Shire where the offence was committed.

Foraſmuch as diuers and ſundry perſons vpon great grounds of vehement ſuſpitions, as well of high treaſon, pety treaſon, and mipriſions of treaſon, as of murders, bee many times ſent for from diuers the Shires and places of this Realme, and other the Kings Dominions, to the Kings Maieſties great charges and expences, to bee examined before the Kings highneſſe Councell vpon their offences, to the intent that conuiction or declaration of ſuch perſons ſhould ſpeedily enſue, as the merits of their caſes ſhould require. And albeit that after great trauell taken in the examinations of ſuch perſons, it appeare to the ſaid Councel by confeſſion, witnes, or vehement ſuſpect, that ſuch perſons bee rather guilty of ſuch offences, whereof they bee ſo examined, than otherwiſe: yet neuertheleſſe ſuch offendors ſo examined, by the courſe of the Common law of this Realme, muſt bee indicted within the Shires or places where they committed their offences, and alſo tried by the inhabitants or Freeholders of ſuch Shires and places, although by their confeſſions, or by ſufficient witneſſe their offences bee certainely knowne to the Kings Councell: By reaſon whereof, beſide the trauaile and paines of the Kings Maieſties Councell in ſuch caſes, the Kings Highneſſe is oftentimes put to great charges and expences, in remaunding ſuch perſons to the Countreyes where they offended, there bee indicted and tried of their offences. And ſometime the Inhabitants and Freeholders of the Shires, or places where ſuch offences were done, be compelled to appeare out of the Shires and place for ſuch cauſes, to their great charges, for the triall or declaratton of ſuch offences: And ſometime by occaſion of the charges for remaunding of ſuch offendors to bee indicted and tried by the courſe of the Common Law, ſuch offendors lye ſtill in priſon, and bee forgotten, whereby many times by helpe of their confederates they eſcape vnpuniſhed, to the great courage and euill example of euill doers. Bee it therefore enacted by the King our Soueraigne Lord, and by the aſſent of the Lords ſpirituall and temporall, and the Commons of this preſent Parliament aſſembled, and by authority of the ſame, That if any perſon or perſons, being examined before the Kings Councel, or three of them, vpon any māner of treaſons, miſpriſions of treaſons or murders, doe confeſſe any ſuch offences, or that the ſaid Councell or three of them, vpon ſuch examination, ſhall thinke any perſon ſo examined, to bee vehemently ſuſpected of any Treaſon, miſpriſions of treaſons, or murder: That then in euery ſuch caſe by the Kings commandement, his Maieſties commiſſion of Oier and Terminer, vnder his highneſſe great ſeale, ſhall be made by the Chancellor of England to ſuch perſons, and into ſuch Shires or places, as ſhalbe named and appointed by the kings highneſſe for the ſpeedy triall, conuiction or deliuerance of ſuch offenders, which Commiſſioners, ſhall haue power and authority to enquire, heare, and determine all ſuch treaſons, miſpriſions of treaſons, and murders, within the Shires and places limited by their Commiſſion, by ſuch good and lawfull perſons as ſhalbe returned before them by the Sheriffe or his miniſter, or any other hauing power to returne Writs and Proces for that purpoſe, in whatſoeuer other Shire or place within the Kings dominions or without, ſuch offences of treaſons, miſpriſions of treaſons or murders ſo examined, were done or committed, and that in ſuch caſes no challenge for the ſhire or hundred ſhall be allowed.

The inconueniences enſuing the remanding of ſome ſuſpect perſons into the countries where they offended, to be tried.

In ſome caſes there ſhall be triall of treaſon &c. in any countie where the King by Commiſſion will appoint. Alt. 1. & 2. P. & M. 10. for Treaſon

Prouided

Challenge for want of freehold.

Prouided that vpon the triall of ſuch treaſons,miſpriſions of treaſons,and murders,the challenge to any Iuror for lacke of Freehold of the yeerely value of forty ſhillings, ſhall bee allowed as hath beene accuſtomed.

Triall by Peeres.

Prouided alſo, that if any the Peeres of the realme ſhall happen to be indicted of any of the offences aforeſaid by vertue of any ſuch Commiſſion to be granted by authority of this Act,yet neuertheleſſe they ſhal haue their triall by Peeres,in like manner and forme as heretofore hath bin vſed,any thing in this Act conteined,or any thing to bee done by vertue thereof in any wiſe notwithſtanding. And it is ordeined and enacted by authority aforeſaid, that peremptory challenge ſhall not from henceforth be admitted or allowed in any caſes of high treaſon, nor miſpriſion of high treaſon. Dyer. fol. 132. 286. Coke li. 11. fo. 63.

No peremptory challenge in high treaſon, or miſpriſion of Treaſon.

Cap. XXIIII.

No man ſhall be Iuſtice of Aſſiſe in his owne Countrey, &c.

8.R.2.2.
13.H.4.2.

WHere in the Parliament holden in the eight yeere of King Richard the ſecond, it was enacted, ordeined and eſtabliſhed, That no man learned in the Lawes of this Realme, ſhould from thenceforth be Iuſtice of Aſſiſe in the Countrey where hee dwelleth : And that the Chiefe Iuſtice of the common place, ſhould be from thenceforth aſſigned among other Iuſtices, to the taking of the ſaid Aſſiſes,but as to the chiefe Iuſtice of the Kings Bench there ſhould bee done and vſed,as hath been vſed for the moſt part by the ſpace of one hundred yeeres next before, as by the ſaid Act more at large it doth and may appeare. Since the making of which ſaid good Act and law,diuers Iuſtices,and men learned in the Lawes of this realme, haue by their owne meanes,induſtry, and policy, and for their owne commodity and eaſe, obtained contrary to the forme of the ſaid Act, to be Iuſtices of Aſſiſes in the Countries and Counties where they were borne,or were inhabiting,wherby ſome iealouſie of their affection and fauour toward their kinſmen, alliance, and friends within the ſaid Countries or Counties where they were ſo borne or inhabiting, hath beene conceiued and had againſt them by the Kings moſt louing ſubiects of the ſame Countries and Counties.

Affection and fauor ſuſpected in Iuſtices of Aſſiſe toward their kinſmen and friends.

For reformation whereof,the Kings moſt louing ſubiects, and the Commons in this preſent Parliament aſſembled,moſt humbly beſeech and deſire the Kings Maieſty, that it bee enacted by the Kings Maieſty,with the aſſent of the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That no Iuſtice, nor other man learned in the lawes of this realme,ſhall at any time from or after the feaſt of Eaſter next comming,vſe,nor exerciſe the office of Iuſtice of Aſſiſe within any county where the ſaid Iuſtice was borne,or doth inhabit,vpon paine to forfeit for euery offence done contrary to the forme of this preſent act,one hundred pounds,the moity whereof to be to our Soueraigne Lord the King, and the other moity thereof to the party that will ſue for the ſame in any of the Kings Courts, by bill,plaint,information,action of debt,or otherwiſe,in the which ſuit, no protection, eſſoine, nor wager of law ſhalbe admitted nor allowed.

No man ſhalbe Iuſtice of aſſiſe in the Countie where he was borne or doth dwell.

Prouided alway, and bee it further enacted by the authority aforeſaid, that this Act, or any thing herein contained, ſhall not extend, bee conſtrued or interpretate to touch or concerne any perſon or perſons, that now are, or hereafter ſhall be Clerke or Clerkes of Aſſiſes,and ſhall be aſſociate to any Iuſtice of Aſſiſe, of or in any County, City or Towne within this Realme of England,wherin any perſon or perſons,Clerke,or Clerks ſo aſſociate doe dwel,or were borne, but that all and euery Clerke and Clerks of Aſſiſes, which now doe exerciſe or occupy, or hereafter ſhall exerciſe or occupy any office of Clerkſhip of aſſiſes,ſhall and may exerciſe and occupy the ſame in any County, City, or Towne, wherein the ſame Clerke or Clerkes of Aſſiſes doe dwell or were borne,any thing in this Act contained to the contrary notwithſtanding.

This ſtatute doth not extend to the Clerke of Aſſiſe.

Prouided alſo that theſe termes, Iuſtices of Aſſiſes,or other perſons learned in the Lawes of the realme,ſhall not extend or in any wiſe be interpretate to any Maiors,Sheriffes,Recorders, Stewards,Bailiffs,ſewters,or other officers being born or dwelling within any city, borough or towne within this realme of England, but that they may be Iuſtices of Aſſiſes of freſh force, or of other Aſſiſes in the ſame city,borough or towne where he or they doe or ſhall dwel or were borne,as they or any of them before this time haue or might haue been to all intents and purpoſes,any thing in this Act contained to the contrary notwithſtanding.

Officers of cities or corporat Townes.

Prouided alwaies,that this Act nor any thing therein conteined,ſhalbe preiudiciall to any Iuſtice or Iuſtices of the one Bench or the other,for taking,hearing,or determining Aſſiſes in the ſaid Courts,in the one Bench or the other,nor to any Iuſtice that ſhall take any aſſiſe,by or vpon adiournment for difficulty of the ſame.

Iuſtices of both Benches.

Prouided alway,and be it enacted,that any Clerke of Aſſiſe, during the only time of the ſeſſion,of,or for any Aſſiſe or aſſiſes,or of or for any Niſi prius,ſhall not be of counſel with any perſon or perſons within any circuit whereof he ſhalbe Clerke of Aſſiſe,otherwiſe than to that office onely appertaineth,vpon paine to forfeit for euery time offending,contrary to this ſtatute, ten pound,the one moity thereof to be to the King our Soueraigne Lord, and the other moity to the

No Clerke of Aſſiſe ſhalbe of counſell with any perſon in that circuit.

party grieued, to be ſued in any of the Kings Courts of Record, by action of debt, bill, plaint, information, or otherwiſe, in which ſuit no eſſoine, protection, wager of law, or other delatory plea ſhall be admitted or allowed.

Prouided alſo and be it enacted by the authority aboueſaid, that this act, or any thing therein conteined, extend not vnto the Iuſtices, Iuſtice Clerkes, or Clerke of Aſſiſes, within our Soueraigne Lord the Kings Duchy and County Palatine of Lancaſter, nor to any of them that now be, or hereafter ſhall be, but that the ſame Iuſtices, Iuſtice Clerks, and Clerke, and euery of them ſhall and may execute their offices and euery of them, in ſuch manner and forme as they, or any of them haue vſed to doe before the making of this preſent act, this act or any thing therein conteined to the contrary thereof notwithſtanding.

The Iuſtices, Iuſtice Clerke and Clerke of Aſſiſe in the County of Lancaſter.

Cap. XXV.

The children of Thomas Points, William Caſtelin, and John Dimmocke, borne beyond the Sea, ſhall be reputed the Kings naturall Subiects, and enabled to enioy land by diſcent or purchaſe, to ſue and to be ſued. PR.

Cap. XXVI.

A Repeale of certaine fraudulent Deeds, Eſtates, Wills, and Conueyances made by Sir Iohn Shelton of lands in Norffolke and Suffolke, to defeat the King, and others of Wardſhip, Primer Seiſon, Reliefe, &c. And he adiudged to die ſeiſed of ſuch eſtate in thoſe lands as he was before the ſaid Conueiances made. PR.

Cap. XXVII.

Leaſes of Hoſpitals, &c. good with conſent of the more part.

Albeit that by the Common lawes of this Realme of England, all aſſents, elections, grants, and leaſes, had, made, and granted by the Deane, Warden, Prouoſt, Maſter, Preſident, or other Gouernor of any Cathedrall Church, Hoſpitall, College, or other Corporation, by whatſoeuer name they be incorporate or founded with the aſſent and conſent of the more or greater part of their Chapiter, fellowes, or brethren of ſuch Corporation, hauing voices of aſſent thereunto, be as good and effectuall in the law to the grantées, and leaſées of the ſame, as if the reſidue, or the whole [a] number of ſuch Chapiter, Fellowes, and Brethren of ſuch Corporation hauing voices of aſſent, had thereunto conſented and agréed: yet the ſaid Common lawes notwithſtanding, diuers founders of ſuch Deanries, Hoſpitals, Colleges, and Corporations within this ſaid Realme, haue vpon the foundation and eſtabliſhment of the ſame Deanries, Hoſpitals, Colleges, and other Corporations eſtabliſhed and made amongſt other their peculiar Acts, locall ſtatutes, and ordinances, that if any one of ſuch Corporation hauing power or authority to aſſent or diſaſſent, ſhould and would deny any ſuch grant or grants, that then no ſuch leaſe, election, or grant ſhould be had, granted, or leaſed, and for the performance of the ſame, euery perſon hauing power of aſſent to the ſame, haue béene, and be daily thereunto ſworne, and ſo the reſidue may not procéed to the perfection of ſuch elections, grants, and leaſes, according to the courſe of the common lawes of this Realme, vnleſſe they ſhould incurre the danger of periury. For the auoiding whereof, and for the due execution of the common law vniuerſally within this Realme, and euery place in one conformity of reaſon to be vſed: be it ordeined, eſtabliſhed, and enacted by the authoritie of this preſent Parliament, That all and euery peculiar act, order, rule, and eſtatute heretofore made, or hereafter to be made by any founder or founders of any Hoſpitall, College, Deanry, or other Corporation, at or vpon the foundation of any ſuch Hoſpitall, College, Deanry or Corporation, whereby the grant, leaſe, gift, or election of the gouernor or ruler of ſuch Hoſpitall, College, Deanry, or other Corporation, with the aſſent of the more part of ſuch of the ſame Hoſpitall, College, Deanry, or Corporation, as haue or ſhall haue voice of aſſent to the ſame, at the time of ſuch grant, leaſe, gift, or election hereafter to be made, ſhould be in any wiſe hindered, or let by any one, or moe being the leſſer number of ſuch Corporation, contrary to the forme, order, and courſe of the common law of this Realme of England, ſhall be from henceforth cleerely fruſtrate, void, and of none effect. And that all oaths heretofore taken by any perſon or perſons, of ſuch Hoſpitall, College, Deanry, and other Corporation, ſhall bée for and concerning the obſeruance of any ſuch order, eſtatute, or rule, déemed void, and of none effect. And that from henceforth no manner perſon or perſons of any ſuch Hoſpitall, College, Deanry, or other Corporation, ſhall bée in any wiſe compelled to take any oath for the obſeruing of any ſuch order, eſtatute, or rule, vpon the paine of euery perſon giuing ſuch oath, to forfeit for euery time ſo offending, fiue pound. The one moity thereof to be to the vſe of our Soueraigne Lord the King, and the other moity thereof to any of the Kings Subiects, which will ſue for the ſame, in any of

In Corporations the conſent of the greater number is as effectuall as if it were done by the whole company.

In Corporations none ſhall haue a negatiue voice.

An oath ſhall not be obſerued which is taken contrary to this ſtatute the Kings Courts of Record, by action of debt, bill, plaint, information or otherwiſe, wherein the defendant ſhall not be admitted to wage his law, nor any protection nor eſſoine, or any other delatory plea admitted or allowed.

Cap. XXVIII.

The Chancellor of Lancaſter and other Noble men may retaine Chaplaines.

21.H.8.13. WHere in the Parliament holden at Weſtminſter, in the one and twentieth yéere of your moſt Gracious reigne, it was amongſt other things ordeined, and prouided, that certaine honourable perſons, and other of your Highneſſe Councellors and Officers, as well ſpirituall as temporall, ſhould and mought haue Chaplaines beneficed with cure, to ſerue and attend vpon them in their houſes, which Chaplaines ſhall not incurre the danger of any penalty or forfeiture made or declared in the ſame Parliament, for none reſidence vpon their ſaid benefices, or for obtaining licences or diſpenſations of pluralities, in which act is no prouiſion made for any the head Officers of your Graces ſeuerall Courts of your Duchy of Lancaſter, the Courts of augmentations of the reuenues of your Highneſſe Crowne, the Firſt fruits and Tenths, the Maſter of your Maieſties Wards and Liueries, the generall Surueyors of your Graces lands, and other your Graces Courts.

Certaine perſons which may retaine one Chaplaine hauing a benefice with cure of ſoules, that may be abſent from his benefice.

In conſideration whereof it may pleaſe your Maieſty, that it may be enacted by your Highneſſe, with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Chancellor of the ſaid Court of the Duchy of Lancaſter, the Chancellor of your Highneſſe Court of Augmentations, the Chancellor of your Graces Court of Firſt fruits and Tenths, the Maſter of your Highneſſe Wards and Liueries, and euery of your Graces generall Surueyors of your Highneſſe lands, the Treaſurer of your Graces Chamber, the Treaſurer of your Highneſſe Court of Augmentations, and the Grome of your Graces Stoole, and euery of them for the time being, ſhall, and may retaine ſingularly to euery of them in his houſe, or attendant vnto his perſon, one Chaplaine hauing one benefice with cure of ſoules, which may be abſent from his ſaid benefice, and not reſident vpon the ſame, the ſaid eſtatute made in the ſaid one and twentieth yéere of your moſt Gracious reigne, or any other eſtatute, act, or ordinance made to the contrary in any wiſe notwithſtanding.

Theſe Chaplaines muſt ſometimes reſort to their cure.

Prouided alway, and be it enacted by authority aforeſaid, that euery of the ſaid Chaplaines, ſo being beneficed as is aforeſaid, and dwelling with any the Officers afore named, ſhall perſonally repaire two times in euery yéere at the leaſt to his ſaid Benefice and Cure, and there to tarry and abide by the ſpace of eight dayes at euery ſuch time at the leaſt, to viſit and inſtruct his ſaid Cure, vpon the paine to forfeit for euery time ſo failing fourty ſhillings, the one moity thereof to the King our Soueraigne Lord, the other to ſuch as will ſue for the ſame by action of debt, bill, plaint, or information in any of the Kings Courts of Record, in which ſuit no eſſoine, protection, or wager of Law ſhall be allowed.

Cap. XXIX.

Religious perſons enabled to ſue and be ſued.

A rehearſall of the Statute of 31.H.8.6. enabling religious perſons to purchaſe, to ſue, to be ſued, and inherit.

WHere in the Parliament holden at Weſtminſter, the eight and twentieth day of Aprill, in the one and thirty yeere of the reigne of our Soueraigne Lord, Henry the eight by the grace of God King of England, France, and Ireland, Defender of the Faith, and of the Church of England, and alſo of Ireland in the earth the ſupreme head: It was and is ordeined, and enacted by the authority of the ſaid Parliament, that all and ſingular ſuch religious perſons, as wéll men as women profeſſed, of what order, rule, or habit ſoeuer they were, which then were, or after that time ſhould be put at their liberties, from the danger, ſeruitude, and condition of their Religion and Profeſſion, whereunto they were profeſſed, by reaſon of ſuppreſſion, diſſoluing, forfeiture, by attainder, rendring or otherwiſe giuing to the hands of the Kings Maieſty, their houſes, Monaſteries, and poſſeſſions: ſhould, by authoritie of the ſaid Parliament, from and after the firſt day of the ſame Parliament, and from and after the time that they were, or ſhould be put at ſuch liberty, haue frée liberty to purchaſe to them and to their heires in fée ſimple, fée taile, for terme of life, for yeeres, or at will, manors, lands, tenements, rents, annuities, and other hereditaments and things whatſoeuer they were, in like manner and forme as though they, or any of them had neuer béene profeſſed, nor entred into any ſuch Religion: and that the ſame religious perſons, and euery of them, by authority of the ſaid Act of Parliament, ſhould bée able to ſue, and to bée ſued in all manner of actions, plaints, and ſuits, whatſoeuer they were, of and for any matter or cauſe growen ſithens, and after the time of their ſeuerall derainements or departing out of their religion, in all Courts, places, and iuriſdictions within this Realme of England, as other the Kings Subiects were, and that they and euery of them ſhould, and might from that time vſe, and exerciſe, receiue, take, haue and enioy all and euery lawfull thing and things from thenceforth to be growen, fallen, or happened vnto them or any of them, after the ſaid deraignement, or departing out of their religion, in as large and ample manner, forme and condition, as if they had neuer beene profeſſed, nor entred into religion, this ſame profeſſion or religion, or any law, cuſtome, or vſe, within the ſaid Realme of England to the contrary thereof in any wiſe notwithſtanding, as by the ſaid act among other articles, clauſes, and prouiſions more plainly appeareth.

And forasmuch as diuers ambiguities and doubts daily doe ariſe, whether the ſaid act extend vnto ſuch late religious perſons, as were in diuers late religious houſes, and Monaſteries, which by the Kings Highneſſe were immediatly tranſported and tranſlated from their religion and old corporation into a new corporation, and neuer came and remained in his gracious hands, neither by ſuppreſſion, diſſoluing, forfeiture by attaindor, ne ſuch like, according to the words of the ſaid former act. In auoiding of which ſaid ambiguities and doubts: Be it now ordeined and enacted by the King our Soueraigne Lord, and the Lords Spirituall, and Temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, and that the ſaid act of Parliament aboue remembred, made in the ſaid one and thirtieth yeere, ſhall extend as well to all ſuch perſons which be liuing, that were religious perſons in any of the ſaid houſes, which were ſo tranſlated and [a] tranſported from one Corporation into another, which at any time was profeſſed, or were religious perſons, in any of the ſaid houſes within this Realme of England, and that they, and euery of them from the time of their ſaid ſeuerall deraignment and diſcharge of their ſaid profeſſions, and religions, ſhall be in like quality, eſtate, condition, and degree, and alſo ſhall take, haue, and enioy like benefit, commodity, profit, and aduantage, and with like prouiſo only, and not otherwiſe, to euery intent, and in euery thing, as any other religious perſon or perſons may and ſhall haue, take, and enioy by vertue of the ſaid former act aboue remembred, the ſame profeſſion or religion, or any cuſtome or vſe to the contrary thereof in any wiſe notwithſtanding.

Religious perſons which were remoued from one corporation to another, enabled to inherit, purchaſe, ſue, and to be ſued.

Cok. l. 3. fo. 74.

Cap. XXX.

All Leaſes, Graunts, and other writings to be made by the Biſhop of Couentry and Lichfield for the time being, in writing vnder his Seale of any his lands, Offices, Fees, &c. and confirmed by the Deane and Chapter of Lichfield in writing, vnder their Chapter Seale, ſhall be good in law, to bind in ſucceſſion the Succeſſors of the ſaid Biſhop. And the Deane and Chapiter of Lichfield ſhall be for euer the entire and ſole Chapiter of the ſaid Biſhopricke of Couentry and Lichfield: whereof the Prior and Couent of the diſſolued Priory of Couentry were heretofore the moity or halfe part. PR.

Cap. XXXI.

The Biſhopricke and Dioceſſe of Cheſter, and the Biſhopricke and Dioceſſe of Man, in the Iſle of Man, and the Archdeaconry of Richmond. And the Biſhop of Cheſters houſe at Weſton ſhall be annexed to the Biſhopricke of Cheſter: And all the people in the ſame Dioceſſe, ſhall be vnited to the Prouince and Archbiſhopricke of Yorke, and ſhall be diſſeuered from the Archbiſhopricke of Canterbury. PR.

Cap. XXXII.

The Church of Whitegate in the County of Cheſter, ſhall be a Pariſh Church of it ſelfe, and no part of the Pariſh of Ouer. There ſhall be a Vicar there to be named by the King, &c. which ſhall haue perpetuall ſucceſſion, and be called Vicar of the Pariſh Church of our bleſſed Lady the Virgine of Whitegate, and by that name ſhall ſue and be ſued. PR.

Cap. XXXIII.

A Repeale of the Statute of 27. *Hen.* 8. 3. concerning exactions taken by the Maior of Kingſton vpon Hull. But it ſhall bee lawfull for the Maior there, and his Officers, to take of all Fiſhermen for euery laſt of Herring of euery perſon priuileged xx. d. and for euery hundred of ſalt fiſh iiij.d. and for euery laſt of Sprots viij.d. And of euery perſon not priuileged, for euery laſt of Herrings ij.s.iiij.d. and for euery hundred of ſalt fiſh iiij.d. and for euery laſt of Sprots, viij. d. as they did before the ſaid Statute. PR. St. 5. El. 5.

Cap. XXXIIII.

A reuocation of two Faires or Marts, which the King by his Letters Patents dated *ſeptimo die Martii Anno* 29. of his reigne, granted vnto the Mayor and Burgeſſes of Kings Lin in the County of Norffolke. EXP.

Cap. XXXV.

The Mayor of the City of Glouceſter, and the Deane of the Cathedrall Church there, may conuey water in pipes of Lead, gutters, and trenches from Matſtones hill, and from time to time repaire them, ſatisfying the owners of the ground there for the digging thereof. PR.

Cap. XXXVI.

Prouiſion for repaire of deſolate and void grounds which had beene builded in Canterbury, Buckingham, &c.

Foraſmuch as in times paſt diuers and many beautifull houſes of habitation haue béene within the walls and liberties of the City of Canterbury, the City of Rocheſter, the Boroughes and Townes of Stampford, and great Grimeſby in the County of Lincolne, the Towne of Cambridge in the County of Cambridge, the Borough or Towne of Derby, in the County of Derby, the Borough or Towne of Gilford in the County of Surrey, the Towne of Dunwich in the County of Suffolke, the Boroughes or Townes of the Cinque Ports, with their members, the Towne of Lewes in the County of Suſſex, and the Towne of Buckingham in the County of Buckingham, which now are fallen downe, decayed, and at this time remaine vnreedified, lying as deſolate, and void grounds, and many of them adioyning nigh vnto the high ſtréets repleniſhed with much ordure, filth, and vncleanneſſe, with pitts, cellars, and vaults lying open and vncouered, to the great perill and danger of all the inhabitants, and other the Kings Subiects paſſing by the ſame: and ſome houſes be very weake and féeble, ready to fall downe, and be very dangerous to paſſe by, to the great decay and hinderance of the ſaid Cities, Boroughes, townes, and Cinque Ports. It may therefore be enacted by the King our Soueraigne Lord, the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons or bodies politike, being owners and poſſeſſioners of any ſuch deſolate or void grounds, that at any time within fiue and forty yéeres next before the making of this act, haue béene builded for houſes of habitation, or for any houſe or houſes of habitation now or hereafter being in decay and not fully fallen downe, within the liberties and precincts of any of the ſaid Boroughes, Townes, and places, doe not ſufficiently reedifie, build, and repaire, or cauſe to be reedified, builded, & repaired the ſaid deſolate void grounds and decayed houſes conuenient for habitation and dwelling, within two yéeres next after proclamation to be made in or vpon the ſame void ground or grounds, decayed houſe or houſes, by the Mayors, Aldermen, and Burgeſſes, or other head Officers within the precinct of their owne authorities, that then it ſhall be lawfull for the chiefe Lord or Lords immediat, of whom ſuch deſolat and void grounds, decayed, and ruinous houſes be holden after the ſaid two yéeres be expired, to enter into the ſame, and to haue the ſame grounds or houſes, with the curtilage, backſide, and garden adioyning to the ſame, if they be of the inheritance of the owner or owners of the ſaid decayed houſe or ground, and excéed not one acre of ground, to them and to their heires or ſucceſſors, or to their owne proper vſe for euer: So that the ſaid Lord or Lords immediat entring by the authority of this act, doe ſufficiently reedifie, build, or repaire the ſame void ground or decayed houſes, within two yéeres and a halfe, next and immediatly following the determination of the foreſaid firſt two yéeres.

If the owner of a decayed houſe doe not reedifie it within two yeeres after proclamation, the Lord of the fee may enter and retaine it to him and his heires.

And in caſe ſuch Lord or Lords, as may enter by this act, do not enter and well and ſufficiently reedifie, build, or repaire the ſame void grounds or decayed houſes, within the ſaid two yéeres and an halfe to them limited by this act: or if ſuch Lord or Lords immediat, as may enter by this Act, doe ſufficiently reedifie, build, and repaire the ſame void grounds or decayed houſes, within the ſaid two yéeres and an halfe to them limited, and after they, their heires, or ſucceſſors ſuffer the ſame houſes or void grounds to fall in ruine and decay, and doe not build, or reedifie the ſame ſufficiently within two yéeres and an halfe of ſuch ruine or decay: that then it ſhall be lawfull to all perſon or perſons, or bodies politike, as ſhall then haue any rent charge ioyntly or ſeuerally going out of the ſaid void ground or grounds, or decayed houſe or houſes, in any of the ſaid Cities, Boroughes, Townes or places immediatly after the ſaid two yéeres and an halfe expired, to enter into the ſame, and to haue to ſuch of them their heires and ſucceſſors, to their owne proper vſe, as ſhall ſo build the ſaid void grounds or decayed houſes, by authority of this Act, the ſame void grounds or houſes, with the curtilage, backſide, and garden adioyning to the ſame

The entry of him or them which haue a rent charge in default of the chiefe Lord.

if they be of the inheritance of the owner or owners of the ſaid decayed houſe or ground, and exceed not in quantity one acre of ground, diſcharged of all rents going out of the ſame grounds or houſes, as well againſt the ſaid Lord and Lords immediat, as all other perſon or perſons or bodies politike, hauing any rent or rents charges, or rent ſecke out of the ſame, other than the fee ferme of the ſaid City, Borough, Towne, or place, or ſome parcell thereof: So that the ſaid perſon or perſons or bodies politike, hauing the ſaid rent charge, entring by the authority of this act, doe ſufficiently reedifie, build and repaire the ſame deſolat and void ground or grounds, or decayed houſe or houſes, within one yeere and three quarters next and immediatly following the determination of the ſaid two yeeres and a halfe, to the ſaid Lord or Lords immediat appointed by this Act.

And in caſe ſuch perſon or perſons or bodies politike, hauing any of the ſaid rents charges, as may enter by this act, doe not enter, and well and ſufficiently reedifie, build, or repaire the ſame void grounds or decayed houſes, within one yeere and three quarters to them appointed by vertue of this act: or if they or any of them hauing ſuch rent charge, and that may enter by this Act, doe ſufficiently build and repaire the ſame void ground or grounds, or decayed houſe or houſes, within the ſaid one yeere and three quarters to them limited, and after they, their heires, or ſucceſſors, ſuffer the ſame void ground or grounds, houſe or houſes to fall in ruine and decay, and do not build or reedifie the ſame ſufficiently within one yeere and three quarters after ſuch ruine or decay: that then it ſhall be lawfull to the Mayors, Aldermen, and Burgeſſes, and other the head Officers of the ſaid Cities, Boroughes, Townes, and places, by what name, or names ſoeuer they be incorporated, and their ſucceſſors, and euery of them, within the limits of their authorities immediatly after the ſaid yeere and three quarters expired, into euery ſuch deſolat and void grounds decayed, or ruinous houſes, to enter, and to haue, hold, and enioy to them and their ſucceſſors for euer, to their owne vſes, the ſame grounds or houſes and euery of them with the curtelages, gardens, and backſides to the ſame, if they be of the inheritance of the owner or owners of the ſaid decayed houſe or ground, and exceed not in quantity one acre of ground cleerely diſcharged of all rents going out of the ſame grounds or houſes, as well againſt the ſaid Lord or Lords immediat, as all other perſon or perſons or bodies politike, hauing ſuch rent charge or rent ſecke, as before is ſaid, other then the fee ferme of the ſaid City, Borough, Towne, or place, or parcell thereof, ſo that the ſame Mayors, Aldermen, and Burgeſſes, or other head Officer as is aforeſaid, or their ſucceſſors for the time being, doe reedifie, build, or repaire, or cauſe to be reedified, builded, or repaired, the ſame ground, or grounds, houſe, or houſes within three yeeres next, and immediatly following the determination of the ſaid yeere and three quarters, limited or appointed to ſuch perſon or perſons or bodies politike, that haue or ſhall haue any rent as is aforeſaid.

The entry of the chiefe Officers of the ſame corporat Townes in default of them which haue the rent charge.

And in caſe the ſaid Mayors, Aldermen, and Burgeſſes, or other head Officers, as is aforeſaid, or their ſucceſſors, do not enter, and reedifie, build, and repaire the ſame void ground or grounds, decayed houſe or houſes in forme aforeſaid, within the ſaid terme of three yeeres after their ſaid entry: or if they ſufficiently reedifie, build, and repaire the ſame void ground or grounds, or decayed houſe or houſes, within the ſaid three yeeres to them limited by this act, and after they or their ſucceſſors, ſuffer the ſame houſe or houſes, void ground or grounds to fall in ruine and decay, and do not build and reedifie the ſame ſufficiently within three yeeres after ſuch ruine or decay, that then it ſhall be lawfull to the firſt owner or owners, poſſeſſor or poſſeſſors of ſuch void ground or grounds, decayed houſe or houſes, their heires or ſucceſſors, immediatly after the ſaid three yeeres, to the ſaid Mayors, Aldermen, and Burgeſſes, and other head Officers as is afore limited, expired, into the ſame houſes, ground, or grounds, curtilages, gardens, and backſides to enter, and the ſame to retaine to them, their heires, and ſucceſſors, as in their firſt eſtate, any thing conteined in this preſent act to the contrary notwithſtanding.

The entry of the firſt owners in default of the chiefe Officers.

Prouided alway, that this act, or any thing therein conteined, be not in any wiſe hurtfull, or preiudiciall, to any perſon or perſons, being at the time of the ſaid Proclamation made, vnder the age of one and twenty yeeres, or being feme couert, or in priſon, or beyond the Sea in the Kings warres, or in his other lawfull affaires, or to any perſon or perſons, not being then of whole and perfect memory, during the time that ſuch perſon or perſons ſhal be within age, married, in priſon, or of no perfect memory, or beyond the Sea, ſo that the ſame perſon or perſons, their heires or ſucceſſors, after that he or they come to their full age of one and twenty yeeres, or be vnmarried, out of priſon, or come againe within this Realme, or be of whole and perfect memory, within three yeeres then next enſuing, doe reedifie the ſame deſolat or void grounds, or repaire the ſaid decayed houſes.

The right of infants, feme couert, perſons out of the Realme, in priſon, and lunatike reſerued.

Cap. XXXVII.

All Manors, Parkes, Meſſuages, Lands, Tenements, ſcites of Monaſteries, and other hereditaments of the Kings, lying in the Townes and Pariſhes of Ampthill, Milbrooke, Fleetwicke, Maulden, Stipingley, Weſtoning, Houghton, Congeſt, Wiſhamſted, Littelington, Husbondcrauley, Rigemond *cum Sageno*, Aſpeley, Geys, Cliphill, Caynoo, Shefford, Cranfeild, Polloxhill, Har-

The Honor of Ampthill.

lington, Todington, Barton, Shitlington, Chalgraue, Mariſton, Wooburne, Euerſhall, Milton, Brain,Warden,Elſtowe,Caudewell,Doniſtable, Salford, Holcoote, Bedford, Wotton, Kemſton, and the manor of Colmeworth in the County of Bedford,or elſe in the Hamlets,Townes,or Pariſhes of Newport Pannell,Tikforth,Molſo,great Lidforth, little Lidforth, Stewkley, little Brickhill,Bow Brickhill,Wauingdon, North Crauley, and Swanburne in the County of Buckingham, ſhall be perpetually annexed to the manor of Ampthill, and be taken as parcell of the ſame manor. And the ſame manor,with the other manors,lands,&c,ſhalbe called the Honors of Ampthill, which Honor ſhalbe within the order and ſuruey of the Court of Augmentations. PR.

Cap. XXXVIII.

The Honor of Grafton.

The Kings Hundreds of Wimberſley and Alfords How, and his Foreſts of Whitlewood and Sawcey,and his Chaces of Yardley, and Whaddon,and all his manors,parkes,ſcites of Monaſteries,lands,tenements,& hereditaments,lying within the townes,hamlets,and pariſhes of Grafton, Hartwell,Aſhton,Rood,Cortnall,Alderton,Stoke Brewern,Shittill anger,Shoreſley,Bliſeworth, Milton,Malleſworth,Tiffeild,Palliſpery,Toſſetour,Eiſton, Hulcot, Abthorp, Foſcot, Greinſnorton,Blackeſley,Wooden,Colchigham, Grimſcot, Gaiton, Patſel, Eſcot, Aſcot, Daleſcot, Bugbroke,Ruddiſthrip,Collingthrigh,Hardingſton,Wotton, Quinton,Slopton,Denſanger,Yardley, Potterſpery,Furthoo,Coſgroue,Caſtel Aſhby,Wiken and Delaprey in the county of Northampton: and in the hamlets, townes and pariſhes of Luffeild, Hanſſap, Caſtlethorp, Harſham, Shenley, little Harwood, Snelſoo, and little Lidforth in the County of Buckingham, and elſewhere within the Realme of England, belonging or appertaining to any manors, or Hundred, lying or being in any of the townes or pariſhes aboue mentioned, ſhall be annexed to the manor of Grafton. And the ſame manors and other the premiſſes ſhall be called perpetually the Honor of Grafton. And ſhall be in the order and ſuruey of the Court of Augmentations: Sauing ſo much thereof as is within the Duchy of Lancaſter,or County Palatine of Lancaſter. PR.

Cap. XXXIX.

The erection of the Court of Surueyors of the K. lands, the names of the Officers there, and their authority.

THe Court of the generall Surueyors of the Kings lands ſhall be a Court of Record, and ſhall haue a priuy Scale,of which Court ſhal be officers the Kings generall Surueyors,a Treaſurer, *viz*.the Treaſurer of the Kings chamber for the time being,an Atturney,the Maſter of the woods, Auditors,Receiuors,a Clerke of the Court,an Vſher,a Meſſenger,their ſeuerall oaths, duties, and authorities. All lands onely mentioned in a Shedule ſigned, or to be ſigned with the Kings ſigne manuall ſhall be in the order and gouernance of the ſaid Court. AL.1. *M*.10.

And where diuers and ſundry Obligations, and ſpecialties heretofore haue béene made to diuers perſons,part of them to the vſe of King Henry the ſeuenth,father of our now moſt gratious Soueraigne Lord, and part of them to the vſe and behoofe of our ſaid Soueraigne Lord: Be it enacted by the King our Soueraigne Lord,with the aſſent of the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, that all obligations, and ſpecialties, which after the firſt day of May next comming, ſhall be made for any cauſe or cauſes, touching or in any wiſe concerning the Kings moſt royall Maieſty or his heires, or to his or their vſe, commodity, or behoofe, ſhall be made to his Highneſſe and to his heires Kings,in his or their name or names by theſe words,Domino regi,and to none other perſon or perſons to his vſe, and to be payed to his Highneſſe by theſe words, Soluend' eidem Domino regi, hæred' vel executoribus ſuis, with other words vſed and accuſtomed in common obligations. And that all ſuch obligations and ſpecialties ſo to be made ſhall be good and effectuall in the law to all purpoſes and intents,and ſhall be in the ſame nature,kind,quality,force,and effect to all intents and purpoſes, as the writings obligatory taken and knowledged according to the Statute of the ſtaple at Weſtminſter hath at any time before the making of this preſent Act, béene taken, vſed, exerciſed, and executed againſt any lay perſon or perſons,any law,vſage,or cuſtome to the contrary thereof notwithſtanding.

Obligations made to the King, ſhalbe in the nature of a Statute Staple,and ſhalbe made Domino Regi.

Who ſhall haue the Kings ſpecialties after his death.

And that all ſuch obligations and ſpecialties, the debt whereof being not payed nor contented in the life of the King,ſhall come, remaine, and be to the heires, or executors of the King, at the frée liberty,diſpoſition, aſſignment, and appointment of the ſame King, to whom ſuch obligations or ſpecialties ſhall be made as is aforeſaid. And if any perſon or perſons in his or their owne proper perſon,or perſons after the ſaid firſt day of May,make or take any obligation or obligations to the vſe of the Kings Maieſty,or of his heires Kings, otherwiſe than is before expreſſed, that then ſuch perſon or perſons only that ſhall ſo offend, contrary to this preſent Act, for his or theirs ſo doing, ſhall haue and ſuffer ſuch impriſonment as ſhall be aſſeſſed and adiudged by the King or his honourable Councell, daily attendant vpon his Highneſſe moſt royall perſon.

And

All ſuits for the Kings debts to be in his owne name.

And that all ſuits to be made after the firſt day of Aprill next comming for the recouery of, or for any the Kings debts, in any the Kings Courts mentioned in this act, of or vpon any Obligation or ſpecialty dated or deliuered before the making of this preſent act, or which ſhall be dated and deliuered to the King, or to his vſe, afore the ſecond day of May next comming, ſhall be taken, ſued, and purſued in the name of the King, and in the name of none other perſon or perſons, to whatſoeuer perſon or perſons the ſaid obligations or ſpecialties, or any of them, be, haue beene, or ſhall be made to the Kings vſe.

Proces, iudgement, execution for the King to be in the nature of the ſtatute Staple.

And that all ſuits, proceſſe, iudgements, decrees, and executions hereafter to be taken, purſued, or giuen for the King in any the Kings courts, mentioned in this act, of, for, or vpon any the ſame obligations laſt afore mentioned, ſhall be of the ſame or like ſtrength, force, effect and intent in the law to all purpoſes onely againſt all and all manner ſuch perſon and perſons as beene bounden in ſuch obligations or ſpecialties, as well ſpirituall as temporall, as againſt their heires, ſucceſſors, executors, and adminiſtrators, and euery of them, and againſt none other, as writings obligatories taken and knowledged according to the Statute of the ſtaple at Weſtminſter at any time before the making of this preſent act, haue beene vſed to be taken, exerciſed, and executed againſt any lay perſon or perſons.

The King in all ſuits for debt ſhall recouer his coſts and damages.

And that the King in all ſuits hereafter to be taken in or vpon any obligation or ſpecialties, made or hereafter to be made to the King, or any to his vſe, ſhall haue and recouer his iuſt debts, coſts, and damages, as other common perſons vſe to doe in ſuits and purſuits for their debts. And that all ſuch ſuits as now be depending in the name of any common perſon to his Graces vſe, whereof no verdict is, or before the feaſt of Eaſter next comming ſhall be giuen or paſſed, or no exigent awarded, ſhall abate, be void, and of none effect. And neuertheleſſe the King by the authority aforeſaid, ſhall haue his ſuit and remedy for the ſaid debt ſo being in action and proces, in forme as is aforeſaid, in any of the Courts in this act mentioned, any thing in this act to the contrary thereof notwithſtanding.

Suits for the Kings debts ſhall be in the Courts where they ſhalbe due.

And it is further enacted by the authority aboueſaid, That all and euery ſuit and ſuits, which hereafter ſhall be had, made, or taken, of, for, or vpon any debt or duties, which heretofore hath growen or beene due, or that hereafter ſhall grow or be due to the King, in the ſeuerall offices and Courts of his Eſchequer, Duchy of Lancaſter, Augmentations of the reuenues of his Crowne, Surueyors generall of his manors, lands, and tenements, Maſter of the Wards and Liueries, and Court of the firſt fruits and tenthes, or in any of them, or by reaſon, or authority of any of them, ſhall be ſeuerally ſued in ſuch one of the ſaid Courts and offices, in the which Court and office, or by reaſon of the which Court and office, the ſame debt or duety did firſt grow, or become to be due, or hereafter ſhall grow or become due, or in the which office or Court the Recogniſance, obligation, or ſpecialty is, or ſhall be, or remaine. And euery ſuch ſeuerall ſuit and ſuits ſhall be made in euery of the ſaid ſeuerall offices and Courts vnder the ſeuerall ſeales of the ſaid ſeuerall Courts by Capias, Extendi facias, Sub pœna, Attachments, and Proclamations of allegeance, if need ſhall require, or any of them, or otherwiſe, as vnto the ſaid ſeuerall Courts ſhall be thought by their diſcretions expedient for the ſpeedy recouery of the Kings debts.

Proces that ſhalbe awarded in the ſaid ſeuerall Courts for the recouery of the K. debts.

And that the ſaid Court of Eſchequer, and all and euery of the ſaid Courts, ſhall haue whole, and full authority, and power, to heare and determine all and euery ſuch ſuit and ſuits, as hereafter ſhalbe taken, commenced, and purſued for the intent aboue ſpecified, and thereupon to award, make, and doe execution by and vpon the body, lands, and goods of the party or parties that ſo ſhall be condemned accordingly.

The authority of the Courts of Eſchequer, Wards, and Duchy.

And alſo ſhall haue full power and authority, to heare and determine all, and all manner of debts, detinues, treſpaſſes, accompts, reckonings, waſts, deceits, negligences, defaults, contempts, complaints, ryots, quarrels, ſuits, ſtrifes, controuerſies, forfeitures, offences, and other things whatſoeuer they ſhall be, which hereafter ſhall grow, be moued, ſtirred, procured, purſued, or ariſe in, for, or vpon any matter, cauſe, or other thing aſſigned, committed, or appointed, or hereafter to be aſſigned, committed, or appointed to the ſeuerall directions, orders, and gouernances of the ſame Courts, or any of them, or for or vpon any manner of thing or things, which may or ſhall touch or in any wiſe concerne the ſame, wherein the King ſhall be only party. And alſo all manner of ſtates for terme of yeares betweene party and party concerning the premiſſes, and to correct and puniſh by their diſcretions all and euery perſon and perſons, which before them ſhall be conuicted of any of the premiſſes, according to the nature, quality, and quantity of his or their offence, or offences, cauſe, or cauſes, matter or matters, (all and all manner of treaſons, murders, felonies, eſtates, rights, titles, and intereſts, as well of inheritance as of freehold, other than ioynters for terme of life only excepted, and alwayes reſerued.)

Title pretended to lands ſold or exchanged by the King.

And be it enacted by the authority aforeſaid, That if any perſon or perſons ſhall make, or pretend any claime, right, title, intereſt, or poſſeſſion, in or to any manors, lands, tenements, or hereditaments, bargained, ſold, or exchanged, or hereafter to be bargained, ſold, or exchanged by the King our Soueraigne Lord, to any perſon or perſons in fee ſimple, or fee taile, by his Highneſſe Letters Patents made or to be made thereof vnder his great Seale of England, vpon which Let. Pat. there is or ſhall be reſerued any annuall rents or fermes payable to the Kings

Highneſſe,

Demanding any rents or profits out of ſuch lands.

The King pretending title to any lands by him ſold or exchanged.

The King demanding rents or profits out of ſuch lands.

In what cauſes the Court of augmentations without other warrant, may make recompence to any perſon that is wronged.

A loſſe extending by a decree to the Kings Patentee for life or yeeres.

Highneſſe, his heires or ſucceſſors in his ſaid Court of Augmentations: or demand or aſke any rents, annuities, offices, fees, or other profits, in, out, or of any ſuch manors, lands, tenements,, or hereditaments, conteined or to be compriſed in any ſuch Letters Patents, made or hereafter to be made as is aforeſaid: Or if our ſaid Soueraigne Lord, his heires, or ſucceſſors, ſhall make or pretend any claime, right, title, intereſt, or poſſeſſion, in, or to any manors, lands, tenements, or hereditaments, bargained, ſold, or exchanged, or to be bargained, ſold, or exchanged, by the King his heires or ſucceſſors, to any perſon or perſons in fee ſimple, or fee taile, by his or their Letters Patents thereof made, or hereafter to be made vnder his or their great Seale of England, vpon which Letters Patents is or ſhall be reſerued any annuall rents, or fermes payable, or which ſhall be payable to the King his heires or ſucceſſors, in his ſaid Court of Augmentations: Or if the King his heires or ſucceſſors, demand or aſke any rents, annuities, or other profits, or hereditaments of any eſtate of inheritance, in, of, or out of any manors, lands, tenements, or hereditaments conteined, or compriſed, or to be conteined or compriſed, appointed, or to be appointed, or aſſigned, to the ſaid Court of Augmentations, in any Letters Patents made, or hereafter to be made, as is aforeſaid: That then the Chancellor of the ſaid Court of Augmentation, by the aſſent of the Councell of the ſaid Court, or the more part of them, ſhall haue power and authority by authority of this act, to examine all ſuch demands, rights, titles, intereſts and poſſeſſions, rents, annuities, offices, fees, and other profits, and hereditaments, whatſoeuer they ſhalbe, and euery of them ſo to be demanded, pretended, claimed, or aſked, as is aforeſaid, and by witneſſe, proofes, and other wayes and meanes, by their diſcretions, to heare and determine the ſame: And in caſe the Kings Patentees in any ſuch Letters Patents, as is aforeſaid, or any of them, their heires, ſucceſſors or aſſignes, ſhall be compelled by the authority of the ſaid Court of Augmentations, by decree or iudgement of the ſame Court, to render and yeeld to any perſon or perſons in fee ſimple, or fee taile, the lands, tenements, or hereditaments compriſed, or ſpecified in any ſuch Letters Patents, or any parcell of them, or to ſuffer any perſon or perſons to haue and enioy any offices, rents, annuities, or other profits, or hereditaments in fee ſimple, or in fee taile, out, or of the ſame, or out of any parcell thereof: And that it ſhall appeare in the ſaid Letters Patents, that the King his heires or ſucceſſors, is or ſhall be bounden, or of right and equity ought to recompence, and ſatiſfie the ſaid Patentees, their heires, ſucceſſors, executors, or aſſignes, or any of them, of, and for ſuch manors, lands, tenements, or hereditaments, annuities, rents, offices, fees, or other profits recouered in fee ſimple, or fee taile, by decree or iudgement of the ſaid Court, as is aforeſaid, or elſe to diſcharge and acquit the ſaid Patentees, their heires, ſucceſſors, executors and aſſignes, of or for any rents, annuities, offices, fees, or other profits aforeſaid recouered by decree, or iudgement in fee ſimple, or fee taile, as is aboueſaid. Or if it ſhall appeare vnto the ſaid Court of Augmentations, or vnto the more part of them, that the King, his heires, or ſucceſſors, of right and equity ought to haue, recouer, or enioy, in fee ſimple, or fee taile, any manors, lands, tenements, or hereditaments, in any ſuch Letters Patents compriſed, or rents, annuities, offices, fees, or other profits in, out or of the ſame: that then in all and euery ſuch caſe and caſes, the ſaid Chancellor of the Augmentations for the time being, with the aſſent of three, or more ſuch perſons, as hereafter ſhall be named by the King his heires or ſucceſſors, ſhall haue full power, and authority without any Bill, or Warrant to be ſigned, or ſued from the King, his heires, or ſucceſſors for the ſame, as well to recompence and ſatiſfie the partie or parties greeued, ſo much in mony of the Kings treaſure remaining in the ſaid Court of Augmentations, as the ſaid manors, lands, tenements, rents, annuities, offices, fees, or other profits or hereditaments, loſt or recouered by decree or iudgement of the ſaid Court of Augmentations, as is aforeſaid, ſhall be worth to be ſold, or otherwiſe diſcharge and acquit ſuch perſon, or perſons thereof, according to his or their Letters Patents: as alſo to make, and take order, direction, decree and iudgement for the King, his heires, and ſucceſſors, for the recouery, attaining, and hauing of all and ſingular ſuch manors, lands, tenements, rents, annuities, offices, fees, profits, and hereditaments, and all and euery other thing and things, which the King his heires and ſucceſſors, by, and vpon ſuch examination and examinations, ought, ſhould, and ſhall be iuſtly intitled to haue, recouer, poſſede, or enioy in fee ſimple or fee taile: And the ſame decree, direction, order, and iudgement to be good and effectuall in the law, to binde all parties and priuies to the ſame to all intents and purpoſes. And where any decree or iudgement which ſhall be giuen in the ſaid Court of Augmentation for any the premiſſes, extend to the loſſe of the Kings Patentee or Patentees, their heires, ſucceſſors, executors, or adminiſtrators, but for terme of life or liues of the demandant or demandants, plaintife or plantifes, or for terme of yeeres, the loſſe whereof the King is bounden and ought to recompence, diſcharge, or acquit by his Letters Patents: then the ſaid Chancellor of the Augmentations ſhall haue full power, and authority to recompence, or diſcharge the ſame in mony, as is aforeſaid, or elſe to recompence the ſame of the lands, tenements, hereditaments, and poſſeſſions limited to the ſuruey and gouernance of the ſaid Court of Augmentations, to be granted vnder the ſeale of the ſame Court by the diſcretion of the ſaid Chancellor, as ſhall ſeeme to him beſt for the Kings profit, without any Bill, or Warrant to be ſued, or ſigned by, or from the King for the ſame. And that euery ſuch recompence, ſatiſfaction,

tisfaction, and diſcharge to be made by authoꝛity of this Act, to any perſon oꝛ perſons by the ſaid Chancelloꝛ as is afoꝛeſaid, ſhal be good, and effectuall againſt the King, his heires, and ſucceſſoꝛs, any law, vſage, oꝛ cuſtome to the contrary notwithſtanding.

And it is further enacted by the authoꝛity abouesaid, that euery of the ſaid Courts ſhall haue full power, and authoꝛity, by foꝛce of this act, to ſet ſuch fines, penalties, and amerciaments, vpon parties, Sheriffes, Officers, and other perſons, foꝛ his, and their defaults, contempts, negligences, oꝛ miſdemeanours, as vnto the ſaid Courts, oꝛ vnto any of them ſhall be reaſonably conſidered, and thought expedient. And that all and euery triall and trialls, of all and all manner of ſuits, bills, plaints, infoꝛmations, declarations, complaints, anſwers, replications, allegations, cauſes, matters, and iſſues oꝛ any of them, to be purſued, made, oꝛ tried in the ſaid ſeueral courts, oꝛ any of them, ſhall be made and tried by due examination of witneſſe, wꝛitings, pꝛoofes, oꝛ by ſuch other wayes, oꝛ meanes, as by the ſaid ſeuerall Courts, oꝛ by any of them ſhall be thought expedient. And that all and euery ſuch iudgement, and iudgements, decree, oꝛ decrees, examination and examinations ſhall be good, perfect, and in full ſtrength, foꝛce and effect in the law to all intents, conſtructions, and purpoſes.

The authoꝛity of the foꝛeſaid Courts to ſet fines and amerciaments vpon offendoꝛs.

Trialls in the ſaid Courts.

And where diuers and ſundꝛy perſons ſtand bounden to the Kings Highneſſe in diuers great and notable ſummes of money, by Recogniſance oꝛ other bonds, in the ſaid ſeuerall Courts, foꝛ debts due to the Kings Highneſſe, as wel foꝛ the purchaſe of lands and woods, and perfoꝛmance of conditions, as alſo foꝛ diuerſe and ſundꝛy other cauſes: and albeit the ſame perſons haue well and truly ſatiſfied, contented and payed the ſame debts, oꝛ perfoꝛmed the conditions of the ſame Recogniſance, oꝛ other bonds, yet the ſame Recogniſances oꝛ other bonds cannot be made void without the Kings eſpeciall warrant, which ſhould be much vnquietneſſe to the Kings Maieſty, and alſo very chargeable to his Graces Subiects, to ſue to his Highneſſe from time to time foꝛ the ſame. In conſideration whereof, and foꝛaſmuch as the ſaid perſons being ſo bounden by Recogniſance, oꝛ in other bonds, may by diuers caſualties loſe their acquitances, whereby great danger and perill may grow to them, their heires, executoꝛs, and ſucceſſoꝛs: Be it therefoꝛe enacted by the King our Soueraigne Loꝛd, with the aſſent of the Loꝛds Spirituall and Tempoꝛall, and the Commons in this pꝛeſent Parliament aſſembled, and by authoꝛity of the ſame, That vpon the ſight of the acquitances, made oꝛ to be made foꝛ the payment of the ſaid debt oꝛ debts, oꝛ ſum oꝛ ſummes of mony, growen oꝛ to be growen, oꝛ due, and ſufficient pꝛoofe made oꝛ hereafter to be made befoꝛe the ſaid ſeuerall head Officers foꝛ the time being of the ſaid ſeuerall Courts, as the caſe ſhall riſe oꝛ grow, oꝛ if the condition of the ſame Recogniſance oꝛ bond be perfoꝛmed oꝛ kept: That then euery ſuch ſeuerall head Officer, foꝛ that Recogniſance taken oꝛ to be taken, by him oꝛ any of his pꝛedeceſſoꝛs, oꝛ of any other bond foꝛ that time being within his charge and cure, ſhall haue full power and authoꝛity to cancell and make void the ſaid Recogniſance oꝛ other bond, calling to him ſuch of the ſame Court as to him oꝛ them ſhall ſeeme moſt conuenient foꝛ the cancellation of the ſame Recogniſance oꝛ bond.

The chiefe officers of the foꝛeſaid Courts may diſcharge Recogniſances taken there.

And be it enacted by the authoꝛity afoꝛeſaid, that the ſame cancellation ſo made, ſhall be a ſure and ſufficient diſcharge of the ſame recogniſance oꝛ other bond, to all and euery ſuch perſon oꝛ perſons, as doe oꝛ ſhall ſtand bounden in the ſame recogniſance oꝛ bond ſo cancelled againſt the Kings Highneſſe, his heires, executoꝛs and ſucceſſoꝛs foꝛ euer.

And be it further enacted by the authoꝛity afoꝛeſaid, that the ſame ſeuerall head Officers foꝛ the time being, in euery of their ſaid ſeuerall Courts, ſhall haue full power and authoꝛity to diſcharge, cancell, oꝛ make void by his oꝛ their diſcretion, all and ſingular recogniſances now made oꝛ hereafter to be made in the ſaid Court, foꝛ any apparance oꝛ other contempt: and that the ſame head Officer oꝛ Officers, and the parties ſo bounden and to be bounden, to be diſcharged againſt the King our Soueraigne Loꝛd his heires, executoꝛs, and ſucceſſoꝛs foꝛ the cancellation of the ſame recogniſance.

Diſcharging of Recogniſances taken foꝛ apparance oꝛ contempt.

And where the Kings Maieſty ſithen the making of the ſame Statute in the ſaid xxvij. yeere of his Noble reigne, of his owne meere motion, liberality, and benignity, hath freely giuen and granted by his ſundꝛy Letters Patents vnder his great ſeale of England, vnto diuers and ſundꝛy of the Nobles and Loꝛds, aſwell ſpirituall as tempoꝛall of this his Realme, and alſo vnto diuers and many other perſons and bodies politike, to their heires oꝛ ſucceſſoꝛs, and to the heires of their bodies, oꝛ foꝛ terme of life, oꝛ liues, diuers and many ſundꝛy honours, caſtles, manoꝛs, lands, tenements, rectoꝛies, penſions, poꝛtions, and other hereditaments, which then were in the oꝛder, gouernance, and ſuruey of the ſame Court of the Augmentations of the reuenues of his Graces crowne, oꝛ out of any other of the ſaid ſeuerall Courts, reſeruing vnto his Maieſty his heires and ſucceſſoꝛs by the ſame Letters Patents, one yeerely rent in the name of one tenth, oꝛ the tenth part of the yeerely value of the ſame pꝛemiſſes, oꝛ any other tenth payable, and to be payed in the ſame Courts, oꝛ to the Officers of the ſame Courts deputed and aſſigned foꝛ the ſame, at one certaine feaſt oꝛ day in the ſame Letters Patents mentioned and declared, which ſaid perſons ſo aduanced, notwithſtanding they haue ſithen and after the making of the ſame Letters Patents peaceably enioyed the ſame manoꝛs, lands, tenements, and hereditaments ſo giuen, and thereof haue quietly perceiued and taken the iſſues, reuenues, and pꝛofits thereof: yet

27.H.8.27.

neuertheleſſe diuers of the ſame perſons haue not at the dayes and feaſts aſſigned and limited vnto them in the ſame Letters Patents, not long time after the ſame dayes and feaſts of payment thereof, contented and payed in the ſame Courts, or to the Officers of the ſame Courts aſſigned and deputed for the ſame, the ſaid yeerely rent or rents ſo reſerued to the Kings Highneſſe, contrary to their duties, and againſt all reaſon and good Conſcience. In conſideration whereof, be it therefore now ordeined, enacted, and eſtabliſhed, by the aſſent of the Kings Maieſty, the Lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by the authority of the ſame, that if any perſon of what eſtate, degree, or condition ſoeuer he be, or body politike, to whom the Kings Maieſty hath by his Letters Patents vnder his great ſeale of England, or vnder the great ſeale of the ſame Court of Augmentation, giuen or granted, or hereafter ſhall giue or grant, with like reſeruation of rent or rents, any manors, lands, tenements, rectories, or other hereditaments, whatſoeuer, which were, or hereafter ſhall be in the order, gouernance, and ſuruey of the ſame Courts, or any of them, to be had to them, and their heires or ſucceſſors, or for any other eſtate of inheritance, or for terme of life or liues, yeelding and reſeruing to the ſame our ſaid Soueraigne Lord the King, his heires, or ſucceſſors, one yeerely rent at one certaine day or Feaſt in the ſame Letters Patents, expreſſed, mentioned, and declared, and to be payd into the ſame Courts: that if the ſame perſons, bodies politike, their heires, or ſucceſſors, or aſſignes, or any of them, do not truly content or pay, or cauſe to be contented, or paid vnto the Treaſurer of the ſaid ſeuerall Courts, or to the generall or particular Receiuor of the ſame ſeuerall Courts, deputed and aſſigned for the ſame for the time being, to the vſe of the Kings Highneſſe, at the day or Feaſt limited by the ſame letters Patents, or within three moneths next and immediatly after the ſame day or feaſt of payment thereof, all ſuch ſummes of mony, which beene or hereafter ſhalbe due, reſerued to the Kings Maieſty, his heires, and ſucceſſors, by the ſame Letters Patents, or by any of them, or make ſufficient tender thereof to the ſaid Treaſurer, or generall or particular Receiuor: that then euery of the ſame perſons, bodies politike, their heires, ſucceſſors, or aſſignes, for lacke and default of payment of the ſame rent, to forfeit and loſe to the Kings Maieſty, his heires and ſucceſſors as much money as the fourth part of the ſame rent ſo reſerued, or hereafter to be reſerued for one yeere, doth or ſhall amount vnto, for and in the name of one paine, ouer and aboue the ſame rent reſerued or hereafter to be reſerued. And if it happen the ſame perſons, or bodies politike, their heires, ſucceſſors, or aſſignes, or any of them, doe not within one halfe yeere next after the day or feaſt expreſſed in the ſame Letters Patents, content or pay, or lawfully tender vnto the ſame Treaſurer, or generall or particular Receiuor, to the vſe of the Kings Maieſty, his heires or ſucceſſors, aſwell the ſaid yeerely rent, ſo reſerued, or hereafter to be reſerued, as alſo the ſaid ſum of mony forfeited for & in the name of a paine: that then the ſame perſons, bodies politike, their heires, ſucceſſors or aſſignes, ſo offending, ſhall forfeit and loſe to the Kings Maieſty, his heires, & ſucceſſors ſo much mony as the moity or half deale of the ſame rent reſerued or to be reſerued for one yeere, doth or ſhall amount vnto, ouer & aboue the ſaid rent reſerued or to be reſerued, & ſo to forfeit and loſe for euery halfe yeere after, ſo much mony as the whole rent reſerued, or to be reſerued, for one whole yeere, doth or ſhall amount vnto, vntill the ſame rent reſerued or to be reſerued, and the arrerages of the ſame, and alſo the ſaid ſummes of money ſo forfeited and loſt for a peine, beene vnto the ſame Treaſurer, or generall or particular Receiuor truly ſatisfied, contented, and paid, to the vſe of the Kings Highneſſe his heires and ſucceſſors.

A remedy for Tithes not payed iſſuing forth of Abbey lands giuen by the King to others.

The penalty for default of payment at the day aſſigned or within three moneths after.

The penalty for default of payment within a yeere.

A further remedy for the tenth and money forfeited in the name of a penalty.

And be it alſo enacted by the authority aforeſaid, that it ſhall be lawfull to the ſame Treaſurer and generall or particular Receiuer, to diſtraine as well for the ſame rent ſo reſerued, or to be reſerued, and for the arrerages of the ſame, as alſo for the ſaid ſummes of mony ſo forfeited, or to be forfeited and loſt, for and in the name of the paine aforeſaid. And alſo the head Officer or Officers of either of the ſame Courts for the time being, vpon certificat to him made, or to be made of the ſame default, and contempt, ſhall and may award ſuch proceſſe out of the ſame courts againſt the ſame offender for not paying of the ſaid rent ſo reſerued, and alſo for the ſame ſums of mony forfeited and to be forfeited by this act, as by his or their diſcretion ſhall ſeeme conuenient.

Acquitance for the tenth.

And be it alſo enacted by the authority aforeſaid, that if any perſon or perſons hereafter make lawfull payment to any of the ſaid Treaſures, or generall or particular Receiuers of any of the ſame Courts, deputed and aſſigned for the ſame, of any ſumme or ſummes of money due to the Kings Highneſſe, his heires or ſucceſſors for any yeerely rent or tenth, and vpon or after ſuch payment offer vnto the ſame Treaſurer or generall or particular Receiuer, one lawfull and ſufficient acquitance ready made to be aſſigned by the ſame Treaſurer or generall or particular Receiuer, witneſſing the receit of the ſaid ſumme or ſummes of mony ſo paid: that then the ſaid Treaſurer, generall or particular Receiuer, ſhall with his owne hand aſſigne the ſame acquitance, without taking any fee or reward for making of the ſame acquitance, vpon paine to forfeit and loſe for euery time offending contrary to this act xl. ſhillings, one moity whereof to be to the Kings Highneſſe, and the other moity to the party that will purſue for the ſame. And if the parties, which hereafter ſhall happen to pay to the ſame Treaſurer, or generall, or particular

Receiuor, any ſuch ſumme or ſummes of money, and doe not bring an acquitance with him to bee ſigned, as is beforeſaid: that then if the ſame Treaſurer, or generall or particular Receiuor, vpon requeſt to him made, ſhall make and deliuer vnto the ſame party one ſufficient acquitance, teſtifying the ſame receipt, that then the ſame Treaſurer, or generall or particular Receiuor, or any of his clerkes, ſhall receiue, or take of the ſame party for the making of the ſaid acquitance, not aboue foure pence, vpon paine to forfeit for euery ſuch acquitance xx.s. for which he or they ſhall happen to take aboue the ſaid ſumme of iiij.d. to be recouered as is before ſaid, that is to ſay, the one moity thereof to the vſe of the Kings Highneſſe, of his heires and ſucceſſors, and the other moity thereof to the party that will purſue for the ſame.

And be it alſo enacted, that the ſame acquitance ſhall be a ſufficient diſcharge according to the tenor and effect of the ſame.

And be it alſo further enacted, and ordeined by the authority aforeſaid, that if any of the ſame generall or particular Receiuors, which now be, or hereafter ſhall be within any of the ſaid Courts, happen to pay to any perſon or perſons, any annuity, penſion or other rent, that then if the ſame perſon or perſons vpon the receipt thereof deliuer vnto the ſame generall or particular Receiuor, one ſufficient and lawfull acquitance ſealed and ſigned, teſtifying the ſame receipt, that then the ſame generall or particular Receiuor, ſhall receiue the ſame acquitance, without taking or receiuing any fee or reward for the making of the ſame. And if the ſame party, to whom the ſaid generall or particular Receiuor hath ſo contented and paid any ſuch annuity, penſion or rent, doe not bring with him one ſufficient acquitance ſigned and ſealed, teſtifying the receipt of the ſame mony, by reaſon whereof the ſame general or particular Receiuor by himſelfe or his Clerke, maketh one acquitance for the receit of the ſame annuity, penſion, or rent, that then the ſame Receiuor or his Clerke, ſhall not receiue or take for the making of ſuch acquitance, which he ſhal ſo happen to make, aboue foure pence, vpon paine to forfeit for euery ſuch acquitance, which hee ſhall happen to refuſe, being ready made and offered to be deliuered to him as is aboueſaid, xx.s. and for euery acquitance which he ſhall hereafter happen to make for any the payments aforeſaid, and to receiue for the making of the ſame acquitance aboue the ſumme of foure pence, to forfeit xx.s. the one moity to the King, and the other to the party that will ſue for the ſame. And alſo that the ſame generall or particular Receiuors, or their deputies, which hereafter ſhall happen to pay any ſuch annuity, penſion or rent, ſhall not retaine or take of the party, to whom he ſhall happen to pay the ſame, in the way of reward or otherwiſe, not aboue the ſumme of foure pence for euery pound, which the ſame generall or particular Receiuor ſhall ſo happen to pay, vpon paine to forfeit vj.s.viij.d. for euery peny, which he or they ſhall happen to receiue aboue the ſaid ſum of foure pence for euery pound, which he or they ſhall ſo happen to pay: the one moity of the ſame forfeiture to be to the King, and the other moity to the party that will ſue for the ſame. And that all the ſaid ſuits concerning the ſaid forfeitures, may be commenced, and purſued by bill, information or action, in which ſuit none eſſoine, protection or wager of law to be admitted.

How much he ſhall pay for an acquitance which doth receiue any annuitie.

The Receiuor ſhall take but foure pence a pound.

And be it further enacted, that if any perſon or perſons hereafter happen to tender or offer vnto any of the Auditors of the ſame ſeuerall Courts, for the time being, any of the Kings Letters Patents, Decrees, of any of the ſame ſeuerall Courts, grants, Indentures of leaſes, aſwell for terme of yeeres, as for terme of life or liues, to be enrolled before the ſame Auditor, according to his office: that then the ſame Auditor, vpon the ſame tender or offer, ſhall enroll the ſame, or as much of the ſame Letters Patents, decrees, grants, or indentures, as ſhall appertaine to his ſaid office. And if any of the ſame Auditors or any of their Clerkes, or any other to their vſe, or to the vſe of any of them, receiue and take for the inrolment of any of the ſame Letters Patents, decrees, grants, or indentures, or for the allowance of the ſame aboue the ſumme of three ſhillings foure pence, that then the ſame Auditor or his Clerke ſo offending ſhall forfeit ſix ſhillings eight pence for euery peny which the ſame Auditor, or any of them, ſhall happen at any time hereafter to receiue contrary to the forme aforeſaid, the one moity of the ſame forfeiture to be to the Kings Highneſſe, and the other moity to him that will ſue for the ſame by ſuch manner and forme as is aforeſaid.

The Auditors fees for enrolments.

And be it alſo further enacted by the authority aforeſaid, that euery Auditor of euery of the ſaid ſeuerall Courts, yeerely in euery County within their ſaid ſeuerall limits, by the ſpace of twenty dayes, or more before their audit, ſhall proclaime, and declare in foure ſeueral markets, or other places, the place and dayes, where and when they will keepe their ſeuerall audits in the ſame Shire, vpon paine to forfeit for euery time doing the contrary, fiue pounds, the one moity whereof to be to the Kings Highneſſe, and the other moity to the party that will ſue for the ſame in forme aforeſaid.

Auditors ſhall cauſe Proclamation to bee made in foure market townes twenty dayes before their comming.

And that alſo euery of the Auditors of the ſaid ſeuerall Courts being ſeuerally aſſigned to their ſeuerall limits, and euery of the particular Receiuors of the ſame ſeuerall Courts, being alſo ſeuerally aſſigned and ioyned with the ſame ſeuerall Auditors in their ſaid ſeuerall limits, after and betweene euery of the feaſts of Saint Michael the Archangell and Chriſtmas, ſhall direct and award their ſeuerall warrants and precepts vnder their ſeales, to euery of the Receiuors, Bailifes, Reues, and other Officers whatſoeuer accomptable before the ſame Auditors,

Auditors and Receiuors ſhall make their precepts to Bailifes, &c.

and by the ſame warrant or precept to charge and command in the name of our ſaid Soueraigne Lord the King, euery of the ſaid Receiuors, Bailifes, Reues, and other Officers, to appeare before them at one certaine day and place in the ſame warrant or precept to them preſcribed, there to declare and make a iuſt and true accompt of all ſuch receipts, whereof they be accuſtomable, and owe to accompt.

A remedy againſt accomptants which make default of apparance or payment.

And after if the ſame Auditors and particular Receiuors doe repaire vnto the ſame place, and there kéepe their audit, according to the ſame Proclamations, precept, and warrant: that then if any Receiuor, Baylife, Reue, or other Officer being accomptable of or for any of the Manors, Lands, Tenements, or other whatſoeuer hereditaments, now remaining, or which hereafter ſhall be and remaine in the order, gouernance, or ſuruey of any of the ſame ſeuerall Courts, bée lawfully warned, as well by the ſame Proclamation, or by precept, or warrant in writing ſealed, and in the name of any of the Auditors, of the ſaid ſeuerall Courts, perſonally to appeare by himſelfe, or by his ſufficient and lawfull deputy before the ſame Auditor and Receiuor, at one certaine day or place, in the ſaid warrant or precept preſcribed, there to make and declare a iuſt and a true accompt of all receipts of his ſaid office, and if the ſame Receiuor, Reue, Bailife, and other Officer, ſo being lawfully warned, do not appeare before the ſame Auditor and Receiuor at the ſame day and place in the ſaid warrant expreſſed: Or the ſame Receiuor, Bailife, Reue, or Officer, do at the ſame day and place to them preſcribed, appeare, and will not account before the ſame Auditor, according to the tenour and effect of the ſame precept and warrant, or if the ſame Receiuor, Bailife, Reue, or other Officer accomptable, doe by himſelfe, or by his ſufficient and lawfull deputy appeare before the ſame Auditor and Receiuor, and then, and there enter into his or their accompt before the ſaid Auditor, and after the ſame accompt finiſhed and ended, if the ſame Receiuor, Bailife, Reue, or other Officer, do not content and pay vnto the Treaſurer of the ſame ſeuerall Courts, or to the generall or particular Receiuor of the ſame County for the time being, as the caſe ſhal require, within thrée wéekes next and immediatly after the ſame accompt fully finiſhed and ended, all ſuch ſummes of money which vpon the determination of his ſaid accompt, he ſhall happen to be found in arrerages, and the ſame default and contempt being duly proued before the head Officer and Officers of the ſaid ſeuerall Courts for the time being: that then euery ſuch Receiuor, Bailife, Reue, or Officer, ſo offending, to forfeit and loſe his ſaid office, and alſo his fée, which he or they had and perceiued for the exerciſing of the ſame office.

The penalty if an accomptant doe withdrawe any rent.

And be it alſo further enacted by the authority of this preſent Parliament, that if any of the ſaid Receiuers, Bailifes, Reues, or other Officers, vpon the declaration of their ſaid accompts, doe willingly conceale, and withdraw any rent, reuenue, fine, heriot, or other caſualty whatſoeuer it be, of the which he ought to haue made accompt, and the ſame duly proued before the ſaid head officer or officers for the time being: that then euery ſuch Receiuor, Bailife, Reue, or other officer ſo offending, to forfeit and loſe his ſaid office and fée, which he had for the exerciſing of the ſame, and alſo thrée times as much as he hath ſo concealed & withdrawne. And that the ſaid head officer or officers of the ſame ſeuerall Courts for the time being, immediatly vpon certificat to him of the ſame default, contempt, or offence, ſhal award proceſſe in nature of attachment againſt the ſame Receiuor, Bailife, Reue, or other officer, as well for the ſame arrerages remaining in the hands of the ſame Receiuor, Bailife, Reue, or officer, as alſo for the penalty of their recogniſance, or bond, in which the ſame Receiuor, Bailife, Reue, or officer, ſtandeth bounden to our ſaid Soueraigne Lord the King, as alſo for the contempt and paine limited and appointed by this act.

A remedy for debts which growe to the King by Atteinder, outlawry, forfeiture, gift, &c.

And be it further enacted by authority aforeſaid, that in all actions and ſuits to be taken or purſued in any the Courts aforeſaid, for the recouery of any debt or debts, which now be or that hereafter ſhall happen to appertaine, accrue, remaine, or be to the King, by reaſon of any atteindour, outlawry, forfeiture, gift of the party, or by any other Collaterall way or meanes, it ſhall be ſufficient in the law to ſhew and alleage in the ſaid ſuit generally, that the party to whom the ſaid debt or debts was or did belong, ſuch yéere and day did giue the ſame debt or debts vnto the King, or was attainted, outlawed, or other offence, forfeiture, déed, act, or thing committed, or did, by reaſon whereof the ſaid debt or debts did accrue and ought to remaine, come, and be to the King. And that the ſame matter, ſo to be ſhewed, alleaged or declared in a generality, without ſhewing and declaring the circumſtance thereof, ſhall be of as good force, and effect in the law to all intents, conſtructions, and purpoſes, as if the whole matter thereof had béene, or were alleaged, and declared at large in euery point, according to the due order of the common Lawes of this Realme.

The King ſhall be preferred in ſuit, and execution. 9.H. 3.18.

And be it alſo enacted by the authority aforeſaid, that if any ſuit be commenced or taken, or any proces be hereafter awarded for the King, for the recouery of any of the Kings debts: that then the ſame ſuit, and proces ſhall be preferred before ſuit of any perſon or perſons. And that our ſaid Soueraigne Lord, his heires and ſucceſſors, ſhall haue firſt execution againſt any defendant or defendants, of and for his ſaid debts, before any other perſon or perſons, ſo alwayes that the Kings ſaid ſuit be taken and commenced or proces awarded for the ſaid debt, at the ſuit of our ſaid Soueraigne Lord the King, his heires or ſucceſſors, before iudgement giuen for the ſaid other perſon or perſons.

And be it enacted alſo by authority aforeſaid, that all manors, lands, tenements, poſſeſſions, and hereditaments, the which now be, or that hereafter ſhall come, or be, in, or to the hands, poſſeſſion, occupation, or ſeiſon of any perſon or perſons, to whom the ſame manors, lands, tenements, or hereditaments, haue heretofore, or hereafter ſhal deſcend, reuert or remaine in fee ſimple, or in fee [a] taile, generall or ſpeciall, by, from, or after the death of any her or their anceſtor or anceſtors, as heire, or by gift of his anceſtors, whoſe heire he is, which ſaid anceſtor or anceſtors, was, is, or ſhall be indebted to the King, or to any perſon or perſons to his vſe, by iudgement, recogniſance, obligation, or other ſpecialty, the debt whereof is or ſhall not be contented and paied: that then in euery ſuch caſe the ſame manors, lands, tenements, poſſeſſions, and hereditaments, ſhall be, and ſtand by authority of this act, from henceforth, charged and chargeable to and for the payment of the ſame debt, and of euery part thereof.

Tenant in fee ſimple or taile, chargeable to pay the King his anceſtors debts.

And that our ſaid Soueraigne Lord, his heires, and ſucceſſors, at any time hereafter ſhall not be barred, delayed, forecloſed, or excluded, to demand, haue, and receiue his, or their iuſt, due, and lawfull debts and duties, againſt any of his Subiects, as heire or heires to any perſon or perſons indebted to his Highneſſe, or to other perſons to his vſe, or which ſhall be endebted to his Highneſſe, his heires, or ſucceſſors, albeit this word Heire, be not, or ſhall not be compriſed in ſuch recogniſance, obligation, or ſpecialty, or that any ſuch perſon or perſons ſhall ſay, or alleage that he, or they haue not any manors, lands, tenements, or hereditaments, to them deſcended, but only ſuch manors, lands, tenements, or hereditaments, as be, or ſhall be entailed, or giuen to them by any their anceſtors, to whom they be heires, any lawes, vſes, or cuſtomes, before this time vſed, or had to the contrary notwithſtanding.

The Kings debt payable by the heire, though in the bond hee be not named.

Lands entailed chargeable.

Prouided alwayes that the Kings Maieſty, his heires and ſucceſſors, may at his or their liberty and pleaſure, demand, haue, and recouer his, or their ſaid debt or debts, of and againſt any executor, or executors, adminiſtrator or adminiſtrators of any ſuch perſon or perſons, which is, hath beene, or ſhall be indebted in manner and forme aboueſaid, if the ſame executor or executors, adminiſtrator or adminiſtrators, ſhall haue aſſets in his or their hands in deed, or in law, any thing before mentioned to the contrary notwithſtanding.

The King may charge the executors or Adminiſtrators.

Prouided alſo that if the ſaid manors, lands and hereditaments, or any of them, ſhall hereafter be recouered, or euicted out of, or from the poſſeſſion of any ſuch perſon or perſons, by any iuſt or former title, without fraud or couine, whoſe manors, lands, tenements, or hereditaments, beene or ſhall be charged or chargeable as is aboueſaid: that then all and euery ſuch manors, lands, and hereditaments, ſhall be clearely acquited and diſcharged of and for the payment of the ſame debts, and of euery part thereof, any thing before mentioned to the contrary notwithſtanding.

The Lands chargeable to the King recouered.

Prouided alway, and be it enacted by authority aforeſaid, That if any perſon or perſons, of whom any ſuch debt or duty is, or at any time hereafter ſhall be demanded, or required, alleage, plead, declare, or ſhew in any of the ſaid Courts, good, perfect, and ſufficient cauſe and matter in law, reaſon, or good conſcience, in barre, or diſcharge of the ſaid debt or duty, or why ſuch perſon or perſons ought not to be charged [b] or chargeable to or with the ſame, and the ſame cauſe or matter ſo alleaged, pleaded, declared or ſhewed, ſufficiently proued in ſuch one of the ſaid Courts as he or they ſhall be impleaded, ſued, vexed or troubled for the ſame: that then the ſaid Courts and euery of them, ſhall haue full power and authority to accept, adiudge, and allow the ſame proofe, and wholly and cleerely to acquit and diſcharge all and euery perſon and perſons, that ſhall be ſo impleaded, ſued, vexed or troubled for the ſame, any thing in this preſent Act before mentioned to the contrary notwithſtanding.

Sufficient matter pleaded in diſcharge of the debt.

Prouided alſo, and be it enacted by the authority aforeſaid, That if any manors, lands, tenements, or hereditaments, which be, or at any time hereafter ſhall be charged, or chargeable to, or with the debt of our ſaid Soueraigne Lord, his heires or ſucceſſors, and be at any time hereafter or ſhall be in the ſeiſon and poſſeſſion of diuers and ſundry perſons, other than the obligor or obligors, that then all and ſingular the ſaid manors, lands, tenements, and hereditaments, and euery parcell of them, ſhall be wholly and [c] entirely, and in no wiſe ſeuerally, liable and chargeable, to and with the payment and payments of the ſaid debts, of the ſaid debt and duety, any thing before rehearſed to the contrary notwithſtanding.

Lands chargeable to the King in ſeuerall mens tenures.

Prouided alſo that this act nor any thing therein conteined, ſhall in any wiſe extend to miniſh, abrogate, or take away any realties, liberties, priuileges, franchiſes, preeminences iuriſdictions, fines, iſſues or amerciaments, appertaining or belonging to the ſaid Duchy of Lancaſter and County Palatine of Lancaſter or any of them, but that the ſame liberties, realties, priuileges, franchiſes, preeminences, iuriſdictions, fines, iſſues, and amerciaments and euery of them, ſhall ſtill continue, remaine, and be to the ſaid Duchy of Lancaſter and County Palatine and euery of them, as fully, wholly, and plenarly, as they were before the making of this preſent act, any thing in the ſame conteined to the contrary notwithſtanding.

The liberties of the Duchy of Lancaſter ſaued.

Prouided alway, and be it enacted by the authority aforeſaid, that all maner of proces, proceſſes, and executions for debts, only comming or growing in the Court of the Eſchequer, ſhall be made in the ſame Court of the Eſchequer by ſuch officer and officers, Clerke or Miniſter of the

Proces and executions for debts growing in the Eſchequer.

ſame Court, as hath beene afoꝛe this time vſed to be made, after and with ſuch kinde of pꝛoces, pꝛoceſſes, and executions, as by this Act is limited and declared, any thing in this Act conteined to the contrary notwithſtanding. St. 7. Ed. 6. 2.

ANNO TRICESIMO QVARTO ET QVINTO Henrici OCTAVI.

Acts made in the Seſſion of this preſent Parliament holden vpon Prorogation at Weſtminſter, the two and twentieth day of Ianuary in the foure and thirtieth yeare of the raigne of our moſt dread Soueraigne Lord, Henrie the viij. by the grace of God, King of England, France, and Ireland, Defender of the Faith, and of the Church of England, and alſo of Ireland in earth the ſupreme head, and there continued and kept till the twelfth day of May, in the fiue and thirtieth yeare of our ſaid Soueraigne Lord, to the honour of God, and for the common weale and profit of this his Realme.

Cap. I.

Recourſe muſt be had to the Catholike and Apoſtolike Church, for the deciſion of controuerſies, And therefore, all bookes of the old and new Teſtament in Engliſh, being of *Tindals* falſe Tranſlation, or compriſing any matter of Chriſtian Religion, Articles of the Faith, or holy Scripture contrary to the doctrine ſet forth ſithence *Anno Dom.* 1540. or to be ſet forth by the King, ſhall be aboliſhed. No Printer or Book-ſeller ſhall vtter any of the foreſaid bookes. No perſons ſhall play in Enterlude, ſing or rime contrary to the ſaid Doctrine. No perſon ſhall retaine any Engliſh bookes, or writings concerning matter againſt the holy and bleſſed Sacrament of the Altar, or for the maintenance of Anabaptiſts, or other bookes aboliſhed by the Kings Proclamation. There ſhall bee no Annotations, or Preambles in Bibles or new Teſtaments in Engliſh. The Bible ſhall not bee read in Engliſh in any Church. No Women, or Artificers, Prentices, Iourneymen, Seruingmen of the degrees of Yeomen or vnder, Husbandmen, nor Labourers ſhall read the new Teſtament in Engliſh. Nothing ſhalbe taught or mainteined cõtrary to the Kings inſtructions. And if any Spirituall perſon preach, teach, or maintaine any thing contrary to the Kings inſtructions, or determinations made, or to be made, and ſhall be thereof conuict, hee ſhall for his firſt offence recant, for his ſecond abiure, and beare a Fagot, and for his third ſhall be adiudged an Heretike, and bee burned, and loſe all his goods and chattels. REP. 1. *Ed.* 6. 12.

Cap. II.

When Collectors and Receiuors ſhall pay in their money receiued, &c.

Where diuers and ſundꝛy high Collectoꝛs of the fifteenes and ſubſidy, to the Kings Highneſſe, and diuers other his particular and generall Receiuoꝛs of his reuenues and duties, being within the ſuruey, rule, and oꝛder of his Maieſties Court of the Eſchequer, the Duchy of Lancaſter, the Court of the Augmentations of the reuenues of the Crowne, the Court of the generall Surueyoꝛs, the Court of the Wards and Liueries, and the Court of the tenth and firſt fruits, haue heretofoꝛe, after the Collection, leuying, oꝛ gathering of the Kings fifteenes, ſubſidies, rents, debts, and other his money and duties, reteined, occupied, and conuerted the ſame to their owne ſingular pꝛofit and commodity, as in loning oꝛ laying out the ſame foꝛ gaines in purchaſing lands of great value, and in buying of wools, and other merchandiſe, whereby the Kings Maieſty hath oft times loſt great part of his debts and duties, and ſometime foꝛboꝛne the ſame by a long ſeaſon, after ſuch time as the ſame haue beene due and gathered. Foꝛ refoꝛmation whereof be it enacted, oꝛdeined, and eſtabliſhed by the Kings Highneſſe, with the aſſent of the Loꝛds Spirituall and Tempoꝛall, and the Commons in this pꝛeſent Parliament aſſembled, and by the authoꝛity of the ſame, That euery high Collectoꝛ, of any Fifteenes, Subſidy, oꝛ other taxe, oꝛ lone, and all and euery other the Kings ſaid particular and generall Receiuoꝛs, of any the ſaid ſummes of money, and other duties belonging to the King, from and after the firſt day of July next comming, ſhall within the ſpace of three moneths next after ſuch dayes and times, as any the ſaid Fifteenes, Subſidies, rents, ſummes of money, oꝛ other yeerely pꝛofits, ſhall be due and payable to the King, his heires oꝛ ſucceſſoꝛs, by any Statute, oꝛdinance oꝛ other meane, and by the ſame Collectoꝛ, particular oꝛ generall Receiuoꝛ, oꝛ any of them reteined oꝛ gathered, truly content, deliuer, and pay the ſame to the Kings vſe, at ſuch place oꝛ places, and to ſuch perſon oꝛ perſons, as be, oꝛ ſhall be named, appointed, and limited foꝛ the ſame, vpon peine to foꝛfeit to to the King, his heires, and ſucceſſoꝛs, foꝛ euery pound ſo being receiued, and after that retained,

Within what time any Collectoꝛ oꝛ Receiuoꝛs of the K. Fifteenes, &c. ſhall pay the ſame to the Kings vſe.

kept, or laid out for gaine, and not paid within thrée moneths, to the Kings vſe, as is aforeſaid, foure ſhillings for euery moneth that the ſame money ſhall be ſo retained, kept, or laid out for gaine, as is aforeſaid, and ſhall alſo loſe and forfeit his, or their ſaid office, concerning the ſame, and all profits thereunto belonging. And that the King ſhall at his pleaſure charge the ſaid Collector, particular, or generall Receiuor, vpon his or their accompts, with the penalty and forfeitures aboue rehearſed, or elſe at his pleaſure demand, aſke, and recouer the ſame by action, bill, plaint, or ſuit of debt, againſt the ſame Collector or Collectors, particular, or generall Receiuor, their Heires, Executors, or Adminiſtrators: In which action, bill, plaint or ſuit, no protection, eſſoine, or wager of law ſhall be allowed nor admitted.

Prouided alway, that if any of the ſaid Collectors, particular or generall Receiuors, tender payment of all ſuch money by them receiued to the Kings vſe, within the ſaid thrée moneths, in ſuch place, and vnto ſuch perſon and perſons, as be or ſhalbe charged with the receipt of the ſame, and doe as much as in him or them is, or then ſhall be, for to make true payment thereof, and cannot be thereunto admitted, by reaſon of importunate buſineſſe, or other lawfull impediment or cauſe in him or them that ſhould accept or receiue the ſame, that in euery ſuch caſe, the ſame Collector, particular or generall Receiuor or Receiuors, as ſhall ſo make tender of all ſuch money by him or them receiued or gathered to the Kings vſe, as is aforeſaid, and cannot be thereunto admitted for any the cauſes abouesaid, ſhall not be charged with, or incurre any danger or penalty conteined in this act: this act or any thing therein conteined to the contrary notwithſtanding.

The Collector or Receiuors payment being tendered, ſufficient, though it be not receiued.

Prouided alwayes, and be it enacted by authority aforeſaid that the heire or heires of any Collector, or Receiuor aforeſaid, ſhall not be charged or chargeable, by reaſon of this act, but only for and in ſuch lands, tenements, or hereditaments, which the ſaid heire or heires, haue or ſhall haue by deſcent in fée ſimple, or fée taile, or by gift, or elſe by any other aſſurance had or made to any ſuch heire or heires, only by couin from the ſaid Collector or Receiuor, or any of them, or any their aſſignes. And that in all and euery ſuch caſe and caſes, the Kings Maieſty, his heires and ſucceſſors, to haue execution only, of and in ſuch lands, tenements, or hereditaments deſcended, giuen, or otherwiſe aſſured, as is aforeſaid, vntill ſuch time as his Maieſty, his heires and ſucceſſors, be fully ſatiſfied, and paid of all, and euery ſuch ſumme and ſummes of money, due or to be due by any ſuch Collector or Receiuor.

How farre the Collector or Receiuors heire ſhal be charged.

And it is further enacted that the Executor, or Executors, Adminiſtrator or Adminiſtrators of euery ſuch Collector or Receiuor, ſhall not be otherwiſe charged or chargeable by this act, but as Executors and Adminiſtrators be, or ſhall be charged, and chargeable, by the order of the common Lawes of this Realme, in action of debt vſed and commenced againſt them, as Executors or Adminiſtrators.

How farre the Executors or Adminiſtrators of a Collector or Receiuor ſhal be charged.

Prouided alſo, and be it further enacted by the authority aforeſaid that where the heire and heires of any of the Kings Receiuors or Collectors, or debtors, is, or ſhall be charged, of and for his fathers or aunceſtors debts or duties, whoſe heire he is, whereby the lands deſcended or giuen to him by couin, to defraud the Kings execution of ſuch land vnto him or them from the ſaid father or anceſtor is put in execution, that then ſuch heire or heires ſhall and may haue his or their action of debt againſt the Executors or Adminiſtrators of his ſaid father or anceſtor, and ſhall haue execution of the goods and cattels of the ſaid father or anceſtor being in the hands of the ſaid Executors or Adminiſtrators, at the time of the ſaid Action brought: In which ſaid action, no eſſoine, protection, or wager of law ſhall be admitted or allowed.

The heire being charged ſhall haue remedy againſt the Executors.

Prouided alway, that this Act ſhall not extend to the Collectors of the Kings cuſtome, and the ſubſidy of tonnage and pondage, which be accomptable yéerely in the Kings Maieſties Eſchequer.

The Collector of the cuſtome of tonnage and pondage.

Prouided alwayes, that this Act, or any thing therein conteined, ſhall not extend, or be preiudiciall to any the ſaid generall, or particular Receiuor or Receiuors, to or for the payment of any penſions, fées, annuities, rents, or other allowances, by them or any of them payd, or to be payd, to any perſon or perſons, according to ſuch allowance, order, or decrée, as be or hereafter ſhall be allowed, ordered, or decréed in any of the ſaid Courts, any thing in this Act to the contrary notwithſtanding. *7. Ed. 6. 1. 1. El. 4.*

Receiuors paying fees or penſions, &c.

Cap. III.

Of what meaſure, aſſiſe and ſcantling Coales, Talwood, Fagots, and Billets ſhall be, and the forfeiture and penalty of them that ſhall not performe the ſame. REP. *7. Ed. 6. 7.*

Cap. IIII.

The Lord Chancellor, Treaſurer, &c. ſhall take order with Bankrupts bodies, lands and goods for the payment of their debts. AL. 13. *El.* 7. 1. *Iac.* 15. 21. *Iac.* 19.

Cap. V.

The explanation of the Statute of Willes, &c.

31.H.8.1.

WHere in the laſt Parliament begun and holden at Weſtminſter the eight and twentieth day of April, in the one and thirtieth yéere of the Kings moſt Gracious raigne, and there by diuers prorogations holden and continued vnto the foure and twentieth day of July, in the two and thirtieth yéere of his ſaid raigne: It was by the Kings moſt Gracious and liberall diſpoſition ſhewed toward his moſt humble and obedient Subiects, ordeined and enacted, how and in what manner lands, tenements and hereditaments, might by will or teſtament in writing, or otherwiſe by any act or acts lawfully executed in the life of euery perſon, be giuen, diſpoſed, willed or deniſed, for the aduancement of the wife, preferment of children, payment of debts of euery ſuch perſon, or otherwiſe at his will or pleaſure, as in the ſame act more plainly is declared. Sithen the making of which eſtatute, diuers doubts, queſtions and ambiguities haue riſen, béene moued and growen, by diuerſity of opinions taking in and vpon the expoſition of the letter of the ſame eſtatute.

For a plaine declaration and explanation whereof, and to the intent and purpoſe, that the Kings obedient and louing Subiects ſhall and may take the commodity and aduantage of the Kings ſaid gracious and liberall diſpoſition, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, moſt humbly beſéechen the Kings Maieſty, that the meaning of the letter of the ſame eſtatute, concerning ſuch matters hereafter rehearſed, may be by the authority of this preſent Parliament enacted, taken, expounded, iudged, declared and explained in manner and forme following.

Lands wherein one hath eſtate of inheritance, viz fee ſimple only may be deuiſed.

Firſt, where it is conteined in the ſame former ſtatute, within diuers articles and branches of the ſame, that all and ſingular perſon and perſons, hauing any manors, lands, tenements or hereditaments, of the eſtate of inheritance, ſhould haue full and frée liberty, power and authority, to giue, will, diſpoſe or aſſigne, as well by his laſt will and teſtament in writing, or otherwiſe by any act or acts lawfully executed in his life, his manors, lands, tenements or hereditaments, or any of them, in ſuch manner and forme, as in the ſame former act more at large it doth appeare. Which words of eſtate of inheritance, by the authority of this preſent Parliament, is and ſhall be declared, expounded, taken and iudged, of eſtates in fée [a] ſimple only.

Fee ſimple in copercenery or in common, in poſſeſſion, reuerſion, remainder.

And alſo that all and ſingular perſon and perſons, hauing a ſole eſtate or intereſt in fée ſimple, or ſeiſed in fée ſimple, in copercenery, or in common in fée ſimple, of and in any manors, lands, tenements, [b] rents or other hereditaments in poſſeſſion, reuerſion or remainder, or of rents or ſeruices incident to any reuerſion or remainder, and hauing no manors, lands, tenements or hereditaments holden of the King, his heires or ſucceſſors, or of any other perſon or perſons, by Knights ſeruice, ſhall haue full and frée liberty, power and authority, to giue, diſpoſe, will or deuiſe to any perſon or perſons (except bodies politike and corporate) by his laſt will and teſtament in writing, or [c] otherwiſe by any act or acts lawfully executed in his life, by himſelfe ſoly, or by himſelfe and other ioyntly, ſeuerally or particularly, or by all thoſe wayes or any of them, as much as in him of right is or ſhall be, all his ſaid manors, lands, tenements, [d] rents and hereditaments, or any of them, or any rents, commons or other profits or commodities out of, or to be perceiued of the ſame, or out of any parcell thereof, at his owne frée will and pleaſure: any clauſe in the ſaid former act notwithſtanding.

Deuiſing of rent or common out of land.

And further be it declared and enacted, by the authority aforeſaid, that all and ſingular perſon and perſons, hauing a ſole eſtate or intereſt in fée ſimple, or ſeiſed in fée ſimple in copercenery, or in common in fée ſimple, of or in any manors, lands, tenements, rents, or other hereditaments, in poſſeſſion, reuerſion, or remainder, or of and in any rents, or ſeruices incident to any reuerſion or remainder, houlden of the King by Knights ſeruice in chiefe, or of the nature of Knights ſeruice in chiefe, hath, and by the authority of this preſent Parliament, ſhall haue full and frée liberty, power and authority, to giue, diſpoſe, will or aſſigne to any perſon or perſons (except bodies politike and corporate) by his laſt will and teſtament in writing, or otherwiſe by any act or acts lawfully executed in his life by himſelfe ſoly, or by himſelfe and other ioyntly, ſeuerally or particularly, or by all thoſe wayes or any of them, as much as in him of right is or ſhall be, [c] two parts as well of all the ſaid manors, lands, tenements, rents and hereditaments, as of all and ſingular his other rents and hereditaments, or of any of them, or any rents, commons or other profits or commodities, out of, or to be perceiued of the ſame two parts, or out of any parcell thereof, in thrée parts to be diuided, or as much thereof, as ſhall amount to the full and cléere yéerely value of two parts thereof, in thrée parts to be diuided, of what perſon or perſons ſoeuer they be holden, at his frée will and pleaſure.

Lands holden of the King by Knights ſeruice in chiefe.

And that by the authority aforeſaid, the ſaid will ſo declared, ſhalbe good and effectuall for two parts of the ſaid manors, lands, tenements and hereditaments, although the will ſo declared bée made of the whole, or more than of two parts of the ſame. The ſame diuiſion to be made and ſet forth by the diuiſor or owner of the ſame manors, lands, tenements and hereditaments, by his laſt will in writing, or otherwiſe in writing. And in default thereof by a Commiſſion to bée

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granted out of the Kings Court of the Wards and Liueries, vpon the inquiry of the true value thereof, by the oaths of twelue men, and returne or certificat thereof had in the ſame Court, of the ſaid manors, lands, tenements and hereditaments, diuiſion to be made by the Maſter of the Wards and Liueries, if the Maſter of the Wards and Liueries for the time being, and the parties thereunto cannot otherwiſe agree vpon the ſame diuiſion. And that the iſſues and profits of the two parts of the ſame manors, lands, tenements and hereditaments vpon euery ſuch diuiſion, to be reſtored to them, that ſhall haue right or title to the ſame from the death of the owner or deuiſour thereof.

And further be it enacted and declared by the authority aforeſaid, that all and ſingular perſon and perſons, hauing a ſole eſtate or intereſt in fee ſimple, or ſeiſed in fee ſimple, in copercenery, or in common in fee ſimple, of and in any manors, lands, tenements, rents or other hereditaments in poſſeſſion, reuerſion or remainder, or of and in any rents or ſeruices, incident to any [a] reuerſion or remainder holden of the King, his heires or ſucceſſors, by Knights ſeruice, and not in chiefe, or holden of any other perſon or perſons by Knights ſeruice, ſhall haue full and free liberty, power and authority, to giue, diſpoſe, will or deuiſe to any perſon or perſons (except bodies politike and corporat) by his laſt will and teſtament in writing, or otherwiſe by any act or acts lawfully executed in his life by himſelfe ſoly, or by himſelfe and other ioyntly, ſeuerally or particularly, or by all thoſe wayes, or any of them, as much as in him of right is or ſhall be, two parts of all the ſaid manors, lands, tenements and hereditaments, or any of them ſo holden by Knights ſeruice, or any rents, common, or other profits or commodities, out of, or to be perceiued of the ſame two parts, or out of any parcell thereof, in three parts to be diuided, or as much thereof, as ſhall amount to the full and cleere yeerely value of two parts thereof, in three parts to be diuided at his free will and pleaſure.

fol. 138.

Lands holden of the King or others by Knights ſeruice and lands holden in ſocage.

And that the ſaid will ſo declared by authority aforeſaid, ſhall bee good and effectuall for two parts of the ſaid manors, lands, tenements or hereditaments, although the will ſo declared be or ſhall be made of the [b] whole lands and tenements, ſo holden by Knights ſeruice, or of more than of two parts of the ſame. And alſo for the whole of all other ſuch manors, lands, tenements and hereditaments, or any of them, not holden of the King by Knights ſeruice in chiefe, or otherwiſe by Knights ſeruice, nor of any other perſon by Knights ſeruice, and of any rents, commons, or other profits or commodities, out of or to be perceiued of the ſame, or out of any parcell thereof, at his free will and pleaſure. The ſame diuiſion to be made and ſet forth by the owner of the ſaid manors, lands, tenements and hereditaments by his laſt will and teſtament in writing, or otherwiſe in writing. And in default thereof, for as much of the ſame manors, lands, tenements and hereditaments, as ſhall concerne the Kings intereſt, by Commiſſion to be directed out of the Kings Court of the Wards and Liueries, in manner and forme as is aforeſaid, if the Maſter of the Wards and Liueries for the time being, and the parties thereunto cannot otherwiſe agree vpon the ſame diuiſion: And that reſtitution of the iſſues and profits of the two parts thereof, ſhall be had and made in manner and forme abouesaid. And for ſuch of the ſame manors, lands, tenements and hereditaments, as ſhall concerne the intereſt of any other Lord or Lords, by Commiſſion to bee granted out of the Kings Court of the Chancery, to enquire thereof by the oaths of twelue men, if the ſame Lord or Lords, and the parties thereunto cannot otherwiſe agree vpon the ſame diuiſion.

fol. 150.
11. fol. 84.

A will made of the whole, ſhall be good for two parts.

How the deuiſion of the two parts from the three ſhall be ſet forth.

And be it further enacted and declared by authoritie aforeſaid, that the ſauings, reſeruings and prouiſions, concerning ſauing of the cuſtody, wardſhip, reliefe and primer ſeiſon to the King, of ſuch manors, lands, tenements and hereditaments, or as much thereof as ſhall appertaine vnto him by vertue of the ſaid former act, and by the declaration and expoſition thereof, declared by this preſent Act, during the [c] Kings intereſt therein: And alſo of the cuſtodie and wardſhip to other Lords, of as much of ſuch manors, lands, tenements and hereditaments holden of them, as ſhall amount and extend to the cleere yeerely value of the third part thereof, ouer and aboue all charges, without any diminution or abridgement of the third part, or of the full profits thereof, compriſed and mentioned in diuers articles in the ſaid former act conteined, by the authority aforeſaid, be and ſhall be intended, expounded and taken, as hereafter enſueth: That is to ſay, that the King ſhall haue and take for his [d] full third part, of all ſuch manors, lands, tenements and hereditaments, wherunto he is or ſhall be intituled by the ſaid former act, and by this preſent act, ſuch manors, lands and tenements, as ſhall by any meanes deſcend, or come by deſcent, as well of eſtate of inheritance in fee tayle, as in fee ſimple, or in fee tayle only to the heire of any ſuch perſon, that ſhall make any will, gift, diſpoſition, or deuice by his laſt will in writing, or by any act or acts lawfully executed in his life, immediatly after the death of the ſame deuiſour or owner thereof.

fol. 32.
fol.

An expoſition of the ſauing, reſeruings, and prouiſions made in this act, and the ſtatute of 32. H. 8. 1.

And that the will, gift and deuice of euery ſuch deuiſour or owner, of and for the two [e] parts of the ſaid manors, lands, tenements and hereditaments reſidue, ſhall by the authority aforeſaid, be, and ſtand good and effectuall in the Law, albeit the ſame will, gift or deuice be had and made of all his fee ſimple lands, [f] tenements and hereditaments, or of the more part thereof.

150.
fol. 28.
10. fol.

Deuiſe of all the fee ſimple lands leauing the third part entailed lands to the King or other chiefe Lord.

And in caſe the ſame manors, lands, tenements and hereditaments, which after the death of any ſuch owner or deuiſour, which ſhall make any ſuch gift, diſpoſition, or deuice by his laſt will in writing, or otherwiſe by any act or acts lawfully executed in his life, to his wife, children, or otherwiſe, as is aforeſaid, which ſhall immediatly after his death deſcend, reuert, remaine or come to his heire or heires, as well of eſtate of inheritance in fée taile, as of eſtate in fée ſimple, or fée taile only, be not or ſhall not amount or extend to the full cléere yéerely value of the full third part with the full profits thereof, of all the ſaid manors, lands, tenements or other hereditaments of the ſaid deuiſour or owner, according to the true intent and meaning of the ſaid former act, and of this preſent act: that then the King ſhall and may haue and take into his hands and poſſeſſion to make vp his full third part, with the full profits thereof according to his intereſt therein, as much of the other manors, lands, tenements or hereditaments, willed, giuen, diſpoſed, or aſſigned by any ſuch perſon, to his wife, children or otherwiſe, as is aforeſaid, as with ſuch of the ſame manors, lands, tenements or hereditaments deſcended, or by any meanes come vnto the heire, as heire of any ſuch deuiſour or owner, ſhall make vp the cléere yéerely value of the ſaid full third part, with the full profits thereof, of all the ſaid manors, lands, tenements or hereditaments, of euery ſuch owner or deuiſour, ſo to be had to the King, in title of wardſhip or primer ſeiſon, as the caſe ſhall require. And the deuiſion thereof to be had and made, and with the reſtitution of the profits of the two parts of the ſaid manors, lands, tenements, and hereditaments, in ſuch manner and forme as is aboue rehearſed. And like benefit and aduantage to be giuen, had and taken by the ſaid authoritie, to euery Lord and Lords, of whom any ſuch manors, lands, tenements, or hereditamens béene or ſhalbe holden by Knights ſeruice, in manner and forme as is aboueſaid, concerning only his or their third parts thereof, according to their ſaid intereſt therein.

A remedy where a full third part is not left for the King or other Lords.

A remedy for the King or other Lords, if the third part be entailed.

And be it further enacted by the authority aforeſaid, that if it happen the ſame third part, or any part thereof, left, willed or aſſigned, to the King or other Lord, at any time during their intereſts therein, to be lawfully euicted or determined: that then the King and the other Lord, ſhal haue as much of the two parts reſidue, as ſhall accompliſh and make vp a full third part in cléere yéerely value, after the rate and portion of ſuch manors, lands, tenements and hereditaments, as ſhall then happen to remaine of the ſame third part, not euicted nor determined; and of the other two parts of ſuch manors, lands, tenements and hereditaments, as the King or other Lord ſhould or ought to haue had, by vertue of the ſaid former act, and this preſent act: and the ſame to bée diuided in manner and forme aboue rehearſed, any clauſe in the ſaid former act notwithſtanding.

And be it further enacted and declared by the authority aforeſaid, that the ſauing and reſeruing for fines for alienation by any ſuch laſt will and teſtament of ſuch manors, lands, tenements or hereditaments, holden of the King by Knights ſeruice in chiefe, or of the nature of Knights ſeruice in chiefe, or by ſocage in chiefe, or of the nature of ſocage tenure in chiefe, or for fines for alienation, of ſuch manors, lands, tenements or hereditaments, whereof there ſhall be any alteration of fréehold or of inheritance, made by any ſuch laſt will, compriſed in diuers and ſundry articles mentioned in the ſaid former act, be and ſhall be intended, expounded, taken, déemed and iudged by the authority aforeſaid: That all ſuch perſon or perſons, to whom the ſaid manors, lands, tenements or hereditaments, or any of them, be or ſhall be giuen, diſpoſed, willed or deuiſed by any ſuch laſt will, ſhall be exonerated, acquited, and diſcharged for euer againſt the King, his heires and ſucceſſors, for all ſuch fines for alienations, by any ſuch laſt will or teſtament without licence, by ſuing forth of the Kings pardon for alienation out of the Kings Court of Chancery, paying to the King, his heires or ſucceſſors, for the fine of euery ſuch alienation, the third part of the yéerely value of the ſame manors, lands, tenements or other hereditaments, to him or them willed or deuiſed: and this act, from time to time ſhall be a ſufficient warrant to the Lord Chancellor of England, or Kéeper of the great Seale for the time being, for the granting out of the ſaid pardon or pardons vnder the Kings great Seale, as heretofore hath béene vſed for pardons for alienations, without any further ſuit to be made to the King for the ſame.

A pardon of alienation muſt be ſued by thoſe to whom lands be deuiſed, paying the third part of the yéerly value of the lands holden in chiefe.

Women couert, perſons within age, idiots, mad men cannot deuiſe their lands.

And it is further declared and enacted by the authority aforeſaid, that wils or teſtaments made of any manors, lands, tenements or other hereditaments, by any [a] woman couert, or perſon within the age of one and twenty yéeres, idiot, or by any perſon de non ſane memory, ſhall not be taken to be good or effectuall in the law.

And be it further enacted by the authority aforeſaid, that if any perſon or perſons, hauing eſtate of inheritance, of, or in manors, lands, tenements or hereditaments, holden of the King by Knights ſeruice in chiefe, or otherwiſe of the King by Knights ſeruice, or of any other perſon or perſons by Knights ſeruice, hath giuen at any time ſithen the twentieth day of the ſaid moneth of Iuly, or hereafter ſhall giue, will, deuiſe or aſſigne, by will or other act executed in his life, his manors, lands, tenements or hereditaments, or any of them, by fraud or couin, to any other perſon or perſons for terme of yéeres, life or liues, with one remainder ouer in fée, or with diuers remainders ouer for terme of yéeres, life, or in taile, with a remainder ouer in fée ſimple, to any perſon or perſons, or to his or their right heires: or at any time ſithen the ſaid twentieth day of Iuly, hath conueyed or made, or hereafter ſhall conuey or make by fraud or couin, contrary to the true intent of this act, any eſtates, conditions, menalties, tenures or conueyances, to the intent

tent to defraud or deceiue the King of his prerogatiue, primer ſeiſon, liuery, reliefe, wardſhip, marriages or rights: or any other Lord of their wardſhips, reliefes, herriots or other profits, which ſhould or ought to accrue, grow or come vnto them or any of them, by or after the death of his or their tenant, by force, and according to the former eſtatute and of this preſent act and declaration: and the ſame eſtates and other conueyances, being found by office to be ſo made or contriued by [b] couin, fraud or deceit, as is aboueſaid contrary to the true intent and meaning of the ſaid former act, and of this act: That then the King ſhall haue as well the wardſhip of the body, and cuſtody of the lands, tenements and hereditaments, as liuery, primer ſeiſon, reliefe and other profits, which ſhould or ought to appertaine to the King, according to the true intent and meaning of the ſaid former act, and of this preſent act, as though no ſuch eſtates or conueyances by couin had neuer beene had or made, vntill the ſaid office be lawfully vndone by trauers or otherwiſe.

Aſſurances by couin to defraud the King and other Lords of their wardſhips, marriages, &c. St. 52. H. 3. 6.

A remedy for the King to auoid fraudulent conueyances.

Dyer. fol. 193.
s.
le l. 6. fol. 76.
8. fol. 16.
H. 8. fol. 7.
H. 6. fol. 14.
l. 47.

And that the other Lord and Lords, of whom any ſuch manors, lands, tenements, or hereditaments ſhall be holden by Knights ſeruice, as is aforeſaid, ſhall haue their remedy in ſuch caſes, for his or their [c] wardſhips of bodies and lands, by writ of right of ward, and ſhall diſtraine and make auowrie, or cogniſance by themſelues or their Bailiffes, for their reliefes, herriots and other profits which ſhould haue beene then due, by or after the death of their tenant, as if no ſuch eſtate or conueyance had beene had or made,

A remedy for other Lords to auoid fraudulent conueyances.

Coke. li. 9. fol.
.

Sauing and reſeruing alwayes, by the authority aforeſaid, the right and title of the donees, feoffees, leſſees, and deuiſees thereof againſt the ſaid deuiſour, and his heires, after the intereſt and [d] title of the King or other Lord therein ended and determined.

The right of the donees, leſſees, &c. ſaued after the King or other Lords intereſt expired

Dyer. fol. 287.

Prouided alwayes that this act, explanation and declaration, or any of them, or any thing in this ſaid act, explanation or declaration conteined, ſhall not extend to the will or deuiſe of Sir Iohn Gaynſford, late of Crowherſt in the County of Surrey Knight deceaſed: Nor to the will or deuice of Sir Peter Filpot Knight deceaſed: Nor to the will or deuiſe of Richard Creſwel, late of Pattingley, in the County of South. Gentleman deceaſed, nor to the will or deuice of Thomas Vnton, late of the County of Berk, Gentleman deceaſed, ſonne of Sir Thomas Vnton Knight, alſo deceaſed: or ſhall be in any wiſe preiudiciall or hurtfull to any perſon or perſons, for or concerning any manors, lands, tenements or hereditaments, contained or ſpecified in the ſaid wills or deuiſes, or in any of them, but that the ſaid laſt wills and deuiſes, and euery of them, ſhall ſtand, abide, remaine, and be in the ſame caſe, force and effect in the Law, to all intents, purpoſes and conſtructions, as the ſaid laſt wills and deuiſes, and euery of them, were before the making of this act, declaration and explanation, and of none other effect or force: this act, declaration and explanation, or any of them, or any thing therein contained to the contrary thereof in any wiſe notwithſtanding.

Certaine perſons to whoſe wills this Statute extendeth not.

Prouided alway, and be it enacted by the authority aforeſaid, that all and euery perſon and perſons, from whom the King, or other Lord or Lords, ſhall take any manors, lands, tenements or hereditaments, for his or their full third part, or to make vp his or their third part ſhall and may, by authority of this preſent act, in any of the caſes aforeſaid vpon his or their bill exhibited in the Kings Court of Chancery, againſt all and euery ſuch perſon and perſons, which ſhall be intituled by or vnder any ſuch will, gift, diſpoſition or deuiſe, to the other two parts, haue ſuch contribution or recompence for the ſame, as by the Chancellor of England, or by the Keeper of the great Seale of England, for the time being, ſhall be thought good and conuenient. Coke. lib. 3. fol. 35. Coke. Inſt. 76. a. 78. a. 111. b.

Contribution for him from whom the King taketh any lands to make vp his third part.

Cap. VI.

No perſon ſhall put to ſale any Pinnes, but only ſuch as ſhall be double headed, and haue the heads ſouldered faſt to the ſhanke of the Pinne, well ſmouthed, the ſhanke well ſhauen, the point well and round filed, caunted and ſharped. REP. 37. *H.* 8. 13.

Cap. VII.

The Lords authorized by the Statute of 28. *H.* 8. 14. to ſet the prices of wines in groſſe, may mitigate and enhaunce the prices of wines to bee ſould by retayle, as time and occaſion ſhall require. EXP. St. 37. *H.* 8. 23.

Cap. VIII.

Any perſon being no common Surgeon, may miniſter outward medicines.

WHere in the Parliament holden at Weſtminſter, in the third yeere of the Kings moſt gracious reigne, amongſt other things for the auoiding of ſorceries, witchcrafts, and other inconueniences, it was enacted, That no perſon within the City of London, nor within ſeuen miles of the ſame, ſhould take vpon them to exerciſe and occupy as Phyſitian, or Surgeon, except he be firſt examined, approued, & admitted by the Biſhop of London and other, vnder and

vpon

By what means the Surgeons of London haue abuſed the Statute of 3.H 8. 11. for their owne gaine.

vpon certaine peines and penalties in the ſame act mentioned. Sithens the making of which ſaid Act, the company and fellowſhip of Surgeons of London, minding only their owne lucres, and nothing the profit or eaſe of the diſeaſed or patient, haue ſued, troubled and vexed diuers honeſt perſons, as well men as women, whom God hath endued with the knowledge of the nature, kind and operation of certaine herbes, roots and waters, and the vſing and miniſtring of them, to ſuch as beene pained with cuſtomable diſeaſes: as womens breſts being ſore, a pin and the web in the eye, vncomes of hands, ſcaldings, burnings, ſore mouths, the ſtone, ſtrangury, ſaucelim, and morfew, and ſuch other like diſeaſes. And yet the ſaid perſons haue not taken any thing for their peines or cunning, but haue miniſtred the ſame to poore people only for neighbourhood and Gods ſake, and of pity and charity. And it is now well knowne, that the Surgeons admitted will doe no cure to any perſon, but where they ſhall know to be rewarded with a greater ſumme or reward than the cure extendeth vnto, for in caſe they would miniſter their cunning vnto ſore people vnrewarded, there ſhould not ſo many rot and periſh to death for lacke of helpe of ſurgery as daily doe: but the great part of Surgeons admitted, beene much more to be blamed, than thoſe perſons that they trouble.

For although the moſt part of the perſons of the ſaid craft of Surgeons haue ſmall cunning, yet they will take great ſummes of money, and doe little therefore, and by reaſon thereof they doe oftentimes impaire and hurt their patients, rather than doe them good.

In conſideration whereof, and for the eaſe, comfort, ſuccour, helpe, reliefe and health of the Kings poore Subiects, inhabitants of this his Realme, now pained or diſeaſed, or that hereafter ſhall be pained or diſeaſed.

It ſhall be lawfull for any perſon to cure outward ſores notwithſtanding the Statute of 3.H. 8.11.

Be it ordained, eſtabliſhed and enacted by the authority of this preſent Parliament, that all time from henceforth it ſhall be lawfull to euery perſon being the Kings Subiect, hauing knowledge and experience of the nature of herbes, roots and waters, or of the operation of the ſame, by ſpeculation or practiſe within any part of the Realme of England, or within any other the Kings Dominions, to practiſe, vſe and miniſter in and to any outward ſore, vncom, wound, appoſtemations, outward ſwelling or diſeaſe, any herbe or herbes, oyntments, bathes, pultes, and emplaſters, according to their cunning, experience and knowledge in any of the diſeaſes, ſores and maladies beforeſaid, and all other like to the ſame; or drinkes for the ſtone, and ſtrangury, or agues, without ſuit, vexation, trouble, penalty or loſſe of their goods, the foreſaid ſtatute in the foreſaid third yeere of the Kings moſt Gracious reigne, or any other act, ordinance or ſtatute to the contrary hereof, heretofore made, in any wiſe notwithſtanding.

CAP. IX.

Meanes to preſerue the Riuer of Seuerne from rubbiſh or balaſt to be caſt thereinto.

WHere diuers perſons, as well inhabitants, fermers and dwellers next vnto the ſtreame of Seuerne, and vnto the creekes and pilles of the ſame from Kingrod vpward toward the City and Towne of Glouceſter, conuey and carry graine and corne out of the Realme of England, vnto the parts beyond the ſea, where graines are very deere, and now of late time haue made picards and other great boats, with fore maſtes, of the burden of fifteene tun, and ſo to ſix and thirty tun, and by reaſon thereof, Wheat, Rye, Beanes, Barley, Mault, and other kinde of graines by ſtealth are conueyed into the vtter parts beyond the ſea, ſo that thereby the Kings Maieſty is not only deceiued of his ſubſidy and cuſtome for the ſame, but it cauſeth at ſuch times, Wheat graine and other kind of corne, as is aforeſaid, to be at high prices. And by the ſame meanes the inhabitants within the City or Towne of Briſtoll, are often and ſundry times deſtitute, and ſcant may haue graine or corne to ſerue the Kings obedient Subiects there dwelling and inhabiting. And alſo by reaſon of hauing of the ſaid great boats and veſſels, oftentimes diuers ſhips, as well of the parts beyond the ſea, as other of Engliſh ſhips lying in Kingrod and Hungerod (being Ports or Hauens of the City or Towne of Briſtoll aforeſaid, diſtant fiue miles or thereabout from the ſaid Towne of Briſtoll) awaiting and tarrying there the comming of the ſaid great boats with corne and graine downe Seuerne, who there diſcharge the graine and corne abord the ſaid ſhips at Kingrod. By reaſon whereof the ſaid ſhips and other veſſels, there tarrying for the receit of the ſaid graine and corne, doe then caſt out their balaſt of ſtones, and other robull of balaſt of their ſaid ſhips and veſſels, into the ſaid rodes and Hauens of Hungrod and Kingrod, and there load the ſaid graine or corne in the ſhips and veſſels to the great deſtruction, and in continuance to the vtter vndoing of the ſaid rodes and hauens. So that the mouth and whole channell of the ſaid hauen is ſo heaped and quarred with ſtones and robull of balaſts of the ſhips and boats there arriuing, that great ſhips, which vſeth the courſe of merchandize to the ſaid Towne of Briſtoll from the parts beyond the ſea, and from the ſaid Towne laden with merchandize vnto the vtter parts, may ſcantly or ſafely come vnto the Kings ſaid Port and Towne of Briſtoll, and the Riuer of the ſame, and ſo from the ſaid Port and Towne of Briſtoll vnto the ſaid Seuerne, without great danger and perill. And by that meanes ſhips of great burden are like to be deſtroyed, and vtterly be caſt away, and if redreſſe be not the ſooner had therein, it will be to the vtter deſtruction of the Hauen and Port of the ſaid Towne of Briſtoll, which ſaid Towne of Briſtoll is chiefely maintained by courſe of merchandize.

Wherefore it may pleaſe the Kings Maieſty, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, to enact, make and ordeine, that after the laſt day of July next comming, no maſter or maſters, owner or owners of ſhip or ſhips, or of any other boat or veſſell, or any other perſon or perſons, do caſt or vnlode their balaſt or robull, at or in the ſaid rode called Kingrod and Hungrod, nor in any of them, ne in other place from the rode of Kingrod vnto the Towne of Briſtoll, nor in no part of the Hauen thereof, but on the land only aboue the full ſea marke, vpon peine that euery ſuch owner, maſter of ſhip, or of other boat or veſſell, and of euery other perſon or perſons, caſting and laying their balaſt or robull in the ſtreme, at the place or in the Riuer aforeſaid, to forfeit for euery time ſo offending, foure pound, the one halfe thereof to our Soueraigne Lord the King, and the other halfe thereof to the party that will ſue for the ſame in any of the Kings Courts of record, as well within Courts of record, within Cities and Townes corporate, before the Maior, Aldermen, Sheriffes and Bailifes, according to their Corporation, as elſewhere in any of the Kings Courts of record, by bill, plaint, action of debt, information or otherwiſe, in the which action the defendant ſhall not wage his law, neither yet no protection or eſſoine to be allowed.

The penalty for caſting of balaſt or robull in Kingrod, or in any part of the Hauen vnto Briſtoll.

And further that it may be enacted by the authority aforeſaid, that no perſon or perſons from henceforth ſhall enbote or lade, or cauſe to be enboted or laden, any Wheate, Maulte, Beanes or any other kinde of graine or corne, whatſoeuer it ſhall be, in any picard, boat or other veſſell, at the creke, pill, banke or elſewhere vpon Seuerne ſtreme, betweene the key of the City of Gloceſter and the ſaid City or Towne of Briſtoll by the water of Seuerne, to the intent to be tranſported into vtter parts beyond the ſea out of the Kings Dominion, before that the ſaid owner or lader of the ſaid piccard, boat, or other veſſell, hath beene with the Kings Cuſtomers of the ſaid Towne of Briſtoll, and there by himſelfe, and one ſufficient ſuerty with him, bounden vnto the Kings Cuſtomers of the ſaid Port and Towne of Briſtoll aforeſaid, in ſuch reaſonable ſummes of money to the vſe of our ſaid Soueraigne Lord the King, as ſhall amount to the double value of the ſaid graine, or corne there to be laden, or to be enboated, vpon condition that the ſaid owner or maſter of the ſaid picard, or boat, or other veſſell ſhall not repaire, nor tranſport the ſaid corne or graine, nor no part thereof into any vtter parts beyond the Sea out of the Kings Dominion, before the ſaid Maſter or owner thereof ſhall come and bring the ſaid graine and corne vnto the key of the ſaid Towne of Briſtoll, and there to be viewed or ſeene the contents thereof, and the contents thereof to be declared vnto the Kings Cuſtomers, and to the Mayor of the ſaid Towne for the time being, if there be any ſuch licence or lawfull cauſe for to conuey or tranſport graine or corne into the parts beyond the ſea, out of the ſaid Kings Dominion, there to be meaſured and mett by the common meaſure of the ſaid Towne.

None ſhall load corne in any veſſell by the water of Seuerne to tranſport, before he be bound to the Cuſtomer of Briſtoll to bring it thither.

And after the ſaid obligation with condition ſo made, ſealed and deliuered vnto the ſaid Cuſtomer: Then the ſaid Cuſtomer ſhall deliuer a ſufficient cocket vnto the party, owner or owners, or maſter ſo bounden to conuey the ſaid graine or corne vnto the key of Briſtoll, vpon peine that euery picard, boat or other veſſell ſo laden with graine or other kinde of corne, to be carried or tranſported into the vtter parts beyond the ſea, out of the Kings Dominion, to be forfeited as well the ſaid corne and graine ſo laded, as the ſaid boat ſo laden contrary vnto this preſent Act whereof the King our Soueraigne Lord to haue the three parts thereof, and the party that will ſue for the ſame the fourth part before the Kings moſt honourable Counſell according to the Kings proclamation in that behalfe made, and prouided.

And further be it enacted by authority aforeſaid, that if it ſhall appeare vpon the meaſuring thereof, vnto the Maior of the ſaid Towne of Briſtoll, and to the Kings Cuſtomers there for the time being, that there is more corne or graine loded to be tranſported into the parts beyond the ſea, within any of the ſaid veſſels, boats, picards or trowes, ouer and aboue foure quarters, more than is conteined in the ſaid cocket or licence: that then it ſhall be lawfull vnto the ſaid Maior, and Cuſtomers there for the time being, to cauſe the owner and conueyer thereof vnto the ſaid Towne of Briſtoll, to make ſale of ſuch corne and graine, as ſhall be brought ouer, and aboue the contents of the ſaid cocket or licence, and ouer and aboue foure quarters, beſide the cocket or licence, according as the prices of ſuch graine and corne are commonly worth and ſold in the open market of the ſaid towne of Briſtoll. The ſaid common meater to haue for the meaſuring of euery way of corne two pence, on peine of euery perſon, being owner of the ſaid graine or corne, or hauing the charge of the ſame, denying the meaſuring of the ſaid graine at the key of Briſtoll, to loſe and forfeit for euery time ſo denying fiue pound, the one halfe thereof to be to our ſaid Soueraigne Lord the King, and the other halfe thereof to be to the party that will ſue for the ſame in any Court of Record, by action of debt, information or otherwiſe: In the which action the defendant ſhall not wage his law, nor protection nor eſſoine allowed.

The penalty where one bringeth more corne to Briſtoll to be meaſured, and thence to bee tranſported, than is contained in his licence.

The penalty for denying the meaſuring of corne at Briſtoll.

And be it alſo enacted by authority aforeſaid, Tat no perſon or perſons after the firſt day of Auguſt next comming, doe caſt or vnlade out of any manner of ſhip, crayer, or any other veſſell,

being

The penalty for caſting of rubbiſh into any channel, hauen, rode or riuer.

being within any hauen, rode, chanell or riuer, flowing or running to any port Towne, or to any City, Borough or Towne within this Realme, or any other the Kings Dominions, any manner of balaſt, rubbiſh, grauell, or any other wracke or filth, but only vpon the land aboue the full Sea marke, vpon paine that euery perſon and perſons offending this act, to loſe and forfeit for euery time ſo offending fiue pounds, the one halfe to the King our Soueraigne Lord, and the other halfe thereof, to ſuch perſon and perſons as will ſue for the ſame, by bill, plaint, originall writ or information in any the Kings Courts of Record, in which action or ſuit no wager of Law ſhall be admitted, nor any eſſoine or protection allowed.

CAP. X.

The aſſiſe of conerlets made in Yorke, and where they ſhall be ſold.

VVHere as the City of Yorke, being one of the ancient and greateſt Cities within the Realme of England, afore this time hath béene maintained and vpholden by diuers and ſundry handycrafts there vſed, and moſt principally by making and weauing of Couerlets and couerings for beds, and thereby a great number of the inhabitants and poore people of the ſaid City, Suburbes thereof, and other places within the County of Yorke, haue béene daily ſet on worke in ſpinning, carding, dying, weauing, and otherwiſe concerning the making of them, to the great commodity of the inhabitants and poore people of the ſaid City, hauing thereby honeſt liuings, and not made elſe where in any part of the ſame County. For the true, ſubſtantiall, and perfect making whereof many good and beneficiall ordinances and orders haue béene deuiſed and made, aſwel for the good ſtuffe, concerning the ſaid couerlets and couerings, as alſo for the length and breadth of them and otherwiſe: of the which couerlets and couerings the beſt ſort ſhould and ought by the ſame ordinances, to conteine in length thrée yards, and in breadth two yards, and a quarter at the leaſt. The ſecond ſort to conteine in length thrée yards, and in breadth two yards. And the loweſt or third ſort ſhould conteine two yards and a halfe in length, and in breadth one yard and thrée quarters, vnder paine of forfeiture of the ſame, the one halfe and moity of the ſaid ſaid forfeiture to be to the Maior and Comminalty of the ſaid City, and the other moity to be to the Wardens and Company of the ſaid handycraft of Couerlet makers.

The length and breadth which couerlets made in Yorke ſhould conteine.

And forasmuch as the ſame Couerlets and Couerings, were well and ſubſtantially made and wrought, the Kings Subiects of diuers parts of the Realme, and alſo Strangers of other forreine Realmes, knowing the goodneſſe of them, were very deſirous to haue and buy the ſaid Couerlets and couerings. And now of late diuers and ſundry euill diſpoſed perſons Apprentizes not expert in the ſame occupation, withdrawing themſelues out of the ſaid City of Yorke into the County of Yorke, and other places there abouts, and alſo diuers other perſons, inhabiting in villages and Townes within the ſaid County, and nigh to the ſame City, entermedling with the ſame craft or occupation, hauing little experience therein, not being bound to the ſaid rules and ordinances, do daily make couerlets and couerings, neither of good ſtuffe nor of good aſſiſe, length, or breadth, and for the vtterance of the ſame, vſe daily the craft and ſubtilty of hauking abroad in the Country, to Villages and to mens houſes, putting the ſame naughty ware to ſale ſecretly, not only to the great diſceit of the Kings true and faithfull Subiects, buying the ſaid couerlets, and to the great defaming and ſlander of the ſaid handycraft, but alſo to the impoueriſhing of the inhabitants of the ſaid City, and vtter decay of the ſame, if remedy the ſooner herein be not prouided. It may therefore pleaſe our Soueraigne Lord the King, with the aſſent of the Lords Spirituall and Temporall, and of the Commons in this preſent Parliament aſſembled, that it may be enacted by the authority of the ſame, That no manner of perſon or perſons, dwelling and inhabiting within the ſaid County of Yorke, or nigh vnto the ſame, ſhall after the Feaſt of S. Michael the Archangell next comming, make any Couerlets or Couerings, to be put to ſale, vnleſſe ſuch perſon or perſons, after the ſaid feaſt, be inhabiting or dwelling within the City of Yorke, or within the Suburbes of the ſame, vpon paine of forfeiture of euery ſuch couerlet or couering, made, wrought, and put to ſale, contrary to the tenour of this eſtatute, or the value thereof.

None in Yorkſhire ſhall make couerlets but they which dwell in Yorke.

And be it further enacted, by the ſaid authority, That no manner of perſon or perſons, of the occupation of handycrafts men of Couerings or Couerlet makers dwelling within the ſaid City of Yorke, or the Suburbes of the ſame, or elſe where within the ſaid County, ſhall from and after the ſaid Feaſt, vſe the ſaid craft of hauking, or goe as haukers, or put to ſale any Couerlets in any other place or places, out of the ſaid City and Liberties thereof, but onely in the open Markets and Faires, vpon paine of forfeiture of the ſame Couerlets and Couerings, or the value thereof: The one halfe of the ſaid forfeitures, if it be in any City, Borough, or Towne Corporate, to be to the Maior and Comminalty, Bailiffe, Gouernor, or other Ruler, and Comminalty of euery ſuch City, Borough, or Towne Corporate, authoriſed to haue the ſame by grant or preſcription, or otherwiſe lawfully: and the other halfe thereof to ſuch perſon or perſons, as ſhal ſeaſe or ſue for the ſame by bill, plaint, action, information or otherwiſe in any Court of Record, wherein no wager of law, dilatory plea, or protection ſhall be allowed or admitted.

In what places onely couerlets made in Yorke ſhall be put to ſale.

And if the ſaid forfeiture happen to be taken or found out of any the ſaid Cities, Townes or Boroughes, hauing no ſuch authority: then the one moity of the ſaid forfeiture to be to our Soueraigne Lord the King, his heires and ſucceſſors: and the other moitie to ſuch perſon and perſons, as will ſue for the ſame, in any of the Kings Courts in forme aforeſaid.

And be it alſo enacted by the authority aforeſaid, that the Wardens and Searchers of the ſaid occupation and handicraft of Couerlets and Couering makers, within the ſaid City of Yorke, for the time being, and their ſucceſſors ſhall after the feaſt of S. Michael haue full power and authority, by vertue of this Act, to make ſearch in all Faires and Markets, from Trent Northward, within this Realme of England, for all ſuch Couerlets and Couerings, as ſhall be put to ſale, not being well and ſufficiently wrought, and made of ſufficient ſtuffe, or not conteining the aſſiſes before limited and expreſſed, according to the tenor of this act, and to ſeiſe and take the ſame as forfeited. The one moity and halfe of ſuch forfeiture, if any ſuch ſhall be out of the ſaid Cities, Boroughes, or Townes corporate, to be to our Soueraigne Lord the King, and the other moity thereof to be to the ſaid Searchers and Wardens, that ſhall ſeiſe and take the ſame: to be had and recouered in like manner and forme, as is afore rehearſed.

Searching for couerlets not wel wrought or wanting aſſiſe.

Prouided alwayes, that it ſhall be lawfull to euery perſon and perſons, dwelling within the County of Yorke, at their free will and pleaſure at all times hereafter, to make Couerlets, of what aſſiſe, or of whatſoeuer ſtuffe they will for their owne vſe, or ſtore for their houſholds, or for their Lords, to whom they be tenants: So alwayes that the ſame Couerlets ſo made ſhall not be put to ſale.

Couerlets made for themſelues or their Lords.

And alſo that when and as often as the ſaid Searchers or Wardens of the occupation of Couerlet makers of the ſaid Citie of Yorke ſhall make ſearch in any liberties franchiſes within the ſaid Countie, for any the cauſes in the ſaid Act mentioned: That then and ſo oft they ſhall require the head officer of the ſame liberties and franchiſes, or his deputy to be ayding and aſſiſting, and alſo to goe with them to make the ſaid ſearch. And if the ſame officer or his deputie, vpon requeſt ſo made refuſe or will not ſo doe, That then vpon ſuch deniall and refuſall, the ſame ſearchers or Wardens to make ſearch themſelues: any thing in this Act conteined to the contrarie notwithſtanding.

Prouided alſo, that the Lords of the ſaid liberties and franchiſes, where any ſuch ſearches ſhall be made by authority of this Act, ſhall haue ſuch fines and forfeitures, as of right they ought to haue, by reaſon of any ſuch ſearches, in as large and ample manner, as they ought to haue had the ſame before the making of this Act, and as if this Act had neuer beene had nor made.

Where Lords of franchiſes ſhall haue the benefit of forfeitures.

Cap. XI.

The weight, length, breadth and goodneſſe of Welch friſes and cottons made in the Shires of Caermarthen, Cardigan and Pembroke in Wales, and the forſeiture for default thereof. REP. 5. *Ed.6.6.8.Eliz.12.*

Cap. XII.

The pauing of certaine ſtreets in London.

Foraſmuch as the ſtreet called White-croſſe-ſtreet, and the ſtreet called Cheſwell-ſtreet, leading from White-croſſe-ſtreet, vnto the high way leading to Moregate: the lane called Colding lane, and the ſtreet called Grub-ſtreet, in the Pariſh of S. Giles without Crepulgate: the ſtreet called Goſwell ſtreet, in the Pariſh of S. Botulphes without Alderſgate: the lane called Long lane, being in the Pariſh of S. Botulph without Alderſgate, and S. Sepulchres without Newgate: the ſtreet called S. Johns ſtreet, leading from the barres of Smithfield vp to the pound at the corner of the wall, extending along the high-way leading to Iſlington: And alſo the ſtreet from the ſaid barres to Cow-croſſe: The lane called Water lane in Fleete ſtreet, in the Pariſh of S. Bride and S. Dunſtane, leading down to Thames: the way leading without Temple barres weſtward, by and vnto Clements Inne gates, and new Inne gates, to Drewry place in the County of Middleſex. And alſo one little lane ſtretching from the ſaid way, to the ſigne of the bell at Drewry lane ende: and the common high way leading through a certaine place called petit France, from the barres of the weſt end of Tothill ſtreet of Weſtminſter in the County of Middleſex vnto the vttermoſt part of the weſt end of the ſaid place, called petit France: the ſtreet or high-way leading from Biſhops gate, to and aboue Shorditch Church: and the bridge called Strond bridge, and the way leading from the ſame bridge towards Temple barre: and the lane called Foſkue lane, from the garden and tenement of the Biſhop of Lichfield, and the gardens and tenements called the bell and proctours, downe to Strond bridge, be very foule, and full of pits and ſloughs very perillous and noyous, aſwell for all the Kings Subiects, through and by them repairing and paſſing, aſwell on horſebake as on foot, as alſo with carriage, and very neceſſary to be kept cleane, for the auoiding of corrupt ſauours, & an occaſion of peſtilence. For the amendment & reformation whereof, it may pleaſe the K. Highneſſe, with the aſſent of the Lords ſpirituall and temporall, and of his commons in his high Court of Parliament aſſembled, and by

authority

They which haue a certaine eſtate in lands adioyning to thoſe ſtreets and lanes, ſhall paue the ſame to the middeſt of the cawſey.

authority of the ſame, that it may be ordained, eſtabliſhed and enacted, That all and euery perſon and perſons, bodies politike and corporate, which now haue, or any time hereafter ſhal haue any lands, tenements or hereditaments in fee ſimple, fee taile, for terme of life, for terme of yeeres, or by reaſon of the Wardſhip of any heire during the nonage of the ſame heire, or by execution by writ of Elegit, or of any eſtatute eſtaple, lying and being adioyning to the foreſaid ſtreets, lanes and wayes, or any of them, ſhall on this ſide the Feaſt of Saint Michael the Archangell, which ſhall be in the yeere of our Lord God M.D.xliiij. well and ſufficiently paue, or cauſe to be paued with good pauing ſtones, all and euery part of the ſaid ſtreets, lanes and other the premiſſes before expreſſed, euery man ſuch part and quantity of the ſame lanes, ſtreets and wayes, vnto the middeſt of them and euery of them, in length and breadth, as his or their lands or tenements do lie or extend in like manner and forme, as the ſtreets and lanes within the City of London be paued, with cawſeyes or chanels in the middeſt of the ſame ſtreets, lanes and wayes, as ſhall be thought moſt neceſſary and conuenient, vpon paine euery perſon in his owne default to forfeit for euery yard ſquare of the ſame ſtreets, lanes and wayes and euery of them, not ſufficiently paued, before the Feaſt of S. Michael, twelue pence.

They which ſhall haue a certaine eſtate in lands adioyning to the high way in the foreſaid ſtreets or lanes, ſhall continue the ſame paued.

And that all and euery ſuch perſons hauing, or which hereafter ſhall haue lands or tenements in fee ſimple, fee taile, or for terme of life or otherwiſe, as is aforeſaid, adioyning or lying to and next either ſide of the ſame ſtreets, lanes and wayes, or any of them, their heires, aſſignes or ſucceſſors, after and from the ſaid Feaſt of Saint Michael, ſhall yeerely maintaine and repaire the ſame pauements, and euery of them, ouer againſt his ſaid lands and tenements, well and ſufficiently from time to time, as often and when neede ſhal require at all times hereafter with pauing ſtone, vpon paine to forfeit for euery yard ſquare, not ſufficiently paued, twelue pence, as often as any ſuch default of any perſon ſhall be preſented before the Iuſtices of Peace within the ſaid County of Middleſex, for that part of the ſaid ſtreets, lanes and wayes being within the ſaid County of Middleſex. And before the Maior and the Aldermen or Iuſtices of the Peace, within the City of London, for that which is within the liberties of the ſaid City.

The Iuſtices of Peace of Middleſex ſhal enquire of them that omit their duty there.

And be it enacted by the authority aforeſaid, that the ſaid Iuſtices of Peace, within the ſaid County of Mid. for the time being, ſhall haue full power and authority to enquire in euery their quarter Seſſions, to be kept after the ſaid Feaſt of Saint Michael, by the oaths of twelue men of the ſaid County, aſwell of them that haue not paued ſuch part or portion of the ſaid ſtreets, lanes, wayes, and euery of them, being within the ſaid County, ouer againſt and along vnto the middeſt of the ſame ſtreets, lanes and wayes, as their lands and tenements do lie or extend, as alſo of ſuch perſons as haue beene remiſſe and negligent in amending and repairing the ſame ſtreets, lanes and wayes, from time to time as neede ſhall require according to the meaning of this act.

Amercing and ſetting of fines vpon offendors.

And be it alſo enacted by the authority aforeſaid, that the ſaid Iuſtices of Peace, within the ſaid County of Middleſex for the time being, within their iuriſdiction, ſhall haue full power and authority by their diſcretions to amerce and ſet fine vpon ſuch perſons as ſhall be remiſſe, negligent, or make default in the obſeruing of the tenour of this act.

The penalties of the Iuſtice of Peace of Middleſex, and of the Maior and Aldermen of London for omitting their duties of inquiry of offendors.

And if the ſaid Iuſtices of Peace within the ſaid County of Middleſex, or the Maior and Aldermen, and Iuſtices of Peace of the ſaid City of London, at any their quarter Seſſions, after the ſaid feaſt of S. Michael, to be holden and kept within the ſaid County of Middleſex by the Iuſtices of Peace of the ſaid County, or the Maior, Aldermen, and Iuſtices of peace of the ſaid City of London, at any their quarter Seſſions, or enqueſts of wardencie, kept within the ſaid City of London, be negligent and remiſſe on their parties, to charge by oath of xij. men ſuch perſons, to find and preſent the ſaid defaults and negligences of all perſons offending contrary to the meaning of this act: then the ſaid Iuſtices of peace within the ſaid County of Middleſex, being preſent at the ſame quarter Seſſions, to loſe & forfeit for euery time ſo neglecting the ſame charge. C.s. And in likewiſe the Maior, Aldermen, and Iuſtices of Peace of London, to loſe and forfeit for euery like default and neglecting C.s.

Certificat of the fines into the Eſchequer, and proces againſt the offendors.

And be it further enacted by the ſaid authority, that the Clerke of Peace of the ſaid County of Middleſex for the time being, ſhall from time to time, certifie into the Kings Eſchequer, aſwell all ſuch fines and forfeitures, ſo aſſeſſed within the ſaid County, loſt and forfeited before the ſaid Iuſtices of Middleſex to the vſe of the Kings Highneſſe and his heires. And the Barons of the ſaid Eſchequer to make out proces by diſtreſſe to be taken and leuied vpon the ſaid lands and tenements, or otherwiſe by their diſcretions, aſwell for the ſaid fines aſſeſſed, as alſo for the ſaid forfeitures and penalties before limited: and if the Clerke of the Peace within the ſaid County of Middleſex, be remiſſe and negligent in making ſuch certificate, or doing his duty according to this Act: then the ſame Clerke to loſe and forfeit for euery ſuch default, v. li. the one halfe thereof to be to the vſe of the Kings Highneſſe, and the other halfe to any of the Kings Subiects, that will ſue for the ſame in any of the Kings Courts, by bill, action, information, or otherwiſe, wherin no wager of law, eſſoine, or protection, ſhall lie for the ſame defendant.

Fines & amerciaments ſhall be ſet vpon offendors in London by the Maior, &c.

And further be it enacted by the authority aforeſaid, that the Maior, Aldermen and Iuſtice of Peace within the ſaid City of London and Suburbes of the ſame, or foure of them, whereof the Maior to be one, by vertue of this Act, ſhall haue full power and authority from time to time, to ſet fines and amerciaments of all and ſingular perſon and perſons, for not pauing and repairing of any of the ſaid ſtreets, lanes, or high wayes, within the ſaid Cities and Liberties of the ſame, which now be paued, or hereafter ſhalbe by force of this Act paued: and the ſame fines and amerciaments to be leuied by diſtreſſe, plaint, or action within the ſaid City, by the Chamberlaine of the ſaid City for the time being, to the vſe of the Maior and Comminalty of the ſaid City and their ſucceſſors, as other fines and amercements for any other matter or cauſe within the ſaid city haue beene vſed and accuſtomed.

Prouided alwaies, ẏ if any the inhabitants of ſuch lands or tenements do ſufficiently repaire and paue before their manſions & dwelling places, the ſaid ſtreets, lanes, and high waies that then euery ſuch inhabitant, by force of this act, ſhall defaulke, abate, and retaine in his hands as much of rent due to his leſſor, as he can proue to haue expended in and about the ſame pauing and repairing, and the leſſor for ſo much money as ſuch ſum doth amount vnto, to haue no action, reentre, nor other remedy for non paiment of the ſame, vnleſſe it ſhalbe otherwiſe agreed betweene them.

An inhabitant pauing the ſtreet may defaulk ſo much of his rent from his leſſor.

Cap. XIII.

Knights and Burgeſſes ſhall haue places in Parliament for Cheſter.

IN moſt humble wiſe ſhewen vnto your excellent maieſty the inhabitants of your graces county Palatine of Cheſter, that where the ſaid county Palatine of Cheſter is, and hath beene alwaies hitherto exempt, excluded, and ſeparated out and from your high Court of Parliament, to haue any Knights and Burgeſſes within the ſaid Court: By reaſon whereof the ſaid inhabitants haue hitherto ſuſtained manifold diſheriſons, loſſes, & damages, as well in their lands, goods, and bodies, as in the good, ciuill and politicke gouernance, and maintenance of the common-wealth of their ſaid Countrey. And foraſmuch as the ſaid inhabitants haue alwaies hitherto beene bound by the Acts and Statutes made and ordained by your ſaid highneſſe, and your moſt noble progenitors, and authority of the ſaid Court, as far forth as other counties, cities, and boroughes haue bin, that haue had their Knights & Burgeſſes, within your ſaid Court of Parliament, & yet haue had neither Knight ne Burgeſſe there for the ſaid county Palatine, the ſaid inhabitants for lack thereof, haue beene oftentimes touched and greeued with Acts and ſtatutes made within the ſaid Court, as well derogatiue vnto the moſt ancient iuriſdictions, liberties and priuileges of your ſaid County Palatine, as preiudicial vnto the common wealth, quietneſſe, reſt and peace of your graces moſt bounden Subiects, inhabiting within the ſame. For remedy whereof it may pleaſe your ſaid highneſſe that it bee enacted, with the aſſent of the Lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by the authority of the ſame, that from the end of this preſent Seſſion, the ſaid County Palatine of Cheſter ſhall haue two Knights for the ſaid County Palatine, & likewiſe two Citizens to be burgeſſes for the City of Cheſter, to be elect and choſen by proceſſe, to be awarded by the Chancellor of England, vnto the Chamberlain of Cheſter, his lieutenant or deputy for the time being. And ſo like proceſſe to bee made by the Chamberleine, his lieutenant or deputy to the Sheriffe of the ſaid County of Cheſter: And the ſame election to be made vnder like manner and forme, to all intents, conſtruction and purpoſes, as is vſed within the County Palatine of Lancaſter, or any other County and City within this realme of England: which ſaid Knights and Burgeſſes, and euery of them ſo elected and choſen, ſhall be returned by the ſaid Sheriffe into the Chancery of England in due forme, and vpon like paines as it is ordeined, that the Sheriffe or Sheriffes of any other County within this realme, ſhould make their returne in caſe like. And which ſaid Knights and Burgeſſes, and euery of them ſo elected and returned, ſhall bee Knights and burgeſſes of the Court of Parliament, and haue like voice and authority, to all intents and purpoſes, as any other the Knights and Burgeſſes of the ſaid Court of Parliament, haue, vſe and enioy. And in likewiſe ſhall and may take all and euery ſuch like liberties, aduantages, dignities, priuileges, wages, fees, and commodities concerning this ſaid court of Parliament, to all intents conſtructions and purpoſes, as any other the Knights and Burgeſſes of the ſaid Court, ſhall, may or ought to haue, take, or enioy.

The reaſons why the county & city of Cheſter ſhould haue Knights and Burgeſſes for the Parliament.

The county of Cheſter ſhall haue ii. Knights for the ſhire, and the city of Cheſter ii. burgeſſes for the Parliament.

And alſo where it is, and hath beene vſed within the ſaid county Palatine, that vpon the ſuggeſtion of any perſon, that is, or hath beene indebted to any other perſon or perſons, comming to the Eſchequer within the ſaid County Palatine, and there taking a Corporall oath, that hee or they ſhall pay his or their creditors at ſuch time as he or they ſhall be able thereto, the officers of the ſaid Eſchequer haue vſed without warrant, to grant out of the ſame Eſchequer a writ in nature of a protection, whereby the ſaid creditors haue beene, and be greatly delayed, and in manner defrauded of their ſaid debts to the great impoueriſhment and vndoing of the ſaid creditors. For reformation whereof, it may alſo pleaſe your ſaid highneſſe that it be enacted by the authority aforeſaid, that no ſuch writ of courſe, without a ſpeciall warrant from your ſaid highneſſe, your heires or ſucceſſors, containing any ſuch protection, be from the firſt day of October, which ſhall be in the yeere of our Lord God. MD. XLIII. granted. But that all, and euery ſuch writs of courſe after the ſaid day to be granted, to be void and of none effect: any cuſtome, vſe or priuilege to the contrary hereof notwithſtanding.

No writ of courſe in the nature of a protection ſhall be granted in the county palatine of Cheſter.

Cap. XIIII.

The names of all perſons outlawed, attainted, and conuicted of felony, ſhall be certified into the Kings Bench.

WHere before this time diuers perſons haue beene endited, arraigned and attainted, and ſome of them Clerks conuict, and ſome of them Clerks attainted, and ſome of them outlawed for murder, burglary, robbery, and other felonies before Iuſtices of the peace, Iuſtices of gaole deliuery, and Iuſtices of Oyer and Determiner, within diuers cities, counties, franchiſes, and liberties within this realme. The records of which attainders, vtlawries, & conuictions often and many times by negligence of the Clerke of the Crowne, Clerkes of peace, Clerkes of aſſiſe and ſuch other, as haue had the order, rule, keeping and gouernance of the ſame records, haue been imbeſiled, and not ready to be obiected againſt ſuch perſons as haue been newly arraigned before our ſoueraigne Lord the King in his bench, or before other the Kings Iuſtices for like, and ſuch other offences by them committed or done. And for that it hath not beene knowne certainly whither to reſort for the ſame records, becauſe they were not certified into any place certaine. By reaſon whereof ſometime ſuch perſons and like offenders which haue been newly arraigned, as is beforeſaid, haue had the benefit of his or their Clergy where they ought not, ne ſhould haue had the ſame, if the ſaid records had then been preſent in the ſame place, where ſuch perſon or perſons were ſo newly arraigned, or elſe certified, into ſome other place certain, where the ſame records might haue been ſeene, ſent for or written for, to haue been obiected againſt ſuch perſon or perſons ſo newly arraigned. Whereby as well the King our Soueraigne Lord, as alſo all other perſons, haue many times loſt their Eſchetes, and other aduantages and forfeitures, that they ſhould haue had by meane of the ſaid attainders, to the great loſſes, both of our ſaid ſoueraigne Lord the King and other perſons, and alſo the ſame offenders haue had their Clergy, where they ought not ſo to haue had to the great boldneſſe and encouraging of like offenders.

The certificate of the Clerke of Aſſiſe into the Kings bench of ſuch as be outlawed, attainted, or conuicted of felony.

In conſideration whereof, be it enacted by the King our Soueraigne Lord, the Lords Spirituall and Temporall, and the Commons in this Parliament aſſembled, and by authority of the ſame, that the Clerke of the crowne, Clerks of the peace, and Clerks of aſſiſe for the time being where any ſuch attainder, outlawry or conuiction ſhal ſo be had, ſhall from the feaſt of Pentecoſt next comming, not only certifie a tranſcript briefly, and in few words, conteining the tenor and effect of euery ſuch inditement, outlawry or conuiction and Clerke atteinted before them ſo to be had, made, or pronounced, that is to ſay, the name, ſurname and addition of euery ſuch perſon and perſons as ſhalbe ſo endited, and thereupon outlawed, conuicted, or Clerke attainted, and the certainty of the ſaid felony, or other offence whereupon he or they ſhalbe ſo outlawed, conuicted, or Clerke attainted, and the day and place of his outlawry, conuiction, and attainder, and the day and place, where and when the ſaid felony or other offence, whereupon the ſaid perſon or perſons ſhall bee ſo endited, outlawed, conuicted, or Clerke attainted, ſhalbe made and done before the King our Soueraigne Lord in his bench at Weſtminſter in the county of Middleſex, there to remaine of record for euer, among other the Kings Records there within forty dayes next after any ſuch attainder, conuiction, or outlawry ſhal be had, made, or pronounced, if the tearme be then, and if not, then within twenty dayes next after the beginning of the tearme next following the ſaid forty dayes.

A tranſcript of an inditement deliuered to the Ordinary.

But alſo ſhall deliuer a tranſcript of euery ſuch enditement, whereupon the ſaid perſon and perſons ſhal fortune hereafter ſo to be conuicted, or Clerks attainted, to the ordinary, to whom the body of the ſaid perſon or perſons ſhall be committed. The ſaid ordinary paying to euery ſuch Clerke, as ſhall write the ſaid tranſcript, for euery copy of ſuch enditement twelue pence for his paines: vpon paine that euery Clerke of the Crowne, Clerke of the Peace, and Clerke of Aſſiſe for the time being, before whom ſuch enditement, attainder, outlawry or conuiction ſhall be ſo had, made, pronounced, or remaine for the non certifying of euery ſuch record, and deliuering of the Copy of ſuch inditements to the ſaid Ordinaries according to this eſtatute, to loſe and forfeit forty ſhillings, the one moity thereof to be to the King our Soueraigne Lord, and the other moity to him that will ſue for the ſame by action of debt, bill, information or otherwiſe in any of the Kings Courts of record, wherein no wager of law, eſſoine, or protection ſhall be allowed.

The Clerke of the Crowne ſhall receiue the certificates.

And the Clerke of the Crowne, in the Kings bench ſhall receiue the ſaid certificates and tranſcripts at ſuch time as they ſhall be tendred and profered vnto them by the ſaid Clerkes of the Crowne, Clerkes of the Peace, and Clerks of Aſſiſe, or by their deputy or deputies without taking any thing for the ſame, vpon paine of forfeiture of the ſumme of xl. s. for euery ſuch certificate by him refuſed.

No more names certified than are attainted, conuict, &c.

Prouided alwayes and bee it further enacted by the authority aforeſaid, that if there bee any more perſons contained, and named in any ſuch enditement other than ſuch perſon ſo attainted conuicted or outlawed, that then ſuch clerke of the crowne, Clerke of aſſiſe, clerke of peace, with whom the record of ſuch attainder, outlawry, or conuiction ſhall remaine, ſhall within the time before in this act limited certifie the tranſcription of ſuch inditement, outlawry, or conuiction the Kings bench at Weſtminſter as is aforeſaid, which tranſcript ſo certified ſhall be had and taken as good, effectuall, and auaileable in the Law, to all intents, conſtructions, and purpoſes againſt ſuch perſon and perſons, againſt whom it ſhall be ſo obiected, alleaged, or pleaded, as if the very record thereof, whereupon he or they ſo were indited were there preſent.

And be it enacted by the authority aforeſaid, that the ſaid Clerke of the Crowne in the Kings bench for the time being, ſhall at all ſuch times as the Iuſtices of the gaole deliuery, or Iuſtices of peace in euery County, within this realme of England doe write vnto him for the names of ſuch perſons, which be ſo attainted by outlawry, or Clerks attainted, or conuict and certified in the ſaid bench of our ſaid ſoueraigne Lord the King, ſhall incontinently without delay certifie the ſaid names and ſurnames of the ſaid perſons, with the cauſes why and wherefore they were conuict or attainted, vnto the Iuſtices of gaole deliuery, or Iuſtices of peace, vpon the paine and penalty to forfeit for euery name of ſuch perſons, which ſhall be ſo written for, and not certified by the ſaid Clerke of the Crowne in the Kings bench to the ſaid Iuſtices xl.s.

fo.253.

The Clerke of the Crown ſhal certifie the names of conuicts to the Iuſtices.

Prouided alwayes and bee it further enacted, that this Act, nor any thing therein contained ſhall not extend to the Clerkes of the Crowne, Clerkes of the peace, Clerkes of gaole deliuery, neither to any of the Prenotaries within the counties of Wales, and Cheſter, or within the counties Palatines of Lancaſter and Dureſme, or any of them, to make any tranſcript of any ſuch attainder, conuiction, or outlawry of any perſon or perſons conuicted, atteinted, or outlawed before the Kings Iuſtices of his Counties of Wales nor Cheſter, or County of Lancaſter, Dureſme, or any of them, but that the ſame records ſhall and may remaine and be in the cuſtody and keeping of the ſaid Clerkes and Prenotaries, in ſuch manner and wiſe as they are at this day. This Act, or any thing therein contained to the contrary notwithſtanding,

No certificate out of Wales, Cheſter, Lācaſter, Durham,

CAP. XV.

All gifts, grants, and writings to bee made by the Biſhop of Bath and Wells, vnder his ſeale of any his lands, offices, fees, &c. and confirmed by the Deane and Chapiter of Wels in writing vnder their Chapiter Seale, ſhalbe good in law to bind the ſucceſſors of the ſaid Biſhop. And the Deane and Chapiter of Wels ſhalbe for euer the entire and ſole Chapiter of the ſaid Biſhopricke of Bath and Wels: whereof the Prior and Couent of the diſſolued monaſtery of S. Peter and Paul of Bath were heretofore the halfe part. PR.

CAP. XVI.

Sheriffes vpon their accounts made in the Eſchequer ſhalbe diſcharged of ſuch ſums of money which they will teſtifie by their Oathes they cannot leuy. And they ſhall haue allowances for the diet of the Iuſtices of Aſſiſe, Clerke of Aſſiſe, and other their reaſonable expences, EXP. St. 37. H. 8. 13. & REP. 2. *Ed.* 6. 4.

CAP. XVII.

Biſhops new erected ſhall pay their tenths into the Courts of the firſt fruits.

Where in the Parliament begun and holden at London the third day of Nouember in the xxi. yeere of the reigne of our moſt dread Soueraigne Lord King Henry the eight, and from thence adiourned to Weſtminſter, and there holden and continued by diuers prerogations vntill the diſſolution thereof: it was among other things eſtabliſhed and enacted, that the Kings Maieſty, his heires and ſucceſſors, for the augmentation and maintenance of the royall eſtate of his Imperiall crowne and dignity, of ſupreme head of the Church of England, ſhould yeerly haue take, enioy, and receiue vnited and knit vnto his Imperiall Crowne for euer, one yeerly rent or penſion, amounting to the value of the tenth part of all the reuenues, rents, fermes, tithes, offerings, emoluments, and of all other profits, as well called ſpirituall as temporall, then appertaining or belonging, or that afterward from thenceforth ſhould belong to any Archbiſhopricke, Biſhopricke, Abbacy, Monaſtery, Priory, Archdeaconry, Deanry, Hoſpitall, College, houſe Collegiate, Prebend, Cathedral church, Collegiat Church, Conuentuall church, Parſonage Vicarage, Chauntry, free Chappel or other Benefice or promotion ſpiritual, of what name, nature or quality ſoeuer they were, within any dioceſſe of this Realme, or in Wales, the ſaid penſion or annuall rent, to be yeerely paid for euer to our ſaid ſoueraigne Lord, to his heires and ſucceſſors Kings of this Realme, at the feaſt of the Natiuity of our Lord God, as by the ſame Act among diuers other things therein contained, more plainly is ſhewed and may appeare.

26. H. 8. 3. It was enacted that the King ſhould haue a yeerely tenth of all ſpirituall promotions.

And where alſo at the Parliament begun at Weſtminſter, the xxviij. day of April, in the xxxi. yeere of our ſaid ſoueraigne Lord the Kings moſt gracious raigne: and afterward continued by diuers & ſundry prorogations, vntill the diſſolution therof, there was by authority of the ſaid parliament erected, and eſtabliſhed a certaine Court, called the Court of the firſt fruits and tenths.

32. H. 8. 45. The Kings Court of firſt fruits was erected.

And it was further enacted, by the authority of the ſaid Parliament, ẏ the ſaid firſt fruits and tenths, and all the reuenues and profits thereof, which then were, or hereafter from henceforth ſhould grow or be, by any manner of meanes, ſhould be from henceforth in the order, ſuruey, and gouernance of the ſaid court of the firſt fruits & tenth, and miniſters of the ſame, as by the ſame Act among diuers other things therin contained, plainly appeareth. Sithen the making of which ſaid Act, our Soueraigne Lord, of his moſt gracious and bleſſed diſpoſition, by his moſt gracious ſeuerall Letters Patents, hath made, erected, incorporat, and eſtabliſhed, within this his realme diuers and ſundry Biſhops & Sees of Biſhops, that is to ſay, Iohn now Biſhop of Cheſter, Iohn now Biſhop of Glouceſter, Iohn now Biſhop of Peterborough, Paul now Biſhop of Briſtoll, and Robert now Biſhop of Oxenford: and by the ſame his ſeuerall & ſundry letters patents, hath ſunderly and ſeuerally giuen and granted vnto the ſaid Biſhops diuers and ſundry manors, lands, tenements, and hereditaments. In which ſaid ſeuerall letters patents there beene reſerued vnto his highneſſe his heires and ſucceſſors, certaine yeerly rents and penſions amounting to the tenth of the ſame manors lands, tenements, and hereditaments, ſo ſeuerally giuen to the ſaid ſeuerall Biſhops, to be paid and paiable yeerly in our ſaid ſoueraigne Lord the Kings Court of Augmentations of the reuenues of his Crowne, as in the ſaid Letters patents more plainely appeareth. And foraſmuch as by the ſaid former Eſtatutes, the ſaid Biſhops beene compellable euery one of them to pay the tenths of his or their poſſeſſions, annexed to their ſeuerall Biſhopricks, in our ſaid ſoueraigne Lord the Kings Court of firſt fruits and tenth, the ſaid Biſhops be and ſhall bee double charged and chargeable, with the paiments of the ſaid rents and penſions, reſerued and to be paid, as is aboueſaid, for that, that the paiments thereof in one of the ſaid Courts, is no diſcharge in the other, contrary to the true intent and meaning of the Kings highneſſe, and to the great hurt and decay of the ſaid Biſhops, and their ſucceſſors, if ſpeedy remedy bee not therefore prouided. For reformation whereof, be it enacted and ordained by authority of this preſent Parliament, that all ẏ yeerly rents, tenths, & penſions, as is or be aboue rehearſed, reſerued in and by all and ſingular the Kings highneſſe ſaid ſeuerall Letters Patents, made of any manors, lands, tenements, Parſonages appropriat, or other hereditaments whatſoeuer they be, ſithen the eight and twentith day of April, in the ſaid one and thirtith yeere of the raigne of our ſoueraigne Lord, to any the ſaid ſeuerall Biſhops, ſhall from the firſt day of May next comming, be in the rule, gouernance, and ſuruey of the ſaid Court of firſt fruits and tenth. And that all ſuch and the ſame rents, penſions, and tenths, ſhalbe from the ſaid firſt day of May, payable and alwaies paid in the ſaid Court of firſt fruits and tenth, and not elſewhere, nor in any other Court or place, any thing rehearſed in the ſaid ſeuerall letters patents, or in any of them, or any Act, ſtatute, or law, had, made, or vſed to the contrary thereof notwithſtanding.

Fiue new Biſhopricks erected by the Kings Letters Pat.

The Biſhops of Cheſter, Glouceſter, Peterborough, and Oxford ſhal pay their tenths in the court of firſt fruits. Alt. 1. M. 10.

And be it further enacted by the authority aforeſaid, that the ſaid Biſhops nor their ſucceſſors, ne any of them, ſhall at any time hereafter be impeached or ſued in the ſaid Court of firſt fruits and tenth, of, or for any tenth, yeerely rent, or penſion, reſerued in or by any of the ſaid ſeuerall Letters patents, which now is, or before the ſaid firſt day of May next comming ſhall be due vnto the Kings highneſſe. And that all and ſingular proceſſe and ſuits now had and purſued, or hereafter on this ſide the ſaid firſt day of May to be had or ſued out of the ſaid court of firſt fruits and tenth, againſt any of the ſaid Biſhops newly erected and made, as is aforeſaid, of, for, or concerning only any yeerely rent, penſion, or tenths, reſerued vpon or by any of the ſaid Letters patents, ſhall ceaſe and bee cleerly void to all intents and purpoſes. 1. El. 4.

CAP. XVIII.

A confirmation of all liberties granted by the King, or any of his progenitors, to the Mayor and Aldermen of Canterbury, which the King may reſume vpon cauſe. No forein not being free of the ſaid City, ſhall buy or ſell any merchandiſe (ſauing victuall) to another foraine: nor ſhall keepe any ſhop, nor vſe any myſtery within the ſaid City, or the liberties thereof, without the licence of the Maior and Aldermen, or the more part of them in writing vnder their ſeale vpon pain to forfeit vi.s.viii.d. for euery offence to the ſaid Mayor, and Aldermen to be recouered by Action or diſtreſſe, &c. PR.

CAP. XIX.

Penſions, &c. granted out of Abbeyes, &c. ſhall be payed ſtill as they were before.

WHere the Archbiſhops, Biſhops, Archdeacons, and other Eccleſiaſticall perſons, of both Prouinces of Canterbury and Yorke, within this Realme of England, haue heretofore in the right of their Churches, had and receiued out of the late Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, and other religious and Eccleſiaſticall houſes and places now diſſolued, and out of the manors, lands, tenements and hereditaments belonging to the ſame diuers penſions, portions, corrodies, indemnities, ſinodies, proxies and other profits. And where alſo in the Parliament begun and holden at Weſtminſter, the eight and twentieth day of April, in the one and thirtieth yeere of the reigne of our Soueraigne Lord Henry the eight, by the grace of God, King of England, France, and Ireland, Defendor of the faith, and of the Church of England and alſo of Ireland in earth the ſupreme head, It was ordeined and enacted, by the authority of the ſame Parliament, that as well the ſaid late Monaſteries, Abbathies, Priories, Nunneries, Colleges, hoſpitals, houſes of Friers, and other religious and Eccleſiaſticall houſes and places, with the manors, lands, tenements, hereditaments and other profits, belonging vnto the ſame late monaſteries, abbathies, priories, and other religious and eccleſiaſticall houſes and places, as then were, or then hereafter ſhould come vnto the Kings highneſſe hands, ſhould be veſted, deemed, and adiudged in the actuall and reall poſſeſſion, and ſeiſon of the Kings highneſſe, his heires and ſucceſſors.

A rehearſall of the Stat. of 31 H.8.13. touching the diſſolution of Monaſteries.

Sauing to all and euery perſon and perſons, and bodies politike, and their heires and ſucceſſors, and the heires and ſucceſſors of all and euery of them (other than the late Abbots, Priors, Abbeſſes, Prioreſſes and other Eccleſiaſticall gouernors, and gouerneſſes of the ſaid late Monaſteries, Abbathies, Priories, Nunneries, Colleges, hoſpitals, houſes of Friers and other religious and eccleſiaſticall houſes and places, and their ſucceſſors, and the ſucceſſors of euery of them, and ſuch as pretend to be founders, patrons, or donors of ſuch Monaſteries, Abbathies, Priories Nunneries, Colleges, Hoſpitals, houſes of Friers, and other Eccleſiaſticall houſes and places, or of any Manors, Meſuages, Lands, tenements, or other Hereditaments belonging to the ſame, or to any of them, their Heires and Succeſſors, and the Heires and Succeſſors of euery ſuch Founder, Patron, or Donor, and the then Abbots, Priors, Abbeſſes, Prioreſſes, and other Eccleſiaſticall Gouernors, and Gouerneſſes of ſuch Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, and other Religious and Eccleſiaſticall houſes and places, which then hereafter ſhould happen to bee diſſolued, ſuppreſſed, renounced, relinquiſhed, forfeited, giuen vp, or come to the Kings Highneſſe, and ſuch as pretend to bee Founders, Patrons, or Donors of ſuch Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, and other Eccleſiaſticall houſes and places, or of any Manors, Meſuages, Lands, Tenements, or other Hereditaments, to the ſame belonging, or to any of them, their heires and ſucceſſors, and the heires and ſucceſſors of euery of them) all ſuch right, title, claime, intereſt, poſſeſſion, rents, charges, annuities, Leaſes, Fermes, Offices, Fees, Liueries, Liuings, Portions, Penſions, Corrodies, Commons, Sinodies, Prories, and other profits, which they or any of them haue, claime, ought, may, or might haue had in or to the premiſſes, or to any part or parcell therof, in ſuch like manner, forme and condition, to all intents, reſpects, conſtructions and purpoſes, as if the ſame Act had neuer beene had ne made (rents ſeruices, rents ſecke, and all other ſeruices and ſuits onely except) as by the ſame Act among diuers other things therein contained more plainly is ſhewed and may appeare.

A rehearſall of the ſauing in the ſaid ſtat. of 31.H.8. ſpecified.

And yet notwithſtanding the ſaid generall ſauing, conteined in the ſaid Act, the ſaid Archbiſhops, Biſhops, Archdeacons, and other Eccleſiaſticall perſons, of both the ſaid Prouinces, of Canterbury and Yorke, be, and ſithen the making of the ſaid Act haue beene diſturbed and denied of the hauing, receiuing and gathering of the ſaid penſions, portions, corrodies, indemnities ſinodes, and prories, with other profits belonging vnto them by diuers of the fermors, and occupiers of great part and parcell of the ſaid manors, lands, tenements, and hereditaments of the ſaid late Monaſteries, and other Eccleſiaſticall houſes and places, or being parcell of the poſſeſſions of them, and haue no direct meane to obtaine, recouer, or come to the ſame, not onely to their great hurt and damage, but alſo like to grow and be to the great loſſe and diſheriſon of the Kings maieſty concerning his firſt fruits and tenth.

For reformation whereof, bee it ordeined, eſtabliſhed, and enacted by the Kings Highneſſe, with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons, being fermer or occupier of any manors, lands, tenements, parſonages, benefices, or other hereditaments, of any of the ſaid late Monaſteries, or Eccleſiaſticall houſes, or places, or belonging to them, or any of them, by the Kings Highneſſe gift, graunt, ſale, exchange, or otherwiſe, out of which premiſſes any ſuch portions, penſions, corrodies, indemnities, ſinodies, prories, or any other profits, haue beene heretofore lawfully going out, anſwered or paid to any of the Archbiſhops, Biſhops, Archdeacons, and other Eccleſiaſticall perſons aboue ſaid, doe at any time after the firſt day of Aprill next comming, wilfully deny the paiment thereof, at the dayes of paiment heretofore accuſtomed, of any of the ſaid penſions, portions, corrodies, indemnities, ſinodies, prories, or any other profits, whereof the ſaid Archbiſhops, Biſhops, Archdeacons, or other Eccleſiaſticall perſons were in poſſeſſion, at or within ten yeeres next before the time of the diſſolution of any ſuch Monaſteries, or other Eccleſiaſticall houſes or places, that then it ſhall be lawfull for the ſame Archbiſhops, Biſhops, Archdeacons, or other Eccleſiaſticall perſons aforeſaid, being ſo denied to bee ſatiſfied and paied

Penſions, &c. due out of religious lands diſſolued ſhalbe paid to Biſhops, Archdeacons &c. by the occupiers of the ſame lands.

therof, and hauing right to the ſame thing in demand, to make ſuch Proceſſe, aſwell againſt euery ſuch perſon & perſons, as ſhall ſo deny paiment of the ſame penſions, portions, corrodies, proxies, indemnities, ſinodies, or any other profits, which of right ought to be paied, as is aforeſaid, as againſt the Church or Churches, charged with yͤ ſame, as heretofore they haue lawfully done, and as by & according to the lawes & ſtatutes of this realme they may now lawfully do, for the true paiment & recouery thereof. And if the party defendant be lawfully conuict in any ſuch ſuit, cauſe, or matter, according to the Eccleſiaſticall lawes: then the party plaintife ſhall haue & recouer againſt the party defendant the thing in demaund, and the value thereof in damages with his coſts for his ſuit.

The remedy if the matter be determinable at the Common Law.

And be it further ordained and enacted by the authority aforeſaid, that if it fortune the cauſe or matter of variance betwéene any of the ſaid parties be determinable at the cõmon law, that then the party gréeued to ſue for his recouery and remedy therein at the common law. And if the party defendant fortune to be by the courſe of the Common Law lawfully condemned to the party plaintife, then the ſaid party plaintife ſhal likewiſe haue and recouer againſt the party defendant the thing in demand, and the value thereof in damages, with his coſts for his ſuit.

The remedy where the King hath demiſed any land with couenant of diſcharge thereof.

Prouided alway and bee it enacted by the authority aforeſaid, that all and ſingular ſuch of the ſaid Archbiſhops, Biſhops, Archdeacons, and other Eccleſiaſticall perſons, which haue right, or title to claime, demand, or enioy any of the ſaid penſions, portions, corrodies, indemnities, ſinodies, or proxies, againſt any perſon or perſons, to whom the King hath made or hereafter ſhall make in writing vnder ſeale, any ſale, gift, grant, or leaſe, for terme of life or liues, or yeeres, of any of the ſaid manors, lands, tenements, parſonages, benefices, or hereditaments, charged, or chargeable to or with any of yͤ ſaid penſions, portions corrodies, indemnities, ſinodies or proxies, and alſo hath couenanted, granted, promiſed, or agréed, or hereafter ſhall couenant, grant, promiſe, or agrée, by the ſaid writing to acquite, diſcharge or ſaue harmeleſſe the ſame perſon or perſons of all penſions, portions, corrodies, indemnities, ſinodies, and proxies, going out of the premiſſes or any parcell thereof, as bee or ſhall bee mentioned in the ſame writings or any of them, ſhall ſue for their remedy and recouery thereof in the Court of the Augmentations of the reuenues of the Kings Crowne, and not elſewhere: And that the party defendant hauing any ſuch diſcharge, being conuented, called, or ſued in any other Court or place, or before any other Iudge, for any the cauſes abouefaid, ſhal be diſcharged and diſmiſſed out of the ſaid Court or place without any thing paying for the ſame, by the only ſhewing forth any of the ſaid writings, ſealed vnder any of the Kings ſeales, prouing or declaring the King to haue couenanted, promiſed, or agréed to acquite, diſcharge, or ſaue harmleſſe the ſaid party defendant therof, as is aforeſaid. Any thing contained in this Act to the contrary notwithſtanding.

Cap. XX.

Common Recoueries of lands in taile, whereof the King is in reuerſion ſhall be void.

The ſpeciall reaſons of the Kings gifts of lands to certain perſons in taile.

WHere diuers of the Kings moſt noble progenitors, and ſpecially the King our ſoueraigne Lord moſt liberally aboue all other, hath giuen and granted, or otherwiſe prouided to his and their louing and góod ſeruants and ſubiects, aſwel nobles as other, Manors, meaſes, lands, tenements, rents, ſeruices, and hereditaments to them and to their heires males of their bodies, or to their heires of their bodies lawfully begotten, minding at yͤ time of ſuch gifts not only to preferre and aduance preſently the donées, but alſo their heires in blood of their bodies, according or the limitation of the ſaid gifts: to the intent that recompence for the ſeruice of ſuch donées, ſhould not only be a benefit for their owne perſons, but a continuall profit and commodity to and for their heires comming of their bodies, whereby thoſe heires ſhould haue in ſpeciall memory and daily remembrance, the profit that they haue and take by the ſeruice of their anceſtors done to the Kings of this realme, and thereby bee the better encouraged to doe like ſeruice to their ſoueraign Lord, as to their duties of allegiance appertaineth. And foraſmuch as ſundry ſuch donées in taile, and their heires haue ſuffered, and daily ſuffer by their conſents, vntrue and feined recoueries to bee had againſt them, with common Voucher, or otherwiſe, of Manors, meaſes, lands, tenements, or hereditaments, ſo giuen, granted, or prouided in taile, by the Kings Maieſty, or his noble progenitors, as is aforeſaid, to the intent by fraud, couin, and vndue meanes, not onely to bind, and defeat their heires inheritable by the limitation of ſuch gifts, but alſo the King of his prerogatiue, wardſhip, Primer ſeiſon, and other his rights: whereby queſtions, and diuerſity of opinion haue riſen and yet bee, whether ſuch feined and vntrue recoueries againſt ſuch tenants in taile, by their owne conſents of lands, tenements, or hereditaments, whereof the reuerſion or remainder is in the King at the time of ſuch recouery or recoueries had, ſhould after the death of the tenant in taile bind the heires in taile or not.

For the plaine declaration whereof, and to auoyd and extinct from henceforth diuerſities of opinions in ſuch caſes: be it ordeined and enacted by authority of this preſent Parliament that no ſuch feined recouery, hereafter to be had by aſſent of parties againſt any ſuch Tenant or Te-

nants

o.Inſt.372.b.

nants in taile, of any lands, tenements, or hereditaments [a] whereof the reuerſion or remainder at the time of ſuch recouery had, ſhall be in the King, ſhall bind or conclude the heires in taile, whether any condition, or voucher be had in any ſuch feined recouery or not, but that after the death of euery ſuch tenant in taile againſt whom any ſuch recouery ſhalbe had, the [b] heires in taile may enter, haue, and enioy the lands, tenements, and hereditaments ſo recouered according to the forme of the gift of entaile: the ſaid recouery or any other thing or things hereafter to bee had, done, or ſuffered by or againſt any ſuch tenant in taile to the contrary notwithſtanding.

A common recouery of lands in taile, whereof the King is in reuerſion or remainder ſhalbe void.

yer fo.32.
li.2.fol.15.
i.8.fo.77.
aſſurances.6.
ſconde
ſſion 32.
medon.50.
les 41.
couer.31.
Inſt.335.2.

And bee it alſo further enacted by authority aforeſaid, that the heires of euery ſuch tenant in taile, againſt whom any ſuch feined recouery ſhall bee had, ſhall take none aduantage for any recompence in value againſt the Voucher or his heires.

No recompence in value againſt the Voucher.

Prouided alway that this Act or any thing therein contained, bee in any wiſe preiudiciall or hurtfull to the leſſee or leſſees of any ſuch tenant in taile, made or to be made by writing indented of any manors, lands, tenements, or hereditaments for terme of xxi. yeers, three liues, or vnder, whereupon the accuſtomable rent and rents or more, is or ſhalbe reſerued yeerly during the ſame terme and termes: but the ſame leſſee and leſſees, ſhall and may haue and enioy his or their terme and termes therein againſt the heire and heires of euery ſuch tenant in taile, according to the tenor, purport, and effect of the ſtatute made in the xxxii. yeere of the raigne of our ſoueraigne Lord King Henry the eight: any thing in this Act contained to the contrary thereof notwithſtanding.

The leſſee of tenant in taile ſhall enioy his terme againſt the heire of the leſſor.

St.32.H.8.28.

Cap. XXI.

A confirmation of Letters Patents, notwithſtanding any miſnaming.

Where the Kings moſt excellent highneſſe, ſithen the fourth day of February, in the xxvii. yeere of his Maieſties raigne hath obtained and purchaſed, as well by exchanges, as by gifts, bargaines, fines, feoffements, recoueries, deeds enrolled and otherwiſe, of diuers and ſundry perſōs, many, ſundry & diuers honors, caſtles, manors, lands, tenements, medowes, paſtures woods, rents reuerſions, ſeruices and other hereditaments, and hath not onely paied diuers and ſundry great ſums of money for the ſame, but alſo hath giuen & granted for and in conſideration thereof vnto diuers perſons late owners thereof, diuers and ſundry manors, lands, tenements, and hereditaments, and other recompences, in and for full ſatiſfaction of all ſuch honors, caſtles, manors, lands, tenements, rents, reuerſions, ſeruices and other his hereditaments, by his highneſſe obtained, purchaſed or had as is aboueſaid. Be it therefore enacted by authority of this preſent Parliament, that our Soueraigne Lord the King, his heires and ſucceſſors ſhall haue, hold, poſſede, and enioy all and ſingular the ſame honors, caſtles, manors, lands, tenements,, and other hereditaments, which his highneſſe ſith the ſaid fourth day of February, in the xxvii. yeere aboueſaid, hath obtained and had, or at any time during the ſpace of ſeuen yeeres next enſuing the making of this preſent Act, ſhall obtaine, purchaſe, or haue, by way of exchange, bargaine, purchaſe, or other whatſoeuer meane or meanes, according to the true meaning and intent of his highneſſe bargaine, exchange, or purchaſe therein: miſrecitall, or nonrecitall, or not naming of any of the ſaid honors, caſtles, manors, lands, tenements, or other hereditaments, or of the true names, or certainties of them or any of them compriſed or mentioned in the bargaines, or writings made betweene the Kings highneſſe, or any other party or parties, or of any part or parcel therof, or of any townes or counties, where the ſaid honors, caſtles, manors, lands, tenements and hereditaments, lie and been, or any other matter or cauſe whatſoeuer it be in any wiſe notwithſtanding: Sauing to all and euery perſon and perſons, and to their heires, bodies politike, and corporate, and to their ſucceſſors and to euery of them (other than ſuch perſon and perſons and their heires, and their wiues, and the wiues of euery of them, bodies politike and corporate, and their ſucceſſors and euery of them, of whom the Kings highneſſe hath obtained by exchange, gift, bargaine, fine, feoffement, recouery, deed enrolled or otherwiſe, or at any time hereafter during the ſaid ſeuen yeeres next comming, ſhall obtaine, purchaſe, or haue any ſuch honors, caſtles, manors, lands tenements, or other hereditaments, as is aforeſaid) all ſuch right, title, vſe, intereſt, poſſeſſions, rents, charges, annuities, commodities, fee, and other profits, (rents, ſeruices and rents ſecks only except) which they or any of them haue, might, or ought to haue had, in or to the premiſſes ſo obtained and had or into any parcel therof, in as ample and large manner, forme, and condition, to all intents, conſtructions and purpoſes, as if this Act had neuer beene had, ne made: This preſent Act, or any thing therein contained to the contrary notwithſtanding.

A confirmation of all aſſurances heretofore made, or at any time within 7. yeares to bee made by any perſon to the K. of any lands &c.

A ſauing of the right of others.

And where alſo our ſaid ſoueraigne Lord the King, ſithen the ſaid iiii. day of February, in the ſaid xxvii. yeere of his Maieſties reigne, as well vpon diuers and ſundry good conſiderations, his Maieſty ſpecially mouing, as alſo otherwiſe, hath bargained, ſold, exchanged, giuen, and granted by his Graces ſeuerall Letters Patents, Indentures, or other writings ſealed vnder his Highneſſe great Seale of England, and the Seale of his Duchy of Lancaſter, and the Seale of office of the Court of Augmentations of the reuenues of his Crowne, or any of them, as well to bodies politike and corporate, as to diuers and ſundry other of his louing and obedient ſubiects, diuers and ſundry Honours, Caſtles, Manors, Monaſteries, Abbathies, Priories, Lands, Tenements, Rents, reuerſions, ſeruices, Parſonages appropriated, Aduouſons, tithes, Oblations, penſions, portions, franchiſes, Priuileges, Liberties, offices, and other hereditaments, commodities and profits, in fee ſimple, fee taile, for terme of life or liues, or for terme of yeeres, as in the ſame ſeuerall Letters Patents, Indentures, and other Writings is mentioned and declared. And where alſo the Kings Maieſty heretofore ſithen the ſaid fourth day of February, by his ſeuerall Letters patents, ſealed vnder the ſaid great ſeale of England or otherwiſe, of his accuſtomable goodneſſe, hath newly erected, ordained, & made diuers Biſhops, Deanes, and Chapiters, Colleges, and other bodies politike and corporate, and hath by his ſeuerall Letters Patents, ſealed vnder the great Seale of England, giuen and granted as well vnto them, as to diuers other bodies politike and corporate, and to their ſucceſſors, by ſuch name or names as they then were, be, or now ſtand corporate, diuers manors, lands, tenements, parſonages, tithes, penſions, portions, aduouſons, nominations, preſentations, and other hereditaments, and ſuch or like liberties and iuriſdictions in the ſame manors, lands and tenements mentioned in any of the ſame letters patents, as he to whom any ſuch letters patents were or bee made or granted, or his predeceſſors before had or inioyed in the manors, lands, tenements and hereditaments, departed or appointed to the King, or ſuch as any the late Abbot or Prior of any the late Monaſteries or Priories, or other perſon or perſons whatſoeuer or any of them mentioned in any of the ſaid letters patents, lawfully had, exerciſed, vſed or enioyed within the ſaid caſtles, manors, lands, tenements and hereditaments, mentioned in any of the ſaid letters patents: In auoiding, diſturbing, hurting or hindering of diuers of the ſaid ſeuerall letters patents, indentures & other writings of the ſaid manors, lands, tenements, hereditaments, & other things in them contained, ſundry and many ambiguities, doubts and queſtions haue, or might hereafter happen to be moued, obiected, alleaged, inuented, procured or ſtirred, as well for miſnaming, miſrecitall, or non-recitall of any of the ſame honors, caſtles, manors, Monaſteries, Abbathies, Priories, lands, tenements, and other the premiſſes, or any parcell thereof, or for lack of finding of offices or inquiſitions of and in the premiſſes, whereby the title of the Kings highneſſe therein ought to haue beene found, before the making of the ſame letters patẽts or other writings: or for miſrecital, or nonrecital of leaſes thereof before made, aſwel of record as not of record, or for lack of the certainty, miſcaſting, rating, or ſetting forth of the yeerly values and rates of the premiſſes, or of the yeerly rents reſerued of and for the premiſſes, or any parcell therof, mentioned or contained in any the ſaid letters Patents or other writings: or for that the premiſſes be, or any part thereof is valued to a more or leſſe value in the ſaid Letters patents or writings, than the ſaid manors, lands, tenements, and other the premiſſes then were or ſhall be in yeerely value: or for miſnaming of the townes, hamlets, pariſhes, or counties, where the ſame honours, caſtles, manors, Monaſteries, Abbathies, priories, lands, tenements, rents, hereditaments, and other the premiſſes, and euery parcel thereof, or any parcell thereof, lien or been: or for lacke of the true naming of the natures, kinds, ſorts or quantities of the ſaid poſſeſſions or hereditaments, or any parcell thereof: or for lacke of the true naming of the corporation of the ſame, or for lacke of atturnement, liuery of ſeiſon, or for miſnaming of any the late tenants, or fermors of the ſame ſo ſold, giuen, or exchanged.

Defects at the Common law in the Kings letters patents, and meanes to make them void.

A confirmation of all Let. Pat. &c. made by the King, or to be made within 7. yeares after, notwithſtanding any the defects aforeſaid. St. 35. El. 3.

For remedy and reformation whereof bee it ordeined and enacted by the Kings moſt excellent Highneſſe, with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, that as well all and euery the ſaid Letters Patents, Indentures, and other writings, and euery of them, ſealed with, or vnder the ſeale or ſeales aboueſaid, or any of them, made or granted by the Kings highneſſe ſithen the ſaid fourth day of February in the ſaid xxvii. yeere of his moſt noble reigne, as alſo all and ſingular his graces Letters Patents, Indentures, and other writings hereafter during the ſpace[a] of ſeuen yeeres, next enſuing the making of this preſent Act, to be had, made, or granted with or vnder any of the ſeales aboueſaid, to any body politike or corporate, or to any other perſon or perſons, of any honors, caſtles, manors, monaſteries, Abbathies, Priories, Nunneries, Colleges, hoſpitals, houſes of Friers, or of other religious or Eccleſiaſticall houſes or places, ſites, circuits, precincts, lands, tenements, parſonages, tithes, penſions, portions, aduouſons, nominations, preſentations, franchiſes, liberties, and other hereditaments, commodities, poſſeſſions, and profits, of what kinde, nature, or quality ſoeuer they or any of them bee, is or ſhall bee, or by whatſoeuer name or names they or any of them be, is or ſhall be named, knowne, or reputed, ſhall ſtand, and be good, effectuall, and auaileable in the law to all intents, reſpects, conſtructions, and purpoſes againſt his Maieſty, his heires and ſucceſſors, without any confirmation, licence, diſpenſation, or or toleration of the Kings highneſſe, his heires or ſucceſſors, or of any other perſon or perſons whatſoeuer, any the cauſes or matter aboue mentioned, contained, or hereafter during the ſaid ſeuen yeeres, to bee contained in any ſuch Letters Patents, Indentures or other writings to the contrary in any wiſe notwithſtanding.

[a] Dyer fo. 13 331. Coke li fol. 32.

The K. granteth the keeping of a caſtle, Parke, &c. with a fee, which after is diſſolued.

Prouided alway, and bee it enacted by the authority aforeſaid, that all and ſingular ſuch Letters Patents, which at any time heretofore, ſithen the xxviii. day of April, in the xxxi. yeare of our ſaid ſoueraigne Lords raigne, haue beene granted or made, or hereafter ſhall be made by the

Kings highneſſe to any perſon or perſons, of any office of keeping of any caſtle, blockhouſe, park, chaſe, foreſt, or keeping of any manor, or manſion place, houſe or houſes, with an annuall fee or other yeerely profits for the exerciſing of the ſame, and after the ſaid caſtle, blockhouſe, manor, manſion place, houſe or houſes, parke, chaſe, or foreſt happen to be fallen downe, to be diſparked, diſforeſted, or deſtroyed, ſo that the cauſe of the exerciſing of ſuch office is determined: that then the letters patents or grant of the ſame office and offices with the fee and fees, or other profits for the exerciſing of the ſame, ſhall be from thenceforth cleerely determined, and ſtand, and remaine as void for euer: any thing in this Act contained to the contrary notwithſtanding.

A grant of an office made void by decree or &c.

Prouided alſo that this Act or any thing therein contained, ſhall not in any wiſe extend to reuiue or make good any letters patents of the grant of any office or offices, heretofore granted or made by our ſaid ſoueraigne Lord the King, which now is or bee, or at any time heretofore haue beene adnihilated, determined or made void by authority of Parliament, iudgement, decree, or otherwiſe, any thing in this Act contained to the contrary notwithſtanding.

The recōpence for ouerplus more than was meant to be grāted ſhalbe xx. yeers purchaſe.

Prouided alway, and be it enacted by the authority aforeſaid, that all and ſingular ſuch patentees, grantees, and donees, as at any time from henceforth during the ſaid vii. yeeres next comming, ſhall fortune to haue or obtaine any caſtels, manors, lands, tenements, tithes, penſions, portions or other hereditaments, of the gift, grant, ſale or exchange of the Kings maieſty, or of the only gift of the Kings maieſty of his moſt liberal diſpoſition and not ſold, which at the day of the date of the letters patents therof made, ſhalbe of more or better yeerly value to the king in yeerly rent and ferme than ſhalbee contained, mentioned, or ſpecified in any ſuch letters patents and particulars thereof made by the Auditor or Auditors, and in ſuch bill or bils as ſhalbe ſigned and ſealed with the hand or hands of the patentee or patentees therof to be exhibited to the Kings maieſty, or his officer or officers, within whoſe ſuruey the ſaid manors, lands, and tenements, and other the premiſſes or any part therof ſhalbe or within any of them, which bill ſhalbe ſigned ſealed, had, and made as is aforeſaid, before any bill ſhalbe thereof ſigned by the Kings maieſty, that then euery of the ſaid patentees, grantees, and donees, their heires, executors or adminiſtrators, within one yeere next after due proofe and decree therof made and had in the Court within whoſe ſuruey the ſame caſtels, manors, lands, tenements, and other the premiſſes or any parcell therof then ſhalbe, ſhall content and pay vnto the King for the ſame ouerplus & more value for the ſame manors, lands, tenements, tithes, penſions, portions, & other hereditamēts to him ſold or exchanged, after ſuch rate as the other lands & tenements were before to him ſold or exchanged: & for the ouerplus and more value of ſuch lands & tenements, as ſhall happen to be giuen by the kings maieſty, and not ſold as is aboueſaid, the ſaid patentee, his heires, executors or adminiſtrators, ſhall content & pay to the King after the rate of xx. yeers purchaſe: ſo that the ſame proofe and decree be had and made in forme aboueſaid, within ten yeers next after the day of the ſaid letters patents.

Prouided alwaies that this Act, or any prouiſion, clauſe, or article therein contained, ſhall not be vnderſtand or interpreted to be hurtfull or preiudiciall to any the Kings letters patents, Indentures or writings heretofore made, concerning any bargaines, couenants, ſales, grants, exchanges, or gifts of any caſtels, manors, lands tenements, or other hereditaments in fee ſimple, or in fee taile, ſithen the iiii. day of February, in the xxvii. yeere of his maieſties reigne, & before the xxviii. day of April, in the xxviii. yeere of his ſaid highneſſe reigne, vnder any of the ſeales aboue ſpecified in this Act: nor to any Act or ſtatute heretofore made for the corroboration of any ſuch letters patents, indentures or writings. St. 7. *Ed.* 6. 3. 4. & 5. *P. & M.* 1. 18. *El.* 2. 43. *El.* 1.

Cap. XXII.

Fines, &c. (in corporate townes) ſhall be made as before haue beene.

32. H. 8. 28.

Where in the Parliament, holden in the xxvii. yeere of our moſt dread ſoueraigne Lord King Henry the eight, It was enacted by authority of the ſaid Parliament amongſt other; that no fine, feoffement, or other Act or Acts, hereafter to be made, ſuffered, or done by the husband onely, of manors, lands, tenements, or hereditaments, being the inheritance, or the freehold of his wife, during the couerture betweene them: ſhall in any wiſe be, or make any diſcontinuance thereof, or be preiudiciall or hurtfull to the ſaid wife, or to her heires, or to ſuch as ſhall haue right, title, or intereſt by the ſame by the death of ſuch wife or wiues: but the ſame wife and her heires, and ſuch other, to whom ſuch right ſhall appertaine, after her deceaſſe, ſhall and may then lawfully enter into all ſuch manors, lands, tenements, and hereditaments, according to their rights and titles therein, any ſuch fine, feoffement, or other act to the contrary notwithſtanding: Sithens the making of which Act, diuers doubts, queſtions, and ambiguities haue riſen: That is to ſay, whether the recoueries and deeds enrolled, which be in nature of fines, and whereupon women couert haue beene vſed to bee examined, taken, had or knowledged, as well within the city of London as in many other cities, boroughes, and townes within the realme of England ſhould binde all ſuch women couert, that ſhould happen to bee examined vpon the ſame recoueries and deeds enrolled. In auoyding therefore all ſuch ambiguities and doubts. Bee it

enacted

The force of recoueries, deeds enrolled, and releaſes acknowledged by women couert in certaine corporate townes.

enacted by the King our Soueraigne Lord, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, that all recoueries, déeds enrolled, and releaſes heretofore acknowledged, and taken, or at any time hereafter to bee taken and knowledged before the Mayors, Aldermen, Recorders, Chamberlaines, or other head Officer, or Officers, as well of the City of London, as of any other City, Borough, or Towne corporate within the Realme of England, hauing power and authority to take and receiue the ſame, according to the laudable vſages and cuſtomes of the ſaid Cities, Boroughes and townes, and euery of them, ſhall be, ſtand, and remaine of like force, ſtrength and effect, to all intents and purpoſes, as they, or any of them were before the making of the ſaid [a] Act, in the ſaid two and thirtieth yéere of our ſaid Soueraigne Lord: any thing in the ſame contained to the contrary in any wiſe notwithſtanding.

[a] 18.Ed.3.fo 45.Aſſ.pl.1.

Cap. XXIII.

Iudgement may be giuen againſt any the offendors of the Statute of 31. *H.* 8.8. by nine of the Kings Councell. Exp. and Rep. 1. *Ed.* 6.12.

Cap. XXIIII.

The Manors of Burlewas lying in Maddingley in the County of Cambridge, aſſured to Iohn Hinde, &c. paying ten pound yearely, &c.

WHere certaine perſons were infeoffed of and in the Manor of Burlewas, otherwiſe called the Shire Manor of the County of Cambridge, lying and being in Maddingley in the ſaid County, and of and in two hundred acres of land, one hundred acres of medow, one hundred acres of paſture, with the appurtenances in Maddingley aforeſaid in the ſame County, being in the whole of the yéerely value of ten pounds, and ſo letten to ferme at this day, to the vſe and intent, that the profits thereof ſhould yéerely be receiued and taken for and towards the paiment of the fées and wages of the Knights of the ſame County of Cambridge, being choſen for the Parliament within the ſame Countie, at ſuch time and times, as it ſhould pleaſe the Kings moſt roiall maieſty, his heires or ſucceſſors, to call his or their high Court of Parliament, wherby the ſaid Inhabitants within the ſaid County of Cambridge heretofore haue béene cléerly diſcharged for and concerning the paiment of the Knights wages for the Parliament. And for the ſure and more perfect continuance therof, and that the yéerly value of the ſame manor and other the premiſſes, may be from henceforth conuerted to the ſame vſe and purpoſe, and alſo to the intent that it may be perfectly knowne, what perſon hereafter ſhall be tenant of the premiſſes, and charged to anſwer and pay the ſaid yéerely ferme or rent of ten pounds yéerely for the ſame, and what perſons ſhall likewiſe receiue the ſaid rent to the vſes and intents aforeſaid, all the gentlemen of the ſaid county of Cambridge, as well for themſelues, as for the whole inhabitants of the ſame County, moſt humbly deſire the Kings moſt excellent highneſſe, that it may bee enacted by his moſt royall Maieſty, with the aſſent of the Lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by authority of the ſame, That Iohn Hinde, one of the Kings Sergeants at law and his heires, ſhall from henceforth haue, hold, and enioy to him, his heires and aſſignes for euer, to the only and proper vſe of the ſaid Iohn Hinde, and his heires, the ſaid Manor, lands, tenements, and all other the premiſſes before rehearſed, and euery parcell of the ſame, vnder the conditions following: that is to ſay, that the ſaid Iohn Hinde his heires and aſſignes for euer, ſhall yéeld and pay yéerly for the ſame premiſſes at the feaſt of S. Michael the Archangell, ten pounds ſterling, to ſuch perſons and their ſucceſſors as ſhalbe by this preſent Act incorporated and enabled to receiue the ſame.

Iohn Hinde ſhall haue to him his heires the Shire Manor, paying ten pounds yéerly.

The Sheriffe & two Knights of the Parliament for the County of Cambridge incorporated by the name of the wardens of the wages, &c.

And alſo that it may bee further enacted by the authority aforeſaid, That Edward North Knight, Sheriffe of the ſaid Shire, and Thomas Rudſtone, Eſquire, Knights of the ſaid Shire of Cambridge for this preſent Parliament ſhall be one body incorporate, and that they and their ſucceſſors, Knights of the ſaid County of Cambridge for the time being, and the Sheriffe of the ſaid County alſo for the time being, ſhall by this preſent Act bee incorporated by the name of Wardens of the Fées and Wages of the Knights of the Shire of Cambridge, choſen for the Parliament, and ſhall haue perpetuall ſucceſſion for euer in the ſame, and ſhall implead, and bee impleaded by the ſaid name. Which Knights of the Shire for the time being, and after the Parliament diſſolued, as long as they ſhall be liuing, vntill other Knights of the ſaid Shire ſhall be choſen for the Parliament next enſuing, ſhall haue and perceiue the ſaid yéerely rent of ten pound, and conuert the ſame to their owne proper vſes by equall portions, towards the maintenance of their charges. And when any of the ſaid Knights of and for the ſaid Shire choſen ſhall dye: that the ſuruiuor immediately from time to time ſhall haue and perceiue the ſaid yéerely rent of ten pound to his owne ſole and proper vſe, vntill the time that the new Knights of the ſaid Shire ſhall bee elected for the Parliament, who immediately after their election ſhall

Who ſhall haue the ten li. rent paiable out of the Shire manor.

haue and perceiue the ſaid yeerely rent of ten pound. And if both the ſaid Knights of the ſaid ſhire ſhall happen to die, then the Sheriffe of the ſaid Shire yeerely for the time being, ſhall haue and perceiue the ſaid yeerely rent of ten pound to his owne vſe, and ſo to continue vnto the time that other knights of the ſaid ſhire ſhalbe choſen for the Parliament then next following, as is aforeſaid, and ſo to continue after the ſaid rate for euer.

And alſo bee it enacted by the authority aforeſaid, that if it ſhall fortune the ſaid yeerely rent of ten pound, or any part thereof to be behinde vnpaid, if any of the Wardens aforeſaid, or any of their ſeruants or aſſignes demaund the ſame, in the name or names of any of the ſaid Wardens, at any time after the ſaid day of payment expired as is aforeſaid. Then it ſhall be lawfull to and for the ſaid Wardens to recouer the ſaid rent by action of debt at the common law againſt the owners, fermors, tenants, and occupiers of the ſame, or any of them, or elſe at their pleaſure to diſtreine for the ſaid yeerely rent of ten pound, and the arrerages of the ſame, in the ſaid manor, and all other manors, meaſes, lands, tenements and other hereditaments whatſoeuer, of the ſaid Iohn Hinde, his heires and aſſignes in Maddingly aforeſaid, which ſaid Manors, Lands, and tenements ſhall bee alwayes chargeable to the diſtreſſe of the ſaid Wardens for the time being, for non paiment of the ſaid yeerely rent, and the arrerages of the ſame. And that it ſhall be lawfull for them the ſame diſtreſſes with them to retaine, vnto the time that the ſaid yeerely rent of ten pound, together with the arrerages and coſts of the ſame, vnto the ſaid Wardens for the time being, as their turne ſhall come to haue the profits of the ſame, ſhall bee well and truly contented and payed. And if it ſhall fortune the ſaid yeerely rent of ten pound, or any part thereof to be vnpaid by the ſpace of three moneths next after the day of paiment therof, as aforeſaid: then it ſhalbe lawfull to and for the ſaid Wardens for the time being, their ſeruants and aſſignes, or any of them into the ſaid manor, lands, & tenements in Maddingley aforeſaid, by whatſoeuer name or names the ſame bee knowne or called, to enter and the ſame & the profits thereof continually to retaine to their owne ſole proper vſes, vnto the time that the ſaid yeerely rent, together with the arrerages thereof (if any ſhall bee) vnto the ſaid Wardens, ſhall be well and truly contented and paied, by the ſaid Iohn Hinde his heires and aſſignes, or one of them as is aforeſaid: and ſo from time to time when any ſuch chance ſhall happen, without any vexation, ſuit or trouble of the tenants, fermors, owners, or occupiers of the ſame, the ſaid Wardens ſhall enter, and haue, and enioy the ſaid manor of Burlewas lands and tenements aforeſaid, as is afore declared. Any thing in this preſent act contained to the contrary hereof in any wiſe notwithſtanding.

The remedy to recouer the rent of x li. it it be behind.

And further that it may bee enacted by the authority aforeſaid, that if it ſhall happen that the ſaid manors, lands and tenements or any part thereof to come to the Kings hands, his heires and ſucceſſors, by Wardſhip, Primer ſeiſin, Eſchete, or otherwiſe, that notwithſtanding the ſaid rent ſhal be yeerely paid vnto the ſaid Wardens for the time being, to the vſes aforeſaid, and by the authority of this preſent Act all Receiuors, Bailiffes, and other miniſters to the Kings highneſſe, his heires and ſucceſſors, and euery of them ſhall haue ſufficient warrant to pay the ſaid rent as is aforeſaid, and to bee allowed of the paiment of the ſame by vertue of this preſent Act, without any other warrant from the Kings highneſſe to be made for the ſame.

A remedy for the rent if the land come to the K. hands.

Prouided alwayes, and bee it further enacted by the authority aforeſaid, that if hereafter it ſhall happen, that the ſaid manor of Burlewas, and the lands and tenements aforeſaid, with the appurtenances, or any part thereof to be recouered by faint pleader, reddition, or other fraud or couin: then it ſhall be lawfull to and for the ſaid Wardens and euery of them all times hereafter into the ſaid manor, lands, and tenements ſo recouered by couin, to reenter, and the ſame to haue and enioy to them and their ſucceſſors for euer: any thing in this preſent act contained to the contrary hereof in any wiſe notwithſtanding. Sauing to euery perſon and perſons, bodies politike and corporate, their heires and ſucceſſors, and the heires and ſucceſſors of euery of them, (other than the ſaid perſons and their heires that now be, and hereafter ſhall be ſeiſed or in poſſeſſion of the ſaid manor of Burlewas lands, and tenements, and other the premiſſes with the appurtenances, to the vſes and intents aforeſaid, towards the paiment of the Fees, Wages, and other charges of the ſaid Knights of the ſaid ſhire of Cambridge, and Sherifes of the ſaid County for the time being, as afore is rehearſed) all ſuch title, poſſeſſion, right, intereſt, action, and condition, as they or any of them hath in and to the ſame, or in or to any part thereof, as fully and wholly as if this preſent Act had neuer beene had or made: any thing contained in this preſent act to the contrary hereof in any wiſe notwithſtanding.

A remedy for the Wardens of the land recouered by couin.

A ſauing of the right of others.

And be it further enacted by authority aforeſaid, that in conſideration of the premiſſes, the County of Cambridge, and the inhabitants of the ſame, ſhall hereafter for euer bee diſcharged of all ſuch ſummes of money, as heretofore hath beene accuſtomed to bee leuied and paid for the fees of the Knights of the Parliament of the ſaid County.

The inhabitants of the County of Cambridge diſcharged of the Knights wages.

Cap. XXV.

It ſhall be lawfull to the Maior, Burgeſſes, and inhabitants of Poole, in the County of Dorſet, and to their ſucceſſors, to erect a Windmill in the Kings waſte ground and common in the towne of Baiter: and a Conduit head in a place called Totnam, and to haue ſixteene foot ſquare for the conduit head :and to dig and draw in, by, thorow, and vpon all places meet and conuenient into and from the ſame, &c. yeelding yearely to the King, his heires, &c. one Pepper Corne. PR.

Cap. XXVI.

Lawes ſpecially ſhall be made in Wales by the officers there.

OUr Soueraigne Lord the Kings Maieſty of his tender zeale and affection, that he beareth towards his louing and obedient Subiects of his Dominion, Principality, and Countrey of Wales, for good rule and order to be from henceforth kept and maintained within the ſame, whereby his ſaid Subiects may grow and ariſe to more wealth and proſperity, hath deuiſed and made diuers ſundry, good, and neceſſary ordinances, which his Maieſty, of his moſt abundant goodneſſe, at the humble ſuit and petition of his ſaid Subiects of Wales, is pleaſed and contented to bee enacted by the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, in manner and forme, as hereafter enſueth.

Wales diuided into xii. ſhires.

Firſt that his graces ſaid dominion, principality and countrey of Wales, be from henceforth diuided into xii. ſhires, of the which viii. haue beene ſhires of long and auncient time, that is to ſay: the Shires of Glamorgan, Caermarthen, Pembroke, Cardigan, Flint, Caernaruan, Angleſey, and Merioneth. And foure of the ſaid twelue ſhires, bee newly made and ordained to bee ſhires, by an Act made at the Parliament, holden at Weſtminſter, in the xxvii. yeere of our ſaid Soueraigne Lords moſt noble raigne: that is to ſay, the ſhires of Radnor, Breknoke Mountgomery and Denbigh, ouer and beſides, the ſhire of Monmouth, and diuers other dominions, Lordſhips and manors, in the Marches of Wales, vnited and annexed to the Shires of Salop, Hereford, and Glouceſter, as by the ſaid late Act more plainly appeareth.

27.H.8.26.

Limitation of hundreds by Commiſſion.

Item that the limitations of the hundreds of late made within the ſaid ſhires, by vertue of his graces Commiſſions, directed out of his high Court of Chancery, and againe returned into the ſame, ſhall ſtand in full ſtrength, force and effect, according to the ſaid limitation: Except ſuch of the ſame, as ſith that time haue beene altered or changed, by vertue of any Act, or Acts of Parliament already made, or that ſhall be altered or changed, by any Act or Acts in this preſent Seſſion to be made.

Preſident and Councell.

Item that there ſhalbe and remaine a Preſident and Councell in the ſaid dominion and principality of Wales, and the Marches of the ſame, with all officers, clerkes, and incidents to the ſame, in manner and forme as hath beene heretofore vſed and accuſtomed; which preſident and Councell ſhall haue power and authority to heare and determine by their wiſdomes and diſcretions, ſuch cauſes and matters as be, or hereafter ſhalbe aſſigned to them by the Kings Maieſty, as heretofore hath beene accuſtomed and vſed.

Seſſions twice in a yeare.

Item that there ſhalbe holden and kept, ſeſſions twice in euery yeere, in euery of the ſaid ſhires in the ſaid dominion and principality of Wales: that is to ſay, in the ſhires of Glamorgan, Breknok, Radnor, Caermarthin, Pembroke, Cardigan, Mountgomery, Denbigh, Flint, Caernaruan, Merioneth, and Angleſey, the which Seſſions ſhall bee called the Kings great Seſſions in Wales.

Iuſtice of Cheſter.

Item that the Iuſtice of Cheſter, for the time being, ſhall hold and keepe ſeſſions twice euery yeere, in the Shires of Denbigh, Flint, and Mountgomery, and haue nothing but his old fee of an hundred pounds yeerely for the ſame.

Iuſtice of Northwales.

Item that the Iuſtice of Northwales ſhall in likewiſe hold, and keepe Seſſions twice in euery yeere, in euery of the ſaid ſhires of Caernaruan, Merioneth, and Angleſey, and ſhall haue yeerely of the Kings Maieſty a yeerly fee of fifty pounds for the ſame.

Iuſtice of Radnor, &c.

Item that one perſon, learned in the Lawes of this realme of England, by the Kings Maieſty to be named and appointed, ſhall be Iuſtice of the ſhires of Radnor, Breknoke, and Glamorgan, and ſhal in likewiſe hold, and keep ſeſſions twice in euery yeere, in euery of the ſame ſhires, and ſhall haue yeerly of the Kings maieſty fifty pounds for his fee.

Iuſtice of Caermarthin.

Item that one other perſon, learned in the lawes of this Realme, to be appointed, as is aforeſaid, ſhalbe Iuſtice of the ſhires of Caermarthin, Pembroke, and Cardigan, and ſhall in likewiſe hold and keepe Seſſions twice in euery yeere, in euery of the ſame ſhires, and ſhall alſo haue yeerely of the Kings Maieſty fifty pounds for his fee.

Patents vnder the great ſeale.

Item that the ſaid perſons or Iuſtices, and euery of them now being, or that hereafter ſhalbe, ſhall haue ſeuerall Letters Patents and Commiſſions, for their offices, vnder the Kings great ſeale of England, to be exerciſed by themſelues, or their ſufficient deputies, according to the purpoſes and intents, in their ordinance ſpecified.

Commiſſions then granted.

Prouided alwayes, that their Commiſſions, to them already graunted, vnder the ſaid great ſeale, ſhall ſtand in force and effect, according to the tenour of the ſame; vnleſſe it ſhall pleaſe the Kings Maieſty hereafter, to alter or change them or any of them, this preſent article laſt before expreſſed in any wiſe notwithſtanding.

Item, that every of the ſaid Iuſtices, within the limits of their commiſſions and authorities, to them appointed as is aforeſaid, ſhall hold all manner of pleas of the Crowne, at and in the ſaid Seſſions, in as large and ample manner as the Kings Chiefe Iuſtice of England, and other the Kings Iuſtices of the Kings Bench there, or any of them may doe in their places or elſe where within the Realme of England. And alſo to hold pleés of Aſſiſes, and all other pleés and actions reall, perſonall and mixt, in as large and ample manner, as the Kings chiefe Iuſtice of the common place in England, and other Iuſtices of the ſame place or any of them, may do in the realme of England.

Of what things the Iuſtices in Wales may hold plea. 18.El.8.

Item, that every of the ſaid Iuſtices of Wales, ſhall haue power and authority to enquire of treaſons, murders, felonies, riots, routs, unlawfull aſſemblies, extortions, imbraceries, maintenances, reteinors, concealments, contempts, and all other offences and euil deéds, of what natures names or qualities ſoeuer they bee, done, committed, or perpetrated within the limits of their commiſſions and authorities, againſt the forme of the Common Law of the Realme of England, or of any the ſtatutes of the ſame, & to heare and determine the premiſſes and every of them, and generally to miniſter common Iuſtice to all and ſingular the Kings ſubiects, within the limits of their commiſſions and authorities, according to the lawes, ſtatutes and cuſtomes of the Realme of England, and according to this preſent ordinance.

Item, that every of the ſaid Seſſions ſhall be kept and continued by the ſpace of ſix dayes, in every of the ſaid Shires, at either of the ſaid times, as is and hath beéne uſed within the ſaid threé Shires of Northwales. And that the ſaid Iuſtices ſhall cauſe open Proclamations to be made in the Shire Townes, what time and place they purpoſe to keépe their ſaid Seſſions fifteéne daies at the leaſt before they keépe the ſame, to the intent the Kings ſubiects may haue knowledge thereof.

Seſſions endure ſi

Item, that dayes ſhall bee giuen in all pleés, plaints, proceſſe and adiournements from day to day, and ſeſſions to ſeſſions, by the diſcretion of the ſaid Iuſtices within the limits of their authorities, for the good and ſpeédy miniſtration of Iuſtice, to all and ſingular the Kings ſubiects, as is or hath beéne uſed in Northwales.

Daies in

Item, that the originall ſeale deuiſed by the Kings highneſſe for Iuſtice to bee miniſtred in the ſaid threé Shires of Northwales, that is to ſay, the Shire of Merioneth, Caernarvan, and Angleſey, ſhalbe, and remaine in the charge, keéping and cuſtody of the Chamberlaine of Northwales.

Origi in by the

And that one other originall ſeale, deuiſed by the Kings maieſty, for miniſtration of Iuſtice to be uſed in the ſaid ſhires of Caermarthin, Pembroke, and Cardigan, ſhall be and remaine in the charge and keéping of the Chamberlaine of Southwales.

And that likewiſe one other original ſeale, deuiſed by the Kings maieſty, for adminiſtration of Iuſtice to be uſed in the ſaid threé ſhires of Breknok, Radnor, and Glamorgan, ſhall bee and remaine in the charge and cuſtody of the Steward and Chamberlaine of Breknok.

And that alſo one other originall ſeale, deuiſed by the Kings Maieſty, for miniſtration of Iuſtice, to be miniſtred within the ſaid ſhires of Denbigh and Mountgomery, ſhall be and remaine in the charge, keéping, and cuſtody of the Steward and Chamberlaine of Denbigh.

And that the originall ſeale of Cheſter, ſhall be, and ſtand for the originall ſeale of Flint, for Iuſtice to be miniſtred in the ſaid ſhire of Flint: and ſhall be and remaine in the charge, keéping and cuſtodie of the Chamberlaine of Cheſter.

Item, that the ſaid Stewards and Chamberlaines ſhall ſeale with the ſaid ſeales; that is to ſay, every one of them ſhall ſeale with the ſeale, to his charge committed, all manner of originall writs and proceſſe, returnable before the ſaid Iuſtices, at the ſeſſions to bee holden in every of the ſaid ſhires, in manner and forme as is aforeſaid: and ſhall ſeuerally accompt and anſwer the Kings Maieſty, for the profits of the ſame ſeale. And that none of the ſaid Stewards, Chamberlaines, or Chauncellors, hauing the charge and keéping of the ſaid ſeales, ſhall by occaſion, thereof, or by colour of any of their offices, compell or cauſe any perſon or perſons, inhabited within any of the ſaid xii. ſhires, to appeare before themſelues or their deputies, ne ſhall haue power or authority to heare or determine any pleas of the Crowne, nor other cauſes or matters of Iuſtice otherwiſe than in this ordinance is limited and expreſſed. But ſhall haue the charge and keéping of the ſaid ſeales, to ſeale all ſuch originall writs and proceſſe, as ſhall be returnable before the ſaid Iuſtices in their ſaid ſeſſions, as is before ſpecified, and as hereafter ſhall bee declared, which writs and proces ſhalbe uſed, made, ſealed, and returned, in manner and forme, as hath beéne uſed before the Iuſtice of Northwales.

What ſhall be ſealed with the originall ſeal

The authority of the keepers of the ſeales, & to what only purpoſes they ſhall uſe them.

Item, that all ſuch perſons, as now be, or hereafter ſhall be the Kings Highneſſe Stewards, Chamberlaines, or Chancellors, within any of the ſaid xii. ſhires, which by reaſon of their ſaid offices haue charges for the receipt, collection, or account, of and for the Kings rents, reuenues, fermes, or profits to bee due to his Maieſty, within the ſaid dominion of Wales may direct proces, under the ſaid ſeale, being in their charge and cuſtody, within the limits of their authorities,

The keepers of the ſeales may award proces againſt accomptants returnable before themſelues.

only againſt bailiffes, reues, fermors, and other miniſters accomptant, to appeare before themſelues to anſwer to and for any the Kings reuenues, fermes, rents or profits, and for none other cauſes, nor againſt any other perſon or perſons, in like manner and forme as they haue been accuſtomed in that caſe to doe.

Stewards of Manors may hold Courts and Leets.

Item, that all Stewards of any Lordſhips or manors in Wales, ſhall and may keepe and hold ſuch leets, lawdaies, or Courtbarons, as appertaineth and belongeth to the Lordſhips and manors whereof they be ſtewards, and hold pleas by plaint, vnder the ſumme of forty ſhillings in euery ſuch Courtbaron, and haue and enioy all other authorities, commodities and profits, as ſtewards of leets, lawdaies, and Courtbarons in England commonly haue, and beene vſed to haue by reaſon of the ſaid offices, and none other, any law, vſage, or cuſtome, in the ſaid dominion of Wales, heretofore had to the contrary hereof notwithſtanding.

Stewards or Sheriffes ſhall not inquire of felony.

Item, prouided alwaies, and bee it enacted that the ſaid Stewards, nor any of them, nor the Sheriffe of the ſaid Counties in Wales, ſhall haue any power or authority, to enquire of any manner of felony, in any ſuch leet, lawday, or tourne within the ſaid dominion to be holden.

26.H.8.6.

And that from henceforth no leet nor lawday be kept by the Steward or other officer, of any Lordſhip or manor in the ſaid dominion of Wales: but in ſuch Lordſhips & places, where it was accuſtomed to be kept, before the making of the act of Parliament concerning Wales, made in the xxvi. yeere of our ſaid Soueraigne Lords reigne. So alwayes the place where ſuch Court ſhalbe kept, be meet and conuenient for that purpoſe.

Officers of corporate townes may hold pleas and determine actions.

Item, that all Maiors, Bailiffes, and head officers of corporate townes in Wales, may hold pleas, and determine actions, and doe euery other thing concerning common iuſtice, according to their lawfull grants and laudable cuſtomes of ſuch townes: So allwayes they follow the courſe, trade and faſhion of the lawes & cuſtomes of England, and not of any Welch lawes or cuſtomes. And that in euery of the ſaid townes they may try all iſſues ioyned or hereafter to be ioined, in any action perſonall by ſix men, according as heretofore in diuers places of the ſaid countrey it hath beene vſed: any thing contained in this act to the contrary notwithſtanding.

The King may diſſolue Boroughes, & erect others by his letters patents.

Prouided alwaies, and be it enacted by the authority aforeſaid, that foraſmuch as there bee diuers and many ſmall Boroughes and Townes corporate within the ſaid Dominion of Wales, whereof many haue their commencement by grants, made from Lords Marchers, and ſome by other meanes: our ſaid Soueraigne Lord from henceforth, by vertue of this Act ſhall haue full power and authority, by his Letters Patents, to be enrolled in his graces high court of Chancery, at any time within ſeuen yeers, hereafter next enſuing the end of this preſent Parliament, to repell, adnihilate, and diſſolue ſuch, and as many of the ſaid boroughs, and townes corporat, & all liberties and cuſtomes of the ſame, as to his Highneſſe ſhall be thought expedient: to the intent his Maieſty, at his graces pleaſure, may duly erect, ordaine, and make ſuch and as many other boroughes and townes corporate within the ſaid dominion, being more apt and conuenient for that purpoſe, and endue them with ſuch liberties and franchiſes as to his moſt excellent wiſdome ſhall be thought neceſſary, for the wealth of the ſaid country.

Officers certaine fees ſhall continue, but not their caſuall fees.

Item, the Kings Maieſty is pleaſed and contented of his moſt gracious goodneſſe, that ſuch as haue Patents of any Office of Stewardſhips, Chamberlainſhips, Chancellorſhips, or Iuſticeſhips, within the ſaid Dominions of Wales, for terme of their liues, ſhall haue and enioy their certaine, ordinary, and annuall fees of money, vſed and accuſtomed to bee payed and borne by the Kings Highneſſe, by vertue of any their Letters Patents, during their intereſt therein, but in no wiſe to take or claime any caſuall fees, claimed by colour of their offices, contrary to this preſent ordinance: any cuſtome in Wales, or any thing in this Act to the contrary notwithſtanding.

There ſhall be foure iudiciall ſeales, in whoſe cuſtody they ſhalbe, & what ſhalbe ſealed with them.

Item ouer and beſides the ſaid originall ſeales, there ſhall be foure iudiciall ſeales, deuiſed by the Kings Maieſty, whereof one ſhall remaine with the Iuſtice of Cheſter, which is appointed by this Act, to be Iuſtice of the Shires of Flint, Denbigh, and Mountgomery, to bee vſed with the ſaid Shires to ſeale all iudiciall proceſſe and bils, that ſhall bee ſued before the ſaid Iuſtice, in the Seſſions, to be holden within the ſame Shires. And that one other of the ſaid iudiciall ſeales, ſhal likewiſe remaine, and be in the charge and cuſtody of the ſaid Iuſtice of Northwales. And that the third of the ſaid ſeales, ſhalbe and remaine in the cuſtody and charge, of the Iuſtice of the three Shires of Glamorgan, Breknok, and Radnor. And the fourth of the ſaid ſeales ſhall remaine in the charge and cuſtody of the Iuſtice of the ſaid three Shires of Pembroke, Caermarthin, and Cardigan. And the ſaid Iuſtices ſhall ſeale with the ſaid iudiciall ſeales, that is to ſay: euery of them with the ſeale committed to his charge and cuſtody, aſwell all bils, as all other iudiciall proceſſe, that ſhalbe ſued before them in the ſaid ſeſſions, vpon any original bils or writs and all other proceſſe that ſhall be awarded from any of the ſaid Iuſtices, ſhall be ſealed with the ſaid iudiciall ſeale.

Account for the profit of the ſeale.

Item, that euery of the ſaid Iuſtices ſhall account and anſwer to the Kings Maieſty for the profits of the ſaid ſeale, being in his charge and cuſtody, in manner and forme as hereafter ſhalbe declared.

Teſte of euery proceſſe.

Item, that the Teſte of euery bill and iudiciall proceſſe, that ſhall paſſe vnder the ſaid iudiciall ſeale, ſhall be vnder the name of ſuch of the ſaid Iuſtices, from whom ſuch bill or iudiciall proceſſe ſhall paſſe, in like manner and forme as is vſed in the Common place in England.

Item, that all actions reall and mixt, attaints, conſpiracies, Aſſiſes, and Quare impedit, appeales of murder and felony, and all actions grounded vpon any Statutes, ſhall bee ſued by originall writs, to be obtained and ſealed with the ſaid original ſeale, returnable before the ſaid Iuſtices at their Seſſions, within the limits of their authorities, in manner and forme as is aforementioned.

What proceſſe ſhall be ſealed with the originall ſeale.

Item, that all manner of perſonall actions, as debt, detinue, treſpaſſe, account, and ſuch like amounting to the ſumme of forty ſhillings, or aboue, ſhalbe ſued by writs originall, to be obteined and ſealed as is aforeſaid, or by bils, at the pleaſure of the party ſuing the ſame, before the ſaid Iuſtices within the limits of their authorities as is vſed in Northwales.

Perſonall actions of xl s. or aboue.

And that all perſonall actions vnder the ſumme of forty ſhillings, that is to ſay, debt, treſpaſſe, detinue, account, and ſuch like, ſhall and may bee ſued, before any of the ſaid Iuſtices in the ſaid Seſſions by bill as it is vſed in Northwales.

Perſonall actions vnder xl s.

And that euery originall Bill, concerning actions perſonall, ſhalbe ſealed with the Kings iudiciall ſeale, being in the cuſtody of the ſaid Iuſtice before whom ſuch perſonall actions by bill ſhall be brought, and commenced.

Originall bill concerning actions perſonals.

And that ſuch fees ſhalbe paid for the writing and ſealing of ſuch originall writs and Bils, as hereafter ſhalbe expreſſed: that is to ſay, for the ſealing of euery originall writ to bee ſued in and vpon the cauſes aforeſaid: and for euery bill to bee purſued in actions perſonall, whereof the debt and damage amounteth to the ſum of forty ſhillings, or aboue, the parties purſuing the ſame, ſhall pay for the ſeale of euery ſuch writ or bill, ſix pence, and for euery iudiciall proceſſe, to be ſued vpon any ſuch originall writ or bill, the parties purſuing ſuch iudiciall proceſſe, ſhall pay for the ſealing thereof, ſeuen pence: whereof the Kings maieſty ſhall haue ſix pence, and the Iuſtice ſealing ſuch iudicial proceſſe, ſhall haue one peny.

Fees for writing and ſealing of writs and bils.

Item, that euery bill in perſonall actions, whereof the debt, duty or damage amounteth not to forty ſhillings, and all manner iudiciall proceſſe to be ſued vpon the ſame, ſhall alſo be ſealed with the ſaid Kings ſaid iudiciall ſeale, and the parties purſuing the ſame ſhall pay for the ſeale of euery ſuch bill and iudiciall proceſſe, thereupon to bee ſued, three pence, whereof the Kings Maieſty to haue two pence, and the Iuſtice ſealing ſuch proceſſe to haue a penie.

Det or damage not amounting to forty s.

Item, that all Writs of Scire facias, and Writs of good abearing, or for the peace, or Writs of Superſedeas vpon the ſame, and all other proceſſe to be ſued from the ſaid Iuſtices, vpon any record or ſuggeſtion, admitted by any of the ſaid Iuſtices within the limits of their authorities, ſhal alſo bee ſealed with the ſaid iudiciall ſeale. And that the parties purſuing for the ſame, ſhall pay for the ſeale of euery ſuch writ and proceſſe, ſeuen pence: whereof the Kings highneſſe ſhall haue ſix pence: and the Iuſtice by whom ſuch proceſſe ſhall be ſealed, a peny.

Proceſſes ſealed with the iudicial ſeale, & the fees.

And that euery exemplification, vpon any Record, before any of the ſaid Iuſtices, ſhall be ſealed with the Kings iudiciall ſeale: and the parties purſuing the ſame ſhall pay for the ſeale thereof twenty pence: whereof the Kings highneſſe ſhall haue ſixteene pence: and the Iuſtice ſealing the ſame foure pence.

Item, that recoueries, and fines, concords, and Warrants of Atturney for the ſame, ſhall and may be taken before euery of the ſaid Iuſtices, of lands, tenements, and hereditaments, within his authority, by force of his generall Commiſſion, without any writ of Dedimus poteſtatem, to be ſued for the ſame, in like manner and forme as is vſed to be taken before the Kings chiefe Iuſtice of his common place in England.

Recoueries, fines, concords &c. taken before the Iuſtices.

Item, that all fines hereafter to be leuied before any of the ſaid Iuſtices with Proclamation made the ſame Seſſions, that the ſaid fine ſhall be engroſſed and in two other great Seſſions then next to be holden within the ſame countrey, ſhalbe of the ſame force and ſtrength to all purpoſes, as fines leuied with proclamations be of, that be leuied before the Iuſtices of the Common place in England.

Of what force fines leuied before the Iuſtices ſhalbe.

Item, that euery perſon ſuing writs of Entree in the Poſt, or writs of Couenant, or any other writs, for any recouery to bee had by aſſent of parties, or otherwiſe, or for any fine to bee leuied, ſhall pay ſuch fines to the Kings vſe for the ſame, aſwell fines Pro licentia Concordandi as all other manner of fines, as is vſed in the Kings Chancery, or elſewhere in any of the Kings Courts of England: which fines ſhalbe paid to ſuch perſons, as ſhall ſeale the original writs, for that purpoſe: and that they ſhall account for the ſame in like forme, as they ſhall doe for the profits of the ſaid originall ſeale, as is aforeſaid.

Fines to the K. vpon recoueries or fines.

Item, that the Kings ſiluer, vpon euery fine to be leuied, ſhal be paid as is vſed in the Common place of England, that is to ſay, two ſhillings: which Kings ſiluer ſhalbe paid to the Iuſtice, afore whom ſuch fine ſhall bee leuied. Whereof the Kings highneſſe ſhall haue twenty pence: and the Prenotary entring the ſame ſhall haue two pence, and the Iuſtice afore whom ſuch fine ſhall bee leuied other two pence, and that the ſame Iuſtice ſhall account for the Kings part thereof, like as ſhall for the profits of the Kings iudiciall ſeale, committed to his charge in manner and forme as is aforeſaid.

Kings ſiluer.

There ſhalbe foure Prenotaries, and vpon whom they ſhall attend.

Item, there ſhalbe foure Prenotaries for the making of all iudiciall proces, and for the entring of all pleas, proces, and matters of record, in the Seſſions to bee holden before the ſaid Juſtices, whereof one of the ſaid Prenotaries ſhall attend vpon the ſaid Juſtice appointed for the three Shires of Northwales: and one other ſhall attend vpon the Juſtice, aſſigned for the three Shires of Flint, Denbigh, and Mountgomery: and the third ſhall attend vpon the Juſtice aſſigned for the three Shires of Caermarthin, Cardigan and Pembroke. And the fourth of the ſaid Prenotaries ſhall attend vpon the Juſtice, aſſigned for the three ſhires of Glamorgan, Breknok, and Radnor. And theſe foure Prenotaries, as often as their ſaid offices ſhall be void, ſhall be named and appointed by the Kings highneſſe, by his Maieſties Letters Patents, vnder his great ſeale of England. And where one Iohn Arnold Gentleman, hath the office of Prenotary, and Clerkeſhip of the Crowne, by the Kings Highneſſe Letters Patents, within the ſaid three Shires of Northwales: and that one Iohn Brekenhed, hath the office of the Prenotary, and Clerkeſhip of the Crowne by the Kings Letters Patents, within the ſaid ſhire of Flint. And that likewiſe one Iohn Lennard hath the office of the Prenotary and Clerkſhip of the Crowne, by the Kings Letters Patents, within all the reſidue of the ſaid Dominion of Wales: the Kings Maieſty is pleaſed and contented, that the ſaid three Prenotaries ſhall haue, vſe, and enioy, their ſaid offices according to the effect of the ſaid Letters Patents to them thereof made, doing their duties and attendance by themſelues, or their ſufficient deputies, at euery of the ſaid ſeſſions to be kept within the Shires whereunto they be ſo appointed.

A Marſhall & a Cryer and their fees.

Item, there ſhall be a Marſhall, and a Cryer in euery of the circuits and limits, allotted to the ſaid Juſtices, which ſhall be named by the ſaid Juſtices, within the limits of their authority and commiſſion, in like manner and forme as Juſtices of Aſſiſe doe in England. And the ſaid officers ſhall attend vpon the ſaid Juſtices in their circuits, in their own proper perſons, and not by their deputies.

And that the Marſhall ſhall haue vpon euery iudgement, and euery fine foure pence, and the Cryer a peny. And vpon the acquitals of felons, and of them that ſhalbe deliuered by Proclamation, or deliuered out of common mainpriſe, before any of the ſaid Juſtices, the Marſhal ſhal haue iiii.d. and the Cryer i.d.

The Prenotaries fees.

Item, that euery of the ſaid Prenotaries, within the limits of their offices, ſhall take ſuch fees as hereafter ſhalbe expreſſed: that is to ſay, for the writing of pleas, & engroſſing of writs of entry in the poſt, writs of right, Quod ei deforceat, or any other writs, purſued by the aſſent of the parties, v. ſhillings. And if it be with a double voucher then vi.s. and viii.d. and for the exemplification thereof ii.s and for the engroſſing of fines to haue for euery fine iii.s. and iiii.d. and if it be with Proclamations, [illegible] iiii.s.

Item, for euery bill of debt, detinue, treſpaſſe, and all other actions perſonals, ſued before the ſaid Juſtices in their circuits, vnder the ſumme of xl.s. the Prenotaries ſhall haue, for the firſt bill iiii.d. for the ſecond bill iiii.d. and for the third bill iiii.d. and for the entry of euery declaration, plea in barre, replication, and reioynder, in and vpon euery ſuch action, ſo that hee doe inroll the ſame in parchment iiii.d. and for euery Venire fac', Tales, habeas corpora, & diſtr. in the ſame actions iiii.d. and for the iudgement iiii. d. and for euery writ of execution, in euery ſuch action, vi.d. and for euery warrant of Atturney, in euery ſuch action, as well for the plaintifes as for the defendants iiii.d.

Item, in all actions of detinue, treſpaſſe, and all other actions perſonal wherein the duties, debt, or damage amounteth to the ſumme of forty ſhillings, or aboue, which ſhall bee ſued by bils before the ſaid Juſtices, the Prenotary ſhall haue for the firſt bill, foure pence, for the ſecond bill, foure pence, for the third foure pence: and for euery of the declaration, the anſwer, replication, and ioynder, if it be enrolled in parchment eight pence: and for the Venire fac', Tales, habeas corpora, and diſtr. for euery of them ſix pence: and for the iudgement eight pence: and for the warrant of Atturney, iiii.d. and for euery writ of execution vpon the iudgements in ſuch bills, ſix pence.

Item, in originall writs, ſued vpon euery action perſonall, returneable before the ſaid Juſtices, the Prenotaries ſhall haue for euery Iterum ſum. ſix pence, for euery diſtreſſe in Treſpaſſe, ſix pence, and for the declaration, eight pence: for the anſwer, replication, and reioynder, for euery of them, if they bee enrolled and engroſſed, as is aforeſaid, twelue pence. For the Venire fac', Tales, habeas corpora, & diſtr. for euery of them ſix pence: and the Prenotaries to haue for the entry of the iudgements in euery ſuch action, twelue pence. And for euery writ of execution, ſued vpon the ſame, ſix pence. For the exemplification of euery Record, in any of the ſaid actions, two ſhillings. For euery warrant of Atturney, foure pence. In all actions reals and mixt, Aſſiſes, Quare impedit, Appeales of felony, murther or maime, the Prenotary to haue for the declaration or plaint, two ſhillings: and for the plee in barre, replication, reioynder, ſurreioynder, for euery of them, if they be inrolled, as is aforeſaid, twelue pence: and for the writing of euery Venire fac', Tales, habeas corpor. & diſtr. vpon the ſame for euery of them ſix pence: and for the entry of the iudgement, in euery of the ſaid actions and appeales ii.s. And for the writing of the writs of execution, made vpon euery of the ſaid actions, appeales, and aſſiſes twelue pence: And for writs of graund Cape and pety Cape, and writs of view, writs vpon Voucher, and all other writs in euery ſuch action or actions, xii.d. And for euery warrant of Atturney, for the defendants, or for the demaundants, or plaintifes, in euery ſuch action reall, aſſiſe, appeale, and Quare impedit, foure pence: and for the eſſoines in euery ſuch action, foure pence: and for the adiournament, two pence: and for the baile of euery perſon of felony, twelue pence: and for the baile for treſpaſſe, ſix pence: and for the apparance and bailing of common mainpriſe, two pence.

Item, for writing of writs for the peace, and good abearing, granted by any of the ſaid Iuſtices in their ſeſſions, ſix pence: and for the entring of euery recogniſance to bee had and taken before the ſaid Iuſtices, for euery cauſe or cauſes, other than before is expreſſed, twelue pence: and if it be with condition, then ii.s. And vpon euery acquitall and deliuerance of felons or murtherers, by verdict or by allowance of pardon, the Prenotaries to haue ii.s. And if it be vpon indictments certified from the Iuſtices of the Peace, afore the Iuſtices in the great ſeſſions: the Clerk of the Peace to haue alſo xii.d. And vpon the deliuery of any ſuſpect of felony or murder, by proclamation, the ſaid Prenotary to haue xii.d.

The King ſhall haue fines, iſſues, amerciaments.

Item, that the Kings maieſty ſhall haue all fines, iſſues, amerciaments, and all forfeitures of Recogniſances loſt or forfeit before any of the ſaid Iuſtices, in the ſeſſion aforeſaid. And that the ſaid Prenotaries, within the limits of their offices, ſhall yeerly extreat the ſame into the Eſchequer, appointed for that limit, to the intent that proces from thence may be awarded to the Sheriffes, to leuy the ſame to the Kings vſe, as appertaineth, which Sheriffes ſhal yeerly make their accompts, before the Kings Auditors, thereunto to be aſſigned and appointed.

Preſident and Councell be Iuſtices of P. Cuſtos Rotuloru̅, and by whom appointed.

Item, ouer and beſides the ſaid Preſident and Councell, and Iuſtices, there ſhal be Iuſtices of Peace and Quorum, and alſo one Cuſtos Rotulorum in euery of the ſaid twelue ſhires.

Item, that the ſaid Iuſtices of P. Iuſtices of Quorum, and Cuſtos rotulorum in the ſaid ſhires, ſhalbe named and appointed by the Chancellor of England, by commiſſion vnder the Kings great ſeale of England, by the aduice of the Preſident, councel, and Iuſtices aforeſaid, or three of them, of the which the ſaid Preſident to be one, from time to time as the caſe ſhall require.

How many Iuſtices of P. in one ſhire.

Item, that there ſhall not exceed the number of eight Iuſtices of the Peace in any of the ſaid ſhires, ouer and beſides the Preſident, Councell, and Iuſtices aforeſaid, and the Kings Atturney and Solicitor, which Preſident, Councell, Iuſtices, and the Kings Atturney and Solicitor, ſhall be put in euery Commiſſion of Peace, in euery of the ſaid twelue ſhires.

Item, that ſuch perſons, as ſhall be named to bee Iuſtices of P. within euery of the ſaid ſhires, ſhalbe of good name and fame: and after they be aſſigned by commiſſion, may vſe and exerciſe the office of the Iuſtice of peace, albeit they may not diſpend twenty pound or be learned in the laws of the lands, without any loſſe, damage, or penalties, for inſufficiency of their lands. And that euery of the ſaid Iuſtices of peace, before they ſhall execute their commiſſion, ſhall take their oathes before the Chancellor of England, or elſe before the ſaid Preſident, or one of the ſaid Iuſtices in Wales, by vertue of the Kings writ of Dedimus poteſtatem, or before any other perſon, to be limited by the Lord Chancellor of England, for that purpoſe, the contents of which oath ſhalbe after the forme, as Iuſtices of Peace in England vſe to make.

The Iuſtices of Peace oath.

The Iuſtices ſeſſions, authority and fees.

Item, that the ſaid Iuſtices of peace, or two of them at the leaſt, whereof one to be of the Quorum, ſhall and may keep their ſeſſions, within the limits of their Commiſſions, foure times in the yeere, and at other times vpon vrgent cauſes, as Iuſtices of peace in England vſe to doe, and ſhal haue like power and authority in all things, and fees of the kings maieſty for the time of their ſitting, aſwell for themſelues as for their Clerks: and ſhalbe bound to vſe and do their office in like manner as is vſed in England.

The fees of the Iuſtices and Clerke of the Peace.

Item, that no Iuſtices of Peace, Clerke of the peace, nor other Clerke of any Iuſtice of peace in Wales, ſhal take for the writing of any warrant of the peace, or good abearing, aboue ſix pence, and for entring of pledges or boroughs to pay the Kings fine vpon any indictment, ix.d. And if it be with proteſtation, then to take twelue pence: and for a Superſedeas, not aboue eight pence: and for a recogniſance twelue pence. And that all the ſaid Iuſtices of peace, ſhall certifie all recogniſances taken before any of them, for the peace or good abearing, into their ſeſſions, next to be holden after the taking thereof. And recogniſance taken before any of them, for ſuſpitions of any manner of felony, ſhalbe certified before the Iuſtices in the great ſeſſions next to be holden after the taking therof without concealment, detaining or imbeſeling of the ſame, vpon ſuch penalties and dangers, as be therefore ordeined and eſtabliſhed.

Certificate of Recogniſances.

Taxing of fines and amerciaments.

Item, that all fines and amerciaments, before the ſaid Iuſtices of peace loſt and hereafter to be loſt, ſhalbe taxed and afferred by two Iuſtices of the peace at the leaſt, whereof one to bee of the Quorum. And that all ſuch fines and amerciaments ſhalbe ſet truly and duly according to the quantity of the offences, without partiality or affection.

Fines, forfeitures, and amerciaments ſhalbe extreated.

Item, that the ſaid fines, and amerciaments, and alſo all iſſues loſt before the ſaid Iuſtices of peace, and all forfeitures of recogniſances, and other forfeitures before the ſame Iuſtices, ſhall be yeerly extreted by the Clerks of the peace, into the Eſchequer, appointed for that limit, to the intent that proces from thence may be awarded, for the leuying of the ſame forfeitures and ſums

Auditors ſhall allow vnto Sheriffes the fees of Juſtices and Clerkes of the peace.

of money to the Kings vſe, to the Sheriffe of euery countie as ſhall appertayne, who ſhall make thereof their accompt, before ſuch Auditors, as thereunto ſhall bee aſſigned, ſo that the kings Maieſtie may therof be truly and duly anſwered and ſatiſfied: which Auditors ſhall make due allowance to the ſame Sheriffes, for the fées of the Juſtices and Clerkes of the peace, vpon their ſaid accompts, as is vſed in the Realme of England.

Sheriffes in euery ſhire of Wales, & how they ſhall be nominated.

Item, that there ſhall bee Sheriffes in euery of the ſaid ſhires yéerely appointed by the Kings Maieſty. And that none of the ſaid Sheriffes ſhall haue their office of Sheriffewike, any longer time, than is vſed by the lawes and ſtatutes of England. And for the yéerely nomination of the ſaid Sheriffes, the ſaid Lord Preſident, Councell, and Juſtices of Wales, or thrée of them at the leaſt, whereof the ſaid Preſident to be one, ſhall yéerly nominate thrée ſubſtantiall perſons, in euery of the ſaid xii. ſhires, to be ſherifes of the ſame, and ſhall certifie their names to the Lords of the Kings moſt honorable councell, attending vpon his Graces perſon, craſtino animarum, to the intent the Kings maieſty, being thereof aduertiſed, may appoint one of them in euery of the ſaid ſhires, to be Sheriffe for that yeere, at his moſt gracious will and pleaſure, like as his highneſſe doth for his Realme of England: And thereupon the ſaid Sheriffes ſhall haue their Patents, and Commiſſions vnder the great ſeale of England, as Sheriffes of England haue, and ſhall make and take oathes and knowledges of Recogniſances, before the Preſident and Juſtices, or one of them, by vertue of the Kings writ of Dedimus poteſtatem, to be directed for the ſame, for the due execution of their offices, and for their iuſt and true accompts before the kings Auditor or Auditors aſſigned for Wales.

The Sheriffes authority and duty in Wales.

Item, that euery of the ſaid Sheriffes ſhall haue full power and authority, within the limits of their Sheriffewike, to doe, and vſe their offices, as Sheriffes in England: and ſhall accompliſh and execute, without any fauour, dread or corruption, all manner of writs, proceſſe, iudgements, and executions, and all manner common iuſtice, appertaining to the offices of Sheriffes, and all lawfull commandements and precepts, of the ſaid Preſident, Councell and Juſtices of Wales, and alſo of the Juſtices of the Peace, Eſchetors, and Coroners, and euery of them, in all things appertaining to their offices and authorities.

The Sheriffes duty in adminiſtration of iuſtice.

Item, that the ſaid Sheriffes ſhall doe and be bound to doe all and euery other thing and things for the miniſtration of Juſtice, and for the conſeruation of the Kings peace, and the apprehenſion and redreſſe of traitors, murtherers, théeues, felons, and other offendors, as Sheriffes of England doe vſe, and be bound to doe within the Realme of England.

The Sheriffes accompt & fee

Item, that the ſaid Sheriffes ſhall yéerely accompt before ſuch the Kings Auditor or Auditors as ſhall be aſſigned and appointed by the Kings Maieſty for his ſaid Dominion of Wales. And that euery of the ſaid Sheriffes ſhall haue yéerely for his fée, v.li.

All officers and other perſons ſhall be attendant on the Preſident, &c.

Item, that all Mayors, Sheriffes, Stewards, Bailiffes, and other Miniſters, and officers of iuſtice, of euery County, Lordſhip, towne, and place, within the ſaid dominion of Wales, and all and ſingular the Kings ſubiects of the ſame, ſhalbe alwayes obedient, attendant, and aſſiſting to the ſaid Preſident, Councell, and Juſtices of Wales, and euery of them, and ſhall obey the Kings commandements and proces, from them, or any of them directed, and all the lawfull and reaſonable precepts of the ſaid Preſident, Councell and Juſtices, and euery of them. And alſo ſhall be obedient to all the ſaid Juſtices of peace, Sheriffes and Eſchetors within the limits of their ſaid authorities, aſwell for common adminiſtration and due execution of iuſtice, as in all other things appertaining to their duties and offices.

Eſchetors ſhall be named in euery ſhire in Wales.

Item, that Eſchetors ſhall be named in euery of the ſaid ſhires, by the Lord Treaſurer of England, by the aduice of the ſaid Preſident, Councell and Juſtices, or thrée of them at the leaſt, whereof the ſaid Preſident to be one: which Eſchetor ſhal make and take their oaths, and knowledge their Recogniſances before the ſaid Preſident, or one of the ſaid Juſtices, by vertue of the Kings writ of Dedimus poteſtatem, to be directed for the ſame, for the due execution of their offices, and for their true accompt, to be made before the Kings Auditor or Auditors, to bee aſſigned for the ſame: which oath and recogniſance ſhalbe agréeable to the oath & recogniſance vſed for the Eſchetors in England. And the Eſchetors ſhall yéerely haue their patents and commiſſions, vnder the great ſeale of England, and ſhal haue power and authority to exerciſe their offices, in like manner and forme as Eſchetors in England, and ſhalbe bound to all lawes & ſtatutes of England.

What freehold an Eſchetor in Wales muſt haue.

Item, that all ſuch perſons as ſhalbe appointed to the ſaid offices ſhal and may exerciſe their offices, if they may diſpend yéerly v.li. of fréehold, any ſtatutes of Engl. to the contrary therof notwithſtanding. And that euery of the ſaid Eſchetors ſhall make their accompts yéerly before ſuch Auditor or Auditors, as ſhall be aſſigned by the Kings maieſty, to heare and determine his highneſſe accompt for his reuenues and profits of the ſaid Dominion of Wales.

Two Coroners in euery ſhire in Wales.

Item, there ſhall be two Coroners, to be elected in euery of the ſaid twelue ſhires, as is vſed in Engl. by vertue of the Kings writ, de coronatore eligẽdo, to be awarded out of the kings Chancery of England. And that the ſaid Crowners ſhal haue like power and authority, to doe and exerciſe their offices, and haue like fées, as is limited by the lawes and ſtatutes of England.

Prouided alwayes, that the writ de coronatore eligendo, to chuſe the Crowners within the ſaid County of Flint, ſhalbe directed out of the Eſchequer of Cheſter.

Item, that the ſaid Juſtices of the Peace, or two of them at the leaſt, whereof one of them to be of the Quorum, ſhall appoint and name in euery hundred, within the limits of their Commiſſion two ſubſtantiall gentlemen, or yeomen to be chiefe Conſtables of the hundred wherin they inhabite, which two conſtables of euery hundred ſhall haue a ſpeciall regard to the conſeruation of the Kings peace: and ſhall and may doe and vſe their offices, in all and ſingular things, as is vſed by the high Conſtables of the hundreds in England: And ſhalbe bound to all things, as the high conſtables of the hundreds in England be bound to doe.

Two Conſtables of the hundred.

Item, that euery of the ſaid Sheriffes ſhall haue a gaole for priſoners within ſome conuenient place of the caſtles of the ſhire towne, where he is Sheriffe, or in ſuch other conuenient place as by the ſaid Preſident, Councell and Juſtices, or thrée of them, whereof the ſaid Preſident to bee one, ſhalbe appointed: Any patent or grant heretofore made to any perſon or perſons of the conſtableſhip, or kéeping of any of the ſaid caſtles, in any wiſe notwithſtanding. And that yͤ Sheriffe ſhall make the Bailiffes of the hundreds, and they to attend vpon the Juſtices in euery of their Courts and Seſſions.

A Gaole.

Bailiffes of hundreds.

Prouided alwayes, that the Conſtables of the Kings Caſtles within euery of the ſaid Shire Townes of Wales, ſhall not be charged with the gaoles and of all the priſoners, that ſhall bee committed to their ward, like as they haue heretofore béen, vnto ſuch time conuenient places for that purpoſe, be aſſigned to the ſaid Sheriffe.

Item, the ſaid Sheriffes ſhall kéepe their Counties monethly, and their hundred Courts, for pleas vnder forty ſhillings, as is vſed in England, and ſhall take for the entring of plaints, proceſſe, pleas, and iudgements, in the ſaid Shire Courts and hundreds, ſuch ſmall fées as is vſed to be taken in ſhires and hundreds in England and not aboue.

County courts.

Hundred Courts.

Item, that all manner of trials before them in their ſaid Courts, or before any Stewards in Court-barons, ſhalbe by wager of law, or verdict of ſix men, at the pleaſure of the party plaintiffe or defendant, that pleaded the plea.

Triall by wager of law, or ſix men.

And that euery of the ſaid Sheriffes ſhall kéepe and hold their turnes yéerely after Eaſter and Michaelmas, as they haue béene vſed in England.

Sheriffes turnes.

Item, the Kings highneſſe ſhall haue all manner of fines, iſſues, amerciaments and forfeitures, loſt or forfeited in any of the ſaid counties, hundreds, courts, and turnes, to his owne vſe, and the Sheriffe to accompt for the ſame accordingly.

Fines forfeit in turnes, &c.

Item, that the extreats of the ſaid turnes, counties, and hundreds, ſhalbe viewed, and the fines, iſſues, & amerciaments, afferred by the ſaid Juſtices of aſſiſes of that circuit, before the leuying of the ſame amerciaments or other forfeitures. And that no Sheriffe, or any of his officers, preſume to gather or leuy any ſuch amerciament, or other forfeiture before the ſaid extreat be ſo afferred vpon paine to forfeit to the Kings vſe forty ſhillings. And that the Sheriffe vpon euery iudgement had before him in his county or hundred court, in any plaint vnder xl.s. ſhall and may award a Capias ad ſatisfaciendum, to arreſt the party condemned: or elſe a Fieri fac' at liberty of the party purſuant.

The extreats afferred by the Juſt. of Aſſ.

The Sheriffe may award execution.

Item, that all bils ſued before the ſaid Juſtices, in perſonall actions, whereof the debt, duty or damage is vnder xl.s the Sheriffe ſhall haue for the returne of euery bill, ii.d. And for euery Venire fac' Tales, habeas corpora, and diſtr. ii.d. And for writs of execution vpon the iudgement, in any ſuch bill, xii.d.

The Sheriffes fees for executing of ſeuerall ſorts of writs.

Item, in bils ſued before the ſaid Juſtices, in actions perſonals, aboue the ſumme of forty ſhillings, the Sheriffe ſhall haue for the returne of euery ſuch bill foure pence, and for the returne of euery Venire fac', habeas corpora, diſtr. & Tales, foure pence, and for euery writ of execution two ſhillings. And in all perſonall actions, ſued by originall writs, returnable before the ſaid Juſtices, the Sheriffe ſhall haue for euery iterum ſum. diſtr. & alias diſtr. foure pence, and for euery venire fac', habeas corpora, diſtr. & Tales, ſix pence. And for euery writ of execution to be executed vpon the iudgement, in ſuch actions two ſhillings, for the ſeruing of euery writ of Elegit ſix ſhillings and eight pence: And in all reall actions or mixt, purſued before the ſaid Juſtices by originall writ, for returne of euery originall, two ſhillings. And for the returne of euery other writ and iudiciall proces depending vpon the ſame, before iudgment, ii.s. and for euery writ of execution after iudgement, vpon euery originall, in actions reall or mixt, ii.s. And for the ſeruing of euery writ of haberi fac' ſeiſinam, vi.s. viii.d.

Item, for Attachments vpon Capias, or other proces ſued before the ſaid Juſtices by original or iudicial writ, if he returne Cæpi corpus, two ſhillings, and a Reddidit ſe, vpon an Exigent of felony, in appeale of murther or maime, or vpon any inditement of felony or murther, two ſhillings, & vpon a Reddidit ſe, vpon an Exigent of debt, treſpaſſe, detinue, and all other actions perſonals, twelue pence, and for the making of Replegiar. twelue pence, and Withernam vpon the ſame xii. pence: For euery returne of euery writ of appeale of murther or felony, or maime, xii.d. and vpon all other proces growne vpon the ſame, as Venire fac', Tales, habeas corpora, & diſtr. twelue pence. And in euere action taken before the Sheriffe by Juſtices, for the ſummons thereof foure pence: and for euery other proceſſe therupon foure pence: and for euery priſoner deliuered by acquitall, or by proclamation, for any manner of felony xii.d.

Item,

Suſpect perſons may be put vnder common mainpriſe. 27.H.8.26.

Item that euery Sheriffe within the limits of his authority, may, and ſhall put ſuch perſons vnder common mainpriſe, as they haue reaſonable cauſe of ſuſpect, according to the ſaid act made for Wales, binding ſuch as they ſhall ſo put to common mainpriſe with two ſufficient ſureties with them, by recogniſance, to appeare before the ſaid Juſtices, within the limits of their authorities, at the next great ſeſſions to be holden next after the taking of ſuch bands, and ſhall certifie the names of them that be bound, before the ſaid Juſtices at the ſaid ſeſſions accordingly, without concealement thereof, at their pleaſure.

The Sheriffes fees for common mainpriſe, and ſeruing of other writs.

Item that euery perſon that the Sheriffe taketh to common mainpriſe, to appeare before the ſaid Juſtices, as is aforeſaid, ſhall pay for his mainpriſe two pence, and not aboue. And the ſaid Sheriffes to put no man to common mainpriſe, but ſuch as be ſuſpect, and as ſhal be returned by them before the ſaid Juſtices at their ſeſſions as is aforeſaid. And alſo the ſaid ſherife ſhall haue for the returne of a writ of falſe iudgement, out of a baſe court, before the ſaid Juſtices, ii.s. And that the ſaid ſherife ſhall take no manner of fee, for the returne of any of the ſaid writs of execution afore expreſſed, vnleſſe he returne the ſame executed.

Fees ſhalbe rated, augmented and diminiſhed by the Preſident Councel and Juſtices.

Item, that in all and euery ſuch writs originall, or iudiciall, or other proces, pleas, or writings, which be not expreſſed in this ordinance, the fees thereof, aſwell for the ſeales as writing, ſhalbe rated by the ſaid Preſident, Councell, and Juſtices, or three of them, whereof the ſaid Preſident to be one, by their diſcretions from time to time as the caſe ſhall require: and that they ſhal haue full power and authority from time to time to aſſeſſe and appoint, what fee the ſaid Sheriffes, Eſcheters, and Coroners, and their miniſters, Prenotories and their Clerkes, and other miniſters of iuſtice in the ſaid ſhires, ſhal haue, take, and receiue of the Kings ſubiects for any manner writs, plaints, pleas, proces, returnes, or any other matter or thing concerning or belonging to the execution of their offices and romes, and to augment, or diminiſh any fee or fees aboue declared, as ſhall be thought by their diſcretions, to be conuenient and meet for the common wealth of the Kings ſubiects of thoſe parts of Wales, any thing contained in this act to the contrary thereof notwithſtanding.

No felon put to his fine, but may be repriued.

Item. that from henceforth no manner of perſon or perſons, for murder or felony, ſhalbe put to his fine, but ſuffer according to the lawes of the Realme of England: except it pleaſe the Kings Maieſty to pardon him or them. And if the ſaid Juſtices ſee cauſe of pity or other conſideration, they may repriue the priſoner, till they haue aduertiſed the Kings maieſty of the matter.

A confirmation of the Stat. of 26.H.8.6. concerning inquiry of offences done in Wales in the counties next adioyning.

Item, that the Act made in the Parliament, holden in the xxvi. yeere of the moſt roiall reigne of the Kings Maieſty, concerning among other things inquiſitions and trials of counterfeiting, waſhing, clipping, and miniſhing of the Kings coine, murders, felons, and acceſſaries to the ſame perpetrated or done within Wales, to be had, made, and determined in the next ſhire, or county within England adioyning, where the Kings writ runneth, and euery article therein conteyned, ſhall ſtand in his full ſtrength and force, according to the tenour and effect of the ſame: Any thing in this ſaid ordinance, or any other Act, cauſe or matter heretofore had or made, to the contrary thereof notwithſtanding.

And albeit the ſame Act as yet was neuer put in execution, for any of the ſaid offences heretofore done or committed within any of the ſaid three ſhires of North Wales, That is to ſay, the Counties of Angleſey, Caernaruan, and Merioneth. Be it now declared, and enacted by the authority aforeſaid, that the ſaid Act, and euery article therin conteined, ſhall from henceforth take effect, and be executed in all points, for and concerning any of the ſaid offences perpetrated, and done, or that hereafter ſhalbe perpetrated and done within the ſaid County of Merioneth, to be enquired of, heard, and determined within the county of Salop, in like manner & forme as commonly is, and hath bin vſed for any of the ſame or like offences, committed or done within any other county or place of Southwales: any matter or cauſe heretofore riſen or growne to the contrary thereof notwithſtanding.

Abertannad annexed to Salop, & within the Hundred of Oſweſtre.

Item, that the towne or hamlet of Abertannad, and all the grounds and ſoyle within the ſame, which afore this time hath beene taken, reputed, and vſed as parcell of the ſaid county of Merioneth, ſhall from the feaſt of Eaſter next comming, by vertue of this Act, be vnited, annexed, and made parcell of the ſaid county of Salop: and ſo from thenceforth to bee reputed, taken and vſed for euer, and not to be of any other ſhire or county of Wales. And that the ſame towne or hamlet and all the ground and ſoile within the ſame towne or hamlet be from and after the ſaid feaſt accepted, and taken, as part and parcell of the hundred of Oſweſtre: and that the inhabitants thereof, from the ſaid feaſt, ſhalbe attendant, and doe euery thing and things, with the inhabitants of the ſaid hundred of Oſweſtre, as the ſame inhabitants doe or be bound to doe, any lawes or cuſtomes to the contrary thereof notwithſtanding.

Foren plea or voucher triable in any other ſhire in Wales or England.

Item, in caſe any forreine plee, or voucher, be hereafter pleaded or made before any of the ſaid Juſtices of Wales, betweene party & party, triable in any other ſhire within Wales, than where the ſame plea is pleaded or voucher made: that then the ſaid Juſtices afore whom the ſame plee or voucher is or ſhall be pleaded or made, ſhall and may ſend the Kings writ, with a tranſcript of the Record, mentioning the ſame forreine matter of plee or voucher vnder the ſeale to him committed, vnto the Juſtice of the County, where the ſame matter is or ſhalbe triable commanding the ſaid Iuſtice, by vertue of the ſaid writ, to proceed to the triall thereof according to the Kings lawes and ſtatutes, which triall ſo before him had, hee ſhall remaund with the whole Record vnto the Iuſtice, before whom the ſaid plee or voucher was pleaded, or made who thereupon ſhall proceed to iudgement, as the caſe ſhall require.

Item, in caſe the ſame forraine plee, voucher, or other matter ſo pleaded, be triable within the Realme of England: then in euery ſuch caſe the Iuſtice afore whom the ſame plee or voucher is or ſhall bee pleaded, had, or made, ſhall and may proceed to the triall thereof, as ſhall appertaine, within the ſame ſhire of Wales, where the ſame old voucher or matter was pleaded, the ſaid foreine plee, voucher, or any other thing or matter to the contrary notwithſtanding.

Item, that no manner of perſon or perſons from henceforth, without lawfull authoritie, ſhall make any rumors, tumults, vnlawful aſſemblies or outcries at any of the ſaid courts or ſeſſions, nor any outcries and vnlawfull aſſemblies in great numbers, at any other time or times, except it be for the apprehenſion, or purſuing of murtherers or felons, vpon paine of impriſonment and a grieuous fine to be taxed and ſet vpon them by the ſaid Preſident and Counſell, or by the Iuſtices or other officer, before whom ſuch miſbehauiour ſhall happen to be committed.

No rumors, tumults, vnlawfull aſſemblies, or outcries ſhall be in Wales.

Item, that all manors, lands, tenements, meſuages, and other hereditaments, and all rights, and titles to the ſame, in any of the ſaid ſhires of Wales deſcended to any manner perſon or perſons ſith the feaſt of the Natiuity of Saint Iohn Baptiſt, in the xxxiii. yeere of our ſaid ſoueraigne Lords reigne, or that hereafter ſhall deſcend, bee taken, enioyed, vſed, and holden as Engliſh tenure to all intents according to the common lawes of this realme of England, and not to be partable among heires males, after the cuſtome of Gauelkinde, as heretofore in diuers parts of Wales hath been vſed and accuſtomed. And that the ſame law, from and after the ſaid feaſt of S. Iohn Baptiſt, in the ſaid xxxiii. yeere, be vſed, taken and exerciſed in the ſaid county of Monmouth and in all ſuch Lordſhips, and other places, as by vertue of the ſaid Act, made in the ſaid xxvii. yeere, or by any other Act or Acts, made or to be made, were and ſhall be annexed, vnited, or knit, to any of the Shires of Salop, Hereford, Glouc. or other ſhires: any lawes, vſages, or cuſtomes heretofor had or vſed to the contrary thereof notwithſtanding.

All lands in Wales ſhalbe Engliſh tenure & not partable.

27.H.8.26.

Item, that no morgages of lands, tenements, or hereditaments, made or had after the ſaid feaſt of S. Iohn Baptiſt, which was in the ſaid xxxiii. yeere of the reigne of our ſaid ſoueraigne Lord, or that hereafter ſhalbe had or made, within any of the ſaid ſhires or places, ſhalbe hereafter allowed or admitted, otherwiſe than after the courſe of the Common laws and ſtatutes of the Realme of England: any vſage or cuſtome heretofore had to the contrary thereof notwithſtanding.

Morgages of lands in Wales

Item, it ſhalbe lawful to all perſons, to alien, ſel, or other wiſe put away their lands, tenements and hereditaments, within the ſaid Country or Dominion of Wales, the County of Monmouth, and other places annexed to any of the ſhires of England, from them and their heires to any perſon or perſons in fee ſimple or fee taile, for terme of life, or for term of yeers, after the maner and according as is vſed by the laws of the realm of England: any Welch law or cuſtome, heretofore vſed in the ſaid country or dominion of Wales, to the contrary thereof notwithſtanding. This article to take effect from and after the ſaid feaſt of the Natiuity of S. Iohn Baptiſt, which was in the ſaid three and thirtieth yeere of our ſaid ſoueraigne Lords raigne.

All perſons may ſell their lands, or demiſe them after the maner of England.

Item, if any perſon or perſons, hauing lands or tenements within the ſaid dominion of Wales, been, or hereafter ſhalbe bound within the ſaid realme of England by obligation vpon the ſtatute of the ſtaple, or by recogniſance, and pay not the debt, as ſhall appertaine: that then vpon certificat thereof made into the Kings Chancery of England, by the Clerke of the ſtaple, or by any Iuſtice of Record, before whom ſuch recogniſance ſhall be knowledged, proceſſe ſhall be made to the Sheriffes of Wales, out of the Chauncery of England after the forme as is vſed to be made vpon ſtatutes and recogniſances, by the courſe of the laws of England, for the due leuying and paying of the ſaid debt.

Perſons hauing lands in Wales bound by ſtatute in England.

Prouided alwayes, and be it enacted by the authoritie aforeſaid, that for ſuch recogniſances as be, or hereafter ſhall bee taken and knowledged before the Kings Iuſtices of his highneſſe bench or common place of England, proces ſhalbe had and purſued immediatly out from the ſaid Iuſtices, as is vſed vpon recogniſances, taken before the ſaid Iuſtices, by the common courſe of the lawes of England.

Recogniſances taken in the Kings Bench, or common place.

Item, that all ſuch writs, bils, plaints, plees, proceſſe, challenges and trials, ſhall bee vſed throwout all the ſhires aforeſaid, before the ſaid Iuſtices in their ſeſſions, as is vſed in Northwales or as ſhalbe deuiſed by the ſaid Preſident, Councel and Iuſtices, or iii. of them, whereof the ſaid Preſident to be one for the good miniſtration of Iuſtice to be had in euery of the ſaid Shires.

Writs bils, plaints, &c.

Item, where the Lordſhip of Hope, with diuers other Lordſhips, pariſhes, townes, and hamlets, were by an Act of parliament made in yͤ xxxiii. yeere of yͤ reigne of our ſaid ſoueraign Lord appointed and tranſlated from the ſaid County of Denbigh, to the County of Flint, and by the ſame act were made part, parcell and member of the ſame county of Flint, afore which appointment or tranſlation, diuers indictments & preſentments, aſwel of felony as other offences, were had and taken for the Kings highneſſe, before the Iuſtice of the ſaid County of Denbigh, in the great Seſſions there, and ſome before the Iuſtices of the peace, within the ſame County, for of-

33.H.8.13.

fences

Inditements or preſentments made for ſuits depending in Lordſhips that were remoued from one county to another.

fences ſuppoſed to be done within diuers of the ſaid Lordſhips ſo tranſlated, and alſo diuers iudgements giuen at the ſuit of the parties before the ſaid Iuſtices: and ſome before the Sherife of the ſaid county of Denbigh, for matters riſen and grown within the precinct of the ſaid Lordſhips or other places, before the tranſlation of the ſame. It is now ordeined and enacted, that all the ſaid indictments, and preſentments, ſhall bee heard, tried, and determined within the ſaid County of Denbigh, by perſons, aſwel of the ſaid Lordſhip or place, where yͤ ſaid offences were done or cōmitted as of other place or places, within the ſaid County of Denbigh, in manner and forme, as though the ſaid tranſlations had neuer béen had, ne made. And alſo that the ſaid iudgements as before giuen or had betwéen party and parties, before any Iuſtice of Record, or other officer within the ſaid county of Denbigh, for any matter or cauſe, appearing by record of the ſame to be grown and riſen within any of the ſaid Lordſhips, Pariſhes, Townes, or Hamlets, ſo tranſlated, ſhall and may bee executed by the Sheriffe of the ſaid County of Denbigh within any of the ſame Lordſhips, or other place ſo tranſlated, the ſaid tranſlation, or any other cauſe or matter to the contrary thereof notwithſtanding.

Item, like Law and order to be kept and miniſtred vpon all other like tranſlations of any other Lordſhips, Manors, Townes, Pariſhes, and other places within Wales, had, made, or done in this preſent Parliament, or any other afore, or after the ſame tranſlation, or any other cauſe or matter to the contrary thereof notwithſtanding.

Suits tried at a pety Seſſions.

Item, where there ſhall be diuers and many ſuits taken before the ſaid Iuſtices in pléas perſonall, which (as it is thought) cannot bee tried before them in the time of the ſaid great Seſſions, for breuity of time: Therefore, and for the ſpéedy triall of theſe matters, the iſſues taken in the ſaid ſuits, ſhall and may be tried at a pety Seſſions, before the deputy Iuſtices there, as it is and hath béene vſed in the ſaid thrée Shires of Northwales: Except ſuch of the ſaid ſuits, as by the diſcretion of the ſaid Iuſtices ſhall bee thought neceſſary to bee tried before themſelues, within their limits. And that there ſhall be no ſuit taken before any of the ſaid Iuſtices by bill, vnder the ſumme of twenty ſhillings.

No ſuit by bill vnder xx.s.

Item, if any murder or felony hereafter bee committed or done within Wales, that then the party or parties to whom any ſuch offence ſhall hap to be commited, ſhall in no wiſe take any end or agréement with the offendors in that behalfe, nor with any other in his name or behalfe, vnleſſe the ſaid party firſt make the ſaid Preſident and Councell, or one of the ſaid Iuſtices priuy vnto the ſame, vpon paine of impriſonment, and grieuous fine to be ſet and adiudged, at the diſcretion of the ſaid Preſident, Councell and Iuſtices, or two of them, whereof the ſaid Preſident to be one: the ſame paine and penalty to extend aſwell to, and againſt ſuch as ſhall labour, moue, or procure any ſuch end or agréement made, although the ſame labour, motion or procurement neuer take effect, to make any end or agréement, as againſt him or them, with whom ſuch end or agréement ſhall be made, if the ſame happen to take effect.

No agreement ſhall be made with a felon without conſent of the Preſident, &c.

Item, where diuers Lordſhips Marchers, aſwell in Wales, as in the borders of the ſame, now being by Act of Parliament annexed to diuers Shires of England, bee lately come to the Kings hands, by ſuppreſſion of houſes, by purchaſe or attaindors, and now bee vnder the ſuruey of the Court of Augmentations, or of the Kings generall Surueyors, the liberties, franchiſes, and cuſtomes of all which Lordſhips, be lately reuiued by act of Parliament made in the xxxii. yéere of his moſt gracious raign, neuertheleſſe his Maieſty willeth, and commandeth, that no other liberties, franchiſes, or cuſtomes ſhall from henceforth be vſed, claimed, or exerciſed within the ſaid Lordſhips, nor any other Lordſhips within Wales, or the countrey of Monmouth, whoſoeuer be Lord or owner of the ſame, but onely ſuch liberties, franchiſes and cuſtomes, as be giuen and commanded to the Lords of the ſame Lordſhips, by force and vertue of the ſaid act of parliament made for Wales, in the ſaid xxvii. yéere of his Graces raigne, and not altered, ne taken away by this ordinance, the ſaid act made in the ſaid xxxii. yéere or any other act, grant, law or cuſtome to the contrary thereof notwithſtanding.

32.H.8.26.

Franchiſes of Lordſhips in Wales and the Marches of the ſame. 27.H.8.26.

Peaceable poſſeſſion of lands fiue yeeres.

Item, that if any perſon or perſons, their anceſtors, or they whoſe eſtate the ſame perſon or perſons haue, or hath in peaceable poſſeſſion of any lands or tenements in Wales, by the ſpace of fiue yéeres, without let, interruption, or lawfull claime: that then the ſame perſon or perſons ſhall ſtill continue their poſſeſſion, vntill ſuch time as it ſhall bee lawfully recouered againſt them by the order of the Kings lawes, or by decrée of the Preſident and Councell there.

Iury de circumſtantibus. 5.El.25.

Item, in actions perſonals, taken and purſued before the ſaid Iuſties in Wales by originall writ, or bill, if ix. of the Iury bee ſworne to try the iſſue betwéene the party plaintife and the defendant, and the reſidue of the ſaid Iury make default, or bee tried out: then the ſherifes ſhall and may immediately returne other names in the ſaid Iury, de circumſtantibus, vnto ſuch time there be twelue men ſworne to try the iſſue betwéene them, as before the Iuſtices of Northwales, hath béene afore vſed and accuſtomed in ſuch caſes.

No ſale of ſtolē goods ſhall change the property.

Item, that if any goods or cattels be ſtollen by any perſon or perſons and ſold in any Faire, or Market, within the ſaid dominion of Wales, that no ſuch ſale ſhall change the property thereof from the owner of the ſame, but that he may lawfully ſeaſe, take, and haue the ſame againe, vpon proofe thereof made, the ſaid ſale notwithſtanding.

Item, that no perſon or perſons bargaine or buy any manner of beaſt, or other quicke cattell in any place within Wales, out of the market or Faire, vnleſſe hee can bring forth ſufficient and credible witneſſe, of the name of the perſon, what place and time he bought the ſame, vpon paine and danger of ſuch puniſhment and fine, as ſhall be ſet vpon him, by the ſaid Preſident & Councell, or any of the ſaid Iuſtices in his circuit, for the ſaid offence, and as he will therefore anſwer at his further perill.

None ſhall buy cattell out of the market.

Item, if any goods or cattels bee ſtollen within the limits of any of the ſaid Shires in Wales, that then vpon ſuit thereof had and made, the tract ſhall be followed from townſhip to townſhip or Lordſhip to Lordſhip, according to the lawes and cuſtomes in that behalfe heretofore vſed in Wales, vpon ſuch penalty and danger, as heretofore hath beene accuſtomed.

Following of ſtollen goods.

Item, that euery perſon that hath any lands, or tenements in fee ſimple or fee taile, or for terme of life, or for term of any other mans life being freehold, ſhal and may paſſe in all manner Iuries and trials, aſwell in caſe of felony or murder, as in all actions reall, perſonall and mixt, whatſoeuer they be, attaint onely except: and alſo may be impanelled, and enquire of all concealments, forcible entries, and other cauſes of enquiry for the Kings Maieſty, albeit hee may not diſpend xl.s. by the yeere: ſauing to euery man his lawfull challenge for any other cauſe, according to the lawes of this Realme of England.

A Freeholder may paſſe in any Iury.

Item, that no Iuror ſhall paſſe in attaint, vnleſſe he may diſpend xl.s. by the yeere of eſtate of freehold.

Iuror in attaint

Item, the tenants and reſiants in Wales, ſhal pay their tallage at the change of their Lords in ſuch places and after ſuch forme, as hath beene heretofore accuſtomed in Wales.

Tallage at the change of Lords.

Item, that all the Kings ſubiects and reſiants in Wales, ſhall finde at all Parliaments hereafter to be holden in England, Knights for the Shires, and Citizens and Burgeſſes for Cities and Townes, to be named & choſen by authority of the Kings Writ, vnder the great Seale of England, according to the Act in that caſe prouided, and ſhalbe charged and chargeable to all ſubſidies and other charges, to be granted by the Commons of any of the ſaid Parliaments, and pay all other their rents, fermes, cuſtomes, and duties to the Kings highneſſe, as they haue beene accuſtomed heretofore, fines for redemption of Seſſions only excepted, which the Kings Maieſty of his moſt gracious goodneſſe and liberality, is contented and pleaſed to remit at the humble ſuit of his ſaid louing ſubiects of his ſaid Dominion of Wales.

Knights for ſhires Burgeſſes
27.H.8.26.

Subſidies, and charges.
Fines for redemption of Seſſions remitted.

Item, that the towne of Hauerfordweſt, ſhal after the end of this preſent Parliament for euer find one Burgeſſe, for the ſaid towne, at euery Parliament after that time to be holden: and the charges of the ſame Burgeſſe to be alwaies borne by the Mayor, Burgeſſes and inhabitants of the ſaid towne, and none other.

Hauerford a Burgeſſe.

Item, that the Kings maieſty ſhall haue all felons goods, and goods of perſons outlawed, waife, ſtraies, and all other forfeitures and eſchetes whatſoeuer they be anſwered thereof by the hands of the Sherifes, ſauing alwaies the right and intereſts of euery of his Subiects hauing lawfull title to the ſame.

Felons goods, waifes ſtraies.

Item, that all errors and iudgements, before any of the ſaid Iuſtices at any time of the great Seſſions, in pleas reals, or mixt, ſhalbe redreſſed by Writ of Error, to be ſued out of the Kings Chancery of England, returnable before the Kings Iuſtices of his Bench in England, as other writs of Error be in England. And that all Errors in pleas perſonall ſhall bee reformed by bils to be ſued before the ſaid Preſident and councel of Wales, from time to time, as the party grieued will ſue for the ſame. And if in caſe the iudgement bee affirmed good, in any of the ſaid writs of Error or bils, then there to make execution, and all other proces thereupon, as is vſed in the Kings Bench of England. And that the Purſuants in euery ſuch writ of Error or bill, doe pay like fees therefore as is vſed in England.

In what courts Errors in Wales ſhall bee redreſſed.

Item, that no execution of any iudgement giuen, or to be giuen in any baſe Court, be ſtayed or deferred by reaſon of any writ of falſe iudgment, but that execution ſhall and may be had & made at all times before the reuerſall of the ſaid iudgement, the purſuit of the ſaid writ notwithſtanding. And in caſe the ſaid iudgement happen after to be reuerſed: then the party purſuant to be reſtored to all that he hath loſt by the ſaid iudgement, according to the lawes of the Realme.

Falſe iudgment

Item, that all proceſſe for vrgent and weighty cauſes ſhalbe made and directed into Wales, by the ſpeciall commandement of the Chancellor of England, for the time being or any of the Kings Councell in England, as heretofore hath beene vſed: Any thing in this act to the contrary thereof notwithſtanding.

Proceſſe for weighty cauſes.

Item, that the towne of Bewdley, which is within the pariſh of Ribbeſford, in the County of Wigorum, and all the ground and ſoile of the ſame towne, ſhall from henceforth be vnited, annexed, and made parcell of the county of Wigorum, and to bee within the hundred of Dodingtre. And that all the inhabitants of the ſaid towne and pariſh, ſhal from henceforth be attendant, and doe euery thing and things, with the inhabitants of the ſaid hundred, as the ſame inhabitants bee now bound to doe by the lawes of this realme of England. Sauing alwayes to the burgeſſe and inhabitants of the ſaid towne of Bewdley, all ſuch liberties and franchiſes, as they lawfully had and exerciſed within the ſame towne, before the making of this act, in like manner and forme, as though this Act had neuer beene had or made.

Bewdly ſhal be within the county of Worceſter.

Item,

Llanſtiffan, Langham and Urterlois ſhall be within the County of Caermarthin.

Item, that the Lordſhip of Llanſtiffan, Urterlops, and Langham, and the members of the ſame, and all manors, lands, tenements, and other hereditaments in the ſame Lordſhip, and the members of the ſame, be from henceforth vnited, annexed, ioyned, named, accepted and taken as part and parcell of the county of Caermarthin, and reputed, ioyned, vnited, named, accepted, and taken as part and parcell of the hundred of Deries, in the ſaid County of Caermarthin. And that the tenants and inhabitants of the ſaid Lordſhips and members, be attendant & doe euery thing & things, with the tenants and inhabitants of the ſaid hundred of Deries, as the ſaid inhabitants now be bound to doe, according to the lawes there vſed.

County Court of Radnor. 27.H.8.26.

Item, that the county or ſhire court of the county of Radnor, ſhall from henceforth bee holden, one time at new Radnor, and one other time at Preſten, alternis vicibus; and neuer from henceforth to be kept or holden at Rather Gowy: any former act, or other thing to the contrary thereof notwithſtanding.

The King may adde and alter Lawes and ordinances. This branch is repealed. 21.Iac.10.

Item, it is further enacted, by the authority aforeſaid, that the Kings moſt royall Maieſty ſhall and may at all times hereafter from time to time, change, adde, alter, order, miniſh and reform, all maner of things afore rehearſed, as to his moſt excellent wiſdome & diſcretion ſhalbe thought conuenient: And alſo to make lawes, and ordinances for the common wealth, and good quiet of his ſaid dominion of Wales, and his ſubiects of the ſame, from time to time, at his Maieſties pleaſure, any thing contained in this act, or in the ſaid act made for the ſaid ſhire ground of Wales, or any other act or acts, thing or things, to the contrary thereof heretofore made in any wiſe notwithſtanding.

And that all ſuch alterations of the premiſſes, or any part thereof, And all ſuch lawes and ordinances to be hereafter made, deuiſed and publiſhed by authority of this act, by the kings maieſty, in writing vnder his highneſſe great ſeale, ſhall be of as good ſtrength, vertue and effect, as if they had beene had and made by authority of Parliament.

How much the Kings Fermor of the Subſidie of Woollen cloths in Wales ſhall take for the ſealing of a cloth.

Item, be it further enacted and ordeined by authority aforeſaid, that where the Kings Maieſty that now is, by his Letters patents, bearing date the firſt day of May, in the xxxiiii. yeere of his moſt proſperous reigne demiſed and granted to William Webbe, the ſubſidy & aulnage of all wollen clothes, made or to be made in the county of Monmouth, and in the xii. ſhires in Wales, that is to ſay, in the County of Breknok, Radnor, Mountgomery, Caermarthin, Glamorgan, Pembroke, Cardigan, Angleſey, Flint, Denbigh, Caernaruan, and Merioneth, and in all and ſingular townes & other places whatſoeuer they be, within the precincts limits of the ſaid Counties, and elſewhere within the Dominion of Wales: To haue and to hold to the ſaid William Webbe, and his aſſignes for certaine yeeres yet enduring, that the ſaid William Webbe, his deputies and aſſignes, ſhall haue from henceforth full power and authority by force of this act, to take for ſealing of euery wollen cloth, hereafter to be made in the ſaid xii. Shires and elſewhere, within the ſaid dominion of Wales, as hereafter is declared and none otherwiſe, that is to ſay, for euery whole piece of friſe, i. d. euery halfe piece friſe, ob. euery piece cotten and lining, being xxiiii. yards, and vnder, a halfepeny. And for euery piece of the ſame, being aboue xxiiii. yards, one peny, of euery broad cloth, one peny: Of euery piece of kerſey, being eighteene yards and aboue, one peny: Of euery piece of kerſey, being vnder xviii. yards, a halfe peny.

Clothes made within the owners houſe not put to ſale.

Prouided alwaies, that this act, ne nothing therein contained, extend not to charge any maner of perſon or perſons, being or that hereafter ſhall be inhabitant in any of the xii. ſhires, or elſewhere within the dominion of Wales, for any clothes, friſes, kerſeis, or linings, made, or hereafter to be made and occupied within their houſes, and not put to ſale to any perſon or perſons, but to their ſeruants for their wearing.

The [illegible]ulneger in [illegible]es bound to [illegible] Lawes of [illegible]land.

And further be it enacted by the authority aforeſaid, that the ſaid Aulneger in Wales, by himſelfe, or by his ſufficient deputy or deputies ſhall in all things to his office appertaining, doe and be bound to doe and anſwer in euery caſe, like, and according as all and euery other Aulneger in the Realme of England doth or ought to doe, according to the lawes and ſtatutes of the Realme of England. And for the contrary doing or exerciſing of the ſaid office, ſhall in euery caſe, and degree ſuffer, as by the ſaid laws and ſtatutes is ordeined, eſtabliſhed or enacted for Aulnegers, vnder the Lord Treaſurer of England for the time being.

Hauerfordweſt a county in it ſelfe.

And furthermore the Kings Maieſty is contented and pleaſed, notwithſtanding the ſtatute made in the xxvii. yeare of his moſt gracious reigne: that where there ſhould be but xii. ſhires in Wales, that the towne of Hauerfordweſt, ſhall be a county in it ſelfe, as it hath beene before this time vſed at the will and pleaſure of the Kings ſaid Maieſty: And that it ſhall bee ſeparated from the county of Pembroke, at the kings ſaid pleaſure. And that the Kings high Juſtice of the ſaid county of Pembroke, ſhall be high Juſtice of the ſaid County and towne of Hauerfordweſt, and ſhall haue like power and authority, to and for the miniſtration of Juſtice, within the ſaid County and towne of Hauerfordweſt, as is limited and appointed to the ſaid Juſtice to and for the adminiſtration of Juſtice in the ſaid county of Pembroke: and that the Maior, ſherife, Bailifes, and Burgeſſes in the ſaid county and towne of Hauerfordweſt, from time to time, ſhall bee aſwel attendant, and obey all precepts and commandements of the Preſident and Councel of our ſaid ſoueraigne Lord the King in his Marches of Wales, as alſo ſhalbe attendant to all precepts and proces awarded or directed, by the ſaid high Juſtice, vnto the Shirife of the ſaid County and Towne of Hauerford weſt, and to make returne thereof. And the ſaid Shirife of the ſaid County and Towne, ſhall ſerue all precepts and proces, directed from the ſaid high Juſtice, in like manner and forme as the Shirife of the ſaid County of Pembroke is bound to doe, and according to the effect and purport of the Kings ordinances, in that behalfe had, made, and prouided: and that it ſhall be lawfull vnto the ſaid Maior, Shirife, Bailifes and Burgeſſes of the ſaid County and Towne of Hauerford weſt aforeſaid, to vſe and exerciſe all lawfull liberties and grants, by the Kings Maieſty, or his Noble progenitors, to them granted and confirmed at the Kings Maieſties will and pleaſure, according to the Lawes of the Realme of England, and not otherwiſe: And that the iudiciall Seale of the ſaid Shires of Pembroke, Caermarthin and Cardigan, being in the cuſtody and kéeping of the Kings high Juſtice there for the time being, ſhall be vſed in the ſaid County and Towne of Hauerford weſt, as the originall and iudiciall Seale of the ſame Towne and County. And that the ſaid Juſtice of the ſaid Shires of Pembroke, Caermarthin, and Cardigan, ſhall haue like power and authority, by vertue of the Kings Letters Patents to him made, aſwell to doe all and euery thing and things, concerning common iuſtice to be miniſtred within the ſaid Towne and County of Hauerford weſt, as he hath in his ſaid Letters Patents, within any of the ſaid Shires of Pembroke, Caermarthen, and Cardigan.

The iudiciall Seale of Pembroke, &c.

Prouided alway, that this article, touching and concerning the County and Towne of Hauerford weſt, and all things therein conteined, ſhall ſtand and endure but only at the Kings Maieſties will and pleaſure, and none otherwiſe.

Prouided alway, that this act, or any thing therein conteined, ſhall not be preiudiciall nor hurtfull to any perſon or perſons, or bodies politike, for or concerning any lands, tenements, rents, ſeruices, bondmen, tolles, or other hereditaments: but that they, and euery of them, their heires, ſucceſſors and aſſignes, and the heires, ſucceſſors and aſſignes of euery of them, ſhall haue, hold, and enioy their lands, tenements, rents, ſeruices, bondmen, and other their hereditaments, in ſuch like manner, forme and condition, as they had the ſame before the making of this Act, and as if this Act had neuer béene had ne made.

This Act preiudiciall to no mans inheritance.

Prouided alſo that this act, nor any thing therein conteined, ſhall be hurtfull or preiudiciall to any perſon or perſons, for or concerning any office or offices, which they or any of them haue by vertue of any the Kings Letters Patents, being now in force before the making of this Act, nor to the fées of money, vſed and accuſtomed to be payd for the exerciſe of any ſuch offices: but that euery perſon and perſons, hauing ſuch offices and fées, and their ſubſtitutes and deputies, ſhall and may haue and exerciſe their ſaid offices, as is limited by this act, and as they might haue done before the making of this act. And ſhall alſo haue and perceiue all ſuch fées, for the exerciſe of the ſaid offices, in as large and ample manner, forme and condition, as they might afore the making of this act, and as if this act had neuer béene had ne made.

Euery of the Kings Officers may enioy his office and fee as he did before.

Prouided alwayes, that all lands, tenements and hereditaments, within the ſaid Dominion of Wales, ſhal deſcend to the heires, according to the courſe of the common lawes of the Realme of England, according to the tenor and effect of this Act, and not to be vſed as Gauelkind: any thing conteined in theſe prouiſions or any of them to the contrary thereof notwithſtanding.

No Gauelkind land but deſcendable according to the courſe of the common Law.

Prouided alwayes that this Act, ne any clauſe, article, or thing therein contained, be in any wiſe preiudiciall or hurtfull to George Blunt Eſquire ſonne and heire of Sir John Blunt Knight deceaſed, for or concerning the offices of Stewardſhips of the Kings Lordſhips or Manors of Bewdley and Clebury, or any other office or offices heretofore granted vnto the ſaid George Blunt, by the Kings Letters Patents, ſealed vnder the great Seale of England, for terme of life of the ſame George, or for or concerning any fées, wages, rewards, annuities, profits, commodities, aduantages, or emoluments appertaining or belonging vnto the ſaid offices or any of them: but that the ſaid George, his deputy and deputies, ſhall and may at all time and times, during the life of the ſame George, haue hold, exerciſe and enioy the ſame offices, and euery of them, and alſo perceiue, leuy, and take the fées, wages, rewards and all other profits and commodities, to the ſame offices and euery of them, or to any of them belonging, or in any wiſe appertaining, in as large and ample manner, forme and condition, to all entents, conſtructions and purpoſes, as though this Act had neuer béene had or made: any thing before in this act conteined to the contrary notwithſtanding.

The offices & fees of George Blunt reſerued.

Prouided alwayes that all liberties, franchiſes and priuileges of the Duchy of Lancaſter, or in any wiſe appertaining to the ſame, ſhall be of the ſame force, plight, quality, goodneſſe and condition, and may be vſed in as large and ample manner, as they were before the making of this Act, and as if this Act had neuer béene had or made: any thing in this Act to the contrary notwithſtanding.

All liberties of the Duchy vſed as before.

HEnrie the viij. by the grace of God, King of England, France, and Ireland, Defender of the Faith, and of the Church of England and alſo of Ireland, in earth the Supreme head: to the honour of Almighty God, and for the concord, quiet, and wealth of this his Realme, and Subiects of the ſame, begun this third Seſſion of his moſt high Court of Parliament, at Weſtminſter, the foureteenth day of Ianuary, in the fiue and thirtieth yeere of his Maieſties moſt noble and victorious raigne, and there held and continued the ſame third ſeſſion till the nine and twentieth day of March, in the ſaid fiue and thirtieth yeare, wherein were eſtabliſhed theſe Acts following.

CAP. I.

The Kings Succeſſion in the Crowne.

In what ſort the Crowne of England was entailed by the ſtat. of 28, H.8.7.

WHere in the Parliament holden at Weſtminſter, the eight day of Iune, in the eight and twentieth yeare of our moſt dread Soueraigne Lord King Henry the eight, an Act was had and made for the eſtabliſhment of the ſucceſſion of the Imperiall Crowne of this Realme of England, by which Act amongſt diuers other things, it was enacted, That the Imperiall Crowne of this Realme, with all dignities, honours, preeminences, prerogatiues, authorities, and iuriſdictions to the ſame annexed, or belonging, ſhould be to the Kings Maieſty and his heires of his body lawfully begotten: that is to ſay, to the firſt ſonne of his body betweene his Highneſſe and his then lawfull wife Queene Iane now deceaſed, begotten, and to the heires of the body of the ſame firſt ſonne lawfully begotten. And for default of ſuch heires, then the ſecond ſonne of his Highneſſe body, and of the body of the ſaid Queene Iane begotten, and to the heires of the body of the ſame ſecond ſonne begotten, with diuers other limitations of the eſtates, conueyance, and remainders of the ſaid Imperiall Crowne, and other the premiſſes.

And it was alſo enacted further by the ſaid ſtatute, that for lacke of iſſue of our ſaid ſoueraigne Lord the Kings body lawfully begotten. That then his Highneſſe ſhould, and might giue, will, limit, aſſigne, appoint, or diſpoſe the ſaid Imperiall Crowne, and other the premiſſes, to what perſon or perſons, and giue the ſame perſon or perſons ſuch eſtate in the ſame, as it ſhould pleaſe his Maieſty, by his Gracious Letters Patents vnder the great Seale, or by his laſt will in writing, ſigned with his moſt gracious hand, as by the ſame Act amongſt diuers other things therein conteined more at large it doth appeare. Sithen the making of this Act, the Kings Maieſtie hath onely iſſue of his body lawfully begotten betwixt his Highneſſe and his ſaid late wife Queene Iane, the noble & excellent Prince, Prince Edward, whom almighty God long preſerue. And alſo his Maieſty hath now of late ſithen the death of the ſaid Queene Iane, taken to his wife the moſt vertuous and gracious Lady Katherine, now Queene of England, late wife of Iohn Neuill, Knight, Lord Latimer deceaſed, by whom as yet his Maieſty hath none iſſue, but may haue full well, when it ſhall pleaſe God. And foraſmuch as our ſaid moſt dread Soueraigne Lord the King, vpon good and iuſt grounds, and cauſes, entendeth by Gods grace, to make a voyage Royall, in his moſt Royall perſon, into the Realme of France againſt his ancient enemy the French King: his Highneſſe moſt prudently and wiſely conſidering and calling to his remembrance, how this Realme ſtandeth at this preſent time in the caſe of ſucceſſion, and paiſing and weighing further with himſelfe, the great truſt and confidence that his louing Subiects haue had, and haue in him, putting in his hands wholly the order and declaration of the ſucceſſion of this Realme: Recogniſing and knowledging alſo, that it is in the only pleaſure and will of Almighty God, how long his Highneſſe or his ſaid entirely beloued ſonne Prince Edward ſhall liue, and whether the ſaid Prince ſhall haue heires of his body lawfully begotten or not, or whether his Highneſſe ſhall haus heires begotten and procreated betweene his Maieſty and his ſaid moſt deare and entirely beloued wife Queene Katherine that now is, or any lawfull heires and iſſues hereafter of his owne body begotten by any other his lawfull wife. And albeit that the Kings moſt excellent Maieſty, for default of ſuch heires as be inheritable by the ſaid Act, might by the authority of the ſaid Act giue and diſpoſe the ſaid Imperiall Crowne, and other the premiſſes, by his Letters Patents vnder his great Seale, or by his laſt Will in writing ſigned with his moſt Gracious hand, to any perſon or perſons, of ſuch eſtate therein, as ſhould pleaſe his Highneſſe to limit and appoint: yet to the intent that his Maieſties diſpoſition and minde therein ſhould be openly declared and manifeſtly knowne, and notified as well to the Lords Spirituall and Temporall, as to all other his louing and obedient Subiects of this his Realme, to the intent that their aſſent and conſent might appeare to concurre with thus farre as followeth of his Maieſties declaration in this behalfe: His Maieſty therefore thinketh conuenient, afore his departure beyond the Seas, that it be enacted by his Highneſſe, with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of

The Kings intended voiage into France.

the ſame, and therefore be it enacted by the authority aforeſaid, That in caſe it ſhall happen the Kings Maieſty, and the ſaid excellent Prince his yet only ſonne Prince Edward and heire apparant, to deceaſe without heire of either of their bodies lawfully begotten (as God defend) ſo that there be no ſuch heire male or female of any of their two bodies, to haue and inherit the ſaid Imperiall Crowne, and other his Dominions, according and in ſuch manner and forme as in the foreſaid Act, and now in this is declared: That then the ſaid Imperiall Crowne, and all other the premiſſes, ſhall be to the Lady Marie, the Kings Highneſſe daughter, and to the heires of the body of the ſame Lady Marie, lawfully begotten, with ſuch conditions, as by his Highneſſe ſhalbe limited by his letters Patents, vnder his great ſeale, or by his Maieſties laſt will in writing ſigned with his gracious hand. And for default of ſuch iſſue, the ſaid Imperiall Crowne & other the premiſſes, ſhall be to the Lady Blizabeth, the Kings ſecond daughter, and to the heires of the body of the ſaid Lady Elizabeth, lawfully begotten, with ſuch conditions, as by his Highneſſe ſhall be limited by his Letters Patents vnder his great Seale, or by his Maieſties laſt Will in writing, ſigned with his gracious hand, any thing in the ſaid Act made in the ſaid eight and twentieth yere of our ſaid Soueraigne Lord, to the contrary of this Act notwithſtanding.

If the King and Prince Edward ſhall die without heires of either of their bodies, then the Crowne ſhall remaine to the Lady Marie, &c.

The remainder to the Lady Elizabeth.

Prouided alway and be it enacted by authority aforeſaid, That if the ſaid Lady Marie doe not keepe and performe ſuch conditions, which the Kings Maieſty ſhal hereafter by his Graces Letters Patents, ſealed vnder his great Seale, or by his Maieſties laſt will in writing, ſigned with his Highneſſe hand, declare and limit to her ſaid eſtate, in the ſaid Imperiall Crowne, and other the premiſſes: That then and from thence forth, for lacke of heires of the ſeuerall bodies of the Kings Maieſty and the ſaid Prince Edward lawfully begotten, the ſaid Imperiall Crowne, and other the premiſſes, ſhall be and come to the ſaid Lady Elizabeth, and to the heires of her body lawfully begotten, in ſuch like manner and forme, as though the ſaid Lady Marie were then dead, without any heire of her body begotten, any thing in this act conteined to the contrary notwithſtanding.

The eſtate of the Lady Marie tied with conditions.

And be it further enacted by the authority aforeſaid, that if the ſaid Lady Marie doe keepe and performe ſuch conditions, which the Kings Maieſty ſhall hereafter by his Graces Letters Patents, ſealed vnder his great Seale, or by his Maieſties laſt Will in writing, ſigned with his Highneſſe hand, declare and limit to her ſaid eſtate, as is aforeſaid, and that the ſaid Lady Elizabeth, for her part, doe not keepe and performe ſuch conditions, which the Kings Maieſty ſhall hereafter by his Graces Letters Patents, ſealed vnder his great Seale, or by his Highneſſe laſt will in writing, ſigned with his moſt gracious hand, declare and limit to her ſaid eſtate in forme aforeſaid: That then and from thenceforth, for lacke of heires of the ſeuerall bodies of the Kings Maieſtie, the ſaid Lord Prince, and of the ſaid Lady Marie lawfully begotten, the ſaid Imperiall Crowne and other the premiſſes, ſhall be and come to ſuch perſon and perſons, and of ſuch eſtate and eſtates, as the Kings Highneſſe by his Letters Patents, ſealed vnder his great Seale or by his laſt will in writing, ſigned with his Maieſties hand, ſhall limit and appoint.

The eſtate of the Lady Elizabeth tyed with conditions.

Prouided alway that if the ſaid Lady Marie doe not keepe and performe ſuch conditions, which ſhall be limited and appointed to her ſaid eſtate in the ſaid Imperiall Crowne, and other the premiſſes as is aforeſaid: and the ſaid Lady Elizabeth being then dead without any heire of her body lawfully begotten: That then and from thenceforth, for lacke of heires of the ſeuerall bodies of the Kings Maieſty, and the ſaid Lord Prince, lawfully begotten, the ſaid Imperiall Crowne, and other the premiſſes, ſhall be, come, and remaine, to ſuch perſon and perſons, and of ſuch eſtate and eſtates, as the Kings Highneſſe by his Letters Patents, ſealed vnder his great Seale, or by his laſt Will in writing, ſigned with his Maieſties hand, ſhall limit and appoint.

A limitation of the Crowne if the L. Marie doe breake her conditions, and the Lady Elizabeth die without iſſue.

Prouided alwayes, and be it enacted by authority aforeſaid, that in caſe the Kings Maieſty do not declare, and limit by his Letters Patents, or by his laſt Will, in forme as is aforeſaid, any condition to the eſtates and intereſts afore limited to the ſaid Lady Marie and Lady Elizabeth, nor to the ſtate or intereſt of any of them: That then euery ſuch of the ſaid Lady Marie and Lady Elizabeth, to whoſe eſtate or intereſt no condition ſhall be limited by the Kings Maieſty in forme aforeſaid, ſhall haue and enioy ſuch intereſt, eſtate, and remainder in the ſaid Imperiall Crowne, and other the premiſſes, as is before limited by this Act, without any manner of condition: Any thing in this preſent Act to the contrary thereof notwithſtanding.

The eſtates of the Lady Marie and Elizabeth if the King limit no conditions.

And foraſmuch as it ſtandeth in the only pleaſure and will of almighty God, whether the Kings Maieſty ſhall haue any heires begotten and procreated betweene his Highneſſe and his ſaid moſt entirely beloued wife Queene Katherine, or by any other his lawfull wife, or whether the ſaid Prince Edward ſhall haue iſſue of his body lawfully begotten, or whether the Lady Marie, and Lady Elizabeth, or any of them, ſhall haue any iſſue of any of their bodies lawfully begotten, and if ſuch heires ſhould faile (which God defend) and no prouiſion made in the Kings life, who ſhould rule and gouerne this Realme, for lacke of ſuch heires, as in this preſent Act is afore mentioned: That then this Realme, after the Kings tranſitory life, and for lacke of ſuch heires, ſhould be deſtitute of a lawfull Gouernour, to order, rule and gouerne the ſame.

Be it therefore enacted by the authority of this preſent Parliament, that the Kings Highneſſe

The King by his will oꝛ Letters Patents may aſſure the reuerſion oꝛ remainder of the Crowne to ſuch perſon as he will.

ſhall haue full power and authoꝛity, to giue, diſpoſe, appoint, aſſigne, declare and limit by his gracious Letters Patents vnder his great Seale, oꝛ elſe by his Highneſſe laſt will made in wꝛiting, and ſigned with his moſt gracious hand, at his only pleaſure, from time to time hereafter, the Imperiall Crowne of this Realme, and all other the pꝛemiſſes, to be, remaine, ſucceed, and come after his deceaſe, and foꝛ lacke of lawfull heires of either of the bodies of the Kings Highneſſe and Pꝛince Edward begotten, and alſo foꝛ lacke of lawfull heires of the bodies of the ſaid Lady Mary, and Lady Elizabeth, to be pꝛocreated and begotten, as is afoꝛe limited in this Act, to ſuch perſon and perſons in remainder oꝛ reuerſion, as ſhall pleaſe his Highneſſe, and accoꝛding to ſuch eſtate, and after ſuch manner and foꝛme, faſhion, oꝛ condition, as ſhall be expꝛeſſed, declared, named and limited in his Highneſſe Letters Patents, oꝛ by his laſt will in wꝛiting, ſigned with his moſt Gꝛacious hand, as is afoꝛeſaid: Any thing conteined in this pꝛeſent Act, oꝛ in the ſaid foꝛmer Act, to the contrary thereof in any wiſe notwithſtanding.

And foꝛ further coꝛroboꝛation of this pꝛeſent Act, and of the ſaid act made in the ſaid eight and twentieth yéere of our ſaid Soueraigne Loꝛd, and alſo vtterly to exclude the long vſurped power, authoꝛity and iuriſdiction of the Biſhops of Rome, where in the ſaid act made foꝛ the eſtabliſhment of the Kings ſucceſſion, at the ſaid Parliament holden at Weſtminſter, the eight day of Iuly, in the eight and twentieth yéere of the Kings Maieſties reigne, there is one oath limited in the ſaid Act, as in the ſaid Act amongſt other things appeareth.

They which haue ſwoꝛne the foꝛeſaid oaths ſhall eſteeme them as if they had ſwoꝛne this.

And where alſo at the ſaid Parliament, there was another ſtatute made and oꝛdeined againſt ſuch as would both extoll and ſtand to the iuriſdiction, power and authoꝛity of the Sée and Biſhop of Rome, in which ſtatute there is compꝛiſed another oath in ſuch wiſe, as in the ſame ſtatute amongſt other things is mentioned. Foꝛaſmuch as in both the ſaid oaths, mentioned in the ſaid ſeuerall Acts, there lacketh full and ſufficient woꝛds, whereby ſome doubts might riſe: Therefoꝛe be it enacted by authoꝛity of this pꝛeſent Parliament, that from and after the laſt day of this ſeſſion, all and euery ſuch perſon and perſons, which be oꝛdered and limited by the ſaid ſeuerall acts, to take the ſaid oaths mentioned in the ſame acts, ſhall from thenceforth, in lieu and place of thoſe two oaths, take and ſweare this coꝛpoꝛall oath, accoꝛding to the tenoꝛ enſuing. And that they, which haue already ſwoꝛne the other foꝛeſaid oaths oꝛ any of them, ſhall take and eſtéeme it of the ſame effect and foꝛce, as though they had ſwoꝛne this. Which foꝛmer oaths notwithſtanding, becauſe they be not ſo pithy to all effects, noꝛ ſo plainly ſet foꝛth, as were conuenient. Therefoꝛe be it enacted by authoꝛity of this pꝛeſent Parliament, that after this pꝛeſent ſeſſion, the ſaid oaths, ſpecified in the ſaid ſeuerall acts, ſhall not thereafter be miniſtred, noꝛ any perſon hereafter be compelled to accept the ſame, and this oath hereafter mentioned in this act, to ſtand in foꝛce and place of the ſaid two oaths.

The oath againſt the authoꝛity of the Biſhop of Rome and foꝛ the maintenance of the title of the King and his heires.
REP. 1. & 2. P. & M. 8.

I, A. B. hauing now the vaile of darkneſſe of the vſurped power, authoꝛity and iuriſdiction of the Sée and Biſhops of Rome cléerely taken away from mine eyes, doe vtterly teſtifie and declare in my conſcience, that neither the Sée noꝛ the Biſhop of Rome, noꝛ any foꝛrein Poteſtate, hath, noꝛ ought to haue any iuriſdiction, power oꝛ authoꝛity within this Realme, neither by Gods Law, noꝛ by any other iuſt Law, oꝛ meanes. And though by ſufferance and abuſe in times paſſed, they afoꝛeſaid haue vſurped, and vendicated a fained and an vnlawfull power and iuriſdiction within this Realme, which hath béene ſuppoꝛted till few yéeres paſſed, therefoꝛe becauſe it might be déemed and thought thereby, that I tóoke oꝛ take it foꝛ iuſt and góod, I therefoꝛe now doe cléerely and frankly renounce, refuſe, relinquiſh, and foꝛſake that pꝛetended authoꝛity, power, and iuriſdiction, both of the Sée and Biſhop of Rome, and of all other foꝛraine powers: And that I ſhall neuer conſent noꝛ agrée, that the foꝛeſaid Sée oꝛ Biſhop of Rome, oꝛ any of their ſucceſſoꝛs, ſhall pꝛactiſe, exerciſe oꝛ haue any manner of authoꝛity, iuriſdiction oꝛ power within this Realme, oꝛ any other the Kings Realmes oꝛ Dominions, noꝛ any foꝛraine Poteſtate, of what eſtate, degrée oꝛ condition ſoeuer he be, but that I ſhall reſiſt the ſame at all times to the vttermoſt of my power: And that I ſhall beare faith, truth, and true allegeance to the Kings Maieſty, and to his heires and ſucceſſoꝛs, declared, oꝛ hereafter to be declared by the authoꝛity of the Act made in the Seſſion of the Parliament holden at Weſtminſter the fourtéenth day of Ianuary, in the fiue and thirtieth yéere, and in the ſaid Act made in the eight and twentieth yéere of the Kings Maieſties reigne: And that I ſhall accept, repute and take the Kings Maieſty, his heires and ſucceſſoꝛs (when they oꝛ any of them ſhall enioy his place) to be the only Supꝛeme head in earth vnder God of the Church of England and Ireland, and of all other his Highneſſes Dominions: And that with my body, cunning, wit, and vttermoſt of my power, without guile, fraud, oꝛ other vndue meane, I ſhall obſerue, kéepe, maintaine and defend all the Kings Maieſties ſtiles, titles and rights, with the whole effects and contents of the Acts pꝛouided foꝛ the ſame, and all other Acts and Statutes made, oꝛ to be made within this Realme, in and foꝛ that purpoſe, and the derogation, extirpation and extinguiſhment of the vſurped and pꝛetended authoꝛity, power and iuriſdiction of the Sée and Biſhop of Rome, and all other foꝛraine Poteſtates, as afoꝛe: And alſo aſwell the ſaid Statute made in the ſaid eight and twentieth yéere, as the ſtatute made in the ſaid Seſſion of the Parliament, holden the fiue and thirtieth yéere of the Kings Maieſties raigne, foꝛ eſtabliſhment and declaration of his Highneſſe ſucceſſion, and all

Acts and Statutes made, and to be made in confirmation and corroboration of the Kings Maieſties power, and Supremacie in earth of the Church of England, and of Ireland, and of other the Kings Dominions, I ſhall alſo defend and maintaine with my body and goods, and with all my wit and power, and this I ſhall doe againſt all manner of perſons, of what eſtate, dignity, degree or condition they be, and in no wiſe doe nor attempt, nor to my power ſuffer, or know to be done or attempted, directly or indirectly, any thing or things priuily or apertly to the let, hinderance, damage or derogation of any of the ſaid ſtatutes, or of any part of them, by any manner of meanes, or for or by any manner of pretence. And in caſe any oath hath beene made by me to any perſon or perſons, in maintenance, defence or fauour of the See and Biſhop of Rome, or his authority, iuriſdiction or power, or againſt any the ſtatutes aforeſaid, I repute the ſame as vaine and adnihilate, and ſhall wholly and truly obſerue and keepe this oath, ſo helpe me God, all Saints, and the holy Euangeliſts.

A former oath reputed vaine, and void by the party that ſweareth.

Who ſhall take this oath.

And it is alſo enacted by authority aforeſaid, that all and every perſon and perſons, Spirituall and Temporall, ſuing livery, reſtitution, or oultre le maine, out of the Kings, his heires or ſucceſſors hands, or doing any fealty, to his Highneſſe, his heires or ſucceſſors, or which ſhall be ſworne to the King, his heires or ſucceſſors, or that ſhal haue any office, fee, or rowme of the moſt gracious gift of the Kings Maieſty, his heires or ſucceſſors, or ſhall be receiued in ſeruice with his Grace, his heires or ſucceſſors, ſhall make, take or receiue the ſaid oath.

And that alſo all and euery other Eccleſiaſticall perſon, at the time of his taking of Orders, and all and euery other perſon, which ſhall be promoted or preferred to any degree of learning, in any Uniuerſity within this his Realme, or other of the Kings Dominions, at the time of his or their promotion or preferment, or euery of them, ſhall make, take and receiue the ſaid oath, by this Act ſet forth and declared, as is aforeſaid, before his or their ordinary, or the commiſſary of ſuch Uniuerſity. And that all and ſingular other the Kings Maieſties Subiects, and reſiants within this his Graces Realme, and others his Maieſties Dominions, at his Highneſſes will and pleaſure ſhall accept and take the ſame oath, before ſuch Commiſſioner or Commiſſioners, as his Highneſſe ſhall appoint for the ſame.

It ſhall be high Treaſon to refuſe to take the aforeſaid Oath. REP.1.Ed.6.12. 1.M.1.

And it is alſo enacted by the authority aforeſaid, that if any perſon or perſons, limited or commanded by the authority of this act, to make, and take the ſaid oath, or commanded by any other perſon or perſons, authoriſed by the Kings Highneſſe Commiſſion vnder his great Seale, to make the ſaid oath, obſtinatly refuſe that to doe: that then euery ſuch offence and contempt ſhall be high treaſon, and the Offenders thereof, being lawfully conuicted, ſhall ſuffer paines of death, and other forfeitures, penalties and loſſes, as is limited and accuſtomed in caſes of high treaſon, by any Lawes or Statutes of this Realme, heretofore had or made in any wiſe concerning the ſame.

The penalty for doing any thing to the interruption of this Act, or of any eſtate limited thereby.

And be it further enacted by authority aforeſaid, that if any perſon or perſons, of what eſtate, degree, dignity or condition ſoeuer they be, at any time hereafter, by words, writing, imprinting, or by any exteriour Act or deed, maliciouſly or willingly procure, or doe, or cauſe to bee procured or done directly or indirectly, any thing or things, to or for the interruption, repeale, or adnullation of this Act, or of any thing therein conteined, or of any thing that ſhall be done by the Kings Highneſſe, in the limitation and diſpoſition of his Maieſties Crowne, and other the premiſſes, by authority of the ſame: or to the perill, ſlander or diſhinheriſon of any the iſſues and heires of the Kings Maieſty, being limited by this act, to inherite and to be inheritable to the Crowne of this Realme, in ſuch forme as is aforeſaid, or to the interruption or diſheriſon of any perſon or perſons, to whom the Imperiall Crowne of this Realme, and other the premiſſes, is aſſigned, limited and appointed by this Act, or ſhall be by the Kings Maieſties Letters Patents vnder his Highneſſe great Seale, or by his laſt Will in writing, ſigned with his moſt Gracious hand, limited and diſpoſed by the authority of this Act, as is aforeſaid, whereby any ſuch iſſues or heires of the Kings Maieſty, or ſuch other perſon or perſons, might be diſtroyed, diſturbed or interrupted, in body or title of the inheritance of the Crowne of this Realme, as to them is limited in this Act, in forme aboue rehearſed, or as to them ſhall be limited or aſſigned by the Kings Highneſſe, by vertue and authority of this Act: that then euery ſuch perſon and perſons, of what eſtate, degree or condition ſoeuer he or they be, and their ayders, counſailers, maintainers and abbettours and euery of them, for euery ſuch offence aforedeclared, ſhall be adiudged high Traitors, and that euery ſuch offence afore ſpecified, ſhall be adiudged high treaſon, and the Offendors therein, their Aidors, Counſellors, Maintainors and Abbettors, and euery of them, being lawfully conuict of any ſuch offence, after the lawes and cuſtomes of this Realme, ſhall ſuffer paines of death, and loſſes and forfeitures, as in caſes of high treaſon.

Sauing alway to euery perſon and perſons, and bodies politike, to their heires, aſſignes and ſucceſſors, and to the heires and ſucceſſors of euery of them (other than ſuch perſons as ſhall be ſo conuict or attainted, and their heires and ſucceſſors, and all other claiming to their vſes) all ſuch right, title, vſe, intereſt, poſſeſſion, condition, rents, fees, offices, annuities and commons, which they or any of them ſhall haue, in or vpon any ſuch manors, lands, tenements, rents, annuities, or hereditaments, that ſhall ſo happen to be loſt and forfeit, by reaſon of any conuiction or attainder for any the treaſons and offences aboue rehearſed, at any time before the ſaid treaſons and offences committed. Stat. 25.H.8.22.28.H.8.7. 1.Ed.6.12. 1.El.3.

Cap. II.

Where and before whom Treaſons committed out of the Realme ſhall be tried.

FOraſmuch as ſome doubts and queſtions haue béene moued, that certaine kinds of treaſons, miſpriſions and concelements of treaſons, done, perpetrated or committed out of the Kings Maieſties Realme of England, and other his Graces Dominions, cannot, ne may by the Common lawes of this Realme be inquired of, heard and determined within this his ſaid Realme of England: For a plaine remedy, order and declaration therein to be had and made: Be it enacted by authority of this preſent Parliament, that all manner of offences, being already made or declared, or hereafter to be made or declared, by any the lawes and ſtatutes of this Realme, to be treaſons, miſpriſions of treaſons, or concelements of treaſons, and done, perpetrated or committed, or hereafter to be done, perpetrated or committed by any perſon or perſons, out of this Realme of England, ſhal be from henceforth inquired of, heard and determined before the Kings Juſtices of his Bench, for pleas to be holden before himſelfe, by góod and lawfull men of the ſame Shire, [a] where the ſaid Bench ſhall ſit and be kept, or elſe before ſuch Commiſſioners, and in ſuch Shire of the Realme, as ſhall be aſſigned by the Kings Maieſties Commiſſion, and by góod and lawfull men of the ſame Shire, in like manner and forme to all intents and purpoſes, as if ſuch treaſons, miſpriſions of treaſons, or concealements of treaſons, had béene done, perpetrated, and committed within the ſame [b] Shire, where they ſhall be ſo inquired of, heard and determined, as is aforeſaid.

Where and before whom treaſons committed out of the Realme ſhall be tried.

[a] Coke lib. 261.b.

[b] Dyer.fol. 132.29 360. Coke.li.7.f lib.11.fol.6

Prouided alwayes, that if any the Péeres of this Realme ſhall happen to be indicted of any ſuch treaſons, or other offences aforeſaid, by authority of this Act: That then, after ſuch inditement, they ſhall haue their triall by their Péeres, in ſuch like manner and forme as hath béene heretofore accuſtomed. Stat. 26. *H.* 8.13. 5. *Edw.* 6.11.

Triall of Peeres.

Cap. III.

The Kings ſtyle ſhall be, *Henry* the eight, by the grace of God, King of England, France and Ireland, Defendor of the Faith, and of the Church of England, and alſo of Ireland in earth the Supreme head: which ſtyle ſhall be vnited and annexed for euer vnto the Imperiall Crowne of this Realme of England. And it ſhal be high treaſon to imagine or attempt to depriue the King or any of his heires or aſſignes of any of their ſaid ſtyles or titles. REP. 1.2. *P.* & *M.* 8. *Dyer.* fol. 98.

Cap. IIII.

Remedy to repaire decayed houſes in certaine Townes of England and Wales.

FOraſmuch as in times paſt diuers and many beautifull houſes of habitation haue béene within the walles and liberties of the Towne of Shrewſbury, in the County of Salop, the City of Cheſter in the County of Cheſter, the Towne of Ludlow in the County of Salop, Hauerford weſt in the County of Hauerford in South-wales, the Towne of Pembroke tenby, in the County of Pembroke, the Towne of Karmerdyn in the County of Karmerdyn, the Towne of Mountgomery in the County of Mountgomery, Cardiffe, Swaneſſe, Cowbrige, New Radnor and Preſtend in the County of Radnor, the Towne of Breknoke in the County of Breknoke, and the Towne of Monmouth in the County of Monmouth, the Towne of Maldon in the County of Eſſex, the Townes of Abargauenny, Uſke, Carlyon, and Newport, in the Countie of Monmouth, the Townes of Lancaſter, Preſton, Lyrepole and Wygan, in the County Palatine of Lancaſter, which now are fallen downe, decayed, and at this time remaine vnreedified, lying as deſolat and void grounds, and many of them adioyning nigh vnto the high ſtréets repleniſhed with much ordure, filth and vncleanneſſe, with pits, ſellers and vaults lying open and vncouered, to the great perill and danger of all the Inhabitants, and other the Kings Subiects paſſing by the ſame, and ſome houſes be very weake and féeble, ready to fall downe, and bee very dangerous to paſſe by, to the decay and hinderance of the ſaid City, Boroughes and Townes.

It may therefore be enacted by the King our Soueraigne Lord, the Lords ſpirituall and temporal, and the Commons of this preſent Parliament aſſembled, and by the authority of the ſame, that if any perſon or perſons, or bodies politike, being owners or poſſeſſioners of any ſuch deſolat or void grounds, that at any time within fiue and forty yéeres next before the making of this Act, haue béene builded for houſes of habitation, or for any houſe or houſes of habitation now or hereafter being in decay and not fully fallen downe, within the liberties and precincts of any of the ſaid Boroughes, Townes and places, doe not ſufficiently reedifie, build and repaire, or cauſe to be reedified, builded and repaired the ſaid deſolate void ground and decayed houſes, conuenient for habitation and dwelling, within two yeeres next after proclamation to be made in or vpon the ſame void ground or grounds, decayed houſe or houſes, by the Maior, Aldermen, Bailiffes and Burgeſſes, or other head Officers, within the precincts of their owne authorities: that then it ſhall be lawfull for the chiefe Lord or Lords immediat, of whom ſuch deſolate and void grounds, decayed and ruinous houſes be holden, after the ſaid two yeeres be expired, to enter into the ſame, and to haue the ſame grounds or houſes with the curtilage, backſide, garden, and orchard adioyning to the ſame, if they be of the inheritance of the owner or owners of the ſaid decayed houſe or ground, and exceed not one acre of ground to them and to their heires or ſucceſſors, to their owne proper vſe for euer: ſo that the ſaid Lord or Lords immediat, entring by the authority of this Act, doe ſufficiently reedifie, build or repaire the ſaid void ground or decayed houſes, within two yeeres and an halfe next and immediatly following the determination of the foreſaid firſt two yeeres.

If the owner of a decayed houſe doe not reedifie it within three yeeres after proclamation, the Lord of the fee may enter.

And in caſe ſuch Lord and Lords, as may enter by this Act, doe not enter, and well and ſufficiently reedifie, build or repaire the ſame void grounds or decayed houſes within the ſaid two yeeres and an halfe, to them limited by this Act: or if ſuch Lord or Lords immediat, as may enter by this act, do ſufficiently reedifie, build and repaire the ſame void grounds or decayed houſes within the ſaid two yeeres and an halfe to them limited, and after they, their heires or ſucceſſors ſuffer the ſame houſes or void grounds to fall in ruine and decay, and doe not build or reedifie the ſame ſufficiently within two yeeres and an halfe of ſuch ruine or decay: that then it ſhall be lawfull to all perſon or perſons or bodies politike, as ſhall then haue any rent charge ioyntly or ſeuerally going out of the ſaid void ground or grounds, or decayed houſe or houſes, in any of the ſaid City, Boroughes, Townes or places, immediately after the ſaid two yeeres and an halfe expired, to enter into the ſame, and to haue to ſuch of them, their heires and ſucceſſors, to their owne proper vſe, as ſhall ſo build the ſaid void grounds or decayed houſes by authority of this Act, the ſame void ground or houſes, with the curtilage, backſide, garden and orchard adioyning to the ſame (if they be of the inheritance of the owner or owners of the ſaid decayed houſe or ground, and exceed not the quantity of one acre of ground) diſcharged of all rents going out of the ſame grounds or houſes, as well againſt the ſaid Lord and Lords immediat, as all other perſon or perſons or bodies politike, hauing any rent or rents charges, rent ſecke out of the ſame, other than the fee ferme of the ſaid City, Borough, Towne or place, or ſome parcell thereof: ſo that the ſaid perſon or perſons or bodies politike, hauing the ſaid rent charge, entring by the authority of this Act, doe ſufficiently reedifie, build, and repaire the ſame deſolate and void ground or grounds, or decayed houſe or houſes, within one yeere and three quarters next and immediatly following the determination of the ſaid two yeeres and an halfe, to the ſaid Lord or Lords immediately appointed by this act.

The entry of him or them which haue a rent charge in default of the chiefe Lord.

And in caſe ſuch perſon or perſons or bodies politike, hauing any of the ſaid rents charges, as may enter by this Act, doe not enter, and well and ſufficiently reedifie, build or repaire the ſame void grounds or decayed houſes, within one yeere and three quarters to them appointed by vertue of this Act: or if they, or any of them, hauing ſuch rent charge, and that may enter by this Act, doe ſufficiently build and repaire the ſame void ground or grounds, or decayed houſe or houſes, within the ſaid one yeere and three quarters to them limited, and after they their heires or ſucceſſors ſuffer the ſame void ground or grounds, houſe or houſes, to fall in ruine and decay, and doe not build or reedifie the ſame ſufficiently within on yeere and three quarters after ſuch ruine or decay: that then it ſhall be lawfull to the Maiors, Aldermen and Burgeſſes, and other the head Officers of the ſaid City, Boroughes, Townes and places, by what name or names ſoeuer they be incorporated, and their ſucceſſors and euery of them, within the limits of their authorities, immediatly after the ſaid yeere and three quarters expired, into euery ſuch deſolate and void grounds, decayed or ruinous houſes, to enter, and to haue, hold and enioy to them and their ſucceſſors for euer, to their owne vſes, the ſame grounds or houſes and euery of them, with the curtilages, gardens, orchards and backſides to the ſame, if they be of the inheritance of the owner or owners of the ſaid decayed houſe or ground, and exceed not in quantity one acre of ground, cleerely diſcharged of all rents going out of the ſame grounds or houſes, as well againſt the ſaid Lord or Lords immediate, as all other perſon or perſons or bodies politike, hauing ſuch rent charge or rent ſecke, as before is ſaid, other than the fee ferme of the ſaid City, Borough, Towne or place, or parcell thereof: ſo that the ſame Maiors, Aldermen and Burgeſſes, or other head Officers, as is aforeſaid or their ſucceſſors, for the time being, doe reedifie build or repaire, or cauſe to be reedified or repaired the ſame ground or grounds, houſe or houſes, within three yeeres next and immediately following the determination of the ſaid yeere and three quarters limited and appointed to ſuch perſon or perſons, or bodies politike, that haue or ſhall haue any rent, as is aforeſaid.

The entry of the chiefe Officers of the ſame corporate Townes in default of them which haue the rent charge.

And in caſe the ſaid Mayors, Aldermen, and Burgeſſes, or other head Officers, as is aforeſaid, The entry of the firſt owners in default of the chiefe Officers.

ſaid, or their ſucceſſors, doe not enter, and reedifie, build, and repaire the ſame void ground or grounds, decayed houſe or houſes, in forme aforeſaid, within the ſaid terme of three yeeres after their ſaid entry, or if they ſufficiently reedifie, build, and repaire the ſame void ground or grounds, or decayed houſe or houſes, within the ſaid three yeeres to them limited by this Act, and after they, or their ſucceſſors ſuffer the ſame houſe or houſes, void ground or grounds to fall in ruine and decay, and do not build and reedifie the ſame ſufficiently within three yeeres after ſuch ruine or decay: that then it ſhall be lawfull to the firſt owner or owners, poſſeſſor or poſſeſſors of ſuch ground or grounds, decayed houſe or houſes, their heires or ſucceſſors, immediatly after the ſaid three yeeres to the ſaid Mayors, Aldermen, and Burgeſſes, and other head Officers, as is afore limited, expired, into the ſame houſes, ground, or grounds, Curtilages, Gardens, Orchards, and Backſides to enter and the ſame to retaine to them, their heires and ſucceſſors, as in their firſt eſtate, any thing conteined in this preſent Act to the contrary notwithſtanding.

A ſauing of the right of infants, women married, &c.

Prouided alway, that this Act or any thing therein conteined, be not in any wiſe hurtfull or preiudiciall to any perſon or perſons, being at the time of the ſaid Proclamation made, vnder the age of one and twenty yeeres, or being feme couert, or in priſon, or beyond the Sea, in the Kings warres, or in other lawfull affaires, or to any perſon or perſons not being then of whole and perfect memory: during the time that ſuch perſon or perſons ſhall be within age, married, in priſon, or of no perfect memory, or beyond the Sea, ſo that the ſaid perſon or perſons, their heires or ſucceſſors, after that he or they come to their full age of one and twenty yeeres, or be vnmarried, out of the priſon, or come againe within this Realme, or be of whole and perfect memory, within three yeeres then next inſuing, doe reedifie the ſame deſolate or void grounds, or repaire the ſaid decayed houſes.

Cap. V.

No perſon ſhall be put to his triall vpon an accuſation concerning any of the offences compriſed in the Statute of 31. *Hen*. 8. 14. but only vpon ſuch as ſhall be made by the oath of twelue men before Commiſſioners authoriſed. And the preſentment ſhall be made within one yeere after the offence committed. No perſon ſhall be arreſted or committed to ward for any ſuch offence before he be indicted. If any Preacher or Reader ſhall ſpeake any thing in his Sermon or Reading, contrary to any matter contained in the ſix Articles, he ſhall be accuſed or indicted thereof within forty dayes, or elſe ſhall be diſcharged of the ſaid offence. REP. 1. *Edw*. 6. 12.

Cap. VI.

What kinde of Iurors ſhall appeare vpon a Niſi prius, *&c.*

FOraſmuch as the Iſſues ioyned in euery action, ſuit and demand betweene party and party at the Common law, are by the Lawes of this Realme, for the moſt part tried, and triable by the verdict of twelue men, wherein is daily ſeene great delay, partly for lacke of apparance of the perſons returned to try ſuch iſſues. The occaſion whereof commeth by reaſon of maintenance, imbracery, ſiniſter labour, and corrupt demeanours, and partly by reaſon of the chalenges of the parties, to the Iury or Iurours ſo returned, to the great coſts charges and hinderance of the parties to the ſaid actions, ſuits and demands, and to the great delay and hinderance of Iuſtice.

For reformation whereof, and for the more expedition of Iuſtice hereafter to be had in ſuch manner triall of iſſues.

The forme of a Venire facias, where each Iuror muſt diſpend forty ſhillings yeerely, and where he need not. 27. El. 6.

Be it enacted by the authority of this preſent Parliament, that in euery caſe, where ſuch perſons as ſhould paſſe vpon the triall of any iſſue ioyned in any of the Kings Courts of Record, commonly holden at Weſtminſter, ought by the law to diſpend forty ſhillings by the yeere, of freehold for terme of life: that the writs of Venire facias, which from and after the firſt day of April next comming, ſhalbe awarded and directed for the impanelling of ſuch perſons as ſhall try the ſame iſſue, ſhall be in this forme. Rex &c. Præcipimus, &c. quod venire fac. coram, &c. xij. liberos & legales homines de vicenato de B. Quorum quilibet habeat quadraginta ſolidat. terræ, tenement. vel reddit. per annum ad minus, per quos rei veritas melius ſciri poterit: Et qui nec, &c. And ſo forth the reſidue of the ſaid writ after the ancient forme. And in euery caſe, where it is not requiſit, that the perſons that ſhal paſſe vpon the triall of any iſſue ioyned in any of the Kings Courts aforeſaid, ſhall diſpend forty ſhillings by the yeere of freehold: that then the writ of Venire facias, that ſhall be awarded after the ſaid firſt day of Aprill, ſhall be made after the forme aforeſaid, omitting this clauſe, Quorum quilibet habeat quadraginta ſolidat. terræ ten. vel reddit per annum ad minus. And that vpon euery ſuch writ and writs of Venire facias, that ſhal haue the ſaid clauſe, Quorum quilibet, &c. the Shiriffe or other Miniſter or Miniſters, to whom the making of the panell ſhal appertaine, ſhall not returne in any ſuch panell any perſon, vnleſſe he may diſpend.

Six Hundredors ſhall be returned by the Sherife.

diſpend .xl.s. by yéere at the leaſt, of eſtate of fréehold out of ancient demeſne within the County, where the iſſue is to be tried. And alſo ſhall returne in euery ſuch panell vpon the ſame Venire facias, ſix ſufficient Hundredors at the leaſt, if there be ſo many hundredors within the ſaid hundred where the Venew lyeth, vpon peine to forfeit for euery perſon being returned in any ſuch panell, that cannot diſpend forty ſhillings by the yéere, as is aforeſaid, twenty ſhillings. And for euery Hundredor, that ſhall be omitted in ſuch returne of the number aforeſaid, twenty ſhillings. And in euery writ of Venire facias, wherein the ſaid clauſe, Quorum quilibet, &c. ſhall be omitted, the Sherife or other Miniſter or Miniſters, to whom the making of the panell ſhall appertaine, ſhall not returne in any ſuch panell any perſon, vnleſſe he may diſpend ſome lands or tenements of eſtate of fréehold out of ancient demene, within the County where the iſſue is to be tried. And alſo ſhall returne in euery ſuch panell vpon the ſame Venire facias, ſix ſufficient Hundredors at the leaſt, if there be ſo many Hundredors within the ſaid hundred where the venew lyeth, vpon like peine as is aforeſaid.

What Iſſues ſhall be returned vpon Iurors. Stat. 27. El. 6.

And furthermore be it enacted by the authority aforeſaid, that vpon euery ſuch writ of Habeas corpora or Diſtringas with a Niſi prius, deliuered of record to the Sherife or other Miniſter or Miniſters, to whom the making of the returne ſhall appertaine, the ſaid Sherife and other Miniſter and Miniſters ſhall from and after the ſaid firſt day of Aprill, returne the iſſues vpon euery perſon, impanelled and returned vpon any ſuch writ, at the leaſt fiue ſhillings. And at the ſecond writ of Habeas corpora or Diſtringas, with a Niſi prius, vpon euery perſon impanelled and returned, vpon any ſuch writ, ten ſhillings at the leaſt. And at the third writ of Habeas corpora or Diſtringas, with a Niſi prius, that ſhall be further awarded vpon euery perſon impanelled and returned vpon any ſuch writ, thirtéene ſhillings foure pence. And vpon euery writ that ſhall bée further awarded to try any ſuch iſſue, to double the iſſues laſt afore ſpecified, vntill a full Iury be ſworne, or the proceſſe otherwiſe ceſſed or determined, vpon peine to forfeit for euery returne to be made contrary to the forme aforeſaid, fiue pounds.

And for a more ſpéedy triall of iſſues to be tried by the verdict of twelue men hereafter to be had.

Tales de Circumſtantibus, at the plaintifes requeſt. Stat. 5. El. 25.

Be it further enacted by the authority aforeſaid, that in euery ſuch writ of Habeas corpora or Diſtringas, with a Niſi prius, where a full Iury ſhall not appeare before the Iuſtices of Aſſiſes or Niſi prius, or elſe after apparance of a full Iury, by chalenge of any of the parties, the Iury is like to remaine vntaken for default of Iurors: That then the ſame Iuſtices vpon requeſt made by the party plaintife or defendant, ſhall haue authority by vertue of this Act, to command the Sherife, or other Miniſter or Miniſters, to whom the making of the ſaid returne ſhall appertaine, to [a] name and appoint, as often as néed ſhall require, ſo many of ſuch other able perſons of the ſaid County then preſent at the ſaid Aſſiſes or Niſi prius, as ſhall make vp a full Iury, which perſons ſo to be named and impanelled by ſuch Sheriffe or other Miniſter or Miniſters, ſhall be added to the former panell, and their names annexed to the ſame.

[a] Dyer.fol.100. pl.176.

Challenge of the Tales.

And that euery of the parties ſhall and may haue his or their chalenge to the iurors ſo named, added and annexed to the ſaid former panell by the ſaid Sherife or other Miniſter or Miniſters, in ſuch wiſe as if they had béene impanelled vpon the Venire facias, awarded to try the ſaid iſſue. And that the ſaid Iuſtices ſhall and may procéed to the triall of euery ſuch iſſue with thoſe perſons that were before impanelled and returned, and with thoſe newly added [b] and annexed to the ſaid former panell by vertue of this Act, in ſuch wiſe as they might or ought to haue done, if all the ſaid Iurors had béene returned vpon the writ of Venire facias, awarded to try the ſaid iſſue.

[b] Coke li.10.fol.

And that all and euery ſuch triall had after the ſaid firſt day of Aprill, ſhall be as good and effectuall in the Law, to all intents, conſtructions and purpoſes, as if ſuch triall had béene had and tried by twelue of the Iurors impanelled and returned vpon the writ of Venire facias, awarded to try ſuch iſſue.

And in caſe ſuch perſons as the ſaid Sherife, Miniſter or Miniſters ſhall name and appoint, as is aforeſaid, or any of them, after they ſhall be called, be preſent and doe not appeare, or after his or their apparance, doe wilfully withdraw him or themſelues from the preſence of the Court: That then ſuch Iuſtices ſhall and may ſet ſuch fine vpon euery ſuch Iuror making default, or wilfully withdrawing himſelfe, as is aforeſaid, as they ſhall thinke good by their diſcretion, the ſaid fine to be leuied in ſuch manner and forme as iſſues forfeited and loſt by Iurors, for default of their apparance at the Common law, haue béene accuſtomed to be leuied.

The Iurors making default ſhall loſe iſſues.

And be it further enacted by the authority aforeſaid, that where any Iury, that ſhall be returned by the Sherife or other Miniſter or Miniſters, ſhall be made full by the commandement of the ſaid Iuſtices, by vertue of this preſent act, that yet neuertheleſſe ſuch perſons as were returned in the ſaid panell by the Sherife or other Miniſter or Miniſters, to try any ſuch iſſue that ſhall not appeare, but make default, ſhall loſe the [c] iſſues vpon them returned, in ſuch wiſe, as though the ſame Iury had remained for default of Iurors.

[c] iss. 16.

Prouided alway and bée it enacted, that vpon a reaſonable excuſe, for the default of apparance of any Iuror or Iurors ſufficiently proued before the Iuſtices of Aſſiſe or Niſi prius, at

Iurors ſhall be diſcharged of iſſues vpon cauſe.

the day of their appearance by the oaths of two lawfull and honeſt witneſſes, that the ſame Iuſtices ſhall haue authority by their diſcretions to diſcharge euery ſuch Iuror of euery ſuch forfeiture of Iſſues vpon him returned. And that the Shirife and Shirifes, or other Miniſter or Miniſters, hauing commandement by the ſaid Iuſtices to omit the returning of ſuch iſſues as is aforeſaid, vpon ſuch Iuror or Iurors, ſhall be therein diſcharged of the penalties aforeſaid, for the not returning of the ſaid iſſues, and that yet notwithſtanding the ſaid returne to be good and effectuall in the law, any law, vſage, or cuſtome to the contrary notwithſtanding.

Iſſues diſcharged by the not comming of the Iuſtices.

Prouided alſo, and be it enacted by the authority aforeſaid, that if the ſaid Iuſtices, afore whom any ſuch Iury ſhould appeare in the County, where ſuch iſſue is to be tried by vertue of a writ of Niſi prius, doe not come at the day and place appointed, but that the aſſiſe or Niſi prius for that time ſhall be diſcontinued for not comming of the ſaid Iuſtices, or for any other occaſion, other than by default and lack of Iurors: that then euery one of the ſame Iurors ſhall be diſcharged for forfeiting of any Iſſues vpon him returned in the ſame writ. And the Shirife or other Miniſter or Miniſters, ſhall be likewiſe diſcharged of the penalties of this eſtatute for the not returning of ſuch Iſſues, as are before limited in this Act, any article, or ſentence herein conteined to the contrary notwithſtanding.

Iſſues returned vpon a Iury not lawfully ſummoned.

And be it alſo further enacted by the authority aforeſaid, that if vpon any ſuch writ of Habeas corpora, or Diſtringas, with a Niſi prius, Iſſues be returned vpon any Hundredors, Iuror or Iurors, by the Shirife or other Miniſter or Miniſters, to whom the execution of the ſame writ or writs ſhall appertaine, whereas the ſame hundredors, and Iurors ſhall not be lawfully ſummoned, warned, or diſtrained in that behalfe: that then euery ſuch Shirife or other Miniſter or Miniſters aforeſaid, ſhall loſe for euery ſuch offence ſo committed, double ſo much as the ſaid Iſſues returned vpon ſuch Hundredors or Iurors not lawfully ſummoned, warned, or diſtrained, ſhall amount vnto: the moity of all which forfeitures conteined in this preſent Act, other than the Iſſues to be returned vpon the Iurors as is aforeſaid, ſhall be to the King our Soueraigne Lord, and the other halfe to him that will ſue for the ſame by action of debt, bill, plaint, or information in any of the Kings competent Courts, in which no wager of law, eſſoine, or protection ſhall be allowed ne admitted.

The right of others to iſſues forfeited, ſaued.

Sauing to all manner of perſons, and bodies politike and corporate, their heires and ſucceſſors, hauing lawfull right, title and intereſt to haue ſuch iſſues, to be before any ſuch Iuſtices of Aſſiſe or Niſi prius, at any time or times hereafter loſt and forfeited, all ſuch right, title and intereſt, as they or any of them ſhould or might haue had to any ſuch Iſſues to be loſt and forfeited, as though this Act had neuer beene had or made.

This Act ſhall not extend to any Shirife or Miniſter of a Towne corporate.

Prouided alſo that this Act, nor any thing therein conteined, ſhall not extend to any City or Towne corporate, or to any Shirife, Miniſter, or Miniſters in the ſame, for the returne of any Inqueſt or Panell to be made and returned of perſons inhabiting in the ſaid Cities or Townes corporate, but that they, and euery of them, ſhall and may returne ſuch perſons in euery ſuch Inqueſt or Panell, as before this time they might and haue beene accuſtomed to doe, and as if this Act had neuer beene had or made: ſo that the ſame Shirife, Miniſter or Miniſters, returne vpon ſuch perſons as ſhall be impanelled, like Iſſues as are before mentioned in this Act, any thing in the ſame conteined to the contrary notwithſtanding. This Act to endure to the end of the next Parliament. 2. *Ed.*6.32. made perpetuall. Sta.37.H.8.22.4.& 5.P.& M.7.27.*Eli.*6.

Cap. VII.

A repeale of a Statute made 25.*H.*8.4. touching the foreſtalling and regrating of fiſh.

Cap. VIII.

Euery Artificer of the myſtery of Coopers, may take for euery Beere-barrell by him ſold, ten pence, and for euery Beere-kilderkin ſix pence. Whoſoeuer ſhall carry Beere beyond the Sea, ſhall find ſuerties to the Cuſtomers of that Port to bring in Clapboord meet to make ſo much veſſell as he ſhall carry forth. No man in London or within two miles compaſſe, ſhall cut or diminiſh any barrels, kilderkins or firkins, but for his owne prouiſion. No man ſhall tranſport Beere in a greater veſſell than a barrell, vpon paine to forfeit ſix ſhillings eight pence for euery veſſell. EXP. St. 23. *H.*8.4. 8.*El.*9. 31.*El.*8. 35.*El.*11. 3.*Car.*4.

Cap. IX.

Wapping marſh in the County of Middleſex, ſhall be diuided by certaine perſons aſſigned, or by any ſix of them. And Richard Hill of London Meercer (the Aſſignee of Cornelis Wanderdelfe, who at his owne charge Inned, and recouered the ſame being drowned) ſhall haue the one moity thereof to him and to his heires. PR.

CAP. X.

The Mayor and comminalty, &c. at alltimes needfull may make and amend conduits in and about London.

Foraſmuch as it is very commodious, neceſſary, and profitable to all Cities, Townes, and habitations, to haue ſweet and wholſome running waters, and freſh ſprings, to ſerue the ſame for their buſineſſes, and neceſſaries, and ſpecially within great Townes and Cities, to be conueyed by conduits and fountaines, whereunto requireth abundance and copioſity, for the ſeruing of the inhabitants of the ſame, whereof the City of London hath beene before this time well furniſhed, and abundantly ſerued, till that now of late, that either for faintneſſe of the ſprings, or for the drineſſe of the earth, the accuſtomed courſe of the waters, comming from the old ſprings and ancient heads, are ſore decayed, diminiſhed, and abated, and daily more and more, be like to appeire and faile, to the great diſcommodity, and diſpleaſure, both of the Citizens and inhabitants within the ſaid City and Suburbes thereof, and to all other perſons hauing recourſe to the ſame, to the great decay of the ſame City, if ſpeedy remedy the ſooner be not therein had, foreſeene, and prouided. For remedy whereof, Sir William Bowyer Knight, now Mayor of the ſaid City, intending and pondering the ſame neceſſity, much willing to help and relieue the ſaid City and Suburbes with new fountaines, and freſh ſprings, for the commodity of the Kings ſaid Subiects, calling to him aſwell diuerſe graue and expert perſons of his brethren, and other of the comminalty of the ſaid City, as other perſons, in and about the conueyance of water well experimented, hath not only by diligent ſearch and exploration, found out diuerſe great and plentifull ſprings, at Hampſted heath, Maribone, Hackney, Muſwel hill, and diuerſe places within fiue miles of the ſaid City, very meet, propiſe, and conuenient to be brought and conueyed to the ſame, but alſo hath laboured, ſtudied, and deuiſed the conueyance thereof by conduits, vaults, and pipes to the ſaid City, and otherwiſe, to his great trauell, labour, and paine, and alſo to the great charges and coſts of the Citizens of the ſaid City: which good and profitable purpoſe cannot ſort to concluſion, nor take good effect, without the aid and conſent of the Kings Maieſty, and of his high Court of Parliament. Wherefore may it pleaſe the Kings Maieſty, with the aſſent of the Lords ſpirituall and temporall, and of the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, to eſtabliſh and enact, that it ſhall be lawfull to the Mayor and comminalty of the ſaid City of London for the time being, and to their ſucceſſors, aſſignes, and ſeruants, at all and euery time and times hereafter, to enter into the grounds and poſſeſſions, aſwell of our ſaid Soueraigne Lord the King, his heires, and ſucceſſors, as of euery other perſon and perſons, bodies politike and corporate, where they ſhall finde or know any ſuch ſprings to be, or may be found for the intent aboueſaid, (ſo that it be not in to their houſes, gardens, orchards, or places incloſed within ſtone, brick, or mud walles,) and there to dig pits, trenches, and ditches, to erect heads, lay pipes, and make vaults, and to doe all, and euery ſuch things in the ſame places and grounds which ſhall be meet, propiſe, and neceſſary only for the conueyance of the ſaid water and ſprings to the City, and the Suburbes of the ſame, and alſo to haue free ingreſſe, egreſſe, and regreſſe in and to all ſuch places, where ſuch heads, pipes, or vaults ſhall be erected, laid, or made, to view and ſee from time to time the ſaid heads, pipes, ſuſpirals, and vaults, and them to amend, repaire, tranſlate, and to doe all things neceſſary and conuenient, as well for the finding of new ſprings, as for the conueyance of any water or ſprings now found or hereafter to be found, to the City and Suburbes aforeſaid, without interruption, let, or impediment of the owners of the ground their leſſees, aſſignes, or miniſters, or any other perſon.

The Mayor of London may dig in any perſons ground, and lay pipes and erect heads to conuey water into the City, &c.

And further be it enacted by the ſaid authority, That the ſaid Maior and his ſucceſſors and euery of them, for the digging and breaking of any ſuch ſoile or ground, in any place or places, for the intent and purpoſe aforeſaid, ſhall within the ſpace of one moneth next after any ſuch ground ſhall be broken by the Miniſters or workmen of the ſaid Maior or his ſucceſſors or their aſſignes, for the intents and purpoſes aforeſaid, ſatiſfie, content, and pay, vnto the owners or poſſeſſioners of the ſaid ſoile or ground ſo broken or digged, as much money for the ſame digging and breaking, as ſhall be adiudged, and taxed by the determination and iudgement of three or foure indifferent men, to be aſſigned by the Lord Chancellor of England for the time being, by vertue of the Kings Commiſſion from time to time to them directed at the coſts of the ſaid Mayor and Comminalty, and that to be vſed for euermore hereafter. And that all ſuch ſummes as after the ſaid time ſhall be taxed by the ſaid three or foure men, by vertue of the ſaid Commiſſion, for ſatiſfaction of any ſuch breaking and defacing of the ground, ſhall be payed and ſatiſfied to the poſſeſſioner or poſſeſſioners, owner or owners of the ſaid grounds, or to their miniſter, aſſignes or Officers by the ſaid Maior or his ſucceſſors for the time being within ten dayes next after the ſaid taxation or iudgement ſo made and adiudged vpon paine the ſaid Maior or ſucceſſors, ſo denying or refuſing the payment thereof, for euery ſuch offence, to forfeit xiij. s. iiij. d. ouer and aboue the ſumme ſo to be aſſeſſed: the one halfe of which forfeiture to be to the King our Soueraigne Lord, his heires and ſucceſſors, and the other moity to the party greeued that will ſue for the ſame in any of the Kings Courts of Record, by action of debt, bill, plaint, information, or otherwiſe, in which action, bill, or plaint, no wager of law, protection, or

The Mayor, &c. of London ſhall make recompence to the owners of the ground digged.

eſſoine ſhall lye. And neuertheleſſe the party, whoſe ground hereafter ſhall be ſo broken or digged, for non payment of all ſuch ſummes of money, as by the ſaid thrée or foure men for the time being ſhall be taxed and adiudged, ſhall haue an action of debt againſt the ſaid Mayor or his ſucceſſors, by whoſe commandement any ſuch ground ſhall be ſo broken, in any of the Kings Courts of Record, for the recouery of the ſame debt ſo taxed, in which action, no wager of law, protection, nor eſſoine ſhall lye.

A remedy for the party whoſe ground is broken to recouer the money taxed againſt the Mayor, &c.

And if it ſhall happen that the ſaid thrée or foure men ſo named by the ſaid Lord Chancellor, in forme aforeſaid, doe not, nor ſhall not agrée in making any ſuch taxation for any digging, trenching, or breaking of ſuch ground within the ſaid time to them limited, or that the ſaid Mayor or his ſucceſſors for the time being doe not offer or tender to the party ſo gréeued a reaſonable amends and ſatiſfaction for the breaking, digging, or trenching his or their ſaid ground: that then the party or parties ſo gréeued, and whoſe land or ſoile ſhall be ſo hereafter ſubuerted and broken, ſhall haue his lawfull remedy againſt the ſaid Mayor and his ſucceſſors, by whoſe commandement any ſuch ſoyle or ground ſhall be for the purpoſe aforeſaid digged or broken, by action of treſpaſſe, and to recouer damages for the ſame, any thing in this preſent Act conteined to the contrary notwithſtanding.

The forfeiture of him who letteth the Mayor or any of his workmen to dig.

Prouided alwayes, and be it enacted by the authority aforeſaid, that if the ſaid Mayor, his ſucceſſors, officers, miniſters, or workmen, ſhall be interrupted, moleſted, or prohibited at any time herafter, to dig and trench any grounds for the intents aboueſaid, or for the laying of pypes, making of heads, vauts or fountaines, concerning the conueyance of any new ſprings to the ſaid City and Suburbes, or for the ſearch, repairing, or amendment of the defaults of the ſame, or for the conueyance of any new ſprings, or water or other things requiſit and neceſſary to be had, made or done at any time or times hereafter concerning the premiſſes or any of them, by any owner, leſſee, Miniſter, Officer, or other perſon whatſoeuer he be, then euery ſuch perſon owner, poſſeſſor, or perſons, ſo moleſting, reſiſting, or letting the ſaid Mayor or his ſucceſſors, or his, or their Officers, Miniſters, or workmen, contrary to the true meaning of this Act, ſhall forfeit for euery ſuch offence, forty ſhillings ſterlings, the one halfe thereof to be to the King our Soueraigne Lord, and the other moity to the Mayor and comminalty of the City of London, and their ſucceſſors, and the ſame to be recouered by action or plaint of debt, in any of the Kings Courts, in the which no protection, eſſoine, or wager of law to be admitted or allowed.

No water may be conueyed away that is brought to any Perſons houſe.

Prouided alſo and be it enacted, that it ſhall not be lawfull to the ſaid Mayor nor comminalty, nor to their ſucceſſors, or miniſters, to take away any water or ſpring, now brought or that hereafter ſhall be brought or conueyed by pypes or trenches to the manſion of any perſon or perſons for the neceſſary vſe of their houſhold: nor that any perſon or perſons, by any way, diſceipt, means, or other crafty conueyance, ſhall vndermine, miniſh, withdraw, or abate any ſpring or ſprings found, or hereafter to be found, now brought or conueyed, or at any time hereafter to be conueyed, fetched, had and brought to the ſaid City, whereby the water ſhall be miniſhed, ſtopped, abated, or otherwiſe altered from his due courſe and conueyance, vpon paine to forfeit to the party grieued treble damages, the ſame to be recouered againſt the party offending, by action or plaint of debt in any of the Kings Courts, in the which no protection, eſſoine, nor wager of law to be allowed.

No digging in the Kings ground without his licence.

Prouided alway, and be it enacted by the authority aforeſaid, that this Act, nor any thing therein conteined, ſhall extend to giue any liberty or authority to the ſaid Mayor and comminalty, or to any of their ſucceſſors, to enter, or dig, in any of the Kings grounds, for or concerning the conueying of any water in or to the ſaid City, without the Kings licence therein firſt had and obteined, any thing in this Act conteined to the contrary notwithſtanding.

A pound of pepper ſhal be paid for fetching water from Hamſted heath.

Prouided alway, and be it enacted by the authority aforeſaid, that if the ſaid Mayor and comminalty of the City of London, or their ſucceſſors at any time hereafter do fetch and conuey any water from any ſpring or ſprings, within the ſaid heath called Hampſted heath, vnto the ſaid City, and there erect and make heads and vaults for the conueyance of the ſame water, that then they the ſaid Mayor and comminalty and their ſucceſſors, ſhall for euer yéeld, beare, and pay yéerely vnto the Biſhop of Weſtminſter for the time being, and to his ſucceſſors, at the Feaſt of S. Michael the Archangell, one pound of pepper, in and for the acknowledging him and them for the Lords and very owners of the ſaid heath. And that for the ſure payment thereof vnto the ſaid Biſhop for the time being, and to his ſucceſſors, the ſaid Mayor and comminalty for the time being, ſhall within thrée moneths next after the erection and making of any ſuch heads and vaults vpon the ſaid heath, make or cauſe to be made to the ſaid Biſhop for the time being and his ſucceſſors, a ſufficient grant in writing vnder their common Seale with clauſe of diſtreſſe, within any their lands or tenements, within the ſaid City of London, when and as often as it ſhall happen or fortune the ſaid pound of pepper at any time after the grant thereof to be behind vnpaid by the ſpace of x. dayes after the ſaid feaſt aboue limited, for the yéerely payment thereof, and it be lawfully aſked or demanded by the ſaid Biſhop, or his ſucceſſors, or his or their aſſignes, of the ſaid Mayor and his ſucceſſors, vpon any Court day within the Guild hall, this preſent Act of Parliament, or any thing therein conteined to the contrary notwithſtanding.

Prouided alſo, and be it further enacted by authority aforeſaid, that the ſaid Maior and Comminalty or their ſucceſſors, ſhall not at any time hereafter medle with the ſpring at the foot of the hill of the ſaid heath called Hamſted heath, now cloſed in with brick, for the eaſe, commodity and neceſſary vſe of the inhabitants of the towne of Hamſted, nor doe cauſe or procure to be done any thing, act or acts, to the impairing, hurt, or diminiſhing of the water of the ſame ſpring at any time hereafter, this Act or any thing therein contained to the contrary notwithſtanding.

A ſpring at the foot of Hamſtead heath.

And alſo it ſhall and may be lawfull to the ſaid Biſhop and his ſucceſſors, to dig, find and conuey, or cauſe to be digged, found, & conueyed from any ſpring or ſprings in any ground or grounds on the left ſide of the high way leading from the towne of Hamſted aforeſaid towards Hendon to the manor place of Hamſted aforeſaid, water ſufficient for the vſe and commodity of the ſame manor place, the ſaid Act or any thing therein contained to the contrary notwithſtanding.

CAP. XI.

By whom the Knights and Burgeſſes of the Parliament in Wales ſhall haue their wages paid.

Where the Knights of all, and euery Shire of this Realme of England and Wales, and the Burgeſſes of all Cities, Townes, and Boroughes of the ſame, be named, elected, and choſen for their aſſembly in the Kings high Court of Parliament, as by ancient laudable lawes and cuſtomes of this Realme, hath beene vſed and accuſtomed, at and by the Kings maieſties high commaundements, vnto the which Knights and Burgeſſes, their fees and wages bee aſſigned certainly, that is to ſay, to euery Knight by the day foure ſhillings, and to euery Citizen and Burgeſſe, by the day two ſhillings or more, as heretofore hath beene accuſtomed, accounting for the ſame ſo many dayes, as the ſaid high Court of Parliament endureth, with addition thereunto of ſo many dayes as euery ſuch Knight and Burgeſſe may reaſonably iourney and reſort from their habitations or dwelling places, to the ſaid high Court of Parliament, and from the ſaid high Court to returne to their habitations or dwelling places, together with their coſts of writs, and other ordinary fees and charges: which wages, fees, and charges at all times ought to bee leuied and collected by the Sheriffes, and by the Mayors, Bailiffes, and other head officers, of and in Cities, Boroughes, aud townes aforeſaid, wherein ſome of the ſaid Sheriffes, Mayors, and Bailiffes, and other head Officers of and in Cities, Boroughes, and Townes aforeſaid, haue bin negligent and laches, not indeuouring themſelues in accompliſhment of their duties, in collection and paiment of the ſame in due forme, according to iuſtice, to the great hurt, iniury, and delay of the Kings ſaid ſubiects. Be it therefore enacted by the authority of this preſent Parliament, that the Sheriffes for the time being, of euery of the xii. ſhires in Wales, and in the county of Monmouth, from the beginning of this preſent Parliament, ſhal haue full power and authority, by force of this Act to gather and leuy, or cauſe to be gathered and leuied, the ſaid Knights Fees and Wages of the Inhabitants of the ſaid twelue Shires, and of the ſaid County of Monmouth, which ought to pay the ſame: and the ſame ſo gathered ſhall pay or cauſe to bee paid to euery ſuch Knight or Knights, or to his or their aſſignes within the terme of two moneths after that any ſuch Knight or Knights ſhall deliuer, or cauſe to bee deliuered the Kings writ De ſolutione feodi militis Parliamenti to any ſuch Sherife: and euery ſuch Sheriffe making default of paiment of the ſaid fees or wages, in manner and forme as is aforeſaid, to loſe and forfeit xx.li. whereof the one moity to be to the Kings vſe, and the other to his or their vſe that will ſue for the ſame, in any of the Kings Courts of Record, by information, bill, or plaint, or otherwiſe, afore any of the Kings officers: wherein none eſſoine, protection, or wager of law ſhall be admitted. And if it ſhall happen any Sheriffe, in any of the ſaid xii. Shires and County of Monmouth, to make default of paiment of yͤ ſaid wages or fees, by a longer terme than two moneths: then euery ſuch Sheriffe to forfeit for euery moneth that hee or they ſhall make default, twentie pounds, to be forfeited and leuied in manner and forme as is aforeſaid.

The wages of the Knights and Burgeſſes of the Parliament, from what time and to what time they ſhall be paid.

23.H.6.11.

The Sheriffe of euery Countie ſhall gather the wages of the Knights in euery Countie in Wales and in Monmouth.

And that euery Mayor, and Bailiffes, and other head officers of cities, boroughes and townes in euery the ſaid xii. Shires, and in the ſaid County of Monmouth, within like terme and ſpace of two moneths after the receit of the Kings maieſties writ De ſolutione feod. burgent. Parliament. like as is before mentioned, for gathering or leuying of the Knights fees, ſhall leuy, gather, and pay the wages and fees to their burgeſſes, in like manner and forme, as is aforeſaid, and in and vnder like pain and forfeitures, as bee before mentioned, to be leuied of the goods and cattels of euery ſuch Mayor, Bailiffe, and other head officer, to whom the Kings ſaid writ ſhall be directed for the leuying of ſuch fees, making default of paiment of the ſaid fees and wages to the Burgeſſes, in manner and forme as is aforeſaid.

The leuying of the wages of the Burgeſſes of the Paliament.

And bee it further enacted by the authority aforeſaid, for as much as the Inhabitants of all Cities and Boroughes in euery the ſaid twelue Shires within Wales, and in the ſaid County of Monmouth, not finding Burgeſſes for the Parliament themſelues, muſt beare and pay the Burgeſſes wages within the Shire townes, of and in euery the ſaid twelue ſhires in

Who ſhall be choſers of the Burgeſſes of the Parliament in Wales and Monmouth.

Wales, and in the ſaid County of Monmouth: that from the beginning of the ſaid Parliament, the Burgeſſes of all and euery of the ſaid cities, boroughes and townes, which be and ſhalbe contributary to the paiment of the Burgeſſes wages, of the ſaid Shire townes, ſhall be lawfully admoniſhed, by proclamation or otherwiſe, by the Maiors, Bailiffes, and other head officers of the ſaid townes, or by one of them, to come & to giue their elections for the electing of the ſaid Burgeſſes, at ſuch time and place lawfull and reaſonable, or ſhall bee aſſigned for the ſame intent by the ſaid Maiors, Bailiffes, and other head officers of the ſaid ſhire townes, or by one of them: in which elections the Burgeſſes ſhall haue like voice & authority, to elect, name, and choſe the Burgeſſes of euery the ſaid ſhire townes, like, and in ſuch manner as the Burgeſſes of the ſaid Shire townes haue or vſe.

Rating of Boroughes and inhabitants for the Burgeſſes wages.

Prouided alwaies that two Iuſtices of Peace in euery the Shires in Wales, and in the ſaid County of Monmouth, by force of this Act, ſhall haue full power and authority, indifferently to lot and tax euery city, borough, and towne within the ſhires in Wales, wherein they doe inhabit, and in the ſaid county of Monmouth, for the portions and rates that euery the ſaid Cities and boroughes ſhall beare and pay towards the ſaid Burgeſſes, within the ſaid ſhire townes of euery of the ſaid ſhires in Wales, and the county of Monmouth: which rates ſo rated and taxed in groſſe by the ſaid two Iuſtices of peace, as is aforeſaid, ſhalbe againe rated and taxed on the inhabitants of euery the ſaid cities and boroughes, by foure or ſix diſcreet and ſubſtantiall Burgeſſes of euery the ſaid cities and boroughs in Wales, thereunto named and aſſigned by the Maior, Bailiffes, or other head officers of the ſaid cities, townes, and boroughs, for the time being, and thereupon the Maior, Bailiffes, and other head officers of euery ſuch city, borough, and towne, to collect and gather the ſame, and thereof to make paiment in manner and forme as is aforeſaid, to the Burgeſſes of the Parliament for the time being, within like time, and vpon the like paines and forfeitures as is aboue mentioned.

Cap. XII.

The Lords and commons do remit vnto the King all ſuch ſums of money as he hath borrowed of them or any other by way of preſt, or lone, by his priuy ſeales, ſithence the firſt day of Ianuary, Anno. 33. of his reigne. And if the King haue paid to any perſon any ſumme of money which hee borrowed by ſale of Land, or otherwiſe, the ſame perſon, his heires, executors, or adminiſtrators, ſhall repay the ſame againe to the King. And if any perſon hath ſold his priuy ſeale to another, the ſeller ſhall repay the money to the buyer thereof. Exp.

Cap. XIII.

The Kings Manors of Granges, Colinghams, Bots, Fens, and Marſhes in the County of Norffolk, which ſometimes were parcels of the poſſeſſions of the late Abbey or Priory of Walſingham, ſhal and may be granted by copy of Court roll, in Fee ſimple, for terme of life or liues, by the Stewards of the ſaid Manors, their vnderſtewards, or deputies, for ſuch rents, ſeruices, fines, Harriots, and cuſtomes, as in the ſaid Copies ſhall bee ſpecified, which copies ſhall bee good againſt the King, his heires, ſucceſſors, and aſſignes. Pr.

Cap. XIIII.

Tenures reſerued at the Kings pleaſure vpon houſes and lands, being ſometimes Abbey lands vnder forty ſhillings a yeare.

Pleaſeth it your moſt excellent maieſty, that whereas in the Parliament begun at Weſtminſter the third day of Nouember in the one and twentieth yeere of your moſt gracious reigne, and by diuers prorogations there continued, vntill the fourth day of February, in the ſeuen and twentith yeere of your ſaid reigne, then and there it was amongſt other things enacted, ordained, and eſtabliſhed by authority of your high Court of Parliament, That your ſaid Maieſty ſhould haue, and enioy to your highneſſe, your heires and ſucceſſors for euer, all and ſingular ſuch Monaſteries, Priories, and other religious houſes, of Monkes, Chanons, and Nuns, of what kinds and diuerſities of habits, rules, or order ſoeuer they were then called or named, which then had not in lands, tenements, rents, tithes, penſions, or other hereditaments aboue the cleere yeerly value of two hundred pounds, and all the ſites and circuits of all ſuch religious houſes, and all and ſingular the manors, granges, meaſes, lands, tenements, reuerſions, rents, ſeruices, tithes, penſions, aduouſons, patronages, rights, entrees, conditions, and other hereditaments appertaining and belonging to euery ſuch Monaſtery, Priory, and other religious houſes, not hauing as is aforeſaid, Lands, and Tenements aboue the ſaid cleere yeerely value of two hundred pounds, in as large and ample manner, as the Abbots, Priors, Abbeſſes, Prioreſſes, and other Gouernours of ſuch Monaſteries, Priories, and other Religious houſes then had or ought to haue had the ſame, in the right of their houſes. And that your ſaid Highneſſe ſhould haue to you and your heires, all and ſingular ſuch Monaſteries, Abbies, and Priories, which at any time within one yeere next afore the making of the ſaid Act, had bin granted to your ſaid Maieſty by any Abbot, Prior Abbeſſe or Prioreſſe, vnder their couent ſeales, or that otherwiſe had been ſuppreſſed or diſſolued, and all and ſinguler the manors, lands, tenements, rents, ſeruices, reuerſions, tithes, penſions, portions, Churches, Chappels, aduouſons, patronages, rights, entrees, conditions, and all other intereſts, and hereditaments to the ſame monaſteries, Abbies, or Priories, or to any of them then appertaining or belonging, to doe and vſe therewith your ſaid highneſſe owne will. And furthermore by the ſaid Act it was ordeined and eſtabliſhed, that all and euery the premiſſes, ſhould bee in the order ſuruey, and gouernance of your ſaid highneſſe court, then erected and called the court of the Augmentations of the reuenues of your highneſſe Crowne, except alway and reſerued ſuch and as many of the ſame Monaſteries, Priories and houſes, with all their hereditaments, and poſſeſſions, which your ſaid highneſſe by your letters patents vnder your great ſeale, ſhould then declare and limit to continue and bee in their eſſentiall eſtate, and perſeuer in the body and corporation, as they were befor the making of the ſaid Act.

A rehearſall of the Statute of 27.H.8.28. which gaue to the King the lands of all Abbeyes not exceeding CC.li by yeere.

And where alſo it was then further enacted, by the authority aforeſaid, that vpon all and ſingular letters patents then to be made vnder the great ſeale of England, of any manors, lands, tenements, and hereditaments belonging or appertaining to any of the ſaid houſes compriſed in the ſaid Act, and committed to the ſuruey of the ſaid Court, to any perſon or perſons or body politike of any eſtate of inheritance, there ſhould be reſerued to your ſaid highneſſe, your heirs and ſucceſſors, a tenure by knights ſeruice, in capite, and a yeerly rent of the tenth part of the yeerely value of the ſame lands, to be compriſed in euer ſuch letters patents, according to ſuch rate as the ſame manors, lands, and tenements giuen, ſhould be declared and expreſſed to be of yeerly value in the ſame letters patents, any thing or clauſe contained in any warrant to the contrary thereof notwithſtanding: as more plainly at large it may appeare by yͤ ſaid eſtatute: Since yͤ making whereof, a great number of your moſt bounden, louing and obedient ſubiects, haue purchaſed and obtained of your ſaid highneſſe, by your graces letters patents, diuers and ſundry houſes, lands, tenements, and hereditaments, parcell of the premiſſes, by ſmal quillets, parcels, and portions according to their powers, abilities, and ſubſtance, toward the ſuſtentation of themſelues, their wiues and children.

A tenure in capite, & a yeerely rent of the tenth part of the value reſerued to the King vpon euery alienation.

And for as much as they bee not able to maintaine their poore family of the yeerely iſſues and profits comming and growing of the ſaid ſmal quillets, houſes and tenements, paying and doing the rents and ſeruices reſerued for and vpon the ſame, in ſuch manner as of right appertaineth: It may therefore pleaſe your ſaid excellent Maieſty, of your moſt abundant grace, that in conſideration of the premiſſes, and for the eaſe and reliefe of your ſubiects, that it may bee enacted, ordained and eſtabliſhed by your highneſſe, with the aſſent of the Lords ſpirituall and temporall, & the commons in this preſent Parliament aſſembled, and by authority of the ſame, that from and after the foure and twentith day of April, in the fiue and thirtieth yeere of your moſt noble reign, that your ſaid highneſſe, your heires or ſucceſſors, ſhall or may at your will and pleaſure vpon your letters patents of any manors, lands, tenemēts, reuerſions, rents, ſeruices, tithes, penſions, portions, aduouſons, patronages or other hereditaments not exceeding the cleere yeerly value of forty ſhillings, which were belonging to any of the ſaid houſes compriſed in the ſaid Act, wherby any eſtate of inheritance doth, or ſhall paſſe from your ſaid highneſſe, your heires or ſucceſſors, (houſes, tenements, cotages and gardens, whereunto no lands, tenements, or hereditaments doe appertaine, only excepted) reſerue vnto your ſaid Highneſſe, your heires and ſucceſſors, either a tenure by Knights ſeruice in capite, or elſe a tenure in ſocage or free burgage, and not in capite, at your free will and pleaſure, with the yeerly rent of the tenth part of the ſaid lands and tenements to bee compriſed in euery ſuch letters patents, according to ſuch rate and value, as the ſame manors, lands and tenements ſhalbe expreſſed and rated to be of the yeerly value in the ſame letters patents, the ſaid rent to be paid to the officers of your highneſſe ſaid court of the Augmentations of the reuenues of your Crowne, to your ſaid highneſſe vſe, according as other reuenues there be and ſhall be paid by the authority of this Act.

What tenures the King may reſerue vpon thoſe Abbey lands which exceed not the yeerely value of xl. ſhillings.

And that of houſes, tenements, cotages, and gardens, whereunto no lands, tenements, or hereditaments doe appertaine, not being any of the kings princely houſes, reſerued and kept by a keeper thereof to the Kings vſe, which were belonging to any of the ſaid houſes compriſed in the ſaid Act, vpon euery the letters patents of any the ſaid houſes, tenements, cotages, and gardens, to the which no lands doe appertaine, whereby any eſtate of inheritance doth or ſhall paſſe therein from your ſaid Highneſſe, your heires or ſucceſſors, to reſerue vnto the ſame your Highneſſe, your heires and ſucceſſors, at your owne will and pleaſure, either a tenure by Knights ſeruice in capite, or elſe a tenure in ſocage or free burgage, and not in capite, with the yeerely rent of the tenth part as is aforeſaid: any law, ſtatute, cuſtome, vſage, or any other thing or things heretofore to the contrary thereof in any wiſe notwithſtanding. 37.*H.*8.20.7.*Ed.*6.3.

Of houſes and gardens whereunto no land doth belong, no tenth ſhall be reſerued.

CAP. XV.

All perſons which haue any houſes, lands, gardens, or other grounds in the town of Cambridge adioyning vpon euery high way, ſtreet, or lane, in his owne right, or the right of his wife, or &c. ſhall cauſe the ſame to bee paued with pauing ſtone, vnto the middle of the ſame wayes, and in length as their grounds doe extend, and ſo ſhall from time to time maintaine them vpon paine to forfeit ſix pence for euery yard ſquare not ſufficiently paued to the King and informer. PR.

CAP. XVI.

The King ſhall haue authority during his life to name two and thirty perſons, viz. ſixteene ſpirituall and ſixteene temporal, to examine all Canons, Conſtitutions, and ordinances, Principall and Sinodall, and to eſtabliſh all ſuch lawes Eccleſiaſticall, as ſhall bee thought by the King and them conuenient to be vſed in all Spirituall Courts. EXP.

CAP. XVII.

An ordinance for preſeruation of Woods.

There ſhall be left xii. ſtandels in an acre of wood vnder 24. yeeres growth.

THe King our Soueraigne Lord perceiuing and right well knowing the great decay of timber and woods vniuerſally within this his realme of England to be ſuch, that vnleſſe ſpeedy remedy in that behalfe be prouided, there is great and manifeſt likelihood of ſcarcity and lack, as well of timber for building, making, repairing, & maintaining of houſes and ſhips, as alſo for fewell and firewood, for the neceſſary reliefe of the whole comminalty of this his ſaid realm: wherfore be it ordained and enacted by his highnes, with the aſſent of the Lords ſpirituall and temporall, & the commons in this preſent Parliament aſſembled, and by the authority of the ſame, that in and vpon all and ſingular ſeuerall woods, commonly called coppice, woods or vnderwoods, which from or after the feaſt of S. Michael the Archangel, which ſhalbe in the yeere of our Lord God M. D. XLIIII. ſhalbe felled at xxiiii. yeers growing or vnder, there ſhalbe left ſtanding and vnfeld, for euery acre of wood that ſhall bee felled within the ſaid coppice xii. ſtandils or ſtorers of oake: & if there be not ſo many ſtandils or ſtorers of oake, that then there ſhalbe left ſo many of other kinde, that is to ſay, of elme, aſh, aſpe, or beech, as ſhall make vp the ſaid number of twelue ſtandels or ſtorers, likely to proue, and to bee timber trees, the ſame ſtandels or ſtorers to bee of ſuch ſtandels or ſtorers, as haue beene left there ſtanding at any the felling of the ſame coppice, woods, or vnderwoods, in times paſt: and in caſe there be no ſuch ſtandels or ſtorers there ſtanding, which were there left at the laſt felling of the ſame coppice, or vnderwoods, then the ſame ſtandils or ſtorers there to be left, ſhalbe left at this now next felling of the ſaid coppice, woods or vnderwoods, of ſuch moſt likelieſt oaks: and if there be not ſufficient of oakes, then of the moſt likelieſt elmes, aſhe, aſpe or beech, to proue and to be timber-trees, as ſhall grow within any ſuch ſeuerall woods, coppice, or vnderwoods, & that the ſame ſtandils or ſtorers ſo left ſhalbee preſerued and not felled or cut downe, till they & euery of them ſhalbe of ten inches ſquare within three foot of the ground, vpon paine that euery owner of euery ſuch ſtandils and ſtorers, hauing an eſtate of inheritance, or an eſtate for term of life of freehold or by copy of court rol, or for yeeres in the ground or ſoile, where the ſame ſtandils or ſtorers ſhall grow cauſing or commanding any ſuch coppice, woods, or vnderwoods, to be felled or cut down, and not leauing the ſaid ſtandils or ſtorers there ſtanding in forme aforeſaid, to loſe & forfeit for euery ſtandil and ſtorer ſo not left ſtanding in the ſaid coppice, woods or vnderwoods, iii. s. iiii. d. And vpon paine that euery owner as is aforeſaid, of any ſuch coppice, woods or vnderwoods, cauſing or commanding any of the ſaid ſtandils or ſtorers ſo left as is aboueſaid, to be cut downe contrary to the forme of this Act, to forfeit and loſe for euery of the ſaid ſtandils or ſtorers which ſhal be cut downe iii. s. iiii. d. the one halfe of which ſaid forfeitures to be to the King our Soueraigne Lord, and the other halfe to be to the party that will ſue for the ſame in any Court of Record, by action of debt, bill, plaint or information, in the which action, bill, plaint and information, no protection, wager of law nor eſſoine ſhall be admitted or allowed.

Woods preſerued of or vnder 14. yeers grouth Coke pla. fo. 365.

And be it further enacted by the authority aforeſaid, That all and ſingular coppice and vnderwoods, which after the ſaid feaſt of S. Michael the Archangell, ſhall happen to be felled or cut downe at the age of xiiii. yeeres growth or vnder, and not being aboue the ſaid age, from and after the xx. day of Aprill, next after the felling thereof, during the terme of foure yeeres, then next enſuing, ſhall be ſufficiently encloſed, or the ſprings thereof otherwiſe ſaued and preſerued from deſtruction by any manner of cattel or beaſts, by him or them, which then ſhal haue lawful intereſt and poſſeſſion in the ſaid woods, coppice, or vnderwoods, as is aforeſaid, vpon paine of euery perſon or perſons ſo bounden to encloſe, fence, ſaue or preſerue the ſaid coppice, or vnderwoods, to forfeit and loſe for euery rood thereof ſo not encloſed, fenced, ſaued or preſerued during the ſaid foure yeers, three ſhillings foure pence, for euery moneth that the ſame coppice or vnderwoods ſhall happen to lye or be vncloſed, not fenced, ſaued or preſerued, as is aforeſaid. And that all and ſingular coppice, or vnderwoods, which after the feaſt of S. Michael the Archangell, ſhall happen to be felled or cut downe, being aboue the age of fourteen yeers growth, and not aboue the age of foure and twenty yeers growth, from the twentith day of Aprill, next after the felling or cutting downe thereof during the terme of ſix yeers enſuing the ſame twentieth day of Aprill, ſhalbe ſufficiently encloſed, or the ſprings therof otherwiſe ſaued and preſerued from the deſtruction therof by any manner of cattell or beaſts, by and at the coſts of ſuch, which then ſhall haue lawfull intereſt & poſſeſſion in the ſaid woods or coppice as is beforeſaid, vpon paine of euery perſon or perſons, ſo bounden to encloſe, fence, ſaue, or preſerue ẏ ſaid coppice or vnderwoods, as is aforeſaid, to forfeit & loſe for euery rode, ſo not encloſed, fenced, ſaued or preſerued during the ſaid ſix yeers, three ſhillings foure pence, for euery moneth that the ſame coppice or vnderwoods ſhal happen to lye or be vncloſed and not fenced, ſaued or preſerued as is aforeſaid.

Woods aboue fourteene yeers growth.

And be it further enacted by the authority aforeſaid, that no perſon or perſons, after the ſaid feaſt of S. Michael the Archangel, ſhal conuert or turne into paſture or tillage any ſuch coppice, or vnderwoods containing in quantity two acres or aboue, which now be wood or vnderwood, and put or reſerued to the vſe or encreaſe of wood or vnderwood, and being two furlong diſtant from the houſe of the owner thereof, or from the houſe whereunto the ſaid wood doth lye, appertaine, or belong, vpon paine to forfeit and loſe for euery acre of wood, ſo to bee conuerted or turned from wood into paſture or tillage, forty ſhillings.

No woods ſhall be conuerted to tillage or paſture.

Prouided alway, that this Act ſhall not extend to any coppice, woods or vnderwoods, deſtroyed or turned into tillage or paſture, within twenty yeeres laſt paſt, although the more part or any part thereof be now ouergrowne with buſhes or vnderwood.

And be it further enacted by the authority aforeſaid, that all and euery perſon and perſons, bodies politike and corporat, which haue, or hereafter ſhall haue any ſeuerall woods, or coppice growing and ſet with great trees, being aboue the age of xxiiii. yeeres growth, ſhall at the felling or hewing thereof, leaue ſtanding within the precinct of the ſaid wood and coppice, for euery acre ſo felled twelue trees of Oake of the ſame ſuch great trees, if there be ſo many trees of oake there to be left, and for lacke of Oaks, then to leaue for euery acre ſo felled as many other trees of Elme, Aſh, Beech, or Aſpe, as ſhall make the full number of xii. of ſuch as ſhall bee there then growing, the ſame trees there ſo left to ſtand, continue, and to be preſerued by ſuch owner or owners as is abouesaid, during the ſpace of xx. yeeres next after ſuch felling of the ſame woods. And alſo ſhall from the xx. day of Aprill, next after the felling thereof, during the terme of vii. yeares then next following, ſufficiently encloſe them, or the ſprings thereof otherwiſe ſaue and preſerue from the deſtruction thereof by any manner of cattell or beaſts, vpon paine that euery ſuch perſon or perſons, or bodies politik or corporat, being owners of the ſaid great woods as is aforeſaid, to forfeit and loſe for euery ſuch great tree of the ſaid number lacking, and not left ſo ſtanding in the ſaid wood as is abouesaid, vi.s.viii.d. And vpon paine that euery owner of the ground or ſoile whereupon ſuch great trees as is aforeſaid, ſhall be left ſtanding or growing, cauſing or commanding any of the ſaid great trees, there ſo left ſtanding as is aforeſaid, to bee cut downe contrary to the forme of this Act, to forfeit and loſe for euery of the ſame great trees ſo left, which ſhall be ſo cut downe as is aforeſaid, vi.s.viii.d. And vpon paine alſo to loſe and forfeit for euery rood of ſuch great wood, ſo not encloſed, fenced, ſaued or preſerued, during the ſaid ſpace of vii. yeeres, for euery moneth iii.s.iiii.d.

Woods aboue xxiiii. yeares growth.

The wood ſhall be encloſed for vii. yeares, or preſerued from cattell.

Prouided alway that it ſhall be lawfull to euery owner or owners of any of the ſaid Coppice, woods, vnderwoods, ſtandils, or ſtorers, great woods and trees afore rehearſed, to fell, cut downe, and take any of the ſame for building, repairing, encloſing, and maintaining of houſes, orchards and gardens, and euery of them, and for pailing, railing, or encloſing of Parkes, Foreſts, chaſes, or other grounds, and for making or repairing of water works, Damps, bridges, ſluogates, making, repairing or amending of ſhips, and all other veſſels, and for all other things concerning their owne vſes or affaires, in ſuch like manner and forme, as he or they ſhould or might lawfully haue done before the making of this Act, any thing in this preſent Act before mentioned to the contrary thereof notwithſtanding.

In what caſes the owners may fell their Standils.

And further be it enacted by the authority aforeſaid, that it ſhall not bee lawfull to any perſon or perſons, which after the ſaid Feaſt of Saint Michael, ſhall haue any woods, or vnderwoods, wherein any other perſon or perſons iuſtly hath, or haue vſed time out of mans remembrance, to haue common of paſture, to fell or cut downe the ſaid woods, and vnderwoods there growing, or being, or that ſhall grow or bee in any ſuch woods or vnderwoods (except it be to his owne vſe and occupation) vntill ſuch time as the [a] fourth part of ſuch woods, vnderwoods or grounds, where the ſaid woods now grow, or as much as the fourth part of the ſaid ground or ſoile, whereupon ſuch wood is or ſhall bee growing, ſhall amount vnto, ſhall bee by the Lord and owner for that time being, of the ſaid ground or ſoile, diuided, ſet out, meated, bounded, fenced and encloſed in manner and forme as by this Act hereafter ſhall bee declared, ordeined, and prouided: that is to ſay, the ſaid Lord that then ſhall bee owner of the ſaid ground or ſoile, ſhall call together the Tenants and Inhabitants being commoners in the ſaid ground or ſoile, or the

The felling of wood wherein others haue common.

l.137.

Cap. XV.

All perſons which haue any houſes, lands, gardens, or other grounds in the town of Cambridge adioyning vpon euery high way, ſtreet, or lane, in his owne right, or the right of his wife, or &c. ſhall cauſe the ſame to bee paued with pauing ſtone, vnto the middle of the ſame wayes, and in length as their grounds doe extend, and ſo ſhall from time to time maintaine them vpon paine to forfeit ſix pence for euery yard ſquare not ſufficiently paued to the King and informer. Pr.

Cap. XVI.

The King ſhall haue authority during his life to name two and thirty perſons, viz. ſixteene ſpirituall and ſixteene temporal, to examine all Canons, Conſtitutions, and ordinances, Principall and Sinodall, and to eſtabliſh all ſuch lawes Eccleſiaſticall, as ſhall bee thought by the King and them conuenient to be vſed in all Spirituall Courts. EXP.

Cap. XVII.

An ordinance for preſeruation of Woods.

The King our Soueraigne Lord perceiuing and right well knowing the great decay of timber and woods vniuerſally within this his realme of England to be ſuch, that vnleſſe ſpeedy remedy in that behalfe be prouided, there is great and manifeſt likelihood of ſcarcity and lack, as well of timber for building, making, repairing, & maintaining of houſes and ſhips, as alſo for ſewell and firewood, for the neceſſary reliefe of the whole comminalty of this his ſaid realm: wherfore be it ordained and enacted by his highnes, with the aſſent of the Lords ſpirituall and temporall, & the commons in this preſent Parliament aſſembled, and by the authority of the ſame, that in and vpon all and ſingular ſeuerall woods, commonly called coppice, woods or vnderwoods, which from or after the feaſt of S. Michael the Archangel, which ſhalbe in the yeere of our Lord God M. D.XLIIII. ſhalbe felled at xxiiii. yeers growing or vnder, there ſhalbe left ſtanding and vnfeld, for euery acre of wood that ſhall bee felled within the ſaid coppice xii. ſtandils or ſtorers of oake: & if there be not ſo many ſtandils or ſtorers of oake, that then there ſhalbe left ſo many of other kinde, that is to ſay, of elme, aſh, aſpe, or beech, as ſhall make vp the ſaid number of twelue ſtandels or ſtorers, likely to proue, and to bee timber trees, the ſame ſtandels or ſtorers to bee of ſuch ſtandels or ſtorers, as haue beene left there ſtanding at any the felling of the ſame coppice, woods, or vnderwoods, in times paſt: and in caſe there be no ſuch ſtandels or ſtorers there ſtanding, which were there left at the laſt felling of the ſame coppice, or vnderwoods, then the ſame ſtandils or ſtorers there to be left, ſhalbe left at this now next felling of the ſaid coppice, woods or vnderwoods, of ſuch moſt likelieſt oaks: and if there be not ſufficient of oakes, then of the moſt likelieſt elmes, aſhe, aſpe or beech, to proue and to be timber-trees, as ſhall grow within any ſuch ſeuerall woods, coppice, or vnderwoods, & that the ſame ſtandils or ſtorers ſo left ſhalbee preſerued and not felled or cut downe, till they & euery of them ſhalbe of ten inches ſquare within three foot of the ground, vpon paine that euery owner of euery ſuch ſtandils and ſtorers, hauing an eſtate of inheritance, or an eſtate for term of life of freehold or by copy of court rol, or for yeeres in the ground or ſoile, where the ſame ſtandils or ſtorers ſhall grow cauſing or commanding any ſuch coppice, woods, or vnderwoods, to be felled or cut down, and not leauing the ſaid ſtandils or ſtorers there ſtanding in forme aforeſaid, to loſe & forfeit for euery ſtandil and ſtorer ſo not left ſtanding in the ſaid coppice, woods or vnderwoods, iii. s. iiii. d. And vpon paine that euery owner as is aforeſaid, of any ſuch coppice, woods or vnderwoods, cauſing or commanding any of the ſaid ſtandils or ſtorers ſo left as is aboueſaid, to be cut downe contrary to the forme of this Act, to forfeit and loſe for euery of the ſaid ſtandils or ſtorers which ſhal be cut downe iii. s. iiii. d. the one halfe of which ſaid forfeitures to be to the King our Soueraigne Lord, and the other halfe to be to the party that will ſue for the ſame in any Court of Record, by action of debt, bill, plaint or information, in the which action, bill, plaint and information, no protection, wager of law nor eſſoine ſhall be admitted or allowed.

There ſhall be left xii. ſtandels in an acre of wood vnder 24. yeeres growth.

Woods preſerued of or vnder 14. yeers grouth Coke pla. fo. 365.

And be it further enacted by the authority aforeſaid, That all and ſingular coppice and vnderwoods, which after the ſaid feaſt of S. Michael the Archangell, ſhall happen to be felled or cut downe at the age of xiiii. yeeres growth or vnder, and not being aboue the ſaid age, from and after the xx. day of Aprill, next after the felling thereof, during the terme of foure yeeres, then next enſuing, ſhall be ſufficiently encloſed, or the ſprings thereof otherwiſe ſaued and preſerued from deſtruction by any manner of cattel or beaſts, by him or them, which then ſhal haue lawful intereſt and poſſeſſion in the ſaid woods, coppice, or vnderwoods, as is aforeſaid, vpon paine of euery perſon or perſons ſo bounden to encloſe, fence, ſaue or preſerue the ſaid coppice, or vnderwoods, to forfeit and loſe for euery rood thereof ſo not encloſed, fenced, ſaued or preſerued during the ſaid foure yeers, three ſhillings foure pence, for euery moneth that the ſame coppice or vnderwoods ſhall happen to lye or be vncloſed, not fenced, ſaued or preſerued, as is aforeſaid. And that all and ſingular coppice, or vnderwoods, which after the feaſt of S. Michael the Archangell, ſhall happen to be felled or cut downe, being aboue the age of fourteen yeers growth, and not aboue the age of foure and twenty yeers growth, from the twentith day of Aprill, next after the felling or cutting downe thereof during the terme of ſix yeers enſuing the ſame twentieth day of Aprill, ſhalbe ſufficiently encloſed, or the ſprings therof otherwiſe ſaued and preſerued from the deſtruction thereof by any manner of cattell or beaſts, by and at the coſts of ſuch, which then ſhall haue lawfull intereſt & poſſeſſion in the ſaid woods or coppice as is beforeſaid, vpon paine of euery perſon or perſons, ſo bounden to encloſe, fence, ſaue, or preſerue ỹ ſaid coppice or vnderwoods, as is aforeſaid, to forfeit & loſe for euery rode, ſo not encloſed, fenced, ſaued or preſerued during the ſaid ſix yeers, three ſhillings foure pence, for euery moneth that the ſame coppice or vnderwoods ſhal happen to lye or be vncloſed and not fenced, ſaued or preſerued as is aforeſaid.

Woods aboue fourteene yeers growth.

And be it further enacted by the authority aforeſaid, that no perſon or perſons, after the ſaid feaſt of S. Michael the Archangel, ſhal conuert or turne into paſture or tillage any ſuch coppice, or vnderwoods containing in quantity two acres or aboue, which now be wood or vnderwood, and put or reſerued to the vſe or encreaſe of wood or vnderwood, and being two furlong diſtant from the houſe of the owner thereof, or from the houſe whereunto the ſaid wood doth lye, appertaine, or belong, vpon paine to forfeit and loſe for euery acre of wood, ſo to bee conuerted or turned from wood into paſture or tillage, forty ſhillings.

No woods ſhall be conuerted to tillage or paſture.

Prouided alway, that this Act ſhall not extend to any coppice, woods or vnderwoods, deſtroyed or turned into tillage or paſture, within twenty yeeres laſt paſt, although the more part or any part thereof be now ouergrowne with buſhes or vnderwood.

And be it further enacted by the authority aforeſaid, that all and euery perſon and perſons, bodies politike and corporat, which haue, or hereafter ſhall haue any ſeuerall woods, or coppice growing and ſet with great trees, being aboue the age of xxiiii. yeeres growth, ſhall at the felling or wening thereof, leaue ſtanding within the precinct of the ſaid wood and coppice, for euery acre ſo felled twelue trees of Oake of the ſame ſuch great trees, if there be ſo many trees of oake there to be left, and for lacke of Oaks, then to leaue for euery acre ſo felled as many other trees of Elme, Aſh, Beech, or Aſpe, as ſhall make the full number of xii. of ſuch as ſhall bee there then growing, the ſame trees there ſo left to ſtand, continue, and to be preſerued by ſuch owner or owners as is aboueſaid, during the ſpace of xx. yeeres next after ſuch felling of the ſame woods. And alſo ſhall from the xx. day of Aprill, next after the felling thereof, during the terme of vii. yeares then next following, ſufficiently encloſe them, or the ſprings thereof otherwiſe ſaue and preſerue from the deſtruction thereof by any manner of cattell or beaſts, vpon paine that euery ſuch perſon or perſons, or bodies politik or corporat, being owners of the ſaid great woods as is aforeſaid, to forfeit and loſe for euery ſuch great tree of the ſaid number lacking, and not left ſo ſtanding in the ſaid wood as is aboueſaid, vi.s.viii.d. And vpon paine that euery owner of the ground or ſoile whereupon ſuch great trees as is aforeſaid, ſhall be left ſtanding or growing, cauſing or commanding any of the ſaid great trees, there ſo left ſtanding as is aforeſaid, to bee cut downe contrary to the forme of this Act, to forfeit and loſe for euery of the ſame great trees ſo left, which ſhall be ſo cut downe as is aforeſaid, vi.s.viii.d. And vpon paine alſo to loſe and forfeit for euery rood of ſuch great wood, ſo not encloſed, fenced, ſaued or preſerued, during the ſaid ſpace of vii. yeeres, for euery moneth iii.s.iiii.d.

Woods aboue xxiiii. yeares growth.

The wood ſhall be encloſed for vii. yeares, or preſerued from cattell.

Prouided alway that it ſhall be lawfull to euery owner or owners of any of the ſaid Coppice, woods, vnderwoods, ſtandils, or ſtorers, great woods and trees afore rehearſed, to fell, cut downe, and take any of the ſame for building, repairing, encloſing, and maintaining of houſes, orchards and gardens, and euery of them, and for pailing, railing, or encloſing of Parkes, Foreſts, chaſes, or other grounds, and for making or repairing of water works, Damps, bridges, fludgates, making, repairing or amending of ſhips, and all other veſſels, and for all other things concerning their owne vſes or affaires, in ſuch like manner and forme, as he or they ſhould or might lawfully haue done before the making of this Act, any thing in this preſent Act before mentioned to the contrary thereof notwithſtanding.

In what caſes the owners may fell their Standils.

And further be it enacted by the authority aforeſaid, that it ſhall not bee lawfull to any perſon or perſons, which after the ſaid Feaſt of Saint Michael, ſhall haue any woods, or vnderwoods, wherein any other perſon or perſons iuſtly hath, or haue vſed time out of mans remembrance, to haue common of paſture, to fell or cut downe the ſaid woods, and vnderwoods there growing, or being, or that ſhall grow or bee in any ſuch woods or vnderwoods (except it be to his owne vſe and occupation) vntill ſuch time as the [a] fourth part of ſuch woods, vnderwoods or grounds, where the ſaid woods now grow, or as much as the fourth part of the ſaid ground or ſoile, whereupon ſuch wood is or ſhall bee growing, ſhall amount vnto, ſhall bee by the Lord and owner for that time being, of the ſaid ground or ſoile, diuided, ſet out, meated, bounded, fenced and encloſed in manner and forme as by this Act hereafter ſhall bee declared, ordeined, and prouided: that is to ſay, the ſaid Lord that then ſhall bee owner of the ſaid ground or ſoile, ſhall call together the Tenants and Inhabitants being commoners in the ſaid ground or ſoile, or the

The felling of wood wherein others haue common.

4.l.137.

Where the wood ſhalbe diuided by two Juſt. of P.

Within what time the wood diuided by the Juſtices ſhall be incloſed.

the more part of them, and vpon the aſſembly and meeting of the ſaid Lord, tenants and inhabitants, or the more part of them, the ſaid Lord owner, by the aſſent, conſent and agreement, of the ſaid tenants and inhabitants, or of the more part of them, ſhall ſeuer, diuide, ſet out, meet, and bound the fourth part of the ſaid woods and vnderwoods, or ſo much thereof as ſhall amount to the full fourth part thereof. And if the ſaid Lord and the ſaid Tenants and Inhabitants, or the more part of them, can not, will not, or doe not aſſent, conſent & agree, for and vpon the ſeuering, diuiding, ſetting out, meeting and bounding of the ſaid fourth part, of the ſaid woods and vnderwoods, or of as much thereof as ſhall amount to the full fourth part thereof, that then two Juſtices of the Peace, not being of the kin, Aliance, Councell, or fee of or to the ſaid Lord or Owner, being thereunto appointed by the more number of the Juſtices of the Peace of the Shire, where the ſaid ground or ſoile lieth, in their open quarter Seſſions, vpon requeſt and ſuit made vnto them by the Lord or owner, or by his or their lawful deputy or deputies of the ſaid woods, vnderwoods, grounds or ſoile, ſhall haue full power and authority to call before them, vpon ſuch paines and penalties, as the ſaid Juſtices ſhal limit and appoint, ſuch twelue of the ſaid commoners and inhabitants, nigh vnto the ſame woods or vnderwoods, as by the diſcretion of the ſaid two Juſtices ſhall bee thought meet and conuenient. And vpon or after the appearance of the ſame Lords Owners, Commoners and inhabitants, or the more part of them, the ſame Juſtices ſhall open and declare vnto the ſame Lord owner, commoners and inhabitants, the cauſe of their aſſembly and appearance, and that done, ſhall by the aduice and aſſent of the ſaid Lord, owner, commoners and inhabitants, or their lawfull deputy or deputies, or of the more part of them, effectually proceed to the ſeuering, diuiding, meating and bounding of the ſaid fourth part of the ſaid woods and vnderwoods, or of ſo much thereof, as ſhall amount to the fourth part thereof. And if the ſame Juſtices, owners, commoners and inhabitants, or the more part of them, can not or wil not agree vpon the diuiſion, bounding, or ſetting out of the ſaid fourth part thereof, as is aforeſaid: that then the ſaid Juſtices ſhall haue full power and authority by this Act, to ſeuer, diuide and ſet out, by meet and bound, the fourth part of the ſaid woods and vnderwoods, or ſo much thereof vnder the ſame fourth part of the ſaid woods, and vnderwoods, as ſhall by the diſcretions and wiſdomes of the ſaid Juſtices, be thought neceſſary and requiſit to limit and ſet out: And within the moneth next after ſuch ſeuerance and ſetting forth thereof the owner or owners of the ſame woods or vnderwoods, in forme afore declared, ſhall ſufficiently incloſe the ſame part of the ſaid ground or ſoile ſo ſet forth as is aforeſaid, and after ſuch incloſure made, the ſaid owner of the ſaid woods or vnderwoods may at his liberty and pleaſure, fell, cut downe, and take the ſaid woods and vnderwoods, being, or that ſhall be in or vpon the ſaid coppice, woods, vnderwoods, ground or ſoile ſo ſet forth, or any part thereof.

Storers left ſtanding in common woods incloſed & felled.

How long common woods incloſed ſhalbe kept ſeuerall. Alt. 13. El. 25.

Preſeruing of ſtandils from cutting downe.

How long woods incloſed from the common ſhalbe preſerued from cattell.

Prouided alway, and be it enacted by the authority aforeſaid, That there ſhall be left ſtanding and vnfelled in and vpon the ſaid part of euery the ſame woods, or vnderwoods, ground or ſoile, ſo ſeuered, bounded and ſet out diſtinctly in maner and forme as is aforeſaid, at euery felling thereof ſuch and like number of ſtandils or ſtorers of young oaks, or other young trees of elme, aſh, aſpe, or beech, if it be coppice or vnderwoods, which ſhalbe ſo felled or cut downe. And if the woods that ſhall be felled, ſhall be great trees or great woods, then ſuch number ſhall be left ſtanding of great trees, in or vpon the ſaid part to all intents, conſtructions, and purpoſes, and vpon like and the ſame penalties as is before limited and appointed for not leauing, reſeruing, and preſeruing of ſtandils and ſtorers aboue appointed to be left ſtanding in ſeuerall woods and grounds. And that the ſaid part or parcell ſo ſeuered, bounded and ſet out, in maner and forme aforeſaid after euery felling or cutting down of the coppice, woods, or vnderwoods, for ẏ time being, in or vpon ẏ ſame by the authority of this Act, ſhall be ſufficiently incloſed and fenced, and the incloſure thereof ſufficiently and continually kept, made, repaired, preſerued and maintained by the ſpace of vii. yeers next after euery felling thereof, in like maner and forme to all intents and purpoſes, & vpon the ſame and like paines and penalties, as is before limited, rehearſed and appointed for the not cloſing or fencing, and for the not keeping, maintaining, repairing and preſeruing of the ſaid ſeuerall coppice, vnderwoods and woods. And alſo that the ſtandils, ſtorers and great trees, limited and appointed to be left ſtanding in or vpon the ſaid part, ſhalbe there left ſtanding, preſerued, & not cut downe in ſuch like maner and forme, and by all ſuch time, and vpon ſuch like penalties, to all intents and purpoſes, as is afore limited, appointed, and declared, for the preſeruation, and not felling of the ſaid ſtandils, ſtorers & great trees, limited, and appointed to be left in and vpon the ſaid ſeueral coppice, vnderwoods and woods. And that after the ſaid felling of the ſaid coppice, vnderwoods and woods, ſtanding, growing or being, or that ſhall ſtand, grow or bee in any ſuch part of any the ſaid woods, grounds or places, as is before declared, no beaſts or cattel during the ſpace of ſeuen yeeres next after the felling of the ſame woods, ſhall willingly by any perſon or perſons, be put in, or ſhal be ſuffered to feed, or to continue in any parcell of any ſuch part ſo ſet forth as is aforeſaid, during the ſaid terme of ſeuen yeeres next after the felling thereof, vpon paine of forfeiture and penalty of foure pence, for the putting in of euery beaſt, or wilfull ſuffering of euery beaſt or cattell to be put into any of the ſaid ſeuerall coppice, vnderwoods or woods.

And if it ſhall happen any perſon or perſons, being owner or owners, of any ſuch woods, vnderwoods, or coppice, ſet, lying & being in any waſt ground as is aforeſaid, to cut downe any trees or vnderwoods, contrary to the forme aforeſaid: that then euery perſon or perſons, owner or owners, ſo offending contrary to this Act, ſhall loſe and forfeit for euery tree ſo cut downe ſix ſhillings eight pence: the one halfe of all the ſaid forfeitures to be to our Soueraigne Lord the King, and the other moity to ſuch perſon that will ſue for the ſame by bill, plaint, action of debt, or information in any of the Kings Courts of Record, in which ſuit no protection, wager of Law, or eſſoine ſhall be allowed nor admitted.

The forf. for cutting of wood in waſt ground.

Prouided alway, and bee it enacted by the authority aforeſaid, that for as much as the ſaid tenants, commoners and inhabitants, ſhall be by authority of this Act, excluded of their Common in the ſaid part ſo to be ſeuered and ſet forth as is aforeſaid, by all the ſaid ſpace and terme of ſeuen yeers next after the felling or cutting downe of the ſaid coppice, woods and vnderwoods, that ſhall grow in or vpon the ſame part from time to time, that in recompence therof, the ſame commoners, tenants, and inhabitants, ſhall and may vſe, take, and haue their common for their cattell within the reſidue of the ſaid woods, vnderwoods, ground and ſoile not being incloſed, in manner and forme as if this Act had neuer beene had, ne made. And that the Lord being owner of the ſaid ground or ſoile, ſhall be by the authority of this Act, excluded and forecloſed, to put or haue any cattell or beaſts in or vpon the ſame reſidue: or to take any profit of the paſture in or vpon the ſaid reſidue during, and by all the ſaid terme and time of ſeuen yeers next after the felling, or cutting downe of the ſaid coppice, woods or vnderwoods, being or growing, or that ſhalbe or grow in or vpon the ſaid part, which ſhalbe ſo ſeuered, diuided, ſet out, bounded & incloſed as is aforeſaid. And that from and after the ſaid ſeuen yeeres expired, and ended, vntil the next felling or cutting downe of the ſaid coppice, woods, or vnderwoods, being vpon the ſaid part being ſo ſeuered and diuided as is aforeſaid, as well the ſame part as the ſaid reſidue of the ſaid ground and ſoile, ſhal lye and be vſed in common, and the paſture and other profits therof, ſhall and may be vſed and taken as well by the Lord being owner of the ſaid ground or ſoile, as by the ſaid tenants, commoners, and inhabitants, in like manner, forme and condition, as it ſhould or ought to haue bin before the making of this Act, and as if this Act had neuer beene had or made: any thing in this Act contained to the contrary thereof notwithſtanding.

The L. of the wood excluded of his common and paſture in the reſidue.

Prouided alſo, that it ſhalbe lawfull to euery perſon and perſons, to fell and to encloſe all their coppice, woods and vnderwoods, in any waſt grounds, which before the making of this Act, haue beene vſed to be encloſed, preſerued and kept for the maintenance of wood and vnderwood: any thing in this Act to the contrary notwithſtanding.

Woods vſed to be encloſed.

And whereas peraduenture, the Lord or owners of the foreſaid woods and vnderwoods, after that they haue encloſed and fenced, the fourth part thereof, or as much of the ſame as ſhall bee to them limited and aſſigned by the ſaid Juſtices of Peace or Commoners, will not or doe not fell the ſame woods & vnderwoods ſo incloſed or to be encloſed, but ſuffer the ſame to ſtand and grow, wherby the commoners, who ought to haue their common of paſture within the ſame part ſo encloſed, ſhall loſe and be put from their ſaid commons therein: bee it therefore enacted by the authority aforeſaid, that if the ſame part of wood and vnderwood ſo incloſed, bee not felled within foure moneths next after the encloſing thereof: that then, and ſo long as the ſame woods ſhall not bee felled, it ſhall bee lawfull to the ſaid commoners, to put their cattell into the ſame wood and ground ſo encloſed, and that the owner therof ſhal leaue open conuenient places, within the ſame incloſure, wherby the commoners beaſts may haue acceſſe, & come into the ſame wood ſo incloſed, and there to paſture and feed, as long as the ſame wood ſhall ſtand and be vnfelled, any thing contained in this Act to the contrary notwithſtanding.

The comoners ſhall enioy their common ſo long as the wood is vnfelled.

Prouided alway, and be it enacted by authority aforeſaid, that this Act ne any thing therein contained or expreſſed, extend or bee preiudiciall to any of the Lords or owners of the woods, vnderwoods or woodlands, growing or being within any of the townes, pariſhes or places commonly called or knowne to be within the welds of the counties of Kent, Surrey and Suſſex, or of any of them, other than to only the common woods growing and being within any of the ſaid welds, of the ſaid counties of Kent, Surrey and Suſſex: any thing in this preſent Act to the contrary notwithſtanding.

Woods growing in the wilds of Kent, Surr, or Suſſex.

Prouided alwaies, that this preſent Act or any thing therein contained, ſhall not extend or bee preiudicial or hurtful, or extend to charge any perſon or perſons, which before the feaſt of S. Michael the Archangell, in the foure and thirtieth yeere of the raigne of our Soueraigne Lord King Henry the eighth, haue bargained and bought woods or great trees, growing in any the ſame woods, for or concerning the felling or cutting downe of the ſame woods or trees, or not leauing of any Standils, or Storers of and in the ſame, according to the tenour of this preſent Act: any thing, penalty or forfeiture in this preſent Act contained to the contrary thereof notwithſtanding.

Bargaines for wood made before the ſtatute.

Prouided alway, and bee it further enacted by the authority aforeſaid, that this Act or any thing therein contained, ſhall not extend to charge any perſon or perſons, with any penalty or penalties contained in this preſent Act, for or concerning any timber trees growing within two miles of the Sea, in the County of Cornewall, or any other timber trees within the Realme,

To what timber trees this Statute extendeth not.

being

Within what time the offendor muſt be ſued

being ſeare and dead in the tops, or any timber trees to bee taken by vertue of the Kings Highneſſe Commiſſion within the Realme, or for or concerning any offence done contrary to the tenour of this Act: vnleſſe the ſame perſon or perſons offending this Act, be ſued for the ſame within one yeere next after the ſame offence committed or done: any thing in this Act conteined to the contrary notwithſtanding.

The penalty for breaking of wood hedges.

Prouided alwaies, and be it further enacted by the ſaid authority, that if any perſon or perſons doe breake or deſtroy any ſeuerall fences or hedges, made or to bee made for the ſauing of the ſame woods, vnderwoods, grounds or ſoiles, that euery perſon ſo offending ſhal forfeit and loſe for euery ſuch offence ten ſhillings.

Swine ſhall not goe in a wood vnringed.

And bee it further enacted by the authority aforeſaid, that if any perſon or perſons ſuffer his ſwine, being of the age of ten weekes or aboue, during ſuch yeeres as the ſaid woods be appointed and ordained by this Act to bee incloſed at any time after the firſt day of Auguſt next comming; to goe or run in any common or ſeuerall ground or woods, vnleſſe the ſame ſwine be ſufficiently ringed or pegged, that then the owner or owners of euery ſuch ſwine ſhall forfeit and loſe for euery ſuch his ſwine, that ſhall ſo goe or run in any the ſaid grounds, woods or vnderwoods, and not being ſufficiently ringed or pegged as is aforeſaid, from and after the ſaid firſt day of Auguſt next comming foure pence: the one halfe of all & euery the ſaid forfeitures, if it be in any of the kings woods or grounds, to be to his highneſſe, and the other to the finder thereof. And if it be within any other perſon or perſons ſaid grounds, woods or vnderwoods, then the one halfe of all & euery the ſame forfeitures to be to the owners of the ſoile, and the other part thereof to be to him that will ſue for the ſame by bill, plaint, action, information, or otherwiſe, in any Court of Record, wherein no wager of law, eſſoine or protection ſhalbe allowed, nor admitted.

The fencing of a wood in a parke where deere be.

Prouided alway, that where any woods or vnderwoods ſhall after the ſaid feaſt of S. Michael the Archangell, be felled or cut downe in any parke or ground encloſed, wherein any deere ſhalbe then kept, that the owner or owners, poſſeſſioner or poſſeſſioners, of ſuch Parke and Parkes, or grounds encloſed for deere, to bee chargeable for the encloſure and preſeruation of the ſame as is aforeſaid, but onely for the ſpace of foure yeeres after any ſuch time of felling or cutting downe of the ſame coppice, woods, or vnderwoods, and not aboue: any thing contained in this Act to the contrary thereof in any wiſe notwithſtanding.

Where a ſtranger is cauſe of an offence, he only ſhall be puniſhed.

Prouided alſo, and bee it enacted by the authority aforeſaid, that if the incloſure or incloſures of any of the ſaid coppice, woods, vnderwoods or grounds, happen to be broken or pulled downe, by any perſon or perſons againſt the wils and minds of the owner or owners, poſſeſſioner or poſſeſſioners of the ſame woods or vnderwoods, whereby cattell or beaſts eſcape into the ſame woods, grounds or vnderwoods, and deſtroy and hurt the ſpring thereof, or if the ſame woods, grounds or vnderwoods, be by any meanes deſtroied, hurted or hindered, by any maner of perſon or perſons, or by the cattell or beaſts of any perſon or perſons, without the aſſents, mindes and wils, of ſuch owner or owners, poſſeſſor or poſſeſſors: that then and in euery ſuch caſe, the ſaid penalties contained in this act, to be extended vpon the ſame perſon or perſons in or by whoſe default the ſame ſpring, wood, or vnderwood, ſhall be ſo deſtroyed, hurted or hindered, and not vpon the owner or owners, poſſeſſor or poſſeſſors, of the ſaid woods, grounds, or vnderwoods: any thing contained in this Act to the contrary thereof in any wiſe notwithſtanding.

Within two yeeres colts and calues may be put into fenced wood.
Alt, 13. El. 25.

Prouided alſo, and be it further enacted by the authority aforeſaid, that it ſhall and may be lawfull to euery owner and owners, poſſeſſor and poſſeſſors, their fermors and aſſignes, of all and ſingular the ſaid woods, vnderwoods, grounds, and coppice, after ſuch time as the ſame woods, vnderwoods, grounds and coppice, haue bin fenced and encloſed, or the ſpring thereof otherwiſe preſerued by the ſpace of two yeeres next after the felling thereof, to put colts and calues, being vnder the age of one yeere, into the ſaid woods, vnderwoods, grounds and coppice: any thing contained in this Act to the contrary thereof in any wiſe notwithſtanding.

And this preſent Act and Acts to endure onely by the ſpace of ſeuen yeeres next after the ſaid feaſt of S. Michael the Archangell: and from thence vntill the end of the next Parliament. 13. Eliz. 25. made perpetuall. Coke lib. 8. fol. 138.

Cap. XVIII.

The Kings generall pardon of all treaſons, felonies, robberies, offences, contempts, treſpaſſes, wrongs, &c. Sauing ſuch which be excepted &c. confirmed by Parliament. EXP.

ANNO TRICESIMO SEPTIMO HENRICI OCTAVI.

STATVTES made in the Parliament, holden at Weſtminſter, in the ſeuen and thirtieth yeare of the moſt renouned HENRIE the eight by the grace of God, King of England, France, and Ireland, defender of the Faith, and of the Church of England and alſo of Ireland, in earth Supreme head.

CAP. I.

Who ſhall appoint the Cuſtos Rotulorum, *and Clerke of the Peace in euery County.*

WHere before this time the Lord Chancellor of England for the time being, hath by reaſon of his office of the Chancellorſhip, the nomination and appointment of the Cuſtos Rotulorum within all and euery Shire of this Realme of England, and Wales, and other the Kings Dominions, Marches and territories of the ſame, and that in like manner all and euery perſons which had and enioyed the ſaid office of the Cuſtos Rotulorum, hath had vntill now late the nomination and appointment of the Clerke of the peace within ſuch Shires where he or they had and enioyed the ſaid office of the Cuſtos Rotulorum : And where now of late diuers and ſundry perſons within this realme, being not learned, nor yet méet ne able for lacke of knowledge and learning to occupy and exerciſe the ſaid office of the Cuſtos Rotulorum, and of the Clerkſhip of the peace, haue of late yéers by labour, friendſhip and means, attained and gotten for terme of their liues, of the Kings Maieſty, ſeuerall grants by his highneſſe letters patents to them made of the ſaid Clerkſhips of the peace. By reaſon whereof, and for that the parties to whom the ſaid ſeuerall grants haue béen ſo made and granted, haue not béen ſufficiently learned to exerciſe and occupy the ſame office and offices, many and ſundry inditements, aſwell of felony, murder and other offences and miſdemeanors, and the proces awarded vpon the ſame inditements, haue not onely béene by reaſon thereof made cléerely fruſtrate and void, ſometime by reaſon of the negligent ingroſſing and kéeping of the ſaid enditements, & ſometime by reaſon of the imbeſiling or raſure of the ſame inditements, but alſo diuers & ſundry bargains, and ſales of diuers and ſundry manors, lands and tenements, had and made betwéen party and party, haue béen made fruſtrate and void, for lacke of ſufficient enrolment of the bargaines and ſales to be had and made by the Clerks of the peace, to the great hindrance of Iuſtice, and to the diſinheritance of diuers of the Kings moſt louing ſubiects.

Inconueniences enſuing by the ignorance of the Clerke of the Peace.

For reformation wherof, to the intent that Iuſtice may be the better hereafter preferred, and that the ſame offices may hereafter be occupied and exerciſed by ſuch perſons learned in the laws of this realme, as ſhall be able to exerciſe and ſupply the ſame: Be it enacted by the King our Soueraigne Lord, with the aſſent of the Lords Spirituall and Temporall, and of the Commons in this preſent Parliament aſſembled, and by authority of the ſame, that no perſon or perſons ſhall from henceforth be nominated and appointed to the ſaid office and offices of the cuſtos rotulorum within any Shire of this Realme of England, Wales and other the Kings Dominions, Marches or Territories of the ſame, but ſuch as ſhall haue a bill ſigned with the Kings hand for the ſame, which bill ſigned ſhalbe a ſufficient warrant by the authority aboueſaid, to the ſaid Lord Chancellor of England, and the Lord Keeper of the great ſeale, for the time being, to make from time to time Commiſſion or Commiſſions, aſſigning and authoriſing thereby the ſame perſon to bee Cuſtos Rotulorum, vntill the King hath by another bill aſſigned with his owne hand, appointed and ordained one other perſon to haue, occupy and exerciſe the ſame office of the Cuſtos Rotulorum, and that the ſaid perſon appointed and aſſigned to be Cuſtos Rotulorum, as is aboueſaid, ſhall and may occupy, exerciſe and enioy the ſame office of the Cuſtos Rotulorum by himſelfe or by his ſufficient deputy, learned in the lawes of this Realme, and méet and able to ſupply the ſaid office according to the tenor of the ſaid grant or Commiſſion.

The Cuſtos Rotulorum ſhall be appointed in euery county by bill ſigned with the Kings owne hand. Alt. 3. & 4. Ed. 6. 1.

And be it further enacted by the authority of this preſent Parliament, that euery Cuſtos Rotulorum for the time being, ſhal at all times hereafter in euery Shire of this realme, Wales, and other the Kings Dominions, Marches, and Territories of the ſame, nominat, elect, appoint and aſſigne, all and euery perſon and perſons, which hereafter ſhall bee Clerkes of the Peace within any of the ſaid Shires of this Realme of England, Wales and other the Kings Dominions, Marches and Territories of the ſame, and to giue and grant the ſaid Office and Offices of the Clerkeſhip of the Peace to ſuch able perſon inſtructed in the lawes of this Realme, as ſhall bée able to exerciſe and occupy the ſame, to hold and inioy the ſame during the time that the ſaid Cuſtos Rotulorum, ſhall occupy and exerciſe the foreſaid office of Cuſtos Rotulorum: ſo that the ſaid Clerke demeane him in the ſaid office iuſtly and honeſtly. And that it bee lawfull to euery ſuch grantées of the ſaid Clerkeſhip, to occupy and enioy the ſame office of the Clerkſhip of the peace by himſelfe or by his ſufficient deputy, inſtructed in the Lawes of this Realme, ſo that the ſame deputy

The Cuſtos Rotulorum ſhall appoint the Clerke of Peace.

The Clerke of the P. may make a deputy by the aſſent of the Cuſtos Rotulorum.

Within what time the offendor muſt be ſued

being ſeare and dead in the tops, or any timber trées to bee taken by vertue of the Kings Highneſſe Commiſſion within the Realme, or for or concerning any offence done contrary to the tenour of this Act: vnleſſe the ſame perſon or perſons offending this Act, be ſued for the ſame within one yéere next after the ſame offence committed or done: any thing in this Act conteined to the contrary notwithſtanding.

The penalty for breaking of wood hedges.

Prouided alwaies, and be it further enacted by the ſaid authority, that if any perſon or perſons doe breake or deſtroy any ſeuerall fences or hedges, made or to bee made for the ſauing of the ſame woods, vnderwoods, grounds or ſoiles, that euery perſon ſo offending ſhal forfeit and loſe for euery ſuch offence ten ſhillings.

Swine ſhall not goe in a wood vnringed.

And bee it further enacted by the authority aforeſaid, that if any perſon or perſons ſuffer his ſwine, being of the age of ten wéekes or aboue, during ſuch yéeres as the ſaid woods be appointed and ordained by this Act to bee incloſed at any time after the firſt day of Auguſt next comming, to goe or run in any common or ſeuerall ground or woods, vnleſſe the ſame ſwine be ſufficiently ringed or pegged, that then the owner or owners of euery ſuch ſwine ſhall forfeit and loſe for euery ſuch his ſwine, that ſhall ſo goe or run in any the ſaid grounds, woods or vnderwoods, and not being ſufficiently ringed or pegged as is aforeſaid, from and after the ſaid firſt day of Auguſt next comming foure pence: the one halfe of all & euery the ſaid forfeitures, if it be in any of the kings woods or grounds, to be to his highneſſe, and the other to the finder thereof. And if it be within any other perſon or perſons ſaid grounds, woods or vnderwoods, then the one halfe of all & euery the ſame forfeitures to be to the owners of the ſoile, and the other part thereof to be to him that will ſue for the ſame by bill, plaint, action, information, or otherwiſe, in any Court of Record, wherein no wager of law, eſſoine or protection ſhalbe allowed, nor admitted.

The fencing of a wood in a parke where deere be.

Prouided alway, that where any woods or vnderwoods ſhall after the ſaid feaſt of S. Michael the Archangell, be felled or cut downe in any parke or ground encloſed, wherein any déere ſhalbe then kept, that the owner or owners, poſſeſſioner or poſſeſſioners, of ſuch Parke and Parkes, or grounds encloſed for déere, to bee chargeable for the encloſure and preſeruation of the ſame as is aforeſaid, but onely for the ſpace of foure yéeres after any ſuch time of felling or cutting downe of the ſame coppice, woods, or vnderwoods, and not aboue: any thing contained in this Act to the contrary thereof in any wiſe notwithſtanding.

Where a ſtranger is cauſe of an offence, he only ſhall be puniſhed.

Prouided alſo, and bee it enacted by the authority aforeſaid, that if the incloſure or incloſures of any of the ſaid coppice, woods, vnderwoods or grounds, happen to be broken or pulled down, by any perſon or perſons againſt the wils and minds of the owner or owners, poſſeſſioner or poſſeſſioners of the ſame woods or vnderwoods, whereby cattell or beaſts eſcape into the ſame woods, grounds or vnderwoods, and deſtroy and hurt the ſpring thereof, or if the ſame woods, grounds or vnderwoods, be by any meanes deſtroied, hurted or hindered, by any maner of perſon or perſons, or by the cattell or beaſts of any perſon or perſons, without the aſſents, mindes and wils, of ſuch owner or owners, poſſeſſor or poſſeſſors: that then and in euery ſuch caſe, the ſaid penalties contained in this act, to be extended vpon the ſame perſon or perſons in or by whoſe default the ſame ſpring, wood, or vnderwood, ſhall be ſo deſtroyed, hurted or hindered, and not vpon the owner or owners, poſſeſſor or poſſeſſors, of the ſaid woods, grounds, or vnderwoods: any thing contained in this Act to the contrary thereof in any wiſe notwithſtanding.

Within two yeeres colts and calues may be put into fenced wood. Alt, 13. El. 25.

Prouided alſo, and be it further enacted by the authority aforeſaid, that it ſhall and may be lawfull to euery owner and owners, poſſeſſor and poſſeſſors, their fermors and aſſignes, of all and ſingular the ſaid woods, vnderwoods, grounds, and coppice, after ſuch time as the ſame woods, vnderwoods, grounds and coppice, haue bin fenced and encloſed, or the ſpring thereof otherwiſe preſerued by the ſpace of two yéeres next after the felling thereof, to put colts and calues, being vnder the age of one yéere, into the ſaid woods, vnderwoods, grounds and coppice: any thing contained in this Act to the contrary thereof in any wiſe notwithſtanding.

And this preſent Act and Acts to endure onely by the ſpace of ſeuen yéeres next after the ſaid feaſt of S. Michael the Archangell: and from thence vntill the end of the next Parliament. 13. Eliz.25. made perpetuall. Coke lib.8.fol.138.

CAP. XVIII.

The Kings generall pardon of all treaſons, felonies, robberies, offences, contempts, treſpaſſes, wrongs, &c. Sauing ſuch which be excepted &c. confirmed by Parliament. EXP.

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STATVTES made in the Parliament, holden at Weſtminſter, in the ſeuen and thirtieth yeare of the moſt renouned HENRIE the eight by the grace of God, King of England, France, and Ireland, defender of the Faith, and of the Church of England and alſo of Ireland, in earth Supreme head.

CAP. I.

Who ſhall appoint the Cuſtos Rotulorum, *and Clerke of the Peace in euery County.*

Where before this time the Lord Chancellor of England for the time being, hath by reaſon of his office of the Chancellorſhip, the nomination and appointment of the Cuſtos Rotulorum within all and euery Shire of this Realme of England, and Wales, and other the Kings Dominions, Marches and territories of the ſame, and that in like manner all and euery perſons which had and enioyed the ſaid office of the Cuſtos Rotulorum, hath had vntill now late the nomination and appointment of the Clerke of the peace within ſuch Shires where he or they had and enioyed the ſaid office of the Cuſtos Rotulorum: And where now of late diuers and ſundry perſons within this realme, being not learned, nor yet méet ne able for lacke of knowledge and learning to occupy and exerciſe the ſaid office of the Cuſtos Rotulorum, and of the Clerkſhip of the peace, haue of late yéers by labour, friendſhip and means, attained and gotten for terme of their liues, of the Kings Maieſty, ſeuerall grants by his highneſſe letters patents to them made of the ſaid Clerkſhips of the peace. By reaſon whereof, and for that the parties to whom the ſaid ſeuerall grants haue béen ſo made and granted, haue not béen ſufficiently learned to exerciſe and occupy the ſame office and offices, many and ſundry inditements, aſwell of felony, murder and other offences and miſdemeanors, and the proces awarded vpon the ſame inditements, haue not onely béene by reaſon thereof made cléerely fruſtrate and void, ſometime by reaſon of the negligent ingroſſing and kéeping of the ſaid enditements, & ſometime by reaſon of the imbeſiling or raſure of the ſame inditements, but alſo diuers & ſundry bargains, and ſales of diuers and ſundry manors; lands and tenements, had and made betwéen party and party, haue béen made fruſtrate and void, for lacke of ſufficient enrolment of the bargaines and ſales to be had and made by the Clerks of the peace, to the great hindrance of Iuſtice, and to the diſinheritance of diuers of the Kings moſt louing ſubiects.

Inconueniences enſuing by the ignorance of the Clerke of the Peace.

For reformation wherof, to the intent that Iuſtice may be the better hereafter preferred, and that the ſame offices may hereafter be occupied and exerciſed by ſuch perſons learned in the laws of this realme, as ſhall be able to exerciſe and ſupply the ſame: Be it enacted by the King our Soueraigne Lord, with the aſſent of the Lords Spirituall and Temporall, and of the Commons in this preſent Parliament aſſembled, and by authority of the ſame, that no perſon or perſons ſhall from henceforth be nominated and appointed to the ſaid office and offices of the cuſtos rotulorum within any Shire of this Realme of England, Wales and other the Kings Dominions, Marches or Territories of the ſame, but ſuch as ſhall haue a bill ſigned with the Kings hand for the ſame, which bill ſigned ſhalbe a ſufficient warrant by the authority aboueſaid, to the ſaid Lord Chancellor of England, and the Lord Kéeper of the great ſeale, for the time being, to make from time to time Commiſſion or Commiſſions, aſſigning and authoriſing thereby the ſame perſon to bee Cuſtos Rotulorum, vntill the King hath by another bill aſſigned with his owne hand, appointed and ordained one other perſon to haue, occupy and exerciſe the ſame office of the Cuſtos Rotulorum, and that the ſaid perſon appointed and aſſigned to be Cuſtos Rotulorum, as is aboueſaid, ſhall and may occupy, exerciſe and enioy the ſame office of the Cuſtos Rotulorum by himſelfe or by his ſufficient deputy, learned in the lawes of this Realme, and méet and able to ſupply the ſaid office according to the tenor of the ſaid grant or Commiſſion.

The Cuſtos Rotulorum ſhall be appointed in euery county by bill ſigned with the Kings owne hand.
Alt. 3. & 4. Ed. 6. 1.

And be it further enacted by the authority of this preſent Parliament, that euery Cuſtos Rotulorum for the time being, ſhal at all times hereafter in euery Shire of this realme, Wales, and other the Kings Dominions, Marches, and Territories of the ſame, nominat, elect, appoint and aſſigne, all and euery perſon and perſons, which hereafter ſhall bee Clerkes of the Peace within any of the ſaid Shires of this Realme of England, Wales and other the Kings Dominions, Marches and Territories of the ſame, and to giue and grant the ſaid Office and Offices of the Clerkeſhip of the Peace to ſuch able perſon inſtructed in the lawes of this Realme, as ſhall bée able to exerciſe and occupy the ſame, to hold and inioy the ſame during the time that the ſaid Cuſtos Rotulorum, ſhall occupy and exerciſe the foreſaid office of Cuſtos Rotulorum: ſo that the ſaid Clerke demeane him in the ſaid office iuſtly and honeſtly. And that it bee lawfull to euery ſuch grantées of the ſaid Clerkeſhip, to occupy and enioy the ſame office of the Clerkſhip of the peace by himſelfe or by his ſufficient deputy, inſtructed in the Lawes of this Realme, ſo that the ſame

The Cuſtos Rotulorum ſhall appoint the Clerke of Peace.

The Clerke of the P. may make a deputy by the aſſent of the Cuſtos Rotulorum.

deputy be admitted, taken and reputed by the ſaid Cuſtos Rotulorum, to be ſufficient and able to exerciſe, occupy, keep and enioy the ſame office of the Clerkſhip of the Peace.

Prouided alway, and be it enacted by the authority aboueſaid, that all ſuch as now haue any of the ſaid offices of Cuſtos Rotulorum, or clerkſhip of the peace, by the Kings letters patents of cõmiſſion to them made, ſhall and may enioy, haue and exerciſe their ſaid offices by vertue of the ſame letters patents or commiſſion by themſelfe, or by their ſufficient and able deputy, inſtructed in the lawes of this Realme. Any thing in this preſent Act had or made to the contrary notwithſtanding.

Perſons hauing authority to aſſigne Cuſtos Rotulorum, or clerk of the peace.

Prouided alſo, & be it enacted by authority aboueſaid, that the Archbiſhop of Yorke the Biſhop of Durham, the Biſhop of Ely, and euery of their ſucceſſors, and all and euery ſuch perſon and perſons, corporations, & bodies corporated, to whom the Kings maieſty, or any of his noble progenitors by his or their letters patents, haue giuen & granted any liberty and authority, or otherwiſe haue authority by other lawfull means or waies, to ordaine, make and conſtitute, any of the ſaid officers of Cuſtos Rotulorum, or Clerke of the peace within any County Palatine, or other place, ſhall and may haue and enioy the ſame liberty and authority, according as they haue had, & enioyed the ſame, any thing in this preſent Act had, or made to the contrary notwithſtanding.

CAP. II.

Hounſlow heath in the county of Middleſex, which doth containe foure thouſand, two hundred foure ſcore and thirteene acres, and one rood of ground, extendeth into ſeuerall pariſhes. So much thereof as is the Kings inheritance, and is meet for tillage paſture, medow, or other ſeueral ground ſhall be of the nature and condition of Copihold land. Or the ſame may bee letten by the ſteward of the Manor at will, or for xxi. yeares, which leſſee ſhall or may improue it. PR.

CAP. III.

Huntington lane neere the city of Cheſter, being in length two miles and an halfe ſhall be from time to time repaired by one that ſhall dwell in the ſaid lane, and ſhall haue paſture for fiue kine or beaſts in the high way, from Bothill to Butterbach bridge. Sir William Stanley, and Sir Hugh Caluely, and their heires males being of full age, and in default of them the Maior and Aldermen of of Cheſter ſhall appoint the ſame party, and remoue him if he be negligent in repairing any part of the ſaid way. PR.

CAP. IIII.

That all Chappels, &c. ſhalbe in the Kings diſpoſition.

IN their moſt humble wiſe ſhewen vnto your royall Maieſty your louing ſubiects, the Lords ſpirituall and temporall, and the Commons of this preſent Parliament aſſembled, that where there haue beene diuers Colleges, Freechappels, Chauntries, Hoſpitals, Fraternities, Brotherheads, Guilds, and ſtipendary Prieſts, hauing perpetuity for euer within this your Realme of England, Wales, and the Marches of the ſame, of which, ſome of them by the licence of your gracious Highneſſe, or of your noble progenitors, and ſome of them by feoffements, and wils thereupon declared, and ſome of them by other deuiſes, conueiance, and aſſurance, haue beene incorporated, eſtabliſhed, founded, erected, had, or made by diuers names, ſurnames, degrees, and corporations, to haue had a perpetuall continuance for euer: ſithence which time diuers and many of the donors, founders, or patrons, or ſuch as pretend to bee donors, founders, or patrons of the ſame Colleges, Freechappels, Chauntries, Hoſpitals, Fraternities, Brotherheads, Guilds, and ſtipendary Prieſts, and diuers other, of their Auaricious and Couetous mindes, and of their owne authority without your gracious licence, haue of late entred into the manſion houſes, manors, lands, tenements, and other hereditaments, to the ſame Colleges, Freechappels, Chauntries, Hoſpitals, Fraternities, Brotherheads, Guilds, and ſtipendary Prieſts, belonging, and appertaining, and haue expulſed the Prieſts, Wardens, Maſters, Miniſters, Rulers, Gouernors, and Incumbents of the ſame, out and from the poſſeſſion thereof, and they, their heires and aſſignes doe occupy and enioy the ſaid manſion houſes Manors, Lands, Tenements and hereditaments, and doe receiue, take, and employ, and conuert the rents, iſſues, reuenues and profits of the ſame to their owne proper vſes. And ſome of the ſaid Prieſts, Wardens, Maſters, Miniſters, Rulers, Gouernors, and Incumbents of the premiſſes, by couin betweene them and the patrons, donors, or founders of the ſame, or of ſuch as pretend to bee patrons, donors, or founders of the ſame, or other, haue alſo of their owne authority without your graces licence, bargained and ſold all, or part of their manors, lands, and tenements anexed, vnited, pertaining or belonging to their ſaid Colleges, freechappels, Chantries, hoſpitals, and other the ſaid promotions: And ſome of the ſaid Prieſts, Wardens, Maſters, Miniſters, Rulers, Gouernors,

uernors, and Incumbents by the aſſent and conſent of their Patrons, Donors, Founders, or ſuch other as haue had intereſt in the ſame: and ſome of the ſaid Prieſts, rulers, Gouernors and Incumbents, of their owne authorite, without the aſſent of their patrons, donors, or founders, or of ſuch other as haue had intereſt in the ſame, haue now of late made leaſes for terme of life, or liues, or for terme of yeeres of their ſaid Freechappels, Chantries, Hoſpitals, fraternities, brotherheads, guilds, or other the ſaid promotions, or of the manors, lands, tenements, and other the premiſſes, or of part thereof, and haue not reſerued the cuſtomable rent and ferme, that the ſame hath beene vſed to be letten for. And ſome of them by couin haue ſuffered recoueries, leuied fines, and made feoffements, and other conueyances of all or part of their ſaid poſſeſſions, by reaſon whereof diuers of the ſaid Freechappels, Chantries, Hoſpitals and other promotions aboueſaid, beene cleerly diſſolued, extinct, or determined, contrary to the wils, mindes, intents and purpoſes of the founders, Donors, or patrons of the ſame, & to the great contempt of your Maieſty, and of your authority royall. And we your graces moſt louing, humble, and obedient ſubiects right well knowing and perceiuing the exceeding great and ineſtimable charges, coſts, and expences, which your maieſty hath had and ſuſtained, and daily doth ſuſtaine, aſwell for the maintenance of theſe preſent wars againſt the Realme of France and Scotland, and for the preſeruation and defence of vs your ſaid ſubiects, againſt the inuaſions, and malice of your enemies the Frenchmen and Scots (who daily doe ſtudy, deuiſe, and attempt to grieue, annoy, and hurt your ſaid ſubiects) as alſo for the maintenance of your moſt royall eſtate, honor, dignity and eſtimation, which all your ſaid louing ſubiects of naturall duty been bound to conſerue and increaſe by all ſuch wayes and meanes as they can deuiſe: doe therefore with our whole voice, petition and interceſſion, moſt humbly beſeech your Maieſty, that it may be enacted, ordained, and eſtabliſhed by your highneſſe, with the aſſent of the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled, by the authority of the ſame, in manner and forme following, that is to ſay.

The ſeuerall means whereby the lands of Colleges, chantries, &c h. ue been abuſed by the gouernors therof & others.

Seueral cauſes of th K. great expences and charges.

Be it enacted by the King our Soueraigne Lord, with the aſſent of the Lords Spirituall and temporall, and of the commons in this preſent Parliament aſſembled, and by the authority of the ſame, that all and ſingular the ſaid Colleges, Freechappels, Chantries, Hoſpitals, fraternities, brotherheads, guilds, and other the ſaid promotions had or made to haue continuance in perpetuity for euer, and being, or that hath or ought to bee contributory or chargeable to the payment of the firſt fruits and tenths, according to the lawes and ſtatutes in that behalfe had and made, by what name, ſurname, degree, or corporation, they or any of them were founded ordeined, eſtabliſhed, erected, named, called, or knowne, and all and ſingular the manſion houſes, manors, orchards, gardens, lands, tenements, paſtures, woods, waters, rents, reuerſions, ſeruices, commons, tithes, penſions, portions, Churches, Chappels, aduouſons, nominations, patronages, annuities, rights, intereſts, entries, conditions, leets, courts, liberties, priuileges, franchiſes, and other hereditaments whatſoeuer they bee, appertaining, or belonging, or that did appertaine, or belong, or were aſſigned or appointed to any ſuch College, Freechappell, Chauntry, Hoſpitall, Fraternity, Brotherhead, Guild, ſtipendary Prieſt, or other the ſaid promotions, or to any of them, or accepted, knowne, or taken as part, parcell or member of them, or of any of them, and to the ſaid Colleges, Chauntries, Freechappels, Hoſpitals, Fraternitie, Brotherhead, Guild, ſtipendary Prieſts, or other promotions, or to any of them vnited or annexed, which betweene the fourth day of February in the ſeuen and twentieth yeere of the reigne of our ſaid Soueraigne Lord the King, and the fiue and twenty day of December, in the ſeuen and thirtieth yeere of the ſaid Kings reigne, by reaſon of any ſuch entree, expulſion, bargaine, ſale, feoffement, fine, recouery, leaſe, or other conueyance therof had or made, bin diſſolued, determined, relinquiſhed or extincted by any of the waies, meanes or conueyances aforeſaid, or otherwiſe, other than ſuch of them as now bee, or were in the poſſeſſion of our ſaid Soueraigne Lord the King, or that beene granted or aſſured by his highneſſe licence, agreement, conſent, or Letters Patents, to any other perſon or perſons, or haue beene lawfully obtained, or recouered by any perſon by any former right or title, without fraud or couin, or by the Kings licence, ſhall from henceforth (by authority of this Act) bee adiudged and deemed, and alſo bee in the very actuall and reall poſſeſſion and ſeiſon of the King our Soueraigne Lord, and of his heires and ſucceſſors for euer, in as large and ample manner as the ſaid Prieſts, Wardens, Maſters, Miniſters, Gouernours, Rulers, or other Incumbents, or any of them, or the Patrons, Donors or Founders of them, or of any of them, at any time ſithens the ſaid fourth day of February, in the ſeuen and twentieth yeare aforeſaid, had, occupied, or enioyed, or now hath, occupieth or enioyeth the ſame, and as though all and ſingular the ſaid Colleges, Chauntries, Hoſpitals, Freechappels, Fraternities, Brotherheads, Guilds, and other the ſaid promotions, and the ſaid manors, Lands, Tenements, hereditaments, and other the premiſſes whatſoeuer they bee, and euery of them, were in this preſent Act ſpecially, particularly and certainly rehearſed, named and expreſſed by expreſſe words, names, ſurnames, corporations, title, and faculties, and in their natures, kindes, and qualities, the ſaid entries, expulſions, bargaines, ſales, fines, feoffements, recoueries, or other aſſurance and conueyance, whatſoeuer they bee had or made (except before excepted) to the contrary notwithſtanding.

All Colleges, Chantries, hoſpitals, &c made to haue continuance for euer, and all their manors, lands, & hereditamēts giuen to the K.

Plow. fo. 177.

Rents or annuities granted by other in conſideration of any bargaine of the ſaid lands.

And bee it further enacted by the authority aforeſaid, that all couenants, bonds, and grants of any rent, or annuity, made by any perſon or perſons to any Chantry Prieſt, or other, hauing any of the ſaid promotions, for and in conſideration of any bargaine, grant, or other aſſurance, made of any of the ſaid promotions, or any part of them, ſhall be void and fruſtrate.

He that hath ſold and taken money for any Chantry, College, &c lands, ſhall repay the ſame money againe.

And ouer that it is ordeined and enacted by the authority aforeſaid, that all and euery perſon and perſons, being in life, which haue or hath for any ſumme of money to him or them paid, bargained, or ſold any Manors, Lands, Tenements, or other Hereditaments, that did belong or appertaine to any of the ſaid Colleges, Chauntries, Freechappels, Hoſpitals, Fraternities, Guildes, or other promotions aforeſaid diſſolued, relinquiſhed, or determined after the ſaid fourth day of February, as is aboueſaid, ſhall repay to ſuch perſon as ſo bought any of the ſaid manors, Lands, Tenements, or other hereditaments or to his executors or aſſignes vpon a requeſt therefore made, as much money as he or they receiued for the ſale of the thing ſo by him or them ſold: and for none paiment thereof ſuch perſon and perſons as purchaſed or bought the ſaid lands, tenements, and other the premiſſes, or any parcell thereof, ſhall bee enabled by the authority aforeſaid, to ſue, and maintaine an action of debt at the Common lawes of this Realme, againſt ſuch perſon or perſons as ſo bargained or ſold to him or them, or to their teſtator, any of yͤ premiſſes belonging to any College, Chauntry, Freechappell, Hoſpitall, Fraternity, Guild or other promotion aforeſaid, in which action of debt, no eſſoine, protection, or wager of Law ſhalbe admitted or allowed.

Aſſurances made to the K. of the lands of any College, Chantry, &c. ſhall be good.

And be it further enacted by the authority aforeſaid, that all and euery gifts, graunts, ſurrenders, and all and euery other aſſurances, had made or done to the Kings Highneſſe of any of the ſaid Colleges, Chauntries, and other the ſaid promotions, or of any manors, lands, tenements or other hereditaments to any of them annexed, vnited, or belonging, at any time betweene the ſaid fourth day of February, in the ſaid ſeuen and twentieth yeere of our ſaid Soueraigne Lord the Kings raigne, and the ſaid fiue and twentieth day of December, in the ſeuen and thirtieth yeere of his moſt gracious reigne, ſhall bee by the ſaid authority taken, iudged, and deemed good and perfect, to all intents, conſtructions, and purpoſes, as well againſt the ſaid Chantry Prieſts, Maſters, Wardens, Miniſters, Gouernors, Rulers, and other hauing any the ſaid promotions their ſucceſſors and aſſignes, and the ſucceſſors and aſſignes of euery of them, as againſt all and euery founder, donor, and patron thereof and euery of them, and the heires and ſucceſſors of them and euery of them.

All letters patents granted by the K and all aſſurāces made by his conſent of any College, and chantry, &c. ſhalbe good.

And bee it further enacted by the authority aforeſaid, that all and euery letters patents made by the Kings highneſſe to any perſon or perſons of any of the ſaid Colleges, Chantries, Guilds, Fraternities, or other the ſaid promotions, or of any part or parcell of the ſaid Colleges, Chantries, hoſpitals, guilds, fraternities, brotherheads, or other the ſaid promotions: and that all fines feoffments, recoueries and all other aſſurances and conueyances therof had or made by the kings aſſent, conſent, licence or agreement, to any perſon or perſons, by any Chantry Prieſt, Maſter, Warden, Miniſter, ruler, Gouernor, or other hauing any the ſaid promotions of any of the ſaid Colleges, Chantries, hoſpitals, guilds, fraternities, brotherheads, or any of the ſaid promotions, or of any manors, lands, tenements, or hereditaments, belonging, annexed, or vnited to any of them, or of any part, parcell, or member of the ſame, ſhall ſtand and be in their forces and effects according to their tenures, formes and effects, and ſhalbe by the authority of this act, good, perfect, and auaileable aſwell againſt the ſaid Chantry Prieſts, Wardens, Maſters, rulers, gouernors, and other hauing any of the ſaid promotions, and their ſucceſſors, and the ſucceſſors of euery of them, as againſt the founders, donors, and patrons of the ſame, and the ordinary of them, and euery of them, and the heires and ſucceſſors of euery of them, any law, ſtatute, ordinance, or other thing to the contrary thereof notwithſtanding.

And where alſo at this preſent time there bee a great number of Chauntries, Hoſpitals, Colleges, Freechappels, Fraternities, Brotherheads, Guilds, and ſtipendary Prieſts, hauing perpetuity for euer, and being charged or chargeable to the paiment of the Firſt Fruits and Tenths, according to the Statute in that behalfe had and prouided, and all Colleges as well chargeable or not chargeable to the paiment of the Firſt Fruits and Tenths, ſet, lying, and being within this realme of England, Wales, and other the Kings dominions, or the Marches of the ſame, hauing diuers manors, lands, tenements, poſſeſſions, and other hereditaments, to the ſame aſſigned, appointed, limited, vnited, or annexed by the Patrons, Donors, or founders of them which haue bin eſtabliſhed, ordeined, founded, had or made by the ſaid patrons, donors, or founders for euer, to the intent that almes to the poore people and other good vertuous and charitable deeds might bee made, done, and executed by the Wardens, Maſters, Miniſters, Gouernors, Brothers, and Incumbents of the ſame: And for ſo much as it is right well knowne, that the ſaid Gouernors, Wardens, Maſters, Miniſters, brothers and Incumbents, or the greateſt number of them hitherto, haue not, ne yet doe vſe, exerciſe, order and rule their ſaid Chauntries, Hoſpitals, Colleges, Freechappels, and other the ſaid promotions, nor the Manors, Lands, tenements and hereditaments to the ſame belonging, ne, yet doe beſtow, expend, and employ the iſſues, rents, reuenues and profits of the ſame in almes, and other deeds of charity according

The rents and lands of hoſpitals, chantries, &c. be not imploiedto ſo good vſes as they were giuen for.

ding to ſuch vertuous and godly intents and purpoſes, as the ſaid Chauntries, Freechappels, Colleges, Hoſpitals, and other the ſaid promotions were firſt founded, eſtabliſhed, erected, ordeined, had, made, or incorporated, to the great diſpleaſure of almighty God, and to the diſcontentation of the King our Soueraigne Lord. And for that the Kings Highneſſe, of his moſt godly and bleſſed diſpoſition entendeth to haue the premiſſes vſed, and exerciſed to more godly and vertuous purpoſes, and to reduce and bring them into a more decent and conuenient order for the commodity and wealth of this his Realme, and for the ſurety of his Subiects of the ſame.

Be it further enacted by the authoritie aforeſaid, that the Kings Maieſty ſhall and may at his Highneſſe will and pleaſure from time to time hereafter, during his naturall life (which Almighty God long preſerue) make and direct his Graces commiſſion or commiſſions vnder his great Seale (euery ſuch commiſſion to be had and made vpon a warrant ſigned with his Graces hand) to ſuch number of perſons, and into ſuch Countries, Shires, and places, as by his Highneſſe ſhall be thought expedient and requiſite, giuing vnto the ſaid Commiſſioners, or to two of them at the leaſt, full power and authority, by vertue of the ſame commiſſion or commiſſions, for and in his Highneſſe name, to enter into all and ſingular ſuch and ſo many Chauntries, Freechappels, Hoſpitals, Colleges, and other the ſaid promotions, and into all and ſingular ſuch manors, manſion houſes, meaſes, lands, tenements, paſtures, woods, waters, rents, reuerſions, ſeruices, poſſeſſions, and other hereditaments whatſoeuer they beene, or into any part and parcell thereof, for and in the name of ſeiſin and poſſeſſion of all the hereditaments annexed, vnited, belonging, or appertaining to any Chauntry, Hoſpitall, Freechappell, College, Fraternity, Brotherhead, Guild, or any other the ſaid promotions, or whereof any Prieſts, Preuoſts, Gouernors, Rulers, or other Incumbents of them or any of them, by what name, ſurname, degree, title, or corporation they and euery of them or any of them beene founded, erected, ordeined, eſtabliſhed, named, called or knowen, now hath or enioyeth, or hereafter ſhall haue and enioy, to the ſaid Chantries, Hoſpitals, Freechappels, Colleges, Fraternities, Brotherhoods, Guilds or other the ſaid promotions, being chargeable to the payments of the firſt fruits and tenths, and all Colleges chargeable or not chargeable to the ſaid payment of firſt fruits and tenths, as is aforeſaid, or to any of them, as ſhall bee named, expreſſed and appointed in the ſaid Commiſſion, or Commiſſions, and to ſeiſe and take the ſame Chantries, Hoſpitals, Colleges, Freechappels, Fraternities, Brotherheads, Guilds, and other the ſaid promotions, manors, lands, tenements, and other the premiſſes mentioned in the ſaid commiſſion and commiſſions and euery of them, and euery part, parcell and member of the ſame, into the Kings poſſeſſion and hands: To haue and to hold the ſame to the Kings Highneſſe and to his heires and ſucceſſors for euer. And that the ſaid Commiſſioners, or two of them at the leaſt, may enter into any part or parcell of the ſaid Chantries, Hoſpitals, Freechappels, Colleges, and other the ſaid promotions, manors, lands, tenements, and hereditaments mentioned in any ſuch Commiſſion, for and in the name of all the Chantries, Colleges, Freechappels, and other the ſaid promotions, manors, lands, tenements, and hereditaments whatſoeuer they be, annexed, vnited, belonging or appertaining to any of the ſaid Chantries, Colleges, Chappels, or other the ſaid promotions, and expreſſed, mentioned, and named in any ſuch commiſſion: which entree ſo had and made into part or parcell, for and in the name of all the premiſſes mentioned in any ſuch commiſſion, ſhall by the authority of this Act be of as good force, value and effect in law, to all intents, reſpects, conſtructions, and purpoſes, as if the ſaid Commiſſioners, or two of them at the leaſt, had entred into all and euery part and parcell of the ſame Chantries, Hoſpitals, Freechappels, Colleges, and other the ſaid promotions, manors, lands, tenements, and hereditaments mentioned in any ſuch commiſſion, although the ſaid Chantries and other the ſaid promotions, manors, lands, tenements, and hereditaments expreſſed within any ſuch commiſſion, ſhal happen to be in ſundry and ſeuerall townes, places, Shires, or Counties within this Realme, Wales, and other the Kings Dominions. And that vpon and by any ſuch entree had and made by the ſaid Commiſſioners, or by any two of them at the leaſt, into all, or into any part or parcell in the name of all the manors, lands, tenements, poſſeſſions, and hereditaments, to the ſaid promotions, or any of them vnited, annexed, pertaining, or in any wiſe belonging, and mentioned in the ſaid commiſſion, all and ſingular the ſaid Chantries, Hoſpitals, Freechappels, Colleges, and other the ſaid promotions, manſion houſes, manors, orchards, gardens, lands, tenements, meadowes, paſtures, woods, waters, rents, reuerſions, ſeruices, tithes, pentions, portions, parſonages appropriat, Churches, Chappels, aduouſons, nominations, patronages, annuities, rights, intereſts, entrees, conditions, commons, leets, courts, liberties, priuileges, franchiſes, and other hereditaments whatſoeuer they be to the ſaid promotions, mentioned in the ſaid commiſſion, or to any of them belonging or appertaining, vnited or annexed, ſo entred into, ſeiſed, or taken, ſhall forthwith and immediatly, after ſuch entree had and made (as is aboueſaid) by authority of this act, be veſted, adiudged, and deemed, and alſo be in the very actuall and reall poſſeſſion, and ſeiſon of our ſaid Soueraigne Lord the King, and of his heires and ſucceſſors for euer, as though all and ſingular the ſaid Chantries, Hoſpitals, Colleges, Freechappels, and other the ſaid promotions, and the ſaid manors, lands, tenements, hereditaments, and other the premiſſes whatſoeuer they be, and euery of them, were

The King may grant a Commiſſion to certaine perſons to enter into any Hoſpitals, Chantries, &c. and their lands, &c. and to ſeiſe them to his vſe.

The Commiſſioners may ſeiſe to the Kings vſe any Hoſpitals, Chantries, &c. and their lands named in their commiſſion.

After the Commiſſioners entry into any lands ſpecified in their commiſſion the ſame ſhal be veſted in the actuall poſſeſſion of the King.

adiudged, and deemed by expreſſe words, ſentences, and termes in this act to be thereafter in the actuall and reall poſſeſſion, and ſeiſon of our ſaid Soueraigne Lord the King, and were in this preſent act, ſpecially, particularly, and certainely rehearſed, named, and expreſſed by expreſſe words, names, ſurnames, corporations, titles, and faculties, and in their natures, kindes and qualities, without any inquiſition by the oaths of twelue men, office or other entree, or further circumſtance thereof to be had or made. And that the ſaid Commiſſioners, or two of them at the leaſt, after ſuch entree and ſeiſure ſo by them had and made by vertue of the ſaid commiſſion or commiſſions ſo to them directed, ſhall certifie and returne the ſaid commiſſion and commiſſions, and euery of them (making mention in writing of their doings in the ſame, according to the words and authority to them giuen by the ſaid Commiſſion) into the Kings Court of the Chancery, at ſuch day as ſhall be limited in the ſaid commiſſion or commiſſions, there to remaine of record for euer.

The Commiſſioners ſhall returne their commiſſion into the Chancery.

All Chantries, Colleges, Fraternities, &c. and their lands ſhall be in the order and ſuruey of the court of Augmentations.

And bee it further enacted by the authority aforeſaid, that as well and euery the ſaid Chantries, Hoſpitals, Colleges, Freechappels, and other the ſaid promotions, and all the manſion houſes, manors, lands, tenements, poſſeſſions, and hereditaments, and other the premiſſes whatſoeuer they be, and euery part and parcell of them, which (by authority and vertue of this Act) beene veſted, adiudged, and deemed, and alſo ſhall be in the Kings poſſeſſion and hands, as alſo all other the ſaid Chantries, Hoſpitals, Colleges, Freechappels, and other the ſaid promotions, and all the manors, manſion houſes, lands, tenements, poſſeſſions, and hereditaments whatſoeuer they be, to them or any of them belonging or appertaining, and euery part and parcell thereof, which hereafter ſhall happen to come to his Highneſſe hands and poſſeſſion by any ſuch entree, ſeiſure, or taking into his Graces hands by commiſſion or commiſſions, as is aboueſaid, from and after the ſaid entree, ſeiſure, and taking into his Maieſties hands, ſhall be in the order, rule, ſuruey and gouernance of our Soueraigne Lord the Kings Court of Augmentations of the reuenues of his Crowne, and to be granted, letten, and ſet to ferme by the Chancellor, Officers, and Miniſters of the ſame Court, in ſuch manner and forme, as other manors, lands, and tenements appointed to the ſaid Court of the augmentations of the reuenues of his Graces Crowne, beene to be granted or letten: and that all the fermes, iſſues, reuenues, and profits, comming and growing of the premiſſes, or of any part thereof, ſhall be taken and receiued to the Kings vſe, by the Officers and Miniſters of the ſame Court, in ſuch manner and forme as is vſed and had of other manors, lands, and tenements, and of the iſſues, reuenues and profits of the ſame, committed to the order, rule, ſuruey, and gouernance of the ſaid Court of the Augmentations: any Act, Statute, ordinance, cuſtome, or vſe heretofore had, made, or vſed to the contrary notwithſtanding.

All ſuits for the lands of Chantries, &c. ſhal be heard and determined in the Court of Augmentations.

And be it further enacted by the authority aforeſaid, that all matters, variances, demands, ſuits, contentions, and debates to be had or made of or for any matter or thing, whereby the manors, lands, tenements, and hereditaments ſo appointed to the ſaid Court of the Augmentations ſhall be charged, aſked, demanded, or challenged, to the hurt, detriment or preiudice of the King, ſhall be heard, examined, tried, ended, and determined by and in the ſaid Court of Augmentations, in ſuch forme, manner and condition, as other matters and cauſes, appointed to the ſaid Court, be ſued, heard, examined and determined, or by ſuch other wayes and meanes, as to the ſaid Court ſhall ſeeme conuenient and meet for the adminiſtration of iuſtice indifferently betweene the Kings Highneſſe aud his Subiects.

Suits betweene one of the Kings Subiects and another touching the ſaid lands ſhalbe determined by the common law.

And be it further ordeined and enacted by the ſaid authority, that all other matters, variances, contentions, ſuits, claimes, and demands to bee had, made, or done betweene any of the Kings Subiects, of, for, or concerning the ſaid manors, lands, tenements, and the other premiſſes or any part thereof, or for any treſpaſſe or other offence touching the ſame, ſhall be ſued, aſked, demanded, tried, and determined at, and by the Common lawes of this Realme, and according to the rules, orders, and iudgement of the Common lawes and Statutes of this Realme, and not in the ſaid Court of the Augmentations of the reuenues of the Kings Crowne: any Law, Statute, Ordinance, or other thing had, made, or done to the contrary notwithſtanding, and as though the ſaid Court of the Augmentations of the reuenues of the Kings crowne had neuer been had ne made.

All aſſurances made by the gouernors of the ſaid Chantries, &c of any of their lands, without the Kings aſſent, ſhalbe void.

And be it further enacted by the authority aforeſaid, that all recoueries, fines, feoffements and other conueyances to be hereafter had, made, done, or ſuffered, for, or of any eſtate of inheritance or freehold, without the Kings Maieſties aſſent, conſent, or agreement, by any of the ſaid Chantry Prieſts, Wardens, Maſters, Miniſters, Gouernors, Rulers, or other, hauing any of the ſaid promotions of the ſaid Chantries, Colleges, Guilds, Fraternities, Hoſpitals, and other the ſaid promotions, or of any manors, lands, tenements, or other hereditaments, to the ſaid Chantries, Colleges, and other promotions vnited, annexed, belonging, or appertaining, or to any part or parcell of them, and being not had, made, done, or ſuffered to the Kings Highneſſe, ſhall be vtterly void, fruſtrate, and of none effect, as well againſt the Kings Maieſty, as againſt the ſucceſſor and ſucceſſors of euery ſuch Chantry Prieſt, Gouernours, Rulers, and any other hauing any of the ſaid promotions and euery of them.

Sauing to all and euery perſon and perſons, bodies politike and corporate, their heires and ſucceſſors, and the heires and ſucceſſors of euery of them, (other than the Maſters, Wardens, Miniſters, Gouernors, Rulers, Prieſts and Incumbents of the ſaid Chantries, Hoſpitals, Colleges, Freechappels, Fraternities, Brotherheads, Guilds, and other hauing any of the ſaid promotions, or any of them, and the ſucceſſors of them and of euery of them: and other than ſuch as be, and pretend to be founders, patrons, or donors of the premiſſes, or of any of them, or of any part or parcell thereof, their heires and ſucceſſors, and the heires and ſucceſſors of euery of them: And other than ſuch perſon and perſons, and their heires, ſucceſſors and aſſignes, as claime or pretend to haue any eſtate, right, title, intereſt, vſe, poſſeſſion, or condition, of, in or to the premiſſes, or any part or parcell thereof, by reaſon of any feoffement, fine, bargaine and ſale, or by any other wayes, meanes, or conueyance to them made of any eſtate of freehold or inheritance without the Kings aſſent, conſent or agreement, by any of the ſaid Maſters, Wardens, Miniſters, Gouernors, Rulers, Prieſts and Incumbents, or by the founders, donors, or patrons of them or of any of them) all ſuch right, title, claime, poſſeſſion, intereſt, rents, annuities, commodities, commons, offices, fees, leaſes, liueries, liuings, penſions, portions, ſinodies, proxies, debts, duties, and other profits, which they or any of them haue, claime, ought, may, or might haue had in of or to any of the premiſſes, or in of or to any part or parcell thereof, in ſuch like manner and condition to all intents, reſpects, conſtructions, and purpoſes, as if this act had neuer beene had nor made, and as though the ſaid Chantries, Hoſpitals, Colleges, and other the ſaid promotions had ſtill continued and remained.

The right of others ſaued, except, &c.

And it is further enacted by the authority aforeſaid, That if any of the ſaid Maſters, Wardens, Miniſters, Rulers, Gouernors, Prieſts, Incumbents, or owners of any ſuch Chantry, Hoſpitall, Freechappell, College, Fraternity, Brotherhead, Guild, or other the promotions aforeſaid, or of any of them, within one yeere next before the three and twentieth day of Nouember, in the ſeuen and thirtieth yeere of our ſaid Soueraigne Lord the Kings reigne, haue made, or hereafter ſhall make any leaſe, or grant vnder his or their common ſeale or other ſeale, or otherwiſe for terme of yeeres, life, or liues of their ſaid Chantries, Hoſpitals, Colleges, Freechappels, Fraternities, Brotherheads, Guilds, and other the ſaid promotions, or of any part thereof, or of any manors, lands, tenements, poſſeſſions, or hereditaments whatſoeuer they be to them or any of them vnited or annexed, belonging or appertaining, or to them or any of them limited, or appointed, which manors, meaſes, lands, tenements, poſſeſſions, or other hereditaments whatſoeuer they be, were not before the ſaid leaſe for the more part of twenty yeeres laſt paſſed, ſet, nor let to ferme, but kept and reſerued in manurance, tillage, or occupation, or now be in the manurance, tillage, or occupation of the ſaid Maſters, Wardens, Miniſters, Rulers, Gouernors, Prieſts or Incumbents of the premiſſes, for the maintenance of hoſpitality, and good houſe keeping. Or within one yeere next before the ſaid three and twentieth day of Nouember hath made or hereafter ſhall make any leaſe, or grant for terme of liues, or for terme of yeeres, of any of the ſaid manors, meaſes, lands, tenements, poſſeſſions, hereditaments, and other the premiſſes, whatſoeuer they be, whereof and in the which any eſtate or intereſt for terme of life, yeere or yeeres, at the time of the making any ſuch grant or leaſe, then had, or ſhall haue his being or continuance, and then was or ſhall not be determined, finiſhed or expired: Or within one yeere next before the ſaid three and twentieth day of Nouember, hath made or hereafter doe make any leaſe or grant for terme of life or for terme of yeeres of any of the ſaid manors, meaſes, lands, tenements, poſſeſſions, or other hereditaments whatſoeuer they be, vpon which leaſes and grants the vſuall and old rents and fermes accuſtomed to bee yeelden and reſerued by the ſpace of twenty yeeres next before the ſaid three and twentieth day of Nouember, be not or ſhall not be thereupon reſerued and yeelden: Or if any of the ſaid Prieſts, Maſters, Wardens, Miniſters, or other the ſaid Gouernors or Rulers ſithence the ſaid xxiii. day of Nouember, hath made any bargaine or ſale of his or their woods, which woods be yet growing and ſtanding, that then all and euery ſuch leaſe and grant of any of the premiſſes, and euery ſuch bargaine and ſale of wood or woods ſhall be vtterly void and of none effect.

Leaſes of lands reſerued for the maintenance of hoſpitality, made within one yeere before, &c.

Leaſes of lands in leaſe for life or yeeres made within one yeere.

Leaſes whereupon the old rent is not reſerued, made within one yeere before, &c.

Woodſales of woods yet growing.

Prouided alway, and be it further enacted by the authority aforeſaid, that this act, or any thing therein conteined, ſhall not extend to any manors, lands, tenements, poſſeſſions, or hereditaments, which the ſaid Maſters, Wardens, Miniſters, Chantry Prieſts, Incumbents, or other the ſaid Gouernors or Rulers of the premiſſes, or of any of them, hath, or is, or hereafter ſhall haue, or be poſſeſſed or ſeaſed of, in fee ſimple, fee taile generall or ſpeciall, for terme of life, terme of yeeres, or otherwiſe, to his or their owne proper vſes by inheritance or purchaſe, and not being vnited or annexed to his or their ſaid Colleges, Hoſpitals, Freechappels, or other the ſaid promotions, nor to any manors, lands, tenements, poſſeſſions, rents, annuities, or yeerely penſion or penſions, of any yeerely ſumme or ſummes of money, heretofore giuen or granted, or hereafter to be giuen or granted by the King our Soueraigne Lord, to any of the ſaid Maſters, Wardens, Miniſters, Chantry Prieſts, Incumbents, Gouernors, Rulers of the premiſſes, or of any of them, for terme of life only vnder his great Seale of England, or vnder the Seale of the Augmentation of the reuenues of the Kings Crowne: But that all, and euery the ſaid Maſters,

Lands or leaſes whereof the Gouernors were ſeiſed or poſſeſſed to their owne priuate vſes.

Penſions giuen by the King for terme of life.

Wardens, Miniſters, Chantry Prieſts, Incumbents, and other the Gouernors and Rulers aforeſaid, and euery of them, ſhall and may haue, hold, poſſeſſe, enioy, and kéepe, to their owne proper vſes all and ſingular ſuch manors, lands, tenements, poſſeſſions, and hereditaments, rents, annuities and yéerely penſions, not being annexed or vnited to his or their ſaid promotions, according to ſuch intereſt, eſtate, title and inheritance, as they or any of them hath, or ſhall haue, of, and in the ſame: any thing conteined in this act to the contrary notwithſtanding, and as though this act had neuer béene had ne made.

They from whom the King ſhall take any lands, ſhall be abated of their tenths and firſt fruits.

Prouided alſo, and be it enacted by the authority aforeſaid, that euery of the ſaid Maſters, Wardens, Miniſters, Chantry Prieſts, Incumbents, and other the ſaid Gouernors and Rulers, from whom the Kings Highneſſe, by vertue of this act, ſhall haue, take or ſeiſe any of his or their manors, lands, tenements, poſſeſſions, or other hereditaments by any of the wayes or meanes aforeſaid, without giuing, or aſſuring any recompence for the ſame, that they and euery of them from thenceforth ſhall yéerely be defalked, abated, and allowed out of their yéerely tenths hereafter to be payed, and alſo of their firſt fruits, as they ſhall happen hereafter to be due to the King in his Court of firſt fruits and tenths, ſo much money, and after ſuch rate and portion, as the ſame manors, lands, tenements, and other hereditaments, which by authority of this Act ſhall come to the Kings hands and poſſeſſion by any of the wayes or meanes aforeſaid, were aſſeſſed, valued, rated, and taxed, at, in and by the taxation of the tenths and firſt fruits now remaining of record in the ſaid Court of firſt fruits and tenths, by force of the ſtatute thereof made, had, and prouided.

A prouiſion for ſuch as had annuities or rents out of the lands of the Chantries, &c.

Prouided alway, and be it ordeined by the authority aforeſaid, that all and euery perſon and perſons, that before the making of this Act had or enioyed any manner of annuity, or rent, to be taken or had of any of the ſaid Chantries, Hoſpitals, Colleges, or other promotions aforeſaid, ſhall haue and enioy the ſame in like manner and forme as they ſhould or ought to haue done, if the ſaid Chantries, Hoſpitals, Colleges, and other the ſaid promotions had ſtill remained and continued in eſſe, and full being: any thing in this act mentioned to the contrary in any wiſe notwithſtanding.

He that hath bought and payd for any wood, ſhall haue his money againe, or the ſame wood.

Prouided alſo, and be it further enacted by the authority aforeſaid, that if any perſon or perſons haue iuſtly and truly, without fraud and couin, payed or giuen any ſummes of money to any ſuch Maſter, Warden, Miniſter, Gouernor, Ruler, or to any other hauing any of the ſaid promotions, for the bargaine and ſale of any wóods, growing in and vpon any of the premiſſes, and not yet felled (as is aforeſaid) which bargaine and ſale by this act is made void and of none effect, that the ſame buyers, their executors or aſſignes, vpon requeſt by him or them made to the Chancellor of the Court of Augmentations, for the time being, ſhall be well and truly contented, and repayed of and with the Kings treaſure, remaining in the hands of the Treaſurer of the ſaid Court of Augmentations, for the time being, by the hands of the ſaid Chancellor, Treaſurer, or other Officers of the ſame Court of Augmentations, within one yéere after any ſuch requeſt, and after the diſſolution of the ſaid Chantries, Colleges, Hoſpitals, and other the ſaid promotions, or after the ſeuerance of any part of them: or elſe the ſaid bargainées and buyers of the ſaid wóod, ſhall haue and enioy, cut, take, and carry away the ſame wóods, ſo being by him or them bought: any thing aboue mentioned to the contrary in any wiſe notwithſtanding.

A remedy for any Gouernor that hath compounded for his firſt fruits.

Prouided alſo, and be it enacted by authority aforeſaid, that if any ſuch Gouernor, Ruler, Warden, Maſter, Miniſter, or other hauing any the ſaid ſpirituall promotions, haue or ſhall compound for their firſt fruits for any ſuch ſpirituall promotions, according to the Lawes and Statutes of this Realme: And the dayes of payment of any part thereof at the entry and ſeiſure thereof, as is aboueſaid, ſhall not then be expired or paſt, that all ſummes of money ſo to be payable at any day or dayes then to come ſhall ceaſe, and be not payed, aſked, or demanded, any bond, recogniſance, ſurety, or other thing had or made to the contrary notwithſtanding.

Money due out of the premiſſes in the Eschequer ſhall be payable as before.

Prouided alway, and be it enacted, that all ſuch rents, ſeruices, iſſues, profits, and other ſums of money, due and payable for any cauſe or matter concerning the premiſſes, or any of them, in the Kings Court of his Eſchequer, ſhall continue, and be continually, and yéerely leuied, charged, and payed in the ſame Court, in ſuch manner and forme as heretofore haue béene vſed: any law, cuſtome, vnity of poſſeſſion in the Kings Highneſſe, or other thing to the contrary notwithſtanding, and as though the ſaid promotions, manors, lands, tenements, and the other premiſſes had not come to the Kings hands or poſſeſſion. St.1. *Ed.6.14*.

CAP. V.

What perſons ſhall paſſe vpon triall of an Attaint in London, and where the ſame ſhall be tried.

Where the Kings Iuſtices ſhall take Inquiſitions in London.

HUmbly beſéechen your moſt excellent Maieſty your obedient Subiects, the Maior and Comminalty of your Citie of London, that whereas amongſt diuers and ſundry liberties and franchiſes, granted by your moſt noble progenitors to the City of London, for diuers reaſonable reſpects and conſiderations in their charters, expreſſed and mentioned, one liberty is, that all inquiſitions to be taken by the Iuſtices and Miniſters of your Highneſſe, of the Citizens of

London, ſhall be taken at S. Martins the Graund, oꝛ at the Guild hall of the ſaid City of London, and not elſewhere, except inquiſitions befoꝛe the Juſtices in Eyre at the Tower of London, and foꝛ the deliuery of the Gaole of Newgate, as in the Charters of your ſaid noble Pꝛogenitoꝛs, to the ſaid Citizens of London granted, and by your Maieſty confirmed, plainly appeareth. Which liberties the ſame Citizens haue continually, ſince the ſaid grants thereof to them made, exerciſed, vſed and enioyed accoꝛdingly, as by diuers matters of Recoꝛd in your high Courts of Weſtminſter euidently appeareth.

And where alſo an act of Parliament concerning periury and puniſhment of vntrue verdicts, was made and eſtabliſhed in the xxiij. yeere of your moſt Gꝛacious reigne, amongſt other then and there made and oꝛdeined, that vpon euery vntrue verdict, made after the ſaid Act betweene party and party, in any ſuit, plaint, oꝛ demand made, and verdict thereupon giuen, extending to the value of xl. li. and not concerning the ieopardy of mans life, the party grieued by the ſame verdict, ſhall haue a wꝛit of attaint againſt euery perſon, which after the ſaid Act would giue an vntrue verdict: And that in the ſaid attaint there ſhould be awarded againſt the petit Jury, the party, and the grand Jury pꝛoceſſe of Sum. Reſum. and diſtreſſe infinit: which grand Jury ſhould be in like number as the grand Jury is now in attaint, and that euery of them that ſhall paſſe in the ſame, ſhall haue lands and tenements of the value of xx. markes by yeere of freehold, out of ancient demeane. And alſo it was then further enacted and eſtabliſhed, that all attaints afterwards to be taken, ſhould be taken befoꝛe your Maieſty in your Bench, oꝛ afoꝛe your Juſtices of your common place, and in none other Court: And that the Niſi prius ſhould be granted by the diſcretion of the Juſtices vpon the diſtreſſe.

23.H.8.3.

And foꝛaſmuch as the ſaid Act cannot be duly put in execution by the Citizens of the ſaid City foꝛ lacke of ſufficient perſons hauing lands and tenements to the cleere yeerely value of twenty markes out of ancient demeane, accoꝛding to the tenour of the ſaid act, and alſo that the apparance of the ſaid Citizens, to be had out of the ſaid City, is againſt the liberties and franchiſes of the ſame City, and no pꝛouiſo made within the ſaid Act foꝛ the ſame Citizens to enioy their ancient liberties and pꝛiuileges befoꝛe rehearſed. It may therefoꝛe pleaſe your Maieſty, of your moſt abundant grace, to condiſcend, that it may be enacted by your Highneſſe, and by the Loꝛds ſpirituall and tempoꝛall, and the Commons in this pꝛeſent Parliament aſſembled, and by authority of the ſame, that all and euery manner perſon and perſons, being Citizens of your ſaid City, and being in value of goods and cattels to the ſumme of CCCC. markes, may be impanelled and returned, by the Sheriffe of your ſaid City, in euery attaint hereafter to be bꝛought by vertue of the ſaid eſtatute, vpon verdicts hereafter to be giuen by your ſaid Citizens, without any challenge foꝛ the inſufficiencie of freehold of any of them, to be made by any of the ſaid parties, in any ſuch attaint, vpon ſuch verdicts hereafter to be giuen. And that the Juſtices foꝛ the time being, ſhall ſit only at the Guild hall of the ſame City, oꝛ at ſome conuenient place within the ſame City, and there to ſweare the grand Jury, and to take the verdicts in ſuch attaints hereafter to be taken. And that the ſaid Citizens hereafter be not compelled noꝛ diſtrained to appeare in any ſuch attaint, hereafter to be taken vpon any vntrue verdict, giuen oꝛ herafter to be giuen in London, but only within the limits of the ſaid City, of and foꝛ the triall of the ſame: The ſaid foꝛmer Act, oꝛ any thing therein conteined to the contrary in any wiſe notwithſtanding.

Of what eſtate thoſe perſons muſt be which, ſhall paſſe vpon an Attaint in London. 11.H. 7.21.

Triall of Attaints in London ſhall be in London notwithſtanding the Stat. of 23.H.8.3.

CAP. VI.

Burning of a frame of timber prepared for the building of an houſe, &c. made felony.

WHere diuers and ſundꝛy malicious and enuious perſons, being men of euill and peruerſe diſpoſitions, and ſeduced by the inſtigation of the Deuill, and minding the hurt, vndoing, and impoueriſhment of diuers of the Kings true and faithfull Subiects, as enemies to the Common wealth of this Realme, and as no true oꝛ obedient Subiects vnto the Kings Maieſty, of their malicious and wicked minds, haue of late inuented and pꝛactiſed a new damnable kinde of vice, diſpleaſure, and damnifying of the Kings true Subiects and the Common wealth of this Realme, as in ſecret burning of frames of timber pꝛepared and made by the owners thereof, ready to be ſet vp and edified foꝛ houſes, cutting out of heads & dammes of pooles, motes, ſtewes, and ſeuerall waters: cutting off conduit heads, oꝛ conduit pipes: burning of waines and carts loaden with coles, oꝛ other goods: burning of heapes of wood, cut, felled, and pꝛepared foꝛ making of coles: cutting out of beaſts tongues: cutting off the eares of the Kings Subiects: barking of Apple trees, Peare trees, and other fruit trees, and diuers other like kinds of miſerable offences, to the great diſpleaſure of almighty God, and of the Kings Maieſty, and to the moſt euill and pernicious example, that hath beene ſeene in this Realme.

Seuerall new and wicked deuiſes tending to the damnifying of others.

Foꝛ remedy whereof, be it enacted by authoꝛity of this pꝛeſent Parliament, that if any perſon oꝛ perſons, at any time after the firſt day of May next enſuing, maliciouſly, vnlawfully, willingly, and ſecretly burne, oꝛ cauſe to be burned, cut, oꝛ cauſe to be cut oꝛ deſtroyed any frame oꝛ frames of timber of any other perſon oꝛ perſons, made and pꝛepared, oꝛ hereafter ſo be made oꝛ pꝛepared, foꝛ oꝛ towards the making of any houſe oꝛ houſes, ſo that the ſame ſhall not be able foꝛ the purpoſe, foꝛ the which it was pꝛepared: that then euery ſuch Act and Acts ſo to be committed,

It ſhalbe felony vnlawfully and ſecretly to burne oꝛ cut a frame of timber, pꝛepared foꝛ the making of a houſe. REP. 1. Ed. 6, 12. 1 M. 1.

perpetrated,

perpetrated, and done by any perſon or perſons, ſhall be deemed and adiudged felony: and the offendor or offendors therein, being lawfully conuicted, or attainted, ſhall haue and ſuffer paines of death, and ſhall loſe and forfeit goods and cattels for euer, and the profits of their lands, tenements and hereditaments for terme of his or their liues.

This felony doth not make the wife loſe her dowry, nor any corruption of bloud in the heire.

The Offendors heire ſhall ſatiſfie the party grieued.

Prouided alwayes, that ſuch attainder ſhall be no auoiding of any womans dower, ne corruption of bloud againſt the heire or heires of ſuch Offendor or Offendors, but be it enacted, that the wife and wiues of ſuch Offendor or Offendors ſhall haue their dowers: and that ſuch heire and heires ſhall after the deceaſe of the ſaid Offendor haue and enioy the ſaid lands, tenements, and hereditaments of ſuch Offendor and Offendors, in like manner and forme, as they ſhould haue had, if this act, or any ſuch attainder had neuer beene had ne made. And that the heire or heires, hauing the ſaid lands, tenements, or hereditaments of any eſtate of inheritance, ſhall yeeld vnto the party grieued for ſuch offence or offences his damages of the profits of the ſaid lands, tenements or hereditaments of ſuch Offendor or Offendors, whereunto he ſhall be inheritable by action of debt, to be taken in the common Bench at Weſtminſter, in which action no wager of law, eſſoine, ne protection ſhall be allowed.

The penalty for cutting the head of any ſeuerall waters. AL r. 5 El. 21.

Burning a cart laden.

Burning a heap of wood prepared for coales.

Cutting out the tongue of a beaſt.

Cutting off the eares of another.

Barking of fruit trees.

And be it further enacted by the authority aforeſaid, that if any perſon or perſons, after the ſaid firſt day of May, maliciouſly, wilfully, and vnlawfully, cut, or cauſe to be cut out the head or heads, damne, or damnes of any ponds, pooles, motes, ſtewes, or other ſeuerall waters, or the head, or heads, pipe, or pipes of any Conduit or Conduits of any other perſon or perſons: or maliciouſly, willingly, and vnlawfully, after the ſaid firſt day of May, burne or cauſe to be burned any Wayne, or Waynes, Cart or Carts laden, or to be laden with coles, or any other goods or merchandiſes of any other perſon or perſons: or maliciouſly, willingly, and vnlawfully after the ſaid firſt day of May, doe burne or cauſe to be burned any heape or heapes of wood of any other perſon or perſons, prepared, cut and felled, or to be prepared, cut or felled, for making of coales, billets, or tallwood: Or maliciouſly, vnlawfully, and willingly, after the ſaid firſt day of May, cut out or cauſe to be cut out the tongue or tongues of any tame beaſt or beaſts of any other perſon or perſons, the ſaid beaſt then being in life: Or maliciouſly, willingly, or vnlawfully after the ſaid firſt day of May, cut or cauſe to be cut off the eare or eares of any of the Kings Subiects, otherwiſe than by authority of the law, chance medley, ſudden affray, or auenture: Or after the ſaid day maliciouſly, willingly, or vnlawfully barke any apple trees, peare trees, or other fruit trees of any other perſon or perſons: that then euery ſuch offendor and offendors, ſhall not only loſe and forfeit vnto the party grieued treble damages for ſuch offence or offences, the ſame to be recouered by action of treſpaſſe, to be taken at the Common law, but alſo ſhall loſe and forfeit to the Kings Maieſty, and his heires, for euery ſuch offence, x. li. ſterling, in name of a fine.

Cap. VII.

A rehearſall of the Stat. of 33. *H.* 8. 10. concerning the eſtabliſhment of the ſix weekes Seſſions, and a repeale of the ſame, EXP. And all the offences in the ſame Statute mentioned ſhall be inquired of, puniſhed, and reformed at a Quarter Seſſions.

Cap. VIII.

Indictments lacking vi & armis *ſhalbe good in law, and Clergy ſhall not be granted to horſe-ſtealers.*

The words cum baculis, cultellis, arcubus, & ſagittis ſhall not of neceſſity be put in an Indictment.

WHere before this time it was and yet is commonly vſed in all indictments and inquiſitions of treaſon, murder, felony, treſpaſſe and diuers other, to haue compriſed and put in euery the ſame indictments and inquiſitions theſe words, vi & armis, and in diuers of the ſame indictments to declare the manner of the force and armes, that is to ſay, vi & armis, videlicet, baculis, cultellis, arcubus, & ſagittis, or ſuch other like words in effect, where of truth the parties ſo indicted had no manner of ſuch weapons at the time of the ſaid offence committed and done: yet in default and lacks of the ſame words, the ſaid indictments were and yet be taken as void in the law, for to put any perſon to anſwer thereunto: and the party or parties ſo indicted for lacke of the ſame words, not being compriſed and put in the ſaid indictments, haue taken aduantage thereof, & haue auoided the ſame indictments by writ or writs of error, or by plee vpon his or their apparance, as the ſame caſe did require. For reformation whereof, be it enacted by the K. our ſoueraigne Lo. with the aſſent of the Lords ſpirituall and temporall, and of the commons in this preſent Parliament aſſembled, and by the authority of the ſame, that from the feaſt of the Natiuity of our Lord God next comming, theſe words, vi & armis, viz. cum baculis, cultellis, arcubus, & ſagittis, or ſuch other like, ſhal not of neceſſity be put or compriſed in any inquiſition or indictment: nor that the party or parties being hereafter indicted of any offence, ſhal haue or take any aduantage by writ, or writs of Error, plee, or otherwiſe, to adnull or auoid any ſuch inquiſition or indictment, for that, that the ſaid words, vi & armis, viz. baculis, cultellis, arcubus, & ſagittis, or any of the ſame or like words, ſhall not be put or compriſed in the ſaid inquiſitions or indictments: But that the ſame inquiſitions or indictments, and euery of them, lacking the ſaid words, vi & armis, videlicet baculis, cultellis, arcubus, & ſagittis, or any of them, ſhall from henceforth, by the authority aforeſaid, be taken, deemed, and adiudged to all intents, conſtructions, and purpoſes, as good and effectuall in the law, as the ſame inquiſitions and indictments, hauing the ſaid words, vi

& armis, videlicet baculis, cultellis, arcubus, & ſagittis, compriſed and put in euery of the ſame inquiſitions and inditements were or heretofore haue béene taken, déemed, or adiudged: any law, vſage, or cuſtome heretofore had and vſed to the contrary notwithſtanding.

And be it further enacted by the authority aforeſaid, that if any perſon or perſons, at any time after the ſaid feaſt of the Natiuitie of our Lord God next comming, doe ſteale any Horſe, Gelding, Mare, Fole, or Filly, and thereof be found guilty by the verdict of twelue men, or by his owne confeſſion, be attainted, or otherwiſe be indicted for the ſtealing of any Horſe, Gelding, Mare, Fole, or Filley, and thereupon arraigned, and doe ſtand mute of malice, or froward mind, [a] or challenge peremptory aboue the number of twenty, or elſe will not anſwer directly to the ſame inditement and felony, whereupon he is ſo arraigned: that then euery ſuch perſon and perſons ſhall not from henceforth be admitted to haue the benefit of his or their Clergy, but vtterly be excluded thereof, and ſhall ſuffer death in ſuch manner and forme, as they ſhould haue, if they were no Clerkes.

Dyer. fo. 99.

He that is attainted for the ſtealing of a horſe ſhall not haue the benefit of Clergy. 1.Ed.6.12.

Cap. IX.

How Offenders in Vſury ſhall be puniſhed.

Where before this time diuers and ſundry Acts, Statutes, and Lawes haue béene ordeined, had, and made within this Realme, for the auoiding and puniſhment of vſury being a thing vnlawfull, and of other corrupt bargaines, ſhifts, and cheuiſances, which Acts, Statutes, and lawes béene ſo obſcure, and darke in intents, words, and termes, and vpon the ſame ſo many doubts, ambiguities, and queſtions haue riſen, and growen, and the ſame acts, ſtatutes and lawes béene of ſo little force, or effect, that by reaſon thereof little or no puniſhment hath enſued to the Offendors of the ſame, but rather hath encouraged them to vſe the ſame. For reformation whereof, be it enacted by the King our Soueraigne Lord, by the aſſent of the Lords Spirituall and Temporall, and of the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that all and euery the ſaid acts, ſtatutes, and lawes heretofore made, of, for, or concerning vſury, ſhifts, corrupt bargaines, and cheuiſances, and euery of them, and all paines, forfeitures, and penalties concerning the ſame, and euery part thereof, ſhall from henceforth be vtterly void and of none effect to all intents, conſtructions and purpoſes.

All Stat. concerning vſury repealed. 20.H.3.5. 3.H.7.5,6. 11.H7.8.

And be it further enacted by the authority aforeſaid, that no perſon or perſons, of what eſtate, degrée, or condition ſoeuer he or they be, from and after the laſt day of January next comming, ſhall by himſelfe, Factor, Atturney, ſeruant, or deputy, ſell his Merchandiſes or wares to any perſon or perſons, and within thrée moneths next after by himſelfe, factor, atturney, deputy, or by any other perſon or perſons to his vſe and behoofe, buy the ſame Merchandiſes or wares, or any part or parcell thereof, vpon a leſſer price, knowing them to be the ſame wares or merchandiſes that he before did ſo bargaine, and ſell, vpon the paines and forfeitures hereafter limited in this eſtatute.

Selling of wares and buying them againe.

And be it alſo enacted by the ſame authority, that no perſon nor perſons, of what eſtate, degrée, quality or condition ſoeuer he or they be, at any time after the ſaid laſt day of January next comming, by way or meane of any corrupt bargaine, lone, eſchange, cheuiſance, ſhift, intereſt of any wares, merchandiſes, or other thing or things whatſoeuer, or by any other corrupt, or deceitfull way, or meane, or by any [b] couin, engine, or deceitfull way or conueyance, ſhall haue, [c] receiue, accept or take in lucre or gaines for the forbearing or giuing day of payment of one whole yéere of and for his or their money or other thing, that ſhall be due for the ſame wares, merchandiſe, or other thing or things, aboue the ſumme of ten pound in the hundred, and ſo after that rate, and not aboue, of and for a more or leſſe ſumme, or for a longer or ſhorter time, and no more or greater a gaine or ſumme thereupon to be had, vpon the paines and forfeitures hereafter in this Act mentioned and conteined.

Dyer.fo.346.
oke li.5.fo.70.
Dyer.fo.367.

No perſon ſhall take aboue x. li. for the forbearance of C li. for one yeere. ALT 21.Iac.17. Coke pla fo.168 391. Raſt pla.fo.689.

And be it further enacted by authority aforeſaid, that if any perſon or perſons, at any time after the ſaid laſt day of January, doe bargaine and ſell, or lay to morgage by any way or meane any manors, lands, tenements, or hereditaments to any perſon or perſons, [d] vpon condition of payment or non payment of any ſumme or ſummes of money to be had, payed, or made at any day certaine, or before any ſuch day by him that ſhall ſo bargaine, ſell, or lay to morgage the ſame manors, lands, tenements, or hereditaments, that the ſame perſon or perſons, to whom any ſuch manors, lands, tenements, or hereditaments, ſhall be ſo bargained, ſold, or laid to morgage, ſhall not by reaſon thereof haue, ne take in lucre, or gaines of the iſſues, reuenues, and profits of the ſame manors, lands, tenements, or hereditaments aboue the ſumme of ten pound in the hundred for one whole yéere, and ſo after the rate abouesaid for a more or a leſſer ſumme, or for a longer or ſhorter time, and no more, nor otherwiſe, vpon the paines, forfeitures, and penalties hereafter in this preſent eſtatute limited and expreſſed.

Cok li.5.fo.69.
Vſury.1.2.

There ſhall not be taken aboue x.li. in the C. li. vpon ſale or morgage of land.

And be it further enacted by the authority aforeſaid, that if any perſon or perſons, of what eſtate, degrée, quality, or condition ſoeuer he or they be, at any time after the ſaid laſt day of January next comming, ſhall doe any Act or Acts, thing or things, contrary to the tenour, forme, and effect of this eſtatute, or any clauſe, article, or ſentence contained in the ſame, that then

all

The forfeiture of the Offendors in the premiſſes.

all and euery offendor and offendors therein, or in any part thereof, ſhall forfeit and loſe for euery ſuch offence the treble value of the wares, merchandiſes, and other thing or things ſo bargained, ſold, eſchanged or ſhifted, and the treble value of the iſſues and profits of the ſaid manors, lands, tenements, and hereditaments, ſo had, taken or receiued by reaſon of any ſuch bargaine, ſale or morgage, and alſo ſhall haue and ſuffer impriſonment of his body, and make fine and ranſom at the Kings will and pleaſure: The moity of which forfeiture of the ſaid treble value, ſhall be to the King, and the other moity to him or them that will ſue for the ſame in any of the Kings Courts by action of debt, bill, plaint, or information, in which action, bill, plaint, or information no wager of law, eſſoine, or protection ſhall be admitted, or allowed.

To theſe bands and aſſurances this ſtatute extendeth not.

Prouided alway, and be it enacted by the authority aforeſaid, that this act, nor any thing therein conteined, ſhall not in any wiſe extend to any lawfull Obligation indorced with a Condition, nor to any Statute or Recogniſance made, and to be made for the payment of a leſſer ſumme, ſo that the ſame Obligation, Statute, or Recogniſance be made for a true, iuſt, and perfect debt, or for the performance of any other true couenants, made or to be made vpon a iuſt and true intent had betweene the parties, other than in caſes of vſury, intereſt, corrupt bargaines, ſhift, or cheuiſance, ne yet ſhall extend to any recouery, fine, feoffement, releaſe, confirmation, or grant made, or to be made vpon condition with a true intent, other than to ſuch recoueries, fines, feoffements, releaſes, confirmations, and grants as ſhall be made vpon condition extending to vſury, intereſt, corrupt bargaines, ſhifts, or cheuiſance: Any thing in this Statute conteined, or any Law, Statute, or Ordinance heretofore had, vſed, or made to the contrary notwithſtanding. Stat. 5. *Ed.* 6. 20. 13. *Eliz.* 8. 31. *Eliz.* 5. 39. *Eliz.* 18. 21. *Iac.* 17.

Cap. X.

If any perſon ſhall deuiſe or make any writing, compriſing that another hath ſpoken or committed high Treaſon, and the ſaid writing ſhall caſt or leaue in an open place whereby it may be found, and ſhall not ſubſcribe his name to the ſame, and within xij. dayes after perſonally appeare before the King or his Councell, and affirme the contents of the ſame to be true, then he ſhall be adiudged a felon. REP. 1. *Ed.* 6. 12.

Cap. XI.

Euery perſon which ſhall be owner of Combe Mariſhes, in the pariſh of Eaſt Greenwich in the County of Kent, ſhall be contributory towards the reparation of the ſaid mariſhes from time to time, after the rate of the acre, as other owners be charged. And when any tax ſhall be made, it ſhall be lawfull to the expenditors and collectors, or one of them, to diſtraine the goods of ſuch perſons which ſhall refuſe to pay after that rate, and the ſame diſtreſſe to retaine, and vſe according to the lawes of Romney Marſh. PR.

Cap. XII.

In what manner they ſhall be puniſhed who refuſe to pay Tithes, due to be payed in London.

WHere of late time contention, ſtrife, and variance, hath riſen and growen within the City of London and the liberties of the ſame, betweene the Parſons, Vicars, and Curates of the ſaid City, and the Citizens and inhabitants of the ſame, for and concerning the payment of Tithes, oblations, and other duties within the ſaid City and liberties. For appeaſing whereof, a certaine order and decree was made thereof by the moſt Reuerend Father in God Thomas Archbiſhop of Canterbury, Metropolitane, and Primate of all England, Thomas Audeley Knight Lord Audeley of Walden, and then Lord Chancellor of England now deceaſed, & other, of the Kings Maieſties moſt honourable priuy Councell, and alſo the Kings Letters patents and Proclamation was made thereof and directed to the ſaid Citizens concerning the ſame, whereupon it was after enacted in the Parliament holden at Weſtminſter by prorogation the fourth day of February, in the xxvij. yeere of the Kings Maieſties moſt noble reigne by authority of the ſame Parliament, that the Citizens and inhabitants of the ſame City ſhould at Eaſter then next comming, pay vnto the Curates of the ſaid City and Suburbes, all ſuch and like ſummes of money for Tithes, Oblations, and other duties, as the ſaid Citizens and inhabitants by the order of the ſaid late Lord Chancellor and other of the Kings moſt honourable Councell and the Kings ſaid Proclamation, payed or ought to haue payed by force and vertue of the ſaid order at Eaſter, which was in the yeere of our Lord God M. D. XXXV. and the ſame payments ſo to continue from time to time, vntill ſuch time as any other order or law ſhould be made, publiſhed, ratified, and confirmed by the Kings Highneſſe, and the two and thirty perſons by his Grace to be named as well for the full eſtabliſhment concerning the payment of all Tithes, Oblations, and other duties of the Inhabitants within the ſaid City, Suburbes, and Liberties of the ſame, as for the making of other Eccleſiaſticall Lawes of this Realme of England, and that euery perſon denying to pay, as is aforeſaid, ſhould by the commandement of the Mayor of London for the time being, be committed to priſon, there to remaine vntill ſuch time as hee or they ſhould

A rehearſall of the Stat. of 27. H. 8. 21. concerning the payment of Tithes in London.

haue agreed with the Curate, or Curates for their ſaid tithes, oblations, and other duties, as is aforeſaid, as in the ſaid Act more plainly appeareth: Sithen which Act diuers variances, contentions, and ſtrifes are newly riſen and growen betweene the ſaid Parſons, Vicars, and Curates, and the ſaid Citizens and inhabitants touching the payment of their tithes, oblations, and other duties, by reaſon of certaine words and termes ſpecified in the ſaid order, which are not ſo plainly and fully ſet forth, as is thought conuenient and meet to be: for appeaſing whereof, as well the ſaid Parſons, Vicars, and Curates, as the ſaid Citizens and inhabitants haue compromitted and put themſelues to ſtand to ſuch order and decree touching the premiſſes, as ſhall be made by the ſaid right reuerend Father in God Thomas Archbiſhop of Canterbury, Metropolitane and Primate of England, the right honourable Sir Thomas Wryotheſly Knight Lord Wryotheſly and Lord Chancellor of England, the right honourable Thomas Duke of Norff. Lord Treaſurer of England, the right honourable Sir William Pawlet Knight, Lord Saint Iohn, Lord Preſident of the Councell, and Lord great Maſter of the Kings moſt honourable houſhold, the right honourable Sir Iohn Ruſſell Knight Lord Ruſſell, and Lord Priuy Seale, the right honourable Edward Earle of Hertf. Lord great Chamberlaine of England, the right honourable Iohn Viscount Liſle high Admirall of England, Sir Richard Liſter Knight chiefe Iuſtice of England, Sir Edward Mountague Knight chiefe Iuſtice of the common Bench at Weſtminſter, and Sir Roger Cholmeley Knight, chiefe Baron of the Eſchequer, for a finall end and concluſion to be had and made touching the premiſſes for euer. And to the intent to haue a full peace, and perfect end betweene the ſaid parties, their heires, and ſucceſſors, touching the ſaid tithes, oblations and other duties for euer: Be it enacted by authority of this preſent Parliament, That ſuch end, order, and direction, as ſhall be made, decreed, and concluded by the forenamed Archbiſhop, Lords, and Knights, or any ſix of them, before the firſt day of March next enſuing, of, for, and concerning the payments of the tithes, oblations, and other duties within the ſaid City, and the liberties of the ſame, and enrolled in the Kings high Court of Chancery of Record, ſhall ſtand, remaine, and be as an Act of Parliament, and ſhall bind as well all Citizens and inhabitants of the ſaid City and liberties for the time being, as the ſaid Parſons, Vicars, Curates, and their ſucceſſors for euer, according to the effect, purport, and intent of the ſaid order and decree, ſo to be made and enrolled. And that euery perſon denying to pay any of his or their tithes, oblations, or other duties contrary to the ſaid Decree ſo to be made, ſhall by the commandement of the Mayor of London for the time being, and in his default or negligence, by the Lord Chancellor of England for the time being, be committed to priſon, there to remaine till ſuch time as he or they haue agreed with the Curate and Curates for his or their ſaid Tithes, Oblations, and other duties, as is aforeſaid.

Arbitrators choſen betweene the Parſons, Vicars, and Curates of London, and the Citizens and Inhabitants of the ſame touching the payment of Tithes.

The penalty of them which refuſe to pay their Tithes according to the Arbitrators decree.

The DECREE.

London.

AS touching the payments of Tithes in the City of London, and the liberties of the ſame: It is fully ordered and decreed by the moſt Reuerend Father in God, Thomas Archbiſhop of Canterbury, Primat and Metropolitan of England, Thomas Lord Wriotheſly, Lord Chancellor of England, William Lord Saint Iohn, Preſident of the Kings Maieſties Councell, and Lord great Maſter of his Highneſſe houſhold, Iohn Lord Ruſſell, Lord priuy Seale, Edw. Earle of Hertford, Lord great Chamberlaine of England, Iohn Vicount Liſle, high Admirall of England, Richard Liſter Knight, chiefe Iuſtice of England, and Roger Cholmley Knight, chiefe Baron of his Graces Eſchequer, this preſent xxiiij. day of February, Anno Domini ſecundum curſum & computationem Eccleſiæ Anglicanæ, milleſimo quingenteſimo quadrageſimo quinto, according to the Statute in ſuch caſe lately prouided. That the Citizens and Inhabitants of the ſaid City of London, and liberties of the ſame, for the time being, ſhall yeerely without fraud or couin for euer pay their Tithes to the Parſons, Vicars, and Curats of the ſaid City, and their ſucceſſors for the time being, after the rate hereafter following, that is to wit: Of euery ten ſhillings rent by the yeere, of all and euery houſe and houſes, ſhops, warehouſes, cellars, and ſtables, and euery of them within the ſaid City and liberty of the ſame, ſixteene pence ob. And of euery twenty ſhillings rent by yeere of all and euery ſuch houſe and houſes, ſhops, warehouſes, cellars, and ſtables, and euery of them within the ſaid City and Liberties, two ſhillings nine pence. And ſo aboue the rent of twenty ſhillings by yeere, aſcending from ten ſhillings to ten ſhillings, according to the rate aforeſaid.

Parſons, Vicars, Curates, Tithes.

Item, that where any leaſe is, or ſhall be made of any dwelling houſe or houſes, ſhops, warehouſes, cellars, or ſtables, or of any of them, by fraud or couin, reſeruing leſſe rent than hath beene accuſtomed, or is, or that any ſuch Leaſe ſhall be made without any rent reſerued vpon the ſame, by reaſon of any fine or income payed before hand, or by any other fraud or couin: That then in euery ſuch caſe the tenant or farmer, tenants or farmers, thereof, ſhall pay for his or their tithes of the ſame, after the rate aforeſaid, according to the quantity of ſuch rent or rents, as the ſame houſe or houſes, ſhops, warehouſes, cellars, or ſtables, or any of them were laſt letten for, without fraud or couin, before the making of ſuch Leaſe.

Item, that euery owner or owners, inheritor or inheritors of any dwelling houſe, or houſes, ſhops, warehouſes, Cellars, or Stables, or any of them within the ſaid City and liberties, inhabiting, or occupying the ſame himſelfe, or themſelues, ſhall pay after ſuch rate or tithe, as is aboueſaid, after the quantity of ſuch yéerely rent as the ſame was laſt letten for, without fraud or couin.

Leaſes.

Item, if any perſon or perſons haue taken, or hereafter ſhall take any Meaſe or Manſion place by Leaſe, and the taker or takers thereof, his or their executors or aſſignes, doth or ſhall inhabit in part thereof, and haue or hath within eight yéeres laſt paſt before this order, or hereafter will or ſhall let out the reſidue of the ſame: That then in ſuch caſe the principall farmor or farmors, or firſt taker or takers thereof, his or their executors or aſſignes, ſhall pay his or their tithes after the rate aforeſaid, according to his or their quantity therein, and that his or their Executors, aſſignée or aſſignees, ſhall pay his or their tithes after the rate aboueſaid, according to the quantity of his or their rent by yéere.

And that if any perſon or perſons haue, or ſhall take diuers manſion houſes, ſhops, warehouſes, cellars, or ſtables in one leaſe, and letteth, or ſhall let out one or moe of the ſaid houſes, and kéepeth, or ſhall kéepe one or moe in his or their owne hands, and inhabiteth or inhabite in the ſame: that then the ſaid taker or takers and his or their Executors or Aſſignes ſhall pay his or their tithes after the rate aboueſaid, according to the quantity of the yéerely rent of ſuch Manſion houſe or houſes, retained in his or their hands. And that his aſſignée or aſſignées of the reſidue of the ſaid Manſion houſe or houſes, ſhall pay his or their tithes after the rate aboueſaid, according to the quantity of their yéerely rents.

Item, if ſuch farmer or farmors, or his or their Aſſignes of any manſion houſe or houſes, warehouſes, ſhops, cellars, or ſtables, hath at any time within eight yéeres laſt paſt, or ſhall hereafter let ouer all the ſaid Manſion houſe or houſes conteined in his or their Leaſe, to one perſon, or to diuers perſons: That then the inhabitants, leſſées, or occupiers of them, and euery of them, ſhall pay their tithes, after the rate of ſuch rents, as the inhabitants, leſſées, or occupiers and their Aſſignée or aſſignées haue béene or ſhall be charged withall, without fraud or couin.

Item, if any dwelling houſe within eight yéeres laſt paſt, was or hereafter ſhall be conuerted into a warehouſe, ſtorehouſe, or ſuch like, or if a warehouſe, ſtorehouſe, or ſuch like, within the ſaid eight yéeres, was, or hereafter ſhall be conuerted into a dwelling houſe: That then the occupiers thereof ſhall pay tithes for the ſame, after the rate aboue declared of manſion houſe rents.

Item, that where any perſon ſhall demiſe any Diehouſe, or Brewhouſe, with implements conuenient, and neceſſary for dying or brewing, reſeruing a rent vpon the ſame, as well in reſpect of ſuch implements as in reſpect of ſuch Diehouſe, or Brewhouſe: That then the tenant ſhall pay his tithes after ſuch rate as is aboueſaid, the third peny abated. And that euery principall houſe or houſes, with Key or Wharfe, hauing any Crane or gibet belonging to the ſame, ſhall pay after the like rate of their rents, as is aforeſaid, the third peny abated. And that other Wharfes belonging to houſes hauing no Crane or Gibet, ſhall pay for his tithes as ſhall be payed for manſion houſes, in forme aforeſaid.

Item, that where any Manſion houſe with a Shop, Stable, Warehouſes, wharfe with Crane, Timberyard, Teinteryard, or garden belonging to the ſame, or as parcell of the ſame is or ſhal be occupied together, that if the ſame be hereafter ſeuered or diuided, or at any time within eight yéeres laſt paſt were ſeuered or diuided: That then the farmer or farmors, occupier or occupiers thereof, ſhall pay ſuch Tithes as is aboueſaid, for ſuch Shops, Stable, Warehouſes, Wharfe with Crane, Timberyard, Teinteryard, or garden aforeſaid, ſo ſeuered or diuided after the rate of their ſeuerall rents thereupon reſerued.

Item, that the ſaid Citizens and inhabitants ſhall pay their Tithes quarterly, that is to ſay, at the Feaſt of Eaſter, the Natiuity of Saint John Baptiſt, the Feaſt of Saint Michael the Archangell, and the Natiuity of our Lord, by euen portions.

Item, that euery Houſeholder, paying ten ſhillings rent, or aboue, ſhall for him, or herſelfe be diſcharged of their foure offering dayes: But his wife, children, ſeruant, or others of their family, taking their rights of the Church at Eaſter, ſhall pay two pence for their foure offering dayes yéerely.

Prouided alwayes, and it is decréed, that if any houſe or houſes which hath béene, or hereafter ſhall be letten for ten ſhillings rent by yéere, or more, be, or hath at any time within eight yéeres laſt paſſed, or hereafter ſhall be diuided and leaſed into ſmall parcels or members, yéelding leſſe yéerely rent than ten ſhillings by yéere: That then the owner or owners, if hee or they dwell in any part of ſuch houſe, or elſe the principall Leſſée and Leſſées, if the owner or owners doe not dwell in ſome part of the ſame, ſhall from henceforth pay for his or their tithes after ſuch rate of rent, as the ſame houſe was accuſtomed to be letten for, before ſuch diuiſion or diuiding into parts or members: And the vnderfarmer and farmers, leſſée and leſſées, to be diſcharged of all Tithes for ſuch ſmall parcels, parts or members, rented at leſſe yéerely rent than ten ſhillings by yéere without fraud or couin, paying two pence a péece yéerely for their foure offering dayes.

Prouided alway, and it is decreed, that for ſuch gardens as appertaine not to any manſion houſe, and which any perſon or perſons holdeth or ſhall hold in his or their hands for pleaſure, or to his owne vſe: that the then perſon ſo holding the ſame, ſhall pay no tithes for the ſame. But if any perſon or perſons, which holdeth, or ſhall hold any ſuch garden, containing halfe an acre or more doth or ſhall make any yeerely profit thereof by way of ſale: That then he or they ſhall pay tithes for the ſame, after ſuch rate of his rent, as is herein firſt aboue ſpecified.

Prouided alſo, that if any ſuch gardens now being of the quantity of halfe an acre, or more, be hereafter by fraud or couin diuided into leſſe quantity or quantities, than to pay tithe according to the rate aboue ſaid.

Prouided alway, that this decree ſhall not extend to the houſes of great men, or noble men, or noble women, kept in their owne hands, and not letten for any rent, which in times paſt hath payed no tithes, ſo long as they ſhall ſo continue vnletten. Nor to any Halles of Crafts or Companies, ſo long as they be kept vnletten, ſo that the ſame Hals, in times paſt haue not vſed to pay any tithes.

Prouided alwayes, and it is decreed, that this preſent order and decree, ſhall not in any wiſe extend, to bind or charge any ſheds, ſtables, cellars, timberyards, ne teinteryards, which were neuer parcell of any dwelling houſe, ne appertaining or belonging to any dwelling houſe, ne haue accuſtomed to pay any tithes: but that the ſaid Citizens and inhabitants ſhall thereof be quit of payment of any tithes, as it hath beene vſed and accuſtomed.

Prouided alſo, and it is decreed, that where leſſe ſumme than after ſixteene pence halfe peny in the ten ſhillings rent, or leſſe ſumme than two ſhillings nine pence in the twenty ſhillings rent, hath beene accuſtomed to be payed for tithes: That then in ſuch places the ſaid Citizens and inhabitants ſhall pay but only after ſuch rate as hath beene accuſtomed.

Item, it is alſo decreed, that if any variance, controuerſie, or ſtrife, doe or ſhall hereafter ariſe in the ſaid City for non payment of any tithes: or if any variance or doubt ariſe vpon the true knowledge or diuiſion of any rent or tithes, within the liberties of the ſaid City, or of any extent or aſſeſſement thereof, or if any doubt ariſe vpon any other thing conteined within this decree: That then vpon complaint made by the party grieued to the Maior of the City of London for the time being, the ſaid Maior by the aduice of Counſell, ſhal call the ſaid parties before him, and make a finall end in the ſame with coſts to be awarded by the diſcretion of the ſaid Maior and his aſſiſtants, according to the intent and purport of this preſent decree.

And if the ſaid Maior make not an end thereof within two moneths after complaint to him made, or if any of the ſaid parties finde themſelues agrieued: that then the Lord Chancellor of England for the time being, vpon complaint to him made within three moneths then next following, ſhall make an end in the ſame, with ſuch coſts to be awarded as ſhall be thought conuenient, according to the intent and purport of the ſaid decree.

Prouided alwayes, that if any perſon or perſons take any tenement for a leſſe rent than it was accuſtomed to be letten for, by reaſon of great ruine or decay, brenning, or ſuch like occaſions or miſfortunes: That then ſuch perſon or perſons, his executors or aſſignes, ſhall pay tithes only after the rate of the rent reſerued in his or their leaſe and none otherwiſe, as long as the ſame leaſe ſhall endure.

CAP. XIII.

A Repeale of the Stat. 34. *H.* 8. 6. ordeined for the making of pins.

CAP. XIIII.

There ſhall be a Corporation or body politike, of two perſons to be called for euer the maſters or keepers of the Peere, or key of Scarborough in the County or Yorke, who ſhall haue authority to gouerne the workes of the ſame Key, or Peere, to hire workmen, buy ſtuffe, and make prouiſion for euery thing thereunto belonging, which ſhall receiue yeerely of euery owner of any Meſſuages, Lands, Tenements, and Hereditaments, or Rents within the liberties of Scarborough, the fifth part of the yeerely value of the ſame, towards the reparation of the ſaid Peere. For the which the ſaid maſters or keepers may deſtraine. PR.

CAP. XV.

No perſon, other than Merchants of the Staple, and their Factors and ſeruants, to be ſhipped only to the Staple: and other than ſuch as ſhall conuert the ſame into Yarne, Hats, Girdles or Cloth, (and not to ſell againe) ſhall buy or take promiſe of Bargaine, of any Wools of the growing in the Shires of Kent, &c. or xxvij. Shires, vpon paine of forfeiture of the double value thereof, but euery perſon may bring his owne wooll to the open market, and ſell it. No perſon ſhall buy or bargaine for any wooll, for any Merchant Stranger vpon paine of forfeiture thereof. EXP. Stat. 4. *Ed.* 4. 4. 4. *H.* 7. 11. 22. *H.* 8. 1. 1. *Ed.* 6. 6. 5. *Ed.* 6. 7.

CAP. XVI.

Lands annexed to the Duchy of Lancaſter, and certaine lands exchanged by the King and others, and the Biſhop of London.

The lands of the Kings Duchy of Lancaſter greatly diminiſhed.

The Manor of Rippon in the County of Yorke, ſometime parcell of the poſſeſſions of the Archbiſhop of Yorke.

The Wacchary in the foreſt of Aſhedoune in Suſſex.

Certaine parcels of Lands lying within ſome of the K. Parkes that be no parcell of the Duchy.

The Manor of Rippon, the Waccary, &c. annexed to the Duchy of Lancaſter.

THe King our Soueraigne Lord, conſidering and regarding the eſtate of his Duchy of Lancaſter, being one of the moſt Princelieſt and ſtatelieſt peeces of his Graces ancient inheritance, and perceiuing that the poſſeſſions and yeerely reuenues thereof, haue beene of late greatly diminiſhed, aſwell by reaſon of ſundry gifts, grants, and ſales, made by his Highneſſe, as by reaſon of ſundry exchanges made betweene his Maieſty, and diuers his louing Subiects, of diuers manors, lands, tenements, poſſeſſions, and hereditaments, lately belonging to the ſame: and the manors, lands, tenements, poſſeſſions, and hereditaments, being aſſured to his Highneſſe in recompence of the ſaid exchanges, be not annexed vnto his ſaid Duchy, but beene in the order and gouernance of his Courts appointed for the ſame manors, lands, tenements, and hereditaments, ſo by his Highneſſe taken and receiued in exchange: And where his Maieſty is now lawfully ſeiſed in his demeane, as of fee, of and in the Lordſhip and Manor of Rippon, in the County of Yorke, with all the manors, lands, tenements, hereditaments, members, profits and commodities, to the ſame belonging, or in any wiſe reputed, vſed or taken, as part, parcell, or member of the ſame. And of all royalties, liberties, franchiſes, iuriſdictions, and preheminences whatſoeuer they be there vſed, or in any wiſe to be exerciſed in, vpon, or by reaſon of the ſame Lordſhip, or any part or parcell thereof: all which were late of the poſſeſſions of the moſt reuerend Father in God, Robert Archbiſhop of Yorke, or of his late predeceſſor, as parcell of the poſſeſſions belonging to the Archbiſhoprick of Yorke: And whereas alſo the ſame our Soueraigne Lord, is now lawfully ſeiſed in his demeane, as of fee, of, and in one parcell of Land, called the Warchary, containing by eſtimation lx. acres more or leſſe, ſet, lying and being within the limits and bounds of the Foreſt of Aſhedoune, in the County of Suſſex, which parcell of Land was late parcell of the poſſeſſions of the late diſſolued Priory or Monaſtery of Michallame, in the ſaid County of Suſſex: And where alſo the Kings Highneſſe is ſeiſed of, and in diuers Parkes, as in the right of his Duchy, and as parcell of the poſſeſſions belonging to the ſame: And alſo of, and in diuers and ſundry parcells of lands, tenements and hereditaments, lying within the precinct, circuit, and compaſſe of the ſaid Parkes, which at this preſent are not parcell of the ſaid Duchy, ne of the poſſeſſions belonging to the ſame: his Highneſſe minding and intending the preſeruation, aduancement, maintenance and continuance of the ancient and honourable eſtate of his ſaid Duchy, is fully determined, reſolued, pleaſed and contented to aſſigne the ſaid Manor of Rippon, and all the other premiſſes to the ſaid Duchy. Wherefore be it enacted by the Kings Highneſſe, with the aſſent of the Lords Spirituall and Temporall, and of the Commons in this preſent Parliament aſſembled, and by the authority of the ſame: that the ſaid Lordſhip and Manor of Rippon, in the ſaid County of Yorke, and all manors, lands, tenements, poſſeſſions, hereditaments, members, profits and commodities, belonging to the ſame, or in any wiſe reputed, vſed or taken as part, parcell or member of the ſaid Manor of Rippon: and all royalties, liberties, franchiſes, iuriſdictions and preheminences whatſoeuer they be there vſed, or in any wiſe to be vſed, taken, or exerciſed, in, vpon, or by reaſon of the ſame Lordſhip, and Manor of Rippon, and other the premiſſes, or, in, vpon, by reaſon of any part or parcell thereof, which were late of the poſſeſſions of the ſaid Archbiſhop of Yorke, or of his ſaid predeceſſors, as parcell of the poſſeſſions of the ſaid Archbiſhopricke: and alſo the ſaid parcell of Land, called the Waccary, lying and being, within the limits and bounds of the ſaid Foreſt of Aſhdoune, in the ſaid County of Suſſex, with the appurtenances: and all the lands, tenements, poſſeſſions, and hereditaments, which his Highneſſe now hath in poſſeſſion, reuerſion, remainder, ſeruice, or in vſe of any eſtate of inheritance, not being parcell of the poſſeſſion, belonging to the ſaid Duchy, and which beene lying or being within the precinct, circuit, or compaſſe of any of the ſaid Parkes, as wholly and entirely, and in as ample and large manner and forme, and with the ſame and like commodities, royalties, franchiſes, liberties, priuileges, preheminences and iuriſdictions, as they came, to the hands and poſſeſſion of the ſame our Soueraigne Lord the King, or to any other, to his Highneſſe vſe and behoofe, and in as ample and large manner, forme and condition as they now beene, or owen to be in his Maieſties hands and poſſeſſion, be, and ſhall be from henceforth vnited and annexed vnto his ſaid Duchy of Lancaſter, and to be adiudged, deemed and taken, for and as parcell and member of the ſaid Duchy of Lancaſter, and ſhall be of the ſame nature, kind, quality, and condition, to all intents, conſtructions and purpoſes, as other the ancient poſſeſſions of the ſaid Duchy, lying and being out of the County Palatine of Lancaſter, be, and ought to be, and ſhall be in the letting, ſetting, order, rule, ſuruey, receipt and gouernance of the Chancellor, Councell, and Officers of the ſaid Duchy of Lancaſter, for the time being, for euermore, in like, and the ſame manner and forme, to all intents and purpoſes, as other the ſaid ancient poſſeſſions, of, or belonging to the ſame Duchy lying and being out of the ſaid County Palatine now beene, haue beene or owen to be: and that as well the ſaid Lordſhip and Manor of Rippon, and the other premiſſes as all other Lordſhips, Manors, Lands, Tenements, Poſſeſſions, and Hereditaments, which haue béene heretofore, by our ſaid Soueraigne Lord the King, or by any of his moſt noble Progenitors, annexed, vnited, aſſigned, or appointed, to the ſaid Duchy, by Act of Parliament, bill aſſigned, Letters Patents; or other lawfull meanes, which be not as yet giuen, granted, ſold, or exchanged by the Kings Highneſſe, or any of his noble Progenitors, or otherwiſe ſeuered or diuided from the ſaid Duchy, and béene ſet, lying, and being, out of the ſaid County Palatine of Lancaſter. And all and ſingular gifts, grants, leaſes, Letters Patents, and writings thereof, or of any parcell thereof to be made by the Kings Highneſſe, his Heires, or Succeſſors, ſhall for euermore paſſe, and be made vnder the Seale of the ſaid Duchy, and not vnder any other Seale, or otherwiſe, and with the like and the ſame liuery of ſeiſon, attournements, ceremonies, orders, and circumſtances in the law, and in the ſame maner and forme, as other the ancient poſſeſſions of the ſaid Duchy, lying and being out of the ſaid County Palatine of Lancaſter, and the Letters patents, Charters and writings thereof, heretofore made, haue vſed and ought to be made and paſſed, and not otherwiſe, nor in any other manner or forme: any Act of Parliament made concerning the eſtabliſhment and erection of the Court of the Augmentations of the Reuenues of the Kings Crowne, or concerning in any wiſe the ſaid Court of Augmentations, or any Lands, Tenements, or hereditaments, liberties, iuriſdictions, or preeminences, or other thing whatſoeuer limited or appointed to be in the order, ſuruey, gouernance, or diſpoſition of the ſame Court of Augmentations, or any Law, Act, ſtatute, vſage, or Cuſtome to the contrary hereof, in any wiſe notwithſtanding. And that as well all and ſingular Lordſhips, manors, lands, tenements, poſſeſſions, and hereditaments, which by this act be annexed, vnited, aſſigned, and appointed to the ſaid Duchy, as alſo all other manors, lands tenements, poſſeſſions, and Hereditaments, which at any time heretofore haue béene, by our ſaid Soueraigne Lord the Kings Highneſſe, or by any of his moſt noble progenitors, annexed, vnited, aſſigned, or appointed to the ſaid Duchy, by Act of Parliament, bill aſſigned, letters patents, or other lawfull meanes, whereof the Officers and Miniſters of the ſaid Duchy, or any of them doe at this day receiue the profits to the Kings vſe, and which be not as yet giuen, granted, bargained, ſold, exchanged, or otherwiſe put away, diuided, or ſeuered from the ſaid Duchy, and being ſet, lying, and being within the ſaid County Palatine of Lancaſter. And all and ſingular gifts, grants letters patents and writings thereof, or of any part or parcell thereof, to be made by the Kings Highneſſe, his heires or ſucceſſors, ſhall for euermore paſſe, and be made vnder the ſeale of the County Palatine of Lancaſter; and not vnder or by any other ſeale, or otherwiſe, and with the like and the ſame orders, ceremonies and circumſtances in the law, and in the ſame manner and forme, as other the ancient poſſeſſions of the ſaid Duchy, lying and being within the ſaid County Palatine of Lancaſter, hath béen had, vſed and made, and the Letters patents, Charters and writings thereof heretofore made, haue vſed and owen to bée paſſed and made, and not otherwiſe, nor in any other manner or forme. And that aſwell all and ſingular the ſaid manors, lands, tenements, and other the premiſſes now annexed and aſſigned to the ſaid Duchy by this Act, as all other manors, lands, tenements, and poſſeſſions heretofore aſſigned by our ſoueraign Lord, or by any of his moſt noble progenitors, to the ſaid Duchy, whereof the Officers and miniſters of the ſaid Duchy, or any of them, receiue the profits at this day, to the Kings graces vſe, lying or being within the ſaid County Palatine of Lancaſter, and being not ſold, granted, bargained, giuen, exchanged or otherwiſe departed fro, diuided or ſeuered from the ſaid County Palatine, ſhall bee of the ſame Nature, Quality, and condition, to all intents, Conſtructions, and Purpoſes in the Law, as other the auncient Poſſeſſions of the ſaid Duchy, lying or being within the ſaid County Palatine of Lancaſter, béene, owen, and haue vſed to be: any Law, Act, Statute, cuſtome or vſage, to the contrary thereof in anywiſe notwithſtanding.

The land aſſured to the Duchy ſhall paſſe vnder the Duchy ſeale, and by liuery, atturnement & other ceremonies. 2.& 3.P.& M.10.

And bee it further enacted, by the authority aforeſaid, that all the rents, reuenues, iſſues, and profits, which haue riſen, comen and growen of the ſaid Manor or Lordſhip of Rippon, and of all other manors, lands, tenements, hereditaments, members, profits and commodities to the ſame belonging, or in any wiſe reputed, taken or vſed, as part, parcell, or member of the ſame. And of all liberties, franchiſes, iuriſdictions and preeminences, vſed or exerciſed, in, vpon, or by reaſon of the ſame, or any part thereof, ſithen ſuch time as the inheritance of the ſame firſt came to the Kings hands, or poſſeſſion, ſhalbe taken, receiued, collected, and accompted, by the officers & Miniſters of the ſaid Duchy, in ſuch maner and forme, as other rents, reuenues and profits, of other lands, tenements, and hereditaments, belonging to the ſaid Duchy, haue vſed to be taken, receiued, collected and accompted for: any law, ſtatute, vſage or cuſtome to the contrary thereof in any wiſe notwithſtanding.

The Manor of Rippon with all lands, &c. belonging to the ſame ſhalbe in the order of the officers of the Duchy.

And where the reuerend Father in GOD, the Archbiſhop of Yorke now being, for and in conſideration of diuers Lands, Tenements, Rectories and other hereditaments, giuen, granted, and aſſured by the Kings Highneſſe, to the ſaid Archbiſhop and his ſucceſſors, Archbiſhops of Yorke, and for diuers other good conſiderations and intents, hath by his Indenture, enrolled of Record, bargained, ſold, giuen and granted to the Kings Highneſſe, the ſaid Manor of Rippon, with the appurtenances, and the manors of Sharow Stanley, Rippenholme, Colſtakeſhill, Pe-

Seuerall Manors & lands aſſured by the Archbiſhop of Yorke to the K. & his heires for other Lands.

nicroſte, Caſtledike, Whitecliffe, Thorpe, Monketon, Thorneton, Netherdale, Biſhopſide Shornborne, Milford, Biſhopplaches, Patrington, Charethorpe, Fiſmake, Halgarth, Gougton, Wetwang, Wilton, Wilton, Epi, Topcliff, Thirſk, Aſcenby, Griſchwaite, Difford, Kenton, Newby, Skiptō, Catton, Northby, Whaplowe, Maſke, Upletheme, Aiton, Dalton, Crakhall, Ecrelcton, Hexam, Erington, Walle, Atome, Halidon, Kepwike, Grouerige, Kenelegh, Eſcalwent, Cadden, Minibinros, Weſcalland, Newland, Scroby, Rauenneſkeld, Lanome, Aſkham, Sutton, Northſoke, Chuchedoune, Huekilcote, Norton, Shurdington, Widcombe, Cherney, Compton, Odington, and Glocester with all and ſingular their members and appurtenances, in the ſeuerall Counties of Yorke, Northumberland, Gloceſter, and in the County of the City of Gloceſter, and diuers other manors, lands, tenements, aduouſons, patronages, gifts, and nominations of Hoſpitals, Prebends, Churches, Chantries, Fréechappels, and other ſpiritual promotions, and diuers royalties, iuriſdictions, preheminences, franchiſes, liberties, and other hereditamēts, with their members and appurtenances, all which manors, lands, tenements and the other premiſſes did lately belong to the ſaid Archbiſhoprick of Yorke: to haue and to hold the ſame to the Kings highneſſe, his heires and ſucceſſors for euer, as by the ſame indenture, bearing date the ſixth day of February, in the ſix and thirtith yéere of the kings moſt gracious raigne, it doth moſt plainly appeare.

All the foreſaid Lands aſſured to the King againſt the Archbyſhop, and the Deane & Chapter of Yorke.

And to the intent that the Kings highneſſe may be perfectly aſſured, of all and ſingular the ſaid manors, lands, tenements, poſſeſſions and other the premiſſes, ſo aſſigned to his highneſſe, by the ſaid Indenture: be it ordeined, enacted, and eſtabliſhed by the King our Soueraigne Lord, with the aſſent of the Lords ſpiritual and temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that the Kings highneſſe, his heires and ſucceſſors, ſhal haue, hold and enioy the ſaid manor of Rippon, and all the ſaid manors, meſes, lands, tenements, rents, reuerſions, ſeruices, roialties, liberties, franchiſes, iuriſdictions, preheminences and other hereditaments, with all and ſingular the appurtenances, and all other manors, lands, tenements and hereditamēts, being ſo giuen, granted, limited or appointed to the Kings highneſſe by the ſaid Indenture, cléerly and fréely, in what Country or places ſoeuer they béene ſet, lying or being, as wel againſt the ſaid Archbiſhop and his ſucceſſors, as againſt the Deane and Chapiter of the Cathedral Church of Yorke, and their ſucceſſors, and euery of them, by what name or names, or corporations they be incorporat, had, called or reputed: any law, ſtatute, or cuſtome, or other thing to the contrary hereof had or made, notwithſtanding.

And where alſo the reuerend Father in God, Thomas Archbiſhop of Canterbury, and Primate of England, by diuers ſufficient déeds and góod conueiances, confirmed by the Deane and Chapiter of the Cathedrall, and Metropolitical Church of Chriſt Church of Canterbury, aſwel in conſideratiō of diuers other manors, lands, tenements, hereditaments to him & his ſucceſſors, to be giuen and granted by our ſaid Soueraigne Lord, as for other góod conſiderations, hath giuen & granted to our ſaid Soueraigne Lord, the manors of Charing and Layborne and the Caſtell of Layborne, view of Frankplege at Calehill, to be holden of all the Tenants, and reſiants within the ſaid Manor of Charing, together with the Aduouſons and Patronages of the Rectories of the Churches of Charing, Layborne, and Ridley, with all their rights, members and appurtenances, in the County of Kent. And the manors of Maighfield, otherwiſe called Maughfield, the Parkes of Maighfield and Francheham, the Rectories of Maughfield and Wadehurſt, together with the aduouſons and patronages of the Vicarages of Maughfield and Wadehurſt, with all their rights members, and appurtenances, in the County of Suſſex. And the manors of Harrow, otherwiſe called Harrow on the hill, Wodhall, Héeſe, otherwiſe called Hais Hegeſton, otherwiſe called Heſton, and Sudbury, the park called Pinnor parke, the aduouſon & patronage of the parſonage and Vicarage of the Church of Héeſe, with all their Rights, members and appurtenances in the county of Middleſex. And the manor of Tryng, and the aduouſon and patronage of the parſonage and Rectory of the Church of Tryng, with all their rights, members and appurtenances in the County of Hertford: and alſo the aduouſon and patronage of the Parſonage and Church of Halton, in the county of Buckingham. And alſo all other his manors, lands, tenements, rents, reuerſions, ſeruices, courts, léets, viewes of Frankplege, rights, franchiſes, liberties, priuileges, profits commodities, and other hereditaments in Charing and Layborne in the ſaid county of Kent, and in Maighfield, Maughfield, Wadehurſt, Wodhurſt, and Lamberhurſt in the ſaid County of Suſſex: and in Harrow, Woodhall, Héeſe, Hegeſton, Sudbury in the ſaid County of Middleſex, and in Tryng in the ſaid County of Hertford. To haue and to hold the ſaid manors, and all other the premiſſes, to our ſaid Soueraigne Lord, his heires and ſucceſſors for euer: Except and reſerued to the ſaid Archbiſhop and his ſucceſſors, all fines and ameriaments, of all the tenants and reſiants, within the precinct of the ſaid léet or view of Frankplege at Calehil, out of the ſaid manor of Charing.

Generall lands aſſured by the Archbiſhop of Canterbury to the King, his heires, &c.

A confirmation of the ſame Aſſurance.

For his Highneſſe further and more perfect aſſurance, to be had and made, of, and in the ſaid Manors, and other the premiſſes: Be it enacted by the authority aforeſaid, that the Kings Highneſſe, our ſaid Soueraigne Lord, his heires and ſucceſſors, ſhall haue, hold, and enioy the ſaid Manors of Charing and Laiborne the Caſtle of Laiborne, view of Frankplege at Calehill, to be holden of all Tenants, and Reſiants within the ſaid Manor of Charing, and the Aduouſons and patronages of the rectories and Churches of Charing, Laiborn, and Ridley in the ſaid county of Kent. And the ſaid manors of Maighfeild, otherwiſe called Maughfield, the Parks of Maughfield and Frankeham, the rectories of Maughfield and Wadehurſt, the Aduouſons and Patronages of of the Vicarage of Maighfield and Wadehurſt in the ſaid County of Suſſex: And the ſaid Manors of Harrow, Woodhall, Heeſe, Hegeſton, Sudbury, the Parke called Pinnor Parke, the Aduouſon and patronage of the Parſonage and vicarage of the Church of Heeſe, in the ſaid county of Middleſex. The Manor of Tryng, the Aduouſon and Patronage of the Perſonage and Rectory of the Church of Tryng, in the ſaid County of Hertford: the Aduouſon and Patronage of the Perſonage and Church of Halton, in the ſaid County of Buckingham, with all their Rights Members, Liberties, Franchiſes, Preeminences, and other Hereditaments whatſoeuer, to the ſaid Manors, Rectories, and other the Premiſſes or to any of them belonging, or that haue been accepted, reputed, or taken as part, parcel, or member of the ſaid manors, rectories, or other the premiſſes, or of any of them, or with the ſame, or any of them dimiſed, letten, or occupied, in what Countries and places ſoeuer they, or any of them be ſituate, lying or being: And all other the ſaid Manors, Lands, Tenements, Rents, Reuerſions, Seruices, courts, Leets, Views of Frankeplege, Rights, Franchiſes, Liberties, Priuileges, Profits, Commodities, and other Hereditaments in Charing, and Laiborne, in the ſaid County of Kent, except before excepted, And in Maifield, Maughfield, Wadehurſt, Woodhurſt, and Lamberhurſt in the ſaid County of Suſſex: and in Harrow, Harrow on the Hill, Woodhall, Heeſe, Hais, Hegeſton, Heſton, and Sudbury in the ſaid County of Middleſex, and in Tryng in the ſaid County of Hertford, as well againſt the ſaid Archbiſhop and his Succeſſors, as againſt the Deane and Chapiter of the ſaid Cathedrall and Metropoliticall Church of Canterbury, and their Succeſſors, and euery of them, by what name or names, or Corporations they bee incorporated, had, called, or reputed: any Law, Statute, Cuſtome, or other thing to the contrary hereof had or made notwithſtanding.

And where the reuerend Father in God, Edmond now Biſhop of London, for certaine good recompences and conſiderations, by his deed, dated the third day of September, in the ſeuen and thirtieth yeere of the Kings Maieſties Reigne, hath bargained, ſold, giuen, and granted to the Kings highneſſe, the Manors of Chelmeſford, and Crondon, and the Parke of Crondon, with all and ſingular their and euery their members, rights, and appurtenances ſet, lying, and being in the County of Eſſex, and all ſuch Lands, tenements, rents, ſeruices and hereditaments, as be or haue beene reputed, taken, knowne or accepted as part, parcell, or member of any of the ſaid manors, Parke, and the other premiſſes: to haue and to hold to the Kings Highneſſe, his heires and ſucceſſors for euer, as by the ſame deed more at large it may and doth appeare. By reaſon of which ſaid bargaine the Kings highneſſe was ſeiſed of the ſaid Manors, and the other premiſſes, in his demeſne as of fee: and the Kings highneſſe ſo being ſeiſed, for good conſiderations his Grace mouing, hath by his leters patents, dated the ſecond day of October, in the ſaid ſeuen and thirtieth yeere of his graces raigne, giuen and granted to his truſty Councellor, ſir William Peter Knight, the ſaid manor of Crondon, and the ſaid parke of Crondon, with all the members, rights, and appurtenances, to haue and to hold the ſaid manor & parke of Crondon, with the members, rights, and appurtenances thereunto belonging, to the ſaid ſir William Peter, his heires and aſſignes, to the vſe of the ſaid ſir William Peter, his heires and aſſignes, to hold of the Kings highneſſe, by the ſeruice of the fortieth part of a Knights fee, and yeelding and paying to his highneſſe, his Heires and ſucceſſors yeerly in the Court of Augmentations of the reuenues of his Crowne, ſeuenteene ſhillings and foure pence, in the name of tenths, as by the ſame letters patents, more at large it may and doth appeare.

Certaine Manors and lands aſſured by the Biſhop of London to the king his heires, &c.

And for the more ſurety and ſure making of the premiſſes, bee it ordained and enacted, by the King our Soueraigne Lord, with the aſſent of the Lords Spirituall and Temporall, and of the Comons in this preſent Parliament aſſembled, and by the authority of the ſame, that the Kings highneſſe his heires and ſucceſſors, ſhall haue, hold and enioy for euer, the ſaid Manor of Chelmeſford, with all the members, rights and appurtenances to the ſame belonging. And all ſuch lands, tenements, and hereditaments, as be reputed, taken, knowne or accepted, as part, parcell or member of the ſame Manor of Chelmeſford.

The Manor of Chelmeſford aſſured to the king and his heires.

And be it further enacted by the ſame authority, that the ſaid ſir William Peter, his heires and aſſignes, ſhall haue, hold, and enioy for euer the ſaid Manor of Crondon, the ſaid Parke of Crondon, with all the members, rights, and appurtenances to the ſame Manor and Parke belonging or appertaining: and all ſuch Lands, Tenements, and Hereditaments, as bee reputed, taken, knowne or accepted as Part, Parcell, or Member of the ſame Manor, and Parke of Crondon.

The Manor and Parke of Crondon aſſured to ſir William Peter and his heires.

Sauing to all and euery perſon and perſons, bodies politike and corporate, and to their heires and ſucceſſors, and to the heires and ſucceſſors of euery of them (other than to the ſaid Robert Archbiſhop of Yorke and his ſucceſſors: and the ſaid Deane and Chapiter of the Cathedrall Church of Yorke and their ſucceſſors: and the ſaid Archbiſhop of Canterbury and his ſucceſſors,

A ſauing of the right of others.

and the ſaid Deane and Chapiter of the ſaid Cathedrall Church of Canterbury and their ſucceſſors, and the ſaid Biſhop of London and his ſucceſſors, and the Deane and Chapiter of the Cathedral Church of Saint Paul in London, and their ſucceſſors, and the ſucceſſors of euery of them, all ſuch right, title, claim, intereſt, poſſeſſion, rents charges, annuities, commons, leaſes, fermes, offices, fées, couenants, conditions, bargaines, grants, woodſales, aduantages and profits which they or any of them haue, claime, vſe or demand, or ought, may or might haue had, vſed, claimed, or demanded, into, vpon or out of any the premiſſes, or into, vpon, or out of any part or parcell thereof, in ſuch and the ſame like manner, forme and condition, to all intents and purpoſes, as if this Act had neuer béene had or made.

The lands aforeſaid ſhall be in the order of the Court of Augmentations

Prouided alway, and be it enacted by the authority aforeſaid, that all the ſaid manors, lands, tenements and other hereditaments in this preſent Act mentioned, (not being expreſly appointed to the order, and ſuruey of the ſaid Court of the ſaid Duchy) ſhall be and continue within the onely Suruey, Order and Rule of the Kings Highneſſe Court of the Augmentations of the reuenues of his Graces Crowne: any thing in this Act to the contrary thereof notwithſtanding.

In what Court the Rents ſhall be paid when there is vnity of poſſeſſion in the king in the lāds, and the rents whereunto the ſame haue beene payable.

Prouided alway, and bee it enacted by the ſaid authority, that if any rents, reuenues, or profits heretofore payed, paiable or leuiable for or out of any honours, manors, lands, tenements, or other hereditaments being now, or that hereafter ſhalbe in the ſuruey of any one of the Courts of the Eſchequer, generall Surueyors, Wards and liueries, Duchy of Lancaſter, or the Augmentations of the reuenues of the Kings Crowne, to or by reaſon of any honors, manors, lands, tenements or hereditaments, being now or that hereafter ſhall be in the order, ſuruey or gouernance of any of the ſaid Courts, that euery ſuch rents, reuenues and profits during the vnity of the poſſeſſion thereof in the Kings hands: and ſo long as the ſame ſhall continue and be in the poſſeſſion and ſeiſon of our ſaid ſoueraigne Lord, ſhalbe paied by the officers of the ſaid court, where the ſaid honours, manors, lands, tenements and hereditaments, before they came to the Kings poſſeſſion, were charged with any ſuch rents, reuenues or profits, to the Officers, Bailiffes and other Miniſters of the ſaid Court, hauing the ſuruey of any ſuch honors, manors, lands, tenemēts or other hereditaments, whereunto any ſuch rents, reuenues or profits, before the ſaid vnity of poſſeſſion thereof in the Kings Maieſty were paid or leuiable: any law, ſtatute or other thing to the contrary notwithſtanding.

CAP. XVII.

Doctors of the ciuill law, married or vnmarried, may exerciſe all manner of Eccleſiaſticall Iuriſdiction.

The authority of the King as ſupreme head of the Church.

IN moſt humble wiſe ſhew and declare vnto your Highneſſe your moſt faithfull, humble, and obedient ſubiects, the Lords ſpirituall and Temporall, and the commons of this preſent Parliament aſſembled, that where your moſt royall Maieſty is, and hath alwayes iuſtly béene by the word of God ſupreme head in the earth of the Church of England, and hath ful power and authority, to correct, puniſh, and repreſſe all manner of hereſies, errours, vices, ſinnes, abuſes, idolatries, hypocriſies, and ſuperſtitions, ſprung and growing within the ſame, and to exerciſe all other manner of iuriſdictions, commonly called Eccleſiaſticall iuriſdiction. Neuertheleſſe the Biſhop of Rome and his adherents minding vtterly as much as in him lay to aboliſh, obſcure, and delete ſuch power giuen by God to the Princes of the earth, whereby they might gather and get to themſelues the gouernment and rule of the world, haue in their Counſels and Sinodes prouinciall, made, ordained, eſtabliſhed and decréed diuers ordinances and conſtitutions, that no lay or married man ſhould or might exerciſe or occupy any iuriſdiction Eccleſiaſticall, nor ſhould bée any Iudge, or regiſter in any Court, commonly called Eccleſiaſticall Court, leſt their falſe and vſurped power, which they pretended and went about to haue in Chriſts Church, ſhould decay, wax vile, and be of no reputation, as by the ſaid councels and conſtitutions prouincial appeareth: which ſtanding and remaining in their effect, not aboliſhed by your graces lawes, did ſound to appeare to make greatly for the ſaid vſurped power of the ſaid Biſhop of Rome, and to be directly repugnant to your Maieſty of Supreme head of the Church and prerogatiue royall, your Grace being a lay man.

The cauſe why no married man ſhould exerciſe Eccleſiaſticall iuriſdiction.

25.H 8.19. The Clergy haue no Eccleſiaſticall Iuriſdiction but by and vnder the King.

And albeit the ſaid decrées, ordinances and conſtitutions by a ſtatute made in the fiue and twentieth yéere of your moſt noble raigne, be vtterly aboliſhed, fruſtrate and of none effect: yet becauſe the contrary thereunto is not vſed, nor put in practice by the Archbiſhops, Biſhops, Archdeacons, and other Eccleſiaſticall perſons, who haue no maner of iuriſdiction Eccleſiaſtical but by, vnder, and from your royall Maieſty, it addeth or at the leaſt may giue occaſion to ſome euill diſpoſed perſons, to thinke, and little to regard the procéedings and cenſures Eccleſiaſticall made by your Highneſſe and your Vicegerent, Officials, Commiſſaries, Iudges, and Viſitors, being alſo lay and maried men, to be of little or none effect or force, wherby the people gathereth heart, and preſumption to doe euill, and not to haue ſuch reuerence to your moſt godly Iniunctions and procéedings, as becommeth them.

But for as much as your Maieſty is the only and vndoubted Supreme head of the Church of England,and alſo of Ireland,to whom by holy Scripture all authority and power is wholly giuen to heare and determine all manner cauſes Eccleſiaſtical,and to correct vice,and ſinne whatſoeuer, and to all ſuch perſons, as your Maieſty ſhall appoint thereunto: That in conſideration thereof,aſwell for the inſtruction of ignorant perſons,as alſo to auoid the occaſion of the opinion aforeſaid,and ſetting forth of your Prerogatiue Royall and ſupremacy.

It may therefore pleaſe your Highneſſe, that it may bee ordeined and enacted by authority of this preſent Parliament,that all and ſingular perſons,as well lay,as thoſe that now be married or hereafter ſhalbe married,being Doctors of the ciuill law,lawfully create and made in any Vniuerſity,which ſhalbe made,ordeined,conſtituted and deputed to be any Chancellor, Vicar generall,Commiſſary,Official,Scribe,or Regiſter by your Maieſty or any of your heires or ſucceſſors, or by any Archbiſhop, Biſhop, Archdeacon, or other perſon whatſoeuer hauing authority vnder your Maieſty, your heires and ſucceſſors to make any Chancellor, Vicar generall, Commiſſary,Official,or Regiſter,may lawfully execute and exerciſe all manner of iuriſdiction, commonly called Eccleſiaſticall iuriſdiction, and all cenſures and coercions appertaining or in any wiſe belonging vnto the ſame,albeit ſuch perſon or perſons be lay married or vnmarried, ſo that they be Doctors of the Ciuill Law,as is aforeſaid: any law,conſtitution or ordinance to the contrary notwithſtanding. St.1.& 2.P.& M.8. 1.El.1.

Doctors of the Ciuill law, if they be lay men, being maried,or vnmaried, may exerciſe Eccleſiaſticall iuriſdiction.

Cap. XVIII.

The King during his life,may by his ioynt or ſeuerall Letters patents vnder the great Seale, and proclamation, make the City of Weſtminſter one Honor, the Towne of Kingſton vpon Hull another, his Caſtell of Donington in the County of Berks a third, and Saint Oſith in the County of Eſſex a fourth Honor. And alſo ſo many other Honors as he will, and annex to them ſuch lands of his as he will. The Free-holders and Copy-holders ſhall hold their lands as they did before. Exp.

Cap. XIX.

Fines leuied in Lancaſter are of like force, as fines knowledged before the Iuſtices of the Common pleas.

FOr as much as diuers good and beneficiall ſtatutes for the commodity of the Kings Subiects within this Realme,haue heretofore beene made by authority of Parliament,concerning the leuying of fines with proclamation, both for auoiding of ſtrife, and alſo for the ſurety of the Kings ſubiects,to be had of and in lands, tenements, and hereditaments, by them purchaſed or obtained: which good and beneficiall ſtatutes doe not extend to fines leuied in the County Palatine of Lancaſter.

Be it therefore ordained and enacted by the King our Soueraigne Lord,and the Lords Spirituall and temporall,and the commons in this preſent Parliament aſſembled,and by the authority of the ſame Parliament,that all and ſingular fines,which at any time hereafter ſhalbe leuied or knowledged before the Iuſtices of our ſoueraigne Lord the King,or of his heires or ſucceſſors of the County Palatine of Lancaſter,commonly called Iuſtices of Aſſiſe at Lancaſter,or before one of them,of any lands,tenements,or other hereditaments, lying or being within the County Palatine of Lancaſter,which ſhalbe openly read and proclaimed three ſeuerall daies in the open Seſſions,in the preſence of the Iuſtices of Aſſiſe at Lancaſter,or of one of them,for the time being at the ſame ſeſſions,that the ſame fine ſhal fortune to be ingroſſed,and alſo that ſhalbe openly read,& proclaimed in the preſence of the Iuſtices of Aſſiſe at Lancaſter,or of one of them for the time being,at the two next generall ſeſſions,that ſhall be holden in the ſaid County Palatine of Lancaſter before the Iuſtices of the ſame County,commonly called Iuſtices of Aſſiſe at Lancaſter, or before one of them, next after the leuying or ingroſſing of ſuch ſaid fine, at three ſeuerall dayes in either of the ſaid two ſeſſions, after ſuch manner and forme as is commonly vſed in the Kings Court of his Common place at Weſtminſter,ſhall be of like force, ſtrength and effect in the law to all intents,conſtructions,and purpoſes,as fines being duly leuied with proclamations before the Kings Iuſtices of his Common place,be or ought to be of.

Fines leuied and proclaimed before the Iuſtices of aſſiſe at Lancaſter ſhall be of like force as fines acknowledged before the Iuſtices of the cōmon place

Cap. XX.

Tenures of lands vnder forty ſhillings,which are granted by the Kings Letters patents,reſerued.

WHere in the Parliament holden at Weſtminſter the fourteenth day of Ianuary, in the fiue and thirtieth yeere of the King our moſt gracious Soueraigne Lords reigne: it was among other things enacted, ordeined and eſtabliſhed, that from the foure and twentieth day of

35.H.8.14.

27 H.8.28.

April then next following, the ſame our ſoueraigne Lord the Kings highneſſe, his heires or ſucceſſors vpon any letters patents, of any manors, lands, tenements or other hereditaments not exceeding the cleere yeerly value of forty ſhillings, belonging to any of the late Monaſteries or religious houſes which came to his gracious hands, by the act of Parliament made at Weſtminſter, in the ſeuen and twentieth yeere of his moſt gracious raigne: And vpon any of his or their Letters patents made of any houſes, tenements, cotages or gardens, whereunto no lands or hereditaments did appertaine, not being any of the Kings princely houſes, reſerued and kept by a keeper thereof to his graces vſe, which were belonging to any of the ſaid late Monaſteries or religious houſes compriſed in the ſaid Act, made in the ſaid ſeuen and twentieth yeere of our ſaid ſoueraigne Lord the Kings raigne: By which Letters Patents, any eſtate of inheritance ſhould or might paſſe from the Kings highneſſe, his heires or ſucceſſors, might reſerue vpon the ſame letters patents to his highneſſe, his heires and ſucceſſors at his and their owne will and pleaſure, either a tenure by Knights ſeruice in capite, or elſe a tenure in ſocage or free burgage, and not in capite: any law, cuſtome, vſage or any other thing to the contrary thereof notwithſtanding, as by the ſame act made in the ſaid fiue and thirtith yeere of our ſaid ſoueraigne Lord the Kings raigne amongſt other things more plainely appeareth. For as much as diuers and ſundry ambiguities and doubts haue riſen and growne ſithen the making of the ſaid Act in the ſaid fiue and thirtieth yeere of our ſaid ſoueraigne Lord the Kings raigne, aſwell vpon the expoſition of the words contained in the ſaid Act, in that that the ſaid act doth not extend to any lands or tenements, other than ſuch as bee expreſſed in the ſaid Act, made in the ſaid ſeuen and twentieth yeere of our ſaid ſoueraigne Lord the Kings raigne, as alſo vpon the tenures of diuers manors, lands, tenements and hereditaments by his Highneſſe giuen and granted ſithen the ſaid foure and twentieth day of Aprill in the ſaid fiue and thirtieth yeere of his moſt noble reigne.

An explanation of the Statute of 35 H.8.14. touching reſeruing of tenures vpon land granted by the kings Patents.

Bee it therefore now ordeined and enacted by authority of this preſent Parliament: that all manors, lands, tenements, rents, reuenues, parſonages, tithes, and other hereditaments, not being at the time of the making of any ſuch Letters patents heretofore made ſithen the ſaid foure and twentieth day of Aprill, aboue the cleere yeerely value of forty ſhillings: and all houſes, meſuages, cotages, courtilages, orchards, yards and gardens, whereunto no other lands, tenements, or hereditaments were belonging or appertaining, not being any of the Kings Princely houſes, reſerued and kept by a keeper thereof to his graces vſe, by whatſoeuer title or titles they or any of them came vnto his Maieſties hands, heretofore giuen or granted by his Maieſty, to any perſon or perſons or bodies politike, ſithen the ſaid foure and twentieth day of Aprill, in the ſaid ſeuen and twentieth yeere of his reigne, by his letters patents, whereby any eſtate of inheritance hath paſſed from his highneſſe: to hold the ſame of his highneſſe his heires and ſucceſſors by fealty only, or by fealty only, and not in capite or in ſocage or free burgage, or by fealty only in free and common ſocage, and not in capite, or by any manner of ſuch like words in effect: Or to hold the ſame by fealty, as of any of his Graces honors, manors, or lands, or by fealty onely, as of any of his graces Honors, Manors, or Lands, and not in capite or by any ſuch like words in effect: ſhall from the date of euery ſuch letters patents be adiudged, taken and deemed to all intents and purpoſes, to be holden in ſocage, or burgage, and not in capite, according to the very expreſſe & plaine words contained in any ſuch letters patents, without any further implication, conſtruction, or explanation of the law thereof to be made or had by any perſon or perſons againſt the ſame, and in no manner wiſe to be deemed, adiudged, or to be taken to be holden in capite, any ambiguity, doubt or other thing heretofore riſen or moued or hereafter to be moued, ſtirred or ſet forth to the contrary thereof notwithſtanding.

The King during fiue yeeres may reſerue other tenures, and not in Capite, vpon lands not exceeding the yeerely value of forty ſhillings.

And bee it further enacted by the authority aforeſaid, that the Kings Highneſſe, his Heires, or ſucceſſors, at any time or times within fiue yeeres next after the firſt day of Nouember laſt paſt, ſhall and may at his or their owne wils and pleaſure, vpon any Letters Patents made or hereafter to bee made of any Manors, Lands, Tenements, Rents, Reuerſions, Seruices, parſonages, tithes, Portions, Penſions, and other Hereditaments, not being rated or valued at the time of the making of any ſuch Letters patents aboue the ſumme of forty ſhillings by yeere, whereby any ſtate of inheritance hath, or ſhall paſſe from his Highneſſe, his Heires or Succeſſors (Houſes, Meſuages, Cotages, Orchards, Yards and Gardens, whereunto none other lands, tenements or hereditaments doe appertaine only except:) And alſo ſhall and may vpon any like Letters patents hereafter to bee made within the ſaid fiue yeeres, of any houſes, meſuages, cotages, orchards, yards, curtilages or gardens, whereunto no other lands, tenements, or hereditaments doe appertaine (not being any of the Kings princely houſes, reſerued and kept by a keeper thereof to his Graces vſe) by whatſoeuer title or titles the ſaid manors, lands, Tenements, rents, reuerſions, ſeruices, parſonages, tithes, portions, penſions, houſes, tenements, cotages, gardens and other the premiſſes, or any of them, ſo to bee giuen or granted, bee come, or hereafter ſhall come to his Graces hands, his Heires or Succeſſors, reſerue either a tenure by Knights ſeruice in capite, or elſe a tenure by fealty, or in ſocage or burgage, and not in Capite. And that all and ſingular the ſaid generall tenures as well heretofore reſerued and made ſithen the ſaid foure and twentieth day of Aprill, in the ſaid fiue and thirtieth yeere of our Soueraigne

Lord the Kings reigne, as hereafter within the ſaid fiue yeeres next after following to bee reſerued or made, and hauing theſe words, Et non in capite, ſhall from the date of euery ſuch letters patents be deemed, adiudged, and taken to be tenures in ſocage or burgage, and not in capite.

A patent of land granted by the King with theſe words, Tenendum de nobis &c. & non in capite.

And that the patentees of the ſame manors, lands, tenements, and other the premiſſes, or any part thereof, their heires and aſſignes, and euery other perſon and perſons, hauing the ſame, or any part thereof, ſhall hold the ſame manors, lands, tenements, houſes, cotages and other hereditaments, compriſed in any ſuch Letters patents of our ſaid Soueraigne Lord the King, his heires and ſucceſſors, hauing the ſaid words, Et non in capite, by the ſeruice of fealty, in ſocage, or burgage, according to the expreſſe words contained in any ſuch Letters patents: and ſhall not hold the ſame, or any part thereof, of our ſaid Soueraigne Lord, his heires or ſucceſſors in chiefe, or in capite: nor ſhalbe compelled by reaſon only of the ſame, to ſue any liuery, make fine for alienation, or ſue any licence or pardon for any alienation only thereof. And the heire & heires of euery ſuch patentees, or of their heires and aſſignes, or of any other hauing any eſtate, right or title, of, in or to the ſame manors, lands, tenements or hereditaments, and hauing no other lands tenements or hereditaments holden of the Kings highneſſe in capite, ſhall and may freely and lawfully after the death of any ſuch patentee, their heires or aſſignes, or other perſon or perſons hauing any ſuch eſtate, right, or title, enter into the ſaid manors, lands, tenements, houſes, cotages and other hereditaments, compriſed, or to be compriſed in any ſuch letters patents, without ſuing of liuery, ouſtre le maine, or any fine, or fee to be paid for any liuery only therof, to our ſaid Soueraigne Lord the King, his heires or ſucceſſors for the ſame, by reaſon onely of ſuch tenure in ſocage or burgage, expreſſed or to be expreſſed in any of the ſaid Letters patents: any law, cuſtome or vſage, heretofore had or vſed to the contrary thereof notwithſtanding. Stat. 27. H.8.27; 35.H.8.14: 7.Ed.6.3.

Cap. XXI.

Two Churches not being aboue a mile diſtant, and one of them being not aboue the yeerely value of ſix pound, may be vnited into one.

WHere in diuers and ſundry places within this Realme of England, there bee many and ſundry Parſonages, the glebes, tithes, and yeerely reuenues and profits whereof be not ſufficient to finde a Prieſt or Curate to ſerue or miniſter to the Pariſhioners thereof, within a mile or leſſe of the Church, of which poore Parſonages there is in many places another Church pertaining to another Pariſh, ſtanding as neceſſary, and commodiouſly for the acceſſe of the Pariſhioners of the other poore Pariſh, as their owne doth.

And for as much as the charges for the maintenance of ſuch two Churches and Chappels with all manner of reparations, ornaments, and other accuſtomed duties pertaining to a Church, bee much greater than may bee well raiſed or borne amongſt ſuch poore pariſhioners, and might and ſhould be eaſed and remedied by the vniting and knitting of ſuch two Churches in one.

It may therefore pleaſe the Kings royall Maieſty, with the aſſent of his Lords Spirituall and Temporall, and the commons in this preſent Parliament aſſembled, and by the authority of the ſame, that it may be enacted and eſtabliſhed, That an vnion or conſolidation of two Churches in one, or of a Church and Chappell in one, the one of them not being aboue the yeerely value of ſix pounds, as it is rated and valued at to the Kings highneſſe, in his Court of the firſt fruits and tenths, and not diſtant from the other aboue one mile in any place or places within this realme of England, may be from henceforth had or made by the aſſent of the Ordinarie and Ordinaries of the Dioceſſe, where ſuch Churches and Chappels ſtanden, and by the aſſents of the Incumbents of them, and of all ſuch as haue a iuſt[a] right, title and intereſt to the patronages of the ſame Churches and Chappels, being then of full age. And that all ſuch vnions and conſolidations had or made of two Churches in one, or of a Church and Chappell in one, as is aforeſaid, ſhall be good ſufficient, lawfull, firme, ſtable, and aualeable in the Law, to remaine, endure, and continue for euer, vnited and knit in one, in ſuch maner and forme, as by writing or writings vnder the ſeales of ſuch Ordinaries, Incumbents and patrons it ſhalbe declared and ſet forth.

3.f.1.38.
16.H.7 fo.
3.f.16.

There may be an vnion of two Churches in one, where they be not aboue a mile diſtant, and one not aboue the yeerly value of ſix pounds.

And be it further enacted by the authority aforeſaid, that all vnions and conſolidations of all Churches and Chappels, which haue heretofore beene vnited or knit together in one by the aſſent of the Ordinaries, Incumbents, and true and lawfull Patrons in fee ſimple of them, as is aforeſaid, ſhal alſo remain and be from henceforth adiudged, and deemed in the law to endure and continue for euer vnited and knit in one, without any diſſolution, vndoing, vnknitting, or repeale of them or any of them by any manner of means or way.

A confirmation of all vnions heretofore made.

Sauing vnto the Kings Maieſty, his heires and ſucceſſors, all the tenths and firſt fruits of all ſuch Churches and Chappels, as be heretofore vnited or conſolidated in one, or that hereafter ſhalbe vnited and conſolidated in one according to the ſame or ſuch like rates and valuations, as the ſame Churches and Chappels or any of them now are rated or valued at to the Kings ſaid Maieſty, in his ſaid highneſſe Court of the firſt fruits and tenths.

The Kings tenths and firſt fruits reſerued.

Prouided

Unions ſhall not be in corporate Townes without the conſent of the chiefe Magiſtrates thereof.

Prouided alway, that all vnions and conſolidations, and euery of them hereafter to bee had or made of any Church or Chappell within any City or Towne corporate within this Realme of England, without the aſſent of the Maior, Sheriffes and Comminalty of the City, where ſuch Churches, Church or Chappell be or ſhalbe: Or without the aſſent of ſuch bodies corporats of other Townes corporat, where ſuch Churches, Church or Chappell be or ſhalbe, by the names of their corporations in writing vnder their common Seale, ſhalbe cleerely void and of no force ne effect: any thing before expreſſed or any ordinance, law, cuſtome or ſtatute to the contrary thereof in any wiſe notwithſtanding.

The vnion auoided vpon a competent liuing aſſured.

Prouided alſo, that where the inhabitants of any ſuch poore Pariſh, or the more part of them, within one yéere next after the vnion or conſolidation of the ſame Pariſh, by their writing ſufficient in the law, ſhall aſſure the Incumbent of the ſaid Pariſh for the yéerely payment of ſo much money, as with the ſumme that the ſaid Pariſh is rated and valued at in the Kings Highneſſe ſaid Court of the firſt fruits and tenths, ſhall amount to the full ſumme of eight pound ſterling, to bee leuied and paid yéerely by the ſaid inhabitants to the ſaid Incumbent and his ſucceſſors: that then all ſuch vnions or conſolidations hereafter to be had or made of any ſuch poore Pariſh, as is aforeſaid, ſhalbe void and of none effect: any thing ſtatuted or ordained to the contrary hereof in any wiſe notwithſtanding.

Prouided alwayes, that this ſaid prouiſo ſhall not extend to any vnion or conſolidation of any Church or Chappell had or made before the making of this eſtatute: any thing in the ſaid prouiſo mentioned to the contrary thereof notwithſtanding. Stat. 1. El. 4.

CAP. XXII.

A Tales *may be granted* de Circumſtantibus, *where a full Iury doth not appeare.*

The St. 35 H. 8. 6. continued vntil the end of the next Parliament.

BE it enacted and eſtabliſhed by the King our ſoueraigne Lord, the Lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by the authority of the ſame, that the act for none appearance of Iuries to haue de Circumſtantibus, made at Weſtminſter at the Parliament holden the fiue and thirtieth yéere of our ſaid Soueraigne Lords reigne, ſhall continue and remaine vnto the end of the next Parliament in his full force and ſtrength, in as ample manner as is in the ſaid Act purported. 2. Ed. 6. 32. made perpetuall.

CAP. XXIII.

Certaine ſtatutes concerning the prices of wines, &c. and alſo certaine other Statutes continued.

THe Statutes made *Anno*. 22. *H*. 8. 12. touching the reliefe of the poore, and the puniſhment of vagabonds. *Anno*. 22. *H*. 8. 7. for reſtraint of conueying of horſes and mares out of this realme. *Anno*. 21. *H*. 8. 12. for the making of Cables, &c. *Anno*. 23. *H*. 8. 17. for the true winding of Wooll. *Anno*. 24. *H*. 8. 9. againſt the killing of Weanlings. *Anno*. 23. *H*. 8. 3. for the puniſhment of Periury vpon vntrue verdicts. *Anno*. 24. *H*. 8. 4. concerning the ſowing of Flax and Hempe. *Anno*. 23. *H*. 8. 2. for the making of Gaoles in diuers Shires. *Anno*. 32. *H*. 8. 30. for the reformation of miſpleadings Ieofailes and Atturneis. *Anno*. 33. *H*. 8. 2. for buying of fiſh vpon the ſea. *Anno*. 33 *H*. 8. 16. for the making of Worſted yarne in Norffolk. *Anno*. 34. *H*. 8. 7. for the ſetting of the prices of Wine, & *Anno*. 34. *H*. 8. 16. concerning the ordering and diſcharge of Sheriffes by their oathes vpon their accompts, ſhall continue vntill the laſt day of the next Parliament. EXP. St. 1. El. 18.

At what times the prices of wines ſhalbe ſet by the Lords according to the Statute of 28. H. 8. 14.

And whereas in the ſaid act concerning the ſetting of prices of wines, it is contained that the Lord Chancellor of England, Lord Treaſurer, Lord preſident of the Kings Councell, Lord priuy ſeale, and the two Chiefe Iuſtices, or fiue, foure or thrée of them ſhould haue power and authority by their diſcretions, to ſet the prices of all kind of wines, as by the ſame act more plainely appeareth. Be it now ordained and enacted by the authority of this preſent Parliament, that the ſaid Lord Chancellor, Lord Treaſurer, Lord Preſident, Lord Priuy ſeale, and the two chiefe Iuſtices, or fiue, foure or thrée of them, ſhall yéerely ſet the prices of all kindes of the ſaid wines mentioned in the ſaid former Act, betwéene the twentieth day of Nouember, and the laſt day of December, and at no other time or times, and that all and euery perſon ſelling in groſſe or by retaile, any of the ſaid wines mentioned in the ſame act, ſhall not ſell any of the ſame wines aboue the prices, ſo by them ſet, vpon ſuch paines and forfeitures as be made and prouided in the ſame, ſtatute made at Weſtminſter the eight and twentieth yéere of the raigne of our moſt dread Soueraigne Lord the King.

In what caſes chiefe Officers of Cities or corporate Townes may ſell other mens wines. 24. H. 8. 6.

And be it further enacted by the authority aforeſaid, that if any perſon or perſons, now haue, or hereafter ſhall haue any manner of wines to ſell in groſſe within any City, borough, towne corporate,

porate, or any other hauen, corporate Towne or Townes within this Realme, or within any the Kings dominions or territories of the ſame, and do at any time hereafter refuſe to ſell any kind of the ſame wines, according to the price as now, or at any time hereafter ſhalbe limited and appointed by the ſaid Lord Chancellor, Lord Treaſurer, Lord Preſident, Lord Priuy ſeale and other the ſaid Chiefe Juſtices, or by any fiue, foure or thrée of them: that then it ſhall be lawfull to the Mayor of the City of London, Recorder of the ſame City, and two of the ancient Aldermen of the ſame City, being no Vintners, for the time being, and to the Mayor, Bailiffes, Aldermen, and other the head Officers, or to any two of them, whereof the Mayor or chiefe Alderman or Bailiffe to bee one, within all and euery other City, Borough and Port Towne within this Realme, wherein any wines now be, or hereafter ſhall be ſo ſold: to enter into the houſes, cellars and places of all and euery ſuch owner and owners of the ſame wines, in any the ſaid Cities, Boroughs and port Townes, and the ſame wines lawfully to ſell to the vſe of the owners of the ſame wines to any perſon and perſons willing to buy the ſame, according to ſuch prices and rate as by the ſaid Lord Chancellor, Lord Treaſurer, Lord Preſident, Lord Priuie Seale, and the ſaid two Chiefe Juſtices, or by any fiue, foure or thrée of them, is, or hereafter ſhalbe, ſet, limited and aſſigned, according to the tenour of the ſaid Act, made in the ſaid eight and twentieth yéere of the Kings Maieſties raigne.

Cap. XXIIII.

A Confirmation of a Subſidy granted to the King by the Clergy of the Prouince of Canterbury, of ſix ſhillings in the pound, to be paid in two yeares. EXP.

God ſaue the King.

ANNO

Anno primo Edwardi ſexti.

Statutes made in the Parliament begun at Weſtminſter the fourth day of Nouember, in the firſt yeare of the reigne of our moſt dread Soueraigne Lord *Edward* the ſixth. By the grace of God, King of England, Fraunce, and Ireland, Defender of the faith, and of the Church of England, and alſo of Ireland in earth the ſupreme head: and from thence continued to the xxiiii. day of December then next enſuing, that is to ſay, in the firſt Seſſion of the ſame Parliament, as followeth.

Cap. I.

The penalty for vnreuerend ſpeaking againſt the Sacrament of the body and bloud of Chriſt, or againſt the receiuing thereof vnder both kindes.

The King mindeth to haue vnity in religion by clemency.

The bleſſed Sacrament inſtituted by Chriſt himſelfe, and by what words of his.

The cauſes of the abuſe of the bleſſed Sacrament.

THE Kings moſt excellent Maieſty, minding the gouernance and order of his moſt louing ſubiects to bee in moſt perfect vnity and concord, in all things, and in eſpeciall, in the true faith and Religion of God, and wiſhing the ſame to be brought to paſſe with all clemency and mercy, on his highneſſe part towards them, as his moſt Princely ſerenity and Maieſty, hath already declared by euident proofe to the intent that his moſt louing ſubiects prouoked by clemency and goodneſſe of their Prince and King, ſhall ſtudy rather for loue than for feare, to doe their duties, firſt to almighty God, and then to his Highneſſe and the Common Wealth, nouriſhing concord and loue amongſt themſelues: yet conſidereth and perceiueth that in a multitude all be not on that ſort, that reaſon and the knowledge of their duties can moue them from offence, but many had need haue ſome bridle of feare, and that the ſame bee men moſt contentious and arrogant for the moſt part, or elſe moſt blind & ignorant: by the meanes of which ſort of men, many things well & godly inſtituted, & to the edification of many, be peruerted and abuſed, and turned to their owne & others great loſſe and hindrance, and ſometime to extreme deſtruction: the which doth appeare in nothing more or ſooner, than in matters of religion, and in the great and high miſteries thereof, as in the moſt comfortable Sacrament of the body and bloud of our Sauiour Jeſus Chriſt, commonly called the Sacrament of the Altar, and in Scripture, the [a] Supper and [b] table of the Lord, the [c] Communion and [d] partaking of the body and bloud of Chriſt: which Sacrament was inſtituted of no leſſe author, than of our Sauiour, both God & man, when at his laſt Supper amongſt his Apoſtles, he did take the bread in his holy hands, and did ſay: [e] Take you and eat, this my body, which is [f] giuen and [g] broken for you. And taking vp the [h] chalice or cup, did [i] giue thanks and ſay, [k] This is my bloud of the new Teſtament, which is ſhed for [l] you and for [m] many, for the [n] remiſſion of ſins, that [o] whenſoeuer we ſhould do the ſame, we ſhould do it in the remembrance of him, and to declare and ſet forth his death and moſt glorious paſſion, vntill his cōming. Of the which [p] bread whoſoeuer eateth, or of ẏ which cup whoſoeuer drinketh vnworthily, eateth and drinketh condemnation and iudgment to himſelfe, making no difference of the Lords body. The inſtitution of which Sacrament being ordeined by Chriſt, as is before ſaid, and the ſaid words ſpoken of it here before rehearſed, being of eternall, infallible, and vndoubted truth: yet the ſaid Sacrament (all this notwithſtanding) hath beene of late maruellouſly abuſed by ſuch manner of men before rehearſed, who of wickedneſſe, or elſe of ignorance and want of learning, for certaine abuſes, heretofore committed of ſome, in miſuſing thereof, haue condemned in their hearts and ſpeech, the whole thing, & contempteouſly depraued, deſpiſed, or reuiled the ſame moſt holy and bleſſed Sacrament, and not only diſputed & reaſoned vnreuerently and vngodly of that moſt high myſtery, but alſo in their ſermōs, preachings, readings, lectures, communications, arguments,

[a] 1 Cor.11.
[b] 1 Cor.10.
[c] 1 Cor.10.1
[d] 1 Cor.10.1
[e] Matth.26.
[f] Luke 22.1
[g] 1 Cor.11.
[h] Mat.26.27
[i] Mark.14.2
[k] Mark.14.
[l] Luke 22.1
[m] Mark.14.
[n] Mat.26.
[o] 1 Cor.11.
[p] 1 Cor.11.

guments, talkes, rimes, ſongs, playes, or geſts, name, or call it by ſuch vile and vnſeemly words, as Chriſtian eares doe abhorre to heare rehearſed: for reformation whereof, be it enacted by the Kings highneſſe, with the aſſent of the Lords ſpiritual and temporall, and of the commons in this preſent Parliament aſſembled, and by the authority of the ſame, that whatſoeuer perſon or perſons, from, and after the firſt day of May next comming, ſhall depraue, deſpiſe, or contemne the ſaid moſt bleſſed Sacrament, in contempt therof, by any contempteous words, or by any words of deprauing, deſpiſing, or reuiling: or what perſon, or perſons, ſhall aduiſedly in any other wiſe contemne, deſpiſe, or reuile the ſaid moſt bleſſed Sacrament, contrary to the effects, and declaration abouesaid, that then he, or they, ſhall ſuffer impriſonment, of his, or their bodies, and make fine and ranſome at the Kings will and pleaſure. And for full and effectuall execution of the premiſſes before deuiſed, ordeined, and enacted by this Act: be it furthermore enacted by the authority of this preſent Parliament, That immediately after the firſt day of May next comming, the Juſtices of peace, or three of them at the leaſt, whereof one of them to be of the Quorum, in euery ſhire of this realme, and Wales, and all other places within the Kings dominions, ſhall haue full power and authority by vertue of this act, aſwell to take information and accuſation by the oaths and depoſitions of two able, honeſt, and lawfull perſons at the leaſt, and after ſuch accuſation, or information ſo had, to enquire by the oaths of xii. men, in euery their iiii. quarter ſeſſions yeerly to be holden, of all and ſingular ſuch accuſations, or informations to bee had, or made of any of the offences abouesaid to bee committed, or done after the ſaid firſt day of May, within the limits of their commiſſion: and that vpon euery ſuch accuſation ⁊ information, the offendor and offendors ſhall bee inquired of, and indicted before the ſaid Juſtices of peace, or three of them at the leaſt, as is aforeſaid, of the ſaid contempts and offences, by the verdict of xii. honeſt, and indifferent men, if the matter of the ſaid accuſation and information ſhall ſeeme to the ſaid Jury good and true.

The penalty for ſpeaking vnreuerently of the moſt bleſſed Sacrament.

Juſtices of peace may enquire of offenders.

And it is alſo further enacted by the authority aforeſaid, that the ſaid Juſtices of peace, or three of them at the leaſt, as is aforeſaid, before whom any ſuch preſentment information, and accuſation ſhal be made, or taken, as is aforeſaid, ſhall examine the accuſors, what other witneſſe were by, and preſent at the time of the doing and committing of the offence, whereof the information, accuſation, and preſentment ſhall be made, and how many others than the accuſors, haue knowledge thereof: and ſhall haue power and authority, by their diſcretions, to binde by recogniſance to be taken before them, as well the ſaid accuſors, as all ſuch other perſons, whom the ſame accuſors ſhall declare to haue knowledge of the offences by them preſented, and informed, euery of them in fiue pounds to the King, to appeare before the ſaid Juſtices of peace before whom the offendor or offendors ſhall be tried, at the day of triall and deliuerance of ſuch offendors.

Examination of the accuſers.

And it is further enacted by the authority aforeſaid, that the ſaid Juſtices of peace, or three of them at the leaſt, as is abouesaid, by vertue of this Act, ſhall haue full power and authority to make proces againſt euery perſon and perſons ſo indicted, by two Capias and an exigent, and by Capias vtlegatum, as well within the limits of their commiſſion, as into all other ſhires and places of this Realme, Wales, and other the Kings dominions, aſwell within liberties as without, and the ſame proceſſe to be good and effectuall in the law to all intents, conſtructions, and purpoſes, and vpon the apparance of any of the offendors, ſhall haue full power and authority by vertue of this Act, and the commiſſion of peace, to determine the contempts and offences aforeſaid, according to the lawes of this realme, and effects of this Act: and that the ſaid Juſtices of peace, or three of them at the leaſt, as is abouesaid, ſhall haue full power and authority to let any ſuch perſon, or perſons ſo indicted, vpon ſufficient ſureties, by their diſcretions to baile for their apparance to be tried, according to the tenour, forme, and effect of this Act.

What proceſſe ſhalbe awarded againſt the perſons indited.

Juſtices of P. may determine the offences.

Bailment of perſons indited.

Prouided alwayes, and bee it enacted, that the ſaid Juſtices of peace, or three of them at the leaſt, at their quarter Seſſions, where any offendor or offendors ſhall be, or ſtand indicted of any of the contempts, or offences abouesaid, ſhal direct and award one writ in the Kings name to the Biſhop of the Dioceſſe, wherein the ſaid offence or offences are ſuppoſed to bee committed, or done, willing and requiring the ſaid Biſhop to bee in his owne perſon, or by his Chauncellor, or other his ſufficient Deputy, learned, at the quarter Seſſions in the ſaid County to bee holden, when, and where the ſaid offendor ſhall be arraigned ⁊ tried, appointing to them in the ſaid writ the day and place of the ſaid arraignment, which writ ſhalbe of this forme: Rex. &c. Epō L. Salutem. Præcipimus tibi, quod tu, Cancellarius tuus, vel alius Deputatus tuus ſufficienter eruditus, ſitis cum Iuſticiariis noſtris ad pacem in com. noſtro. B. conſeruand. aſſignat. apud D. tali die, ad Seſſionem noſtram, ad tunc & ibm. tenend. ad dand. conſilium & aduiſament. eiſdem Iudiciariis noſtris ad pacem, ſuper arrainment & deliberationem offendentium contra formā ſtatuti, concernen. ſacroſanctum Sacramentum Altaris.

A writ directed by the Juſtices to the Biſhop.

Prouided alwaies, ⁊ be it enacted by thauthority abouesaid, yͤ no perſon or perſons ſhalbe indicted of any of the contēpts or offences abouesaid, but only of ſuch contēpts or offences, as ſhall be informed or preſēted within iii. moneths next after the ſaid offēces or offēce ſo cōmitted or done.

No inditement but within iii. moneths after the offence.

And be it further enacted by thauthority aforeſaid, that in all trials, for any ſuch offendors before the ſaid Juſtices, as is aforeſaid, the perſon or perſons being cōplained on, ⁊ arrained, ſhalbe admitted to purge or try, his, or their innocency, by as many, or moe witneſſes in number, ⁊ of as good

The defendant may try his innocency by witneſſes.

good honeſty & credence, as the witneſſes be, which depoſed againſt him or them, or any of them.

The bleſſed Sacrament ſhalbe deliuered vnto the people vnder both kinds of bread & wine.

The vſage of other Churches not cōdemned.

And foraſmuch as it is more agræable, both to yͤ firſt inſtitution of the ſaid Sacrament, of the moſt precious body & bloud of our Sauiour Jeſus Chriſt, and alſo more conformable to the common vſe and practice both of the Apoſtles, & of the primatiue Church, by the ſpace of 500. yæres and more after Chriſts Aſcenſion, that the bleſſed Sacrament ſhould be miniſtred to all Chriſtian people vnder both the kinds of bread and wine, than vnder the forme of bread only: and alſo it is more agræable to the firſt inſtitution of Chriſt, and to the vſage of the Apoſtles, and the primatiue Church, that yͤ people being preſent ſhould receiue the ſame with the prieſt, than that the prieſt ſhould receiue it alone: therefore be it enacted by our ſoueraign Lord yͤ king, with the conſent of the Lords ſpirituall and temporal, & the commons in this preſent Parliament aſſembled, & by the authority of the ſame, that the ſaid moſt bleſſed Sacrament be hereafter cōmonly deliuered, & miniſtred vnto the people, within this Church of England & Ireland, and other the Kings dominions vnder both the kinds, that is to ſay, of bread and wine, except neceſſity otherwiſe require: and alſo that the prieſt, which ſhall miniſter the ſame, ſhal at the leaſt one day before exhort all perſons which ſhalbe preſent, likewiſe to reſort, and prepare themſelues to receiue the ſame. And when the day prefixed cōneth, after a godly exhortation by the miniſter made (wherein ſhall be further expreſſed the benefit and comfort promiſed to them which worthily receiue the holy Sacrament, and danger & indignation of God threatned to them, which ſhall preſume to receiue the ſame vnworthily, to the end that euery man may try & examine his owne conſcience before he ſhal receiue the ſame) the ſaid Miniſter ſhal not without a lawfull cauſe deny the ſame to any perſon, that will deuoutly and humbly deſire it: any law, ſtatute, ordinance, or cuſtome contrary thereunto in any wiſe notwithſtanding: not condemning hereby the vſage of any Church out of the Kings Maieſties dominions. EXP. 1. *M.* 2. Reui. 1. *El.* 1. ſt. 5. *Ed.* 6. 1.

CAP. II.

The Election of Biſhops, and what Seales, and Stile they, and other Spirituall perſons exerciſing iuriſdiction Eccleſiaſticall ſhall vſe.

Elections of Biſhops belong only to the king St. 25. H. 8. 20.

None but the King ſhall collate to a Biſhopricks.

FOr as much as the Elections of Archbiſhops, and Biſhops by the Deanes, and Chapters within the Kings Maieſties Realmes of England, and Ireland, at this preſent time, bee as well to the long delay, as to the great coſts and charges of ſuch perſons, as the Kings Maieſty giueth any Archbiſhopricke, or Biſhopricke vnto: And whereas the ſaid elections bee in very déed no elections, but onely by a writ of Conge deſlier, haue Colours, Shadowes, or pretences of elections, ſeruing neuertheleſſe to no purpoſe, and ſéeming alſo derogatory and preiudiciall to the Kings Prerogatiue royall, to whom only appertaineth the Collation, and gift of all Archbiſhopricks, and Biſhopricks, and Suffragan Biſhops within his highneſſe ſaid realmes of England and Ireland, Wales, and other his dominions and marches. For a due reformation hereof, be it therefore enacted by the Kings highneſſe with the aſſent of the Lords ſpirituall and temporal, and the commons in this preſent Parliament aſſembled, and by authority of the ſame, yͭ from henceforth no ſuch Conge deſlier be granted, nor election of any Archbiſhop, or Biſhop by the Deane and Chapter made: But that the King may by his letters patents at all times, when any Archbiſhoprick or Biſhoprick is void, conferre the ſame to any perſon, whom the King ſhal thinke mæt: The which Collation ſo by the Kings letters patents made, and deliuered to the perſon to whom the King ſhal confer the ſame Archbiſhopricke, or Biſhoprick, or to his ſufficient Procter and Atturney, ſhall ſtand to all intents, conſtructions, and purpoſes, to as much and the ſame effect, as though Conge deſlier had bæne giuen, the election duly made, and the ſame confirmed. And thereupon the ſaid perſon to whom the ſaid Archbiſhopricke, Biſhopricke, or Suffraganſhip is ſo conferred, collated, or giuen, may bee conſecrated, and ſue his liuery, or ouſter le maine, and doe other things aſwel as if the ſaid ceremonies, and elections had bin done and made.

A Biſhop collated by the King ſhall pay the vſuall fees.

Prouided alwaies, and be it enacted by the authority aforeſaid, that euery ſuch perſon to whom any Collation, or gift of any Archbiſhopricke, Biſhopricke or Suffraganſhip ſhall be giuen or collated by the King, his heires or ſucceſſors, ſhall pay, doe and yæld to all and euery perſon, all all ſuch fæs, intereſts, and duties, as of old time haue bæne accuſtomed to be done: any thing in this Act, or in any other to the contrary hereof in any wiſe notwithſtanding.

And whereas the Archbiſhops, and Biſhops, and other ſpirituall perſons in this Realme doe vſe to make, and ſend out their Summons, Citations, and other proceſſe in their owne names, & in ſuch forme and manner, as was vſed in the time of the vſurped power of the Biſhop of Rome, contrary to the forme and order of the Summons and proceſſe of the Common law vſed in this Realme (ſæing that all authority of iuriſdiction Spirituall and Temporall is deriued, and deducted from the Kings Maieſty, as ſupreme head of theſe Churches and Realmes of England, and Ireland, and ſo iuſtly acknowledged by the Clergy of the ſaid Realmes, and that all Courts Eccleſiaſticall within the ſaid two Realmes bee kept by no other power or authority, either foraine or within the Realme, but by the authority of his moſt excellent Maieſty:) Be it therefore further enacted by the authority aforeſaid, that all Summons, and Citations, or other proceſſe Eccleſiaſticall, in all ſuits, and cauſes of inſtance betwixt party and party, and all cauſes of Correction, and all cauſes of Baſtardy, or Bigamie, or Inquiry de Iure patronatus, probats of teſtaments, and commiſſions of Adminiſtration of perſons deceaſed, and all acquitances of, and vpon accompts made by the Executors, Adminiſtrators, or Collectors of goods of any dead perſon, be from the firſt day of Iuly next following, made in the name, and with the ſtile of the King, as it is in writs originall, or iudiciall at the Common law: And that the Teſte thereof be in the name of the Archbiſhop, or Biſhop, or other hauing Eccleſiaſticall iuriſdiction, who hath the commiſſion, and grant of the authority Eccleſiaſticall immediately from the Kings Highneſſe, and that his commiſſary, officiall, or ſubſtitute exerciſing iuriſdiction vnder him, ſhall put his name in the citation or proceſſe after the Teſte.

All proceſſes Eccleſiaſticall ſhall be in the Kings name; but the Teſte in the Biſhops name.

Furthermore be it enacted by the authority aforeſaid, that all manner of perſon, or perſons, who hath the exerciſe of eccleſiaſticall iuriſdiction, ſhall haue from the firſt day of Iuly before expreſſed, in their Seales of office, the Kings Highneſſe Armes decently ſet, with certaine Characters vnder the Armes for the knowledge of the Dioceſſe, and ſhall vſe no other Seale of iuriſdiction, but wherein his Maieſties Armes be engrauen, vpon paine, that if any perſon ſhall vſe eccleſiaſticall iuriſdiction (after the day before expreſſed) in this Realme of England, Wales, or other his Dominions, or territories, and not ſend or make out the citation, or proceſſe in the Kings name, or vſe any ſeale of iuriſdiction other than before limited: that euery ſuch Offendor ſhall incurre, and runne in the Kings Maieſties diſpleaſure, and indignation, and ſuffer impriſonment at his Highneſſe will and pleaſure.

Euery Biſhops, &c. ſeale of office ſhall haue the Kings Armes engrauen vpon it.

Prouided, that no more, nor other fees be taken, or payd for the Seale, and writing of any citations or other proceſſe, than was heretofore accuſtomed.

Vſuall fees ſhall be taken.

Prouided alſo, and be it enacted by the authority aforeſaid, that the Archbiſhop of Canterbury for the time being, ſhall vſe his owne Seale, and in his owne name, in all faculties and diſpenſations, according to the tenour of an Act thereof made: And that the ſaid Archbiſhops, and Biſhops ſhall make, admit, order, and reforme their Chancellors, Officials, Commiſſaries, Aduocates, Proctors, and other their Officers, Miniſters, and Subſtitutes, and Commiſſiots of Suffragan Biſhops in their owne names vnder their owne ſeales, in ſuch manner and forme, as they haue heretofore vſed: And ſhall certifie to the Court of Tenths their certificates vnder their owne names and ſeales, as heretofore they haue vſed, and according to the Statute in that caſe made and prouided: and likewiſe ſhall make collations, preſentations, gifts, inſtitutions, and inductions of Benefices, letters of Order, or Dimiſſories, vnder their owne names and ſeales, as they haue heretofore accuſtomed: any thing in this Act contained to the contrary notwithſtanding.

The Archbiſhop of Canterbury may vſe his owne ſeale. St. 25. H. 8. 21. In what caſes other Biſhops may vſe their owne ſeales.

St. 32. H. 8. 45.

Prouided alwayes, and be it enacted by the authority aforeſaid, that all proceſſe hereafter to be made, or awarded by any eccleſiaſticall perſon or perſons, for the triall of any plea, or pleas, or matter depending, or that hereafter ſhall depend in any of the Kings Courts of Record at the Common law, and limited by the Lawes, and cuſtomes of this Realme, to the ſpirituall Courts, to trie the ſame, that the certificate of the ſame, after the triall thereof, ſhall be made in the Kings name, for the time being, and with the ſtile of the ſame King, and vnder the ſeale of the Biſhop, graued with the Kings Armes, with the name of the Biſhop, or ſpirituall Officer, being to the Teſte of the ſame proceſſe, and certificat, and to euery of them. REP. 1. *M.* 2. But ſee 1. *Iac.* 25. which repeales 1. *M.* 2. Stat. 25. *H.* 8. 20. 31. *H.* 8. 9. 8. *El.* 1.

Certificates into a Court of Record ſhall be in the Kings name, Teſte the Biſhop.

CAP. III.

A repeale of all ſtatutes heretofore made for the puniſhment of vagabonds, and of all articles compriſed in the ſame. If any perſon ſhall bring to two Iuſtices of peace any runnagate ſeruant, or any other which liueth idely and loyteringly by the ſpace of three dayes, the ſaid Iuſtices ſhall cauſe the ſaid idle and loytering ſeruant or vagabond, to be marked with a hot iron on the breſt with the mark V. and adiudge him to be ſlaue to the ſame perſon that brought or preſented him, to haue to him his executors or aſſignes for two yeeres after, who ſhal take the ſaid ſlaue, and giue him bread, water, or ſmall drink, and refuſe meat, and cauſe him to worke by beating, chaining, or otherwiſe, in ſuch worke and labour as he ſhall put him vnto, be it neuer ſo vile. And if ſuch ſlaue abſent himſelfe from his ſaid maſter within the ſaid terme of two yeeres, by the ſpace of xiiij. dayes, then he ſhall be adiudged by two Iuſtices of peace to be marked on the forehead, or the ball of the cheek with a hot iron with the ſigne of an S. and further ſhall be adiudged to be ſlaue to his ſaid maſter for euer. And if the ſaid ſlaue ſhall run away the ſecond time, he ſhall be adiudged a felon. No clerk conuict ſhall make his purgation, but ſhall be a ſlaue for one yeere to him who will become bound with two ſurties in xx. li. to the Ordinary, to the Kings vſe, to take him into ſeruice. And he ſhall be vſed in all reſpects as is aforeſaid like to a vagabond. A clerk attainted or conuict, which by the law cannot make his purgation, may by the Ordinary be deliuered to any man, who will become bound with two ſufficient ſureties, to keepe him as his ſlaue fiue yeeres. And then he ſhall be vſed in all reſpects as is aforeſaid for a vagabond, ſauing for burning in the breſt. It ſhall be lawfull to euery perſon to whom any ſhall be adiudged a ſlaue, to put a ring of Iron about his neck, arme, or leg. A Iuſtice of peace and Conſtable, may binde a beggers manchild prentice to the age of fourteene yeeres, and a woman-child to the age of twenty yeeres, to any that will require them. And if the ſaid child run away, then his maſter may retaine and vſe him for the terme aforeſaid, as his ſlaue. All impotent, maimed, and aged perſons, who cannot be taken for vagabonds, ſhall haue conuenient houſes prouided for them, and otherwiſe be releeued in the Cities, Boroughs, or Townes where they were borne, or were moſt conuerſant by the ſpace of three yeeres, by the willing and charitable diſpoſition of the Pariſhioners. And none other ſhall be ſuffered to beg there. EXP. and REP. 3. and 4. *Ed.* 6. 16. & 39. *El.* 4.

Cap. IIII.

Lands comming to the Kings hands by Attainder, Diſſolution, or Surrender, &c. ſhall not be holden in Capite.

There ſhall be no tenure in Capite of the King, by reaſon of lands comming to his hands by Attainder, diſſolution, ſurrender, &c. St. 9. H. 3. 31. St. 1. Edw. 3. 13.

WHere before this time, ambiguities, queſtions, and doubts haue béene moued and ſtirred, in diuers and ſundry the Kings Courts of Record, whether ſuch honors, caſtles, manors, lands, tenements, and other hereditaments are holden of the King in Capite, which any his louing Subiects doe hold by Knights ſeruice, Socage, or other ſeruices of the King, as of his Duchies, Earledomes, Baronies, Honors, Caſtles, manors, lands, tenements, fées, and ſeigniories, which haue come to the hands and poſſeſſion of diuers of his Highneſſe moſt noble Progenitors, by atteindor of treaſon, miſpriſion of treaſon, atteindors of Premunire, and prouiſion had and done by Act of Parliament, by verdict, confeſſion, conuiction, or vtlagary, and offices or no offices thereupon found, or by the diſſolution, ſurrender, or giuing vp to the King, or to any his noble Progenitors, of any religious or Eccleſiaſticall houſes or places, or of any manors, lands, tenements, or other hereditaments, to any of the ſame religious or Eccleſiaſticall houſes or places in any wiſe appertaining or belonging, or no: By meanes of which doubt ſo moued, his ſaid humble and obedient Subiects and tenants haue béene heretofore much vnquieted, moleſted, and grieued: wherefore the King our Soueraigne Lord, minding and entirely deſiring the quietneſſe of his ſaid Subiects, and that the certainty of the Lawes in that behalfe might be knowne, and declared to his ſaid louing Subiects, for a plaine declaration and reſolution to be had, of, for, and concerning the premiſſes, at the humble petition and ſuit of the Lords and Commons in this preſent Parliament aſſembled, doth ordeine, declare, and enact by the aſſent of the Lords Spirituall and Temporall, and of the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all ſuch honors, caſtles, manors, lands, tenements, and other hereditaments, and euery of them, which now be, or at any time hereafter ſhall be holden of the King or of any of his heires or ſucceſſors, by any of his ſaid Subiects, by Knights ſeruice, ſocage, or otherwiſe, as of any of his or their Dukedoms, Earledomes, Baronies, caſtles, manors, lands, tenements, fées, or [a] ſeigniorles, which be come to the King, or his moſt noble Progenitors, or hereafter ſhall come to the King, his heires, or ſucceſſors, by meanes of any ſuch attainder, conuiction, vtlagary, or of any ſuch diſſolution, ſurrender, or giuing vp of any religious or Eccleſiaſticall houſes or places, or of any manors, lands, tenements, or hereditaments, to any of the ſaid religious or Eccleſiaſticall houſes or places, in any wiſe belonging or appertaining, ſhall not from henceforth be adiudged, déemed, taken or conſtrued to any intent, conſtruction or purpoſe, to be holden in Capite, or as tenure in Capite: any ambiguity, queſtion, or doubt heretofore moued to the contrary notwithſtanding.

[a] [illegible]

Tenure of the King, as of his perſon, or ancient poſſeſſions.

Prouided alwayes, and be it enacted by the authority aforeſaid, that this Act or any thing therein conteined, ſhall not in any wiſe be preiudiciall ne hurtfull to the King, his heires, or ſucceſſors, to, for, or concerning any wardſhip, liuery, primer ſeiſon, fine or alienation, or to, or for any other profit or aduantage, which now is come, or hereafter ſhall, or may come, fall, or grow to the King, his heires, or ſucceſſors, by, or from any perſon or perſons, which now doth, or hereafter ſhal hold any honors, ſeigniories, caſtles, manors, lands, tenements, or other hereditaments of the King in chiefe, as of his perſon, or of any other his ancient poſſeſſions, and being not come to the King by any ſuch atteinder, confeſſion, conuiction, vtlagary, diſſolution, giuing vp, or ſurrender, as be aboueſaid.

Concluſion of tenure by matter of Record.

Prouided alſo, and be it enacted by the authority aforeſaid, that this preſent Act, or any thing therein conteined or ſpecified, ſhall not in any wiſe, or by any meanes, giue any aduantage, liberty or profit to any Tenant or owner in Fée ſimple, of any honors, manors, lands, tenements, or other hereditaments, which haue heretofore ſued any ſpeciall, or generall liuery, or ouſterle maine, out of the hands of the King, or of any his noble Progenitors, of any honors, manors, lands, tenements, or other hereditaments, by what tenure or ſeruice they were, or be holden, or that haue, or ſhal confeſſe by any matter of record, any tenure in chiefe of the King, but that they, their heires and aſſignes, ſhall haue and hold the ſame manors, lands, tenements, and other hereditaments, in like manner and forme, as they did before the making of this preſent Act, and as though this preſent Act had neuer béene had, ne made: any thing aboue declared and enacted to the contrary notwithſtanding.

CAP. V.

None may conuey horſes out of England without licence.

WHere before this time, diuers of the Kings Subiects, and namely of the North parts of this Realme, as well in time of peace as of war, haue conueyed, ſold, giuen, and deliuered out of this Realme, as well into Scotland, as into other forreine Realmes, beyond the Sea, many and diuers great multitude of horſes, geldings, and mares, which haue beene thought as well great occaſion, ſtrength, and boldneſſe to the Scottiſhmen, and other the Kings forreine enemies, hauing in poſſeſſion the ſame horſes, geldings, and mares, in time of war to inuade this Realme, as alſo a great decay of the good breed of horſes and mares, which before time hath beene within this Realme, to the great detriment and hinderance of the Kings poore Subiects, towards the defence of this Realme and other his Dominions: For remedy whereof, be it therefore enacted by our Soueraigne Lord the King, and by the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that if any perſon or perſons, after the firſt day of January next comming, do ſell, exchange, giue, conuey, or deliuer into the Realme of Scotland, to the vſe of any Scottiſhman, or doe carry, giue, exchange, ſell, ſend, conuey, or deliuer in any place beyond the ſea out of this Realme, or the Dominions of the ſame, any horſe, gelding or mare, without ſpecial licence therefore to be obtained of the Kings Highneſſe, or of his heires, vnder the great Seale of this Realme, or vnder the priuy ſignet: or if any perſon or perſons, after the ſaid firſt day of January, doe ſell, exchange, giue, or deliuer to any Scottiſhman within this Realme of England or Wales, the Towne of Barwike, or the marches of the ſame, to the intent to be conueyed into Scotland, any horſe, gelding, or mare, or doe conuey or carry any horſe, mare, or gelding into any forreine parties beyond the ſea, without like ſpeciall licence obteined of the Kings Highneſſe, or of his heires, vnder the great ſeale, or priuy ſignet, as is aforeſaid: that then the ſame perſon and perſons ſo offending contrary to this Act, ſhall loſe and forfeit to our Soueraigne Lord and his heires, the ſame horſe, mare, or gelding, ſo carried and conueyed, and ſhall alſo loſe and forfeit the ſumme of xl. li. for euery ſuch horſe, gelding, or mare, ſo to be conueyed and carried in forme aforeſaid: whereof the one moity to be to the King, and the other moity to him, or them, that will ſue for the ſame, by information, action of debt, or detinue in any of the Kings Courts of record, in which ſuit, no wager of law, eſſoine, ne protection ſhall be allowed. And that alſo all and euery perſon and perſons ſo offending contrary to this act, ſhall ſuffer impriſonment by the ſpace of one whole yeere.

The penalty for the conueying of horſes into Scotland or other forreine countries without the Kings licence. St. 23. H. 8. 16. St. 1. El. 7. St. 4. Iac. 8.

And be it further enacted by the authority aforeſaid, that it ſhall be lawfull, as well to the Warden and Wardens of the Eaſt, Weſt, and middle marches for the time being, in their Warden Courts, as alſo to all and euery the Kings Juſtices of peace in euery Shire, as well in England, as in Wales, in their quarter Seſſions, to enquire of all and euery offence or offences hereafter to be perpetrated, committed, or done contrary to this act: And that it ſhall be lawfull to all and euery perſon and perſons being the Kings ſubiects, to arreſt and impriſon euery Scottiſhman, and all and euery other perſon or perſons, which ſhall lead, or conuey contrary to the meaning of this Act, any ſuch horſe, gelding, or mare, out of this Realme into the ſaid Realme of Scotland, or into any other forreine place beyond the Sea, other than ſuch perſons, as hereafter ſhall haue ſufficient warrant, by, or from the Kings Highneſſe or his heires, vnder his, or their great ſeale, or priuy ſignet, according to the meaning of this Act.

The Wardens in their Courts and Juſtices of Peace, may inquire of Offenders.

Prouided alwayes, and be it enacted by the authority aforeſaid, that if the King our Soueraigne Lord, his heires or ſucceſſors, at any time hereafter, vnder his great ſeale, or priuy ſignet, doe giue licence, to any perſon or perſons, to carry or conuey any horſes, mares, or geldings into Scotland, or into any other parties beyond the Sea, or elſe doe giue authority, power, or commandement to any perſon or perſons, by warrant, vnder the Kings great ſeale, to licence any other perſon or perſons to carry, or conuey any horſes, mares, or geldings into Scotland, or into any parties beyond the Sea, that then it ſhall be lawfull, as well to all and ſingular perſon and perſons hauing ſuch licence vnder the Kings great ſeale, or priuy ſignet, as to all and euery other perſon and perſons, hauing licence in writing vnder the ſeale of ſuch perſon, or perſons to whom the King ſhall giue authority, power, or commandement in forme abouesaid, to licence other perſon or perſons to carry or conuey any horſes, mares, or geldings into Scotland, or into any parties beyond the Sea, to carry and conuey ſuch number of horſes, geldings, or mares, or any of them into Scotland, or into any of the parties beyond the Sea, as ſhall be mentioned in any ſuch licence, as is before ſpecified, any thing mentioned in this Act to the contrary in any wiſe notwithſtanding.

The Kings licence to tranſport horſes, and licence to giue licence.

Prouided alwayes, and be it enacted by the authority aforeſaid, that this Act, ne any thing therein contained, ſhall in any wiſe extend to any perſon or perſons, which at any time hereafter ſhall carry or conuey any horſe, mare, or gelding into Scotland, or into any other forreine parties beyond the Sea, to ſerue the King in his warres, with the ſame horſes, mares, or geldings, any thing mentioned in this Act, to the contrary in any wiſe notwithſtanding.

Carrying of horſes to ſerue the King in warres.

Licences ſhalbe ſhewed to the Wardens of the marches.

And to the intent the Kings Maieſty ſhall not hereafter be deceiued in the number of ſuch horſes, mares, or geldings, which hereafter ſhall be carried and conueyed into Scotland, ne that the parties which hereafter ſhall obtaine any licence by force of this Act, for the carriage or conueyance of any horſes, mares or geldings, to be carried or conueyed into Scotland: Be it therefore enacted by the authority aforeſaid, that all and euery ſuch perſon and perſons, which hereafter ſhall be licenced, according to this Act, to carry or conuey any horſes, mares, or geldings into Scotland, ſhall before the ſame carriage, or conueyance, vpon the paine of forfeiture of the ſaid horſe, mare, or gelding, or the double value thereof: whereof the one moity to be to the King, and the other moity to him, or them, that will ſue for the ſame by ſuch like action, as before is limited in this Act, ſhew his or their ſaid licence, to one of the thrée Wardens of the thrée marches of England, to the intent that one of the ſaid Wardens ſhall cauſe the number of the ſaid horſes, mares, or geldings ſo licenced to be conueyed into Scotland, not only to be kalendred in a booke, to remaine in his owne cuſtody: but alſo to be endorſed and written on the backſide of the ſaid licence, and the ſame endorſement to be ſigned with the hand of the ſaid Warden.

Euery perſon that goeth beyond the Sea may take a horſe with him for his owne vſe. Rep. 5. Eli. 19.

Prouided alwayes, that it ſhall be lawfull to euery of the Kings Subiects, that ſhall paſſe ouer beyond the Sea, to ſhip and carry with them, horſes or geldings, for their owne occupation in their iourneyes, and not to the intent to ſell the ſame beyond the Sea: and that intent to be iudged by the oath of him, or them, that ſo will carry ouer any horſe, or gelding: which oath ſhall be taken before the cuſtomers, or their deputies, or ſearcher of euery ſuch Port, where the ſame horſe, or gelding ſhall be ſhipped, before the ſhipping thereof.

The Warden of the 5. Ports may giue certaine horſes.

Prouided alwayes, that the Warden of the fiue Ports now being, or hereafter to be, may yéerely at his pleaſure, giue ſix horſes or geldings, and no more, within one yéere, at one, or diuers times, vpon like paine as is aforeſaid, to any perſon or perſons, in the parties beyond the Seas, being in amity with the Kings Highneſſe, or his ſucceſſors: this Act or any thing therein, to the contrary notwithſtanding.

The maſter of the Kings horſes.

Prouided alſo, that this Act, nor any thing therein mentioned, be in any wiſe hurtfull or preiudiciall to the Maſter of the Kings horſes, now, & hereafter to be, for ſuch things and commodities, as ſhall and doe concerne his office, any thing in this Act to the contrary notwithſtanding.

Tranſporting a mare not exceeding ten ſhillings in price. 11. H. 7. 13.

Prouided alſo, that it ſhall be lawfull to any the Kings Subiects, to carry, or ſend into any parts beyond the Sea, any mares, whereof the price of any one mare ſo to be carried, doth not excéed x. s. in ſuch and like manner, as mares being of the price of ſix ſhillings eight pence haue béene, or might haue béene conueyed ouer the Seas, before the making of this Act: any thing in this Act, or in any other Act or Acts heretofore made to the contrary hereof notwithſtanding.

Cap. VI.

How and by whom Worſted yarne is to be made in Norfolke.

WHere the greateſt, and almoſt the whole number of the poore inhabitants of the County of Norfolke, and the City of Norwich, be, and haue béene heretofore for a great time maintained, and gotten their liuing by ſpinning of the wolles growing in the ſaid County of Norfolke vpon the rock into yarne, & by all the ſaid time haue vſed to haue their acceſſe to common markets within the ſaid County and City, to buy their Wolles there to be ſpun, as is aforeſaid, of certaine perſons called Retailers of the ſame Wolles by eight peny worth, and xii. peny worth at one time or thereabout, and haue not vſed to buy, ne can buy their ſaid Wols of the Bréeders of the ſame Wols by ſuch ſmall parcels, as well for that the ſaid Bréeders of the ſaid Wols will not ſell their ſaid Wols by ſuch ſmall parcels, as alſo for that the moſt part of the ſaid poore perſons dwell far off from the ſaid Bréeders of the ſaid Wols: And foraſmuch as by an Act of Parliament made in the xxxvij. yéere of the reigne of the noble King of famous memory Henry the viij. all perſons be reſtrained vpon a great paine, to buy any Wols to ſell the ſame againe, except Merchants of the Staple, for the only prouiſion of the Staple, as in the ſaid Act among other things more at large is contained: therefore the ſaid Retailers of Wols in the ſaid County of Norfolke and city of Norwich, which heretofore haue vſed to buy Wols, and to ſell them againe to the ſaid poore perſons in ouert markets, as is aforeſaid, haue ſince the making of the ſaid ſtatute in eſchewing the danger and paine prouided by the ſame, ceaſed and left to buy the ſaid Wols, for the reliefe of the ſaid poore perſons: By reaſon whereof, the ſame poore perſons inhabiting within the ſaid county of Norfolk and city of Norwich, that hath heretofore béen ſpinners, and maintained by ſpinning of the ſaid Wols, be now vnoccupied and vnſet a worke, and a great number of them inforced to beg for lacke of worke, to the vtter decay and ruine of the poore people of the ſaid county and city, and the inhabitants thereof, vnleſſe ſome remedy be therein prouided. In conſideration whereof, it may pleaſe the Kings moſt royall Maieſty, by the aſſent of the Lords Spirituall and Temporall, and the commons in this preſent Parliament aſſembled, and by authority of the ſame, That all and euery perſon and perſons dwelling and inhabiting within the ſaid county of Norfolk and city of Norwich, or in either of them, by his, or

By the Statute of 37. H. 8. 15. All perſons reſtrained to buy Wooll to ſell againe, except, &c.

themſelues, or by his, or their factors, ſeruant or ſeruants, may lawfully from henceforth, without paine, forfeiture, danger, or breach of any law, or ordinance, to buy and bargaine Wools, and take and make prouiſion to buy and bargaine Wools growing, or that ſhall grow only within the ſaid county of Norfolk, in as large and like manner and forme, as the ſame inhabitants within the ſaid county and city might and did vſe to doe, before the making of the ſaid Act of Parliament, and as the ſaid Act of Parliament had neuer beene had or made, ſo that the ſame perſon and perſons ſo buying or bargaining, or making promiſe to buy or bargaine the ſaid Wools, doe ſell or retaile the ſame againe in the common market, or other open place within the ſaid county of Norfolk, or city of Norwich, to any perſon and perſons at their pleaſure and liberty that will buy the ſame, or any parcell thereof, dwelling and inhabiting within the ſaid county and city of Norwich, or any of them, that ſhall or will ſpin the ſame within the ſaid county of Norfolke, and the city of Norwich, or any of them: the ſaid former Act, or any article, clauſe or ſentence therein contained, or any other Act or Acts, Law, or ordinance heretofore made to the contrary thereof in any wiſe notwithſtanding.

Euery perſon dwelling in Norwich or Norfolke, may buy and ſell againe Norfolk wooll in open market, notwithſtanding the Stat. of 37. H. 8. 15.

And where in the Parliament holden at Weſtminſter the three and thirtieth yeere of the reigne of our ſaid late Soueraigne Lord the King, it was amongſt other things enacted thus, as enſueth or like in effect, that is to ſay, That no perſon or perſons from henceforth, ſhould buy, ne cauſe to be bought within the ſaid City of Norwich, or County of Norfolke, any yarne ſpun of the rocke, called woolſted yarne, the which ſhould thenafter that be ſpun within the ſaid County or City, but ſuch perſon or perſons being weauers of Woolſted, Ruſſels, Stamine, Saies, and ſuch other like clothes within the ſaid city or County, that ſhould weaue or worke, or cauſe to be wouen or wrought in Woolſted, Stamine, Ruſſels, Sayes, and ſuch other like clothes, the ſaid yarne ſo bought or cauſed to bee bought within the ſaid city or County, in the city of Norwich, or in ſome market Towne within the ſaid County: vpon the paine and forfeiture, for euery pound weight of the ſaid yarne called woolſted yarne, ſo bought within the ſaid County or city, and not wouen or wrought, as is aforeſaid within the ſaid city or county, forty ſhillings, the one halfe thereof to be to the King our Soueraigne Lord, and the other halfe thereof to be to him or them that ſhould then after that ſue for the ſame by bill, information, action of debt, or otherwiſe in any court of Record, in which ſaid action, bill, or information, no eſſoine, wager of law, forreine plea, or protection ſhould be allowed.

St. 33. H. 8. 16.

Who may buy woolſted yarne ſpun in Norw. or Norfolke, and who not.

And where it is alſo ordeined in the ſaid Act, that if any perſon or perſons, did after the firſt day of Aprill then next after the ſaid act enſuing, ſhip, or carry or conuey, or cauſe to be ſhipped, to carry, or conuey into the parties beyond the ſea, or did carry or conuey into the parts beyond the ſea, any yarne called Woolſted yarne not made, or wrought in cloth, ſo that ſuch yarne were ſpun within this Realme, that then euery perſon and perſons ſo ſhipping, conueying, and carrying, or cauſing ſuch yarne ſo to be ſhipped, carried and conueyed, ſhould forfeit for euery pound of woolſted yarne ſo ſhipped, conueyed, or carried, forty ſhillings, the one halfe thereof to be to our ſaid Soueraigne Lord the King, and the other halfe thereof to him or them that ſhould ſue for the ſame by bill, information, or action of debt, in any of the Kings courts of Record, as in the ſaid Act, the ſame, or the like in effect more plainly doeth and may appeare. And foraſmuch as the ſaid act was made and ordeined to continue and endure vntill the Parliament then after that next enſuing, and hath beene ſithence by other generall Acts continued vntill this preſent Parliament, and was not by any of the ſaid Acts ordeined to continue for euer: It may now pleaſe the Kings moſt excellent Maieſty, with the aſſent of the Lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by authority of the ſame, that all the afore recited Act for yarne, with all the words, forfeitures, paines, and ſentences before recited, as the ſame before recited and declared, may from henceforth be enacted to continue, and to be taken for an Act to continue for euer, to all intents and purpoſes, according to the ſaid words, ſentences, and the purport thereof before in this Act recited.

No Woolſted yarne not made into cloth ſhall be tranſported.

The ſtatute of 33. H. 8. 16. rehearſed and made perpetuall.

Prouided alwayes, that it ſhall be lawfull to euery perſon and perſons, being a Hatmaker, or Hatmakers, dwelling within the ſaid city of Norwith, to buy ſuch of the ſaid Woolſted yarne, as is called and knowne by the name of Middle vſſe yarne as they and euery of them haue heretofore done and vſed to doe, ſo that the ſame Middle vſſe yarne ſo bought by the ſaid Hatmakers, or Hatmaker, be wrought in hats, or employed to hatmaking within the ſaid city, any thing before recited to the contrary thereof notwithſtanding. Stat. 5. *Ed. 6. 7.*

Hatmakers may buy Middle vſſe yarne.

CAP. VII.

The death of the King ſhall not diſcontinue any ſuit, &c.

WHere the Kings Subiects heretofore haue to their great coſts, charges and expenſes, proſecuted and ſued, diuers and ſundry actions, as well reall and perſonall, as all other actions mixt or otherwiſe, in the Kings Maieſties courts, and other courts of Record, not onely by writs, but alſo by plaint or bils, which actions, ſuits, bils and plaints, by the death, or demiſe of the Kings of this Realme, haue béene diſcontinued, and the parties in euery ſuch actions, ſuits, bils and plaints, thereby haue béene put without day, whereby the demandants, plaintifes and actors in euery ſuch action and ſuit, were compelled and driuen by the order of the Lawes of this Realme, for their further remedy, to commence and begin againe his or their ſaid actions, ſuits, or plaint, or elſe to proſecute & ſue reſummons, attachnents, Scire facias, or ſuch other like proceſſe to reuiue his or their ſaid actions, ſuits or plaints, which was not only to their great coſts, charges, expences, hinderances and delay, of their cauſes and ſuits, but alſo a great let and hinderance of iuſtice: for reformation whereof, be it ordeined, eſtabliſhed and enacted, by the King our Soueraigne Lord, and the Lords and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from henceforth, by the death or demiſe of the Kings Maieſty that now is. (whoſe life Almighty God long preſerue, kéepe and maintaine in his moſt royall eſtate) nor by the death or demiſe of any that hereafter ſhall be King of this Realme, any action, ſuit, bill or plaint, now or that hereafter ſhall depend betwéene party and party in any of the courts aforeſaid ſhall not in any wiſe be [a] diſcontinued, or put without day. But that the proceſſe, plées, demurs and continuances in euery action, actions, ſuits, bils or plaints, which now or that hereafter ſhall depend, ſhall ſtand good and effectuall, and be [b] proſecuted and ſued forth, in ſuch manner and forme, and in the ſame eſtate, condition and order, as if the ſame King had liued, or continued in full life, the death or demiſe hereafter of any King of this Realme notwithſtanding. And that all, and all manner of iudiciall proceſſe that hereafter ſhall be had, or purſued in the time of the raigne of any other King, than reigned at the time of the purſuit of the originall, or other former proces, ſhall be made in the name of the King that for the time ſhall raigne, and be King of this Realme, and that variance touching the ſame proces betwéene the names of the Kings, ſhal not be in any wiſe materiall, as concerning any default to be alleaged, or obiected therefore.

The death of the King ſhall not diſcontinue any ſuit.

Variance betweene the originall and iudiciall proceſſe ſhall not be preiudiciall.

And alſo be it further eſtabliſhed and enacted by the authority aforeſaid, that all and euery Aſſiſe of Nouell diſſeiſin, Aſſiſe of Mortdanceſtor, Iuris vtrum, and attaint, which at any time hereafter ſhall be arraigned, commenced, or ſued before any of the Kings Iuſtices of Aſſiſe, ſhall not from henceforth be diſcontinued, or put without day, by reaſon of death, new commiſſion, aſſociation, or not comming of the ſame Iuſtices of Aſſiſe, or any of them, but ſhall ſtand good and effectuall in the Law, to all intents, conſtructions and purpoſes, the death, new commiſſion, aſſociation, or not comming of the ſame Iuſtices, or any of them, in any wiſe notwithſtanding.

Suits not diſcontinued by death, new commiſſion or aſſociation or not comming of Iuſtices.

And ouer that be it ordeined and enacted by the authority aforeſaid, That albeit any demandant or plaintiffe in any manner of action, bill, or ſuit, ſhall fortune to be made or created Duke, Archbiſhop, Marques, Earle, Vicount, Baron, Biſhop, Knight, Iuſtice of one Bench or of the other, or Sergeant at the law, depending the ſame action, bill, or ſuit, yet that notwithſtanding, that no writ, action, or ſuit, ſhall for ſuch cauſe in any wiſe be [c] abatable or abated, but ſhall remaine in like force, goodneſſe, and ſtrength, as the ſame was before: any law, or vſage, to the contrary, in any wiſe notwithſtanding.

Preferment of the plaintife to a name of dignity.

And alſo be it ordeined and enacted by the authority aforeſaid, That albeit any perſon or perſons, being Iuſtice of Aſſiſe, Iuſtice of Gaole deliuerie, or Iuſtice of Peace within any of the Kings Dominions, or being in any other of the Kings commiſſions whatſoeuer, ſhall fortune to be made or created Duke, Archbiſhop, Marques, Earle, Vicount, Baron, Biſhop, Knight, Iuſtice of the one Bench or of the other, or Sergeant at law, or Sheriffe, yet that notwithſtanding, he and they ſhall remaine [d] Iuſtice and Commiſſioner, and haue full power and authority to execute the ſame, in like manner and forme, as he or they might, or ought to haue done before the ſame.

Preferment of a Iuſt. or Commiſſioner to a name of dignity.

And be it ordeined and enacted by the authority aforeſaid, That in all caſes, where any perſon or perſons heretofore haue béene, or hereafter ſhall be found guilty of any manner of treaſon, murder, manſlaughter, rape, or other felony whatſoeuer, for the which, iudgement of death ſhould, or may enſue, and ſhal be repriued to priſon without iudgement at that time giuen againſt him, her or them ſo found guilty, that thoſe perſons that at any time[e] hereafter ſhal by the Kings Letters Patents be aſſigned Iuſtices to deliuer the Gaole, where any ſuch perſon or perſons, found guilty ſhall remaine, ſhal haue full power and authority to giue iudgement of death againſt ſuch perſon ſo found guilty, and repriued, as the ſame Iuſtices (before whom ſuch perſon or perſons was or were found guilty) might haue done, if their commiſſion of Gaole deliuery had remained, and continued in full force and ſtrength.

New Iuſt. may giue iudgement of a priſoner found guilty of felony and repriued.

And ouer that, that no manner of proceſſe, or ſuit made, ſued, or had before any Iuſtices of Aſſiſe Gaole deliuery, Oyer and terminer (Iuſtices of Peace) or other of the Kings Commiſſioners, ſhall, [f] ne in any wiſe be diſcontinued, by the making and publiſhing of any new commiſſion, or aſſociation, or by altering of the names of the Iuſtices of Aſſiſe, Gaole deliuery, Oyer and terminer (Iuſtices of Peace) or other the Kings Commiſſioners, but that the new Iuſtices of Aſſiſe, Gaole deliuery, and of the peace, and other Commiſſioners may procéed in euery behalfe, as if the old Commiſſions, and Iuſtices, and Commiſſioners had ſtill remained and continued not altered. St. 1. M. 8.

No ſuit before Iuſt. ſhall be diſcontinued by a new Commiſſion. St. 11. H. 6. 6. 2 & 3. P. & M. 18.

CAP.

Cap. VIII.

Letters Patents made by the King ſince viceſimo octauo Ianuarii *laſt, or to be hereafter made of any mannors, &c. notwithſtanding any miſnaming or miſrecitall, &c. confirmed.*

WHere the Kings moſt excellent Highneſſe ſithen the xxviij. day of January, in the firſt yeere of his Maieſties reigne, as well vpon diuerſe and ſundꝛy good conſiderations, his Maieſty ſpecially mouing, as alſo otherwiſe, hath bargained, ſold, exchanged, giuen, reſtoꝛed, and granted, by his Graces ſeuerall Letters Patents, indentures, oꝛ other wꝛitings ſealed vnder his Highneſſe great Seale of England, the Seale of his Duchy of Lancaſter, and the Seale of the Court of Augmentation of the Reuenues of his Crowne, oꝛ any of them, as well to bodies politike and coꝛpoꝛate, as to diuers and ſundꝛy of his louing and obedient ſubiects, diuers and ſundꝛy Honoꝛs, Caſtles, Manoꝛs, Lands, Tenements, Rents, Reuerſions, Seruices, Parſonages appꝛopꝛiated, Aduouſons, Tithes, Oblations, Pentions, Poꝛtions, Franchiſes, Pꝛiuileges, Liberties, and other Hereditaments, Commodities and Pꝛofits in Fee ſimple, Fee taile, foꝛ terme of life, oꝛ liues, oꝛ foꝛ terme of yeeres, as in the ſame ſeuerall Letters Patents, Indentures, and other wꝛitings is mentioned and delared: In auoiding, diſturbing, hurting, oꝛ hindering of the ſaid ſeuerall Letters Patents, Indentures, and other wꝛitings, and of the ſaid Manoꝛs, Lands, Tenements, hereditaments, and other things in them conteined, ſundꝛy and many ambiguities, doubts, and queſtions, haue, oꝛ might hereafter happen to be moued, obiected, alleaged, inuented, pꝛocured, oꝛ ſtirred: as well foꝛ miſnaming, miſrecitall, oꝛ non recitall of any of the ſame Honoꝛs, Caſtles, Manoꝛs, Lands, Tenements, and other the Pꝛemiſſes, oꝛ any parcell thereof: oꝛ foꝛ lacke of finding of Offices, oꝛ Inquiſitions, of, and in the pꝛemiſſes, whereby the Title of the Kings Highneſſe therein ought to haue beene found befoꝛe the making of the ſame Letters Patents, oꝛ other wꝛiting: oꝛ foꝛ miſrecitall, oꝛ non recitall of leaſes thereof befoꝛe made, aſwell of Recoꝛd as not of Recoꝛd: oꝛ foꝛ lacke of the certainty, miſcaſting, rating, oꝛ ſetting foꝛth of the yeerely values and rates of the pꝛemiſſes, oꝛ of the yeerely rents reſerued, of, and foꝛ the pꝛemiſſes, oꝛ any parcell thereof mentioned, oꝛ conteined in any of the ſaid Letters Patents, oꝛ other wꝛitings: oꝛ foꝛ that the pꝛemiſſes be, oꝛ any part thereof is valued, to a moꝛe oꝛ leſſe value in the ſaid Letters Patents, oꝛ wꝛitings, than the ſaid honoꝛs, manoꝛs, lands, tenements, and other the pꝛemiſſes then were, oꝛ ſhall be in yeerely value: oꝛ foꝛ miſnaming of the Townes, Hamlets, Pariſhes, oꝛ Counties, where the ſame honoꝛs, caſtles, manoꝛs, lands, tenements, rents, hereditaments, and other the pꝛemiſſes, and euery parcell thereof, oꝛ any parcell thereof lien, oꝛ beene: oꝛ foꝛ lacke of the true naming of the natures, kinds, ſoꝛts ⁊ quantities, of the ſaid poſſeſſions, oꝛ hereditaments, oꝛ any parcell thereof: oꝛ foꝛ lacke of the true naming of the Coꝛpoꝛation of the ſame bodies Politike, oꝛ Coꝛpoꝛat: oꝛ foꝛ lacke of attoꝛnement, liuery, oꝛ ſeaſon, oꝛ foꝛ miſnaming of any of the late Tenants, oꝛ Fermoꝛs of the ſame pꝛemiſſes ſo ſold, giuen, granted, oꝛ exchanged: as foꝛ diuers and ſundꝛy other ſuggeſtions and ſurmiſes, not compꝛiſed in the ſaid Letters Patents, which hereafter might happen to be moued, ſurmiſed, oꝛ pꝛocured, againſt the ſame Letters Patents.

Generall things which be requiſit by the Common law to make the Kings Letters Patents auailable, and which wanting doe auoid them.

Foꝛ remedie and refoꝛmation wherof, be it oꝛdeined and enacted by the Kings moſt exellent Highneſſe, with the aſſent of the Loꝛds Spirituall and Tempoꝛall, and the Commons in this pꝛeſent Parliament aſſembled, and by the authoꝛitie of the ſame, that as well all and euerie the ſaid Letters Patents, Indentures, and other wꝛitings, aud euery of them ſealed with, oꝛ vnder the ſeale oꝛ ſeales aboue named, oꝛ any of them made, oꝛ granted by the Kings Highneſſe, ſithence the eight and twentieth day of January laſt paſt, as alſo all and ſingular his Graces Letters Patents, Indentures, and other wꝛitings hereafter, during his Highneſſe life (which our Loꝛd long continue) to be had, made, oꝛ granted with, oꝛ vnder any of the ſeales aboueſaid, to any body Politike, oꝛ Coꝛpoꝛat, oꝛ to any other perſon oꝛ perſons, of any honoꝛs, caſtles, manoꝛs, lands, tenements, rents, reuerſions, ſeruices, parſonages, tithes, pentions, poꝛtions, Aduouſons, nominations, pꝛeſentations, franchiſes, liberties, and other hereditaments, commodities, poſſeſſions, and pꝛofits, of what kinde, nature, oꝛ quality, ſoeuer they, oꝛ any of them be, is, oꝛ ſhall be, oꝛ by whatſoeuer name oꝛ names they oꝛ any of them be, is, oꝛ ſhall be named, knowen, oꝛ reputed, ſhall ſtand and be taken, reputed and iudged good, ſure, perfect, effectuall, and auailable in the Law, during the Statutes in them limited and ſpecified, to all intents, reſpects, conſtructions, and purpoſes, againſt the King, his heires, and ſucceſſoꝛs, without any confirmation, licence, diſpenſation, oꝛ toleration of the King, his heires, oꝛ ſucceſſoꝛs: any the cauſes oꝛ matters aboue mentioned, conteined, oꝛ hereafter during his ſaid Highneſſe life, to be contained, had, oꝛ made, in any ſnch Letters Patents, Indentures, oꝛ other wꝛitings, by the King our Soueraigne Loꝛd, to the contrary in any wiſe notwithſtanding.

A confirmation of all Letters Patents, &c. made by the King oꝛ to be made during his life of any Lands, &c. notwithſtanding miſnaming, &c.

Prouided alway, that this Act, ne any thing therein conteined, ſhall not in any wiſe extend to reuiue, oꝛ make good, any Letters Patents made of any Office, oꝛ Offices, to any Comptroller, Cuſtomer, Alnager, oꝛ Searcher, ne to any Letters patents, of the grant of any other Office, oꝛ offices, hertofoꝛe granted, oꝛ made by our ſaid ſoueraigne Loꝛd the King which now is, oꝛ be, oꝛ at

any

To which Letters Patents the Sta. doth not extend.

any time heretofore haue beene adnihilated, determined, or made void by iudgement, by authority of Parliament or decree: nor to any Patent to be made to any perſon or perſons for terme of yeeres, or during the minority of an heire, of, or in any Manors, Lands, or tenements, whereof any trauers hereafter ſhall be tendred within three moneths after any Office found and certified into any of the Kings courts of Record: ne to any leaſes or grants, of any manors, lands, or tenements, of our ſaid Soueraigne Lords, hereafter to be made vnder any of the Seales of the courts aforeſaid, contrary to the limitation, ordinance, prouiſion, eſtabliſhment, and authority of the ſame courts: any thing in this Act conteined to the contrary notwithſtanding.

Prouided alſo, and be it enacted, that this act, nor any thing therein conteined, ſhall not extend to make any Letters patents, of any office, or offices, to be of any other effect, force, or ſtrength, than the ſame Letters Patents were, or ſhould haue beene before the making of this Act.

Prouided alway, and be it enacted by the authority aforeſaid, that all and ſingular ſuch Patentees, grantees, donees, as any time hereafter during the life of our ſaid Soueraigne Lord (which Almighty God long preſerue) ſhall fortune to haue, or obtaine any caſtles, manors, lands, tenements, tithes, pentions, portions, or other hereditaments, of the gift, grant, ſale, or exchange of the Kings Maieſty, or of the only gift of the Kings Maieſty, of his moſt liberall diſpoſition, and not ſold, which at the day of the date of the Letters Patents thereof made, ſhall be of more, or better yeerely value to the King in yeerely rent and ferme, than ſhall be conteined, mentioned, and ſpecified in any ſuch Letters Patents, and particulars thereof made by the particular Surueyour, or Surueyours thereof, and in ſuch bill, or bills, as ſhall be ſigned and ſealed with the hand or hands of the patentee or patentees thereof to be exhibited to the Kings Maieſty, or his Officer or Officers, within whoſe ſuruey the ſaid manors, lands, and tenements, and other the premiſſes, or any part thereof ſhall be, or within any of them, which bill ſhall be ſigned, ſealed, had, and made, as is aforeſaid, before any bill ſhall be thereof ſigned by the Kings Maieſty: that then euery of the ſaid patentees, grantees, and donees, their heires, executors, or adminiſtrators, within one yeere next after due proofe, and decree thereof made and had in the Court, within whoſe ſuruey the ſame caſtles, manors, lands, tenements, and other the premiſſes, or any parcell thereof, before the ſaid gifts and grants were, ſhall content and pay to the King for the ſame ouerplus, and more value of the ſame manors, lands, tenements, tithes, pentions, portions, and other hereditaments to him ſold or exchanged, after ſuch rate as other lands, and tenements, were before to him ſold or exchanged, and for the ouerplus and more value of ſuch lands, and tenements as ſhall happen to be giuen by the Kings Maieſty, and not ſold, as is aboueſaid, the ſaid Patentee, his Heires, Executors, or Adminiſtrators, ſhall content and pay to the King, after the rate of twenty yeeres purchaſe, ſo that the ſame proofe and decree be had and made in manner and forme aboueſaid, within ten yeeres next after the date of the ſaid Letters Patents. Stat. 27. *H.* 8. 27. 7. *Ed.* 6. 3.

Recompence to the King for the ouerplus of that which ſhall not be conteined in the Letters Patents and particular.

Cap. IX.

Certaine Churches within Yorke vnited and drawne into a fewer number.

WHere in the ancient City of Yorke and Suburbs of the ſame, there are many Pariſh Churches, which heretofore the ſame being well inhabited and repleniſhed with people, were good and honeſt liuings for learned Incumbents, by reaſon of the priuy tithes of the rich Merchants, and of the offerings of a great multitude, which liuings be now ſo much decayed by the ruine and decay of the ſaid City, and of the trade of merchandiſe there, that the reuenues and profits of diuers of the ſame benefices are at this preſent not aboue the cleere yeerely value of ſix and twenty ſhillings and eight pence, ſo that a great ſort of them are not a competent and honeſt liuing for a good curate: yea, and no perſon will take the cure, but that of neceſſity there is ſome chantery Prieſt, or elſe ſome late religious perſon being a Stipendary taken and appointed to the ſaid cure and benefice, which for the moſt part are vnlearned, and very ignorant perſons, not able to doe any part of their duties: By reaſon whereof the ſaid city is not only repleniſhed with blind guides and Paſtors, but alſo the people much kept in ignorance, as well of their duties towards God as alſo towards the Kings Maieſty and the common wealth of this Realme, and to the great danger of their ſoules: In conſideration whereof, and for the better reliefe and order of the ſaid city, it may pleaſe the Kings Maieſty, by the aſſent of the Lords Spirituall and Temporall, and the commons in this preſent Parliament aſſembled, and by the authority of the ſame, that from henceforth it ſhall be lawfull to the Maior and Recorder of the ſaid city, and to the ordinary, or his deputy, and ſix Iuſtices of Peace in the ſaid city, to vnite and knit together the ſaid Pariſhes into fewer number, that is to wit, ſo many of the ſaid Pariſhes into one Pariſh, as to them ſhall be thought conuenient to be a liuing for one honeſt Incumbent, ſo the cleere yeerely value of one Pariſh exceed not xx. li. by yeere, and ſo to proceed thorow the ſaid City and Suburbes of the ſame.

It ſhall be lawfull to the Maior of Yorke, &c. to vnite ſo many of the Pariſhes in Yorke as to them ſhall ſeeme conuenient.

Pulling downe of Churches and beſtowing them.

Diſpoſing of the patronage.

And that it ſhall be lawfull for the ſaid Maior, Recorder, and Aldermen to pull downe the Churches, which they ſhall thinke ſuperfluous in the ſaid City and Suburbs of the ſame, and to beſtow the ſame toward the reparations, and enlargement of the other Churches, of the bridges in the ſaid City, and to the reliefe of the poore people. And further, that the ſaid Maior, Recorder, Ordinary, or his deputy, and ſix Iuſtices of Peace being Aldermen, ſhall allot and appoint the preſentment and patronage of the Church ſo vnited to the patrons of all the Churches, ſo knit in one Pariſh, that they may make their preſentments by turne, euery one according to their quantity of his former patronage.

A prouiſion for the incumbents of the Churches pulled downe.

Prouided alwayes, and be it enacted by the authority aforeſaid, that all ſuch incumbents of the Churches aforeſaid, that ſhall be put downe by vertue of this Act, ſhall haue the yeerely value of their benefices after the rate they doe pay Tenthes during their liues, ſo they will doe ſeruice therefore in the Church called the Pariſh Church, according to their former duties. And if they refuſe to ſerue, then they only during their liues to haue the third part of the value, as is aforeſaid, and to be payed at the hands of the Incumbent of the Pariſh Church to be appointed.

Prouided alſo, and be it enacted by the authority aforeſaid, that the Incumbents of euery ſuch Church, which by vertue of this Act ſhall be made and ordeined for the Pariſh Church, and whereunto any other Pariſh, or Pariſhes ſhall be vnited, ſhall after the vnion thereof, yeerely pay the Tenthes to be due for the ſaime to the Kings Maieſtie, his heires and ſucceſſors of the ſame Church, and of all other Churches thereunto vnited and annexed. And the ſaid Incumbents of the pariſh Church ſo vnited, to haue his allowance of the Incumbents of the Churches ſo vnited thereunto, during their ſeuerall liues, according to the rate and portion of the Churches ſo vnited, as ſhall be aſſigned by the aboueſaid perſons, hauing authority by this Act to vnite the ſame. And the ſucceſſor and ſucceſſors of euery ſuch Incumbent of euery ſuch Church, as ſhall be made the Pariſh Church, and whereunto any Church or Pariſh ſhall be vnited by force of this Act, ſhall pay or compound for the firſt fruits thereof at euery auoydance before his induction to the ſame, according to ſuch yeerely value, as ſuch Church, or Churches, as ſhall be made a Pariſh Church, and whereunto any Church, or Churches, Pariſh or Pariſhes ſhall be vnited by force of this Act, ſhall be of at the time of the vnion thereof, and as if it had beene of ſuch like yeerely values at the time of making of the Statute for firſt Fruits and Tenthes, and of no greater value: Any Ordinance, Statute, or Law, to the contrary notwithſtanding.

By whom the Tenth to the King ſhall be payed, and how vnited.

Who ſhall pay the firſt fruits, and according to what value.

Cap: X:

Exigents and Proclamations ſhall be awarded out of the Kings Bench and Common place, againſt any perſon dwelling in Wales or Cheſter.

Where in the high Court of Parliament holden at Weſtminſter the ſeuen and twentieth yeere of the moſt proſperous raigne of the late famous King Henry the eight, by the aſſent of the Lords Spirituall and Temporall, and the Commons aſſembled in the ſaid high Court of Parliament: It was enacted and eſtabliſhed by authority of the ſame Parliament, that his Highneſſe Dominion and Principality of Wales, and all Manors, Lands, Tenements, and other Dominions within the ſaid Dominion and Principality of Wales, ſhould be deuided into twelue Shires or Counties, that is to ſay, the Shires or Counties of Glamorgan, Radnor, Brecknok, Kaermarthen, Pembroke, Cardigan, Merioneth, Mongomery, Flint, Caernaruan, Angleſey, and Denbigh, in euery of which ſaid Counties and Shires, amongſt the Officers yeerely appointed, it was then ordeined that there ſhould be diſtinct and ſeuerall Shiriffes yeerely: and alſo where the Counties Palatine of Cheſter, and of the City of Cheſter, be ancient and ſeuerall Counties Palatine of themſelues, in all which ſaid Counties, the Kings writ hath not, nor yet doth run: So that the Proclamation awarded vpon any Exigent againſt any perſon or perſons in any action, wherein proceſſe of outlawry doth lie, according to the Statute made in the ſixth yeere of the raigne of the ſaid late King, cannot be directed vnto the Sheriffe or Sheriffes of any of the ſaid Shires or Counties, but vnto the Sheriffe of the County next adioyning: So that the party dwelling in any of the ſaid Shires or Counties, againſt whom any ſuch exigent and Proclamation ſhall be ſo awarded, ſhall not, nor can haue any knowledge of the ſame ſuit or proceſſe, by reaſon whereof, many of the perſons inhabiting in the ſaid Shires and Counties, without knowledge or cauſe of ſuit, haue beene wrongfully and vniuſtly outlawed to their vtter vndoing.

27.H.8.26.

St.6.H.8.4.

Be it therefore, and for diuers other good conſiderations, by the King our Soueraigne Lord, with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame enacted, ordained and eſtabliſhed, that if and whenſoeuer any writ of Exigent, at any time after the firſt day of Aprill next comming ſhall be awarded at the ſuit of the King, or of any other perſon or perſons, plaintiffe or plaintiffes, in any action or ſuit, in any of the Courts of our ſaid Soueraigne Lord the King, his heires or ſucceſſors, commonly called the Kings Bench and the Common place, againſt any perſon or perſons, dwelling in any of the foreſaid Counties in Wales, or in the ſaid Counties Palatine of Cheſter or the City of Cheſter, or in any of them: that then immediatly vpon the awarding of euery ſuch exigent,

A proclamation vpon an exigent awarded againſt any perſon dwelling in Wales, the County or City of Cheſter.

exigent, the Iuſtice or Iuſtices before whom any ſuch writ of exigent vpon ſuch ſuit, or action ſhall be ſued, ſhall haue full power and authority to award one writ of Proclamation according to the tenor and effect of Proclamations awarded vpon exigents, directed out of any of the ſaid Courts in London, againſt any perſon dwelling in any other Shire, where the Kings Writ is currant, according to the order and forme of the ſaid Statute made in the ſixth yeere of the ſaid late King, to be directed to ſuch of the aforeſaid Sheriffes of any of the aforeſaid Counties in Wales, and of the Counties Palatine of Cheſter, and of the City of Cheſter for the time being, where it ſhall happen the ſaid defendant, againſt whom any ſuch action ſhall be ſued as is aforeſaid to be dwelling. And that euery ſuch Writ of Proclamation ſhall haue the ſame teſte, and day of returne, as the exigents, whereupon euery ſuch writ of Proclamation ſhall be awarded, ſhall haue: And that euery ſuch Sheriffe to whom any ſuch writ of Proclamation ſhall be directed, ſhal make proclamation of the ſaid writ of Proclamation, according to the tenor of the ſame, and ſhall make true returne of the ſame in ſuch Court, and before ſuch Iuſtices, as the tenor of the ſame Writ ſhall require and demand. And that all outlaries hereafter to be promulged, or pronounced againſt any perſon or perſons vpon any ſuch exigent, or exigents, awarded againſt any perſon or perſons, dwelling in any of the ſaid Counties of Wales, and the Counties Palatine of Cheſter, and of the City of Cheſter, and no writ of Proclamation awarded, in forme aboue ſaid, to the Sheriffe or Sheriffes of the County, where the party defendant ſhall be as is aboueſaid dwelling, or not returned to be cleerely void and of none effect nor force in the Law.

Euery Sheriffe in Wales and of Cheſhire and Cheſter ſhall haue deputies in the Kings bench and common place.

23. H.6.10.

And be it further enacted by the authority aforeſaid, that all and euery Sheriffe and Sheriffes of euery of the ſaid Counties of Wales, and of the Counties Palatine of Cheſter, and of the City of Cheſter aforeſaid, ſhall haue in euery of the Courts of the Kings Bench and of the Common place, one ſufficient Deputy at the leaſt, to receiue all writs directed to ſuch the Sheriffe or Sheriffes, for whom the ſame Deputy or Deputies ſhalbe appointed, in like manner and forme, and vpon like paines as by the former Statutes and Lawes of this Realme, other Sheriffes of other Shires or Counties within this Realme of England be bounden to haue in either of the ſame Courts. And that all writs of Proclamation aforeſaid, ſhall be deliuered vnto euery ſuch Deputy of Record in the ſame Courts, and alſo like fees ſhall be paid for making euery ſuch writ of Proclamation, and for enrolling the ſame of Record, as is limited in the ſaid Statute made in the ſaid ſixth yeere of the raigne of our ſaid late Soueraigne Lord King Henry the eight.

To whom proces againſt any perſon outlawed ſhall be directed.

And be it further enacted by the authority aforeſaid, that if any perſon dwelling in any of the ſaid Counties of Wales, after the aforeſaid firſt day of Aprill, ſhall be outlawed in any ſuit or action aforeſaid, that then writs of ſpeciall Capias vt legatū. ſingle Capias vt legatū. non moleſtand. And all other proceſſe, for or againſt any perſon outlawed, ſhall and may from thenceforth be directed to the Sheriffe of any of the ſaid Counties in Wales, as immediate Officers to the Kings ſaid Courts of the Kings Bench, or Common place in that behalfe: and that euery ſuch writs may be deliuered of Record to the Deputy of ſuch of the ſaid Sheriffes, to whom any ſuch writ or proceſſe ſhall be directed, and that euery ſuch Sheriffe ſhall make execution and returne of euery ſuch writ or proceſſe to him directed, vpon like paine and penalty as is aboue limited.

The Sheriffes forf. for not returning of a writ of Proclamation.

And be it further enacted and eſtabliſhed, that if any ſuch writ or writs of Proclamation hereafter directed to any of the Sheriffes of any of the ſaid Shires in Wales or Counties Palatine of Cheſter, or of the City of Cheſter, be deliuered vnto any of the ſaid Sheriffes for the time being, or to his or their Deputy, in manner and forme aforeſaid: and the ſame Sheriffe or Sheriffes doe not make true returne of euery ſuch writ and writs of Proclamation, into ſuch Court and Courts out of which the ſaid writ or writs of Proclamation ſhall be awarded: that for euery ſuch fault of non returne, euery ſuch Sheriffe for the time being ſhall loſe and forfeit v.li. the one halfe thereof ſhall be to our Soueraigne Lord the King his heires and ſucceſſors, the other halfe to any ſuch perſon or perſons as will ſue for the ſame in an action of debt grounded vpon this act, in any of the Kings Courts of Record, wherein no eſſoine, protection, or wager of Law ſhall be allowed or admitted.

A reſeruation of other liberties in Wales, &c.

Prouided alwayes, this Act, or any thing therein conteined, ſhall not in any wiſe extend, or be preiudiciall to the ſame Counties of Wales, or to the ſaid Counties Palatine of Cheſter or of the City of Cheſter, for or concerning ſuch liberties, franchiſes or priuileges, as belong to them or any of them, or to any Miniſters or Officers of them or any of them, otherwiſe or in any other manner, than by the true meaning of this Act is before prouided and declared: any thing in this Act mentioned to the contrary notwithſtanding.

The Liberties of the L. Merchers reſerued.

Prouided alwayes, and be it enacted by the authority aforeſaid, that this Act ne any thing therein conteined, ſhall not in any wiſe be preiudiciall or hurtfull to any Lord Marcher in Wales, but that they and euery of them, and their heires, and the heires of euery of them ſhall and may haue like liberty, intereſt and preeminence, as they and euery of them, had, might, or ought to haue had before the making of this Act, and as though this Act had neuer beene had nor made: any thing in this Act mentioned to the contrary in any wiſe notwithſtanding. 5. Ed.6.26.

Cap. XI.

A repeale of the Statute of 28. *H*.8.17. which gaue authority to the King after his age of foure and twenty yeeres, to repeale by his Letters Patents all former Statutes made during his minority. An authority giuen to the ſaid King *Edward* the ſixth, and to euery Heire of the late King *Henry* the eight, and to euery perſon to whom the Crowne ſhall deſcend, remaine or come by appointment of the ſaid late King *Henry* the eight, to repeale all Statutes made before his full age of foure and twenty yeeres, ſauing this Statute, and all Pardons granted by Parliament. So that the ſaid repeale containe all ſuch Acts as ſhall be repealed, and three ſeuerall dayes be openly proclaimed in the Chancery in Terme time, &c. and once in euery County at the Aſſiſes. EXP.

Cap. XII.

Statutes concerning Treaſons, &c. repealed.

NOthing being more godly, more ſure, more to be wiſhed and deſired betwixt a Prince, the ſupreme head and ruler, and the ſubiects, whoſe Gouernor and head he is, than on the Princes part, great clemencie and indulgencie, and rather too much forgiueneſſe and remiſſion of his royall power and iuſt puniſhment, than exact ſeuerity and iuſtice to be ſhewed: and on the Subiects behalfe, that they ſhould obey rather for loue, and for the neceſſity and loue of a King and Prince, than for feare of his ſtreight and ſeuere Lawes: yet ſuch times at ſome time come in the Common wealth, that it is neceſſary and expedient for the repreſſing of the inſolencie and unrulineſſe of men, and for the foreſeeing and prouiding of remedies againſt rebellion, inſurrection, or ſuch miſchiefes (as God ſometime with vs diſpleaſed for our puniſhment doth inflict and lay vpon vs, or the Deuill at Gods permiſſion to aſſay the good and Gods elect, doth ſowe and ſet among vs) the which almighty God, with his helpe and mans policie, hath alwayes beene content and pleaſed to haue ſtayed, that ſharper lawes, as a harder bridle ſhould be made, to ſtay thoſe men and facts, that might elſe be occaſion, cauſe and authors of further inconuenience, the which thing cauſed the Prince of moſt famous memory, King Henry the eight, father to our ſaid Soueraigne the King, and other his Highneſſe Progenitors, with the aſſent of the Nobles and Commons, at diuers Parliaments in their ſeuerall times holden, to make and enact certaine Lawes and ſtatutes, which might ſeeme and appeare to men of exterior Realmes, and many of the Kings Maieſties ſubiects very ſtreight, ſore, extreme, and terrible, although they were then, when they were made, not without great conſideration and policie, moued and eſtabliſhed, and for the time, to the auoidance of further inconuenience, very expedient and neceſſary. But as in tempeſt or Winter, one courſe and garment is conuenient, in calme or warme weather, a more liberall race, or lighter garment both may, and ought to be followed and vſed: ſo wee haue ſeene diuers ſtreight and ſore Lawes made in one Parliament, (the time ſo requiring) in a more calme and quiet reigne of another Prince, by the like authority and Parliament repealed and taken away. The which moſt high clemency and royall example of his Maieſties moſt noble Progenitors, the Kings Highneſſe of his tender and godly nature, moſt giuen to mercie and loue of his Subiects, willing to follow, and perceiuing the hearty and ſincere loue, that his moſt louing ſubiects, both the Lords and Commons doe beare vnto his Highneſſe, now in this his Maieſties tender age, willing alſo to gratifie the ſame therefore, and minding further to prouoke his ſaid Subiects with indulgencie and clemencie, ſhewed on his Highneſſe behalfe, to more loue and kindneſſe toward his Maieſty (if it may be) and vpon truſt that they will not abuſe the ſame, but rather bee encouraged thereby more faithfully, and with more diligence (if it may be) and care for his Maieſty, to ſerue his Highneſſe now in this his tender age, is contented and pleaſed, that the ſeuerity of certaine Lawes here following be mitigated and remitted.

Sometimes ſharp and ſometimes milder lawes be made according to the peoples inclination.

Be it therefore ordeined and enacted by the King our Soueraigne Lord, with the aſſent of the Lords ſpirituall and temporall, and of the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that from henceforth, no act, deed, or offence, being by act of Parliament or ſtatute made treaſon, or petit treaſon, by words, writing, ciphring, deeds, or otherwiſe whatſoeuer, ſhal be taken, had, deemed and adiudged to be high treaſon, or petit treaſon, but only ſuch as be treaſon or petit treaſon, in or by the Act of Parliament, or ſtatute made in the xxv. yeere of the reigne of the moſt noble King of famous memory King Edward the third, touching, or concerning treaſon, or the declarations of treaſons: and ſuch offences as hereafter ſhall by this preſent act be expreſſed and declared to be treaſon or petit treaſon, and none other, nor that any paines of death, penalty or forfeiture in any wiſe enſue, or be to any of the Offenders for the doing or committing any treaſon, or petit treaſon, other than ſuch as be in the ſaid ſtatute made in the ſaid xxv. yeere of the reigne of the ſaid King Edward the third, or by this preſent ſtatute ordeined and prouided: any act or acts of Parliament, ſtatute or ſtatutes, had, or made at any time heretofore or after the ſaid xxv. yeere of the reigne of the ſaid late King Edward the third, or any other declaration or matter, to the contrary in any wiſe notwithſtanding.

No offence made treaſon by any ſtatute ſhalbe ſo adiudged but ſuch as were made treaſon, by the ſtatute of 25. Ed.3.2. St.1.H.4.10. 1.M.1.

And

2.H.4.15.
5.R.2. 5.
2.H.5.7.
25.H.8.14.
31.H.8.14.
34.H.8.1.
35.H.8.5.
A repeale of the before ſpecified 7. ſtatutes, and of euery other act concerning doctrine and matter of religion.

And alſo be it further enacted by the authority aforeſaid, that all Acts of Parliament and ſtatutes, touching, mentioning, or in any wiſe concerning religion or opinions, that is to ſay, as well the ſtatute made in the fifth yeere of the raigne of the Kings noble progenitor King Richard the ſecond: and the Statute made in the ſecond yeere of the reigne of King Henry the fifth: and the ſtatute alſo made in the xxv. yeere of the raigne of King Henry the eight, concerning puniſhment and reformation of heretikes and lollards, and euery prouiſion therein conteined: and the ſtatute made for the aboliſhment of diuerſity of opinions, in certaine articles concerning Chriſtian Religion, commonly called the vj. articles, made in the Parliament begun at Weſtminſter the xxviij. day of April, in the xxxj. yeere of the raigne of the moſt noble and victorious Prince of moſt famous memory King Henry the eight, father to our moſt dread Soueraigne Lord the King that now is: and alſo the act of Parliament and ſtatute made in the Parliament begun at Weſtminſter, the ſixteenth day of Ianuary, in the three and thirtieth yeere of the raigne of the ſaid late King Henry the eight, and after that proroged vnto the two and twentieth day of Ianuary, in the foure and thirtieth yeere of the reigne of the ſaid late King Henry the eight, touching, mentioning, or in any wiſe concerning bookes of the old and new Teſtament in Engliſh, and the printing, vttering, ſelling, giuing, or deliuering of bookes, or writings, and retaining of Engliſh bookes or writings, and reading, preaching, teaching, or expounding of Scripture, or in any wiſe touching, mentioning, or concerning any of the ſame matters. And alſo one other ſtatute made in the Parliament holden at Weſtminſter in the fiue and thirtieth yeere of the raigne of the late King Henry the eight, concerning the qualification of the Statute of ſix Articles, and all and euery other Act or Acts of Parliament concerning doctrine, or matters of religion, and all and euerie branch, article, ſentence, and matter, pains and forfeitures conteined, mentioned, or in any wiſe declared in any of the ſame acts of Parliament, or eſtatutes, ſhal from henceforth be repealed, and vtterly void and of none effect.

All ſtatutes made ſithence the firſt yeere of H.8. to make any thing felony repealed. St.1.M.1.

And be it further ordeined and enacted by the authority aforeſaid, that all offences made felony by any act or acts of Parliament, ſtatute, or ſtatutes, made ſithence the xxiij. day of Aprill, in the firſt yeere of the reigne of the ſaid late King Henry the eight, not being felony before, and alſo, all and euery the braunches and articles mentioned, or in any wiſe declared, in any of the ſame ſtatutes, concerning the making of any offence or offences to be felony, not being felony before: and all paines and forfeitures, concerning the ſame, or any of them, ſhall from henceforth be repealed and vtterly void and of none effect.

A repeale of the St. of 31.H.8.8. and 34.H.8.23. touching the authority of the Kings proclamations.

And be it alſo ordeined and enacted by the authority aforeſaid, that one Act made in the Parliament holden at Weſtminſter, in the one and thirtieth yeere of the reigne of the ſaid late King Henry the eight, that proclamations made by the Kings Highneſſe, by the aduice of his honourable Councell, ſhould be obeyed and kept, as though they were made by authority of a Parliament: and alſo one other act made in the Parliament holden in the xxxiij. yeere of the reigne of the ſaid late King Henry the eight, for the due execution of the ſaid Proclamations: and alſo all and euery branch, article, and matter in the ſame Statutes, and euery of them mentioned or declared, ſhall from henceforth be repealed, and vtterly void and of none effect.

The penalty for affirming by words, that the King is not ſupreme head of the Church, or that any other is, or to compaſſe to depoſe him, or to affirme that he ought not to be King. Rep. 1, & 2. P.& M. 8. for ſo much as concernes the ſupremacie.

And be it enacted by the authority aforeſaid, that if any perſon or perſons, at any time after the firſt day of March next comming, by open preaching, expreſſe words, or ſayings, doe affirme, or ſet forth, that the King, his heires or ſucceſſors Kings of this Realme for the time being, is not, or ought not to be ſupreme head in earth of the Church of England and Ireland, or any of them, immediatly vnder God, or that the Biſhop of Rome, or any other perſon or perſons, other than the King of England for the time being, is, or ought to be by the Lawes of God, ſupreme head of the ſame Churches, or of any of them, or that the King, his heires or ſucceſſors Kings of this Realme, is not, or ought not to be King of England, France and Ireland, or of any of them: or after the ſaid firſt day of March, doe compaſſe, or imagine by open preaching, expreſſe words or ſayings, to depoſe or depriue the King, his heires, or ſucceſſors Kings of this Realme, from his, or their royall eſtate, or titles, to, or of the Realmes aforeſaid, or doe openly publiſh, or ſay by expreſſe words or ſayings, that any other perſon or perſons, other than the King, his heires or ſucceſſors Kings of this Realme, of right ought to be Kings of the Realmes aforeſaid, or of any of them, or to haue and enioy the ſame, or any of them: that then euery ſuch Offendor being thereof duely conuicted, or attainted by the Lawes of this Realme, their aidors, comforters, abbettors, procurors, and counſailors, for his or their ſuch firſt offence, ſhall loſe and forfeit to the King, all his and their goods, and cattels, and alſo ſhall haue and ſuffer impriſonment, of his and their bodies, at the Kings will and pleaſure. And if any perſon being once conuicted or attainted of any of the ſaid offences, ſhall after his conuiction or attaindor eftſoones commit, or perpetrate any of the offences before mentioned, other than ſuch as be expreſſed in the ſaid eſtatute made in the ſaid xxv. yeere of King Edward the third, and ſhall be thereof duely conuicted and attainted by the Lawes of this Realme: then euery ſuch Offender, their Aiders, Comforters, Abbettors, Procurers, and Counſellers, for his, or their ſaid ſecond offence or offences, ſhall loſe and forfeit to the King, the whole iſſues and profits of all his and their lands, tenements, and other hereditaments, benefices, prebends, and other ſpirituall promotions, for terme of life, of ſuch Offen-

The puniſhment for the ſecond offence, being once before conuicted.

der or Offendors: and ſhall alſo loſe and forfeit to the King all his and their goods and chattels, and alſo ſuffer, during his and their liues, perpetuall impriſonment of his and their bodies. And if any perſon being two times hereafter conuicted, or attainted of any of the ſame offences, ſhall after his ſaid ſecond conuiction or attainder, eftſones commit or perpetrate againe any of the ſaid offences, and be thereof duly conuicted or attainted by the lawes and ſtatutes of this Realme: that then euery ſuch third offence, or offences, ſhall be deemed and adiudged high treaſon, and the Offender or Offenders, their Aiders, Comforters, Abbettors, Procurors, and Counſellers, being therein conuicted or attainted, according to the Lawes and Statutes of this Realme, ſhall be deemed and adiudged high Traitors, and ſhall ſuffer paines of death, and loſe and forfeit all their goods and chattels, lands and tenements, to the King, as in caſes of high treaſon.

The puniſhment for the third offence, being twice conuicted.

And be it further enacted by the authority aforeſaid, that if any perſon or perſons, at any time after the ſaid firſt day of March next comming, by writing, printing, ouert deed, or Act, doe affirme or ſet forth, that the King of this Realme for the time being, is not, or ought not to be ſupreme head in earth of the Church of England and Ireland, or of any of them, immediately vnder God: or ſhall by writing, printing, ouert deed, or act, after the ſaid firſt day of March, affirme, or ſet forth, that the Biſhop of Rome, or any other perſon or perſons, other than the King of England for the time being, is, or ought to be by the Lawes of God or otherwiſe, the ſupreme head in earth of the ſame Churches, or of any of them: or doe after the ſaid firſt day of March, compaſſe or imagine by writing, printing, ouert deed, or Act, to depoſe or depriue the King, his heires or ſucceſſors Kings of this Realme, from his, or their royall eſtate, or titles of the King of England, France, or Ireland, or of any of them, or by any writing, printing, ouert deed, or Act, doe affirme, that any other perſon or perſons, other than the King, his heires and ſucceſſors is, or of right ought to be King of the Realmes of England, France, or Ireland, or to haue and enioy the ſame, or any of them: that then euery ſuch offence and offences ſhall be deemed and adiudged high treaſon, and the Offender and Offenders, their Aiders, Comforters, Abbettors, Procurers, and Counſellers therein conuicted or attainted, according to the Lawes and Statutes of this Realme, ſhall be deemed and adiudged high Traitors, and ſhall ſuffer paines of death, and loſe and forfeit all their goods and chattels, lands and tenements to the King, as in caſes of high treaſon.

It ſhall be high treaſon to affirme by writing, printing, or deed, that the King is not ſupreme head of the Church, or that any other is, &c.
Rep. 1. & 2. P. & M. 8.
St. 13. El. 1.
St. 26. H. 8. 13.

Prouided alwayes, and be it enacted by the authority aforeſaid, that this Statute, or any thing therein conteined, ſhall not in any wiſe extend to repell, adnull, or make fruſtrate or void, any Act or Acts of Parliament, Statute or Statutes made, concerning the counterfeiting, or forging of any of the coynes of this Realme, or the coyne of any other Realme or Realmes, currant within this Realme, or for clipping, waſhing, or filing any of the ſaid coynes, or for, or concerning the bringing into this Realme, of counterfeit money or coine: ne to any Statute made in the ſeuen and twentieth yeere of the ſaid late King Henry the eight, concerning the falſe forging and counterfeiting of the Kings ſignes Manuel, priuy ſignet, or priuy ſeale, ne to their Counſellors, Procurors, Aiders, and Abbettors, nor to any article or branch, concerning the ſame offences, or any of them, conteined in the ſame Statutes, or any of them.

To which acts of Parliament this ſtatute extendeth not.

St. 27. H. 8. 2.

And be it further enacted by the authority aforeſaid, That if any the heires of the King our ſaid Soueraigne Lord that now is, or any perſon or perſons to whom the Crowne and dignity of this Realme is limited and appointed by act of Parliament made in the fiue and thirtieth yeere of the reigne of the ſaid late King Henry the eight, or the heires of any of them, doe at any time hereafter vſurpe the one of them vpon the other, in the Crowne of this Realme, or demand, challenge, or claime the ſame, otherwiſe, or in any other forme or degree of diſcent or ſucceſſion, or in any other courſe, forme, degree, or condition, but only in ſuch manner and forme as is declared by the ſaid ſtatute: or if any of the ſaid heires, or perſons aforeſaid, doe interrupt, or let the Kings Highneſſe that now is, peaceably and quietly to keepe, haue, and enioy the ſaid imperiall crowne: that then all and ſingular the Offenders, their Aiders, Conforters, Abbettors, Procurers, and Counſellers therein, ſhall be deemed and adiudged high Traitors, and ſhall ſuffer and incurre the paines of death, loſſe and forfeitures, as is aforeſaid, in caſes of high treaſon.

It ſhall be high treaſon to interrupt any perſon to whom the Crowne is limited by the Statute of 35. H. 8. 1.

And it is further ordeined and enacted by the authority aforeſaid, that no perſon or perſons, that heretofore hath beene, or at any time hereafter ſhall be, in due forme of the Lawes attainted or conuicted of murder, of malice prepenſed: or of poiſoning of malice prepenſed: or of breaking of any houſe by day or by night, any perſon being then in the ſame houſe where the ſame breaking heretofore hath beene, or hereafter ſhall be committed, and heretofore hath beene, or hereafter ſhalbe thereby put in feare or dread: or of, or for robbing of any perſon or perſons in the high way, or neere to the high way: or for felonious ſtealing of horſes, geldings, or mares: or of felonious taking of any goods out of any Pariſh Church, or other Church or Chappell: or being indited or appealed of any of the ſame offences, and thereupon found guilty by verdict of twelue men, or ſhall confeſſe the ſame, vpon his or their arraignement: or will not anſwer directly, according to the Lawes of this Realme: or ſhall ſtand wilfully, or of malice mute, ſhall not be admitted to haue or enioy the priuilege or benefit of his Clergy or Sanctuary, but ſhall be put from the ſame: And that in all other caſes of felony, other than ſuch as are before mentioned, all and ſingular

The Offenders in theſe felonies ſhalbe excluded of their clergy and ſanctuary.
St. 2. Ed. 6. 33.
5. Ed. 6. 9. 10.
St. 37. H. 8. 8.

Clergy allowed in all other caſes of felony.

perſon and perſons, which after the firſt day of March next comming, ſhall be arraigned or found [a] guilty, vpon his or their arraignement, or ſhall confeſſe the ſame, or ſtand mute, in forme aforeſaid, or will not anſwer directly in forme aboueſaid, ſhall haue and enioy the priuilege and benefit of his or their Clergy, the liberty and priuilege of Sanctuary, in like manner and forme, as he or they might or ſhould haue done, before the foure and twenty day of Aprill, in the firſt yeere of the reigne of the ſaid late King Henry the eight.

a Dyer fo. 2. Coke li.11.

1. Iac. 25. Sanctuaries extinct.

Statutes made during the reigne of King H. 8. touching challenges and forreine pleas confirmed. St. 35. H. 8. 6. 4. H. 8. 2. 22. H. 8. 2.

Prouided alwayes, and be it enacted by the authority aforeſaid, that all clauſes, articles, and ſentences, mentioned or ſpecified in any Act or Acts of Parliament, Statute or Statutes made in the time of the reigne of the ſaid late King Henry the eight, touching, or in any wiſe concerning any manner of challenge, for the County, Hundred, or peremptory challenge, or any of them, or touching, or in any wiſe concerning any manner of triall of forreine pleas pleaded by murderers, felons, or other offenders, ſhall, as concerning the ſaid challenges and trials, remaine in their force and ſtrength not repealed, any thing in this Act mentioned, ſounding or ſeeming to the contrary in any wiſe notwithſtanding.

This Statute ſhall not extend to thoſe that be arreſted, impriſoned, indicted, conuicted, outlawed, attainted, or fled for treaſon.

Prouided alſo, and be it ordeined and enacted by the authority aforeſaid, that this Act of Parliament, or any thing therein mentioned as concerning the repeale of any eſtatute or eſtatutes made touching treaſon, or miſpriſion of treaſon, ſhal not in any wiſe giue any manner of benefit, aduantage, or commodity to any perſon or perſons, being the laſt day of October laſt paſt, arreſted or impriſoned for treaſon, petit treaſon, or miſpriſion of treaſon, or to any perſon or perſons heretofore being indicted of treaſon, petit treaſon, or miſpriſion of treaſon, or to any other perſon or perſons being likewiſe conuicted, outlawed, or attainted of treaſon, petit treaſon, or miſpriſion of treaſon: or being fled beyond the ſeas, or into Scotland, before the ſaid laſt day of October laſt paſt, for any treaſon, petit treaſon, or miſpriſion of treaſon, but that they and euery of them ſhall ſuffer ſuch paines of death, loſſes, and forfeiture of lands and goods, as in caſes of treaſon, as though this Act had neuer beene had or made: any thing in this Act to the contrary, in any wiſe notwithſtanding: and that the Lawes and Statutes repealed by this Act ſhall ſtand againſt them, and euery of them, in full ſtrength, vertue, force and effect, concerning all and euery offence by them, or any of them heretofore committed or done.

Wilfull killing by poyſoning ſhall be adiudged murder.

Prouided alſo, and be it ordeined and enacted by the authority aforeſaid, that all wilfull killing, by poyſoning of any perſon or perſons, that at any time hereafter ſhall be done, perpetrated, or committed, ſhalbe adiudged, taken, and deemed wilfull murder of malice prepenſed: and that the Offenders therein, their Aiders, [a] Abbettors, Procurors, and Counſellers, ſhall ſuffer death, and forfeit in euery behalfe, as in other caſes of wilfull murder of malice prepenſed.

a Plow. fo. Coke li. li. 9. fol.

And ouer that, be it enacted by the authority aforeſaid, That in all and euery caſe and caſes, where any of the Kings Maieſties Subiects ſhall and may vpon his prayer, haue the priuilege of Clergy, as a Clerke conuict, that may make purgation, in all thoſe caſes, and euery of them, and alſo in all and euery caſe and caſes of felony, wherein the priuilege and benefit of Clergy is reſtreined, excepted, or taken away by this Statute, or Act (wilfull murder, and poyſoning of malice prepenſed only excepted) the Lord and Lords of the Parliament, and Peere and Peeres of the Realme hauing place and voice in Parliament, ſhall by vertue of this preſent Act of common grace, vpon his or their requeſt or prayer, alleaging that he is a Lord or Peere of this Realme, and claiming the benefite of this Act, though he cannot read, without any burning in the hand, loſſe of inheritance, or corruption of his blood, be adiudged, deemed, taken, and vſed for his firſt time only, to all intents, conſtructions, and purpoſes, as a Clerke conuict, and ſhall be in caſe of a Clerke conuict, which may make purgation without any further or other benefit or priuilege of Clergy, to any ſuch Lord or Peere, from thenceforth at any time after, for any cauſe to be allowed, adiudged, or admitted: any law, ſtatute, vſage, cuſtome, or any other thing to the contrary in any wiſe notwithſtanding.

A Lord of the Parliament ſhall haue his Clergy for the firſt offence of felony.

Triall by proceſſe of a Lord of the Parliament.

Prouided alwayes, that if any of the ſaid Lords of the Parliament, or any of the Peeres of this Realme for the time being, ſhall fortune to be indicted of any of the offences limited in this Act: that then they and euery of them, ſhall haue his or their triall by their Peeres, as it hath beene vſed heretofore in caſes of high treaſon.

Bigamus allowed his Clergy. St. 1. Iac. 11.

And be it further enacted by authority aforeſaid, That if any perſon or perſons, that by this Statute, or by any other Statutes or Lawes of this Realme ought to haue, or be admitted to the benefit of his or their [b] Clergy: that the ſame perſon and perſons, ſhall be from henceforth admitted and allowed to his or their clergy, although they, or any of them haue beene diuers and and ſundry times married to any ſingle woman, or ſingle women, or to any widow, or widowes, or to two wiues, or moe: any Law, Statute, or vſage to the contrary in any wiſe notwithſtanding.

b Dyer Brooke

St. 4. E. 1. 5.

The wife ſhall bee endowed, though her husband be attainted of treaſon, murder, or felony. ALT. 5. Ed. 6. 11. for high treaſon.

And ouer that, it is ordeined and enacted by the authority aforeſaid, that albeit any perſon or perſons, of what eſtate, condition, or degree he or they be, ſhall hereafter fortune to be attainted, conuicted, or outlawed of any [c] treaſon, petit treaſon, miſpriſion of treaſon, murder, or felony whatſoeuer, yet that notwithſtanding, euery woman that is, or ſhall fortune to be wife of the perſon ſo attainted, conuicted, or outlawed, ſhal be endowable and enabled to demaund, haue, and enioy

c Dyer

ioy her dower in like manner and forme as though her huſband had not beene attainted, conuicted, or outlawed: any Statute, Law, vſage, or cuſtome to the contrary in any wiſe notwithſtanding. Sauing to all and euery other perſon and perſons, bodies politike and corporate, their heires and ſucceſſors, and to euery of them (other than to ſuch offender or offenders as ſhalbe attainted, conuicted, or outlawed) all ſuch right, title, intereſt, entres, leaſes, poſſeſſion, condition, profit, commodity, and hereditaments, as they or any of them had, or ſhould, or of right ought to haue, before or at the time of the ſaid attainder, conuiction, or outlagary.

Prouided alſo, and be it enacted by the authority aforeſaid, that one Act made at the Parliament holden at Weſtminſter, vpon diuers prorogations, the fourth day of February in the xxvij. yeere of the ſaid late King Henry the eight, and there continued and kept, vntill the xxiiij. day of April then next enſuing, concerning and touching the felonious taking away by any ſeruant, the goods or chattels of the maſter or miſtreſſe, and all articles and ſentences conteined in the ſame Act, ſhall ſtand, be, and remaine in full ſtrength, force and effect, in ſuch manner and forme as it did before the making of this preſent Act, the repeale, or reuocation of the Acts aboueſaid to the contrary notwithſtanding.

A confirmation of the Stat. of 27.H.8.17. concerning a ſeruant taking his maſters goods. REP. 1. M 1. St. 21.H.8.7. 5.El.10.

Prouided alway, and bee it enacted by the authority aboueſaid, that no perſon or perſons ſhall in any wiſe be impeached, or put to anſwer for any of the offences aboueſaid, concerning treaſons, by open preaching, or words only, vnleſſe the partie Offendor or Offendors be thereof accuſed within thirty dayes next after the ſame open preaching, or words ſo ſpoken or declared, if the accuſers ſhall fortune to be within this Realme, during the ſaid ſpace of thirty dayes next after the ſaid offence committed or done. And if the accuſers ſhall happen to be out of this Realme, during the ſaid ſpace of thirty dayes: then the party or parties ſo offending, ſhall be accuſed as is aforeſaid within ſix moneths next after the ſame preaching, or words ſpoken or declared: or elſe the party or parties ſo offending, their Aiders, Comforters, Abbettors, and Counſellors, or any of them not to be empeached, or put to anſwer for any ſuch offence, or offences: and that the ſame accuſation or accuſations ſo to be had, made, and declared, ſhalbe made to one of the Kings Councell, or to one of the Kings Iuſtices of Aſſiſe, or elſe to one of the Kings Iuſtices of Peace, being of the Quorum, or to two Iuſtices of the peace within the Shire, where the ſame offence or offences ſhall happen to be done or committed: any thing conteined in this Act to the contrary thereof in any wiſe notwithſtanding.

Within what time after the offence committed the Offender muſt be accuſed.

To whom the accuſation muſt be made.

Prouided alſo, and be it declared and enacted by the authority aboueſaid, that concealement or keeping ſecret any high treaſon, ſhall be from henceforth adiudged, deemed, and taken, miſpriſion of treaſon, and the Offender therein ſhall forfeit and ſuffer, as in caſes of miſpriſion of treaſon, as heretofore hath beene vſed: any thing aboue mentioned to the contrary notwithſtanding.

Keeping ſecret of high treaſon is miſpriſion of treaſon.

Prouided alſo, and be it declared and enacted by the authority aboueſaid, that this Act or any thing therein conteined, ſhall not extend to charge, or make any perſon or perſons to be Offendor or Offendors, in any of the articles aboueſaid, for calling, naming, ſaying, writing, or printing the French King for the time being, by the name of the King of France, or French King, any thing aboue declared and enacted to the contrary in any wiſe notwithſtanding.

The French King or King of France may be ſo called.

Prouided alwayes, and be it enacted by the authority aforeſaid, that no perſon or perſons, after the firſt day of February next comming, ſhall be indicted, arraigned, condemned, or conuicted for any offence of treaſon, petit treaſon, miſpriſion of treaſon, or for any words before ſpecified, to be ſpoken after the ſaid firſt day of February, for which the ſame Offender, Speaker, Offenders or Speakers, ſhall in any wiſe ſuffer any paines of death, impriſonment, loſſe, or forfeiture of his goods, chattels, lands, or tenements: vnleſſe the ſame Offender, Speaker, Offenders, or Speakers be accuſed by two ſufficient and lawfull witneſſes, or ſhall willingly without violence confeſſe the ſame.

No inditement or arraignment without two witneſſes or confeſſion.

CAP. XIII.

A Subſidy of Tonnage and Poundage granted to the King during his life. EXP.

CAP. XIIII.

All Chantries, &c. be giuen to the King.

THe Kings moſt louing Subiects, the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled, conſidering that a great part of ſuperſtition and errors in Chriſtian Religion, hath beene brought into the minds and eſtimation of men, by reaſon of the ignorance of their very true and perfect ſaluation, through the death of Ieſus Chriſt, and by deuiſing and phantaſying vaine opinions of Purgatory, and Maſſes ſatiſfactory to be done for them which be departed: The which doctrine and vaine opinion, by nothing more is maintained and vpholden, than by the abuſe of Trentals, Chantries, and other prouiſions made for the continuance of the ſaid blindneſſe and ignorance. And further conſidering and vnderſtanding, that the alteration, change, and amendment of the ſame, and conuerting to good and godly vſes, as in erecting Grammar Schooles to the education of youth in vertue and godlineſſe, the further augmenting of the Uniuerſities, and better prouiſion of the poore and needy, cannot in this preſent Parliament be prouided and conueniently done, nor cannot, ne ought to any other manner perſon be committed, than to the Kings Highneſſe, whoſe Maieſty, with, and by the aduice of his Highneſſe moſt prudent Councell, can and will moſt wiſely and beneficially both for the honour of God, and the weale of his Maieſties Realme, order, alter, conuert, and diſpoſe the ſame. And calling further to their remembrance, that in the Parliament holden at Weſtminſter the ſeuen and thirtieth yeere of the reigne of our late Soueraigne Lord King Henry the eight, father to our moſt dread and naturall Soueraigne Lord the King that now is, it was ordeined, enacted, and eſtabliſhed amongſt other things, that all and ſingular Colleges, Free chappels, Chantries, Hoſpitals, Fraternities, Brotherheads, Guilds, and other promotions mentioned in the ſaid former Act, had, or made to haue continuance in perpetuity for euer, and then being, or that had, or ought to be contributory or chargeable to the payment of the firſt Fruits and Tenthes, according to the Lawes and Statutes in that behalfe had, and made, by what name, ſurname, degree, or corporation, they, or any of them were founded, ordeined, eſtabliſhed, erected, named, called, or knowen: and all and ſingular the manſion houſes, manors, orchards, gardens, lands, tenements, paſtures, woods, waters, rents, reuerſions, ſeruices, commons, tithes, penſions, portions, Churches, Chappels, aduouſons, nominations, patronages, annuities, rights, intereſts, entrees, conditions, leets, courts, liberties, priuileges, franchiſes, and other hereditaments whatſoeuer, then appertaining or belonging, or that did appertaine, or belong, or were aſſigned or appointed to any ſuch College, free Chappell, Chantry, Hoſpitall, Fraternity, Brotherhead, Guild, ſtipendary Prieſt, or other the ſaid promotions, or to any of them, or accepted, knowen, or taken as part, parcell, or member of them, or of any of them: and to the ſaid Colleges, Chantries, free Chappels, Hoſpitals, Fraternities, Brotherhead, Guild, ſtipendary Prieſts, or other promotions, or to any of them vnited or annexed: which betweene the fourth day of Februarie in the ſeuen and twentieth yeere of the ſaid late Kings reigne, and the fiue and twentieth day of December, in the ſeuen and thirtieth of his Graces reigne, by reaſon of any entree, expulſion, bargaine, ſale, feoffement, fine, recouery, leaſe, or other conueyance thereof made, were diſſolued, determined, or relinquiſhed by any of the wayes, meanes, or conueyances mentioned in the ſaid Act, or otherwiſe, other than ſuch of them, as then were in the poſſeſſion of the ſaid King, or that were granted or aſſured by his licence, agreement, conſent, or Letters Patents, to any perſon or perſons, or then had beene lawfully obtained or recouered by any perſon, by any former right or title, without fraud or couin, or by the Kings licence, ſhall from thenceforth by authority of the ſame former Act, be adiudged and deemed, and alſo be in the very actuall and reall poſſeſſion and ſeiſon of the ſaid late King, and of his heires and ſucceſſors for euer, in as large and ample manner as the ſaid Prieſts, Wardens, Maſters, Miniſters, Gouernors, Rulers, or other Incumbents, or any of them, or the Patrons, Donors, or Founders of any of them at any time ſithence the ſaid fourth day of Februarie in the ſeuen and twentieth yeere aforeſaid, had, occupied, or enioyed, or then had, occupied, or enioyed the ſame, and as though all and ſingular the ſaid Colleges, Chantries, Hoſpitals, Free chappels, Fraternities, Brotherheads, Guilds, and other the ſaid Promotions, and the ſaid Manors, Lands, Tenements, hereditaments, and other the premiſſes whatſoeuer they be, and euery of them, had beene in the ſaid former Act, ſpecially, particularly, & certainely rehearſed, named, and expreſſed by expreſſe words, names, ſurnames, corporations, titles, and faculties, and in their naturall kindes and qualities: the ſaid entrees, expulſions, bargaines, ſales, fines, feoffements, recoueries, or other aſſurance and conueyance whatſoeuer they were, had, or made (except before in the former Act excepted) to the contrary notwithſtanding.

A rehearſall of the St. of 37. H. 8. 4. touching the diſſolution of Chantries, &c.

And where alſo it was enacted and granted by the ſaid late King, by the ſaid former Act, that the ſame late King during his naturall life, might make and direct his commiſſion and commiſſions vnder his great ſeale, to enter into all and ſingular ſuch and as many Chantries, Free chappels, Hoſpitals, Colleges, and other the promotions mentioned in the ſaid former Act, and into all and ſingular ſuch manors, manſions, houſes, meaſes, lands, tenements, paſtures, woods, waters, rents, reuerſions, ſeruices, poſſeſſions, and other hereditaments whatſoeuer, or into any part or parcell therof, in the name, ſeiſin, and poſſeſſion of all the hereditaments, annexed, vnited, belonging or appertaining to any Chantry, Hoſpitall, Free chappell, College, Fraternity, Brotherhead, Guild, or other the ſaid promotions, or whereof any Prieſts, Prouoſts, Gouernors, Rulers, or other Incumbents, of them, or of any of them, by what name, ſurname, degree, title, or corporation, they and euery of them, or any of them were founded, erected, ordeined, eſtabliſhed, named, called, or knowen, then had or enioyed, or that hereafter ſhould haue or enioy to the ſaid Chantries, Hoſpitals, Free chappels, Colleges, Fraternities, Brotherheads, Guilds, or other the ſaid Promotions, that then were chargeable to the payment of the firſt Fruits and Tenths: and all Colleges that were chargeable, or not chargeable to the ſaid payment of the firſt Fruits and Tenths, as is aforeſaid, or to any of them, as ſhould be named, expreſſed, and appointed in the ſaid commiſſion or commiſſions, and to ſeiſe and take the ſame Chantries, Hoſpitals, Colleges, Free chappels, Fraternities, Brotherheads, Guilds, and other the ſaid promotions, manors, lands, tenements, and other the premiſſes mentioned in the ſaid commiſſion or commiſſions,

The K. Commiſſions to certaine perſons to enter into chantries, &c. and their lands.

ſions, and in euery of them, and euery part, parcell, and member of the ſame into the Kings poſſeſſion and hands: to haue and to hold the ſame to the ſaid late King, and to his heires and ſucceſſors for euer, as by the ſaid former Act amongſt other things more at large appeareth: It is now ordeined and enacted by the King our Soueraigne Lord with the aſſent of the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that all manner of Colleges, Free chappels and Chantries, hauing being, or in elſe, within fiue yeeres next before the firſt day of this preſent Parliament (which were not in [a]actuall and reall poſſeſſion of the ſaid late King, nor in the actuall and reall poſſeſſion of the King our Soueraigne Lord that now is, nor excepted in the ſaid former Act in forme aboueſaid, other than ſuch as by the Kings commiſſions in forme hereafter mentioned, ſhall be altred, tranſpoſed, or changed) and all manors, lands, tenements, rents, tithes, penſions, portions, and other hereditaments, and things aboue mentioned, belonging to them, or any of them: And alſo all manors, lands, tenements, rents, and other hereditaments, and things aboue mentioned by any manner of aſſurance, conueyance, will, deuiſe, or otherwiſe, had, made, ſuffered, knowledged, or declared, giuen, aſſigned, limited or appointed to the finding of any Prieſt, to haue continuance for euer, and wherewith, or whereby any Prieſt was ſuſteined, maintained, or found within fiue yeeres next before the firſt day of this preſent Parliament (which were not in the actuall and [b]reall poſſeſſion of the ſaid late King, nor in the actuall and reall poſſeſſion of our Soueraigne Lord the King that now is) and alſo all annuall rents, profits, and emoluments at any time within fiue yeeres next before the beginning of this preſent Parliament, employed, payed or beſtowed, toward, or for the maintenance, ſupportation or finding of any ſtipendary Prieſt, intended by any Act, or writing to haue continuance for euer, ſhall by the authority of this preſent Parliament, immediately after the Feaſt of Eaſter next comming, be adiudged and deemed, and alſo be in the very actuall and reall poſſeſſion and ſeiſon of the King our Soueraigne Lord, and his heires and ſucceſſors for euer, without any office or other inquiſition thereof to be had or found, and in as large and ample manner and forme, as the Prieſts, Wardens, Maſters, Miniſters, Gouernors, Rulers or other Incumbents of them, or any of them, at any time within fiue yeeres next before the beginning of this preſent Parliament, had, occupied or enioyed, or now hath, occupieth or enioyeth the ſame, and as though all and ſingular the ſaid Colleges, Free chappels, Chantries, Stipends, ſalaries of Prieſts, and the ſaid manors, lands, tenements, hereditaments, and other the premiſſes whatſoeuer they be, and euery of them, were in this preſent Act ſpecially, particularly and certainly rehearſed, named and expreſſed by expreſſe words, names, ſurnames, corporations, titles, and faculties, and in their natures, kindes and qualities.

Colleges, Free chappels, chantries, and their lands giuen to the King.
Coke pla.fo. 200.

Lands and annuall rents aſſigned to the finding of a Prieſt to haue continuance for euer giuen to the King.

And ouer that be it ordeined and enacted by the authority of this preſent Parliament, that where any manors, lands, tenements, tithes, penſions, portions, rents, profits, or other hereditaments, by any manner of aſſurance, conueyance, will, deuiſe, or otherwiſe at any time heretofore had, made, ſuffered, knowledged or declared, were giuen, aſſigned or appointed, to, or for, the maintenance, ſuſtentation, or finding of one Prieſt, or of diuers Prieſts, for terme of certaine yeeres yet continuing, and that any Prieſt hath beene maintained, ſuſtained, or found with the ſame, or with the reuenues, or profits thereof within fiue yeeres laſt paſt, that the King from the ſaid feaſt of Eaſter next comming, ſhall haue and enioy in euery behalfe, for, and during all ſuch time to come, euery ſuch and like things, tenements, hereditaments, profits and emoluments, as the Prieſt, or Prieſts ought, or ſhould haue had, for or toward his, or their maintenance, ſuſtenance, or finding, and for no longer or further time, nor for any other profit, aduantage or commodity thereof to be taken.

Where lands haue beene giuen to the finding of Prieſts for yeeres.

Prouided alwayes, and it is ordeined and enacted by the authority of this preſent Parliament, that when and aſſoone as the time aſſigned, for the maintenance, ſuſtentation, or finding of the Prieſt, or Prieſts ſhall be expired and run: that then it ſhall be lawfull to euery perſon and perſons, to whom any manors, lands, tenements, tithes, portions, penſions, rents, and other hereditaments, or any of them ſhould haue belonged, or appertained, if the ſaid former Act and this Act had neuer beene had, or made, to enter into, take, perceiue, haue and enioy the ſame without any manner of liuery, Ouſter le maine, petition, or other ſuit to be made to the King, in like manner, forme, and condition, to all intents, conſtructions, & purpoſes, as though the ſaid former act & this act had neuer bin had, or made, & as though the King had neuer had any ſeiſon or poſſeſſion thereof. Any thing in the ſaid former Act, or in this Act, to the contrary in any wiſe notwithſtanding.

He in reuerſion may enter after the yeeres expired.

And be it ordeined and enacted by the authority of this preſent Parliament, that the King our Soueraigne Lord, his heires and ſucceſſors from the ſaid Feaſt of Eaſter next comming, ſhall haue, hold, perceiue, and enioy for euer, all lands, tenements, rents, and [c] other hereditaments which by any manner of aſſurance, conueyance, wills, will, deuiſe, or otherwiſe at any time heretofore had, made, ſuffered, knowledged, or declared, were giuen, aſſigned, or appointed to goe, or be employed wholly to the finding, or maintenance of any Anniuerſary, or Obite, or other like thing, intent, or purpoſe, or of any light, or lampe, in any Church or Chappell, to haue continuance for euer, which hath beene kept, or maintained within fiue yeeres next before the ſaid firſt day of this preſent Parliament.

Lands wholly giuen to the maintenance of an Obite, &c.
Coke pla.fo. 209. 377.

Part of the iſſues of lands imployed to the finding of a Lampe, Obite, &c.

And alſo that where but part of the iſſues, or reuenues of any Manors, Lands, Tenements, rents, or other hereditaments hath by any of the wayes, or meanes aboueſaid béene giuen, aſſigned or appointed to be beſtowed, or [d] employed to the finding or maintenance of any Anniuerſary, or Obite, or other like thing, intent, or purpoſe, or of any light, or lampe in any Church, or Chappell, and to haue continuance for euer: that then our Soueraigne Lord the King ſhall from the ſaid feaſt of Eaſter next comming for euer, haue, perceiue, and enioy euery ſuch ſummes of money, that in any one yéere within fiue yéeres next before the firſt day of this preſent Parliament, hath béene expended, and beſtowed about the finding, or maintenance of any ſuch Anniuerſary, or Obite, or other like thing, intent, or purpoſe of any light, or lampe, to him, his heires and ſucceſſors for euer, as a rent charge to be payed yéerely at the Feaſts of Saint Michael the Archangell, and the Annunciation of our Lady Saint Mary the Uirgin, by euen portions in the Kings Court of the Augmentations, and Reuenues of his Crowne, or in any other Court or Courts, as the King hereafter ſhall appoint. And that it ſhall be lawfull to our ſaid Soueraigne Lord the King, his heires and ſucceſſors for non payment of any ſuch ſumme or ſummes of money, to diſtraine in the ſaid Manors, Lands and Tenements, of the iſſues and reuenues, whereof the ſaid Anniuerſary, or Obite, or other like thing, or any ſuch light or lampe was found, ſuſtained or maintained. And that for lacke of ſufficient diſtreſſe, in or vpon any of the premiſſes, whereof any of the ſaid yéerely rents, or ſummes of money ſhould be payed by the ſpace of one moneth next after that any of the ſaid rents ſhould be payed, and be not payed within the ſaid moneth, that then it ſhall be lawfull to, and for our Soueraigne Lord the King, his heires and ſucceſſors by vertue of this preſent Act, to enter into, and to haue, and poſſeſſe as much of the lands, tenements, and hereditaments, whereof the ſaid rent, or rents ſhould be leuied or payd as the rent or rents that ſhould be leuied, or payed out of the ſame, doth, or ſhall amount or come to in yéerely value, and the ſame lands, tenements and hereditaments to hold and kéepe, and to haue to our ſaid Soueraigne Lord the King, his heires and aſſignes for euer, or for ſuch eſtate as our Soueraigne Lord the King, his heires, or ſucceſſors, had, or ought to haue had, of, or in the ſaid rent or rents.

The Kings diſtreſſe for the rent, and entrie for default thereof.

Mony giuen to the finding of a Prieſt, Obite, Lampe, Light by a Corporation.

And it is alſo ordeined and enacted by the authority of this preſent Parliament, that our Soueraigne Lord the King, ſhall from the ſaid Feaſt of Eaſter next comming, haue, perceiue, and enioy all and ſingular ſuch ſummes of money, profits, commodities, and emoluments, which by vertue of any manner of aſſurance, conueyance, compoſition, will, deuice, or otherwiſe, heretofore haue béene giuen, aſſigned, limited, or appointed to haue continuance for euer, which in any one yéere within fiue yéeres next before the beginning of this preſent Parliament haue béene payed, beſtowed or imployed by any manner of Corporations, Guilds, Fraternities, Companies or Fellowſhips of myſteries, or crafts, or any of them, being in England, Wales, and other the Kings Dominions, or by the Maſters, Wardens, Gouernors, or other Officers or Miniſters, or by the Maſter, Warden, Gouernor, or other Officer, or Miniſter of them, or any of them, toward or about the finding, maintenance or ſuſtentation of any Prieſt or Prieſts, of any Anniuerſary or Obite, Lampe, light or lights, or other like thing, as is aforeſaid, to our ſaid Soueraigne Lord the King, his heires and ſucceſſors for euer, to be payed yéerely as a rent charge, at the Feaſts of Saint Michael the Archangell, and the Annunciation of our Lady, by euen portions, in the Kings Court of Augmentations, and Reuenues of his Crowne, or in any other Court or Courts, as the King hereafter ſhall appoint.

The King may diſtraine for the money or profit.

And that it ſhall be lawfull to our ſaid Soueraigne Lord the King, his heires and ſucceſſors for non payment of any ſuch ſummes, or ſumme of money, profit, commodity, or emolument, or for non payment of any of them, to diſtraine in all the manors, lands and tenements of euery ſuch Crafts, Corporations, Guilds, Fraternities, Companies, or fellowſhips of myſteries or crafts, or any of them, by whom, or by the Maſters, Wardens, Gouernors, or other Officers or Miniſters, or Maſter, Warden, Gouernor, or Miniſter, of the which any ſuch ſummes, or ſumme of money, profit, commodity or emolument, haue or hath béene payed, beſtowed, or employed: And that all and euery of the ſaid ſummes of money, profits, commodities and emoluments, ſhall from the Feaſt of Eaſter next comming, without any manner of inquiſition, or office to be had or found, be iudged and déemed to be in the actuall and reall poſſeſſion of our ſaid Soueraigne Lord the King, in like manner and forme, to all intents, conſtructions and purpoſes, as if the ſame had béene particularly and ſpecially mentioned in this preſent Act.

Fraternities, Brotherhoods and Guilds giuen to the King.

And furthermore be it ordeined and enacted by the authority aforeſaid, that the King our Soueraigne Lord, ſhal from the ſaid feaſt of Eaſter next comming, haue and enioy to him, his heires and ſucceſſors for euer, all Fraternities, Brotherhoods and Guilds, being within the Realme of England, and Wales, and other the Kings Dominions: and all manors, lands, tenements, and other hereditaments, belonging to them, or any of them (other than ſuch Corporations, Guilds, Fraternities, Companies, and Fellowſhips of myſteries or crafts, and the manors, lands, tenements and other hereditaments, pertaining to the ſaid Corporations, Guilds, Fraternities, Companies, and Fellowſhips of myſteries, or crafts aboue mentioned) and the ſame ſhall by vertue of this Act be iudged and déemed, in the actuall and reall poſſeſſion of our ſaid Soueraigne

Lord

[d] Dyer

Lord the King, his heires and ſucceſſors, from the ſaid Feaſt of Eaſter next comming for euer, without any inquiſition or office thereof to be had or found.

Commiſſions ſhal be directed to ſeuerall perſons, and what their authority ſhall be to doe thereby.

And alſo be it ordeined and enacted by the authority aforeſaid, that our ſaid Soueraigne Lord the King, his heires and ſucceſſors, at his and their will and pleaſure may direct his and their Commiſſions and Commiſſion vnder the great Seale of England to ſuch perſons as it ſhall pleaſe him: And that the ſame Commiſſioners, or two of them at the leaſt, ſhall haue full power and authority by vertue of this Act, and of the ſaid Commiſſion, as well to ſuruey all and ſingular lay Corporations, Guilds, Fraternities, Companies and Fellowſhips of myſteries, or crafts Incorporate, and euery of them, as all other the ſaid Fraternities, Brotherhoods, and Guilds within the limits of their Commiſſion to them directed: And all the euidences, compoſitions, bookes of accompts, and other writings of euery of them, to the intent thereby to know what money, and other things was payed, or beſtowed to the finding or maintenance of any Prieſt, or Prieſts Anniuerſary, or Obite, or other like thing, light or lampe, by them, or any of them: as alſo to inquire, ſearch and try by all ſuch wayes and meanes as to them ſhal be thought meet and conuenient, what manors, lands, tenements, rents, and other hereditaments, profits, commodities, emoluments, and other things be giuen, limited or appointed to our ſaid Soueraigne Lord the King by this Act within the limits of their Commiſſion.

And alſo that the ſame Commiſſioners, or two of them at the leaſt by vertue of this act, and of the commiſſion to them directed, ſhall haue full power and authority to aſſigne, and ſhall appoint (in euery ſuch place where Guild, Fraternity, the Prieſt or Incumbent of any Chantry in eſſe, the firſt day of this preſent Parliament by the foundation, ordinance, or the firſt inſtitution thereof, ſhould or ought to haue kept a Grammar Schoole, or a Preacher, and ſo hath done ſithen the Feaſt of Saint Michael the Archangell laſt paſt) lands, tenements, and other hereditaments of of euery ſuch Chantry, Guild, and Fraternity to remaine and continue in ſucceſſion to a Schoolemaſter or Preacher for euer, for, and toward the keeping of a Grammar Schoole, or Preaching, and for ſuch godly intents and purpoſes, and in ſuch manner and forme, as the ſame Commiſſioners, or two of them at the leaſt ſhall aſſigne, or appoint: And alſo to make and ordeine a Vicar to haue perpetuity for euer, in euery Pariſh Church the firſt day of this preſent Parliament, being a College, Freechappell, or Chantry, or appropried, annexed, or vnited to any College, Freechappell, or Chantry that ſhall come to the Kings hands by vertue of this Act, and to endow euery ſuch Vicar ſufficiently, hauing reſpect to his cure and charge, the ſame endowment to be to euery ſuch Vicar, and to his ſucceſſors for euer, without any other licence, or grant of the King, the Biſhop, or other Officers of the Dioceſſe. And alſo the ſaid Commiſſioners, or two of them at the leaſt, ſhall haue authority by force of this Act, to aſſigne in euery great Towne or Pariſh, where they ſhall thinke, neceſſary to haue moe Prieſts than one, for the miniſtring of the Sacraments, within the ſame Towne, or Pariſh, lands and tenements belonging to any Chantry, Chappell, or ſtipendary Prieſt being within the ſame Towne or Pariſh the firſt day of this preſent Parliament, to be to ſuch perſon and perſons, as the ſaid Commiſſioners, or two of them at the leaſt, ſhall aſſigne, or appoint to continue in ſucceſſion for euer, for, and towards the ſufficient finding, and maintenance of one, or moe Prieſts within the ſame Towne, or Pariſh, as by the ſaid Commiſſioners, or two of them ſhall be thought neceſſary, or conuenient. And as well to make ordinances and rules, concerning the ſeruice, vſe, and demeanour of euery ſuch Prieſt and Schoolemaſters, as is aforeſaid, to be appointed, as alſo by what name, or names he and they ſhal from henceforth be named and called. And alſo that the ſaid Commiſſioners, or two of them at the leaſt, ſhall haue full power and authority by vertue of this Act, and of the ſaid commiſſion to them directed, to aſſigne as well to euery Deane, Maſter, Warden, Prouoſt and other Incumbent, and Miniſter of any of the ſaid Colleges, Freechappels, or Chantries, being within the limits of their commiſſion, which hereafter ſhall be diſſolued, or determined by vertue of this Act, as to euery ſtipendary Prieſt, and other Prieſt, whoſe ſalary the King ſhall be intituled vnto by this Act, as to euery Fellow and poore perſon hauing yeerely reliefe out of any of the ſaid Colleges, Freechappels, or Chantries being within the limits of their commiſſion, ſuch yeerely annuities, penſions, or other recompences, during their ſeuerall liues, as to the ſame Commiſſioners, or two of them ſhall be thought meet and conuenient.

Lands aſſigned towards the maintenance of a Preacher or Schoolemaſter

Endowment of a Vicar.

Aſſigning one or more Prieſts in a Pariſh, and lands for their maintenance.

The Commiſſioners ſhall aſſigne yeerely penſions to euery Gouernor, Fellow, and ſeruant of euery Chantry, &c. diſſolued.

And ouer that the ſaid Commiſſioners, or two of them at the leaſt, ſhall haue full power and authority by vertue of this Act, and of the commiſſion to them directed, to inquire and try by ſuch wayes and meanes as they ſhall thinke meet and conuenient, what money, profit, and benefit any poore perſon, or perſons by vertue of any conueyance, aſſurance, compoſition, will, deuice, or otherwiſe, heretofore had, or made, intended or meant to haue continuance for euer, had, or enioyed, within fiue yeeres next before the beginning of this preſent Parliament out of any College, Freechappell, or Chantry, and other the premiſſes, giuen, limited, or appointed to the King by this Act, being within the limits of their commiſſion. And thereupon to make aſſignements and orders in ſuch manner and forme, as all and ſingular ſuch ſaid money, profit, and commodity ſhall be payed to poore people for euer: According to ſuch ſaid aſſurance, compoſition, will, deuice, or other thing, had, or made for the ſame; and to aſſigne and appoint lands, tenements, or other hereditaments,

Money or yeerely benefit aſſured to certaine perſons out of a Chantry, &c. ſhalbe ſo continued and payed.

hereditaments, parcell of the premiſſes, for the maintenance and continuance of the ſame for euer: and alſo to appoint to Fraternities, Brotherhoods, and Guilds, lands, tenements and hereditaments parcell of the premiſſes, towards and for the maintenance of piers, iutties, walls, or bankes, againſt the rages of the Sea, Hauens and Creekes. And that all and ſingular annuities, penſions, and other recompences, ſhall be halfe yeerely payed to the perſons to whom the ſame ought to be payed by the Kings Receiuor for the time being, of his lands commonly called the ſuppreſſed lands, or other his reuenues, lying in the County or City, where ſuch College, free Chappell, or Chantry, or other the Premiſſes, giuen, limited, or appointed to the King, by this Act, the firſt day of this preſent Parliament, were or remained without any fee, or reward therefore to be payed: The firſt payment to begin at the Feaſt of Saint Michael the Archangell next comming. And that euery ſuch Receiuor, vpon his accompt, ſhall haue full and due allowance of all ſuch annuities, penſions and other recompences by him payed, by vertue of any ſuch aſſignement to be made, by the ſaid Commiſſioners or two of them at the leaſt.

Lands aſſigned towards the maintenance of the walls and banks of the Sea.

The Commiſſioners oath for the fauourable execution of the Commiſſion towards the Deanes, &c.

And it is ordeined and enacted by the authority of this preſent Parliament, that the ſaid Commiſſioners, and euery of them, that ſhall take vpon him the execution of any of the ſaid Commiſſions, ſhall be bound, as he will anſwer before God, to execute the Commiſſion, to him and other directed beneficially towards the Deanes, Maſters, Wardens, Prouoſts, and other Incumbents, and Miniſters aforeſaid, and towards the poore people, concerning the ſaid aſſignements, and alſo toward the maintenance of piers, iutties, walls, or bankes, againſt the rages of the ſea, hauens and Creekes. And that all manner of aſſignements and ordinances to be made by the ſaid Commiſſioners, or two of them at the leaſt, and certified vnder their ſeales, or the ſeales of two of them at the leaſt, into the Kings Court of the Augmentations and reuenues of his Crowne, or to any other Court or Courts, by the Kings Maieſty to be made or aſſigned, ſhall by vertue of this Act, and of the ſaid Commiſſions, be as good and effectuall in the law to all intents, conſtructions and purpoſes, as though the ſame had beene aſſigned and ordeined by authority of this preſent Parliament, by expreſſe and apt words, termes, and ſentences.

The force of the Commiſſioners aſſignements and ordinances.

No offices, annuitie or penſion ſhall extend to more than it did before.

Prouided alſo, that ſuch annuities, penſions, or other recompences, that the ſaid Commiſſioners, or any of them, ſhall aſſigne or appoint to be payed yeerely to any ſuch Deane, Maſter, Warden, Gouernor, or other Incumbent, Fellow, or Miniſter, ſhall not extend to any more cleere yeerely value, than ſuch Deane, Maſter, Warden, Prouoſt, Gouernor, or other Incumbent, Fellow, or Miniſter, or his Predeceſſor lawfully had, or enioyed in money, meat, drinke, liuery, or allowance of the ſame yeerely, within fiue yeeres next before the beginning of this preſent Parliament.

His penſion ſhall ceaſe that is promoted to a better liuing.

Prouided alſo, that if any of the ſaid Maſters, Wardens, Prouoſts, Gouernors, or other Incumbents, Fellow, or Miniſters, ſhall at any time hereafter, during his life, be promoted by the King to any benefice, or other ſpiritual promotion, being of a better cleere yeerely value than his ſaid annuity or penſion, or other recompence ſhall be of: that then the annuity, penſion, or other recompence that any ſuch Deane, Maſter, Warden, Gouernor, Preuoſt, or other Incumbent, Fellow, or Miniſter that ſo ſhall be promoted ſhall haue, ſhall immediatly after ſuch promotion had, ceaſe, and vtterly determine.

The Commiſſioners certificat of lands aſſigned to the vſes aforeſaid.

And be it ordeined and enacted by the authority of this preſent Parliament, that the ſaid Commiſſioners, or two of them at the leaſt, to whom any Commiſſion by vertue or meane of this Act, ſhall de directed and deliuered, ſhall be bounden vpon the forfeiture, euery of them of a hundred pound, to make certificat vnder their ſeales, or the ſeales of two of them at the leaſt, into the ſaid Court of the Augmentations, and reuenues of the Kings Crowne, or into any other Court, as is aforeſaid, within one yeere next after the Commiſſion to them directed, of all manors, lands, tenements, rents, tithes, portions, penſions, hereditaments, and recompences by the ſame Commiſſioners or two of them, aſſigned or appointed to any of the vſes, intents or purpoſes aboue mentioned.

The King ſhall haue the goods of euery College, Chantery, &c.

And alſo be it ordeined and enacted, by the authority of this preſent Parliament, that our Soueraigne Lord the King ſhall haue and enioy all ſuch goods, cattels, jewels, plate, ornaments, and other moueables, as were or be the common goods of euery ſuch College, Chantry, free Chappell, or ſtipendary Prieſt, belonging or annexed to the furniture or ſeruices of their ſeuerall foundations, or abuſed of any of the ſaid Corporations, in the abuſes aforeſaid, the property whereof was not altered nor changed before the viij. day of Decemb. in the yeere of our Lord God, M.D.xlvij.

The debts of Colleges ſhall be payed by the King.

And it is alſo ordeined and enacted by the authority of this preſent Parliament, that all ſuch debts and ſummes of money, as ought or ſhould without fraud or couin hereafter be payed of the money or goods of any of the ſaid Colleges, due, or payable, by reaſon of any contract, ſpecialty or promiſe, had or made, before the ſame viij. day, ſhall truly and fully be payed by the Treaſurer of the Kings Court of the Augmentations and reuenues of his Crowne, or by the Treaſurer or Receiuor of any other Court, to which any of the premiſſes ſhall be appointed, of the Kings treaſure, being in his or their hands, with as conuenient ſpeed, as the ſame may be payed.

Prouided alwayes, and be it ordeined and enacted by the authority aforeſaid, that this Act, or any article, clauſe, or matter conteined in the ſame, ſhall not in any wiſe extend to any College, Hoſtell, or Hall, being within either of the Vniuerſities of Cambridge and Oxford: nor to any Chantry founded in any of the Colleges, Hoſtels, or Hals, being in the ſame Vniuerſities: nor to the Free chappell of Saint George the Martyr, ſituate in the Caſtle of Windſor: nor to the College, called S. Marie College of Wincheſter, beſides Wincheſter, of the foundation of Biſhop Wikeham: nor to the College of Eton: nor to the Pariſh Church commonly called the Chappell in the ſea in Newton, within the Iſle of Ely, in the County of Cambridge: nor to any manors, lands, tenements, or hereditaments, to them, or to any of them pertaining or belonging: nor to any Chappell made or ordeined for the eaſe of the people dwelling diſtant from the Pariſh Church, or ſuch like Chappell, whereunto no more lands or tenements, than the Churchyard, or a little houſe or cloſe, doth belong or pertaine, nor to any Cathedrall Church or College, where a Biſhops See is, within this Realme of England or in Wales, nor to the manors, lands, tenements, or other hereditaments of any of them; other than to ſuch Chantries, Obites, Lights and Lampes, or any of them, as at any time within fiue yeeres next before the beginning of this preſent Parliament, haue beene had, vſed, or maintained within the ſaid Cathedrall Churches, or within any of them, or the iſſues, reuenues, or profits of any of the ſaid Cathedrall Churches, to which Chantries, Obites, Lights and Lampes, it is enacted by the authority aforeſaid that this Act ſhall extend.

To which Colleges, &c. this ſtatute ſhall not extend.

Cathedrall Churches wherein any Chantries, Obites, Lamps or Lights haue beene maintained.
Coke.pl.fo. 385.

And it is ordeined and enacted by the authority aforeſaid, That our Soueraigne Lord the King, at any time during his life (which God long preſerue) may at his will and pleaſure, alter and change the name or names, of all and ſingular Chantries, and the foundations of the ſame, being in any of the Colleges, Hoſtels, or Halls, of any of the ſaid Vniuerſities, according as to his godly wiſdome ſhall be thought meet and conuenient.

The King may alter the names of Chantries.

Sauing to al and euery perſon and perſons, bodies politike and corporate, their heires and ſucceſſors, and the heires and ſucceſſors of euery of them, (other than the Maſters, Wardens, Miniſters, Gouernors, Rulers, Prieſts, Incumbents, Fellowes, and Brethren of the ſaid Colleges, Chantries, Free chappels, and other the premiſſes, giuen, limited, or appointed to the King by this Act: and the ſucceſſors of them, and euery of them, and other than ſuch as be, or pretend to be Founders, Patrons, or Donors of the premiſſes, or any of them, or of any part or parcell thereof, and the heires, ſucceſſors, and aſſignes of euery, or any of them: and other than ſuch as be, or were feoffees, recouerees, coniſees, grantees, or deuiſees of any of the premiſſes, to, or for any of the vſes, purpoſes, or intents aboue mentioned, or to the vſe of any of the ſaid Colleges, Free Chappels, Chantries, or other the Premiſſes, giuen, limited, or appointed by this Act to the King, or to the intent to employ the rents or profits therof, to the vſe of the Maſters, Rulers, Incumbents, or Miniſters of them, or any of them: and other than ſuch perſon and perſons, and bodies politike and corporate, their heires, ſucceſſors, and aſſignes, as claime or pretend, to haue eſtate, right, title, intereſt, vſe, poſſeſſion, or condition, of, in, or to the premiſſes, or any part or parcell thereof, by reaſon of any feoffement, fine, bargaine and ſale, or by any other wayes, meanes, or conueyance to them made, of any eſtate of inheritance, without the ſaid late Kings licence, aſſent, conſent, or agreement, and without the licence, aſſent, or agreement of the Kings Maieſty that now is, by any of the ſaid Deanes, Maſters, Wardens, Miniſters, Gouernors, Rulers, Prieſts, or Incumbents, or by the Foundors, Donors, or Patrons of them, or of any of them,) all ſuch[a] right, title, claime, poſſeſſion, intereſt, rents, annuities, commodities, commons, offices, fees, leaſes, liueries, liuings, penſions, portions, debts, duties, and other profits, which they, or any of them lawfully haue, or of right ought to haue, or might haue had, in, of, or to any of the premiſſes, or in, of, or to any part or parcell thereof, in ſuch like manner, forme, and condition, to all intents, reſpects, conſtructions and purpoſes, as if this Act had neuer beene had nor made, and as though the ſaid Chantries, Colleges, and other the ſaid promotions, had ſtill continued, and remained in their full being: and ſauing to all and euery Patron, Donor, Foundor, or Gouernor of any ſuch College, Chantry, free Chappell, ſtipendary Prieſts, and other the premiſſes, giuen, limited or appointed to the King by this Act, and the Donor, Feoffor and Giuer of the foreſaid lands, tenements, or hereditaments, to them or any of them, or to any vſes or purpoſes before mentioned, all ſuch rents ſeruices, rents ſecke, rents charge, fees, annuities, profits, and offices: and alſo leaſes for terme of life, liues, and yeeres, whereupon the accuſtomed rent, or more, is reſerued, as they, or any of them lawfully had, perceiued, and enioyed, in, out, or of any the ſaid promotions, or out of any of the ſaid lands, tenements or hereditaments, before the firſt day of this preſent Parliament.

ib.47. 32.

The right of ſtrangers ſaued.

Certaine rents and duties ſaued to euery Donor, Founder and Gouernor of a College, Chantry, &c.

And ouer that, it is ordeined and enacted by the authority of this preſent Parliament, that all and euery perſon and perſons, being in life, which haue, or hath for any ſumme of money to him or them payed, bargained or ſold, any manors, lands, tenements, or other hereditaments aforeſaid, whereunto the King our Soueraigne Lord is intituled, by vertue of this Act, ſhall repay to ſuch perſon, as ſo bought any of the ſaid manors, lands, tenements, or other hereditaments, or to his executors or aſſignes, vpon a requeſt therefore made, or within three moneths, then next enſuing the ſame requeſt, as much money, as he or they receiued, for the ſale of any thing, ſo by him or them

Euery perſon that hath ſold any lands due to the King by this Act ſhall repay the money.

them ſold. And for non payment thereof, ſuch perſon and perſons as purchaſed, or bought the ſaid lands, tenements, and other the premiſſes, or any parcell thereof, and their Executors and Adminiſtrators, ſhall be enabled by the authority of this preſent Parliament, to ſue, and maintaine an action of debt at the Common law of this Realme, againſt ſuch perſon or perſons, as ſo bargained or ſold to him or them, or to their teſtator, any of the premiſſes, belonging to any College, Chantry, frée Chappell, or other promotion ſpirituall, in which action of debt, none eſſoine, protection, or wager of law ſhall be admitted or allowed.

All Chantry, free Chappell, &c. lands ſhal be in the order of the Court of Augmentations.

And be it further enacted by the authority aforeſaid, that all and euery of the ſaid Chantries, Colleges, and frée Chappels, and other the premiſſes, giuen, limited, or appointed to the King by this Act, and all the manſion houſes, manors, lands, tenements, poſſeſſions, and hereditaments, and other the premiſſes whatſoeuer they be, giuen, limited, and appointed to the King by this Act, and euery part and parcell of them, which by authority and vertue of this Act, béene veſted, adiudged, and déemed, or ſhall be in the Kings Maieſties poſſeſſion and hands, or which the King ſhall be entitled vnto, by vertue of this Act, ſhall be in the order, ſuruey, and gouernance of our Soueraigne Lord the Kings Court of the Augmentations and Reuenues of his Crowne, or in ſuch other Court as the King at any time hereafter ſhall aſſigne, name, or appoint, and ſo ſhall, and may be granted, letten, and ſet to the farme by the Chancellor, Officers, and Miniſters of the ſame Court, or of any other Court ſo to be appointed, in ſuch manner and forme as other manors, lands and tenements, appointed to the ſame Court of Augmentations, and reuenues of his Graces Crowne, or other Court ſo to be appointed, béene to be granted or letten: And that all the farmes, iſſues, reuenues, and profits comming and growing of the ſame premiſſes, and of euery part thereof, ſhall be taken and receiued to the Kings vſe, by the Officers and Miniſters of the ſame Court or Courts, in ſuch manner and forme, as is vſed and had of other manors, lands, and tenements, and of the iſſues, reuenues, and profits of the ſame, committed to the order, rule, ſuruey and gouernance of the ſaid Court of the Augmentations and Reuenues of the Kings Crowne, or any other Court ſo to be appointed: any act, ſtatute, ordinance, cuſtome, or vſe heretofore had, made, or vſed, to the contrary notwithſtanding.

Leaſes made by the Gouernors not reſeruing the old rent ſhal be void.

And it is further enacted by authority aforeſaid, that if any of the ſaid Maſters, Wardens, Miniſters, Rulers, Gouernors, Prieſts, Incumbents, or owners of any ſuch College, Chantry, frée Chappell, or of any the premiſſes, giuen, limited, or appointed to the King by this Act, or of any of them, ſithence the thrée and twentieth day of Nouember, in the xxxvij. yéere of the reigne of the ſaid late King, haue made any leaſe, vnder his or their common Seale, or otherwiſe for terme of yéeres, life, or liues, of their ſaid Colleges, Chantries, frée Chappels, or of other the ſame premiſſes, or of any part therof, or of any manors, lands, tenements, poſſeſſions, or hereditaments, whatſoeuer they be, to them, or to any of them, vnited, or annexed, belonging, or appertaining, vpon the which leaſes, the vſuall and old rents and fermes, accuſtomed to be yéelden and reſerued, or more, by the ſpace of twenty yéeres next before the ſaid thrée and twentieth day of Nouember, be not reſerued and yéelden, ſhall be vtterly void and of none effect: and that all other leaſes, and grants, heretofore made of any the premiſſes, giuen, limited, or appointed to the King, by this Act, ſhall be as good, auaileable, and effectuall in the Law, to all intents, conſtructions and purpoſes, as if this Act had neuer béene had or made, any thing in this Act, or any other Act heretofore had or made, to the contrary thereof in any wiſe notwithſtanding.

Lands whereof the Gouernors of any Colleges, &c. were ſeiſed to their owne vſes.

Prouided alwayes, and be it further ordeined and enacted by the authority aforeſaid, that this act or any thing therein contained, ſhall not extend to any manors, lands, tenements, poſſeſſions, or hereditaments, which the ſaid Maſters, Wardens, Miniſters, Chantry Prieſts, Incumbents, or other the ſaid Gouernors, Officers, Miniſters or Rulers of the Premiſſes or of any of them, hath or is, or hereafter ſhall haue or be poſſeſſed, or ſeiſed of in fée ſimple, fée taile generall or ſpeciall, for terme of life, terme of yéeres or otherwiſe, to his or their owne proper vſes, by inheritance or purchaſe: and not being at any time vnited or annexed to his or their ſaid Colleges, Frée Chappels, Chantries, or other the Premiſſes, giuen, limited or appointed to the King by this Act: Nor ſhall extend to any manors, lands, tenements, poſſeſſions, rents, annuities and yéerely penſion or penſions, or to any yéerely ſumme or ſummes of money, being not vnited, or parcell of any the ſaid Colleges and other the premiſſes aforeſaid, or of any of them, heretofore giuen or granted by the ſaid late King, or giuen or granted, or hereafter to be giuen or granted by the King our Soueraigne Lord, to any of the ſaid Deanes, Maſters, Wardens, Miniſters, Chantry Prieſts, Incumbents, Gouernors or Rulers of the Premiſſes, or of any of them, for terme of life only, vnder his great Seale of England, or vnder the Seale of the Court of the augmentations and reuenues of the Kings Crowne, or any other of the Kings Seales of any of his Courts: any thing conteined in this Act to the contrary in any wiſe notwithſtanding.

Lands, annuities, &c. not vnited to the ſaid Colleges, &c. but granted by King H. 8 or by the King that now is.

Euery perſon which had rent or yéerely profit out of the lands of any Chantry, &c ſhall enioy them.

Prouided alway, and be it enacted by authority aforeſaid, that as well all and euery Patron, Donor, Foundor, and giuer of any of the ſaid promotions, or premiſſes, or giuer, Donor, or Feoffor, of any their lands, tenements, poſſeſſions, or other [a] hereditaments, as all and euery perſon and perſons, bodies Politike and Corporate, which before the making of this Act, lawfully without fraud or couin, had or enioyed, any manner of rent, or other yéerely profits, to be taken,

[a] Dyer Coke

taken, perceiued, or had, of any Chantries, Colleges, free Chappels, or other the Premiſſes, giuen, limited, or appointed to the King by this Act, or out of any manors, lands, tenements, or other poſſeſſions of them, or any of them, ſhall haue and enioy the ſame, in like manner and forme, as they ſhould and ought to haue done, if the ſaid Colleges, Chantries, free Chappels, and other the premiſſes, giuen, limited, or appointed to the King by this Act, had ſtill remained and continued in eſſe, and full being: Any thing in this Act mentioned to the contrary in any wiſe notwithſtanding.

Prouided alſo, and be it enacted by the authority aforeſaid, that if any ſuch Gouernor, Ruler, Warden, Maſter, Incumbent, Miniſter, or other, hauing any of the ſaid ſpirituall promotions, or incumbents haue or ſhall compound for the firſt Fruits of any ſuch ſpirituall promotions, according to the Lawes and Statutes of this Realme, and the dayes of payment of any part thereof, not expired before the firſt day of this Parliament, that all ſummes of money ſo to be due and payable ſithence the ſaid firſt day of this Parliament, ſhall ceaſe, and be not payed, aſked or demanded: any bond, recogniſance, ſurety, or other thing had or made to the contrary notwithſtanding.

If a Gouernor haue compounded for his firſt Fruits, the payment thereof ſhall ceaſe.

Prouided alwayes, and be it enacted by the authority aforeſaid, that all ſuch rents, ſeruices, iſſues, profits, and other ſummes of money payable, out of, or for any of the premiſſes, or any of them, in the Kings Court of his Eſchequer, ſhall continue, and be continually and yeerely leuied, charged, or payed in the ſame Court in ſuch manner and forme, as heretofore hath beene vſed: any law, cuſtome, vnity of poſſeſſion in the Kings Highneſſe, or other thing to the contrary notwithſtanding: And as though the ſaid promotions, manors, lands, tenements, and other the premiſſes had not come to the Kings hands or poſſeſſion.

Money payable out of the premiſſes yeerely into the Exchequer.

And be it further enacted by the authority aforeſaid, that all and euery Letters Patents made by the ſaid late King Henry the eight, or by the Kings Maieſty that now is, or hereafter to bee made by his highneſſe, to any perſon or perſons, or to any Archbiſhop or Biſhop, of any of the ſaid Colleges, Chantries, free Chappels, or other the premiſſes, or any part or parcell of them, or of any lands, tenements or hereditaments, belonging, or appertaining, or that did belong or appertaine to them, or to any of them: And all fines, gifts, grants, feoffements, recoueries, and all other aſſurances, and conueyances thereof had or made, by the aſſent, conſent, or licence vnder the great Seale of England, of the ſaid late King Henry the eight, or of the Kings Maieſty that now is, to any perſon or perſons, bodies politike or corporate, by any Chantry Prieſt, Maſter, Warden, Miniſter, Ruler, Gouernor, or other hauing any of the ſaid Promotions, of any of the ſaid Colleges, Chantries, free Chappels, or other the Premiſſes, or any of them, or of any part parcell or member of the ſame, ſhall ſtand and be in their forces and effects, and ſhall be good and effectuall in the Law, for ſuch eſtates and intereſts, giuen, granted, limited or appointed in any of the gifts, grants, aſſurances or conueyances thereof, had or made according to their purport, forme and manner, and according to the true intent and meaning of the ſame aſſurances, and ſhall be by authority of this act, good, perfit and auaileable, aſwell againſt the King, his heires and ſucceſſors, as againſt the ſaid Chantry Prieſts, Wardens, Maſters, Rulers, Gouernors, and other hauing any of the ſaid promotions, and their ſucceſſors, and the ſucceſſors of euery of them: as alſo againſt the Foundors, Donors, and Patrons of the ſame, and the Ordinary of them, and euery of them, and the heires and ſucceſſors of euery of them: any Law, Statute, Ordinance or other thing, to the contrary thereof notwithſtanding.

Aſſurances made by King H. 8. or King Ed. 6. or by the licence of either of them of any Colleges, &c. or their Lands.

And where diuers and ſundry Biſhops, Deanes, Archdeacons, Treaſurers, Prebendaries, Chantry Prieſts, Maſters, Prouoſts, Rulers, Gouernors, of any Deaneries, Archdeaneries, Treaſurorſhips, Prebends, free Chappels, Chantries, or Colleges, within this Realme of England, and other the Kings Maieſties Dominions, or any of the Patrons, Foundors, Donors of any of the Biſhoprikes, Treaſurorſhips, Deaneries, Chantries, free Chappels, or other the ſaid Spirituall promotions, of their voluntary willes or mindes, for diuers good and reaſonable cauſes and conſiderations, by deed or deeds enrolled, or by other writings or conueyances heretofore haue giuen and granted to the late King of famous memory Henry the eight, late King of England, and to his heires, or to our Soueraigne Lord the King that now is, and to his heires, diuers of their Deaneries, Archdeaneries, Treaſurorſhips, Prebends, Chappels, Chantries, and Colleges, or any other Eccleſiaſticall or Spirituall promotions laſt before remembred: and all, or ſome part of the manors, lands, tenements, tithes, pentions, annuities, rents, reuerſions, and other reuenues, hereditaments, poſſeſſions, emoluments and profits to the ſame Biſhoprikes, Deaneries, Colleges, and other like promotions, benefices, offices, and dignities, or to any of them belonging, appertaining, vnited, or annexed, or which the ſaid Biſhops, Deanes, Archdeacons, Treaſurers, Chantry Prieſts, Maſters, Prouoſts, Rulers, Gouernors, and other Eccleſiaſticall or Spirituall Officers or Miniſters, or any of the ſaid Patrons, Donors, or Foundors, or any of them had, or enioyed in the right, or by reaſon of any of the ſame promotions, offices or dignities.

Be it enacted by the authority aforeſaid, that all and euery gifts, and grants heretofore made to the ſaid late King, and to his heires, or to our Soueraigne Lord the King that now is, and to his

A confirmation of all grants made to the

King of any ſpirituall promotions by the gouernors thereof.

A ſauing of the right of others.

his heires, by any Archbiſhop, Biſhop, Deane, Archdeacon, Treaſurer, Prebendary, Maſter, Prouoſt, Gouernor, or other the ſaid [a] Eccleſiaſticall or Spirituall perſon or perſons, or by any Patrons, Donor or Founder of any of the ſaid Deaneries, Chantries, or other of the ſaid Spirituall or Eccleſiaſticall promotions, of all, or any of the manors, lands, tenements, tithes, rents, reuerſions, pentions, portions, annuities, or other hereditaments, reuenues, emoluments, profits or commodities, to any of the ſaid benefices, offices, prebends, promotions or dignities belonging, appertaining, vnited, or annexed, or which any of the ſame Archbiſhops, Biſhops, Deanes, Archdeacons, Treaſurers, Maſters, Prouoſts, Prebendaries, Rulers, Gouernors, Officers, or Miniſters, Patrons, Foundors, or Donors, had, or enioyed, or haue or enioy, or ought to haue or enioy in the right, or by reaſon, or meanes of any of the ſame promotions, offices, or dignities, ſhall be good and effectuall in the Law, to all intents and purpoſes: Sauing to all and euery perſon and perſons, and bodies politike and corporate, their heires, ſucceſſors and aſſignes, and to the heires, ſucceſſors and aſſignes of euery of them (other than the Archbiſhops, Biſhops, Deanes, Archdeacons, Treaſurors, Prebendaries, Rulers, Gouernors, Wardens, Prouoſts, Giuors and Grantors, of any of the Premiſſes, and their heires, ſucceſſors and aſſignes, and other than ſuch Eccleſiaſticall, or Spirituall perſon, bodies politike or corporate, as are, or pretend to be Foundors, Donors, Patrons, or Ordinaries of the Premiſſes, or any of them) all ſuch rights, titles, intereſts, claimes, entries, rents, reuerſions, remainders, fees, offices, annuities, lands, tenements, hereditaments, profits, commodities, and emoluments, as they or any of them haue or ſhould, or ought to haue had, of, in or to the premiſſes next aboue mentioned, or any part thereof, as if this Act had neuer beene had, or made, any thing in this Act, to the contrary in any wiſe notwithſtanding.

[a] Cok. l.

This Act extendeth not to a Parſon or Vicar

Prouided alwayes that this Act, or any thing therein conteined, ſhall not in any wiſe extend to make good or effectuall, any gift, grant, bargaine, ſale, or alienation made by any Parſon, or Vicar of their Parſonages, or Vicarages, or of any part or parcell thereof, or of any thing to them or any of them belonging or apperteining.

Lord Cobham for the College of Cobham.

Prouided alſo, that this Act, or any thing therein conteined, ſhall not in any wiſe extend, to hinder or preiudice George Brooke Knight, Lord Cobham, his heires, or aſſignes, for, or concerning the late College of Cobham, in the County of Kent, or the Manors, Lands, Tenements or Poſſeſſions thereof: any thing aboue mentioned to the contrary, in any wiſe notwithſtanding.

This Act ſhall not extēd to the Corporation of a Citie, Borough or Towne.

Prouided alſo, and be it enacted by the authority aforeſaid, that this preſent Act, or any thing therein conteined, ſhall in any wiſe extend or be preiudicall or hurtfull to the generall corporation of any City, Borough or Towne, within this Realme, or any other the Kings Dominions, ne ſhall extend to any the lands, or hereditaments of them or any of them: Any thing herein conteined, to the contrary in any wiſe notwithſtanding.

Colledges Chanteries &c. within the Duchie of Lancaſter.

Prouided alſo, and be it enacted by the authority aforeſaid, that all ſuch of the ſaid Colleges, Free Chappels, Chantries, and other the premiſſes, being appointed and giuen to the Kings Highneſſe, by the authority of this Act, as be within the Duchy of Lancaſter, and all Manors Lands, Tenements, and Hereditaments, pertaining or belonging to the ſame [a] Colleges, Free Chappels, and Chantries, ſhall after the ſaid Feaſt of Eaſter next comming, be within the ſuruey and order of the Court of the Duchy of Lancaſter, in ſuch manner and forme, as other the premiſſes be aſſigned or appointed by authority of this Act, to be in the ſuruey and order of the Court of Augmentations and reuenues of the Kings Crowne, or other Court by the King to be aſſigned: and that all commiſſions that hereafter ſhall be awarded by vertue and force of this Act, concerning ſuch Colleges, Free chappels, Chantries, and other the premiſſes, as be within the ſaid Duchy of Lancaſter, ſhall be awarded vnder the great ſeale of England, and ſhall be certified into the ſame Court of the Duchy of Lancaſter: any thing aboueſaid to the contrary in any wiſe notwithſtanding.

[a] Dyer. fo.

The Colledge or Chantrie of Attilbourgh in Norfolke.

Prouided alwayes, and bee it enacted by the authority aforeſaid, that this Act, ne any thing therein conteined, ſhall extend to the College, or Chantry of Attilbourgh in the County of Norfolke, which the ſaid late King Henry the eight gaue to Robert, late Earle of Suſſex, and to his heires: but that Henry now Earle of Suſſex, ſonne and heire to the ſaid late Earle his heires and aſſignes, ſhall and may, by the authority of this Act, haue and enioy the ſaid College and Chantry, and all manors, lands, tenements, aduouſons, tithes, penſions, portions, and other hereditaments thereunto belonging or appertaining: any thing in this Act to the contrary in any wiſe notwithſtanding.

Altering the nature and condition of Obites.

Prouided alwayes, and by the authority aforeſaid be it enacted, that the Kings Maieſty, at any time, when it ſhall ſeeme to him good, may giue authority to certaine his Graces Commiſſioners, to alter the nature and condition of all manner of Obites, as well within the Vniuerſities of Cambridge and Oxford, as in any other place, within this his Graces Realme of England and Wales, being not ſuppreſſed, ne adnihilate by vertue of this preſent Act, and the ſame Obites ſo altered, to diſpoſe to a better vſe, as to the reliefe of ſome poore men being Students, or otherwiſe.

XUM

No perſon ſhall take aduantage of any condition for not finding of any Prieſt, Obite, light, &c.

Prouided alſo, and be it enacted by authority aforeſaid, that it ſhal not be lawfull to any perſon or perſons, bodies politike or corporate, by reaſon of any remainder, vſe, or condition to enter into, claime, or challenge any lands, tenements or hereditaments for the none doing, not naming or none finding of any ſuch Prieſt or Prieſts, or poore folkes, as is aforeſaid, obite, anniuerſary, light or lampe, from henceforth to bee founden or done: any thing herein contained, to the contrary in any wiſe notwithſtanding.

This ſtatute ſhall giue no copihold land to the King.

Prouided allwayes, that this Act nor any thing therein conteined, ſhall in any wiſe extend to any lands tenements, poſſeſſions, or hereditaments whatſoeuer, that any Maſter, Deane, Prebendary, Warden, or Chantry, or any ſtipendary Prieſt of any College, Chantry, Prebend, Fraternity, Guild, or any other corporations haue, or held of any perſon or perſons, by any copy of Court roll, or at will, according to the cuſtome of any Manor or Manors: nor giue or grant any copyhold lands to the Kings highneſſe.

Who ſhall haue the Copihold Lands.

And alſo prouided that the Kings highneſſe, his heires or ſucceſſors ſhal not in any wiſe haue, hold, enioy or take by vertue of this Act, or any article therein contained, any manner of copihold lands, tenements, poſſeſſions, or hereditaments whatſoeuer they be: but that all and euery of the ſaid perſons and incumbents ſhal haue, hold and enioy the ſame, during their liues, towards their penſion and yeerely liuing, paying their rents, and doing their cuſtomes and ſeruices thereof due and accuſtomed: any thing in this Act to the contrary notwithſtanding.

Lands recouered from a Chantry Prieſt by good title.

Prouided, that this Act ſhall not extend to any lands, tenements, or hereditaments aſſigned, appointed or intended for the finding and maintenance of any Chantry Prieſt, or Stipendary Prieſt, which by any former right and good title, without fraud or couin, were lawfully recouered from the poſſeſſion of any ſuch Chantry Prieſt, or ſtipendary Prieſt before the firſt day of October, the ſaid ſeuen and thirtieth yeere of the reigne of the ſaid late King Henry the eighth, which lands, tenements, and hereditaments were not charged, nor chargeable to the payment of the perpetuall tenth: any thing in this Act, to the contrary hereof notwithſtanding.

A confirmation of letters patẽts made by king H. 8. or king E. 6. of any Chantry, &c. Lands vnited to them.

Prouided alwaies, and be it enacted by the authority aforeſaid, that all and ſingular grants, licences, confirmations, and letters patents, which our late Soueraigne Lord King Henry the eighth, or our Soueraigne Lord the King that now is, haue made vnder the great Seale of England to any perſon or perſons, bodies politike or corporate of any College, Chappell, or Chantry now being in eſſe, or ſtanding, or now not being in eſſe, or not ſtanding, or of any Lordſhips, Manors, lands, tenements, and hereditaments, annexed, vnited, belonging or appertaining to any College, Chappell, or Chantry now being in eſſe, or ſtanding, or now not being in eſſe, or not ſtanding, or of any other thing or things mentioned or expreſſed in this Act, and all & euery matter and thing mentioned, expreſſed, or contained in any ſuch grant, licence, confirmation, or letters patents, ſhall from henceforth be deemed, taken, expounded and adiudged good and effectual in the law, according to the words, ſentences, meanings, intents, forme & effects of the ſame grants, licences, confirmations and letters patents, to all intents, conſtructions and purpoſes, as if this Act, and the ſaid Act made in the ſaid ſeuen & thirtieth yeere, of the ſaid late King Henry the eight, had neuer beene had or made: And that this Act, or the ſaid Act made in the ſaid ſeuen and thirtieth yeere of the Raigne of our ſaid late Soueraigne Lord King Henry the eighth, or any clauſe, article, ſentence, or other thing therein contained, ſhall not extend to any Colleges Chappels, Chantries, or other thing or things mentioned in this Act now being in eſſe, or ſtanding, or now not being in eſſe, or not ſtanding, or to any manors, lands, tenements, poſſeſſions, reuenues, or hereditaments annexed, vnited, belonging or appertaining to any College, Chappell, Chantrie, or other thing mentioned in this Act now being in eſſe or ſtanding, or now not being in eſſe or not ſtanding, or to any other thing or things mentioned or expreſſed in this act: which any perſon or perſons, bodies politike or corporate haue had, or obteined by the aſſent, licence, confirmation, grant or Letters patents of the ſaid late King, or of the Kings Maieſtie that now is, nor ſhal extend to any Manors, Lands, Tenements, Reuenues, Poſſeſſions, Hereditaments, or other thing or things mentioned, expreſſed or conteined in any ſuch licence, confirmation, grant, or letters patents: but that euery ſuch perſon and perſons, bodies politike and corporate, their heires, ſucceſſors and aſſignes, and the heires, ſucceſſors and aſſignes of euery of them, ſhall haue, hold, and enioy, all and euery the ſame Colleges, Chappels, Chantries, Manors, lands, tenements, reuenues, poſſeſſions, and hereditaments, and all and euery other thing & things whatſoeuer, ſo by them had or obtained, by the aſſent, licence, confirmation, grant, or letters patents of the ſaid late king, or of the kings maieſty that now is, according to the words, ſentences, forme effect, meaning, and intent of the ſame licences, confirmations, grants, and letters patents: this Act, or the ſaid Act made in the ſaid ſeuen and thirtieth yeere of the raigne of the ſaid late King Henry the eight, or any clauſe, article, ſentence, matter, or thing mentioned, expreſſed, or conteined in any of the ſame Acts, to the contrary thereof in any wiſe notwithſtanding.

Cap. XV.

The Kings generall and free pardon confirmed by Parliament. Except, &c.

ANNO SECVNDO ET TERTIO *EDWARDI* SEXTI.

ACTS made in the Seſsion of this preſent Parliament, holden vpon prorogation at Weſtminſter the fourth day of Nouember, in the Second yeare of our moſt dread Soueraigne Lord, *EDWARD* the ſixth, by the grace of God, King of England, France, and Ireland, Defendor of the faith, and of the Church of England, and alſo of Ireland, in earth the ſupreme head, and there continued and kept to the fourteenth day of March, in the third yeare of our ſaid Soueraigne Lord, as followeth.

Cap. I.

The penalty for not vſing vniformity of Seruice and adminiſtration of Sacraments, &c.

WHere of long time there hath beene had in this Realme of England, and in Wales, diuers formes of Common prayer, commonly called the ſeruice of the Church: That is to ſay, the vſe of Sarum, of Yorke, of Bangor, and of Lincolne: and beſides the ſame now of late, much more diuers and ſundry formes and faſhions haue beene vſed in the Cathedrall, and Pariſh Churches of England and Wales, as well concerning the Mattines, or Morning prayer, and the Euenſong, as alſo concerning the holy Communion, commonly called the Maſſe, with diuers and ſundry rites and ceremonies concerning the ſame, and in the adminiſtration of other Sacraments of the Church. And as the doers and executors of the ſaid rites and ceremonies, in other forme than of late yeeres they haue beene vſed, were pleaſed therewith: So other not vſing the ſame rites and ceremonies, were thereby greatly offended. And albeit the Kings Maieſty, with the aduice of his moſt entirely beloued Uncle the Lord Protector, and other of his Highneſſe Councell, hath heretofore diuers times aſſaied, to ſtay innouations or new rites concerning the premiſſes: yet the ſame hath not had ſuch good ſucceſſe, as his highneſſe required in that behalfe, whereupon his Highneſſe by the moſt prudent aduice aforeſaid, being pleaſed to beare with the frailty and weakeneſſe of his ſubiects in that behalfe, of his great clemency hath not beene onely content, to abſtaine from puniſhment of thoſe that haue offended in that behalfe, for that his Highneſſe taketh that they did it of a good zeale: But alſo to the intent a vniforme, quiet, and godly order ſhould bee had, concerning the premiſſes, hath appointed the Archbiſhop of Canterbury, and certaine of the moſt learned and diſcreet Biſhops, and other learned men of this Realme, to conſider and ponder the premiſſes, and thereupon hauing aſwell eye and reſpect to the moſt ſincere and pure Chriſtian religion taught by the Scripture, as to the vſages in the Primitiue Church, ſhould draw and make one conuenient and meet order, rite and faſhion of Common and open Prayer, and adminiſtration of the Sacraments, to be had and vſed in his Maieſties Realme of England, and in Wales: The which at this time, by the ayd of the holy Ghoſt: with one vniforme agreement, is of them concluded, ſet forth and deliuered to his Highneſſe, to his great comfort and quietneſſe of minde, in a Booke intituled: The Booke of the Common Prayer, and adminiſtration of the Sacraments, and other Rites, and Ceremonies of the Church, after the vſe of the Church of England. Wherefore the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, conſidering as well the moſt godly trauell of the Kings Highneſſe, of the Lord Protector, and other of his Highneſſe Councell, in gathering and collecting the ſaid Archbiſhop, Biſhops, and learned men together, as the godly Prayers, Orders, Rites, and Ceremonies in the ſaid Booke mentioned, and the conſiderations of altering thoſe things which be altered, and retaining thoſe things which be retained in the ſaid Booke: And alſo the honour of God and great quietneſſe, which by the Grace of God ſhall enſue vpon the one and vniforme Rite and Order, in ſuch Common prayer and rites, and externe ceremonies to bee vſed thorowout England and in Wales, at Calice and the Marches, of the ſame, doe giue to his Highneſſe moſt hearty and lowly thankes for the ſame, and humbly prayen that it may be ordained and enacted by his Maieſty, with the aſſent of the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that all and ſingular perſon and perſons that haue offended concerning the premiſſes, other than ſuch perſon and perſons, as now be and remaine in Ward of the Tower of London, or in the Fleet, may be pardoned thereof, And that all and ſingular Miniſters in any Cathedrall or Pariſh Church, or other place within this Realme of England, Wales, Calice, and the Marches of the ſame, or other the Kings Dominions, ſhall from and after the feaſt of Pentecoſt next comming, be bounden to ſay and vſe the Mattens, Euenſong, celebration of the Lords Supper, commonly called the Maſſe ⁊ adminiſtration of each the Sacraments, ⁊ all their common ⁊ open praier in ſuch order and forme as is mentioned in the ſame book and none other or otherwiſe. And albeit that the ſame bee

Innouators not puniſhed for that they did it vpon good zeale.

The booke of Common prayer by the aide of the holy Ghoſt is ſet forth by the Biſhops ⁊ learned men of the Realme.

be ſo godly and good, that they giue occaſion to euery honeſt and conformable man moſt willingly to embrace them, yet leſt any obſtinate perſon, who willingly would diſturbe ſo godly order, and quiet in this Realme ſhould not goe vnpuniſhed: that it may alſo bee ordeined and enacted by the authority aforeſaid, That if any manner of Parſon, Vicar, or other whatſoeuer Miniſter that ought, or ſhould ſing or ſay common prayer, mentioned in the ſaid Booke, or miniſter the Sacraments, ſhall after the ſaid feaſt of Pentecoſt next comming, refuſe to vſe the ſaid cõmon praiers, or to miniſter the Sacraments in ſuch Cathedrall or pariſh Church, or other places as hee ſhould vſe or miniſter the ſame in ſuch order and forme, as they bee mentioned and ſet forth in the ſaid booke, or ſhall vſe, wilfully and obſtinately ſtanding in the ſame, any other rite, ceremony, order, forme or manner of Maſſe openly or priuily, or Mattens, Euenſong, adminiſtration of the Sacraments, or other open prayer, than is mentioned and ſet forth in the ſaid booke: (open prayer in, and throughout this Act, is meant that prayer which is for other to come vnto or heare, either in Common Churches, or priuate Chappels, or Oratories, comonly called the ſeruice of the Church) or ſhall preach, declare, or ſpeake any thing in the derogation, or deprauing of the ſaid Booke, or any thing therein contained, or of any part thereof, and ſhall be thereof lawfully conuicted, according to the lawes of this Realme, by verdict of xii. men, or by his owne confeſſion, or by the notorious euidence of the fact, ſhall loſe and forfeit to the Kings highneſſe, his heires and ſucceſſors, for his firſt offence, the profit of ſuch one of his Spirituall benefices or promotions, as it ſhall pleaſe the Kings highneſſe to aſſigne or appoint, comming and ariſing in one whole yeere, next after this conuiction. And alſo that the ſame perſon ſo conuicted, ſhal for the ſame offence ſuffer impriſonment by the ſpace of ſix moneths, without baile or mainpriſe. And if any ſuch perſon once conuict of any offence concerning the premiſſes, ſhal after his firſt conuiction eftſones offend, and bee thereof in forme aforeſaid, lawfully conuict, that then the ſame perſon ſhall for his ſecond offence ſuffer impriſonment by the ſpace of one whole yeere, and alſo ſhal therefore be depriued Ipſo facto, of all his ſpirituall promotions: and that it ſhalbe lawfull to all Patrens, Donors, grantors, of all & ſingular the ſame ſpirituall promotions, to preſent to the ſame any other able Clerk in like manner and forme, as though the party ſo offending were dead. And that if any ſuch perſon or perſons, after he ſhall be twice conuicted in forme aforeſaid, ſhall offend againſt any of the premiſſes the third time, and ſhalbe therof in forme aforeſaid lawfully conuict, that then the perſon ſo offending, and conuicted the third time, ſhall ſuffer impriſonment during his life. And if the perſon that ſhall offend, and be conuict in forme aforeſaid, concerning any of the premiſſes, ſhall not be beneficed, nor haue any Spirituall promotion, that then the ſame perſon ſo offending and conuict, ſhall for the firſt offence ſuffer impriſonment during ſix moneths, without baile or mainpriſe. And if any ſuch perſon, not hauing any ſpirituall promotion, after his firſt conuiction ſhall eftſoones offend in any thing concerning the premiſſes, and ſhall in forme aforeſaid bee thereof lawfully conuicted, that then the ſame perſon ſhall for his ſecond offence ſuffer impriſonment during his life.

The penalty for not vſing the booke of Common praier and other rites and ceremonies, according to the vſe of the Church of England.

Vſing any other manner of prayer.

The penalty for deprauing the booke or any thing conteined therein.

The penalty for the ſecond offence.

The penalty for the third offence.

And it is ordeined and enacted by the authority abouesaid, that if any perſon or perſons whatſoeuer, after the ſaid Feaſt of Pentecoſt next comming, ſhal in any Enterludes, Plaies, Songs, Rimes, or by other open words declare or ſpeake any thing in the derogation, deprauing, or deſpiſing of the ſame booke, or of any thing therein contained, or any part thereof: or ſhall by open fact, deed, or by open threatnings, compell, or cauſe, or otherwiſe procure, or maintaine any Parſon, Vicar, or other Miniſter, in any Cathedrall or Pariſh Church, or in Chappell, or in any other place to ſing or ſay any common and open praier, or to miniſter any ſacrament otherwiſe, or in any other manner or forme, than is mentioned in the ſaid Booke: or that by any of the ſaid meanes ſhall vnlawfully interrupt or let any Parſon, Vicar, or other Miniſters in any Cathedrall or pariſh Church, Chappell, or any other place, to ſing or ſay common and open prayer, or to miniſter the Sacraments, or any of them, in ſuch manner and forme as is mentioned in the ſaid booke, that then euery perſon being thereof lawfully conuicted in forme abouesaid, ſhall forfeit to the King our Soueraigne Lord, his heires and ſucceſſors for the firſt offence, ten pounds. And if any perſon or perſons, being once conuicted of any ſuch offence, eftſoones offend againſt any of the premiſſes, and ſhall in forme aforeſaid bee thereof lawfully conuict, that then the ſame perſon ſo offending and conuict, ſhall for the ſecond offence forfeit to the King our Soueraigne Lord, his heires and Succeſſors twenty pound. And if any perſon after he in forme aforeſaid, ſhall beene twice conuict of any offence concerning any of the premiſſes, ſhall offend the third time, and bee thereof in forme abouesaid lawfully conuict, that then euery perſon ſo offending and conuict, ſhall for his third offence forfeit to our Soueraigne Lord the King all his goods and cattels, and ſhall ſuffer impriſonment during his life. And if any perſon or perſons, that for his firſt offence concerning the premiſſes, ſhall be conuict in forme aforeſaid, doe not pay the ſum to be paid by vertue of his conuiction, in ſuch manner and forme, as the ſame ought to bee paid, within ſix weekes next after his conuiction, that then euery perſon ſo conuict, and ſo not paying the ſame, ſhall for the ſame firſt offence in ſtead of the ſaid ten pound ſuffer impriſonment,

The penalty by Plaies, Songs or rimes to depraue the booke of Common prayer, or to compell any to vſe other praier.

The penalty for the ſecond offence.

The penalty for the third offence.

by the ſpace of three moneths without bails or mainepriſe. And if any perſon or perſons, that for his ſecond Offence, concerning the Premiſſes, ſhall bee conuict in forme aforeſaid, doe not pay the ſumme to bee payed by vertue of his conuiction, in ſuch manner and forme, as the ſame ought to bee payed, within ſix Weekes next after his ſaid ſecond Conuiction, that then euery perſon ſo conuicted, and not ſo paying the ſame, ſhall for the ſame ſecond offence, in the ſteed of the ſaid twenty pound ſuffer impriſonment during ſix moneths, without bayle or mainpriſe.

Iuſtices of Oyer, determiner and Aſſiſe ſhall haue power to heare and determine thoſe offences.

And it is ordeined and enacted by the authority aforeſaid, that all and euery Iuſtices of Oyer and determiner, or Iuſtices of Aſſiſe, ſhall haue full power and authority in euery of their open and generall Seſſions to enquire, heare and determine, all and all manner of offences, that ſhall bee committed or done contrary to any article contained in this preſent Act, within the limits of the commiſſion to them directed, aud to make proces for the execution of the ſame, as they may doe againſt any perſon being indicted before them of treſpaſſe, or lawfully conuicted thereof.

A Biſhop may ioyne with the Iuſtices.

Prouided alwayes and be it enacted by the authority aforeſaid, that all and euery Archbiſhop and Biſhop ſhal, or may at all time and times at his liberty and pleaſure, ioyne and aſſociate himſelfe by vertue of this Act, to the ſaid Iuſtices of Oyer & determiner, or to the ſaid Iuſtices of Aſſiſe, at euery of the ſaid open and generall Seſſions to be holden in any place within his Dioceſſe, for, and to the enquiry, hearing and determining of the offences aforeſaid.

Who may vſe prayers in another language.

Prouided alwayes, that it ſhall be lawfull to any man, that vnderſtandeth the Greeke, Latine and Hebrew tongue or other ſtrange tongue to ſay and haue the ſaid prayers, heretofore ſpecified of Mattens and Euenſong in Latine, or any ſuch other tongue, ſaying the ſame priuately as they doe vnderſtand.

And for the further encouraging of learning in the tongues, in the Uniuerſities of Cambridge and Oxford, to vſe and exerciſe in their common and open prayer in their Chappels (being no Pariſh Churches) or other places of prayer, the Mattins, Euenſong, Letany, and all other prayers (The holy Communion commonly called the Maſſe excepted) preſcribed in the ſaid booke, in Greeke, Latine or Hebrew, any thing in this preſent Act, to the contrary notwithſtanding.

Prouided alſo that it ſhall be lawfull for all men, as well in Churches, Chappels, Oratories, or other places, to vſe openly any Pſalmes or prayer taken out of the Bible, at any due time not letting or omitting thereby the ſeruice, or any part thereof mentioned in the ſaid Booke.

When the Seruice bookes ſhall be gotten.

Prouided alſo and bee it enacted by the authority aforeſaid, that the bookes concerning the ſaid ſeruices, ſhall at the coſts and charges of the pariſhioners of euery pariſh and Cathedral Church, be attained and gotten before the Feaſt of Pentecoſt next following, and that all ſuch Pariſhes and Cathedrall Churches, or other places where the ſaid bookes ſhall bee attained and gotten before the ſaid feaſt of Pentecoſt, ſhall within three weeks next after the ſaid bookes ſo attained and gotten, vſe the ſaid ſeruice, and put the ſame in vre according to this Act.

And be it further enacted by the authority aforeſaid, That no perſon or perſons ſhall be at any time hereafter impeached or otherwiſe moleſted, of, or for any of the offences aboue mentioned, hereafter to be committed or done contrary to this Act, vnleſſe he or they ſo offending be thereof endited at the next generall Seſſions, to bee holden before any of the Iuſtices of Oyer & determiner, or Iuſtices of Aſſiſe next after any offence committed or done, contrary to the tenour of this Act.

Prouided alwayes, and bee it ordeined and enacted by the authority aforeſaid, that all and ſingular Lords of the Parliament, for the ſaid offences aboue mentioned, ſhall bee tried by their Peeres.

Chiefe officers of Cities, & corporat Townes may heare and determine theſe offences.

Prouided alſo, and be it ordeined and enacted by the authority aforeſaid, that the Maior of London, and all other Mayors, Bailiffes, and other head officers, of all and ſingular Cities, boroughs and townes corporate within this Realme, Wales, Calice, and the Marches of the ſame, to the which Iuſtices of Aſſiſe doe not commonly repaire, ſhall haue full power and authority by vertue of this Act, to enquire, heare and determine the offences aboueſaid, and euery of them yeerly within fifteene dayes after the feaſt of Eaſter, and Saint Michael the Archangell, in like manner and forme as Iuſtices of Aſſiſe and Oyer & determiner may doe.

Theſe offences inquirable and puniſhable by the Eccleſiaſticall iuriſdiction.

Prouided alwaies, and be it ordeined and enacted by the authority aforeſaid, that all and ſingular Archbiſhops and Biſhops, and euery of their Chancellors, Commiſſaries, Archdeacons, and other Ordinaries hauing any peculiar Eccleſiaſticall Iuriſdiction, ſhall haue full power and authority by vertue of this Act, as well to enquire in their Viſitations, Synodes, and elſewhere within their iuriſdiction, at any other time and place, to take occaſions and informations of all and euery the things aboue mentioned, done, committed or perpetrate, within the limits of their iuriſdictions and authority, and to puniſh the ſame by admonition, excommunication, ſequeſtration, or depriuation, and other cenſures and proceſſe in like forme as heretofore hath beene vſed in like caſes, by the Kings Eccleſiaſticall Lawes.

Prouided alwaies and be it enacted, that whatſoeuer perſon offending in the premiſſes, ſhal for the firſt offence receiue puniſhment of the Ordinary, hauing a teſtimonial thereof, vnder the ſaid Ordinaries Seale, ſhall not for the ſame offence eftſoones bee conuicted before the Iuſtices, and likewiſe receiuing for the ſaid firſt offence, puniſhment by the Iuſtices, he ſhall not for the ſame offence eftſoones receiue puniſhment of the Ordinary, any thing contained in this Act to the contrary notwithſtanding.

But once puniſhed for one offence.

Th ſtatute was repealed by 1.M.2.ſeſſ.2. But the ſame 1.M.being repealed, by 1. Iac. 25. this preſent ſtatute ſtands now in force, ſaue that it is in part altered by 5.Ed.6.1.& by 1.El.2.

Cap. II.

Captaines and Souldiers not doing their true ſeruice, and neglecting their offices, ſhall be puniſhed.

Where before this time, diuers of the Kings Maieſties louing and obedient ſubiects, according to their bounden duties, haue aſſigned, appointed and ſent forth, as well in the parts beyond the Seas, and to the Seas, as alſo into Scotland and other places, diuers times both within this Realme and without this Realme, many able perſons or Souldiers well furniſhed, with good Horſes and Harneſſes, meete to ſerue the King in warres, to their great charges and coſts, yet ſome of the ſaid Souldiers ſo ſent to ſerue, contrary to their Maſters expectation, and contrary to their bounden duties to the Kings Highneſſe, haue ſold, loſt, exchanged, or altered their Maſters horſe and Harneſſe, or otherwiſe by deceit or couin conuerted the ſame: By meane whereof the Kings Highneſſe hath not only beene deſtitute of the ſame ſouldiers in time of neede, but alſo the owners of the ſaid Horſes and Harneſſe, who ſent them thither, haue beene vntruly deceiued of their horſes and harneſſe, being thereby leſſe able to refurniſh other the like ſouldiers with Horſe and Harneſſes, at ſuch time as they ſhall bee thereunto commanded by the Kings Highneſſe.

And ſometime the Captaines of ſuch ſouldiers departed, haue demanded, had and taken of the Kings highneſſe wages for the ſame ſouldiers ſo departed, by meane whereof the Kings Maieſty hath ſuſtained and borne great payments, and yet his Maieſty hath not beene truly ſerued for the ſame, not a little to the diſpleaſure of the King, and to the great charge of the poore ſubiects being commanded to ſet forth ſuch ſouldiers.

For remedy whereof, be it enacted by the King our Soueraigne Lord, with the aſſent of the Lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by the authority of the ſame, that if any Souldier hereafter, ſeruing the King in his warres, in any his dominions, or on the ſeas, or beyond the ſeas, or in Scotland, after the firſt day of April next comming, doe ſell, giue away, or wilfully purloyne, or otherwiſe exchange, alter or put away any horſe, Gelding, or Mare, or any harneſſe wherewith he ſhalbe ſet forth: that then euery ſuch ſouldier ſo offending, vpon due proofe, or teſtimony to be taken before the Lieutenant, high Admiral, the Kings deputy, Viceadmirall, Warden or Captaine, and in their abſence before any of their Deputies, ſhall be impriſoned by the ſame Lieutenant, or any other before named, there to remaine without baile or mainpriſe, vntill he haue ſatisfied to the party, owner of the Horſe, Gelding, Mare, or harneſſe ſo by him ſold, purloyned, exchanged, wilfully loſt, altered, or otherwiſe made away.

The penalty of a Souldier that maketh away his Horſe or harneſſes. Stat.4.& 5.P.& M.2.

And if ſuch ſouldiers ſo offending, fortune to eſcape from the Lieutenant, and other the foreſaid perſons, without the puniſhment and reſtitution aforeſaid, that then the ſame ſouldier vpon complaint made by the party grieued, or his executors or adminiſtrators, vpon due proofe thereof to be made to any Iuſtice or Iuſtices of Peace, in the parts where ſuch ſouldier ſo offending ſhal be found, ſhalbe by ſuch Iuſtice or Iuſtices committed to Ward, there to remaine without baile or mainpriſe, vntill hee haue ſatiſfied the party grieued, his executors or adminiſtrators, of and for ſuch horſes, geldings, or mares, and harneſſe, ſo by any ſuch ſouldier wilfully loſt, exchanged, altered, or otherwiſe purloyned.

Prouided alway, that if the ſaid ſouldier bring any ſufficient warrant or teſtimony before the ſaid Iuſtice, from the ſaid Lieutenant, or any of the perſons aboue named in writing vnder the Seale of any of them, teſtifying that the ſame Horſe or Harneſſe were loſt in the Kings ſeruice, againſt the will of the ſaid Souldier, or that the ſame horſe or harneſſe was taken by the ſame Lieutenant, or any of the others before named, from the ſaid Souldier, for any reaſonable reſpect, and appointed to ſome other, to ſerue in the place and ſtead of the ſaid ſouldier: that then euery ſuch ſouldier, not bringing to the owner the ſaid horſe & harneſſe, ſhalbe diſcharged thereof againſt the owner thereof. And that then euery ſuch ſouldier to whom the ſaid horſe or harneſſe ſhal be appointed, as is aforeſaid, not bringing home to the owner, the ſaid horſe and harneſſe, after he ſhalbe diſcharged, to ſuffer like paine as is aforeſaid.

A remedy if the Horſe or harneſſe be loſt, or appointed to another.

And be it alſo further enacted by the authority aforeſaid, that if any ſouldier ſeruing as is aforeſaid,

It ſhalbe felony for a ſouldier

to depart from his Captaine without licence.

St.18.H.6.19. 5.El.5.1.Iac.25. 4 & 5.P.& M.3.

ſaid, depart without licence of the Lieutenant, or any of the other aboue named, with booty, or otherwiſe being in the enemies country, or elſewhere in the kings ſeruice, or out of any Garriſon where he or they ſhalbe appointed to ſerue, that then euery ſuch ſouldier ſo departing without licence, to be taken and iudged as a felon, and to be executed as in caſe of felony, without hauing any aduantage of his Clergy or Sanctuary: and that the Juſtices of euery ſhire, where any ſuch ſouldier ſhalbe taken, ſhall haue full power to enquire, heare and determine all and euery the ſaid offences concerning euery ſuch departure, as they doe and may in other caſes of felony, committed in the Shire where ſuch ſouldiers ſhalbe taken.

The penalty of a Commiſſioner, licencing a ſouldier to depart, and aſſigning another for gaine.

And be it alſo further enacted by the authority aforeſaid, that if any Commiſſioner or Captain to whom the King ſhall direct his commandement, by cõmiſſion or letters, for the leuying or ſetting forth of any man to ſerue the King in his warres, ſhall at any time after the ſaid firſt day of Aprill, for any gaine, reward or other lucre, diſcharge any perſon or perſons by him appointed to ſerue the King, as a Captaine, Souldier or Pionor, of his ſeruice ſo appointed, and doe aſſigne any other perſon or perſons in his or their ſtead, for any lucre or gaine as is aforeſaid, that then euery Commiſſioner or other perſon ſo offending, ſhall forfeit to the King, for euery ſuch default of euery man ſo diſcharged, twenty pound to be leuied of his goods and cattels.

A Captaine licenceth one in his retinue to to depart.

And be it alſo enacted by the authority aforeſaid, that if any Captaine being appointed to haue the order of any number of ſouldiers vnder any other higher officer, doe for any cauſe licence any ſouldier in his retinue to depart from the field or fortreſſe, where they ſhalbe appointed to ſerue without the ſpeciall aſſent and licence in writing of the Lieutenant or the others before named, he ſhall forfeit and loſe for euery ſuch ſouldier, ſo by him licenced to depart, twenty pound to bee leuied as is aforeſaid, to the vſe of the King.

A Captaine demanding more wages for his ſouldiers, than there is cauſe.

And bee it alſo enacted by the authority aforeſaid, that if any Lieutenant, or any other before named: hauing the order of any number of ſouldiers ſeruing, as is aforeſaid vpon the ſea or land, doe at any time after the ſaid firſt day of April demaund, receiue or take of the Kings highneſſe, or any of his Treaſurers, any wages for any more ſouldiers, than ſerued in ſuch manner & forme as the wages was paid for, or for any moe dayes than ſuch ſouldiers ſerued, and doe not note the day of euery ſouldiers entry into wages, and day of his death and departure, and deliuer the ſame to ſuch Treaſurers as ſhall pay the ſaid wages, euery moneth in writing, ſo as the truth of the number of the ſouldiers may appeare to the Kings Treaſurer, and Maſter of the Kings Muſters for the time being, in that behalfe, that then euery ſuch Lieutenant, and other before named ſo offending, ſhall forfeit and loſe to the King for euery ſuch default fiue pound, to be leuied as is aforeſaid to the vſe of the King, and to bee impriſoned by the ſpace of one moneth, and to loſe his roome and office.

None but the Lieutenant ſhal giue a ſouldier licence to depart.

And be it enacted by the authority aforeſaid, that no Captaine after the ſaid firſt day of Aprill ſhall giue to any of his ſouldiers, appointed to ſerue vnder him in any Towne or Fortreſſe, kept with gariſons of ſouldiers, any licence or paſports to depart from his ſeruice, but only the Lieutenant or any others, as is aforeſaid, vpon paine of impriſonment, as well of the Captaine as ſouldier ſo offending, at the diſcretion of the ſaid Lieutenant, or the others before named.

Proclamation of this Act.

And bee it further enacted by the authority aforeſaid, that euery Lieutenant and other before named, vpon the paine of ten pound, ſhall cauſe to be proclaimed, the whole effect and contents of this act. That is to ſay, euery Lieutenant of an army, in euery field vnder his charge, to proclaim this act euery moneth, and that euery of the Kings deputies of euery Fortreſſe and Captaine of any other fortreſſe, to proclaime this Act within his charge, once euery quarter of a yeere.

Reward for informing of offences.

And alſo be it enacted by the authority aforeſaid, for the better execution of the premiſſes, that euery perſon or perſons, giuing to the Lieutenant or the others aboue named, true information of any of the offences aboue remembred, ſhall haue for his labour one moneths wages of him that ſhalbe found faulty, to be paid by the hand of the treaſurer, vpon warrant of the ſaid Lieutenant, or any of the others aforeſaid.

Prouided alwaies, that nothing herein contained, ſhall in any wiſe extend to touch or infringe any orders eſtabliſhed for the gouernment of Calice, and the Marches of the ſame, or any other place of the Kings, now gouerned, or hereafter to be gouerned by the ſame orders, or by ſuch orders as may pleaſe his grace hereafter to ſet forth for the ſame.

Retaining of wages.

Prouided alwayes, and be it enacted by the authority aforeſaid, that it ſhall be lawfull for all & euery of the ſaid Lieutenants, and other the ſaid perſons to retaine in his or their owne hands, to their owne vſe, of the wages of his or their ſouldiers, the ſummes following, that is to ſay, ſix ſhillings eight pence for the liuery or coat of euery yeoman ſouldier, and thirteene ſhillings foure pence for the liuery or coat of euery gentleman ſouldier for one whole yeere.

In what caſes a Lieutenant ſhall not be preiudiced for lacke of his number.

Prouided alwayes and bee it further ordained and enacted by the authority aforeſaid, that no manner of Lieutenant, or any other the ſaid perſons, ſhall hereafter bee charged or preiudiced by vertue of this Act, or any thing therein contained, for lacke of his or their number retained, as is aforeſaid, for, or concerning any ſouldier or ſouldiers, as ſhal happen to dye during his ſeruice, or to be ſicke by the viſitation of God, or that ſhall depart againſt the will of his Lieutenant, or other before named, vnleſſe it ſhall be in the default of any of them.

Prouided alwaies, that this Act bee not preiudiciall or hurtfull to the ſaid Lieutenant, or any other the ſaid perſons, or any other hauing vnder them retinue of ſouldiers, nor any of them, for none paiment of the Kings wages, to their houſhold ſeruants and other, to whom thy ſhall daily finde and giue meat and drinke, during the ſaid ſeruice of warre.

Houſhold ſeruants ſhall not be compriſed in this Act.

Prouided alway that this act, nor nothing therein contained, ſhall extend to charge any perſon or perſons for the taking or receiuing of any gift or reward, of any of his or their tenants or friends towards the reliefe, aid, or helpe of the ſame perſons, being commanded by the Kings Maieſty to ſerue in warres, or otherwiſe to finde men on horſebacke or on foot, as well within this Realme or without; Nor for the gift, reward, aid or helpe, reſerued or couenanted to be paid or giuen to any perſon appointed to ſerue in warres, or to find horſe or men to ſerue by reaſon of any grant, couenant, reſeruation, cuſtome or tenure.

Reliefe of tenants or friends. Stat. 4. & 5. P. & M. 3.

Prouided that this act nor any thing therein contained, ſhall not extend to charge any Lieutenant or others aboue named, for detaining or retaining any part of any the ſaid ſouldiers wages toward, or for the paiment of victuals, harneſſe, weapons, or for any preſt money prouided and deliuered to any ſuch ſouldier.

Lawfull cauſes of detaining wages from Souldiers.

CAP. III.

No Purueyor, or other perſon, by authority of any Commiſſion or other warrant, ſhall during three yeares next, puruey or take for the prouiſion of the Kings houſhold, his ſiſters, or any other perſons, any Corne, Beeues, muttons, &c. wood, cole, ſtraw, hay, or any kinde of victuals, without the full conſent of the owner, and at ſuch price for ready money, as the owner and Purueyor can agree: Or ſhall take for any of the Kings affaires, or the warres or otherwiſe, any goods, cattels, or other things whatſoeuer (ſauing Barges, Ships, Carts, and things neceſſarie for carriages) without conſent of the owner, and at ſuch prices for ready money, as the owner and Purueyor can agree, (except poſt-horſes, for which ſhall bee payed a peny a mile.) And if any Taker, or other perſon ſhall offend in any point contrary to the ordinance aforeſaid, he ſhall forfeit to the partie grieued treble the value of the thing taken, ſuffer impriſonment a quarter of a yeare, and make fine at the Kings pleaſure. The King will allow to the owner of euery cart taken, for his houſhold foure pence a mile, and for the warres, and other carriages, three pence a mile. EXP.

CAP. IIII.

Sheriffes vpon their accompts in the Exchequer, vpon their oath taken ſhall be diſcharged of all ſuch moneys as they cannot leuy, and ſhall haue their due allowances.

MOſt humbly beſeechen the Kings moſt excellent Maieſty, his true and faithfull ſubiects, the Commons in this preſent Parliament aſſembled: That where in the Parliament begun at Weſtminſter, the ſixteenth day of January, in the three and thirtieth yeere of the Reigne of our late Soueraigne Lord of famous memory, King Henry the eight, and by prorogation holden at Weſtminſter the two and twentieth day of January, in the foure and thirtieth yeere of the reigne of our ſaid late Soueraigne Lord, and there continued vntill the twelfth day of May, in the fiue and thirtieth yeere of the raigne of the ſaid late King: Vpon diuers and ſundry conſiderations, there was enacted and made an act, by the authority of the ſame Parliament, concerning the account or accounts of Sheriffes, to be made in the Exchequer, as in the ſame act more plainly at large it is contained.

And albeit it was meant, at the time of the making of the ſaid Act, as it may appeare by the words of the ſaid Act, that Sheriffes ſhould not be charged vpon their accompts, but onely with ſuch ſummes of money as they might lawfully leuy: And alſo that the ſaid Sheriffes ſhould haue allowance, not all only for ſuch charges and expences, as they ſhould ſuſtaine and beare for the diets and charges of the Juſtices of Aſſiſe, but alſo for other neceſſary charges and expences by them ſuſtained, in and about the exerciſing of their ſaid office: Yet neuertheleſſe, the ſaid Sheriffes are and haue beene, ſithen the making of the ſaid Act, more and ſorer charged, vexed and troubled than they were before, to the great impoueriſhment of men of worſhip and gentlemen within this realme, that haue bin Sheriffes, and ſo is very like to be to all ſuch as hereafter ſhall be Sheriffes, if remedy bee not prouided in this behalfe: it may therefore pleaſe the Kings moſt excellent Maieſty, that it may be enacted and eſtabliſhed, with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that the ſaid former Act, and all clauſes and ſentences in the ſame contained, ſhall be from henceforth cleerely fruſtrate and void, to all intents and purpoſes, other than hereafter in this Act ſhalbe ſpecified.

The ſtatute of 34. H. 8. 16. touching Sheriffes rehearſed and repealed.

And that it may be enacted by this preſent Parliament, that the Sheriffes which ſhalbe made from henceforth within all the Shires of England: and alſo ſuch as haue not made and finiſhed their accompt or accompts, ſhall haue ſuch & like tailes of reward, and all ſuch other allowances as they had before the making of the ſaid former act, or elſe the ſame Sheriffes which ſhall bee or heretofore haue beene, to bee at their election and choice to accompt, and all other things to doe, according to the aforeſaid former Act. And that they, and euery of them that ſo ſhall accompt, and take no taile of reward ſhalbe in, and by all things intreated in the Kings Exchequer, as though the ſaid former Act were and ſhould continue in his full ſtrength and effect, any thing before ſpecified notwithſtanding.

Euery Sheriffe ſhall haue tailes of reward.

And that the ſame tailes of reward, and euery of them by force of this preſent Act, without any further warrant or warrants to be obtained for the ſame, ſhalbe leuied or ſtrikē at the receipt of the kings maieſties Exchequer in due manner and forme, with ſuch like letter or writings, vpon the ſame tailes and euery of them, as before the making of the ſaid former Act were and haue beene accuſtomed to be leuied and ſtriken.

And that the ſame tailes ſo hereafter there to be leuied and ſtriken, ſhalbe deliuered vnto euery of the ſame Sheriffes, or their ſufficient Atturney for them without preſt or other charge to be ſet vpon them for the ſame.

And that this act ſhalbe a ſufficient warrant and diſcharge vnto the Treaſurer of England, and all other Officers within the ſaid receipt, for ſtriking, leuying and deliuery of the ſaid tailes and euery of them.

Sheriffes allowances that haue no tailes of reward.

And further, that all thoſe Sheriffes that hereafter ſhalbe made within thoſe Shires of England, wheras no tailes of reward haue heretofore beene by the Kings Maieſties moſt noble Progenitors giuen and granted, and ſuch Sheriffes as ſhall hereafter take no taile of reward, ſhall in conſideration of their great coſts, charges and expences which they ſhall beare and ſuſtaine, as well by the diets of the Iuſtices of Aſſiſes, as by any other meanes, haue vpon the end of their accompts, and of euery of them, ſuch allowances vpon a petition to bee made by the ſame Sheriffes or any of them, in a bill to be brought in by the ſame Sheriffes and euery of them, of their ſaid coſts and charges, vpon which bils the ſame Sheriffes to bee ſworne in their owne proper perſons, or by their vnder Sheriffes or lawſull Atturney, thereunto admitted to be true without warrant or taile ſuing for the ſame.

And alſo that all Sheriffes which hereafter ſhall take no taile of reward, and euery of them, ſhall be diſcharged vpon their accompts of all ſuch fermes, goods, cattels, profits, caſualties, and ſummes of money, which they might or ſhould bee charged with vpon their accompts in the ſaid Exchequer, by what title or name ſoeuer they be named, or vpon whatſoeuer perſon or perſons they ſhalbe ſtreated, or out of whatſoeuer lands and tenements they ſhal bee going forth, as they cannot leuy or come by.

Sheriffes allowances for ſuch Vicountels concerning poſſeſſions as be come to the Kings hands by vnity of poſſeſſion.

And that all other Sheriffes which hereafter ſhal take any taile of reward, ſhal in like manner, be diſcharged of all ſuch fermes and ſummes of money aforeſaid (except onely of the Vicountels of their Shires, wherewith they ſhalbe charged, and anſwerable as they were before the making of the foreſaid former Act.) And alſo the ſame Sheriffes of euery Shire of England that now be, or heretofore haue beene, or that hereafter ſhall be, and euery of them, ſhall haue plaine deduction and allowance in their ſaid accompts, of all ſuch ſumme and ſummes of money, as they or any of them, ſhall make or haue made true petition of, for, or concerning ſuch poſſeſſions and hereditaments, as bee come vnto, or were in the Kings Maieſties hands, or any his Progenitors, by vnity of poſſeſſion or by any meane, out of the which any part or parcell of the foreſaid Vicountels, were at any time heretofore leuiable or leuied. And that the Lord Treaſurer, Chamberlain, Chancellor and Barons of the ſaid Exchequer, or in the abſence of the ſaid Lord Treaſurer, Chamberlaine, and Chancellor, the ſaid Barons ſhall by authority of this act, giue and make allowance, deduction and exoneration, to euery of the ſaid Sheriffes of the ſaid fermes, and of all other things without any other warrant.

The Sheriffe ſhall be ſworne to bring into the Exchequer rols of parchment, of money which he hath or might haue leuied.

Prouided alway, that euery of the ſaid Sheriffes at his day of prefection, immediatly after that he or his Deputy or Atturney, is ſworne to accompt for the iſſues and profits of his office of Sheriffewike, ſhall by himſelfe or by his Atturney, or Deputy ſworne for him, when he ſhall anſwer before the Lord Treaſurer, Chamberlaines, Chancellor and Barons of the ſaid Exchequer, or in the abſence of the ſaid Lord Treaſurer, Chamberlain or Chancellor, or of any of them: then before ſuch of the ſaid Lord Treaſurer, Chamberlaines or Chancellor, and of the ſaid Barons, as then ſhall happen to bee preſent, in the ſaid Court of Exchequer, to bring in and deliuer into the ſaid Court, Rols, or Cedules of Parchment, containing in them truly, without omiſſion or concealment, all ſuch particular ſummes of money, which hee hath leuied, or lawfully might haue leuied, to his weting or knowledge within his Bailiffewike, as part or parcell as well of the ſaid fermes, called Vicoundels, in the ſaid former Act expreſſed, as of all other fermes of what name or title ſoeuer they be called, being ſtreated, writtē or otherwiſe charged, to any of the ſaid Sheriffes, out of the ſaid Court of Exchequer, making expreſſe and diſtinct mention in the ſame Rols or Cedules, as nigh as hee or they can or may, of what perſon, and what lands and tenements, and for what cauſe the ſame particular ſums of money, and euery of them be leuied or leuiable: and that after the ſame Rols or Cedules ſo deliuered, and the particular ſums of money in them contained, appertaining to their proper fermes, caſt and rated in the ſaid Court, the ſaid Lord Treaſurer, Chamberlaine, Chancellor and the ſaid Barons, in the abſence of the ſaid Treaſurer, Chamberlaines or Chancellor, or any of them for the time being, ſhall haue full power and authority by this act, for the leuying and recouery of ſuch parcels belonging to any the ſaid fermes, called Vicountels, or any other fermes, by what name or title ſoeuer they ſhalbe called, being omitted out of the ſaid Rols or Cedules, & for ſauing of other the Kings ancient rights and inheritances, anſwerable in the ſaid Exchequer, which be now wrongfully withdrawne, or vniuſtly withholden from the Kings Maieſty his poſſeſſions : and ſhall haue power and authority from time to time to award ſuch proceſſe, and vſe ſuch conuenient waies and meanes by commiſſion or otherwiſe, according to the courſe of the ſaid Exchequer, and further as ſhalbe deuiſed by their diſcretion : ſo that the Kings Maieſty, his heires and ſucceſſors may bee truly anſwered of the Iſſues and profits of the ſame: this Act, or any other ſtatute, Act, ordinance, or vſe heretofore, to the contrary had, made or vſed in any wiſe notwithſtanding.

Proceſſe ſhalbe awarded out of the Exchequer, to enquire of the Kings debt.

And furthermore, that the ſaid Treaſurer, Chamberlaines, Chancellor and Barons of the ſaid Exchequer, or the ſaid Barons in the abſence of the ſaid Treaſurer, Chamberlaines or Chancellor, or any of them for the time being, ſhall haue full power and authority, by their diſcretions, from time to time, to giue and allow, vnto all and euery ſuch Commiſſioner or Commiſſioners, as they ſhall aſſigne and appoint by their diſcretion, to enquire of the ſaid fermes, and other the Kings rights withdrawne, their reaſonable coſts and charges, as from time to time, to them ſhal ſeeme good and conuenient.

Allowance made to Commiſſioners for their coſts.

Cap. V.

Such fee fermes and ſummes of money, paid for fee fermes, as by any City, Borough, or Towne corporate within England or Wales, or by the bodies corporate or politike, Officers or Miniſters of the ſame, ought to be due and payable to the King, &c. during three yeeres next enſuing, ſhall ceaſe, and not be due: and ſhalbe beſtowed about repairing of wals, bridges, ſetting poore on work, or other good deeds in euery ſuch City, &c. But if the King hath granted the fee ferme to any other, he ſhall enioy it. Exp. Stat. 3. *Ed. 6.* 18.

Cap. VI.

No Officer ſhall exact any money of any Merchant or Fiſherman trauelling into Ireland for Fiſh.

For as much as within theſe few yeares now laſt paſt, there hath beene leuied, perceiued and taken, by certaine of the Officers of the Admiraltie, of ſuch Merchants and Fiſhermen as haue vſed and practiſed the aduentures and iourneyes into Iſland, New found land, Ireland, and other places commodious for fiſhing, and the getting of fiſh, in and vpon the Seas or otherwiſe, by way of Merchandiſe in thoſe parts, diuers great exactions, as ſummes of money, doles, or ſhares of fiſh, and ſuch other like things, to the great diſcouragement and hinderance of the ſame Merchants and Fiſhermen, and to no little damage to the whole Common weale.

And whereas alſo great complaints haue bin made, and informations alſo yeerly to the Kings Maieſties moſt honourable Councell: for reformation wherof, and to the intent alſo, that the ſaid Merchants and Fiſhermen may haue occaſion the rather to practiſe and vſe the ſame trade of Merchandiſe and fiſhing freely without any ſuch charges or exactions, as is before limited, whereby it is to be thought, that more plenty of Fiſh ſhall come into this Realme, and thereby to haue the ſame at more reaſonable price.

Be it therefore enacted by the King our Soueraigne Lord, and the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That neither the Admirall nor any Officer nor Miniſter, Officers or Miniſters of the Admiralty for the time being, ſhal in any wiſe hereafter exact, receiue or take by himſelfe, his ſeruant, deputy, ſeruants or deputies of any ſuch Merchant or Fiſherman, any ſumme or ſummes of money, doles or ſhares of fiſh, or any other reward, benefit or aduantage whatſoeuer it be, for any licence to paſſe this Realme to the ſaid voyages or any of them: Nor vpon any reſpect concerning the ſaid voyages or any of them, vpon paine to forfeit for the firſt offence, treble the ſum, or treble the value of the reward, benefit or aduantage, that any ſuch Officer or Miniſter ſhall hereafter haue or take, of any ſuch Merchant or Fiſherman. For the which forfeiture the party grieued, and euery other perſon or perſons, whatſoeuer he or they be, ſhall and may ſue for the ſame, by information, bill, plaint, or action of debt, in any of the Kings Courts of record, the King to haue the one moytie, and the party complaining the other moity: in which ſuit no eſſoine, protection or wager of law ſhall be allowed: and for the ſecond offence, the party ſo offending, not only to loſe or forfeit his or their office or offices in the Admiralty, but alſo to make fine and ranſome at the Kings wil & pleaſure.

There ſhall be no exaction by the Admirall or his officers of any Merchant, &c. trauelling for fiſh.

Cap.

Cap. VII.

Thoſe Penſioners that by the crafty practices of others, did ſell them ſuch Penſions as by the Kings Patents were granted vnto them out of Abbey and religious Lands, for life, ſhall haue their Penſions againe. So that they pay or tender ſo much money as they receiued for their ſaid Penſions. EXP.

Cap. VIII.

How offices in ſome caſes ſhall be found before Eſcheators.

Leſſees for yeers or copiholders being put forth of poſſeſſion by the King by the Common Law ſhall haue no remedy.

Where many and diuers perſons holding, or that haue holden lands, tenements or hereditaments, ſome for terme of yéeres, and ſome by copy of Court roll, haue béene expulſed and put out of their terms and holds, by reaſon of inquiſitions or offices, founden before Eſcheators, Commiſſioners and other, containing tenures of the King in capite, intituling the King to the wardſhip or cuſtody of ſuch lands or tenements, and ſometime intituling the King to the ſame vpon attainders of treaſon, felony or otherwiſe, by reaſō that ſuch leaſes for terme of yéers or intereſt by copy of Court roll, of ſuch perſons haue not béene found in ſuch inquiſitions or offices: after which expulſion or putting out, the ſaid perſons haue béene without remedy, for the obtaining of the ſaid fermes and holds, during the Kings poſſeſſion therin, and can haue no trauerſe Monſtrance de droyt, ne other remedy for the ſame, becauſe their ſaid intereſt is but a chattell in the law or cuſtomary hold, and no ſtate of fréehold.

And alſo where any perſon or perſons, hath any rent, common, office, fée, or other profit Apprendre, of any ſtate of fréehold or for yéeres, or otherwiſe, out of ſuch lands or tenements, ſpecified in ſuch offices or inquiſition, the ſaid rent, common, office, fée or profit Apprendre, not found in the ſame office or offices, ſuch perſons are in like manner without remedy, to obtaine or haue the ſaid rent, common, office, fée or profit Apprendre, by any trauerſe or other ſpéedy meane, without great and exceſſe charges, during the Kings intereſt therein, by force of ſuch inquiſition or office.

The intereſt of others ſhall be ſaued, though they be not found by office.

For remedy whereof be it enacted by authority of this preſent Parliament, That where any ſuch office or inquiſition, is or ſhall be founden, omitting ſuch titles, intereſts, or matters, as is aforeſaid, that in all ſuch caſes, euery leſſée, tenant for terme of yéeres, or copy holder, and euery ſuch perſon or perſons that haue or ſhall haue any intereſt to any rent, common or profit Apprendre, for terme of yéeres, life, or otherwiſe, out of any of the lands, tenements, or hereditaments contained in ſuch office or inquiſition, where the King his heires or ſucceſſors, is or ſhall be intituled, as is aforeſaid, to any ſuch lands, tenements or hereditaments, ſhall haue, hold, enioy, and perceiue all and euery their leaſes & intereſts for terme of yéeres, or by copy of Court roll, rents commons, offices, fées and profit Apprendre, in ſuch manner, forme, ſtate and condition, as they and euery of them ſhould or might haue done, in caſe there had béene no ſuch office or inquiſition founden, and as they ſhould, or lawfully might or ought to haue done, in caſe ſuch leaſe, intereſt by copy of Court roll, rent, common, office, fée or profit Apprendre had béene founden in ſuch office or inquiſition, any law, cuſtome, or vſage to the contrary, heretofore vſed in ſuch caſes, in any wiſe notwithſtanding.

And alſo where it is or ſhall be founden for the King, his heires or ſucceſſors, that the heire or heires of his tenant or tenants, is or ſhall be within age, where in déed ſuch heire or heires, is or ſhall be at the ſame time of full age, or of a more or greater age than is or ſhalbe contained within ſuch office.

A remedy where an heire of full age ſhalbe found within age.

Be it further enacted by the authority aforeſaid, that in euery ſuch caſe, ſuch heire and heires, ſhal and may at his or their very full age, or after proſecute a writ of Ætate probanda, and ſue his or their liuery, or Ouſtre le maine, as his or their caſes ſhall lie, and haue the [a] profits of his or their lands, tenements or hereditaments, from the time of his or their very full age, any ſuch vntrue office or inquiſition, or any law or cuſtome to the contrary in any wiſe notwithſtanding.

[a] Br.office

Trauers to an vntrue office found after the death of the Kings tenant, or vpon attainder of treaſon, felony, &c.

Alſo, where one perſon or moe, is or ſhalbe founden heire to the Kings tenant, by office or inquiſition, where any other perſon is or ſhalbe heire, or if one perſon or moe, be or ſhalbe founden heire by office or inquiſitiō in one county, and another perſon or perſons is or ſhal be found heire to the ſame perſon in another County, or if any perſon bee or ſhall bee vntruly founden lunatike ideot or dead: Be it enacted by the authority aforeſaid, that euery perſon and perſons, grieued or to be grieued by any ſuch office or inquiſition, ſhal and may haue his or their trauers to the ſame, immediatly or after, at his or their pleaſure, and procéed to triall therin, and haue like remedy & aduantage, as in other caſes [b] of trauers vpon vntrue inquiſitions, or offices founden, any law, vſage or cuſtome to the contrary, in any wiſe notwithſtanding.

[b] Dyer.fol Coke li.7.

Alſo where it is or ſhalbe hereafter vntruly founden by office or inquiſition, that any perſon or perſons attainted, or that ſhalbe attainted of treaſon, felony, or premunire, is or ſhall be ſeiſed of any lands, tenements or hereditaments, at any time of ſuch treaſon, felony or offence committed or done, or any time after, whereunto any other perſon or perſons hath, or ſhall haue any iuſt title or intereſt of any eſtate of freehold, that then in euery ſuch caſe, euery perſon and perſons grieued thereby, ſhall haue his or their trauerſe, or Monſtrance de droit to the ſame, without being driuen to any petition of right, and like remedy and reſtitution vpon his or their title, found, or iudged for him or them therein, as hath been accuſtomed and vſed, in other caſes of trauers, although the Kings Maieſty, his heires or ſucceſſors, be, or ſhall be, in ſuch caſe intitled to any ſuch lands tenements, or hereditaments, by double matter of Record, any Law, cuſtome or vſage to the contrary in any wiſe notwithſtanding.

A trauerſe though the king be intituled by double matter of record.

And further be it enacted by the authority aforeſaid, that where any inquiſition or office, is or ſhall be founden by theſe words, or like, Quod de quo vel de quibus, teuementa pred. tenent. Iurat. predict. ignorant, or elſe founden, holden of the King, Per quæ ſeruic. gnorant, or ſuch like, that in ſuch caſe, ſuch Tenure ſo vncertainely founden,[a] De quo vel de quibus tenementa predict. tenentur ignorant ſhal not be taken for any immediat tenure of the King, nor ſuch tenure ſo founden of the King, Per quæ ſeruic. ignorant, ſhall not bee taken any Tenure in Capite, but in ſuch caſes,[b] a melius inquirendum, to be awarded as hath beene accuſtomed in old time, any vſage of later time to the contrary notwithſtanding.

Trauerſe to an office.

fo.133.

li.8.f.168.

And be it further enacted by the authority aforeſaid, that where it is or ſhall be founden by any office or inquiſition, that any lands, tenements, or hereditaments, are, or ſhall bee diſcenden, remained, or commen to any heire[c] within age, and in the Kings ward, or that ought to be in the Kings ward, and that ſuch lands, tenements, or hereditaments, are holden of the King immediatly, where indeed the ſame are or ſhall be holden of ſome other common perſon, and not of the king immediatly: that in ſuch caſe, ſuch heire or heires, ſhall and may haue their trauerſe to the ſame, within age, and like remedy & reſtitution vpon his or their title, found or iudged for him or them therein, as hath been accuſtomed and vſed in other caſes of trauerſes: any law, vſage or cuſtome, to the contrary in any wiſe notwithſtanding.

Trauerſe to an office where a wrong tenure is found.

fo.161.

Alſo where the Kings Maieſty by his prerogatiue, ought to haue as well ſuch lands and tenements as be holden of other perſons, as holden of himſelfe immediatly, whereof his tenant holding of him in chiefe, dyeth ſeiſed his heire being within age, vntill ſuch time as liuery be ſued by ſuch heire, and that the meane Lords, of whom the ſaid other lands and tenements of ſuch heire be holden, vſed to ſpare the rents due to them for the ſame lands or tenements holden of them, during the Kings poſſeſſion. And when ſuch heire hath ſued his or their liuery they vſe by diſtreſſe, or otherwiſe to compell the ſaid heire to pay to them the arrerages of ſuch rents, for ſuch time as the ſaid Lands or Tenements, were in the Kings poſſeſſion by ſuch minority, where they ſhould haue ſued by petition to the Kings Maieſty to haue obtained the ſame, out of the Kings hands, if they would haue the ſame, which is to the great detriment, loſſe, and hinderance of ſuch heire and heires: for redreſſe whereof, be it enacted by the authority of this preſent Parliament, that from henceforth ſuch meane Lords during ſuch minority, ſhal haue, receiue, and take the ſaid rents, by the hands of ſuch the Kings officers, as ſhalbe appointed to haue, receiue and take the iſſues, reuenues and profits of the ſame lands and tenements ſo holden of ſuch mean Lords,[d] during the minority and none age of ſuch heire and heires, and vntill ſuch heire and heires ſue his or their liuery, and that ſuch heire and heires vntill ſuch time as hee or they ſhall haue ſued their liuery, or might conuenientlly haue ſued their liuery, ſhalbe thereof cleerly diſcharged.

A remedy for the rents of the meane Lords where the King hath the wardſhip.

Releſ.17.
pl.5.14.Ed
6.H.8.f.8.

And that ſuch officer or officers, ſhall vpon requeſt made, pay the ſame to ſuch meane Lords (they giuing to ſuch Officer and officers, a ſufficient acquitance or acquitances, for the receit of the ſame.) And that ſuch paiment thereof made, with acquitance or acquitances thereof ſhewed, ſhalbe to ſuch officers a ſufficient diſcharge againſt the kings Maieſty and his heires, vpon his or their account in that behalfe, any law, vſage or cuſtome heretofore had, or vſed to the contrary hereof in any wiſe notwithſtanding.

Prouided alwaies, and it is enacted by the authority aforeſaid, that this Act, or any thing therein contained, ſhal not in any wiſe extend to any inquiſition or office, taken or founden at any time before the twentieth day of March next comming, nor to hinder, preiudice or take away the title, intereſt, or poſſeſſion of our ſoueraign Lord the King, or of any other perſon or perſons, growen or come by vertue, meane or occaſion of any inquiſition or office taken or found, before the ſame day, but that aſwell or ſaid ſoueraigne Lord the King, as all other perſon and perſons, hauing any title, intereſt, or poſſeſſion, by vertue, meane, or occaſion of any inquiſition or office found before the ſame day, ſhall and may haue, hold, and enioy the ſame in like manner and forme, as though this Act had neuer beene had or made, any thing in the ſame Act to the contrary in any wiſe notwithſtanding.

An office found before the xx. day of March next, being Anno D.1548.

Br.office

Prouided alſo, and it is enacted by the authority aforeſaid, that in all ſuch caſes as any perſon or perſons ſhall bee enabled by this Act to haue any Trauerſe, and ſhall purſue his or their Trauerſe: that then hee, or they that ſhall purſue ſuch Trauerſe, ſhall ſue one writ, or ſeuerall writs of Scire facias, (as the caſe ſhall require) againſt all and ſingular ſuch perſon and perſons, as ſhall haue intereſt by the King, or by his Patent or Patents, in like manner and forme as is requiſite vpon trauerſes, or petitions heretofore purſued. And that in euery ſuch Scire fa-

cias,

Vpon a trauerſe a Scire facias ſhall be awarded againſt the Kings patentee.

b Dyer.fol
Coke li.7.

Writs of ſearch vpon a trauerſe.

cias, the patentées, oꝛ other defendants ſhall haue like plées, & aduantage, as they had in any Scire facias, befoꝛe this time awarded againſt any patentée in any caſe of petition. And alſo, that vpon euery trauerſe that ſhalbe purſued by vertue oꝛ meane of this act in ſuch caſe as the party oꝛ parties that ſhal purſue any ſuch trauerſe ſhould by the oꝛder of the common lawes of this Realme, haue béen put to ſue by petition to the King, there ſhalbe two wꝛits of ſearch granted in manner and foꝛme, as like wꝛits haue béene granted vpon petitions made to the King.

Notwithſtanding a trauerſe the Kings foꝛmer right ſhall be reſerued.

Pꝛouided alſo, and it is enacted by the authoꝛity abouesaid, that if after any iudgement ſhall be giuen vpon any Trauerſe, that ſhall be tendered, oꝛ ſued by vertue oꝛ meane of this Act, it ſhal appeare by any matter of Recoꝛd, that the King hath any other [a] foꝛmer title, right, oꝛ intereſt to the manoꝛs, lands, tenements, oꝛ other hereditaments, mentioned in the ſame trauerſe, that then the ſame title, right, and intereſt ſhall be ſaued to the King, the ſaid trauerſe and iudgement thereupon giuen, in any wiſe notwithſtanding. Coke inſt. 77. b. 243. a.

[a] 4.H.7.fol.1 Ed.4.fol.5.Dy fol.248.Co 8.fo.16

Cap. IX.

A confirmation of all former ſtatutes made concerning Tanners, Curriers and Cordwainers: the ſeueral duties of Curriers, Cordwainers, Coblers, Sadlers, Girdlers, Leatherſellers, &c. in vſing, cutting, making or ſelling of their wares, & of ſearchers to view, ſearch & ſeale the ſame. The penalty of tranſporting of leather: of what quantity a tanner ſhall cut his ſole leather. Rep. *El.* 8. 1. *Iac.* 21. *ſt.* 3. *&* 4. *Ed.* 6. 6.

Cap. X.

In what manner Malt ſhall be made and vſed.

Generall vnlawfull practices vſed in the making and ſelling of Malt.

Where diuers and ſundꝛy perſons taking vpon them the art and myſtery of Maltmaking, and tendering moꝛe their owne pꝛiuate lucre, gaine, and pꝛofit, than the wholſome vittelling of the King Maieſty, the nobility of this Realme, and other his graces ſubiects, haue now of late by their vnſatiable, couetous, and gréedy mindes, accuſtomably and commonly made much Malt, vnpure and vnſeaſonable, foꝛ that they haue made the ſame Malt in eight oꝛ nine dayes, where indéed the ſame cannot be well and perfectly made, vnleſſe it haue the time and ſpace of xii dayes in the making thereof. And where alſo diuers and ſundꝛy of the ſaid makers of Malt, commonly haue and doe ſlackly and deceitfully dꝛy the Malt, ſo by them made foꝛ that they would haue an inoꝛdinate increaſe thereof, by the ſwelling of the ſaid Malt, whereby the ſame Malt not being ſufficiently dꝛied, cannot be kept any long time oꝛ ſpace but it will be muſty and full of weuels, whereby no wholeſome dꝛinke foꝛ mans body can by any meanes be thereof made, which is not only to the great perill, and danger of the Nobility, and other the Kings highneſſe ſubiects within this realme, and alſo to the great loſſe and decay of the commonwealth of the ſame, but alſo an vtter impoueriſhment of the Bꝛewers of this ſaid realme, foꝛ that the ſaid Bꝛewers (ouer and beſides the vnwholeſomeneſſe of the dꝛinke, which is commonly made thereof) cannot make ſo much dꝛinke of fifty quarters of Malt, being ſo euill dꝛied and made, as they might, and can make of foꝛty quarters being wel and truly made. And alſo foꝛaſmuch as diuers and ſundꝛy perſons minding and ſéeking their owne pꝛiuate and exceſſiue gaine and pꝛofit, foꝛgetting thereby their duty, and the oꝛder oꝛ charity towards the common wealth and their neighbours in this behalfe, doe commonly vſe to put and mix good Malt and euill Malt together, and after put the ſame Malt to ſale, as good Malt, whereby many of the Kings ſubiects haue béene and are like to be very often deceiued to their great loſſe and hindꝛance, contrary to the honeſt, ſéemly, and godly buying ſelling, and communtation that ſhould oꝛ ought to be amongſt Chꝛiſtian people, ſpecially in things concerning the ſuſtentation and ſuſtenance of mans body.

How long time Malt ſhalbe in the fat, flooꝛe, ſteeping and dꝛying.

Foꝛ remedy whereof, it may pleaſe the Kings Maieſty, with the aduice of his Loꝛds ſpirituall and tempoꝛal, and the commons in this pꝛeſent Parliament aſſembled, that it may be eſtabliſhed & enacted by the authoꝛity of the ſame, that no ſuch perſon oꝛ perſons at any time, after the firſt day of March next comming, ſhall make any Barley Malt, (the moneths of June, July, and Auguſt only excepted:) but that the ſame ſhal haue in making thereof, that is to ſay, in the fat, flooꝛe, ſtéeping and ſufficient dꝛying of the ſaid Malt, thꝛée wéekes at the leaſt: and that no ſuch perſon oꝛ perſons at any time within the ſaid moneths of June, July, and Auguſt, ſhall make any Barly Malt, except the ſame haue in the fat, floore, ſtéeping, and ſufficient dꝛying the time and ſpace of ſeuentéene dayes at the leaſt, vnder and without which time and times, the ſaid Malt cannot bee well and perfectly made, noꝛ wholeſome foꝛ mans body: vpon paine to foꝛfeit and loſe foꝛ euery quarter of Malt, which ſhalbe made by any perſon oꝛ perſons, contrary to the tenoꝛ, purpoꝛt, and true meaning of this Act, ii. s. And be it further enacted by the authoꝛity afoꝛeſaid, that no perſon oꝛ perſons, after the firſt day of March next coming, ſhall mingle oꝛ put together, any Malt, not being well and ſufficiently made, oꝛ being made of Mowburnt, oꝛ ſpired Barley, with other good Malt, and after put the ſame ſomingled to ſale, vpon paine to foꝛfeit and loſe foꝛ euery quarter ſo mingled and put to ſale, two ſhillings.

None ſhall mingle good Malt with euil to ſell.

And be it alſo further enacted by the authority aforeſaid, that if any perſon or perſons after the laſt day of January next comming, ſhall put to ſale any Malt, which ſhall not be ſufficiently and well troden, rubbed, and well fanned, whereby there may be conueniently fanned out of one quarter thereof halfe a peck of duſt or more, that then the perſon, ſo putting the ſame to ſale, ſhall forfeit and loſe for euery quarter ſo put to ſale, xx. pence. The moity of all which forfeitures to be to the King our Soueraigne Lord, and the other moity thereof to the party that will ſue for the ſame by action of debt, bill, plaint, or information, in any of the Kings Courts, wherein no protection, wager of Law, or eſſoine, nor iniunction ſhall be admitted or allowed.

Malt ſhall be well troden, rubbed and fanned. St.17.R.2.4.

And be it further enacted by the authority aforeſaid, that the Juſtices of peace in euery of their ſeſſions, and alſo the Steward in euery léet, ſhall haue full power and authority by vertue of this act, to inquire, heare and determine, aſwell by preſentment of xij. men, as by accuſation or information of ij. honeſt witneſſes, of, for, and vpon all and euery the offences and forfeitures aforeſaid, aſwell for the King, as for the party that ſhall ſue, procure, or cauſe the ſame to be preſented, as is before ſaid. And that the Bailiffes and Conſtables of euery Borough, or market Towne, or other Towne where any ſuch Malt ſhall be made, or put to ſale, ſhall haue full power and authority from time to time, to view, ſearch, and ſuruey all ſuch Malt as ſhalbe made or put to ſale, within any of the ſaid Townes. And if any of them ſhall thereupon finde any Malt ſo put to ſale, being euill made, or mingled with euill Malt contrary to the tenour and true meaning of this preſent Act: That then the ſaid Bailiffe or Conſtable, ſo finding any ſuch Malt euill made, or mingled as is beforeſaid, with the aduice of one Juſtice of Peace, within the ſame Shire, ſhall cauſe the ſame to be ſold to ſuch perſon or perſons, and at ſuch reaſonable price or prices, and vnder the common price of the market, as to his diſcretion ſhall ſéeme neceſſary and expedient.

Juſtices, Stewards of Leets and Officers of Townes ſhall puniſh Offenders.

Prouided alway, and be it enacted by the authority aforeſaid, that this act, nor any thing therein contained, ſhall not extend to charge, or be, to the making of Malt, for any mans owne prouiſion for his owne houſe or family, neither preiudiciall to any perſon or perſons for, or concerning any of the offences or forfeitures aforeſaid: except he or they ſo offending, ſhall happen to be ſued, preſented, and accuſed for the ſame, in manner and forme aforeſaid, within one yéere next after any ſuch offence or offences to be done, or committed, any thing in this preſent Act to the contrary notwithſtanding. This preſent act to continue vntill the end of the next Parliament. 27. El. 14.1.Iac.25. 21.Iac.28. and 3. Car. 4. continued.

Malt made for a mans owne prouiſion.

Within what time an Offender ſhall be preſented.

Cap. XI.

No Tanner ſhall put any tanned leather to ſale (ſauing Calues skinnes) tanned and mixed with Aſhen-barke, tapworth meale, or culuer dung, and vnleſſe it hath lien in the tanne ozes ſufficiently wrought, three quarters of the yeere at leaſt: Nor ſhall ouerburne with lime any hides, nor ſhal ſet his fats in tanne hills: or ſhall put any hot liquor or ozes in the fats wherein hides ſhall be put to tanning: Or ſhall practiſe any other way for the ouer-ſpeedy tanning of hides, or whereby they ſhall be burned or ſcalded: Or ſhall cut any hide of Steere or Cow to make clout leather thereof: Or ſhall tanne any Sheepe skinnes, vpon paine to forfeit the ſame leather, &c. and vj. ſhillings viij. pence for euery hide. EXP. St. 1.M.13. 1.El.9.

Cap. XII.

A confirmation of all leaſes and grants by copy of court roll for life, or liues, not exceeding iij. liues of any lands of the Duke of Somerſets, called *Bartons lands*, or *demſne lands*, made or to be made, by the ſaid Dukes aſſignes to any perſon. PR.

Cap. XIII.

In what manner Tythes ought to be payed.

Where in the Parliament holden at Weſtminſter, the iiij. day of February, in the xxvij. yéere of the reigne of the late King of moſt famous memory King Henry the eight, there was an act made concerning payment of tithes prediall and perſonall. And alſo in another Parliament holden at Weſtminſter the xxxiiij. day of July in the xxxij. yéere of the raigne of the ſaid late King Henry the viij. another act was made concerning true paiment of tithes and offerings, in which ſeuerall acts, many and diuerſe things be omitted and left out, which were conuenient and very neceſſary to be added to the ſame. In conſideration whereof, and to the intent the ſaid tithes may be hereafter truly paid, according to the mind of the makers of the ſaid act: be it ordeined and enacted by the King our Soueraigne Lord, with the aſſent of the Lords ſpirituall & temporall, and the commons in this preſent Parliament aſſembled, and by the authority of the ſame, that not only the ſaid Acts, made in the ſaid xxvij. and xxxij. yéeres of the raigne of the ſaid late King Henry the viij. concerning true payment of tiths, and euery article and branch therein contained, ſhall abide and ſtand in their full ſtrength and vertue, But alſo be it further enacted by the authority of this preſent Parliament, that euery of the Kings ſubiects ſhall from henceforth truly and iuſtly, without fraud or guile, diuide, ſet out, yéeld and pay all manner of their prediall tithes, in their proper kinde, as they riſe and happen, in ſuch manner and forme, as hath béene of

27.H.8.20.

32.H.8.7.

Euery perſon ſhall ſet forth and pay his prediall tythes.

right yéelded and payd, within forty yéeres, next before the making of this Act, or of right or cuſtome ought to haue béene payd. And that no perſon ſhall from henceforth, take or carry away any ſuch or like tithes, which haue béene yéelded or payd within the ſaid forty yéeres, or of right ought to haue béene payd, in the place or places tithable of the ſame, before he hath iuſtly diuided or ſet forth for the tithe thereof the tenth part of the ſame, or otherwiſe agréed for the ſame tithes, with the Parſon, Vicar, or other owner, proprietory, or fermour of the ſame tithes, vnder the paine of forfeiture of treble value of the Tithes ſo taken or carried away.

And be it alſo enacted by the authority aforeſaid, that at all times whenſoeuer, and as often as the ſaid prediall Tithes ſhall be due at the tything time of the ſame, it to be lawfull to euery party, to whom any of the ſaid Tithes ought to be payd, or his deputy, or ſeruant, to view and ſée their ſaid tithes to be iuſtly and truly ſet forth, and ſeuered from the ix. parts, and the ſame quietly to take and carry away. And if any perſon carry away his corne or hay, or his other prediall tithes, before the tithe thereof be ſet forth, or willingly withdraw his tithes of the ſame, or of ſuch other things, whereof prediall Tithes ought to be payd, or do ſtop or let the Parſon, Vicar, proprietory, owner, or other their Deputies or Fermours, to view, take, and carry away their Tithes, as is aboueſaid, by reaſon whereof the ſaid Tithe or Tenth is loſt, impaired, or hurt, that then vpon due proofe thereof made, before the ſpirituall Iudge, or any other Iudge, to whom heretofore he might haue made complaint, the party ſo carrying away, withdrawing, letting, or ſtopping, ſhall pay the double value of the Tenth or Tithe ſo taken, loſt, withdrawen, or carried away, ouer and beſides the coſts, charges, and expences of the ſuit in the ſame: the ſame to be recouered before the Eccleſiaſticall Iudge, according to the Kings Eccleſiaſticall Lawes.

The penalty for carrying of corne or hay before the tithe be ſet forth, or for letting the parſon to carry it.
Coke pl. fo. 161.

Tithe of cattell feeding in a waſt where the Pariſh is not knowen.

And be it further enacted by the authority aforeſaid, that all and euery perſon which hath, or ſhall haue any beaſts, or other cattell tythable, going, féeding, or depaſturing in any waſt or common ground, whereof the Pariſh is not certainly knowen, ſhall pay their tithes for the increaſe of the ſaid cattell ſo going in the ſaid waſt or common, to the Parſon, Vicar, proprietory, portionary, owner, or other their Fermors, or deputies of the Pariſh, Hamlet, Towne, or other place, where the owner of the ſaid cattell inhabiteth or dwelleth.

Lands diſcharged of tithe by preſcription or compoſition.
Coke li. 2. fo. 44.
Plow. f. 277. 349.
8. Ed. 4. fo. 13.
Fitz. N. B fo. 43. k.

Prouided alwayes, and be it enacted by the authority aforeſaid, that no perſon ſhall be ſued, or otherwiſe compelled to yéeld, giue, or pay any manner of Tithes, for any manors, lands, tenements, or hereditaments, which by the [b] Lawes and Statutes of this Realme, or by any priuilege or preſcription, are not chargeable with the payment of any ſuch Tithes, or that be diſcharged by any compoſition reall.

[b] Coke pla
454·457

The tithe of barren heath or waſte ground.
1. El. Dy. fo. 170.
Coke pla. fo. 462.

Prouided alwayes, and be it enacted by the authority aforeſaid, That all ſuch barren heath, or waſte ground, other than ſuch as be diſcharged for the payment of Tithes by act of Parliament, which before this time haue layen barren, and payed no tithes, by reaſon of the ſame barrennes, and now be, or hereafter ſhall be improued and conuerted into arrable ground or medow, ſhall from henceforth, after the end and terme of vij. yéeres, next after ſuch improuement fully ended and determined, pay tithe for the corne and hay growing vpon the ſame: any thing in this Act to the contrary in any wiſe notwithſtanding.

Prouided alwayes, and be it enacted by the authority aforeſaid, that if any ſuch barren, waſte, or heath ground, hath before this time béene charged with the payment of any tithes, and that the ſame be hereafter improued and conuerted into arrable ground or medow, that then the owner or owners thereof, ſhall, during the vij. yéeres next following, from and after the ſame improuement, pay ſuch kinde of tithe as was payd for the ſame before the ſaid improuement: any thing in this Act to the contrary, in any wiſe notwithſtanding.

Who ſhall pay their perſonall Tithes.

And be it alſo further enacted by the authority aforeſaid, That euery perſon exerciſing merchandiſes, bargaining and ſelling, clothing, handycraft, or other art or faculty, being ſuch kind of perſons, and in ſuch places as heretofore within theſe xl. yéeres haue accuſtomably vſed to pay ſuch perſonall tithes, or of right ought to pay (other than ſuch as béene common day labourers) ſhall yéerely at or before the feaſt of Eaſter, pay for his perſonall tithes, the x. part of his cléere gains, his charges, and expences, according to his eſtate, condition, or degrée, to be therein abated, allowed, and deducted.

Handycrafts men hauing vſed to pay Tithes.

Prouided alwayes, and be it enacted, that in all ſuch places where handycrafts men haue vſed to pay their Tithes within theſe forty yéeres, the ſame cuſtome of payment of tithes to be obſerued, and to continue: any thing in this Act to the contrary notwithſtanding.

The Ordinary may examine him that refuſeth to pay his Tithe.

And be it alſo enacted by the authority aforeſaid, that if any perſon refuſe to pay his perſonall tithes in forme aforeſaid, that then it ſhalbe lawfull to the Ordinary of the ſame Dioceſſe, where the party that ſo ought to pay the ſaid Tithes is dwelling, to call the ſame party before him, and by his diſcretion, to examine him by all lawfull and reaſonable meanes, other than by the parties owne corporall oath, concerning the true payment of the ſaid perſonall Tithes.

Payment of offerings.

Prouided alwayes, and be it enacted by the authority aforeſaid, That all and euery perſon and perſons, which by the Lawes or cuſtomes of this Realme, ought to make or pay their offerings, ſhall yéerely from henceforth, well and truly content & pay his or their offerings, to the Parſon, Vicar, Proprietory, or their deputies or fermors, of the pariſh or pariſhes where it ſhall fortune or happen him or them to dwell or abide: and that at ſuch iiij. offering dayes, as at any time heretofore within the ſpace of foure yeeres laſt paſt, hath beene vſed and accuſtomed for the payment of the ſame, and in default thereof, to pay for their ſaid offerings at Eaſter then next following.

Tithe of Fiſh.

Prouided alſo, and be it enacted by the authority aforeſaid, that this Act, or any thing therein conteined, ſhall not extend to any Pariſh, which ſtands vpon, and towards the Sea coaſts, the commodities and occupying whereof, conſiſteth chiefly in fiſhing, and haue by reaſon thereof, vſed to ſatiſfie their tithes by Fiſh: but that all and euery ſuch Pariſh and Pariſhes, ſhall hereafter pay their tithes, according to the laudable cuſtomes, as they haue heretofore of ancient time, within theſe xl. yeeres, vſed and accuſtomed, and ſhall pay their offerings as is aforeſaid.

Payment of tithe by houſes.

Prouided alwayes, and be it enacted by the authority aforeſaid, that this Act, or any thing therein conteined, ſhall not extend in any wiſe to the inhabitants of the City of London and Canterbury, and the Suburbs of the ſame, ne to any other Towne or place, that hath vſed to pay their Tithes by their houſes, otherwiſe than they ought or ſhould haue done before the making of this Act: any thing conteined in this Act, to the contrary in any wiſe notwithſtanding.

Suits for withholding of Tithes ſhall be in the Eccleſiaſticall Court.

Excommunication of the party condemned.

And be it further enacted by the authority aforeſaid, that if any perſon do ſubtract, or withdraw any manner of tithes, obuentions, profits, commodities, or other duties before mentioned, or any part of them, contrary to the true meaning of this Act, or of any other Act heretofore made, that then the party ſo ſubtracting, or withdrawing the ſame, may or ſhall be conuented and ſued in the Kings Eccleſiaſticall Court, by the party from whom the ſame ſhalbe ſubtracted or withdrawen, to the intent the Kings Iudge Eccleſiaſticall, ſhall and may, then and there heare and determine the ſame according to the Kings Eccleſiaſticall Lawes. And that it ſhall not be lawfull vnto the Parſon, Vicar, Proprietory, Owner, or other their Fermors, or Deputies, contrary to this Act, to conuent or ſue ſuch withholder of tithes, obuentions, or other duties aforeſaid, before any other Iudge, than Eccleſiaſticall. And if any Archbiſhop, Biſhop, Chancellor, or other Iudge Eccleſiaſticall, giue any ſentence in the foreſaid cauſes of tithes, obuentions, profits, emoluments, and other duties aforeſaid, or in any of them (and no appeale ne prohibition hanging) and the party condemned doe not obey the ſaid ſentence, that then it ſhall be lawfull to euery ſuch Iudge Eccleſiaſticall, to excommunicate the ſaid party, ſo as afore condemned, and diſobeying, in the which ſentence of excommunication, if the ſaid party excommunicate, wilfully ſtand and indure ſtill excommunicate, by the ſpace of xl. dayes next after, vpon denunciation and publication thereof, in the Pariſh Church, or the place or Pariſh, where the party ſo excommunicate is dwelling, or moſt abiding, the ſaid Iudge Eccleſiaſticall, may then at his pleaſure ſignifie to the King in his Court of Chancery, of the ſtate and condition of the ſaid party ſo excommunicate, and thereupon to require proceſſe De excommunicato capiendo, to be awarded againſt euery ſuch perſon, as hath beene ſo excommunicate.

A copy of the lybell ſhall be deliuered to the Iudge before a prohibition granted.

7. El. Dy. fo. 242.

A conſultation granted for default of prouing a ſuggeſtion.

Be it further enacted by the authority aforeſaid, that if any party at any time hereafter, for any matter or cauſe before rehearſed, limited, or appointed by this Act, to be ſued or determined in the Kings Eccleſiaſticall Court, or before the Eccleſiaſticall Iudge, doe ſue for any prohibition in any of the Kings Courts, where prohibitions before this time haue beene vſed to be granted, that then in euery ſuch caſe, the ſame party before any prohibition ſhalbe granted to him or them, ſhall bring and deliuer to the hands of ſome of the Iuſtices, or Iudges of the ſame Court where ſuch party demanded prohibition, the very true copy of the Libell, depending in the Eccleſiaſticall Court, concerning the matter, wherefore the party demandeth prohibition, ſubſcribed or marked, with the hand of the ſame party, and vnder the copy of the ſaid Libell ſhal be written the ſuggeſtion, wherefore the party ſo demandeth the ſaid prohibition: and in caſe the ſaid ſuggeſtion by two honeſt and ſufficient witneſſes at the leaſt, be not proued true in the Court, where the ſaid prohibition ſhall be ſo granted, within ſix moneths next following, after the ſaid prohibition, ſhall be ſo granted and awarded, that then the party that is letted or hindered, of his or their ſuit in the Eccleſiaſticall Court, by ſuch prohibition, ſhall vpon his or their requeſt and ſuit, without delay haue a conſultation granted in the ſame caſe in the Court, where the ſaid prohibition was granted, and ſhall alſo recouer double coſts and damages againſt the party that ſo purſued the ſaid prohibition, the ſaid coſts and damages to be aſſigned or aſſeſſed by the Court, where the ſaid conſultation ſhall be ſo granted, for which coſts and damages, the party to whom they ſhall be awarded, may haue an action of debt, by bill, plaint, or information in any of the Kings Courts of Record, wherein the defendant ſhall not wage his, or their law, nor haue any eſſoine or protection allowed or admitted.

Of what things a Iudge Eccleſiaſticall ſhall not hold plea.

13. Ed. 1. 5. 9 Ed. 2. 13. Ed. 1. 45. Ed. 3. 3. 1. Ed. 3. 11.

Prouided alwayes, and be it enacted by the authority aforeſaid, that this act, or any thing therein conteined, ſhall not extend to giue any Miniſter or Iudge Eccleſiaſticall, any iuriſdiction to hold plee of any matter, cauſe, or thing, being contrary or repugnant, to, or againſt the effect, intent or meaning of the Statute of Weſtminſter ſecond, the v. Chapter, the Statutes of Articuli cleri, circumſpecte agatis: Silua ſedua, the treatiſe De regia prohibitione, ne againſt the Statute of Anno primo Edwardi tertii, the x. Chap. or any of them, ne yet hold plee in any matter, whereof the Kings Court of right, ought to haue iuriſdiction: any thing therein contained to the contrary in any wiſe notwithſtanding.

Prouided neuertheleſſe, where heretofore ſuch a cuſtome hath béene in many parts of Wales, that of ſuch cattell and other goods, as hath béene giuen with the marriage of any perſon their tithes haue béene exacted and leuied by the Parſons and Curates in thoſe parts: which cuſtome being diſſonant from any part of this Realme, as it ſéemed when the ſaid Countrey of Wales, was through ciuill diſſention vnculted, for want of other ſufficient profits, that might otherwiſe grow to the Curates and Miniſters there, to haue béene for that time tolerable: ſo now the Countrey being well manured and huſbanded, and the tithe is duly payd there, of corne, hay, wooll, and chéeſe, and of other increaſe of all manner of cattell, as it is commonly in all other parts of this Realme, the ſame cuſtome ſéemes to be grieuous and vnreaſonable, ſpecially where the benefices are elſe ſufficient for the finding of the ſaid Miniſters and Curates: that it be therefore enacted by the authority aforeſaid, that from and after the firſt day of May next comming, no ſuch tithes of marriage goods be exacted or required of any perſon within the ſaid Dominion of Wales, or marches of the ſame: any thing in this Act contained, or any other Act, cuſtome, preſcription, had or made to the contrary hereof notwithſtanding. Cok. Inſt. 159.a.

No tithes of mariage goods ſhall be paid in Wales, &c.

Cap. XIIII.

No perſon may ſhoot with an handgun in City or Towne, at a mark: or elſe ſhoot with haleſhot.

Anno 33.H.8.6.

WHereas an Act made in the xxxiij. yéers of the late King of famous memory Henry the eight, for ſome liberty to ſhoot in handguns, Haques, and Harquebuts, by which Act neuertheleſſe it was prouided, that no perſon ſhould ſhoot in any of the aboue ſaid péeces, but at a bank of earth, and not to any Dere or fowle, vnleſſe the party might diſpend an C. pound by the yéere: foraſmuch as the ſaid Act hauing béene deuiſed, as it was then thought for neceſſary exerciſe, tending to the defence of the Realme, is growen ſithen to the maintenance of much idleneſſe, and to ſuch a liberty, as not only dwelling houſes, Douecotes, and Churches, are daily damaged by the abuſe thereof, by men of light conuerſation, but that alſo there is growen a cuſtomable manner of ſhooting of haileſhot, whereby an infinit ſort of fowle is killed, and much game therby deſtroyed, to the benefit of no man, whereby alſo the meaning of the ſaid ſtatute is defrauded, for that the ſaid vſe of haileſhot, vtterly deſtroyeth the certainty of ſhooting, which in wars is much requiſite: Be it therefore enacted, that no perſon vnder the degrée of a Lord of the Parliament, ſhall from henceforth ſhoot in any Handgun, within any City or Towne, at any fowle, or other marke, vpon any Church, houſe, or Douecote: neither that any perſon ſhall ſhoot in any place any haileſhot, or any moe pellots than one, at one time, vpon paine to forfeit for euery time that he or they ſhall ſo offend, contrary to this Act, x. pound and impriſonment of his body during thrée moneths.

The penalty for ſhooting with a handgun in a Citie or Towne, or for ſhooting with haileſhot.

Prouided alwayes, and be it enacted by the authority aforeſaid, that this Act, nor any thing therein conteined, ſhall extend, or be preiudiciall to any perſon or perſons, authoriſed by value of land, to ſhoot in any Handgun or Croſſebow, but that they may ſo do, in ſuch forme and order, as they ſhould doe, and might haue done, before the making of this Act (haileſhot excepted) as indéed that kind of ſhot in the ſaid Act was not meant; and that all and euery other perſon or perſons, authoriſed to ſhoot, or otherwiſe, if he inhabite in any towne corporat, be preſented to the Maior, or other Officer of the ſame, and inhabiting in the countrey, be preſented within one moneth after the publiſhing of this act to the next Iuſtice of peace adioyning, in which caſes the ſaid Maior, Iuſt. or other Officer ſo taking their names, as is aforeſaid, ſhall againe preſent and record the ſame, before a Iuſtice of the Peace, at the next quarter Seſſions, to the intent the Clerke of the peace of the County, may kéepe a certaine booke or roll, of the names of all ſuch perſons, by the which the Kings Maieſty may from time to time be aſcertained, how many méet and able men, exerciſed in that feat, be in euery County, that the ſame may be employed in his graces ſeruice, as néed and occaſion ſhall require, vpon paine that euery perſon, offending in this Act, in preſuming to ſhoot in any Handgun or halfe Hake, without the preſenting of his name, as is aforeſaid, ſhall forfeit for euery ſhot, the ſum of xx. s. the one moity whereof, to be to our Soueraigne Lord the King, and the other moity to him or them, that will ſue for the ſame, by bill, action, plaint, information or otherwiſe. The Officer that ſhould take their names, and preſent the ſame as is aboueſaid, to incurre for the lacke of his duty in this part, for euery time ſo offending like paine.

The names of thoſe that ſhoot in handguns ſhall be preſented to a Iuſtice and recorded.

Cap. XV.

Victualers conſpiring to ſell their victuals but at certaine prices, and labourers conſpiring touching their workes, ſhall be puniſhed.

FOraſmuch as of late dayes, diuers ſellers of victuals, not contented with moderate & reaſonable gaine, but minding to haue, and to take for their victuals, ſo much as luſt them, haue conſpired and couenanted together, to ſell their victuals at vnreaſonable prices: And likewiſe Artificers, handicrafts men, and labourers, haue made confederacies and promiſes, and haue ſworne mutual oathes, not only that they ſhould not meddle one with others worke, and performe and finiſh, that another hath begun, but alſo to conſtitute and appoint how much worke they ſhall doe in a day, and what houres and times they ſhall worke, contrary to the Lawes and Statutes of this Realme, and to the great hurt and empoueriſhment of the Kings Maieſties Subiects: for reformation thereof, it is ordeined and enacted, by the King our Soueraigne Lord, the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any Butchers, Brewers, Bakers, Poulters, Cokes, Coſtermongers or Fruterers, ſhal at any time, from and after the firſt day of March next comming, conſpire, couenant, promiſe or make any oathes, that they ſhall not ſell their victuals, but at certaine prices, or if any artificers, workmen or labourers, doe conſpire, couenant or promiſe together, or make any oathes, that they ſhal not make, or doe their workes, but at a certaine price and rate, or ſhall not enterpriſe or take vpon them, to finiſh that another hath begun, or ſhall doe but a certaine worke in a day, or ſhall not worke but at certaine houres and times, that then euery perſon ſo conſpiring, couenanting, ſwearing or offending, being lawfully conuict thereof by witneſſe, confeſſion or otherwiſe, ſhall forfeit for the firſt offence, x. li. to the Kings Highneſſe, and if he haue ſufficient to pay the ſame, and do alſo pay the ſame within ſix dayes next after his conuiction, or elſe ſhall ſuffer for the ſame offence, twenty dayes impriſonment, and ſhall only haue bread and water for his ſuſtenance. And for the ſecond offence, ſhall forfeit xx. li. to the King, if he haue ſufficient to pay the ſame, and doe pay the ſame within ſix dayes next after his conuiction, or elſe ſhall ſuffer for the ſecond offence puniſhment of the pillory. And for the third offence, ſhall forfeit xl. li. to the King, if he haue ſufficient to pay the ſame, and alſo doe pay the ſame within ſix dayes next after his conuiction, or elſe ſhall ſit on the pillory and loſe one of his eares, and alſo ſhall at all times after that, be taken as a man infamous, and his ſayings, depoſitions or oath, not to be credited at any time, in any matters of iudgement.

The puniſhment of victualers conſpiring not to ſell their victuals but at certaine prices.

The puniſhment of labourers conſpiring touching the times or manner of their workes. St. 5. El. 4.

And if it fortune any ſuch conſpiracie, couenant or promiſe to be had and made by any Society, Brotherhood or Company of any Craft, Myſtery or Occupation, of the Victulers aboue mentioned, with the preſence or conſent of the more part of them, that then immediately vpon ſuch Act of conſpiracie, couenant or promiſe, had or made, ouer and beſides the particular puniſhment, before in this Act appointed for the Offendor, their Corporation ſhall be diſſolued to all intents, conſtructions and purpoſes.

A conſpiracy by a Society or Company of victualers.

And it is further ordeined and enacted by the authority aforeſaid, that all and ſingular Iuſtices of Aſſiſe, Iuſtices of Peace, Maiors, Bailiffes, and Stewards of Leets, at all and euery their Seſſions, Leets and Courts, ſhall haue full power and authority to enquire, heare and determine all and ſingular offences committed againſt this Statute, and to puniſh or cauſe to be puniſhed the Offendor, according to the tenour of this Statute.

Which Magiſtrates may enquire of and puniſh offendors.

And it is ordeined and enacted by the authority aforeſaid, That no perſon or perſons ſhall at any time after the firſt day of Aprill next comming, interrupt, deny, let or diſturbe any free Maſon, Rough Maſon, Carpenter, Bricklayer, Plaiſterer, Ioyner, Hardhewer, Sawier, Tiler, Pauier, Glaſier, Lime burner, Brickmaker, Tilemaker, Plummer or Labourer, borne in this Realme or made Denizen, to worke in any of the ſaid Crafts in any City, Borough or Towne corporate, with any perſon or perſons that will retaine him or them, albeit the ſaid perſon and perſons ſo retained, or any of them do not inhabit or dwell in the Citie, Borough, or Towne corporate where he or they ſhall worke, nor be free of the ſame City, Borough or Towne, any Statute, Law, Ordinance, or other thing whatſoeuer had or made to the contrarie in any wiſe notwithſtanding. And that vpon paine of forfeiture of v. li. for euery interruption or diſturbance done contrary to this Statute, the one moity of euery ſuch forfeiture to be to the King, and the other moity thereof to be to him or them that will ſue for the ſame in any of the Kings Courts of Record, by bill, plaint, action of debt or information, wherein no wager of Law, eſſoine, nor protection ſhall be allowed.

None of theſe occupations ſhall be prohibited to worke in any Towne though he doth not dwell therein. REP. 3. & 4. Ed. 6. 20.

Cap. XVI.

The King ſhall haue authority to remoue ſuch as haue by Letters Patents the keeping of Caſtles, Fortreſſes or Bulwarkes, giuing to them as good fees, wages and profits, and of ſuch like eſtate, and as good aſſurance in the ſame as they had in the other. EXP.

Cap. XVII.

A confirmation of the attainder of S. William Sherington, who was indited and attainted by confeſſion of high Treaſon for the counterfeiting of Teſtons to the value of xij. M. li. PR.

Cap. XVIII.

S. Thomas Seymor, Lord Seymor, Lord Admirall, attainted of high Treaſon, for attempting to get into his cuſtody the perſon of the King, and the gouernment of the Realme, for obtaining many offices, reteining many men into his ſeruice, for making great prouiſion of money and victuals, and for endeuouring to marry the Lady *Elizabeth* the King ſiſter, and for perſwading the King in his tender age to take vpon him the rule and order of himſelfe. All perſons ſhalbe payd ſuch debts as the ſaid Lord Seymor did owe them. PR.

CAP. XIX.

Eating of fleſh on certaine dayes and times forbidden,

ALbeit the Kings Subiects now hauing a more perfect and cleere light of the Goſpell, and true word of God, through the infinit mercy and clemencie of Almighty God, by the hands of the Kings Maieſty, and his moſt noble Father of famous memory, promulgat, ſhewed, declared and opened, and therby perceiuing that one day or one meat of it ſelfe, is not more holy, more pure or more cleane than another, for that all dayes and all meats be of their nature of one equal purity, cleanneſſe and holineſſe, and that all men ſhould by them liue, to the glory of God, and at all times and for all meats, giue thankes vnto him, of which meats, none can defile Chriſtian men, or make them vncleane at any time, to whom all meats be lawfull and pure, ſo that they be not vſed in diſobedience or vice: Yet foraſmuch as diuers of the Kings Subiects, turning their knowledge therein, to ſatiſfie their ſenſuality, where they ſhould thereby encreaſe in vertue, haue of late time more than in times paſt, broken and contemned ſuch abſtinence which hath beene vſed in this Realme, vpon the Frydayes and Saturdayes, the Embring dayes and other dayes, commonly called Vigilles, and in the time commonly called Lent, and other accuſtomed times; the Kings Maieſtie conſidering, that due and godly abſtinence is a meane to vertue and to ſubdue mens bodies to their ſoule and ſpirit, and conſidering alſo that Fiſhers, and men vſing the trade of liuing by fiſhing in the Sea, may thereby the rather be ſet on worke, and that by eating of fiſh much fleſh ſhall be ſaued and encreaſed, and alſo for diuers other conſiderations and commodities of this Realme, doth ordeine and enact, with the aſſent of the Lords Spirituall and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that all manner of Statutes, Lawes, conſtitutions and vſages, concerning any manner of faſting or abſtinence from any kinds of meats, heretofore in this Realme made or vſed, ſhal from the firſt day of May next enſuing, loſe their force and ſtrength, and be void and of none effect.

All Lawes concerning faſting repealed.

The penalty for eating of fleſh vpon any day vſed commonly as a fiſh day. St. 5. El. 5. 27. El. 11.

And alſo that no perſon or perſons, of what eſtate, degree or condition he or they be, ſhall at any time after the ſaid firſt day of May in the yeere of our Lord God, M.D. xlix. willingly and wittingly eat any manner of fleſh, after what manner of kinde or ſort it ſhall be ordered, dreſſed or vſed, vpon any Fryday, or Saterday, or the Embring dayes or in any day in the time commonly called Lent, nor at any ſuch other day, as is or ſhall be at any time hereafter commonly accepted and reputed as a fiſh day, within this Realme of England, wherein it hath beene commonly vſed for to eat fiſh and not fleſh, vpon paine that euery perſon eating any manner of fleſh vpon any of the ſaid dayes or times prohibited by this act, to forfeit for the ſaid firſt offence, ten ſhillings of lawfull money of England, and alſo to ſuffer impriſonment, by the ſpace of ten dayes, and during the time of his or her ſaid impriſonment, to abſtaine from eating of any manner of fleſh.

The penalty for the 2. offence

And if any perſon after he ſhall le lawfully conuict of any offence contrary to this Act, doth eftſones offend, contrary to this Act, and be thereof lawfully conuict, that then euery perſon ſo offending the ſecond time, ſhal for his ſecond offence forfeit twenty ſhillings of lawfull money of England, and alſo ſuffer impriſonment by the ſpace of twenty dayes, and during the time of his or her ſaid impriſonment, to abſteine from eating of any manner of fleſh, and ſo like paine and impriſonment as often as he or ſhe afterwards ſhall offend.

Iuſt of G. deliuery and P. ſhall determine theſe offences.

And furthermore, it is ordeined and enacted by the authority aforeſaid, that Iuſtices of Gaole deliuery and Iuſtices of Peace, in all and ſingular Counties, Cities, Townes Corporate, and other places within this Realme of England, and other the Kings Dominious, ſhall haue full power and authority, to enquire, heare and determine, all and all manner offences, that ſhall be committed or done contrary to this Act, in like manner and forme as they may enquire, heare and determine any treſpaſſe or other offence, againſt the Kings Peace committed or done, within the limits or place where they then ſhall be Iuſtices of Gaole deliuery or Iuſtices of Peace. And the moity of euery ſuch forfeiture, ſhall be extreated into the Court of the Exchequer, in like manner and forme, as fines for any treſpaſſe, or other offence committed, againſt the Kings Peace, ought or ſhould be extreated: and the other moity of the ſaid forfeiture ſhall be to him that will ſue for the ſame, by bill, plaint, information or otherwiſe, in any of the Kings Courts of Record, in which no eſſoine, protection or wager of Law ſhall be allowed.

To what perſons this Statute ſhall not extend.

Prouided alwayes, and be it ordeined and enacted by the authority aforeſaid, that this Act or any thing therein conteined, ſhal not in any wiſe extend to any perſon or perſons that heretofore hath or hereafter ſhall haue obtained any licence of our Soueraigne Lord the King, his heires or ſucceſſors, nor to any perſon being in great age, and in debility and weakneſſe thereby, nor to any perſon being ſicke or notably hurt, without fraud or couin, during the time of his or her ſaid ſickneſſe,

neſſe, nor to any woman being with child or lying in child bed, for eating of ſuch one kinde of fleſh, as ſhe ſhall haue great luſt vnto, nor to any perſon being in priſon, for any other offence, than for any offence, contrary to this Act, neither to any that is, or hereafter ſhalbe the Kings Highneſſe, Lieutenant, Deputy or Captaine of any his Maieſties Army, Hold or Fortreſſe: but the ſame, themſelues may eat fleſh, and licence and permit their Souldiers, to doe the ſame in times prohibited, vpon the want and lacke of other kinde of victuall: neither ſhall extend to S. Laurence euen, S. Markes day, or any other day or euen being abrogate, neither to any ſuch as heretofore haue obteined any licence, in due forme of the Archbiſhop of Canterbury.

S. Laurence euen and S. Markes day.

And further, be it enacted by authority aforeſaid, that all Archbiſhops, Biſhops, Archdeacons and their Officers, or the Officers of any of them, ſhall haue power to enquire of the Offendors in the premiſſes, and preſent the ſame to ſuch from time to time, as by vertue of this Act haue authority to heare and determine the ſame.

Prouided alwayes, and be it enacted, that no manner of perſon or perſons, be empeached, moleſted or troubled, or ſhall incur any paine, penalty or forfeiture, for any offence contrary to the Act before rehearſed, committed or done, except he or they be accuſed, conuented or indicted, of and for the ſaid offence, according to the tenour of this Statute, within thrée moneths next after the committing of the ſaid offence. 5. & 6. Ed. 6. 3.

Within what time the offendor ſhall be indited.

Cap. XX.

An Incumbent, for not payment of his Tenths due to the King, the ſame being demanded, ſhall be depriued of that benefice.

WHere in the Parliament holden vpon prorogation at Weſtminſter, the third day of Nouember, in the ſix and twentieth yéere of the raigne of the moſt excellent Prince, King Henry the eight, Father to our Soueraigne Lord the Kings Maieſty that now is, amongſt other things concerning the payment of one annuall penſion of the tenth part of all poſſeſſions of the Church, Spirituall and Temporall, granted to the Kings Highneſſe and his heires, it was enacted, ordeined and eſtabliſhed, that euery Eccleſiaſticall perſon, and other hauing any Eccleſiaſticall promotion or dignity, ſpecified in the ſaid Act, which did not duly pay the ſaid tenth part and by reaſon thereof, were certified by the Archbiſhop, Biſhop, or other authoriſed in the ſaid Act, ſhould vpon ſuch certificat made, according to the tenour of the ſaid Act, be iudged depriued, ipſo facto, of all ſuch dignities and promotions Spirituall, that any ſuch Incumbent making ſuch default, had at the time of ſuch certificat made, or at any time after, as by the ſaid Act more plainly may appeare.

Foraſmuch as the paine limited in the ſaid Statute, in ſuch forme and manner, as in the ſame is expreſſed, is very ſore and dangerous vnto all the Kings faithfull and obedient Subiects of the Clergy, whereof diuers ſithen the making of the ſaid Statute, entending none otherwiſe than moſt willingly and with good heart that payment ſhould be made of the ſaid tenths by them due, without fraud or delay, to ſuch Officers, and at ſuch time as by the ſaid Statutes is appointed and declared, by the default and negligence of their fermors, and other whom they haue truſted to make payment thereof, and by diuers other ſiniſter meanes being certified, or making default of payment thereof, haue incurred the paine, and danger of the ſaid ſtatute, with the loſſe or depriuations, of all the Spirituall promotions, whereof they were then Incumbents, being alſo made vnable to take any other, to the vtter vndoing of ſuch perſons, and the like perill and danger of many other the Kings moſt humble, and faithfull Subiects of the Clergy, againſt whom the like things may be practiſed, and attempted hereafter: for the moderation of which paine, and to the end that the Kings Maieſty, our Soueraigne Lord that now is, and his heires and ſucceſſors may be truly anſwered and ſatiſfied of the ſaid yéerely penſion or annuall rent of the tenth part, vnited and knit to his Imperiall Crowne, in manner and forme, as in the ſaid Act is contained.

The inconueniences enſuing by the ſta. of 26 H. 8. 3 touching depriuation of all a mans ſpirituall liuings for the lacke of payment of the tenth of one.

The Kings ſaid faithfull, and moſt obedient Subiects, the Clergy of this Realme, doe moſt humbly beſéech his Maieſty, that it may be enacted and eſtabliſhed by his Highneſſe, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that if any ſum of the ſaid annuall penſion, being once due, and demanded, according to the maner and forme ſpecified in the ſaid Act, be not truly contented and payed vnto ſuch Archbiſhop or Biſhop, or their Miniſters and Officers, or to ſuch other perſon or perſons, or their Miniſters or ſeruants, as ſhall haue the charge and collection thereof, euery yéere yéerely, at the time of the ſaid Act expreſſed, and thereupon certificat made, into the Kings Maieſties Court of firſt fruits and tenths, in writing vnder the Seals of any Archbiſhop or Biſhop, or of ſuch as be limited and charged to the collection of the ſaid penſion, by the ſaid former Act, then euery Incumbent ſo making default and certified, ſhall be iudged depriued, Ipſo facto, or that only dignity, benefice, or other Eccleſiaſticall promotion by what name ſoeuer it be called, whereof ſuch certificat ſhall be made. So that ſuch dignity, benefice or other Eccleſiaſticall promotion,

The penalty for default of payment of tenths ſhall be the forfeiture of that only benefice out of the which the ſame is due.

whereof any Incumbent making ſuch default of payment, ſhall be adiudged depriued, as is aforeſaid, ſhall be cleerely void and deſtitute of Incumbent, in the Law, to all intents and purpoſes; as if ſuch Incumbent, making ſuch default of payment, were dead indeed.

And that no Incumbent making ſuch default of payment, ſhall be therefore made vnable to take or enioy any other benefice or promotion Spirituall, or incur any penalty, forfeiture or loſſe, to be payd by them, their executors or aſſignes, for the ſame default, other than in this preſent Act is heretofore expreſſed: any thing in the ſaid former Act, or any other Statutes or Acts conteined to the contrary notwithſtanding.

Prouided alway, that the ſaid former Act, concerning the payment of the ſaid yeerely rent and penſion, amounting to the tenth part of euery ſuch dignity, benefice, or promotion Spirituall, and euery other Act touching the ſame, and all articles, clauſes and ſentences, in them or any of them mentioned, expreſſed, or contained, now being in his or their force and effect, other than ſuch as by this preſent Act be already qualified or moderated, ſhall ſtand and abide in all his or their full ſtrength, effect and vertue: any thing in this preſent Act conteined notwithſtanding. 1. Eliz. 4.

CAP. XXI.

All Lawes prohibiting Spirituall perſons to marry, who by Gods Law may marry ſhall be void.

The benefits which would enſue if Prieſts and Miniſters did liue chaſte, ſole and vnmarried.

ALthough it were not only better, for the eſtimation of Prieſts, and other Miniſters in the Church of God, to liue chaſt, ſole and ſeparat from the company of women, and the bond of marriage, but alſo thereby they might the better intend to the adminiſtration of the Goſpell, and be leſſe intricated and troubled with the charge of houſhold, being free and vnburdened from the care and coſt of finding wife and children: and that it were moſt to be wiſhed, that they would willingly and of their ſelues, endeuour themſelues to a perpetuall chaſtitie and abſtinence from the vſe of women: yet foraſmuch as the contrary hath rather beene ſeene, and ſuch vncleanneſſe of liuing, and other great inconueniences, not meet to be rehearſed, haue followed of compelled chaſtity, and of ſuch Lawes, as haue prohibited thoſe (ſuch perſons) the godly vſe of marriage: It were better and rather to be ſuffered in the Common wealth, that thoſe which could not containe, ſhould after the counſell of Scripture, liue in holy marriage, than feynedly abuſe with worſe enormitis outward chaſtity or ſingle life.

All Lawes, &c. which doe prohibit marriage to ſpirituall perſons that by Gods Law may marry ſhall be void.

Be it therefore enacted by our Soueraigne Lord the King, with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that all and euery Law and Lawes Poſitiue, Canons, Conſtitutions and Ordinances, heretofore made by authority of man only, which doth prohibit or forbid marriage to any Eccleſiaſticall or Spirituall perſon or perſons, of what eſtate, condition or degree they be, or by what name or names ſoeuer they be called, which by Gods Law may lawfully marry, in all and euery article, branch and ſentence, concerning only the prohibition for the marriage of the perſons aforeſaid, ſhall be vtterly void and of none effect. And that all manner of forfeitures, paines and penalties, crimes or actions, which were in the ſaid Lawes conteined, and of the ſame did follow, concerning the prohibition for the marriage of the perſons aforeſaid, be cleerely and vtterly void, fruſtrat and of none effect, to all entents, conſtructions and purpoſes, as well concerning marriage heretofore made, by any of the Eccleſiaſticall or Spirituall perſons aforeſaid, as alſo ſuch which hereafter ſhall be duely and lawfully had, celebrat and made, betwixt the perſons, which by the Lawes of God, may lawfully marry.

No marriage without aſking in the Church.

Prouided alwayes, and be it enacted by the authority aforeſaid, that this Act, or any thing therein conteined, ſhall not extend to giue any liberty to any perſon to marry without aſking in the Church, or without any Ceremony, being appointed by the order preſcribed and ſet forth in the booke entitled, The Booke of the Common Prayer, and adminiſtration of the Sacraments, &c. any thing aboue mentioned to the contrary in any wiſe notwithſtanding.

Decrees and diuorces heretofore made.

Prouided alſo, and be it enacted by the authority aforeſaid, that this Act, or any thing therein conteined, ſhall not extend to alter, change, reuoke, repell or otherwiſe to diſannull any decree, iudgement, ſentence or diuorce heretofore had or made: but that all and euery ſuch decree, iudgement, ſentence and diuorce, ſhall remaine, and be of ſuch like force, effect, ſtrength and degree, to all entents, conſtructions and purpoſes, as they were in, before the making of this Act, and as though this Act had neuer beene had ne made: This Act or any thing therein contained to the contrary in any wiſe notwithſtanding. Sr. 1.M. 2. 1.Iac. 25. 5.Ed.6.12.

CAP.

Cap. XXII.

The penalty for cuſtoming other mens goods, whereby the King loſeth his duty.

Where at the Parliament holden at Weſtminſter, in the firſt yeere of the reigne of the noble King of famous memory Henry the eight, it was ordeined, eſtabliſhed and enacted, by the authority of the ſaid Parliament, that it ſhould be lawfull from thenceforth, that euery Engliſhman, and all other the Kings Subiects, might in euery port or hauen within this Realme of England, Ireland, and Wales, and the Marches of the ſame, and in the Towne of Barwike, where it ſhould happen any merchandiſe to arriue, or to be charged and carried out, to cuſtome in his name, all manner of goods and merchandiſe, of another Engliſhman, or the Kings Subiect. And in like forme euery Merchant ſtranger, to cuſtome in his name, any goods or merchandiſe, of any other Merchant ſtranger, ſo that the ſaid Merchant ſtranger, that cuſtomes the goods of another Merchant ſtranger, and the very owner or proprietory of the goods ſo cuſtomed, be charged with like cuſtome, ſubſidy and other things, ſo that the Kings Grace were not defrauded of his right.

And if any Merchant Stranger, or Denizen, or any other the Kings Subiect, cuſtome any goods, or merchandiſe, of any other Stranger, or Denizen, or of any other the Kings Subiect, whereby the Kings Grace ſhould loſe his cuſtome, ſubſidy, or other his right or duty, that then the ſaid Merchant Stranger, or Denizen, or any other the Kings Subiect, that ſo taketh vpon him or them to do, ſhould forfeit to the King, the goods or merchandiſe ſo cuſtomed, and ouer that, to forfeit to the party or parties in that behalfe greeued, as much mony as the goods or merchandiſe of the Merchant Stranger, Denizen, or other the Kings Subiect, ſo cautelouſly cuſtomed, amounted vnto.

A confirmation of the ſtatute of 1.H.8.5. touching cuſtoming of goods in the name of others.

And that no Citizen of London, or other the Kings Subiects inhabiting in the Cinque Ports, or any other being free of Priſage, or Butlarage of Wines, by grant, cuſtome, or otherwiſe, ſhould cuſtome no Wines, of any perſon or perſons, not being free of any Priſage, or Butlarage: And if any perſon, free of the ſaid Priſage, or Butlarage ſo did, that then the ſaid perſon or perſons, that ſo did, ſhould forfeit to the King, the double value of the Priſage of the ſaid Wines ſo cuſtomed. And further, that it ſhould be lawfull to any perſon, or perſons, greeued contrary to the ſaid Act, to haue an action of debt, againſt any perſon, or perſons, that ſo cuſtomed the goods, or merchandiſe in his name, and not in the owners name, of the ſumme of the value of the ſaid merchandiſe, ſo cuſtomed and forfeited. In the which action, no eſſoine, nor protection ſhould lie, nor the defendant to wage his Law, as by the ſaid former Act, more at large doth appeare. Sithence the making of which Act, diuers perſons, as well Strangers, and Denizens, as the Kings Subiects, forgetting their bounden duties to the Kings Highneſſe, and nothing fearing the penalties and forfeitures, mentioned in the ſaid former Act, doe daily deceiue the King, as well in his cuſtomes and ſubſidies, by payment of cuſtomes and ſubſidies, in the names of ſuch perſons, other than ſuch as be the very owners, or proprietaries, of the goods, wares, and merchandiſe, of the priſage or butlarage of Wines due to the King.

Wherefore, be it ordeined and enacted by the King our Soueraigne Lord, with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any Stranger borne, Denizen or not Denizen, or any the Kings Subiects, doe at any time, from, or after the laſt day of March next comming: any thing or Act, contrary to the true meaning, tenour, and purport of the ſame former Act and Statute, that then he and they ſo offending, ſhall loſe and forfeit all his and their owne goods, and cattalles, perſonalles for euer: The moity of which forfeiture, ſhall be to the King, and the other moity to him or them that will ſue for the ſame, by bill, plaint, action of debt or information, in which bill, plaint, action or information, no wager of Law, eſſoine or protection ſhall be admitted or allowed.

The penalty for cuſtoming of other mens goods whereby the King loſeth his duty.

Prouided alwayes, and be it enacted by the authority aboueſaid, that euery ſuch bill, plaint, action, or information, ſhall be had, and purſued, within three yeeres next enſuing, any ſuch offence committed or done, or elſe the offendor, to be cleerely free, and diſcharged thereof: any Law or Statute, to the contrary had or made notwithſtanding. St. 1.H.8.5. 3.H.7.7. 1.Eliz.11.

Cap. XXIII.

Part of the Statute of precontracts repealed.

Whereas in the two and thirtieth yeere of the raigne of the late King of famous memory, King Henry the eight, becauſe that many inconueniences had chanced in this Realme, by breaking and diſſoluing of good and lawfull marriages, yea, whereupon alſo, ſometime iſſue and children had followed, vnder the colour and pretence of a former contract made with another, the which contract diuers times was but very ſlenderly proued, and often but ſurmiſed by the malice of the party who deſired to be diſſolued from the marriage which they liked not, and to be coupled with another: there was an Act made, that all and euery ſuch marriages, as within the Church of England, ſhould be contracted and ſolemnized in the face of the Church, and conſummat with bodily knowledge or fruit of children or child, being had betweene the parties ſo married, ſhould be by authority of the ſaid Parliament, deemed, iudged and taken to be lawfull, good, iuſt and indiſſoluble, notwithſtanding any precontract or precontracts of Matrimony, not conſummat with bodily knowledge, which either of the perſons ſo married or both, had made with any other perſon or perſons, before the time of contracting that marriage which is ſolemnized or conſummated, or whereof ſuch fruit is enſued or may enſue, as by the ſame act more plainly may appeare; Sithence the time of the which act, although the ſame was godly meant, the vnrulineſſe of men, hath vngodly abuſed the ſame, and diuers inconueniences (intollerable in manner to Chriſtian eares and eyes) followed thereupon, women and men, breaking their owne promiſes and faiths made by the one vnto the other, ſo ſet vpon ſenſuality and pleaſure, that if after the contract of Matrimony, they might haue whom they more fauoured and deſired, they could be contented by lightneſſe of their nature, to ouerturne all that they had done afore, and not afeard in manner, euen from the very Church doore and marriage feaſt, the man to take another ſpouſe, and the eſpouſe to take another husband, more for bodily luſt and carnall knowledge than for ſurety of faith and truth, or hauing God in their good remembrance, contemning many times alſo the commandement of the Eccleſiaſticall Iudge, forbidding the parties hauing made the contract, to attempt or doe any thing in preiudice of the ſame.

A repeale of ſo much of the St. of 32. H. 8. 38. as maketh that marriage indiſſoluble, which is ſolemnized in the Church and conſummated with bodily knowledge and fruit of child.

Be it therefore enacted by the Kings Highneſſe, the Lords Spirituall and Temporall, and the commons in this preſent Parliament aſſembled, that as concerning precontracts, the ſaid former Statute ſhal from the firſt day of May next comming, ceaſe, be repealed, and of no force or effect, and be reduced to the eſtate and order of the Kings Eccleſiaſticall Lawes of this Realme, which immediatly before the making of the ſaid eſtatute, in this caſe were vſed in this Realme: ſo that from the ſaid firſt day of May, when any cauſe or contract of marriage, is pretended to haue beene made, it ſhalbe lawfull to the Kings Eccleſiaſticall Iudge, of that place, to heare and examine the ſaid cauſe: and (hauing the ſaid contract ſufficiently and lawfully proued before him) to giue ſentence for matrimony, commanding ſolemnization, cohabitation, conſummation and tractation, as it becommeth man and wife to haue, with inflicting all ſuch paines vpon the diſobedients and diſturbers therof, as in times paſt before the ſaid ſtatute, the Kings Eccleſiaſticall Iudge, by the Kings Eccleſiaſticall lawes, ought and might haue done, if the ſaid ſtatute had neuer beene made: any clauſe, article or ſentence in the ſaid Statute to the contrary in any wiſe notwithſtanding.

Prouided alwayes, and be it enacted, that this Act doe not extend to diſanull, diſſolue, or breake any marriage, that hath or ſhall be ſo ſolemnizated and conſummated, before the ſaid firſt day of May next enſuing, by title or colour of any precontract, but that they be, and be deemed of like force and effect, to all intents, conſtructions and purpoſes, as if this Act had neuer beene had nor made: any thing in this preſent Act notwithſtanding.

A confirmation of the reſidue of the ſaid Sta. of 32. H. 8. 38.

Prouided alſo, that this Act doe not extend to make good any of the other cauſes, to the diſſolution or diſanulling of Matrimony, which be in the ſaid Act ſpoken of and diſanulled. But that in all other cauſes and other things there mentioned, the ſaid former Act of the two and thirtieth yeere of the late King of famous memory, doe ſtand and remaine in his full ſtrength and power, any thing in this Act notwithſtanding. St. 1. El. 1.

Cap. XXIIII.

Triall of murders may be in ſeuerall Counties.

FOraſmuch, as the moſt neceſſary office and duty of Law, is to preſerue and ſaue the life of man, and condignely to puniſh ſuch perſons that vnlawfully and wilfully murder, ſlea or deſtroy men, and alſo that another office and duty of Law is, to puniſh robbers and theeues, which daily endeauour themſelues to rob and ſteale, or giue aſſiſtance to the ſame, and yet by craft and cautile doe eſcape from the ſame without puniſhment.

No inditement by the common Law of the death of him who is ſtriken in one County and dieth in another.

And where it often happeneth, and commeth in vre, in ſundry Counties of this Realme, that a man is feloniouſly ſtriken in one County, and after dieth in another County: in which caſe it hath not beene founden by the Lawes or cuſtomes of this Realme, that any ſufficient enditement thereof can be taken in any of the ſaid two Counties, for that by the cuſtome of this Realme, the Iurors of the County where ſuch party died of ſuch ſtroke, can take no knowledge of the ſaid ſtroke being in a forrein County, although the ſame two Counties and places adioyne very neere together: ne the Iurors of the County where the ſtroke was giuen, cannot take knowledge of the death in another County, although ſuch death moſt apparantly come of the ſame ſtroke: ſo that the Kings Maieſty within his owne Realme, cannot by any Lawes yet made or knowen, puniſh ſuch murderers or manquellers, for offences in this forme committed and done, nor any appeale at ſometime may lie for the ſame, but doth alſo faile, and the ſaid murderers and manquellers eſcape thereof without puniſhment, as well in caſes where the Counties, where ſuch offences be committed and done, may ioyne, as otherwiſe where they may not ioyne. And alſo it is a common practice among arrant theeues and robbers in this Realme, that after they haue robbed or ſtollen in one County, they will conuey their ſpoile, or part thereof ſo robbed and ſtollen, vnto ſome of their adherents, into ſome other County, where the principall offence was not committed ne done, who knowing of ſuch felony, willingly and by falſe couin, receiueth the ſame: In which caſe, although the principall Felon be after attainted in the one County, the Acceſſary eſcapeth, by reaſon that he was acceſſary in another County, and that the Iurors of the ſaid other County, by any Law yet made, can take no knowledge of the principall felony, ne attainder in the firſt County, and ſo ſuch acceſſaries eſcape thereof vnpuniſhed, and doe often put in vre the ſame, knowing that they may eſcape without puniſhment. For redreſſe and puniſhment of which offences, and ſafegard of mans life: Be it enacted by authority of this preſent Parliament, that where any perſon or perſons hereafter ſhall be feloniouſly ſtricken, or poiſoned in one County, and die of the ſame ſtroke or poyſoning in another County, that then an indictment thereof founden by Iurors of the County, where the death ſhall happen, whether it ſhall be founden before the Crowner, vpon the ſight of ſuch dead body, or before the Iuſtices of peace, or other Iuſtices, or Commiſſioners, which ſhall haue authority to enquire of ſuch offences, ſhall be as good and effectuall in the law, as if the ſtroke or poiſoning had beene committed and done in the ſame County, where the party ſhall die, or where ſuch indictment ſhall be ſo founden: any Law or vſage to the contrary notwithſtanding.

The triall of a manqueller that poiſoneth or ſtriketh a man in one County, which dieth thereof in another. Raſt.pla.fo.51.

And that the Iuſtices of Gaole deliuery, and Oyer and Terminer, in the ſame County, where ſuch indictment at any time hereafter ſhall be taken: And alſo the Iuſtices of the Kings Bench, after ſuch indictment ſhall bee remoued before them, ſhall and may proceed vpon the ſame in all points, as they ſhould or ought to doe, in caſe ſuch felonious ſtroke, and death thereby enſuing, or poyſoning, and death thereof enſuing, had growen in all one ſame County. And that ſuch party to whom appeale of murder ſhall be giuen by the Law, may commence, take, and ſue appeale of murder, in the ſame County where the party ſo feloniouſly ſtriken, or poyſoned, ſhall die, as well againſt the principall and principals, as againſt euery acceſſary to the ſame offences, in whatſoeuer County or place the acceſſary or acceſſaries ſhall be guilty to the ſame, And further, the Iuſtices before whom any ſuch appeale ſhall be commenced, ſued, and taken, within the yeere and day after ſuch murder and manſlaughter committed and done, ſhall proceed againſt all and euery ſuch acceſſary and acceſſaries in the ſame County, where ſuch appeale ſhall be ſo taken, in like manner and forme, as if the ſame offence or offences of acceſſary or acceſſaries had beene committed and done in the ſame County, where ſuch appeale ſhall be ſo taken, as well concerning the triall by the Iurors, or twelue men of ſuch County, where ſuch appeale or appeales ſhall be hereafter taken vpon the plea of not guilty, pleaded by ſuch Offender or Offenders, as otherwiſe.

Where an appeale of murder in the caſe aforeſaid ſhall be purſued.

Appeale againſt the acceſſory.

And further, be it enacted by authority aforeſaid, that where any murder or felony hereafter ſhall be committed and done in one County, and another perſon or moe ſhall be acceſſary, or acceſſaries in any manner of wiſe, to any ſuch murder, or felony in any other County, that then an indictment found or taken againſt ſuch acceſſary and acceſſaries, vpon the circumſtance of ſuch matter before the Iuſtices of the Peace, or other Iuſtices or Commiſſioners, to enquire of Felonies in the County where ſuch offences of acceſſary or acceſſaries in any manner of wiſe ſhall be committed or done, ſhall be as good and effectuall in the Law, as if the ſaid principall offence had beene committed or done within the ſame [a] County, where the ſame endictment againſt ſuch acceſſary ſhall be found. And that the Iuſtices of Gaole deliuery, or Oyer and Terminer, or two of them, of, or in ſuch County, where the offence of any ſuch acceſſary ſhall be hereafter committed and done, vpon ſuit to them made, ſhall write to the Cuſtos Rotulorum, or Keepers of the Records, where ſuch principall ſhall be hereafter attainted, or conuict, to certifie them whether ſuch principall be attainted, conuicted, or otherwiſe diſcharged of ſuch principall felony, who vpon ſuch writing to them, or any of them directed, ſhall make ſufficient certificate in writing vnder their ſeale or ſeales to the ſaid Iuſtices, whether ſuch principall be attainted, conuicted, or otherwiſe diſcharged, or not. And after that they ſo ſhall haue the cuſtody of ſuch records, doe certifie that ſuch principall is attainted, conuicted, or otherwiſe diſcharged of ſuch offence by the Law: That then the Iuſtices of Gaole deliuery, or of Oyer and Terminer, or other there authoriſed, ſhall proceed vpon euery ſuch acceſſary, in the County where ſuch acceſſary or acceſſaries became acceſſary, in ſuch manner and forme, as if both the ſaid principall offence, and acceſſary had beene committed and done in the ſaid County, where the offence of acceſſary was, or ſhall bee committed or done. And that euery ſuch acceſſary and other offenders aboue expreſſed, ſhall anſwer vpon their arraignments, and receiue ſuch triall, iudgement, order, and execution, and ſuffer ſuch forfeitures, peines and penalties, as is vſed in other caſes of felony, any Law or cuſtome to the contrary heretofore vſed in any wiſe notwithſtanding.

Triall of an acceſſory in one County to a felony done in another.

[a] 9.fo.119.

Cap.

CAP. XXV.

Sheriffes ſhall keepe their County Courts monethly.

WHere heretofoꝛe in the moſt part of all Shires and Counties within this Realme, the County Court is and hath beene vſually kept and holden from moneth to moneth, and ſo at euery moneths end one County: yet albeit in ſome Countreis (though not many) the ſaid County Courts are holden from ſix weekes to ſix weekes, by foꝛce whereof the Officers award out Pꝛoceſſe, aſwell foꝛ the King, as Pꝛoceſſe foꝛ the peace, out of the Kings Bench, as alſo other common Pꝛoceſſe betwixt party and party, and the Atturneyes and Solicitoꝛs (who ſue the ſame) not knowing the pꝛiuate cuſtoms of their particular Shires, which haue and vſe their Counties to bee holden euery ſix weekes, giue their Pꝛoceſſe like returne as in thoſe Shires which haue common cuſtome to hold, and keepe County Courts euery moneth, whereby the Kings ſuits be not only deferred, the plaintifes and demandants delayed of their lawfull actions and demands, but alſo the ſaid plaintifes and demandants thereby put to double coſt and charge, to the great ignominy and ſlander of the law, encouraging of the Offendoꝛs and Tranſgreſſoꝛs, and to the continuall impoueriſhing of all thoſe who haue cauſe of ſuit.

County Courts ſhall be kept monethly.

In conſideration whereof, be it enacted by the King our Soueraigne Loꝛd, the Loꝛds ſpiritual and tempoꝛall, and the Commons in this pꝛeſent Parliament aſſembled, and by the authoꝛity of the ſame, that from and after the firſt day of October next enſuing this pꝛeſent Seſſion of Parliament, no County Court oꝛ Courts, hereafter to be kept within this Realme, ſhall be longer deferred but one moneth, from Court to Court, and ſo the ſaid Courts from henceforth ſhall be kept euery moneth, and none otherwiſe: Any vſage, cuſtome, ſtatute oꝛ law, heretofoꝛe had oꝛ made to the contrary in any wiſe notwithſtanding.

Where the County Court of Noꝛthumberland ſhall be kept.

And be it further enacted by the authoꝛity afoꝛeſaid, that the Sheriffe of Noꝛthumberland from thenceforth ſhall keepe the County Court of that Shire in the Towne oꝛ Caſtle of Alnewike, and in none other place: Any later vſe lately begun and bꝛought in, to the contrary notwithſtanding.

CAP. XXVI.

White Aſhes ſhall not be ſhipped or carried ouer the Sea.

COnſidering that white Aſhes made within the Realme, and other the Kings Dominions, and Territoꝛies, are very neceſſary and expedient foꝛ the making of Sope, and Salt Peter, and foꝛ the whiting of Linnen Cloath, dying, and ſcowꝛing of woollen Cloth, and foꝛ other needfull things in the Realme, and that the ſame Aſhes now of late haue beene commonly conueyed ouer the Seas, and thereby enhaunced in pꝛice, and ſo ſcarce, that the Kings louing Subiects cannot haue ſufficient of the ſame foꝛ any conuenient pꝛices:

The penalty foꝛ ſhipping oꝛ tranſpoꝛting white aſhes.

Wherefoꝛe be it oꝛdeined and enacted by the Kings Highneſſe, with the aſſent of the Loꝛds ſpirituall and tempoꝛall, and of the Commons in this pꝛeſent Parliament aſſembled, and by the authoꝛity of the ſame, that no perſon oꝛ perſons, after the firſt day of Apꝛill next comming, ſhall ſhip, lade, carry, oꝛ conuey any white Aſhes, towards the parts beyond the ſeas, vpon paine of foꝛfeiture of ſix ſhillings eight pence foꝛ euery buſhell of ſuch aſhes, ſo to be ſhipped oꝛ laded, to be carried oꝛ conueyed into the parts beyond the ſeas: The moity of which foꝛfeiture ſhall be to the King, and the other moity to him oꝛ them that will ſue foꝛ the ſame in any of the Kings Courts of Recoꝛd, by action, bill, plaint, oꝛ infoꝛmation, in the which action, bill, plaint, oꝛ infoꝛmation, no wager of law, eſſoine, oꝛ protection ſhall be admitted oꝛ allowed.

CAP. XXVII.

None may forge nor ſell gads of Yron, like in faſhion to gads of Steele.

WHere diuers perſons of late haue deceitfully foꝛged and made of certaine yꝛon, called Bilbow yꝛon, like to the faſhion and manner of gads of Steele, and haue ſold the ſame ſo foꝛged to diuers of the Kings Subiects foꝛ Steele, whereby the greateſt part of edged tooles, weapons, and other neceſſary things hauing edges, are of little oꝛ no value oꝛ goodneſſe, to the great hurt of the Kings louing Subiects:

The penalty foꝛ foꝛging oꝛ putting to ſale any gads of yꝛon like to gads of ſteele.

For reformation whereof, be it enacted by the Kings Highneſſe, by the aſſent of the Loꝛds Spirituall and Tempoꝛall, and of the Commons in this pꝛeſent Parliament aſſembled, and by the authoꝛity of the ſame, That if any perſon after the firſt day of May next comming, doe foꝛge oꝛ make any ſuch gads of yꝛon, oꝛ doe vtter oꝛ put to ſale, any ſuch gads of any yꝛon, he ſhall foꝛfeit foꝛ euery gad ſo foꝛged, oꝛ vttered, oꝛ put to ſale, foure pence: The moity of which foꝛfeiture ſhall be to the King, and the other moity to him oꝛ them that will ſue foꝛ the ſame in any of the Kings Courts of Recoꝛd, by action, bill, plaint, oꝛ infoꝛmation, in the which action, bill, plaint, oꝛ infoꝛmation, no wager of law, pꝛotection oꝛ eſſoine, ſhall be allowed oꝛ admitted.

CAP. XXVIII.

The force of fines leuied of Lands in Cheſhire, before the high Iuſtices of Cheſter, or the Deputy or Lieutenant.

IN humble wiſe ſhewen vnto your excellent Maieſty, your true and faithfull ſubiects and liege men, the inhabitants of your Graces County Palatine of Cheſter: That whereas heretofore by authority of Parliament, diuers neceſſary and beneficiall ſtatutes haue bin made for and concerning the leuying of fines with proclamation, which are not only neceſſary for the preſeruation of quietneſſe and concord amongſt your louing ſubiects, and for the auoiding of ſtrife and contention, but alſo for the great & perfect aſſurance of all ſuch perſons, to whom any ſuch fines are leuied of any lands, tenements and hereditaments, which ſaid beneficiall and neceſſary Statutes doe not extend to any fines to be leuied within your ſaid County Palatine of Cheſter: In tender conſideration whereof, pleaſeth it your moſt excellent Maieſty, that it may bee enacted by your highneſſe and the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that all and ſingular fines, which at any time hereafter ſhall be leuied or knowledged before the high Iuſtice of our Soueraigne Lord the King, or of his Heires and Succeſſors, of his County Palatine of Cheſter for the time being, or before the deputy or Lieutenant Iuſtice there for the time being, of any lands, tenements, or other hereditaments, lying or being within the ſaid County Palatine of Cheſter, which ſhalbe openly read and proclaimed three ſeueral daies in the open ſeſſions, in the preſence of the Iuſtice of the ſaid county Palatine of Cheſter for the time being, or before the deputy or Lieutenant Iuſtice there at the ſame Seſſions, that the ſame fine ſhall fortune to bee engroſſed: And alſo that ſhall bee openly read and proclaimed in the preſence of the Iuſtice of the ſaid County Palatine of Cheſter, or before the deputy or Lieutenant Iuſtice there for the time being, at the two next generall Seſſions that ſhalbe holden in the ſaid County Palatine of Cheſter, before the Iuſtice of the ſame county Palatine, or before the deputy or Lieutenant Iuſtice there next after the leuying and ingroſſing of ſuch ſaid fine at three ſeueral daies in either of the ſaid two ſeſſions, after ſuch manner & forme as is commonly vſed in the Kings Court of Common pleas at Weſtminſter, ſhalbe of like force ſtrength, and effect in the law, to all intents, conſtructions and purpoſes, as fines being duly leuied with proclamations before the Kings Iuſtices of his cōmon pleas be, or ought to be of. 43. El. 15.

The force of fines leuied before the high Iuſtice of Cheſter, of lands in Cheſhire.

CAP. XXIX.

An offendor in Buggery being attainted by confeſſion, verdict, or outlawry, ſhall ſuffer death as a felon, without loſſe of lands or goods, or corruption of bloud. Rep. 1. M. 1.

CAP. XXX.

The Maior and Iurates of Rie & Winchelſey in the County of Suſſex, ſhall appoint conuenient places to lay on all balaſt that ſhalbe caſt out of any ſhip or other veſſel, which ſhall come within the Road, there to receiue any loading. And all ballaſt caſt out of any ſhip, ſhall be laid vpon the ſaid appointed place, vpon paine of forfeiture of forty ſhillings for euery tunne of ballaſt caſt out contrary to the forme aforeſaid. PR.

CAP. XXXI.

Recogniſances acknowledged before the Maior of Cheſter ſhalbe good.

IN their moſt humble wiſe ſhewen vnto your highneſſe, your true, faithfull and obedient ſubiects, the Mayor, Aldermen Sheriffes, and Comminalty of your Graces city of Cheſter, that where before this time the Maiors of the city of Cheſter were appointed and authoriſed, to take and receiue before the ſaid Maiors, Recogniſances, according to the Statutes Merchant, and of Acton Burnell, whereupon were deliuered vnto the ſaid Maior by the Kings Maieſties Progenitors that then were, a ſpeciall ſeale concerning the ſame: by force whereof the Maiors and other officers there appointed (time out of minde) haue continually vſed and practiſed, to take recogniſances before them of Statutes Merchant, and Acton Burnell, and enrolled the ſame, which euer hitherto was allowed, permitted, and taken to be good and effectuall in the law: vntill now of late that ambiguity and doubt hath riſen, by meanes of certaine ſiniſter perſons, more for the defrauding of right, equity, and Iuſtice, than vpon any good ground, or matter, for their priuate commodity, becauſe that in all points it doth not follow and agree, according to all the ſtraight words of the ſaid Statutes Merchant, and Acton Burnell, as well to the great hurt and ſlander of the ſaid City, as alſo to the decay of the Merchants, which haue, and ſhall lend their liuings, wares and money, and great boldneſſe of the debtors, to detaine the ſame in their hands, to the great decay of the ſaid city: wherefore for the inconuenience thereof, and alſo for the auoyding of the ſaid ambiguity and doubt: it may pleaſe your highneſſe that it may bee by your grace with the aſſent of the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled, ordeined eſtabliſhed, and enacted by the authority of the ſame, that

All recogniſances of Statute Merchants, ⁊c. acknowledged before the Maior of Cheſter, ſhalbe good in law.

all ⁊ euery ſuch recogniſance of ſtatutes Merchant, and Acton Burnell, which after the firſt day of May next comming, ſhall be taken, knowledged, enrolled, had, and ſealed with the ſaid Seale, appointed to the ſaid city of Cheſter, before the Mayor of the ſame city for the time being, in like manner as heretofore the predeceſſors Maiors, and other officers in the ſaid city haue accuſtomed to take and enroll, and ſeale, ſhalbe as good, effectuall, and of force in the law, to all intents, conſtructions ⁊ purpoſes, as if the taking of ſuch recogniſance did fully agree and accord to all intents and purpoſes, with the ſtreight words of the ſaid ſtatutes of Acton Burnell, and the ſtatute Merchant. And that vpon all certificates of the ſaid Maiors hereafter, like proceſſe and execution to be awarded and directed out of the high Courts of Chancery, and Common place to all Sheriffes, Maiors, Bailiffes, or other officers in England or Wales, in as ample manner and forme as is vſed elſewhere within this realme, for any recogniſance taken, vpon any of the ſtatutes aforeſaid: any law, ſtatute, liberty, franchiſes, or vſage had or vſed to the contrary notwithſtanding.

Cap. XXXII.

Statutes concerning Ieofailes, Miſpleading, Atturneyes, and of granting a Tales de Circumſtantibus, *at the plaintifes requeſt ſhall be continued.*

The Stat. of 32.H.8.30. concerning Ieofailes, ⁊c. and of 35.H.6 touching granting Tales made perpetuall.

WHere in the Parliament begun and holden at Weſtminſter the xxxii. yéere of the reigne of our late moſt dread ſoueraigne Lord King Henry the eight, and there by diuers prorogations, continued vntill the xxiiii. day of July, in the xxxvi. yéere of the raigne of the ſaid late K. Henry the eighth, there was one Act made and eſtabliſhed for and concerning the reformation of Miſpleading, Ieofailes, and Atturneies, which ſaid Act with the prouiſo, were made to endure vntill the laſt day of the next Parliament. And where alſo at the Parliament holden at Weſtminſter in the xxxv. yéere of the raigne of our ſaid late moſt dread ſoueraigne Lord, one act was made that for none apparance in Juries to haue de Circumſtantibus. And in the Parliament holden at Weſtminſter in the xxxvii. yéere of the raigne of our ſaid late moſt dread ſoueraigne Lord King Henry the eight, the ſaid acts and either of them were continued vntill the end of the next Parliament. Be it enacted and eſtabliſhed by the K. our ſoueraigne Lord, the Lords ſpiritual and temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that the acts aforeſaid, and either of them, and all clauſes, articles, and prouiſions, in them ⁊ euery of them contained, ſhal continue and endure in their force and ſtrength for euer. ſt.4.& 5.P.&M.7.

Cap. XXXIII.

Whoſoeuer ſtealeth an horſe, &c. ſhall loſe his Clergy.

He that ſtealeth one horſe, ſhall not haue his clergy or ſanctuary.

FOraſmuch as it is and hath béene ambiguous and doubtfull, vpon the words mentioned in one act of Parliament made the firſt yéere of the raigne of our ſoueraigne Lord the King, whether that any perſon being in due forme of the lawes found guilty, or otherwiſe attainted or conuicted for felonious ſtealing of one horſe, gelding or mare, ought to be admitted to haue or enioy the priuilege and benefit of his clergy and ſanctuary: Therefore it is declared and enacted by the King our ſoueraigne Lord, and the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame Parliament, that all and ſingular perſon ⁊ perſons, feloniouſly taking or ſtealing any horſe, gelding or mare, ſhal not be admitted to haue or enioy the priuilege or benefit of his or their[a] clergy, or ſanctuary, but ſhalbe put from the ſame, in like manner and forme as though he or they had béen indicted or appealed for felonious ſtealing of two horſes, two geldings or two mares, of any other, and thereupon found guilty by verdict of twelue men, or confeſſed the ſame vpon their arraignment, or ſtand wilfully, or of malice mute. St.37.H.8.8.1.Ed.6.12.

[a] Dyer fol

Cap. XXXIIII.

Sheriffes of Northumberland accountable for their offices, as other Sheriffes be.

FOraſmuch as the Sheriffs of the county of Northumberland, which haue bin named now of long time paſſed, haue not accounted to the Kings Maieſty of the iſſues ⁊ profits of their Bailiwike in the Kings highneſſe Eſchequer, or elſewhere, as other Sheriffes of the ſaid County in old time paſſed haue done, nor as the Sheriffes of other counties of this realme doe at this time, but doe yéerely receiue and take the whole profits thereof to their owne vſes, to the great detriment and loſſe of the King our ſoueraigne Lord, both of his Vicountels, and other fermes, anſwerable by the hands of the ſaid Sheriffe, ⁊ of all other debts, iſſues, fines, and amerciaments within the ſaid county, and of all alienations and intruſions, wards mariages, reliefes, and ſuch other.

The Sheriffe of Northumberland ſhall put in ſureties in the exchequer for his account, as other Sheriffes doe.

Wherefore be it enacted by the King our ſoueraigne Lord, with the aſſent of the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that from henceforth all and euery ſuch perſon and perſons as ſhalbe hereafter named to be Sheriffe of the ſaid county of Northumberland, forthwith before he receiue his patent, and before he doe exerciſe any part of the ſaid office, ſhal put in ſufficient ſureties by himſelfe, or by his ſufficient deputie or deputies, into the kings Eſchequer, there to enter in recogniſances in ſuch ſumme, and vpon ſuch conditions, as the Lord treaſurer, and Barons of the ſaid Eſchequer ſhall ſeeme conuenient in manner & forme as all other Sheriffes of other counties of this realme doe, vpon paine of euery ſuch Sheriffe making default, to forfeit to the Kings maieſty an hundred pound, to bee leuied of his goods and chattels, lands and tenements whereſoeuer they may bee found, to the Kings highneſſe vſe: And that the ſaid Barons from time to time, ſhall cauſe ſuch Proceſſe to be made for the King for the leuying of the ſaid hundred pound, ſo to bee forfeited, to be directed to ſuch perſon and perſons, and in ſuch nature and ſort as to them ſhall ſeeme beſt for the King for the leuying thereof, any thing in this Act, or in any other law, ſtatute, vſe, prouiſion or cuſtome, to the contrary notwithſtanding.

Prouided alwayes and bee it enacted by the ſaid authority, that any ſuch Sheriffe, being ſo bounden as is aboueſaid, ſhall not be accountable but for his owne time, and for the yeere of his Sheriffewike onely, neither ſhall be charged, in or vpon his account, by any Proceſſe, with any arrerages or duties, due to the K. Maieſty by any his predeceſſors in the ſaid office of Sheriffe: any thing in this Act, or any law, or vſage, or prerogatiue to the contrary notwithſtanding.

How farre the Sheriffe of Northumberland ſhall be charged.

Cap. XXXV.

A Confirmation of a Subſidy of ſix ſhillings in the pound, granted by the Clergy to the King, to be taken in three yeeres.

Cap. XXXVI.

A Confirmation of a reliefe granted to the King by the temporalty, out of ſheep, clothes, goods, debts, &c. to be paid in three yeeres. EXP. & AL. 3. & 4. Ed. 6. 23.

Cap. XXXVII.

No perſon ſhall carry Bell metall, &c. out of this realme.

Where in the Parliament holden at Weſtminſter, in the three and thirty yeere of our late ſoueraign Lord of famous memory King Henry the eight, it was enacted, that no perſon or perſons ſhould carry or conuey by water, or otherwiſe, any braſſe, copper, latton, bell metall, pan metall, or gun metall, or ſhroffe metall, whether it bee cleane or mixed (tin and lead onely excepted) into any part beyond the ſea, or into any outward realme or dominion, whatſoeuer it be, vpon paine of forfeiture of double the value thereof. And where alſo by the ſaid Statute, it was likewiſe enacted, that no perſon or perſons ſhould at any time ſhip, or carry any of the ſaid metals, to carry or diſcharge the ſame in any part of this realme, vnleſſe ſuch perſon or perſons, before the ſhipping thereof did declare and manifeſt vnto the Cuſtomers of ſuch a Port or creeke, where the ſame metall ſhould bee ſhipped, the true weight of all ſuch metall as ſhould bee ſhipped, and ſhould alſo make a ſufficient obligation in the Law, in the which hee ſhould bee bounden to the ſaid Cuſtomer, to the Kings vſe, in ſuch ſumme as ſhould amount to the double value of the ſaid metall ſo declared, and manifeſted, with condition that the ſame ſhould bee diſcharged, at ſome port, or creeke within this realme, and in no other place, vpon paine to forfeit the ſame, in manner and forme aboue rehearſed, as by the ſaid Act, amongſt other things more plainly appeareth. 33. H. 8. 7.

Forasmuch as the paines and forfeitures in the ſaid Statute, are not great enough, and forasmuch alſo, as diuers couetous and greedy perſons, hauing no reſpect or obedience to the lawes, haue craftily, and by all ſiniſter meanes practiſed to defraud the ſaid Statute, ſome by bribing and rewarding the Searchers, Maſters, Purſers, or other Officers of ſhips, ſome by ſecret conueying thereof in ſmall creekes, Sugar cheſts, Hogſheads, or otherwiſe: Be it therefore ordeined, and enacted that from and after the feaſt of Eaſter next comming, no perſon or perſons ſhall carry or conuey, or ſhip, to the intent to carry or conuey any braſſe, Copper, Latton, Bell metal Pan metall, Gun metall, or Shroffe metall, whether it bee cleere, or mixed (Tin and Lead onely excepted) into any part beyond the ſea, or into any outward Realme, or Dominion whatſoeuer it be, vpon paine to forfeit the double value thereof, and x. li. for euery thouſand weight of the ſame metall ſo carried and conueyed, or ſhipped, to the intent to be carried or conueyed, the triall whereof ſhall be in like manner and forme, as in the ſaid former Act is expreſſed.

The penalty for carrying, or for ſhipping to carry any braſſe latton, &c. beyond the ſea.

And be it further enacted, that no perſon or perſons, after the ſaid feaſt, ſhall ſhip or carry any of the ſaid metals prohibited by this Statute, to carry or diſcharge the ſame in any part of this Realme, vnleſſe ſuch perſon or perſons, before the ſhipping thereof, doe declare and manifeſt to the Cuſtomer of ſuch Port, or creek where the ſame metall ſhalbe ſhipped, the true weight of all ſuch metall as ſhall bee ſhipped, and ſhall alſo before the ſhipping thereof, make a ſufficient obligation in the law, in which hee ſhall bee bounden to the ſaid Cuſtomer to the Kings vſe, in ſuch

What he muſt doe that ſhippeth metals in one port of this realme, to carry to another.

ſumme as ſhall amount to the double value, and x.li.for euery M.weight, ſo declared and manifeſted, with condition, as in the ſaid Statute is appointed and enacted, and ſhall make certificate of the diſcharge thereof, in like manner as in the ſaid ſtatute is further ordeined and enacted.

The penalty of a Cuſtomer offending. And be it further enacted, that if any Cuſtomer, Comptroller, or their deputy or deputies, by couin, or by any other vndue meane, will ſuffer any perſon after that the metall is ſhipped, or carried, contrary to the meaning of this Act, to make obligation or obligations, without dates, for the diſcharge and certificate of their metall, as is aforeſaid, that then ſuch Cuſtomer, ſo ſuffering, or receiuing ſuch obligation, or obligations, ſhall loſe his office and the value of the metall ſo ſhipped, or carried,

The penalty of the Maſter of a ſhip, which carrieth the metall. And be it further enacted, that if any Maſter, Owner, Purſer, or Boteſwaine of any ſhip, doe willingly permit or ſuffer any of the metals aboueſaid to be ſhipped contrary to the tenor of this Act, or elſe perceiuing any ſuch metall to be ſhipped, doe not diſcloſe the ſame within thrée dayes after knowledge had to the Cuſtomer, or Comptroller of the ſame port, or his or their deputy or deputies, where the ſame is ſhipped, that then euery ſuch Owner, Maſter, Purſer, or Boteſwain ſo willingly putting the ſame metall to be ſhipped, or concealing the ſame when he perceiueth it to bee ſhipped, ſhall forfeit the double value of the ſame metall ſo ſhipped or carried. And if any Cuſtomer or Searcher doe willingly ſuffer any of the metals aforeſaid, to be ſhipped contrary to the meaning of this Act, or elſe hauing knowledge that it is ſecretly ſhipped, or carried, doe not ſeiſe the ſame to the Kings vſe, then euery Cuſtomer, or ſearcher ſo offending, ſhall loſe his office, and the value of the metall ſo ſhipped or carried.

No metall ſhall be laden but where there is a Cuſtomer. And be it further enacted, That no perſon nor perſons, ſhall after the ſaid feaſt, lade, ſhip, or carry into any part beyond the Sea, any of the metals aforeſaid, but onely out of ſuch port or créeke, where the Cuſtomer or his deputy is reſident, and dwelling, vpon paine of forfeiture of the ſaid metall, and ten pound for euery thouſand weight ſo ſhipped or carried, the moity of all which forfeitures ſhall bee to our Soueraigne Lord the King, and the other moity to him or them that will ſue for the ſame by Bill, Plaint, Information, action of debt, or otherwiſe in any of the Kings Courts, in which no eſſoine, protection, or wager of law ſhall bee admitted or allowed.

A confirmation of the ſtatute of 33.H.8.7. And be it further enacted, that the ſaid Eſtatute made in the ſaid thrée and thirtieth yéere of the reigne of the ſaid late King Henry the eight, and euery article and prouiſion, being not altered by this eſtatute, ſhall be góod and effectuall. 21.H.8.10.

Cap. XXXVIII.

The Streets, lanes, wayes, and cauſeyes in Calice, ſhall be paued, and all the houſes there ſhall bee couered with tiles, or ſlates. PR.

Cap. XXXIX.

The Kings generall and free pardon confirmed by Parliament. Except &c. EXP.

ANNO TERTIO ET QVARTO *EDWARDI* SEXTI.

ACTS made in the Seſſion of this preſent Parliament, holden vpon prorogation at Weſtminſter the fourth day of Nouember, in the third yeare of the raigne of our moſt dread Soueraigne Lord, *EDWARD* the ſixth, by the grace of God, King of England, France, and Ireland, Defendor of the faith, and of the Church of England, and alſo of Ireland, in earth the ſupreme head: and there continued and kept to the firſt of February, in the fourth yeare of the reigne of our ſaid Soueraigne Lord, as followeth.

Cap. I.

The Lord Chancellor, &c. ſhall name the Custos Rotulorum *in euery Shire of England and Wales.*

37.H.8.1. Where in the Parliament holden at Weſtminſter in the ſeuen and thirtieth yéere of the reigne of the moſt excellent Prince of famous memory King Henry the eighth, it was enacted that no perſon or perſons ſhould from the making of the ſaid Act, bee nominated and appointed to the office or offices of Cuſtos rotulorum, within any ſhire of this Realme of England, Wales, or other the Kings dominions, Marches, or Territories of the ſame, but ſuch as ſhould haue a bill ſigned with the Kings hand for the ſame, which bill ſigned, ſhould bee a ſufficient warrant by authority of the ſaid Act, to the Lord Chancellor of England, and Lord Keeper of the great ſeale, for the time being, to make from time to time, Commiſſion or Commiſſions, aſſigning and authoriſing thereby, the ſame perſon to be Cuſtos rotulorum, vntill the King had by another bill aſſigned with his owne hand, appointed and ordeined another perſon, to haue, occupy and exerciſe the ſame office of Cuſtos rotulorum, and that the ſaid perſon appointed, and aſſigned to be Cuſtos rotulorum, as is aboueſaid, ſhould and might occupy, exerciſe, and enioy the ſaid office of Cuſtos rotulorum by himſelfe, or by his ſufficient deputy learned in the lawes of this realm, and meet and able to ſupply the ſaid office, according to the tenor of the ſaid grant or Commiſſion, as by the ſame Act among other things more at large it doth, and may appeare.

Since the making of the which Statute, diuers and many perſons being in the ſaid offices of Cuſtos rotulorum, in diuers Shires of the Realme, haue departed this preſent life, and dyed, ſo that there hath not come to the hands of the Chancellor of England, or Lord Keeper of the great ſeale, any bill or bils aſſigned with yͤ Kings Maieſties hand for the naming, appointing, or aſſigning of any new Cuſtos rotulorum, in the ſame ſhires, and ſo the ſaid offices haue remained voyd for a long time, to the great let of iuſtice. And alſo for that it ſhalbe very tedious, and much to the moleſting of the kings maieſty vpon euery auoidance of ſuch Cuſtos rotulorum, by death or otherwiſe, to moue his Maieſty for the ſigning of bils for other perſons to be elected, named, choſen, & appointed to ſupply the ſaid offices of Cuſtos rotulorum, being void. And for that the nomination and appointing of the ſaid office of Cuſtos rotulorum, long before the making of the ſaid Statute laſt before rehearſed did appertain and belong to the office of the Chancellor of England, or Lord keeper of the great ſeale for the time being.

Reaſons why the Cuſtos Rotulorum ſhould be aſſigned by the L. Chancellor, and not by the King.

Be it therefore enacted by the King our Soueraigne Lord, with the aſſent of the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled and by the authority of the ſame, that the Chancellor of England, or Lord keeper of the great ſeale for the time being, ſhall at all time and times hereafter, and from time to time without any bill or bils, to bee aſſigned with the Kings hand, name, elect, aſſigne, and appoint ſuch perſon and perſons to be Cuſtos rotulorum, within euery ſhire of this realme of England, Wales, and other the Kings dominions, marches and territories of the ſame, or by any of them, as by the diſcretion of the ſaid Lord Chancellor, or Lord keeper of the great ſeale, for the time being, ſhall be thought able, and meet to haue and exerciſe the ſame. And that the ſaid perſon and perſons, ſo to bee appointed, elected, named and aſſigned by the ſaid Lord Chancellor, or Lord keeper of the great ſeale for the time being, ſhall and may occupy, exerciſe and enioy the ſame office of Cuſtos rotulorum, by himſelfe, or by his ſufficient deputy or deputie, in as ample, and large manner, and forme as if the ſaid Act had neuer beene had ne made, the before rehearſed Act, or any thing therein conteined to the contrary hereof in any wiſe notwithſtanding.

The L. Chancellor, &c. ſhall appoint the Cuſtos rotulorum in euery ſhire.

Prouided alway, and bee it enacted by the authority aforeſaid, that all ſuch as now haue any of the ſaid offices of Cuſtos Rotulorum, by the Kings Letters Patents, or Commiſſion to them or any of them made, ſhall and may enioy, haue, and exerciſe their ſaid offices by vertue of the ſame Letters patents, or Commiſſion, by himſelfe or his ſufficient and able deputy, inſtructed in the lawes of this Realme, any thing in this preſent Act, had or made to the contrary notwithſtanding.

Cuſtos rotulorum may exerciſe his office by himſelf or his deputy.

Prouided alſo, that it be enacted by the authority aforeſaid, that the Archbiſhop of Yorke, the Biſhop of Durham, the Biſhop of Ely, and euery of their ſucceſſors, the Chancellor of the Duchy of Lancaſter for the time being, and all and euery perſon and perſons, Corporations, and bodies corporated, to whom the Kings Maieſty, or any of his noble progenitors by his, or their Letters Patents, or Act of Parliament, haue giuen and granted any liberty and authority, or otherwiſe haue authority by other lawful means or wayes, to ordeine, make, and conſtitute, any of the ſaid officers of Cuſtos rotulorum, within any County Palatine, or other place, ſhall and may haue, and enioy the ſame liberty, and authority, according as they haue had and enioyed the ſame, any thing in this preſent Act, had or made to the contrary notwithſtanding.

The right of others ſaued which haue authority to name the Cuſtos Rotulorum.

Cap. II.

In Townes not corporate Iuſt. of Peace ſhall appoint Ouerſeers, for the true making of wollen cloth, &c.

FOraſmuch as by the ſleight and ſubtile making of clothes, and colours within diuers parts of this realme now of late practiſed, and vſed, not only great infamies and ſlanders haue growne to this ſame realme, but alſo the Kings maieſties faithfull and true ſubiects haue ſuſtained great loſſe in the vſe, and wearing of the ſame clothes, ſo ſleightly and ſubtilly made. For remedy and reformation whereof bee it ordeined, and enacted by the Kings moſt excellent Maieſty, with the aſſent of the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that euery Clothier and Clothmaker, ſhall from the feaſt of the Annunciation of our Lady next comming, ſet his ſeale of lead to his cloth, declaring thereby the iuſt lengths thereof, to be tried by the water.

The Clothier ſhal ſet his ſeale of lead to his cloth.

And that no perſon ſhall from the ſaid feaſt ſtreine, or ſtretch any ſet clothes, or any other cloth aboue one yard and a halfe in length, and a quarter of a yard in bredth, vpon paine to forfeit forty ſhillings for euery default.

Stretching of cloth.
Al. 5.E.6.6.39.El 20.43.El.10.
Shrinking of cloth.

And that no perſon, nor perſons, ſhall from the ſaid feaſt, vpon paine laſt before remembred, put to ſale any cloth, which when it ſhall bee wet, ſhall ſhrinke more than one yard and an halfe in all the length, and a quarter of a yard in the breadth. And that narrow ſtreits, and kerſeyes, ſhall not from the ſaid feaſt be ſtretched, aboue a yard in length, & halfe a quarter of a yard in breadth, vpon the paine for euery default therein twenty ſhillings, nor ſhal put to ſale any cloth, narrow, ſtreit or kerſey, the pieces whereof being wet, ſhal ſhrinke more than after the ſame ſeueral rates in the whole piece, vpon paine to forfeit for euery ſuch offence, xx.s.

Dying of cloth.

And further that no perſon or perſons occupying the feat of Dying, ſhall Dye or alter into colors, or cauſe to be died, or altered into colors, any woollē clothes, as browne blewes, peukes, tawnies or violets, except the ſame woollen cloths be perfectly boiled, greined, or maddered vpon the woad, and ſhot with good and ſufficient corke, or orchal after a due, ſubſtancial, and ſufficient maner of workmanſhip, according to the ancient workmanſhip in time paſt vſed, vpon paine for euery default to forfeit xx.s.

Dying of wooll

Nor that any perſon ſhall from the ſaid feaſt Dye any wooll to bee conuerted into cloth, called ruſſets, muſters, marbles, graies, royes, and ſuch like colours, or to be conuerted, and made into Hats or Caps, vnleſſe the ſame wooll be perfectly woaded, boiled, and maddered according to the true and ancient vſage, vpon the paine of forfeiture for the falſe dying of euery ſuch cloth, or of as much wooll as ſhall ſerue for the making of euery cloth contrary to the true meaning hereof, xl.s. Nor ſhall dye with brazell to the intent to make a falſe colour in cloth or wool hats nor caps, vpon paine for euery default to forfeit xx.s.

No deceiueable thing ſhalbe put vpon cloth.

And that no perſon or perſons, ſhall after the ſaid feaſt put any flocks chalke, flower, or ſterch or any other deceiueable thing, vpon any ſet cloth, or vpon any other cloth, or clothes coloured, or vncoloured, vpon paine to forfeit for euery ſuch offence, xl.s.

No yron cards or pickards.

And that no perſon ſhall from the ſaid feaſt, occupy any yron cards, or pickards in rowing of any ſet cloth, or any manner of woollen cloth, vpon paine to forfeit as well the ſaid yron cards, or pickards, as alſo the ſumme of xx.s. for euery ſuch offence.

Meaſure of cloth. 6.H.8.9.

Nor that any perſon ſhall from the ſaid feaſt ſell any cloth by any leſſe meaſure than after the true content thereof, to bee meten and meaſured by the yard, adding to euery yard one inch of the rule, according to the ſtatute made in the ſixth yeere of the Reigne of the moſt worthy Prince of moſt famous memory King Henry the eighth, father vnto our Soueraigne Lord the King that now is, vpon paine to forfeit for euery yard of cloth ſo put to ſale, by any other leſſe meaſure, ſix ſhillings eight pence. And that no perſon ſhall from the ſaid feaſt, put to ſale here within the Realme, either by retaile or otherwiſe, any cloth being preſſed to be occupied, and worne here withn the Realme of England, Wales, or Ireland, vpon paine of forfeiture of the ſame cloth, or the value thereof that haue beene ſo preſſed, and put to ſale as is laſt before remembred.

Preſſed cloth.

Ouerſeers appointed by Iuſtices of Peace, or chiefe gouernors of corporat townes.

And for the better execution of this ſtatute: Bee it enacted by the authority aforeſaid, that in euery Towne, Village, or Hamlet, being not corporate, where any cloth ſhall bee made or ſold, the Iuſtices of Peace of the ſame Shire where any ſuch Towne, Village, or Hamlet is, or two of them at the leaſt: and in euery City, Borough, or Towne corporate, the head officer, or officers of euery of the ſame City, Borough, or Towne corporate, together with the wardens of the Clothworkers, or two of them at the leaſt, ſhall haue full power and authority by vertue of this Act, once euery yeere to conuent, and call before them by their precept, or otherwiſe, two, foure, ſix, eight, or more, as they ſhall thinke good by their diſcretion, of the moſt honeſt, diſcreet, and indifferent men of euery ſuch City, Borough, Towne, Village, or Hamlet, where any cloth ſhalbe made or ſold, and them ſhall conſtitute, ordaine, and appoint to bee ouerſeers for one whole yeare then next following within the City Borough, Towne, Village, or Hamlet, where the ſame ouerſeers ſhalbe dwelling, charging them alſo vpon their oathes, and as they doe tender the honour of the Realme, and the common wealth of the ſame, that they doe endeuour themſelues for that yeere, as much as in them ſhall lye, to ſee that this ſtatute be truly obſerued, and kept within the limits of their charge, in euery part thereof.

The Ouerſeers duty.

And that the ſame ouerſeers, or two of them, ſhall euery quarter of the ſaid yeere at the leaſt, or ſo often as need ſhall require, by their diſcretions, by force hereof, viſite, and goe into euery Clothiers, Drapers, Clothworkers, Dyers, and Preſſors houſes, ſhops, and other places, where cloth or dyed wooll ſhall bee, and there to make due ſearch, and to view the clothes, and wools, made, or dyed, or remaining to be ſold and to ſearch and try, as well whether the ſaid clothes bee drawne, or ſtreined, or falſly dyed, as alſo of all other the defaults before ſpecified, committed or done contrary to the true meaning of this Act. And if vpon the ſearch the clothes found drawne or ſtreined, or the cloth; or wools falſly dyed, or coloured, or any other of the ſaid faults committed or done contrary to the true meaning of this ſtatute: that then the ſaid ſeuerall forfeitures to incurre vpon the party or parties, which ſhall offend in the ſame; or in any of them: the one halfe of all which forfeitures to be vnto the King our Soueraigne Lord, his heires or ſucceſſors, and the other halfe to ſuch of the ſaid ouerſéers, as doth find the ſaid defaults or cauſes of forfeitures, and that will ſue for the ſame in any ot the Kings Courts of Record, or before the Iuſtices of peace, within any ſuch city, borough or towne corporat, or before the Iuſtices of peace, within any ſhire where any ſuch forfeitures ſhall bee had out of any city or towne corporate: the ſame ſuit to bee purſued by bill, plaint, action of debt, information or otherwiſe, and in which ſuit no wager of law eſſoine, or protection ſhall be allowed for the defendant.

The forfeitures for defaults in cloth, and who ſhal haue them.

And if the ſaid ouerſéers ſhall bee negligent, and will not ſue for the ſame forfeitures, by the ſpace of one halfe yéere next after the cauſe of the ſame forfeitures cõmitted, and done, that then the one halfe of the ſame forfeiture to bee vnto our ſaid Soueraigne Lord the King, his heires or ſucceſſors, and the other halfe to him which will ſue for the ſame, as is aforeſaid, within one other halfe yéere next after ſuch default be had by the ſaid ouerſéers.

And if any of the ſaid perſons ſo commanded to appeare to be made ouerſeers, as is aforeſaid, and hauing no reaſonable excuſe, doe refuſe to come, and to take vpon him or them to be an ouerſéer, as is aforeſaid, that then euery ſuch perſon refuſing, and hauing no reaſonable excuſe ſo to do, to forfeit for euery ſuch refuſing forty ſhillings, the one halfe thereof to bee to the King our ſaid Soueraigne, his heires or ſucceſſors, and the other halfe to the Iuſtices of peace, or other head officer or officers, by whoſe commandement hee was commanded to appeare, or to be an ouerſéer, and the ſame ouerſéer ſo offending, to remaine in the ward of the Sheriffe, vntill ſuch time as hee haue made payment of the ſaid forfeiture, or otherwiſe put in ſufficient bond for the ſatiſfaction of the ſame. And if the ſame ouerſéers, or two of them at the leaſt, doe not once euery quarter of the yéere, make due ſearch for the true executing of this Statute: that then euery of the ſaid ouerſéers, to forfeit for euery ſuch default, ten pound, the one halfe to bee to the Kings Highneſſe, his heires or ſucceſſors, and the other halfe to him that will ſue for the ſame by bill, plaint, action of debt, information, or otherwiſe. In which ſuit no eſſoine, or protection ſhall bee allowed for the defendant. And if the ſaid ouerſéers ſhall bee interrupted, and not ſuffered to enter into the ſaid houſes, ſhops, or other places, where any ſuch clothes or wools ſhall be made, or died, or any other of the ſaid defaults ſhall happen to be done or committed, there to make ſearch for the better executing of this Statute, that then euery one that ſo ſhall make any ſuch interruption, ſhall forfeit twenty pound, the one halfe of which forfeiture, to be to our ſaid Soueraigne Lord the King, his heires or ſucceſſors, and the other halfe thereof to be to the ſaid ouerſéers, to whom any ſuch interruption ſhall be made, and the ſame to be obtained, and purſued for, in ſuch manner and forme as before in this Act is expreſſed for the recouery of other of the ſaid forfeitures.

The forf. of him which refuſeth to be ouerſeer.

The forfeiture for the interruption of the ouerſeers.

Prouided alwayes, and be it enacted by the authority aforeſaid, that it ſhall and may be lawfull to euery perſon and perſons, to put to ſale any cloth or clothes, made, dyed, or preſſed, which before the ſaid feaſt of the Annunciation of our Lady ſhall be made, dyed, or preſſed at any time within one yéere, next after the ſaid feaſt of the Annunciation of our Lady, ſo as the Alneger, or his deputy, or other head officer in any ſuch City, Borough, Towne, Village, or Hamlet, doe put ſome notorious marke to euery ſuch cloth, whereby the ſame may be knowne to be made before the ſaid feaſt of the Annunciation of our Lady next comming.

Prouided alſo, that no manner of perſon, ſhal take any aduantage of any of the ſaid forfeitures by reaſon of this ſtatute, vnleſſe the ſame perſon doth commence his ſuit, within one yéere next after the ſaid offences and forfeitures committed.

Within what time the forf. ſhalbe taken.

And to the intent, that all ſuch clothes as ſhall be made within this Realme, or any other of the Kings dominions after the ſaid feaſt ſhall be the better knowne from the other clothes made before the ſame time. Be it therefore enacted by the authority aforeſaid that euery clothier ſhal before ſuch time, as he ſhall put his cloth to ſale, being made after the ſaid feaſt, cauſe euery cloth to be marked wᵗ a letter of E. crowned, wrought in the cloth, vpon pain of forfeiture for euery cloth ſo being ſold, and not marked with the ſaid letter E. by any ſuch clothier, twenty ſhillings, the one halfe of which forfeiture to bee to onr Soueraigne Lord the King, his heires or ſucceſſors, and the other halfe to him that will ſue for the ſame, in manner and forme before rehearſed.

Clothes ſhalbe marked with the letter E. crowned.

Cap. III.

Euery perſon bringing an Aſſiſe vpon any branch of either of the ſtatutes touching approuement of waſts, &c. ſhall haue treble dammages.

WHere in the Parliament holden at Merton in the twentieth yéere of the reigne of King Henry the third, it is contained, that for becauſe many great men of England which had

enfeoffed

By the ſtat.of 20.H.3.4 Lords of manors may approue againſt their tenants.

enfeoffed Knights, and other their free Tenants of ſmall tenements in their great Manors, did complain that they might not make their profits of the reſidue of their manors, as of waſt, woods, and paſtures, where the ſame feoffees had ſufficient paſture, as much as belonged vnto their tenements, it was prouided and granted, that whatſoeuer perſons ſo enfeoffed, brought aſſiſe of nouel diſſeiſin of their common of paſture, and before the Iuſtices it were recogniſed, that they had as much paſture as did ſuffiſe vnto their tenements, and that they had free ingreſſe, and egreſſe into, and from their tenements vnto their paſture, that then they ſhould therewith be contented, and that they vpon whom they had complained, ſhould depart quiet with that, that they might make their profit of their lands waſts, woods, and paſtures. And if it were ſaid that they had not ſufficient paſture, or ſufficient ingreſſe, and egreſſe, aſmuch as doth belong vnto their tenements, as is aboueſaid, that then the truth therof ſhould be enquired by aſſiſe: and if it were recogniſed by the Aſſiſe, that their ingreſſe, & egreſſe were in any thing letted by the ſame deforciators, or that they had not ſufficient paſture and ſufficient ingreſſe and egreſſe, as is aboueſaid, that then they ſhould recouer their ſeiſon by view of the Iurors, ſo that by the diſcretion, and oath of them, the complainants ſhould haue ſufficient paſture, and ſufficent ingreſſe, and egreſſe, in form aforeſaid, and that the diſſeiſors ſhould be in amerciament of the King, and ſhould yeeld damages, as they were wont to doe before the ſame prouiſion. And if it were recogniſed by the aſſiſe, that the complainants had ſufficient paſture with free ingreſſe, and egreſſe, as is aboue mentioned, that then the other might lawfully doe their profit of the reſidue, and ſhould goe quite from the ſame aſſiſe, as in the ſaid eſtatute more plainly appeareth.

By the ſtat.of 13.Ed.1.46. Lords of manors may approue againſt their neighbors.

And where alſo in the Parliament holden at Weſtminſter, after Eaſter, the thirteenth yeere the raigne of King Edward the firſt, it was ordained, that where in the ſtatute made at Merton, it was agreed that Lords of waſts, woods, and paſtures might approue themſelues of their waſts woods, and paſtures, notwithſtanding the gainſaying & contradiction of their tenants, whiles the ſame tenants had ſufficient paſture to their tenements, with free ingreſſe, and egreſſe into, and from the ſame. And for that no mention was made betweene neighbour and neighbour, many Lords of waſts, woods, and paſtures, vnto that time were let by contradiction, or gaineſaying of neighbors, hauing ſufficient paſture. And foraſmuch as forrain tenants haue no greater right of commoning in the wood, waſt, or paſture of any Lord, than the proper tenants of the ſame Lord, it was from thenceforth ordained, that the ſaid ſtatute prouided at Merton, betwéen the Lord and his tenants, ſhould haue place from thenceforth betwéen the Lords of waſts, woods, and paſtures and neighbours: ſauing ſufficient paſture to their men and neighbours, ſo that the Lords of the ſame waſt, waſts, woods, and paſtures may approue themſelues of the reſidue, and that the ſame ſhould be obſerued of them that claim paſture, as pertaining to their tenements. But if any man claime common of paſture by ſpeciall feoffement or graunt, to a certaine number of beaſts or otherwiſe, then of common right he ought to haue it: where couenant doth abrogate the law, he ſhal haue ſuch recouery as he ought to haue by form of the grant to him made. And that by occaſion of a Windmill, Sheephouſe, Dairy, augmentation, or increaſe of any Court neceſſary, or curtilage from thenceforth no man ſhould be grieued by aſſiſe of nouel diſſeiſon, of common paſture. And for as much as it happeneth ſometime that ſome men hauing right to approue to himſelfe, hath made or leuied a ditch or a hedge, and other by night, or ſuch other time, when they beleeue their deed ſhould not be knowne, doe, or wil caſt down the ſame dith or hedge, and that it cannot be knowen by verdict of Aſſiſe, or Iury, who did caſt downe the ſame ditch or hedge, nor the men of the next Towne will indict them that be guilty of the ſame deeds, then the next towneſhip adioyning about the ſame ſhall be diſtreined, to leuy, and make vp the ſame ditch, or hedge, at their proper coſts, and to yeeld dammages, as in the ſaid eſtatute amongſt other things more plainely appeareth.

For what cauſes any may approue common.

A ditch or hedge of ground approued caſt downe by perſons vnknowne.

A confirmation of the foreſaid Stat of Merton and Weſt. 2

And foraſmuch as the aforeſaid eſtatutes beene thought beneficiall for the Common wealth of this Realme of England. Be it enacted by the King our Soueraigne Lord, with the aſſent of the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that all and euery the ſaid ſtatutes, and all branches, clauſes, articles, ſentences, matters, and points contained, and ſpecified in them, and euery of them now not repealed, ſhall from henceforth be good and effectuall, and alſo ſtand and bee in their full ſtrength, force and effect.

Treble damages vpon an aſſ. of common of paſture, &c.

And becauſe that ſuch perſons as ſhall bring Aſſiſe of Nouel diſſeiſon vpon the ſaid Eſtatutes or vpon any of them, ſhall by force of the Eſtatute, recouer but onely ſingle dammages, which is thought to be a ſmall recompence for the ſame. Therfore be it enacted by the authority aforeſaid, that ſuch perſon and perſons, as ſhall at any time hereafter bring aſſiſe vpon any branch or article of the ſaid eſtatutes, or any of them, and haue iudgement to recouer, ſhall haue his or their dammages trebled by the iudgement of the Court, where ſuch aſſiſe, and iudgement ſhalbe had.

Houſes builded vpon waſts with 3. acres of ground.

And where in diuers Countries of this Realme, there hath beene builded vpon Commons, or waſt grounds, certaine neceſſary houſes with ground, vnder the quantity of three acres, and not aboue three acres, encloſed to and with the ſame: and in ſome place there is encloſed a Garden,

den, Orchard, or Pond, out, of, or in ſuch waſts, or grounds, which exceed not the quantity of two acres, or thereabouts, which doth no hurt, and yet is much commodity to the owner therof, and to others: bee it therefore enacted by the authority aforeſaid, that the ſaid two former Acts, nor any of them, nor any thing in them contained, ſhall extend to any ſuch houſe, ground, or other thing ſo encloſed, as is laſt herein before mentioned, ne ſhall cauſe any perſon or perſons to loſe or forfeit any paine, dammage, or penalty for the ſame.

Prouided alwayes, and be it enacted, that if any ſuch houſe hath béene heretofore builded vpon any ſuch waſt ground, as is aforeſaid, and that there be aboue the number of thrée acres encloſed to the ſame, that then the ſaid houſe, and thrée acres parcell of the ſame encloſure, ſhall ſtill remaine, ſtand, abide, and continue in like, and the ſame forme and degrée, as it now doth, and that the ouerplus of the ſaid thrée acres ſo encloſed, as is aforeſaid, ſhall and may bee laid open by the owner or owners of the ſame waſtes: any thing in this Act, or in any of the ſaid former Acts, to the contrary in any wiſe notwithſtanding.

The ouerplus aboue 3 acres ſhalbe laid open.

Cap. IIII.

Grants made by Patentees out of Patents ſhall be good.

Where the right noble, and famous King of full worthy memory King Henry the eighth, father to our moſt dread, and now naturall Soueraigne liege Lord, ſithence the fourth day of February, in the ſeuen and twentieth yéere of his late raigne, and alſo the Kings moſt excellent Maieſty, by their ſeuerall Letters Patents, haue giuen, granted, bargained, ſold, and exchanged, to, and with diuers and ſundry the ſubiects of this realme, bodies politike and corporate in fée ſimple, fée taile, for terme of life, or yéeres, diuers honors, caſtles, manors, lands, tenements, and other hereditaments, and offices: After, and ſince which grants, bargaines, ſales, and exchanges, diuers of the ſaid patentées, their heires, ſucceſſors, or aſſignes haue bargained, ſold, giuen, exchanged, or demiſed diuers particular parts, parcels, or portions of the ſaid honors, caſtles, manors, lands, tenements, hereditaments, and offices, or other things thereunto appertaining, or belonging to other perſon or perſõs, bodies politike or corporat, that is to ſay, to ſome of them in fée ſimple, to ſome other in fée taile, for terme of life or yéers, or otherwiſe. And after the ſame patentées for conſiderations them mouing, haue ſurrendred or giuen vp their ſaid Letters patents into the Chancery, or otherwiſe the ſame letters patents haue béene forfeited by attainder, loſt, cancelled, imbeſilled, or by other wayes or meanes haue come to the hands of the Kings Maieſty his late father. And therupon oft-times the enrolment of the ſame hath béen made void and fruſtrate, ſometime in part, and ſometime in the whole, by reaſon whereof ſuch perſons, bodies politike or corporate, as haue had intereſt or title, in or to the ſame caſtles, manors, or particular portions, or parcels of the ſame ſo to them giuen and granted, haue béne in times paſt, and in time to come are like to be diſherited, or in danger of loſſe of their intereſt, in, or to the ſame, to their no little hinderance and perill.

For remedy whereof, be it ordeined, eſtabliſhed, and enacted, by the authority of this preſent Parliament, that all and euery perſon or perſons, bodies politike or corporate, which lawfully ſhall or may claime by force of any patent, or patents made ſithence the fourth day of February, or hereafter to be made by the Kings Maieſty, his heires or ſucceſſors Kings of this Realme, or by any of them, and all other that now haue, or hereafter ſhall happen to haue any good or lawfull eſtate, right, title, rent, profit, intereſt, or poſſeſſion, of, in, to, or out of any honors, manors, lands tenements, hereditaments, or offices, or of other things, to any of the premiſſes appertaining or belonging, or to any part, parcel, or member of them, or any of them, by, from, or vnder any ſuch Patentée, or Patentées, or any of them, or by, from, or vnder the heires, ſucceſſors, or aſſignes of them or any of them, or by, from, or vnder the ſtate of any others, which had, haue, or hereafter ſhall haue the ſtate, title, or intereſt, of any ſuch patentée or patentées, or by any other meanes vnder the date of such letters patents, ſhal and may at all times hereafter, in any the Kings courts his heires or ſucceſſors, and elſewhere, by vertue of this preſent act, make and conuey vnto themſelues title by way of declaration, plaint, auowry, title, barre, or otherwiſe, as well againſt the Kings highneſſe, his heires and ſucceſſors, and euery of them, as againſt any other perſon or perſons, vnto the ſaid honors, caſtles, manors, lands, tenements, offices and other the premiſſes, or any part or parcel of the ſame, vnto them or any their predeceſſors, or anceſtors, or others, whoſe eſtate they haue in the ſame, by, from, or vnder the ſaid patentées, or any of them, or the heires, anceſtors, or aſſignes of any of them, or otherwiſe, vnder the date of the ſaid letters patẽts, compriſed and contained in any exemplification, or conſtat thereof made, or to be made by the ſhewing forth of the ſaid exemplification, or conſtat of the roll, or of ſo much thereof as ſhall ſerue for the matter in variance, vnder the great ſeale of England. And the ſame exemplification, or conſtat of the ſaid enrolment ſo (as is aforeſaid) pleaded, and ſhewed, ſhall bee of like, and the ſame force and effect, to all intents, and conſtructions in the law, as the ſaid firſt letters patents were and ſhould be of, if the ſame were or ſhould be pleaded or ſhewed. 13. El. 6.

Cok.li.5.f.53.
ec.fo.167.179.
o.Surrender.51.
ks inſt.335.b.

An exemplification of the king Let. Pat. vnder the great ſeale ſhalbe of as good force as if the ſame Let. Pat. were ſhewed.

Cap. V.

It ſhall bee high treaſon for twelue perſons or aboue being aſſembled together, to attempt to kill or impriſon any of the Kings Councell, or to alter any lawes, and to continue together by the ſpace of an houre being commanded by a Iuſtice of Peace, Mayor, Sheriffe, &c. to returne. And it ſhall be felony for twelue perſons or aboue, to practiſe to deſtroy any Parke, Pond, Conduit, or Douehouſe, or to haue common or way in any ground: Or to pull downe any Houſes, Barnes, or Mills: Or to burne any ſtacke of corne: Or to abate the rents of any lands, or the prices of any victuall, and to continue together an houre, being commanded by a Iuſtice of Peace, Sheriffe, Bayliffe, &c. by Proclamation to returne. EXP. St. 7. Ed. 6. 11. & Rep. 1. M. 12.

Cap. VI.

All Artificers vſing the cutting of Leather may buy and ſell all tanned leather, ſo that they conuert the ſame into made wares, notwithſtanding the Statute of 2. & 3. *Ed.* 6. 9. EXP. St. 1. *M.* 13.

Cap. VII.

Part of the Stat. containing taking of wilde fowle, with nets or other engines, repealed.

25.H.8.11.

Where in the fiue and twentieth yeere of the reigne of your Maieſties father, of moſt famous memory, King Henry the eighth, an Act was made containing two branches, whereof the one was againſt the taking of wilde fowle, betweene the laſt day of May, and the laſt day of Auguſt, with any nets or engines, vpon a paine limited thereupon, as in the ſaid ſtatute more largely doth appeare: For as much as the occaſion of the ſaid branches, appeareth ſithen to haue riſen but vpon a priuate caſe, and that no manner of common commodity is ſithen perceiued to be growne of the ſame, being notably, by daily experience found, and knowne that there is at this preſent, leſſe plenty of fowle, brought vnto the markets, than was before the making of the ſaid Act, which is taken to come of the puniſhment of God, whoſe benefit was thereby taken away from the poore people, that were wont to liue by their ſkill, in taking of the ſaid fowle, whereby they were wont at that time to ſuſtaine themſelues, with their poore houſholds, to the great ſauing of other kindes of victuall, of the which ayd they are now deſtitute, to their great and extreme impoueriſhing: Humbly beſeeching your Grace, your Maieſties true and faithfull ſubiects, eſpecially ſuch as haue their places of habitation nigh vnto the Fens, that all that branch of the ſaid Act, made in the ſaid fiue and twentieth yeere of your Graces ſaid father of moſt noble memory, touching the taking of wilde fowle, in manner as is aboueſaid, may bee from henceforth by your Maieſty, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, repealed and vtterly void and of none effect, with all and euery Article, ſentence, matter, paines, and forfeitures, contained or otherwiſe mentioned in the ſaid branch as if the ſame Act had neuer beene had, ne made.

A repeale of ſo much of the ſtat of 25.H.8.11. as toucheth the taking of wild fowle with engins at certaine times.

Prouided and be it enacted by the authority aboueſaid, ẏ one other branch, conteined in the ſaid Act, concerning ſuch perſons as ſhall preſume by day, or night willingly to withdraw, purloyne, take, deſtroy or conuey, any manner of egges of any kind of wild fowle, from or in any neſt, place or places, where they ſhall chance to be layed, by any kinde of wild fowle, with euery article, ſentence, matter, paines, forfeitures and prouiſions, contained, or mentioned in this ſaid laſt branch, ſhall ſtand in full ſtrength and effect, to all purpoſes, intents and conſtructions, as if this preſent Act had neuer beene had nor made.

No perſon ſhall deſtroy or take away the egges of any wilde fowle.

Cap. VIII.

The Statute of Sewers ſhall be continued.

The ſtat, of 23. H.8.5 touching the Commiſſion of Sewers made perpetuall.

Where in the Parliament holden at Weſtminſter, by Prorogation the fifteenth day of January in the three and twentieth yeere of the moſt victorious raigne of our late Soueraigne Lord King Henry the eighth, among other things, one generall Act, concerning Commiſſions of Sewers, to be directed into all parts, within this Realme, was enacted and made to continue and endure for twenty yeeres, then next following, as by the ſame Act more at large it doth and may appeare. And foraſmuch as the ſame Act is thought good and beneficiall for the common wealth of this Realme: Be it therefore enacted and ordeined by the King our ſoueraigne Lord, with the aſſent of the Lords ſpiritual and temporal, & the commons in this preſent Parliament aſſembled, and by the authority of the ſame, that the ſaid Act, and all clauſes, articles & prouiſions in the ſame contained, ſhall continue and endure in their force and ſtrength, and to bee obſerued

ſerued and kept for euer, in ſuch manner and forme as ſhall and may ſtand with the ſequele and additions, hereafter mentioned.

And be it further enacted and eſtabliſhed by the authority aforeſaid, that all ſcots, lots, and ſummes of money hereafter to bee rated and taxed, by vertue of ſuch Commiſſion of Sewers, vpon any of the Lands, Tenements or Hereditaments, of our Soueraigne Lord the King, his Heires or Succeſſors, for any manner of thing or things, concerning the Articles of the ſaid Commiſſion of Sewers, ſhall bee gathered and leuied by diſtreſſe, or otherwiſe, in like manner and forme, as ſhall or may be done in the Lands, Tenements, and Hereditaments, of any other perſon or perſons: And that all Bills of Acquitance, ſigned with the hand or hands of ſuch Collector or Receiuor as ſhall haue the Collection thereof by the appointment of the ſaid Commiſſioners, or ſix of them, ſhall be as well a ſufficient diſcharge, to the Tenants, Fermors and occupiers of the ſame grounds, ſo to be charged for the ſaid ſumme, wherewith their grounds ſhall bee ſo charged, as alſo ſufficient warrant to all and euery the receiuors, Auditors, and other whatſoeuer Officer or Officers, of our ſaid Soueraigne Lord the King, his heires and ſucceſſors, for the allowance to ſuch Tenant, Fermor, or occupier for the ſame: Adding moreouer vnto this Act, by the authority of this preſent Parliament, that ſuch and like fees, and none other nor more, ſhalbe at any time paid or demanded, for any Commiſſion or Commiſſions, or Writs of dedimus poteſtatem, hereafter to be ſued out, or obtained vnder the ſeale of the Duchy, but only ſuch and like fees as beene mentioned in the ſaid former Act, to be paid in the Chancery, for Commiſſions and Writs of dedimus poteſtatem, to bee obtained from the ſame Court of Chancery. Adding moreouer thereunto by the authority aboueſaid, that euery Commiſſion and Commiſſions, hereafter to bee awarded for Sewers, ſhall continue and endure for terme of fiue yeeres, next after the teſte of ſuch Commiſſion, vnleſſe the ſame Commiſſion and Commiſſions ſhall bee otherwiſe diſcharged, within the ſame by Superſedias, any thing or things mentioned, or contained in the ſaid former Act, contrary to the additions before mentioned, or any of them, in any wiſe notwithſtanding.

All ſummes of money rated by force of the commiſſion of Sewers vpon any of the K. Land ſhalbe leuiable by diſtreſſe.

What fees ſhall be payed for the Commiſſion of Sewers ſued out vnder the Seale of the Duchy.

How long the Commiſſion of Sewers ſhall endure. Alt. 13. El. 9.

Cap. IX.

No perſon ſhall buy any raw hides, or Calues skins to ſell againe vntanned, vpon paine to forfeit for euery Skin ſix ſhillings eight pence, Rep. 5. *El.* 8. & 1. *Iac.* 22.

Cap. X.

Certaine bookes and Images ſhall be aboliſhed.

Where the Kings moſt excellent Maieſty hath of late ſet forth, and eſtabliſhed by authority of Parliament, an vniforme, quiet and godly order of common and open prayer, in a booke intitled, The booke of common praier, and adminiſtration of the Sacraments and other rites and ceremonies after the Church of England, to bee vſed, and obſerued in the ſaid Church of England, agreeable to the order of the Primatiue Church, much more comfortable vnto his louing Subiects, than other diuerſity of ſeruice, as heretofore of long time hath beene vſed, being in the ſaid booke ordained nothing to bee read but the very pure word of God, or which is euidently grounded vpon the ſame, and in the other, things corrupt, vntrue, vaine, and ſuperſtitious, and as it were a preparation to ſuperſtition: which for that they be not called in, but permitted to remaine vndefaced, doe not only giue occaſion to ſuch peruerſe perſons, as doe impugne the order and godly meaning of the Kings ſaid booke of common praier, to continue in their old accuſtomed ſuperſtitious ſeruice, but alſo miniſter great occaſion to diuerſity of opinions, rites, ceremonies, & ſeruices: be it therefore enacted by the King our ſoueraigne Lord, the Lords ſpiritual and temporall, and the commons in this preſent Parliament aſſembled, that all bookes called Antiphoners, Miſſales, Grailes, Proceſſionals, Manuels, Legends, Pies, Portuaſſes, Primers in Latine and Engliſh, Couchers, Iournals, Ordinals, or other bookes or writings, whatſoeuer heretofore vſed for ſeruice of the Church, written or printed in the Engliſh or Latine tongue, other than ſuch as ſhall be ſet forth by the Kings Maieſty, ſhalbe by authority of this preſent Act, cleerly and vtterly aboliſhed, extinguiſhed and forbidden for euer to be vſed or kept in this Realme, or elſewhere within any the Kings Dominions.

Popiſh bookes aboliſhed. St. 3. Iac. 5.

And be it further enacted, by the authority aforeſaid, that if any perſon or perſons, of what degree, eſtate, or condition ſoeuer hee, ſhee, or they be, bodies politike or corporate, that now haue or hereafter ſhall haue in his, her, or their cuſtody, any the bookes or writings of the ſorts aforeſaid, or any Images of ſtone, timber, alablaſter, or earth, grauen, carued, or painted, which heretofore haue bin taken out of any Church or Chappell, or yet ſtand in any Church or Chappel, and do not before the laſt day of Iune next enſuing, deface, and deſtroy, or cauſe to be defaced and deſtroyed the ſame images and euery of them, and deliuer or cauſe to bee deliuered all and euery the ſame bookes to the Mayor, Bailiffe, Conſtable or Churchwardens of the Towne, where ſuch bookes then

Images taken out of, or yet remaining in Churches ſhall be deſtroyed.

Popiſh bookes ſhalbe firſt deliuered to the Mayor,&c. and then by him to the Biſhop, &c. to be burnt, or otherwiſe defaced.

then ſhall be, to be by them deliuered ouer openly within three moneths next following, after the ſaid deliuery, to the Archbiſhop, Biſhop, Chancellor, or Commiſſary of the ſame Dioces, to the intent the ſaid Archbiſhop, Biſhop, Chancellor, or Commiſſary, and euery of them, cauſe them immediatly after, either to be openly burnt, or otherwiſe defaced and deſtroyed, ſhall for euery ſuch booke or bookes willingly retained in his, her, or their hands, or cuſtody, within this Realme or elſewhere within any the Kings dominions, and not deliuered, as is aforeſaid, after the ſaid laſt day of Iune, and be therof lawfully conuict, forfeit and loſe to the King our ſoueraigne Lord for the firſt offence ten ſhillings, and for the ſecond offence ſhall forfeit and loſe (being thereof lawfully conuict) foure pounds: And for the third offence ſhall ſuffer impriſonment at the Kings will.

The penalty of Mayor,&c. or Biſhop,&c. omitting their duty herein.

And be it further enacted by the authority aforeſaid, that if any Maiors, Bailiffes, Conſtables, or Churchwardens doe not within three moneths after receit of the ſame bookes, deliuer or cauſe to be deliuered, ſuch bookes ſo by them receiued, to the Archbiſhop, Biſhop, Chancellor, or Commiſſary of their Dioces, and if the ſaid Archbiſhop, Biſhops, Chancellor, or Commiſſaries, doe not within forty dayes after the receipt of ſuch bookes, burne, deface, and deſtroy, or cauſe to bee burned, defaced, or deſtroyed the ſame bookes, and euery of them: that then they and euery of them ſo offending, ſhall loſe and forfeit to our Soueraigne Lord the King, being thereof lawfully conuict, forty pounds: The one halfe of all which forfeitures ſhall be to any of the Kings Subiects that will ſue for the ſame in any of the Kings Courts of Record, by Bill, Plaint, Action of debt, or Information, in which Action no Eſſoyne, Protection, wager of law, or other delay ſhall be allowed.

Iuſtices of Aſſiſe, & peace ſhall heare & determine theſe offences.

And for better execution of the ſame Act, bee it enacted by the authority aforeſaid, that as well Iuſtices of Aſſiſe in their circuits, as Iuſtices of Peace within the limits of their Commiſſion in the generall Seſſions, ſhall haue full power and authority to enquire of the offences aforeſaid, and to heare and determine the ſame, in ſuch forme as they may doe in other ſuch like like caſes.

Images vpon tombes ſhal ſtill remaine.

Prouided alwayes, that this Act or any thing therein contained, ſhall not extend to any Image, or picture, ſet or grauen vpon any tombe in any Church, Chappell, or Churchyard, onely for a monument of any King, Prince, Nobleman, or other dead perſon, which hath not beene commonly reputed and taken for a Saint, but that all ſuch Pictures and Images may ſtand and continue in like manner and forme, as if this Act had neuer beene had nor made, any thing in this Act to the contrary in any wiſe notwithſtanding.

Primers ſet out by H. 8. being purged, may be ſtill retained.

Prouided alſo, and bee it enacted by the authority aforeſaid, that any perſon or perſons may vſe, keepe, haue, and retaine, any Primers in the Engliſh, or Latine tongue, ſet forth by the late King of famous memory, King Henry the eighth, ſo that the ſentences of inuocation, or prayer to Saints in the ſame Primers, bee blotted, or cleerely put out of the ſame, any thing in this Act to the contrary notwithſtanding. Rep. 1. M. 2. but ſee 1. Iac. 25. which repeales 1.M.2.

Cap. XI.

The King during three yeares ſhall haue authority by the aduice of his Councell to name two and thirty perſons to examine the Eccleſiaſticall Lawes, and to gather and compile ſuch Lawes as ſhall be thought to him, his Councell, and them conuenient to be practiſed within this Realme in all Spirituall Courts: ſo that any law to be ſet forth bee not contrary to any common law or Statute of this Realme. EXP. 25. H. 8. 19. 27. H. 8. 15. 35. H. 8. 16.

Cap. XII.

Such forme and manner of making and conſecrating of Archbiſhops, Biſhops, Prieſts Deacons, and other Miniſters of the Church, as by ſix Prelates, and ſix other men of this Realme, learned in Gods Law, by the King to be appointed and aſſigned, or by the moſt number of them ſhal be deuiſed for that purpoſe, and ſet forth vnder the great Seale before the firſt of Aprill next comming, ſhalbe lawfully exerciſed and vſed, and none other. Exp. St. 1. *M.* 2. 1. *Iac.* 25. 5. *Ed.* 6. 1. 13. *El.* 12.

Cap. XIII.

Sir *William Sherington* before attainted of Treaſon, pardoned of all Treaſons and offences, and reſtored in bloud aud freedome. PR.

Cap. XIIII.

Mary Seimour the ſole daughter and heire of *Thomas* Lord *Seimour*, attainted of high Treaſon, reſtored in bloud, bnt not to her Fathers Lands. PR.

Cap. XV.

The penalty for publiſhing any falſe Prophecie vpon occaſion of Armes, Fields, &c. to the intent to make diſſention, &c. ſhalbe for the firſt offence one yeeres impriſonment, & the forf. of x. li.

And for the ſecond offence,the forfeiture of all his goods,and impriſonment during his life.EXP. St.7.Ed.6.11. Stat.33.H.8.14. 5.Eliz.15.

Cap. XVI.

A Repeale of ſo much of the Statute of *Anno* 1.*Ed.* 6. 3. as tendeth to make Vagabonds ſlaues. The Statute of 22.H.8.12. ſhall be reuiued that doth appoint how impotent and aged perſons ſhal be releeued, and Vagabonds puniſhed. And all other Statutes made for the puniſhment of Vagabonds, Slaues, aged and impotent perſons ſhall be repealed. Common labourers in husbandry which doe loiter and be idle when they haue reaſonable wages offered them,ſhall be puniſhed as Vagabonds. Maimed,ſore,aged and impotent perſons ſhal be releeued and cured,and habitations prouided for them by the deuotion of good people of that City, Towne or Village, where they were borne, or haue dwelt three yeeres. A beggers childe aboue fiue yeeres of age may be taken into ſeruice by any that will. REP.14.El.5.& 21.Iac.28.St.2.& 3.P.& M.5.

Cap. XVII.

The Stat. of 31. H. 8. 12. touching the wrongfull hunting or entry into any Foreſt, Chaſe, or Parke of the Kings,or into any other ground of his vſed for the nouriſhing of Deere,and of 32. H. 8.11. concerning the vnlawfull killing of any Deere within any Parke,Chaſe,&c. reuiued for three yeeres. EXP. St.4,& 5. Ed.6.17.

Cap. XVIII.

A rehearſall of the Stat. of 2,& 3. Ed. 6. 5. concerning the remitting of fee Fermes by the King for the firſt of three yeeres,and that the ſame ſhall ceaſe for other two yeeres. EXP.

Cap. XIX.

No Cattle ſhall be bought but in open Faire or market, but by a Butcher, or for prouiſion of houſhold, &c.

BE it enacted by the authority of this preſent Parliament, That no perſon or perſons, at any time from and after the feaſt of the Annunciation of our Lady next comming, ſhall buy, or common and conclude to buy, any manner of Oxen, Steeres, Ronts, Kine, Heifers, or Calues, but only in the open faire or market, where the ſame ſhall happen to be brought and put to ſale, and ſhall not ſell the ſame againe on liue, at, and in the Market or Faire, where hee bought the ſame during the time of the ſaid Faire or Market, vpon paine of forfeiture of the double value of ſuch cattell bought or ſold contrary to the tenor of this preſent Act.

No Cattell ſhal be bought but in open faire or market, and thoſe not ſold againe in the ſame faire or market.

Prouided alway, and be it further enacted by the authority aforeſaid, that it ſhall be lawfull for all and euery perſon and perſons, to buy any Oxen, Steeres, Ronts, Kine, Heighfers, and Calues, or any of them, out of any open Faire or Market, for his or their prouiſion, for their houſhold, teeme or dairy, at his or their will or pleaſure, to be imployed and ſpent only in keeping and maintenance of his or their houſe, or for their teeme or dairy, and not otherwiſe.

For what purpoſes cattell may be bought out of a faire or market. EXP.

And be it further enacted by the authority aboueſaid, that no perſon, being a Butcher, and vſing the craft or myſtery of Butchery, ſhall at any time after the ſaid Feaſt buy any fat Oxen, Steeres, Ronts, Kine, Heighfers, Calues, or Sheepe, and ſell, or cauſe to be ſold the ſame againe on liue, vpon paine of forfeiture of euery ſuch Oxe, Steere, Ront, Cowe, Heighfer, Calues, or Sheeps, bargained or ſold contrary to the forme of this preſent Act.

A Butcher ſhall not buy cattell and ſell them aliue.

Prouided alway, that all and euery perſon and perſons, being a Butcher, and vſing the art and myſtery of Butchery, ſhall and may at his, and their will & pleaſure buy any fat Oxen, Steeres, Ronts, Kine, Heighfers, Calues and ſheepe, or any of them, out of any open Faire or market: So that ſuch Butcher ſell not, nor cauſe to be ſold the ſame againe on liue, as is aforeſaid, any thing contained in this Act to the contrary notwithſtanding. The one moity of all which forfeitures ſhall be to our Soueraigne Lord the King, his heires and ſucceſſors: and the other moity to him or them that will ſue for the ſame in any of the Kings Courts of Record, wherein no wager of Law, eſſoigne, or protection ſhall be allowed for the defendant or defendants. This Act to endure to the end of the next Parliament. 1. Iac. 25. continued vntill the end of the next Parliament. Stat. 3. Car. 4.

Cap. XX.

Some part of the Stat. 2. E. 6. 15. repealed, conteining the deniall of certaine Artificers to worke in Cities or Townes where they dwell not.

WHere by a certaine Act made in the Parliament holden at Weſtminſter by prorogation the fourth day of Nouember, in the ſecond yeere of the raigne of our moſt dread Soueraigne Lord the King that now is, it is enacted and eſtabliſhed, that no perſon or perſons ſhould at any time after the firſt day of Aprill then next enſuing, interrupt, deny, let or diſturbe any free Maſon, rough Maſon, Carpenter, Brickelayer, Plaiſterer, Ioyner, Hardhewer, Sawier,

2.& 3. Ed.6.15.

Tiler, Pauier, Glaſier, Limeburner, Brickmaker, Tilemaker, Plummer, or Labourer borne in this Realme, or made Deniſen, to worke in any of the ſaid crafts, in any City, Borough, or Towne Corporate, with any perſon and perſons, that will retaine him, or them, albeit the ſaid perſon or perſons ſo retained, or any of them doe not inhabit or dwell in the City, Borough and Towne corporat, where he or they ſhall worke, nor be free of the ſame City, Borough or towne, any Statute, Law, Ordinance, or other thing whatſoeuer before had, or made to the contrary in any wiſe notwithſtanding, and that vpon paine of forfeiture of fiue pounds for euery interruption, or diſturbance done contrary to the ſaid eſtatute, the one moity of euery ſuch forfeiture to be to the King, and the other moity thereof to be to him, or them that will ſue for the ſame in any of the Kings Courts of record, by bill, plaint, action of debt, or information, wherein no wager of law, eſſoine, nor protection ſhould be allowed, as by the ſaid Act of Parliament amongſt other things more plainly appeareth.

And foraſmuch as in the City of London being the Kings Chamber and moſt ancient City of this Realme, the Artificers and Craftſmen of the Arts, Crafts and myſteries aforeſaid, are at great coſts and charges, as well in bearing, and paying of taxes, tallages, ſubſidies, ſcot, lot, and other charges, as well to the Kings Maieſty, as to the ſaid City, and at many and ſundry triumphes and other times for the Kings honour, and that if forreines ſhould come and worke among them, within the liberties of the ſaid City, contrary to their ancient priuileges, that the ſame ſhould be a great decay of cunning, and an impoueriſhment, and driuing away of the free men, being Artificers of the crafts, and arts, and myſteries aforeſaid, within the ſaid City of London, to the great hurt, or deſtruction of the ſaid City.

So much of the Statute of 2. & 3. Ed. 6. 15. repealed as concerneth the deniall of Artificers to worke in a Towne where they dwell not.

For reformation whereof, the Kings Maieſties is pleaſed and contented, that it be enacted by the authority of this preſent Parliament, with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, That the ſaid Act only touching the article, and clauſe aforeſaid, and all, and euery ſentence, and branch conteined in the ſaid Act, concerning the ſame article, ſhall from henceforth be reſumed, repealed, adnulled, reuoked, admihilated, and vtterly made void for euer. Any thing conteined in the ſaid former Act touching that clauſe, or article aforeſaid, in any wiſe to the contrary notwithſtanding.

Cap. XXI.

Butter or Cheeſe ſhall not be bought to be ſold againe, except it be by retaile in open ſhop, faire, or market.

Butter or Cheeſe ſhal not be bought to be ſold againe but in open Shop, Faire or Market.

Be it enacted by the authority of this preſent Parliament, that no perſon or perſons, after the feaſt of the Annunciation of our Lady next comming, ſhall buy to ſell againe any Butter, or Cheeſe, vnleſſe he or they ſell the ſame againe by retaile, in open Shop, Faire or Market, and not in groſſe, vpon paine of forfeiture of the double value of the ſame Butter and Cheeſe ſo ſold, contrary to the tenour of this preſent Act: the one moity of all which forfeiture to be to our Soueraigne Lord the King, his heires and ſucceſſors, and the other moity to him, or them that will ſue for the ſame in any of the Kings Courts of Record, wherein no wager of law, eſſoine, or protection ſhall be allowed for the defendant or defendants.

Retailing. 21. Iac. 22.

Prouided alwayes, and be it enacted by the authoritie aforeſaid, that the ſaid word of retaile mentioned in this act, ſhall be expounded, declared, and taken, only where a weight of Cheeſe, or a barell of Butter or of leſſe quantity and not aboue, ſhall be ſold at any time to any perſon or perſons in open ſhop, faire, or market, and that to be done without fraud or couine.

Inholders and Victualers.

Prouided alway, that this Act, or any thing therein conteined ſhall not extend to any Inholder, or Victualer, for ſuch Butter or Cheeſe, as ſhall be ſpent, or vttered by retaile, in any of their houſes, any thing conteined in this Act to the contrary notwithſtanding: this Act to endure to the next Parliament. 3. Car. 4. Continued vntill the ende of the firſt Seſſion of the next Parliament.

Cap. XXII.

No Clothmaker, Fuller, Shearman, Weauer, Tailer, or Shoomaker ſhall retaine in any of the ſaid Crafts a Iourneyman to worke by taile worke, or by great, for any time vnder one quarter of a yeere. And euery Iourneyman being required ſhall ſerue for a quarter of a yeere, halfe a yeere, or for a whole yeere. Euery perſon of any of the ſaid crafts which ſhall haue three prentiſes ſhall haue one Iourneyman. Seruants in Husbandry and Bargemen ſhall ſerue by the whole yeere, and not by day wages. REP. 5. El. 4.

Cap. XXIII.

A reliefe granted to the King out of Sheepe and Clothes by the Stat. 2. & 3. Ed. 6. 36. releaſed. And the reliefe for goods continued. A Subſidy granted to the King of twelue pence in the pound of goods, and of euery Alien two ſhillings in the pound. EXP.

Cap. XXIIII.

A confirmation by Parliament of the Kings Pardon of all Hereſies, Treaſons, Rebellions, Murders, Felonies, Offences, Treſpaſſes, &c. ſauing ſuch which in the ſaid Pardon be excepted. EXP.

ANNO QVINTO ET SEXTO *EDWARDI* SEXTI.

ACTS made in the Seſſion of this preſent Parliament, holden vpon prorogation at Weſtminſter the three and twentieth day of Ianuary, in the fifth yeare of our moſt dread Soueraigne Lord, *EDWARD* the ſixth, by the grace of God, King of England, France, & Ireland, Defendor of the faith, and of the Church of England, and of Ireland, in earth the ſupreme head: and there continued and kept till the fifteenth day of Aprill, in the ſixth yeere of the reigne of our ſaid Soueraigne Lord, as followeth.

Cap. I.

Vniformity of Prayer, and adminiſtration of Sacraments ſhall be vſed in the Church.

WHere there hath beene a very godly order ſet forth by the authority of Parliament, for Common praier, and adminiſtration of the Sacraments to be vſed in the mother tongue, within this Church of England, agreeable to the Word of God, and the Primitiue Church, very comfortable to all good people deſiring to liue in Chriſtian conuerſation, and moſt profitable to the eſtate of this Realme, vpon the which, the mercy, fauour, and bleſſing of Almighty God is in no wiſe ſo readily, and plenteouſly powred, as by Common prayers, due vſing of the Sacraments, and often preaching of the Goſpell, with the deuotion of the hearers: and yet this notwithſtanding, a great number of people in diuers parts of this Realme, following their owne ſenſuality, and liuing either without knowledge, or due feare of God, dos wilfully and damnably before Almighty God abſtaine, and refuſe to come to their Paroche Churches, and other places where Common prayer, adminiſtration of the Sacraments and preaching of the Word of God is vſed vpon the Sundayes and other dayes ordeined to be holy dayes.

For reformation hereof, be it enacted by the King our Soueraigne Lord, with the aſſent of the Lords, and Commons, in this preſent Parliament aſſembled, and by the authority of the ſame, that from and after the Feaſt of all Saints next comming, all, and euery perſon and perſons, inhabiting within this Realme, or any other the Kings Maieſties Dominions, ſhall diligently and faithfully (hauing no lawfull or reaſonable excuſe to be abſent) endeauour themſelues to reſort to their Paroche Church, or Chappell accuſtomed, or vpon reaſonable let thereof, to ſome vſuall place where common prayer, and ſuch ſeruice of God ſhall be vſed in ſuch time of let, vpon euery Sunday, and other dayes ordeined, and vſed to be kept as holy dayes, and then and there to abide orderly, and ſoberly, during the time of the common prayer, preachings, or other ſeruice of God, there to be vſed and miniſtred, vpon paine of puniſhment by the cenſures of the Church.

Euery perſon ſhall reſort to his Pariſh Church or Chappell, vpon Sundayes and holydayes.

And for the due execution hereof, the Kings moſt excellent Maieſty, the Lords Temporall, and all the Commons in this preſent Parliament aſſembled, doth in Gods name earneſtly require, and charge all the Archbiſhops, Biſhops and other Ordinaries, that they ſhall endeauour themſelues, to the vttermoſt of their knowledges, that the due and true execution hereof may be had throughout their Dioceſſes, and charges, as they will anſwer before God, for ſuch euils and plagues, wherewith Almighty God may iuſtly puniſh his people, for neglecting this good and wholeſome law.

And for their authority in this behalfe, be it further likewiſe enacted by the authority aforeſaid, that all and ſingular, the ſame Archbiſhops, Biſhops, and all other their officers exerciſing Eccleſiaſticall Iuriſdiction, as well in place exempt, as not exempt, within their Dioceſſes, ſhall haue full power and authority by this Act, to reforme, correct and puniſh by Cenſures of the Church, all and ſingular perſons, which ſhall offend within any their Iuriſdictions, or Dioceſſes after the ſaid Feaſt of all Saints next comming, againſt this Act and Statute: any other Law, Statute, Priuilege, Libertie, or prouiſion, heretofore made, had, or ſuffered to the contrary notwithſtanding.

They which come not to the Church may be puniſhed by the Cenſures of the Church.

And becauſe there hath riſen in the vſe and exerciſe of the aforeſaid common ſeruice in the Church, heretofore ſet forth, diuers doubts for the faſhion and manner of the miniſtration of the ſame, rather by the curioſity of the miniſter, and miſtakers, than of any other worthy cauſe, therefore aſwell for the more plaine and manifeſt explanation hereof, as for the more perfection of the ſaid order of common ſeruice, in ſome places where it is neceſſary to make the ſame praier and faſhion of ſeruice more earneſt and fit to ſtir Chriſtian people to the true honouring of Almighty God: The Kings moſt excellent Maieſty, with the aſſent of the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, hath cauſed the aforeſaid order of common ſeruice, entituled the booke of Common Prayer, to be faithfully and godly peruſed explaned, and made fully perfect, and by the aforeſaid authority hath annexed and ioyned it ſo explaned and perfected to this preſent ſtatute, adding alſo a forme and manner of making and conſecrating of Archbiſhops, Biſhops, Prieſts, and Deacons, to be of like force, authority and value, as the ſame like foreſaid Booke, entituled the Booke of Common Prayer, was before, and to be accepted, receiued, vſed, and eſteemed, in like ſort and manner, and with the ſame clauſes of prouiſions and exceptions, to all entents, conſtructions and purpoſes as by the act of Parliament made in the ſecond yeere of the Kings Maieſties reigne, was ordeined, limited, expreſſed and appointed for the vniformitie of Seruice, and adminiſtration of the Sacraments throughout the Realme, vpon ſuch ſeuerall paines, as in the ſaid Act of Parliament is expreſſed. And the ſaid former Act, to ſtand in full force and ſtrength to all entents and conſtructions, and to be applied, practiſed, and put in vre, to and for the eſtabliſhing of the booke of Common Prayer, now explaned, and hereunto annexed, and alſo the ſaid forme of making of Archbiſhops, Biſhops, Prieſts and Deacons, hereunto annexed, as it was for the former booke.

The Booke of Common prayer with the forme of conſecrating Biſhops, Prieſts, Deacons. 1.Ed.6.2.

2.& 3.Ed.6.1.

And by the authority aforeſaid it is now further enacted, That if any manner perſon or perſons, exhabiting and being within this Realme, or any other the Kings Maieſties Dominions, ſhall after the ſaid Feaſt of all Saints, willingly, and wittingly heare, and be preſent at any other manner or forme of Common prayer, or adminiſtration of the Sacraments, of making of Miniſters in the Churches, or of any other rites, conteined in the booke annexed to this Act, than is mentioned and ſet forth in the ſaid booke, or that is contrary to the forme of ſundry prouiſions and exceptions, conteined in the foreſaid former Statute, and ſhall be thereof conuicted, according to the Lawes of this Realme, before the Iuſtices of Aſſiſe, Iuſtices of Oyer and determiner, Iuſtices of Peace in their Seſſions, or any of them, by the verdict of twelue men, or by his, or their owne confeſſion or otherwiſe, ſhall for the firſt offence ſuffer impriſonment, for ſix moneths, without baile or mainepriſe, and for the ſecond offence, being likewiſe conuicted, as is aboueſaid, empriſonment for one whole yeere, and for the third offence, in like manner empriſonment, during his or their liues. And for the more knowledge to be giuen hereof, and better obſeruation of this law: be it enacted by the authority aforeſaid, that all, and ſingular Curates, ſhall vpon one Sunday euery quarter of the yeere during one whole yeere, next following the foreſaid feaſt of all Saints next comming, read this preſent Act in the Church, at the time of the moſt aſſembly, and likewiſe once in euery yeere following, at the ſame time, declaring vnto the people, by the authority of the Scripture, how the mercy and goodneſſe of God hath in all ages beene ſhewed to his people, in their neceſſities, and extremities, by meanes of hearty and faithfull prayers made to Almighty God, eſpecially where people be gathered together with one faith and minde, to offer vp their hearts by prayer, as the beſt Sacrifices that Chriſtian men can yeeld.
1.M.2. 1.Eliz.2. 13.El.12. 8.El.1. 1.Iac.25.

The penalties for being preſent at any other common Prayer, or Sacraments. ALT.1.El.2.

Cap. II.

The Stat.of 22.H.8.12. and 3.& 4.Ed.6.16. touching Vagabonds and idle perſons confirmed. The poore of euery Pariſh ſhall be relieued with that which euery Pariſhioner of his charitable deuotion will giue. REP. 14.El.5. EXP.St.1.M.12.

Cap. III.

Which dayes only in the yeere ſhall be Holydayes, and which ſhall be Faſting dayes.

FOraſmuch as at all times men be not ſo mindefull to laud and praiſe God, ſo ready to reſort and heare Gods holy Word, and to come to the holy Communion, and other laudable rites, which are to be obſerued in euery Chriſtian Congregation, as their bounden duty doth require: therefore to call men to remembrance of their duty, and to helpe their infirmity, it hath beene wholeſomely prouided, that there ſhould be ſome certaine times and dayes appointed, wherein the Chriſtians ſhould ceaſe from all other kinde of labours, and ſhould apply themſelues only and wholly vnto the aforeſaid holy workes, properly pertaining vnto true Religion. That is, to heare, to learne, and to remember Almighty Gods great benefits, his manifold mercies, his ineſtimable gracious goodneſſe, ſo plenteouſly powred vpon all his creatures, and that of his infinite and vnſpeakable goodneſſe, without any mans deſert. And in remembrance hereof, to render vnto him moſt high and hearty thankes, with prayers and ſupplications for the reliefe of all our daily neceſſities. And becauſe theſe be the chiefe and principall workes, wherein man is commanded to worſhip God, and doe properly pertaine vnto the firſt Table: therefore as theſe workes are both moſt commonly, and alſo may well be called Gods ſeruice, ſo the times appointed ſpecially for the ſame are called Holy dayes. Not for the matter and nature, either of the time or day, nor for any of the Saints ſake, whoſe memories are had on thoſe dayes (for ſo all dayes and times conſidered are Gods creatures, and all of like holineſſe) but for the nature and condition of thoſe godly and holy workes, wherewith only God is to be honoured, and the congregation to be edified, whereunto ſuch times and dayes, are ſanctified and hallowed. That is to ſay, ſeparated from all prophane vſes, and dedicated and appointed, not vnto any Saint or creature, but only vnto God, and his true worſhip. Neither is it to be thought, that there is any certaine time or definite number of dayes, preſcribed in holy Scripture, but that the appointment, both of the time, and alſo of the number of the dayes, is left by the authority of Gods Word, to the liberty of Chriſts Church to be determined and aſſigned orderly in euery Countrey, by the diſcretion of the Rulers and Miniſters thereof, as they ſhall iudge moſt expedient to the true ſetting forth of Gods glory, and the edification of their people. Be it therefore enacted, by the King our Soueraigne Lord with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that all the dayes hereafter mentioned, ſhall be kept, and commanded to be kept holy dayes, and none other. That is to ſay, all Sundayes in the yeere: the dayes of the feaſts of the Circumciſion of our Lord Ieſus Chriſt. Of the Epiphanie. Of the Purification of the bleſſed Virgin. Of Saint Mathie the Apoſtle. Of the Annunciation of the bleſſed Virgin. Of Saint Marke the Euangeliſt. Of Saint Philip and Iacob the Apoſtles. Of the Aſcenſion of our Lord Ieſus Chriſt. Of the Natiuity of Saint Iohn Baptiſt. Of Saint Peter the Apoſtle. Of Saint Iames the Apoſtle. Of Saint Bartholomewe the Apoſtle; Of Saint Mathew the Apoſtle. Of Saint Michael the Archangel. Of Saint Luke the Euangeliſt. Of Saint Simon and Iude the Apoſtles. Of All Saints. Of Saint Andrew the Apoſtle. Of Saint Thomas the Apoſtle. Of the Natiuity of our Lord. Of Saint Stephen the Martyr. Of Saint Iohn the Euangeliſt. Of the holy Innocents. Munday and Tuſeday in Eaſterweeke. And Munday and Tueſday in Whitſon weeke. And that none other day ſhall be kept and commanded to be kept holy day, or to abſtaine from lawfull bodily labour.

Wherefore ſome dayes are more called holy dayes then other.

All theſe dayes ſhall be kept holy dayes and none other.

And it is alſo enacted by the authority aforeſaid, That euery euen or day next going before any of the aforeſaid dayes of the Feaſts of the Natiuity of our Lord, of Eaſter, of the Aſcenſion of our Lord, Pentecoſt, of the Purification, and the Annunciation of the aforeſaid bleſſed Virgin, of All Saints, and of all the ſaid Feaſts of the Apoſtles, (other than of Saint Iohn the Euangeliſt, and Phillip and Iacob) ſhall be faſted, and commanded to be kept, and obſerued, and that none other euen, or day ſhall be commanded to be faſted.

Which dayes ſhall be commanded and kept faſting dayes.

And it is enacted by the authority aboueſaid, that it ſhall be lawfull to all Archbiſhops, and Biſhops in their Dioceſſes, and to all other hauing Eccleſiaſticall or Spirituall Iuriſdiction, to enquire of euery perſon that ſhall offend in the premiſſes, and to puniſh euery ſuch Offendor, by the Cenſurers of the Church, and to enioyne him, or them ſuch penance, as ſhall be to the Spirituall Iudge, by his direction thought meet and conuenient.

Puniſhment of Offendors by the Eccleſiaſticall Law.

Prouided alwayes, that this Act, or any thing therein conteined, ſhall not extend to abrogate or take away, the abſtinence from fleſh in Lent, or on Fridayes and Saturdayes, or any other day, which is already appointed ſo to be kept, by vertue of an Act, made and prouided in the third yeere of the raigne of our Soueraigne Lord the Kings Maieſtie that now is, ſauing only of thoſe euens or dayes, whereof the holy day next following is abrogated by this Statute. Any thing aboue mentioned to the contrary in any wiſe notwithſtanding.

Abſtinence from fleſh in Lent, Fridayes and Saturdayes.
2 & 3, Ed. 6. 19.

Prouided alſo, and it is enacted by the authority aforeſaid, that when, and ſo often, as it ſhall chance any of the ſaid Feaſts, (the euens whereof be by this Statute commanded to be obſerued, and kept faſting day) to fall vpon the Monday: that then, as it hath alwayes beene heretofore accuſtomably vſed, ſo hereafter the Saturday then next going before any ſuch Feaſt, or Holy day, and not the Sunday, ſhall be commanded to be faſted for the euen of any ſuch Feaſt, or Holy day. Any thing in this Statute before mentioned or declared to the contrary in any wiſe notwithſtanding.

When the Saturday ſhall be faſted in ſteed of the Sunday.

Prouided alwayes, and it is enacted by the authority aforeſaid, that it ſhall be lawfull to euery Husbandman, Labourer, Fiſherman, and to all and euery other perſon and perſons of what eſtate, degree, or condition he, or they be, vpon the holy dayes aforeſaid, in harueſt, or at any other times in the yeere, when neceſſity ſhall require, to labour, ride, fiſh, or worke any kinde of worke, at their free willes and pleaſure, any thing in this Act to the contrary in any wiſe notwithſtanding.

In what caſes ſome perſons may labour vpon the holy day.

Prouided alwayes, and be it enacted by the authority aforeſaid, that it ſhall be lawfull to the Knights of the right honourable Order of the Garter, and to euery of them, to keepe, and celebrate ſolemnly, the feaſt of their Order, commonly called S. Georges Feaſt, yeerely from henceforth the xxii. xxiii. and xxiiii. dayes of Aprill, and at ſuch other time and times, as yeerely ſhal be thought conuenient by the Kings Highneſſe, his heires and ſucceſſors, and the ſaid Knights of the ſaid honourable Order, or any of them now being, or hereafter to be. Any thing in this Act here-

It ſhall be lawfull for the Knights of the Garter to ſolemnize Saint Georges feaſt.

tofore mentioned to the contrary notwithſtanding. REP.1.M.2. 1.Jac. 25. Reuiued, becauſe 1. M.2.is repealed by 1.Jac.25.

CAP. IIII.

The penalty for ſtriking or drawing a weapon in Church or Churchyard.

The penalty for chiding in the Church or Churchyard.

FOraſmuch as of late, diuers and many outragious and barbarous behauiours and Acts haue beene vſed and committed by diuers vngodly and irreligious perſons, by quarelling, brauling, fraying and fighting openly in Churches and Churchyards: Therefore it is enacted by the King our Soueraigne Lord, with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon whatſoeuer, ſhall at any time after the firſt day of May next comming, by words onely quarell, chide or braule in any Church or Churchyard, that then it ſhal be lawfull vnto the Ordinary of the place where the ſame offence ſhall de done, and proued by two lawfull witneſſes to ſuſpend euery perſon ſo offending. That is to ſay, if he be a Lay man, ab ingreſſu Eccleſiæ, and if he be a Clerke, from the miniſtration of his office, for ſo long time as the ſaid Ordinary ſhall by his diſcretion thinke meet and conuenient, according to the fault.

The penalty for ſmiting in a Church, &c.

Dyer. fol. 27

And further it is enacted by the authoritie aforeſaid, that if any perſon or perſons, after the ſaid firſt day of May, ſhall ſmite or lay any violent hands vpon any other, either in any Church or Churchyard: That then Ipſo facto, euery perſon ſo offending, ſhall be deemed excommunicate, and be excluded from the fellowſhip and company of Chriſts congregation.

The penalty for drawing or ſmiting with a weapon in a Church, &c.

And alſo it is enacted by the authority aforeſaid, That if any perſon after the ſaid firſt day of May, ſhall maliciouſly ſtrike any perſon with any weapon in any Church or Churchyard, or after the ſame firſt day of May, ſhall draw any weapon, in any Church or Churchyard, to the intent to ſtrike another with the ſame weapon: That then euery perſon ſo offending, and thereof being conuicted by verdict of twelue men, or by his owne confeſſion, or by two lawfull witneſſes; before the Juſtices of Aſſiſe, Juſtices of Oyer and Determiner, or Juſtices of Peace in their Seſſions, by force of this Act ſhall be adiudged by the ſame Juſtices; before whom ſuch perſon ſhall be conuicted; to haue one of his eares cut off. And if the perſon or perſons ſo offending haue none eares, whereby they ſhould receiue ſuch puniſhment as is before declared, that then he or they to be marked and burned in the cheeke with an hot yron, hauing the letter F. whereby he or they may be knowne and taken for fraymakers and fighters, and beſides that euery ſuch perſon, to be, and ſtand, Ipſo facto, excommunicated, as is aforeſaid.

CAP. V.

So much land ſhall be put in tillage, and ſo continued, as was at any time in tillage, (and ſo kept foure yeeres) ſithence *Anno* 1. *Henry* the eight, vpon paine the Offender to forfeit fiue ſhillings an Acre. But this Act ſhall not extend to any land conuerted, or to be conuerted into paſture for the maintenance of the houſe of any perſon: Nor to land that hath commonly lyen paſture forty yeeres laſt paſt: nor to waſte grounds, Heathes, common Downes, Fennes, Moores, or Marſhes, that haue not beene commonly tilled forty yeeres laſt paſt: Nor to any Warrein for Cunnies, or Parke for Deere: nor to any ground ſtubbed: nor to any ſalt or ſurrounded Marſhes: nor to any ground incloſed by the Kings licence: nor to any Orchard, Garden, Poole or Pond-yard: Nor to any Meadow-ground yeerely mowen for hay: Nor to any land ſet with Saffran, or Hoppes, or ſowen with Hempe, Flax, Woad, or Madder, or ſowne with acornes or ſet with wood, during ſuch times as the ſame ſhall be vſed to the entents before ſpecified. Neither ſhall this Act extend to any that hath or within one yeere ſhall conuert ſo much paſture into tillage within the ſame Pariſh, Towne, Village or Hamlet. EXP.& REP. 5.El.2.& 39.El.1.& 21.Iac.28.

CAP. VI.

The true length, breadth and weight of woollen clothes.

WHere heretofore diuers and many goodly Statutes haue beene made for the true making of Cloth within this Realme: Which neuertheleſſe, foraſmuch as Clothiers, ſome for lacke of knowledge and experience, and ſome of extreme couetouſneſſe, doe daily more and more ſtudy rather to make many, than to make good clothes, hauing more reſpect to their priuate commodity and gaine, than the aduancement of truth, and continuance of the commodity in eſtimation, according to the worthineſſe thereof, haue and doe daily in ſtead of truth, practiſe falſehood, and in ſtead of ſubſtantiall making of cloth, do practiſe ſleight and ſlender making, ſome by mingling of yarne of diuerſe ſpinnings in one cloth, ſome by mingling fell wooll, and lambs wooll or either of them with fleece wooll, ſome by putting too little ſtuffe, ſome by taking them out of the mill before they be full thicked, ſome by ouerſtretching them vpon the tentour, and then ſtopping with flockes ſuch brackes as ſhall be made by meanes thereof: finally, by vſing ſo many ſubtill ſleights and vntruths, as when the clothes ſo made, be put in the water to try them, they riſe out of the ſame neither in length nor breadth as they ought to doe, and in ſome place narrower than ſome, beſide ſuch cockeling, bandoning and diuers other great and notable faults, as almoſt cannot be thought to be true.

Generall abuſes practiſed in making of cloth.

And yet neuertheleſſe, neither fearing the Lawes in that caſe prouided, nor regarding the eſtimation of their Country, doe not only procure the Aulneger to ſet the Kings Seale to ſuch falſe, vntrue and faulty cloth, but doe themſelues weaue into the ſame, the likeneſſe and ſimilitude of the Kings Highneſſe moſt Noble and Imperiall Crowne, and alſo the firſt letter of his name, which ſhould be teſtimonies of truth, and not a defence of vntruth, to the great ſlander of the King our Soueraigne Lord, and the ſhame of this Land, and to the vtter deſtruction of ſo great and notable commodity, as the like is not in any forrein Nation.

Our ſaid Soueraigne Lord the King, therefore minding to aduance all truth and to abandon falſhood, and alſo to prouide for the continuance of the ſaid commodity of cloth making, to his honor and the common profit of the Realme, hath by the aduice of the Lords and Commons in this preſent Parliament aſſembled, cauſed as well diuers honeſt Clothiers, as alſo diuers Drapers, Merchant Tailors, Cloth-workers, Sheremen and other Artificers to whom it appertaineth, to be examined by certaine wiſe, diſcreet and ſage Knights and Burgeſſes of this preſent Parliament of ſuch matters as touch as well the falſe, as the true making of clothes, by whoſe declaration, conſent, agreement and aduice, after diuers and ſundry meetings and great deliberate aduice taken in the premiſſes, by authority of this preſent Parliament, it is enacted as hereafter followeth, to remaine firme and perfect, notwithſtanding any ſuggeſtions hereafter to be made by any Clothier or Clothmaker to the contrary, as they haue in like caſes heretofore done: That is to ſay, that euery cloth, Karſey, peece of Friſe and Cotton, ſhalbe made in ſuch ſort and forme, and ſhall containe in length, breadth and weight, as is herein hereafter particularly mentioned, vpon ſuch peines, penalties and forfeitures, as be hereafter expreſſed and appointed.

The counſell of ſeuerall ſage, diſcreet and men of experience, and of the ſame trade vſed in the making of this Statute.

Firſt, that all and euery broad cloth and clothes, which ſhall be made after the ſaid Feaſt of Saint Michael the Archangell next comming, within the Shires of Kent and Suſſex, or at the Towne of Redding, or any of them, or elſewhere of like making, as the clothes made there ſhall be of, ſhall containe in length at the water, euery peece being thorow wet, betwixt eight and twenty and thirty yards of meaſure that is now cuſtomably vſed, and in breadth ſeuen quarters at the leaſt within the liſt, by the whole length of the ſame cloth, the liſts of the ſame clothes to be of like making and aſſiſe, as they haue here before time beene vſed to be made, and that euery peece of the ſaid clothes being well ſcoured, thicked, milled and fully dried, ſhall be in weight and weigh foureſcore and ten pound at the leaſt.

The weight and length of broad cloth made in certaine places.

And that all and euery white cloth and clothes, which ſhall be made within the City of Worceſter, commonly called Long Worceſters, and all like clothes of like making, made within the Citie of Couentrie, or elſewhere, after the ſaid Feaſt, ſhall conteine in length, being wet, as is aforeſaid, betwixt nine and twenty and one and thirty yards the peece, and to euery yard one inch of the ſtanderd, and ſhall be of the breadth aboue ſpecified throughout and by all the length of the whole cloth, and liſted as hath beene accuſtomed, and being well ſcoured, thicked, milled and fully dried, ſhall weigh foureſcore and foure pound the peece at the leaſt.

Long Worceſters.

And that all coloured clothes made in the ſaid Cities of Couentry and Worceſter, or elſewhere of like making, after the ſaid Feaſt, ſhall conteine and be of like length and breadth, as is laſt before mentioned, and be liſted as is aforeſaid, and being well ſcoured, thicked and fully dryed, ſhall weigh foureſcore pound the peece at the leaſt.

Coloured clothes.

And that all and euery white cloth and clothes, commonly called ſhort Worceſters, which ſhall be made within the ſaid City or County, or elſewhere of the ſame ſort, after the ſaid Feaſt, ſhall conteine in length, being wet, betwixt three and twenty and fiue and twenty yards, yard and inch of the rule, and ſhall be of the breadth as is aforeſaid, throughout and by all the whole cloth, and liſted according to the ancient cuſtome, and being well ſcoured, thicked and fully dried, ſhall weigh threeſcore pound the peece at the leaſt.

White clothes called ſhort Worceſters.

And that all coloured long clothes, which after the ſaid Feaſt ſhall bee made within the Shires of Suffolke, Norfolke and Eſſex, or any of them, or elſewhere of like ſort, ſhall containe in length, wett, as is aforeſaid, betwixt eight and twentie and thirtie yards, yard and inch of the rule, and ſhall be in breadth ſeuen quarters of the yard within the liſts at the leaſt, throughout, and by all the whole cloth, and liſted as hath beene accuſtomed, and being well ſcoured, thicked, milled and fully dried, ſhall weigh foureſcore pound the peece at the leaſt.

Coloured long clothes.

And that all and euery ſhort cloth and clothes coloured, which after the ſaid Feaſt ſhalbe made

within

Coloured ſhort clothes.

within the ſaid Shires laſt remembred, or any of them, or elſewhere of like ſort, ſhall conteine wet, as is aforeſaid, betwixt thrée and twenty and fiue and twenty yards, yard and inch of the rule, and ſhall be in breadth, as laſt is remembred throughout and by the whole cloth, and liſted as is aforeſaid, and being fully ſcoured, thicked, milled, and fully dried, ſhall weigh thrée ſcore and foure pound the péece at the leaſt.

Coloured clothes called handy warpes.

Whites being handwarpes.

And that all and euery coloured cloth and clothes, which after the ſaid Feaſt ſhalbe made within the ſaid Shires laſt remembred, or elſewhere of like ſorts, commonly called handy warpes, of what length they ſhall happen to be, ſhall be in breadth out of the water, throughout, and by all the whole cloth, as is laſt remembred, and liſted, as they haue béene accuſtomed, and being well ſcoured, thicked, milled and full dried, euery yard of euery ſuch cloth, ſhall weigh thrée pound at the leaſt. And that all Whites which after the ſaid Feaſt ſhall be made in the ſaid Shires, or elſewhere, as Cockſall Whites, Glainſfords and other being handwarpes, of what lengths ſoeuer they ſhall be, ſhall containe in breadth as is afore remembred, and be liſted as is aforeſaid, and being well ſcoured, thicked, milled, and fully dried, ſhal weigh by the yard thrée pound at the leaſt, of ſuch meaſure as hath béene before vſed.

Whites and Reds.

Broad Plunkets, Azures, Blewes and other coloured clothes. St.43. El.10. Sta.35.El.9.

And that all Whites and Reds, which after the ſaid Feaſt ſhalbe made in the Shires or Counties of Wiltſhire, Glouceſter and Somerſet or any of them, or elſewhere of like making, and all other Whites which ſhall be made in any other parts of the Realme, and not afore remembred, ſhall containe in length, being thorow wet, betwixt ſix and twenty and eight and twenty yards, and ſhall be ſeuen quarters of the yard in breadth within the liſts at the leaſt, and liſted according to the ancient cuſtome, and being well ſcoured, thicked, milled and fully dried, ſhall weigh euery péece thréeſcore and foure pound, being White, and thréeſcore, being coloured, at the leaſt. And that all broad Plunkets, Azures, Blewes and other coloured cloth, which after the ſaid Feaſt ſhall be made within the ſaid Shires of Wiltſhire, Glouceſter or Somerſet, or elſewhere of like making, ſhall conteine, being wet, as is aforeſaid, betwixt fiue and twenty and eight and twenty yards, yard and inch of the rule, and ſhall be ſeuen quarters of a yard within the liſts at the leaſt, and liſted according to the ancient cuſtome, and being well ſcoured, thicked, milled and fully dried, ſhall weigh fourescore and eight pound the péece at the leaſt.

Ordinary Karſeyes. St.3.Iac.16.

Sorting Karſeyes.

And that all Karſeyes called Ordinaries, ſhal conteine in length betwixt ſeuentéene and eightéene yards, yard and inch as is aforeſaid, and being well ſcoured, thicked, milled, dreſſed and fully dried, ſhall weigh twenty pound at the leaſt. And all Karſeyes, called ſorting Karſeyes, which after the ſaid Feaſt ſhall be made in any part of this the Kings Maieſties Realme of England, ſhall conteine in length at the water, betwixt ſeuentéene and eightéene yards, yard and inch, as is aforeſaid, and being well ſcoured, thicked, milled, dreſſed and fully dried, ready to be ſhewed ſhall weigh thrée and twenty pound the péece at the leaſt.

Deuonſhire Karſeyes.

And that all Deuonſhire Karſeyes called Douſeins, which ſhall be made after the ſaid Feaſt, ſhall conteine in length at the water, betwéene twelue and thirtéene yards, yard and inch of the rule, and being well ſcoured, thicked, milled and fully dried, ſhall weigh fourtéene pound the péece at the leaſt.

Broad clothes called Taunton, Bridgewater, &c.

Narrow clothes.

And that all and euery broad cloth and clothes, called Taunton clothes, Bridgewaters and other clothes, which ſhall be made after the ſaid Feaſt in Taunton, Bridgewater or other places of like ſort, ſhall conteine at the water in length betwixt twelue and thirtéene yards, yard and inch of the rule, and in breadth ſeuen quarters of a yard: And euery narrow cloth made after the ſaid Feaſt in the ſaid Townes or elſewhere of like ſorts, ſhall conteine at the water in length, betwixt foure and twenty and fiue and twenty yards, yard & inch, as is aforeſaid, and in breadth, one yard of like meaſure: and euery ſuch cloth, both broad and narrow, being well ſcoured, thicked, milled and fully dried, ſhall weigh foure and thirty pound the péece at the leaſt.

Checke Karſey Straits.

And that all clothes named Checke karſey and ſtraits, which ſhal be made after the ſaid Feaſt, ſhal conteine being wet, betwixt ſeuentéene and eightéene yards, with the inches, as is aforeſaid, and in breadth one yard at the leaſt at the water, and being well ſcoured, thicked, milled and fully dried, ſhall weigh foure and twenty pound the péece at the leaſt.

Welſh Cottons.

REP. Touching the length and weight. 4.&5. P.&M.5. St.21.Iac.28. St.3.Car.4.

And that all and euery Welſh Cotton and Cottons, which after the ſaid Feaſt ſhall be made, and wrought ready to be ſold, for a whole péece, ſhall not be ſtretched on the tentour, nor otherwiſe aboue a naile of a yard in breadth, and ſhall be in length two and thirty Goades in the water at the moſt, and in breadth thrée quarters of a yard at the water at the leaſt, and being ſo fully wrought, euery whole péece thereof ſhall weigh ſix and forty pound at the leaſt, and euery halfe péece of Welſh Cotton being fully wrought as is aforeſaid, ſhall conteine in length, weight and breadth, after the ſame rate.

Welſh Fryſes.

And that all Welſh Fryſes, which after the Feaſt aforeſaid, ſhall bee made and wrought within the Shires of Cardegan, Carmarden and Pembroke, or any of them, or elſewhere of like making, readie to bee ſold for a whole peece, ſhall conteine in length at the water ſix and thirty yards at the moſt, yard and inch of the rule, and in breadth three quarters of a yard, and being ſo fully wrought, ſhall weigh euery whole péece eight and forty pound at the leaſt, and euery halfe peece of Welſh Friſes being fully wrought, as aforeſaid, ſhall containe in length, breadth and weight, after the ſame rate.

Northern cloth.

And that all and euery Northerne clothes, which after the ſaid Feaſt ſhall be made, ſhall conteine betweene three and twenty and fiue and twenty yards in length, yard and inch of the rule, and in breadth being thorow wet, ſeuen quarters of a yard within the liſts at the leaſt, and being well ſcoured, thicked, milled and fully dried, ſhall weigh threeſcore and ſix pound the peece at the leaſt.

Douſeins.

And euery halfe peece called Douſeins, made after the ſaid Feaſt, ſhall conteine in length betwixt twelue and thirteene yards of meaſure aforeſaid, and ſeuen quarters of a yard in breadth, as afore within the liſts, and being well ſcoured, thicked, milled, dreſſed and fully dried, ſhall weigh three and thirty pound at the leaſt.

Peniſtones or Foreſt whites.

And that all cloth commonly called Peniſtones, or Foreſt whites, which ſhall be made after the Feaſt aforeſaid, ſhall conteine in length, being wet, betwixt twelue and thirteene yards, yard and inch, as is aforeſaid, and in breadth ſix quarters and a halfe quarter, out of the water, at the leaſt, and being well ſcoured, thicked, milled, and fully dryed, ſhall weigh eight and twenty pound the peece at the leaſt.

Mancheſter Cottons, &c.

And that all and euery Cottons, called Mancheſter, Lancaſter Shire, and Cheſtſhire Cottons, which ſhall be made after the ſaid Feaſt, full wrought to the ſale, ſhall be in length two and twenty goads, and conteine in breadth three quarters of a yard in the water, and ſhall weigh thirty pound the peece at the leaſt.

Mancheſter Rugges.

And that all clothes called Mancheſter Rugges, otherwiſe named Mancheſter Friſes, which ſhall be made after the ſaid Feaſt, and fully wrought to ſale, ſhall conteine in length ſix and thirty yards, and in breadth three quarters of a yard, comming out of the water and ſhall not be ſtretched on the tentour, or otherwiſe aboue a naile of a yard in breadth, and being fully wrought and well dried, ſhall weigh euery peece eight and forty pound at the leaſt.

Forfeiture of the offendors in broad clothes, &c.

And be it further enacted, that all and euery perſon and perſons, which after the ſaid Feaſt of Saint Michael the Archangell next comming, ſhall make or cauſe to be made any of the ſeuerall kinds of broad clothes aboue rehearſed, of any ſhorter or longer meaſure, than is aboue ſpecified and appointed for euery Country or ſeuerall kinde of clothes to be made, or make any ſuch cloth or clothes of leſſe breadth or weight, being well ſcoured, thicked, milled and fully dried, than as is aboue ſpecified and appointed for euery ſeuerall Country, or kindes of clothes, and ſhall put the ſame to ſale, ſhall forfeit and loſe for euery ſuch default of euery cloth, ſold or offered to be ſold, in length or breadth, forty ſhillings, and for euery pound weight, which any cloth ſo made and ſold, or offered to be ſold, ſhall lacke, exceeding not aboue foure pound in weight, ſhall alſo forfeit two ſhillings for euery pound, the ſame forfeiture to goe to the finder thereof. And that if any ſuch cloth lacke aboue foure pound weight of the ſeuerall weights aboue mentioned, that euery owner thereof ſhall then forfeit forty ſhillings for euery ſuch cloth, ſo lacking of his weight, as is aforeſaid.

Cloth exceeding the length by the goodnes.

Prouided alwayes, that if any broad cloth ſhall exceed the ſeuerall length before appointed for euery Country, or kinde of making, by meanes of the fineneſſe, or the good, perfect and ſtuffy making of the ſame cloth, that then the maker thereof ſhall not incur any loſſe or penalty for the ouerlength of any ſuch fine cloth: Any thing herein to the contrary in any wiſe notwithſtanding.

Forfeiture for narrow clothes, Karſeyes, Douſeines.

And be it further enacted, that all and euery perſon and perſons, which after the ſaid feaſt ſhal make or cauſe to be made any of the ſeuerall kinds of Karſeyes, narrow clothes, ſtreights, Douſeines, Friſes or Cottons aboue mentioned, which ſhall not be made in ſuch manner and forme as is aboue ſaid, nor containe and haue in length, breadth and weight ſeuerally appointed and limited, as is aboue ſpecified, ſhall loſe and forfeit for euery peece of cloth called Streight or Douſein, and for euery peece of narrow cloth, Karſey, Friſe or Cotton, ſo to be made and ſold, or offered to be ſold, twenty ſhillings.

No Flockes, Haire or Yarne of lambs wooll ſhall be put in any cloth.
REP. 27. El. 18.
7. Edw. 6. 9. 43. El.
10. 4. Iac. 2.

And be it further enacted, that from and after the ſaid Feaſt, no perſon or perſons ſhall put any haire, flockes or any yarne made of lambs wooll, into any cloth, Karſey, Friſe or Cotton, ſo made and ſold, or offered to be ſold, vpon peine to forfeit euery ſuch cloth, Karſey, Friſes, and Cotton, wherein any ſuch yarne, haire or flockes ſhall be put, or the value of ſuch cloth, Karſeyes or Friſe.

REP. 4. & 5. P. & M. 5.

And be it further enacted, that if at any time after the ſaid Feaſt, any cloth through the default or negligence of the Carders, Spinners or Weauers, or any of them ſhall, or doe proue either purſie, baudy, ſqually by warpe or wouſe, or elſe ſhall happen to be euill burled or waſted in the mill, or elſe through the default or negligence of the mill man, or otherwiſe to be full of holes, mill brackes, or to be holely, that then the Seale of the Aulneger ſhall not be fixed or ſet to any ſuch cloth: any law, ſtatute or vſage to the contrary in any wiſe notwithſtanding: but the accuſtomable fees and allowances of the Aulneger, ſhall neuertheleſſe be paid vpon paine of forfeiture of ſuch whole cloth, or the value thereof.

And be it further enacted, that if any Clothier or Clothmaker, doe after the ſaid Feaſt, put

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The Aulnegers fee ſhall be payd before the cloth be ſold.

any cloth or Karſey to ſale before he ſhall haue paid to the Aulneger or his Deputy, the accuſtomable fee, or agree for the ſame, as he, ſhe or they haue beene accuſtomed, ſhall loſe and forfeit for euery default twenty ſhillings.

No cloth ſhalbe tranſported before the Aulnegers and owners Seale be ſet to it.

And be it further enacted, that no perſon or perſons, Engliſh, Denizen, Alien or ſtranger, ſhal after the ſaid Feaſt carry or tranſport, or cauſe to be carried or tranſported, into any of the parts beyond the ſea, any cloth, Karſey, Friſe or Cotton of the ſeuerall ſorts aboue recited, vnleſſe the Kings Seale, or Aulnegers Seale of this Realme, and the Seale of the owner or maker of the cloth, (declaring therein the length of the cloth, as it ſhall be in the water) be ſet vpon euery ſuch cloth, vpon paine to forfeit euery ſuch cloth lacking the ſame Seales, or any of them, or the value thereof.

Euery retailer ſhall try his cloth, and preſent that which is faulty.

And be it further enacted by the authority aforeſaid, that no Draper, Merchant Tailor, Clothworker, or other perſon, which ſhall retaile any of the clothes or Karſeyes, Friſes, Rugges or Cottons of the ſeuerall makings aforeſaid, ſhall after the ſaid Feaſt put to ſale any of the clothes afore mentioned, whereunto the Aulneger ſhall haue ſet to the Kings Seale, and the owner his ſeale, till ſuch time as he or they haue made triall, aſwell by the water, as by the weight and meaſure, whether they, and euery of them ſhall be made according to the purport and true meaning of this Act, or no.

And if any perſon or perſons, ſhall find any defectiue or faulty cloth in length, weight or meaſure, made contrary to the order aforeſaid, that then he or they ſhall preſent euery ſuch cloth to euery Maior, Bailiffe or other head Officer or head Officers of euery City, Borough or Towne corporate, or to two Iuſtices of Peace next adioyning out of a City, Borough, or Towne corporate, where ſuch cloth ſhall be found faulty, as is aforeſaid, to the intent the ſame cloth may be cut into three equall parts and peeces. The one peece thereof to be forfeited to our Soueraigne Lord the King, another peece to be to the preſenter thereof, and the third part reſidue, to ſuch perſon or perſons, as it ſhall then be preſented to, vpon paine that euery ſuch perſon, as ſhall not ſo ſearch euery of the clothes, Karſeyes, Cottons or Friſes aforeſaid, ſo by him to be bought and ſold, and ſhall not ſeiſe and preſent ſuch cloth or clothes, as he or they ſhall finde defectiue, as is aforeſaid, ſhall forfeit and loſe the double value of euery ſuch cloth.

The Clothier ſhall repay his money to the buyer of faulty cloth.

And be it further enacted, that euery Clothier or other perſon whatſoeuer, which ſo ſhall ſell any ſuch faulty Karſey, Cotton or Friſe, whereunto the Aulneger and the owner ſhall haue ſet to their ſeales, and ſhal ſo be ſealed, as is aforeſaid, ſhal within fourteene dayes next after requeſt made in writing, meſſage or otherwiſe, by ſuch perſon, which ſhall ſo buy ſuch cloth, make payment of ſuch ſummes of money as he receiued for the ſame, or ſhall otherwiſe ſatisfie, diſcharge and acquit him for ſo much money as he ſhall or ſhould haue receiued for the ſame,. vpon paine of forfeiture to the party grieued for euery non payment, or not acquitall, as is aforeſaid, the double value of the money ſo receiued, or to be receiued, the ſame to be recouered by bill, plaint, action of debt, or otherwiſe, in any of the Kings Maieſties Courts of Record, where in no eſſoine, protection or wager of Law ſhall be admitted or allowed.

Stretchins of clothes.

And for the further auoiding of much vntruth practiſed by ſtretching of clothes, be it enacted, that no perſon or perſons ſhall after the ſaid Feaſt, ſtraine or ſtretch, or cauſe to be ſtrained or ſtretched any cloth aboue one yard in length, and one halfe quarter in breadth, vpon paine to forfeit for euery ſuch default, fiue pounds.

The penalty for vſing a tentour, with a wrinch, rope or ring.

And be it further enacted, that no perſon which ſhall after the ſaid Feaſt keepe, haue, vſe or occupy any tentour, ſhall haue, vſe, or occupy any wrinch, rope or ring, with the ſame tentour, or ſhall vſe any other engine vnlawfully to ſtraine or ſtretch any cloth or clothes, vpon paine that euery offendor that ſhall vſe or occupy any tentour, or other engine to the contrary ſhall forfeit twenty pounds.

Tranſporting defectiue cloth. ALT.4. & 5. P. & M. 5. St.43. El.10.

And be it alſo enacted by like authority, that if any Merchant ſhall by any meanes tranſport or carry ouer into the parts beyond the Sea, any Cloth, Kerſey, Friſe, or Cotton, which ſhall be found defectiue, or faulty either in length, bredth, or weight, or elſe ſhall haue any of the faults aforeſaid, that then the Merchant, or other perſon, which ſhal ſo tranſport the ſame, ſhall returne againe the ſame cloth, ſo found defectiue, into England, at the coſts and charges of the Clothier, or Clothmaker, that ſold the ſame cloth: the ſame coſts and things to be recouered againſt ſuch Clothmaker or Clothier, by action of debt, bill, plaint or information in any of the Kings Courts, any promiſe or bargaine to the contrary notwithſtanding: Vpon paine that euery Merchant, or other perſon, which ſhall not ſo returne ſuch faulty or defectiue cloth (if through miſfortune by tempeſts, pirates or enemies, he be not letted) ſhall forfeit and loſe the value of the cloth ſo ſhipped and tranſported, and not returned, as is aforeſaid. The one moity thereof to the King, and the other moity to him that will ſue for the ſame by action of debt, by bill, plaint or information, in which action no eſſoine, protection nor wager of law ſhall be admitted for the defendant.

And to the intent that it may perfectly be knowne which clothes are perfectly dreſſed, died and preſſed with the cold preſſe, without fraud, couin and deceit, as well within the City of London, as elſewhere, and haue ſufficient workmanſhip.

Be

Two ſearchers ſhall be appointed in euery City, Borough, &c. of cloth, and their authority. 2.& 3.P.& M.12.

Be it further enacted, that as well the Maior of the City of London, and Aldermen, or the moſt part of them, for the time being, as all and euery other Maior, Bailiffe and other head Officer or Officers, of euery City, Borough or Towne corporate within this Realme, ſhall haue full power and authority, by vertue of this Act, to nominate, depute, and appoint from time to time, as occaſion ſhall ſerue, and ſhall ſo from time to time nominate, depute and appoint two or moe honeſt, diſcreet and expert perſons, which ſhall from time to time vpon their oathes, view and ſearch all and euery cloth and clothes, that ſhall be dreſſed, dyed or preſſed with the cold preſſe, within euery ſuch City, Borough, Towne Corporate, or Port Towne, and view and ſearch whether the ſame cloth and clothes be well and ſufficiently dreſſed, and preſſed with the cold preſſe, without putting thereto flockes, ſollacs, chalke, flower or any other deceitfull thing, and alſo whether the ſame ſhall be well and ſubſtantially dyed with good and perfect colours, without any deceiueable thing, or whether it ſhall be ſtretched or ſtrained any more than is aboue ſpecified: and ſhall haue full power and authority, by vertue of this Act, to enter into all and euery perſons houſe or houſes, where they ſhall thinke meet to ſearch and to ſeiſe all and euery ſuch cloth and clothes, as they ſhall finde defectiue in the premiſſes, as forfeited, in whoſe hands ſoeuer they ſhall be found. The moity of which forfeiture ſhall be to the vſe of our Soueraigne Lord the King, and the other moity to the vſe of the Maior and Communalty of the City of London, or to the vſe of euery City, Borough, Towne corporate, Port Towne or Market Towne, where the ſame ſhall be ſeiſed.

A remedy for the loſer where the cloth is faulty.

And be it further enacted, That euery perſon or perſons, in whoſe hands or poſſeſſion ſuch defectiue or faulty cloth, either by euill or deceiuable dying, dreſſing or preſſing, as is aforeſaid, ſhal be found and ſeiſed, as is aforeſaid, ſhall haue his, her, or their remedy by action of debt, bill, plaint, information, or otherwiſe in any of the Kings Maieſties Courts of Record, wherein no eſſoine, protection, or wager of Law ſhall be admitted or allowed for the defendant, againſt all and euery ſuch perſon or perſons, by whoſe defaults or negligence, ſuch cloth ſhall ſo be found faulty, and ſhall thereby recouer all ſuch coſts, loſſes and dammages, as he ſhall ſuſtaine by occaſion thereof.

A Seale of lead for a Towne Corporate.

And be it further enacted by the ſame authority, that as well the ſaid Maior of the City of London, as euery other Maior, Bailiffe, Port-Rieue, or other head Officer of euery City, Borough, Towne corporate, or Port Towne, ſhall on this ſide the ſaid Feaſt, cauſe to be prepared a Seale of lead, wherein as well the Armes, as the name of euery ſuch City, Borough, Towne corporate, and Port Towne, ſhall be grauen, which the ſame Searchers ſhall cauſe to be fixed to euery cloth that they ſhall finde, after the ſaid Feaſt, well and ſufficiently dreſſed, dyed and preſſed with the cold preſſe, without any of the deceits aforeſaid, and ſhall haue for their paines and trauelles therein to be taken, by the owner thereof for the ſealing of euery cloth, two pence.

The Seale of faulty cloth.

And be it further enacted, that if any Searcher or Searchers ſo to be appointed, doe after the ſaid Feaſt finde any of the clothes, being coloured or dyed, ſo made after the ſaid Feaſt, either cockly, purſie, baudy, ſqually or rowy, or euill burled, or waſted in the mill, or full of holes or brackes, that then the ſame Searcher or Searchers, ſhall beſides the Seale of the City, Borough, or Towne corporate, where the ſame cloth ſhall be found, put another Seale of lead at euery end of the ſaid cloth, wherein ſhall be grauen the letter F. and ſhall alſo ſet a marke in the liſt, right againſt ſuch place where any of the faults aforeſaid ſhall be, with the print of a letter, or marke of an inch compaſſe at the leaſt, whereby euery buyer may well know what, and where the fault is.

Forf. where the Seale is ſet to cloth not ſufficiently dreſſed.

And be it further enacted, that if any of the Searchers aforeſaid ſhall ſet the Seale of any City, Borough, Towne corporate, or Port Towne, to any coloured cloth, which ſhall not be ſufficiently dreſſed, dyed, preſſed and wrought, as is aforeſaid, that then the Maior and Communalty, or Bailiffes or Communalty or other Corporation of the Towneſhip by whatſoeuer name or names they ſhall be incorporated where ſuch cloth ſhall ſo be ſealed, ſhall forfeit and loſe the whole value of the cloth ſo ſealed.

Forf. where the Seale is ſet to faulty cloth.

And be it further enacted by the authority aforeſaid, that if any of the Searchers aforeſaid, after the ſaid Feaſt doe ſet to the Seale of the City, Borough or Towne corporate within the limits of their ſearch, to any cloth which ſhall be cokely, purſie, baudy, ſqually, rowy, euill burled, waſted in the mill, or full of holes, as is aforeſaid, and not ſet at euery end of the ſaid clothes one ſeale with the letter F. as is aforeſaid, and alſo declare by the liſts, as is aforeſaid, what and where the faults of the cloth be: that then the Maior and Communalty, or other the Corporation of euery ſuch Borough, City or Towne corporate, where ſuch Searcher ſhall be appointed, ſhall forfeit and loſe for euery ſuch omiſſion, or not ſetting to of any ſuch Seale, as is aforeſaid, fiue pound.

Cloth retailed, which is vnſealed.

And be it further enacted, that no perſon or perſons, whatſoeuer they be, which commonly vſe to retaile cloth or Karſey, ſhall put to ſale in groſſe, or by retaile, to any manner of perſon, any manner of cloth, which ſhall be made after the ſaid Feaſt, being dreſſed, dyed and preſſed, as is aforeſaid, except there be fixed thereunto at euery end of the ſame cloth, the ſeale of ſuch City, Borough, or Towne corporate, where the ſame cloth ſhall be ſo dyed, dreſſed and preſſed, or the ſeuerall ſeale of euery ſuch City, Borough, or Towne corporate, where it ſhall be dyed, dreſſed, or preſſed, to remaine at the laſt end of euery of the ſaid cloth which ſhall be ſold, during and by all the time, that any péece, or remnant of ſuch cloth is to be ſold, vpon paine of forfeiture the whole value of ſuch whole cloth.

The forfeiture of the chiefe officer of a Citie Borough, &c. for not appointing ſearchers.

And be it further enacted, that euery Mayor, Bailiffe, or other head Officer of any City, Borough or Towne corporate, in which any ſuch cloth or clothes after the ſaid feaſt ſhall be made, dyed, dreſſed, or preſſed with the cold preſſe as is aforeſaid, which doth not, or ſhall not after the ſaid feaſt of S. Michael, nominate and appoint from time to time ſo many Searchers as ſhall be requiſite, to view and ſearch clothes vpon their oathes as is aforeſaid, ſhal loſe and forfeit for euery default ten pound.

The penalty for refuſing to be a ſearcher.

And be it further enacted, that if any of the ſaid Searchers ſo to be appointed by the Mayor, being a frée man of the ſaid City, or by the Mayor, Bailiffe, or other head Officer of any City, Borough, or Towne corporate, as is aforeſaid, hauing no reaſonable excuſe, doe refuſe to take vpon him to be a Searcher, and doe not vſe the office of a Searcher, as is aforeſaid, ſhall forfeit and loſe for euery ſuch refuſall, and not executing of his office ſo to him appointed, v. li. The one halfe thereof to be to the King our Soueraigne Lord, and the other halfe to the vſe of the comminalty of euery City, Borough or Towne corporat, where he ſhall ſo be aſſigned, and to remaine in ward till ſuch time as he hath made payment of the ſaid forfeiture, or otherwiſe put in ſufficient bonds for the ſatiſfaction of the ſame.

No coloured cloth ſhall be put to ſale but theſe within named.
REP. 21. Iac. 28.
St. 4. & 5. P. & M. 5.

And foraſmuch as there be now in this time many falſe and deceiueable colours made in diuerſe places of this Realme, whereby many of the Kings louing Subiects are deceiued: Be it enacted, that from and after the ſaid Feaſt of Saint Michael the Archangell next comming, no perſon or perſons, ſhall put to ſale by retaile within this Realme, any cloth or clothes, which ſhal be made after the ſaid feaſt, of any other colour or colours, than is hereafter expreſſed. That is to ſay, Scarlet, Red, Crimoſin, Murrey, Violet, Puke, Browne-blew, Blacks, Gréenes, Yellowes, Blewes, Orenge-tawny, Ruſſet, Marble-grey, ſad new colour, Azure, Watchet, Shéepes colour, Lyon colour, Motteley, or Yron-grey, vpon paine that euery perſon offending to the contrary, ſhall loſe and forfeit the value of the cloth ſold by retaile, which ſhall be of any other colour.

Preſſing of cloth.

And be it further enacted, that no perſon or perſons, after the ſaid feaſt of Saint Michael the Archangell, ſhall preſſe any kinde of cloth with the hot preſſe, or in any other kinde of deceiueable manner, but only with the cold preſſe, as is aboue ſpecified, vpon paine of forfeiture of the whole cloth ſo preſſed contrary to the meaning of this Statute, or the value thereof.

Counterfeiting, ſetting to or taking away ſeales.

And be it further enacted, that if any perſon or perſons, but ſuch as are appointed, aſſigned, and permitted by this act, doe at any time after the ſaid feaſt counterfeit, ſet to, or take away, from any of the Clothes, Karſeis, Friſes, Rugges, or Cottons aforeſaid, any of the ſeales ſo to be fixed, as is aboue recited, that then euery perſon ſo offending, ſhall for the firſt offence (being thereof duly conuicted by verdict of twelue men, by two ſufficient witneſſes, or by confeſſion of the party) forfeit and loſe ten pound. And for the ſecond offence (being likewiſe thereof conuicted) ſhall ſit on the pillory, and loſe and forfeit to our Soueraigne Lord the King, all ſuch his goods and cattalles (his debts being duly and truly paid, without fraud or couine) as he had or ſhall haue at the time of his conuiction.

A Clothier ſhal not giue ouer the making of cloth without licence.

And be it further enacted, that if betwéene the firſt day of May next comming, and the feaſt of Saint Michael the Archangell, then next comming, any perſon or perſons, which now doth vſe the art or myſtery of Draping or Cloth-making, ſhall giue ouer Draping or Cloth-making, except he be licenced ſo to doe by thrée Iuſtices of Peace, at the leaſt of the City, County, Borough, or Towne corporat where he dwelleth, vpon ſome reaſonable cauſe ſhewed vnto the ſaid Iuſtices, ſhall neuer after take vpon him to make or cauſe to be made, any kinde of Cloth, or Karſey, to ſell the ſame againe, vpon paine of forfeiture of euery ſuch Cloth or Karſey that he ſhall ſo ſell.

A repeale of all former ſtatutes touching the making, dying, and dreſſing, &c. of cloth.

And be it further enacted, that all and euery article, clauſe, or ſentence in any Act of Parliament thereof made, concerning making, dying, dreſſing, preſſing, ſearching or ſealing any of the kindes of Clothes, broad or narrow, white or coloured Karſeis, Friſes, Rugges or Cottons, heretofore in this Act mentioned, and being repugnant, or contrariant to any article or ſentence in this Statute, ſhall from the feaſt of Saint Michael the Archangell next, be vtterly void, and of none effect, and to the intent that all ſuch Clothes as ſhall be made within this Realme, or any other the Kings Dominions, after the ſaid Feaſt, ſhall be the better knowen from the other clothes made before the ſame time.

A meane to diſcipher faulty clothes by the want of the E. crowned. St. 3. & 4. Ed. 6. 2.

Bee it therefore enacted by the authority aforeſaid, that from and after the ſaid Feaſt, the letter E. crowned, ſhall not be wrought into the cloth, for and by the ſpace of two yéeres then next enſuing, vpon paine of forfeiture of twenty ſhillings, for euery cloth or Karſey, wherein the ſaid letter E. ſhall ſo be wrought, the moity of all which forfeitures, and of all other forfeitures before expreſſed, and not otherwiſe appointed by this preſent Act, ſhall be to the King our ſoueraigne Lord, and the other moitie to him or them that will ſue for the ſame by action of debt, detinue, bill, plaint, or information, in any of the Kings courts of Record, wherein no wager of law, eſſoine, or protection ſhal bee admitted, nor allowed, for the defendant.

Who ſhall haue the forfeitures, and by what meanes.

Prouided alſo, and be it enacted by the authority aboueſaid, that it ſhall not bee lawfull to any perſon or perſons, at any time after the feaſt of Saint Michael the Archangell next comming, to boile, or cauſe to be boiled any kinde of Wools, to bee conuerted into any kinde of broad cloth, or Karſey, with any kind of gauls, rindes, barkes of trées, or ſaw duſt, vpon paine to forfeit all ſuch wooll, or the value thereof to be recouered, and had, in ſuch forme and ſort, as in the foreſaid Act is limited and expreſſed.

No boyling of Wools.

Prouided alwayes that this Act, or any thing therein contained, ſhall not in any wiſe extend to any Cloth or Clothes made in the towne of Taueſtocke, in the County of Deuonſhire, or elſe where within the ſaid County, commonly called Taueſtocke clothes, but that it ſhall bee lawfull to all and euery Inhabitants of the ſaid Towne, or makers of the ſaid Clothes, commonly called Taueſtockes, to make and ſeale the ſame with the accuſtomed Seale, as they haue heretofore béene accuſtomed, any thing in this Act to the contrary in any wiſe notwithſtanding. St.4. and 5. *P.& M.*5.27. *El.*17.4. *Iac.*2.

Taueſtocke clothes.

Cap. VII.

What perſons may buy and ſell wooll, and who not, and at what times. Rep.21. *Iac.*28.ſt.18. *Ed.* 3.3.4. *Ed.*4.4.4. *H.*7.11.37. *H.*8.15. 1. *Ed.*6.6. 2.& 3. *P.& M.*13.

Cap. VIII.

What perſons may weaue or make broad Woollen cloth.

Be it enacted by the aſſent of the Kings Maieſty, the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that no perſon or perſons within this Realme of England, Wales, or other the Kings Dominions, after the feaſt of Saint Michael the Archangell next enſuing, ſhall weaue or make, or put to weauing, or making, any manner of broad Woollen clothes, to bee ſold, vnleſſe that ſuch perſon or perſons, that ſhall ſo weaue or make, or put to weauing, or making the ſaid broad Woollen cloth or clothes, ſo to be made to be ſold, haue béene an Apprentice to the occupation of broad Woollen cloth making, or clothes weauing, or haue béene exerciſed and practiſed in, and with broad cloth making, or cloth weauing, by the ſpace of ſeuen yéers at the leaſt, before the ſame perſon or perſons ſhall ſo take vpon him or them, to make or weaue, or to put to weauing or making the ſaid broad Woollen clothes, vpon paine to forfeit all, and euery ſuch cloth and clothes, ſo wouen or made contrary to the forme of this Act.

No perſon ſhall weaue any broad woollen cloth vnleſſe he hath been ſeuen yeeres apprentice.

The one halfe of which forfeiture, ſhall bee to our Soueraigne Lord the King: and the other halfe to him or them that will or ſhall ſue for the ſame, by bill, plaint, action of debt, or information in any Court of Record, within this Realme of England, or Wales: in which action, ſuit, plaint, bill, or information, no eſſoine, protection, or plea, to the Iuriſdiction of the Court, ſhall be allowed for the Defendant. St.1. *M.*7. 4.& 5. *P.& M.*5. 2.& 3. *P.& M.*11.

Cap. IX.

No perſon robbing any houſe, &c. ſhall haue the benefit of his Clergy.

Where at the Parliament holden at Weſtminſter, by prorogation in the thrée and twentieth yéere of the reigne of the late King of famous memory, King Henry the eighth. It was among other things, then and there enacted, eſtabliſhed, and ordeyned, by authority of the ſame Parliament, that no perſon or perſons, which after that time ſhould happen to be found guilty, after the lawes of this Realme, for any manner pety Treaſon, or for any wilfull murther of malice prepenſed, or for robbing of any Churches, Chappels, or other holy places, or for robbing of any perſon or perſõs in their dwelling houſes, or dwelling places, the owner or dweller in the ſame houſe, his wife, his children, or ſeruants then being within, and put in feare, or dread by the ſame, or for robbing of any perſon or perſons, in or néere about the high waies, or for wilfull burning of any dwelling houſes, or barnes, wherein any graine or corne ſhould happen to be, nor any perſon or perſons, being found guilty of any abbetment, procurement, maintaining, or concealing of any, or to any ſuch pety treaſon, murthers, or Felonies, ſhould from thenceforth be admitted to the benefit of his or their Clergy, but vtterly to be excluded thereof, and ſuffer death in ſuch maner and forme, as they ſhould haue done for any the cauſes or offences aboueſaid, if they were

23.H.8.c.

no Clerkes,ſuch as be within the holy Orders,that is to ſay,of the Orders of Subdeacon, or aboue,all only excepted,as by the ſame Act among other things more plainly appeareth,which act was made to endure vntill the laſt day of the next Parliament:and after that at the ſeſſion of the Parliament holden at Weſtminſter by prorogation, in the two and thirtieth yeere of the raigne of the ſaid late King,the ſame Act,with other Acts,was made to continue for euer. 32.H.8.3.

Three ſeuerall doubts and queſtions moued vpon the St. of 23.H.8.1.

Sithen the making of which Statute, it hath beene doubted, that if ſuch robberies and felonies,hath beene committed and done in dwelling houſes,and dwelling places,the owner or dweller in the ſame houſe, his wife his children or ſeruants, being then put in feare or dread by the ſame, ſhall not loſe the benefit of their Clergy, if the offendors bee therein found guilty by the lawes of this Realme, vnleſſe the ſame robbery or felony, be committed and done in the very chamber,houſe or place where the owner or dweller in the ſame houſe,his wife, children,or ſeruants ſhall happen to be, or lye at the time of ſuch robbery and felony committed and done, and put in feare and dread, although the owner and dweller in ſuch houſe and houſes, his wife, his children or ſeruants, at the time of ſuch robbery and felony committed and done, were or lay in other places within the precinct of the ſame dwelling houſes,nigh vnto the houſe or place, where ſuch robbery and felony ſhall happen to be done. Or if it happen that the owner or dweller within the ſame houſe where ſuch robbery and felony ſhal happen to be done,his wife,children or ſeruants to be a ſleep,at the time of ſuch robbery and felony committed and done,although the ſame robbery were done in the chamber, or place where the owner or dweller in the ſame houſe, his wife, children or ſeruants, then lay, the offendors, being found guilty thereof according to the lawes of the land,ſhould not loſe the benefit and aduantage of their Clergy.

And where alſo it hath beene in queſtion and doubted,that if ſuch robberies and felonies, happen to bee committed and done in any booth or boothes, tent or tents, in any faire or market, the owner of the ſame,his wife,children or ſeruants happening to be within the ſame, at the time of the committing of ſuch felonies, and put in feare and dread, the offendors therein being found guilty,after the lawes of this realme,ſhould not loſe the benefit of their Clergy.

For the true declaration and explication of the ſame doubts or queſtions before recited: Be it enacted,ordained,and eſtabliſhed by the King our ſoueraigne Lord,the Lords ſpirituall and temporall and the commons in this preſent Parliament aſſembled,and by the authority of the ſame, that if it happen any perſon or perſons,to be found guilty according to the lawes of this realme, for robbing of any perſon or perſons after the firſt day of May next enſuing, in any part or parcell of their dwelling houſes, or dwelling places, the owner or dweller in the ſame houſe, or his wife, his children, or ſeruants being then within the ſame houſe or place, where it ſhall happen the ſame robbery and felony to be committed and done, or in any other place within the precinct of the ſame houſe or dwelling place,that ſuch offendors ſhal in no wiſe be admitted to their[d] clergy, whether the owner or dweller in the ſame houſe, his wife, or children,then and there being, ſhall be waking or ſleeping,

Burglary the owner,&c.being in another part of the houſe or a ſleepe.

[d] Coke

And that no perſon nor perſons,which after the ſaid firſt day of May,ſhall happen to be found guilty,after the Lawes of this Realme,of, and for robbing any perſon or perſons,in any Booth or Tent,in any Faire or Market, the owner,his wife, his children or ſeruants, or ſeruant then being within the ſame Booth or Tent, ſhall not from henceforth be admitted to the benefit of his or their Clergy,but vtterly be excluded thereof,and ſuffer death in ſuch manner and forme,as is before mentioned in the ſaid Act, made in the ſaid three and twentieth yeere of the reigne of the ſame late King,for robberies and felonies committed and done,in dwelling houſes,and dwelling places, the owner or dweller in the ſame, his wife, children or ſeruants, then being within the ſame,and put in feare and dread,without hauing any reſpect or cōſideration whether the owner or dweller in ſuch Boothes and tents,his wife, children or ſeruants being in the ſame Boothes or tents at the time of ſuch robberies and felonies committed,ſhalbe ſleeping or waking.

Burglary in a tent or booth, in a faire or market.

Cap. X.

Such as rob in one ſhire and flye into another ſhall not haue their Clergy.

25.H.8.3.

23.H.8.1.

WHere in the Parliament holden at Weſtminſter, vpon prorogation the xv.day of January,in the xxv.yeere of the raigne of our late Soueraigne Lord King Henry the eight: It is recited that at that Parliament holden at Weſtminſter, in the xxiii. yeere of the raigne of the ſaid late King,amongſt other things it was ordeined,eſtabliſhed and enacted, that no perſon nor perſons,which after that time ſhould happen to be found guilty after the lawes of this land,of any manner of petit treaſon,or for any wilfull murther of malice prepenſed,or for robbing of any Churches,Chappels,or other holy places,or for robbing of any perſon or perſons,in their dwelling houſes, or dwelling place, the owner or dweller in the ſame houſe, his wife, his children or ſeruants then being within,and put in feare and dread by the ſame, or for robbing of any perſon or perſons, in or neere about the high way, or for wilfull burning of any dwelling houſes, or

Barnes, wherein any graines of Corne ſhould happen to bee, nor any perſon or perſons, being found guilty of any abbetment, procurement, helping, maintaining or concealing of, or to any ſuch pety treaſon, murders, or felonies ſhould from thenceforth be admitted, to the benefit of his or their Clergy, but ſhould vtterly be excluded thereof, and ſuffer death in ſuch manner and forme, as they ſhould haue done for any the cauſes or offences aboueſaid, if they were no clerkes, which Act extended, but onely where ſuch offendor was conuicted in ſuch County or place, where ſuch offence was ſo committed and done, and not where he or they, did ſuch offence in one County and were taken with the manner in another County. Wherefore it was conſidered, that for as much as diuers and many felons, and robbers, that commit, and doe diuers and many great heinous Robberies, and Burglaries, in one Shire, and conuey the ſpoyle and robbery into any other Shire, and there bee taken, endicted, and arraigned of felony, of the felonous ſtealing of the ſame goods in the ſame other Shire, than where the ſame Robberies, or Burglaries were done and committed, and not of the ſame robbery nor burglary, for that it was not done, nor committed in the ſame Shire, where they be ſo endicted and arraigned, and that by reaſon thereof, ſuch felons, robbers, and burglarors, had, and enioyed the priuilege and aduantage of their Clergy.

For redreſſe whereof it was enacted in the ſaid Parliament, holden in the ſaid fiue and twentieth yeere of the ſaid late King, that if any perſon or perſons, after that time, after ſuch robbery or burglary, by him or them done in one County, ſhould bee endicted of felony for ſtealing of any Goods or Cattells, in any other County within this Realme, and thereupon arraigned and found guilty, or ſtand mute of malice, or challenge peremptory aboue the number of twenty perſons, or would not vpon his or their ſaid arraignement directly anſwer to the ſame felony, that then the ſame perſon and perſons, ſo arraigned and found guilty, or ſtanding mute of malice, or challenging peremptory aboue the number of twenty perſons, or that would not directly anſwer to the Law, ſhould loſe and bee put from the benefit of his or their Clergy, in like manner and forme, as they ſhould haue beene, if they had beene endicted, arraigned, and found guilty in the ſame County where ſuch Robbery or Burglary, as is aforeſaid, was done or committed, if it ſhould appeare to the Juſtices before whom any ſuch felons or robbers ſhould bee arraigned by euidence giuen before them or by examination, that the ſame felons and burglarors ſhould haue beene put from their Clergy in caſe they had beene endicted, arraigned, and found guilty in the ſame County, where the ſame robberies or burglaries were committed, or done, as in the ſame Statute made in the ſaid fiue and twentieth yeere among other things more plainly appeareth.

And where in the Parliament holden at Weſtminſter, the fourth day of Nouember, in the firſt yeere of the Reigne of our Soueraigne Lord the King that now is: It is ordeined and enacted amongſt other things, that no perſon or perſons, that before that time had beene, or at any time hereafter ſhould bee in due forme of the lawes attainted, or conuicted of murder, of malice prepenſed, or of poyſoning of malice prepenſed, or of breaking of any houſe by day or by night, any perſon being then in the ſame houſe, where the ſame breaking had beene, or after that time ſhould be committed, being put in feare or dread, or of, or for robbing of any perſon or perſons in the high way, or neere the high way, or for felonious ſtealing of horſes, geldings, or mares or of felonious taking of any goods out of any pariſh Church, or other Church or Chappell, or being indicted or appealed of any of the ſame offences, and thereupon found guilty, by verdict of xii. men, or ſhould confeſſe the ſame vpon his or their arraignment, or would not anſwer directly according to the lawes of this realme, or ſhould ſtand wilfully, or of malice mute, ſhould not be admitted to haue or enioy the priuilege or benefit of his or their Clergy or Sanctuary, but ſhould be put from the ſame.

Wherein the ſtatute made 1.Ed.6.12.doth take away the force of the St.of 25.H.8.3.

And that in all other caſes of felony other than ſuch as bee before mentioned, all and ſingular perſon and perſons, which after the firſt day of March then next following, ſhould be arraigned or found guilty vpon his or their arraignement, or ſhould confeſſe the ſame, or ſtand mute in forme aforeſaid, or would not anſwer directly in forme aboueſaid, ſhould haue and enioy the priuilege and benefit of his or their Clergy, and the liberty and priuilege of Sanctuary, in like manner and forme, as hee or they might or ſhould haue done, before the xxiiii. day of Aprill in the firſt yeere of the raigne of the ſaid late King Henry the eight, as in the ſaid Act made in the ſaid firſt yeere among other things more plainly appeareth. By reaſon of which article & clauſe, contained in the ſaid Act, made in the ſaid firſt yeere, the ſaid Statute made in the ſaid xxv. yeere of the ſaid late King, which did put ſuch felons and burglarors from their Clergy, that doe ſuch offence in one County, and after are taken with the goods ſtollen in another County, and there endicted arraigned, and found guilty, was made void. By reaſon whereof diuers and many perſons that ſithen the ſaid firſt yeere haue committed ſuch robberies and burglaries in one county, and after haue been taken with the manner in another county, and there endicted, arraigned, and found guilty, haue had and enioyed their Clergy, which they would not haue had in caſe the ſaid Act, made in the ſaid xxv. yeere had ſtand in force, to the great bolding and comfort of ſuch offendors. For redreſſe whereof from henceforth to be had, be it enacted by the authority of this preſent

The St. of 25.H.8.3.ſhall ſtand in force notwithſtanding a clauſe compriſed in the St.of 1.Ed.6.12.

ſent Parliament, that the ſaid Act made in the ſaid xxv. yéere, touching the putting of ſuch offendoꝛs from their Clergy, and euery article, clauſe and ſentence conteined in the ſame, touching [a] Clergy, ſhall from henceforth, touching ſuch offences, from henceforth to bee committed and done, ſtand, remaine, and bee in full ſtrength and vertue, in ſuch manner and foꝛme, as it did befoꝛe the making of the ſaid Act, made in the ſaid firſt yéere of the raigne of our ſaid Soueraigne Loꝛd the King that now is: any clauſe, article, oꝛ ſentence, compꝛiſed in the ſaid Act made in the ſaid firſt yeere, to the contrary thereof notwithſtanding.

[a] Co.li.11.

Cap. XI.

An Act for the puniſhment of diuers kindes of Treaſons.

IT ſhall be high Treaſon for any perſon directly to affirme by writing, printing, painting, caruing, or grauing, that the King is an heretike, ſchiſmatike, tyrant, infidel, or vſurper of the crown: or rebelliouſly to detaine from the King any of his caſtles or holds, or any of his ſhips, ordenance, artillery, or other fortifications of warre. Exp. & Rep. 1. M. 1.

Befoꝛe whom treaſons committed out of the realme ſhall be tryed. St 26. H. 8. 13. 35. H. 8. 2.

And ouer that be it enacted by the authoꝛity afoꝛeſaid, That if any of the Kings ſubiects, Denizens oꝛ other, doe commit oꝛ pꝛactice out of the limits of this Realme, in any [b] outward parts, any the offences which by this Act are made, oꝛ heretofoꝛe now ſtanding in foꝛce, haue béen made Treaſon, that then ſuch Treaſons whatſoeuer they be, oꝛ whereſoeuer they ſhall happen ſo to be done, oꝛ committed ſhall be enquired, and pꝛeſented by the othes of twelue góod and lawfull men, vpon góod and pꝛobable euidence and witneſſe, in ſuch Shire and County of this Realme, and befoꝛe ſuch perſons, as it ſhall pleaſe the King, his ſaid heires oꝛ ſucceſſoꝛs to appoint by Commiſſion vnder his Great Seale, in like manner and foꝛme, as Treaſons committed within this Realme, haue béene vſed to be enquired of, and pꝛeſented. And that vpon euery endictment and pꝛeſentment, founden and made of ſuch Treaſons, and certified into the Kings bench, like proces and other circumſtance ſhall bee there made, and had againſt the offendoꝛs, as if the ſame Treaſon ſo pꝛeſented, had béene lawfully found to bee done, and commited within the limits of this Realme.

[b] Coke ly.

Pꝛoces of outlawꝛy awarded againſt an offender in treaſon, being out of the Realme. St. 25. H. 8. 13.

And that all pꝛoceſſe of outlawꝛy, hereafter to be made and had, within this Realme, againſt any offendoꝛs in Treaſon, being reſiant, oꝛ inhabitant, out of the limits of this Realme, oꝛ in any the parts beyond the Sea, at the time of the[c] outlawꝛy pꝛonounced againſt them, ſhall be as góod and effectuall in the law, to all intents and purpoſes, as if any ſuch offendoꝛs had béene reſident, and dwelling within this Realme, at the time of ſuch pꝛoceſſe awarded, and outlawꝛy pꝛonounced.

[c] Dyer fo.

The party outlawed, yeeldeth himſelfe to the chiefe Juſtice of England.

Pꝛouided alwayes, and bee it enacted by the authoꝛity afoꝛeſaid, that if the party ſo hereafter to bee outlawed, ſhall within one yéere next after the ſaid outlawꝛy pꝛonounced, oꝛ Judgement giuen vpon the ſaid outlawꝛy, yéeld himſelfe vnto the chiefe Juſtice of England, foꝛ the time being, and offer to trauerſe the indictment oꝛ appeale, whereupon the ſaid outlawꝛy ſhall be pꝛonounced, as is afoꝛeſaid, that then he ſhalbe receiued to the ſaid Trauerſe, and being thereupon found not guilty by the verdict of twelue men, he ſhalbe cléerely acquitted, and diſcharged of the ſaid outlawꝛy, and of all penalties and foꝛfeitures, by reaſon of the ſame, in as large and ample manner and foꝛme, as though no ſuch outlawꝛy had béene made, any thing herein contained to the contrary in any wiſe notwithſtanding.

Foꝛfeiture by attainder of treaſon of lands in fee taile.

And bee it further enacted by the authoꝛity afoꝛeſaid, that euery offendoꝛ oꝛ offendoꝛs, being hereafter lawfully conuict of any manner of high Treaſon, by pꝛeſentment, confeſſion, verdict oꝛ pꝛoceſſe of outlawꝛy, accoꝛding to the due courſe, and cuſtome of the lawes of this realme, ſhall loſe & foꝛfeit to the Kings highneſſe, his heires and ſucceſſoꝛs afoꝛeſaid, all ſuch lands, tenements and hereditaments, which any ſuch offendoꝛ oꝛ offendoꝛs ſhall haue, of any eſtate of [d] inheritance in his owne right, in vſe, oꝛ poſſeſſion, within this realme of England, oꝛ elſewhere within any the Kings dominions, at the time of any ſuch Treaſons committed, oꝛ any time after.

[d] Plowd. 37. 41. 3. fo. 10. Dyer fo. 341.

Within what time, & befoꝛe whom the offender muſt be accuſed.

And it is further enacted by the authoꝛity afoꝛeſaid, that no perſon oꝛ perſons, ſhal in any wiſe bee impeached, foꝛ any of the offences aboueſaid, committed onely by open pꝛeaching, oꝛ woꝛds, vnleſſe the offendoꝛ oꝛ offendoꝛs be thereof accuſed within thꝛée moneths next after the ſame open pꝛeaching and woꝛds, and that the ſame accuſation oꝛ accuſations, be had, made and declared to one of the Kings Councell, oꝛ to one of the Kings Juſtices of Aſſiſe, oꝛ elſe to one of the Kings Juſtices of the peace, being of the Quorum, oꝛ to two Juſtices of the peace within the ſhire where the ſame offence oꝛ offences ſhal happen to be done oꝛ committed: any thing contained in this act to the contrary thereof in any wiſe notwithſtanding.

Concealment of high treaſon is miſpꝛiſion of treaſon.

Pꝛouided alſo, and be it declared and enacted, by the authoꝛity afoꝛeſaid, that concealment oꝛ kéeping ſecret of any high treaſon, be déemed and taken, only miſpꝛiſion of treaſon, and the offendoꝛ therein, to foꝛfeit and ſuffer, as in caſes of miſpꝛiſion of treaſon, as heretofoꝛe hath béen vſed, any thing aboue mentioned to the contrary notwithſtanding.

Pꝛouided alwayes, and be it enacted by the authoꝛity afoꝛeſaid, that no perſon oꝛ perſons, after the firſt day of Iune next comming, ſhalbe indicted, arraigned, condemned, conuicted, or attainted, for any of the treaſons or offences aforeſaid, or for any other treaſons, that now be or hereafter ſhall be, which ſhall hereafter be perpetrated, committed or done, vnleſſe the ſame offendor or offendors be thereof accuſed by two lawfull accuſers, which ſaid accuſers at the time of the arraignment of the party accuſed, if they be then liuing, ſhalbe brought in perſon before the party ſo accuſed, and auow and maintaine that that they haue to ſay againſt the ſaid party, to proue him guilty of the treaſons or offences contained in the bill of enditement laid againſt the party arraigned, vnleſſe the ſaid party arraigned ſhall willingly without violence confeſſe the ſame. Sauing to euery perſon and perſons, their heires and ſucceſſors, other than the offendors and their heires, and ſuch perſon and perſons, as claime to any their vſes, all ſuch rights, titles, intereſt, poſſeſſions, leaſes, rents, reuerſions, offices and other profits, which they or any of them ſhall haue at the day of committing ſuch treaſons, or at any time after, in as large and ample manner, as if this Act had neuer béene had nor made.

Coron. 319.

No perſon ſhall be attainted of treaſō but vpon the teſtimony of 2. lawfull accuſers.

The right of others ſaued.

Prouided alſo, and be it enacted by the authority aforeſaid, that the wife or wiues, whoſe husband or husbands hereafter ſhalbe attainted of treaſons ſpecified in this Act, or of any other treaſons whatſoeuer they be, ſhall in no wiſe be receiued, to aſke, challenge, demand or haue dowry of any the lands, tenements or hereditaments, of any the perſon or perſons to be attainted of treaſon, as is aforeſaid, during the ſaid attainder in his force: any thing before mentioned to the contrary in any wiſe notwithſtanding.

fol. 140.

The wife ſhall loſe her dower where the husband is attainted of treaſon. St. 1. Ed. 6, 12.

Cap. XII.

The marriage of Prieſts and other Spirituall perſons ſhall be adiudged lawfull.

2. & 3. Ed. 6. 21.

ALbeit, that at the ſeſſion of this Parliament holden by prorogation at Weſtminſter, the fourth day of Nouember in the ſecond yéere of the raigne of the Kings Maieſty that now is, it was ordeined and enacted by the authority of the ſame Parliament, That all and euery Law, and lawes Poſitiue, Canons, Conſtitutions and Ordinances, before that made by the authority of man onely, which then did prohibit and forbid marriage to any Eccleſiaſticall and Spirituall perſon or perſons, of what eſtate, condition or degrée they then were, or by what name or names ſoeuer they then were called, which by Gods Law might lawfully marry, and all and euery article, branch & ſentence, concerning only the prohibition for the marriage of the perſons aforeſaid, ſhould be vtterly void and of none effect: And that all manner of forfeitures, paines, penalties, crimes or actions, which were in the ſaid Lawes conteined, or of the ſame did follow, concerning the prohibition for the marriage of the perſons aforeſaid, ſhould be cléerely and vtterly void, fruſtrat and of none effect, to all intents, conſtructions and purpoſes, as well concerning marriage ſince that time made by any of the Eccleſiaſticall or Spirituall perſons aforeſaid, as alſo ſuch, which thereafter ſhould be duly and lawfully had, celebrated and made betwixt the perſons which by the laws of God might lawfully marry: Yet ſince the making of the ſaid Act, diuers euill diſpoſed perſons peruerſly taking occaſion of certaine words and ſentences in the ſame Act compriſed, haue and doe vntruly and very ſlanderouſly report of Prieſts matrimony, ſaying, that the ſame ſtatute is but a permiſſion of Prieſts matrimony, as Vſury and other vnlawfull things be now permitted, for the eſchewing of greater inconuenience and euils, ſo that thereby the lawful matrimony of Prieſts, in the opinion of many, and the children procreate and borne in ſuch lawfull matrimony, rather bee of a great number of the Kings ſubiects accompted as baſtards, than lawfully borne, to the great ſlander, perill and diſheriſon of ſuch children. Which vntrue ſlanderous report of holy matrimony, doth not only redound to the high diſhonor of Almighty God, but alſo to the Kings Maieſties diſhonor, and his high Court of Parliament, and the learned Clergy of this Realme, who haue determined the ſame to be moſt lawfull, by by the law of God, in their Conuocation, aſwel by yͤ cōmon aſſent, as by the ſubſcription of their hands. And, that moſt of all is to be lamented, through ſuch vncomly railings of matrimony, and ſlanderous reproches of the Clergy, the word of God is not heard with reuerence, followed with diligence, the godly procedings of the Kings Maieſty not receiued with due obedience, and thereby the wealthy men of this realme diſcouraged, to nouriſh and bring vp their children in learning, ſo as it is to be feared, leſt in place of good learning and knowledge, ſhall créep in ignorance, and for learned men, vnlearned ambitious men and flatterers, to the great diſpleaſure of Almighty God, and to the perill of the whole ſtate of Gods true religion within this Realme, if ſpéedy remedy bee not prouided herein.

Therefore it is enacted, by the King our Soueraigne Lord, with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame Parliament, That the matrimony of all and euery Prieſt, and other Eccleſiaſticall and Spirituall perſons and perſon heretofore had, celebrated and made, and the matrimony of euery Prieſt and other Eccleſiaſticall and Spirituall perſon, which ſhall hereafter duly be had, celebrated and made, ſhall be adiudged, déemed and taken for true, iuſt and lawfull matrimony, to all intents, conſtructions and purpoſes. And that all and euery children and childe,

The matrimony of Prieſts, & other ſpirituall perſons ſhalbe adiudged lawfull.

Prieſts children ſhalbe legitimat, and inherit their anceſtors lands.

Prieſts ſhalbe tenants by the courteſie, & their wiues endowable of their lands.

borne in any ſuch matrimony, ſhall be deemed, iudged, reputed and taken, to all intents, conſtructions and purpoſes, to bee borne in lawfull matrimony and to bee legitimate, and inheritable to lands, tenements and other hereditaments, from and by any of their fathers, mothers, and other anceſtors in like manner and forme, to all intents, conſtructions and purpoſes, as any other children, borne in lawful matrimony betwixt any of the Kings Lay ſubiects be inheritable, and that by the authority aforeſaid, as well all and euery Prieſt, and other Eccleſiaſticall and Spirituall perſon and perſons, be and ſhall be enabled to be tenants by the courteſie, after the death of their wiues, of ſuch lands, tenements and other hereditaments, as their wiues ſhal happen to be ſeiſed of, of eſtate in fee ſimple, or eſtate in fee taile generall, during the ſpouſailes, as alſo euery wife of euery ſuch Prieſt and other Eccleſiaſticall perſon, ſhall bee enabled to claime, demand, haue, and enioy dower of the lands, tenements and other hereditaments, whereof her huſband during the eſpouſailes betweene them, was ſeiſed of eſtate in fee ſimple, or fee taile generall in his owne right, in like manner and forme, to all intents, conſtructions and purpoſes, as any other huſband or wife may or might claime, demand, haue or enioy: any law, ſtatute, ordinance, canon, conſtitution, preſcription or cuſtome, had made, exerciſed or vſed in this realme to the contrary in any wiſe notwithſtanding.

Asking in the Church.

Prouided alway, that this Act, nor any thing therein contained, ſhall extend to giue liberty to any perſon to marry without asking in the Church, or without the Ceremonies according to the Booke of Common prayer and adminiſtration of the Sacraments, nor ſhall make any ſuch matrimony already made, or hereafter to be made good, which are prohibited by the law of GOD for any other cauſe.

Diuorces already made.

Prouided alſo, that this Act or any thing therein contained, ſhall extend to alter, change, reuoke, repeale or otherwiſe to diſanull any decree, iudgment, or ſentence of diuorce heretofore had or made, or to change or alter the poſſeſſion or inheritance of any Lands or Tenements already deſcended: but that they and euery of them ſhal remaine, continue and be of ſuch like force, effect, ſtrength and degree, to all intents, conſtructions and purpoſes, as they were before the making of this Act: this Act or any thing therein contained, to the contrary in any wiſe notwithſtanding.

Rep. 1. M. 2. 1. Iac. 25. reuiued.

Cap. XIII.

Euery religious perſon ſhall be inheritable to his Anceſtor, only from the time of his dereignment.

31. H. 8. 6.

WHere by an act of Parliament made the one and thirtieth yeere of the reigne of the moſt noble Prince of famous memory, King Henry the eight, for and concerning the enablement of profeſſed and religious perſons, to purchaſe to them and to their heires, in fee ſimple, fee taile, for terme of life, for yeeres or at wil, manors, lands, tenements, rents, annuities, and other Hereditaments and things whatſoeuer: and that they and euery of them, ſhould or might from thenceforth vſe and exerciſe, receiue, take, haue and enioy, all and euery lawfull thing and things to be growne, fallen or happened to them or any of them, after the ſame deraignment, or departing out of religion. And in which ſaid act of Parliament, there is a prouiſo conteined, that none of the ſame religious perſons ſhould or might at any time after the making of the ſame Act, bee taken, deemed, or iudged, for or as heire or heires, or inheritable to any perſon or perſons, to any purpoſe, reſpect, conſtruction or intent in the law, as by the ſame Act among other things therein conteined, more fully at large it may and doth appeare.

And foraſmuch as ſith the time of the making of the ſaid Act, there hath beene certaine ambiguities and doubts growne and ariſen, and hereafter are like to grow and ariſe, vpon the expoſition of the ſaid Act, whether the ſaid late religious and profeſſed perſons ſhould or might bee adiudged able to inherit and to bee inheritable as heire or heires, to any of his or their anceſtor or anceſtors, and to haue and enioy all and euery thing and things deſcended, growne, fallen or happened to them or any of them, after the ſaid deraignment or departing out of religion, yea or no. For the full and plaine declaration whereof, be it enacted, declared and expounded by this preſent Parliament, and by the authority of the ſame, that all and euery of the ſame late religious and profeſſed perſon and perſons, ſhall and may by authority of this act, be enabled to all intents, conſtructions and purpoſes, at all time and times hereafter to be taken, deemed and iudged, as heire or heires, and inheritable to all, and euery their anceſtor or anceſtors, and to haue, challenge, or enioy, receiue, and take all manors, lands, tenements, and hereditaments, and euery other thing and things, to them or any of them fallen, come, growne, or deſcended from any their anceſtors, by any manner of wayes, ſince the time of their ſeuerall deraignments, or departing out of their religion, in as ample and large manner, forme, and condition, as they had neuer beene profeſſed, nor entred into religion, the ſame profeſſion or religion, or any law, cuſtome or vſe within this Realme, to the contrary thereof in any wiſe notwithſtanding.

Euery Religious perſon ſhall be adiudged inheritable to his anceſtor only from the time of his deraignment.

Prouided alwayes, and bee it further enacted by the authority aforeſaid, that none of the ſaid religious perſons, ſhall or may by vertue of this Act, at any time hereafter, be taken, deemed or iudged for heire or heires, or inheritable to any perſon or perſons, to any conſtruction and intent in the law, by reaſon of any former right, title, intereſt, matter or cauſe, had, made, done, deſcended or growne to any reſpect or purpoſe, before their ſaid ſeuerall deraignments or departing out of their religion: any thing before in this Act or in the ſaid former Act contained to the contrary hereof in any wiſe notwithſtanding.

No religious perſon ſhall inherit by force of any former right growne before his deraignmēt.

Cap. XIIII.

Who ſhall be iudged a Foreſtaller, who a Regrater and who an Ingroſſer: and the puniſhment of them.

ALbeit diuers good Statutes heretofore haue béene made againſt Foreſtallers of merchandiſes and victuals: yet for that good lawes and Statutes againſt Regrators and Ingroſſers of the ſame things haue not béen heretofore ſufficiently made and prouided, and alſo for that it hath not bin perfectly knowne what perſon ſhould be taken for a Foreſtaller, Regrator, or Ingroſſer, the ſaid ſtatutes haue not taken good effect, according to the minds of the makers thereof: Therefore be it enacted and declared by the King our ſoueraigne Lord, with the aſſent of the Lords ſpirituall and temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that whatſoeuer perſon or perſons, that after the firſt day of May next comming ſhall buy or cauſe to be bought any merchandiſe, victual or any other thing whatſoeuer, comming by land or by water, toward any market or Faire to be ſold in the ſame, or comming toward any City, Port, Hauen, Créeke or Rode of this Realme, or Wales, from any parts beyond the Sea to be ſold, or make any bargaine, contract or promiſe, for the hauing or buying of the ſame or any part thereof, ſo comming as is aforeſaid, before the ſaid merchandiſe, victuals or other things, ſhall be in the market, Faire, City, Port, Hauen, Créeke or Rode, ready to be ſold or ſhall make any motion by word, letter, meſſage, or otherwiſe to any perſon or perſons, for the enhanſing of the price, or dearer ſelling of any thing or things aboue mentioned, or elſe diſſwade, moue, or ſtir any perſon or perſons, comming to the market or faire, to abſtain or forbeare, to bring or conuey any of the things aboue rehearſed, to any Market, Faire, City, Port, Hauen, Créeke, or Rode to be ſold, as is aforeſaid, ſhall be déemed, and taken, and adiudged for a Foreſtaller.

Statutes made againſt foreſtallers. 31. Ed. 1. 25. Ed. 3. 3. 2. R. 2. 3.

Who ſhalbe adiudged a Foreſtaller.

Further be it enacted and declared by the authority aforeſaid, that whatſoeuer perſon or perſons, that after the ſaid firſt day of May, ſhall by any meanes regrate, obtaine or get into his or their hands or poſſeſſion, in any Faire or Market, any Corne, Wine, Fiſh, Butter, Chéeſe, Candels, Tallow, Shéepe, Lambes, Calues, Swine, Pigs, Géeſe, Capons, Hens, Chickins, Pigeons, Conies or other dead victuall whatſoeuer, that ſhall bee brought to any Faire or Market, within this Realme or Wales, to be ſold, and doe ſell the ſame againe in any Faire or Market, holden or kept in the ſame place or in any other Faire or Market within foure miles thereof, ſhall be accepted, reputed and taken for a Regrator or Regrators.

Who ſhalbe reputed a Regrator.

And be it alſo enacted and declared by the authority aforeſaid, that whatſoeuer perſon or perſons, that after the ſaid firſt day of May, ſhall engroſſe or get into his or their hands, by buying, contracting or promiſe taking, other than by demiſe, grant or leaſe of land or tithe: any Corne growing in the fields, or any other Corne or Graine, Butter, Chéeſe, Fiſh or other dead victuals whatſoeuer within the realme of England, to the intent to ſell the ſame againe, ſhalbe accepted, reputed and taken an vnlawfull Ingroſſer or Ingroſſers.

Who ſhalbe taken an Ingroſſer.

And if any perſon or perſons ſhall at any time after the ſaid firſt day of May, offend in any of the things before recited, and being thereof duly conuicted or attainted by the lawes of this realm, or after the forme hereafter mentioned, ſhall for his or their firſt offence haue or ſuffer impriſonment by the ſpace of two moneths, without baile or mainpriſe, and ſhall alſo loſe and forfeit the value of the goods, cattell and victuall, ſo by him or them bought or had.

The puniſhmēt of the offendors aforeſaid for the firſt offence.

And if any perſon lawfully conuicted or attainted of or for any the offences aboueſaid, be thereof eftſoones lawfully conuicted or attainted, that then euery perſon or perſons ſo offending, ſhall haue and ſuffer for his or their ſaid offence, impriſonment by the ſpace of one halfe yéere, without baile or mainpriſe, and ſhall loſe the double value of all the goods, cattell and victuall, ſo by him bought or had, as is aforeſaid.

The puniſhmēt for the ſecond offence.

And if any perſon being lawfully twice conuicted or attainted, of or for any of the ſaid offences, ſhall eftſoones offend the third time, and be thereof lawfully conuicted or attainted, that then euery ſuch perſon, for the ſaid third offence, ſhall be ſet on the Pillory in the City, Towne or place, where he ſhall then dwell and inhabit, and loſe and forfeit all the goods and cattell, that he or they haue to their owne vſe, and alſo bee committed to priſon, there to remaine during the Kings Maieſties pleaſure.

The puniſhmēt for the third offence.

Prouided alway, and it is enacted and declared by the authority aforeſaid, that the buying of any ſuch Barley, Bigge or Otes, as any perſon or perſons (not foreſtalling) ſhall buy to conuert into Malt or Otemeale, in his or their owne houſe or houſes, and ſo ſhall bee conuerted in déed, To what retailing or other Acts this Stat. doth not extend. 13.El.25.

Or the buying of any ſuch thing, by any ſuch Fiſhmonger, Butcher or Poulter, as concerne his or their owne faculty, craft or myſtery (otherwiſe than by foreſtalling) which ſhall ſell the ſame againe vpon reaſonable prices by retaile, Or the taking of any Cattell, Corne, Graine, Butter Cheeſe or any other thing aboue mentioned, reſerued without fraud or couin, vpon any leaſe for terms of life or liues, yeere or yeeres, heretofore made or hereafter to be made, Or the buying of any wine or other dead victuall aboue mentioned, being apt and meet for mans ſuſtenance, by any Inholder or other Victualler, to ſell the ſame by retaile within his houſe, or to any of his neighbours for their ſuſtenance, for reaſonable prices, Or the buying of any dryed or ſalted Fiſh, Herring or Sprats (not foreſtalled) and ſold for reaſonable prices, or the buying of any Corne, Fiſh, Butter or Cheeſe, by any ſuch Badger, Lader, Kidder, or Carrier, as ſhall bee aſſigned and allowed to that office or doing, by three Iuſtices of peace of the country, where the ſaid Badger, Lader, Kidder, or Carrier ſhall dwel, which ſhall ſell or deliuer in open Faire or Market, or to any other Victualler, or to any other perſon or perſons, for the prouiſion of his or their houſe or houſes, all ſuch Corne, Graine, Butter and Cheeſe, as any ſuch perſon ſhall buy or cauſe to bee bought, and that within one moneth next after he ſhall ſo buy any ſuch Corne, Graine, Butter or Cheeſe, ſo that the ſame ſhal be bought without foreſtalling, Or elſe that any common prouiſion made or hereafter to bee made without fraud or couin, by any perſon or perſons, of any of the things aboueſaid, for any City, Borough, or Towne Corporate, or for prouiſion of victualling of any Ship, Caſtle, or Fort, within the Kings dominions, without foreſtalling, which ſhall be employed onely to that vſe and purpoſe, Or the buying and prouiſion of any of the victuals aboue mentioned, neceſſary and requiſite for the furniture and prouiſion of the Inhabitants of Calice, Guiſnes, and other the marches of the ſame, or of the Towne of Barwike, Holly Iſland, or the Marches of England againſt Scotland, which without fraud or couin ſhalbe tranſported and conueyed as ſoone as winde and weather may ſerue, to ſuch of the places aforeſaid, for the which the ſame ſhalbe ſo prouided, ſhall not be in any wiſe deemed adiudged or taken any offence contrary to this Act.

Changing of ſeed corne.

And it is alſo further enacted by the authority aforeſaid, that if any perſon or perſons after the ſaid firſt day of May next comming, hauing ſufficient Corne and Graine for the prouiſion of his or their owne houſe or houſes, and ſowing of their grounds, for one yeere do buy any corne in any faire or market, for the change of his or their ſeed, and doe not bring to the ſame faire or market the ſame day ſo much Corne as hee ſhall fortune to buy for his ſeed, and ſell the ſame if hee can, as the price of Corne then goeth in the ſaid market or faire, that then euery ſuch perſon or perſons, ſo buying Corne for ſeed, ſhall forfeit and loſe the double value of the Corne ſo bought.

No perſon may ſell his cattell within 5. weeks after he bought them.

Or if any perſon or perſons after the ſaid firſt day of May, ſhal buy any manner of Oxen, Ronts, Steeres, Kine, Heckfers, Calues, Sheepe, Lambes, Goats, or Kids liuing, and ſell the ſame againe aliue, vnleſſe he or they doe keep and feed the ſame, by the ſpace of fiue weeks, in his or their owne houſes, ground, ferme ground, or elſe in ſuch ground or grounds where hee or they haue the herbage or common of paſture by grant or preſcription: That then euery perſon or perſons ſo buying and ſelling againe, ſhall loſe the double value of the cattell or things ſo bought and ſold againe. The moity of all which forfeitures afore rehearſed ſhalbe to the king, and the other moity to him or them that will ſue for the ſame, in any of the Kings Courts of Record, by bill, plaint, action of debt or information, in the which bill, plaint, action or information, no wager of Law, eſſoine or protection ſhalbe admitted.

The Iuſt. of P. may enquire, heare & determine the offences aforeſaid.

Bee it alſo further enacted by the authority aforeſaid, that the Iuſtices of the Peace in euery County within this Realme, or Wales, at their quarter Seſſions, ſhall haue full power and authority by vertue of this Act, to enquire, heare and determine, all and euery the defaults and offences, perpetrated, committed or done, contrary to this Act, within the County where any ſuch Seſſions ſhall bee kept, by inquiſition, preſentment, bill or information before them exhibited, and by examination of two lawfull witneſſes, or by any of the ſame wayes or meanes, by the diſcretion of the ſaid Iuſtices, and to make proceſſe thereupon, as though they were endicted before them by inquiſition, or by verdict of twelue men or more: and vpon the conuiction of the offendor by information or ſuit of any other than the King, to make extracts of the one moity of the forfeitures to bee leuied to the Kings vſe, as they vſe to doe of other fines, iſſues and amerciaments growen in the Seſſions of Peace, and to award execution of the other moity for the complainant, or enformer againſt the offendor, by Fieri facias, or capias, as the Kings Iuſtices at Weſtminſter may doe and vſe to doe. And if any ſuch conuiction or attaindor, ſhall hereafter happen to be at the Kings ſuit only, that then the whole forfeitures to be extracted and leuied to the Kings vſe only.

But one puniſhment for one offence.

And it is further enacted by the authority aforeſaid, that whatſoeuer perſon, ſhall at any time hereafter be puniſhed by vertue of this act for any thing mentioned in this act, that then the ſame perſon ſhall not otherwiſe bee vexed, troubled, ſued or put to any paine or puniſhment for that thing, wherefore he or they ſhall haue beene ſo puniſhed.

Prouided alwayes, and it is enacted by the authority aforeſaid, that it ſhall be lawfull to euery perſon or perſons, which ſhall be aſſigned and allowed by three Iuſtices of the peace of the county where he ſhall dwell thereunto, to buy (otherwiſe than by foreſtallin) Corne Graine, or Cattell to be tranſported or carried by water from any Port or place within this realme or Wales, unto any other Port or place, within the ſaid realme or dominions, if he or they ſhall without fraud or couin, ſhip or embarke within forty dayes next after he or they ſhall haue bought the ſame, or taken couenant or promiſe for the buying therof, and with ſuch expedition and diligence as wind and weather will ſerue, to carry and tranſport the ſame to ſuch port or place, as his or their cockets ſhall declare: and there doe diſbarke, unlade and ſell the ſame, and doe bring a true certificat thereof, from one Iuſtice of peace of the County, or Mayor, or Bailiffe of the Towne Corporat where the ſame ſhall bee unladen, and alſo of the Cuſtomer of the port, where ſuch unlading ſhall be, of the place and day where the ſaid corne or Cattell ſhalbe diſbarked, unladen and ſold, to bee directed unto the Cuſtomer and Controller of the Port, where the ſame were embarked: any thing mentioned in this Act to the contrary notwithſtanding.

Tranſporting of Corne, &c. from one part to another by Licence of the Iuſtices.

And ouer that, that at all times hereafter, when Wheat ſhall bee commonly at the price of ſix ſhillings eight pence the quarter or under, Malt and Barley at three ſhillings foure pence the quarter or under, Otes or Otes malted at the price of two ſhillings the quarter or under, Peaſe or Beanes at the price of foure ſhillings the quarter or under, and Rye or Miſteline at the price of fiue ſhillings the quarter or under (all which quarters ſhall be entended to be of London meaſure) that then it ſhall be lawfull to euery perſon and perſons (not foreſtalling) to buy, engroſſe, and keepe in his or their graneries or houſes, ſuch Corne of the kinds aforeſaid, as without fraud or couin ſhalbe bought at or under the prices afore expreſſed: any thing in this Act to the contrary notwithſtanding.

Euery man may engroſſe corne being at theſe prices.

Prouided alwaies, and be it enacted by the authority aforeſaid, that this act, or any thing therin contained, extend not to charge any perſon or perſons, for any the offences aboue mentioned, unleſſe he or they be ſued for the ſame, within two yeeres next after ſuch offence done or committed: this Act to endure untill the end of the next Parliament.

Within what time the offendor muſt be ſued

Prouided alwaies, and be it enacted by the authority aforeſaid, that it ſhalbe lawful to all and euery of the Kings Maieſties ſubiects, now dwelling and inhabiting, or that hereafter ſhall dwel or inhabite within one mile of the maine ſea, to buy all manner of fiſh, freſh or ſalted (not foreſtalling the ſame) and to ſell the ſame againe at reaſonable prices: this Act, or any thing therein contained to the contrary in any wiſe notwithſtanding.

Regreating of freſh fiſh.

Prouided alſo, and be it enacted by the authority aforeſaid, that it ſhalbe lawfull to all and euery perſon and perſons, knowne for a common Drouer or Drouers being licenſed, authoriſed, and allowed in writing by three Iuſtices of the peace, wherof one to be of the Quorum, of the County, or counties, where the ſame Drouer or Drouers ſhalbe moſt abiding and dwelling, to buy cattell in ſuch Shires or Counties, where Drouers haue beene wont in times paſt accuſtomably to buy cattell at their free liberty and pleaſure, and to ſell the ſame, as is aforeſaid, at reaſonable prices in common faires and markets, diſtant from the place or places, where hee or they ſhall buy the ſame forty miles at the leaſt, ſo that the ſame cattell be not bought by way of foreſtalling. This Act, or any thing therein contained to the contrary in any wiſe notwithſtanding.

Drouers of cattell licenced by the Iuſtices, may buy and ſel againe.

Prouided alwayes, that ſuch licence of Iuſtices of Peace ſhall not endure aboue one yeere, unleſſe the ſame be yeerely renued by ſo many Iuſtices as is aforeſaid. 13. El. 25. made perpetuall. St. 5. El. 5. 31. El. 5. 21. Iac. 22.

Cap. XV.

By what perſons, and for what purpoſes tanned leather may be bought and engroſſed.

Where by the couetouſneſſe of diuers greedy perſons, regrating and engroſſing all kindes of tanned leather into their hands, and ſelling the ſame againe at exceſſiue prices to Sadlers, Girdlers, Cordwainers, and ſuch other Artificers, and handicrafts men, as make wares of tanned leather, the Kings louing ſubiects are inforced to buy the ſaid wares at unreaſonable prices: For remedy and reformation wherof, Be it enacted by the King our Soueraigne Lord, with the aſſent of the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that from and after the firſt day of May next comming no perſon or perſons, of what eſtate, degree or condition ſoeuer he or they be, ſhall buy or ingroſſe or cauſe to be bought or ingroſſed, any kind of tanned leather, to the entent to ſel the ſame againe, upon paine to forfeit the ſaid leather ſo bought, or the iuſt price thereof. The one moity of which forfeiture, ſhalbe to the King our ſoueraigne Lord, and the other moity to him or them that ſhall ſeaſe or ſue for the ſame in any of the Kings Courts of record, by action of debt, bill, plaint, information or otherwiſe, wherein no wager of law, eſſoine, protection or iniunction ſhall bee admitted or allowed for the defendant.

The penalty for buying of taned lether to the intent to ſell the ſame againe.

Sadlers &c may buy leather, &c. Rep. 1.M.8.

Prouided alwayes, and bee it enacted by the authority aforeſaid, that all Sadlers, Girdlers, Cordwainers and all other Artificers, ſuch as make males, bougets, leather pots, tankerds, barhides or any other wares of Leather, ſhall or may buy all ſuch kinde of tanned leather, as is or ſhall be neceſſary for their occupying, to bee wrought and made by them or by their ſeruants, in or about their ſaid Wares: Any thing before mentioned in this Act to the contrary notwithſtanding.

Artificers may ſel their wombs, ſhreds & neckes.

Prouided alſo, that euery Girdler, and other Artificer before mentioned in this Act, may at his free will and pleaſure ſell their neckes, wombes and ſhreds of tanned Leather (ſuch as they or any of them cannot occupy about the wares they vſe to make) to any perſon or perſons, without incurring any forfeit, paine or penalty before expreſſed in this Act: any thing therein contained to the contrary notwithſtanding.

Buying of ſo much tanned leather as the party hath licence to tranſport.

Prouided alſo, and bee it further enacted by the authority aforeſaid, That it ſhall bee lawfull to or for euery perſon or perſons, which now haue or hereafter ſhall haue the Kings Maieſties ſpeciall licence or licences, to tranſport, carry or conuey ouer the Sea, any kinde of tanned Leather, to buy for the furniture of their ſaid licence or licences, in open Faire or Market, ſuch and ſo much Tanned Leather, as hee or they bee or ſhall bee licenced to tranſport, carry or conueigh. So that the ſame licence or licences, be preſented and ſhewed vnto the chiefe Officer or Officers, that now haue, or hereafter ſhall haue, the gouernance of any City, Towne, Faire or Market, where as the ſaid Leather or any part thereof ſhall be bought. And ſo that the ſaid Officer or Officers, ſeeing the ſame licence to be good and perfect, doe iuſtly and truly write vpon the backſide of euery ſuch licence or licences, how much tanned leather he or they ſhal there haue bought, and the certaine day, time and place of buying the ſame, that thereby it may manifeſtly appeare, how and when euery ſuch licence and licences be or ſhalbe ſatiſfied: any thing in this act to the contrary notwithſtanding.

No perſon ſhall tranſport ſhoos, bootes, &c.

And be it further enacted by the authority abouesaid, that after the ſaid firſt day of May next comming, no perſon or perſons, ſhall ſhip or cauſe to be ſhipped (to the intent to carry, tranſport, or conuey ouer the Seas, as merchandiſe to be ſold or exchanged there) any ſhooes, boots, buſkins, ſtertups or ſlippers, vpon paine to forfeit all and euery ſuch ſhooes, bootes, buſkins, ſtertups, or ſlippers, ſo ſhipped contrary to the true meaning of this Act, or the value of the ſame: the one moity of the ſaid forfeiture to be to the King our Soueraigne Lord, and the other moity to him or them that ſhal ſeaſe or ſue for the ſame, in any of the Kings maieſties Courts of record, by action of debt, bill, plaint, information or otherwiſe: wherein no wager of Law, eſſoine, protection or iniunction ſhall be admitted or allowed for the defendant.

Rep. 5.El. 8.& 1.Iac. 22.

Prouided alwaies, and be it enacted by the authority aforeſaid, that this act, ne any thing therin conteined ſhal not in any wiſe extend to be preiudiciall or hurtfull to any perſon or perſons being the Kings ſubiects, for tranſporting or carrying ouer the ſeas vnto Calice or the Marches of the ſame, and vnto the Iſle of Man, ſo much or as many of the aforeſaid made wares (as bootes, buſkins, ſtertups and ſlippers heretofore recited) as ſhall bee neceſſary and conuenient for the wearing and furniture of the Kings Subiects in them or any of them: any thing in this laſt Act contained to the contrary hereof in any wiſe notwithſtanding.

No cutter of lether in London ſhall curry it in his houſe.

Prouided alwaies, and be it enacted by the authority aforeſaid, that no Sadler, Girdler, cordwainer nor other Artificer dwelling within the City of London and the Suburbes of the ſame, which ſhall cut the ſame tanned Leather (as is aforeſaid, to the intent to make wares thereof.) ſhall curry or dreſſe any of the aforeſaid tanned Leather, in his or their owne houſe or houſes, or by his or their ſeruant or ſeruants, vpon pain of forfeiture of all and euery the ſaid tanned lether ſo to bee curried. The one moity of which forfeiture ſhall bee to our Soueraine Lord the King, and the other moity to the party that will ſue for the ſame, in any of the Kings Courts of record by bill, plaint, action or information, wherein no wager of Law, eſſoine, protection or iniunction ſhall be admitted or allowed for the defendant. St.1.M.8. 1.El.8. 5.El.8. 1.Iac.22.

Cap. XVI.

The penalty for buying or ſelling of ſome ſort of offices.

FOr the auoyding of corruption which may hereafter happen to be in the Officers and Miniſters, in thoſe Courts, places or roomes, wherein there is requiſit to be had, the true adminiſtration of iuſtice or ſeruices of truſt, and to the intent that perſons, worthy and meet to bee aduanced to the place where iuſtice is to bee miniſtred or any ſeruice of truſt executed ſhould hereafter be preferred to the ſame and no other.

Be it therefore enacted by the King our Soueraigne Lord, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame: That if any perſon or perſons at any time hereafter bargaine or ſell any office or offices, or Deputation of any office or offices, or any part or parcell of any of them, or receiue, haue or take any money, fee, reward, or any other profit directly or indirectly, or take any promiſe, agreement, couenant, bond, or any aſſurance, to receiue or haue any money, fee, reward, or other profit directly or indirectly, for any office or offices, or for the deputation of any office or offices, or any part of any of them, or to the intent that any perſon ſhould haue, exerciſe, or enioy any office or offices, or the deputation of any office or offices, or any part of any of them, which office or offices, or any part or parcell of them, ſhall in any wiſe touch or concerne the adminiſtration or execution of Juſtice, or the receipt, comptrolment or payment of any of the Kings highneſſe Treaſure, Money, Rent, Reuenue, Account, Aulneage, Auditorſhip, or Surueying of any of the Kings Maieſties Honors, Caſtles, Manors, Lands, Tenements, Woods, or Hereditaments, or any the Kings Maieſties Cuſtomes, or any Adminiſtration or neceſſary attendance to bee had, done, or executed in any of the Kings Maieſties Cuſtome houſe or houſes, or the keeping of any the Kings Maieſties Townes, Caſtles, or Fortreſſes, being vſed, occupied or appointed for a place of ſtrength and defence, or which ſhall concerne or touch any Clerkeſhip to bee occupied in any manner of Court of Record, wherein Juſtice is to bee miniſtred: That then all and euery ſuch perſon and perſons that ſhall ſo bargaine or ſell any of the ſaid Office or Offices, deputation or deputations, or that ſhall take any money, fee, reward, or profit for any of the ſaid Office or Offices, Deputation, or Deputations of any of the ſaid Offices, or any part of any of them, or that ſhall take any promiſe, couenant, bond, or aſſurance for any money, reward, or profit to bee giuen for any of the ſaid Office or Offices, Deputation, or Deputations of any of the ſaid Office or Offices, or any part of any of them, ſhall not onely loſe and forfeit all his and their right, intereſt, and eſtate, which ſuch perſon or perſons ſhall then haue, of, in, or to any of the ſaid Office or Offices, Deputation, or Deputations, or any part of any of them, or of, in, or to the gift, or Nomination of any of the ſaid Office or Offices, Deputation, or Deputations, for the which Office or Offices, or for the Deputation or Deputations of which Office or Offices, or for any part of any of them, any ſuch perſon or perſons, ſhall ſo make any bargaine or ſale, or take, or receiue any ſumme of money, fee, reward or profit, or any promiſe, couenant, or aſſurance to haue or receiue any fee, reward, money, or profit: But alſo that all and euery ſuch perſon or perſons, that ſhall giue or pay any ſumme of money, reward, or fee, or ſhall make any promiſe, agreement, bond, or aſſurance for any of the ſaid Offices, or for the Deputation or Deputations of any of the ſaid Office or Offices, or any part of any of them, ſhall immediately by, and vpon the ſame fee, money, or reward giuen or paid, or vpon any ſuch promiſe, couenant, bond, or agreement, had or made, for any fee, ſumme of money, or reward to bee paid, as is aforeſaid, bee adiudged a diſabled perſon in the law to all intents and purpoſes, to haue, occupy, or enioy the ſaid Office or Offices, Deputation or Deputations, or any part of any of them, for the which ſuch perſon or perſons, ſhall ſo giue or pay any ſumme of money, fee, or reward, or make any promiſe, couenant, bond or other aſſurance, to giue, or pay any ſumme of money, fee, or reward.

The penalty for buying or ſelling of ſome ſort of offices or deputations of offices.

And be it alſo enacted by the authority aforeſaid, that all and euery ſuch bargaines, ſales, promiſes, bonds agreements, couenants, and aſſurances, as be before ſpecified, ſhalbe void, to and againſt him and them, by whom any ſuch bargaine, ſale, bond, promiſe, couenant, or aſſurance ſhal be had, or made.

The bargaines and aſſurances ſhalbe void.

Prouided alway that this Act, or any thing therein contained, ſhall not in any wiſe extend to any office or offices whereof any perſon or perſons is or ſhalbe ſeiſed of any eſtate of inheritance nor to any office of Parkerſhip, or of the keeping of any parke, houſe, manor, garden, chaſe, or foreſt, or to any of them: any thing in this Act heretofore mentioned to the contrary thereof in any wiſe notwithſtanding.

To what offices this ſtatute ſhal not extend.

Prouided alſo, that if any perſon or perſons, doe hereafter offend in any thing contrary to the tenour and effect of this Act, yet that notwithſtanding all iudgements giuen, and all other Act, and Acts, executed or done, by any ſuch perſon or perſons, ſo offending by authority, or colour of the Office or Deputation, which ought to bee forfeited, or not occupied, or not enioyed by the perſon, ſo offending as is aforeſaid, after the ſaid offence ſo by ſuch perſon committed or done, and before ſuch perſon ſo offending, for the ſame offence bee remoued from the exerciſe, adminiſtration, and occupation of the ſaid Office, or Deputation, ſhall bee and remaine good and ſufficient in law, to all intents, conſtructions, and purpoſes, in ſuch like manner and forme as the ſame ſhould or ought to haue remained and beene, if this Act had neuer been had or made.

Acts done by an officer remoueable ſhall be good.

Prouided alſo, that this Act, or any thing therein contained, ſhall not in any wiſe extend to any bargaine, ſale, gift, graunt, nomination, bond, couenant, promiſe, agreement, or aſſurance, whatſoeuer it be of, or for any the Office or Offices, Deputation, or Deputations aforeſaid, or any part of any of them, had, made, done, concluded, or agreed before the firſt day of March next comming, but that the ſame bargaine, ſale, gift, grant, nomination, bond, couenant, promiſe, agreement, or aſſurance, had, made, concluded or agreed before the ſaid firſt day of March, ſhall alwayes remaine, continue, and bee in ſuch force, ſtrength, and effect, as if this Act

A bargaine for an office before the firſt day of March, &c.

had neuer béene had or made: any thing before in this Act mentioned to the contrary thereof in any wiſe notwithſtanding,

Offices giuen by the two chiefe Juſtices, or Juſtices of Aſſiſe.

Prouided alwayes, and bee it enacted by the authority aforeſaid, that this Act, or any thing therein contained, ſhall not in any wiſe extend or bee preiudiciall or hurtfull to any of the chiefe Juſtices of the Kings Courts, commonly called the Kings Bench or Common place, or to any of the Juſtices of Aſſiſe, that now be, or hereafter ſhall be, but that they and euery of them may doe in euery behalfe, touching or concerning any office or offices to be giuen or granted by them or any of them, as they or any of them might haue done before the making of this Act: any thing aboue mentioned to the contrary in any wiſe notwithſtanding.

Cap. XVII.

A continuance vntill the end of the next Parliament of the ſtatutes of *Anno*.22.*H*.8.7.touching conueying out of this Realme of Horſes and Mares, and of *Anno*. 21.*H*.8.12.for the true making of Cables,&c.and of 23.*H*.8.17.for the true winding of wooll, and of *Anno*.24.*H*.8.9.againſt the killing of wainlings,&c.and of *Anno*. 23. *H*.8.3. for attaints, and of *Anno*. 33.*H*.8.2.concerning buying of fiſh vpon the ſea,&c.and of *Anno*.37.*H*.8.23.for ſetting the prices of wines, and of *Anno*. 35.*H*.8.17.for the preſeruation of woods, and of *Anno*.3.& 4.*Ed*.6.17.againſt vnlawfull hunting in any Parke, Foreſt, Chaſe,&c.Exp.

Cap. XVIII.

Gaſcoine or Guian wines, or Tholouſe woad may be brought into this Realme, by any other ſhips, as well as Engliſh.

4.H.7.10.

Where in the Parliament holden at Weſtminſter, the thirtéenth day of January, in the fourth yéere of the raigne of the famous Prince of worthy memory, King Henry the ſeuenth after the conqueſt, grandfather to our now moſt gracious, and naturall Soueraigne Liege Lord, it was amongſt other things ordeined, ſtabliſhed, and enacted, that no manner of perſon, of what degrée, or condition that he were, ſhould conuey, or bring into this realm, Ireland, Wales, Calice, or the Marches thereof, or Barwike, from the feaſt of the Natiuity of S. Iohn Baptiſt, that after that was in the yéere of our Lord God, one thouſand foure hundred and ninety, any manner wines growing of the duchy of Guyen, or Gaſcoine, or Woad, called Tholouſe Woad but ſhould be conueyed, auentured, and brought in ſhip or ſhips, whereof the ſaid late King, or ſome of his ſubiects of this realme of England, Ireland, Wales, Calice, or Barwike, were owners, poſſeſſors, and proprietaries, and the Maſter vnder God, and the Mariners of the ſame ſhip or ſhips, Engliſh, Iriſh, Welch, or men of Barwicke, or men of Calice, or of the Marches of the ſame, for the more party, vpon paine to forfeit the ſame wines, or Woad ſo brought, contrary to the ſaid Act, as in the ſaid Act more at large it doth and may appeare.

The reaſons of the making of the ſtatute of 4.H.7.10. and the contrary euents thereof.

The which Act was ſuppoſed to bee made for the maintenance of the Nauy of this Realme. And alſo to the intent, and vpon good hope and truſt, to haue had the ſame Wines, and Woad at more eaſie prices than before they had béene, the experience whereof hath euer ſithence (and now of late moſt of all) appeared to the contrary, for that the ſaid Wines, and Woad, be daily ſold at ſuch exceſſiue prices, as hath not before béen ſéene within this realme, and the nauy of the realme thereby neuer the better maintained.

An alteration of the Stat. of 4.H.7.10. touching bringing into this realme of wine and woad. Alt.5.El.5.

In conſideration whereof be it enacted, ordeined, and eſtabliſhed by the King our Soueraigne Lord, with the aſſent of the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from the firſt day of February next comming after the Seſſion of this preſent Parliament, vnto the firſt day of October then following, and ſo yéerely, and from yéere to yéere, beginning at, and betwéen the firſt day of February, and the firſt day of October, it ſhall and may be lawfull to all and euery perſon and perſons, being of the parts or Countries in amity with our ſoueraigne Lord the King, to conuey or bring into this realme, Ireland, Wales Calice, or the Marches of the ſame, or Barwicke, any manner of Wines, of the growing of the duchy of Guien, or Gaſcoine, or of any other part of France, or Tholouſe Woad, or any of them in whatſoeuer ſhip or ſhips, craper, or crapers, bote or botes, or by any other meane, whoſoeuer bee, or ſhall bee thereof owner, poſſeſſor or proprietary, being of the parts or countries in amity of our ſoueraigne Lord, or whoſoeuer be therof Maſter, Mariner or Mariners in the ſame, without any forfeiture or penalty thereof to bee had. The ſaid ſtatute or any thing therein conteined to the contrary in any wiſe notwithſtanding. St.1.El.13.

Cap.

CAP. XIX.

The penalty for exchanging of Gold and Siluer.

St.25.Ed.3.12.

Where in the Parliament holden at Weſtminſter the fiue and twentieth yeere of the reigne of King Edward the third, it was accorded, that it ſhould be lawfull for euery man to exchange gold for ſiluer, or ſiluer for gold, or for gold and ſiluer, ſo that no man did hold, the ſame as exchanged, nor take no profit for making of ſuch exchange, vpon paine of forfeiture of the money ſo exchanged, except the Kings Exchangers, which take profit of ſuch exchange, according to an ordinance before that time made. Which Statute notwithſtanding, diuers couetous perſons of their owne authorities haue of late taken vpon them to make exchanges, as well of coyned gold, as of coyned ſiluer, receiuing and paying therefore more in value than hath beene declared by the Kings Proclamation to be currant for, within his Realme, and other his Dominions, to the great hinderance of the Common wealth of this Realme.

The penalty for giuing or receiuing for money more than it is currant.

Be it therefore enacted by the King our Soueraigne Lord, by the aſſent of the Lords, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons, after the firſt day of Aprill next comming, exchange any coyned gold, coyned ſiluer or money, giuing, receiuing, or paying any more in value, benefit, profit, or aduantage for it, than the ſame is or ſhall be declared by the Kings Maieſties Proclamation to be currant for, within this his Highneſſe Realme, and other his Dominions. That then all the ſaid coyned gold, ſiluer, and money ſo exchanged, and euery part and parcell thereof ſhall be forfeit, and the parties ſo offending, ſhall ſuffer impriſonment by the ſpace of one whole yeere, and make fine at the Kings pleaſure. The one moity of the ſaid gold, ſiluer, or coyne ſo forfeited, to bee to the King our Soueraigne Lord, and the other moity to be to the party that ſeiſeth the ſame, or will ſue for it by Bill, Plaint, Originall, Action of debt, Information, or otherwiſe, in any of the Kings Courts of Record, in which ſuit no eſſoine, protection or wager of law ſhall lie, be allowed, or admitted.

CAP. XX.

The Statute of 37.H.8.9. repealed. No perſon by any meanes ſhall lend or forbeare any ſumme of money for any manner of vſurie, or encreaſe, to be receiued or hoped for, aboue the ſumme lent, vpon paine to forfeit the ſumme lent, and the increaſe, impriſonment, and fine at the Kings pleaſure. REP.13.Eliz.8.

CAP. XXI.

No Tinker, Pedler, or petit Chapman ſhall wander about from the Towne where he dwelleth, or exerciſe the trade of Tinker, but ſuch as ſhall be licenced by two Iuſtices of Peace, or more, vnder their hands and ſeales, vpon paine of foureteene dayes impriſonment. REP. 1. Jac. 25.

CAP. XXII.

None ſhall occupy any Gig mill in the workemanſhip of Woollen Clothes.

Foraſmuch as true Drapery of Woollen Cloth is to be commended as well in forreine Realmes, as in this Realme of England, and all wayes and meanes vſed to the contrary are to be eſchewed and taken away: And for as much as in many parts of this Realme is newly and lately deuiſed, erected, builded, and vſed certaine Milles, called Gig Milles, for the perching and burling of cloth, by reaſon whereof the true Drapery of this Realme is wonderfully empaired, and the Cloth thereof deceitfully made, by reaſon of the vſing of the ſaid Gig Milles: For the remedy whereof, be it enacted by the King our Soueraigne Lord, the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That no manner of perſon or perſons, after the laſt day of May next comming, ſhall vſe or occupy any of the ſaid Gig Mils, for the working of any woollen cloth, or clothes made or to be made within this Realme, vpon paine of forfeiture, for euery cloth ſo wrought in, or by any of the ſaid Mils, called Gig Mils fiue pound. The moity of all and euery ſuch forfeiture, and forfeitures, penalty and penalties, to be to the vſe of our Soueraigne Lord the King, and his heires, and the other moity to the vſe of him that ſhall ſue for the ſame, in any of the Kings Courts, be it by Writ, Bill, Plaint, or Information, wherein the Defendant ſhall not be admitted to wage his Law, nor any Protection, Eſſoine, or Iniunction ſhall be to him allowed.

The penalty for vſing of a Gig mill in working of woollen cloth.

CAP. XXIII.

What ſtuffe ſhall be put in Featherbeds, Bolſters, Pillowes, Quilts, Mattreſſes, and Cuſhions.

What ſtuffe ſhall be put in Featherbeds, Bolſters, Pillowes.

FOr the auoiding the great deceit vſed, and practiſed in ſtuffing of Featherbeds, Bolſters, Pillowes, Mattreſſes, Cuſhions, and Quilts: Be it enacted by the authoritie of this preſent Parliament, that from, and after the laſt day of Iune next comming, no perſon or perſons whatſoeuer, ſhall make (to the intent to ſell, or offer to be ſold) any Featherbed, Bolſter, or Pillow, except the ſame be ſtuffed with dry pulled Feathers, or cleane Downe only, without mingling of ſcalded feathers, Fendowne, Thiſtledowne, Sand, Lyme, Grauell, vnlawfull or corrupt ſtuffe, haire, or any other, vpon paine of forfeiture of all ſuch Featherbeds, Bolſters, and Pillowes, and euery of them ſo offered to be ſold, or the value thereof.

What ſtuffe ſhall be put in Quilts, Mattreſſes, and Cuſhions.

And be it further enacted by the ſame authority, that from, and after the ſaid day, no perſon or perſons, ſhall make (to the intent to ſell or offer, or put to ſale) any Quilt, Mattreſſe, or Cuſhions, which ſhall be ſtuffed with any other ſtuffe, than feathers, wooll, or flockes alone, vpon paine of forfeiture of all, and euery ſuch Quilts, Mattreſſes, or Cuſhions, ſo ſold or offered to be ſold, or the value thereof.

The moity of all which forfeitures ſhall be to the King our Soueraigne Lord, his heires and ſucceſſors, and the other moity thereof to any ſuch perſons as will ſue for the ſame in any of the Kings Courts of Record, or in any other Court, wherein no wager of law, eſſoine, or protection, ſhall be allowed for the defendant, or defendants. 11. H.7.19.

CAP. XXIIII.

Who may make Felts. Hats, &c. at Norwich, and in Norffolke, and in what places there.

WHere the making of Hats, Dorneckes, and Couerlets, haue of late béene begun to be practiſed within the City of Norwich, in which City there be good and profitable ordinances and conſtitutions prouided and ordeined for the preſeruation and continuance of the good making of the ſame Hats, Dorneckes, and Couerlets, by reaſon whereof the young and idle people of the ſaid City, to a great number, haue béene and yet be well occupied, maintained, and ſet on worke. And foraſmuch as diuers euil, and couetous diſpoſed perſons, exerciſing the myſteries of making of Hats, and weauing of Couerlets, and Dorneckes within the ſaid City, and not being brought vp, or practiſed in the ſaid arts or myſteries, to the intent they might occupy and exerciſe the ſaid myſteries out of the ſaid City of Norwich, where no ſuch ordinances and conſtitutions be made, or prouided, haue withdrawen themſeluss from the ſaid City, into certaine Townes nigh about the ſame City, where they doe, and may occupy, and exerciſe the making of Hats, weauing of Couerlets, and Dornecks deceitfully, and inſufficiently, without controlment, to the vtter decay as well of the ſaid crafts and myſteries, as of the ſaid City, if remedy be not therein prouided.

Who only may make Hats, Couerlets, and Dorneckes in Norffolke and Norwich.

It may therefore be enacted by the Kings Maieſtie, with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That no perſon by himſelfe, or by his ſeruant, or apprentice, ſhall from and after the Feaſt of Saint Michael the Archangel next comming, make or worke any Felts, or thrummed Hats, or weaue or make any Couerlets, or Dorneckes, or occupy, vſe, or exerciſe the myſteries, or occupations of making of Felts, or thrummed Hats, or weauing of Dorneckes, and Couerlets, or any of them within the ſaid City of Norwich, or within the County of Norffolke, vnleſſe he or they that ſhall ſo make or worke any ſuch Felts, or Hats, or ſo occupy the occupation, or myſtery of making of Felts or Hats as aforeſaid, within the ſaid City, or County, be licenced and admitted ſo to doe by the Maior, Recorder, Steward, and two Iuſtices of the Peace of the ſaid City, or by foure of them, or that haue béene apprentice to the ſame occupation and myſtery of Felts, and Hats making by the ſpace of ſeuen-yéeres. And in like caſe vnleſſe ſuch perſon or perſons, that ſhall ſo make or weaue Dorneckes, or ſo occupy the occupation or myſtery of Dorneckes weauing within the ſaid City or County, be licenced, or admitted ſo to doe by the Maior, Recorder, Steward, and two Iuſtices of the Peace of the ſaid City, or by foure of them, or that haue béene apprentice to the ſaid myſtery and occupation of Dorneckes weauing, by the terme of ſeuen yéeres. And vnleſſe he or they that ſhall ſo make or weaue Couerlets, or ſo occupy the arts or myſtery of Couerlets weauing or making, be licenced and admitted ſo to doe, by the Maior, Recorder, Steward, and two Iuſtices of the Peace of the ſaid City, or by foure of them, or that haue béene apprentice to the occupation, and myſterie of Couerlets weauing, or making, by the ſpace or terms of ſeuen yéeres.

And

Hats, Dorneckes, couerlets, &c. ſhall be made only in a corporate or market Towne.

And be it alſo enacted by the authority aforeſaid, That no perſon or perſons, ſhall from henceforth make any Felts or Hats, or weaue, or make any Dorneckes, or Couerlets, as aforeſaid, or occupy, exerciſe or vſe the occupation, arts or myſteries of making of Hats or Felts, or weauing or making of Dorneckes, or Couerlets, or any of them, as aforeſaid, in any place out of the ſaid City of Norwich, within the ſaid County of Norffolke, but onely in a corporate or market Towne, vpon paine of forfeiting, as well of the Felts, Hats, Dorneckes, and Couerlets, and euery of them, which ſhall be made, wrought or wouen contrary to the forme, effect, and tenor of this Act, or of any part or clauſe thereof, as alſo ten ſhillings for euery halfe douſin of the ſaid Felts or Hats, and of thrée ſhillings foure pence for euery Couerlet, and of ſix ſhillings eight pence for euery ſix yards of Dorneckes, ſo as is aforſaid to be made, wouen or wrought contrary to this Act, the one halfe of which forfeitures to be to the King our Soueraigne Lord, his heires and ſucceſſors, and the other halfe thereof to the perſon or perſons that ſhal, or will ſeiſe the ſame, or that will, or ſhall ſue for the ſame, or for any part thereof, in the Kings Court of the Guild hall, within the ſaid City of Norwich, or in any other of the Kings Courts of Record, within this Realme of England, by action of detinue, debt, plaint, bill, information, or otherwiſe, in which ſaid action, or actions, ſuit, bill, plaint, or information, no eſſoine, wager of Law, protection, or forreine plea to the iuriſdiction of the Court, ſhall be admitted or allowed.

The Inhabitants of Pulham in Norff.

Prouided alway, that all and euery ſuch perſon or perſons, as doe now dwell, or hereafter ſhall dwell, and exerciſe the myſtery of Dorneckes and Couerlets making, within the Towne or Pariſh of Pulham, in the ſaid County of Norffolke, ſhall and may occupy, and exerciſe the making of Dorneckes, and Couerlets within the ſaid Towne of Pulham, as they haue heretofore vſed to doe: Any thing in this Act conteined to the contrary notwithſtanding.

The penalty for an Officer to take money for admitting one to occupy.

And be it further enacted by the authority aforeſaid, That if the Maior, Recorder, Steward, or Iuſtices of Peace of the ſaid City, for the time being, or any of them, ſhall take any ſumme of money, or reward for admitting of any perſon to occupy, or vſe any of the arts, or myſteries aforeſaid, that for euery ſuch time, and euery ſuch caſe, the perſon ſo offending, ſhall loſe and forfeit fiue pound, the one halfe of which forfeiture, to be to our Soueraigne Lord the King, and the other halfe to him or them that ſhall ſue for the ſame, as is aforeſaid.

CAP. XXV.

None ſhall ſell Ale or Beere without licence, and they ſhall be bound by Recogniſance.

FOraſmuch as intolerable hurts, and troubles to the Common wealth of this Realme, daily doe grow and increaſe through ſuch abuſes and diſorders, as are had and vſed in common Alehouſes, and other houſes called tipling houſes: It is therefore enacted by the King our Soueraigne Lord, with the aſſent of the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that the Iuſtices of Peace within euery Shire, City, Borough, Towne corporate, franchiſe, or liberty within this Realme, or two of them at the leaſt, (whereof one of them to be of the Quorum) ſhall haue full power and authority by vertue of this Act, within euery Shire, City, Borough, or Towne corporat, franchiſe, and liberty where they be Iuſtices of Peace, to remoue, diſcharge, and put away common ſelling of Ale and Béere, in the ſaid common Alehouſes, and tipling houſes, in ſuch Towne or Townes and places, where they ſhall thinke méet and conuenient. And that none after the firſt day of May next comming, ſhall be admitted or ſuffered to kéepe any common Alehouſe, or tipling houſe, but ſuch as ſhall be thereunto admitted and allowed in the open Seſſions of the Peace, or elſe by two Iuſtices of the peace, whereof one to be of the Quorum. And that the ſaid Iuſtices of the peace, or two of them (whereof the one to be of the Quorum) ſhall take bond and ſurety, from time to time, by Recogniſance of ſuch as ſhall be admitted, and allowed hereafter to kéepe any common Alehouſe, or tipling houſe, as well for, and againſt the vſing of vnlawfull games, as alſo for the vſing and maintenance of góod order and rule, to be had and vſed within the ſame, as by their diſcretion ſhall be thought neceſſary, and conuenient: for making of euery which Recogniſance, the party or parties that ſhall be bound, ſhall pay but twelue pence.

The Iuſtices of Peace may diſcharge common ſelling of Ale and Beere.

Recog. with ſurety by thoſe which do keepe Alehouſe.

Twelue pence for making the Recogn.

Recogn. muſt be certified at the next quarter Seſſions.

And the ſaid Iuſtices ſhall certifie the ſame Recogniſance at the next quarter Seſſions of the Peace, to be holden within the ſame Shire, City, Borough, Towne corporate, franchiſe, or liberty where ſuch Alehouſe or tipling houſe ſhall be. The ſame recogniſance there to remaine of Record before the Iuſtices of Peace of that Shire, City, Borough, Towne corporate, franchiſe or liberty, vpon paine of forfeiture to the King for euery ſuch recogniſance taken and not certified, thrée pound ſix ſhillings eight pence.

Inquiry of thoſe which haue forfeited their Recogniſance.

And it is further enacted by the authority aforeſaid, that the Iuſtices of peace of euery Shire, City, Borough, Towne corporate, franchiſe, & liberty, where ſuch Recogniſance ſhall be taken, ſhall haue power and authority by this Act, in their quarter Seſſions of the Peace, by preſentment, information, or otherwiſe by their diſcretion, to inquire of all ſuch perſons as ſhall be admitted and allowed to keepe any Alehouſe or tipling houſe, and that be bound by Recogniſance as is aboueſaid, if they or any of them haue done any Act or Acts, whereby they or any of them haue forfeited the ſame Recogniſance. And the ſaid Iuſtices of euery Shire, and places where they be Iuſtices, ſhall vpon euery ſuch preſentment, or information, award Proceſſe againſt euery ſuch perſon ſo preſented, or complained vpon before them, to ſhew why he ſhould not forfeit his Recogniſance, and ſhall haue power and authority by this act, to heare and to determine the ſame by all ſuch wayes and meanes, as by their diſcretion ſhall be thought good.

The puniſhment of thoſe of which contrary to the commandement of the Iuſtices doe keepe Alehouſe. 3.Car. 3.

And it is further enacted by the authority aforeſaid, that if any perſon or perſons, other than ſuch as ſhall be hereafter admitted and allowed by the ſaid Iuſtices, ſhall after the ſaid firſt day of May, obſtinately, and vpon his owne authority take vpon him or them to keepe a common Alehouſe, or tipling houſe, or ſhall contrary to the commandement of the ſaid Iuſtices, or two of them, vſe commonly ſelling of Ale and Beere: that then the ſaid Iuſtices of Peace, or two of them (whereof one to be of the Quorum) ſhall for euery ſuch offence, commit euery ſuch perſon or perſons ſo offending to the common Gaole within the ſaid Shire, City, Borough, Towne corporate, Franchiſe, or Liberty, there to remaine without baile or mainepriſe, by the ſpace of three dayes. And before his or their deliuerance, the ſaid Iuſtice ſhall take Recogniſance of him or them ſo committed, with two ſureties, that he or they ſhall not keepe any common Alehouſe, tipling houſe, or vſe commonly ſelling of Ale or Beere, as by the diſcretion of the ſaid Iuſtices ſhall be ſeene conuenient.

Certificate of the Recog. and offence at the quarter Seſſions.

The fine of thoſe which keepe Alehouſe without licence.

And the ſaid Iuſtices ſhall make certificate of euery ſuch Recogniſance, and offence, at the next quarter Seſſions that ſhall be holden within the ſame Shire, City, Borough, Towne corporate, franchiſe or liberty, where the ſame ſhall be committed or done. Which certificate ſhall be a ſufficient conuiction in the law, of the ſame offence. And the ſaid Iuſtices of Peace vpon the ſaid certificate made, ſhall in open Seſſions aſſeſſe the fine for euery ſuch offence at twenty ſhillings.

A Prouiſo for Townes where faires be kept.

Prouided alway, that in ſuch Townes and places where any Faire or Faires ſhalbe kept, that for the time only of the ſame Faire or Faires, it ſhall be lawfull for euery perſon and perſons, to vſe common ſelling of Ale or Beere in boothes, or other places there, for the releefe of the Kings Subiects that ſhall repaire to the ſame, in ſuch manner and ſort as hath beene vſed and done in time paſſed. This act, or any thing therein contrary, notwithſtanding. 1.Iac.9. 4.Iac.4. 11.H.7.2. 3.Car.3.

CAP. XXVI.

Writs vpon Exigents and Proclamations ſhall be currant in Lancaſter.

WHere the County of Lancaſter is, and of long time hath beene, one ancient County Palatine of it ſelfe, in which County the Kings Writ hath not, nor yet doth not run, ſo that the Writ of Proclamation awarded vpon any Exigend, againſt any perſon or perſons, inhabiting within the ſame County, in any action wherein Proceſſe of outlawry doth lie, according to the Statute made in the ſixth yeere of the reigne of our late Soueraigne Lord of famous memory, King Henry the eight, cannot be directed to the Sheriffe of the ſaid County Palatine, but vnto the Sheriffe of the County next adioyning vnto the ſaid County Palatine, ſo that the party dwelling within the ſaid County Palatine, againſt whom any ſuch Exigend, and Proclamation hath beene, or ſhall be awarded, hath not had, nor hereafter can haue any knowlegde of the ſame ſuit or Proceſſe, by reaſon whereof, many perſons inhabiting within the ſaid County Palatine, without knowledge haue beene outlawed, and hereafter be in like manner like to be outlawed, to their vtter vndoings, if ſome ſpeedy remedy be not the ſooner prouided.

6.H.8.4.

A Proclamation vpon an Exigend awarded againſt any perſon dwelling in the County of Lancaſter.

Be it therefore, and for diuers other good conſiderations enacted, ordeined, and eſtabliſhed by the King our Soueraigne Lord, with the aſſent of the Lords Spirituall and Temporall, and the commons in this preſent Parliament aſſembled, and by the authority of the ſame, that if, & whenſoeuer any Writ of Exigend, at any time after the firſt day of April next comming, ſhalbe awarded at the ſuit of the King, his heires or ſucceſſors, Kings of this Realme, or at the ſuit or ſuits of any other perſon or perſons, plaintife or plaintifes in any action, or ſuit in any of the Courts of our ſaid Soueraigne Lord the King, his heires and ſucceſſors, Kings of this Realme, commonly called the Kings Bench, and the Common place, againſt any perſon or perſons, dwelling within the ſaid County Palatine: that then immediatly vpon the awarding of euery ſuch Exigend, the Iuſtice or Iuſtices, before whom any ſuch Writ of Exigend vpon ſuch ſuit or action ſhall be ſued, ſhall haue full power and authority by vertue of this Act, to award one Writ of Proclamation, (according to the tenour and effect of Writs of Proclamation awarded vpon Exigends, and commonly directed out of any of the ſaid Courts into London, or into any other Shires of this Realme againſt any perſon, or perſons dwelling in other Shire or Shires of this Realme where the Kings Writs doth run, according to the order and forme of the ſaid Statute, made in the ſixth yeere of the reigne of the ſaid late King) to be directed to the Sheriffe of the ſaid County

Palatine of Lancaſter, where it ſhall happen the ſaid defendant againſt whom any ſuch action ſhall be ſued, as is aforeſaid, to be dwelling, and not to the Sheriffe of any other Shire next adioyning to the ſaid County Palatine, any law, cuſtome, or vſage heretofore vſed to the contrary notwithſtanding. And that euery ſuch Writ of Proclamation ſo to be hereafter awarded to the Sheriffe of the ſaid County Palatine, ſhall haue the ſame Teſte and day of returne, as the Exigends, whereupon euery ſuch Writ of Proclamation ſhall be awarded, ſhall haue.

And that euery ſuch Sheriffe of the ſaid County Palatine of Lancaſter, to whom any ſuch Writ and Writs of Proclamation ſhal be directed, ſhall make Proclamations of the ſaid Writ and Writs of Proclamation, according to the tenour of the ſame, and ſhall make true returnes of the ſame, in ſuch Court and Courts, and before ſuch Iuſtices as the tenour of the ſame Writ and Writs of Proclamations, ſhall require and demand. And that all outlawries hereafter to be promulged, or pronounced againſt any perſon or perſons, vpon any ſuch exigend or exigends awarded againſt any perſon or perſons, dwelling in the ſaid County Palatine of Lancaſter, and no Writ of Proclamations awarded in forme aboueſaid, to the Sheriffe of the ſaid County Palatine of Lancaſter, where the party defendant ſhall be, as is aforeſaid dwelling, or not returned, to be cleerely void and of none effect nor force in the law.

The Sheriffe of the County of Lancaſter ſhall make Proclamation according to the tenour of his Writ.

And be it further enacted by the authority aforeſaid, that euery Sheriffe of the ſaid County Palatine for the time being, ſhall haue in euery of the ſaid Courts of the Kings Bench, and of the common place, one ſufficient Deputy at the leaſt, to receiue all ſuch Writs of Proclamations, which ſhall be hereafter directed to euery ſuch Sheriffe of the ſaid County Palantine, for whom the ſame Deputy or Deputies ſhal be appointed, in like manner and forme, and vpon like paines as by the former Statutes and Lawes of this Realme, other Sheriffes of other Shires or Counties within this Realme of England, be bounden to haue in either of the ſaid Courts. And that all ſuch Writs of Proclamations aforeſaid, ſhall be deliuered vnto euery ſuch Deputy or Deputies of Record in the ſame Courts, and either of them, and alſo like fees ſhall be payed for making euery ſuch Writ of Proclamations, and for enrolling the ſame of Record, as is limited in the ſame Statute, made in the ſaid ſixth yeere of our ſaid late Soueraigne Lord King Henry the eighth.

The Sheriffe of Lancaſhire ſhal haue a Deputy in the K. Bench, and another in the common place.

Be it further enacted and eſtabliſhed by the authority aforeſaid, that if any ſuch Writ or Writs of Proclamations hereafter to be directed to any Sheriffe of the ſaid County Palatine of Lancaſter, be deliuered vnto any of the Sheriffes of the ſaid County Palatine for the time being, or to his or their Deputy or Deputies, in manner and forme aforeſaid, and the ſame Sheriffe or Sheriffes, doe not make true returne of euery ſuch Writ and Writs of Proclamations into ſuch Court and Courts, out of which the ſaid Writ or Writs of Proclamations ſhall be awarded, that for euery ſuch default of non returne, euery ſuch Sheriffe for the time being, ſhall loſe and forfeit fiue pound, the one halfe whereof ſhall be to our Soueraigne Lord the King, his heires and ſucceſſors, and the other halfe thereof, to any ſuch perſon or perſons, as will ſue for the ſame, in one action of debt to be grounded vpon this Act, in any of the Kings Courts of Record, wherein none eſſoine, protection or wager of law ſhall be allowed or admitted.

The Sheriffes forfeiture for not returning of a Proclamation.

Prouided alwayes, that this Act or any thing therein conteined, ſhall not in any wiſe extend, or be preiudiciall to the ſame County Palatine of Lancaſter, for, or concerning ſuch liberties, franchiſes, or priuileges as belong to the ſame, or to any Miniſters or Officers of the ſame County Palatine, otherwiſe or in any other manner than by the true meaning of this Act is before prouided and declared, any thing in this Act mentioned to the contrary notwithſtanding.

This Statute ſhall not preiudice the liberties of the County of Lancaſter.

Prouided alſo, and be it further enacted and eſtabliſhed by the authority aforeſaid, that if any perſon or perſons, dwelling within the ſaid County Palatine, after the aforeſaid firſt day of Aprill, ſhall be outlawed in any ſuch ſuit or action, as is aforeſaid, that then all Writs of ſpeciall Capias vtlagatum, ſingle Capias vtlagatum, non moleſtandum, and all other proceſſe, for, or againſt any perſon or perſons, ſo outlawed, ſhall and may from henceforth be directed, from time to time, to the Chancellor of the Duchy of Lancaſter, who ſhall make like Writs and proceſſe thereupon, and of like effect, ſealed with the ſeale of the ſaid County Palatine of Lancaſter, to be directed to the Sheriffe of the ſaid County Palatine for the time being, as heretofore hath beene vſed and accuſtomed in ſuch caſes. 1.Ed.6.10.

Proceſſe awarded againſt any perſon outlawed dwelling in the ſaid County Palatine.

ANNO SEPTIMO *EDWARDI* SEXTI.

ACTS made in the Parliament holden at Weſtminſter, the firſt day of March, in the ſeuenth yeare of the reigne of our moſt redoubted Soueraigne Lord, *EDWARD* the ſixth, by the grace of God, King of England, France, & Ireland, Defendor of the faith, and of the Church of England, and alſo of Ireland, in earth the ſupreme head: and there continued to the diſſolution of the ſame, being the laſt day of the ſaid moneth of March, as followeth.

Cap. I.

Certaine Officers accomptable to the King, ſhall be bound with ſureties for their true accompt and payment.

Foraſmuch as the Kings Maieſties Treaſurers, and generall and particular Receiuors and Bailiffes of his Honors, Caſtles, Lordſhips, Manors, Lands, and Tenements, Reuerſions, Poſſeſſions, and other his Hereditaments in England, Wales, and Calice, and the Marches of the ſame, or elſewhere within the Kings Dominions, haue not ſo iuſtly, ſpéedily, neither duly made yéerely payments of ſuch ſumme, and ſummes of money, as hath béene by them, and euery of them receiued of the Kings Maieſties reuenues, poſſeſſions, and profits into the Kings Maieſties Treaſury, according to their duties, but yéerely doe deteine and kéepe the ſame to their owne gaine, profit and lucre, contrary to all right, truth and equity, and to the manifeſt iniury, wrong, and hinderance, of, and to the King our Soueraigne Lord.

Euery Officer that now is accomptant to the King ſhall be bound for his true accompt and payment.

Be it therefore enacted by the King our Soueraigne Lord, the Lords ſpirituall and temporall, and the Commons of this preſent Parliament aſſembled, and by the authority of the ſame, that euery Treaſurer, and generall and particular Receiuor, Collector, and Bailiffe, and other Miniſter accomptant which now is charged, or chargeable with, or for the receipt of any of the Kings Maieſties money, rents, or reuenues whatſoeuer, not being bound with ſuerty, or ſuerties by Obligation, Recogniſance, or otherwiſe, to our late Soueraigne Lord the King, or to our Soueraigne Lord the King that now is, for, or concerning their office, or offices, before the twentieth day of December next comming, or at any time or times before the ſame twentieth day of December, if they, or any of them be reaſonably required, ſhall vpon paine of forfeiture of his office, be bound to the Kings Maieſtie by ſufficient writing obligatory in reaſonable ſumme, or ſummes of money: the ſame writing obligatory to be made with, or vpon condition, that the perſon which ſo ſhall be bounden, his heires, executors, adminiſtrators, deputy or deputies, or one of them, from time to time, ſhall yeeld a perfect and true accompt of all ſummes of money, and other things that the ſame Treaſurer, and generall and particular Receiuor, Collector, Bailiffe, or other miniſter accomptant, ſhall, may, or reaſonably might be charged with, concerning, or by reaſon of his or their office, or offices: And alſo ſhall make payments of the ſame ſummes of money, at ſuch dayes and times, and in ſuch manner and forme, as hereafter in this Act is expreſſed, and declared.

Euery Officer to the King accomptant hereafter to be named, ſhall be bound with ſuerties for his true accompt and payment.

And be it further enacted, that all, and euery perſon, and perſons hereafter to be named, aſſigned or appointed to be Treaſurer, or generall or particular Receiuor, Collector, or Bailiffe, or miniſter accomptant of our ſaid Soueraigne Lord the King, ſhall before any their entry, executing, vſing, or exerciſing of his or their office or offices, whereunto he or they ſhall be ſo nominated or appointed, together with ſuerty or ſuerties, acknowledge and make ſufficient and lawfull bond, or bonds to the Kings Maieſtie in ſuch Court of Record, where the ſame Officer or Officers is, or ſhall be accomptable, and chargeable, that they, their heires, executors, adminiſtrators, aſſignes or deputies ſhall truly accompt, and pay all ſuch ſums of money, as ſhall come to their hands, or ſhall, may, or reaſonably might be charged with, concerning his or their office or offices to the Kings vſe within the circuit of their ſeuerall receipts and collections, at ſuch, or like dayes and times, and in ſuch manner and forme, as is aboueſaid, to be conteined in the conditions of euery of the ſaid bonds, vpon paine of loſſe and forfeiture of his or their office or offices, and of his and their Letters Patents of the ſame office or offices.

Receiuors precepts vnto accomptants to make payment of their collections due to the King at Eaſter.

Be it further enacted by the authority aforeſaid, that euery Receiuor of the Kings Maieſties honors, manors, lands, poſſeſſions, rents and reuenues for the time being, or his Deputy or Deputies, ſhall yéerely make his ſeuerall precepts, to all, and ſingular the Collectors, Miniſters, and Bailiffes accomptant within the circuit of his office, charging and commanding them on the Kings Maieſties behalfe by the ſame precept, to appeare before them perſonally, or by their ſufficient Deputy or Deputies, for whom they will anſwer, within the County where the ſame Offices, Bailiwikes, Receipts or Collections do lie, at a certaine day and place in the ſame precept to be limited, and to pay to the Kings Maieſties vſe ſuch ſummes of money as they ought to doe by reaſon of any of their ſaid offices, being due to our ſaid Soueraigne Lord the King, at, or before the Feaſt of Eaſter, which they haue, or may by any lawfull or due meane, leuy or receiue within, or by reaſon of their ſaid offices, or collections. And that the ſame precepts ſhall be ſeuerally deliuered to euery of the ſaid Officers, Miniſters and Bailiffes accomptant, or to their Deputy or Deputies, or elſe be left at their dwelling houſes, or at the manor, lordſhip or place where their receipt, or collection is or ought to be, twelue dayes at the leaſt before the day of apparance to them giuen and prefixed in the ſame precept or precepts.

The penalty where an accomptant maketh default of apparance or payment.

And if any of the ſaid Miniſters, Collectors, or Bailiffes accomptant, vpon, or after any ſuch precept, or precepts at any time hereafter made by any ſuch Receiuor, and being deliuered or left in forme aforeſaid, doe make default at the ſame day and place aſſigned and appointed, in and by the ſaid precept or precepts, that then the ſame Collector, Miniſter, or Bailiffe accomptant ſo making default, and not appearing, as is aforeſaid, and being thereof duly and lawfully conuicted in the Court where the Reuenue is, or ſhall be anſwered, ſhall for the firſt offence loſe and forfeit to the King our Soueraigne Lord, his whole fee for that yeere, wherein he ſhall ſo make default, or the value thereof. And for non payment of the ſaid money due, and payable, at or before the ſaid Feaſt of Eaſter, vnto our ſaid Soueraigne Lord the King, within, or by reaſon of his ſaid office, collection, or bailiwike, ſhall loſe and forfeit for the firſt offence of non payment, ſix pence of the pound, in the name of a paine, for euery moneth after the ſaid day of apparance, vntill the ſame money ſhall be by him, or his deputy payed to the hands of the ſaid Receiuor to the Kings Maieſties vſe.

The penalty, for the ſecond offence.

And after the firſt default of apparance made by any of the ſaid officers, and another like precept by the ſaid Receiuor be made, and deliuered, or left in forme aforeſaid, then the ſaid Officer, or Officers making againe default, and being thereof lawfully conuict, as is aforeſaid, for the ſecond default, and offence of non apparance, ſhal loſe and forfeit to the King our Soueraigne Lord his office and fee: And for the ſaid ſecond offence in the non payment of the ſaid money due, and payable, within and by reaſon of his office, collection, or bailiwike, at, or before the ſaid Feaſt of Eaſter, ſhall loſe and forfeit twelue pence of euery pound, in the name of a paine, for euery moneth after the ſaid laſt day of apparance, and default made, as is aforeſaid, vntill the ſame money ſhal be by him, or his deputy payed to the hands of the ſaid Receiuor, to the vſe of our Soueraigne Lord the King.

The Auditors precepts to accomptants to make payment of their collections due at Michaelmas.

And further be it enacted by the authority aforeſaid, that all and euery Auditor and Auditors of our ſaid Soueraigne Lord the King, of his Maieſties Honors, Manors, Lands, Poſſeſſions, Rents, and Reuenues, for the time being, or his, or their ſufficient Deputy, or Deputies ſhall haue full power and authority by vertue of this Act, yeerely to make their precept, or precepts to all Miniſters, Collectors, and Bailiffes accomptant, commanding them on the behalfe of our ſaid Soueraigne Lord the King, to appeare and accompt before him, or them perſonally, or elſe by their ſufficient Deputy, or Deputies, at a place certaine within the County, where the ſame lands and poſſeſſions doe lie, at the Kings Maieſties Audite, to be holden there yeerely betweene the feaſt of Saint Michaell the Archangell, and the Natiuitie of our Lord God, of, and for all rents, reuenues, and profits due, and payable within, or by reaſon of their ſaid offices, collections, or bailiwikes, at, or before the Feaſt of Saint Michael the Archangell next before the ſame Audite, expreſſing in the ſame precept or precepts, the time and place when, and where the ſame Miniſters, Collectors, and Bailiffes accomptable, or their ſufficient Deputy, or Deputies for whom they will anſwer, ſhall appeare, the ſame precepts to be deliuered to the ſame Miniſters, Collectors, Bailiffes accomptant, or their Deputie or Deputies, or left at their dwelling houſes, or at the Manor, Lordſhip, or place where their Receipts or Collections is or ought to be, twelue dayes at the leaſt before the day of apparance to him or them prefixed in the ſame precept, or precepts. And if any Miniſter, Collector, or Bailiffe accomptant doe not appeare before the ſaid Auditor or Auditors, or his, or their Deputy or Deputies at the ſaid Audite, according to the ſaid precept, or elſe if he doe appeare, and refuſe to accompt for his ſaid receipt, collection, or bailiwike before the ſaid Auditor or Auditors, or his, or their Deputy or Deputies: that then the ſaid Miniſter, Collector, or Bailiffe accomptant ſo making default and not appearing, or ſo refuſing to accompt, as is aforeſaid, and being thereof duly and lawfully conuict in the Court where the Reuenue is, or ſhall be anſwerable, ſhall for his firſt offence loſe, and forfeit to our Soueraigne Lord the King his whole fee for that yeere, wherein he ſhall ſo make default, or the value thereof: and for the non payment of the ſaid money due, and payable within his collection, office, or bailiwike, at, or before the ſame Feaſt of Saint Michael the Archangell, ſhall loſe and forfeit to the King our Soueraigne Lord for his ſaid firſt offence ſix pence of euery pound, in the name of a paine, for euery moneth after the ſaid day of apparance, and default made, as is aforeſaid, vntill he, or his ſufficient Deputy or Deputies ſhal accompt before the ſaid Auditor or Auditors, or his, or their Deputy or Deputies for his ſaid collection, receipt, or Bailiwike. And alſo pay vnto the hands of the ſaid Receiuor or Receiuors, all, and euery of ſuch ſumme and ſummes of money, as

The penalty where an accomptant maketh default of apparance or payment.

ſhall be iuſtly found due by the ſaid accomptant before the ſaid Auditor, or Auditors, or his, or their Deputy or Deputies, to the Kings Maieſty vpon the foot, and determination of his accompt: And after the firſt default of apparance made before the ſaid Auditor or Auditors, or his, or their Deputy or Deputies by any of the ſaid Officers accomptant being ſo warned, as is aforeſaid: And after another like precept made, and deliuered, or left in forme aforeſaid: That then the ſaid Officer, or Officers that ſo ſhall make againe default of apparance, for the ſaid ſecond offence in making default in his apparance, as is aforeſaid, and being thereof duly and lawfully conuicted in the Court, where the reuenue of his ſaid office is, or ſhall be anſwerable, ſhall loſe and forfeit to the King our Soueraigne Lord his office and fee.

The penalty for the ſecond offence.

And for the ſecond offence in the non payment of the ſaid money due, and payable with, and by reaſon of his receipt, collection, or bailiwike, at or before the ſaid Feaſt of Saint Michael the Archangell, ſhall loſe and forfeit to our Soueraigne Lord the King twelue pence of euery pound, in the name of a paine, for euery moneth after the ſaid laſt day of apparance, and default made, as is aforeſaid, vntill he, or his ſufficient Deputy or Deputies ſhall accompt before the ſaid Auditor or Auditors, or his or their Deputy or Deputies for the ſaid receipt, Collection, or Bailiwike. And alſo pay vnto the hands of the ſaid Receiuor or Receiuors, or his or their Deputy or Deputies, to the Kings vſe, all ſuch ſummes of money as ſhall be iuſtly found due by the ſaid accomptant vpon the foot, and determination of his ſaid accompt.

Within what times the Kings Receiuors ſhall make payment of the money by them receiued.

And further be it enacted by authority aforeſaid, that all, and euery Receiuor and Receiuors of the Kings Maieſties Honors, Manors, Lands, Poſſeſſions, Rents, or Reuenues, ſhall make ready, and full payment yeerely to the Treaſurer, or generall Receiuor of the Court, where the ſaid Reuenue is, or ſhall be anſwerable, or otherwiſe, as he, or they are, or ſhall be appointed, and aſſigned by ſufficient warrant, of all ſuch ſummes of money, as he or they ſhall know to be due to our Soueraigne Lord the King, and can by any lawfull or due meane obtaine, get, haue, or receiue of the rents or reuenues of our ſaid Soueraigne Lord the King, with, or by reaſon of their offices being due, at, or before the Feaſt of Eaſter by the twentieth day of Iune then next following, at the furtheſt. And alſo ſhall make like payment yeerely of all their like receipts of the Rents and Reuenues of our ſaid Soueraigne Lord the King, that ſhall be due, at, or before the Feaſt of Saint Michael the Archangell, by the twentieth day of Ianuary then next following at the furtheſt, vpon paine of loſſe, and forfeiture for euery default at any of the ſaid daies, two pence of euery pound, for euery day that the ſaid money ſo by them or any of them ſhall be vnpayed.

When the Kings Receiuors ſhall accompt.

And alſo it is further enacted that all, and euery the ſaid Receiuor and Receiuors, or their Deputy or Deputies for whom they will anſwer, ſhall enter into their accompt yeerely in the Terme of Saint Hillary, and fully and cleerely finiſh the ſame accompt before the tenth day of March then next following, and make full and ready payment of the money that ſhall appeare to be due vpon the foot, and determination of the ſame accompt, before the twentieth day of the ſaid moneth of March, vpon paine of forfeiture to our ſaid Soueraigne Lord the King his offices and fees, and foure pence of the pound for euery day that they ſhall deteine and withhold the ſaid money, without making any payment thereof, as is aforeſaid.

The Kings Receiuors, Bailiffes, &c. may diſtraine for the arrerages of rent.

And further be it enacted by authority aforeſaid, that all and euery Receiuors, Collectors, and Bailiffes of any of the Kings Honors, Manors, Lands, Tenements, rents, or reuenues for lacke of payment, and leuying of their ſaid rents, iſſues, and reuenues within their offices, and charges, ſhall and may haue power and authority from henceforth by vertue of this Act to diſtraine for the ſame, and to vſe, and order the ſame diſtreſſes in ſuch ſort, and forme, as any Officer or Officers of the Kings Court of the Exchequer for leuying and lacke of payment of the Kings rents, and reuenues anſwerable in the ſame Court, heretofore haue lawfully done, and may lawfully vſe to doe, deliuering to the party diſtreined the ſurpluſage and ouerplus of the value of euery ſuch diſtreſſe, if any ſhall be, the Kings debts and duties being firſt payed, and the diſtreinant anſwered of reaſonable coſts.

Amercing of Sheriffes for not returning of writs touching the leuying of the Kings rents, &c.

And that the head and chiefe Officer, or Officers of euery of the Kings Courts of Reuenue, being of Record, or that ſhall be of Record, ſhall haue full power and authority by vertue of this act to ſet and aſſeſſe reaſonable fines and amerciaments vpon any Sheriffe, or Sheriffes, for not returning or miſ-returning of any Writ to them directed, and deliuered out of any of the ſame Courts, touching or concerning the leuying, or anſwering of any of the ſaid iſſues, rents, or reuenues, or of any debt due to our ſaid Soueraigne Lord the King in ſuch ſort, and after ſuch manner and forme as now is, or heretofore hath beene lawfully vſed in the like, and ſuch other caſes in the Kings Highneſſe Court of the Exchequer.

Theſe accomptants vpon warning, ſhall accompt and make ready payment.

Be it alſo further enacted by the authority aforeſaid, that all Treaſurers and Chamberlaines, and generall Receiuors of any of the Kings Graces Courts of Reuenue for the time being, and all Cuſtomers, and Collectors of Cuſtomes, or certaine and ſtalled ſubſidies within any Port, Hauen, or Creeke of this the Kings Realme of England, that now be, or hereafter ſhall be, within ten dayes next after notice to him or them giuen from the King, or ſix of his moſt honourable priuie Councell in writing ſigned with their hands, ſhall by themſelues, or their ſufficient Deputy, or Deputies, for whom they will anſwer, declare in writing, what ſummes of money then being due vnto our ſaid Soueraigne Lord the King, be at that time in his or their hands, or cuſtody, and ſhall make ready and full payment of all the ſaid ſummes of money, as then ſhall remaine in his or their hands or cuſtody, ouer and aboue the ordinary payments, and ſummes of money conteined, and expreſſed in ſufficient warrant, or warrants, reſting and remaining in his, or their Office, or Offices, and being in their full force, ſtrength, and effect, and not lawfully contermanded, nor reuoked to their knowledge, to the vſe of our Soueraigne Lord the King, at ſuch time, and in ſuch ſort, as he or they ſhall be commanded, and appointed by ſufficient warrant, vpon paine of forfeiture of his, or their Office, or Offices.

Within what time theſe accomptants ſhall yeerely accompt.

And be it further enacted by the authority aforeſaid, that the ſame Treaſurers, Chamberlaines, and generall Receiuors by themſelues, or by their Deputy, or Deputies, for whom they will anſwer, ſhall yéerely before the twentieth day of Iune, make a perfect accompt of all ſuch money, or treaſure as hath come to their hands to the Kings vſe, yéerely, at, or before the twentieth day of March then next before the ſaid twentieth day of Iune, and ſhall make a perfect and whole declaration in writing, of the money remaining in euery of their hands, to the Kings Maieſtie, or to his Priuy Councell yéerely before the laſt day of Iune then next following, and make payment of the ſame at ſuch time, and in ſuch ſort, as he, or they ſhall be commanded, or appointed by ſufficient warrant, vpon paine of forfeiture of his, or their Office, or Offices.

The penalty of an accomptant taking more than is due for the payment of any penſion, &c.

[a] Raſt.pl.[illegible]91.

fol.101.

And be it further enacted, that if any Treaſurer, Receiuor, or Miniſter accomptant, or their Deputy, or Deputies do take, or receiue of any perſon or perſons, any ſumme or ſummes of money, or other profit, of, and for the payment of any[a] fées, annuities, penſions, duties, or warrants, more, or otherwiſe than he or they may lawfully doe by former Lawes, and Statutes therein prouided: That then the ſaid Treaſurer, Receiuor, and Miniſter ſo offending ſhall forfeit, and loſe for euery peny, or peny worth ſo to be taken, or receiued ſix ſhillings eight pence to the party gréeued, to be recouered in any of the Kings Courts of Record, by Bill, Plaint, or Action of debt, in which ſuit no wager of Law, eſſoine, or protection ſhall be allowed.

The penalty if the Auditor refuſe or delay to take an accompt.

And be it alſo enacted, that if any Auditor or Auditors, or his or their Deputy, or Deputies which ought to take the accompt of any Treaſurer, Chamberlaine, Receiuor, or other Officer accomptable before him, or them, doe refuſe, or willingly protract and delay the taking of the ſame accompt, in ſuch wiſe, as it cannot be finiſhed within the time or times limited, and appointed by this Act for the taking and finiſhing thereof, that then euery Auditor ſo refuſing, or protracting, and delaying, as is aforeſaid, and being thereof duly and lawfully conuict in the Court where the Reuenue or charge of the ſame accompt is, or ſhall be anſwerable to the King, ſhall incur, forfeit and loſe ſuch like paine, loſſe, and forfeiture as the Treaſurer, Chamberlaine, Receiuor or other Officer aboueſaid, ſhall, and ought to doe by this Act, for not accompting of, and for their charges, and Office, or Offices. And thereby the ſame Treaſurer, Chamberlaine, Receiuor, and other Officer that ſhould accompt, and ſhall be refuſed, or ſhall be protracted, and delayed, as is aforeſaid, ſhall be diſcharged of any paine, loſſe, or forfeiture for not accompting, as is aboueſaid.

The copy of the accompt ſhal be deliuered to the accomptant.

And be it further enacted, that the duplicate, or copy of euery accompt that ſhall be made by any Treaſurer, or Receiuor, or by their Deputy or Deputies, in forme aforeſaid, within conuenient time after the finiſhing of the ſame accompt, and at the reaſonable requeſt, and coſts of ſuch accomptant, ſhall be deliuered to them, or any of them ſubſcribed with the hands of the Auditor or Auditors that ſhall take the ſame accompt, or of his, or their Deputy or Deputies, for whom he or they will anſwer, vpon paine that the ſame Auditor or Auditors, ſhall loſe and forfeit to the Kings Maieſtie ten pound for euery ſuch default.

Biſhops accompt and payment of tenths.

Prouided alwayes, and be it enacted by the authority aforeſaid, that this Act, nor any thing therein conteined ſhal in any wiſe extend to charge any Archbiſhops, or Biſhops of this Realme, or of any other the Kings Maieſties Dominions, or any of them at any time hereafter, to make any manner of bonds, or to make their accompt, and payment of the tenths ariſing, and growing within any of their Dioceſſe due, or to be due to our ſaid Soueraigne Lord the King, otherwiſe, or in any other manner and forme, than they, or any of them heretofore haue béene charged, or accomptable, and chargeable by the Lawes, and Statutes of this Realme, any thing in this Act to the contrary notwithſtanding.

The Reuenues of Calice.

Prouided alwayes, that this Act, or any thing therein conteined ſhall not extend to cauſe the rents, profits and reuenues, riſing and growing to the Kings Maieſty within the Towne or Marches of Calice, to be anſwered or payed otherwiſe, or at any other dayes or times, than heretofore hath béene vſed, and accuſtomed, any thing in this Act to the contrary notwithſtanding.

Which officers ſhall not be chargeable by this Statute.

Prouided alwayes, and be it enacted by the authority aforeſaid, that this Act, nor any thing therein contained ſhall in any wiſe extend to touch or charge any Sheriffe, Eſcheator, or Collector of any Diſmes, Quindiſmes, Beneuolences, Contributions, or Subſidies (Subſidies of Tonnage, and poundage only except) but that they, and euery of them ſhall, and may doe, and exerciſe their ſaid ſeuerall offices, and pay ſuch ſummes of money, as they, or any of them, be, or hereafter ſhall be chargd withall by their ſaid ſeuerall offices, in ſuch, and like ſort, manner and forme, as they, and euery of them haue vſually done, or ſhould, or ought to doe, if this Act had neuer beene had or made. This Act, or any thing therein conteined in any wiſe to the contrary, notwithſtanding.

Cap. II.

The Kings power to diſſolue or vnite certaine Courts erected by the late King.

27.H.8.27.

WHere in the ſeuen and twentieth yeere of the late King of famous memory King Henry the eight, Father to the Kings Maieſty that now is, there was ordeined, made, ſtabliſhed, and enacted by authority of Parliament, a certaine Court commonly called the Court of Augmentations of the Reuenues of the Kings Crowne. And where alſo in the two and thirtieth yeere of the ſaid late King there was made and erected by authority of Parliament, two ſeuerall Courts, the one commonly called the Court of the firſt Fruits and Tenths: and the other the Court of the Kings Wards: And where alſo in the three and thirtieth yeere of the ſaid late King, there was made, ſtabliſhed, and erected by authority of Parliament, one Court, commonly called the Court of the generall Surueyors of the Kings lands: And where there is one other Court, commonly called the Court of the Duchy of Lancaſter.

32.H.8.45.
32.H.8.46.
33.H.8.39.

The Courts of Augment. and generall Surueyors were diſſolued.

After which ſaid ſeuerall Courts ſo erected, as is aforeſaid, the ſaid late King did repeale, and diſſolue, extinguiſh, and determine, as well the ſaid Court of Augmentation of the Reuenues of the Kings Crowne, as alſo the ſaid Court of generall Surueyors of the Kings lands, and the officers of the ſaid late Courts of the Augmentations of the Kings Crowne, and generall Surueyors of the Kings lands did ſurrender their Patents and Offices into the ſaid late Kings hands.

A ſecond Court of Augmentations erected.

And after the ſaid late King did, by his Letters Patents erect one other Court, called the Court of Augmentation, and Reuenues of the Kings Crowne, and did, by the ſame his Letters Patents conſtitute, and appoint diuers Officers and Miniſters for the ſupplying thereof, as by the ſame Letters Patents more plainly and at large it may, and doth appeare.

Queſtion about the diſſolution of the firſt court of Augmentation by Let. Pat. only.

And for as much as ſince the erection of the ſaid Court of Augmentation, and Reuenues of the Kings Crowne, ſtabliſhed and erected by Letters Patents, as is aforeſaid, diuers ambiguities, and doubts haue riſen, and growen among ſuch as be learned in the Lawes of the Realme, whether the diſſoluing, extinguiſhing, and repealing of the ſaid late Courts erected by authority of Parliament, as is aforeſaid, might by the order of the Law be diſſolued, extinguiſhed, and repealed by Letters Patents, conſidering that the commencement of them were firſt had, and made by authority of Parliament, yea or no: Whereupon great inconueniences might enſue, as well to the Kings Maieſty, as to diuers of his Graces moſt louing and obedient Subiects, who haue had by exchange, purchaſe, gift, or otherwiſe, diuers manors, lands, tenements, and other hereditaments.

The K. Let. P. for the erection of the ſecond Court of Augmentations ſhall be good.

For remedie and declaration whereof, be it enacted by the King our Soueraigne Lord, and the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that the ſaid Letters Patents ſo made by the ſaid late King, and all, and euery thing, and article therein conteined, ſhall be as good, auaileable, and effectuall in the Law, to all intents, conſtructions and purpoſes, as though the ſame had beene made, and done by authority of Parliament.

The King may by his Letters Patents alter, change, or diſſolue any of the Courts aforeſaid, and erect any new.

And be it further enacted by authoritie aforeſaid, that the Kings Maieſty ſhall, or may at any time during his naturall life (which God long preſerue) by his Graces Letters Patents, vnder his great Seale of England, at his moſt gracious will and pleaſure, alter, change, vnite, tranſpoſe, diſſolue, or determine, all, or any of the ſaid Court or Courts, and to reduce the ſame Courts, or any of them into one, two, or more Court or Courts, or to vnite and annexe the ſaid Courts, or any two or more of them together, or to any other of his Maieſties Courts of Record: Or to erect any other new Court or Courts, as to his Highneſſe ſhall be thought moſt conuenient, and beſt, for the better, ſurer, and more ſpeedy anſwering of his yeerely Reuenues, caſualties, or profits now anſwerable in the ſaid Courts, or in any of them: And that all, and ſingular ſuch alterations, changings, vnitings, annexings, tranſpoſings, diſſoluings, or determinations of the ſaid Courts, or of any of them ſo to be altred, changed, vnited, annexed, tranſpoſed, diſſolued, or determined, or otherwiſe newly to be erected, as is aforeſaid, as concerning an order for the true payment of the reuenues, rents, iſſues, caſualties, and profits of our ſaid Soueraigne Lord the King, as ſhall be ſet forth and declared in any ſuch Letters Patents, or writings, vnder his great Seale of England, hereafter to be made, ſet forth and declared, ſhall be of ſuch like, and of the ſame force, and ſtrength to all intents conſtructions, and purpoſes, as though the ſame were, or ſhould haue beene ſet forth, or declared by authority of Parliament, the ſaid ſeuerall erections, or any other thing heretofore had, or made to the contrary thereof in any wiſe notwithſtanding.

Prouided alway, and be it enacted by the authority aforeſaid, that any thing conteined in the ſaid Letters Patents made by the ſaid late King, or in the Letters Patens hereafter to be made by the Kings Highneſſe that now is, concerning any paines, penalties, rules, or orders made, or to be made, for the leuying of the Kings Reuenues, Rents, Iſſues, Caſualties, or profits, ſhall not in any wiſe extend to charge any of the Kings Subiects in any other manner or forme, than they, or any of them ought lawfully to haue béene charged by the Lawes of the Realme, before the firſt day of this preſent Parliament, or by any ſtatute made, or to be made in this preſent Seſſion of Parliament.

No Orders made for the leuying of the Kings debts ſhall be preiudiciall to any.

Prouided alſo, and be it further enacted by authority aforeſaid, That the ſaid Letters Patents, made in the time of the ſaid late King, or any other Letters Patents hereafter to be made by the Kings Highneſſe that now is; or any thing, or matter conteined in this Act, ſhall not in any wiſe extend to giue any power or authority to the Chancellor, and generall Surueyors of the ſaid Court of the Augmentation, and Reuenues of the Kings Crowne, or to any Officer or Officers of the ſame Court, or to any other Court or Courts hereafter to be erected by the Kings Maieſtie, as is aforeſaid, or to any other Officer, or Officers to be appointed, in any of the ſame Courts, hereafter to be erected by the Kings Highneſſe, as is aforeſaid, to heare or determine any plea, matter or cauſe betwéene any of the Kings Subiects, but onely in ſuch caſe, where the Kings Highneſſe is only a méere and a ſole party: Sauing to all and euery perſon and perſons, and bodies politike and corporate, and to euery of them, ſuch offices of Stewardſhips, offices of Maſterſhips of any Game or Games, kéepers of foreſts, chaſes, parkes, houſes and caſtles, and the profits thereunto belonging, and all rents, annuities and fées, as they, or any of them haue, or ought to haue, if this Act had neuer béene had ne made.

The officers of theſe Courts ſhall heare and determine cauſes only where the King is a partie.

A ſauing of all mens offices in certaine caſes.

Prouided alwayes, and be it enacted by the authority aforeſaid, That this Act, nor any thing therin conteined, ſhall in no wiſe extend, or be conſtrued to take away, extinct, or determine from any perſon or perſons, their heires, ſucceſſors or aſſignes, or from any of them, any fées, annuities, penſions, ſtipends, or annuall payments of any ſummes of money, which they, or any of them haue, or of right might, or ought lawfully to haue by any Letters Patents, or other ſufficient writing made before the ſix and twentieth day of March, in the ſeuenth yéere of the raigne of our Soueraigne Lord the King that now is, but that all and euery perſon and perſons, their heires, ſucceſſors, executors and aſſignes, and euery of them, which haue, or hereafter ſhall haue any fée, annuitie, ſtipend, penſion or annuall payment, of any ſumme or ſummes of money payable yéerely in any of the ſaid Courts, or by the hands of any Officer or Officers of any of the ſame Courts, ſhall, and may perceiue, take, and receiue the ſame, and ſhall yéerely thereof be payed of the Kings Treaſure at the dayes, and times compriſed in ſuch Letters Patents, or other writings in any of the ſaid Courts, where now the ſame is, or ought to be payable, as long as the ſaid Court ſhall remaine, and haue any being: And after in ſuch Court or Courts, as ſhall pleaſe the King newly to erect by the hands of the Officers of the ſame Court, and for default thereof in any of the Kings Courts, wherein ſufficient Reuenue ſhall be to anſwer the ſame of the Kings Treaſure there, by the hands of the Officers of the ſame Court, in ſuch like manner and forme, as the ſame perſon and perſons, their heires, executors, and aſſignes or any of them ſhould, and might haue done, or béene payed, in any other place or Court, if this Act had neuer béene had, or made, any thing in this Act conteined, or any other thing hereafter to be done, by reaſon, colour or authority of this Act to the contrary thereof notwithſtanding. St.1.M.10.

A ſauing of the annuities, fées, penſions, &c. of others.

Cap. III.

Confirmation of certaine Letters Patents of bargaine and ſale made by K.H.8. ſince the fourth of February, Anno 27. *of his raigne: and by K.* Ed.6. *ſince* 28. *Ianuar.* An.1. *of his raigne, notwithſtanding his minority.*

WHereas in the Seſſion of Parliament holden vpon Prorogation at Weſtminſter, the two and twentieth day of Ianuary, in the foure and thirtieth yéere of the raigne of the late King of famous memory King Henry the eight, and there continued, kept vntill the twelfth day of May, in the fiue and thirtieth yéere of the raigne of the ſaid late King, amongſt diuers and ſundry, and many Statutes, there was then one Statute made for the confirmation of Letters Patents, notwithſtanding any miſnaming, miſpriſion, or miſrehearſall, or any other default conteined, or rehearſed in the ſame Act: Wherein it was prouided and enacted by the authority of the ſame Parliament, that all and ſingular ſuch Patentées, Grantées, and Donées, as at any time from the making of the ſame Statute, during ſeuen yéere then next following, ſhould fortune to haue, or obtaine any caſtles, manors, lands, tenements, tithes, penſions, portions, or other hereditaments of the gift, grant, ſale or exchange of the Kings Maieſtie, or of the only gift of the Kings Maieſty, of his moſt liberall diſpoſition, and not ſold, which at the day of the date of the Letters Patents thereof made, ſhould be of more and better yéerely value to the King in yéerely rent and ferme, than ſhould be contained, mentioned or ſpecified in any ſuch Letters Patents, 34.H.8.21.

and

A Bill ſhall be ſigned and ſealed by the Patentée of thoſe Lands, which the King ſhall after grant to him by his Bill ſigned.

By what meanes the King ſhall be ſatiſfied for the ouerplus of lands, by him ſold, exchanged or giuen.

and particulars thereof made by the Auditor or Auditors, and in ſuch bill or billes, as ſhould be ſigned and ſealed with the hand or hands of the Patentée, or Patentées thereof to be exhibited to the Kings Maieſty or his Officer or Officers, within whoſe Suruey the ſaid Manors, Lands, and Tenements, and other the premiſſes, or any part thereof ſhould be, or within any of them, which bill ſhould be ſigned, ſealed, had, and made, as is aforeſaid, before any bils, ſhould be thereof ſigned by the Kings Maieſty, that then euery of the ſaid Patentées, Grantées, and Donées, their Heires, Executors, and Adminiſtrators, within one yéere next after due proofe, and decrée thereof had and made in the Court, within whoſe Suruey, the ſame caſtels, manors, lands, tenements, and other the premiſſes, or any parcell thereof then ſhould be, ſhould content, and pay vnto the King for the ſame ouerplus, and more value for the ſame manors, lands, tenements, tithes, penſions, portions, and other hereditaments to him ſold, or exchanged, after ſuch rate as the other lands and tenements were before to him ſold, or exchanged, and for the ouerplus, and more value of ſuch lands, and tenements as ſhould happen to be giuen by the Kings Maieſty, and not ſold, as is aboueſaid: The ſaid Patentée, his Heires, Executors, or Adminiſtrators, ſhould content and pay to the King, after the rate of twenty yéeres purchaſe: So that the ſame proofe, and decrée, were had and made, in forme aboueſaid, within ten yéeres next after the date of the ſaid Letters Patents, as by the Statute more at large it doth, and may appeare.

1. Ed. 6. 8.

A confirmation of Patents notwithſtanding miſnaming, miſrehearſall, or other default made by K. E. 6.

And alſo whereas in the Parliament begun at Weſtminſter, the fourth day of Nouember, in the firſt yéere of the raigne of our moſt dread Soueraigne Lord the King that now is, King Edward the ſixth, and from thence continued to the foure and twentieth day of December then next enſuing: That is to ſay, the firſt Seſſion of the ſame Parliament, amongſt diuers, and ſundry Statutes, there was then alſo one other Statute made for the confirmation of Letters patents, notwithſtanding any miſnaming, miſrehearſall, or any other default conteined, or rehearſed in the ſame Act: wherein it was alſo prouided, and enacted by the authority of ſame Parliament, that all, and ſingular ſuch Patentées, Grantées, and Donées, as at any time after the ſaid Parliament, and during the life of our ſaid Soueraigne Lord King Edward the ſixth, ſhould fortune to haue, or obtaine any caſtles, manors, lands, tenements, tithes, penſions, portions, or other hereditaments, of the gift, grant, ſale or exchange of the Kings Maieſty, or of the only gift of the Kings Maieſty of his moſt liberall diſpoſition, and not ſold, which at the day of the date of the Letters Patents thereof made, ſhould be of more, or better yéerely value to the King, in yéerely rent and ferme, than ſhould be conteined, mentioned, and ſpecified in any ſuch Letters Patents, and particulars thereof made by the particular Surueyor, or Surueyors thereof. And in ſuch bill or bils, as ſhould be ſigned and ſealed with the hand, or hands of the Patentée, or Patentées thereof to be exhibited to the Kings Maieſty, or his Officer or Officers, within whoſe Suruey the ſaid manors, lands and tenements, and other the premiſſes, or any part thereof ſhould be, or within any of them, which bill ſhould be ſigned, ſealed, had and made, as is aforeſaid, before any bill ſhould be thereof ſigned by the Kings Maieſty: That then euery of the ſaid Patentées, Grantées, and Donées, their Heires, Executors or Adminiſtrators, within one yéere next after due proofe and decrées thereof made and had in the Court, within whoſe Suruey the ſame caſtles, manors, lands, tenements, and other the premiſſes, or any parcell thereof, before the ſaid gifts and grants were, ſhould content, and pay to the King for the ſame ouerplus, and more value of the ſame manors, lands, tenements, tithes, penſions, portions and other hereditaments to him ſold, and exchanged after ſuch rate as other lands and tenements were before to him ſold, or exchanged, and for the ouerplus and more value of ſuch lands and tenements, as ſhould happen to be giuen by the Kings Maieſty, and not ſold, as is aboueſaid, the ſaid Patentée, his Heires, Executors, or Adminiſtrators ſhould content, and pay to the King after the rate of twenty yéeres purchaſe, ſo that the ſame proofe and decrée were had, and made, in manner and forme aforeſaid, within ten yéeres next after the date of the ſame Letters Patents, as by the ſame ſtatute more at large it doth and may appeare.

Seuerall inconueniences enſuing to the K. Patentees by the Statutes. of 34. H. 8. 21. and 1. Ed. 6. 8.

Sithence the making of which Statutes, diuers of the ſaid Patentées, Grantées and Donées, according to the true meaning, and intent of the ſaid Statutes, and prouiſions of the ſame, haue by their bils ſeuerally ſigned and ſealed with the hands and ſeales of the ſaid Patentées, exhibited to the Kings Maieſtie, or to his Officer mentioned in the ſaid ſeuerall Acts and prouiſions, before the ſame Bill were ſigned by the ſaid late King, or by the Kings Highneſſe that now is: Which Bils ſigned by the ſaid Patentées, ſometime by the negligence of the ſame Officers, or their Clerkes, ſometime by the death of the ſame Officers, and ſometime by the alteration, and change of the ſaid Officers, many of the ſaid Bils ſo ſigned and ſealed be now by negligence embeaſeled, and loſt, and many times there haue béene no ſuch Bils made, but omitted and forgotten: by reaſon whereof diuers queſtions, ambiguities and doubts may ariſe, as well for the Kings ſurety, and ſatiſfaction, as for the Patentées, their Heires and Aſſignes.

A confirmation of the Letters Patents of K. H. 8. and King Ed. 6. made and to be made during his life.

For the auoiding of all which ambiguities, queſtions and doubts: Be it enacted by the King our Soueraigne Lord, the Lord Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that as well all and ſingular Letters Patents made by the ſaid late King, as by the Kings Maieſty that now is, ſithence the making of the ſaid ſeuerall Statutes and Acts, or that hereafter ſhall be made by our ſaid Soueraigne Lord the King that now is, during his life (whoſe life God long preſerue) ſhall be good and effectuall to all, and euery Patentée, their heires and aſſignes, the lacke [illegible] want of any ſuch Bill or Bils, or whether the particular or particulars were had, or made, or hereafter to be had or made by any of the Kings Auditor or Auditors, Surueyor, or Surueyors in any wiſe notwithſtanding.

And that the ſame Patentées, Grantées, and Donées, their Heires and Aſſignes, and euery of them ſhall from henceforth haue, and take, all and ſingular ſuch profits, benefits, commodities and aduantages mentioned in the ſaid ſeuerall Statutes, as though the ſaid Bils had béene ſigned and ſealed, and were ready to be ſhewed, according to the true intent of the ſaid Statutes, or any of them.

And to the intent the King ſhall be truly anſwered of the ouerplus of the yéerely value of the ſaid manors, lands, and tenements, and hereditaments conteined, or to be conteined in any ſuch Letters Patents, as is aforeſaid, according to the true meaning of the ſaid Act or Acts, and the prouiſions of the ſame: Be it enacted by the authority aforeſaid, that all and ſingular ſuch Patentées, Grantees, and Donées, as at any time from the making of the ſaid ſeuerall Statutes haue obtained, or gotten, or hereafter ſhall obtaine, or get any caſtles, manors, lands, tenements, tithes, penſions, portions, or other hereditaments of the gift, grant, ſale, or exchange of the ſaid late King, or of the King that now is, or of the only gift of the ſaid Kings, or of any of them, of his or their moſt liberall diſpoſition, or of any of them, and not ſold, which at the date of the Letters Patents thereof made, or hereafter to be made, ſhall be of more, or better yeerely value to the ſaid late King, or to the King that now is in yeerely rent and ferme, than is, or ſhall be conteined, mentioned or ſpecified in any ſuch Letters Patents, or particulars thereof made by the ſaid Auditor or Auditors, Surueyor or Surueyors, or other Officers, that then euery of the ſaid Patentées, Grantées, and Donées, their Executors and Aſſignes, within one yeere next after due proofe, and decree thereof made, and had in the Court within whoſe Suruey the ſame caſtles, manors, lands, tenements, and other the premiſſes, or any parcell thereof then were, or ſhall be, ſhall content, and pay vnto the King for the ſame ouerplus, and more value for the ſame manors, lands, tenements, tithes, penſions, portions, and other hereditaments to him or them ſold or exchanged, or hereafter to be ſold or exchanged, after ſuch rate, as the other lands and tenements were before to him ſold or exchanged, or that hereafter ſhall be ſold or exchanged, and for the ouerplus, and more value of ſuch lands and tenements as hath béene giuen by the ſaid late King, or the Kings Maieſty that now is, or that hereafter ſhall be giuen by the King that now is, and not ſold, as is aboueſaid, the ſaid Patentée and Patentées, and his and their Heires, Executors and Aſſignes ſhall content and pay to the King, after the rate of twenty yéeres purchaſe, ſo that the ſame proofe, and decrée be, or ſhall be made, in forme aforeſaid, within ſixtéene yéeres next after the date of ſuch and the ſame Letters Patents made or to be made in forme aforeſaid.

A meane to ſatiſfie the King of the ouerplus of the Lands, ſold, exchanged or giuen by him to others.

Prouided alwayes, and be it enacted by the authority aforeſaid, that this Act, or any prouiſion therein conteined, ſhall not in any wiſe extend to confirme, ratifie, or make good any Leaſe, or Leaſes made, or hereafter to be made for terme of life, liues or yéeres, whereupon the old and accuſtomed rents, or more be not, or hereafter ſhall not be reſerued, and yéerely payable during the time and terme of the ſaid Leaſe and Leaſes, nor to any Leaſe or Leaſes made in reuerſion of any part, or parcell of any manors, lands, tenements or hereditaments, parcell of the Duchy of Lancaſter, or within the Suruey of the ſame Duchy.

Leaſes of lands parcell of the Duchy of Lancaſter made in reuerſion, or whereof the old rent is not reſerued.

Prouided alſo, and be it enacted by the authority aforeſaid, that this Act, nor any thing therein conteined, ſhall extend to confirme, ratifie, or make good any Letters patents heretofore made, or hereafter to be made of eſtate of inheritance, by any King or Kings of this Realme, but to ſuch Letters Patents, as were made by the ſaid late King Henry the eight, ſince the ſaid fourth day of February, in the ſaid ſeuen and twentieth yéere of his reigne, or hath béene, or hereafter ſhall be made by the Kings Maieſty that now is during his life (which God long preſerue) any thing or matter conteined in this act, or in any of the prouiſions before rehearſed to the contrary thereof in any wiſe notwithſtanding.

What Letters Patents only this ſtatute doth extend vnto.

And where alſo the late King of famous memory Henry the eight, and alſo our Soueraigne Lord the Kings Maieſty that now is, as well by diuers bargaines and ſales, for diuers great ſummes of money, as by gifts, exchanges, or otherwiſe haue giuen, and granted by their ſeuerall Letters Patents, vnder the great Seale of England, or vnder the great Seale of the Duchy of Lancaſter, diuers manors, lands, tenements, and other hereditaments with the appurtenances to diuers and ſundry their louing Subiects, of any eſtate of inheritance to hold in ſocage only, and not in Capite, for all manner of ſeruices, and without reſeruation of any tenths or rents in the ſame Letters Patents, as by the ſame ſeuerall Letters Patents may appeare. And foraſmuch as by certaine Statutes heretofore made, doubts, and ambiguities may ariſe vpon ſuch Letters Patents for lake of tenures in Capite, or reſeruations of tenths or rents, which might be hereafter to the vnquietneſſe of ſuch Patentées, their Heires, Aſſignes or Succeſſors, contrary to the intents and mindes of the ſaid late King, and of our ſaid Soueraigne Lord the Kings Maieſties that now is.

A confirmation of the K. Letters Patents notwithſtanding his Nonage, or any ſtatute made for Tenures, Rents, or Tenthes.

For the auoiding of all doubts and ambiguities, and for the quietneſſe of the Kings louing Subiects: Be it alſo enacted, and eſtabliſhed by the authority aforeſaid, that all Letters patents ſealed, or hereafter to be ſealed with the great Seale of England, or with the great Seale of the Duchy of Lancaſter, ſhall be good, perfect and auaileable in Law to all intents and purpoſes, according to the ſaid Letters patents, the nonage of our Soueraigne Lord the Kings Maieſty that now is, as Duke of Lancaſter, albeit alwayes as King he is of full age, or any Act, Statutes or Lawes, for or concerning any tenures, or reſeruations of rents, or tenths to the contrary notwithſtanding: Sauing to all and euery perſon, and perſons, bodies politicke and corporate, their Heires, Succeſſors, Executors and Aſſignes, and to euery of them (other than the Kings Maieſty, his Heires and Succeſſors, as Kings of this Realme, or as Dukes of Lancaſter,) all, and euery ſuch rights, titles, leaſes, conditions, rents, and intereſts whatſoeuer, as they, or any of them ſhould, ought, or might haue had, if this Act had neuer beene had, or made: This Act, or any thing therein conteined to the contrary, in any wiſe notwithſtanding. St.27.H.8.27.35.H.8.14. 37.H.8.20. 1.Ed.6.8.

CAP. VIII.

Patentee of Collectorſhips of Tenths ſhall be bound for their Collections.

St.26.H.8.3. 2.Eliz,4.

WHere the Archbiſhops and Biſhops of this Realme of England, are bound to the Kings Maieſty for the collecting, and true payment of the Diſmes or Tenths, due to his Highneſſe, for all and ſingular Benefices, and other Eccleſiaſticall Promotions whatſoeuer, being within their ſeuerall Dioceſſe: For the collection whereof, diuers of the predeceſſors of the ſaid Archbiſhops, and Biſhops haue by their Letters Patents, (confirmed with Chapiter Seale) giuen, and granted to ſundry perſons the collection of the ſame Diſmes and Tenths, without prouiſion of ſufficient bonds, for the true collection and payment of the ſaid Diſmes or Tenths, to our Soueraigne Lord, or otherwiſe, to diſcharge the Grantors of the ſaid Patents, and their Succeſſors, whereby the King Maieſty hath bene greatly defrauded of his ſaid duties, and many of the ſaid Biſhops ſore troubled, to their great hinderance, and vtter vndoing.

The Collectors of tenthes ſhall be bound to ſaue the Biſhops harmeleſſe againſt the King St.14.El.7.

Be it therefore enacted by our Soueraigne Lord the King, with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that all Collectors of the ſaid Tenths, vnder any Archbiſhop or Biſhop within this Realme of England, or other the Kings Dominions, hauing Letters Patents, or other writings of their ſaid Office of Collectorſhip of the ſaid Tenths, ſhall before the Feaſt of the Natiuity of Saint Iohn Baptiſt next comming, be bound by their ſufficient writing obligatory or recogniſance, in the Court of the firſt Fruits and Tenths, or in any other Court, where the Kings reuenues of the Tenth ſhall be anſwerable, in ſuch ſumme or ſummes of money as ſhall be due and growing yeerely to our Soueraigne Lord the King, within their ſaid collection or office, to ſaue and keepe the ſaid Archbiſhops or Biſhops, and euery of them harmeleſſe, and without hurt or damage, againſt the Kings Maieſty, his Heires and Succeſſors of, and for all manner of accompts and payments of money, which they, or any of them haue, ſhall, or may conueniently receiue, during the time of their ſeuerall collections, and that may be lawfully demanded or required of the ſaid Archbiſhops or Biſhops, or any of them, for, or concerning the ſaid Tenths, by reaſon of the Statute of the firſt Fruits and Tenths, or elſe their ſaid Letters Patents, and other writings to be vtterly void, and of none effect.

The Tenthes ſhall be payed the laſt day of May.

Certificat of Recuſants made in May.

And for that the Parſons, Vicars and Curats within this Realme, for the moſt part be not able to pay their Tenths, before that they ſhall haue receiued the profits of their Benefices, which yeerely groweth, and reneweth to them at the Feaſt of Eaſter, which Feaſt in many yeeres falleth after the firſt day of Aprill, which ſaid firſt day of Aprill is now the day that is ſtalled and appointed to the ſaid Archbiſhops and Biſhops, to make payment to the Kings Maieſty of the ſaid Tenths: Be it therefore enacted by the authority aforeſaid, that the ſaid Archbiſhops and Biſhops, and euery of them, ſhall from henceforth make yeerely payment of the ſaid Tenths, vnto our ſaid Soueraigne Lord, his Heires and Succeſſors in the Court of the firſt Fruits and Tenths, or elſe where it ſhall pleaſe the Kings Maieſty to appoint the payment of the ſame, before, or at the laſt day of May, and not otherwiſe. And that the certificat of recuſants made by any of the ſaid Archbiſhops or Biſhops, or any of them, before, or at the laſt day of May yeerely, ſhall be as good and effectuall in the Law, to all intents, conſtructions and purpoſes, as though it had beene made at the dayes and times heretofore limited and appointed by the Statute made the ſix and twentieth yeere of the reigne of his moſt noble Father of famous memory King Henry the eight, for payments of Tenths and firſt Fruits, any Law, or Statute heretofore had or made to the contrary in any wiſe notwithſtanding.

And be it further enacted by the authority aforeſaid, that if any Promotion ſpirituall be now, or ſhall chance hereafter to be or remaine in ſuch ſort void, that no Incumbent is, or can be conueniently prouided for the ſame: That then the ſaid Archbiſhops and Biſhops, and euery of them ſhall, and may certifie yéerely before the laſt day of May, the ſame vacations ſpecially and according to the truth of the matter, into the ſaid Court of the firſt Fruits and Tenths, or in any other Court where the Kings Reuenues of Tenths ſhall be anſwerable, vpon which Certificate, the ſaid Archbiſhops, and Biſhops, and euery of them, ſhall be diſcharged towards and againſt the Kings Maieſty, his heires and ſucceſſors, in like ſort as they now be, vpon their certificat of the recuſants: And that then, and from thence forth, it ſhall be lawfull to the Kings Maieſty, his heires and ſucceſſors, to leuy, and take all the Glebe lands, tithes, iſſues or profits of the ſaid Benefice, or ſpirituall Promotion ſo eſpecially certified, as is aforeſaid, vntill his Grace, his Heires and Succeſſors may be fully anſwered, ſatisfied, and payed of the whole Arrerages of the ſaid Tenths then due to his Maieſty, and the ſaid Archbiſhops and Biſhops, and euery of them to be from the time of the ſaid eſpeciall certificate, cléerely exonerated and diſcharged againſt the King, his heires and ſucceſſors of the ſame arrerages: any Law or Statute heretofore had or made to the contrary in any wiſe notwithſtanding.

A Spirituall promotion void for which no Incumbent can be prouided.

And be it further enacted by the authority aforeſaid, that all and euery Grant, Patent, or writing whatſoeuer, that ſhall hereafter be made to any perſon or perſons, by any Archbiſhop or Biſhop, by themſelues, or elſe by any Archbiſhop or Biſhop, confirmed by Chapter ſeale, within this Realme of England, or elſewhere within the Kings Dominions, of the office of Collectorſhip of the Tenths, growing and ariſing yéerely to be due vnto our ſaid Soueraigne Lord the King, within the Dioceſſe and Biſhopricke of any ſuch Grantor, by reaſon of the Statute of the firſt Fruits and Tenths, ſhall ſtand, abide, and endure in his or their force, ſtrength and effect no more, nor longer time, than the ſaid Grantor ſhall be, and remaine Archbiſhop or Biſhop of the ſame Sée and Biſhopricke, whereof he was poſſeſſed at the time of his ſaid grant, any confirmation of the ſaid grant, or any cuſtome, vſage, Law or Statute at any time heretofore had, vſed, or made to the contrary in any wiſe notwithſtanding.

The Patent of a Collector ſhall be good no longer, than during the continuance of the Grantor in the Sée.

Cap. V.

At what prices Wines ſhall be ſold, and at whoſe appointment the prices ſhall be ſet downe.

For the auoyding of many inconueniences, much euill rule, and common reſort of miſruled perſons vſed, and frequented in many Tauernes of late newly ſet vp in very great number, in backe Lanes, corners and ſuſpicious places within the City of London, and in diuers other Townes and Villages within this Realme: Be it enacted by the authority of this preſent Parliament, that no perſon or perſons whatſoeuer, inhabiting within any of the Kings Maieſties Dominions of England and Wales, ſhall after the Feaſt of Saint Michael the Archangell next comming vtter by retaile, by ſmall meaſure: that is to ſay, by Gallon or any other Meaſure of greater, or leſſe quantity, any Wines called Gaſcon, Guion, or French Wines, but after the rate of eight pence the gallon at the moſt, by any manner of meanes, colour, engine, or craft: nor any Rochell wines at greater prices or valuation, than after the rate of foure pence the gallon at the moſt, nor any other Wine or Wines, at greater price or valuation, than after the rate of twelue pence the gallon at the moſt, vpon paine that euery perſon doing the contrary ſhall forfeit for euery ſuch offence fiue pound, of lawfull money of England.

The prices of Wine by ſmall meaſures.
REP. 1. Iac. 25.

And be it further enacted by the authority aforeſaid, that it ſhall not be lawfull to any perſon or perſons within any the Dominions aforeſaid, except he or they ſhall, and may diſpend in lands, tenements, hereditaments, or other yéerely profits certaine, the ſumme of one hundred Markes of lawfull money of England, or elſe be worth of his owne proper goods and Cattels, one thouſand Markes, or ſhall be the Sonne of a Duke, Marques, Earle, Vicount, or Baron of this Realme, to haue and kéepe after the ſaid Feaſt of Saint Michael the Archangel, in his houſe or cuſtody, any péece or veſſell of any of the ſaid Wines of Gaſcon, Guion, French, or Rochel Wines, conteining aboue the quantity of ten Gallons, to the intent to ſpend, or drinke the ſame in his or their houſe or houſes, by any colour or meanes, vpon paine to forfeit for euery ſuch offence, ten pound of lawfull money of England.

Who may haue Wine in his houſe, and who not.
REP. 1. Iac. 25.

And alſo be it further enacted by the authority of this preſent Parliament, that it ſhall not be lawfull to any perſon or perſons, within any of the ſaid Dominions, after the ſaid Feaſt of Saint Michael to kéepe any Tauerne, or to ſell, or vtter by retaile, by the Gallon, or leſſe, or greater meaſure in any place, any of the ſaid Wine or Wines, within any of the ſaid Dominions, except it be in [a] Cities, Townes corporate, Boroughs, Port Townes, or Market Townes, or in the Townes of Grauesend, Sittingborne, Turford, and Bagſhot, vpon paine that euery perſon or perſons that ſhall ſo offend contrary to the forme of this Act, ſhall loſe and forfeit for euery day ſo offending the ſumme of ten pound of lawfull money of England: Nor that it ſhall be lawfull to any perſon or perſons, after the ſaid Feaſt of Saint Michael, to kéepe any Tauerne, or ſell, or

No Wines ſhall be ſold by retaile, but in Cities, Boroughs, market townes.

No perſon ſhall ſell Wines, but by licence of the Maiors, &c. of the Townes where, &c.

No perſon ſhall ſell Wines in any Towne not Corporate but by the licence of the Iuſtices of Peace of the Shire.
Coke pl. fo. 370.

How many Tauernes may be licenced in one Towne, &c.

vtter by retaile, by the Gallon, or leſſe, or greater meaſure, in any City, Borough, or Towne corporate, any manner of Wines, but only ſuch perſon and perſons as ſhall be thereunto nominated, appointed, and aſſigned, by the head Officers, and the moſt part of the common Councell, Aldermen, Burgeſſes, Iurates, or Comminalty for the time being of ſuch City, Borough, or Towne corporate, where ſuch perſon or perſons ſhall tauerne, ſell, or vtter Wine by retaile, as is aforeſaid: the ſaid nomination and aſſignement to be made by writing vnder the common Seale of ſuch Citie, Borough, or Towne corporate, as is aforeſaid: and the ſaid nomination, appointment, and aſſignement ſhall continue in their force, or be changed at the election and pleaſure of the head Officer or Officers, and the moſt part of the common Councell, Aldermen, Burgeſſes, Iurates, or Comminalty, for the time being of ſuch City, Borough, or Towne Corporate by writing, and vnder ſuch common Seale, as is aforeſaid: Nor that it ſhall be lawfull to any perſon or perſons to keepe any Tauerne, or to ſell or vtter any Wine by retaile, as is aforeſaid, in any City, Borough, Port towne, or Market towne not corporat, within the Realme of England, or Wales, or in the ſaid Townes of Graueſend, Sittingborne or Bagſhot, but only ſuch perſon or perſons, as thereunto ſhall be aſſigned, nominated, and appointed by all, or the moſt part of the Iuſtices of Peace, for the time being of ſuch Shire, or County where ſuch Tauernes, or ſelling of Wine by retaile ſhall be had or allowed, as ſhall be preſent at the generall Seſſion for the time being, to be holden within euery of the ſaid Shires or Counties, the ſaid aſſignement, nomination, and appointment to be had, and made in full Seſſion by writing vnder the ſeuerall Seale of euery of the ſaid Iuſtices, and to be continued, altered, or changed in like forme, and by like authority, as is laſt aforeſaid, vpon paine that euery perſon that ſhall after the ſaid Feaſt, ſell, or retaile any Wine being not thereunto licenced and authoriſed, as is aforeſaid, ſhall forfeit and loſe for euery day that he ſhall ſo offend, fiue pounds of lawfull money of England: Nor that any perſon or perſons, hauing authority by this preſent Act to nominate, aſſigne, or appoint what perſons ſhall tauerne, vtter or ſell Wine by retaile, as is aforeſaid, ſhall nominate, aſſigne, or appoint by his or their writing any moe, or greater number of tauernes, or Wine ſellers by retaile to ſell, or vtter Wine, or keepe or continue any Tauerne at one time, in any one City, Borough, Towne corporate, Port Towne, or Market Towne, or in Graueſend, Sittingbourne, or Bagſhot, (all and euery ſuch City and Towne hereafter expreſly named only except) than two Wine Sellers or Tauernes. And it ſhall not be lawfull to any perſon or perſons hauing authority to nominate, aſſigne, or appoint Tauernes, or ſellers of Wine by retaile, by this Act to nominate, aſſigne, or appoint by writing any moe, or greater number of Tauernes, or Wine ſellers in the City of London, to ſell or vtter Wine by retaile at any time aboue the number of forty Tauernes, or Wine ſellers. And in Yorke eight, in Norwich foure, in Weſtminſter three, in Briſtol ſix, in Lincolne three, in Kingſton vpon Hull foure, in Shrewſbury three, in Exeter foure, in Saliſburie three, in Gloceſter foure, in Weſtcheſter foure, in Hereford Eaſt three, in Worceſter three, in Southhampton three, in Canterbury foure, in Ipſwich three, in Wincheſter three, in Oxford three, in Cambridge foure, in Colcheſter three, in Newcaſtle vpon Tine foure Tauernes, or Wine Sellers, vpon paine, that euery perſon authoriſed by this Act to nominate, aſſigne, or appoint Tauernes, or Wine Sellers, to forfeit for euery nomination, aſſignement, or appointment by him made, contrary to the forme of this Act, fiue pounds.

No man ſhall retaile wine to be ſpent in his houſe.

Who ſhall haue the forfeiture.

And be it further enacted by the authority aforeſaid, that no perſon or perſons whatſoeuer, from, and after the ſaid Feaſt of Saint Michael, ſhall ſell, or vtter by retaile any kinde of Wine or Wines to be drunke or ſpent in his or their Manſion houſe or houſes, or other place in his or their tenure or occupation, by any colour, craft, engine, or meane, vpon paine to forfeit for euery ſuch offence, ten pound of lawfull money of England, the one halfe of all which forfeitures ſhall be to the King our Soueraigne Lord, and the other halfe to him or them that will ſue for the ſame by action of debt, bill, plaint or information in any of the Kings Courts of Record, in which action or ſuit, no eſſoine, wager of Law or protection ſhall be allowed.

Who may haue wines to ſpend in their houſes.

Prouided alwayes, that it ſhall be lawfull for all and euery Merchant and Merchants aduenturing for the ſame at his or their owne coſts and charges, to haue, and keepe to ſpend in his or their houſe or houſes, ſuch Wine or Wines as he ſhall tranſport or cauſe to be tranſported into this Realme, or any part thereof, not taking any money or other recompence for the ſame that ſhall be ſo ſpent in his or their houſes: and that it ſhall be lawfull to euery high Sheriffe of euery County, Maior, Bailiffe and Sheriffe of euery City and Towne corporate within this Realme of England, and other the ſaid Dominions for the time being, during his or their office of charge, and to euery other perſon inhabiting or dwelling in any of the Kings Maieſties Forts or townes fortified and kept for the warres, during his or their dwellings in any ſuch Fort or Towne of warre, to haue wine in their houſes by the veſſell, to ſpend the ſame in his or their houſes without taking any money, or other recompence for the ſame ſo ſpent in his or their houſe or other place in their tenure or occupation; This Act or any thing therein conteined to the contrary, in any wiſe notwithſtanding.

And it is further enacted by the authority aforeſaid, that the Iuſtices of Peace of euery Shire or County, City and Towne corporate in their ſeuerall Seſſions, and the Steward in euery Leete, and the Sheriffe in his turne, and euery Eſchetor ſhall haue full power and authority by this preſent Act, to enquire by the oathes of twelue lawfull men, of all and euery offence and offences perpetrated or done contrary to the forme of this Act. And that euery inquirie, and preſentment taken and had by the oathes of twelue lawfull men, as is aforeſaid, ſhall be of ſuch force and effect, as if the ſame were taken or had before the King in his Maieſties Bench. And that euery of the paines, penalties and forfeitures aforeſaid, to be due by force of this Act, for any offence to be committed or done by any perſon or perſons, contrary to the forme of this preſent act, as ſhall be found by preſentment before the ſaid Iuſtices of Peace, Eſchetors, Sheriffe or Steward by verdict of twelue men, as is aforeſaid, and no bill, plaint, action or information thereof commenced in any of the Kings Courts of Record, ſhall be diuided equally in two parts, whereof the one ſhall be to the King our Soueraigne Lord, his Heires and Succeſſors. And the other to be to the poore people of the Towne, or place where ſuch preſentment ſhall be found.

Which officers may enquire of the offences aforeſaid.

Prouided alwayes, and be it further enacted by the authority aforeſaid, that this act, or any thing therein contained, ſhall not extend to charge any perſon or perſons with any penalty, or forfeiture, for, and concerning any offence to be done contrary to the tenor of this Act, vnleſſe he or they ſo offending, be ſued, endited or preſented for the ſame, within one yeere next after the ſame offence be done and committed, as is aforeſaid, any thing in this Act conteined to the contrary notwithſtanding.

Within what time an Offendor muſt be ſued.

Prouided alwayes, that this act or any thing therein conteined, ſhall not in any wiſe be preiudiciall or hurtfull to any of the Vniuerſities of Oxford and Cambridge, or to the Chancellor or Schollers of the ſame or their ſucceſſors, or any of them, to empaire or take away any of the Liberties, Priuileges, Franchiſes, Iuriſdictions, Powers or Authorities to them or any of them appertaining or belonging: but that they, and euery of them, and their ſucceſſors may haue, hold, vſe and enioy all their Liberties, Priuileges, Franchiſes, Iuriſdictions, Powers and Authorities, in ſuch large and ample wiſe, as though this act had neuer beene had, ne made, ſo alwayes that there be not any more or greater number of Tauernes kept or maintained within any of the ſaid Townes of Oxford or Cambridge, than may be lawfully kept and maintained by the prouiſion, true meaning and intent of this Statute, any thing in this promiſo mentioned to the contrary notwithſtanding.

None of the liberties of Oxford or Cambridge ſhall be impaired.

Cap. VI.

The Statute of 17. *Edw.*4.1. touching the tranſporting of Gold and Siluer, continued for twenty yeeres. EXP.

Cap. VII.

What ſhall be the Aſſiſe of fuell of all ſorts.

Where the aſſiſe and meaſure of talwood, billet, fagot, coles and other fuell appointed, and aſſiſed by an Act of Parliament made at Weſtminſter, the two and twentieth day of Ianuary, in the foure and thirtieth yeere of the reigne of our late Soueraigne Lord King Henry the eight, is the ſame aſſiſe that was kept in the time of King Edward the fourth, which aſſiſe hath not beene kept, ne could conueniently be kept theſe threeſcore yeeres, nor at theſe dayes can be kept, by reaſon of the great ſcarcity of woods that is happened ſince the time of the ſaid King Edward the fourth. And alſo by reaſon of the greatneſſe of the ſaid aſſiſe, the ſame fuell nor coles cannot be carried at theſe dayes without alteration of the carts, wherein ſuch fuell and coles are now carried, by reaſon whereof, and for that that in the ſaid ſtatute, the penalty which is the forfeiture of the ſaid fuell or coles, lacking the ſaid aſſiſe conteined in the ſaid Act, dependeth vpon the buyer thereof, and not vpon the ſeller, ne maker, marker, or feller of the ſame. By reaſon whereof diuers Cities and Countries are like preſently to lacke fuell and coles, vnleſſe ſpeedy remedy be ſhortly had in this behalfe.

34.H.8.3.

For redreſſe whereof, be it enacted by authority of this preſent Parliament, that no perſon or perſons ſhall ſuſteine any loſſe, peine or penalty for buying or ſelling of any talwood, billet or fagot now cut and made, although the ſame be not of the aſſiſe conteined in the ſaid Act, any thing conteined in the ſame act notwithſtanding. And that all talwood, billet, fagot and coles to be made and put to ſale in the Cities of London, Weſtminſter, or in the Suburbs of the ſame, after the laſt day of September next comming, ſhall keepe the aſſiſes hereafter expreſſed, that is to weet, that euery ſack of coles containe foure buſhels of good or cleane coles. And that euery talſhid containe in length foure foot, beſides the carfe. And euery talſhid named of one, to conteine in greatneſſe within a foot of the middeſt ſixteene inches about. And euery talſhid named of two to conteine in greatneſſe within a foot of the middeſt three and twenty inches about. And euery talſhid named of three, to containe in greatneſſe within a foot of the middeſt eight and twenty inches about. And euery talſhid named of foure, to containe in greatneſſe within a foot of the middeſt,

The aſſiſe of talwood, billet, fagot and coles, to be ſold in London and Weſtminſter and the Suburbs thereof.

thrée and thirty inches about. And euery talſhid named of fiue, to containe in greatneſſe within a foot of the middeſt, eight and thirty inches about. And euery billet to containe in length thrée foot and foure inches. And euery billet named a ſingle, to containe ſeuen inches and a halfe about. And euery billet named to be a caſt, to containe ten inches about. And euery billet named of two caſt, to containe fourtéene inches about. And euery fagot bound to containe in length thrée foot. And the bond of euery ſuch fagot to be of foure and twenty inches about, beſides the knot, which aſſiſes are little leſſe than the aſſiſes conteined in the ſaid former Act, and alſo are much greater than any aſſiſe that now is, or of long time hath béene commonly kept.

The forfeiture for lacking of the aſſiſes aforeſaid. REP. 43. El. 14.

All other Statutes for aſſiſe of fuell, repealed.

And be it further enacted, that it ſhalbe lawfull from henceforth for euery owner without danger of any forfeiture to make billets of two caſts. And that all billets of two caſts from henceforth to be made and put to ſale, ſhall be of the aſſiſe herein compriſed, or more, and ſhall be marked only within ſix inches of the middeſt thereof. And that euery billet of one caſt from henceforth to be made and put to ſale, ſhalbe only marked within foure inches of the end thereof, vpon peine that euery maker, and euery ſeller that ſhall make any ſuch fuell or coles, and put the ſame to ſale, to forfeit for euery ſhid of tallwood, billet, fagot, or ſack of coles from henceforth put to ſale, lacking of the aſſiſe aforeſaid thrée ſhillings foure pence. And that this preſent ſtatute only, and no other ſtatute of aſſiſe of fuell or coles, ſhall from henceforth ſtand in force, ne take place.

And foraſmuch as by the gréedy appetite and couetouſneſſe of diuers perſons, fuell, coles and wood runneth many times thorow foure or fiue ſeuerall hands or moe before it commeth to the hands of them, that for their neceſſity doe burne or retaile the ſame.

None ſhall buy fuel, but ſuch as will burne or retaile the ſame.

No perſon ſhall alter any marke or aſſiſe of fuell marked.

Be it further enacted, that from the firſt day of May next comming, no perſon or perſons ſhall buy any ſuch wood, coles or fuell, but only ſuch as will burne or conſume the ſame, or ſuch perſons as ſhall ſell the ſame againe by retaile to ſuch, as ſhall burne or conſume the ſame for their owne occupying, without fraud or couin, or wharfingers or bargemen, vpon paine to forfeit the treble value of all ſuch wood, coles and fuell, as ſhal be otherwiſe bought for any lucre or gaine. And that no perſon or perſons ſhall alter any marke or aſſiſe of any of the ſaid fuell marked or aſſiſed, according to this ſtatute, in peine of like forfeiture, as is aforeſaid: the one halfe of all which forfeiture herein conteined, ſhall be to the King our Soueraigne Lord, and the other halfe to him or them that will ſue for the ſame by action of debt, bill, plaint or information, in any of the Kings Courts of Record, wherein no eſſoine, protection nor wager of law to be allowed, or admitted for the defendants.

Within what time an offender ſhalbe ſued.

Prouided alwayes, and be it enacted, that no perſon or perſons ſhall yéeld ne forfeit any penalty herein contained, vnleſſe action or ſuit be commenced for the ſame, within one whole yéere next after the offence thereof committed or done. And that if any cutter or maker, as aforeſaid, or other that ſhall forfeit any ſumme herein conteined, ſhall not be able to yéeld ſuch forfeiture or ſumme, as is aforeſaid, that then ſuch perſon thereof conuicted by witneſſes or otherwiſe, to be ſet on a pillory in the next market Towne to the place where he ſhall ſo offend, by a Iuſtice of the Peace, or any other of the Kings Officers, at eleuen of the clocke vpon the market day, with a billet or fagot bounden to ſome part of his body, and ſo to be diſcharged of the ſaid forfeiture.

The puniſhment of an Offender not able to pay the forfeiture.

Prouiſion for Calice.

Prouided alſo, and be it enacted, that it ſhall be lawfull to euery perſon and perſons, to buy, ſell, make and cut billets for the only ſeruing of the Towne of Calice, and the Marches of the ſame ſo that they containe in length thirty inches at the leaſt, as hath béene there moſt accuſtomed forty yéeres laſt paſt, without forfeiture of any penalty herein conteined, any thing herein contained to the contrary in any wiſe notwithſtanding. Sc. 43. El. 14.

Cap. VIII.

A continuance for fiue yeeres of the Statute of 22. *Edw.* 4. 5. prohibiting the fulling of Caps or Bonnets in a mill. EXP. & REP. 1. *Iac.* 25.

Cap. IX.

Euery peece of cloth called white pinned ſtraits, ready dreſſed to put to ſale, ſhall containe in length at the leaſt twelue yards, in breadth one yard, in weight eleuen pound. And euery peece of pinned ſtraits ſhall containe in length eleuen yards, in breadth three quarters of a yard, and in weight eight pound at the leaſt. Haire, flockes and lambes wooll may bee put into any of the ſaid clothes made in Deuon and Cornwall. REP. 27. *El.* 18. Stat. 5. & 6. *Ed.* 6. 6. 5. *H.* 8. 2. 6. *H.* 8. 8. 43. *El.* 10. 4. *Iac.* 2.

Cap. X.

The Towne of Gateſide ſhalbe annexed to the Towne of Newcaſtell, and ſeuered from the Biſhoprick of Durham. The Inhabitants of Gateſide ſhall continue their Common in the Biſhoprick of Durham, and wood in Gateſide Parke for their reparations. The liberties of the Biſhop of Durham in Newcaſtell and Gateſide ſhall continue. REP. 1. *M.* 3.

Cap. XI.

A continuance vntill the laſt day of the next Parliament, of theſe Statutes hereafter rehearſed, *viz.* 22.*H*.8.7. made for the reſtraint of carrying of Horſes and Mares out of this Realme. *Anno* 21.*H*.8.12. for the true making of Cables, &c. *Anno* 23.*H*.8.17. for the true winding of Woolles. *Anno* 24.*H*.8.9. reſtraining the killing of Weanlings. *Anno* 23.*H*.8.3. for Attaints to be ſued vpon vntrue verdicts. *Anno* 33.*H*.8.2. concerning buying of fiſh vpon the Sea. *Anno* 35.*H*.8.17. made for the preſeruation of Woods. *Anno* 31.*H*.8.12. touching vnlawfull hunting in any Parke. *Anno* 32.*H*.8.11. touching wrongfull taking or ſlaying of any Deere within any Parke, &c. *Anno* 2. & 3.*Ed*.6.9. for the true currying of Leather. *Anno* 2. & 3.*Edw*.6.10. for the true making of Malt. *Anno* 2. & 3.*Edw*.6.11. for the true making of Leather. *Anno* 3. & 4. *Edw*.6.5. for the puniſhment of vnlawfull Aſſemblies. *Anno* 3. & 4.*Edw*.6.15. againſt fond and phantaſticall Prophecies. *Anno* 3. & 4. *Edw*.6.19. concerning the buying of Roather Beaſts. *Anno* 3. & 4. *Edw*.6.21. concerning the buying and ſelling of Butter and Cheeſe. *Anno* 5. & 6. *Edw*.6.2. touching the prouiſion and reliefe for the Poore. *Anno* 5. & 6. *Edw*.6.14. made againſt Regraters and Foreſtallers. EXP. St. 1. *El*. 18.

Cap. XII.

A Subſidy and two Fifteenes and Tenths granted to the King by the Temporalty, to be paid in two yeeres. EXP. St. 1. *M*. 17.

Cap. XIII.

A confirmation of ſix ſhillings in the pound, to be paid in three yeeres, granted to the King by the Clergy. EXP.

Cap. XIIII.

The Kings generall and free Pardon confirmed by Parliament. Except. &c. EXP.

* * *

Anno primo Mariæ.

Acts made in the Parliament begun and holden at Weſtminſter, the fifth day of October, in the firſt yeare of the reigne of our moſt gracious Soueraigne Lady *Marie*, by the grace of God, Queene of England, France, and Ireland, Defender of the faith, and of the Church of England, and of Ireland in earth the ſupreme Head: and there continued to the one and twentieth day of the ſame moneth, that is to ſay, in the firſt Seſſion of the ſame Parliament, as followeth.

Cap. I.

A repeale of certaine Treaſons, Felonies, and Premunire.

The eſtate of a King ſtandeth more aſſured by the loue of his Subiects, than in feare of Lawes.

Forasmuch as the ſtate of euery King, Ruler and Gouernor of any Realme, Dominion or Comminalty ſtandeth, and conſiſteth more aſſured by the loue and fauour of the Subiect toward their Soueraigne Ruler and Gouernor, than in the dread and feare of Lawes made with rigorous paines and extreme puniſhment, for not obeying of their Soueraigne Ruler and Gouernor: And Lawes alſo iuſtly made for the preſeruation of the common weale without extreme puniſhment or great penalty, are more often, for the moſt part obeyed and kept, than lawes and ſtatutes made with great and extreme puniſhments. And in ſpeciall, ſuch lawes and ſtatutes ſo made, whereby not only the ignorant and rude vnlearned people, but alſo learned and expert people, minding honeſty, are often and many times trapped and ſnared, yea many times for words only, without other fait or deed done or perpetrated.

The Queenes moſt excellent Maieſty, calling to remembrance that many as well honourable & noble perſons, as other of good reputation within this her Graces Realme of England, haue of late, (for words only without other opinion, fait or deed) ſuffered ſhamefull death, not accuſtomed to Nobles. Her Highneſſe therefore of her accuſtomed clemencie and mercie, minding to auoid and put away the occaſion, and cauſes of like chances hereafter to enſue, truſting her louing Subiects will, for her clemencie to them ſhewed, loue, ſerue and obey her Grace the more heartily, and faithfully, than for dread or feare of paines of body: is contented and pleaſed that the ſeuerity of ſuch like extreme, dangerous and painefull lawes, ſhall be aboliſhed, adnulled, and made fruſtrate and void.

No Act or offence ſhall be Treaſon, petit Treaſon or Miſpriſion, but ſuch as be declared by the Statute of 25. Edw. 3. 2.

Be it therefore ordained and enacted by the Queene our Soueraigne Lady, with the aſſent of the Lords ſpirituall and temporall, and of the Commons in this preſent Parliament aſſembled, and by the authority of the ſame: That from henceforth none act, deed or offence, being by Act of Parliament or Statute made treaſon, petit treaſon, or miſpriſion of treaſon, by words, writing, ciphering, deeds or otherwiſe whatſoeuer, ſhall be taken, had, deemed or adiudged to be high treaſon, petit treaſon, or miſpriſion of treaſon, but only ſuch as be declared, and expreſſed to be treaſon, petit treaſon, or miſpriſion of treaſon, in or by the Act of Parliament, or ſtatute made in the fiue and twentieth yeere of the raigne of the moſt noble King of famous memory, King Edward the third, touching or concerning treaſon, or the declarations of treaſons, and none other, nor that any paines of death, penalty or forfeiture in any wiſe, enſue, or be to any Offendor or Offendors, for the doing or committing any treaſon, petit treaſon or miſpriſion of treaſon, other than ſuch as be in the ſaid eſtatute made in the ſaid fiue and twentieth yeere of the raigne of the ſaid King Edward the third, ordeined and prouided, any Act or Acts of Parliament, Statute or Statutes, had or made at any time heretofore, or after the ſaid fiue and twentieth yeere of the raigne of the ſaid late King Edward the third, or any other declaration or matter to the contrary in any wiſe notwithſtanding.

Prouided alwayes, and be it ordeined and enacted by the authoritie aforeſaid, that this Act of Parliament, or any thing therein mentioned, ſhall not in any wiſe extend, to giue any manner of benefit, aduantage or commodity to any perſon or perſons, being the laſt day of September laſt paſt, arreſted or impriſoned for treaſon, petit treaſon, or miſpriſion of treaſon, or to any perſon or perſons, heretofore being indicted of treaſon, petit treaſon or miſpriſion of treaſon, or being outlawed or attainted of treaſon, petit treaſon or miſpriſion of treaſon, before the ſaid laſt day of September laſt paſt, or being commanded to keepe his or their houſe or houſes, or other mens houſes, or otherwiſe excepted out of the Queenes Highneſſe moſt gratious pardon giuen the day of her Coronation, but that they and euery of them, for any of the offences before mentioned, perpetrated, committed, or done by them or any of them, before the ſaid laſt day of September, ſhall ſuffer ſuch paines of death, loſſes, and forfeitures of lands and goods, as in caſes of treaſon, as though this Act had neuer beene had ne made, any thing in this Act to the contrary in any wiſe notwithſtanding.

Certaine perſons exempted out of the benefit of this Statute.

And be it further ordeined and enacted by the authority aforeſaid, that all offences made felony, or limited or appointed to be within the caſe of premunire, by any Act or Acts of Parliament, Statute or Statutes, made ſithens the firſt day of the firſt yeere of the raigne of the late King of famous memory, King Henry the eight, not being felony before, nor within the caſe of premunire, and alſo all and euery branch, article and clauſe mentioned, or in any wiſe declared in any of the ſame eſtatutes, concerning the making of any offence or offences to be felony, or within the caſe of premunire, not being felony, nor within the caſe of premunire before, and all paines and forfeitures concerning the ſame, or any of them, ſhall from henceforth be repealed, and vtterly void, and of none effect.

All offences made felony, or in the caſe of premunire, ſithence An. 1. H. 8. repealed.

ANNO PRIMO *MARIÆ*, SESSIO SECVNDA.

ACTS made in the ſecond and laſt Seſſion of this preſent Parliament, holden vpon prorogation at Weſtminſter, the foure and twentieth day of October, in the firſt yeare of the reigne of our moſt gracious Soueraigne Lady *MARY*, by the grace of God, Queene of England, France, and Ireland, Defender of the faith, and in earth ſupreme head of the Church of England, and of Ireland, and there continued and kept to the diſſolution of the ſame, being the ſixth day of December then next enſuing, as followeth.

CAP. I.

The Queene borne in lawfull Matrimonie, and all ſentences of diuorce to the contrary repealed.

FOraſmuch as truth (being of her owne nature of a moſt excellent vertue, efficacie, force and working) cannot but by proceſſe of time breake out and ſhew her ſelfe, howſoeuer for a while ſhe may by the iniquity and frailty of man be ſuppreſſed and kept cloſe: And being reuealed and manifeſted, ought to be embraced, acknowledged, confeſſed and profeſſed in all caſes, and matters whatſoeuer, and whomſoeuer they touch or concerne, without reſpect of perſons, but in ſuch caſes and matters ſpecially, as whereby the glory and honor of God in heauen (who is the Author of truth, and truth it ſelfe) is to be ſpecially ſet forth, and whereby alſo the honor, dignity, ſurety and preſeruation of the Prince, and the Ruler vnder God in earth, dependeth, and the welfare, profit and ſpeciall benefit of the vniuerſall people and body of a Realme, is to be continued and maintained.

Truth may be ſuppreſſed for a time, but not for euer extinguiſhed.

We your Highneſſe moſt louing, faithfull and obedient Subiects, vnderſtanding the very truth of the ſtate of Matrimonie betweene the two moſt excellent Princes of moſt worthy memory, King Henry the eight and Queene Katharine, his louing, godly and lawfull wife, your Highneſſe lawfull father and mother, cannot but thinke our ſelues moſt bounden, both by our duty of allegiance to your Maieſty, and of conſcience towards God, to ſhew vnto your Highneſſe, firſt how that the ſame Matrimony, being contracted, ſolemnized and conſummated, by the agreement and aſſent of both their moſt noble Parents, by the counſell and aduice of the moſt wiſe and graueſt men of both their Realmes, by the deliberate and mature conſideration and conſent of the beſt and moſt notable men in learning, in thoſe dayes, of Chriſtendome, did euen ſo continue by the ſpace of twenty yeeres and more betweene them, to the pleaſure of almighty God and ſatiſfaction of the world, the ioy and comfort of all the Subiects of this Realme, and to their owne repoſe and good contentment, God giuing for a ſure token and teſtimony of his good acceptation of the ſame, not only godly fruit, your Highneſſe moſt noble perſon (whom we beſeech the almighty and euerliuing God, long to proſper and preſerue here amongſt vs) and other iſſue alſo, whom it hath pleaſed God to take out of this tranſitory life vnto his eternall glory, but alſo ſending vs a happier flouriſhing and moſt proſperous Common wealth in all things.

The ground or cauſe of the diuorce betweene King Henry the eight & Queene Katharine his wife.

And then afterward, how that the malicious and peruerſe affections of ſome (a very few perſons) enuying the great felicity, wherein by the goodneſſe of God, your ſaid moſt Noble Father and Mother, and all their good Subiects liued and continued in many yeeres, did for their owne ſingular glory, and vaine reputation conceiue ſundry ſubtill and diſloyall practiſes, for the interruption and breach of the ſaid moſt lawfull and godly concord. And trauelling to put the ſame in vre, deuiſed firſt to inſinuate a ſcruple into the King your Fathers conſcience, of an vnlawfull marriage betweene him, and his moſt lawfull wife the Queene, your Highneſſe Mother, pretending for the ground thereof, that the ſame was againſt the Word of God. And thereupon ceaſed not to perſwad continually vnto the ſaid King your Father, that he could not without danger of the loſſe of his ſoule continue with his ſaid moſt lawfull wife, but muſt be ſeparated and diuorced from her.

The vnlawfull ſentence of Thomas Cranmer Biſhop of Canterbury, touching the Kings marriage.

And to this intent cauſed the Seales, as well of certaine Vniuerſities in Italy and France to be gotten (as it were for a teſtimony) by the corruption of money with a few light perſons, Schollers of the ſame Vniuerſities, as alſo the Seales of the Vniuerſities of this Realme to be obtained by great trauell, ſiniſter working, ſecret threatnings, and entreatings of ſome men of authority, ſpecially ſent at that time thither for the ſame purpoſes. And how that finally, Thomas Cranmer, then newly made Archbiſhop of Canterbury, moſt vngodly and againſt all Lawes, equity and conſcience, proſecuting the ſame wicked deuice of diuorce, and ſeparation of the ſaid King your father, and Queene your mother, called before him (ex officio) the hearing of the ſame matter of marriage, and taking his foundation partly vpon his owne vnaduiſed iudgement of the Scripture, ioyning therewith the pretended teſtimonies of the ſaid Vniuerſities, and partly vpon bare and moſt vntrue coniectures, gathered and admitted by him vpon matters of no ſtrength or effect, but only by ſuppoſall, and without admitting or hearing any thing that could be ſaid by the Queene your mother, or by any other on her behalfe, in the abſence of the ſaid late Queene your mother, proceeded, pronounced, diſcerned, declared, and gaue ſentence, the ſame moſt lawfull and vndoubted matrimony, to be naught, and to be contracted againſt Gods Law, and of no value, but lacking the ſtrength of the Law: and the ſaid moſt noble King your father, and the ſaid noble Queene your mother, ſo married together, did ſeparate and diuorce, and the ſame your moſt noble father King Henry the eight, and the ſaid noble Queene your mother, from the bands of the ſame moſt lawfull matrimony, did pronounce and declare, by the ſame his vnlawfull ſentence, to be free, diſcharged, and ſet at liberty.

The ſentence confirmed by the Statutes made 25.H.8.22. & 28.H.8.7.

Which ſentence and iudgement ſo giuen by vnlawfull and corrupt meanes and wayes, by the ſaid Archbiſhop of Canterbury, was afterwards vpon certaine affections ratified and confirmed by two ſeuerall Acts, the one made in the fiue and twentieth yeere of the raigne of the ſaid King your Highneſſe father, and entituled, an Act declaring the ſtabliſhment of the ſucceſſion of the Kings moſt Royall Maieſty of the Imperiall Crowne of this Realme. The other act of Parliament made in the eight and twentieth yeere of the raigne of the ſaid King your Highneſſe father, entituled, an act for the ſtabliſhment of the ſucceſſion of the imperial crowne of the Realme.

The marriage made betweene King Henry the eight & Queene Katharine was true, iuſt and lawfull.

Plagues ſent by God vpon this Realme ſithence the diuorce of the King and Queene.

In the which ſaid two Acts, was conteined the Illegitimations of your moſt Noble perſon, which your ſaid moſt Noble perſon being borne in ſo ſolemne a marriage, ſo openly approued in the world, and with ſo good faith both firſt contracted, and alſo by ſo many yeeres continued betweene your moſt noble Parents, and the ſame marriage in very deed not being prohibited by the Law of God, could not by any reaſon or equity in this caſe be ſo ſpotted. And now we your Highneſſe ſaid moſt louing, faithfull and obedient Subiects, of a godly heart and true meaning, freely and franckly, without feare, fanſie, or any other corrupt motion or ſenſuall affection, conſidering that this foreſaid marriage had his beginning of God, and by him was continued, and therefore was euer, and is to be taken for a moſt true, iuſt, lawfull, and to all reſpects, a ſincere and perfect marriage, nor could, ne ought by any mans power, authority or iuriſdiction be diſſolued, broken or ſeparated, (for whom God ioyneth, no man can, ne ought to put a ſunder,) and conſidering alſo, how during the ſame marriage in godly concord, the Realme in all degrees flouriſhed to the glory of God, the honour of the Prince, and the great reputation of the Subiects of the ſame, and on the other ſide vnderſtanding manifeſtly, that the ground of the ſaid deuice and practiſe for the ſaid diuorce proceeded firſt of malice and vaine glory, and afterward was proſecuted and followed of fond affection and ſenſuall fantaſie, and finally executed and put in effect by corruption, ignorance and flattery: And not only feeling to our great ſorrow, domage and regret, how ſhamefull ignominies, rebukes, ſlanders, contempts, yea, what death, peſtilence, warres, diſobediences, rebellions, inſurrections, and diuers other great and grieuous plagues, God of his iuſtice hath ſent vpon vs, euer ſithens this vngodly purpoſe was firſt begun and practiſed: but alſo ſeeing euidently before our eyes, that vnleſſe ſo great an vniuſtice as this hath beene and yet continueth, be redubbed, and that the ſaid falſe and wrongfull proceſſe, iudgement and ſentence, with their dependences be repealed and reuoked, nothing is leſſe to be doubted, than that greater plagues and ſtrokes are like to encreaſe and continue daily more and more within this Realme: doe beſeech your moſt excellent Maieſty, as well in reſpect of your owne honour, dignity and iuſt title, as for truths ſake, wherewith (we doubt not) but your Highneſſe alſo will be ſpecially moued in conſcience, and alſo for the entire loue, fauour, and affection, which your Maieſty beareth to the common wealth of this Realme, and for the good peace, vnity, and reſt of vs your moſt bounden Subiects, and our poſterity, that it may be enacted by your Highneſſe, with the conſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled.

And be it enacted by the authority of this preſent Parliament, that all, and euery decrees, ſentence, and iudgement of diuorce, and ſeparation betweene the ſaid King your Father, and the ſaid late Queene your mother, and all the proceſſe commenced, followed, giuen, made, or promulged by the ſaid Thomas Cranmer, then Archbiſhop of Canterbury, or by any other perſon or perſons, whatſoeuer, whereby the ſame moſt iuſt, pure, and lawfull marriage, betweene the ſaid late King your Father, and the ſaid late Queene your Mother, was, or is pronounced, or in any wiſe declared to be vnlawfull, or vniuſt, or againſt the Law of God, be and ſhall be from the beginning, and from henceforth of no force, validity, or effect, but be vtterly naught, void, fruſtrate, and adnichilate, to all intents, conſtructions, and purpoſes, as if the ſame had neuer beene giuen or pronounced.

Euery ſentence of diuorce betweene King H. 8. and Queene Katharine his wife, giuen by Biſhop Cranmer or any other, ſhall be void.

And be it alſo enacted by the authority aforeſaid, that aſwell the ſaid Act of Parliament, intituled, an Act declaring the eſtabliſhment of the ſucceſſion of the Kings moſt royall Maieſty of the Imperiall Crowne of this Realme, made in the fiue and twentieth yeere of the reigne of the King your Father, be repealed, and be void, and of none effect, as alſo all and euery ſuch clauſes, articles, branches, and matters contained and expreſſed in the foreſaid Act of Parliament, made in the ſaid eight and twentieth yeere of the reigne of the ſaid late King your Father, or in any other Act or Acts of Parliament, as whereby your Highneſſe is named or declared to be illegitimate, or the ſaid marriage betweene the ſaid King your Father, and the ſaid Queene your Mother, is declared to be againſt the word of God, or by any meanes vnlawfull, ſhall be, and be repealed, and be void, and of no force, nor effect, to all intents, conſtructions, and purpoſes, as if the ſame ſentence, or Acts of parliament, had neuer beene had ne made. And that the ſaid marriage had and ſolemnized betweene your ſaid moſt noble Father King Henry, and your ſaid moſt noble Mother Queene Katherine, ſhall be diffinitiuely, cleerely, and abſolutely, declared, deemed, and adiudged to be, and ſtand with Gods law, and his moſt holy word, and to be accepted, reputed, and taken of good effect and validitie, to all intents and purpoſes.

The St. of 25. H 8. 22. & 28. H. 8. 7. repealed.

The marriage betweene King H. 8. & Queene Katharine doth ſtand with the law of God, and ſhall be reputed good.

Cap. II.

A Repeale of the Stature of 1. *Ed.* 6. 1. made againſt ſuch as ſhall ſpeak vnreuerently of the body and bloud of Chriſt: and of the St. of 1. *Ed.* 6. 2. touching the election of Biſhops: and of the Stature of 2. *Ed* 6. 1. concerning the vniformity of ſeruice, and adminiſtration of the Sacraments: and of the St. of 2. *Ed.* 6. 21. made to take away all poſitiue Lawes, ordained againſt the marriage of Prieſts: and of the St. of 3. *Ed.* 6. 10. made for the aboliſhing of diuers bookes and Images: and of the St. of 3. *Ed.* 6. 12. made for the ordering of eccleſiaſticall Miniſters: and of the St. of 5. *Ed.* 6. 1. made for the vniformity of Common prayer, and adminiſtration of the Sacraments: and of the St. of 5. *Ed.* 6. 3. made for the keeping of holy dayes and faſting dayes: and of the St. of 5. *Ed.* 6. 12. touching the marriage of Prieſts, and legitimation of their children. All ſuch diuine ſeruice and adminiſtration of Sacraments, as were moſt commonly vſed in England in the laſt yeere of King *Henry* the eight, ſhall be vſed thorow the Realme, after the 20: day of Decemb. *Anno Dom.* 1553. and no other kinde of ſeruice, nor adminiſtrations of Sacraments. REP. 1. *Iac.* 25. St. 1. *El.* 2.

Cap. III.

The penalty for diſturbing of Preachers and Miniſters in the Church.

Foraſmuch as it is moſt neceſſary in euery Chriſtian common wealth, to prouide that tranquillity and peace may be preſerued and continued amongſt the people, and ſpecially in holy Church, in the time of diuine ſeruice, and adminiſtration of the Sacraments, and Sacramentals, as before this time it hath beene accuſtomed in holy Church within this Realme, and that all things being contrary thereunto, or that are, or may be in diſturbance thereof, may by foreſight be eſchewed and auoyded, and remedy therefore in due time prouided, as well for the preſeruation of the Queenes Highneſſe peace, as for an vniuerſall quietneſſe, and order to be vſed within this Realme.

Be it therefore enacted by the Queene our Soueraigne Lady, the Lords ſpirituall and temporall, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that if any perſon or perſons of their owne power and authority, at any time or times, after the twentieth day of December next comming, doe, or ſhall willingly, and of purpoſe, by open and overt word, fact, act, or deed, maliciouſly, or contemptuouſly, moleſt, let, diſturbe, vex, or trouble, or by any other vnlawfull wayes, or meanes, diſquiet, or miſuſe any Preacher or Preachers that now is, or that at any time or times hereafter ſhall be licenſed, allowed, or authoriſed to preach by the Queenes Highneſſe, or by any Archbiſhop, or Biſhop of this Realme, or by any other

Diſturbing by word or deed a Preacher in his ſermon.

lawfull Ordinary, or by any of the Uniuerſities of Oxford and Cambridge, or otherwiſe lawfully authoriſed or charged by reaſon of his or their cure, benefice, or other ſpirituall promotion or charge, in any of his, or their open Sermon, Preaching, or Collation, that he or they ſhall make, declare, preach, or pronounce in any Church, Chappell, Churchyard, or in any other place or places, vſed, frequented, or appointed, or that hereafter ſhall be vſed or appointed to be preached in.

Moleſting a Prieſt preparing or celebrating Maſſe, or other ſeruice.

Or if any perſon or perſons, after the ſaid twentieth day of December next comming, ſhall maliciouſly, willingly, or of purpoſe, moleſt, let, diſturbe, vex, diſquiet, or otherwiſe trouble any Parſon, Uicar, Pariſh prieſt, or Curate, or any lawfull Prieſt, preparing, ſaying, doing, ſinging, miniſtring, or celebrating the Maſſe, or other ſuch diuine ſeruice, Sacraments, or Sacramentals, as was moſt commonly frequented and vſed in the laſt yeere of the raigne of the late Soueraigne Lord King Henry the eight, or that at any time hereafter ſhall be allowed, ſet forth, or authoriſed by the Queenes Maieſty.

Abuſing the bleſſed Sacrament of the body and bloud of Chriſt, or breaking any Altar or Crucifix.

Or if any perſon or perſons, at any time or times, after the ſaid twentieth day of December, ſhall contemptuouſly, vnlawfully, or maliciouſly, of their owne power or authority, pull downe, deface, ſpoile, abuſe, breake, or otherwiſe vnreuerently handle, or order the moſt bleſſed, comfortable, and holy Sacrament of the body and bloud of our Sauiour Jeſus Chriſt, commonly called the Sacrament of the Altar, being, or that ſhall be in any Church or Chappell, or in any other decent place, or the pixe or canapy, wherein the ſame Sacrament is, or ſhall be: or vnlawfully, contemptuouſly, or maliciouſly, of their owne power and authority, pull downe, deface, ſpoile, or otherwiſe breake any Altar or Altars, or any Crucifix, or Croſſe, that now, or hereafter ſhall be in any Church, Chappell, or Churchyard. That then euery ſuch Offendor and Offendors in any the premiſſes, his or their aydor, procuror, or abettor, aydors, procurors, or abbettors, immediatly, and forthwith after any of the ſaid Act or Acts, or other the ſaid miſdemeanours ſo committed, done, or made, or any time or times after, ſhall be apprehended, arreſted, and taken by any Conſtable or Conſtables, Churchwarden, or Churchwardens of the ſaid Pariſh, Towne, or place, where the ſaid offence or offences ſhall be ſo committed, made, or done, or by any other Officer or Officers, or by any other perſon or perſons, then being preſent, at the time of the ſaid offence or offences ſo vnlawfully committed, made, or done.

Which perſon or perſons ſo apprehended, taken, or arreſted, with conuenient ſpeed, ſhall be brought and carried to any Juſtice of peace within the ſaid Shire, or within any City, Borough, Liberty, or Towne corporate, wherein Juſtices of Peace be, where the ſaid offence or offences ſhall be ſo committed, done, and made: and that the ſaid Juſtice of Peace, vpon due accuſation thereupon had and made by the apprehendor, or apprehendors, or other perſon or perſons of any of the ſaid perſon or perſons, ſo offending, forthwith ſhall commit the ſaid perſon or perſons, ſo apprehended, arreſted, and taken, to ſafe keeping and cuſtody, as by the diſcretion of the ſaid Juſtice ſhall be thought moſt meet and conuenient, and that within ſix dayes next and immediatly after the ſaid accuſation ſo had and made to the ſaid Juſtice, the ſaid Juſtice, with one other Juſtice of Peace in the ſaid Shire, City, Borough, Liberty, or Towne corporate, ſhall diligently examine the Act or Acts, offence, or offences aforeſaid.

The puniſhment of the Offendor for any of the crimes aforeſaid.

And if they the ſaid two Juſtices of Peace, ſhall vpon their ſaid examination, find or perceiue the ſaid perſon or perſons ſo accuſed, guilty of any of the ſaid offence, or offences, whereof hee or they ſhall be ſo accuſed, and that by two ſufficient witneſſes, or by his or their owne confeſſion or confeſſions, that then, and immediatly with conuenient ſpeed, the ſaid two Juſtices ſhall commit and award the ſaid perſon or perſons ſo accuſed, as is aforeſaid, to the Gayle, of, or for the ſaid Shire, City, Borough, Liberty, or Towne corporate, where the ſaid offence, or offences was ſo committed, made or done, there to remaine without baile or mainpriſe, by the ſpace of three moneths then next enſuing: and further to the next quarter Seſſions, to be holden within the ſaid Shire, City, Borough, Liberty, or Towne corporate, next after the end of the ſaid three moneths: at which ſaid quarter Seſſions, the ſaid perſon or perſons ſo committed to the Gayle as is aforeſaid, vpon his or their reconciliation, and repentance in that behalfe, before the ſaid Juſtices of Peace, at the ſaid Seſſions, ſhall be deliuered, and diſcharged out of priſon and Gaile, vpon ſufficient ſuerty of his good abearing and behauior, to be then and there taken, by the ſaid Juſtices for one whole yeere, then next enſuing, as by the diſcretion or diſcretions of the ſaid Juſtices then, and there being, or of the more part of them, ſhalbe thought meet and conuenient. And if the ſaid perſon or perſons ſo in Gaile, as is aforeſaid, will not be reconciled, and repent at the ſaid quarter Seſſions, that then the ſaid perſon or perſons immediatly in time conuenient, ſhall be further awarded, and committed to the ſaid Gaile, by the ſaid Juſtices, or by the more part of them, there to remaine, without baile or mainpriſe, vntill he or they ſo committed and awarded to Gaile, as is aforeſaid, ſhall be reconciled, & be penitent for his or their ſaid offence or offences.

The penalty for reſcuing an Offendor, or diſturbing the arreſt.

And be it further enacted by the authority aforeſaid, That if any perſon or perſons, at any time or times after the ſaid twentieth day of December, of their owne authority of power, willingly and vnlawfully, doe reſkew any offendor or offendors ſo apprehended, taken, or arreſted, as is aforeſaid: or will diſturbe, hinder, or let the ſaid offendor or offendors, ſo offending, as is aforeſaid,

foreſaid, to be apprehended, taken, or arreſted, that then euery one of the ſaid reſkewers, or diſturbors, ſhall ſuffer like impriſonment as is aforeſaid: and further ſhall pay, forfeit, and loſe for a fine, for euery of his or their ſaid offences, fiue pound to the Quéenes Maieſty, her heires and ſucceſſors.

And be it further enacted by the authority aforeſaid, That if any of the offendors aforeſaid be not taken, apprehended, or arreſted immediately in time conuenient, as is aforeſaid, but doe eſcape, or goe away, that then the ſaid eſcape ſhall bee lawfully preſented before the Juſtices of Peace in the ſaid Shire, City, Borough, Liberty, or towne corporate, at the next quarter Seſſions to be holden, where the ſaid eſcape was made and ſuffered, and that then the inhabitants of yͤ pariſh, where the ſaid eſcape was ſo ſuffered, ſhall forfeit and loſe to the Quéenes Maieſty, her heires and ſucceſſors, for euery ſuch eſcape fiue pound, to be leuied and taken as other like amerciaments before this time, hath, and bin leuied and taken vpon any village, Hundred, or Towne for the eſcape of any murderer, or other felon, for not making purſuit vpon Hue and cry according to the Eſtatute of Wincheſter, and the eſtatute made and prouided in the third yéere of the worthy King Henry the ſeuenth.

The penalty if an offendor be not taken but doth eſcape.

13.Ed 1.8.

And be it further enacted by the authority aforeſaid, that all and ſingular Juſtices of peace, Juſtices of aſſiſe, Juſtices of Oyer and Determiner, and all and ſingular Maiors, Bailiffes, and Juſtices of peace, within any City, Borough, or towne corporate, in any parts within this Realme within the limits of their commiſſion or commiſſions, ſhall haue full power and authority, by vertue of this Act, after the ſaid twentieth day of December, to enquire of all and ſingular the offences and miſdemeanors aforeſaid, and to heare and determine the ſame, and to ſet the fines and amerciaments of the ſaid offendor or offendors, as is aforeſaid.

What Magiſtrates ſhall haue authority to enquire of and puniſh the offendors.

Prouided allwayes, and be it further enacted by the authority aforeſaid, that this Act, or any thing therein contained, ſhall not in any wiſe extend to abrogate, and take away the authority, iuriſdiction, power, and puniſhment of the Eccleſiaſticall lawes, now ſtanding and remaining in their force, of, or for the puniſhment of any the offences and miſdemeanors aforeſaid: but that the authority, power, iuriſdictions, and puniſhments of the ſaid Eccleſiaſticall lawes, of, and for any of the offences and miſdemeanors aforeſaid, ſhall ſtand in full power and ſtrength, and to be vſed and exerciſed in all and in euery thing, as though this Act had neuer bin had and made. This preſent act, or any thing therein contained to the contrary hereof in any wiſe notwithſtanding.

The iuriſdictiõ of the law eccleſiaſticall ſaued.

Prouided allwayes and be it enacted, that whatſoeuer perſon offending in the premiſſes, ſhall for any of the offences afore recited, receiue puniſhment of the Ordinary, hauing a teſtimoniall thereof, vnder the ſaid Ordinaries ſeale, ſhall not for the ſame offence, eftſones bee conuicted before the Juſtice: and in likewiſe receiuing for the ſaid offences, puniſhment by the Juſtice, he ſhal not for the ſame offence eftſones receiue puniſhment of the Ordinary: any thing in this Act to the contrary notwithſtanding.

There ſhall be but one puniſhment for one offence.

Cap. IIII.

Writings, &c. made from the ſixt of Iuly laſt, and before the firſt of August, ſhall be good and effectuall: excepting ſuch as were made by the Lady Iane Dudley.

Where it hath pleaſed almighty God, the ſixt day of July laſt paſt, to call out of this tranſitory life vnto his mercy, our late ſoueraigne Lord King Edward the ſixt, by, and immediatly after whoſe deceaſe, the Jmperial Crowne of this Realme, with all dignities, dominions, honours, preheminences, prerogatiues, ſtiles, authorities, and iuriſdictions, to the ſame vnited, annexed or belonging, did not only diſcend, remaine, and come vnto our moſt dread Soueraigne Lady the Quéenes Maieſtie, but alſo the ſame was then immediately, and lawfully inueſted deemed, and adiudged, in her highneſſe moſt royall perſon, by the due courſe of inheritance, and by the lawes and ſtatutes of this Realme.

Neuertheleſſe, the ſame her highneſſe moſt lawful poſſeſſion was for a time diſturbed, and diſquieted, by the trayterous rebellion and vſurpation of the Lady Iane Dudley, Wife vnto Guileford Dudley Eſquire, otherwiſe called the Lady Iane Grey, and other her complices, during the time of the which ſaid rebellion and vſurpation, diuers Eſtatutes, Recogniſances, Indentures, Obligations, Acquittances, grants, patents, euidences, and other writings were made and deuiſed, betwéene, and to ſundry of the ſubiects of this Realme, whereupon diuers queſtions, ſuits, and doubts may hereafter ariſe, grow, and enſue, to many of the Quéenes highneſſe true louing ſubiects. For the auoiding of all which ambiguities and doubts, which by reaſon thereof may bee ſtirred and moued.

Be it ordeined and enacted, that all Eſtatutes, Recogniſances, Indentures, and other writings whatſoeuer, knowledged or made, by, or to any perſon or perſons, bodies politike or corporate, being the Quéenes Subiects, ſince the ſixth day of July laſt paſt, and before the firſt day of Auguſt then next following, vnder the name of the Reigne of any other perſon, than vnder the Name of our Soueraigne Lady the Quéene, ſhall bee as good and effectuall

All writings made by or to any perſon ſith the vi July laſt, and before i August vnder the name of any other thã the Queene ſhall be good.

in the Law, to all intents, purpoſes, conſtructions and meanings, as if vpon the making thereof the name of our Soueraigne Lady the Quéenes Maieſty with her ſtile appropriate, and vnited vnto her Maieſties Imperiall Crowne, had béene fully and plainely expreſſed, and conteined in the ſame Obligations, Recogniſances, Indentures, Eſtatutes, and other writings. And that the ſame Obligations, Recogniſances, Indentures, Eſtatutes, and other writings, ſhal and may be ſued and miniſtred in barre, exhibited, auerred, vſed, and pleaded in the name, title, and ſtile of our Soueraigne Lady the Quéenes Maieſty, in ſuch and the ſame manner and forme, as though the name of the ſame our Soueraigne Lady the Quéene, with her Graces vſuall ſtile had béene expreſſed, written, and contained in the ſame, the lacke of the naming or mentioning of the name of our Soueraigne Lady the Quéene, of her Maieſties ſtile, in the date or time of the making of the ſaid Eſtatutes, Recogniſances, Indentures, or other writings in the ſaid Eſtatutes, Recogniſances, or other writings in any wiſe notwithſtanding.

No writings made by the Lady Iane Dudley ſithence the vi. of July laſt, ſhall be good.

Prouided alwayes that this Act, nor any thing therein contained, ſhall not extend to make good any Letters patents, commiſſions, gifts, grants, leaſes, deuiſes, or other writings made by the ſaid Lady Iane Dudley, otherwiſe called the Lady Iane Grey, ſithence the ſaid vi. day of July laſt paſt, of any manors, lands, tenements, hereditaments, offices, fées, or other writings, whatſoeuer, now or then being by any wayes or meanes parcell, member, or belonging to the ſaid Imperiall Crowne, or to make good any other writings whatſoeuer, made by the ſaid Lady Iane, ſithence the ſaid ſixt day of July. But that they and euery of them, ſhal remain and be vtterly void, and of none effect, any thing aforeſaid to the contrary notwithſtanding.

CAP. V.

Certaine writs and acts wherevnto the Statute of Limitation made 32.H.8.2. ſhall not extend.

WHere at a Parliament holden at Weſtminſter the xxiiii. day of July, in the xxxii. yere of the reigne of the late King of famous memory, King Henry the eighth, it was enacted, that no manner of perſon or perſons, ſhould from thenceforth ſue, haue, or maintaine any writ of right, or make any preſcription, title, or claime, of, to, or for any Manors, lands, tenements, rents, annuities, commons, penſions, portions, corrodies, or other hereditaments of the poſſeſſion of his or their anceſtor, or predeceſſor, and declare, and alleage any further ſeiſon, or poſſeſſion of his or their anceſtor or predeceſſor, but only of the ſeiſon or poſſeſſion of his anceſtor, or predeceſſor, which hath béene or then was, or ſhall be ſeiſed of the ſaid Manors, Lands, Tenements, rents, annuities, commons, penſions, portions, corrodies, or other Hereditaments within threeſcore yéeres next before the teſte of the ſame writ, or next before the ſaid preſcription, title, or claime, ſued, commenced, brought, made, or had after the making of the ſame Act.

A rehearſall of part of the ſtatute of 32.H.8.2. touching limitation of preſumption.

And where alſo it was further enacted by the authority aforeſaid, amongſt other things, that no perſon or perſons, ſhould after that, make any auowry or cogniſance for any rent, ſuit or ſeruice, or alleage any ſeiſon of any rent, ſuit, or ſeruice in the ſame auowry or cogniſance in the poſſeſſion of his or their anceſtors or predeceſſor or predeceſſors, or in his owne poſſeſſion, or in the poſſeſſion of any other, whoſe eſtate he ſhould after that, pretend or claime to haue aboue fifty yéeres next before the making of the ſaid auowry or cogniſance.

And where by the ſame Act it was alſo further enacted amongſt other things, that if any perſon or perſons, at any time after that, did ſue any of the ſaid Actions or writs, for any Manors, Lands, Tenemets, or other Hereditaments, or make any auowry, cogniſance, preſcription, title, or claime, of, or for any rent, ſuit, ſeruice, or other hereditaments, and could not proue that hee or they, or his, or their anceſtors or predeceſſors, were in actuall poſſeſſion or ſeiſon, of, and in the ſame Manors, Lands, Tenements, Rents, Suits, Seruices, Annuities, Commons, Penſions, Portions, Corrodies, or other Hereditaments, at any time or times, within the yéeres before limited and appointed in the ſame Act, in manner and forme as is aforeſaid, that if the ſame ſeiſon were trauerſed or denied by the party Plaintife, Demaundant, or Auowant, or by the party Tenant or Defendant, that then, and after ſuch triall therein had, all and euery ſuch perſon and perſons, and their heyres, ſhould from thenceforth be vtterly barred for euer, of all, and euery the ſaid Writs, Actions, Auowries, Cogniſance, Preſcription, Title and Claime after that to be ſued, had, or made, of, and for the ſame manors, Lands, Tenements, Hereditaments, or other the Premiſſes, or any part of the ſame, for the which the ſame action, Writ, Auowry, Cogniſance, Preſcription, Title or claime, that ſhould at any time be had, ſued, or made.

Certain doubts moued vpon the ſaid St. of 32.H.8.2.

Vpon which ſaid Act, doubt and ambiguity hath riſen, and béene moued, whether a Writ of right, of aduouſon, a quare impedit, iure patronatus, or aſſiſe of darrenpreſentment, may be maintained by any perſon or perſons, bodies politike or corporate, whereas the ſame perſon or perſons, bodies politike or corporate, their anceſtor or predeceſſor, or he, or they, by whom hee or they doe claime, cannot lay the explees, ſeiſon, or preſentment in him or themſelues, or the anceſtor or predeceſſor of them, or any of them, or in him, or them, by whom hee or they doe claime, within threeſcore yeeres next before the teſte of the ſame writ of right, of aduouſon, quare impedit, or aſſiſe of darrenpreſentment, and iure patronatus. And alſo whether any perſon or perſons, bodies politike or corporat, hauing a ſeignory by reaſon of any Caſtles, Honors, Manors, lands, tenements, or hereditaments, of him or them holden by Knights ſeruice, may maintaine a writ of right of ward, or a writ of rauiſhment of ward, for any caſtels, honors, manors, lands, tenements or hereditaments holden by Knights ſeruice, or for the body of any ward, that hee or they claime by reaſon of any ſuch tenure by Knights ſeruice, whereas he or they haue not beene ſeiſed of the ſame ſeruices, within threeſcore yeeres next before the teſte of any ſuch writs. For the explanation and plaine declaration whereof, and in auoiding of the ſaid ambiguities and doubts: Bee it enacted and declared by the Queenes highneſſe, with the aſſent of the Lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid former Act made in the ſaid two and thirtieth yeere of the reigne of the ſaid late King Henry, or any article, clauſe, ſentence, or matter therein conteined, ſhall not extend to any writ of right, of aduouſon, quare impedit, or aſſiſe of darrenpreſentment, nor iure patronatus, nor to any writ of right of ward, writ of rauiſhment of ward, for the wardſhip of the body, or for the wardſhip of any Caſtles, Honors, Manors, Lands, Tenements, or Hereditaments holden by Knights ſeruice, nor to the ſeiſor of the wardſhip of the body of any ward or wards, or to the ſeiſor or Wardſhip of any Caſtels, Honors, Manors, Lands, Tenements, or Hereditaments holden by Knights ſeruice: but that all and euery perſon and perſons, bodies politike and corporate, their heires and ſucceſſors, and the heires and ſucceſſors of euery of them, ſhall and may haue, maintaine, and purſue all and ſingular the ſaid writs of right, of aduouſon, Quare impedit, aſſiſe of darrenpreſentment, iure patronatus, writs of right of ward, rauiſhment of Ward, and alſo ſeiſe the wardſhip both of the[a] body, and of the caſtles, honors, manors, lands, tenements and hereditaments, holden by knights ſeruice in like manner and forme, to all intents, conſtructions, and purpoſes, as they or any of them ſhould or might haue done, made, or purſued, before the making of the ſaid Act made in the xxxii. yeere, as though the ſame Act had neuer beene had or made: any thing in the ſaid former Act to the contrary notwithſtanding. St.21.Iac.16.

Certaine writs and acts whereunto the ſaid ſtatute ſhall not extend.

[a] Cod. 111.

Cap. VI.

Counterfeiting of ſtrange Coines, &c. adiudged Treaſon.

FOraſmuch as by the Lawes of this Realme, ſmall and no due and condigne puniſhment is at this preſent time prouided, for ſuch euil diſpoſed perſons as ſhal counterfeit or forge ſuch kind of gold or ſiluer, of other Realmes, as is not the proper coine of this Realme, and yet permitted and ſuffered by the Queene our Soueraigne Ladies conſent, and heretofore hath been permitted and ſuffered, by the conſent of her moſt noble Progenitors, to bee currant in paiment, within this her Realme, nor for ſuch perſons as ſhall counterfeit the Queenes Highneſſe Signe manuell, her priuy Signet, or priuy Seale. By reaſon whereof, diuers euill diſpoſed perſons are encoraged and boldened daily to perpetrate and commit the ſaid ſeuerall offences.

For remedy whereof, be it enacted by our Soueraigne Lady the Queene, the Lords ſpiritual and temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons, hereafter falſely forge and counterfeit any ſuch kind of Coyne of Gold or Siluer, as is not the proper Coyne of this Realme, and is, or ſhall be currant within this Realme, by the conſent of the Queene, her heires or ſucceſſors. Or if any perſon or perſons, at any time hereafter, doe falſely forge or counterfeit the Queenes ſigne manuell, priuy ſignet, or priuy ſeale, that then euery ſuch offence ſhall bee deemed and iudged high Treaſon, and the offendors therein, their counſellors, procurors, aydors, and abettors, being conuict, according to the lawes of this Realme, of any of the ſaid offences, ſhall bee likewiſe deemed and adiudged Traytors againſt the Queene, her heires and ſucceſſors, and the Realme, and ſhall ſuffer and haue ſuch paines of death, forfeiture of lands, goods, and cattels, and alſo loſe the priuilege of all ſanctuary, as in caſe of high treaſon it is vſed and ordeined.

Treaſon to forge the Coine of other realms currant in this Realme or the Kings ſigne manuell, &c. 27.H.8.2.25.Ed, 3. 2.

Cap. VII.

Fines leuied before the Iuſtices of the common place, ſhall be of force, notwithſtanding proclamations be not made.

WHereas vpon fines leuied with Proclamations, doubts haue of late riſen, by occaſion of adiournment of Termes, in which Proclamations ſhould haue beene made according to the forme, limited for proclamations vpon fines, by the ſtatute made in the fourth yeere of King Henry the ſeuenth, and were not by reaſon of ſuch adiournments, had ne made, according to the puruiey of the ſame eſtatute.

4.H.7.24.

Be it therefore enacted that all fines, as well heretofore leuied, as hereafter to bee leuied, before the Iuſtices of the common place, of any manors, lands, tenements, or other hereditaments, wherupon the Proclamations hath not, or ſhall not, by reaſon of adiournment of any Terme by Writ, bee duly made, ſhalbe of as good force, effect and ſtrength, to all intents, conſtructions and purpoſes, as if any terme heretofore ſo adiourned, or that at any time hereafter ſhalbe ſo adiourned, had beene holden and kept from the beginning to the end thereof, not adiourned, and Proclamations therein made, according to the forme and effect of the ſaid eſtatute.

Fines ſhal be of force notwithſtanding proclamations be not duly made by the adiournment of any Terme.

Prouided allwayes that this Act ſhall not in any wiſe extend to any fine heretofore leuied of any Manors, lands, tenements, or Hereditaments now in ſuit, demand, or variance in any of the Queenes courts, or whereof any Charters, euidences, or muniments concerning the ſame, be now in demand in the Queenes high Court of Chancery, nor to any fine or fines heretofore leuied, of any manors, lands, tenements, or hereditaments, which before the firſt day of this preſent Parliament haue been recouered, gotten, or obtained by reaſon of any iudgement, entre, decree, arbitrament, or other lawfull means, contrary to the purport, intent, or effect of any ſuch fine or fines thereof heretofore leuied.

Certaine fines to which this Statute ſhall not extend.

Cap. VIII.

No Sheriffe ſhall be Iuſtice of Peace, where or when he is Sheriffe.

1.Ed.6.7.

WHere in one Act of Parliament, intituled, An Act for the continuance of Actions, after the death of any King, made in the firſt yeere of our late ſoueraigne Lord, King Edward the ſixth, amongſt other things, it is ordeined, and enacted, that albeit any perſon or perſons, being Iuſtice of Aſſiſe, Iuſtice of Gaole deliuery, or Iuſtice of peace, within any of the Kings dominions, or being in any other of the Kings cōmiſſions whatſoeuer, ſhall fortune to be made Duke Archbiſhop, Marques, Earle, Viſcount, Baron, Biſhop, Knight, Iuſtice of the one bench or of the other, or Serieant at the law, or Sheriffe, yet that notwithſtanding he and they ſhould remaine Iuſtice and Commiſſioner, and haue full power and authority to execute the ſame, in like manner and forme, as he or they might, and ought to haue done before the ſame, as in the ſaid act more plainly appeareth. Sithence the making of the which Act, diuers perſons being in the commiſſion of the peace in one County, haue beene made Sheriffes of the ſame County, and haue exerciſed either of the ſaid offices, which ſeemeth not to be conuenient.

Wherefore be it enacted by the authority of this preſent Parliament, that no manner of perſon or perſons, hauing, vſing, or exerciſing the office of the Sheriffe of any County or Counties, ſhall vſe or exerciſe the Office of the Iuſtice of the Peace, by force of any Commiſſion or otherwiſe in any County or Counties, where he or they ſhall be Sheriffe, during the time only that he or they ſhall vſe or exerciſe the ſaid office or Sherifwike. Any thing in the ſaid former Act to the contrary in any wiſe notwithſtanding. And that all and euery Act and Acts, to bee done by any ſuch Sheriffe or Sheriffes, by authority of any Commiſſion of the Peace, during the time aboueſaid, ſhalbe void and of none effect: The ſaid former Act notwithſtanding.

No Sheriffe ſhall be Iuſtice of peace of any county where and when he is Sheriffe.

Cap. IX.

The incorporation of Phyſitians in London.

WHereas in the Parliament holden at London the fifteenth day of Aprill, in the fourteenth yeare of the raigne of our late Soueraigne Lord, King Henry the eight, and from thence adiourned to Weſtminſter the laſt day of Iuly, in the fifteenth yeers of the raigne of the ſame King, and there holden. It was enacted, that a certaine grant by leters patents, of incorporation made and granted by our ſaid late King, to the Phyſitians of London, and all clauſes and articles contained in the ſame grant, ſhould bee approued, granted, ratified, and confirmed by the ſame Parliament.

A confirmation of the St. of 14.H.8 5. touching the corporation of Phyſitians of London.

For the conſideration thereof, be it enacted by authority of this preſent Parliament, that the ſaid Statute or Act of Parliament, with euery article and clauſe therein conteined, ſhall from henceforth ſtand and continue ſtill in full ſtrength, force and effect. Any act, ſtatute, law, cuſtome or any other thing made, had, or vſed to the contrary in any wiſe notwithſtanding.

And for the better reformation of diuers enormities, happening to the Common wealth, by the euill vſing and vndue adminiſtration of Phyſick, and for the enlarging of further articles for the better execution of the things, conteined in the ſaid grant enacted.

Whoſoeuer ſhal be committed to priſon by the Preſidēt of the College of Phyſitians in London, ſhalbe receiued and kept thereby.

Bee it therefore now enacted, That whenſoeuer the Preſident of the College, or Communalty of the faculty of Phyſicke of London, for the time being, or ſuch as the ſaid Preſident and College ſhall yeerely, according to the tenor and meaning of the ſaid Act, authoriſe to ſearch, examine, correct, and puniſh all offendors, and tranſgreſſors, in the ſaid faculty, within the ſame City and precinct, in the ſaid Act expreſſed, ſhall ſend or [a] commit any ſuch offendor or offendors, for his or their offences or diſobedience, contrary to any article or clauſe, contained in the ſaid grant or Act, to any ward, Gaole, or Priſon, within the ſame City and precinct (the Tower of London except.) That then from time to time, the Warden, Gaoler or Keeper, Wardens, Gaolers, or Keepers of the Wards, Gaoles and Priſons, within the City or precinct aforeſaid (except before excepted) ſhall receiue into his or their priſons, all and euery ſuch perſon and perſons ſo offending, as ſhalbe ſo ſent or committted to him or them, as is aforeſaid, and there ſhall ſafely keep the perſon or perſons, ſo committed, in any of their priſons, at the proper coſts & charges of the ſaid perſon or perſons, ſo committed, without baile or mainpriſe, vntill ſuch time as ſuch offendor or offendors, or diſobedient be diſcharged of the ſaid impriſonment, by the ſaid preſident, and ſuch perſons as by the ſaid College, ſhalbe thereunto authoriſed, vpon paine that all and euery ſuch Warden, Gaoler, or Keeper, doing the contrary, ſhall loſe and forfeit the double of ſuch fine and amerciament, as ſuch offendor and offendors, or diſobedients, ſhall be aſſeſſed to pay, by ſuch as the ſaid preſident and College ſhall authoriſe, as aforeſaid, ſo that the ſame fine and amerciament, be not at any one time aboue the ſumme of xx.li. the moity thereof to be employed to the vſe of our Soueraigne Lady the Queene, her heires and ſucceſſors, the other moity vnto the ſaid Preſident and College. All which forfeitures to be recouered by action of debt, bill, plaint, or information in any of the Queenes, her heires and ſucceſſors Courts of Record, againſt any ſuch Warden, Gaoler or Keeper, ſo offending: in which ſuit no eſſoine, wager of Law, nor protection ſhalbe allowed, ne admitted for the defendant.

The offendors forfeiture, and who ſhall haue it, and by what meanes.

And further be it enacted by the authority aforeſaid, for the better execution of the ſearch and view of Poticary wares, Drugges and Compoſitions, according to the tenour [illegible] a Statute, made in the two and thirtieth yeere of the reigne of the ſaid late King Henry the eighth, that it ſhall be lawfull for the Wardens of the Grocers, or one of them, to goe with the ſaid Phyſicians in their view and ſearch, that if the ſaid Warden or Wardens, doe refuſe or delay his or their comming thereunto, forthwith and immediately when the ſaid Preſident or foure of his College Elect, as aforeſaid, doe call vpon him or them, that then the ſaid Phyſicians may and ſhall execute that ſearch and view, and the due puniſhment of the Poticaries, for any their euill and faulty ſtuffe, according to the Statute laſt before mentioned, without the aſſiſtance of any of the ſaid Wardens : any clauſe in the aforenamed Statute, to the contrary hereof notwithſtanding. And euery ſuch perſon or perſons, as will or ſhall reſiſt ſuch ſearch, ſhall forfeit for euery ſuch reſiſtance x.li. the ſame penalty to be recouered in forme aforeſaid, without any of the delaies aforeſaid to be had in ſuit thereof.

Searching in London for Apothecary wares. 32.H.8.40.

The penalty for reſiſting of ſearch of Apothecary wares.

And further be it enacted, that all Iuſtices, Maiors, Sherifes, Bailifes, Conſtables, and other miniſters and officers, within the city and precincts aboue written, vpon requeſt to them made, ſhall helpe, aid and aſſiſt the Preſident of the ſaid College, and all perſons by them (from time to time) authoriſed, for the due execution of the ſaid acts or ſtatutes, vpon pain for not giuing of ſuch ayd, helpe, and aſſiſtance, to run in contempt of the Queenes Maieſtie, her heires and ſucceſſors.

Other Magiſtrates ſhall aſſiſt the Phyſicians in their ſearch.

Cap. X.

The Queene hath power to erect, vnite, or diſſolue certaine Courts.

WHereas in the Seſſions of the Parliament holden and begun at Weſtminſter the firſt day of March, in the ſeuenth yeere of the reigne of our late Soueraigne Lord, of moſt famous and worthy memory, King Edward the ſixth, and there continued to the diſſolution of the ſame, being the laſt day of the ſaid Moneth of March, amongſt other Acts it was enacted by the authority of the ſaid Parliament, That the Kings Maieſty ſhould or might at any time during his naturall life, by his Graces Letters Patents, vnder his great Seale of England, at his moſt gracious will and pleaſure, alter, change, vnite, tranſpoſe diſſolue or determine all or any of the Courts, commonly called the Court of the Augmentations of the Reuenues of the Kings Crowne, the Court of the firſt fruits and tenths, the Court of the Kings Wards, the Court of the generall Surueyors of the Kings Lands, and the Court of the Duchy of Lancaſter, and to reduce the ſame Courts or any of them, into one, two or more Court or Courts, or to vnite and annex the ſaid Courts, or any two or more of them together, or to any other his Maieſties Courts of Record, or to erect any other new Court or Courts, as to his Highneſſe ſhould haue beene thought moſt conuenient and beſt for the better, ſurer, and more ſpeedy anſwering of his yeerely reuenues, caſualties or profits, anſwerable in the ſaid Courts, or in any of them. And that all and ſingular ſuch alterations, changings, vnitings, annexings, tranſpoſings, diſſoluings, or determinations of the ſaid Courts, or of any of them ſo by his Highneſſe to be altered, changed, vnited, annexed, tranſpoſed, diſſolued or determined, or otherwiſe ſo to haue beene erected by the ſaid King, concerning order for the true paiment of his reuenues, rents, iſſues, caſualties, and profits, as ſhould be ſet forth, and declared in any ſuch his Letters Patents, or writings vnder his great ſeale of England, by his Highneſſe to be made, ſet forth, and declared, ſhould haue beene of ſuch like, and of the ſame force and ſtrength, to all intents, conſtructions, and purpoſes,

A rehearſall of the Stat. of 7. Ed.6.2 touching the diſſolution and vniting of Courts.

as though the ſame were, or ſhould haue beene ſet forth, or declared by the authority of Parliament, the erection of the ſaid ſeuerall Courts, or any other thing had or made, before the making of the ſaid act, to the contrary in any wiſe notwithſtanding, as by the ſaid act more plainly it doth and may appeare. Sithens the making of which Act, it hath pleaſed Almighty God to take vnto his mercy, our ſaid late Soueraigne Lord, King Edward the ſixt, before any alteration, vniting, tranſpoſing, diſſoluing or determining any the ſaid Courts, by his letters patents, according to the tenor of the ſaid Act.

In conſideration whereof, and to the intent that the Queenes Highneſſe may at all times hereafter, during her Highneſſe life (which Almighty God long preſerue) alter, change, vnite, tranſpoſe, diſſolue, determin or reduce the ſame Courts, or any of them into one, two, or more courts at her Highneſſe free will and pleaſure: Bee it therefore enacted by the authority of this preſent Parliament, that the Queenes Highneſſe ſhall or may at any time hereafter during her naturall life, by her graces Letters patents vnder her great ſeale of England, at her moſt gracious will and pleaſure, alter, change, vnite, tranſpoſe, diſſolue or determine all or any of the ſaid Court or Courts, and to reduce the ſame Courts or any of them into one, two or more Court or Courts, or to vnite and annex the ſaid Courts, or any two or more of them together, or to any other of her Maieſties Courts of Record, or to erect of the ſame any other new Court or Courts, as to her Highneſſe ſhalbe thought moſt conuenient and beſt, for the better, ſurer and more ſpeedy anſwering of her yeerely reuenues, caſualties or profits now anſwerable in the ſaid courts or in any of them, and that all and ſingular ſuch alterations, changings, vnitings, tranſpoſings, diſſoluings, or determinations of the ſaid Courts, or of any of them ſo to bee altered, changed, vnited, annexed, tranſpoſed, diſſolued or determined, or otherwiſe newly to be erected, as is aforeſaid, and concerning all and euery order for the true paiment of the reuenues, rents, iſſues, caſualties, & profits of our ſaid ſoueraign Lady the Queene, now anſwerable in the ſaid courts, or in any of them, as ſhall bee ſet forth, and declared in any ſuch Letters Patents, or writings vnder her Highneſſe great ſeale of England, hereafter to be made, ſet forth and declared, ſhalbe of ſuch like, and of the ſame force and ſtrength, to all intents, conſtructions, and purpoſes, as though the ſame were or ſhould haue been ſet forth or declared by authority of Parliament, the ſaid ſeuerall erections, or any other thing heretofore had or made to the contrary hereof in any wiſe notwithſtanding.

The Queene may alter, vnite diſſolue, or reduce into one or more the courts of firſt fruits, Wards, Surueyors, &c.

No orders made by the Q. ſhall preiudice the ſubiect otherwiſe than before.

Prouided alway, and be it enacted by the authority aforeſaid, that any thing conteined, or to be conteined in the ſaid letters patents, hereafter to be made by the Queenes highneſſe that now is, concerning any paines, penalties, rules, or orders, made or to bee made for the leuying of the Queenes reuenues, rents, iſſues, caſualties, or profits, ſhall not in any wiſe extend to charge any of the Queenes ſubiects in any other manner or forme than they or any of them, ought lawfully to haue beene charged by the lawes of this realme, before the ſecond day of this preſent ſeſſion of Parliament.

Prouided alſo, & be it further enacted by the authority aforeſaid, that any letters patents hereafter to be made by the Queenes highneſſe, or any thing or matter conteined in this act, ſhall not in any wiſe extend to giue any power or authority to the Chancellor, & generall ſurueyors of the court of the augmentations & reuenues of the Queenes Crowne, or to any other officer or officers of the ſame court, or of any other court or courts hereafter to be erected by the Queenes maieſty, as is aforeſaid, or to any other officer or officers, to be appointed in any of the ſame Courts hereafter to bee erected by the Queenes highneſſe, as is aforeſaid, or to any officer or officers, of any Court, wherunto any of the foreſaid courts ſhalbe by her highneſſe vnited to heare or determin any plea, matter or cauſe, but only where her highneſſe is only the meere & ſole party, againſt any of her ſubiects, of, for or concerning the ſpeedy anſwering, leuying or paimēt of her ſaid maieſties rents, reuenues, iſſues, caſualties, profits, & debts, being within the ſuruey of any the ſaid courts.

The officers of any of the ſaid courts ſhall not hold plea but where the Q. is onely party againſt any of her ſubiects.

The other Courts annexed to the Exchequer. The offices and profits of other ſaued.

Prouided alwaies, that if her Highneſſe hereafter ſhall annex any of the ſaid Courts vnto her Court of the Exchequer, that then all things within the ſuruey of the ſaid Court ſo annexed, ſhall be ordered in like manner, to all intents, as the ſaid Court of the Exchequer is, or ought to be, by the common lawes and ſtatutes of this realme, ſauing to all and euery perſon and perſons, bodies politike and corporat, and to euery of them, ſuch offices of Stewardſhips, offices of Maſterſhips of any game or games, keepers of foreſts, chaſes, parkes, houſes and caſtles, and the profits therunto belonging, and all rents, annuities and fees, as they or any of them haue, or ought to haue, if this Act had neuer beene had ne made.

Annuities, fees, &c. paid out of the Court of Augmentatiōs ſhall be hereafter paid.

Prouided alwayes, and bee it enacted by the authority aforeſaid, that this Act, nor any thing therein contained, ſhall in any wiſe extend or bee conſtrued, or take away, extinct, or determine, from any perſon or perſons, their Heires, Succeſſors, or Aſſignes, or from any of them, any Fees, Annuities, Penſions, Stipends, or Annuall paiments of any ſummes of money, which they, or any of them of right might, or ought lawfully to haue by any Letters Patents, or other ſufficient writing, vnder the Seale of the ſaid Court of the Augmentations, made before the ſeuenth day of Iuly laſt paſt: but that all, and euery perſon and perſons, their Heires, Succeſſors, Executors, and Aſſignes, and euery of them, which of right haue, or ought to haue or hereafter ſhall haue any fee, annuity, ſtipend, penſion, or annuall paiment, of any ſumme or ſums of money vnder the ſaid ſeale of the Court of the Augmentations, or being lawfully allowed, and payed in the ſame Court, ſhall and may according to the tenour of the ſame grant, perceiue, take and receiue the ſame, and ſhall yeerely thereof be payd of the Queenes Treaſure, her Heires and Succeſſors, at the dayes and times compriſed in ſuch Letters Patents or other writings in any ſuch Court or Courts, whereunto the ſame Court, where the ſame annuities or yeerely ſummes of money was payd, ſhall be ſo vnited and annexed, or in ſuch Court or Courts, as ſhall be by authority of this Act of Parliament newly erected and made in the place of any of the ſaid Courts, ſo being diſſolued, as long as the ſame Court ſhall remaine and haue any being, and after in ſuch Court or Courts, as ſhall pleaſe the Queene newly to erect, by the hands of the Officers of the ſame Court, and for default thereof, in any of the Queenes Courts, wherein ſufficient Reuenue ſhall bee to anſwer the ſame of the Queenes treaſure there, by the hands of the Officers of the ſame Court, in ſuch like manner and forme as the ſame perſon or perſons, their heires, executors and aſſignes, or any of them, ſhould or might haue done or beene paid in any other place or Court, if this Act had neuer beene had or made, any thing in this Act contained, or any other thing hereafter to bee done by reaſon, colour or authority of this Act, to the contrary thereof notwithſtanding.

Annuities, fees ſtipends, &c. granted by letters patents ſaued to the grantees.

Prouided alwayes, and bee it enacted by the authority aforeſaid, that this Act, nor any thing therin contained, ſhal in any wiſe extend or be conſtrued to take away, extinct, or determin from any perſon or perſons, their heires, ſucceſſors or aſſignes, or from any of them, any fees, annuities penſions, ſtipends or annuall paiments of any ſummes of money, which they or any of them, lawfully haue or of right might, or ought lawfully to haue by any Letters patents or other ſufficient writing, made before the ſeuenth day of July laſt paſt: but that all and euery perſon and perſons, their heires, ſucceſſors, executors and aſſignes, and euery of them, which haue or hereafter ſhall haue, any fee, annuity, ſtipend, penſion or annuall paiment of any ſumme or ſums of money, payable yeerly in any of the ſaid Courts, or by the hands of any officer or officers of any of the ſame Courts, ſhall and may perceiue, take and receiue the ſame, and ſhall yeerly thereof be paid of the Queenes treaſure, at the daies and times compriſed in ſuch letters patents or other writings, in any of the ſaid Courts, where now the ſame is or ought to be payable, as long as the ſaid Court or Courts ſhall remaine and haue any being, and after in ſuch Court or Courts as ſhall pleaſe the Queene newly to erect, by the hands of the officers of the ſame court or Courts, or for default thereof, in any of the Queenes Courts wherein ſufficient reuenue ſhall be to anſwer the ſame of the Queenes treaſure there, by the hands of the officers of the ſame Court or Courts, in ſuch like manner and forme, as the ſame perſon and perſons, their heires, executors, and aſſignes, or any of them, ſhould and might haue done and been paid in any other place or Court, if this Act had neuer beene had or made: any thing in this Act contained, or any other thing hereafter to be done by reaſon, colour or authority of this Act to the contrary thereof notwithſtanding. 1. El. 4.

Cap. XI.

A confirmation of the ſtatute of 21. *H.* 8. 9. touching the prices of woollen Hats and Caps made beyond the ſea. Cuſtoming of the ſame Hats and Caps. No man ſhall buy aboue one doſen of Hats or Caps made out of this Realme. Rep. 1. *Iac.* 25.

Cap. XII.

If any perſons to the number of twelue, or aboue, being aſſembled together, ſhall intend, goe about, practice or put in vſe with force and armes vnlawfully, & of their own authority to change any Lawes made for religion by authority of Parliament ſtanding in force, or any other lawes or ſtatutes of this Realme, or any of them, the ſame number of twelue or aboue being commanded or required by the Sherife of the ſhire, or by any Iuſtice of peace of the ſame Shire, or by any Mayor Sheriffe, Iuſtices of Peace, or Bailiffes of any City, Borough or Towne Corporate, where any ſuch aſſemblies ſhalbe vnlawfully had or made by Proclamation in the Queenes name to retire and repaire to their houſes, habitations, or places from whence they came, and they or any of them notwithſtanding ſuch Proclamatiō ſhall cōtinue together by the ſpace of one whole houre after ſuch commandement or requeſt made by Proclamation: or after that ſhall willingly in forcible and riotous manner attempt to do or put in vre any of the things aboue ſpecified, that then aſwell euery ſuch abode together, as euery ſuch act or offence ſhalbe adiudged felony, and the offendors therein ſhall be adiudged felons, and ſhall ſuffer onely execution of death as in caſe of felony. And if any perſons to the ſaid number of twelue or aboue ſhall goe about &c. to ouerthrow, cut, caſt down or dig the pales, hedges, ditches, or other encloſure of any Parke or other ground encloſed, or the bankes of any fiſh-pond or poole, or any Conduits for water, Conduit heads or Conduit pipes, hauing courſe of water, to the intēt that the ſame or any of them ſhould from thenceforth lie open, or vnlawfully to haue way or common in the ſaid Parkes or other grounds encloſed, or to deſtroy the Deere in any manner of Parke, or any Warren of Conies, or any Doue-houſes, or any Fiſh in any Fiſhpond or poole, or to pull or cut downe any houſes, barnes, mils or bayes, or to bnrne any ſtackes of Corne, or to abate or diminiſh the rents of any lands, or the price of any victuall, corne or Graine, or any other thing vſuall for the ſuſtenance of man, and being required or commanded by any Iuſtice of Peace, &c. by proclamation to be made &c. to retire to their habitations, &c. and they or any of them notwithſtanding ſhal remain together by the ſpace of one whole houre after ſuch comandement made by proclamation, or ſhal in forcible manner put in vre any of the things laſt before mentioned, &c. That then euery of the ſaid offendors ſhall bee iudged a felon, &c. And if any perſon or perſons vnlawfully & without authority, by ringing of any bell or bels, ſounding of any Trnmpet, Drumme, Horne, or other inſtrument, or by firing of any Beakon, or by malicious ſpeaking of any words, or making any ouecry, or by ſetting vp or caſting of any bill or writing, or by any other deed or act, ſhall raiſe or cauſe to bee raiſed any perſons to the number of twelue or aboue, to the intẽt that the ſame perſons ſhould doe or put in vre any of the acts aboue mentioned, & that the perſons ſo raiſed & aſſembled, after cõmandement giuen in forme aforeſaid, ſhall make their abode together in form as is aforeſaid, or in forcible manner put in vre any of the acts aboueſaid. That then all and ſingular perſons by whoſe ſpeaking, deed, act or other the meanes aboue ſpecified to the number of twelue ſo raiſed, ſhalbe adiudged felons. And if the wife, ſeruant, or other perſons ſhal any way relieue them that be vnlawfully aſſembled as is aforeſaid with victuals armors, weapons, or any other thing, that then they ſhalbe adiudged felons. And if any perſons aboue the number of two & vnder the number of twelue, ſhal practiſe or put in vre any of the things aboue mentioned, & being commanded by a Iuſtice of peace, &c. to retire, &c. and they make their abode by the ſpace of one houre togethes, that then euery of them ſhal ſuffer impriſonment by the ſpace of one yeere without baile or mainpriſe, and euery perſon damnified ſhal or may recouer his triple dammages againſt him: and euery perſon able, being requeſted by the Kings officers, ſhalbe bound to reſiſt them. If any perſons to the number of forty or aboue, ſhall, aſſemble together by forcible manner vnlawfully and of their owne authority, to the intent to put in vre any of the things aboue ſpecified or to doe other felonies or rebellions, act or acts, and ſo ſhall continue together by the ſpace of three houres after Proclamation ſhall bee made, at or nigh the place where they ſhalbe ſo aſſembled, or in ſome Market towne therunto next adioyning, and after notice thereof to them giuen, then euery perſon ſo willingly aſſembled in forcible manner, and ſo continuing together by the ſpace of three houres, ſhall be adiudged a felon. And if any Copiholder or Farmer being required by any of the Kings officers hauing authority, to ayd and aſſiſt them in repreſſing any of the ſaid offendors, doe refuſe ſo to doe, that then he ſhall forfeit his copihold or leaſe, only for terme of his life. The ſtatute of 3. & 4. *Ed.6.* repealed. 1. *El.* 16. EXP.

CAP. XIII.

The Statutes made Anno. 21. *H.* 8. 7. Anno. 21. *H.* 8. 12. Anno. 23. *H.* 8. 17. Anno. 24. *H.* 8. 9. Anno 23. *H.* 8. 3. Anno. 28. *H.* 8. 6. 8. 9. Anno. 31. *H.* 8. 7. Anno. 33. *H.* 8. 2. Anno. 35. *H.* 8. 17. Anno. 37. *H.* 8. 23. Anno. 2. & 3. *Ed.* 6. 9. 10. 11. Anno. 3. & 4. *Ed.* 6. 6. 19. 21. Anno. 5. & 6. *Ed.* 6. 2. 14. Anno. 7. *Ed.* 6. 11. be reuiued and made to continue vntill the end of the next Parliament. Exp. St, 1. *El.* 18.

CAP. XIIII.

The Statute of 23. *H.* 8. 2. ordeined for the making of Gaoles in ſeuerall Counteis ſhalbe continued vntill the end of ten yeeres next after this Parliament. EXP.

CAP. XV.

It ſhall be lawfull to the Pariſhioners of the late Pariſh of S. Elens in Stanegate within the city of Yorke, & the inhabitants that now are, or hereafter ſhalbe dwelling in the ſame, to build againe the ſame Pariſh Church and Churchyard, and therein to vſe Diuine Seruice, Sacraments, &c. And the Queene, her heires and ſucceſſors may preſent an able Clerke to the vicarage of the ſame. PR.

CAP. XVI.

A confirmation of the attainder of high treaſon of *Iohn* Duke of Northumberland, *Thomas Cranmer* Archbiſhop of Canterbury, *William* Marques of Northampton, *Iohn* Earle of Warwicke, Sir *Ambroſe Dudley* Knight, Sir *Andrew Dudley* Knight, Sir *Iohn Gates* Knight, and Sir *Thomas Palmer* Knight. EXP.

CAP. XVII.

A confirmation of a releaſe, which the Queene by her Letters Patents made to the temporalty, of a Subſidy giuen to King *Edward* by the Statute of 7. *Ed.* 6. 12. reſeruing to the Queene the two Fifteenes granted by the ſaid Statute. EXP.

CAP.

CAP. XVIII.

A Subſidy of Tonnage and Poundage granted to the Queene during her life, out of diuers merchandiſes. EXP.

ANNO MARIÆ PRIMO.

ACTS made in the Parliament begun and holden at Weſtminſter, the ſecond day of April, in the firſt yeare of the reigne of our moſt gracious Soueraigne Lady *MARY*, by the grace of God, Queene of England, France, and Ireland, Defender of the Faith, and there continued and kept to the diſſolution of the ſame, being the fifth day of May, then next enſuing, as followeth.

CAP. I.

The Regall power is in the Queenes Maieſtie as fully as it hath béene in any her Progenitors.

FOrasmuch as the Imperial Crowne of this realme, with all dignities, honors, prerogatiues, authorities, iuriſdictions and preheminences therunto annexed, vnited and belonging, by the diuine prouidence of Almighty God, is moſt lawfully, iuſtly and rightfully diſcended and come vnto the Quéenes highneſſe that now is, being ẏ very true & vndoubted heire and inheritrix therof, and inueſted in her moſt royall perſon, according vnto the lawes of this realme. And by force and vertue of the ſame, all regall power, dignity, honor, authority, prerogatiue, preheminence, and iuriſdictions doth appertain and of right ought to appertaine and belong vnto her highneſſe, as to the Soueraigne, ſupreme gouernor and Quéene of this Realme and the dominions thereof, in as full, large and ample manner, as it hath done heretofore to any other her moſt noble Progenitors, Kings of this realme. Neuertheleſſe the moſt ancient ſtatutes of this realme, being made by Kings then reigning, doe not onely attribute and refer all prerogatiue, preheminence, power and iuriſdiction royall vnto the name of King, but alſo doe giue, aſſigne and appoint the correction and puniſhment of all offendors againſt the regality and dignity of the Crowne, and the lawes of this Realme vnto the King. By occaſion whereof, the malicious and ignorant perſons may be hereafter induced and perſwaded vnto this error and folly, to thinke that her highneſſe could, ne ſhould haue, enioy and vſe ſuch like royall authority, power, preheminence, prerogatiue and iuriſdiction, nor doe, ne execute and vſe all things, concerning the ſaid Statutes, and take the benefit and priuilege of the ſame, nor correct and puniſh offendors againſt her moſt royall perſon, and the Regality and Dignity of the Crowne of this Realme, and the Dominions thereof, as the Kings of this Realme her moſt noble Progenitors haue heretofore done, enioyed, vſed, and exerciſed.

Seueral cauſes why this Stat. was made.

For the auoyding and cléere extinguiſhment of which ſaid error or doubt, and for a plaine declaration of the lawes of this realme in that behalfe.

Be it declared and enacted by the authority of this preſent Parliament, that the Law of this realme is, and euer hath béene, and ought to be vnderſtood, that the Kingly or regall office of this Realme, and all dignities, prerogatiue royall, power, preheminences, priuileges, authorities and iuriſdictions therunto annexed, vnited or belonging, being inueſted either in male or female, are, and be and ought to be, as fully, wholly, abſolutly and entirely déemed, iudged, accepted, inueſted and taken in the one as in the other, ſo that what, or whenſoeuer ſtatute or law doth limit and appoint, that the King of this realme may, or ſhall haue, execute, and doe any thing as King, or doth giue any profit or commodity to the King, or doth limit or appoint any paines or puniſhment for the correction of offendors or tranſgreſſors againſt the regality and dignity of the King or of the Crowne, the ſame the Quéene (being ſupreme gouerneſſe, poſſeſſor and inheritor to the Imperiall Crowne of this realme as our ſaid ſoueraigne Lady the Quéene moſt iuſtly preſently is) may by the ſame authority and power likewiſe haue, exerciſe, execute, puniſh, and correct, to all intents, conſtructions and purpoſes, without doubt, ambiguity, ſcruple, or queſtion, any cuſtome, vſe or ſcruple, or any other thing whatſoeuer to be made to the contrary notwithſtanding.

The regal power of this realme & all the dignities of the ſame ſhalbe aſwell in a Queene as in a King.

CAP.

Cap. II

The Articles of mariage between *Philip* Prince of Spaine and the Queene rehearſed and confirmed. The Queene ſhall and may onely and as a ſole Queene vſe and enioy the Crowne and Soueraignty ouer her dominions & ſubiects, with all the prerogatiues, iuriſdictions, manors, lands, &c. belonging to the ſame, in ſuch only eſtate, and in ſuch large manner, in all degrees after the ſolemnization of the ſaid mariage, as ſhe now hath & enioieth the ſame, without any right, claim, or demand to be giuen, come or growne vnto the ſaid Prince, as tenant by the curteſie of this realme, or by any other means. All gifts grants, letters patents, leaſes & other writings, which during the ſaid mariage ſhall paſſe and be made of benefices, offices, lands, reuenues and fruits ſhalbe intituled & made in the names of the ſaid Prince & the Queene, & ſhalbe ſigned with the ſigne Manuell of the Queene, & ſhalbe beſtowed vpon naturall borne ſubiects of this realme. And thoſe grants, letters patents and writings which ſhall not be ſigned with her ſigne manuel ſhall be void. Exp. ſt. 1. & 2. *Philip & Mary* 1.

Cap. III.

A repeale of one ſtatute (not printed) made 7. Ed. 6. whereby the Biſhopricke of Durham was diſſolued, and all the lands and poſſeſſions thereof were giuen to the King; and of one other ſtatute made 7. Ed. 6. 10. wherby the towne of Gateſide &c. was ſeuered from the ſaid Biſhoprick of Durham, & anexed to the town of Newcaſtle. And *Cuthbert Tunſtall* reſtored to the ſaid Biſhoprick, & to all the poſſeſſions and franchiſes thereof (ſauing to a Capital Manſion houſe in Thames ſtreet in London and fiue tenements thereunto belonging) and to the ſaid Towne of Gateſide, &c. PR.

Cap. IIII.

A repeale of the ſtatute of 32. *H.* 8. 39. made touching the erection of the office and authority of the great Maſter of the Kings houſe: and the reeſtabliſhing of the name, office and authority of the Lord Steward of the Queenes houſe. PR.

Cap. V.

The Cauſey paued with ſtone in the Counties of Dorſet and Somerſet betweene Shafteſbury and Shirburne, ſhall from time to time during ten yeeres, bee made and amended by the owners and fermors of the lands lying nigh to the ſaid cauſey on either ſide of the ſame, and by the inhabitants of Shafteſbury and Shirburne, & by the owners and fermors of lands, and by the inhabitants within the Foreſt of Gillingham, and liberties of Gillingham and Alcetter, and the Hundreds of Kedlane and Shirburne in the County of Dorſet, and of the hundred of Horethorne in the County of Somerſet. And the Iuſtices of Peace of the County of Dorſet and Somerſet ſhall aſſeſſe the ſaid owners, fermors and inhabitants towards the ſaid repaire. And if the ſaid Iuſtices ſhall refuſe to put this Act in execution, the Lord Chancellor, or Lord Keeper &c. ſhall vpon requeſt, make a commiſſion to certaine diſcreet perſons to put this Act in execution. PR. 3. Car. 4. Continued vntill the end of the firſt Seſſion of the next Parliament. St. 1. *M.* not printed.

Cap. VI.

The Inhabitants of the Cities of Glouceſter and Briſtow, within their ſeuerall Liberties, and of the Hundreds of Barton next Briſtow, Gromball, Aſhe, Barkeley, Whitſtone, Thornebury and Hendbury, in the county of Glouceſter, for their ſeuerall limits and hundreds ſhalbe charged with the reparation of the way between Briſtow and Glouceſter. Exp.

Cap. VII.

Making of Cloth vſed at the time of 5. & 6. Ed. 6. in Cities, Boroughes, Corporate Townes or Market townes may be continued, &c.

Where the City of Worceſter, and diuers other Cities, Boroughes and Townes Corporate within the Realme of England, of long time haue beene vpholden, repaired, and onely maintained by making of broad Clothes called long Clothes, ſhort Clothes and coloured Clothes, and the Citizens, Freemen, and the Inhabitants of the ſame Cities, Townes, and Boroughes Corporat, haue thereby beene greatly enriched, and the poore people and handicraftsmen of the ſame and the Countries adioyning dayly ſet a worke, as Weauers, Walkers, Fullers Fulling-mill-men, Sheeremen, and Dyers, forcers of wools, caſters of Wools, and ſorters of wools, Spinners, Carders, and Spullers of yarne, and haue had their onely liuing thereby, till now of late in the fifth yeere of the raigne of our late Soueraigne Lord King Edward the ſixth, That an eſtatute was made, that no man ſhould occupy Cloth making, ne put any broad Cloth or clothes to weauing or walking, except hee hath beene apprentice to cloth making by the ſpace of ſeuen yeeres, or elſe haue occupied and practiſed cloth making by the ſpace of ſeuen yeeres, or more, vnder paine of forfeiture of great penalties in the ſame Eſtatute limited, by reaſon whereof, diuers and many good Clothiers, dwelling in the ſaid Cities and Townes corporate, which had occupied and made Clothe by the ſpace of fiue or ſix yeeres, and ſome which haue married Clothiers wiues, which had occupied cloth making by the ſpace of twenty yeeres before, by reaſon of the ſame Eſtatute, haue beene enforced to leaue off, and cleerely diſcontinue their cloth making, to their great impoueriſhment, and to the vtter vndoing of a great number of poore people, and handicrafts men, which daily had their liuing by the ſaid Clothiers. And foraſmuch as the perfect and principle ground of Cloth making, is the true ſorting of Wools, and the experience thereof conſiſteth only in women, as Clothiers wiues and their women ſeruants, and not in apprentices, they bee thereby very like to be vtterly vndone for euer, vnleſſe ſpeedy remedy be therein prouided.

The inconueniences enſuing the Statute of 5 & 6. Ed. 6. 8.

In conſideration whereof, be it enacted, eſtabliſhed, and ordeined by the Queenes moſt excellent Maieſty, with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame Parliament, That euery perſon or perſons inhabiting in any of the ſaid Cities, Boroughes, or Townes corporate, or in Market townes within the Realme of England, where cloth making at any time before the making of the ſaid act hath bin vſed, ſhal or may from henceforth lawfully make all manner of broad clothes aforeſaid, and put them to weauing, walking, fulling, dying, and ſhearing, without any impediment, ſo that the ſame cloth bee ſubſtantially made, bearing lawfull length, breadth, and weight, according to the ſtatute for good and true cloth making, made in the fifth yeere of the reigne of our ſaid late ſoueraigne Lord King Edward the ſixt, any article or clauſe in the ſaid former eſtatute, or any other eſtatute for cloth making, made to the contrary in any wiſe notwithſtanding. A l t.4.& 5.P.& M.5.

Certaine perſons not reſtrained of making of broad clothes notwithſtanding the St. of 5 Ed. 6. 8.

5.Ed.6.6.

Cap. VIII.

Curriers as well as other Artificers may buy Leather.

WHere at the Parliament holden at Weſtminſter, vpon the prorogation, the fifteenth day of Aprill, in the ſixth yeere of the reigne of our late Soueraigne Lord King Edward the ſixt, it was amongſt other things enacted, that no perſon or perſons, of what eſtate, degree, or condition ſoeuer he or they be, ſhould buy, ingroſſe, or cauſe to be bought or engroſſed, any kind of tanned lether, to ſell the ſame againe, ſauing only Sadlers, Girdlers, Cordwainers, and certaine other Artificers, as by the ſame Act more plainly may appeare: Sithence the making whereof, foraſmuch as many poore Artificers, as Shoomakers and Coblers, who, afore that, might buy from time to time their ſtuffe of the Currier ready prouided, and wrought ſufficiently, and to buy the ſame at a price reaſonable, and now being very poore men, and not able to buy two or three hides or backes of leather at one time, nor to pay ready money for the ſame, are inforced to giue vp their occupations in great number, to their vtter impoueriſhment, and vndoing: and foraſmuch alſo, as ſithence the making of the ſaid Eſtatute, all kind of ſtuffe made of leather, is more ſlenderly and deceitfully wrought and made than euer it was, and neuertheleſſe as deare, or rather dearer, whereby it may appeare that the ſaid former Act was procured for the ſingular commodity of a few rich Shoomakers, and other Artificers, that are now common Regrators, and Engroſſers of leather, without reſpect of perfect workmanſhip, or of the Common wealth, which is well perceiued both in mens purſes, and alſo in their Shooes: The experience is well proued, for they hauing the only trade of buying of leather, ſtuffe, and tallow in their hands, do notwithſtanding deliuer to the Currier ſo little ſtuffe, and tallow, whereby the leather cannot be ſufficiently wrought: And foraſmuch as the Curriers are by diuers lawes bound to the ſufficient workmanſhip and currying of leather vpon diuers paines, whereas they may buy no leather, and the Shoomaker will not allow them ſufficiently to doe the ſame.

A rehearſal of a branch of the ſtatute of 5. & 6. Ed. 6. 15.

The inconueniences of the ſame branch.

Be it therefore enacted, that from henceforth it ſhall be lawfull as well for the Currier, Shoomaker, Girdler, Sadler, Bugetmaker, and all other Artificers, occupying the craft or myſtery of leather buying, lawfully to buy all kindes of tanned leather, in faires and markets, within all places of this Realme accuſtomed to be ſold, it being lawfully tanned and dreſſed, ſo that the ſaid Curriers, Shoomakers, and Girdlers, nor any perſon for them, or for their vſe ſhall buy any kind of tanned leather to ſell againe to any Merchant, or other ſtranger, to be conueied ouer the ſea, ne ſhall ſend or conuey any leather beyond the ſea, vpon the forfeiting of all ſuch leather ſo bought, the one halfe of the ſame to be to the Queenes Highneſſe, and the other halfe to him, that preſenteth the ſame: And further the foreſaid Act from henceforth to be repealed, made void, and of none effect concerning the Curriers, Shoomakers, Sadlers, Bugetmakers, Girdlers, and all other Artificers, occupying the myſtery of leather buying, curried and dreſſed.

Curriers, Shoomakers, &c. may buy leather, but not to conuey beyond ſeas.

A repeale of the aforeſaid branch of 5. & 6. Ed. 6. 15.

The Curriers of London, and the ſuburbs thereof ſhall vſe their owne ſtuffe.

And be it further enacted, that from henceforth no perſon or perſons (occupying the feat or myſtery of currying of tanned leather) within the City of London, or the ſuburbs of the ſame, ſhall occupy about the currying of the ſame leather, any other ſtuffe or tallow brought vnto him by any other perſon or perſons, but ſuch as ſhall be his owne, vpon paine of forfeiture of all ſuch leather ſo curried, contrary to the true meaning thereof.

How the lether ſhalbe ordered that the currier ſhall dreſſe.

And furthermore that no currier ſhall curry any hides for any Shoemaker, to make Shoes, or botes of, from the feaſt of Saint Iames the Apoſtle, vnto the fiue and twentieth day of March, but ſuch as ſhalbe ſufficiently dipped twice in the pan, for the true and iuſt workmanſhip thereof, vpon paine of forfeiture of all ſuch leather, as ſhall bee wrought to the contrary, the one halfe of the ſame to the Queenes highneſſe, and the other moity to him that ſhal find and preſent the ſame, all the ſame penalties to bee recouered in forme aforeſaid, by him, or them, that will ſue for the ſame, by action of Debt, Bill, Plaint, or Information in any Court of Record, wherein no Eſſoine, or Protection, or wager of Law ſhall bee admitted or allowed for the Defendant.

Within what time lether ſhall be curried.

Prouided alwayes, and bee it enacted by the authority aforeſaid, that when, and as often as any Shoomaker or his deputy doth bring any Leather ſufficiently tanned to any Currier to bee curried, deliuering ſufficient Liquor for well dreſſing of the ſame, the ſame ſhall bee by euery ſuch Currier, well and ſufficiently curried, and made ready for the Shoemaker, within the ſpace of fiue dayes in Summer, that is to ſay, from the firſt day of March to the laſt day of September, and alſo in like manner within the ſpace of ten dayes in winter, that is to ſay, from the firſt day of October vnto the laſt day of February, vpon paine to forfeit to the party grieued for euery hide not curried, and dreſſed, in manner and forme aforeſaid, the ſumme of ten ſhillings.

Prouided further, that this prouiſo ſhall not extend to binde any Currier to dreſſe any Leather, which hee doing his beſt, is not able to dreſſe within euery of the times aforeſaid, but ſhall extend to all ſuch leather, as he conueniently may dreſſe after the common rate of dreſſing. St.1.El.8.5.El.8.1.Iac.22:

Cap. IX.

The Queene during her life ſhall haue authority by writing to be ſealed with the great ſeale of England, to make and preſcribe to all thoſe Churches Cathedrall, and Collegiate, that were erected and eſtabliſhed by King Henry the eight, and to the Deanes, Prebendaries, and Miniſters of the ſame, and to their ſucceſſors, ſuch ſtatutes and orders for the good gouerance of euery of them, and of the lands and poſſeſſions of euery of the ſame Churches, as ſhall ſeeme good to her: and to alter, change, augment or diminiſh the ſame, as occaſion ſhall ſerue: and to ordeine and eſtabliſh ſtatutes, ordinances, and foundations for the gouernment of ſuch Grammer Schooles as were erected by King H.8. or by King Ed.6. and of the Miniſters and Schollers of the ſame: and to alter and tranſpoſe other ſtatutes and ordinances there heretofore made. Exp.

Cap. X.

The repeale of a Statute (not printed) made *anno* 2. *Ed.6.* Touching the conſolidation and vnion of the Pariſh Churches of Onger, and Greneſted, in the County of Eſſex. And they ſhall be ſeueral Pariſhes as they were before. And *Iames Moris* and his heires ſhall haue the preſentation of the ſaid Parſonage of Onger. PR.

Cap. XI.

The Commiſſioners of Sewers in the County of Glamorgan, ſhall take order for ſauing the land from deſtruction by ſand ariſing out of the ſea.

The effect of the Statute of 23.H.8.

Where in the three and twentieth yeere of the reigne of the excellent prince of famous memory King Henry the eight, it was enacted and eſtabliſhed, that commiſſions of Sewers from time to time when need ſhould require ſhould be directed to ſuch ſubſtantial and indifferent perſons, as ſhould be named by the Lord Chancellor of England, the L. Treaſurer, the L. Priuy Seale, and the two chiefe Iuſtices, or three of them, whereof the Lord Chancellor to be one, authoriſing them, or ſix of them to ſuruey wals, ſtreames, ditches, bankes, gutters, ſewers, Guttees, cauſeyes, bridges, trenches, mils, mill dammes, floodgates, ponds, locks, ebbing weeres, and other lets, and nuiſances, by reaſon of the outragious courſe and rage of the Sea, in, and vpon mariſhes, and other low places, which good law doth not extend, nor is not taken to giue authority and power vnto the ſaid Commiſſioners of ſewers to reforme the great hurt, nuiſance, and loſſes that commeth and chaunceth to the Queenes Highneſſe and her ſubiects, by reaſon of ſand riſing out of the ſea, and driuen to land by ſtormes and winds, whereby much good ground lying on the Sea coaſts in ſundry places of this Realme, and eſpecially in the County of Glamorgan, is couered with ſuch ſand riſing out of the Sea, that there commeth no profit of the ſame, to the great loſſe of the Queenes highneſſe, and her louing ſubiects, and more is like to enſue, if ſpeedy remedy be not therein prouided.

May it therefore pleaſe the Queenes highneſſe, with the aſſent of the Lords ſpiritual and temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame. Bee it enacted, that as well the ſaid Act of Sewers, made in the three and twentieth yeere, as all Commiſſions of Sewers, hereafter to bee directed according to the tenour of the ſaid Act, may extend and giue authority, that the Commiſſioners therein named for the County of Glamorgan, or ſix of them, whereof three to be of the Quorum, ſhall by this act and the ſaid former act and Commiſſion to them directed, haue full power and authority from time to time, to make Lawes, Prouiſions, Ordinances, Iudgments, and Decrees within the ſaid County of Glamorgan, for the redreſſe and ſauing of the ſaid grounds from hurt and deſtruction by reaſon of the ſaid ſands, as they might or may doe by the ſaid former act and Commiſſion for the withſtanding and auoiding the outragious courſe and rage of the ſea, or other waters: any vſage or cuſtome to the contrary notwithſtanding.

The Commiſſioners of Sewers in the county of Glamorgan ſhall take order for the ſauing of the land frō deſtruction by ſands of the ſea.

Cap. XII.

The Statutes made *Anno.* 22.*H*.8.7. *Anno.* 23.*H*.8.3.17. *Anno.* 24.*H*.8.9. *Anno*.28.*H*.8.6.8.9. *Anno*.31.*H*.8.7. *Anno*.35.*H*.8.17. *Anno*.37.*H*.8.23. *Anno*.2.& 3.*Ed*.6.9. *Anno*.3.& 4.*Ed*.6.19.21. *Anno*.5.& 6.*Ed*.6 2.14. *Anno*.7.*Ed*.6.11. *Anno*. 1.*Mar*.12.13. were reuiued and made to continue vntill the laſt day of the next Parliament. Exp.

ANNO PRIMO ET SECVNDO *PHILIPPI* ET *MARIÆ*.

ACTS made at a Parliament begun and holden at Weſtminſter, the eleuenth day of Nouember, in the firſt and ſecond yeare of the reigne of our Soueraigne Lord and Lady, *PHILIP* and *MARY*, by the grace of God, King and Queene of England, France, Naples, Ieruſalem, and Ireland, Defendors of the Faith, Princes of Spaine, and Scicile, Arch-Dukes of Auſtria, Dukes of Millaine, Burgundy and Brabant, Counties of Haſpurge, Flanders, and Tyroll. And there continued and kept vntill the diſſolution of the ſame, being the ſixteenth day of Ianuary then next enſuing, were enacted as followeth.

Cap. I.

A Branch of a ſtatute made 1.M.2. touching the ſigning of Letters Patents, &c. with the Q. ſigne Manuel repealed, &c.

WHere in the Parliament begun and holden at Weſtminſter, the ſecond day of Aprill, in the firſt yeere of the Reigne of our moſt dread and Gracious Soueraigne Lady the Queenes Maieſty, and there continued and kept till the diſſolution of the ſame, being the fifth day of May then next following, one Act was made touching the articles of her Highneſſe moſt noble mariage in the which Act amongſt other things it was enacted, ordered, and eſtabliſhed by the authority of the ſaid Parliament, that all and ſingular gifts, grants, Letters Patents, exchanges, confirmations, leaſes, and other writings, which after the ſaid marriage, and during the ſame ſhould paſſe and be made of any benefices, offices, lands, reuenues, and fruits, or of any of them, ſhould be intituled and made in the names of our Soueraigne Lord the King, and of her moſt excellent highneſſe, whether his Maieſty ſhould bee preſent within the realmes and dominions of her highneſſe, or within any of them, or abſent. And that the ſame gifts, grants, letters patents, eſchanges, confirmations, leaſes, and other writings ſo ſet forth and made, ſhould bee ſealed and firmed with the ſigne Manuell of her Highneſſe, and the ſame ſo ſigned and ſealed with the great Seale of this realme, or with ſuch ſeale as hath beene accuſtomed, ſhould be by the authority of the ſaid Parliament deemed, adiudged, declared, and pronounced to bee as good, perfect, and of like force, ſtrength and effect in the law, to all intents, conſtructions and purpoſes, againſt our ſaid Soueraigne Lord and Lady, the King and the Queenes Maieſties, and her highneſſe heires and ſucceſſors, as if her Maieſty had beene at the time of the making thereof, ſole

A rehearſall of the ſtatute of 1.M.2. touching Letters patents & writings to be ſigned by the Queene.

and vnmarried, and that all gifts, grants, letters patents, eſchanges, confirmations, leaſes and other writings, which after the ſaid marriage, and during the time of the ſame, ſhould paſſe and be made of the ſaid benefices, offices, lands, reuenues and fruits, or of any of them, whereunto the ſigne Manuel of her highneſſe, ſhould not be ſet, made, or put, ſhall bee by the authority of the ſaid Parliament from time to time déemed, adiudged, accepted, taken, and decréed, to bee of no force, ne effect, but vtterly fruſtrate and void in the law, to all intents, conſtructions and purpoſes, the ſaid mariage or any law, vſage or cuſtome to the contrary in any any wiſe notwithſtanding, as by the ſaid act more at large doth appeare.

The inconueniences enſuing to the Q. and the ſubiects, by the ſaid Stat. of 1. M. 2.

Sithence the making of which ſtatute, and the ſolemnization of the ſaid mariage, the Quéenes moſt excellent Maieſty hath béene greatly moleſted, grieued, and troubled with often ſigning of letters patents, gifts, grants, eſchanges, leaſes, and other writings, concerning and touching benefices, offices, lands, reuenues, and fruits, made and granted by, and from our ſaid Soueraigne Lord the King, and her highneſſe, to ſundry of their moſt louing ſubiects, to whom alſo it hath bin and is no ſmall charge to attend, vntill ſuch time as they may procure & obtaine the ſigne Manuel of her highneſſe, vnto their ſaid letters patents, gifts, grants, exchanges, confirmations, and leaſes, without which ſigne the ſame are vtterly void by force of the ſaid ſtatute, to the great danger loſſe, and vtter vndoing of diuers perſons that haue lately bought, purchaſed, or obtained of our ſaid ſoueraigne Lord and Lady, the King and Quéenes maieſties, diuers lands, tenements, and other hereditaments, to their great coſts and charges.

A repeale of the before rehearſed branch of the St. of 1. M. 2.

For remedy whereof be it enacted by the authority of this preſent Parliament, that the ſaid branch or article touching or concerning only the ſigning of letters patents, gifts, grants, eſchanges, confirmations, leaſes, or of other writings, for any lands, benefices, offices, reuenues, fruits or other hereditaments, ſhalbe from henceforth cléerely repelled and made fruſtrate and void, to all intents and purpoſes.

A confirmation of former grãts or writings ſealed with the Q. ſigne Manuel.

And be it further enacted by authority of this preſent Parliament, that all and ſingular letters patents, touching or concerning any gift, grant, eſchange, confirmation, leaſe, or other writing, the which ſithence the ſaid marriage hath paſſed, and bee made of any benefices, offices, mannors, lands, tenements, reuenues, fruits, liberties or other hereditaments, or of any of them, in the names of our moſt dread Soueraigne Lord and Lady, the King and the Quéenes Maieſties (the warrant or writing, or warrants or writings whereof being ſigned with her highneſſe ſigne Manuel, in ſuch forme, order and degrée, as the ſame heretofore haue béene accuſtomed to be ſigned, when her highneſſe was ſole and vnmarried) ſhalbe by authority of this preſent Parliament, of the ſame like force, ſtrength, and effect in the law, to all intents, conſtructions and purpoſes, as if the ſame were or had béene ſigned by her highneſſe ſigne Manuel, and as if her Maieſty had béene at the making thereof ſole and vnmarried, and as they were before the making of the ſaid Act. The ſaid eſtatute, or any branch, or article therein contained to the contrary in any wiſe notwithſtanding.

Cap. II.

Whoſoeuer ſhall weare ſilke in or vpon his Hat, Bonet, Girdle, Scabbard, Hoſe, Shooes or ſpurleather, ſhall be three moneths impriſoned, and forfeit x.li. except Maiors, Aldermen, &c. If any perſon knowing his ſeruant to offend, doe not put him forth of his ſeruice within fourteene dayes, or doe retaine him againe, he ſhall forfeit C.li. Rep. 1. *Iac.* 25.

Cap. III.

A confirmation of the ſtatute of 3. *Ed.* 1. 33. & 2. *R.* 2. 5. touching telling of newes. Iuſtices of Peace in euery ſhire, City, &c. ſhall haue authority to heare and determine the ſaid offences, and to put the ſaid two ſtatutes in execution. If any perſon ſhall bee conuicted or attainted for ſpeaking maliciouſly of his owne imagination, any falſe, ſeditious and ſlanderous newes, ſaying or tales of the King or Queene, then hee ſhall for his firſt offence bee ſet on the Pillory in ſome Market place neere where the words were ſpoken, and haue both his eares cut off, vnleſſe he pay to the Queene a hundred pound, within one moneth after iudgment giuen, and alſo ſhall be three moneths impriſoned. And if hee ſhall ſpeake any ſuch ſlanderous and ſeditious newes or tales of the ſpeaking or report of any other, then he ſhalbe ſet on the Pillory, and haue one of his eares cut off, vnleſſe hee pay an hundred markes to the Queenes vſe within one moneth after, and ſhalbe one moneth impriſoned. And if he ſhall do it by book, rime, ballad, letter or writing, he ſhall haue his right hand ſtricken off. And if any perſon being once conuict of any of the offences aforeſaid, doe afterward offend, he ſhall be impriſoned during his life, and forfeit all his goods and cattels: Exp. St. 4. & 5. P. & M. 9. St. 1. El. 6.

Cap.

CAP. IIII.

Puniſhment for bringing Ægyptians into this Realme, &c.

WHere in a Parliament holden at Weſtminſter in the two and twentieth yeere of the reigne of our late ſoueraigne Lord King Henry the eight (for the auoiding and baniſhing out of this realme of certain outlandiſh people, calling themſelues Egyptians, vſing no craft nor feat of merchandiſes for to liue by, but going from place to place in great companies, vſing great ſubtile and crafty meanes to deceiue the Kings ſubiects, bearing them in hand, that they by palmiſtry could tell mens and womens fortune, and ſo many times by craft and ſubtilty deceiue the people of their money, and committed diuers great and hainous felonies and robberies, to the great hurt and deceit of the people.) It was amongſt other things then enacted, that from the time of the making of the ſaid Act, no ſuch perſons ſhould bee ſuffered to come within this the Kings Realme, vpon paine of forfeiture to the King all their goods and cattels, and then to bee commanded to auoyd the Realme within fifteene dayes next after the Commandement, vpon paine of impriſonment, and ſuch perſons calling themſelues Egyptians as then were within this Realme, ſhould depart within ſixteene dayes next after Proclamation of the ſaid Act, vpon paine of impriſonment and forfeiture of all their goods and cattels, with diuers other clauſes and articles conteined in the ſaid Act, as by the ſaid Act more at large it appeareth. For as much as diuers of the ſaid company, and ſuch other like perſons, not fearing the penalty of the ſaid Statute, haue enterpriſed to come ouer againe into this realme, vſing their old accuſtomed deuilliſh and naughty practiſes and deuiſes, with ſuch abominable liuing as is not in any Chriſtian Realme to bee permitted, named, or knowne, and be not duly puniſhed for the ſame, to the perillous and euill example of our Soueraigne Lord and Lady the King and the Queenes Maieſties moſt louing ſubiects, and to the vtter and extreme vndoing of diuers and many of them as euidently doth appeare.

A rehearſall of the Statute of 22.H.8.10. prouided for the puniſhment of Egyptians.

For reformation whereof, bee it ordeined and enacted by the King and Queene our Soueraigne Lord and Lady, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons after the laſt day of January next comming, doe willingly tranſport, bring, or conuey into this realme of England or Wales, any ſuch perſons calling themſelues, or commonly called Egyptians, that then he or they ſo tranſporting, bringing or conueying in, any ſuch perſons contrary to the true meaning of this Act, ſhall forfeit and loſe for euery time ſo offending, forty pounds of lawfull money of England.

The penalty for bringing of Egyptians into this realme.

And bee it further enacted by the authority aforeſaid, That if any of the ſaid perſons called Egyptians, which ſhall bee tranſported and conueyed into this Realme of England or Wales, as is aforeſaid, doe continue and remaine within the ſame by the ſpace of one moneth, that then hee or they ſo offending ſhall by vertue of this Act, bee deemed and iudged a felon and felons, and ſhall therefore ſuffer paines of death, loſſe of lands and goods, as in caſes of felony, by the order of the Common law of this Realme, and ſhall vpon the triall of them, or any of them therein ſo tried in the County, and by the inhabitants of the County or place, where they or he ſhalbe apprehended or taken, and not per medietatem linguæ, and ſhall loſe the benefit and priuilege of ſanctuary and clergy.

It ſhalbe felony for Egyptians to remaine in England a moneth.

And bee it further enacted by the authority aforeſaid, That if the Egyptians or other perſons commonly calling themſelues Egyptians, and euery of them now being within this Realme of England or Wales, doe not depart out of the ſame within twenty dayes next after Proclamation of this preſent Act ſhall be made, that then hee or they which ſhall not depart within the ſaid time, according to the true meaning of this Act, ſhall forfeit and loſe all his and their goods and cattels, and that then it ſhalbe lawfull to all and euery the Kings and the Queenes ſubiects to ſeiſe the ſame: the one moity therof to be to the vſe of our ſoueraigne Lord and Lady the King and the Queene, and the other moity thereof to be to the vſe of him or them that ſhall ſo ſeiſe the ſame.

The penalty for the Egyptians that now be, to tarry in England.

And be it alſo enacted by the authority aforeſaid, that if the Egyptians and other perſons commonly called Egyptians, and euery of them now being within this realm of England or Wales, doe not depart out and from the ſame within forty daies next after the proclamation ſhalbe made of this Act, that then he or they which ſhal not depart, & auoid within the ſaid time of forty dayes, according to the true making of this act, ſhall be iudged and deemed according to the lawes of this realme of England, a felon and felons, and ſhall ſuffer therefore paines of death, loſſe of lands and goods, as in other caſes of felony, and ſhall be tried as is aforeſaid, and without hauing any benefit or priuilege of ſanctuary and Clergy.

The penalty for Egyptians not to depart within xl. daies.

And bee it further enacted by the authority aforeſaid, That if any perſon after the firſt day of January next comming, ſhall ſue for the obtaining of any licence, letter, or paſport, for any of the ſaid perſons called Egyptians, to abide or continue within this realm of England or Wales, contrary to the tenour of this Act, that then euery ſuch perſon ſo ſuing, ſhall forfeit and loſe for

The penalty for ſuing of licence for Egyptians to tarry in England.

the ſame, forty pounds, of lawfull money of England, and that euery ſuch licence, letter, and paſport, ſhall bee by vertue of this Act, void to all intents and purpoſes, the one moity of all which ſummes of money to be forfeited as is beforeſaid, ſhalbe to the King and Queene our ſoueraigne Lord and Lady, and the other moity thereof to be to him or them that will ſue for the ſame in any Court of Record, by action of debt, bil, plaint, or information, wherein any eſſoine, wager of law, nor protection ſhalbe admitted and allowed.

A prouiſo for Egyptians which leaue their naughty trade.

Prouided alwayes, and be it enacted by the authority aforeſaid, that this preſent Act, nor any thing therein contained, ſhal not extend, nor be hurtfull to any of the ſaid perſons commonly called Egyptians, which within the ſaid time of twenty dayes next after the ſaid Proclamation to be made, as is beforeſaid, ſhal leaue that naughty, idle, and vngodly life, and company, and be placed in the ſeruice of ſome honeſt & able inhabitant or inhabitants within this realme, or that ſhal honeſtly exerciſe himſelfe in ſome lawful worke or occupation, but that he or they ſo continuing in ſeruice, or other lawful worke or occupation, ſhal (during ſuch time as he or they ſhal ſo continue) be diſcharged of all paines and forfeitures contained in this Act.

To what perſons this Statute doth not extend.

Prouided alſo and bee it enacted by the authority aforeſaid, that this Act ſhall not in any wiſe extend to any childe or children, being not aboue the age of thirteene yeeres, nor to any of the ſaid perſons being now in priſon, ſo that hee or they ſo being in priſon, doe depart out of this Realme within fourteene dayes next after his or their deliuery out of priſon, nor ſhall extend to charge any manner of perſon or perſons, as acceſſary to any offence or offences, conteined or ſpecified in this ſtatute. St.5.El.20.

Cap. V.

No corne, &c. ſhalbe tranſported out of this realme without licence.

St.25.H.8.4.

Where as ſundry good Eſtatutes and Lawes hath beene made within this Realme in the time of the Queenes highneſſe moſt noble progenitors, that none ſhould tranſport, carry or conuey out of this realm into any place in the parties beyond the ſeas, any corne, butter, cheeſe or other victuall (except only for the victualling of the towne of Calice, Haines, and Guiſnes, and the marches of the ſame) vpon diuers great paines and forfeitures in the ſame contained: that notwithſtanding many and ſundry couetous and vnſatiable perſons, ſeeking their onely lucres, and gaines, haue, and daily doe carry, and conuey innumerable quantity of Corne, Cheeſe, Butter, and other victuall, as of wood out of this Realme, into the parties beyond the ſeas. By reaſon whereof the ſaid corne, victuall and wood are growen vnto a wonderfull dearth, and extreme prizes, to the great detriment of the Commonwealth of this your highneſſe realme, and your faithfull ſubiects of the ſame.

The penalties for tranſporting corne, butter. cheeſe, &c. out of this realme. St.5.El.5.

For remedy whereof, it may pleaſe your highneſſe that it may bee enacted, and bee it enacted by your Highneſſe, by the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that no manner of perſon or perſons, after the twentieth day of January next comming, ſhall carry and tranſport out of this realme by any Ship, Crayer, or other veſſell whatſoeuer, into any place in the parties, beyond the Seas, or into the Realme of Scotland, any Wheat, Rye, Barley, or other Corne, or graine, growing within this Realme, or any Malt made within the ſame, or any Beere, Butter, Cheeſe, Hering, or Wood (except onely to and for the victualling and furniture of the townes of Calice, Haines, and Guiſnes, and to the Towne of Barwicke and the Marches of the ſame) without ſufficient and lawfull authority ſo to doe, vpon the paines and penalties hereafter enſuing: that is to ſay, The owner and owners of the ſaid Ships and other veſſels, to forfeit the ſaid Ships, Crayers, and other veſſels, with all their apparels, to them, and euery of them belonging, wherein the ſaid Corne, Butter, Cheeſe, Hering, victuall, or wood ſhalbe ſo tranſported and carried, and the owners and owner of the ſaid Corne: butter, Cheeſe, Hering, and wood, to forfeit the double value of the ſame, ſo carried and conueyed: and the Maſter and Mariners of euery of the ſaid Ships, Crayers, and veſſels for euery ſuch offence, to forfeit all their goods, and to be impriſoned by the ſpace of one whole yeere without baile or mainpriſe.

The penalties for carrying of any corne, butter, &c to any ſhip to be tranſported.

And bee it further enacted by the authority aforeſaid, That if any perſon or perſons, after the ſaid twentieth day of January, doe carry, and conuey away by Boat, Crayer, or other veſſell, or otherwiſe, any Wheat, Rye, Barley, Mault, or other Corne or graine, or any Beere, Butter, Cheeſe, Hering, or Wood to any Ship or Veſſell being on the Seas, or within any Hauen, Creeke, or other place of the border of this Realme, to be tranſported, carried, and conueied into any place in the parties beyond the Seas, or into the Realme of Scotland, without ſufficient authority ſo to doe, that then euery owner of the ſaid victuals, corne, and other things aboueſaid ſo tranſported or carried, and the Owner and Owners of euery ſuch Boat, or Veſſell, and the Boatmen and Marriners of the ſame, ſhall loſe, forfeit, and ſuffer all ſuch forfeitures, paines, and penalties, as is aboue rehearſed: the one moity of all and euery which forfeiture or forfeitures to bee to the King and Queenes highneſſe, their heires and ſucceſſors, and the other moity to him or them that will ſue for the ſame, by bill, information, action of debt; or otherwiſe in any of the King and Quéenes highneſſe Courts of Record, in which action, bill, or ſuit, the defendant ſhall not wage his law, nor haue any eſſoine or protection to him allowed.

And be it enacted by the authority aforeſaid, ẏ if any perſon or perſons ſhal obtain of the King & Quéenes Maieſties, their heires or ſucceſſors or any of them, any licence to carry and tranſport any corne, victuall, or wood, into any parties beyond the ſeas, that if he or they to whom any ſuch licence ſhalbe granted, or any other to whom ſuch perſon or perſons, hauing ſuch licence, ſhall giue, grant, or ſell his or their ſaid licence vnto, ſhal carry and conuey, or cauſe to be carried and conueyed any more corne, victuall, or wood, then ſhal be conteined in his or their ſaid licence, he ſhall forfeit the treble value of the ſaid corne, victuall or wood ſo carried and tranſported, without ſufficient authority, and ſhall ſuffer impriſonment for one whole yéere in the common gaole, where he ſhall be apprehended, there to remaine without baile or mainpriſe.

The penalty for tranſporting more corne, &c. then the party is licenced to do

And be it further enacted by the authority aforeſaid, that no manner of perſon or perſons, after the ſaid twentieth day of January, that ſhall obtaine, or haue any ſuch licence for tranſporting and carrying any Corne, Victuall or Wood, into any parties beyond the ſeas, ſhall ſhip, lade, and fraught the ſame, or any part thereof at ſundry places within this Realme, but at one place certaine, vpon paine of forfeiture of the ſaid Corne Victuall and Wood, and all his goods and cattels the one moity thereof to the King and Quéenes maieſties, their heires and ſucceſſors, and the other moity thereof to him or them ẏ will ſue for the ſame, by action of debt, bill, plaint, information or otherwiſe, wherein no wager of law, eſſoine, or protection ſhalbe to him or them allowed.

They which haue licences, ſhall lade all at one place.

And for the better execution of this Act, be it further enacted by the authority aforeſaid, that all and ſingular Juſtices of peace, aſwell within the liberties as without, within their ſeuerall Authorities and Commiſſions, at any time within thrée yéeres next after ſuch offences committed, ſhall haue full power and authority to enquire as well by the oathes of twelue lawfull men, as alſo to heare and examine the Maſter, Maſters, and Mariners of the ſaid Ships, crayers and other veſſels, and all and euery other perſon and perſons, of all and ſingular the offendors againſt this preſent act, and to heare and determine the ſame offences, as they may and ought to heare and determine any other treſpaſſes or offences.

Juſtices of peace may heare and determine theſe offences

Prouided alwaies, and be it enacted by the authority aforeſaid, that at all time and times hereafter, when the common price of corne within this realme is, that wheat ſhall not excéed the price of ſix ſhillings eight pence the quarter, and rye foure ſhillings the quarter, and barley thrée ſhillings the quarter, it ſhall be lawfull to euery perſon and perſons to carry and tranſport ouer the ſea, to any place beyond the ſeas at their pleaſure of the ſaid kinds of corne, ſo that it be not to the King and Quéenes enemies.

The prices of corne when they may be tranſported. 13. El. 13. 1. Iac. 25. 21. Iac. 28. 3. Car. 4.

Prouided alwayes, and bee it enacted by the authority aforeſaid, that this Act, ne any thing therein contained, ſhall extend to any perſon or perſons for the neceſſary victualling of any ſhip, ſhips, or other veſſels, but that they and euery of them, may victuall the ſaid ſhips and veſſels, as they might haue done before the making of this preſent Act. This Act, or any thing therein conteined to the contrary notwithſtanding.

Victualling of a ſhip.

Prouided alwayes, and bee it enacted by the authority aforeſaid, that this Act, or any thing therein contained, ſhall not be preiudiciall or hurtfull vnto the Lord great Admirall of England, for the time being, or to the King and Quéenes Maieſties iuriſdiction of the Admiralty, but that the ſaid Lord Admiral, or his deputy or deputies may and ſhall exerciſe, vſe, and execute all kind of iuriſdiction belonging to the ſea, according to his or their Commiſſions, as they might lawfully haue done heretofore. This act, or any thing therein conteined to the contrary notwithſtanding. 1. Iac. 25. 3. Iac. 11.

The Admirals iuriſdiction reſerued.

CAP. VI.

A reuiuer of the ſtatute of 5. *R.* 2. 5. concerning arreſting of hereticall Preachers, and of the Stat. of 2. *H.* 4. 15. touching repreſſing of hereſies, and puniſhment of heretikes, and of the ſt. of 2. *H.* 5. 7 concerning the enormitie of hereſie and lollardy, and the ſuppreſſion thereof. Rep. 1. *El.* 1.

CAP. VII.

No Country perſon ſhall ſell wares by retaile in any City, or towne corporate, but in open Faires.

WHere before this time the ancient Cities, Boroughes, Townes corporate, and Market townes within this Realme of England, haue béene very populous, and chiefly inhabited with Merchants, Artificers, and Handicrafts men, during which time the children in the ſaid Cities, Boroughs, townes corporat, and Market towns, were ciuilly brought vp, and inſtructed, and alſo in the ſaid Cities, boroughs, and townes corporate, kept in good order and obeiſance, and the inhabiters of the ſame wel ſet on worke, and kept from idleneſſe. By reaſon whereof the ſaid

The rich eſtate wherein cities, boroughes, and market townes did heretofore flouriſh.

The cauſe of the decay of cities, boroughs, and market townes.

Cities, Boroughs, and townes corporate, did then proſper in riches and great wealth, and were as then not only able to ſerue and furniſh the King and Queenes Maieſties, and other their noble progenitors Kings of this Realme, as well with great numbers of good able perſons, and well furniſhed meet for the warres, as alſo then charged, and yet chargeable with great fee fermes, Quindemes, taxes, and diuers other paiments to the King and Queenes maieſties, which at this preſent they be not able to pay and beare, but to their vtter vndoing, being few in number to pay and beare the ſame, but alſo the ſame cities, boroughs and townes corporat, are like to come very ſhortly to vtter deſtruction, ruine, and decay, by reaſon whereof, the occupiers, linnin Drapers, wollen Drapers, Haberdaſhers, and Grocers, dwelling in the countries out of the ſaid Cities, boroughs, townes corporate, and market townes, doe not onely occupy the art and Miſtery of the ſaid ſciences, in the places where they dwell and inhabit, but alſo come vnto the ſaid Cities, Boroughs, townes corporate, and market townes, and there ſell their wares, and take away the reliefe of the inhabitants of the ſaid cities, boroughs, townes corporate, and market townes, to the great decay, and vtter vndoing of the inhabitants of the ſame, if ſpeedy reformation therein bee not had in time conuenient. For remedy wherof, and for the better amendment of the ſaid cities boroughs, townes corporat, and market towns, and to the end the ſame cities, boroughs, & townes corporate, may be the better able to pay the ſaid fee fermes, and alſo to beare the other ordinary charges within the ſame Cities, Boroughs, and Townes corporate, and to furniſh the King and Queens maieſties with numbers of able perſons, like as they heretofore haue done in times paſt, in times of warre.

No perſon dwelling in the countrey, ſhall ſell wares in any city or market towne by retaile, but in open faires.

Be it therfore enacted by our ſoueraigne Lord and Lady the King and Queene, the Lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by the authority of the ſame, That any perſon or perſons which doe now inhabit and dwell, or hereafter ſhall inhabit or dwell in the countrey any where, or county within this realme of England, out of any of the ſaid cities, boroughs, townes corporate, or market townes, from and after the feaſt of S. Michael the Archangell next comming, ſhall not ſell or cauſe to bee ſold by retaile, any wollen cloth, linnin cloth, haberdaſh wares, grocery wares, mercery wares, at or within any of the ſaid cities, boroughs, townes corporate or market Townes, or within the ſuburbs or liberties of the ſaid cities, boroughs, townes corporate, and Market townes within the ſaid Realme of England (except it be in open faires) vpon paine to forfeit and loſe for euery time ſo offending the ſumme of vi.s.viii.d. and the whole wares ſo ſold proffered and offered to be ſold, contrary to the forme, intent, and effect of this preſent act, as aboue is ſaid, the one moity of all which forfeitures to be to the vſe of our ſaid Soueraigne Lord and Lady, the King and Queenes Maieſties, and the other halfe to him or them that ſhal ſeiſe and ſue for the ſame in any of the King and Queenes Courts of Record, by bill, plaint, action of debt, information or otherwiſe, wherin no eſſoine, protection, or wager of law ſhalbe allowed.

Selling by whole ſale in groſſe, and not by retaile.

Prouided alway, that this act ſhall not in any wiſe extend, nor be hurtful to any perſon or perſons, that bring any of the ſaid woollen cloth, linnen cloth, haberdaſh, grocery, mercery ware, or wares to any of the ſaid Cities, Boroughs, Townes corporat, or maket townes to bee ſold, or cauſe to be ſold by whole ſale in groſſe, and not by retaile: but they and euery of them may lawfully ſell the ſame in as large and ample manner, forme and condition by whole ſale, in groſſe, & not by retaile, as they and euery of them might haue done at any time or times before the making of this act, any thing herein to the contrary notwitſtanding.

One dwelling in the countrey doth after become free of a City, Borough, &c.

Prouided alway, that this preſent act ſhall not extend to any perſon or perſons that now dwell or inhabit in the Countrey, or hereafter ſhall dwell or inhabit out of any of the ſaid Cities, boroughs, Townes corporat or market townes: but that they and euery of them at any time hereafter, when they or any of them ſhalbe free of any the guilds, & liberties of any of the ſaid cities, boroughes, townes corporate, or market townes, and dwell or inhabit within any of the ſame cities, boroughs, townes corporat, or market townes, that they and euery of them ſo being free, ſhall and may ſel, or cauſe to be ſold, any of the wares aforeſaid by retaile, in as ample and large manner as they and euery of them might haue done, being free of the ſaid Cities, boroughes, and townes aforeſaid, before the making of this Act: Any clauſe or article in this Act to the contrary notwithſtanding.

Any perſon may ſell cloth of his owne making.

Prouided alwayes, and be it enacted by the authority aforeſaid, that it ſhall bee lawfull to all perſons, to ſell or cauſe to be ſold by retaile or otherwiſe, all manner of cloth, linnen or wollen of their owne making in euery City, Borough, Towne corporate, and Market Towne within the Realme, as freely and frankly as they might haue done before the making of this Act. Any thing in the ſame conteined to the contrary thereof notwithſtanding.

The liberties of Cambridge and Oxford.

Prouided alway, that this Act or any thing therein contained, ſhall not be preiudiciall or hurtfull to the liberties, and priuileges of the Vniuerſities of Cambridge and Oxford, or either of them. Any thing in this Act heretofore mentioned to the contrary notwithſtanding.

CAP. VIII.

All Statutes againſt the See of Rome repealed.

Whereas ſince the twentieth yeere of King Henry the eight of famous memory, father vnto your Maieſty, our moſt naturall Soueraigne and gracious Lady and Queene, much falſe and erroneous doctrine hath beene taught, preached, and written, partly by diuers the naturall borne ſubiects of this Realme, and partly being brought in hither from ſundry other foreine countries hath beene ſowen and ſpread abroad within the ſame. By reaſon whereof as well the Spiritualty as the Temporalty of your highneſſe Realmes, and Dominions haue ſwerued from the obedience of the See Apoſtolike, and declined from the vnity of Chriſts Church, and ſo haue continued vntill ſuch time as your Maieſty being firſt raiſed vp by God, and ſet in the ſeat royal ouer vs, and then by his diuine and gracious prouidence knit in marriage with the moſt noble and vertuous Prince, the King our Soueraigne Lord your huſband, the Popes holineſſe and the See Apoſtolike ſent hither vnto your Maieſties (as vnto perſons vndefiled, and by Gods goodneſſe preſerued from the common infection aforeſaid) and to the whole Realme, the moſt reuerend father in God the Lord Cardinall Poole, Legate de latere, to call vs home againe into the right way, from whence we haue all this long while wandred and ſtrayed abroad: and wee after ſundry long and grieuous plagues and calamities, ſeeing by the goodneſſe of God our owne errors, haue knowledged the ſame vnto the ſaid moſt reuerend father, and by him haue bin, and are the rather at the contemplation of your Maieſties, receiued and embraced into the vnity and boſome of Chriſts Church, and vpon our humble ſubmiſſion and promiſe made for a declaration of our repentance, to repeale and abrogate ſuch acts and Statutes as had been made in Parliament ſince the ſaid xx. yeere of the ſaid K. Henry the eight, againſt the ſupremacy of the See Apoſtolike, as in our ſubmiſſion exhibited to the ſaid moſt reuerend father in God, by your Maieſties appeareth. The tenor whereof enſueth.

Much falſe doctrine hath bin preached and written ſince the xx. yeere of K. H. 8.

Card. Poole ſent from Rome to call the realm into the right way, frō whence it hath ſtraied.

We the Lords Spirituall and Temporall, and the Commons aſſembled in this preſent Parliament, repreſenting the whole body of the Realme of England, and the dominions of the ſame, in the name of our ſelues particularly, and alſo of the ſaid body vniuerſally in this our ſupplication directed to your Maieſties with moſt humble ſuit, that it may by your graces interceſſion and meane be exhibited to the moſt reuerend father in God, the Lord Cardinall Poole Legate, ſent ſpecially hither from our moſt holy father the Pope Iuly the third, & the See Apoſtolike of Rome, doe declare our ſelues very ſory and repentant of the ſchiſme and diſobedience commited in this realme and dominions aforeſaid againſt the ſaid See Apoſtolike, either by making, agreeing, or executing any lawes, ordinances, or commandements againſt the ſupremacy of the ſaid See, or otherwiſe doing or ſpeaking, that might impugne the ſame: offering our ſelues, and promiſing by this our ſupplication, that for a token and knowledge of our ſaid repentance, wee be and ſhall be alwayes ready, vnder and with the authorities of your Maieſties, to the vttermoſt of our powers, to do that ſhall lye in vs for the abrogation and repealing of the ſaid laws and ordinances in this preſent Parliament, aſwell for our ſelues as for the whole body whom we repreſent: whereupon we moſt humbly deſire your Maieſties as perſonages vndefiled in offence of his body towards the ſaid See, which neuertheleſſe God by his prouidence hath made ſubiect to you, ſo to ſet forth this our moſt humble ſuit, that we may obtaine from the See Apoſtolike, by the ſaid moſt reuerend father, as well particularly and generally abſolution, releaſe, and diſcharge from all danger of ſuch cenſures and ſentences, as by the lawes of the Church we be fallen into: and that we may as children repentant, be receiued into the boſome and vnity of Chriſts Church, ſo as this noble Realme, with all the members thereof, may in this vnity and perfect obedience to the See Apoſtolike, and Popes for the time being, ſerue God and your Maieſties, to the furtherance and aduancement of his honour and glory. We are at the interceſſion of your maieſties by the authority of our holy father Pope Iuly the third, and of the See Apoſtolike, aſſoyled, diſcharged, and deliuered from excommunications, interdictions, and other cenſures eccleſiaſticall, which hath hanged ouer our heads for our ſaid defaults ſince the time of the ſaid ſchiſme mentioned in our ſupplication. The which time the ſaid Lord Legate, and wee doe all declare, recogniſe, and meane by this Act to be onely ſince the xx. yeere of the raigne of your moſt noble father King Henry the eight. It may now like your Maieſties, that for the accompliſhment of our promiſe made in the ſaid Supplication, that is, to repeale all lawes and ſtatutes made contrary to the ſaid ſupremacy and See Apoſtolike, during the ſaid ſchiſme, the which is to bee vnderſtood ſince the xx. yeere of the reigne of the ſaiy late King Henry the eighth, and ſo the ſaid Lord Legate doth accept and recogniſe the ſame.

The Supplication of the Parliament to the K. and Q. to be a meane to reduce them into the Catholike Church.

A repeale of all ſtatutes made againſt the ſupremacy and See Apoſtolike ſince the time of ſchiſme.

Where in the Parliament begun and holden at Weſtminſter, in the xxi. yeere of the reigne of the late King of moſt famous memory King Henry the eight, one act was then and there made againſt pluralities of benefices, for taking of fermes by ſpirituall men, and for non-reſidence, in the which act amongſt other things it was ordeined and enacted, that if any perſon or perſons, at any

The ſtatute of 21. H. 8. 13. made againſt pluralities of benefices taking of fermes by ſpirituall men, and non-reſidence time after the firſt day of Aprill in the yéere of our Lord God, a thouſand fiue hundred & thirty, contrary to the ſame Act, ſhould procure and obtaine at the Court of Rome, or elſewhere any licence or licences, vnion, tolleration, or diſpenſation, to receiue and take any more benefices with cure then was limitted and apointed by the ſame Act: or elſe at any time after the ſaid day ſhould put in execution any ſuch licence, toleration, or diſpenſation, before that time obteined contrary to the ſaid act, that then euery ſuch perſon or perſons ſo after the ſaid day, ſuing for himſelfe, or receiuing and taking ſuch benefice by force of ſuch licence or licences, vnion, toleration or diſpenſation, that is to ſay, the ſame perſon or perſons only and no other, ſhould for euery ſuch default, incur the danger, paine, and penalty of twenty pound ſtirling, and ſhould alſo loſe the whole profits of euery ſuch benefice or benefices, as he receiueth or taketh by force of any ſuch licence or licences, vnion, toleration or diſpenſation. And where alſo in the ſaid act it was ordeined and enacted, that if any perſon or perſons, did procure or obtaine at the Court of Rome, or elſewhere any maner of licence or diſpenſation to be non-reſident at their dignities, prebend, or benefices, contrary to the ſaid act, that then euery ſuch perſon or perſons putting in execution any ſuch diſpenſation or licence for himſelfe from the ſaid firſt day of Aprill, in the ſaid yéere of our Lord God, M.D.XXX. ſhould run and incurre in the penalty, damage, and paine of xx.li. ſterling for euery time ſo doing to be forfeited and recouered, as by the ſaid Act is declared: and yet ſuch licence or diſpenſation ſo procured, or to be put in execution to be void and of none effect, as by the ſame act more plainly it doth and may appeare.

A repeale of ſo much of the ſtat. of 21.H.8.13. as is aboue mentioned.

Be it enacted by the authority of this preſent Parliament, that as much onely of the ſaid Act, as concerneth the articles and clauſes aforeſaid, and all and euery the words and ſentences conteined in the ſaid act, concerning the ſaid articles & clauſes, and euery of them, ſhall from henceforth bee repealed, adnulled, reuoked, adnihilated, and vtterly made void for euer. Any thing in the ſaid Act to the contrary in any wiſe notwithſtanding.

23.H 8.9.

And where alſo at the ſeſſion of the ſame Parliament holden vpon prorogation in the xxiii. yéere of the raigne of the ſaid late K. Henry the eight, one act intituled, the Act that no perſon ſhall be cited out of the Dioceſſe where he or ſhe dwelleth, except in certaine caſes.

24.H.8.12.

And where alſo at the ſaid Parliament, in the Seſſion holden at Weſtminſter vpon prorogation the xxiiii. yéere of the raigne of the ſaid late King Henry the eight, one act was made that appeales in ſuch caſes as hath béene vſed to bee purſued to the Sée of Rome, ſhould not from henceforth be had nor vſed but within this Realme.

Not printed ſt. 25. H.8.20.

And where alſo at the ſaid Parliament holden at Weſtminſter, in the xxi. yéere of the raigne of the ſaid late K. Henry the eight, and there continued by diuers prorogations vntil the xxiii. day of Aprill, in the xxv. yéere of his raigne, one act was made concerning reſtraints of payments of annates, and firſt fruits of Archbiſhopricks, and Biſhopricks to the Sée of Rome.

25.H.8.19.

And where at a ſeſſion of the ſaid Parliament holden in the fiue and twentith yéere of the raign of the ſaid late King, there was alſo one act made, intituled the ſubmiſſion of the Clergy to the Kings Maieſty.

25.H. 8.20.

And one other act, entituled, one act reſtraining the ſaid paiments of annates, or firſt fruits to the Biſhop of Rome, and of the electing and conſecrating of the Archbiſhops and Biſhops within this Realme.

25.H.8.21.

And one other act was then and there made, intituled, an act concerning the exoneration of the Kings ſubiects from exactions & impoſitions before that time paied to the Sée of Rome, and for hauing licences and diſpenſations within this Realme, without ſuing further for the ſame.

A repeale of the before recited Statutes.

Be it enacted by the authority of this preſent Parliament, that the ſaid ſeuerall acts made for the reſtraint of payment of the ſaid annates and firſt fruits, and all other the ſaid acts made in the ſaid xxiiii. and xxv. yéeres of the raigne of the ſaid late King and euery of them, and all and euery branch, article, matter, and ſentence in them, and euery of them conteined, ſhalbe by authority of this preſent Parliament from henceforth vtterly void, made fruſtrate and repealed to all intents conſtructions and purpoſes.

26.H.8.1.

And be it further enacted by the authority of this preſent Parliament, that all and euery theſe acts following, that is to ſay, one act made at the ſeſſion of the ſaid Parliament holden vpon prorogation at Weſtm. in the xxvi. yéere of the raigne of the ſaid late K. Henry the eight, intituled, an act concerning the Kings highneſſe to be ſupreme head of the Church of England, and to haue authority to reforme and redreſſe all errors, hereſies and abuſes in the ſame.

26.H.8.14.

And one other act made in the ſame ſeſſion of the ſame Parliament, intituled, an act for nomination, and conſecration of Suffragans within this Realme.

27.H.8.15.

And one other act made in the xxvii. yéere of the raigne of the ſaid late King Henry the eighth, entituled, an act whereby the King ſhould haue power to nominate xxxii. perſons of his Clergy and Lay fée for the making of Eccleſiaſticall lawes.

28.H.8.10.

And alſo one other act, made at the Parliament holden at Weſtminſter in the xxviii. yéere of the reigne of the ſaid late King Henry the eighth, entituled, an act extinguiſhing the authority of the Biſhop of Rome.

28.H.8.16.

And one other act made in the ſame Parliament, entituled, an act for the releaſe of ſuch as then had obtained pretenced licences and diſpenſation from the See of Rome.

28.H.8.7.

And alſo all that part of the Act made in the ſaid eight and twentieth yeere of the ſaid King, intituled, an act for the eſtabliſhment of the Succeſſion of the imperiall Crowne of the Realme, that concerneth a prohibition to marry within the degrees expreſſed in the ſaid Act.

31.H.8.9.

And alſo one other Act made at the Parliament holden at Weſtminſter in the one and thirtieth yeere of the raigne of the ſaid late King Henry the eighth, intituled, an Act authoriſing the K. highneſſe to make Biſhops by his Letters Patents.

32.H.8.38.

And one other Act made in the ſeſſion of the ſame Parliament, begun in the ſaid xxxi. yeere holden vpon prorogation the xxxii. yeere of the reigne of the ſaid King Henry the eight, intituled, an Act concerning precontracts of mariages, and touching degrees of conſanguinity.

35.H.8.3.

And one other Act made in the Parliament holden at Weſtminſter, in the xxxv. yeere of the reigne of the ſaid late King Henry the eight, intituled an Act for the ratification of the Kings maieſties ſtile, ſhall henceforth be repealed, made fruſtrate, void and of none effect.

35.H.8.1.

And where alſo at the ſaid Parliament holden at Weſtminſter, in the xxxv. yeere of the reigne of the ſaid late King Henry the viii. one other Act was made, intituled an Act concerning the eſtabliſhment of the ſucceſſion of the ſaid King in the imperiall crowne of this Realme. In the which Act there is a forme of a corporall oath deuiſed and ſet forth, that euery Subiect of this Realme ſhould be bound to take, againſt the power, authority, and iuriſdiction of the See of Rome. Bee it enacted by the authority of this preſent Parliament, that ſo much of the ſaid Act as toucheth the ſaid oath, againſt the ſupremacy, and all oaths thereupon had, made, and giuen ſhalbe from henceforth vtterly void, repealed and of none effect.

37.H.8.17.

A repeale of the 11. St laſt before recited.

And where alſo one other Act was made in the xxxvii. yeere of the reigne of the ſaid late King Henry the eight, intituled, an act that Doctors of the ciuill law, being maried might exerciſe Eccleſiaſticall iuriſdiction. Be it enacted by the authority of this preſent Parliament, that the ſaid act laſt before mentioned, and all and euery branch, article, ſentence, and matter conteined in the ſame, ſhall from henceforth be repealed, and vtterly made void, and of none effect.

A repeale of part of the ſtat. of 1.Ed.6.12. hereafter ſpecified.

And where one other act was made at the Parliament holden at Weſtm. in the firſt yeere of the raigne of King Ed. the ſixt, intituled, An act for the repeale of certaine ſtatutes, concerning treaſons, felonies &c. In the which act amongſt other things there is contained certain prouiſions paines, penalties & forfeitures, for and againſt ſuch as ſhould by open preachings, expreſſe words, ſayings, writing, printing, ouert deed, or act, affirme, or ſet forth that the King of this realme, for time being, is not or ought not to be ſupreme head in earth of the Churches of England and Ireland, ne of any of thẽ, or that the Biſhop of Rome, or any other perſon or perſons, other than the King of England for the time being, is or ought to be ſupreme head of the ſame Churches, or any of them, as in the ſame act laſt before rehearſed, and at large is contained and may appeare. Be it enacted by authority of this preſent Parliament, that theſe clauſes before rehearſed, & other of the ſaid act, concerning the ſupremacy, and all and euery branch, article, words and ſentence in the ſame, ſounding, or tending to the derogation of the ſupremacy of the Popes holineſſe, or the See of Rome, and all paines, penalties, and forfeitures made againſt them that ſhould by any means ſet forth or extoll the ſaid ſupremacy, ſhalbe frõ henceforth vtterly void and of none effect.

A repeale of all Stat. made againſt the ſupremacy of the Pope, or See Apoſtolike.

And be it further enacted by the authority aforeſaid, that all clauſes, ſentences, and articles of euery other ſtatute, or act of Parliament made ſithence the ſaid xx. yeere of the reigne of K. Henry the eighth, againſt the ſupreme authority of the Popes holineſſe, or See Apoſtolike of Rome, or containing any other matter of the ſame effect only, that is repealed in any of the ſtatutes aforeſaid, ſhalbe alſo by authority hereof from henceforth vtterly void, fruſtrate and of none effect.

And where we your moſt humble ſubiects, the Lords ſpirituall and temporall, and Commons in this preſent Parliament aſſembled, haue exhibited to your Maieſties one other ſupplication in forme following.

A Supplication by the Parliament that theſe Articles may be confirmed.

We the Lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, repreſenting the whole body of this Realme, reduced and receiued by your Maieſties interceſſion to the vnity of Chriſts Church, and the obedience of the See Apoſtolike of Rome, and the Popes holineſſe gouerning the ſame, make moſt humble ſuit vnto your Maieſties, to be likewiſe meanes and interceſſors, that all occaſions of contention, hatred, grudge, ſuſpition, and trouble both outwardly and inwardly in mens conſciences, which might ariſe amongſt vs, by reaſon of diſobedience, may by authority of the Popes holineſſe, and by miniſtration of the ſame vnto vs, by the moſt reuerend Father in God, the Lord Cardinall Poole, by diſpenſation, toleration, or permiſſion, reſpectiuely as the caſe ſhall require, bee aboliſhed and taken away, and by authority ſufficient theſe articles following, and generally all others, when any occaſion ſhall ſo require may be prouided for and confirmed.

Eccleſiaſticall foundations made ſithence the Schiſme ſhall continue.

Firſt, that all Biſhopricks, Cathedral Churches, Hoſpitals, Colleges, Schooles, and other ſuch foundations now continuing, made by authority of Parliament, or otherwiſe eſtabliſhed according to the order of the lawes of this Realme, ſithence the ſchiſme, may be confirmed and continued for euer.

Marriages.

Item, that mariages made infra gradus prohibitos conſanguinitatis, affinitatis, cognationis ſpiritualis or which might be made void propter impedimentũ publicæ honeſtatis iuſtitiæ, or for any other cauſe prohibited by the canons only, may be confirmed and children borne of thoſe mariages declared legitimate, ſo as thoſe mariages were made according to the lawes of the Realme for the time being, and be not directly againſt the lawes of God, nor in ſuch caſe as the See Apoſtolik hath not vſed to diſpence withall.

Inſtitutions of Benefices and diſpenſations. Iudiciall proceſſes made vpon appeales.

That inſtitutions of benefices, and other promotions Eccleſiaſticall, and diſpenſations made according to the forme of the Act of Parliament may be likewiſe confirmed.

That all iudiciall proceſſes made before any Ordinaries of this Realme, or before any Delegats vpon any appeales, according to the order of the lawes of the Realme, may bee likewiſe ratified and confirmed.

The lands and goods of Biſhopricks, Monaſteries Chātries, &c. diſperſed, ſhall ſo continue.

And finally, where certain acts and ſtatutes haue bin made in the time of the late ſchiſme, concerning the lands and hereditaments of Archbiſhopricks and Biſhopricks, the ſuppreſſion and diſſolution of monaſteries, Abbeys, Priories, Chantries, Colleges, and all other the goods & cattels of religious houſes. Since the which time the right and dominion of certaine lands, & hereditaments, goods and cattels belonging to the ſame, be diſperſed abroad, and come to the hands and poſſeſſions of diuers and ſundry perſons, who by gift, purchaſe, exchange, and other means, according to the order of the lawes and ſtatutes of this Realme, for the time being haue the ſame. For the auoiding of all ſcruples that might grow by any the occaſions aforeſaid, or by any other waies or meanes whatſoeuer: It may pleaſe your Maieſties to be interceſſors & mediators to the ſaid moſt reuerend Father Cardinall Poole, that all ſuch cauſes & quarrels as by pretence of the ſaid ſchiſme, or by any other occaſion or meane whatſoeuer, might bee moued by the Popes holineſſe, or See Apoſtolike, or by any other iuriſdiction Eccleſiaſtical, may be vtterly remoued and taken away, ſo as all perſons hauing ſufficient conueyance of the ſaid lands & hereditaments, goods and cattels, as is aforeſaid, by the common lawes, acts or ſtatutes of this realme, may without ſcruple of conſcience, enioy them without impeachment or trouble by pretence of any generall councell, Canons, or Eccleſiaſticall lawes, and clére from all dangers of the cenſures of the Church.

And conformably hereunto, the Biſhops and Clergy of the Prouince of Canterbury haue preſented to your Maieſties a ſupplication, in this tenour that followeth.

The Clergies petition that the lands and goods of the Clergy late diſperſed amongſt the Temporalty might ſo remaine.

The Clergy do preferre the publike peace before their priuate commodity.

The Clergies ſuit that Eccleſiaſticall iuriſdiction may be reſtored vnto them, and that all lawes which doe hinder it may be abrogated.

NOs Epiſcopi & Clerus Cantuarienſis Prouinciæ in hac Sinodo more noſtro ſolito dum Regni Parliamentum celebratur, cōgregati, cum omni debita humilitate & reuerentia, exponimus *Maieſtatibus veſtris*, quod licet Eccleſiarũ quibus in Epiſcopos Decanos, Archidiaconos, rectores & vicarios præfecti ſumus, & animarũ, quæ & nobis curæ noſtræ ſubiectæ ſunt; & earundē bonorũ iuriſdictionum & iurium, ex ſacrorũ Canonũ diſpoſitione, defenſores & curatores conſtituti ſumus, & propterea ipſarũ bona iuriſdictionis, & iura in pernicioſo huius Regni præterito ſciſmate deperdita & amiſſa, omni ſtudio, & totis noſtris viribus recuperare, & ad priſtinũ Eccleſiarũ ius reuocare, iuris remedijs niti deberemus Nichilominus tamē habito prius per nos ſuper hac re maturo cōſilio, & deliberatione, ingenue fatemur nos optime cognoſcere, quā hæc bonorũ Eccleſiaſticorũ difficilis & quaſi impoſſibilis eſſet recuperario propter multiplices ac pene inextricabiles ſuper his habitos cōtractus & diſpoſitiones, & quod ſi ea tētaretur, quies, & trāquilitas Regni facile perturbaretur, & vnitas Eccleſiæ Catholicæ, quæ iam pietate, & authoritate *Maieſtatũ veſtrũ*, hoc in regno introducta eſt, cum maxima difficultate ſuum debitum progreſſum, & finem ſortiri poſſet. Ideo nos bonum & quietē publicam priuatis commoditatibus, & ſalutem tot animarum pretioſo *Chriſti* ſanguine redemptarũ terrenis bonis anteponentes, & non quæ noſtra ſed que *Ieſu Chriſti* ſunt querētes, *Maieſtates veſtras* enixe rogamus, eaſq; humiliter ſupplicamus, vt reuerēdiſſimo in *Chriſto* patri, Domino *Reginaldo* Cardinali *Polo*, ad ipſas & vniuerſũ hoc Angliæ regnũ ſāctiſſimi Domini noſtri, Domini *Iulii*, Papæ tertij, & Apoſtolicæ ſedis de latere legato, hæc nōie noſtro inſinuari, & apud eũ intercedere dignētur vt in hiis bonis eccleſiaſticis in parte vel in toto, arbitrio ſuo iuxta facultates ſibi ab eodē ſanctiſſimo Domino noſtro Papa conceſſas eorundem bonorum detentoribus elargiendis & relaxandis publicũ bonũ priuato pacē & tranquilitatem diſſidijs, & perturbationibus, atque animarũ ſalutē bonis terrenis preferre. & anteponere velit. Nos enim in ōibus quæ ab ipſo Legato ſtatuta, & ordinata circa hæc bona fuerint exnunc, prout extunc, & è contra conceſſum noſtrũ preſtamus, imo etiam vt in præmiſſis ſe difficilē aut reſtrictũ reddere non velit. *Maieſtates veſtræ* noſtro nomine eum hortari, & rogare dignabuntur. Inſuper *Maieſtatibus veſtris* ſupplicamus pro ſua pietate efficere dignentur, vt ea quæ ad iuriſdictionē noſtrā & libertatē Eccleſiaſticam pertinent; ſine quibus debitum noſtri paſtoralis officij & curæ animarum nobis commiſſæ exercere non poſſumus, nobis ſuperiorũ tēporum iniuria ablata reſtituan-

tur, & ea nobis, & Eccleſiæ perpetuo illeſa & ſalua permaneant, & vt omnes leges, quæ hanc noſtram iuriſdictionem & libertatem Eccleſiaſticam tollunt, ſeu quotijs modo impediunt, abrogentur ad honorem Dei, & Maieſtatum veſtrarum; & vniuerſi huius Regni ſpirituale, & temporale, commodum & ſalutem; certam ſpem etiam habentes *Maieſtatū veſtras*, pro ſua ſingulari in ipſum Deum pietate, proq; multis & inſignibus ab ipſius Dei bonitate acceptis beneficijs, neceſſitatibus, & in commodis huius ſui Regni Eccleſiarum maxime curam animarum habentium nunquam defuturas eſſe, ſed prout opus fuerit, conſulſuras atque prouiſuras.

Foraſmuch as the ſaid moſt reuerend father, the Lord Legat, at the interceſſion of your Maieſties, hath by the authoritie of the See Apoſtlike, ſufficiently diſpenſed in the matters ſpecified in the ſaid ſeuerall ſupplications, as in his ſaid letters of diſpenſation is conteined more at large, The tenor whereof enſueth.

The diſpenſation of Cardinall Poole Legate de latere.

R*Eginaldus* miſeratione diuina Sanctæ *Mariæ* in Coſmedin ſanctæ Romanæ Eccleſiæ, Diaconus, Cardinalis *Polus* nuncupatus, ad ſereniſſimos, *Philippum* & *Mariam* Angliæ Reges, fidei defenſores, & vniuerſū, Angliæ regnum, ſanctiſſimi Domini noſtri Papæ, & ſedis Apoſtolicæ de latere Legatus eiſdē ſereniſſimis *Philippo* & *Mariæ* Regibus ſalutem in Domino ſempiternam. Cum ſupremum conſilium iſtius. Regni Parliamentum nuncupatum *Maieſtatibus veſtris*, per ſuos ſupplices libellos expoſuiſſet quod perniciociſſimo ſchiſmate, in hoc regno alias vigente, quod nunc Dei miſericordia, & *Maieſtatum veſtrarum* pietate extinctum eſt, authoritatem ipſius Parliamenti nonnulli Epiſcopatus diuiſi, & ex his aliquæ inferiores Eccleſiæ, in Cathedralis arreſtæ, & ſcholæ atque hoſpitalia fundata, nec non plurimæ diſpenſationes & beneficiorum prouiſiones factæ fuerunt, ac multæ perſonæ quibus perſuaſum fuerat, iuris Canonici diſpoſitiones hoc in Regno amplius locum non habere, inter ſe in gradibus conſanguinitatis vel affinitatis de iure prohibitis, & alijs impedimētis Canonicis ſibi obſtantibus matrimonia, per verba de preſenti contraxerunt, & multis actus iudiciarij, & proceſſus, tam in primis quā vlterioribus inſtantijs ſuper rebus ſpiritualibus, & Eccleſiaſticis coram Iudicibus tā Ordinarijs quā de Legatis, qui authoritate laicali procedebant; habiti & ſeruati, ad ſuper eis etiam ſententiæ latæ, & promulgatæ fuerunt, & bona Eccleſiaſtica per diuerſas eiuſdem regni perſonas occupata, & apprehenſa fuerunt. Quæ quidem licet ex ſacrorum Canonum inſtitutis irriti declarari poſſent, tamen ſi ad alium ſtatum, quam in quo nunc ſunt, reuocarentur, publica pax & quies vniuerſi regni turbaretur, & maxima confuſio orietur, preſertim ſi dictorum bonorum poſſeſſores moleſtarentur, & propterea *Maieſtatibus veſtris* humiliter ſupplicauerint, vt apud nos intercedere dignentur, vt premiſſarum rerum firmitati, & ſtabilitati, & ſimul huius regni quieti, & tranquillitati de benignitate Apoſtolica providere velimus. Cumq; Epiſcopi quoq; deinde, ac reliquus prouinciæ Cantuarienſis Clerus totum fere corpus Eccleſiaſticorū regni repreſētans, ad quos hæc bonorum Eccleſiaſticorum cauſa maxime pertinet, expoſuerint, quod hæc bona ad ius Eccleſiarum reuocare non poſſunt, quin pax vniuerſalis, & quies huius regni turbetur, & cauſa fidei atque vnitatis Eccleſiæ, iam tota omnium conſenſu hoc in regno introducta, in maximum periculum adducatur, & propterea ipſi quoq; ſupplicauerint, vt apud nos intercedere velint, vt in his bonis Eccleſiaſticis poſſeſſoribus relaxandis reſtricti & difficiles eſſe nolemus, maieſtates autem veſtræ, ad quas maxime ſpectat prouidere, vt regnū ipſarum poteſtati, regimini, & curæ commiſſum in pace & tranquillitate conſeruetur. His ſupplicationibus & poſtulatis cognitis & mature cōſideratis, iudicauerit ea omnia & maxime illa, quæ in bonorū Eccleſiaſticorū cauſa petūtur, pro cauſa fidei & pro pace publica, per nos debere ſine vlla dilatione concedi, & quēadmodū rogatæ fuerunt, apud nos intercedere dignatæ fuerint, prout in ſupplicationibus per idem ſupremū conſiliū & Epiſcopos ac clerū præfatum *Maieſtatibus veſtris* porrectis, atq; in libello interceſſiones per eaſdē *Maieſtates veſtras* nobis ſimul cū alijs ſupplicationibus exhibito, latius apparet. Idcirco nos qui ad *Maieſtates veſtras* & hoc nobiliſſimū veſtrū Regnū a Sanctiſſimo domino noſtro *Iulio* Papa tertio ipſius & ſedis Apoſtolicæ de latere Legati miſſi ſumus, vt regnū iſtud, qd iā diu ab eccleſiæ Catholicæ vnitate ſeparatū fuerat *Deo* & Eccleſiæ *Chriſti*, eiuſq; in terris Vicario reconſiliaremus, & vt ea omnia quæ ad pacē & tranquillitatē huius regni pertinerēt, omni ſtudio procuraremus, poſtquā Dei benignitate, & maieſtatū veſtrarū pietate, per authoritatē eiuſdē Sanctiſſimi domini noſtri Papæ, cuius

Cardinall Pole ſent to reconcile the realme to God, Chriſts Church, & his Vicar in earth.

vices hic ſuſtinemus,recõciliatio iã facta eſt,vt paci & trãquillitati regni præfaticõſulem.atq; vt vnitas eccleſiæ,ex qua ſalus tot animar.præcioſo *Chriſti* ſãguine redẽptarũ depẽdet,hoc in regno iã introducta coroboretur,&ſalua permaneat,cũ vtriuſq; rei ſtabilitatẽ in eo maxime cõſiſtere,ſi horũ Eccleſiaſticorũ bonorũ poſſeſſorib.moleſtia nulla inferatur quo minus ea teneãt,tot & tã grauia teſtimonia nob.fidẽ faciãt& maieſtatũ veſtrarũ interceſſio,quæ pro vnit.Eccleſiæ,&ſedis apoſtolicæ authoritate hoc in regno iuſtaurãda tã ſtudioſe,& tã pie elaborarũt,eã quã par eſt authoritatẽ,apud nos habeat,& vt vniuerſũ hoc regnũ ſedis Apoſtolicæ maternã vere indulgẽtiã,& charitatẽ erga ſe agnoſc.& re ipſa experiat.quoſcũq; ad quos infra ſcripta pertinẽt a quibuſuis excõmunication.ſuſpenſion.& interdictis alijſq; eccleſiaſticis ſententijs.cẽſuris&pœnis a iure vel ab homine quauis occaſione vel cauſa latis,ſi quib.quomodolibet innodati exiſtũt,ad effectũ preſẽtiũ dũtaxat cõſequẽdũ harũ ſerie abſoluẽtes & abſolutos fore cẽſẽtes authoritate Apoſtolica,per literas ſãctiſſimi domini noſtri dni. *Iulij* Papæ tertij nobis cõceſſa, & qua fũgimur in hac parte, tenore preſẽtiũ diſpẽſamus,qd oẽs& ſingulæ cathedralũ eccleſiarũ erectiones,hoſpitaliũ & ſcholarũ fũdationes tẽpore præterit.ſciſmatis,licet de facto&nulliter attẽtatæ in eo ſtatu,in quo nũc ſũt,perpetuo firmæ & ſtabiles permaneãt,illiſq; Apoſtolicæ firmitatis rob.adjicimus,ita vt nõ ea authoritate,qua prius,ſed ea quã nũc eis tribuimus,factæ ab õibus cẽſeãtur. Et cũ omnibus & ſingulis perſonis regni prædicti quæ in aliquo cõſãguinitatis vel affinitatis gradu etiã multiplici vel cognation.ſpiritual. ſeu publicæ honeſt. iuſticiæ impedimẽto de iure poſitiuo introductis,& in quib.ſãctiſſim.domin.noſter Papa diſpẽſare cõſueuit matrimonia ſciẽter vel ignorãter defacto cõtraxerint,vt aliquo impedimẽtorũ premiſſorũ nõ obſtãte,in eorũ matrimon.ſic cõtractis,libere & licite remanere,ſeu illa de nouo cõtrahere poſſint,miſericorditer in dno.diſpẽſamus, prolẽ ſuſceptã ſuſcipiẽdã,legitimã decernẽntes,ita tamen vt qui ſciẽter & malicioſe cõtraxerint,a ſẽtẽtia excõmunication.& ab inceſtus ſeu ſacrilegij reatu, abſolutionẽ a ſuo ordinario vel curato quib.id faciẽdi facultatẽ cõcedimus obtineãt. Ac oẽs Eccleſiaſticas ſeculares,ſeu quorũuis ordinũ regulares perſonas quæ aliqu.impetracon. diſpẽſationes,cõceſſiones,gratias&indulta tã ordin.qua beneficia eccleſiaſtica,ſeu alias ſpiritual.materias prætẽſa authoritate ſupremitatis ecleſiæ Anglicanæ licet nulliter&defacto obtinuerint,&ad cor reuerſæ eccleſiæ vnitati reſtitutæ fuerint,in ſuis ordinib.& benefic.per nos ipſos,ſeu a nobis ad id deputatos, miſericorditer recipiemus;prout iã multæ receptæ fuerũt,ſecũq; ſuper his oportune in dno. diſpẽſabimus Ac oẽs proceſſ.in quibuſuis inſtãtijs corã quibuſuis Iudicib.tã ordinar.quã delegatis etiã laicis ſuper mater.ſpiritualib.habitos & formatos,&ſẽtẽtias ſuper eis latas,licet nulliter&de facto,quo ad nullitatẽ ex defectu iuriſdict.præſ.tãtũ inſurgẽtẽ ſanamus illoſq;& illas authoritate Apoſtolica cõfirmamus. Ac quibuſuis huius regni perſonis ad quarũ manus bona eccleſiaſtica ex quocũq; cõtractu ſeu titulo onoroſo vel lucratiuo iã deuenerint,illaq; tenerint,ſeu etiã teneãt ,oẽs,& quoſcũq; fructus ex eiuſdẽ bonis,licet indebite perceptos,in totũ remittimus &relaxamus. Volẽtes ac decernẽtes;qd dictorũ bonorũ ecleſiaſticorũ tã mobiliũ quã immobiliũ poſſeſſores præſ.nõ poſſint in preſẽti nec in poſterũ,ſeu per cõſiliorũ gẽeraliũ vel prouincialiũ diſpoſitiones,ſeu decretales Romanorũ Põtificũ Epiſtolas,ſeu aliã quãcũq; cẽſurã eccleſiaſticã in dictis bonis,ſeu eorũdẽ poſſeſſione moleſtari,inquietari,vel perturbari,nec eis aliquæ cẽſuræ vel pœnæ ecleſiaſticæ propter huiuſmodi detẽtionẽ,ſeu nõ reſtitutionẽ irrogari vel infligi,& ſic per quoſcũq; Iudices;&auditores ſublata eis qua ſuis alit. iudicãdi& interpretãdi facult.& authorit.iudicari & diffinire debere & quicq.ſecus attẽptari cõtigerit irritũ& inane fore decernimus,nõ obſtãtibus præmiſſis defectib.& quibuſuis Apoſtolicis,ac in prouincialibus,& ſinodalibus cõcilijs editis,ſpecialib.vel generalibus,cõſtitutionib.&ordinationib.cæteriſq;cõtrarijs quibuſcũq;.Admonemus tamẽ cũ deuiſio Epiſcopatũ,&erectio Cathedraliũ Eccleſiarũ ſint de maioribus cauſis,quæ ſũmo Põtifici ſũt reſeruatæ,recurrẽdũ eſſe ad ſuã ſãctitatẽ,&ab ea ſupplicíter poſtulãdũ,vt hæc cõfirmare, ſeu de nouo facere dignetur. Et licet oẽs res mobiles Eccleſiarũ in diſtincte eis,qui eos tenẽt,relaxauerimus,eos tamẽ admonitos eſſe volumus,vt aut oculos habẽtes diuini iudicij ſeueritatẽ cõtra *Baltheſarẽ* Regẽ Babilonis qui vaſa ſacra non a ſe, ſed a patre è templo ablata in prophanos vſus conuertit ea proprijs

Eccle-

A confirmatiõ of the erection of all Cathedral Churches, Hoſpitals,and Schooles, done in the time of Schiſme.

A diſpenſation with certaine Mariages prohibited.

The Legitimation of childrẽ.

A ratification of proceſſes & ſentences in matters Eccleſiaſticall.

Inſtitutions of benifices.

The lands and goods of the Church come to the hands of others ſhall continue.

An admonitiõ to thoſe that doe hold the goods of the Church.

Eccleſiis ſi extant, vel aliis reſtituant. Hortantes etiam, & per viſcera miſericordiæ *Ieſu Chriſti* obteſtantes eos omnes quos hæc res tangit, vt ſalutis ſuæ non omnino immemores, hoc ſaltem efficiant, vt ex bonis Eccleſiaſticis, maxime iis, quæ ratione perſonatum & vicaria tuum populi miniſtrorum ſuſtentatio fuerint ſpecialiter deſtinata, ſeu aliis Cathedralibus, & aliis quæ nunc extant, inferioribus Eccleſiis curam animarum exercentibus ita prouideatur, vt earum paſtores, parſonæ & vicarii commode, & honeſte iuxta eorum qualitatē, & ſtatū ſuſtentari poſſint; & curā animarū laudabiliter exercere, & onera incubentia congrue ſupportare. Datum Lanbeth prope Londinū Wintoniē, Dioceſſ. Ann. Natiuit. Dom. M. D. LIIII. Nono Cal. Ianuarii Pontif. Sanctiſſ. in Chriſto patris, & Domini noſtri, Domini, *Iulii* diuina prouidentia Papæ tertii. Anno quinto.

Reginaldus Cardinalis *Polus* Legatus.

We the ſaid Lords ſpirituall and temporall, and the Commons in this preſent Parliament, aſſembled, rendring moſt humble thanks to your Maieſties, by whoſe interceſſion and meanes we haue obteined the ſaid diſpenſations of the Popes holineſſe by the ſaid moſt reuerend Father in God his Legate moſt humbly beſeech the ſame, that it may be ordeined as followeth.

And therefore be it enacted by the authority of this preſent Parliament, that all and ſingular articles and clauſes conteined in the ſaid diſpenſation as well touching the eſtabliſhment of Biſhopriks, and Cathedrall Churches, as alſo the confirmation of marriages in degrees prohibited by the Canons of the Church, the legitimation of children, and the ratification of proceſſe, and of ſentences in matters Eccleſiaſticall, touching the inualidity of them for want of iuriſdiction, and the inſtitutions and deſtitutions, of and in benefices and promotions Eccleſiaſticall, diſpenſations and graces, giuen by ſuch order as the publike Lawes of the Realme then approued, and all other things before conteined in the ſaid Letters of diſpenſations, ſhall remaine and be reputed and taken, to all intents and conſtructions in the Lawes of this Realme, lawfull, good and effectuall to be alleaged and pleaded in all Courts Eccleſiaſticall and Temporall, for good, and ſufficient matter, either for the plaintife or defendant, without any allegation, or obiection, to be made againſt the validity of them by pretence of any generall Councell, canon, or decree to the contrary made or to be made in that behalfe.

The Cardinals diſpenſation confirmed by Parliament. R&P. 1. El. 1.

And whereas diuers and ſundry late Monaſteries, Priories, Commandries, Nunneries, Deaneries, Prebends, Colleges, Hoſpitals, Houſes of Friers, Chantries, and other Religious and Eccleſiaſticall houſes and places, and the manors, granges, meſſuages, lands, tenements, rectories, tithes, penſions, portions, vicarages, Churches, Chappels, aduouſons, nominations, patronages, annuities, rents, reuerſions, ſeruices, and other poſſeſſions and hereditaments to the ſaid late Monaſteries, Priories, Nunneries, Commandries, Deaneries, Chantries, Prebends, houſes of Friers, Colleges, Hoſpitals and other Religious and Eccleſiaſticall houſes and places, and ſundry Archbiſhopriks, and Biſhopriks within this Realme, late appertaining and belonging, came as well to the hands and poſſeſſions of the ſaid King of famous memory, Henry the eight, Father vnto your Maieſty, our ſaid Soueraigne Lady by diſſolution, gift, grant, ſurrender, attainder, or otherwiſe, as alſo to the hands and poſſeſſion of diuers and ſundry other perſons, and bodies politike and corporate, by ſundry meanes, conueyances, and aſſurances, according to the order of the Lawes and Statutes of this Realme.

Monaſteries & all their lands and hereditaments were giuen to King H. 8. by the Statutes made 27. H. 8. & 31. H. 8. 13.

And where alſo diuers manors, lands, tenements, and hereditaments parcell of the poſſeſſions of Archbiſhopriks and Biſhopriks, and many and ſundry late Deaneries, Colleges, Chantries, Rectories, Prebends, Free chappels, Guilds, and Fraternities, Manors, houſes, granges, lands, tenements, rents, ſeruices, and other Eccleſiaſticall poſſeſſions and hereditaments, goods and cattels to the ſaid Archbiſhopriks, Biſhopriks, Deaneries, Colleges, Chantries, Free chappels, Rectories, Guilds, and Fraternities, late appertaining and belonging or appointing, to and for the finding of Prieſts, obites, lights, or other like purpoſe, came as well to the hands and poſſeſſions of the late noble King Edward the ſixth, brother vnto your Maieſty our Soueraigne Lady, by vertue of an Act of Parliament thereof made, or otherwiſe, as alſo to the hands and poſſeſſion of diuers and ſundry other perſons & bodies politike and corporate, by ſundry meanes, conueyances and aſſurances, according to the order of the Lawes of this Realme: a great number of which ſaid late Monaſteries, Priories, Nunneries, Commandries, Deaneries, Colleges, Hoſpitals, Prebends, Chantries, Free chappels, Guilds, and Fraternities, and the Manors, granges, meſſuages, lands, tenements, rents, reuerſions, ſeruices, tithes, penſions, portions, vicarages, Churches, Chappels, aduouſons, nominations, patronages, annuities, and hereditaments, goods and cattels, to the ſaid Monaſteries, Priories, Nunneries, Commandries, Deaneries, Colleges, Hoſpitals, Chantries, Free chappels, Guilds, Fraternities, and other Eccleſiaſticall houſes, Archbiſhopricks, and Biſhopricks, belonging as well for great ſums of money, as for other good and reaſonable cauſes and conſiderations, haue beene conueyed and aſſured to diuers the ſubiects and bodies politike of this Realme, aſwell by the ſaid King Henry the eighth,

Chantries, Colleges, free Chappels, and their Lands were giuen to King Ed. 6. by the ſtat. of 1. E. 6. 14.

The Cardinals diſpenſation hath only remoued all trouble which by any Eccleſiaſticall decree might diſquiet the poſſeſſions of lands or goods.

The title of all lands is grounded vpon the Lawes of the Realme, and to be impleaded and tried only in the Kings Courts.

the ſaid King Edward the ſixth, and by your Highneſſe our Soueraigne Lady, and ioyntly by both your Maieſties, as alſo by diuers the owners of the ſaid eccleſiaſtical poſſeſſions, which ſaid conueyances, and aſſurances by their ſundry Letters Patents, and other writings, more plainly doe and may appeare. Foraſmuch as the ſaid moſt reuerend Father hath alſo by the ſaid diſpenſations, remoued and taken away all matter of impeachment, trouble and danger, which by occaſion of any generall councell, canon, or decrée Eccleſiaſticall might touch and diſquiet the poſſeſſions of ſuch goods moueable, lands, tenements, poſſeſſions and hereditaments as were of late belonging to any of the ſaid Archbiſhoprickes, Biſhoprickes, monaſteries, priories, nunneries, commandries, deaneries, colleges, chantries, prebends, rectories, hoſpitals, houſes of Friers, or other religious and Eccleſiaſticall houſes and places, of what nature, name, kind, or quality ſoeuer they be of. Yet for that the title of all lands, poſſeſſions, and hereditaments in this your Maieſties Realme and Dominions, is grounded in the lawes, ſtatutes and cuſtomes of the ſame, and by your high iuriſdiction, authority royall, and crowne Imperiall, and in your Courts only to be impleaded, ordered, tried, and iudged, and none otherwiſe, and vnderſtanding that the whole, full and moſt gracious intents, minde and determination of your moſt excellent Maieſties be, that all and euery perſon and perſons, bodies politike and corporate, their heires, ſucceſſors and aſſignes, and euery of them, ſhall haue, kéepe, retaine and enioy all and euery their eſtates, rights, poſſeſſions and intereſts, that they and euery of them now hath, or hereafter ſhal haue, of and in all and euery the manors, granges, meſſuages, lands, tenements, tithes, penſions, portions, aduowſons, nominations, patronages, annuities, rents, reuerſions, ſeruices, hundreds, wapentakes, liberties, franchiſes, and other the poſſeſſions and hereditaments of the ſaid monaſteries, abbeyes, priories, nunneries, commandries, deaneries, colleges, prebends, hoſpitals, houſes of Fryers, Chantries, Rectories, Vicarages, Churches, Chappels, Archbiſhoprickes, and Biſhoprickes, and other Religious or Eccleſiaſticall houſes and places, or of any of them within this Realme or the Dominions of the ſame by ſuch Lawes and Statutes as were in force before the firſt day or this preſent Parliament, and by other lawfull conueyance to them thereof made.

The Q. and all other ſhal enioy ſuch Scites of Monaſteries, &c. and their lands as they now haue or ſhall haue.

That it may be enacted by the authority of this preſent Parliament, that aſwell your Maieſty Soueraigne Lady, your heires and ſucceſſors, as alſo all, and euery other perſon and perſons, bodies politike and corporate, their heires, ſucceſſors, and aſſignes now hauing, or that hereafter ſhall haue, hold, or enioy any of the ſcites of the ſaid late monaſteries, and other the religious or Eccleſiaſticall houſes or places, and all the ſaid manors, granges, meſſuages, lands, tenements, tithes, penſions, portions, glebelands, aduowſons, nominations, patronages, annuities, rents, reuerſions, ſeruices, hundreds, wapentakes, liberties, franchiſes, profits, commodities, and other the poſſeſſions and hereditaments of the ſaid late monaſteries, abbeies, priories, nunneries, commandries, deaneries, colleges, prebends, hoſpitals, houſes of Fryers, rectories, vicarages, chantries, Churches, Chappels, Archbiſhoprickes, Biſhoprickes, and other Religious and Eccleſiaſticall houſes and places, or any of them, of what name, nature, or kinde ſoeuer, they be, ſhall haue, hold, poſſeſſe, retaine, kéepe and enioy all and euery the ſaid ſcites, manors, granges, meſſuages, lands, tenements, poſſeſſions, profits, commodities, and other hereditaments, according to ſuch intereſts and eſtates, as they and euery of them now haue or hold, or hereafter ſhall haue or hold, of and in the ſame, by the due order and courſe of the Lawes and ſtatutes of this Realme, which now be, or were ſtanding in force before the firſt day of this preſent Parliament, in manner and forme, as if they ſhould haue done, if this had neuer béene had ne made. This Act or any thing herein conteined to the contrary in any wiſe notwithſtanding.

Other mens titles ſaued.

Sauing to you our ſaid Soueraigne Lady, your heires and ſucceſſors, and euery of them, and to all and euery other perſon and perſons Subiects of this Realme, and bodies politike and corporate, and to their heires and ſucceſſors, and to the heires and ſucceſſors of all and euery of them (other than ſuch, whoſe right, title, or intereſt is bounded or taken away, vndone, or extinct by any Act of Parliament heretofore made or otherwiſe) all ſuch right, title, claime, poſſeſſion, intereſts, rents, annuities, commodities, commons, offices, fées, leaſes, liueries, liuings, penſions, portions, debts, duties and other profits, which they or any of them lawfully haue, or of right ought to haue, or might to haue had, in, of, or to any of the premiſſes, or in, of, or to any part or parcell thereof, in ſuch like manner, and forme and condition, to all intents, reſpects, conſtructions, and purpoſes as if this Act had neuer béene had ne made.

A confirmation of all ſtat. concerning the aſſurance of Abbey Lands, or Chantrie, &c. of K.H. 8. K. Ed. 6.

And that it may be further enacted by authority aforeſaid, that all and euery article, clauſe, ſentence, and prouiſo, conteined or ſpecified in any Act or Acts of Parliament, concerning or touching the aſſurance, or conueyance of any the ſaid Monaſteries, Priories, Nunneries, Commandries, Deaneries, Prebends, Colleges, Chantries, Hoſpitals, houſes of Fryers, Rectories, Vicarages, Churches, Chappels, Archbiſhoprickes, and Biſhoprickes, and other Religious and Eccleſiaſticall houſes and places, or any of them, or in any wiſe concerning any manors, lands, tenements, profits, commodities, hereditaments, or other the things before ſpecified to the ſaid King Henry the eight, or King Edward the ſixth, or either of them, or any other perſon or perſons, or body politike or corporate, and euery of them, and all, and euery writing, déed, and inſtrument, concerning the aſſurance of any the ſame, ſhall ſtand, remaine, and be in as good force, effect, and ſtrength, and ſhall be pleaded and taken aduantage of, to all intents, conſtructions and purpoſes, as the ſame ſhould, might or could haue béene by the Lawes and Statutes of this Realme in caſe this preſent Act had neuer béene ne made.

A confirmation of aſſurances to King H. 8. Ed. 6. and all other perſons of Abbey Lands.

And that all feoffements, fines, ſurrenders, forfeitures, aſſurances, conueyances, eſtates, and intereſts, in any wiſe conueyed, had or made to our ſaid late Soueraigne Lord King Henry viij. or to our ſaid late Soueraigne Lord King Edward the ſixth, or either of them, or to any other perſons or perſons, bodies politike or corporat, or to any of them by déed or déeds, act or acts of Parliament, or otherwiſe, of any the ſcites, manors, lands, tenements, poſſeſſions, profits, commodities, or hereditaments of any of the ſaid Archbiſhopricks, Biſhopricks, late Monaſteries, priories, nunneries, commandries, deaneries, houſes of Fryers, colleges, chanteries, hoſpitals, prebends, frée chappels, or of any manors, lands, tenements, reuerſions, ſeruices, tithes, penſions, portions, annuities, or of any other hereditaments, of, by or from any eccleſiaſticall or ſpirituall perſon or perſons, or by, or from any ſpirituall or eccleſiaſticall corporation or body politike, ſhal be as good & auaileable in the law, to all intents, conſtructions, and purpoſes, as they were by the lawes & ſtatutes of this Realme ſtanding in force before the firſt day of this preſent Parliament. And that the ſame may and ſhall be pleaded, alleaged and taken aduantage of, in ſuch ſort, and to ſuch effect, as they ſhould, could or might haue béene by the lawes & ſtatutes of this Realme, ſtanding in force before the ſaid firſt day of this preſent Parliament: And that all, and euery clauſe and article of ſauing, conteined in all and euery the ſaid acts and ſtatutes, ſhall ſtand, remaine, and be in ſuch force, ſtrength and effect, as they were before the ſaid firſt day of this preſent Parliament. Any thing conteined in this preſent Act to the contrary in any wiſe notwithſtanding.

The penalty for moleſting any perſon for any Abbey Lands. This clauſe is not repealed. Anno 1. El. 1.

And that it may be in like manner enacted by authority aforeſaid, that whoſoeuer ſhall by any proceſſe, obteined out of any Eccleſiaſticall Court within this Realme, or without, or by pretence of any ſpirituall iuriſdiution, or otherwiſe, contrary to the Lawes of this Realme, inquiet or moleſt any perſon or perſous, or body politike, for any manors, lands, tenements, hereditaments, or things aboue ſpecified, contrary to the words, ſentences, and meaning of this Act, ſhall incur the danger of the Act of Præmunire, made in the xvi. yéere of King Richard the ſecond, and ſhall ſuffer and incur the forfeitures and paines, conteined in the ſame.

Suits for tithes of Abbey lands ſhall be lawfull.

Prouided alway, that it ſhall and may be lawfull to any perſon or perſons, body politike and corporate, to ſue in any competent, Eccleſiaſticall, or ſpirituall Court within this Realme, for tithes, rights, and duties, that they or any of them ſhall pretend to haue, of or out of any the ſaid manors, lands, tenements, and other the premiſſes, and to haue full and perfect remedy for the ſame, in ſuch manner and forme, as they or any of them, might or ought to haue done, or had by the lawes and ſtatutes of this Realme, before the making of this Act, and as though this Act had neuer béene had or made.

The title of ſupreme head of the Church neuer could be iuſtly attributed to any King or Gouernor.

And that it may be further prouided and enacted, by the authority aforeſaid, that albeit the title or ſtile of ſupremacie, or ſupreme head of the Church of England, and of Ireland, or either of them, neuer was, ne could be iuſtly or lawfully attributed or knowledged to any King or Soueraigne Gouernor of this Realme; nor in any wiſe could, or might rightfully, iuſtly, or lawfully by any King or Soueraigne Gouernor of this Realme, be claimed, challenged or vſed. Yet foraſmuch as the ſaid title and ſtile, ſithence the third day of Nouember, in the xxvi. yéere of the reigne of the ſaid King Henry the eight, hath béene vſed, and is mentioned and conteined in diuers and ſundry writs, Letters patents, Records, Exemplifications, Court rolles, charters, déeds, inſtruments, euidences, bookes and writings. It ſhall be lawfull aſwell to, and for your Maieſties and your Soueraigne Ladies heires and ſucceſſors, as to, and for euery other perſon and perſons, and bodies politike and corporate, at all time and times hereafter, to haue, retaine, and kéepe the ſaid writs, Letters patents, records, exemplification, court rolles, charters, déeds, inſtruments, euidences, bookes and writings, and them to ſhew, exhibit, vſe, alleage, and plead, in all times and places requiſit, or néedfull, without any danger, penalty, loſſe, forfeiture, trouble, vexation, or impeachment for the ſame, any thing in this Act, or in any other Act or Acts to the contrary thereof in any wiſe notwithſtanding.

Writs Letters Patents and other writings with the Title of ſupreme head may be kept and pleaded.

35. H. 8. 3.

And where your Highneſſe Soueraigne Lady, ſince your comming to the Crowne of this Realme, of a good and Chriſtian conſcience, omitted to writ the ſaid ſtile of ſupremacie, ſpecified in one Act, made in the Parliament holden at Weſtminſter by prorogation in the xxxv. yéere of the reigne of your late father King Henry the eight, aſwell in gifts, grants, letters patents, as in commiſſions, and other writings, and alſo other haue in their writings done the ſame, as well in your time as before. And foraſmuch as notwithſtanding any law made concerning the ſaid ſtile of ſupremacy, it was in the frée choice, liberty, and pleaſure of the King of this Realme, and of your Highneſſe, whether ye would expreſſe the ſame in the ſaid ſtile or not.

Writings wherein the Queenes ſtile of ſupreme head of the Church is omitted.

Bée it therefore declared and enacted by the authority of this preſent Parliament, that all grants, letters patents, commiſſions, inditements, records and writings, made in your our Soueraigne Ladies name, or in the names of you our Soueraigne Lord and Lady, or any other, wherein the ſaid ſtile of ſupremacie is omitted, is, and ſhall be to all intents and purpoſes, as good and effectuall, as if the ſame had béene therein expreſſed, and may be deteined, kept, pleaded and alleaged without any danger, paine, penalty, or forfeiture to enſue to any perſon or perſons, or body politike, for, or concerning the omiſſion of the ſame ſtile, or any part thereof, in any ſuch writings, and that no perſon ne perſons ſhall be impeached, moleſted, or damnified, for, or by reaſon of any ſuch omiſſion.

28 H.8.16.

And where in an Act of Parliament made ſince the ſaid xx. yéere of King Henry the eight, all Buls, diſpenſations, and writings which were before that time obteined from the Sée of Rome, ſhould be void aboliſhed and extinguiſhed: with a clauſe neuertheleſſe that the matter of them, by vertue of Letters Patents from the King then being ſhould, and might be alleaged, pleaded, and allowed as if the ſame had not béene ſo aboliſhed and extinguiſhed. Foraſmuch as the ſaid Act is here before amongſt other repealed and made void.

What Bulles, diſpenſations & licences obteined from Rome may be put in execution.

Be it therefore enacted by the authority of this preſent Parliament, that all Buls, diſpenſations, and priuileges obteined before the ſaid twentieth yéere, or at any time ſithence, or which ſhal hereafter be obteined of the Sée of Rome, not conteining matter contrary or preiudiciall to the authority, dignity, or preheminence Royall, or Imperiall of the Realme, or to the Lawes of this Realme, now being in force, and not in this Parliament repealed, may be put in execution, vſed & alleaged in any Court within this Realme, or elſewhere, whether the ſame remaine yet whole, or can appeare to haue béene cancelled, in as auaileable and effectuall manner, to all intents, and purpoſes, as if the ſaid Act had neuer béene had or made. Any obiection by pretence of extinguiſhment, or cancelling of the ſaid Buls, diſpenſations, or priuileges, or of any other matter or cauſe by the pretence of the Lawes of this Realme, whatſoeuer in any wiſe notwithſtanding.

And whereas by diſſolution of Monaſteries, and other Religious houſes, certeine pariſh Churches and Chappels, which were before exempt from the Iuriſdiction of the Archbiſhop & Biſhop of the Dioceſſe, and by ſpeciall exemption and priuilege from Rome, were vnder the gouernment and order of the Abbots, and Priors of thoſe Religious houſes, which ſaid Churches by colour of the ſaid exemptions, be now of ſpeciall grant from King Henry, and King Edward, vnder the rule and gouernment, and iuriſdiction of temporall and lay men, who can no more enioy that ſupremacie, our thoſe particular Churches, than the King might ouer the whole Realme.

Who ſhall haue the iuriſdiction of Churches & Chappels exempt from Biſhops, &c.

Be it therefore enacted, that all Archbiſhops and Biſhops in their Dioces, and all other Spirituall perſon and perſons, hauing Iuriſdiction, and their Miniſters and Officers, and no lay perſon or perſons, in euery Church and place, within the precinct of the ſame, being exempt, or not exempt, may fréely, and without impediment execute their ſpirituall Iuriſdiction in all points and articles, as though no ſuch exemption or grant had neuer béene made.

The priuileges of certaine perſons and places reſerued.

Prouided alway, and be it enacted, that this Act extend not to take away, or diminiſh the priuileges of the Vniuerſities of Cambridge and Oxford, ne the priuileges or prerogatiues granted heretofore to the Churches of Weſtminſter and Windſor, ne the Tower of London, ne preiudiciall to ſuch temporall Lords and poſſeſſioners in this Realme, as by ancient cuſtome haue enioyed probat of Teſtaments, of their tenants or other.

By the reconciliation of the Realme to Gods Church, deuotion is hoped for.

And foraſmuch as after this reconciliation, and vnity of this noble Realme, to the body of Chriſts Church, it is to be truſted that by the abundance of Gods mercy and grace, deuotion ſhall encreaſe and grow in the hearts of many the Subiects of this Realme, with deſire to giue and beſtow their worldly poſſeſſions, for the reſuſcitating of almes, prayer, and example of good life in this Realme, to the intent ſuch godly motions and purpoſes ſhould be aduanced.

Lands may be giuen to ſpirituall bodies politike or corporate.

Be it therefore enacted by authority of this preſent Parliament, that it ſhal be lawfull to ſuch as ſhall be [a] ſeaſed of any Manors, lands, tenements, parſonages, tithes, penſions, portions, or other hereditaments whatſoeuer, in fée ſimple, in poſſeſſion, reuerſion or remainder, in their owne rights, not being Copihold, may therof make feoffements, grants, or any other aſſurances, or by his laſt Will and Teſtament in writing, may bequeath and giue in fée ſimple, all and euery the ſaid manors, lands, tenements, parſonages, tithes, penſions, portions, or other hereditaments, to any ſpirituall body politike, or corporate in this Realme or Dominions of the ſame, now erected or founded, or hereafter to be erected or founded, without any licence of mortmaine therein to be obteined: or any Writ of ad quod damnum to be ſued out for the ſame, the Acts de terris ad manum mortuam non ponendis, or any other Act or Statute heretofore had or made in any wiſe notwithſtanding.

[a] Dyer Cok.

Sauing to the Lords of the fée, all rents ſeruices due, or going out of any of the ſaid lands tenements, or hereditaments, ſo to be amortized, as is aforeſaid.

Prouided alway, that this clauſe of this Act, for giuing the liberty of, or for the amortizing of lands or tenements, ſhall continue for, and during the ſpace of twenty yéeres next, and immediately following, and no longer.

And foraſmuch as we your Maieſties humble and obedient Subiects, the Lords ſpirituall and temporall and Commons in this preſent Parliament aſſembled, neither by the making or deliuering of either the ſupplications aforeſaid, nor by any clauſe, article or ſentence thereof, or of any other clauſe, article or ſentence of this or any other Statute, or any of the preambles of the ſame, made or agréed vpon in this Seſſions of this preſent Parliament, by any manner of interpretation, conſtruction, implication or otherwiſe intend to derogate, impaire or diminiſh any of the prerogatiues, liberties, franchiſes, preheminences or iuriſdictions of your Crowne Imperiall of this Realme, and other the Dominions to the ſame belonging: We doe moſt humbly beſeech your Maieſties, that it may be declared and ordeined, and be it enacted and declared by authority of this preſent Parliament, that neither the making, exhibiting or inſerting in this preſent Statute, or in the preambles of the ſame, of the ſupplications or promiſe aforeſaid or either of them, nor any other thing or things, words, ſentences, clauſes or articles in the preambles or body of the Acts aforeſaid, ſhall be conſtrued, vnderſtanded or expounded to derogate, diminiſh or take away any the liberties, priuileges, prerogatiues, preheminences, authorities, or iuriſdictions or any part or parcell thereof, which were in your Imperiall Crowne of this Realme, or did belong to your ſaid Imperiall Crowne the twentieth yeere of the raigne, of yours the Queenes Maieſties moſt noble Father, or any other your moſt noble Progenitors, before the ſaid twentieth yeere: and the Popes holyneſſe, and See Apoſtolike, to be reſtored, and to haue and enioy ſuch authority, preheminence, and iuriſdiction as his Holyneſſe vſed and exerciſed, or might lawfully haue vſed and exerciſed by authority of his Supremacie, the ſaid twentieth yeere of the raigne of the King your Father, within this your Realme of England, and other your Dominions, without diminution, or enlargement of the ſame and none other, and the Eccleſiaſticall iuriſdictions of the Archbiſhops, Biſhops, and Ordinaries, to be in the ſame ſtate, for proces of ſuits, puniſhment of crimes, and execution of cenſures of the Church, with knowledge of cauſes belonging to the ſame, & as large in theſe points, as the ſaid iuriſdiction was the ſaid twentieth yeere.

Nothing done or moued in this Statute, ſhall be preiudiciall to the liberties of the Crowne.

The Pope and See Apoſtolike reſtored to the authority that they had.

The iuriſdiction of the Biſhops of this Realme.

Prouided alwayes, and be it enacted by the authority aforeſaid, that in and vpon euery ſuch gift and deuiſe, to be made to ſuch ſpirituall corporations, or perſons as is aforeſaid, the Donor, Feoffor, or Diuiſor thereof may reſerue to him, and to his heires for euer, a tenure in franke almoigne, or a tenure by diuine ſeruice, and to haue all remedies and actions, for and vpon the ſaid gifts or deuiſes, and tenures in like manner and forme, as was vſed before the eſtatute of Weſtminſter third (commonly called) Quia emptores terrarum. The ſaid eſtatute or any other law or cuſtome now being to the contrary in any wiſe notwithſtanding.

What tenure ſhal be reſerued vpon gifts to be made to Spirituall Corporations.

Prouided alwayes, and be it enacted, that all and euery perſon and perſons, and bodies politike and corporate which now haue, or hereafter ſhall haue any eſtate of inheritance, freehold, terme, or intereſt, of, in or to any portion, penſion, tithes, glebelands, or other Eccleſiaſticall or Spirituall profit, which by this Act, and Letters of diſpenſation rehearſed in the ſame, be permitted and ſuffered to remaine and continue in lay mens poſſeſſions, ſhall and may haue like remedy for the recouery of the ſame, and euery part thereof as they and euery of them might haue had before the firſt day of this preſent Parliament: any thing in this Act conteined to the contrary in any wiſe notwithſtanding. St.1.*El*.1.

The remedy to recouer any penſion, tithes, Glebelands.

CAP. IX.

If any perſon ſhall pray, or deſire that God will ſhorten the Queenes dayes, or take her out of the way, or any ſuch mallicious prayer, amounting to the ſame effect, he, his Procurators, and Abettors, ſhall be adiudged Traitors. EXP.1.*El*.6. 23.*El*.2.

CAP. X.

It ſhall be high Treaſon to compaſſe the death of the King or the Queene, or to depriue either of them of the Stile or Kingly honour of this Realme: Or to affirme that any other than they, and the heires of her body ought to be King or Queene. An order for the gouernment of the Queenes iſſue. EXP. Triall of treaſons ſhall be according to the courſe of the Common Lawes. 33.*H*.8.23. 32.*H*.8.4. 33.*H*.8.20.

CAP. XI.

Bringers in of counterfeit Coine into this Realme ſhall be puniſhed as Traitors.

Where diuers and ſundry coines of gold and ſiluer of other Realmes, not being of the proper coine of this Realme of England, and yet by the ſufferance and conſent of the King and Queene our Soueraigne Lord and Lady, be currant in payment within this Realme, many ill diſpoſed perſons for their owne corrupt lucre and aduantage, haue now of late brought into this Realme, from the parties of beyond the Sea, great quantity of forged and counterfeit money, like to the ſaid coine of other forreine Realmes, and haue vttered the ſame here, by merchandizing, and otherwiſe, to diuers of the Subiects of this Realme, to their great deceit, hurt and damage, becauſe the ſaid ill diſpoſed perſons haue perceiued and vnderſtanded, that there was not, nor yet is any ſufficient Law or Statute made or prouided for the condigne puniſhment of the Offendors in that behalfe.

Wherefore be it enacted and eſtabliſhed by the authority of this preſent Parliament, that if any perſon or perſons after the twentieth day of January next comming, ſhall bring from the parties of beyond the Sea into this Realme, or into any the Dominions of the ſame, any ſuch falſe and counterfeit coine of money, being currant within this Realme as is aforeſaid, know-

Treaſon to bring into this Realme any counterfeit money, like to the coine of other

Realmes, and currant within this Realme.

ing the ſame Coyne or Money to be falſe and counterfeit, to the intent to vtter, or make payment with the ſame within this Realme, or any the Dominions of the ſame, by Merchandizing or otherwiſe, that all and euery ſuch perſon or perſons ſo offending as is aforeſaid, their Counſellors, Procurors, Aydors and Abbettors in that behalfe, ſhall be deemed and iudged to be Offendors in high Treaſon, and ſhall ſuffer after lawfull conuiction or atteinder thereof, ſuch paines of death, loſſe and forfeiture of lands, goods and cattels, as other Offendors ſhall doe, in caſes of high treaſon.

The manner of indictment, triall, &c. of an offender, for impairing or forging of coyne.

And be it further enacted by the authority aforeſaid, that all and euery perſon and perſons, that ſhall at any time after the ſaid twentieth day of January, be accuſed or impeached of any of the offences conteined and prouided for in this eſtatute, or of any other offence or offences, concerning the impairing, counterfeiting or forging of any coyne currant within this Realme, ſhal and may be indicted, arraigned, tried, conuicted or atteinted by ſuch like euidence, and in ſuch manner and forme as hath béene vſed and accuſtomed within this Realme, at any time before the firſt yeere of the reigne of our late Soueraigne Lord, King Edward the ſixth: any ſtatute, cuſtome, law or vſage to the contrary thereof in any wiſe notwithſtanding. St. 9. *Ed.* 3. 2.

Cap. XII.

Where diſtreſſes taken ſhall be impounded.

No diſtreſſe ſhall be driuen forth of the hundred where it is taken, nor impounded in ſeuerall places. St. 52. H. 3. 4. 3. Edw. 1. 16. Cok. pla. fol. 43. Raſt. pla. fol. 164.

FOr the auoyding of grieuous vexations, exactions, troubles and diſorder in taking of diſtreſſes, & impounding of cattell. Be it enacted by authority of this preſent Parliament, that from and after the firſt day of Aprill next comming, no diſtreſſe of cattell ſhall be driuen out of the hundred, rape, wapentake or lathe, where ſuch diſtreſſes is, or ſhall be taken, except it be to a pound ouert within the ſame Shire, not aboue [a] thrée miles diſtant, from the place where the ſaid diſtreſſe is taken, and that no cattell, or other goods diſtrained or taken by way of diſtreſſe, for any manner of cauſe at on time ſhall be impounded in ſeuerall places, whereby the owner or owners of ſuch diſtreſſe ſhall be conſtrained to ſue ſeuerall repleuis for the deliuery of the ſaid diſtreſſe, ſo taken at one time, vpon peine euery perſon offending contrary to this Act, ſhall forfeit to the party grieued, for euery ſuch offence an hundred ſhillings, and treble damages.

Dyſtr

How much may be taken for poundage.

And further be it enacted by authority aforeſaid, that after the ſaid firſt day of Aprill, no perſon or perſons ſhall take for kéeping in pound, impounding or poundage of any manner diſtreſſe, aboue the ſumme of foure pence for any one whole diſtreſſe, that ſhalbe ſo impounded: and where leſſe hath béene vſed, there to take leſſe, vpon the paine of fiue pound to be payed to the party grieued, ouer and beſides ſuch money as he ſhall take aboue the ſumme of foure pence, Any vſage or preſcription to the contrary in any wiſe notwithſtanding.

The Sheriffe ſhall appoint foure Deputies to make repleuies.

And for the more ſpéedier deliuery of cattell, taken by way of diſtreſſe, it is further enacted by the ſaid authority, that euery Sheriffe of Shires, being no Cities nor Townes made Shires, ſhall at his firſt County day, or within two moneths next after he hath receiued his Patent of his office of Sheriffewike, ſhall depute, appoint and proclaime in the Shire Towne within his Bayliffewike, foure Deputies at the leaſt, dwelling not aboue twelue miles one diſtant from another, which ſaid Deputies ſo appointed and proclaimed, ſhall haue authority in the Sheriffes name to make repleuis and deliuerance of ſuch diſtreſſes, in ſuch manner and forme as the Sheriffe may and ought to doe: vpon paine that euery Sheriffe, for euery moneth, that hee ſhall lacke ſuch Deputy or Deputies, ſhall forfeit for euery ſuch offence fiue pounds, the one halfe of which forfeitures ſhall be to the King and Quéenes Highneſſe, her heires and ſucceſſors, the other halfe to him that will ſue for the ſame by bill, plaint, information or action of debt, in any the King and Quéenes Courts of Record, in which no eſſoine, protection nor wager of law ſhall be admitted.

Cap. XIII.

In what manner Iuſtices of Peace may baile perſons arreſted of felony or ſuſpition thereof, &c.

Stat. 3. H. 7. 3.

VVHere in the Parliament holden at Weſtminſter, in the third yéere of the reigne of the Noble Prince, King Henry the ſeuenth, it was among other things ordeined and enacted, that no priſoner arreſted for felony, ſhould be letten to baile or maineprize, by any one Juſtice of Peace, but by the whole Juſtices, or at leaſt by two of them, whereof one to bée of the Quorum: ſince the making of which Eſtatute, one Juſtice of Peace in the name of himſelfe and one other of the Juſtices his Companion, not making the ſaid Juſtice party nor priuy vnto the caſe, wherefore the Priſoner ſhould be bailed, hath often times by ſiniſter labour and meanes, ſet at large the greateſt and notableſt Offenders, ſuch as be not repliuiſable by the Lawes of this Realme, and yet the rather to hide their affections in that behalfe haue ſignified the cauſe of their apprehenſion to bee but onely for ſuſpition of felony, whereby the ſaid Offendors haue eſcaped vnpuniſhed, and doe daily, to the high diſpleaſure of almighty God, the great perill of the King and Queenes true Subiects, and encouragement of all Theeues and euill doers.

For reformation whereof, bee it ordeined and enacted by the King and Queenes Maieſties, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, that from and after the firſt day of Aprill next comming, no Iuſtice or Iuſtices of Peace, ſhall let to baile or mainepriſe any ſuch perſon or perſons, which for any offence or offences, by them or any of them committed, be declared not to be repleuiſhed or bailed, or be forbidden to be repleued, or bailed by the eſtatute of Weſtminſter primer, made in the Parliament holden in the third yeere of the reigne of King Edward the firſt.

None ſhalbe let to baile, which be forbidden to be bailed, by the Statute of 3. Edw. 1. 15.

And furthermore, that any perſon or perſons arreſted for manſlaughter or felony, or ſuſpition of manſlaughter or felony, being bayleable by the law, ſhall not after the ſaid firſt day of Aprill, be let to baile or mainepriſe by any Iuſtices of Peace, if it be not in open Seſſions, except it be by two Iuſtices of Peace at the leaſt, whereof one to be of the Quorum, and the ſame Iuſtices to be preſent together, at the time of the ſaid bailement or mainpriſe, which bailement or mainpriſe they ſhall certifie in writing, ſubſcribed or ſigned with their owne hands, at the next generall gaole deliuery, to be holden within the County where the ſaid perſon or perſons ſhall be arreſted or ſuſpected.

The Iuſtices duty in bailement of a priſoner, in examination of him and others, and certifying thereof. St. 2. & 3. P. & M. 10.

And that the ſaid Iuſtices, or one of them being of the Quorum, when any ſuch priſoner is brought before them for any manſlaughter or felony, before any bailement or mainepriſe, ſhall take the examination of the ſaid priſoner, and information of them that brings him, of the fact and circumſtances thereof, and the ſame or as much thereof, as ſhall be materiall to proue the felony, ſhall put in writing before they make the ſame bailement, which ſaid examination together with the ſaid bailement, the ſaid Iuſtices ſhall certifie at the next generall gaole deliuery to be holden within the limits of their commiſſion.

The Coroners duty vpon an Inquiſition found before him.

And that euery Coroner, vpon any inquiſition before him found, whereby any perſon or perſons ſhall be indicted for murther, or manſlaughter, or [illegible] acceſſary or acceſſaries to the ſame, before the murther or manſlaughter committed, ſhall put in writing the effect of the euidence giuen to the Iury before him, being materiall, and as well the ſaid Iuſtices as the ſaid Coroner, ſhall haue authority by this Act to bind all ſuch by recogniſance or obligation, as doe declare any thing materiall, to proue the ſaid murther or manſlaughter, offences or felonies, or to be acceſſary or acceſſaries to the ſame, as is aforeſaid, to appeare at the next generall gaole deliuery to be holden within the County, City or Towne corporate where the triall thereof ſhall be, then and there to giue euidence againſt the party ſo indicted at the time of his triall, and ſhall certifie as well the ſame euidence, as ſuch bond and bounds in writing, as he ſhall take, together with the inquiſition or inditment before him taken and found, at or before the time of his ſaid triall thereof, to be had or made: and likewiſe, the ſaid Iuſtices ſhall certifie all and euery ſuch bond taken before them, in like manner as before is ſaid of bailements and examination. And in caſe any Iuſtice of peace, of Quorum, or Coroner, ſhall after the ſaid firſt day of Aprill, offend in any thing contrary to the true intent and meaning of this preſent Act; That then the Iuſtices of Gaole deliuery of the Shire, City, Towne or place, where ſuch offence ſhall happen to be committed, vpon due proofe thereof, by examination before them, ſhal for euery ſuch offence, ſet ſuch fine on euery of the ſame Iuſtices of Peace and Coroner, as the ſame Iuſtices of Gaole deliuery ſhall thinke meet, and eſtrete the ſame, as other fines and amerciaments aſſeſſed before Iuſtices of Gaole deliuery ought to be.

The penalty of any Iuſtices of Peace or Coroner omitting his duty.

Prouided alwayes, and be it further enacted by the authority aforeſaid, that Iuſtices of Peace and Coroners within the Citie of London and the County of Middleſex, and in other Citis, Boroughes and Townes corporate within this Realme and Wales, ſhall wthin their ſeuerall iuriſdictions, haue authority to let to baile, felons and priſoners in ſuch manner and forme, as they haue beene heretofore accuſtomed, this Act, or any thing therein conteined, to the contrary notwithſtanding. And alſo ſhall take examinations and bonds, as is aforeſaid, vpon euery bailement by them or any of them to be made, and ſhall certifie euery ſuch bailements, bonds and examinations, by them or any of them, taken or made, at the next gaole deliuery to be holden within the Shire, City, Borough or Towne, where their ſeuerall iuriſdictions extendeth, vpon like peine and forfeiture, as is before limited in this preſent Act.

Iuſtices of Peace of London, Middleſex, &c.

And be it alſo enacted by the authority aforeſaid, that no writs of Habeas corpus, or Certiorari, ſhall be hereafter granted to remoue any priſoner out of any gaole, or to remoue any recogniſance, except the ſame writs be ſigned with the proper hands of the Chiefe Iuſtice, or in his abſence, one of the Iuſtices of the Court, out of which the ſame writs ſhall be awarded or made, vpon paine that he that writeth any ſuch writs, not being ſigned, as is aforeſaid, to forfeit to our ſaid Soueraigne Lord the King and the Queene, for euery ſuch writ and writs fiue pounds.

Remouing of a priſoner, or Recogniſance.

Cap. XIIII.

In what order Ruſſell Sattens,&c.ſhall be made in Norwich.

WHere of late yeeres paſſed, Ruſſels, called Ruſſels Sattens, and Sattens reuerſes, haue beene practiſed to be made beyond the Seas of the Wools bred in the County of Norfolke, and by reaſon thereof ſo great quantity of the ſaid Ruſſels Sattens, Sattens reuerſes, haue beene brought into this Realme, ſold and worne as well in euery part of this Realme, as in the parts beyond the Seas, that thereby the myſteries of Worſteds making and weauing, whereby Merchants and inhabitants of the City of Norwich, haue heretofore beene well maintained and relieued, is now at this preſent almoſt wholly decayed and brought out of eſtimation, and very little worne, either within this Realme, or in any other forrein Realmes, to the great hinderance and decay of the ſaid City and Citizens of the ſame City. For remedy whereof, Thomas Marſham, Maior of the City of Norwich, Iohn Corbet Eſquire, Auſten Steward, Robert Leche, Robert Rugge, Iohn Ball, and Alexander Mather, Aldermen of the ſaid City, Thomas Whale, Thomas Pecke, Raph Marſham, Robert Henry, Iohn Sutton, Richard Tomſon, Citizens and Merchants of the ſaid City, at their great coſts and charges, as well in bringing of certaine ſtrangers from the parts beyond the Seas into the ſaid City, as alſo in making of Lombes, and all other prouiſion for the ſame, and alſo haue called vnto them eight perſons of the moſt diſcreet and worthy men of the myſtery of Worſted weauing, within the ſaid City, that is to ſay, Iohn Cooke, Iames Lin, Iohn Croſſe, Simon Petit, Iohn Marſhal, Roger Lecke, Edmund Barker, and Edmund Selers, being the number of one and twenty perſons, which haue not only made Ruſſels Sattens, and Sattens reuerſes, and Fuſtians of Naples within the ſaid City of Norwich, of Norfolke wools, but alſo haue learned and taught other Citizens and inhabitants of the ſaid City to make the ſame, in ſuch good and perfect manner, that much better Ruſſels Sattens, Sattens reuerſes, and Fuſtian of Naples, and ſuch like, and for eaſier prices, be now at this preſent wrought and made within the ſaid City, than heretofore hath beene, or now be made in any of the parts beyond the Seas, whereby the ſa[illegible]ity and inhabitants thereof may, and be in like againe to be relieued and brought to the old eſtate, to the great aduancement of the commodities of this Realme, and enriching the ſame, if ſome good and politike lawes and ordinances were made for the good continuance of the true making of the ſaid Ruſſels Sattens, Sattens reuerſes, and Fuſtian of Naples, and ſuch like.

By what names Ruſſels ſattens, Sattens reuerſes, and Fuſtians of Naples made in Norwich ſhall be called.

In conſideration whereof, be it enacted by the aſſent of the King and Queenes Highneſſe, the Lords ſpirituall and temporall, and the Commons of this preſent Parliament aſſembled, and by the authority of the ſame, that the ſaid Ruſſels Sattens, and Sattens reuerſes, and Fuſtian of Naples hereafter to be made only within the ſaid City, may from henceforth beare the name, and be called by the name of Norwich Sattens, and Norwich Fuſtians, and that the Maior and the afore mentioned Citizens of the ſame City, which before this time haue beene at the coſts and charges of the bringing of the ſaid ſtrangers into the ſame City, for the making of the ſaid Ruſſels Sattens, Sattens reuerſes, and Fuſtian of Naples, and ſuch the afore mentioned eight perſons that they haue called vnto them, ſhall be a fellowſhip of themſelues, and ſhall yeerely the third day of February chooſe of their fellowes foure Wardens within the Guild hall of the ſaid City, or any other common and conuenient place in the ſame City, and the ſame Wardens ſo being choſen, ſhall ſtand and be Wardens of the ſame Fellowſhip during one whole yeere, next enſuing the ſaid election, and that the ſame Wardens, after the ſaid election, ſhall come before the Maior of the ſaid City for the time being, yeerely the Munday next after the ſaid third day of February, and before the ſaid Maior ſhall be ſworne diligently to view, ſearch and ſee all the Ruſſels Sattens, Sattens reuerſes, and Fuſtian of Naples, then made or that ſhall be made within the ſaid City, during the ſaid yeere. And ſuch of the ſaid Ruſſels Sattens, Sattens reuerſes, and Fuſtian of Naples, as ſhall appeare and be deemed by them to be lawfully, truly and workmanly wrought, ſhall ſeale with a ſeale of lead, bearing the armes of the City of Norwich; whereby it may be knowne to the Merchant or buyer of them, that the ſame be allowed and truly made.

There ſhall be a body Corporate and foure Wardens, to ſee & ſeale Ruſſell Sattens, &c.

And that alſo it may be enacted by the authority aforeſaid, that the ſaid Wardens and fellowſhip ſhalbe a body corporate, and to be named and be enabled by this act to ſue, and be ſued, and to giue and to take by the name of Wardens and Fellowſhip of the myſtery of Ruſſels Sattens, Sattens reuerſes, and Fuſtian of Norwich making within the ſaid City of Norwich. And if any default at any time ſhall be found in any of the ſaid Ruſſels Sattens, Sattens reuerſes, and Fuſtian of Norwich, or in any of them by the ſaid Wardens, that the ſame default ſhall be reformed, and the offendor or offendors therein to be puniſhed according to ſuch rules and ordinances, as hereafter from time to time ſhall be made within the ſaid City, by the Maior of the ſaid City for the time being, and by the ſaid foure Wardens, and the Fellowſhip of the ſaid occupation or myſtery, or the greateſt number of the ſaid Fellowſhip, for, and concerning the ſame, and that the ſame defaults from time to time, as occaſion ſhall ſerue, ſhall be enquired of, and tried for the

By whom and what meanes offenders ſhalbe inquired and puniſhed.

Maior of the ſaid City of Norwich for the time being, by the oathes of twelue honeſt men of the foreſaid fellowſhip.

The authority of the foure Wardens.

And that the ſaid foure Wardens ſo choſen and ſworne, ſhall haue full power and authority, to doe, execute, preſent and reforme all and ſingular thing and things, of, for, and concerning the ſaid myſtery, making, working and occupying of the ſaid Ruſſels Sattens, Sattens reuerſes, and Fuſtian of Norwich within the ſaid City, in ſuch manner and forme, as in or by the ſaid ordinances ſhalbe expreſſed and declared; and that all times hereafter, and from time to time it ſhal be lawfull to the Maior of the ſaid City for the time being, and to the before named fellowſhip and Wardens of the ſame myſtery, and the more part of them, and to their ſucceſſors, to make and ordeine from time to time rules, lawes and ordinances meet and neceſſary for the good order and gouernances of the ſaid myſtery, and for the true and well making of the ſaid Ruſſels Sattens, Sattens reuerſes, and Fuſtian of Norwich, and the ſame ordinances ſo made to be at all times obeyed by all the inhabitants of the ſaid City or Suburbs of the ſame, and to be put in due execution by the ſaid Maior and Wardens, and their ſucceſſors for the time being, in ſuch manner and forme, as by the ſaid ordinance ſhall be ordeined and declared.

Who may occupy the trade of making Ruſſels Sattens, Sattens Reuerſes, &c.

And that ſuch as now be, and that hereafter ſhalbe makers of the ſaid Ruſſels Sattens, Sattens reuerſes, and Fuſtian of Norwich and euery of them within the ſaid City, ſhall not from henceforth occupy the ſaid myſtery and making of the ſaid Ruſſels Sattens, Sattens reuerſes, and Fuſtian of Norwich, nor any of them, within the ſaid City by themſelues, or by any other, before he or they ſo occupying the ſaid myſtery within the ſaid City, be made free of the ſaid City, ⁊ admitted to be of the ſaid fellowſhip by the Maior of the ſaid City, and Wardens and fellowſhip of the ſaid myſtery for the time being. And that no perſon do occupy by himſelfe or any other for him out of the ſaid City, the ſaid myſtery of making of Ruſſels Sattens, Sattens reuerſes, and Fuſtians of Naples, or of any of them, before he or they ſo occupying the ſame, haue bin Prentice to the ſaid myſtery by the terme of ſeuen yeeres, or elſe admitted by the ſaid Maior ⁊ fellowſhip or the more part of them, vpon peine of forfeiture of the ſame Ruſſels Sattens, Sattens reuerſes, and Fuſtian of Norwich by them or any of them to be made contrary to the forme of this act.

The Maior and Wardens ſhall take nothing to their owne vſe for admittance.

Prouided alwayes, and be it enacted by the authority aforeſaid, that the ſaid Maior and Wardens for the time being, ſhall not take any ſum of money, or reward to their owne proper vſes, for the admitting of any perſon or perſons to occupy the ſaid myſtery, vpon peine of forfeiture of treble the value of the reward or ſumme of money ſo by them or any of them to be taken.

Prouided alſo, that it ſhall be lawfull to the ſaid Wardens, and to euery of them for the time being, by all wayes and meanes, and at all lawfull times, diligently from time to time, to make ſearch by due and ordinary wayes for all manner of the ſaid Ruſſels Sattens, Sattens reuerſes, and Fuſtian of Norwich, that ſhall happen to be found by them defectiue, for lacke of good and true workmanſhip.

The preſentment, inquiry and triall of Ruſſell Sattens, &c. ſuſpected to be defectiue.

And that it ſhall be lawfull to the ſaid Wardens, and euery of them for the time being, by vertue of this Act, to ſeiſe and take the ſaid Ruſſels Sattens, Sattens reuerſes, and Fuſtian, and bring and preſent the ſame clothes ſo ſeiſed and taken to the Maior of the ſaid City for the time being, and vnto his ſucceſſors, to the intent that twelue honeſt, lawfull and expert men of the ſaid myſtery and fellowſhip, being ſworne before the ſaid Maior, may by vertue of their oathes make inquiry, and preſent the manner of the ſaid defaults before the ſaid Maior for the time being, according to ſuch good and wholeſome ordinances and rules as ſhall be ordeined and made for the conſeruation and good continuance of the ſaid occupation and myſtery, and the true making and working of the ſaid Ruſſels Sattens, Sattens reuerſes, and Fuſtians of Norwich. And that all and euery perſon and perſons, that ſhall occupy, vſe and exerciſe the ſaid Myſtery, or making of the ſaid Ruſſels Sattents, Sattens reuerſes, and Fuſtians of Norwich, or any of them, contrary to the forme, tenour, plaine meaning and intent of this Act, and of the rules and ordinances, that at any time hereafter by authority of this act ſhall be ordeined and made for the continuance of the true and perfect making of the ſaid Ruſſels Sattens, Sattens reuerſes, and Fuſtian of Norwich, ſhal forfeit and loſe for euery time ſo offending, or making any Ruſſell Sattens, Sattens reuerſes and Fuſtian of Norwich, contrary to the meaning, tenor and effect of the ſaid act, rules and ordinances concerning the ſame, ſuch fines, amerciaments and paines as ſhall be adiudged, aſſeſſed and affered by twelue expert men of the ſaid fellowſhip vpon their oathes, the ſame twelue perſons to be ſworne before the ſaid Maior and Wardens, to enquire and make true verdict and preſentment of ſuch defaults, the one halfe of the which forfeiture to be to the Maior of the ſaid City for the time being, and his ſucceſſors, and the other moity to the ſaid Wardens, for the time being, and their ſucceſſors, by action of debt, bill, plaint or information, in any Court of Record, in which action, bill, plaint or information, no wager of law, protection, iniunction or forrein plea, ſhall be allowed;

The penalty where the ſaid Sattens, &c. be found by verdict to be defectiue.

And in caſe it ſhall fortune hereafter, that any of the ſaid Ruſſels Sattens, Sattens reuerſes, and Fuſtian of Norwich, ſhall lacke of ſuch lengths and bredths, or of the true and enſuing making or ſorting of the yarne, as ſhall be appointed and ſet forth by the ſaid rules and ordinances, and the ſame ſo to be found defectiue by verdict of twelue men of the ſaid fellowſhip, before the ſaid Maior and Wardens, and their ſucceſſors: That then the ſaid Ruſſels Sattens, Sattens reuerſes, and Fuſtians of Naples, and euery of them ſo found defectiue, to be cut in two péeces, and to pay ſuch fine or fines, as ſhall be offered and aſſered by the ſaid twelue expert men, by vertue of their oathes, the one moity of which fine or fines, to be to the Maior of the ſaid City for the time being, and to his ſucceſſors, and the other moity to the Wardens of the ſaid fellowſhip for the time being, and to their ſucceſſors.

The forfeiture of a Warden that doth ſeale any Ruſſels Sattens, &c. being defectiue.

Prouided alwayes, and be it further enacted by the authority aforeſaid, that if any Warden or Wardens for the time being, of the ſaid myſtery or occupation of making Ruſſels Sattens, Sattens reuerſes, and Fuſtian of Naples, ſhall at any time hereafter ſeale, or cauſe to be ſealed any Ruſſels Sattens, Sattens reuerſes, or Fuſtian of Naples, that ſhall not be well, ſufficient and truly wrought, and made according to the true intent and meaning of this preſent Act, he ſhall forfeit and loſe for euery péece ſo ſealed, being not well, ſufficient and truly wrought and made, the whole value of euery ſuch péece ſo ſealed, the one halfe of which forfeitures, to be the King and Quéenes Maieſties, her heires and ſucceſſors, and the other moity thereof to be to ſuch perſon and perſons as ſhall ſue for the ſame by bill, action or information, in any of the King and Quéenes Courts of Record, in which bill, action or information, no eſſoine, protection or wager of law ſhall be allowed.

CAP. XV.

What liberties the Lords Marchers in Wales ſhall haue.

27.H.8.26.

Humbly beſéechen your excellent Maieſties, your true and faithfull Subiects, the Lords Marchers, both Spirituall and Temporall, within your Highneſſe Dominion of Wales, That whereas in the Parliament holden at Weſtminſter the ſeuen and twentieth yéere of the reigne of King Henry the eight, Father vnto you our naturall Soueraigne Lady, amongſt other things one act was made and eſtabliſhed for Lawes and Iuſtice to be miniſtred in the ſaid Dominion of Wales, in like forme as it is in this Realme of England: In the which Act one article is, that, for that the Lords Marches before the Parliament had vſed to put their tenants within the Lordſhips Marchers, vnder common mainepriſe and ſurety of apparance, and haue had the forfeitures thereof, which for euer, from and after the Feaſt of All-Saints, then next enſuing, the ſaid Parliament ſhould vtterly ceaſe, and be determined.

By the Statute of 27.H.8. euery Lord Marcher Temporall in Wales, ſhall haue the moity of the forfeiture of his tenant.

It was enacted, that after the ſaid Feaſt of Al-Saints, euery Lay and Temporall perſon then being a Lord Marcher, ſhould haue the moity or halfe of euery forfeiture of all and euery common mainepriſe, recogniſance for the peace or apparance, forfeited by any of their tenants inhabiting within any of their Lordſhips Marchers, and they to be paid the ſame moity or halfe, by the hands of the Sheriffe of euery of the Counties where ſuch forfeiture ſhall be, if the Sheriffe can leuy the ſame, and the ſame Sheriffe to accompt to our ſaid late Soueraigne Lord the King, for the other halfe or moity, in ſuch Exchequer as they can be accomptant.

And further it was enacted by the authority aforeſaid, that all and euery Lay and Temporall perſon or perſons, then being Lords Marchers, and hauing any Lordſhips Marchers or Lordſhips Royall, ſhould from and after the ſaid Feaſt of Al-Saints, haue all ſuch miſes and profits of their tenants, as they haue had or vſed to haue at the firſt entry into their lands in times paſt. And alſo ſhould haue, hold, and kéepe within the precinct of their ſaid Lordſhips, Courts Baron, Courts Léet, and Lawdayes, and all and euery thing to the ſaid Courts belonging, and alſo ſhould haue within the precinct of their ſaid Lordſhips or Lawday, Waife, Straife, Infangthefe, Outfangthefe, Treaſure Troue, Deodandes, Goods and Cattels of Felons, and of perſons condemned or outlawed of felony or murther, put in exigent for felony or murther, and alſo wréeke de mer, wharfage, and cuſtomes of ſtrangers, as they haue had in time paſt, and as though ſuch priuileges were granted vnto them by point of Charter, any thing in that Act to the contrary notwithſtanding, as in the ſaid Act of Parliament more at large it may appeare.

And foraſmuch as Biſhops, and other Eccleſiaſticall perſons being Lords Marchers, hauing the like liberties, caſualties, profits and commodities, within their Lordſhips Marchers and Lordſhips Royall, within the ſaid Dominion or Principality of Wales, were not prouided for by the expreſſe letter of the ſaid ſtatute, in like ſort as the Lay and Temporall Lords Marchers were, but rather of purpoſe, as it ſhould ſéeme forgotten and left out of the ſaid Act, againſt all reaſon and good equity: And foraſmuch alſo, as the heires and ſucceſſors of the Lay and Temporall Lords Marchers, then being, were not prouided for by the limitation and expreſſe words of the ſaid Act, as well as their anceſtors and predeceſſors were, as reaſon would they ſhould haue béene.

It may pleaſe your Maieſties of your moſt gracious fauours and benignity, at the humble ſuit and ſupplication of your ſaid faithfull Subiects, the Lords Marchers, that now are, in the ſaid Dominion of Wales, both Spirituall and Temporall, to grant that it may by the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, be ordeined, eſtabliſhed and enacted, by the authority of this preſent Parliament, that as well your ſaid Spirituall and Eccleſiaſticall Subiects, Lords Marchers, now hauing Lordſhips Marchers, or Lordſhips Royall in Wales aforeſaid, and their ſucceſſors, and the ſucceſſors of euery of them, as alſo the heires and ſucceſſors of the Lords temporall Marchers that then were, or now be, and the heires or ſucceſſors of euery of them being, or which hereafter ſhall be Lords Marchers, within their Lordſhips Marchers, and Lordſhips Royall in the Dominion or Principality of Wales, ſhall haue and enioy to them, and to their heires and ſucceſſors, reſpectiuely and ſeuerally for euer, the moity and halfe of euery forfeiture, of all and euery common mainpriſe, recogniſance for the Peace, or apparance forfeited by any their tenants inhabiting within any of their Lordſhips Marchers, or Lordſhips Royall, and they to be paid the ſame moity or halfe, by the hands of the Sheriffe of the County, for the time being, after ſuch forme and ſort, as the ſaid Lay or Temporall Lords Marchers haue béene or ought to haue béene paid the ſame, by force of the ſaid Statute.

What forfeitures and benefits the Lords Marchers, both Spirituall and Temporall in Wales, ſhall haue of their tenants. Coke.pla.fol.550.

And further, ſhall haue all ſuch miſes and profits of their tenants, as the Lords Marchers, ſpirituall or temporall, reſpectiuely or ſeuerally had or vſed to haue at their firſt entry into their lands in times paſt, before the making of the ſaid act or ſtatute. And alſo ſhall haue, hold and kéepe within the precinct of their ſaid Lordſhips, all ſuch Courts Baron, Courts Léet, and lawdayes, and all and euery thing and things, to the ſame Courts belonging, and alſo ſhall haue within the precinct of their ſaid ſeuerall Lordſhips, or Lawdayes, all ſuch waiſe, ſtraiſe, infang-thefe, outfang-thefe, treaſure troue, deodands, goods and cattels of fellons, and of perſons condemned or outlawed of felony or murther, put in exigent for felony or murther, and alſo all ſuch wreck-de-mer, wharfage and cuſtomes of ſtrangers, as the Lords Marchers Spirituall and Temporall, reſpectiuely and ſeuerally had and vſed in times paſt, before the making of the ſaid ſtatute.

The miſes, profits, liberties and Franchiſes of Lords Marchers reſtored.

CAP. XVI.

The Statutes made Anno 22.*H*:8.7. Anno 23.*H*.8.3.& 17. Anno 24.*H*.8.9. Anno 28.*H*.8.6.8.9. Anno 31.*H*.7. Anno 35.*H*.8.17. Anno 37.*H*.8.23. Anno 2.& 3.*Edw*.6.9. Anno 3.& 4.*Edw*.6.19.& 21. Anno 5.& 6.*Ed*.6.14. Anno 7.*Edw*.6.11. Anno 1. *Maria* 12.& 13. reuiued and made to continue vntill the laſt day of the next Parliament. EXP. St.1. *El*.18.

CAP. XVII.

So much of the Statute of 28.H:8.11. *as concerneth the ratifying of a Leaſe made by a Spirituall perſon of his Benefice, to a Lay man, for ſome yeeres after the Leſſours reſignation or death, altered.*

28.H.8.11.

WHere in the Parliament begun and holden at Weſtminſter the eight day of Iune, in the eight and twentieth yéere of the raigne of our late King of famous memory, Henry the eight, and there continued and kept vntill the diſſolution of the ſame Parliament, the eightéenth day of Iuly next following, one Act intituled, an Act for reſtitution of the firſt fruits in the time of vacation, to the next Incumbent, was had and made, wherein are certeine clauſes for Leaſes then made, and to be made by Spirituall and Eccleſiaſticall perſons, to endure and be in force for terme of ſix yéeres, if the Incumbents did reſigne their ſaid Spirituall promotions, or if the ſame ſhould otherwiſe become void by the only Act of the ſame Incumbents; as by the ſame Act more at large may appeare. To the intent the Parſons and Vicars, and other hauing cure of ſoules, may the better attend, and be the more vigilant in their myſtery and function.

Be it enacted by the King our Soueraigne Lord, and by the Quéene our Soueraigne Lady, with the aſſents of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that as much of the ſame Act, as doth concerne the making good of the ſaid Leaſes, ne any clauſe, ſentence, prouiſion, or article therein conteined, ſhall extend, or be conſtrued, or adiudged to extend to any Leaſe, that ſhall be made by any Parſon, Vicar, or any other, hauing any Spirituall promotion, after the Feaſt of the Purification of our Lady next comming. ALT. 13.El.20. 14.El.11.

The Statute of 28.H.8.11. ſhall not extend to Leaſes hereafter to be made by Spirituall perſons.

ANNO SECVNDO ET TERTIO *PHILIPPI* ET *MARIÆ*.

ACTS made at a Parliament begun and holden at Weſtminſter, the one and twentieth day of October, in the ſecond and third yeare of the reigne of our Soueraigne Lord and Lady, *PHILIP* and *MARY*, by the grace of God, King and Queene of England, France, Naples, Ieruſalem, and Ireland, Defenders of the Faith, Princes of Spaine, and Scicile, Arch-Dukes of Auſtria, Dukes of Millaine, Burgundy and Brabant, Counties of Haſpurge, Flanders, and Tyroll. And there continued and kept vntill the diſſolution of the ſame, being the ninth day of December then next enſuing, were enacted as followeth.

CAP. I.

Commiſſions, ſhalbe awarded to certaine perſons to enquire what and how many Caſtles, Fortreſſes, Villages, Houſes and habitations haue beene decayed within the Counties of Northumberland, Weſtmerland, and the Biſhoprick of Durham, and by whom and what meanes: and how many are meet to be reedified, and how many are fit to be made of new, and in what places: and what parts of the ſaid Counties and Biſhoprick be apt to be incloſed, and conuerted to tillage, or other neceſſary manurance: and what perſons be owners, Lords, Fermours, and Poſſeſſors of the ſame, or claime any intereſt therein, and what eſtates they haue: And thereupon to take ſuch order for the reedifying of ſuch Caſtles, houſes, &c. and for the new erecting of others, and for the incloſing ſuch parts, as ſhall be thought conuenient. EXP. & REP. 4. *Iac.* 1.

CAP. II.

A confirmation of the St. of 4. *H.* 7. 19. touching maintaining of houſes of husbandry and land conuenient for the vpholding of Tillage. Commiſſions ſhall be awarded to certaine perſons, to enquire, heare and determine all defaults and offences committed ſince *Anno* 20. *H.* 8. or hereafter to be committed, contrary to the tenour of the ſaid St. of 4. *H.* 7. and the St. of 7. *H.* 8. 1. which Commiſſioners ſhall and may binde by Recogniſance in good ſummes of money to the King and Queenes vſe, the perſons offending in any decayes or defaults, for the reedifying of decayed houſes, for the conuerting of paſture into tillage againe, and for the deſtroying and diminiſhing of connies in a ground in or neere any corne field, not being lawfull warreine. EXP. & REP. 5. *El.* 2.

CAP. III.

Order for keeping of Milche kine, and rearing of Calues.

FOraſmuch as of late yeeres a great number of perſons within this Realme haue laid their lands, farmes, and paſtures, to feeding of Sheepe, Oxen, Runts, Schrubs, Steeres, and Heicfers, and ſuch other like cattell, hauing no regard or care to breed and reare vp young beaſts and cattell, whereby is growen great ſcarcity of cattell, and victuall neceſſary for the ſuſtenance of diuerſe ſorts of people within this Realme, and more is like to be, if ſpeedy remedy be not prouided.

By the St. of 7. Iac. 8. this St. ſhall extend to grounds hereafter to be encloſed.

It is therefore by the authority of this preſent Parliament enacted, That euery perſon, which from the feaſt of the Purification of our Lady next enſuing, ſhall keepe or feed aboue the number of ſix ſcore ſhere Sheepe for the moſt part of the yeere vpon his or her ſeuerall paſtures, lands, feedings or fermes, apt or meet for Milche kine, and wherein no other perſon hath at the making of this preſent Act, common for any cattell at any time of the yeere, ſhall by authority of this Act yeerely ſo long as he ſhall keepe or feed the ſaid number of ſix ſcore ſhere Sheepe, for euery threeſcore ſhere Sheepe ſo kept or fed, keepe one Milche Cow, and ſhall breed and reare vp yeerely for euery ſix ſcore Sheepe, ſo kept as is aforeſaid, one Calfe, vpon paine of forfeiture for euery moneth that any ſuch perſon, ſhall not for euery three ſcore ſhere Sheepe as is aforeſaid, keepe and feede one Milche Cow, twenty ſhillings for euery Cow ſo not kept. And for lake of rearing and breeding of one Calfe for euery ſix ſcore ſhere Sheepe, to forfeit likewiſe twenty ſhillings for euery Calfe ſo not reared and fed.

A cow ſhall be kept for 60. ſheepe, and a calfe reared for 120. ſheepe.

A milche cow ſhall be kept for x. beaſts fed, and for two kine a calfe reared.

And that euery perſon which after the foreſaid feaſt of the Purification of our Lady, vpon his or her ſeuerall paſtures as afore is ſaid, ſhall keepe or feed aboue the number of xx. Oxen, Runts, Schrubs, Steres, Heicfars, or Kine, ſhall by the authority of this Act, for euery ten beaſts of the ſaid ſorts ſo kept or fed, keepe and nouriſh one Milche Cow, and breed, reare and waine yeerely and keep for one whole yeere, one Calfe for euery two milche kine ſo charged to be kept vpon the ſeuerall paines and forfeitures afore rehearſed, except the ſaid Calfe or Calues ſhall chance to dy within the ſaid yeeres, without couin or fraud thereto added: the one halfe of which ſaid forfeitures, ſhall be to the vſe of our ſaid Soueraigne Lord & Lady the King and Queenes Maieſties, the other halfe, to the vſe of the party, that within one yeere after the offence committed will ſue for the ſame in any of the King and Queenes Maieſties Courts of Record, or before the Iuſtices of Peace, in the ſame Shire, where any ſuch cauſe of forfeiture ſhall be had, at the generall Seſſions (who by authority of this Act ſhall haue power to heare and determine the ſaid offences) by bill, information, preſentment, action of debt, or detinue, in which action or ſuit no eſſoine, protection, wager of law or licence to the contrary ſhall be allowed.

Sheep kept, or beaſts fed to be ſpent in the owners houſe.

Prouided alwayes, that this Act nor any clauſe thereof ſhall be extended to bind any perſon to keepe Milche kine, ne yet to breed or reare vp Calues, as afore is expreſſed for ſuch ſheepe or other beaſts, as the ſame perſon ſhall keepe and feed to the intent only to be ſpent in his or their houſe or houſes, without fraud or couin. This Act to endure only vnto the end of ſeuen yeeres next following the Feaſt of the Purification of our Lady aforeſaid, and from thence to the end of the Parliament then next following. 13. *El.* 25. made perpetuall.

CAP.

CAP. IIII.

The paiment of the firſt fruits of Spirituall liuing to the Queene ſhall ceaſe. The yearely tenths heretofore paid to the Queene by the ſt. of 26.*H*.8.3. ſhalbe imployed to other godly vſes. Parſonages impropriat, tythes, glebe lands, and other Eccleſiaſticall liuings renounced by the Queene. But this Act ſhall not extend to tenths reſerued vpon letters patents. Rep. 1.*El*.4.

CAP. V.

The St. of 22.*H*.8.12. and 3.& 4.*Ed*.6.16. concerning beggers, vagabonds, and idle perſons, ſhall bee put in execution: Reliefe for the aged and impotent poore in euery Pariſh, ſhall bee gathered weekly of the charitable deuotion of the inhabitants. A remedy where a Pariſh is not able to releiue the poore therein, and where a Towne ſurcharged with poore ſtandeth in or neere vnto two Counties: And where there bee ſeuerall Pariſhes in one City, Borough, or Towne. A poore man licenced to beg, ſhall weare a badge on his breſt and backe openly. Exp.

CAP. VI.

Purueyors taking contrary to order ſhall be puniſhed.

FOr the auoyding of the great annoyance and hinderance, commonly done to the ſubiects of this Realme, by Purueyors and Takers of Beeues, Wethers, Lambs, Calues, all kinds of Graine, Butter, Cheeſe, Bacon all kinds of Pullaine, and to eſchew hereafter not only the great deceit miniſtred and done daily by the ſaid Purueyors and Takers, but alſo hereby to aduance the King and Queenes Maieſties better ſeruice in the premiſſes, with the contentation of all their highneſſe faithfull and moſt obedient ſubiects.

Great annoyances done by the Kings Purueyors.

Be it therfore enacted by our ſoueraigne Lord and Lady, and the aſſent of the Lords ſpiritual & temporall, and the Commons in this preſent Parliament aſſembled, & by the authority of the ſame, that after the feaſt of the birth of our Lord next enſuing, euery ſuch Commiſſion as ſhall be made, granted, and directed, to any perſon or perſons, whatſoeuer, whereby the ſame perſon or perſons, or their Deputies, ſhall haue authority to take any Beeues, Wethers, Lambs, Calues, or any kind of Salt fiſh, or any kinde or kinds of Graine, or any Butter in barrels or other veſſels, Cheeſe, Bacon, Conies, Pigs, Geeſe, Capons, or Hens, that the ſame Commiſſion or Commiſſions, ſhall not extend or continue aboue the ſpace of ſix moneths at the furtheſt, next enſuing the date of any of the ſaid Commiſſions. And after the end of the ſaid ſix moneths, euery of the ſaid Commiſſions to be void and of no force nor effect, whatſoeuer words, matters, or ſentences, ſhall be contained or expreſſed in any of the ſame Commiſſions.

No commiſſion ſhall continue aboue ſix moneths.

And be it further enacted by the authority aforeſaid, that in all and euery ſuch Commiſſion or Commiſſions to be granted after the ſaid feaſt of the birth of our Lord, ſhalbe plainly aſwel contained & expreſſed ſuch County or Counties, as any of the ſaid Beeues, Wethers, Lambs Calues Hogs or Swine, or any kind of ſalt fiſh, or any kind or kinds of graine, butter, cheeſe, bacon, Conies, Pigs, Geeſe, Capons or Hens, or any of them, is to be leuied, purueyed, or taken in, by any of the perſon or perſons or their deputy or deputies, ſo authoriſed by the vertue of the ſaid cōmiſſion or commiſſions, as alſo the iuſt, true and full proportion & number of all & euery ſuch Beeues, Wethers, Lambs, Calues, Swine, any kind of ſalt fiſh, or any kind or kinds of graine, butter in barrels or other veſſels, cheeſe, bacon, conies, Pigs, Geeſe, Capons & Hens, or any of them, as the ſaid perſon or perſons, their deputy or deputies or any of them, ſhal be by force & vertue of ẏ ſaid cōmiſſion or cōmiſſiōs authoriſed to leuy, take or puruey within any of the ſaid county or counties

The County ſhalbe named where things ſhalbe taken.

The proportion and number of things taken.

And be it further enacted by the authority aforeſaid, that to euery ſuch Commiſſion or Commiſſions after the ſaid birth of our Lord to be made, granted, and directed, as is aforeſaid, ſhalbe annexed ſo many blancks in parchment, as there ſhalbe ſeuerall Counties expreſſed, named and contained within the ſaid Commiſſion or Commiſſions or any of them, in the which blancks ſhal be faire and legeably written all and euery ſuch Beeues, Wethers, Lambs, Calues, Swine, any kind of ſalt fiſh, or any kind or kinds of graine, Butter, Cheeſe, Bacon, Conies, Pigs, Geeſe, Capons, and Hens, with the true and ſeueral prices of the ſame, and euery of them as ſhalbe leuied, gathered and purueyed by any perſon or perſons, their deputy or deputies, or any of them, as ſhal be thereunto authoriſed by any ſuch Commiſſion or Commiſſions aforeſaid, within any particular Towne, Pariſh, or Hamlet, ſet, lying, and being, within any thoſe County or Counties, as ſhall be named, contained, and expreſſed, within the ſaid Commiſſion or Commiſſions, or any of them, whereunto ſhalbe ſubſcribed the name or ſigne manuel of all and euery ſuch high Conſtable or Conſtables, pety Conſtable or Conſtables, Headborow or Headborows, as ſhalbe by any precept to him or them directed, by any perſon or perſons, their deputy or deputies, or any of them, authoriſed thereunto by ſuch Commiſſion or Commiſſions to be granted as is aforeſaid, priuy or knowledging to the deliuery of the ſaid Beeues, Wethers, Lambs, Calues, any kind of ſalt fiſh, Bacon or any kinde or kindes of Graine, Butter, Cheeſe, Bacon, Conies, Pigs, Geeſe, Capons, and Hens, or any of them.

Blancks in parchment for euery County where any thing ſhalbe prouided.

The Conſtables names ſubſcribed.

And be it further enacted by the authority aforeſaid, that euery perſon or perſons, the Deputy or Deputies, or any of them which ſhalbe by Commiſſion or Commiſſions, hereafter to be granted as is aforeſaid, authoriſed to leuy, takes or puruey any Beeues, Wethers, Lambs, Calues, The Purueyor ſhall make a docket of all things by him taken.

Swine, Salt, Fiſh, or any kind or kinds of grain, Butter in barrels or other veſſels, Cheeſe, Bacon, Conies, Pigs, Geeſe, Capons, and Hens, or any of them, as is beforeſaid, ſhall make a docket or briefe in writing, ſubſcribed with his or their name or names, conteining all and euery ſuch Beeues, Weathers, Lambs, Calues, Swine, kind of ſalt fiſh, kinde or kinds of graine, Butter in barrels or other veſſels, Cheeſe, Bacon, Conies, Pigs, Geeſe, Capons, and Hens, or any of them, as hee or they ſhall by vertue of the ſaid commiſſion or commiſſions, leuy, take, or puruey, within any particular Towne, Pariſh, or Hamlet, ſet, lying and being within any ſuch County or Counties as ſhall be named, contained and expreſſed within the ſaid Commiſſion or Commiſſions, or any of them: and the ſame docket or dockets, briefe or briefes faire and legeably written and ſubſcribed as is aforeſaid, ſhall well and truly deliuer to the ſaid high Conſtable, pety Conſtable or Headborow, or one of them, at ſuch preſent time as the ſaid Beeues, Weathers, Lambs, Calues, Swine, Salt fiſh, kind or kinds of graine, Butter, Cheeſe, Bacon, Conies, Pigs, Geeſe, Capons, and Hens, or any of them, ſhalbe deliuered to them, or any of them, vpon paine of forfeiture of one hundred markes, of lawfull money, and one yeeres impriſonment as often as he ſhall ſo offend. The one moity of which forfeiture, to bee to the King and Queenes Maieſties, and the other moity to him that will ſue therefore in any of the King and Queenes Courts of Record, by bill, plaint, writ, information or otherwiſe, wherein no wager of law, protection, or eſſoine to be allowed.

Dockets ſhall be deliuered to the Iuſtices of peace.

All which dockets or briefes, the ſaid high Conſtable or Conſtables, pety Conſtable or Conſtables, Headborow or Headborows, ſhal deliuer ouer to the Iuſtices of Peace, at the next generall Seſſions to be holden within any of the ſaid Counties. And that the ſame Iuſtices, or two of them, may & ſhall from time to time, certifie the whole number and content of all and euery the ſaid dockets and briefes, to the Lord Steward of the King and Queenes moſt honourable houſhold for the time being, or to the Treaſurer or Comptroller of the ſame, or any of them, or to the Treaſurer and Comptroller of the King and Queenes ſhips, if prouiſion of any the things afore mentioned be prouided and taken, for the victualling of the Nauy, or any of the King or Queenes Maieſties ſhips, whereby the ſeruing of any of the foreſaid Commiſſion or Commiſſions and true anſwering of the ſame ſhall fully appeare.

Former ſtatutes prouided for Purueyors ſhalbe obſerued.

St. 28. Ed. 1. 2. 14.
Ed. 3. 19 5. Ed 3.
2. 25. Ed. 3. 1. 6.
15 20. R. 2. 5. 3.
Ed. 1. 31. 28. H. 6.
2. 4. Ed. 3. 3. 4. 10.
Ed. 3. 1. 36. Ed 3. 2
18. Ed. 3. 4. 23. H.
6. 1. 2 2. H 4. 14.
20. H. 6. 8.

Prouided alwayes and bee it enacted by the authority aforeſaid, that it ſhall not bee lawfull to any perſon or perſons, their deputy or deputies, or any of them, which ſhall be authoriſed by ſuch Commiſſion or Commiſſions hereafter to be granted as is aforeſaid, to leuy, take or puruey any Beeues, Weathers, Lambs, Calues, any kinde of ſalt fiſh, kinde or kindes of graine, Butter in barrels, or other veſſels, Cheeſe, Bacon, Conies, Pigs, Geeſe, Capons and Hens, or any of them, otherwiſe, or in any other ſort and manner, than is in ſeuerall eſtatutes heretofore for purueyors made, ordained, prouided, appointed, limited and expreſſed, vpon ſuch paine and paines, as in the ſaid ſeuerall eſtatutes is conteined and expreſſed.

And foraſmuch as the good and neceſſary lawes heretofore made and prouided againſt the abuſes and euill doings of Purueyors, are not taken to extend to the vndertakers deputies, & ſeruants of any ſuch Purueyors, by whom therefore the people of this Realme be oftentimes very vncharitably and vnlawfully vſed and oppreſſed.

Statutes prouided for Purueyors, ſhall extend to their deputies.

Bee it therefore enacted by the authority of this preſent Parliament, that all and euery ſuch Lawes, Statutes, and Prouiſions, as heretofore haue been made & ordeined againſt Purueyors, & all and euery the pains, penalties, forfeiture & loſſe, contained, mentioned, or appointed, in any of the ſame Lawes or Statutes againſt Purueyors & Takers, or any of them, ſhal alſo be extended and executed vpon euery of their vndertakers, deputies, and ſeruants. And all other which by colour ſhall after the firſt day of Ianuary next comming, take any victuall, or any other thing, by vertue or force of any ſuch Commiſſion, from any the King and Queenes Maieſties ſubiects, contrary to the tenour and effect of any of the ſaid lawes or eſtatutes, in like manner and forme to all intents and purpoſes, as the ſame lawes and eſtatutes, or any of them, and the paines and forfeitures therin conteined, ſhould, might, or ought to be executed and extended againſt Purueyors and Takers themſelues, or any of them. And as ſtrongly and amply, as if the ſaid Undertakers, Deputies, and ſeruants were ſpecially and particularly recited and named in euery of the ſame Eſtatutes.

The Purueyors commiſſion ſhalbe written in Engliſh.

Prouided alwayes, and be it enacted by the authority aforeſaid, for the better execution of this Act, and all other Acts concerning Purueyors, that all and euery Commiſſion and Commiſſions that from henceforth ſhalbe made and granted vnto any Purueyor or Purueyors, ſhall bee written and ſet forth from time to time in the Engliſh tongue, and not otherwiſe.

CAP. VII.

In what manner horſes ſhall be ſold in faires or markets.

The former miſuſe in ſale of ſtollen horſes.

FOraſmuch as ſtollen horſes, mares, and geldings, by theeues and their confederates, bee for the moſt part ſold, exchanged, giuen, or put away in houſes, ſtables, backſides, and other ſecret and priuy places, of markets and faires, and the toll alſo priuily paied for the ſame, whereby the true owners thereof, being not able to try the falſhood and couin betwixt the buyer and ſeller of ſuch horſe, mare, or gelding, is by the common lawes of this Realme without remedy.

Be it therefore enacted by the authority of this preſent Parliament, that the owner, gouernor, ruler, fermor, ſteward, bayliffe, or chiefe keeper of euery faire and market ouert within this Realme, and other the Queenes dominions, ſhall before the feaſt of Eaſter next, and ſo yeerely appoint and limit out a certaine and ſpeciall open place within the towne, place, field, or circuit, where horſes, mares, Geldings, and Colts, haue beene and ſhalbe vſed to be ſold in any Faire or market ouert, in which ſaid certaine and open place as is aforeſaid, there ſhalbe by the ſaid ruler or keeper of the ſaid faire or market, put in & appointed one ſufficient perſon or more, to take toll and keepe the ſame place, from ten of the clock before noone vntill ſun ſet of euery day of the foreſaid faire and market, vpon paine to loſe and forfeit for euery default forty ſhillings. And that euery toll gatherer, his deputy or deputies, ſhal during the time of euery the ſaid faires and markets, take their due and lawfull tols, for euery ſuch horſe, mare, gelding, or colt, at the ſaid open place to be appointed as is aforeſaid, and betwixt the houres of ten of the clocke in the morning, and the ſun ſet of the ſame day, if it be tendred, and not at any other time or place, and ſhall haue preſently before him or them at the taking of the ſame toll the parties to the bargaine, exchange, gift, contract or putting away of euery ſuch horſe, mare, gelding or Colt: and alſo the ſame horſe, mare, gelding, and colt, ſo ſold, exchanged, or put away, and ſhall then write or cauſe to bee written in a booke to be kept for that purpoſe, the names, ſurnames, and dwelling places of all the ſaid parties, and the colour with one ſpeciall marke at the leaſt of euery ſuch horſe, mare, gelding or colt, in paine to forfeit at and for euery default, contrary to the tenour hereof forty ſhillings.

A place ſhalbe appointed for a horſe faire, and alſo a Tolltaker

When, where, and of whom toll for horſes ſhalbe taken.

And the ſaid toll gatherer or keeper of the ſaid booke, ſhall within one day next after euery ſuch faire, or market, bring and deliuer his ſaid booke to the owner, gouernor, ruler, ſteward, bailiffe, or chiefe keeper of the ſaid faire or market, who ſhall then cauſe a note to bee made of the true number of all horſes, mares, geldings, and colts ſold at the ſaid market or faire, and ſhall there ſubſcribe his name or ſet his marke thereunto, vpon paine to him that ſhall make default therein to loſe and forfeit for euery default forty ſhillings, and alſo to anſwer the party grieued, by reaſon of the ſame his negligence in euery behalfe.

A note of all horſes ſold in a faire or market.

And bee it further enacted by the authority aforeſaid, that the ſale, gift, exchange or putting away after the laſt day of February now next comming in any faire or market ouert of any horſe mare, Gelding or Colt, that is or ſhall be theeuiſhly ſtollen, or feloniouſly taken away from any perſon or perſons, ſhall not alter, take away, nor exchange the property of any perſon or perſons to, or from any ſuch horſe, mare, Gelding or Colt, vnleſſe the ſame horſe, mare, Gelding or Colt, ſhalbe in the time of the ſaid faire or market, wherein the ſame ſhall be ſo ſold, giuen, exchanged, or put away, openly ridden, led, walked, driuen, or kept ſtanding, by the ſpace of one houre together at the leaſt, betwixt ten of the clocke in the morning, and the ſun ſetting, in the open place of the faire or market, wherin horſes are commonly vſed to be ſold, and not within any houſe, yard backſide, or other priuy or ſecret place, and vnleſſe all the parties to the bargaine, contract, gift, or exchange, preſent in the ſaid faire or market, ſhall alſo come together and bring the Horſe, mare, Gelding or Colt, ſo ſold, exchanged, giuen, or put away to the open place appointed for the toll taker, or for the booke keeper where no toll is due, and there enter or cauſe to be entered their names and dwelling places, in manner as is aforeſaid, with the colour or colours, and one ſpecial marke at the leaſt of euery the ſame horſes, mares, Geldings or Colts, in the toll takers booke, or in the keepers booke for that purpoſe, whereunto toll is due as is aforeſaid: and alſo pay him their toll, if they ought to pay any, & if not then the buyer to giue one peny for the entry of their names, and executing the other circumſtances afore rehearſed, to him that ſhall write the ſame in the ſaid booke.

The vſing of a ſtollen horſe in a faire, or &c before the owners property ſhall be taken away.

And if any horſe, mare, Gelding or Colt, that is, or ſhall bee theeuiſhly ſtollen, or taken away, ſhall after the ſaid laſt day of February next comming, be ſold, giuen, exchanged, or put away, in any faire or market, and not vſed in all points according to the tenor and intent of this eſtatute, that then the owner of euery ſuch horſe, mare, Gelding or Colt, ſhall and may by force of this Eſtatute, ſeaſe, or take againe the ſaid horſe, mare, Gelding or Colt, or haue an action of Detinue or Repliuin for the ſame, any ſale, gift, exchange or putting away of any ſuch horſe, mare, gelding or Colt, other than according to this Eſtatute in any wiſe notwithſtanding.

The one halfe of all which forfeitures to be to the King and Queenes Maieſtie, her heires, and ſucceſſors, and the other to him or them that will ſue for the ſame before the Juſtices of peace, or in any of the King and Queenes maieſties ordinary Courts of record, by Bill, Plaint, action of debt, or information, in which ſuits no protection, eſſoine, or wager of law ſhalbe allowed.

And be it enacted by the authority aforeſaid, that the Juſtices of peace of euery place & County, aſwell within liberties, as without, ſhall haue authority in their ſeſſions within the limits of their authority and commiſſion, to inquire, heare and determine all offences againſt this eſtatute as they may doe any other matter triable before them.

The Juſtices of peace ſhal heare and determine the offences aforeſaid.

Prouided alwayes, that in euery ſuch faire and market, where any toll is, nor ſhall be due, ne leuiable by reaſon of the freedome, liberty, or priuilege of the ſaid faire or market, the keeper or

The allowance of the keeper of the book where no Toll is due.

keepers of the booke touching the execution of this preſent Act, ſhall take nor exact but one peny vpon and for euery contract, for his labour in writing the entry, concerning the premiſſes in maner and forme as is before declared. St. 13. El. 12.

Cap. VIII.

Who ſhalbe charged towards the mending of high wayes.

FOr amending of high wayes, being now both very noiſome and tedious to trauel in, and dangerous to all paſſengers and carriages.

Bee it enacted by the authority of this preſent Parliament, that the Conſtables and Churchwardens of euery Pariſh within this Realme, ſhall yeerely vpon the Tueſday or Wedneſday in Eaſter weeke, call together a number of the Pariſhioners, and ſhall then elect & chuſe two honeſt perſons of the pariſh, to be ſurueyors and orderers for one yeere, of the works for amendment of the high waies in their pariſh, leading to any market towne, the which perſons ſhall haue authority by vertue hereof, to order & direct the perſons and carriages that ſhalbe appointed for thoſe works by their diſcretions, and the ſaid perſons ſo named, ſhall take vpon them the execution of their ſaid offices, vpon paine euery of them making default, to forfeit twenty ſhillings.

Surueyors ſhalbe appointed for the amendment of high wayes.

And the ſaid Conſtables and Churchwardens ſhall then alſo name and appoint foure dayes, for the amending of the ſaid waies, before the Feaſt of the Natiuity of Saint John Baptiſt then next following. And ſhall openly in the Church the next Sunday after Eaſter, giue knowledge of the ſame foure dayes, and vpon the ſaid dayes the Pariſhioners ſhall endeuour themſelues to the amending of the ſaid wayes, and ſhalbe chargeable thereunto as followeth: that is to ſay, Euery perſon for euery plowland in tillage or paſture that he or ſhe ſhall occupy in the ſame Pariſh, and euery other perſon keeping there a draught or plow, ſhall finde and ſend at euery day and place to be appointed for the amending of the wayes in that Pariſh as is aforeſaid, one waine or cart, furniſhed after the cuſtome of the Countrey, with oxen, horſes, or other cattell, and all other neceſſaries meet to carry things conuenient for that purpoſe, and alſo two able men with the ſame, vpon paine of euery draught making default, ten ſhillings: and euery other houſholder, and alſo euery cotager and laborer of that Pariſh able to labour, and being no hired ſeruant by the yeere, ſhal by themſelues, or one ſufficient laborer for euery of them vpon euery of the ſaid foure dayes, worke and trauell in the amendment of the ſaid high wayes, vpon paine of euery perſon making default, to loſe for euery day xii. d. And if the carriages of the Pariſh, or any of them, ſhall not be thought needfull by the Surueiors to be occupied vpon any of the ſaid dayes, that then euery ſuch perſon that ſhould haue ſent any ſuch carriage, ſhall ſend to the ſaid worke for euery carriage ſo ſpared, two able men, there to labour for that day, vpon paine to loſe for euery man not ſo ſent to the ſaid worke, xii. d. And euery perſon and carriage aboueſaid, ſhall haue and bring with them ſuch ſhouels, ſpades, pyckes, mattocks, and other tooles and inſtruments, as they doe make their owne ditches and fences withall, and ſuch as be neceſſary for their ſaid worke. And all the ſaid perſons and carriages, ſhall doe and keep their work as they ſhal be appointed by the ſaid Superuiſors, or one of them, eight houres of euery of the ſaid dayes, vnleſſe they ſhalbe otherwiſe licenced by the ſaid Superuiſors or one of them. And be it enacted by the authority aforeſaid, that the Steward and Stewards of euery leet or law-day, ſhall therein haue full power and authority to enquire by the oathes of the ſuters of all and euery the offences that ſhal be committed within the leet or law-day, againſt euery point & article of this eſtatute, and to aſſeſſe ſuch reaſonable fines and amerciaments for the ſame, as ſhall bee thought meet by the ſaid ſteward. And in default of ſuch inquiry or preſentment, the Juſtices of peace for euery place or county ſhall haue authority to enquire of the ſame the offẽces which ſhalbe committed within the limits of their commiſſion at euery their quarter Seſſions, and to aſſeſſe ſuch fines therefore, as they or two of them whereof one to bee of the Quorum, ſhall thinke meet. And the Steward of euery leet and law day ſhall make eſtreats indented of all the fines, forfeitures, and amerciaments, for the defaults preſented before him, and ſhall deliuer the one part thereof ſealed and ſigned by him to the Bailiffe or high Conſtable of euery hundred, rape, lath, or wapentake, wherein the defaults ſhalbe preſented, and the other part to the Conſtable and Churchwardens of the pariſh wherin the defaults was made, the ſame to be yeerly deliuered within ſix weekes after the feaſt of Saint Michael the Archangel, and the Clerke of the peace ſhall make the like eſtreats indented of the fines, forfeitures and amerciaments for the defaults preſented before the Juſtices of peace, and ſhal ſeale, ſubſcribe and deliuer the ſame in like ſort as is aforeſaid: the which eſtreats and euery of them ſhalbe a ſufficient warrant to the ſaid Bailiffe or chiefe Conſtable to leuy the ſaid amerciaments, fines, & forfeitures by way of diſtreſſe. And if no ſufficient diſtreſſe can be found by the ſaid Bailiffe or head-Conſtable, or if the ſaid offendor ſhall obſtinately refuſe to pay the ſaid amerciament, fine or forfeiture, and doe not pay the ſame within twenty dayes after a lawfull demand of the ſame by the ſaid officer, that then euery ſuch perſon to forfeit the double ſumme that hee ſhould before haue paid.

Foure dayes ſhalbe appointed for the amendment of high wayes. Alt. 5. El. 13.

Each perſons charge towards the mending of high wayes. 18. El. 10.

Neceſſary tooles ſhalbe brought to be vſed about highwaies.

What officers may enquire of offences.

The penalty for refuſing to pay the forfeitures.

And bee it further enacted, that euery of the ſaid Bailiffes and head Conſtables, ſhall at leaſt once euery yéere, betwixt the firſt day of March and the laſt day of April, make a true account, & paiment of all ſuch ſums of mony (to the Conſtable and Churchwardens of euery pariſh wherein the offences were committed, or to two of them) as hee ſhall haue collected vpon any of the aforeſaid eſtreats, vpon paine to forfeit for euery time he ſhall not ſo doe, forty ſhillings.

The Conſtables account.

And be it enacted by the authority aforeſaid, that all fines, amerciaments & forfeitures which ſhalbe due for any offence againſt the purvey of this Eſtatute, ſhalbe to the Churchwardens of euery pariſh wherein the offences ſhalbe committed, to bee beſtowed of the high wayes in the ſaid pariſhes. And the ſaid Churchwardens ſhal haue authority to call the ſaid Bailiffe and head conſtable to account before the Iuſtices of peace, or two of them, whereof one to bee of the Quorum, by bill, information or otherwiſe. The which Iuſtices ſhall haue authority to take the ſaid account, and to commit the ſaid Bailiffe or head Conſtable to priſon, there to remaine vntil he ſhal pay all ſuch arrerages as ſhalbe adiudged by the ſaid Iuſtices: and euery of the ſaid Bailiffes, and head Conſtables vpon their accounts, ſhall haue allowed for euery pound he ſhall collect and pay, eight pence for his owne paines and twelue pence for the fées of the Clerke of the peace, or ſteward of the Léet for the eſtreats indented of euery ſeueral pariſh that they ſhall deliuer as is aforeſaid, and the ſucceſſors of euery Churchwardens ſhall haue the like action of account againſt their predeceſſors as is before appointed againſt the Bailiffes. This Act to continue for ſeuen yéeres next after the beginning of this Parliament. And to the end of the next Parliament then next following. St.5.*El.*13.29.*El.*5.made perpetuall.ſt.13.*El.*1.5.27.*El.*24.

How the forfeitures ſhall be imployed.

The Bailiffe and head Conſtables account.

CAP. IX.

All licences to keepe houſes for vnlawfull games ſhall be void.

MOſt humbly beſéecheth the Quéens moſt excellent highneſſe your louing and obedient ſubiects, the Commons in this your preſent Parliament aſſembled, that where by reaſon of diuers ſundry licences heretofore granted to diuers perſons, as well within the City of London, and the Suburbs of the ſame, as alſo in diuers other places within your Highneſſe Realme, for the hauing, maintaining, and kéeping of houſes, gardens, and places for bowling, tennice dicing, white and blacke, making and marring, and other vnlawfull games prohibited by the lawes and ſtatutes of this realme, diuers and many vnlawfull aſſemblies, conuenticles, ſeditions, and conſpiracies, haue, and béene daily ſecretly practiſed by idle and miſruled perſons, repairing to ſuch places, of the which, robberies, and many other miſdemenors haue enſued to the breach of your Highneſſe peace. For remedy whereof, it may pleaſe your highneſſe, that it may bee enacted by your Highneſſe, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, that from and after the feaſt of the Birth of our Lord God next comming, euery licence, placard, or grant, made to any perſon or perſons, for the hauing, maintenance, or kéeping of any bowling allies, dicing houſes, or other vnlawfull games, prohibited by the lawes and Statutes of this [illegible]alme, ſhall be from the ſaid feaſt vtterly void, and of none effect. Statute 33.H.8.9.

The inconueniences of permitting houſes for vnlawfull games.

All licences to keep ſuch houſes ſhalbe void.

CAP. X.

Iuſtices of Peace ſhall examine perſons arreſted of felony, &c. and ſhall binde their accuſers to giue euidence againſt them.

WHere in the laſt Parliament holden at Weſtminſter, amongſt other things it was enacted, that ſuch Iuſtices of the Peace as haue authority to baile any priſoner brought before them for any manſlaughter or felony, before any bailement or mainpriſe ſhould take the examination of the ſaid priſoner, and information of them that bring him of the fact & circumſtances thereof, and the ſame or as much thereof as ſhall be materiall to proue the felony, ſhall put in writing before they make the ſame bailement, which ſaid examination, together with the ſaid bailment, the ſaid Iuſtices ſhould certifie at the next generall gaole deliuery, to be holden within the limits of their commiſſion, as by the ſame act more plainly is conteined and may appeare.

1.&2.P.&M.13.

And foraſmuch as the ſaid Act doth not extend to ſuch priſoners as ſhall be brought before any Iuſtice of Peace for manſlaughter or felony, and by ſuch Iuſtice ſhall be committed to ward for the ſuſpition of ſuch manſlaughter or felony, and not bailed, in which caſe examination of ſuch priſoner, and of ſuch as ſhall bring him, is as neceſſary or rather more than where ſuch priſoner ſhall be let to baile or mainpriſe. Be it therefore enacted by the authority of this preſent Parliament, that from henceforth ſuch Iuſtices or Iuſtice before whom any perſon ſhall be brought for manſlaughter or felony, or for ſuſpition thereof, before he or they ſhall commit or ſend ſuch priſoner to ward, ſhall take the examination of ſuch priſoner, and information of thoſe that bring him

A Iuſtice of peace ſhall examine him that is ſuſpected of felony, and to be committed to priſon.

of the fact and circumſtance thereof, and the ſame, or aſmuch thereof as ſhalbe materiall to proue the felony, ſhall put in writing within ii. daies after the ſaid examination, and the ſame ſhall certifie in ſuch manner and forme, and at ſuch time, as they ſhould and ought to do if ſuch priſoner ſo committed or ſent to ward had béene bailed or let to mainpriſe, vpon ſuch paine as in the ſaid former Act is limited and appointed for not taking, or not certifying ſuch examinations as in the ſaid former Act is expreſſed. And be it further enacted, that the ſaid Iuſtices ſhall haue authority by this Act to binde all ſuch by recogniſance or obligation, as doe declare any thing materiall to proue the ſaid manſlaughter or felony againſt ſuch priſoner as ſhall be ſo committed to ward, to appeare at the next generall gaols deliuery to be holden within the County, City, or towne corporate, where the triall of the ſaid manſlaughter or felony ſhal be, then and there to giue euidence againſt the party, and that the ſaid Iuſtices ſhal certifie the ſaid bands taken before them, in like manner as they ſhould and ought to certifie the bands mentioned in the ſaid former act, vpon the paine as in the ſaid former Act is mentioned for not certifying ſuch bands, as by the ſaid former Act is limited and appointed to be certified.

Binding of the accuſors to giue euidēce againſt the priſoner.

Cap. XI.

Who ſhall vſe the trade of Weauing.

Seuerall iniuries done by clothiers to weauers.

FOraſmuch as the Weauers of this Realme, haue as well at this preſent Parliament, as at diuers other times complained, that the rich and wealthy Clothiers do many wayes oppreſſe them, ſome by ſetting vp and kéeping in their houſes diuers Loomes, and kéeping and maintaining them by Iourneymen and perſons vnſkilfull, to the decay of a great number of Artificers which were brought vp in the ſaid Science of weauing, their families and houſhold, ſome by ingroſſing of Loomes into their hands and poſſeſſions, and letting them out at ſuch vnreaſonable rents, as the poore Artificers are not able to maintaine themſelues, much leſſe their wiues, families and children, ſome alſo by giuing much leſſe wages and hire for the weauing and workmanſhip of clothes than in times paſt they did, whereby they are inforced vtterly to forſake their art and occupation wherein they haue béene brought vp.

It is therefore for remedy of the premiſſes, and for the auoyding of a great number of inconueniences which may grow (if in time it be not foreſéene) ordeined, eſtabliſhed, and enacted, by authority of this preſent Parliament, that no perſon vſing the feat or myſtery of clothmaking, & dwelling out of a city, borough, market town or corporat town, ſhal from the feaſt of S. Michael the Archangell now next enſuing, kéep, retain or haue in his or their houſe or poſſeſſion, any more or aboue one wollē loome at one time, nor ſhal by any means directly or indirectly receiue or take any manner profit, gaine, or commodity, by letting or ſetting any Loome or any houſe wherin any Loome is or ſhalbe vſed and occupied, which ſhalbe together by him ſet or let vpon paine of forfeiture for euery wéek that any perſon ſhal doe contrary to the tenor and true meaning hereof xx.s.

No clothier ſhal keepe aboue one woollen loome.

No weauer ſhal haue aboue two woollen loomes

And be it further ordeined and enacted by like authority, That no woollen Weauer vſing or exerciſing the feat or myſtery of weauing, and dwelling out of City, Bo[illegible]gh, Market Towne or towne Corporat, ſhall after the ſaid Feaſt haue or kéepe at one time aboue the number of two wollen Loomes, or receiue any profit, gaine or commodity directly or indirectly, as is aforeſaid, by any more than two Loomes at one time, vpon pain to forfeit for euery wéeke that any perſon ſhall offend or doe to the contrary xx.s.

No weauer ſhal haue a tucking mill.

And it is further ordeined and enacted by like authority, That no perſon which ſhall after the ſaid Feaſt, vſe, exerciſe or occupy onely the feat or miſtery of a Weauer, and not Clothmaking, ſhall during the time that he ſhall vſe the feat or miſtery of a Weauer, kéepe or haue any Tucking mill, or ſhall vſe or exerciſe the feat or miſtery of a Tucker, Fuller or Dyer, vpon paine to forfeit for euery wéeke that he ſhall ſo doe xx.s.

No tucker or fuller ſhall haue aboue 1. loome.

And it is further ordeined & enacted by like authority, that no perſon which after the ſaid feaſt, ſhall vſe, exerciſe or occupy the feat or miſtery of a tucker or fuller, ſhall during the time that he ſhal ſo vſe the ſaid feat or miſtery, kéep or haue any loome in his houſe or poſſeſſion, or ſhal directly or indirectly take any profit or commodity by the ſame, vpon pain to forfeit for euery wéek xx.s.

In what places only woollen clothes may be wouen. 4. & 5. P. & M. 5.

And it is further ordeined and enacted by like authority, that no perſon whatſoeuer which heretofore hath not vſed or exerciſed the feat miſtery or art of ſuch Clothmaking, ſhall after the ſaid feaſt, make or weaue, or cauſe to be made or wouen, any kind of broad white wollen Clothes, but onely in a City, borough, towne corporat or market towne, or elſe in ſuch place or places where ſuch Clothes haue béene vſed to be commonly made, by the ſpace of ten yéers next before the making of this act, vpon paine of forfeiture for euery Cloth otherwiſe made. v.li.

A weauer ſhall haue but two prentices. Rep. 5. El. 4.

Prouided alwaies, and be it further enacted by the authority aforeſaid, that it ſhall not be lawfull to any perſon or perſons, being a weauer, or that doth or ſhal vſe the art or miſtery of a weauer or weauing, dwelling out of a city, borough, towne corporate or market towne, to haue in his & their ſeruice any more, or aboue the number of two apprentices at one time, vpon paine to forfeit for euery time that he ſhall offend or doe contrary to this branch or article the ſumme of x.li.

And further be it enacted by the authority aforeſaid, that it ſhall not be lawfull to or for any perſon or perſons, to ſet vp the art or miſtery of weauing, after the ſaid feaſt of S. Michaell, vnleſſe the ſame perſon or perſons ſo ſetting vp the ſame art or miſtery of weauing, haue beene Apprentice to the ſame art or myſtery, or exerciſed the ſame by the ſpace of ſeuen yeeres at the leaſt vp paine of twenty pounds, to be forfeited to the King and Queenes Maieſties, her graces heires or ſucceſſors. The one moity of all which forfeitures ſhalbe to the King and Queenes highneſſe, her heires and ſucceſſors: and the other moity to him or them that will ſue for the ſame in any Court of record, by action of debt, bill, plaint or information, wherein no wager of law, eſſoine, or protection ſhalbe admitted or allowed for the defendant.

None ſhalbe a weauer but he which hath bin a prentice. 5.Ed.6.8.

Prouided alwaies, and be it enacted by the authority aforeſaid, that this act nor any thing therin conteined ſhal in any wiſe extend or be preiudiciall to any perſon or perſons, that doth or ſhall dwell in the Counties of Yorke, Cumberland, Northumberland & Weſtmerland, but that they & euery of them ſhall & may haue & keep Loomes in their houſes, and doe & exerciſe all & euery thing and things, for or concerning ſpinning, weauing, Cloth working and Cloth making in the ſaid counties, as they or any of them might haue done or exerciſed lawfully before the making of this Eſtatute: any thing conteined in this Eſtatute to the contrary in any wiſe notwithſtanding.

The inhabitants of certaine counties which ſhall not be preiudiced by this Act.

Cap. XII.

In what manner Clothes called Bridgewaters ſhalbe vſed, before they ſhalbe bought and ſold.

Where before this time, the boroughs and townes of Bridgewater, Taunton and Chard, in the County of Sōmerſet, haue bin well & ſubſtantially inhabited, occupied, maintained and vpholden, for the moſt part by reaſon of the making of wollen clothes, commonly called Bridgwater, Taunton & Chard Clothes, which in times paſt were much deſired, aſwell beyond the ſeas, as in this realme of England, and thereby the inhabitants & poore people of the ſaid Boroughs & townes, & of the Country thereabouts, were daily ſet on worke, & had ſufficient liuing by the ſame: and where alſo the ſaid townes in times paſt were of great force & ſtrength to ſerue the King and Queenes highneſſe progenitors & anceſtors Kings of this realme. Foraſmuch as of late diuers perſons inhabiting & dwelling in villages, hamlets, and ſmall townes of huſbandry in the ſaid County of Sōmerſet, which were neuer prentiſes or ſkilful in making of yͤ ſaid clothes, aſwell for their priuate wealths & commodities, as alſo becauſe they would bee out of due ſearch of their clothes to be made according to the ſtatute therefore prouided, not regarding the maintenance of the ſaid boroughs & towns, nor the common wealth of the handicrafts-men & other poore people which chiefly had their liuing & ſuſtenance by making of the ſaid Cloth, haue of late dayes exerciſed, vſed & occupied the myſteries of Clothmaking, weauing, fulling & ſheering within their houſes, and haue ſo deceiptfully made, wrought and ſtretched the ſaid Clothes, to the infamy and ſlander of clothmaking in ſuch ſort & manner, that not only the ſame ſorts of clothes are growen out of eſtimation, but alſo the ſaid townes are in great decay, ruine and depopulation.

For remedy whereof, be it enacted by the authority of this preſent Parliament, that no perſon whatſoeuer inhabiting, or which ſhall hereafter inhabit within the ſaid county, ſhall after yͤ feaſt of the purification of our Lady next comming, commonly called Candlemas, put to ſale any kind of ſuch clothes as is aforeſaid, or clothes of like nature, making & ſort, made or to be made within the ſaid County, except ſuch Cloth be firſt viewed, ſearched and ſeene in one of the boroughes, or townes aforeſaid, whether the ſame be perfectly and truly made according to the ſtatute, and alſo that the ſame be ſealed with the ſeale of one of the ſaid boroughs or towns, in ſuch ſort, manner & forme, as in the ſtatute made in the fifth yeere of the raigne of our late Soueraigne Lord King Edward the ſixt, intituled an act for the true making of wollen cloth, is for ſealing of clothes prouided and enacted, vpon paine that euery perſon offending or doing contrary to the true meaning of this act, ſhall forfeit the Cloth ſold, or the value thereof: the moity of all which forfeitures ſhall be to our ſoueraigne Lord and Lady the King and Queenes Maieſties, the heires and ſucceſſors, of the Queenes Maieſty, and the other halfe to him or them that wil ſue for the ſame in any of the King and Queenes Maieſties Courts of Record, her heires and ſucceſſors, wherein no eſſoine, protection or wager of Law ſhall be admitted or allowed. St.4.& 5.P.& M.5.

No Bridgwater cloth ſhalbe ſold before it be viewed, ſerched and ſealed.

5.Ed.6.6.

Cap. XIII.

The Inhabitants of Halifax may buy wooll and ſell the ſame againe.

Foraſmuch as the Pariſh of Halifax and other places thereunto adioyning, being planted in the great waſt and moores where the fertility of ground is not apt to bring forth any Corne nor good Graſſe, but in rare places, and by exceeding and great induſtry of the Inhabitants, And the ſame inhabitants altogether doe liue by clothmaking, and the great part of them neither getteth corne nor is able to kéepe a horſe to carry wools, nor yet to buy much wooll at once, but hath euer vſed onely to repaire to the towne of Halifax and ſome other nigh thereunto, and there to buy vpon the wooll driuer, ſome a ſtone, ſome two, and ſome thrée and foure, according to their ability, and to carry the ſame to their houſes, ſome thrée, foure, fiue and ſix miles off, vpon their heads and backes, and ſo to make and conuert the ſame either into yarne or Cloth, and to ſell the ſame, and ſo to buy more wooll of the wooll driuer, by means of which induſtry, the baren grounds in thoſe parts bee now much inhabited, and aboue fiue hundred houſholds there newly encreaſed within theſe forty yeeres paſt, which now are like to be vndone and driuen to beggery, by reaſon of the late Eſtatute made, that taketh away the wooll driuer, ſo that they cannot now haue their wooll by ſuch ſmall portions as they were wont to haue, and that alſo they are not able to kéepe any horſes whereupon to ride or fet their wools further from them in other places, vnleſſe ſome remedy may be prouided. For the remedy wherof, be it enacted by the King and Quéenes Maieſties, by the Lords ſpirituall and temporall, and the Commons in this preſent Parliament, and by the authority of the ſame, that from henceforth it ſhalbe lawful to any perſon or perſons inhabiting within the pariſh of Halifax, to buy any wooll or wools, at ſuch times as the Clothiers may buy the ſame, otherwiſe than by engroſſing and foreſtalling, ſo that the perſons ſo buying the ſame, doe carry or cauſe to be carried the ſaid wools ſo bought by them to the towne of Halifax, & there to ſell the ſame to ſuch poore folkes of that and other pariſhes adioining, as ſhall worke the ſame in cloth of yarne (to their knowledge) and not to the rich and wealthy clothier, nor to any other to ſell againe. And if either the ſaid wooldriuer ſhal ſell his ſaid wools at any other place forth of the ſaid towne of Halifax, or if any w^{ch} ſhal buy their wools at Halifax, ſhal ſel their wools that they bought again vnwrought in yarne or cloth, that then euery ſuch offendor to loſe and forfeit the double value of the wooll ſo ſold, or vttered, the one moity thereof to bee to the King and Quéenes Maieſties, her heires and ſucceſſors Kings of this Realme, and the other moity to him, or them that will ſue for the ſame in any of the Kings and Quéenes Maieſties Courts of record, or before the Iuſtices of peace in their ſeſſions, who by vertue hereof in their open ſeſſions ſhall haue authority vpon information, to heare and determine the ſame, and to make proceſſe againſt the offendors as in any other caſe to be determined before them.

The St. of 5. Ed. 6. 7. very preiudiciall to the inhabitants of Halifax.

The inhabitāts of Halifax may buy wooll & ſell it againe there.

The Iuſt. of P. may heare and determine theſe offences.

Cap. XIIII.

It ſhall be lawfull to the Deane and Chapter of Hereford, within eight yeeres next, to reedifie foure ſufficient Mils, viz. two Corne Mils, and two fulling Mils, vpon the riuer of Wie, in or neere vnto the place where foure old Mils did ſtand. PR.

Cap. XV.

Purueyors ſhall take no victuals within fiue miles of Cambridge and Oxford.

Cambridge & Oxford & fiue miles circuit haue bin free of Purueyors.

Humbly ſue to your Maieſties, the Societies, Colleges and Companies of your true and faithfull ſubiects, and daily Orators, the Schollers and Students of both your Maieſties Vniuerſities, Cambridge and Oxford, that where it hath béene accuſtomed time out of minde, that both the ſaid market townes of Cambridge and Oxford, wherein the ſaid two Vniuerſities be ſet, and the Circuit of fiue miles next adioyning, hath béene frée from any charge or moleſtation of any common Takers, or Purueyors for Victuall, whereby the ſaid markets were more plentifully ſerued with Victuall, and the poore eſtate of a great multitude of Schollers, hauing very bare and ſmall ſuſtentation thereby relieued: and now by the means that contrary to the ſame laudable cuſtome, diuers Purueyors and Takers haue of late exceſſiuely frequented the ſame Markets, and thereby giuen occaſion to make victuals both more ſcant and much dearer, to a notorious decay of Schollers, which alſo daily in this great dearth is like to encreaſe & be more lamentable, to the hinderance of Gods ſeruice, the diſhonor of the realme, the diſcomfort of all good and holy men louing learning and vertue.

Purueiors ſhall not take victual in Cambridge or Oxford, or within 5. miles thereof.

It may therefore pleaſe your Maieſties of your great pity, and abundant fauour and loue towards your ſaid two Vniuerſities, being the very two only nurſes of good learning in this realm, with the aſſent of the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, to enact, ordeine and eſtabliſh, that from henceforth no manner of purueyor, taker, badger, loader, or other Miniſter may or ſhall take, or bargaine for any kinde of victuall, or graine, in any of the ſaid markets, or towne of Cambridge and the City of Oxford, nor ſhall take or bargaine for any victuall within the compaſſe of fiue miles thereto adioyning, without the conſent, agréement, or good will of the owner or owners, neither ſhall attempt to carry, take away or bargaine for any manner of graine or other victuall, bought or prouided within the ſaid ſpace of fiue miles by any common Miniſter of any College, Hoſtell or Hal, to be ſpent within any of the ſaid Colleges, Hoſtels, or Hals, vpon paine of the forfeiture of the quadrupell value of any ſuch manner of graine or victuall, ſo taken or bargained for, in any of the ſaid markets, or within the ſaid ſpace of fiue miles (againſt the will of the owners) as is aboueſaid, or attempted to be taken, caried away or bargained for, being prouided as is aboueſaid, for to bee ſpent in any the Colleges, Hoſtels or Hals. And further ſhall ſuffer impriſonment for the ſpace of three moneths without baile or mainpriſe. And that the Chancellor or Vicechancellor, or his Commiſſary for the time being in either of the ſaid Vniuerſities, with two Iuſtices of peace of the County, wherein the ſaid Vniuerſities bee ſet, ſhall haue full power by authority of this Act, to enquire by the othes of twelue men, of and vpon the defaults and offences committed contrary to the tenour therof, and to ſee due puniſhment & reformation therof in forme aforeſaid from time to time: the one halfe of which foreſaid forfeitures to be to the common treaſure of either of the ſaid Vniuerſities, reſpectiuely to the fault committed againſt this their priuilege, the other halfe to the party that will ſue for the ſame, by action of debt, bill, plaint, or otherwiſe in any Court of Record, or before the foreſaid Chancellor, his Vicechancellor or Commiſſary for the time being, and two Iuſtices of peace as is before expreſſed.

Who may enquire of & puniſh the offences.

Prouided, that this Act ſhall not be put in execution at any time or times, whenſoeuer your Maieſties, or the heires or ſucceſſors of your Maieſty our ſoueraigne Lady, ſhall pleaſe to come to any of both the ſaid Vniuerſities or within ſeuen miles of either of them, but ſhall bee in ſuſpence during that time only and not longer.

This Act ſuſpended during the Q. preſence.

Prouided alwaies, and be it enacted by the authority aforeſaid, that this Act or any thing therin conteined, ſhall not in any wiſe be preiudicial or hurtfull to the Maior, Bailiffes and Comminalty of the City of Oxford, nor to the Mayor and Comminalty of the towne of Cambridge, or to their ſucceſſors, for and concerning any of their liberties or priuileges, but that they and euery of them and their ſucceſſors, reſpectiuely may haue and vſe the ſame, in ſuch manner and forme, as they or any of them might or ought to haue done before the making of this Act: any thing in this Act conteined to the contrary notwithſtanding. 13. El. 21. 18. El. 20.

The liberties of Oxford & Cambridge ſaued.

CAP. XVI.

The office and duty of the eight ouerſeers of Watermen rowing betweene Graueſend and Windſor.

WHere as heretofore for lacke of good gouernment and due order, amongſt Wherimen and Watermen, exerciſing, vſing and occupying rowing vpon the riuer of Thames, there hath diuers and many miſfortunes and miſchances, happened and chanced of late yeeres paſt to a great number of the King and Queenes ſubiects, aſwell to the Nobility as to other the common people, that haue paſſed and repaſſed, and beene carried by water, by reaſon of the rude, ignorant, and vnſkilfull number of Watermen, which for the moſt part beene maſterleſſe men, and ſingle men of all kinds of occupations and faculties, which doe worke at their owne hands. And many boyes being of ſmall age, and of little ſkill, and being perſons out of the rule and obedience of any honeſt Maſter and gouernor, and doe for the moſt part of their time vſe dicing and carding and other vnlawfull games, to the great and euill example of other ſuch like, and againſt the common wealth of this Realme. And all which ſaid euill and ignorant perſons in the time of preſſing by Commiſſion, for the ſeruice of the King and Queenes moſt royall maieſties vpon the ſea, for that they haue no knowne place of abiding, doe for the moſt part abſent and conuey themſelues into the Countrey, and other ſecret places, practiſing there robberies and felonies, and other euill deteſtable facts, to the great annoiance of the Common wealth. And ſo after the ſaid commiſſion of preſſing ended, oft times the ſaid euil perſons do repaire again to their former trade of rowing, colouring their euill deeds, & alſo diuers of them being very ignorant, for lack of conuenient time of learning and exerciſe, in the which they might obtain ſufficient knowledge of their occupation, doe oftentimes preſume and enterpriſe to recoiue diuers of our ſaid ſoueraigne Lord and Lady the King and Queenes Maieſties louing ſubiects, into their botes and wheries, and doe carry and conuey their ſaid ſubiects, from place to place by water vpon the ſaid Riuer of Thames, wherby diuers perſons haue beene robbed and ſpoyled of their goods and alſo drowned.

Miſchances haue hapned to many by watermen & the cauſes thereof.

General abuſes committed by young, vnſkilfull & lewd watermen.

And for and by the occaſion aforeſaid, be daily put in feare and perill of their liues, the which is very lamentable and not to bee permitted or ſuffered in any Commonwealth. And by reaſon alſo that a great number, and the moſt part of the wheries and botes, now occupied and vſed, and of late time made for rowing vpon the ſaid riuer, beene made ſo little and ſmall in portion, and ſo ſtraight and narrow in the bottome, varying much from the old ſubſtantial ſort and ſure making of botes and wheries, which was vſed before the ſpace of twenty yeeres laſt paſt, in ſo much as the moſt part of the botes and wheries vſed at this day beene ſo ſhallow and tycle that thereby great perill and danger of drowning hath many times enſued and daily is like to enſue, vnleſſe ſome ſpeedy remedy be herein had and prouided.

For reformation whereof, be it enacted by the King and Queenes Maieſties, the Lords Spirituall and temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That there ſhall bee yeerely appointed, choſen and elected by the Mayor,

There ſhalbe 8. ouerſeers of watermen vpon the riuer of Thames.

and

& the Court of Aldermen of the City of London, for the time being, the number of eight perſons of the moſt wiſe, diſcréet and beſt ſort of Watermen, being houſholders, and occupying as Watermen, vpon the ſaid riuer betwéene Graueſend and Windſor, which election ſhall bee yéerely at the firſt court of Aldermen, to be holden within the ſaid City next after the firſt day of March, and the ſame eight perſons ſo elected ſhalbe named and called the Ouerſéers and rulers of all the Wherimen and Watermen, that from and after the ſaid firſt day of March ſhall vſe, occupy or exerciſe any rowing vpon the ſaid riuer of Thames, betwixt Graueſend and Windſor aforeſaid, which ſaid ouerſéers and rulers, ſhall kéepe and maintaine good order and obedience amongſt the ſaid Watermen, according to the true meaning of this preſent Act.

Two watermen ſhal not carry any but where 1. of them is allowed by the ouerſeers & two yeeres hath exerciſed, &c.

And alſo be it further enacted by the authority aforeſaid, that after the feaſt of Penticoſt next comming, no perſon nor perſons, where two Watermen and not aboue the number of two ſhall row together in one bote or whery, in any place or places betwixt Graueſend & Windſor aforeſaid, ſhall preſume or enterpriſe to receiue or take any perſon or perſons into his or their bote or whery, to the intent to carry or conuey him or them therein, vnleſſe one of the ſame two Watermen haue béene for the moſt part exerciſed and vſed in rowing vpon the ſaid riuer of Thames, by the ſpace of two whole yéeres before that time. And that alſo one of the ſame two Watermen at the leaſt be duly admitted and allowed by the ſame eight ouerſéers and rulers, or the moſt part of them by writing vnder their knowne ſeale to be a ſufficient and able Waterman, vpon pain that euery perſon and perſons preſuming or offending contrary to the true meaning of this preſent act, ſhal by the ſaid eight ouerſéers or rulers be committed to priſon in one of the Counters of the City of London, there to remaine by the ſpace of one moneth or leſſe, as the offence ſhal require.

No ſingle man ſhalbe a waterman, &c.

And alſo be it further enacted that no perſon nor perſons being ſingle men not kéeping houſhold and not retained, ſhall from and after the ſaid feaſt of Pentecoſt next comming, vſe or exerciſe to row betwéene Graueſend & Windſor aforeſaid, vnleſſe hee or they be prentice or prentiſes, or in ſeruice retained with a Maſter by the whole yéere at the leaſt vpon paine of like impriſonment.

Who ſhall haue authority to puniſh offendors.

And alſo bee it further enacted, that the Lord Mayor of London and the Aldermen of the ſame City, and the Juſtices of Peace within the Shires next adioyning to the ſaid riuer of Thames, euery of them within their ſeuerall iuriſdictions and authorities, ſhall haue full power and authority by vertue of this preſent Act, vpon complaint made to them or any of them by the ſaid ouerſéers and rulers or two of them, or the Maſter or Maſters of any ſuch ſeruants, not onely to examine, heare and determine all complaints or offences to be done or committed by any ſuch perſon or perſons that ſhall offend contrary to the true meaning of this preſent Act, and to ſet at large all and euery ſuch perſon and perſons, as ſhall fortune to be impriſoned by the ſaid ouerſéers, and Rulers according to this Act, if iuſt cauſe ſhall appeare vnto them ſo to doe: but alſo by their good diſcretions and wiſdome to puniſh, correct and reforme the ſaid Ouerſéers and rulers, and euery of them that ſhall vniuſtly or without good cauſe or ground, puniſh any perſon or perſon, by colour of this preſent Act or any thing therein contained.

The length, breadth & goodneſſe of botes.

And be it further enacted by the authority aforeſaid, that if any perſon or perſons whatſoeuer, from henceforth doe or ſhall make any whery or bote, to the intent commonly to vſe rowing and carrying people vpon the ſaid Riuer of Thames, which ſhall not bee two and twenty foot and a halfe in length, and foure foot and a halfe broad in the midſhip, or which ſhall not be ſubſtantially and well able and ſufficient to carry two perſons on one ſide tight, according to the old quantity ſcantling, thickneſſe of borde, goodneſſe and good proportion heretofore had and vſed, that then the ſame bote or botes ſo being made contrary to the proportion and ſort before expreſſed, ſhalbe taken as forfeit, and ſhalbe forfeit, the one halfe thereof to the King and Quéenes maieſties, our ſaid ſoueraigne Lord and Ladies vſe, and to the vſe of the heires and ſucceſſors of the Quéenes maieſty: and the other halfe to him or them that will ſue for the ſame in any of the King and Quéenes Maieſties Courts of Record, by action of detinue, bill, plaint, information or otherwiſe, wherin no wager of Law, eſſoine, protection or iniunction ſhall be allowed for the defendant.

The puniſhmēt of watermen withdrawing themſelues in the time of preſſing.

And be it further enacted, that if any perſon or perſons, which from & after the ſaid feaſt, ſhall vſe & exerciſe the occupation of rowing betwixt Graueſend and Windſor aforeſaid, which in the time of the execution of any commiſſion of preſſing, that ſhall be had for the ſeruice of the King & Quéenes Maieſties, and the heires and ſucceſſors of the Quéenes maieſty, in their affaires ſhall willingly, voluntarily and obſtinately withdraw, hide or conuey him or themſelues, in the ſame time of preſſing, into ſecret places and out corners, and after when ſuch time of preſſing is ouerpaſſed ſhall returne and come againe to the ſaid riuer of Thames, to row betwixt Graueſend and Windſor aforeſaid, and that duly proued by two indifferent witneſſes, before the ſaid Maior and Court of Aldermen, or Juſtices of the peace and two of the ſaid rulers, that then he or they ſo doing and offending ſhall ſuffer impriſonment by the ſpace of two wéeks, and be baniſhed any more to row from thenceforth vpon the ſaid riuer of Thames, by the ſpace of one whole yéere and a day then next following.

The ouerſeers ſhall direct the watermen, and regiſter their names.

And be it further enacted, that it ſhall be lawfull to the ſaid eight rulers for the time being, and their ſucceſſors from time to time to conuent and call before them at ſome conuenient place, by them to bee appointed, all and euery ſuch perſon and perſons, which from and after the ſaid feaſt of Pentecoſt, ſhall occupy and vſe the ſaid trade and occupation of rowing betwixt Graueſend and Windſor aforeſaid, and ſhall enter and regiſter the name and names of them, and euery of them that ſhall bee by them allowed or admitted for Watermen to row betwixt Graueſend and Windſor aforeſaid, in a Booke to be made for the ſame intent and purpoſe, and to take ſuch further order and direction therein, with euery the ſaid parties by the authority of this preſent Act, as it ſhall ſeeme meet and neceſſary by the diſcretion of the ſaid Ouerſeers & Rulers for the time being. And alſo that the ſaid Ouerſeers & Rulers ſhall and may by the authority of this Act, ouerſee, view and ſuruey, at all and euery time and times hereafter, all manner botes and wheries, that ſhall from and after the ſaid feaſt be made, before the ſaid bote or botes whery or wheries be lanched out of the yard or ground wherein the ſame bote or botes, whery or wheries, ſhal fortune to be made, into the ſaid riuer of Thames, to the intent that they and euery of them may be made and prepared in ſuch manner and forme, and according to the goodneſſe, proportion and quantity in this preſent Act before limited and expreſſed.

Ouerſeers ſhall view the botes before they be lanched forth.

And be it further enacted by the authority aforeſaid, that if any perſon or perſons, which at any time hereafter ſhall be elected or choſen to bee a Ruler or Ouerſeer, as before is expreſſed, do happen negligently to vſe and exerciſe his or their roome or place, or that wil obſtinatly refuſe to take vpon him or them, the roome or roomes, place or places of any the ſaid Ouerſeers or Rulers, that then all and euery ſuch offendor or offendors, ſhall loſe and forfeit the ſumme of fiue pound of lawfull money of England: the one halfe whereof ſhall be to our ſaid Soueraigne Lord and Lady the King and Queenes Maieſties vſe, and to the vſe of the heires and ſucceſſors of the Queenes Maieſty, and the other halfe to him or them that will ſue for the ſame in any of the King and Queenes Maieſties Courts of Record, by action of debt, or by any other the wayes or meanes aboue ſpecified, wherein no wager of law, eſſoine, protection or iniunction ſhall be admitted or allowed for the defendant or defendants.

The penalty of Ouerſeers refuſing their place, or being negligent therein.

And bee it further enacted by the authority aforeſaid, that the ſaid Maior and Court of Aldermen of the ſaid City of London for the time being, ſhall from time to time at their diſcretions, limit, ſet and aſſeſſe the price and prices, and ſummes of money that euery perſon or perſons ſo authoriſed to row as is aforeſaid, betwixt Graueſend and Windſor aforeſaid, ſhall take for his or their labour or fare from place to place particularly, betwixt Graueſend & Windſor aforeſaid, and the ſame prices and aſſeſſements to bee ſet, ſhall bring or cauſe to bee brought to the priuy Councell of our ſoueraigne Lord and Lady, the King and Queene, to bee viewed and ſeene by ſome of the ſaid priuy Councell, and after that the ſaid aſſeſſements and prices, ſhall bee ſigned and ſubſcribed with the hands of two of the ſaid priuy Councell at the leaſt, & the ſaid Maior and Court of Aldermen for the time being, ſhall cauſe the ſaid prices and aſſeſſements to bee written and ſet vp in Tables in the Guildhall in the City of London, Weſtminſter Hall and elſewhere, where the ſaid Mayor and Court of Aldermen ſhall thinke conuenient. And euery perſon and perſons that ſhal take for his or their fare or labour aboue the prices that ſhalbe aſſeſſed, viewed, written and ſet vp in forme aforeſaid, ſhall forfeit for euery ſuch offence, forty ſhillings, and alſo ſhall ſuffer impriſonment by one halfe yeere, the one moity of the ſaid forfeiture to be to the king and Queenes Maieſties, their heires and ſucceſſors, and the other moity thereof to him or them that will ſue for the ſame in any of the King and Queenes Maieſties Courts of Record, by action of debt or by any other the waies or meanes aboue ſpecified, wherein no wager of Law, eſſoine, protection or iniunction ſhall be admitted or allowed for the defendant or defendants.

Aſſeſſemẽt what fares watermen ſhall take for rowing betweene Graueſend and Windſor. 6. H. 8. 7.

And be it further enacted by the authority aforeſaid, that no perſon nor perſons occupying or vſing any Weſterne barge, ſhall retaine, take or recieue into his or their ſeruice, any ſingle perſon not keeping houſe or houſhold, but onely ſuch as ſhall be reteined with him or them by the whole yeere, and no houſholder, but ſuch as he or they will and ſhal anſwer for, for his or their good behauiour, vpon paine of forfeiture for euery ſuch offence forty ſhillings, the one moity thereof to bee to the King and Queenes Maieſties, her heires & ſucceſſors, and the other moity thereof to him or them that wil ſue for the ſame in any of the King & Queenes courts of record, by action of debt or by any other the waies or means aboue ſpecified, wherein no wager of law, eſſoine, protection, or iniunction ſhalbe admitted or allowed for the defendant or defendants. St. 1. Iac. 16.

The ſeruants of weſterne bargemen. Rep. 5. El. 4.

Cap. XVII.

The benefit of Clergy ſhall bee taken from *Bennet Smith*, for being acceſſary to the murther of *Giles Rufford*, before the murther committed, and for procuring of the ſame. Pr. ſt. 4. & 5. P. & M. 4.

Cap.

CAP. XVIII.

Commiſſions of peace and gaole deliuery may be awarded into townes corporate, not being Counties.

WHere the King and Quéenes moſt excellent highneſſe and their noble progenitors Kings of this realme, haue heretofore granted their ſeuerall Commiſſions directed as well vnto the Mayors, Recorders, and other graue men, and inhabitants of certaine ancient and famous cities and townes corporate within their realme of England, not being Counties in themſelues, as alſo vnto diuers other worſhipfull and learned men dwelling out of the ſame cities & townes corporate, as well for the kéeping of their peace, good ordering of their people, and executing of their lawes and ſtatutes, within the ſame cities and townes corporate, as alſo for the deliuery of their Maieſties priſoners remaining in the gaoles there, & after the granting of ſuch commiſſions, their Maieſties haue granted diuers other like commiſſions vnto certain worſhipful & learned men of the Shires, Laths, Rapes, Ridings, and Wapentakes, of this realme of England, for the confirmation of their peace, and alſo deliuering of their priſoners remaining in their gaoles within the ſame ſhires, laths, rapes, ridings, & wapentaks, which commiſſions ſo bearing a later date, haue béene a Superſedias and cléere diſcharge vnto all and ſingular the ſaid former commiſſions granted vnto the ſaid cities and and townes corporat, not being Counties in themſelues, ſo that the ſaid Maior and other graue & chiefeſt officers of euery ſuch city and towne corporat haue béene charged to ſue for the renuing againe of ſuch commiſſions, both for the peace & gaole deliuery, to the great expences, coſts, and charges of the ſaid Maior and other the inhabitants of ſuch cities and townes corporat, and to the great protracting and delay of Iuſtice there in the meane time. For reformation whereof, and for the better aduancement of Iuſtice in the premiſſes.

A Commiſſion of the peace and gaole deliuery ſhall not be a Superſedias to a former like Cōmiſſion granted to a City or towne corporat.

Be it therefore enacted by the King and Quéenes maieſties, the Lords ſpirituall & temporall and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that all and ſingular Commiſſion and commiſſions granted or to be granted to any ſuch city or towne corporat, not being as is aforeſaid, a county in it ſelfe, for the kéeping of their peace & deliuery of the priſoners remaining in the gaoles of any ſuch city or towne corporate not being a County in it ſelfe, ſhall ſtand, remaine, and be good and auaileable and effectual in the law to all intents conſtructions & purpoſes, the granting of any like commiſſion of peace or gaole deliuery to any commiſſioner or commiſſioners for the cōſeruation of the peace, or deliuery of the priſoners remaining in the gaole of any ſhire, lath, rape, riding or wapentake within this realm of England, bearing date after the ſaid cōmiſſion or cōmiſſions, granted as is aforeſaid, to any ſuch city or towne corporat, not being as is aforeſaid a County in it ſelfe, to the contrary notwithſtanding.

CAP. XIX.

A reuiuer of the ſtatute of 22.*H*.8.11. touching Powedike in Marſhland, which was repealed by the Stat. of 1.*Ed*.6. and 1.*M*.1. PR.

CAP. XX.

The inlargement of the Duchy of Lancaſter.

The decay of the reuenues of the Duchy of Lancaſter.

FOraſmuch as the King and Quéene our ſoueraign Lord and Lady conſidering and regarding the eſtate of the Duchy of Lancaſter, being one of the moſt famous, princelieſt and ſtatelieſt péeces of our ſaid ſoueraigne Lady the Quéenes ancient inheritance, doe perceiue & conſider that the poſſeſſions and yéerely reuenues of the ſaid Duchy, are and haue béene of late greatly diminiſhed, aſwell by reaſon of ſundry gifts, grants, and ſales made by the late Kings of famous memory, Henry the eight, and Edward the ſixth, late Kings of England, father and brother to our ſaid ſoueraigne Lady the Quéenes highneſſe, as alſo by reaſon of ſundry exchanges made with diuers their louing ſubiects of ſundry manors, lands, tenements, poſſeſſions, & hereditaments lately belonging to the ſame Duchy, and the manors, lands, tenements, poſſeſſions, & hereditaments being receiued in recōpence of the ſaid exchanges, be not annexed to the ſaid Duchy, but bin in the order ſuruey, & gouernance of other Courts & places ſo by their highneſſe taken & receiued in exchange.

And foraſmuch alſo, as their Maieſties doe mind and intend to preſerue, aduance, maintaine, and continue the ancient and honourable eſtate of the ſaid Duchy, our ſaid Soueraigne Lord and Lady therefore bee pleaſed and contented that it bee enacted, ordeined, and eſtabliſhed by their Maieſties, with the aſſent of the Lords Spirituall and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all honours, caſtels, Lordſhips, manors, lands, tenements, poſſeſſions, and hereditaments, within this Realme of England, which at any time ſince the eight and twentieth day of January in the firſt yéere of the reigne of our ſaid late ſoueraigne Lord King Edward the ſixth, were parcell of the poſſeſſion of the ſaid Duchy of Lancaſter, or which were vnited & annexed to the ſaid Duchy by authority of

Parliament, Letters patents or otherwiſe. And which at any time ſince the ſaid eight and twentieth day of January haue beene giuen, granted, alienated, bargained, ſold, exchanged, or otherwiſe ſeuered from the ſaid Duchy by our ſaid late Soueraigne Lord King Edward the ſixth, or by our ſaid Soueraigne Lady the Queene that now is, or by our Soueraigne Lord and Lady the King and Queenes Maieſties that now be, to or with any perſon or perſons, and which ſaid honors, caſtels, lordſhips, manors, lands, tenements, and hereditaments, ſince ſuch gifts, grants, alienations, bargaine, ſales, exchanges, or ſeuerance thereof ſo made as is aforeſaid, beene comen, or returned againe to the hands of our ſaid late Soueraigne Lord King Edward the ſixth, or to the hands of our ſaid Soueraigne Lady the Queene, or to the hands of our ſaid Soueraigne Lord and Lady, the King and Queene, or to the hands of her Maieſty her heires and ſucceſſors, in poſſeſſion, reuerſion, remainder, or otherwiſe, by atteinder, eſcheate, forfeiture, purchaſe, remainder or otherwiſe: And which now be or remaine in the hands of our ſaid Soueraigne Lord and Lady the King and Queenes Maieſties, of any eſtate of inheritance, ſhall from the time the ſame came and reuerted againe, to the hands of our ſaid late Soueraigne Lord King Edward the ſixth, or to the hands of our ſaid Soueraigne Lady the Queene, or the hands of our ſaid Soueraigne Lord and Lady the King and Queene, by authority and force of this Act, be vnited and annexed for euer vnto the ſaid Duchy of Lancaſter, and ſhall be adiudged, deemed and taken for euer, for, and as parcels and members of the ſaid Duchy of Lancaſter, and that all ſuch and thoſe of the ſaid manors, lands, tenements, and hereditaments, which be lying within the County Palatine of Lancaſter, ſhall be of the ſame nature, quality, kinde and condition, to all intents, conſtructions, and purpoſes, as others the ancient poſſeſſions of the ſaid Duchy, lying and being within the ſaid County Palatine of Lancaſter, be and ought to be, and all thoſe and ſuch of the ſaid manors, lands, tenements, & hereditaments, which be lying out of the ſaid County Palatine of Lancaſter, ſhalbe of the ſame nature, quality, kinde and condition, to all intents, conſtructions and purpoſes, as other ancient poſſeſſions of the ſaid Duchy lying and being out of the County Palatine of Lancaſter, be and ought to be, and ſhall be in the letting, ſetting, order, rule, ſuruey, receit and gouernance of the Chancellor, Councell, and Officers of the ſaid Duchy of Lancaſter for the time being for euermore, in like and the ſame manner and forme, to all intents and purpoſes, as others the ſaid ancient poſſeſſions belonging to the ſaid Duchy, beene, haue beene, or owen to be.

Duchy lands ſeuered from the Crowne, and ſithence reunited, ſhall be againe parcell of the Duchy. St. 37. H. 8. 16.

And that all the ſaid honors, caſtles, lordſhips, manors, lands, tenements, and hereditaments, vnited, and annexed to the ſaid Duchy of Lancaſter, by authority and force of this Act, and all and ſingular gifts, grants, leaſes, Letters patents, and writings thereof, or of any parcell thereof hereafter to be made by the King and Queenes Highneſſe, or by the heires and ſucceſſors of her Maieſty, ſhall for euermore paſſe and be made vnder ſuch of the ſeales of the ſaid Duchy, as other the ancient poſſeſſions of the ſaid Duchy, haue vſed to paſſe and be made, and not vnder any other Seale or otherwiſe, and with the like and the ſame liuery of ſeiſon, atturnements, ceremonies, orders, and circumſtances in the Law, and in the ſame manner and forme, as other the ancient poſſeſſions of the ſaid Duchy, and the Letters Patents, Charters, and Writings thereof heretofore of ancient made, haue vſed, and ought to be made and paſſed, and not otherwiſe, nor in any other manner and forme: Any Law, eſtatute, vſage, or cuſtome to the contrary thereof in any wiſe notwithſtanding.

The new annexed lands ſhall paſſe vnder the ſeale of the Duchy, and with the ſame ceremonies.

And be it further enacted, ordeined, and eſtabliſhed by the authority aforeſaid, that our ſaid Soueraigne Lord and Lady the King and Queene that now be, and the heires and ſucceſſors of her Maieſty, may from time to time hereafter at their liberties and pleaſures, by their Graces Letters Patents, to be ſealed with the great Seale of England, vnite, annexe, limit, aſſigne and appoint any other their honors, caſtles, lordſhips, manors, lands, tenements, and hereditaments, lying and being within this their ſaid Realme of England, vnto their ſaid Duchy of Lancaſter, for the further augmentation, honour, and eſtate of the ſaid Duchy at their willes and pleaſures.

Other lands may be annexed to the Duchy of Lancaſter.

And that all and euery ſuch annexing, limitting, aſſignement, and appointment made or to be made by our ſaid Soueraigne Lord and Lady the King and Queene, or by the heires or ſucceſſors of our ſaid Soueraigne Lady the Queene, of any their honors, caſtels, lordſhips, manors, lands, tenements, and hereditaments, vnto the ſaid Duchy of Lancaſter, by any their ſaid Letters Patents, vnder the great Seale of England, ſhall be as good and auaileable as if it were done by authority of Parliament.

And that all ſuch honors, caſtles, lordſhips, manors, lands, tenements and hereditaments lying and being within the ſaid County Palatine of Lancaſter, which ſhall happen to be vnited and annexed to the ſaid Duchy by force of any ſuch Letters patents, ſhall from the Teſte of the ſaid Letters patents, be within the order, ſuruey, rule, gouernance, iuriſdiction, letting, and ſetting of the ſaid Duchy of Lancaſter for the time being, as other the poſſeſſions of the ſaid Duchy, lying and being within the ſaid County Palatine of Lancaſter, haue vſed and owen to be.

Lands to be annexed lying within the County Palatine.

And that all other honors, caſtles, lordſhips, manors, lands, tenements, and hereditaments lying and being out of the ſaid County Palatine of Lancaſter, which ſhall happen to be vnited, and

Lands to be annexed to the Duchy lying out of the County Palatine of Lancaſter.

A ſauing of the right of others.

annexed to the ſaid Duchy by force of any ſuch Letters Patents, ſhal be from the Teſte of the ſaid Letters Patents within the order, ſuruey, rule, gouernance, iuriſdiction, letting and ſetting of the ſaid Duchy of Lancaſter, as others the poſſeſſions of the ſaid Duchy of Lancaſter, lying and being out of the ſaid County Palatine of Lancaſter, haue vſed and owen to be. Sauing to all and euery perſon and perſons, bodies politike and corporate, their heires, ſucceſſors and aſſignes, and to the heires, ſucceſſors and aſſignes of euery of them, all ſuch right, title, intereſt, entries, conditions, occupations, poſſeſſion, leaſe and leaſes, fées, annuities, offices, ſeruices, commons, profits, commodities, eaſements, actions, ſuits, demands, thing and things whatſoeuer, which they or any of them ſhould, might, or ought to haue had into or out of any the premiſſes before the making of this Act, in like and in the ſame manner, forme, and condition to all intents, conſtructions and purpoſes, as if this Act had neuer béene had or made: any thing in this Act to the contrary in any wiſe notwithſtanding.

Certaine lands excepted which are not to be annexed to the Duchy of Lancaſter.

Prouided alwayes, and be it enacted by the authority aforeſaid, That this Act, or any thing or things therein conteined, ſhall not in any wiſe extend to enable or giue any liberty to our ſaid Soueraigne Lord and Lady the King and Quéene, nor to the heires and ſucceſſors of our ſaid Soueraigne Lady the Quéene, to vnite and annexe to the ſaid Duchy of Lancaſter, by their Letters Patents, any honors, caſtles, lordſhips, manors, lands, tenements, or hereditaments, being any part or parcell of the ancient inheritance of the Crowne, or of the Principality of Wales, or of the Duchy of Cornewall, or of the Earledome of Cheſter, or any their honors, caſtles, lordſhips, manors, lands, tenements, or hereditaments, ſet, lying, or being within the Counties of Cheſter and Flint, or either of them, nor to giue, annex, or aſſigne to the ſaid Duchy of Lancaſter, any honors, caſtles, lordſhips, manors, lands, tenements, or hereditaments, excéeding and amounting in the whole, aboue the yéerely value of two thouſand pounds, any clauſe, article, or thing in this Act rehearſed, conteined, or ſpecified to the contrary thereof in any wiſe notwithſtanding.

CAP. XXI.

The Statutes made Anno 22. *Hen.*8.7. Anno 23. *Hen.*8.3.& 17. Anno 24.*Hen.*8.9. Anno 28. *Hen.*8.6.8.9. Anno 31.*Hen.*8.7. Anno 35.*Hen.*8.17. Anno 37.*Hen.*8.23. Anno 2.& 3.*Ed.*6.9. Anno 3.& 4.*Ed.*6.19.& 21. Anno 5.& 6.*Ed.*6.14. Anno 7.*Ed.*6.11. Anno 1.*Mar.*12.& 13. Anno 1.& 2. *Phil.*& *Mar.*3. reuiued and made to continue vntill the laſt day of the next Parliament. EXP.

CAP. XXII.

A confirmation of a Subſidy of ſix ſhillings in the pound, granted by the Clergy, to the King and Queene to be paid in three yeeres. EXP.

CAP. XXIII.

A confirmation of a Subſidy granted to the King and Queene by the Temporalty.

ANNO QVARTO ET QVINTO *PHILIPPI* ET *MARIÆ.*

ACTS made at a Parliament begun and holden at VVeſtminſter, the one and twentieth day of Ianuary, in the fourth and fifth yeare of the reigne of our Soueraigne Lord and Lady, *PHILIP* and *MARY*, by the grace of God, King and Queene of England, Spaine, France, both the Scicilies, Ieruſalem, and Ireland, Defendors of the Faith, Arch-Dukes of Auſtria, Dukes of Burgundy, Millaine, and Brabant, Counties of Haſpurge, Flanders, and Tyroll. And there continued and kept vntill the ſeuenth day of March then next following, were enacted as followeth.

CAP. I.

Confirmation of all Letters Patents, &c. made by the K. and Q. or by the Queene ſince the ſeuenth of Iuly. 1. M. or to be made ſeuen yeeres after, &c.

Where ſithence the ſeuenth day of Iuly, in the firſt yéere of the Quéenes Maieſties reigne diuers and ſundry honors, caſtles, manors, lands, tenements, rents, reuerſions, ſeruices, and other herditaments, haue béene conueyed and aſſured to her Highneſſe, her heires and ſucceſſors, by or from diuers and ſundry perſons, and bodies politike, as well for the diſcharge and ſatiſfaction of great debts and ſummes of money, as for other good conſiderations. For the perfit aſſurance, confirmation and further ſurety whereof.

A confirmation of all aſſurances of lands made to the King and Queene, or Queene only.

Be it enacted, ordeined, and eſtabliſhed by the King and Queenes Maieſties, the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that all Feoffements, Fines, Surrenders, Aſſurances, Conueyances and Eſtates in any wiſe conueyed, had, or made, to or for our ſaid Soueraigne Lord and Lady, the King and Queenes Maieſties, or to or for our ſaid Soueraigne Lady the Queene, by or from any ſuch perſon or perſons, bodies politike or corporate, of any ſuch honors, caſtles, manors, lands, tenements, rents, reuerſions, ſeruices, or other hereditaments, for any debt, ſumme or ſummes of money, or other conſideration, whatſoeuer, ſhall ſtand remaine and be good and auaileable in the law to all intents, conſtructions, and purpoſes, according to the true meaning, intent and purport of the ſame.

Other perſons rights ſaued.

Sauing to all and euery perſon and perſons, and to their heires, bodies politike, and corporate, and to their ſucceſſors, and to euery of them, (other than ſuch perſon or perſons, and their heires and wiues, and euery of them, bodies politike, and corporate, and their ſucceſſors, and euery of them, of or from whom the King and Queenes Highneſſe, or the Queenes Highneſſe onely hath obteined or purchaſed the ſaid premiſſes, or any parcell thereof, by exchange, gift, bargaine, fine, feoffement, recouery, deed inrolled or otherwiſe) all ſuch right, title, intereſt, vſe, poſſeſſion, rents, reuerſions, remainders, offices, fees, commons, profits, and commodities whatſoeuer, which they or any of them haue, might or ought to haue had, of, in or to the premiſſes, or any part thereof, in as large and ample manner, forme and condition to all intents, conſtructions and purpoſes, as if this Act had neuer beene had ne made. This preſent Act or any thing therein conteined to the contrary notwithſtanding.

And where as well our ſaid Soueraigne Lord and Lady, as our ſaid Soueraigne Lady the Queenes highneſſe, ſithence the ſaid ſeuenth day of Iuly in the firſt yeere of her Maieſties reigne, as well for diuers and great ſums of money, as alſo for diuers and ſundry other conſiderations, haue, and hath bargained, ſold, giuen or granted by their or her graces ſundry Letters Patents, Indentures or other writings, ſealed vnder the great ſeale of England, and the ſeale of the Duchy of Lancaſter, as well to bodies politike and corporate, as to diuers and ſundry other their louing and obedient Subiects, diuers and ſundry honors, caſtles, manors, lands, tenements, rents, reuerſions, ſeruices, and other hereditaments in fee ſimple, fee taile, or for terme of life, liues, or yeeres, as in the ſame ſeuerall Letters patents, Indentures, and other writings, is mentioned and declared. And to the intent the ſame Letters patents, indentures, and other writings, ſhould be of good, auaileable, and perfit force and effect, to all and euery her Highneſſe louing Subiects, according to the true meaning and effect of the ſame.

A confirmation of the Letters Patents of the King & Queene made, or during ſeuen yeeres to be made.

Our ſaid Soueraigne Lord and Lady the King and Queene, are contented and pleaſed, that it be enacted by the authority of this preſent Parliament. And therefore by our ſaid Soueraigne Lord and Lady, the King and Queenes Maieſties, the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled, be it enacted and eſtabliſhed, that as well all and ſingular Letters patents, Indentures or other writings ſealed vnder the great ſeale of England, or vnder the ſeale of the Duchy of Lancaſter, and heretofore made or granted by our ſaid Soueraigne Lord and Lady, the King and Queene, or by our ſaid Soueraigne Lady the Queene, for any ſummes of money, or for and vpon other conſiderations, as all other Letters Patents hereafter to be made by our ſaid Soueraigne Lord and Lady, for any ſum or ſums of money during the ſpace of ſeuen yeeres next enſuing the making of this Act, to any body politike or corporate, or to any other perſon or perſons whatſoeuer, of any honors, caſtles, manors, lordſhips, granges, meaſes, lands, tenements, meadowes, paſtures, rents, reuerſions, ſeruices, woods, aduowſons, nominations, patronages, annuities, rights, intereſts, entrees, conditions, leets, courts, liberties, priuileges, franchiſes, or of any other hereditaments with their appurtenances, or of any part or parcell of them, ſealed with or vnder the great ſeale of England, or vnder the ſeale of the Duchy of Lancaſter, of whatſoeuer kind, nature or quality they or any of them be or ſhall be reputed, knowen, or taken with their appurtenances, or any part or parcell of them, ſhall be good, perfit and effectuall in the law, and ſhall ſtand, be taken, reputed, deemed, and adiudged good, perfit, ſure, auaileable, and effectuall in the Law, as well againſt the King and Queenes Maieſties, as againſt the Queene her heires and ſucceſſors, according to the tenor of the ſaid Letters Patents, the ſame to be expounded, conſtrued, deemed, and adiudged moſt beneficiall for the Patentees, and Grantees of the ſame, according vnto the words and purport of euery the ſaid Letters Patents, without any confirmation, licence, or toleration of the Queene, her heires or ſucceſſors: any miſnaming, miſrecitall, or non recitall of any the ſame honors, caſtles, manors, lands, tenements, and other the premiſſes or any parcell thereof: or any lacke of finding of offices, or inquiſitions of and in the premiſſes, whereby the title of the Queenes Highneſſe therein ought to haue beene found before the making of the ſame Letters Patents or other writings: or any miſrecitall, or non recitall of leaſes thereof before made, as well of record as not of record: or any lacke of the certainty, miſcaſting, rating, or ſetting forth of the yeerely values and rates of the premiſſes, or of the yeerely rents reſerued of and for the premiſſes or any parcell thereof, mentioned or conteined in any the ſaid Letters patents, or other writings: or for that the premiſſes be,

Defectes in theſe Letters patents ſalued.

or any part thereof is valued to a more or leſſe value in the ſaid Letters Patents or Writings, than the ſaid manors, lands, tenements, and other the premiſſes, than were or ſhall be in yeerely value: or any miſnaming of the Townes, Hamlets, Pariſhes, or Counties, where the ſame honors, caſtles, manors, lands, tenements, rents, hereditaments, and other the premiſſes, and euery parcell thereof, or any parcell thereof lien or beene: or any lacke of the true naming of the lands tenements, or hereditaments, or of the natures, kinds, ſorts or quantities of the ſaid poſſeſſions or hereditaments, or any parcell thereof: or any lacke of the true naming of the corporation: or any lack of atturnement, liuery, or ſeiſon: or any miſnaming of any the late tenants or fermors of the ſame ſo ſold or giuen notwithſtanding.

Patents of offices.

Prouided alwayes, and be it enacted by the authority aforeſaid, that this Act nor any thing therein conteined, ſhall not extend to make any Letters Patents of any office or offices, to be of any other effect, force, or ſtrength, than the ſame Letters Patents were or ſhould haue beene before the making of this Act.

What ſhall be paid by the Patentee for the ouerplus of lands ſold by the K. and Q.

Prouided alwayes, and be it enacted by the authority aforeſaid, That all and ſingular ſuch Patentees, Grantees, and Donees, and euery of them, which at any time heretofore ſithence the ſeuenth day of July haue obteined and gotten of our ſaid Soueraigne Lord and Lady the King and Queene, or of any of them, or at any time hereafter during the ſpace of ſeuen yeeres, ſhall obteine and get of our ſaid Soueraigne Lord and Lady the King and Queene that now be, or of any of them, by way of exchange, or for any ſumme or ſummes of money, any Letters Patents of any Monaſteries, Abbathies, Priories, Nunneries; or other Eccleſiaſticall poſſeſſions, or of any parcell of them, or any other manors, lands, tenements or hereditaments whatſoeuer, which at the date and making of any the ſame Letters Patents ſo made, ſithence the ſeuenth day of July, or hereafter to be made during the ſpace of ſeuen yeeres, as is aforeſaid, were or ſhall be of better and more yeerely value to the King and Queenes Highneſſe, or to any of them, in yeerely rent and ferme than was, is, or ſhall be conteined, mentioned or ſpecified in any ſuch Letters patents, or in the particulars or rate thereof made or to be made by any Auditor or Auditors, Surueyor or Surueyors, or other Officer, that then euery ſuch Patentee, Grantee and Donee, their heires, executors or aſſignes, and euery of them, within one yeere next after, office and other due proofe, order, and decree thereof made and had, or to be made and had within the ſpace and terme of ten yeeres next after this preſent Parliament in the Court of the Eſchequer, ſhall content and pay unto the Queenes Maieſty her heires and ſucceſſors, for the ſame ouerplus and more value of the ſame Monaſteries, Abbathies, Priories, Nunneries, manors, lands, tenements, and other hereditaments whatſoeuer, with their appurtenances ſo ſold, giuen, granted, or exchanged as is aforeſaid, after the rate of twenty yeeres purchaſe, and according to the yeerely value and rate as the ſame manors, lands, tenements, and other hereditaments whatſoeuer, were at the time of the making of any ſuch Letters Patents ſo made, or to be made in manner and forme aforeſaid. Any thing conteined in any ſuch Letters patents to the contrary in any wiſe notwithſtanding.

Twenty yeeres purchaſe.

Leaſes made whereupon the old rent is not reſerued.

Prouided alſo, and be it further enacted by the authority aforeſaid, that this Act or any prouiſion therein conteined, ſhall not in any wiſe extend to confirme, ratifie, or make good any leaſe or leaſes, made or to be made by our ſaid Soueraigne Lord and Lady the King and Queene, or by any of them for the terme of life, liues, or for yeeres, whereupon the old and accuſtomed rents or more, be not, or hereafter ſhall not be reſerued, and yeerely payable during the time and terme of euery ſuch leaſe: Nor that this preſent Act ſhall in any wiſe extend to reuiue or make good any Letters Patents made of any office or offices to any Comptroller, Cuſtomer, Alneger, Searcher, ne to any Letters Patents of the grant of any other office or offices heretofore granted or made by the King and Queenes Maieſty, or any of them, which now be, or at any time heretofore haue beene adnihilated, determined or made void by iudgement, by authoritie of Parliament, or by decree: nor to any patent to be made to any perſon or perſons for terme of yeeres, or during the minority of any heire of any manors, lands or tenements, whereof any trauerſe hereafter ſhall be tendred within three moneths after any office found and certified into any of the Kings Courts of Record, ne to make good any Letters patents made by our ſaid Soueraigne Lord and Lady or any of them, or any office or offices to be of any other effect, force or ſtrength, than the ſame Letters Patents were or ſhould haue beene before the making of this Act.

Patents whereunto this Statute doth not extend.

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Patents of lands concealed.
21.Iac.2.

Letters patents made to the maſter of the Sauoy.

Prouided alwayes, and be it enacted by the authority aforeſaid, that this Act or any thing therein conteined, ſhall not extend to any Letters patents, which at any time heretofore ſithence the beginning of the Queenes Maieſties reigne haue beene made or hereafter ſhall be made by the King and Queenes Highneſſe, or by the Queenes Maieſty only, to any perſon or perſons of any manors, lands, tenements, rents, reuerſions, ſeruices, or other hereditaments, by force of any information, ſuit, or ſuggeſtion, made, or to be made to her Highneſſe, that the ſame manors, lands, tenements, or other hereditaments, ſo conteined in any ſuch Letters Patents, were concealed lands: nor to any Letters patents heretofore made by our ſaid Soueraigne Lord and Lady the King and Queenes Maieſties, or any of them, to Ralfe Iackſon, Clerk, now Maſter of the Hoſpitall of the Sauoy in the Pariſh of Saint Clements Dacorum, without the Barres of the new Temple London, and to his Brethren, being perpetuall Chaplains of the ſame Hoſpitall, and to their ſucceſſors, but that the ſame letters Patents and euery of them ſhall ſtand, remaine, and be in the ſame force, ſtrength and effect, as they were before the making of this Act, any thing in this Act mentioned to the contrary notwithſtanding.

And where the Manor of Southwell in the County of Nottingham, and alſo the Scite and Precinct of the College of Southwell in the ſame County, together with diuers other lands, tenements, and hereditaments to the ſaid late College lately belonging or appertaining, were conueyed and aſſured by indenture, fine or otherwiſe, by or from Iohn Beaumount Eſquire vnto our late Soueraigne Lord King Edward the ſixth, and to his heires and ſucceſſors, for the diſcharge and ſatiſfaction of diuers great ſums of money, wherein the ſame Iohn Beaumount was indebted to the ſaid late King. Be it enacted and eſtabliſhed by the authority aforeſaid, that the ſaid conueyance and aſſurance ſhalbe perfect, good, ſufficient and auaileable againſt the ſaid Beaumount and his heires, to all intents, conſtructions and purpoſes, according to the purport, tenor, and true meaning of the ſame conueyances and aſſurances. Sauing to all and euery perſon or perſons, and bodies politike and corporate, their heires and ſucceſſors and euery of them (other than the ſaid Iohn Beaumount, his wife, and his heires, and all other claiming any eſtate or intereſt by or from them or any of them ſithence the ſame conueyance and aſſurance) all ſuch right, title, intereſt, poſſeſſion, eſtate, leaſes, rents, ſeruices, commons, and all other profits and commodities whatſoeuer, as they or any of them, ſhould, or might haue had if this Act had neuer beene had ne made. Any thing therein conteined to the contrary notwithſtanding.

A confirmation of the aſſurance of the manor of Southwell.

Confirmation of Letters Patents by ſeuerall ſtatutes, viz. St.34.H.8.21. 7.Ed.6.8. 1.Ed.6. 3.1.& 2.P.&M.1. 18.El.2.43.El.1.

CAP. II.

So much of euery Statute heretofore made as doeth concerne onely the finding or keeping of horſe, or armour, and euery penalty and forfeiture touching only the ſame, ſhall be repealed, what number, rate, and proportion of horſes, armour, and weapons each perſon is bound, and chargeable to keepe in any reſpect, or for any cauſe. REP.1.Iac.25.

CAP. III.

The penalty for a Souldier departing from his Captaine without his licence, and for not appearing at Muſters, &c.

Where heretofore commandement hath beene giuen by the King and Queenes Maieſties, and other the Progenitors of the Queenes Maieſty, Kings of this Realme, to diuers and ſundry perſons, to muſter their Maieſties people and Subiects of this their Realme of England, and to leuy a number of them for the ſeruice of their Maieſties and of this Realme, in their warres, ſuch as were moſt able and likelieſt to ſerue well in the ſame, which ſeruice hath beene greatly hindered, as well for that a great number hath abſented them from the ſaid muſters, which ought to haue come to the ſame, as alſo for that many of the moſt able, and likely men for that ſeruice, haue beene through friendſhip or reward, releaſed, forborne, and diſcharged of the ſaid ſeruice, and ſome other not being able or meet taken, appointed, and choſen thereunto, and yet the ſame diſability and vnaptneſſe notwithſtanding, the ſame vnable and vnmeet perſons vpon ſummes of money, or other kinde of rewards, or exactions by them paid to ſome ſuch as had the order of the ſaid muſters, haue beene alſo releaſed and diſcharged of the ſaid ſeruice, to the great impoueriſhment of the Subiects, and chiefly to the great perill and danger of this noble Realme, in the hinderance of the true and neceſſary ſeruice thereof.

Seueral cauſes of hinderance of due ſeruice in warre.

For remedy whereof, be it enacted by the King and Queene our Soueraigne Lord and Lady, with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons, that ſhall bee commanded at any time hereafter, generally or ſpecially, to muſter afore any ſuch as ſhall haue authority or commandement for the ſame, by or from the King and Queenes Maieſties, or by the heires or ſucceſſors of the Queenes Maieſty, or by any Lieutenant, Warden, or other perſon or perſons authoriſed for the ſame, doe willingly abſent him or themſelues from the ſame muſters, hauing no true and reaſonable excuſe of ſickneſſe, or other lawfull impediment: or at their apparance at ſuch muſters, doe not bring with them ſuch their beſt furniture or array, and armor, as he or they ſhall then haue for his or their owne perſon in a readineſſe, ſhall for euery ſuch default and offence, haue and ſuffer impriſonment by the ſpace of ten dayes without baile or mainpriſe, by the commandement of ſuch as ſhall haue authority as is aforeſaid, to take the ſame Muſters, vnleſſe he or they ſo offending as is aforeſaid, doe agree to or with the ſaid Commiſſioners, or two of them, to pay to the vſe of the King and Queene our Soueraigne Lord and Lady, or of the heires and ſucceſſors of the ſame our Soueraigne Lady, for euery ſuch offence, forty ſhillings for a fine: which ſaid fine after agreement for the payment of the ſame as is aforeſaid, ſhall be certified and eſtreated into the Court of the Eſchequer at Weſtminſter, by ſuch as ſhall haue power to take the ſaid muſters as is aforeſaid, or by two of them, vnder their ſeales or the

The forfeit. of him which abſenteth himſelfe from the muſters, or doeth not bring his beſt furniture.

ſeales of two of them within the ſpace of two moneths next after ſuch agreement, to pay the ſaid fine had or made, and the ſame fine ſo eſtreated to be leuied in ſuch forme as fines aſſeſſed by the Iuſtices of aſſiſe, or of Gaole deliuery, in their circuits are vſed to be leuied.

The penalty of muſter Maſters taking reward to diſcharge them.

And be it further enacted by the authority aforeſaid, that if any perſon or perſons which at any time or times hereafter ſhall be commanded or appointed by the King and Queene our Soueraigne Lord and Lady, or by the heires and ſucceſſors of the ſame our Soueraigne Lady, by their commiſſion, letters, or otherwiſe authoriſed, to leuy, muſter, or make any men to ſerue in their warres, or otherwiſe for the defence of this Realme, doe by any meane exact, leuy, receiue or take, or cauſe to be taken any ſumme or ſummes of mony, or other reward or thing whatſoeuer, of any perſon or perſons, for ſeruice in the warres, or that ſhall be appointed, named or muſtred to ſerue in any ſuch ſeruice, or for the ſparing, releaſing or diſcharging of ſuch perſon or perſons from the ſaid ſeruice, that then euery ſuch perſon that ſo ſhall offend in exacting, receiuing or taking by any wayes or meanes any ſumme or ſummes of money, or other reward, or thing whatſoeuer as is aforeſaid, ſhall for ſuch offence forfeit ten times ſo much as he ſhall ſo receiue, exact, or take.

The penalty of a Captaine, licencing his ſouldier to depart, or not paying his wages.

Who ſhall haue the forfeiture.

And be it further enacted by the authority aforeſaid, That if any Captaine, pety Captaine, or other hauing charge of men for ſeruice in warre, ſhall for any aduantage, lucre or gaine by him to be taken or receiued, diſcharge or licence any of the Souldiers, or men appointed to ſerue in the warres, vnder his rule or order, to depart from the ſame ſeruice, or ſhall not pay vnto his ſouldiers, and to euery of them their full and whole wages, conduct and coat money, within ten dayes next after that ſuch Captaine, pety Captaine, or other hauing charge of men, as is aforeſaid, ſhal haue receiued the ſame: that then the party ſo offending in giuing any ſuch licence or diſcharge, as is aforeſaid, ſhall loſe and forfeit for euery ſuch offence, ten times the value of the thing ſo taken or receiued, and ſhall alſo pay to euery ſouldier from whom he ſhall ſo withhold any the ſaid wages, conduct, or coat money, treble the ſumme ſo withholden: the one moity of all which forfeitures, other than ſuch as before by this Act is limited or giuen to the ſouldier or ſouldiers, as is aforeſaid, for their wages, coat or conduct money withdrawen, ſhall be to the King and the Queenes Maieſties, and the heires and ſucceſſors of the Queenes Maieſty, and the other moity thereof to him or them that will ſue for the ſame by action of debt, bill, plaint, information or otherwiſe, in any Court of Record, in which action or ſuit no eſſoine, protection or wager of law ſhall be allowed.

And be it further enacted by the authority aforeſaid, that all Iuſtices of Aſſiſes in their circuits, and all Iuſtices of Peace within the limits of their commiſſion, in their aſſiſes and ſeſſions, and Stewards of Leets, Law-dayes, and liberties at their Leets and Law-dayes, ſhall and may from time to time enquire, heare and determine euery of the ſaid offences, committed or done contrary to this Act, within the precincts of their commiſſion, Leet, or liberty: and if any perſon or perſons ſhall be before the ſaid Iuſtices of Aſſiſe, Iuſtices of Peace, or any of them, preſented or indicted of any the offences aforeſaid, that then the ſaid Iuſtices of Aſſiſe, or Iuſtices of peace, before whom ſuch indictment or preſentment ſhall be taken or had, ſhall and may by the authority of this act, award ſuch proceſſe againſt euery ſuch perſon or perſons indicted, as vpon indictmēts of treſpaſſe is vſed and accuſtomed to be made, and if any ſuch perſon or perſons ſo indicted doe appeare before the ſaid Iuſtices, and confeſſe the ſame, or plead to the ſame indictments, and after by verdict of twelue men ſhall be of any the ſaid offences conteined in ſuch indictment or indictments conuicted, that then the ſaid Iuſtices before whom any ſuch conuiction ſhall be ſo had, ſhall and may award ſuch perſon or perſons ſo conuicted vnto priſon, there to remaine without baile or mainepriſe, vntill ſuch time as he or they haue payed, or ſatiſfied the moity of the forfeiture aforeſaid, vnto the King and Queenes Maieſties vſe, and the other moity thereof vnto him or them that ſhall come before the ſaid Iuſtices, and giue euidence againſt the party to be conuicted at the time of the ſaid conuiction, and by whoſe euidence he ſhall be of the ſaid offence conuicted. And if any ſuch conuiction ſhall be had without any euidence openly giuen by any perſon or perſons, that then the party conuicted as is aforeſaid, ſhall remaine in priſon, as is aforeſaid, vntill he haue ſatiſfied the whole forfeiture to the King and Queenes Maieſties vſe.

Offences committed during the time of ſeruice.

Prouided alwayes, and be it further enacted by the authority aforeſaid, that if any the offences aforeſaid, touching Captaines, pety Captaines, or other hauing charge of men, ſhall be committed during the time that any army or number of men being vnder a Lieutenant, ſhall be aſſembled and continue together, or by any Captaine, pety Captaine, or other hauing charge of men that ſhall ſerue vnder any Lord Warden or other Chieftaine, that then vpon complaint thereof, the Lord Lieutenant or the Lord Warden, or other Chieftaine, during the time of any his or their commiſſion ſhall and may heare, order and determine the ſame offences, by his or their diſcretions.

Seruice in reſpect of tenure of land.

Prouided alwayes, that this Act, nor any thing therein conteined, ſhall not in any wiſe extend to take away or diſcharge any tenant or fermor of his ſeruice or couenant, toward his Lord for the finding of horſe, armour, or weapon, or for doing of ſeruice by himſelfe, or by any other, which by the tenure of his land otherwiſe is bounden to do before the making of this Act, but that

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he ſhall yeeld, doe, and pay the ſame in as ample manner and forme as though this Act had neuer beene had or made.

Prouided alſo, and be it further enacted by the authority aforeſaid, that if any ſuch Captaine, pety Captaine, or other hauing charge of men, as is aforeſaid, ſhall be at any time hereafter conuicted or ordered by vertue of this Act, for any of his offences aforeſaid, that then the ſame Captaine, pety Captaine, or other hauing charge of men, as is aforeſaid, ſo conuicted, ſhall not otherwiſe or eftſoones be vexed, troubled, ſued, or conuicted for the ſame offence, whereof he ſhall be ſo before conuicted or ordered.

He that is once conuicted ſhall not be againe troubled.

And where one branch or article conteined in the Statute made in the ſecond and third yeere of the reigne of the late King Edward the ſixth, entituled, an Act touching the true ſeruice of Captaines and Souldiers, whereby the departure of any Souldier, ſeruing, as in the ſaid Act is expreſſed, without licence of the Lieutenant, or other Officer or Officers named in the ſaid Act, or in their abſence, of their Deputies, was made felony, is of no force, ſtrength, ne effect, at this preſent, by reaſon of the Act of repeale of certeine treaſons, felonies, and Præmunire made in the firſt Seſſion of the Parliament holden at Weſtminſter, in the firſt yeere of the Queenes Maieſties reigne. Be it for good and reaſonable conſiderations enacted and eſtabliſhed by the authority of this preſent Parliament, that the ſaid branch or article, and euery ſentence and matter therein conteined, be from henceforth wholly reuiued and recontinued, and be & remaine in full ſtrength and effect, to all intents, conſtructions, and purpoſes, the ſaid Act of repeale notwithſtanding. And that all and euery other article, clauſe, prouiſo, and matter conteined in the ſame Act, ſhall ſtand, remaine, and be in their full force, ſtrength, and effect. Any thing in this Act conteined to the contrary notwithſtanding.

A reuiuer of the Stat. of 2. & 3. Ed.6.2.

1. M. 1.

And yet neuertheleſſe where in the ſaid Act it is prouided, that no perſon or perſons, ſhould be charged for the taking or receiuing of any gift or reward of any of his or their tenants or friends towards the reliefe, ayd or helpe of the ſame perſons being commanded to ſerue in warres, or otherwiſe to finde men on horſebacke or on foot, within this Realme or without, nor for the gift, reward, ayd, or helpe reſerued, or couenanted, to be payed or giuen to any perſon appointed to ſerue in warres, or to finde horſe or men, to ſerue by reaſon of any grant, couenant, reſeruation, cuſtome or tenure, any thing in the ſaid Act to the contrary notwithſtanding, as by the ſaid Act and prouiſo more plainly it doth and may appeare. Be it enacted by the authority of this preſent Parliament, that no perſon or perſons ſhall or may by colour of the ſaid prouiſo, or of any words or matter therein conteined, exact or demand, or leuy any ſumme or ſummes of money, horſe, armour, or any other thing, other than ſhall be imployed forthwith in the preſent ſeruice of thoſe warres, of the King and Queenes Maieſties, her heires or ſucceſſors, for which it is leuied, the which ſum or ſums of money, horſe, armour, or other thing, or as much thereof as ſhall not be ſpent, loſt, or conſumed in the ſaid ſeruice, ſhall be rendred and reſtored to ſuch perſon or perſons, as payed or deliuered the ſame, vpon the penalties and forfeitures, conteined in the ſaid Act.

What reliefe of friends or tenants may be taken toward ſeruice in war.

Prouided alwayes; that no perſon or perſons; inhabiting within any City, Borough, or Towne corporate, being a County of it ſelfe, or in which any Iuſtices of Peace be, or hereafter ſhall be, by Charter, ſhall be compellable by vertue of this Act, to make his or their appearance with ſuch furniture as is aforeſaid, at any Muſter hereafter to be had or taken, out of the Suburbs, precinct, or liberties of the ſame City, Borough or Towne, nor before any perſon or perſons authoriſed by commiſſion or otherwiſe, as is aforeſaid, vnleſſe the Maior, or other head officer of ſuch City, Borough, or Towne, and one other diſcreet inhabitant of the ſame at the leaſt be ioyned in the ſame commiſſion, or other authority as is aforeſaid, with the ſame other perſon or perſons ſo authoriſed, any thing before mentioned to the contrary notwithſtanding.

Inhabitants in Cities, Boroughes, or Townes corporate ſhalbe muſtered only within the ſame.

CAP. IIII.

Acceſſories in pety Treaſon, Felony; Murder ſhall not haue their Clergie.

FOr the due puniſhment of ſuch as command, counſell, or hire any perſon or perſons, to commit, perpetrate, or doe any pety treaſon, wilfull murder, or any of the offences in this preſent Act mentioned, Be it enacted by the authority of this preſent Parliament, that all and euery perſon and perſons that after the firſt day of March next comming, ſhall maliciouſly command, hire, or counſell any perſon or perſons, to commit or do any petie treaſon, wilfull murder, or to do any [a]robbery in any dwelling houſe or houſes, or to commit or doe any robbery in or neere any high way in the Realme of England, or in any other the Queenes Dominions, or to commit or do any robbery in any place within the marches of England againſt Scotland, or wilfully to burne any dwelling houſe, or any part thereof, or any Barne then hauing corne or graine in the ſame, that then euery ſuch Offendor or Offendors, and euery of them being outlawed thereof, or being thereof arraigned and found guilty by the order of the law, or being otherwiſe lawfully attainted or conuicted of the ſame offence, or be being arraigned therof, do ſtand mute of malice or froward mind, or doe challenge peremptorie aboue the number of twenty perſons, or will not anſwer directly to ſuch offence, ſhall not haue the benefit of his or their Clergie.

yer.f.183.186.
k.11.fo.35.

None ſhal haue his Clergy which commandeth another to commit robbery, murder, &c. St. 2. & 3 P.& M. 17.

Prouided

Triall of a Lord by his Peeres.

Provided alwayes, and be it enacted, that every Lord and Lords of the Parliament, and Peere and Peeres of the Realme, having place and voice in the Parliament, upon every inditement for any of the offences aforeſaid, ſhall be tried by their Peeres, as hath beene accuſtomed by the Lawes of this Realme.

CAP. V.

How woollen clothes ſhall be made in length, bredth, and weight, and how the Offendors therein ſhall be puniſhed.

5. & 6. Ed. 6. 6.

WHere in the Parliament holden at Weſtminſter, in the fifth and ſixth yeere of the reigne of our late Soveraigne Lord King Edward the ſixth, there was by great deliberation and advice, one good Act made for the true & perfect making of woollen cloth within this Realme, ſithence the making whereof divers Clothiers found themſelves agrieved, alleaging that it is unpoſſible for them to obſerve the ſame Act in all points, and have in this preſent Parliament prayed ſome mitigation thereof: It is therefore at their ſpeciall inſtance and requeſt ordered, eſtabliſhed, enacted, and provided, in manner and forme following.

Long Worceſters.

Inprimis, that every white cloth, and clothes commonly called long Worceſters, and all like Clothes of like making mentioned in the ſaid Act, which by the ſame was limited to weigh lxxxiiij. pounds, being well ſcoured, thicked, milled, and fully dryed, ſhall weigh threeſcore and fifteene pounds at the leaſt.

White clothes of Glouceſt. Wiltſ. Somerſ.

Item, every white cloth which ſhall be made in the Counties of Wiltſhire, Glouceſter, and Somerſet, or any of them, or elſe where of like making being appointed by the ſaid Act to weigh lxiiij. pounds, ſhall weigh being well ſcoured, thicked, milled, & fully dryed lxj. pounds at the leaſt.

The weight of broad clothes.

Item, that every broad cloth made in the Shires of Kent and Suſſex, or at the Towne of Reding, or any of them, or elſewhere of like making mentioned in the ſaid Act, which by the ſame was limited to weigh xc. pounds at the leaſt, ſhall weigh being well ſcoured, thicked, milled, and fully dried lxxxvj. pounds at the leaſt.

Courſe ſhort cloth.

Item, that every courſe ſhort cloth made in the Shires of Suffolke, Norffolke & Eſſex, or any of them, or elſewhere of like ſort: and every courſe cloth to be made within the Shire of Kent, not exceeding the price of ſix pounds, all which by the ſaid Act are appointed to conteine ſeven quarters of a yard at the leaſt in bredth, ſhall conteine and be at the water, being throw wet, ſix quarters and a halfe within the liſt throw and by all the whole cloth.

Handywarpe.

Item, every yard of cloth commonly called handiwarpe, being well ſcoured, thicked, milled, and fully dryed, ſhall conteine the bredth ſpecified in the ſaid Act, and ſhall weigh two pounds and a halfe at the leaſt.

Liſtes of Handywarps.

And foraſmuch as many perſons do counterfeit the making of Cokſall, Bocking, and Braintree clothes commonly called Handywarpes, adding thereunto ſuch like liſts as the Makers of ſuch clothes doe, to the great deceipt of the King and Queenes Maieſties Subiects. Be it therefore enacted that no perſon or perſons from the firſt day of May next comming, ſhall adde unto any cloth or clothes, any ſuch like liſt or liſts, except the warpe thereof be ſpun upon the rocke or diſtaffe, upon paine of forfeiture of the ſame cloth or clothes, or the very value thereof. Provided alwayes, that the Clothmakers within the City of Worceſter may make ſuch liſts as they have done heretofore.

Broad cloth made in the Weſtriding in Yorkſhire.

Item, that no perſon or perſons inhabiting within the Weſtriding in the County of Yorke, ſhall make or cauſe to be made any broad cloth or clothes, called pewkes, tawnies, violets, or greenes, except the wooll thereof before it be converted into yarne, be firſt dyed, litted, and coloured with the colour blew, of the value of ij. d. a pound, upon paine of forfeiture of every ſuch coloured cloth, or the value thereof, whereof the wooll ſhall not be firſt dyed, litted, and coloured with the colour blew of ij. d. a pound, as is aforeſaid.

Ordinary kerſie.

Sorting Kerſie.

14. El. 10.

3. Iac. 16.

Item, that every ordinary Kerſie mentioned in the ſaid act, ſhall conteine in length in the water betwixt xvj. and xvij. yards, yard and inch, and being well ſcoured, thicked, milled, dreſſed, and fully dried ſhall weigh xix. pounds the peece at the leaſt. And every Kerſie called ſorting Kerſie, mentioned in the ſaid Act, being well ſcoured, thicked, milled, dreſſed, and fully dried, ready to be ſhewed, ſhall weigh xxij. pounds at the leaſt.

Devonſh. kerſie.

Item, that every Devonſhire Kerſie, called Doſſon, the which is appointed by the ſame Statute to weigh being dry xiiij. pounds at the leaſt, ſhall weigh being well ſcoured, thicked, milled, and fully dryed, after the rate of every yard one pound at the leaſt.

Welſh lynings.

5. Ed. 6. 6.

Item, that one article mentioned in the ſaid Statute concerning Welſh Cottons, touching the length and weight, ſhall be cleerely void, and every gode of Welſh lyning ſhall conteine and be three quarters of a yard in breadth in the water, and ſhall weigh one pound and a halfe quarter, and every yard of Cotton being fully wrought and cottoned, ſhall weigh one pound at the leaſt.

None that buyeth to ſel againe ſhall worke any Welſh lyning.

8. El. 7.

And be it further enacted, that no perſon or perſons, which ſhall buy to ſell againe by way of retaile or otherwiſe, any of the ſaid Welſh lynings, ſhall dreſſe or worke, or cauſe to be dreſſed or wrought within his or their dwelling houſe or houſes, or in any other place by himſelfe, or his ſeruant or ſeruants, any of the ſaid Welſh lynings, but ſhall put the ſame to ſome ſuch perſon or perſons as ſhall be of the art or ſcience of Shermen, Cottoners, or Friſers, to be by them wrought and dreſſed, vpon paine of forfeiture for euery Welſh Cotton or lyning, friſed or cottoned to the contrary vj.s. viij. d.

Item, that all and euery Cotton or Cottons called Mancheſter, Lanckeſhire, and Cheſhire Cottons, and all clothes called Mancheſter Rugs, or Mancheſter Friſes, may be diuided into two halfe, peeces, and ſhall conteine and be after the rate of ſuch bredth and weight, as in the ſaid Act is limited and appointed to a whole peece of euery of the ſeuerall peeces of Cottons and Rugges aforeſaid, any thing in the ſaid former Statute to the contrary in any wiſe notwithſtanding.

Cottons, Rugs and Friſes may be diuided into two peeces.

And if any cloth or Kerſie of the ſeuerall kinds of makings, mentioned in the ſaid former Act, or this Statute, doe exceed the ſeuerall lengths mentioned in the ſame, that then euery yard ſo exceeding, ſhall weigh after ſuch rate as euery yard of ſuch cloth or Kerſies conteining the ſaid ſeuerall lengths, ſhall or ought to weigh, vpon paine of forfeiture for euery yard not weighing after ſuch rate, v.s.

Forfeiture for defaults in lengths and meaſures.

And if any ſuch cloth or Kerſies ſhall lacke of ſuch weight, as by the ſaid Statute or this Act it ought and is appointed to haue, then the maker thereof, or other perſon in whoſe hands or poſſeſſion the ſame ſhall be found, ſhall forfeit for euery pound lacking aboue foure pounds, v.s. and alſo for euery pound exceeding not aboue foure pounds, ij.s. in manner and forme as in the ſaid former Act is appointed.

Item, one Article mentioned in the ſaid Statute, wherein the Aulneger is prohibited to ſet his ſeale to any cloth or Kerſie which ſhall proue purſie, baudy, ſqually, in, or by warpe or woofe, or elſe ſhall happen to be euill burled, or waſted in the Mill, or otherwiſe to be full of holes, Milbrackes, or to be holeiy, ſhall be void and of none effect.

The Aulnegers ſeale.
5.Ed.6.6.

Item, it is enacted, that if at any time after the firſt day of May any cloth or Kerſie, through the default or negligence of the Karders, Spinners, Weauers, or any of them, ſhall, or doe proue either, purſey, cockeley, baudy, ſqually, or rowy, by warpe or woofe, or elſe ſhall happen to be euill burled, or waſted in the Mill, or elſe through the default or negligence of the Mill-man, or otherwiſe to be full of holes, milbrackes, or to be holely, that then the maker of euery ſuch cloth or Kerſie ſo being defectiue or faulty, as is aforeſaid, ſhall fix vnto euery end of the ſaid cloth or Kerſie ſo being defectiue and faulty, and offered to be ſold, one ſeale of lead, in the which ſeale ſhall be ingraued this word (faulty) vpon paine of forfeiture of ſuch cloth or Kerſie, or the value thereof ſo offered to be ſold, whereunto ſuch ſeale ſhall not be ſet.

How faulty cloth ſhall be vſed.

Item, the article mentioned in the ſaid former Act of returning of defectiue clothes, Kerſies, Friſes, or Cottons, being tranſported ouer the Seas by the Merchants, ſhall be vtterly void. But neuertheleſſe be it enacted by the authority aforeſaid, that if it ſhall fortune herafter any Merchant or Merchants, to tranſport any cloth or clothes, Kerſies, Friſes, or Cottons, whereunto the ſeale with this word (faulty) was not annexed at the time of the ſale thereof by the Clothier, and the ſame Clothes, Kerſies, Friſes, or Cottons, ſo tranſported, or any of them to be found faulty or defectiue, and the ſame Merchant or Merchants thereof, within two yeeres after ſuch ſale, to bring a certificate, ſealed with the ſeale of any Towne, or Company in the parties beyond the Seas, or ſigned by a Notary there, after the accuſtomed manner, teſtifying and declaring thereby the loſſe and damage which the Merchants ſhall haue ſuſteined by ſuch defectiue and faulty cloth or clothes ſo tranſported, that then the Clothier or Clothiers, or other perſon of whom the cloth or clothes was bought, their Executors or Adminiſtrators, ſhall within ſix weekes next after requeſt made by the ſaid Merchant, his Executors, Adminiſtrators, or Aſſignes, well and truly ſatiſfie, content, and pay to ſuch Merchant, his Executors or Adminiſtrators, or Aſſignes, all and euery ſuch ſumme and ſummes of money as ſhall ſo be mentioned, expreſſed and declared in the ſaid certificat, vpon paine of forfeiture to the party grieued for euery non payment vpon ſuch requeſt, double the value of ſuch ſumme or ſummes mentioned in the ſaid certificat.

No defectiue cloth ſhalbe returned, but the Merchant ſhall be recompenced vpon a Certificat brought.
RhP.43.El.10.

Prouided alwayes, that ſuch Merchant ſhall not in any wiſe haue by vertue of this Act, any recompence for lacke of length, bredth, or weight, of or for any cloth, whereunto the ſeale of any City, Borough, or Towne corporate ſhall be fixed.

Cloth wanting length, &c. whereunto the ſeale of a City &c. ſhall be affixed.

Item if any perſon ſhall by himſelfe, or by any other perſon by him procured, counterfeit, ſet to, or take away from any Cloth, Kerſie, Friſe, Rug or Cotton, any ſeale appointed to be fixed to any Cloth, Kerſie, Friſe, Rug, or Cotton, either by this Act, or by the ſaid former eſtatute, that then euery ſuch perſon ſo offending, ſhall incur and haue like penalties, forfeitures, and puniſhments as in the ſaid former Act is appointed and limited for the like offence.

Counterfeiting ſetting to, or taking away of any ſeale.

And for the better execution, as well of this preſent Act, as of the ſaid former eſtatute, and to the intent that all kinde of Kerſies, Cottons, Friſes, Rugs, and other woollen Cloth, made in any Towne ſhall be the better knowen, it is further enacted, that the ſeale of euery Borough or Towne corporate, appointed or to be appointed for the ſealing of any ſuch kinde of Cloth, ſhall be

The Towne ſeale ſhall be ſet to clothes.

fixed to all and euery ſuch kind of cloth, being well and ſubſtantially made within ſuch City, Boꝛough oꝛ Towne coꝛpoꝛate, which cloth ſo ſealed with the ſeale of any City, Boꝛough, oꝛ Towne coꝛpoꝛate, ſhall not be ſearched, tried, oꝛ veiwed by any Searcher oꝛ Sealer of any other City, Boꝛough, oꝛ Towne coꝛpoꝛate, by vertue of his ſaid office: any thing in this Act, oꝛ in the ſaid foꝛmer eſtatute to the contrary notwithſtanding.

Clothes made out of Townes coꝛpoꝛate ſhalbe ſealed in the next Towne coꝛpoꝛate, &c.

Item be it further enacted by the authoꝛity afoꝛeſaid, that euery perſon and perſons, not dwelling and inhabiting within any City, Boꝛough, oꝛ coꝛpoꝛate Towne, and making any of the clothes, oꝛ Kerſies afoꝛeſaid, may lawfully bꝛing the ſame to the next City, Boꝛough, oꝛ coꝛpoꝛate Towne, where any ſuch kind of clothes oꝛ Kerſies be oꝛ ſhall be commonly made, there to be ſealed in manner and foꝛme as is befoꝛe expꝛeſſed.

The foꝛfeiture where a Sealer ſetteth his ſeale to cloth wanting length.

Item, if any Searcher oꝛ Sealer appointed, oꝛ to be appointed by vertue of this pꝛeſent Act, oꝛ of the ſaid foꝛmer Statute, ſhal ſet the Seale of any City, Boꝛough, oꝛ Towne coꝛpoꝛate, to any cloth, which ſhall not conteine ſuch length, weight, and bꝛedth as in the ſaid foꝛmer Statute, oꝛ in this pꝛeſent Act is appointed, that then the Maioꝛ and Comminalty, oꝛ Bayliffe and Comminalty, oꝛ other coꝛpoꝛation of the Towneſhip, by whatſoeuer name oꝛ names it oꝛ they ſhall be incoꝛpoꝛated, where ſuch cloth, Kerſie, Friſe, Cotton, oꝛ Rug ſhall be ſo ſealed, ſhall foꝛfeit and loſe the whole value of the cloth ſo ſealed.

The Searchers and Sealers may enter into any mans houſe to ſearch. St.21.Iac.28.

It is alſo enacted by the authoꝛity of this pꝛeſent Parliament, that the ſaid Searchers oꝛ Sealers, and euery one of them, ſhall haue full power and authoꝛity by vertue of this Act, in the day tune to enter into all and euery houſe and houſes of euery perſon oꝛ perſons, where he oꝛ they ſhall thinke meet ſo ſearch, and to try all and euery kind of clothes, Kerſies, Friſes, and Rugs, as they ſhall finde defectiue, either in length, bꝛedth, oꝛ weight, and the ſame ſo try by water and weight, and alſo to ſearch and ſeiſe as foꝛfeit all and euery cloth and clothes made of other colours, than in the ſaid foꝛmer Act is appointed, Friers gray, Crane colour, purple, and old medley colours, moſt commonly vſed to be made befoꝛe twenty yeeres laſt paſt, only excepted.

The penalty foꝛ denying of ſearching oꝛ ſealing.

And if any manner of perſon oꝛ perſons, at any time after the firſt day of May next comming, ſhall deny, withſtand, oꝛ withhold any cloth oꝛ clothes, kerſies, friſes, rugs, oꝛ any of them from the ſaid Sealers oꝛ Searchers, oꝛ any of them, oꝛ will not ſuffer them to enter into their ſhops, warehouſes, houſes oꝛ places where their clothes, Kerſies, Friſes, oꝛ Rugs ſhall be, the ſame to be ſearched and tried as is afoꝛeſaid, that then euery ſuch perſon oꝛ perſons ſo denying oꝛ withſtanding, foꝛ euery ſuch withſtanding, withholding oꝛ deniall, to foꝛfeit and loſe ten pounds.

No ſearching in common Markets oꝛ Faires.

Be it likewiſe further enacted, that it ſhall not be lawfull foꝛ any of the ſaid Searchers, oꝛ Sealers, oꝛ any other perſon, to ſearch any manner of woollen Cloth oꝛ Kerſie, whereunto the Seale of a City, Boꝛough, oꝛ Towne coꝛpoꝛate ſhall be fixed within the common cloth market of London, commonly called Blackewell hall, oꝛ in any common cloth Faire, oꝛ cloth Market of any other City, Boꝛough, oꝛ Towne coꝛpoꝛate, in and during the time of the Faire oꝛ Market: any Act oꝛ Statute to the contrary notwithſtanding.

A confirmation of the Stat. of 5.& 6.Ed.6.6.

Be it further enacted, that all and euery article, clauſe, and ſentence in the ſaid foꝛmer Statute made in the fifth and ſixth yeeres of the reigne of our ſaid late Soueraigne Loꝛd, King Edward the ſixth, being not repugnant oꝛ contrary to any article, clauſe, oꝛ ſentence conteined in this pꝛeſent Act, ſhall ſtand in full foꝛce and effect.

Penalties in the foꝛmer Act altered in this.

Pꝛouided alwayes, that no perſon oꝛ perſons ſhall incur the danger, penalty, oꝛ foꝛfeiture limited and appointed foꝛ any offence in the ſaid foꝛmer Act, the which is already mittigated oꝛ otherwiſe appointed by this pꝛeſent Act.

Euery cloth marked with M.

And be it further enacted by the authoꝛity afoꝛeſaid, that euery Clothier ſhall cauſe euery cloth which he ſhall put to ſale, from and after the Feaſt of the Natiuity of S. Iohn Baptiſt next comming, to be marked with the letter M. crowned, wꝛought in the cloth, vpon paine to foꝛfeit xx.s. foꝛ euery cloth, being ſold oꝛ put to ſale by any ſuch Clothier after the ſaid Feaſt not marked with the ſaid letter M. as is afoꝛeſaid.

No coloured cloth ſhalbe put to ſale but theſe within named. REP.21.Iac.28.

And moꝛeouer be it enacted by the authoꝛity afoꝛeſaid, that no perſon oꝛ perſons after the ſaid feaſt of the Natiuity of S. Iohn Baptiſt ſhall ſet, oꝛ put to ſale, within the Realme of England, any coloured cloth of any other colour oꝛ colours, than are hereafter in this Act mentioned, that is to ſay, ſcarlet, red, crimſon, moꝛrey, violet, pewke, bꝛowne blew, blacke, greene, yellow, blew, oꝛinge tawny, ruſſet, marble, gray, ſad new colour, Azney, watchet, ſheeps colour, Lyon colour, motley, yꝛon gray, fryers gray, crane colour, purple, and old medley colour, moſt commonly vſed to be made aboue and befoꝛe xx. yeeres laſt paſt.

Item, whereas diuers ancient Cities, Boꝛoughes, and Townes coꝛpoꝛate within this Realme of England, haue beene in times paſt well and ſubſtantially inhabited, occupied, maintained, and vpholden as well by reaſon of making of bꝛoad woollen Clothes, and Kerſies, as alſo by diuers other artificers, inhabiting then in the ſaid townes, at which time alſo the Villages and huſband Townes flouriſhed, and huſbandꝛy and tillage was well mainteined, to the great benefit of the Realme, and all the people therein: foꝛaſmuch as diuers yeeres paſt, ſuch perſons as doe vſe the feat oꝛ myſtery of cloth making, not contented to liue as artificers, and with the trade wherein they haue beene bꝛought vp, doe daily plant themſelues in Villages and Townes, being no Cities,

ties, Boroughs, nor corporate Townes, and there occupying the ſeat and place of a huſbandman, doe not only ingroſſe diuers fermes and paſtures into their hands, diſpleaſing the huſbandman, and decaying the ploughes and tillage, but alſo draw with them out of Cities, Boroughes, and Townes corporate, all ſorts of Artificers, whereby not onely diuers ancient Cities, Boroughes, and Townes corporate are vtterly decayed, deſtroyed, and depopulated, but alſo huſbandry and tillage very much decayed, to the great hurt, damage, and preiudice of this Realme, and the people therein, if ſpeedy remedy be not foreſeene. And foraſmuch alſo as the Weauers and Workemen of Clothiers when they haue beene traded vp in the trade of cloth making and weauing three or foure yeeres, doe forſake their Maſters, and doe become Clothiers and Occupiers for themſelues, without ſtocke, ſkill, or knowledge, to the great ſlander of the true cloth making, beſides a great number of inconueniences which doe grow to the common wealth of this Realme thereby, as daily experience teacheth.

None ſhal make cloth to ſell but in a City, Borough, and where it hath beene vſed to be made.
St.25.H.8.18.
1.El.14. 18.El.16.
27.El.23. 1.Iac.7.
REP. 21.Iac.28.

Be it therefore ordeined and enacted by the authority of this preſent Parliament, that from and after the firſt day of May next comming, no perſon or perſons whatſoeuer, ſhall vſe or exerciſe the feat or myſtery of making, weauing, or rowing of woollen cloth, long or ſhort, or Kerſies, pinned whites, or plaine ſtreits, to the intent to put the ſame to ſale, but only in a market towne where cloth hath commonly beene vſed to be made by the ſpace of ten yeeres laſt paſt, or in a City, Borough, or Towne corporate, vpon paine of forfeiture for euery ſuch woollen cloth or Kerſie, made, wouen, or rowed out of ſuch City, Borough, Towne corporat, or market Towne, v.li.

Who only may weaue cloth to be ſold.

a Coke li.6.f.19.

And it is further enacted, that from and after the firſt day of May no perſon whatſoeuer, [a]ſhal weaue or make, or put to weauing or making any woollen clothes, or kerſies laſt rehearſed to be ſold, vnleſſe ſuch perſon ſhall haue beene Apprentice to the occupation of making, weauing, and rowing of cloth, or kerſies, or haue beene exerciſed therein by the ſpace of ſeuen yeeres before, vpon paine of forfeiture of ſuch cloth, or the value thereof.

Who ſhall haue the forfeitures.

And be it further enacted by the authority aforeſaid, that all and euery paines, penalties, and forfeitures to be due by force of this Statute, or of the ſaid former Act, being not otherwiſe appointed, ſhall be diuided equally into two parts, whereof the one ſhall be to the Queenes Highneſſe, her heires and ſucceſſors, and the other vnto him that will ſeiſe (in caſes where ſeiſure is limited or appointed) or elſe to him or them that will ſue for the ſame paines, penalties, and forfeitures, or any of them, by action, bill, plaint, information, or otherwiſe, in any Court of Record, wherein no eſſoine, protection, wager of law, or iniunction ſhall be admitted, allowed, or obeyed.

Prouided alwayes, that it ſhall be lawfull to any perſon, now vſing or exerciſing the feat or myſtery of making, weauing, or rowing of cloth or Kerſie, to inhabit and dwell where he now doth, and there to vſe the making, weauing, or rowing of cloth or Kerſie as he hath done heretofore: Any thing in this Act to the contrary notwithſtanding.

Who may make Cloth out of a market Towne.

Prouided alwayes, that it ſhall be lawfull to all and euery perſon or perſons, which now doe, or hereafter ſhall inhabite or dwell in any of the Shires of Northwales, or Southwales, Cheſhire, Lancaſhire, Weſtmerland, Cumberland, Northumberland, Biſhopricke of Durham, Cornewall, Suffolke, Kent, the towne of Goddelmine in the County of Surrey, or Yorkeſhire, being not within twelue miles of the City of Yorke, or in any the Townes or villages neere adioyning to the water of Strond in the County of Glouceſter, where clothes hath beene vſually made by the ſpace of twenty yeeres laſt paſt, and hauing beene prentice to the occupation of cloth making, or exerciſed in the ſame by the ſpace of ſeuen yeeres, to ſet vp, vſe, and exerciſe the feat or myſtery of making, weauing, or rowing of cloth out of a City, Borough, or market Towne, as heretofore they might haue done, any thing in this Act to the contrary notwithſtanding.

Vſing the making of cloth at the time of the Statute.

Prouided alſo, that it ſhall be lawfull to any perſon, now vſing or exerciſing, or that hath vſed or exerciſed the feat or myſtery of cloth making, the ſame to continue, vſe, and exerciſe, although he hath not beene thereunto apprentice, or haue exerciſed the ſame by the ſpace of ſeuen yeeres, any thing in this Act to the contrary notwithſtanding.

The coloured clothes which any perſon had at the time of this Statute might be ſold.

Prouided alwayes, and be it alſo further enacted by the authority aforeſaid, that it ſhall be lawfull to euery perſon and perſons, to ſell and put to ſale by retaile or otherwiſe, all and euery ſuch coloured cloth and clothes as he or they now haue, as freely as he or they may lawfully ſell any clothes of the colours in this preſent Act allowed to be ſold, vntill the Feaſt of Saint Michael the Archangell next enſuing. This Act or the ſaid former Statute, in any wiſe notwithſtanding. St.27.*El*.17.

Cap. VI.

Euery perſon borne vnder the Dominion of the French King not being Denizen (other than ſuch as the King and Queene will licence to remaine) ſhall depart this Realme, and not returne during the warres betweene the French King, and the King and Queene. The King and Queene during the Queenes life may vpon any miſdemeanor proued, repeale by Proclamation any Letters Patents made to any Frenchman to be free Denizen ſithence *An*. 32. *H*.8. And then the Queene ſhall haue the ſaid Denizens lands during his life, but his heire ſhall enioy it after his death. EXP.

CAP. VII.

A Tales de Circumſtantibus ſhall be granted vpon requeſt in a ſuit commenced vpon any penall Statutes.

By the ſtat. of 35.H.8.6. A Tales de circumſtantibus may be granted in any triall betweene partie and partie.

WHere in the Parliament holden at Weſtminſter the fourteenth day of Ianuary in the fiue and thirtieth yeere of the reigne of the noble and victorious Prince King Henry the eight, late King of England, amongſt other things it was enacted and eſtabliſhed, for the ſpeedy triall of Iſſues ioyned betweene party and party, in any of the Kings Courts of Record holden at Weſtminſter, to be tried by the verdict of twelue men, before the Iuſtices of Aſſiſe, or Niſi prius, that in euery writ of Habeas corpora or Diſtingas with a Niſi prius, deliuered of the Record to the Sheriffe or other Miniſter or Miniſters to whom the making of the returne ſhall appertaine, where a full Iury ſhall not appeare before the Iuſtices of Aſſiſe or Niſi prius, or elſewhere after apparance of a full Iury, by challenge of any of the parties, the Iury is like to remaine vntaken for default of the Iurors, that then the ſame Iuſtices vpon requeſt made by the parties plaintife or demandant, ſhall haue authority by vertue of the ſaid Act, to command the Sheriffe or other Miniſter or Miniſters to whom the making of the ſaid returne ſhall appertaine, to name and appoint as often as need ſhall require, ſo many of ſuch other able perſons of the ſaid County, then preſent at the ſaid Aſſiſes or Niſi prius, as ſhall make vp a full Iury, which perſons ſo to be named, and empannelled by ſuch Shiriffe or other Miniſter or Miniſters, ſhalbe added to the former pannell, and their names annexed to the ſame, as by the ſaid Act more at large appeareth, which Statute was made to endure till the end of the next Parliament, and after was and is from time to time continued, and doth now remaine, ſtand, and be in effect, which Act doth not extend to any Iury empannelled, to trie and iſſue ioyned betweene the King and the party, or betweene ſuch as purſue any matter for the King and themſelues.

2.Ed.6.32.

A Tales de circumſtantibus may be granted in a ſuit commenced vpon a penall ſtatute.

Be it therefore enacted, ordeined, and eſtabliſhed by the Kings and Queenes Maieſties, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that from and after the firſt day of Iune next comming, the Iuſtices of Aſſiſe and Niſi prius, before whom any triall ſhall be made, by vertue of any Writ of Habeas corpora, or Diſtingas, with a Niſi prius, where a full Iury ſhall not appeare, or after apparance of a full Iury, by challenge the Iury is like to remaine vntaken, for default of Iurors, ſhall haue authority by vertue of this act, vpon requeſt made for the King and Queene, her heires or ſucceſſors, by any authoriſed thereunto, or aſſigned by the Iuſtices of the Court before whom the ſaid enqueſt ſhall be taken, or vpon requeſt to be made by the party that followeth as well for the King and Queene, her heires and ſucceſſors, as for himſelfe vpon any penall Statute, or his or their Atturney, to command the Sheriffe, or other Miniſter or Miniſters, to whom the making of the ſaid returne ſhall appertaine, to name and appoint, as often as need ſhall require, ſo many of ſuch other able perſons of the ſaid County, then preſent at the ſaid Aſſiſes, or Niſi prius, and to adde and annexe the names to the former pannell, as ſhall make vp a full Iury of twelue men for the triall of euery ſuch Iſſue.

And that all and euery clauſe, ſentence, article, and prouiſo compriſed in the ſaid former Act, ſhall be taken, enterpreted, and expounded, to giue the like and the ſame aduantage and commodity to the Kings and Queenes Maieſties, her heires and ſucceſſors, and all ſuch perſon and perſons as ſhall purſue any action, bill, plaint or information for the King and Queenes Maieſties, her heires and ſucceſſors, onely, or for them and the party, as the party plaintife in any other action ſhould or might haue by vertue of the ſaid Act, in ſuch forme and condition, to all intents and purpoſes, as if ſuch actions or ſuits for the King, had beene ſpecially and particularly mentioned and declared in the ſaid Act.

CAP. VIII.

Puniſhment of ſuch as take away Maydens, &c. within ſixteene yeeres of age, &c.

WHere Maidens and women children of Noble men, Gentlemen, and others, as well ſuch as be Heires apparant to their Anceſtors, as others, hauing left vnto them by their Father, or other Anceſtor and friends, Lands, Tenements, and Hereditaments, or other great ſubſtances in goods and cattels moueable, for, and to the intent to aduance them in marriage, ſomewhat like according to their degrees, and as might be moſt for their ſurety and comfort, as well for themſelues, as of all other their friends or kinſfolkes, be oftentimes vnwares to their ſaid friends or kinſfolkes by flattery, trifeling gifts, and faire promiſes of many vnthriftie and light perſonages, and thereto by the intreatie of perſons of lewd demeanour and others that for rewardes buy and ſell the ſaid maidens and Children ſecretly allured and wonne to contract Matrimony with the ſaid vnthriſty and light perſonages, and thereupon either with ſleight or force, oftentimes be taken and conueyed away from their ſaid parents, friends, or kinſefolkes, to the high diſpleaſure of Almighty God, diſparagement of the ſaid children, and the extreame continuall heauineſſe of all their friends: which vngodly dealing, for lacke of wholeſome lawes to the redreſſe therof, remaineth a great, familiar, and common miſchiefe in this our common wealth.

None ſhall conuey away a maid vnder ſixteene yeeres of age without her parents aſſent.

For remedy whereof, be it enacted by the King and Quéenes Maieſties, the Lords Spirituall and Temporall and the Commons of this preſent Parliament aſſembled, and by the authority of the ſame, That it ſhall not be lawfull to any perſon or perſons, to take or conuey away, or cauſe to be taken or conueyed away any maid or woman childe vnmaried, being within the age of ſixtéene yeares, out of, or from the poſſeſſion, cuſtody or gouernance, and againſt the will of the father of ſuch maid or woman childe, or of ſuch perſon or perſons to whom the father of ſuch maide or woman childe, by his laſt Will and Teſtament, or by any other Act in his life time hath, or ſhall appoint, aſſigne, bequeath, giue or grant the order, keeping, education, or gouernance of ſuch maide or woman childe, except ſuch taking and conueying away, as ſhall be had, made or done, by or for ſuch perſon or perſons, as without fraude or couin, be or then ſhall be the maſter or miſtreſſe of ſuch maid or woman childe, or the gardein in ſoccage, or gardein in chiualry, of or to ſuch maid or woman childe.

The penalty for taking a maide vnder xvi. yeeres of age.

And be it further enacted by the authority aforeſaid, that if any perſon or perſons aboue the age of fourtéene yéeres, ſhall from and after the firſt day of Aprill next comming, vnlawfully take or conuey, or cauſe to be taken or conueyed any maid or woman childe vnmaried being within the age of ſixtéene yéeres, out of, or from the poſſeſſion, and againſt the will of the father or mother of ſuch childe, or out, or from the poſſeſſion, and againſt the will of ſuch perſon or perſons, as then ſhall happen to haue by any lawfull waies or meanes, the order, kéeping, education, or gouernance of any ſuch maiden or woman childe, that then euery ſuch perſon and perſons (ſo offending) being thereof lawfully attainted and conuicted by the order and due courſe of the Lawes of this Realme (other than ſuch of whom ſuch perſon taken away ſhall hold any Landes or Tenements by Knights ſeruice) ſhall haue and ſuffer impriſonment of his and their bodies by the ſpace of two whole yéeres without baile or maineprize, or els ſhall pay ſuch fine for his or their ſaid offence, as ſhall be aſſeſſed by the Councell of the Quéenes Highneſſe, her heires and ſucceſſors in the Starre Chamber at Weſtminſter.

The penalty for taking away, deflowring, or contracting Matrimony with a woman vnder xvi yeeres of age.

And be it further enacted by the authority aforeſaid, That if any perſon or perſons after the ſaid day, ſhall ſo take away, or cauſe to be taken away, as is aforeſaid, and deflower any ſuch maid or woman childe, as is aforeſaid, or ſhall againſt the will, or vnknowing of, or to the father of any ſuch maid or woman childe, if the father be in life, or againſt the will or vnknowing of, or to the mother of any ſuch maid or woman child (hauing the cuſtody or gouernance of ſuch child, if the father be dead) by ſecret letters, meſſages, or other wiſe, contract matrimony with any ſuch maiden or woman childe, except ſuch contracts of matrimony as ſhall be made by the conſent of ſuch perſon or perſons as by the title of Wardſhip ſhall then haue, or be intituled to haue the mariage of ſuch maid or woman childe, that then euery ſuch perſon or perſons ſo offending, being thereof lawfully conuicted, as is aforeſaid, ſhall ſuffer impriſonment of his or their bodies by the ſpace of fiue yéeres, without baile or maineprize, or elſe ſhall pay ſuch fine for his or their ſaid offence as ſhall be aſſeſſed by the ſaid Councell in the ſaid Starre Chamber. The one moity of all which fines ſhall be to the King and Quéenes Maieſties, her heires and ſucceſſors, the other moitie to the parties grieued.

Who may heare and determine the offences aforeſayd.

And be it further enacted by the ſaid authority, that the King and Quéenes Highneſſe honorable Councell of the Starre Chamber by bill of complaint or information, and Iuſtices of Aſſiſe by inquiſition or indictment, ſhall haue authority by vertue of this Act, to heare and determine the ſaid offences, vpon euery which indictment and inquiſitions ſuch proceſſe ſhalbe awarded and lie, as vpon an indictment of treſpaſſe at the Common law.

The forfeiture of a woman conſenting to an vnlawfull contract.

And further be it enacted by the authority aforeſaid, that if any woman childe or mayden, being aboue the age of twelue yéeres, and vnder the age of ſixtéene yéeres, doe at any time conſent or agrée to ſuch perſon that ſo ſhall make any contract of matrimony, contrary to the forme and effect of this Statute, that then the next of the kin of the ſame woman childe, or maid, to whom the inheritance ſhould deſcend, returne, or come after the deceaſe of the ſame woman child and maid, ſhall from the time of ſuch aſſent and agréement, haue, hold, and enioy all ſuch lands, tenements, and hereditaments, as the ſame woman child and maiden had in poſſeſſion, reuerſion or remainder, at the time of ſuch aſſent and agréement, during the life of ſuch perſon that ſhall ſo contract matrimony. And after the deceaſe of ſuch perſon ſo contracting matrimony, that then the ſaid lands, tenements, and hereditaments, ſhall deſcend, reuert, remaine and come to ſuch perſon or perſons as they ſhould haue done in caſe this Act had neuer bin had ne made, other then to him onely that ſo ſhall contract matrimony.

Order for Orphanes.

Provided alwaies, and bée it enacted, that this Act nor any thing therein contained, ſhall extend to take away or diminiſh any Liberty, Cuſtome, or Authority touching or concerning any Orphane, or Orphanes, which now bée or hereafter ſhall bée, within the Citie of London, or any other Citie, Borough or Towne where Orphanes are commonly vſed to bée provided for, eyther by Grant, or by Cuſtome, but that the Lord Maior of the ſaid Citie of London, and the Aldermen of the ſame for the time being, and all and every other head Officer or Officers of any other Citie, Borough, or Towne, where ſuch Orphanes be provided for, ſhall and may have and take like rule, order, kéeping and charge of ſuch Orphane and Orphanes, and of all their Lands, Tenements, goods, and Cattells, as heretofore they, or any of them lawfully had or vſed, or lawfully might have had and vſed, if this Act had not béene made.

Cap. IX.

The Statutes made Anno 22. *Hen.* 8. 7. Anno 23. *Hen.* 8. 3. & 17. Anno 24. *Hen.* 8. 9. Anno 28. *Hen.* 8. 6. 8. 9. Anno 31. *Hen.* 8. 7. Anno 35. *Hen.* 8. 17. Anno 37. *Henr.* 8. 23. Anno 2. & 3. *Edw.* 6. 9. Anno 3. & 4. *Edw.* 6. 19. & 21. Anno 5. & 6. *Edw.* 6. 14. Anno 7. *Edw.* 6. 11. Anno 1. *Mariæ* 12. & 13. Anno 1. & 2. *Phil.* & *Mar.* 3. & 16. Anno 2. & 3. *Phil.* & *Mar.* 2. 3. 5. ſhall be reuiued and made to continue vntill the laſt day of the next Parliament. EXP

Cap X.

A confirmation of a Subſidie of eight ſhillings in the pound, granted by the Clergy, to the King and Queene, to be paid in foure yeares. EXP.

Anno

Anno primo Reginæ ELIZABETHÆ.

At the Parliament begunne at Weſtminſter, the three and twentieth day of Ianuary, in the firſt yeere of the reigne of our Soueraigne Lady *Elizabeth*, by the grace of God, of England, France, and Ireland, Queene, Defender of the Faith, &c. And there prorogued till the fiue and twentieth of the ſame moneth, and then and there holden, kept, and continued vntill the diſſolution of the ſame, being the eighth day of May then next enſuing, were enacted as followeth.

Vide Dyer *fo.* 203. *que ceſt Parliament commence le* 25, *iour.*

CAP. I

All ancient Iuriſdictions reſtored to the Crowne. A repeale of diuers ſtatutes and reuiuor of others, and all Forraine power aboliſhed

MOſt humbly beſeech your moſt excellent Maieſty, your faithfull and obedient Subiects, the Lords Spirituall and Temporall, and the Commons in this your preſent Parliament aſſembled, that where in time of the reigne of your moſt dear father of worthy memory K. Henry the eighth, diuers good Lawes and Statutes were made and eſtabliſhed, as well for the vtter extinguiſhment and putting away of all vſurped and forraine powers and authorities out of this your Realme, and other your Highneſs Dominions and Countries, as alſo for the reſtoring and vniting to the Imperiall Crowne of this Realme, the ancient iuriſdictions, authorities, ſuperiorities, and preheminencies to the ſame of right belonging and appertaining, by reaſon whereof, we your moſt humble and obedient Subiects, from the fiue and twentieth yéere of the reigne of your ſaid deare father, were continually kept in good order, and were diſburdened of diuers great and intolerable charges and exactions, before that time vnlawfully taken, and exacted by ſuch forrain power and authority as before that was vſurped, vntil ſuch time as all the ſaid good Lawes and Statutes, by one Act of Parliament made in the firſt and ſecond yéeres of the reignes of the late K. Philip and Q. Mary, your Highneſſe ſiſter, intituled, An Act repealing all Statutes, Articles, and prouiſions made againſt the See Apoſtolike of Rome, ſince the twentieth yéere of King Henry the eighth, and alſo for the eſtabliſhment of all Spirituall and Eccleſiaſticall poſſeſſions and hereditaments conueyed to the Laity, were all cléerely repealed and made voyd, as by the ſame Act of repeale more at large doth and may appeare. By reaſon of which Act of repeale, your ſaid humble Subiects were eftſoones, brought vnder an vſurped forraine power and authority, and yet doe remaine in that bondage, to the intolerable charges of your louing Subiects, if ſome redreſſe (by authority of this your High Court of Parliament, with the aſſent of your Highneſſe) be not had and prouided.

Great exactions were taken by forrain power before the xxv. yeare of K. H. 8 of the inhabitants of this Realme.

1. & 2. P. & M. 8.

May it therefore pleaſe your Highneſſe, for the repreſſing of the ſaid vſurped forraine power, and the reſtoring of the Rites, iuriſdictions and preheminencies appertaining to the Imperiall Crowne of this your Realme, that it may be enacted by authority of this preſent Parliament, That the ſaid Act made in the ſaid firſt and ſecond yéeres of the reignes of the ſaid late King Philip and Quéene Mary, and all and euery branches, clauſes and articles therein contained (other than

A repeale of the Stat. of the 1, & 2. P. & M. 8.

ſuch branches, clauſes, and ſentences, as hereafter ſhall bée excepted) may from the laſt day of this Seſſion of Parliament, by authority of this preſent Parliament, be repealed, and ſhall from thenceforth be vtterly void and of none effect.

A reuiuer of the Statutes hereafter ſpecified, viz.

And that alſo for the reuiuing of diuers of the ſaid good lawes and ſtatutes made in the time of your ſaid deare Father, it may alſo pleaſe your Highneſſe. That one Act and Statute made in the thrée and twentieth yeare of the reigne of the ſaid late King Henry the eight, intituled, An Act that no perſon ſhall be cited out of the Dioces where he or ſhée dwelleth, except in certaine caſes. 23.H.8.9.

24.H.8.12. And one other Act made in the foure and twentieth yéere of the reign of the ſayd late King, intituled, An Act that appeales in ſuch caſes as hath béen vſed to be purſued to the Sée of Rome, ſhal not be from henceforth had ne vſed, but within this Realme.

25.H.8.not printed. And one other Act made the fiue and twentieth yéere of the ſaid late King concerning reſtraint of payment of Annates, and firſt Fruits, of Archbiſhopricks and Biſhopricks to the Sée of Rome.

25.H.8.19. And one other Act in the ſayd fiue and twentieth yéere, intituled, An Act concerning the ſubmiſſion of the Clergie to the Kings Maieſty.

And alſo one Act made in the fiue and twentieth yéere, intituled, An Act reſtraining the payment of Annates, or firſt Fruites to the Biſhop of Rome, and of the electing and conſecrating of Archbiſhops and Biſhops, within this Realme.

25.H.8.21. And one other Act made in the ſayd fiue and twentieth yéere, intituled, An Act concerning the exoneration of the Kings ſubiects from exactions & impoſitions heretofore payd to ẏ See of Rome, and for hauing licences and diſpenſations within this Realm without ſuing further for the ſame.

And one other Act made in the ſix and twentieth yéere of the ſaid late King, intituled, An Act for nomination and conſecration of Suffragans within this Realme. 26.H.8.14.

28.H.8.16. And alſo one other Act made in the eight and twentieth yéere of the reign of the ſaid late King, intituled, An Act for the releaſe of ſuch as haue obteined pretended licences & diſpenſations from the See of Rome, and all and euery branches, words, and ſentences in the ſaid ſeuerall Acts and ſtatutes contained by authority of this preſent Parliament, from and at all times after the laſt day of this Seſſion of Parliament, ſhall be reuiued, and ſhall ſtand & be in full force and ſtrength, to all intents, conſtructions, and purpoſes. And that the branches, ſentences, and words of the ſaid ſeuerall Acts, and euery of them, from thenceforth ſhall and may be iudged, déemed, and taken to extend to your Highneſſe, your heires and ſucceſſors, as fully and largely as euer the ſame Acts or any of them did extend to the ſaid late King Henry the eight, your Highneſſe Father.

The ſentences and branches in the foreſaid Statutes ſhall extend to the Queene.

And that it may alſo pleaſe your Highnes, that it may be enacted by the authority of this preſent Parliament, that ſo much of one Act or Statute made in the two and thirtieth yéere of the reigne of your ſaid deare father King Henry the eight, intituled, An Act concerning precontracts of mariages, and touching degrées of conſanguinity, as in the time of the late King Edward the ſixt, your Highneſſe moſt deare brother, by one other Act or ſtatute was not repealed. 32.H.8.38. 2.Ed 6.23.

37.H.8.17. And alſo one Act made in the ſeuen and thirtieth yéere of the reigne of the ſaid late King Henry the eight, intituled, An Act that Doctors of the Ciuill law being maried, may exerciſe Eccleſiaſticall iuriſdiction, and all and euery branches, and articles in the ſaid two Acts, laſt mentioned, and not repealed in the time of the ſaid late King Edward the ſixt, may from henceforth likewiſe ſtand and be reuiued, and remaine in their full force and ſtrength, to all intents and purpoſes: any thing contained in the ſaid Act of repeale before mentioned, or any other matter or cauſe to the contrary notwithſtanding.

What Stat. repealed by the ſtat of 1.& 2.P.& M.8. ſhall continue repealed.

And that it may alſo pleaſe your Highneſſe, that it may be further enacted by the authority aforeſaid, that all other Lawes and Statutes, and the branches and clauſes of any Act or Statute repealed, and made voyd by the ſaid Act of repeale, made in the time of the ſaid late King Philip and Quéen Mary, and not in this preſent Act ſpecially mentioned and reuiued, ſhall ſtand, remain, and be repealed, and voyd, in ſuch like manner and forme, as they were before the making of this Act: any thing herein contained to the contrary notwithſtanding.

A reuiuer of the Statute of 1.Ed.6.1.

And that it may alſo pleaſe your Highneſſe, that it may be enacted by the authority aforeſaid, that one Act and Statute made in the firſt yéere of the reigne of the late King Edward the ſixt your Maieſties moſt deare Brother, intituled, An Act againſt ſuch perſons as ſhall vnreuerently ſpeake againſt the Sacrament of the body and bloud of Chriſt, commonly called the Sacrament of the Altar, and for the receiuing thereof vnder both kinds, and all and euery branches, clauſes, and ſentences therein contained, ſhall and may likewiſe from the laſt day of this Seſſion of Parliament, bée reuiued, and from thenceforth ſhall and may ſtand, remaine, and bee in full force, ſtrength, and effect, to all intents, conſtructions, and purpoſes, in ſuch like manner and forme, as the ſame was at any time in the firſt yéere of the reigne of the ſaid late King Edward the ſixt, any Law, Statute, or other matter to the contrary in any wiſe notwithſtanding.

A repeale of the Statute of 1.& 2.P.& M.6. 5.R.2.5. 2.H.4.15. 2.H.5.7.

And that alſo it may pleaſe your Highneſſe, that it may be further eſtabliſhed and enacted by the authority aforeſaid, that one Act and Statute made in the firſt and ſecond yeares of the late King Philip and Quéene Mary, intituled, An Act for the reuiuing of thrée Statutes, made for the puniſhment of hereſies, and alſo the ſaid thrée Statutes mentioned in the ſaid Act, and by the ſame Act reuiued, and all and euery branches, articles, clauſes and ſentences, conteined in the ſaid ſeuerall Acts and Statutes, and euery of them, ſhal be from the laſt day of this Seſſion of Parliament, déemed and remaine vtterly repealed, voyd and of none effect, to all intents and purpoſes: any thing in the ſaid ſeuerall Acts, or any of them contained, or any other matter or cauſe to the contrary notwithſtanding.

And to the intent that all vſurped and forraine power and authority, Spirituall and Temporall, may for euer be cléerely extinguiſhed, and neuer to be vſed or obeyed within this Realme, or any other your Maieſties Dominions, or Countries: may it pleaſe your Highnes, that it may be further enacted by the authority aforeſaid, That no forraine Prince, Perſon, Prelate, State or Potentate, Spirituall or Temporall ſhall at any time after the laſt day of this Seſſion of Parliament, vſe, enioy or exerciſe, any manner of power, iuriſdiction, ſuperiority, authority, preheminence, or priuiledge, Spirituall or Eccleſiaſticall within this Realme, or within any other your Maieſties Dominions or Countries that now bee, or hereafter ſhall bée, but from thenceforth the ſame ſhall bée cléerely aboliſhed out of this Realme, and all other your Highneſſe Dominions for euer: any ſtatute, ordinance, cuſtome, conſtitutions, or any other matter or cauſe whatſoeuer to the contrary in any wiſe notwithſtanding.

The aboliſhing of forraine authority.

And that alſo it may likewiſe pleaſe your Highneſſe, that it may be eſtabliſhed and enacted by the authority aforeſaid, that ſuch iuriſdictions, priuiledges, ſuperiorities, and preheminencies Spirituall and Eccleſiaſticall, as by any Spirituall or Eccleſiaſticall power or authority, hath heretofore bin, or may lawfully be exerciſed or vſed, for the viſitation of the Eccleſiaſtical ſtate & perſons, and for reformation, order, and correction of the ſame, and of all manner errors, hereſies, ſchiſmes, abuſes, offences, contempts, and enormities, ſhall for euer, by authoritie of this preſent Parliament, be vnited and annexed to the Imperiall Crowne of this Realme.

Cok. pla. fo. 463, 487.

And that your Highneſſe, your heires and ſucceſſors, Kings or Queenes of this Realme, ſhall haue full power and authority by vertue of this Act, by Letters Patents vnder the great Seale of England, to aſſigne, name, & authorize, when and as often as your Highnes, your heires or ſucceſſors ſhall thinke méete and conuenient, and for ſuch and ſo long time as ſhall pleaſe your Highneſſe, your heires or ſucceſſors, ſuch perſon or perſons being naturall borne Subiects to your Highneſſe, your heires or ſucceſſors, as your Maieſty, your heires or ſucceſſors ſhall think méet, to exerciſe, vſe, occupie, and execute, vnder your Highneſſe, your heires and ſucceſſors, all manner of iuriſdictions, priuiledges, and preheminencies, in any wiſe touching or concerning any Spirituall or Eccleſiaſticall iuriſdiction within theſe your Realmes of England and Ireland, or any other your Highneſſe Dominions and Countries, And to viſit, reforme, redreſſe, order, correct, and amend all ſuch errors, hereſies, ſchiſmes, abuſes, offences, contempts, and enormities whatſoeuer, which by any manner Spirituall or Eccleſiaſticall power, authority or iuriſdiction, can or may lawfully be reformed, ordered, redreſſed, corrected, reſtrained or amended, to the pleaſure of Almighty God, the increaſe of vertue, and the conſeruation of the peace and vnity of this Realme: and that ſuch perſon or perſons ſo to be named, aſſigned, authorized and appointed by your Highneſſe, your heires or ſucceſſors, after the ſaid Letters Patents to him or them made and deliuered, as is aforeſaid, ſhall haue full power and authority by vertue of this Act, and of the ſaid Letters Patents, vnder your Highneſſe, your heires or ſucceſſors, to exerciſe, vſe, and execute all the premiſes, according to the tenour and effect of the ſaid Letters Patents: any matter or cauſe to the contrary in any wiſe notwithſtanding.

Eccleſiaſticall iuriſdiction annexed to the Crowne.

The Queene may aſſigne Commiſſioners to exerciſe Eccleſiaſticall iuriſdiction.

And for the better obſeruation and maintenance of this Act, may it pleaſe your Highneſſe that it may be further enacted by the authority aforeſaid, that all and euery Archbiſhop, Biſhop, and all and euery other Eccleſiaſticall perſon, and other Eccleſiaſticall officer and miniſter, of what eſtate, dignity, preheminence, or degrée ſoeuer he or they be, or ſhall be, and all and euery Temporall Iudge, Iuſticer, Maior, and other Lay or Temporall officer and miniſter, and euery other perſon hauing your Highneſſe fées or wages, within this Realme, or any your Highneſſe Dominions, ſhall make, take, and receiue a corporall oath vpon the Euangeliſt, before ſuch perſon or perſons as ſhall pleaſe your Highneſ, your heires or ſucceſſors, vnder the great Seale of England, to aſſigne and name, to accept and take the ſame according to the tenour and effect hereafter following: that is to ſay,

Who are compellable to take the oath. Eccleſiaſticall perſons and officers. Iudge. Iuſtice. Maior. Temporall officer. Hee that hath the Qu. fee.

I A.B. do vtterly teſtifie and declare in my conſcience, that the Queenes Highneſſe is the only Supreme Gouernour of this Realme, and of all other her Highneſſe Dominious and Countries, aſwell in all Spiritual or Eccleſiaſtical things or cauſes, as Temporall, and that no forrain Prince, Perſon, Prelate, State or Potentate, hath or ought to haue any iuriſdiction, power, ſuperiority, preheminẽce, or authority, Eccleſiaſtical or Spiritual within this Realme, and therefore I do vtterly renounce and forſake all forraine iuriſdictions, powers, ſuperiorities, and authorities, and do promiſe that from henceforth I ſhall beare faith & true allegiance to the Queens Highneſſe, her heires and lawfull ſucceſſors, and to my power ſhall aſſiſt and defend all iuriſdictions, priuiledges, preheminences, and authorities, granted or belonging to the Queenes Highneſſe, her heires and ſucceſſors, or vnited and annexed to the Imperiall Crowne of this Realme, ſo help me God, and by the contents of this Booke.

The oath for the Qu. ſupremacy.

5. El. 1.

The penaltie for refuſing the oath.

And that it may be alſo enacted, that if any ſuch Archbiſhop, Biſhop, or other Eccleſiaſticall Officer or Miniſter, or any of the ſaid Temporall Iudges, Iuſticiaries, or other Lay Officer or Miniſter ſhall peremptorily or obſtinately refuſe to take or receiue the ſaid oath, that then he ſo refuſing, ſhall forfeit and loſe onely during his life, all and euery Eccleſiaſticall and Spirituall promotion, Benefice and Office, and euery Temporall and Lay promotion and Office, which hee hath ſolely at the time of ſuch refuſall made : and that the whole title, intereſt, and Incumbency, in euery ſuch promotion, Benefice and other office, as againſt ſuch perſon onely ſo refuſing, during his life, ſhall cleerely ceaſe and bee voyde, as though the party ſo refuſing were dead.

And that alſo all and euery ſuch perſon and perſons, ſo refuſing to take the ſaid oath, ſhall immediatly after ſuch refuſall, be from thenceforth during his life, diſabled to retaine or exerciſe any Office, or other promotion, which he at the time of ſuch refuſall hath ioyntly, or in common with any other perſon or perſons.

And that all and euery perſon and perſons, that at any time hereafter ſhall bée preferred, promoted or collated to any Archbiſhoprick or Biſhoprick, or to any other Spirituall or Eccleſiaſticall Benefice, promotion, dignity, or Office, or Miniſtery, or that ſhall bée by your Highneſſe, your heires or ſucceſſors, preferred or promoted to any Temporall or Lay Office, Miniſtery or ſeruice within this Realme, or in any your Highneſſe Dominions, before he or they ſhall take vpon him or them to receiue, vſe, exerciſe, ſupply, or occupy any ſuch Archbiſhopricke, Biſhopricke, promotion, dignity, Office, Miniſtery or ſeruice, ſhall likewiſe make, take and receiue the ſaid corporall oath before mentioned, vpon the Euangeliſt, before ſuch perſons as haue or ſhall haue authority to admit any ſuch perſon to any ſuch Office, Miniſtery or ſeruice, or elſe before ſuch perſon or perſons, as by your Highneſſe, your heires or ſucceſſors, by commiſſion vnder the great Seale of England, ſhall be named, aſſigned, or appointed to miniſter the ſaid oath.

And that it may likewiſe be further enacted by the authority aforeſaid, that if any ſuch perſon or perſons, as at any time hereafter ſhall be promoted, preferred, or collated to any ſuch promotion Spirituall, or Eccleſiaſticall Benefice, Office or Miniſtery, or that by your Highneſſe, your heires or ſucceſſors, ſhall be promoted or preferred to any Temporall or Lay Office, Miniſtery or ſeruice, ſhall and do peremptorily and obſtinatly refuſe to take the ſame oath ſo to him to be offered, that then he or they ſo refuſing, ſhall preſently be iudged diſabled in the law, to receiue, take or haue the ſame promotion Spirituall or Eccleſiaſticall, or the ſame Temporall Office, Miniſtery or ſeruice within this Realme, or any other your Highneſſe Dominions, to all intents, conſtructions and purpoſes.

He that ſueth Liuery, or Ouſtre le maine.

He that doth homage to the Queene.

He that ſhall be receiued into the Queenes ſeruice.

And that it may be further enacted by the authority aforeſaid, that all and euery perſon and perſons Temporall, ſuing Liuery, or Ouſtre le maine, out of the hands of your Highneſſe, your heires or ſucceſſors, before his or their Liuery, or ouſtre le maine, ſued forth and allowed: and euery Temporall perſon or perſons doing any homage to your Highneſſe, your heires or ſucceſſors, or that ſhall be receiued into ſeruice with your Highneſſe, your heires or ſucceſſors, ſhall make, take and receiue the ſaid corporall oath before mentioned, before the Lord Chancellor of England, or the Lord Keeper of the great Seale for the time being, or before ſuch perſon or perſons, as by your Highneſſe, your heires or ſucceſſors ſhall be named and appointed to accept or receiue the ſame.

He that taketh Orders.

He that taketh degrees in any Vniuerſity.

And that alſo all and euery perſon and perſons taking Orders, and all and euery other perſon and perſons which ſhall be promoted or preferred to any degrée of learning, in any Vniuerſity within this your Realme or Dominions, before hée ſhall receiue or take any ſuch Orders, or bée preferred to any ſuch degrée of learning, ſhall make, take, and receiue the ſaid oath by this Act ſet forth and declared, as is aforeſaid, before his or their Ordinary, Commiſſary, Chancellor or Vice Chancellor, or their ſufficient Deputies in the ſaid Vniuerſity.

He that hath eſtate of inheritance in a Temporall Office, firſt refuſeth, and then taketh the oath.

Prouided alwaies, and that it may bée further enacted by the authority aforeſaid, that if any perſon hauing any eſtate of inheritance, in any Temporall Office or Offices, ſhall hereafter obſtinately and peremptorily refuſe to accept and take the ſaid oath, as is aforeſaid, and after at any time during his life ſhall willingly require to take and receiue the ſaid oath, and ſo doe take and accept the ſame oath before any perſon or perſons, that ſhall haue lawfull authority to miniſter the ſame: that then euery ſuch perſon immediately after he hath ſo receiued the ſame oath, ſhall be veſted, iudged and déemed in like eſtate and poſſeſſion of the ſaid Office, as he was before the ſaid refuſall, and ſhall and may vſe and exerciſe the ſaid Office, in ſuch manner and forme as hée ſhould or might haue done before ſuch refuſall: any thing in this Act contained to the contrary in any wiſe notwithſtanding.

And for the more ſure obſeruation of this Act, and the vtter extinguiſhment of all forraine and vſurped power and authority, may it pleaſe your Highneſſe, that it may bee further enacted by the authority aforeſaid, That if any perſon or perſons, dwelling or inhabiting within this your Realme, or in any other your Highneſſe Realmes, or Dominons, of what Eſtate, Dignitie or degree ſoeuer hee or they bee, after the end of thirty dayes next after the determination of this Seſſion of this preſent Parliament, ſhall by writing, printing, teaching, preaching, expreſſe words, deede, or Act, aduiſedly, malitiouſly, and directly affirme, hold, ſtand with, ſet forth, maintaine or defend the authority, preeminence, power or iuriſdiction Spirituall or Eccleſiaſticall, of any forrein Prince, Prelate, Perſon, State or Potentate whatſoeuer, heretofore claimed, vſed or vſurped within this Realme, or any Dominion or Countrey, being within or vnder the power, Dominion or obeyſance of your Highneſſe; or ſhall aduiſedly, malitiouſly and directly put in vre, or execute any thing for the extolling, aduancement, ſetting forth, maintenance or defence of any ſuch pretended or vſurped iuriſdiction, power, preeminence or authoritie, or any part thereof: that then euery ſuch perſon and perſons, ſo doing and offending, their abbettours, aydours, procurers and counſailours, being thereof lawfully conuicted and attainted, according to the true order and courſe of the Common lawes of this Realme, for his or their firſt offence, ſhall forfeit and loſe vnto your Highneſſe, your heires and ſucceſſors, all his and their goods and cattels, as well reall as perſonall.

The penalty of the maintenance of forrein authoritie.

And if any ſuch perſon ſo conuicted or attainted, ſhall not haue, or be worth of his proper goods and cattels to the value of twenty pound, at the time of ſuch his conuiction or attainder: that then euery ſuch perſon ſo conuicted and attainted, ouer and beſides the forfeiture of all his ſaid goods and cattels, ſhall haue and ſuffer impriſonment by the ſpace of one whole yeere, without bayle or mainepriſe.

The forfeiture for the firſt offence.

And that alſo all and euery the Benefices, Prebends and other Eccleſiaſticall promotions and dignities whatſoeuer, of euery Spirituall perſon ſo offending, and being attainted, ſhall immediatly after ſuch attaindour be vtterly void to all intents and purpoſes, as though the Incumbent thereof were dead: and that the Patron and Donour of euery ſuch Benefice, Prebend, Spirituall promotion and dignity, ſhall and may lawfully preſent vnto the ſame, or giue the ſame, in ſuch maner and forme, as if the ſaid Incumbent were dead. And if any ſuch offender or offenders, after ſuch conuiction or attainder, doe eftſoones commit or doe the ſaid offences, or any of them, in manner and forme aforeſaid, and be thereof duely conuicted and attainted, as is aforeſaid: that then euery ſuch offender and offenders, ſhall for the ſame ſecond offence, incurre into the dangers, penalties and forfeitures, ordained & prouided by the ſtatute of Prouiſion, and Premunire, made in the ſixteenth yeere of the reigne of King Richard the ſecond.

Forfeiture for the ſecond offence.

And if any ſuch offender or offenders, at any time after the ſaid ſecond conuiction and attainder, doe the third time commit and doe the ſaid offences, or any of them, in manner and forme aforeſaid, and bee thereof duely conuicted and attainted as is aforeſaid: that then euery ſuch offence or offences, ſhall be deemed and adiudged high treaſon, and that the offender and offenders therein, being thereof lawfully conuicted and attainted, according to the Lawes of this Realme, ſhall ſuffer paines of death, and other penalties, forfeitures and loſſes, as in caſes of high treaſon by the Lawes of this Realme.

The penalty of the third offence.

And alſo that it may likewiſe pleaſe your Highneſſe, that it may be enacted by the authority aforeſaid, that no manner of perſon or perſons, ſhall be moleſted or impeached for any the offences aforeſaid, committed or perpetrated onely by preaching, teaching or words, vnleſſe he or they bee thereof lawfully indicted, within the ſpace of one whole yeere next after his or their offences ſo committed. And in caſe any perſon or perſons, ſhall fortune to be impriſoned for any of the ſaid offences committed by preaching, teaching or words only, and bee not thereof indicted within the ſpace of one halfe yeere, next after his or their ſuch offence ſo committed and done: that then the ſaid perſon ſo impriſoned, ſhall bee ſet at liberty, and bee no longer detained in priſon for any ſuch cauſe or offence.

Within what time an offender ſhall be impeached.

Prouided alwaies, and bee it enacted by the authority aforeſaid, that this Act, or any thing therein contained, ſhall not in any wiſe extend to repeale any clauſe, matter or ſentence contained or ſpecified in the ſaid Act of Repeale, made in the ſaid firſt and ſecond yeeres of the reignes of the ſaid late King Philip and Queene Mary, as doth in any wiſe touch or concerne any matter or cauſe of Premunire, or that doth make or ordaine any matter or cauſe to bee within the caſe of Premunire, but that the ſame for ſo much onely as toucheth or concerneth any caſe or matter of Premunire, ſhall ſtand and remaine in ſuch force and effect, as the ſame was before the making of this Act: any thing in this Act contained to the contrary in any wiſe notwithſtanding.

All things touching the Premunire in the ſtatute 1. & 2. P. & M. 8. do continue in force.

Prouided alſo, and be it enacted by the authority aforeſaid, that this Act or any thing therein contained, ſhall not in any wiſe extend, or be preiudiciall to any perſon or perſons for any offence or offences committed or done, or hereafter to be committed or done, contrary to the tenor and effect of any Act or Statute now reuiued by this Act, before the end of thirty dayes next after the end of the Seſſion of this preſent Parliament: any thing in this Act contained, or any other matter or cauſe to the contrary, notwithſtanding.

Offences committed againſt Statutes reuiued.

And if it happen that any Peere of this Realme, ſhall fortune to be indicted of, and for any offence that is reuiued or made Premunire, or treaſon by this Act, that then hee ſo being indicted, ſhall haue his triall by his Peeres, in ſuch like manner and forme as in other caſes of treaſon hath beene vſed.

Triall of Peeres.

Prouided alwaies, and be it enacted as is aforeſaid, that no maner of order, Act or determination

for

No matter of Religion, &c. made by this Parliament ſhall be adiudged error, hereſy or ſchiſme.

for any matter of Religion or cauſe Eccleſiaſticall, had or made by the authority of this preſent Parliament, ſhall be accepted, déemed, interpreted or adiudged at any time hereafter, to be any errour, hereſie, ſchiſme or ſchiſmaticall opinion: any order, decrée, ſentence, conſtitution or law, whatſoeuer the ſame bée to the contrary notwithſtanding.

What things the Commiſſioners may adiudge to bee hereſie.

The Scripture. Foure generall Councels.

Prouided alwaies, and be it enacted by the authority aforeſaid, that ſuch perſon or perſons to whom your Highneſſe, your heires or ſucceſſors, ſhall hereafter by Letters Patents, vnder the great Seale of England, giue authority to haue or execute any iuriſdiction, power or authority Spirituall, or to viſite, reforme, order or correct any errours, hereſies, ſchiſmes, abuſes or enormities by vertue of this act, ſhall not in any wiſe haue authority or power to order, determine or adiudge any matter or cauſe to be hereſie, but only ſuch as heretofore haue been determined, ordered or adiudged to be hereſie, by the authority of the Canonicall Scriptures, or by the firſt foure generall Councels, or any of them, or by any other generall Councel, wherein the ſame was declared hereſie, by the expreſſe and plaine words of the ſaid Canonicall Scriptures, or ſuch as hereafter ſhall be ordered, iudged or determined to be hereſie, by the high Court of Parliament of this Realme, with the aſſent of the Clergie in their Conuocation: Any thing in this Act conteined to the contrary notwithſtanding.

None ſhall be indicted or arraigned but by witneſſes.

And bée it further enacted by the authority aforeſaid, that no perſon or perſons, ſhall be hereafter indicted or arraigned for any of the offences made, ordained, reuiued or adiudged by this Act, vnleſſe there be two ſufficient witneſſes or more, to teſtifie and declare the ſaid offences, whereof he ſhall be indicted or arraigned. And that the ſaid witneſſes, or ſo many of them as ſhall be liuing and within this Realme at the time of arraignement of ſuch perſon ſo indicted, ſhall be brought forth in perſon face to face, before the party ſo arraigned, and there ſhall teſtifie and declare what they can ſay againſt the party ſo arraigned, if he require the ſame.

A Prouiſo for them that giue reliefe to offendors.

Prouided alſo, and be it further enacted by the authority aforeſaid, that if any perſon or perſons, ſhall hereafter happen to giue any releefe, ayd or comfort, or in any wiſe be ayding, helping or comforting to the perſon or perſons of any that ſhall hereafter happen to be an offendor in any matter or caſe of Premunire or treaſon, reuiued or made by this Act: that then ſuch reliefe, ayd or comfort giuen, ſhall not be iudged or taken to be any offence, vnleſſe there be two ſufficient witneſſes at the leaſt, that can and will openly teſtifie and declare, that the perſon or perſons that ſo giue ſuch reliefe, ayd or comfort, had notice and knowledge of ſuch offence committed and done by the ſaid offendour, at the time of ſuch reliefe, ayd or comfort ſo to him giuen or miniſtred: any thing in this Act contained or any other matter or cauſe to the contrary in any wiſe notwithſtanding.

And where one pretenced ſentence hath heretofore béene giuen in the Conſiſtory in Paules, before certaine Iudges, De legate, by the authority Legantine of the late Cardinall Poole, by reaſon of a forreine vſurped power and authority, againſt Richard Chetwood Eſquire, and Agnes his wife, by the name of Agnes Woodhull, at the ſuite of Charles Tyrrell Gentleman, in a cauſe of Matrimony ſolemnized betwéene the ſaid Richard and Agnes, as by the ſame pretenced ſentence more plainely doth appeare, from which ſentence the ſaid Richard and Agnes haue appealed to the Court of Rome, which appeale doth there remaine, and yet is not determined.

Chetwoods Appeale to the Court of Rome

May it therefore pleaſe your Highneſſe, that it may be enacted by the authority aforeſaid, that if ſentence in the ſaid appeale, ſhall happen to be giuen at the ſaid Court of Rome, for and in the behalfe of the ſaid Richard and Agnes, for the reuerſing of the ſaid pretenced ſentence, before the end of thréeſcore daies next after the end of this Seſſion of this preſent Parliament: that then the ſame ſhall be iudged and taken to be good and effectuall in the law, and ſhall, and may be vſed, pleaded, and allowed in any court or place within this Realme: any thing in this Act, or in any other Act or Statute contained to the contrary, notwithſtanding.

And if no ſentence ſhall be giuen at the court of Rome in the ſaid appeale, for the reuerſing of the ſaid pretenced ſentence, before the end of the ſaid thréeſcore daies, that then it ſhall and may be lawful for the ſaid Richard and Agnes, and either of them, at any time hereafter to commence, take, ſue, and proſecute their ſaid appeale from the ſaid pretenced ſentence, and for the reuerſing of the ſaid pretenced ſentence within this Realme, in ſuch like manner and forme as was vſed to bée purſued, or might haue béene purſued within this Realme, at any time ſince the xxiiij. yeare of the reigne of the ſaid late King Henry the eight, vpon ſentences giuen in the court or courts of any Archbiſhop within this Realme.

And that ſuch appeale as ſo hereafter ſhall be taken or purſued by the ſaid Richard Chetwood and Agnes, or either of them, and the ſentence that herein or thereupon ſhall hereafter be giuen, ſhall be iudged to be good and effectuall in the Law, to all intents and purpoſes: any Law, Cuſtome, Vſage, Canon, Conſtitution, or any other matter or cauſe to the contrary notwithſtanding.

An appeale betweene Robert Harcourt and Anthony Fydel-

Prouided alſo, and be it enacted by the authority aforeſaid, that where there is the like appeale now depending in the ſaid Court of Rome, betweene one Robert Harcourt, Merchant of the Staple, and Elizabeth Harcourt, otherwiſe called Elizabeth Robins, of the one party, and

Anthony Fydell, Merchant ſtranger, on the other party, that the ſaid Robert, Elizabeth and Anthony, and euery of them, ſhall and may for the proſecuting and trying of their ſaid appeale, haue and enioy the like remedie, benefite and aduantage, in like manner and forme, as the ſayd Richard and Agnes, or any of them, hath, may, or ought to haue and enioy: this Act or any thing therein contained to the contrary in any wiſe notwithſtanding. St. 23. El. 1.

CAP. II.

There ſhall be vniformity of Prayer and adminiſtration of Sacraments.

WHere at the death of our late Soueraigne Lord, King Edward the ſixt, there remained one vniforme order of common Seruice and Prayer, and of the adminiſtration of Sacraments, Rites and Ceremonies in the Church of England, which was ſet forth in one booke entituled, The Booke of Common-prayer, and adminiſtration of Sacraments, and other Rites and Ceremonies in the Church of England, authorized by Act of Parliament, holden in the fift and ſixt yeeres of our ſaid late Soueraigne Lord King Edward the ſixt, entituled, an Act for the vniformity of Common-prayer, and adminiſtration of the Sacraments: the which was repealed and taken away by Act of Parliament in the firſt yeere of the reigne of our late Soueraigne Lady Queene Mary, to the great decay of the due honour of God, and diſcomfort to the profeſſors of the truth of Chriſts Religion.

St. 5. & 6. Ed. 6. 1.
St. 1. M. 2.

Bee it therefore enacted, by the authority of this preſent Parliament, that the ſayd Eſtatute of repeale, and euery thing therein contained, onely concerning the ſayd Booke, and the Seruice, adminiſtration of the Sacraments, Rites and Ceremonies, contained or appointed in or by the ſayd Booke, ſhall be voyd and of none effect, from and after the Feaſt of the Natiuity of Saint Iohn Baptiſt next comming: And that the ſaid Booke, with the order of Seruice, and of the adminiſtration of Sacraments, Rites and Ceremonies, with the alteration and additions therein added and appointed by this Eſtatute, ſhall ſtand, and be from and after the ſaid Feaſt of the Natiuity of Saint Iohn Baptiſt, in full force and effect, according to the tenour and effect of this Eſtatute: any thing in the aforeſaid Eſtatute of repeale to the contrary notwithſtanding.

A repeale of the Statute of 1. M. 2. and the Booke of Common Prayer ſhall be of effect.

And further bee it enacted by the Queenes Highneſſe, with the aſſent of the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and ſinguler Miniſters in any Cathedrall or pariſh Church, or other place within this Realme of England, Wales, and the Marches of the ſame, or other the Queenes Dominions, ſhall from and after the Feaſt of the Natiuity of Saint Iohn Baptiſt next comming, be bounden to ſay and vſe the Mattens, Euenſong, Celebration of the Lords Supper, and adminiſtration of each of the Sacraments, and all the Common and open Prayer, in ſuch order and forme as is mentioned in the ſayd Booke ſo authorized by Parliament, in the ſayd fift and ſixt yeares of the reigne of King Edward the ſixt, with one alteration or addition of certaine Leſſons, to be vſed on euery Sunday in the yeare, and the forme of the Letany altered and corrected, and two ſentences onely added in the deliuery of the Sacrament to the Communicants, and none other, or otherwiſe.

The Booke of Cōmon Prayer ſhall be vſed. 8. El 1.

The alteration of the Booke ſet forth 5. & 6. Ed. 6. 1.

And that if any manner of Parſon, Vicar, or other whatſoeuer Miniſter, that ought or ſhould ſing or ſay Common Prayer, mentioned in the ſayd Booke, or miniſter the Sacraments, from and after the Feaſt of the Natiuity of Saint Ioha Baptiſt next comming, refuſe to vſe the ſayd Common Prayers, or to miniſter the Sacraments in ſuch Cathedrall or Pariſh Church, or other places as hee ſhould vſe to miniſter the ſame, in ſuch order and forme as they bee mentioned and ſet forth in the ſayd Booke, or ſhall wilfully or obſtinately, ſtanding in the ſame, vſe any other Rite, Ceremony, Order, Forme, or manner of celebrating the Lords Supper, openly or priuily, or Mattens, Euenſong, adminiſtration of the Sacraments or other open Prayers than is mentioned and ſet forth in the ſaid Booke (Open Prayer in and throughout this Act, is meant that Prayer which is for other to come vnto, or hear, eitherin common Churches, or priuate Chappels, or Oratories, commonly called the Seruice of the Church) or ſhall preach, declare, or ſpeake any thing in the derogation or deprauing of the ſayd Booke, or any thing therein contained, or of any part thereof, and ſhall bee thereof lawfully conuicted, according to the lawes of this Realme, by verdict of twelue men, or by his owne confeſſion, or by the notorious euidence of the fact, ſhall loſe and forfeit to the Queenes Highneſſe, her heires and ſucceſſors, for his firſt offence, the profit of all his Spirituall benefices or promotions, comming or ariſing in one whole yeare next after his conuiction. And alſo that the perſon ſo conuicted, ſhall for the ſame offence, ſuffer impriſonment for the ſpace of ſix months, without bayle or mainepriſe.

The forfeiture of thoſe which vſe any other ſeruice than the Booke of Common Prayer.

The penalty for deprauing the Booke of Cōmon Prayer

And if any ſuch perſon once conuict of any offence concerning the premiſes, ſhall after this firſt conuiction eftſoones offend, and bee thereof in forme aforeſaid lawfully conuict, that then the ſame perſon ſhall for his ſecond offence ſuffer impriſonment by the ſpace of one whole yeere,

The penalty for the ſecond offence.

and alſo ſhall therefore be depriued, ipſo facto, of all his Spirituall promotions, and that it ſhall bee lawfull to all Patrons or Donors of all and ſingular the ſame Spirituall promotions, or of any of them, to preſent or collate to the ſame, as though the perſon or perſons ſo offending were dead.

The penalty for the third offence.

And that if any ſuch perſon and perſons, after hee ſhall bee twice conuicted in forme aforeſaid, ſhall offend againſt any of the premiſes the third time, and ſhal be therof in forme aforeſaid lawfully conuicted, that then the perſon ſo offending, and conuicted the third time, ſhall be depriued ipſo facto. of all his Spirituall promotions, and alſo ſhall ſuffer impriſonment during his life.

The penalty of an offendor hauing no Spiritual promotion.

And if the perſon that ſhall offend, and bee conuicted in forme aforeſaid, concerning any of the premiſes, ſhall not be beneficed, nor haue any Spirituall promotion, that then the ſame perſon ſo offending and conuict, ſhall for the firſt offence ſuffer impriſonment during one whole yeere next after his ſaid conuiction, without baile or mainepriſe.

And if any ſuch perſon, not hauing any Spirituall promotion, after his firſt conuiction, ſhall eftſoones offend in any thing concerning the premiſes, and ſhall in forme aforeſaid be thereof lawfully conuicted, that then the ſame perſon ſhall for his ſecond offence ſuffer impriſonment during his life.

The forfeiture of them which doe any thing, or ſpeake in the derogation of the Booke of Cōmon prayer.

Cauſing other prayer to be ſaid or ſung. Coke.pla.fol.362

The forfeiture of an hundred markes for the firſt offence.

a Dyer fol 234,235.

And it is ordained and enacted by the authority aforeſaid, that if any perſon or perſons whatſoeuer, after the ſaid Feaſt of the Natiuity of Saint Iohn Baptiſt next comming, ſhal in any Enterludes, Playes, Songs, Rymes, or by other open words, declare or ſpeak any thing in the derogation, depraving or deſpiſing of the ſame Booke, or of any thing therein contained, or any part thereof, or ſhall by open fact, deede, or by open threatnings, compell or cauſe, or otherwiſe procure or maintaine any Parſon, Vicar, or other Miniſter in any Cathedrall or Pariſh Church, or in Chappell, or in any other place, to ſing or ſay any Common or open Prayer, or to miniſter any Sacrament, otherwiſe, or in any other manner and forme than is mentioned in the ſaid Book, or that by any of the ſaid meanes ſhall vnlawfully interrupt, or let any Parſon, Vicar, or other Miniſter in any Cathedrall or Pariſh Church, Chappell, or any other place, to ſing or ſay Common and open Prayer, or to miniſter the Sacraments, or any of them, in ſuch maner and forme, as is mentioned in the ſaid Books: that then euery ſuch perſon being thereof lawfully conuicted, in forme aboueſaid, ſhall forfeit to the Queene our Soueraigne Lady, her heires and ſucceſſors, for the firſt offence, a a hundred markes.

The forfeiture of foure hundred markes for the ſecond offence.

And if any perſon or perſons being once conuict of any ſuch offence, eftſoones offend againſt any of the laſt recited offences, and ſhall in forme aforeſaid, bee thereof lawfully conuict: That then the ſame perſon ſo offending and conuict, ſhall for the ſecond offence forfeite to the Queene our Soueraigne Lady, her heires and ſucceſſors, foure hundreth markes.

The forfeiture for the third offence.

And if any perſon, after he in forme aforeſaid, ſhall haue been twice conuict of any offence concerning any of the laſt recited offences, ſhall offend the third time, and be thereof in forme aboueſaid lawfully conuict: That then euery perſon ſo offending and conuict, ſhall for his third offence forfeit to our Soueraigne Lady the Queene, all his goods and cattels, and ſhall ſuffer impriſonment during his life.

The penalty if the party conuicted do not pay his forfeiture within the time limited.

And if any perſon or perſons, that for his firſt offence concerning the premiſes, ſhallbe conuict in forme aforeſaid, do not pay the ſumme to be paid by vertue of his conuiction, in ſuch maner and forme as the ſame ought to be paid, within ſixe weekes next after his conuiction: That then euery perſon ſo conuict, and ſo not paying the ſame, ſhall for the ſame firſt offence, in ſtead of the ſaid ſumme, ſuffer impriſonment by the ſpace of ſix moneths, without baile or mainpriſe.

And if any perſon or perſons, that for his ſecond offence concerning the premiſes, ſhalbe conuict in forme aforeſaid, doe not pay the ſaid ſumme to be payd by vertue of his conuiction and this eſtatute, in ſuch manner and forme as the ſame ought to be paid, within ſix weekes next after his ſaid ſecond conuiction: that then euery perſon ſo conuicted, and not ſo paying the ſame, ſhall for the ſame ſecond offence, in the ſtead of the ſaid ſumme, ſuffer impriſonment during twelue moneths, without baile or mainepriſe.

Euery perſon ſhall reſort to the Church vpon the holy-dayes.

The forfeiture for not comming to Church. 23. El. 1.

And that from and after the ſaid Feaſt of the Natiuity of Saint Iohn Baptiſt next comming, all and euery perſon and perſons, inhabiting within this Realme, or any other the Queenes Maieſties Dominions, ſhall diligently and faithfully, hauing no lawfull or reſonable excuſe to be abſent, endeauour themſelues to reſort to their Pariſh Church or Chappell accuſtomed, or vpon reaſonable let thereof, to ſome vſuall place where Common Prayer and ſuch ſeruice of God ſhall be vſed, in ſuch time of let vpon euery Sunday, and other dayes ordained and vſed to bee kept as holy dayes, and then and there to abide orderly and ſoberly, during the time of the Common Prayer. Preachings, or other ſeruice of God, there to be vſed and miniſtred, vpon paine of puniſhment by the cenſures of the Church, and alſo vpon paine that euery perſon ſo offending, ſhall forfeit for euery ſuch offence twelue pence, to be leuied by the Church-wardens of the Pariſh where ſuch offence ſhall be done, to the vſe of the poore of the ſame Pariſh, of the goods, lands and tenements of ſuch offendor by way of diſtreſſe.

And for due execution hereof, the Queenes moſt excellent Maieſty, the Lords Temporall, and all the Commons in this preſent Parliament aſſembled, doe in Gods name earneſtly require and charge all the Archbiſhops, Biſhops, and other Ordinaries, that they ſhall endeauour themſelues to the vttermoſt of their knowledges, that the due and true execution hereof, may be had throughout their Dioceſſe and Charges, as they will anſwere before God, for ſuch euils and plagues wherewith Almighty God may iuſtly puniſh his people for neglecting this good and wholeſome law.

And for their authority in this behalfe, be it further enacted by the authority aforeſaid, That all and ſingular the ſaid Archbiſhops, Biſhops, and all other their Officers exerciſing Eccleſiaſticall Iuriſdiction, as well in place exempt, as not exempt, within their Dioceſſe, ſhall haue full power and authority by this Act, to reforme, correct and puniſh by cenſures of the Church, all and ſingular perſons which ſhall offend within any their iuriſdictions or Dioceſſe, after the ſaid Feaſt of the Natiuity of Saint Iohn Baptiſt next comming, againſt this Act and Satute: any other Law, Statute, Priuiledge, Liberty or Prouiſion, heretofore made, had or ſuffered to the contrary notwithſtanding.

The Ordinarie may puniſh offenders by the cenſures of the Church.

And it is ordained and enacted by the authority aforeſayd, that all and euery Iuſtices of Oyer and Determiner, or Iuſtices of Aſſiſe, ſhall haue full power and authority in euery of their open and generall Seſſions, to enquire, heare and determine, all and all manner of offences, that ſhall bee committed or done contrary to any article contained in this preſent Act within the limites of the Commiſſion to them directed, and to make Proceſſe for the execution of the ſame, as they may doe againſt any perſon being indicted before them of treſpaſſe, or lawfully conuicted thereof.

Which Iuſtices may puniſh theſe offences.

Prouided alwaies, and be it enacted by the authority aforeſaid, That all and euery Archbiſhop and Biſhop, ſhall or may at all time and times, at his liberty and pleaſure, ioyne and aſſociate himſelfe by vertue of this Act, to the ſayd Iuſtices of Oyer and Determiner, or to the ſaid Iuſtices of Aſſiſe, at euery of the ſaid open and generall Seſſions to be holden in any place within his Dioceſſe, for and to the enquirie, hearing and determining of the offences aforeſaid.

A Biſhop may ioyne with the Iuſtices to enquire of offenders.

Prouided alſo, and bee it enacted by the authority aforeſaid, That the Bookes concerning the ſayd Seruices, ſhall at the coſts and charges of the Pariſhioners of euery Pariſh and Cathedrall Church, be attained and gotten before the ſaid Feaſt of the Natiuity of Saint Iohn Baptiſt next following, and that all ſuch Pariſhes and Cathedrall Churches, or other places, where the ſayd Bookes ſhall be attained and gotten before the ſayd Feaſt of the Natiuity of Saint Iohn Baptiſt, ſhall within three weekes next after the ſayd Bookes ſo attained and gotten, vſe the ſaid ſeruice, and put the ſame in vre, according to this Act.

At whoſe charges the Bookes of Common Prayer ſhall bee gotten.

And bee it further enacted by the authority aforeſayd, That no perſon or perſons ſhall bee at any time hereafter impeached, or otherwiſe moleſted, of, or for any of the offences aboue mentioned, hereafter to bee committed or done contrary to this Act, vnleſſe hee or they, ſo offending bee thereof indicted, at the next generall Seſſions to be holden before any ſuch Iuſtices of Oyer and Determiner, or Iuſtices of Aſſiſe, next after any offence committed or done contrary to the tenour of this Act.

Within what time offenders ſhall be impeached.

Prouided alwaies, and bee it ordained and enacted by the authority aforeſaid, that all and ſingular Lords of the Parliament, for the third offence aboue mentioned, ſhall bee tryed by their Peeres.

Triall of Peeres.

Prouided alſo, and bee it ordained and enacted by the authority aforeſaid, That the Maior of London, and all other Mayors, Bayliffes, and other head Officers, of all and ſingular Cities, Boroughes, and Townes corporate, within this Realme, Wales, and the Marches of the ſame, to the which Iuſtices of Aſſiſe doe not commonly repaire, ſhall haue full power and authority by vertue of this Act, to enquire, heare, and determine the offences aboueſaid, and euery of them, yeerely within fifteen dayes after the Feaſt of Eaſter, and Saint Michael the Archangell, in like manner and forme as Iuſtices of Aſſiſe and Oyer and Determiner may doe.

Chiefe Officers of Cities and Boroughs ſhall inquire of offendors.

Prouided alwaies, and be it ordained and enacted by the authority aforeſaid, that all and ſingular Archbiſhops and Biſhop, and euery of their Chancellors, Commiſſaries, Archdeacons and other Ordinaries, hauing any peculiar Eccleſiaſticall Iuriſdiction, ſhall haue full power and authority by vertue of this Act, as well to inquire in their viſitation, Synods and elſewhere within their Iuriſdiction at any other time and place, to take accuſations and informations, of all and euery the things aboue mentioned, done, committed or perpetrated, within the limits of their Iuriſdictions and authority, and to puniſh the ſame by admonition, excommunication, ſequeſtration or depriuation, and other cenſures and proceſſe, in like forme as heretofore hath beene vſed in like caſes, by the Queenes Eccleſiaſticall lawes.

The ordinaries Iuriſdiction in theſe caſes.

Prouided alwaies, and bee it enacted, That whatſoeuer perſon offending in the premiſes, ſhall for their offences, firſt receiue puniſhment of the Ordinary, hauing a teſtimoniall thereof vnder the ſaid Ordinaries Seale, ſhal not for the ſame offence eftſoones be conuicted before the Iuſtices. And likewiſe receiuing for the ſaid firſt offence puniſhment by the Iuſtices, he ſhall not for the ſame offence eftſoones receiue puniſhment of the Ordinary: any thing contained in this Act to the contrary notwithſtanding.

None ſhall be puniſhed aboue once for one offence.

Prouided alwaies, and be it enacted, that ſuch ornaments of the Church, and of the Miniſters

thereof,

Ornaments of the Church and Miniſters.

thereof, ſhall be retained and be in vſe, as was in this Church of England, by authority of Parliament, in the ſecond yeere of the reigne of King Edward the ſixt, vntill other order ſhall be therein taken by the authority of the Queenes Maieſtie, with the aduice of her Commiſſioners appointed and authorized vnder the great Seale of England for cauſes Eccleſiaſticall, or of the Metropolitane of this Realme.

And alſo that if there ſhall happen any contempt or irreuerence to be vſed in the Ceremonies or Rites of the Church, by the miſuſing of the orders appointed in this Booke: the Queenes Maieſty may by the like aduice of the ſaid Commiſſioners or Metropolitane, ordaine and publiſh ſuch farther Cermonies or Rites, as may be moſt for the aduancement of Gods glory, the edifying of his Church, and the due reuerence of Chriſts holy Myſteries and Sacraments.

All lawes and ordinances made for other ſeruice, ſhall be void.

And bee it further enacted by the authority aforeſaid, that all lawes, ſtatutes, and ordinances, wherein or whereby any other Seruice, adminiſtration of Sacraments, or Common Prayer, is limited, eſtabliſhed, or ſet forth to bee vſed within this Realme, or any other the Queenes Dominions or Countries, ſhall from henceforth bee vtterly voyde and of none effect. Coke pla. fol. 352.

Cap. III.

The recogniſing the Queene to the Crowne.

Queen Elizabeth is and ought to be our lawfull Queene.

AS there is nothing vnder God (moſt dread Soueraign Lady) whereof wee your moſt humble, faithfull, and obedient Subiects, the Lords Spirituall and Temporall and Commons in this preſent Parliament aſſembled, haue, may, or ought to haue more cauſe to reioyce, than in this onely, that it hath pleaſed God of his mercifull prouidence and goodneſſe, towards vs and this our Realme, not onely to prouide, but alſo to preſerue and keepe for vs, and our wealths your Royall Maieſty, our moſt rightful and lawfull Soueraigne Liege Lady, and Queene, moſt happily to reigne ouer vs, for the which we do giue and yeeld vnto hym from the bottomes of our hearts, our humble thankes, lauds, and prayſes: Euen ſo there is nothing that wee your ſaid Subiects for our parties can, may, or ought towards your Highneſſe, more firmely, entirely, and aſſuredly in the purity of our hearts thinke, or with our mouthes declare and confeſſe to bee true, Than that your Maieſty our ſaid Soueraigne Lady is, and in very deed, and of moſt mere right ought to be by the Lawes of GOD, and the Lawes and Statutes of this Realme, our moſt rightfull and lawfull Soueraigne Liege, Lady, and Queene: and that your Highneſſe is rightly, and lineally, and lawfully deſcended, and come of the blood Royall of this Realme of England, in and to whoſe Princely perſon, and the heires of your body lawfully to bee begotten after you, without all doubt, ambiguity, ſcruple, or queſtion, the Imperiall and Royall eſtate, place, Crowne, and dignity of this Realme, with all Honours, Stiles, Titles, Dignities, Regalities, Iuriſdictions, and Preheminencies to the ſame now belonging and appertaining, are and ſhall be moſt fully, rightfully, really, and entirely inueſted, and incorporated, vnited, and annexed, as rightfully, and lawfully, to all intents, conſtructions, and purpoſes, as the ſame were in the late King Henry the eighth, or in the late King Edward the ſixt, your highneſſe Brother, or in the late Queene Mary your Highneſſe Siſter, at any time ſince the Act of Parliament, made in the xxxv. yeere of the reigne of your ſaid moſt noble Father, King Henry the eighth, intituled, An Act concerning the eſtabliſhment of the Kings Maieſties ſucceſſion in the Imperiall Crowne of this Realme.

35. H. 8. 1.

Queene Elizabeths title to the Crowne of England, recogniſed by Parliament.

For which cauſes, wee your ſaid moſt louing, faithfull, and obedient Subiects, repreſenting the three eſtates of your Realme of England, as thereunto conſtrained by the law of GOD and man, except wee ſhould ouermuch forget our duties to your Highneſſe, and to the heires of your body lawfully begotten, can no leſſe doe, but moſt humbly beſeech your Highneſſe, that by the authority of this preſent Parliament, it may bee enacted, eſtabliſhed, and declared, That wee doe recogniſe, acknowledge, and confeſſe the ſame your eſtate, right, title, and ſucceſſion, as is aforeſaid, to be in and to your Highneſſe, and the heires of your body to bee begotten, throughoutly, and in the whole, and in euery part thereof, in ſuch manner and forme as before is mentioned, declared, or confeſſed: and thereunto moſt humbly and faithfully wee do ſubmit our ſelues, our heires and poſterities for euer.

And further doe make our moſt hearty and humble petition vnto your Highneſſe, that it may pleaſe the ſame, not onely to accept this our ſaid recognition, but alſo our faithfull promiſes, that we, according to our duties, ſhall and will ſtand to, aſſiſt and defend your royall Maieſtie, and the heires of your body to be begotten, being Kings and Queenes of this Realme, and your ſaid rights, and titles in and to the ſaid Imperiall eſtate, place, Crowne and dignity in all things thereto belonging, at all times to the vttermoſt of our poſſible powers, and therein to ſpend our bodies, lands, and goods, againſt all perſons whatſoeuer, that any thing ſhall attempt to the contrary.

And that it may be enacted by the authority aforeſaid, that as well this our declaration, confeſſion and recognition; as alſo the limitation and declaration of the ſucceſſion of the imperiall Crowne of this Realme, mentioned and contained in the ſayd act made in the ſayd fiue & thirtieth yeare of the reigne of your ſayd moſt noble Father, ſhall ſtand, remaine, and be the law of this Realme for euer.

The limitation of the Crowne, contained in the Act of 35. H. 8. ſhall be the law for euer.

And that all ſentences, iudgements, and decrees, had, made, declared, ſet forth, publiſhed, and promulged, and alſo as much of euery clauſe, article, branch, matter or thing contained and expreſſed in any act or acts of Parliament, as be in any thing repugnant, contrary, or derogatorie to this our ſayd confeſſion, declaration, and recognition: or to any part or parcell thereof, or contrary to the ſayd limitation of the ſucceſſion of the Imperiall Crowne, eſtabliſhed and made by the ſayd act, in the ſayd xxxv. yeare of the reigne of the ſayd late King Henry the eighth, (by whatſoeuer power or authority the ſame been, or haue been had or made, ſhalbe vtterly fruſtrate, void, and of none effect: and alſo ſhall and may be cancelled, defaced, and put in perpetuall obliuion at your highneſſe will and pleaſure, as if the ſame had neuer beene had, made, declared, ſet forth, publiſhed, or promulged.

Cap. IIII.

Reſtitution of Firſt fruits and Tenthes, &c. to the Crowne.

In their moſt humble wiſe beſeech your moſt excellent Maieſtie, your faithfull and humble Subiects the Lords Spirituall and Temporall, and the Commons of this your Realme in this preſent Parliament aſſembled, that where in the Parliament of your moſt noble Father of famous memory, King Henry the eighth, holden at Weſtminſter vpon prorogation the third day of Nouember, in the ſixe and twentieth yeare of his proſperous reigne, it was enacted, ordained, and eſtabliſhed by the authority of the ſame Parliament amongſt other things, that his highneſſe, his heires and ſucceſſors, Kings of this Realme, ſhould haue and enioy from time to time endure for euer, of euery perſon and perſons, which at any time after the firſt day of Ianuary then next enſuing ſhould be nominated, elected, prefected, preſented, collated, or by any other meanes appointed to haue any Archbiſhopricke, Biſhopricke, Abbacie, Moneſtery, Priorie, Colledge, Hoſpitall, Archdeaconry, Deanery, Prouoſtſhip, Prebend, Parſonage, Vicarage, Chauntry, Free Chappell, or other Dignity, Benefice, Office, or Promotion ſpirituall, within this Realme or elſewhere within any of the Kings Dominions, of what name, nature, or quality ſoeuer they were, or to whoſe foundation patronage, or gift ſoeuer they did belong, the firſt fruits, Reuenues and profits, for one yeare of euery ſuch Archbiſhopricke, Biſhoprick, Abbacy, Monaſtery, Priory, Colledge, Hoſpitall, Archdeaconry, Deanry, Prouoſtſhip, Prebend, Parſonage, Vicarage, Chauntry, Free Chappell, or other Dignity, Benefice, Office, or Promotion ſpirituall aforenamed, whereunto any ſuch perſon or perſons ſhould after the ſayd firſt day of Ianuary be nominated, elected, prefected, preſented, collated, or by any other meanes appointed. And that euery ſuch perſon and perſons, before any actuall or reall poſſeſſion, or medling with the profits of any ſuch Archbiſhopricke, Biſhopricke, Abbacy, Monaſtery, Colledge, Hoſpitall, Deanerie, Prouoſtſhip, Prebend, Parſonage, Vicarage, Chauntry, Free Chappell, Priory, or other Dignity, Benefice, Office, or Promotion Spirituall, ſhould ſatiſfie, content, and pay, or compound, or agree to pay to the Kings vſe, at reaſonable dayes, vpon good ſureties, the ſayd firſt fruits and profits for one yeare.

A rehearſall of the Stat. of 26. H. 8. cap. touching firſt fruits & tenthes giuen to the King.

The firſt fruits.

And it was further enacted by authority aforeſayd, that the firſt fruits of Benefices, before that time accuſtomed to be payd to the Biſhop of Norwich within his dioceſſe, and to the Archdeacon of Richmond within his Archdeaconry, or any other perſon or perſons within this realme, or any other the Kings dominions, ſhould from the ſayd firſt day of Ianuary, ceaſe & be extinct, and no longer be payd but onely to the Kings highneſſe, his heires, and ſucceſſors, in ſuch forme, as is before mentioned.

And further it was enacted by authority aforeſayd that the Kings Maieſty, his heires and ſucceſſors, for more augmentation and maintenance of the royal eſtate of this Imperiall Crowne, ſhould yearely haue, take, enioy and receiue, vnited and knit to his imperial crowne for euer, one yearely rent or penſion, amounting to the value of the tenth part of the reuenus, rents, fermes, tithes, offerings, emoluments, and of all other profits, as well called ſpirituall as temporall, appertayning or belonging; or that from thenceforth ſhould belong to any Archbiſhopricke, Biſhopricke, Abbacy, Monaſtery, Priory, Archdeaconry, Deanery, Hoſpitall, Colledge, houſe collegiate, Prebend, Cathedrall church, Collegiate church, Couentuall church, Parſonage, Vicarage, Chauntry, Free chappell, or other Benefice or promotion Spiritual, of what name, nature, or quality ſoeuer they were within any doiceſſe of this Realme, or in Wales, the ſayd Penſion or Annuall rent to be yeerely payd for euer, to the ſayd late King, his heires and ſucceſſors, at the feaſt of the Natiuity of our Lord GOD, and the firſt payment thereof to beginne at the feaſt of the Natiuity of our Lord GOD, which ſhould bee in the yeare of our Lord God, a thouſand fiue hundred, thirtie and fiue, and to be payd yeerely by ſuch as ſhould be appointed to haue the collection thereof, before the firſt day of Aprill next following, after the ſaid feaſt

The tenthes.

of the Natiuity of our Lord God, as in the ſayd act more plainely it doth appeare.

Anno 26.H.8. 27. And where alſo one other act was made and eſtabliſhed in the ſayd Parliament, the ſayd xxvi. yeere, that no farmour of ſpirituall perſons, ſhould be compelled or charged to pay for their leaſſours firſt fruits, or yeerely penſion for the tenth granted vnto the Kings highneſſe, notwithſtanding any couenant, contract, bond, or other thing made to the contrary, as by the ſame acte more plainely appeareth.

27.H.8.cap.8. And where alſo at one other Seſſion of the ſame Parliament, holden by prorogation at Weſtminſter, in the xxvii. yeare of the reigne of your ſayd Father, one other act was made and eſtabliſhed, that the Kings ſpirituall ſubiects, ſhould be deducted and allowed of the tenth of their Spirituall promotions, for that firſt yeare for which they ſhould pay the firſt fruits, as in the ſayd acte alſo more at large appeareth.

28.H.8.11. And where alſo in one other Parliament of the ſayd late King, holden at Weſtminſter, in the xxviii. yeare of his reigne, amongſt other things it was enacted and ordained, that the yeare in which the firſt fruits of euery Benefice and Spirituall promotion ſhould be payd, ſhould begin and bee accounted immediately after the auoydance thereof. And that the tithes, commodities, reuenues, caſualties, and profits thereof (Chantries onely except) in the time of vacation, ſhould belong and afferre to the next Incumbent, towards the paiment of the firſt fruits, as by the ſame act more at large appeareth.

32.H.8.22. And where alſo in one other Parliament holden vpon prorogation at Weſtminſter, in the xxxii. yeare of the raigne of the ſayd late King, one act was made and eſtabliſhed, that Biſhops vpon their accounts of, & for the ſayd yearely tenth, ſhould be diſcharged by their oaths of payment of ſuch ſum or ſummes of money, of the ſayd annuall rent, or tenth, as they could not lawfully leuy: and alſo an order appointed how the King ſhould bee anſwered of the tenth of any Benefice and Spirituall promotion, omitted in the originall or former certificate of Benefices, and Spirituall promotions, made in the Exchequer, as by the ſame acte laſt mentioned more at large appeareth.

32.H.8.45. And where alſo in the ſame Seſſion of Parliament holden in the ſayd xxxii. yeare of the reigne of your highneſſe ſayd noble Father, and by authority of the ſame Parliament, one Court was erected, eſtabliſhed, and made for the better anſwering of the ſayd firſt fruits and tenths vnto the King, called the court of firſt fruits and tenthes, as in the ſame act of erection thereof more fully appeareth.

32.H.8.47. And where alſo in the ſame Seſſion and Parliament one other act was made, whereby the Biſhop of Norwiche for the time being (being before that diſcharged from the collection of the tenth within his dioceſſe) ſhould be charged and chargeable for euer, for, and with the collection of the ſame tenth within his dioceſſe, and make payment thereof, as other Biſhops ſhould or ought to doe within their dioceſſe, as by the ſame act more plainely appeareth.

34.H.8.2. And where alſo one other Parliament of the ſayd late King, holden at Weſtminſter vpon prorogation, in the xxxiiii. yeare of his reigne, one act was eſtabliſhed and made concerning Collectors and Receiuers, to make payment of their receipts within three monethes next after the ſame ſhould be due, and payd to the Kings vſe, vnder certaine penalties therein expreſſed, as by the ſame acte more at large appeareth.

34.H.8.17. And where alſo in the ſame Seſſion and Parliament it was enacted and eſtabliſhed, that the new erected Biſhops, of Cheſter, Glouceſter, Peterborough, Briſtoll, Oxford, and their ſucceſſors for euer, ſhould pay their tenthes reſerued vpon their Letters Patents or their ſeuerall erections, onely in the ſayd Court of the firſt fruits and tenthes for euer, as by the ſame act more at large appeareth.

37.H.8.21. And where alſo in the Parliament of the ſayd late King holden at Weſtminſter in the xxxvii. yeare of his reigne, one act entituled, An act for the vnion of Churches not exceeding the value of ſixe pound, was eſtabliſhed and made, wherein is contained a ſauing to the King of the firſt fruits and tenthes of all Churches and Chappels not exceeding the value of ſixe pound, that then were or from thenceforth ſhould be vnited and conſolidate in one, as in the ſame act and ſauing more largely appeareth.

2.Edw.6.10. And where alſo in the Parliament of your highneſſe deareſt Brother of worthy memory King Edward the ſixth, holden at Weſtminiſter vpon prorogation, in the ſecond yeare of his reign, one act was made, that by the certificate of the Biſhop of any dioceſſe within this Realme, or any of the dominions of the ſame, of recuſance or non payment of any tenth of any Benefice or Spirituall promotion, the Incumbent ſhould leeſe but that Benefice or promotion onely, as by the ſame act more plainely appeareth.

7.Edw.6.4. And where alſo in one other Parliament of the ſayd late King Edward, holden at Weſtminſter, in the ſeuenth yeare of his raigne, one acte was made and eſtabliſhed, declaring how and in what ſort the vnder Collectors of the tenth in euery Dioceſſe, appointed by the Biſhoppe, ſhould bee bound to diſcharge the Biſhopps of that collection, and a longer day giuen for the payment of the tenth: and how the King ſhould be anſwered of the tenth for the time of vacation of euery Benefice and Spirituall promotion, and that the Patents of the collection of tenth, ſhould be good onely during the Incumbency of the grauntors, as in the ſame act more at large is contained.

And where alſo in the ſecond Seſſion of Parliament of our late Soueraigne Lady Queene Mary, your Maieſties deareſt Siſter, holden at Weſtminſter in the firſt yeare of her raigne, one acte was made and eſtabliſhed, whereby full power an authority was giuen and appointed vnto her highneſſe, at her will and pleaſure, to alter, change, vnite, tranſport, diſſolue, or determine, as well the ſayd Court of firſt fruits and tenthes, as the Court of Augmentations of the reuenues of the Kings Crowne, and other Courts therein expreſſed, and to reduce the ſame Courts or any of them, into one, two, or more Court or Courts, or to vnite and annexe the ſayd Courts or any two or more of them, together, or to any other of her Maieſties Courts of Record, as to her it ſhould be thought moſt conuenient and beſt, for the better, ſure, and more ſpeedy anſwering of her yearely reuenues, caſualties, and profits, then anſwerable in the ſayde Courts, or any of them, as in the ſame Acte more at large is expreſſed: by vigour and authority of which Acte, the ſayd late Queene by her Graces foure ſeuerall Letters Patents, whereof two beare date the three and twentieth day of January, in the firſt yeare of her reigne, and the other two the foure and twentieth of January in the ſame yeare, did not onely diſſolue, determine, and extinguiſh the ſayd Courts, commonly called and entituled, The Court of Augmentations and reuenues of the Kings Crowne, and the Court of the firſt fruits and tenths, & the iuriſdiction and authority thereof: but alſo did vnite, tranſpoſe, and annexe the ſayd Courts of Augmentations, and reuenues of the Kings Crowne, and of the firſt fruits and tenths ſo diſſolued, to the ſayd Court of the Exchequer, there to be and continue as a member and parcell of the ſame Court of the Exchequer: & did appoint all and ſingular the reuenues, caſualties, profits, and hereditaments then anſwerable in the ſayd Courts, to the order, rule, ſuruey, and gouernance of the ſayd Court of the Exchequer, there to be anſwered & accomted for euer, in ſuch order, manner, and forme, as in the ſayd Letters Patents, and in two Scedules vnto the ſayd Letters Patents annexed, is mentioned and declared, as by the tenour and purport of the ſayd Letters Patents and Scedules, ſigned with her highneſſe hand, more plainly may appeare.

1. Marie 10.

Queene Mary diſſolued the Courts of firſt fruites & augmentations, & annexed them to the Exchequer.

By reaſon of all which ſayd premiſſes, not onely the ſayd perpetuall reuenues of the firſt fruits and tenthes, granted by the ſayd Act in the ſixe and twentieth yeare of the reigne of your highneſſe moſt noble Father, in augmentation and maintenance of the Crowne of this Realme, but alſo the tenthes and yearely rents reſerued nomine decime, by any Letters Patents, of your ſayd noble father, ſithence the ſayd ſixe and twentieth yeare of his reigne, and of your ſayd deareſt Brother and Siſter, or of any of them, made to any Biſhop and his ſucceſſors, or to any Cathedrall Church, Deane and Chapter, Colledge, or any other Eccleſiaſticall and Spirituall perſon or perſons, or corporations, and their Succeſſors for euer: And alſo all and euery the rents, reuenues, iſſues, and profits, of all and ſinguler Rectories, Parſonages, and Benefices impropriate, glebelands, tithes, oblations, penſions, portions, and other profits, and emoluments Eccleſiaſticall and Spirituall to the ſame belonging, being in the hands and poſſeſſion of your ſayd deareſt Siſter, at the ſayd foure and twentieth day of January, were ordered, anſwerable, and accounted for in the ſayd Court of the Exchequer, and were therein well and iuſtly anſwered and payd vnto her highneſſe vſe and behoofe, like as the ſame had beene vnto the ſayd two noble Kings, her ſayd Father and Brother, by the ſpace of twenty yeares without greefe or contradiction of the Prelates and Clergie of the Realme, to the great ayd, reliefe, and ſupportation of the ineſtimable charges of the Crowne of this Realm, which dayly ſince the time of the making of the ſayd firſt Act, haue encreaſed and growne more and more.

Which thing although the ſayd late Queene might and did manifeſtly feele and perceiue to be moſt true: yet ſhe vpon certaine zealouſe and inconuenient reſpects, not ſufficiently, nor politikely enough weighing that matter, nor hauing due conſideration and regard to the maintenance, and vpholding and good continuance of the eſtate of the Imperiall Crowne of this realme in ſucceſſion, which rather needed an augmentation, than any diminution, procured and willed an Act of Parliament, to be made and prouided in the ſecond and third yeares of the reigne of king Philip her late Huſband and her, That all payments of the ſayd firſt fruits, ſhould from thenceforth ceaſe and be clearely extinct, and determined for euer, And that as well all the ſayd benefices and Spirituall promotions, as the poſſeſſors, owners, and Incumbents thereof, and their ſucceſſors ſhould from & after the eighth day of Auguſt, in the ſayd ſecond and third yeares, and ſo from thence forth at all times for euer, be clearely exonerate acquitted, and diſcharged, againſt the ſayd late king Philip and Queene Mary, her Heires and ſucceſſors, of, and from the payment and payments of all and euery the ſayd firſt fruits, in as ample & large manner and forme, as they were before the making of the ſayd Act, of the firſt and originall grant thereof, in the ſayd ſixe and twentieth yeare of the reigne of the ſayd late king your noble Father, & as though the ſame had neuer beene had ne made.

Q. Maries zealous but not politike reſpect.

By the Stat. made 2. and 3. P. & M. 4. the payment of firſt fruits & tenthes ceaſed.

And further, that neither the ſayd perpetuall Penſion, annuall Rent, or Tenth graunted by the ſayd firſt Act of the ſixe and twentieth yeare of the ſayd noble King Henry: nor alſo the ſaid ſeuerall annuall rents, or tenthes, reſerued nomine decime, by and vpon the ſayd ſeuerall Letters Patents of the ſayd late King and Quéene, made to Spirituall perſons and corporations as is aforeſayd, or any of them, from and after the feaſt of Saint Michael the Archangell then laſt paſt, ſhould any more be payd or payable vnto the ſayd late King Philip and Quéene Mary, her heires or ſucceſſors, but that as well all the ſayd Archbiſhoprickes, Biſhoprickes, and other Benefices, Dignities, Deanes and Chapters, Colledges, Corporations, and Spirituall promotions aforeſayd, as alſo the poſſeſſors, owners, proprietaries, and Incumbents of the ſame, and their ſucceſſors, from and after the ſayd feaſt of Saint Michael the Archangell, ſhould be clearely exonerate, acquitted and diſcharged of, and from the payment thereof, againſt them, and the heires and ſucceſſors of the ſame late Quéene for euer.

And furthermore, that the ſayd late King Philip and Quéene Marie, her heires, or ſucceſſors, from and after the ſayd feaſt of Saint Michael the Archangell, ſhould not receiue, perceiue, take, and enioy any the Iſſues, Reuenues, Profits, or Commodities of the ſayd Rectories, Parſonages, Benefices, Glebe lands, Tythes, Oblations, Penſions, Portions, and other profits and emoluments Eccleſiaſticall and Spirituall aforeſayd, or of any of them, or of the reuerſion or reuerſions of them, or any of them: but in and by the ſayd acte, the ſame late King and Quéene, clearely gaue ouer, renounced, and relinquiſhed as well the ſayd Rectories, Parſonages, Benefices, Glebe lands, Tythes, Oblations, Penſions, Portions, and other profits and emoluments Eccleſiaſticall and Spirituall aforeſayd, and euery of them, and the reuerſion and reuerſions of them, and euery of them, and all their right, title, vſe, intereſt, and demand of, in, or to the ſame, from them and the heires and ſucceſſors of the ſayd late Queene for euer: as alſo the ſaid perpetuall Penſion, Annuall rent, & Tenth, & alſo the ſaid yearely rents, reſerued nomine decime, vpon the ſayd ſeuerall Letters Patents, and all their right, title, and intereſt, which they or either of them, or the heires or ſucceſſors of the ſayd late Quéene, had or might haue had, in or to the ſame.

The ſame yearly Penſion, Tenthes, yearely Rents, Parſonages, Emoluments, and profits, to be perceiued, taken, receiued, counted, employed, vſed, and diſpoſed by the late reuerend Father in G O D Reginald Poole, late Cardinall and Legate, and ſuch other perſons as hee ſhould name and appoint, and ſuch other as béene ſpecially limitted in the ſayd act, to and for certaine vſes, purpoſes, and intents mentioned in the ſame act, with diuers prouiſions, and a ſauing in the ſame expreſſed and contained, as by the ſame more at large appeareth.

The ſtatute.

Wée your ſayd humble and obedient Subiects, the Lords Spirituall and Temporall, and Commons in this preſent Parliament aſſembled, calling to our remembrance the huge, innumerable, and ineſtimable charges of the Royall eſtate, and Imperiall Crowne of this Realme, and how the ſame is left vnto your Maieſtie, at this your firſt entry thereunto, greatly diminiſhed, as well by reaſon of the ſayd acte made in the ſayd ſecond and third yeere of the reigne of the ſayd King Philip and Quéene Mary, as otherwiſe, doe conceiue at the bottome of our hearts great ſorrowe and heauineſſe, as Subiects carefull for their naturall and liege Soueraigne Lady, vpon whome dependeth the ſuretie, worldly ioy, and wealth of vs all, and béeing no leſſe affected towards your Maieſties royall perſon, and the preſeruation and maintenaunce of the ſame, and of the eſtate and ſucceſſion of your Maieſties ſayd Crowne, than were the firſt Grauntors of the ſayd Firſt fruites and Tenthes towards your highneſſe moſt noble Father, and his ſayd royall eſtate, at the time of their ſayd graunt to him thereof made, doe account of very right and good congruence no leſſe than our moſt bounden duty, to moue your Highneſſe, and therewith moſt humbly to beſéech the ſame, that the great diſheriſon and decay committed and done to the Crowne, & eſtate Royall of this your Realme, and the ſucceſſion thereof by reaſon of the ſayd acte made in the ſayd ſecond and third yeares of the reigne of the ſayd King Philip and Quéene Marie, may at this Parliament bee reformed and auoyded, and that with your Highneſſe fauour and royall aſſent it may bée enacted, ordeyned, eſtabliſhed, and prouided by authorite of this Parliament, in manner and forme hereafter enſuing.

A repeale of the St. An. 2. & 3. P. & M. 4.

The firſt fruits reuiued.

That is to ſay, that the ſayd acte made in the ſecond and third yeares of the reigne of the ſayd late King Philip and Quéene Marie, and all articles, clauſes, and ſentences therein contained, ſhall bée from and after the firſt day of this preſent Parliament, vtterly and clearely repealed, made voyd, and of no force ne effect: and all authorities and liberties granted, limitted and appointed in and by the ſayd act to the ſayd late Cardinall Poole, or made, or deriued, by force, ſtrength, or colour of the ſame Act, by or from the ſayd late Cardinall, to any other perſons, bodies polit like or coroporate, to ceaſſe and be vtterly voyd & determined: & that the ſayd firſt fruits, and all payments thereof, from & after the ſayd firſt day of this Parliament, ſhall bée reuiued, & haue their béeing and continuance againe, and bée déemed and adiudged to all intents, conſtructions, & purpoſes, in the Quéenes highneſſe moſt royall perſon, her heires & ſucceſſors, and vnited and annexed to the Imperiall Crowne of this Realme, of and in ſuch like, and the ſame eſtate, intereſt, title, quantity, ſort, degrée, and condition, and in as ample and beneficiall manner and forme, as the ſame was or were in the perſon and poſſeſſion of the ſaid late Q.

Mary, at and before the ſayd viij. day of Auguſt, in the ſayd Act of extinguiſhment mentioned and expreſſed: the ſame Act of extinguiſhment, or any Letters Patents, or any other matter or thing had, done, or ſuffered by the ſaid late Quéene, to the contrary therof in any wiſe notwithſtanding.

And alſo that as well ſo much of the ſayd perpetuall and annuall tenth, & Penſion granted by the ſayd Act made in the ſayd xxvi. yere of the reign of the ſaid late King Henry the eighth, as alſo ſo much of the ſayd yearly rents reſerued vpon the ſaid ſeueral Letters patents nomine decime, and alſo ſo many of the ſayd rectories, parſonages, and benefices impropriate, glebe lands, tithes, oblations, penſions, portions, and other profits and emoluments Eccleſiaſticall and Spirituall aforeſayd, and reuerſion and reuerſions thereof: and all rents, emoluments, and profits incident to the ſame, as were in the hands and poſſeſſion of the ſayd late Quéene Mary, at and before the ſayd viii. day of Auguſt, ſhal from the ſayd feaſt of S. Michael the Archangel laſt paſt, be veſted, adiudged, and déemed, actually and really in the ſeiſin and poſſeſſion of our ſayd Soueraigne Lady Quéene Elizabeth, her heires, and ſucceſſors, to all intents, conſtructions, and purpoſes, of and in ſuch like and the ſame eſtate, intereſt, order, degree, quality, ſort, and condition, and as fully, wholly, largely, and beneficially, as the ſame were in the ſeiſin and poſſeſſion of the ſayd late Quéene Mary, at and before the ſame eight day of Auguſt. And that as well the ſayd firſt fruits and tenthes, and the order thereof, as alſo the ſayd annuall rents reſerued nomine decime, and the ſayd rectories, parſonages, benefices, glebe lands, tithes, oblations, penſion, portions, and other profits and emoluments, eccleſiaſticall and ſpirituall aforeſayd, and euery of them, and the reuerſion and reuerſions of them, and of all rents and profits vnto the ſame, or any of them incident or belonging, ſhall be within the order, ſuruey, rule, and gouernance of the ſayd court of the Exchequer, in euery degree, ſort, and condition, as they were (at and) before the ſayd eight day of Auguſt: the ſayd Act made in the ſayd ſecond and third yeares, or any other matter or thing to the contrary thereof, notwithſtanding.

The tenths reuiued And x. reſerued vpon pat. & portions eccleſiaſticall.

And that ſo much of all and euery the ſayd Acts and Statutes firſt recited, or of any other Act or Statute, touching or concerning the order, leuying true anſwering and payment or qualification of the ſayd firſt fruits and tenthes, and of the ſayd Rectories, Parſonages, and benefices impropriate, and of the rents, reuenues, emoluments, & profits thereof, and of all other the premiſſes, and alſo the charge, diſcharge, or alteration of them, or any of them, or any matter or thing in any wiſe ſounding or tending thereunto, which were ſtanding and being in force, effect, & vnrepealed at and before the ſayd eight day of Auguſt (except onely the ſayd Acts of the erections of the Courts of Augmentations and firſt Fruites and Tenthes) ſhal, be remaine, and continue in their full and perfect ſtrengthes and forces, and be obſerued & put in due execution, according to the tenours and purports of the ſame, and euery of them.

The before rehearſed St. reuiued.

St. 27. H. 27.
St. 32. H. 45.

An that the Quéenes Maieſtie, her heires, and ſucceſſors, by authority of this preſent Parliament, ſhall from the ſayd firſt day of this preſent Parliament, haue, hold, poſſeſſe, and enioy for euer the Aduowſons, Gifts and Patronages, of all Vicarages, belonging or incident to any of the ſayd Rectories, and Parſonages impropriate, in the ſame ſort, quality, condition, & degrée, to all intents & purpoſes, as the ſame were in the perſon and poſſeſſion of the ſayd late Quéene Mary, at and before the ſayd eighth day of Auguſt: any thing or Act done by the ſame late Cardinal, or any grant or grants by Letters Patents made by the ſayd late Q. Mary, of the ſaid Aduowſons, and Patronages, or any of them, to any Eccleſiaſticall or Spirituall perſon or perſons, or any Spirituall corporation, to the contrary in any wiſe notwithſtanding.

The Quéene ſhall haue the aduowſon of vicarages belonging to rectories, &c.

Sauing to all and euery perſon and perſons, bodies politike and corporate, and their Heires, Executors, Succeſſors, and Aſſignes, and euery of them (other than ſuch perſons to bee mentioned and named in any Letters Patents, made by the ſayd Quéene Mary, the ſayd eight day, of Auguſt, or at any time ſithence, or clayming onely by or vnder the authority, and ſtrength of the ſame Act or Letters Patents or any of them) all ſuch right, title, intereſt, eſtate, offices, leaſes, grants, annuities, penſions, fées, corrodies, rents, and other yearely profits and commodities, as they or any of them ought or ſhould haue had, perceiued, or inioyed, of, in, or by reaſon of any the Parſonages, Rectories, or of any other the premiſſes, in caſe the ſayd former act now repealed, and this preſent act of repeale had neuer béene had ne made: any thing in the ſame acts, or either of them contained or ſounding to the contrary thereof in any wiſe notwithſtanding.

A ſauing of the right of others.

And be it further enacted by the authority aforeſayd, that from & after the ſayd feaſt of Saint Michael the Archangel laſt paſt, and ſo from thenceforth from time to time, the ſayd penſions, annuities, rents, corrodies, fées, and other yearely payments, ſhall be payd and payable onely by our ſayd Soueraigne Lady, her heires and ſucceſſors, at the receit of the Exchequer, or in ſuch other places as the Quéenes maieſtie her heires, and ſucceſſors ſhall appoint, to all and euery perſon and perſons, that ought to haue and enioy the ſame, in ſuch ſort, order and forme as the ſame ſhould or ought to haue been payd and payable in caſe the ſayd Act now repealed had neuer béene had ne made: any thing therein, or elſe in this act contained to the contrary thereof, in any wiſe not withſtanding.

How penſions &c. ſhalbe payd.

And be it further enacted by authority aforeſayd, that all and ſingular Incumbents, Proprie-

They that were in arrerages for Rents ſhall pay the ſame to the Queen.

taries, Tenants, Farmors, Leſſees and occupiers of the premiſſes or any part thereof, their Heires, Executors and Aſſignes, which the ſaid firſt day of this preſent Parliament, were behinde or in any arrerages of and with the rents, farmes, tenths or other reuenues, profits or duties, by them or any of them due and payable, for or by reaſon of the premiſſes or any of them, ſhall and may be by the authority of this Act, ſeuerally chargeable, accomptable and anſwerable to the Quéenes Maieſtie, her Heires and Succeſſors, in and at the ſaid Court of the Exchequer, of and for the ſame arrerages and duties, as other accomptants be and ſhal be in the ſame Court: any thing in the ſaid Act, now repealed in this Act, or any other matter or cauſe to the contrarie thereof in any wiſe notwithſtanding.

Vicarages not exceeding x. li. ſhall pay no firſt fruits.

Parſonages not exceeding tenne markes ſhall pay no firſt fruits.

And yet neuertheleſſe the Quéenes moſt excellent Maieſtie, at the humble requeſt of her ſaid Subiects, of her aboundant grace and bountifulneſſe, is pleaſed and contented that it be enacted by the authority aforeſayd, that all and ſinguler Vicarages, not excéeding the yearely value of tenne pounds, after the rate and value vpon the Records and Bookes of the rates and values for the firſt fruits & tenthes now remaining in the Exchequer, or that ſhall hereafter come and remaine in the ſame Court, and alſo all and ſinguler parſonages, not exceeding the yearely value of tenne markes, after the like rate and valuation, and the incumbents thereof and every of them, their Executors, Adminiſtrators, Succeſſors and Sureties and euery of them, from the ſayd Feaſt of S. Michael the Archangell laſt paſt, ſhall be free and clearely diſcharged, and acquited for euer, againſt the Quéenes Maieſtie, her Heires and Succeſſors, of and from the ſaid firſt fruits: any thing in the ſayd Act of firſt fruits and tenthes made in the ſaid ſixe & twentieth yeare of the raigne of the ſayd late King Henry the eighth, or in this Act of repeale, or any other Act or Actes before recited to the contrary thereof in any wiſe notwithſtanding.

The charge of the incumbent which liueth halfe a yeare after the auoidance.

Prouided alwayes, and be it enacted by the authority aforeſayd, That if any Incumbent of any ſuch promotion Spirituall as is aforeſayd, charged or chargeable to the payment of the ſayd firſt fruits, happen to liue to the end of one halfe yeare next after the laſt auoydance of the ſame promotion Spirituall, ſo as he hath receiued, or without fraud or couin might lawfully haue receiued or enioyed the rents or profits of that halfe yeare, and before the end of the other halfe yere, then next following ſhall happen to die or be lawfully euicted, remoued or put from the ſayd promotion Spirituall, by iudgement in any action at the Common Law, without fraud or couin: that then euery ſuch Incumbent, his Heires, Executors, Adminiſtrators and Sureties, ſhall be charged and chargeable but onely with the fourth part of the firſt fruites due to be payed for ſuch his promotion, and with no more of the ſayd firſt fruits: any thing in this Act contained or any bond or writing to be made for the payment of the ſayd firſt fruits, or any other matter or cauſe to the contrary notwithſtanding.

His charge which liueth a whole yeare, &c.

And if it ſhall happen any ſuch Incumbent to liue by the ſpace of one whole yeare next after the laſt auoidance of the ſame promotion Spirituall, & after, before the end of one halfe yeare then next following, ſhal fortune to die, or to be lawfully euicted, remoued or put from the ſaid promotion Spirituall, by iudgement in any action at the Common Law, without fraud or couin: that then euery ſuch Incumbent, his Heires, Executors, Adminiſtrators and Sureties, ſhall be charged & chargeable but onely with the moity and one halfe of the firſt furites due to be payd for ſuch his promotion Spirituall, and with no more of the ſame firſt fruits: any thing in this Act conteyned or any bond or writing obligatory to be made for the payment of the ſame firſt fruits, or any other matter or cauſe to the contrary notwithſtanding.

The charge of him which liueth a yeere & a halfe, &c.

And if it ſhall happen any ſuch Incumbent to liue to the end of one whole yeare and a halfe, next after the laſt auoidance of ſuch promotion Spirituall, and after, and before the end of ſixe monethes then next following ſhall fortune to die, or be lawfully euicted, remoued or put from the ſayd promotion Spirituall, by iugement in any action at the Common Law, without fraud or couin: that then euery ſuch Incumbent, his Heires, Executors, Adminiſtrators and Sureties ſhall be charged and chargeable but onely with thrée parts of the firſt fruits of the ſame promotion Spirituall, in foure parts to be diuided, and with no more: any thing in this Act conteyned, or any bond or writing obligatory had or made for the payment of the ſayd firſt fruits, or any other matter or cauſe to the contrary notwithſtanding.

The charge of him which liueth two whole yeares after, &c.

And if it ſhall happen any ſuch Incumbent to liue to the end of two whole yeares, next after the laſt auoidance of the ſame his promotion Spirituall, and not to be lawfully euicted, remoued or put from the ſame promotion Spirituall as is aforeſayd, that then euery ſuch Incumbent, his Heires, Executors, Adminiſtrators and Sureties, ſhall content and pay to our ſayd Soueraigne Lady the Quéene, her Heires and Succeſſors, the whole firſt fruits due to be payed for the ſame promotion Spirituall, according to the Eſtatute aforeſayd.

Grants made to the vniuerſities or the colledges in them & to Eaton & Winchester colledge.

Prouided alſo, and be it enacted, that all grants, immunities and liberties, giuen to the Uniuerſities of Cambridge & Oxford, or to any Colledge or Hall in either of the ſayd Uniuerſities, and to the Colledges of Eaton and Wincheſter, & vnto euery or any of them, by our late Soueraigne Lord King Henry the eighth, or any other the Quéenes Highnes progenitors or predeceſſors, or by Act of Parliament, for or touching the releaſe or diſcharge of the ſayd firſt fruits and tenthes or any part thereof, ſhall be alwayes and remaine in their full ſtrength and vertue: and that all ſuch lawfull conueyances & aſſurances in the Law, as were had or made before the making of this Act, to either of the ſaid Vniuerſities of Oxford and Cambridge, or to any Colledge or Hall within any of them, by what name or names ſoeuer they or any of them be incorporated or named, of any of the ſaid Parſonages or Benefices impropriat, or of any part of the ſame, or of any Patronages for the maintenance of ſtudents, or learning. ſhall be as good and effectuall in the Law, to all intents, conſtructions and purpoſes, as though this Act had neuer beene made.

The Chappel of S. George in Windſor.

And be it further enacted by the authority aforeſaid, that the Deane and Canons of the free Chappel of S. George the Martyre, within the Caſtle of Windſor, and all the poſſeſſions and hereditaments of the ſame free Chappell, Deanry and Canons, by whatſoeuer name or names they be incorporated or knowne, ſhall bee exonerated, and ſhall ſtand for euer diſcharged of the tenthes and firſt fruits before mentioned: any thing in this Act, or any other Act or Statute before mentioned to the contrary thereof in any wiſe notwithſtanding.

Leaſſes for 21. yeares or 3. liues.

Grants of offices wont to be granted.

Prouided alſo and be it enacted, that all Leaſſes made before the xx. day of December laſt paſt, for xxi. yeares, or three liues at the moſt, by any perſon or perſons, bodies Politike or Corporate, being lawfully ſeiſed of or in any of the ſaid Parſonages impropriate, or of or in any other the premiſſes wont commonly to be let or ſet to ferme, then being out of Leaſſe, or whereof there was not at the time of the making of the ſaid Leaſſe or Leaſſes, any former Leaſſe to endure aboue one yeare then to come at the moſt: and vpon which new Leaſſe or Leaſſes, the old yearly rent accuſtomaly wont to be payd for the ſame, by the ſpace of xx. yeares laſt before the making of ſuch Leaſſe or Leaſſes, or more yearly rent is reſerued & payable during the ſaid terme: and all other lawfull grants, by them or any of them heretofore made of any office or offices, in old time wont commonly to be granted: and all gifts and grants of any Parſonage or Parſonages impropriate, heretofore belonging to the Archdeaconrie of Welles, in the County of Somerſet, or to the Incumbent of the ſame office or dignity, or to the Incumbent of the ſame lately giuen and reſtored, ſhall be as good and effectuall in the Law, as though this Act or any thing therein contained had not beene had or made.

The Archd. of Welles charged with payment of firſt fruits.

And be it further enacted by the authority aforeſaid, that the ſaid Archdeaconry, and all Rectories and Spirituall promotions, giuen, aſſigned, limited or appointed to the ſame, and all and euery Incumbents and Incumbent, which hereafter ſhall be preſented, collated, preferred and admitted vnto the ſaid Archdeaconry, and the Rectories and ſpirituall promotions thereunto limitted and appointed, or appertaining and belonging, ſhall ſtand, remaine, and be charged and chargeable with the payment of the firſt fruits & tenthes for the ſame to the Queenes highnes, her heires and ſucceſſors, in ſuch like manner and forme as other Spirituall promotions, and the Incumbents of the ſame, be and ſhall be charged and chargeable by this Act, or by any other Act or Statute before ſpecified.

The benefices &c. which were within the order of the Duchie Court, ſhall ſo continue.

Prouided alwaies, and be it further enacted by the authority aforeſaid, that ſo many of the ſaid Rectories, Parſonages and Benefices impropriate, glebe lands, tithes, oblations, pentions, portions and other profits and emoluments Eccleſiaſticall and Spirituall, and euery of them, and the reuerſion and reuerſions of them, and all rents and profits vnto the ſame or any of them incident or belonging, as were at and before the ſaid viii. day of Auguſt, in the hands and poſſeſſions of the ſaid late Queene Mary, and within the ſuruey, rule and order of the Court of the Duchie of Lancaſter, ſhall be againe within the order, ſuruey, rule & gouernement of the ſaid Court, in ſuch and the ſame maner and forme, to all intents & purpoſes as they were at and before the ſaid viii. day of Auguſt, in the ſaid ſecond and third yeares of the reigne of the ſaid late King and Queene: any thing in this Act, or in the ſaid Act of the ſame late King and Queene, to the contrary thereof in any wiſe notwithſtanding.

They which be preſented to a benefice ſhall compound for their firſt fruits before the feaſt of S. I. Baptiſt.

Prouided alwayes, and be it further enacted by the authority of this Parliament, that no perſon or perſons preſented, inſtituted or inducted, at any time ſithence the firſt day of this preſent Parliament, or that ſhall be preſented, inſtituted or inducted on this ſide the feaſt of the Natiuitie of S. Iohn Baptiſt next comming, to any the ſaid Spiritual or Eccleſiaſtical promotions, chargeable to or with the payment of the firſt fruits or one yeares profits of ſuch promotion, ſhall incur any penalty or forfeiture, by entring into any of the ſaid Spirituall or Eccleſiaſticall promotions, or by taking the profits thereof, for the non payment or not compounding of or for the firſt fruits thereof, ſo that he or any other for him, ſhall or doe compound for the ſame firſt fruits according to the true meaning of the Statute, before the Feaſt of the Natiuitie of S. Iohn Baptiſt: any thing in this Act contained to the contrary notwithſtanding.

The reuenues of Hoſpitalles and Scholes.

Prouided alſo, that this Act or any thing therein contained, ſhall not in any wiſe extend to charge any Hoſpitall founded and vſed, and the poſſeſſions thereof employed to & for the reliefe of poore people, or any Schole or Scholes, or the poſſeſſions or reuenues of them or any of them, with the payment of any tenthes or firſt fruits: any thing in this Act before mentioned to the contrary in any wiſe notwithſtanding.

CAP. V.

If any perſon ſhall compaſſe or imagine to depriue the Queen or the Heires of her body to be begotten, being King or Queene of this Realm, from the ſtile or Kingly name of the Crown of this Realm: Or to deſtroy the Queen or any the Heires of her body, being King or Queen: Or to leuie Warre againſt the Queene or any the Heires of her body, within her Dominions: Or to depoſe the Queene or any of the Heires of her body, &c. from the Imperiall Crowne of this Realm, and the ſame imaginations ſhall vtter by open words, &c. Or ſhall publiſh or directly ſay, that the Queene during her life, is not or ought not to be Queene: Or that after her death, the Heires of her body ought not to be King or Queene: Or that any other perſon ought to be King or Queen, ſo long as any of the Heires of her body ſhall be in life: Then ſuch offendor ſhall forfeit to the Queene all his goods and cattels, and the profits of his lands during his life. And if any perſon or perſons ſhall by writing, printing, ouert deed or act, commit any of the offences aforeſaid, it ſhall be adiudged high Treaſon. EXP. St. 13. *Eliz.* 1.

CAP. VI.

The penalty mentioned in the Statute of 1. & 2. *P.* & *M.* 3. for ſpeaking falſe and ſlandrous newes of the King or Queene, or for committing any of the offences expreſſed in the ſaid Act, ſhall be expounded to extend to the Queene that now is and to the Heires of her body. EXP.

CAP. VII.

A reuiuer of the ſtatute of 23. *H.* 8. 16. making it felony to ſell, exchange or deliuer within Scotland, or to the vſe of a Scottiſhman any horſe. REP. 4. *Iac.* 1.

CAP. VIII.

A reuiuer of the ſtatute of 5. & 6. *Ed.* 6. 15. limiting what perſons (and for what purpoſes) may buy and ingroſſe tanned Leather, and ſell the ſame againe, & who not. And a repeale of the Statute of 1. *M.* 8. touching Curriers, Shoomakers, &c. The Currier ſhall deliuer to the Shoomaker the Leather curried which he receiued, within fiue dayes in Summer, and ten daies in Winter, if he may conueniently doe it. No ſhoomaker ſhall make any ſhooes or boots, of any neates Leather mingled, but onely of it ſelfe. REP. 5. *El.* 8. & 1. *Iac.* 22.

CAP. IX.

No perſon hauing tenne pounds land, or rent, ſhall vſe or haue profit by the myſtery of tanning of Leather, but an Apprentice, or a couenant ſeruant brought vp in that trade foure years: Neither ſhall any vſe that trade but in a City, Borough, Towne corporate, or Market towne, where ſellers ſhall be vſually appointed, vnleſſe he hath been an Apprentice, or a couenant ſeruant foure years, or the ſonne & heire, or wife of a Tanner: Rawe hides, Calues skins, tanned Leather red and vnwrought, ſhall not be bought or ſold, but in open Faire or Market. Two pieces called wombs, ſhalbe cut of euery hide to be conuerted to ſole Leather, commonly called Backes. Both the Backes and Wombes ſhall be brought to Fairs and markets to be ſold. Searchers and Sealers of Leather, ſhall regiſter all bargaines for Leather made in Faires or Markets. The Stat. of 2. & 3. *Ed.* 6. 11. reuiued. REP. 5. *Eliz.* 8. & 1. *Iac.* 22.

CAP. X.

It ſhalbe felony to conuey or procure to be conueyed, into any ſhip or other veſſell, any Leather tanned or vntanned, or any ſalt or vntanned hides, or any backs of ſole Leather, or any Tallow, to the intent to tranſport the ſame ouer the Sea to bee ſold by way of merchandiſe. REP. 18. *Eliz.* 9.

CAP XI.

When and where merchandizes ſhall be landed, and cuſtomes for ſweete Wines payd.

Moſt humbly ſhewing, beſéechen your Highneſſe, your Lords & Commons in this preſent Parliament aſſembled, that where the ſummes of money, paid in the name of cuſtomes, ſubſidies of wares and merchandizes, tranſported out and brought into this your Highneſſe Realme of England, by any Merchant Stranger or Denizen, is an ancient reuenue annexed and vnited to your Imperiall Crowne, and hath in the time of King Edward the third, and other your moſt noble Progenitors, amounted to great and notable ſummes of mony, till of late years many gréedy and couetous perſons, reſpecting more their priuate gaine and commodity, than their duty and allegiance, or the common profit of the Realme, haue and doe daily as well by conueying the ſame their wares and merchandizes out of Creekes and places where no cuſtomer is reſident, as alſo by or through the negligence or corruption of the Cuſtomer, Searcher or other officer, where they be reſident, as by diuers other fraudulent, vndue and ſubtill practices and deuiſes, conuey their goods & merchandizes, as well brought from the parts beyond the Sea, as tranſported out of this your Realme of England, without payment or agreeing for the payment of the cuſtomes and ſubſidies therefore due, whereby the yearely reuenue aforeſaid is very much empayred and diminiſhed, to the great loſſe and damage of your Highneſſe, and to the great burden and charge of your louing ſubiects, who by occaſion thereof haue of late yeares beene more charged with ſubſidies and payment for the ſupplyment of the ſaid loſſe and damage, than elſe we ſhould haue beene.

Seuerall cauſes of the diminiſhing of the Queenes cuſtomes.

That it may therefore be enacted by authority of this preſent Parliament, That it ſhall not bee lawfull to or for any perſon or perſons whatſoeuer from and after the firſt day of September next comming, to lade or put, or cauſe to be laden or put, off or from any Wharfe, Key, or other place on the Land, into any Ship, Veſſell, Crayer, Lighter or Bottom, any goods, wares or merchandizes whatſoeuer (Fiſh taken by your Highneſſe Subiects only excepted) to be tranſported into any place of the parts beyond the Sea, or into the Realme of Scotland, or to take vp, diſcharge, and lay on land, or cauſe or procure to be taken vp, or diſcharged out of any Lighter, Ship, Crayer, Veſſell or Bottome, being not in a lecke or wracke, and laid on Land, any goods, wares, or merchandizes whatſoeuer (Fiſh taken by any of your Highneſſe Subiects, and Salt onely excepted) to be brought from any the parts beyond the Sea, or the Realm of Scotland, by way of merchandizes, but onely in the day light, that is to ſay, from the firſt of March vntill the laſt of September, betwixt the Sunne riſing and the Sunne ſetting, and from the laſt of September vntill the firſt of March, betweene the houres of ſeuen in the morning and foure at the after noone, and in and vpon ſome ſuch open place, Key or Wharfe. places, Keyes or Wharfes, as your Highnes, your Heires or Succeſſors, ſhall on this ſide the ſaid firſt day of September therfore aſſigne and appoint by vertue of your Highneſſe Commiſſion or Commiſſions, within your Graces Ports of London, Southampton, Briſtow, Weſtcheſter, Newcaſtell & the ſuburbs of the ſame, and euery of them and in ſome open place, Key, Wharfe, places, Keyes or Wharfes, in all other Ports, Creekes, Hauens or Rodes (Hull onely excepted) where a Cuſtomer, Comptroller and Searcher of ſuch Ports, Hauens, Creekes or Rodes, and euery of them, or the ſeruants of any of them, haue by the ſpace of tenne yeares laſt paſt beene accuſtomably reſident, or hereafter ſhall be reſident, vpon paine of forfeiture of all ſuch goods, wares or merchandizes ſo laden & diſcharged contrary to the true meaning of this Act, or the value thereof.

No goods ſhall be laden or diſcharged but in the day light and in open place.

And be it further enacted by the authority aforeſaid, That no maner of perſon or perſons after the ſaid day, ſhall receiue or take into any Ship, Crayer or other Veſſell, any goods, wares or merchandizes (except before excepted) to be tranſported into any place beyond the Sea, or into the Realme of Scotland, by way of merchandize: nor ſhall diſcharge and lay on land out of any Ship, Crayer or other Veſſell, any goods, wares or merchandize (except before excepted) being brought from any place beyond the Sea, or out of the Realme of Scotland, by way of merchandize, in any other place or places, or at any other houres or times, than is before limited and appointed. vpon paine that the owner and owners, maſter & maſters, or other perſon or perſons which ſhall take charge or guiding of any ſuch Ship, Crayer or Veſſell, or of the Merchants goods during and for that voyage, ſhall forfeit and loſe for euery ſuch offence C. li. of lawfull money of England.

At what times and places onely the Maſter of a ſhip ſhall receiue or diſcharge his loading.

And be it further enacted by authority aforeſaid, that no Maſter, Shipper, or Purſer, or other perſon or perſons taking charge of the voyage, or of the Merchants goods, ſhall after the ſaid day receiue or take into any Ship, Crayer or other Veſſell, any goods, wares or Merchandize (except before excepted) to be carried or tranſported into any of the parts beyond the Sea, or into the Realme of Scotland, before he ſhall haue ſignified to the Cuſtomer of the Port where he ladeth, and other officers there, in the open Cuſtome houſe, if any ſuch be there, or elſe, where the ſaid Officers, their deputies or ſeruants, or any of them, be or ſhall be vſually reſident, that he entendeth to lade, and to what place he entendeth to paſſe, nor ſhall after his or their full lading depart out of the Port, Creekes or Streame where he ſhall ſo lade, before he doe in like maner ſignifie vnto the Cuſtomer & other Officers as is aforeſaid, of his lading, and what Merchants and other perſons ſhall haue lading with him, or in his Ship, Crayer, Veſſell or Bottome: and further truly doe anſwer to ſuch queſtions as ſhall be miniſtred to him or them by the Cuſtomer or other Officer, concerning ſuch wares and merchandizes as he ſhall haue laden, being examined vpon his or their oath, or otherwiſe in the open Cuſtome houſe, or otherwiſe as is aforeſaid, vpon paine to forfeit for euery ſuch default, not truely aduertiſing nor anſwering, as is aforeſaid, a hundred pound.

A ſhipper ſhal giue notice to the cuſtomer of his departure.

And be it further enacted by the authority aforeſaid, that no Owner, Maſter, Purſer or other perſon, taking charge of any Ship, Crayer, Veſſell or Bottome, wherein any goods, wares or merchandizes (except before excepted) ſhall be laden and brought from any the parts beyond the

No maſter of a ſhip ſhall diſcharge the ſame before he hath certified the Cuſtomer.

Sea, or the Realme of Scotland, ſhall after the ſaid day, diſcharge into any Lighter or bottome, and lay on land, or procure, cauſe or willingly ſuffer to be diſcharged into any Lighter or bottome, and to be laid on land out of ſuch Ship, Crayer, Veſſell or bottom, any goods, wares or merchandize whatſoeuer, before ſuch Owner, Maſter, Purſer or other perſon or perſons, taking charge of the Ship, Crayer, Bottome or veſſell, or the Merchants goods for that voyage, ſhall haue ſignified and declared to the Cuſtomer or other Officer of the Port, Hauen or Creeke, where hee arriueth, the names of euery of the Merchants or Lader, and ſhall haue truely anſwered to ſuch queſtions and interrogatories, touching or concerning ſuch goods, wares or Merchandize, as ſhall be then laden in any ſuch Ship, Veſſell or bottome, as ſhall bee to him miniſtred by ſuch Cuſtomer or other Officer, openly in the Cuſtome houſe, or in ſuch other places as is aforeſaid, vpon his or their oath if neede ſo require, vpon paine that euery Maſter, Purſer, or other perſon or perſons, taking charge of ſuch Ship, Crayer or other Veſſell for that voyage, ſhall forfeit and loſe for euery ſuch default, not truely aduertiſing nor anſwering as is aforeſaid, an hundreth pound.

No man ſhall enter goods in the cuſtomers booke but in the Owners name.
Stat. 3 H.7.7.
1.H.8.5.
2.&3.E.6.22.

And be it further enacted by the authority aforeſaid, that from and after the ſaid day, no perſon Denizen ne Stranger, doe take vpon him to enter or doe, or cauſe to be entred into the Bookes of any Cuſtomer, or other Officer, or Officers of any Port or Hauen within this Realme, or his or their Deputie or Deputies, Seruant or Seruants, any maner goods, wares or merchandize whatſoeuer, comming or brought into your Highneſſe Realme, from any the parts beyond the Sea, or from the Realme of Scotland, or going or to be tranſported out of the ſame your Highneſſe Realme, into any the parts beyond the Sea, or into the Realme of Scotland, in the name or names of any other perſon or perſons, then the very true Owner or Owners of the ſame goods, wares or merchandizes, being not ſold, bargained or contracted for, to or with any perſon or perſons, before ſuch entre, or before the arriuall of ſuch goods, wares or merchandize, in the parts beyond the Sea, vpon paine of forfeiture of the value of the goods ſo entred.

The penalty of an officer of the Cuſtome houſe concealing an offence 3.H.6.3.

And bee it further enacted by the authority aforeſaid, that if any Warfenger, Crane Keeper, Searcher, Lighterman, Weighter, or other Officer, pertaining to the ſubſidy, cuſtome or Cuſtome houſe, doe at any time after the ſaid day, conſent or know any offence or thing to be committed or done contrary to the true meaning of this Act or any article therein contained, and doe not within one moneth next after knowledge thereof had, diſcloſe the ſame to the chiefe Cuſtomer or other officer of the Port, where or within whoſe office or charge any ſuch offence ſhall bee committed or done, or elſe to the Lord Treaſuror, Chancellor, vnder Treaſuror, or one of the Barons of the Exchequer or the Atturney generall for the time being, ſhall for euery ſuch concealement, or not diſcloſing ſuch offence as is aforeſaid, forfeit and loſe a C. li. of good and lawfull money of England.

Where a Cuſtomer ſhall haue a deputy in an other place.
St.1.H.4.13.
4.H.4.20.
13.H.4.5.

And be it further enacted by the authority aforeſaid, that the Cuſtomer of Hull ſhall haue a ſeruant or deputie continually reſident at the Citie of Yorke: and euery other [a] Cuſtomer, Comptroller and Searcher of euery Port, ſhall from and after the day aforeſaid aſſigne and appoint to and in euery of the places aboue mentioned, and in all and euery Port, Creeke or Roade, where the ſeruant or any of them haue beene continually reſident by the ſpace of tenne yeares, or hereafter ſhall be as is aforeſaid, one able and ſufficient deputie or ſeruant at the leaſt, and that aſwell all and euery of the Cuſtomers, Comptrollers and Searchers, as all and euery his or their Deputie or Deputies, Seruant and Seruants, ſhall from time to time, doe his and their diligent attendance, at the houres, times and places afore appointed, as well in the Cuſtome houſe as elſewhere, as it ſhall be moſt expedient and conuenient for the ſpeedy diſpatch of the Merchant, & his goods, wares and merchandize, and for the due execution of this Act, in ſuch things as to him or them ſhall appertaine, without concealement or conſenting to any thing or things which may bee to the hurt or damage of your Highneſſe, your Heires or Succeſſors, in the iuſt anſwering of your Highneſſe due cuſtomes and ſubſidies, vpon paine that euery ſuch Cuſtomer, Comptroller and Searcher, ſhall forfeit and loſe for euery offence by him or them committed or done, his or their ſeuerall office or offices, and an C. li. of lawfull money of England: the moity of all which forfeiture ſhall be to your Highneſſe, your Heires and Succeſſors, and the other moity to him or them that will ſue for the ſame in any your Highneſſe Courts, wherein no eſſoine, protection, wager of Law, or iniunction ſhall be admitted and allowed.

[a] Dyer

And where of late yeares there hath beene much greater quantity of ſweete Wines brought into this Realme, than in time paſt hath been accuſtomed, which been alſo brought from the ſame place where the Wine commonly called Malmeſey is brought, & is of the ſame nature of Grape, and neuertheleſſe, either by negligence, ignorance, or corruption of the Officers, there hath not beene ſuch cuſtome and ſubſidy receiued for the ſame, to the vſe of your Highneſſe, and your Progenitors, as is due, and ought of very right to bee payed for ſuch ſweet Wines, comming through the Straights, commonly called the Straights of Marrocke, otherwiſe, Mallegaye, to the great loſſe and hinderance of your Highneſſe, and the burthen of vs your louing Subiects.

For the auoyding of all ambiguities and doubts, and to the intent the Officers may more certainly know what they ought to receiue for ſuch kinde and nature of merchandize: bée it enacted and declared by this preſent Act, and by the authority aforeſaid, that like Cuſtome and Subſidy is of very right to bée paid, and ſhall from henceforth be paid for ſuch ſwéet Wines as is aforeſaid, as is and hath béene accuſtomed to bée payd for Malmeſies: any negligence, nonpayment, vſage, or cuſtome to the contrary in any wiſe notwithſtanding. Sauing to all and euery Lord Marcher, and other perſon and perſons whatſoeuer, body politike and corporate, all and euery ſuch right, title, and intereſt, as they or any of them haue, and of right ought to haue, in the paiment or hauing of any franchiſe, liberty, cuſtome, and ſubſidy, or any of them: any thing in this Act to the contrary notwithſtanding.

Such cuſtom ſhalbe paid for ſwéet wines as had wont to be paid for malmeſies.

Prouided alwayes, and bée it enacted, that it ſhall bée lawfull to ſhip, lade, and tranſport into the Ports beyond the Sea, all manner of corne and graine, out of the Counties of Norfolke, and Suffolke, and either of them, at ſuch places as heretofore hath béene accuſtomed, and betwéene the houres in this Act appointed, when the ſame corne and graine ſhall not excéed the ſeuerall prices mentioned in the Statute made in the fift and ſixt yeare of our late Soueraigne Lord King Edward the ſixt, entituled, An Act againſt Regrators, Foreſtallers and Engroſſers, the Cuſtomes and Subſidies therefore due, being well and truely payd: any thing in this Act, or any other Act or Statute to the contrary notwithſtanding.

When corne may be tranſported out of Norfolke & Suffolke.

5.&6.E.6.

Stat.3.Car.4.

Prouided alwayes, that this Act, nor any thing therein contained, be not preiudiciall or hurtfull to the Iſle of Angleſey, the Shires of Caernaruon and Flint in Northwales: but that the inhabitants thereof, and euery of them, may receiue, lade, and diſcharge, according to their old ancient vſes, cuſtomes, or liberties granted to them, or any of their predeceſſors, by the late King of famous memorie King Henry the eighth, or any other his progenitors: ſo that they, and euery of them pay the Cuſtomes and Subſidies that ſhall bée due, and diſcharge and lode within the times and houres before mentioned: any thing in this preſent Act to the contrary notwithſtanding. St.31.El.5.

A prouiſo for the inhabitants of Angleſey, Flint, and Caernaruon.

CAP. XII.

The penalty for ſtretching or impairing Linnen cloth.

WHere certaine euill diſpoſed and deceitfull perſons, vſing to buy and ingroſſe into their hands great ſtore of Linnen cloth, doe vſe to caſt the pieces of Cloth ouer a beame or piece of timber, made for their purpoſe, and doe by ſundry deuices racke, ſtretch, and draw the ſame both of length and breadth, and that done, doe then with battledores, pieces of timber and wood, and other things, ſore beat the ſame, euer caſting thereupon certaine deceitfull liquors mingled with chalke and other like things, whereby the ſaid cloth is not only made to ſéeme much finer and thicker to the eye, than it is indéed, but alſo the thréedes thereof bée ſo looſed and made weake, that after thrée or foure waſhings, it will ſcarcely hold together, to the great deceit, hinderance, and loſſe of the Subiects of this Realme: Be it therefore enacted by the authority of this preſent Parliament, that if any perſon or perſons, ſhall hereafter willingly vſe, or cauſe to bée vſed the aforeſaid deceits, or any other act or acts, meane or meanes, to, in, or with any kind of linnen cloth, whereby the ſame ſhall be deceitfull or worſe, to and for the good vſe thereof, that then the ſaid cloth ſhall be forfeited, and the offendor therein to be puniſhed by one moneths impriſonment at the leaſt, and ſhall pay ſuch fine as ſhall bée aſſeſſed, for his or their offence or offences, by the Iuſtices, before whom he or they ſhall be condemned, according to the tenour of this Act.

The inconueniences enſuing the deceitfull vſing of linnen cloth.

The penalty for ſtretching or impairing of linnen cloth.

And be it further enacted by the authority aforeſaid, that all and euery the Iuſtices of Oyer and Determiner, and Iuſtices of Aſſiſes in all their Seſſions, and all Iuſtices of Peace in euery Countie and place of this Realme, or thrée of them at the leaſt, whereof one to be of the Quorum, ſhall haue full power and authority to enquire, heare, and determine the offences aforeſaid, in their Seſſions, by information, inditement, or vpon the trauerſe of any preſentment or inditement, found before the ſaid Iuſtices or any of them.

Which Iuſtices may heare & determine the offences aforeſaid.

And be it further enacted by the authority aforeſaid, that if any perſon or perſons, ſhall at the next Seſſions of the Peace (after the ſaid Seaſure to be kept within the Shire or place where the Seaſure was made, or before two Iuſtices of Peace, whereof one to be of the Quorum) make due information of the offence, & of the Seaſure of the ſaid cloth, or elſe ſhall procure the offenders to be thereof indicted at the ſaid next Seſſions after the ſaid Seaſure, & ſhall alſo be bound before the ſaid Iuſtices by recogniſance or obligation, to the vſe of the Quéens Maieſty, her heirs and ſucceſſors, in ſuch forme as the ſaid Iuſtices, or any of them, ſhall thinke méete for the greatneſſe of the matter, and to purſue the ſame matter with effect, and to giue euidence, as of right appertaineth, and alſo to pay and giue the moity of all that he or they ſhall ſo recouer and receiue, to the Sheriffe, or other accomptant, to the vſe of the Quéenes Maieſty, her heires and ſucceſſors: and the one halfe of all the forfeitures and fines, of and for the premiſſes to be vnto the Quéenes Maieſty, her heires and ſucceſſors, and the other moity to him or them that ſhall make information,

In what ſort he that ſeiſeth an offendors cloth, ſhall purſue his ſute againſt him.

tion, or procure inditements of and for the premiſſes, and ſhall follow the ſame with effect.

Certificate of the eſtreat into the Eſchequer.

And further bee it ordained and enacted by the authority aforeſaid, that the Iuſtices before whom any ſuch offence ſhall be tried, ſhall certifie the ſame by their eſtreat into the Exchequer, at the leaſt yearly at Michaelmas, as they be bound to do other their eſtreats, & vpon that certificate, the Barons of the Exchequer to haue full power and authority to make proces for ſo much thereof as by this ſtatute ſhall appertaine to the Queenes Maieſty, in like manner and forme as they onely doe for any other fines and amerciaments ſo certified before them.

CAP. XIII.

The Statute of 5.R.2.3, & 4.H.7.10. prohibiting the bringing in, or carrying forth merchandizes, but in Engliſh ſhips, repealed.

St.5.R.2.3.6. R.2.8. 4.H.7. 10. 5.&.6.Ed. 6.18.

WHere by diuers Statutes made in the time of the Queenes Maieſties moſt noble Progenitors, it hath beene enacted and prouided, that no perſon borne within the Realme of England, or being of the legiance of the Prince of the ſaid Realme, or any the Dominions of the ſame, ſhould ſhip any manner of merchandize, either out of the Realme, or into the ſame, but only in a Ship or Bottome whereof the ſaid Prince, or ſome other of their ſubiects were Owners, Poſſeſſioners, Proprietaries, and Maſters, and the Mariners of the ſame veſſell for the more part, to be alſo their ſubiects, vpon diuers paines and penalties, as in the ſaid Statutes more plainely appeareth. Since the making of which ſaid Statutes, other forraine Princes finding themſelues agrieued with the ſaid ſeuerall Acts, as thinking that the ſame were made to the hurt and preiudice of their Countrey and Nauie, haue made like penall lawes againſt ſuch as ſhould ſhip out of their Countries in any other veſſels than of their ſeuerall Countries and Dominions: by reaſon whereof there hath not onely growne great diſpleaſure betwixt the forraine Princes and the Kings of this Realme, but alſo the Merchants haue beene ſore grieued and endamaged.

A repeale of the ſtatutes of 5.R.2.3.& 4.H.7.10.

For reformation whereof, and for increaſe of continuance of amity, be it enacted, that the ſeuerall Acts made in the fift yeare of King Richard the ſecond, the third Chapter, and in the fourth yeare of the late King of famous memory, King Henry the ſeuenth, intituled, Of Wine and Tholouſe Woad, ſhall be from henceforth clearely voyd and of none effect. And neuertheleſſe for auoyding of great deceit practiſed, and now a dayes vſed by ſundry ſubiects borne within this Realme of England, and Dominions of the ſame, which enter in the Cuſtomers bookes, wares and merchandize of Aliens borne, in their owne name, whereby the Queenes Maieſty is defrauded in her Cuſtomes and Subſidies, to the great decay of the ancient reuenues of the Crowne: Be it enacted by the authority of this preſent Parliament, that all and euery perſon and perſons, being owner or owners of any goods wares, or merchandizes, which after the firſt day of Ianuary next enſuing the Seſſion of this preſent Parliament, ſhall in time of peace, and when there is no reſtraint made of Engliſh ſhips, embarke, ſhip, lade, or diſcharge by way of merchandize, any wares, or merchandize (Maſtes, Raffe, Pitch, Tarre, and Corne onely excepted) out of, or into any Ship, Barke, Hoye, Veſſell, or Bottome, whereof our ſaid Soueraigne Lady the Queene, her heires or ſucceſſors, or ſome of her or their ſubiects of this Realme, or the Dominions of the ſame, bee not poſſeſſioners and proprietaries, and the Maſters vnder God, and the Mariners of the ſame ſhip or ſhippes, for the moſt part, bee not ſubiects of our ſaid Soueraigne Lady, her heires and ſucceſſors, ſhall anſwer, yeeld, and pay to the vſe of our ſaid Soueraigne Lady the Queene, her heires and ſucceſſors, ſuch Cuſtome and Subſidy, for ſuch Wares and Merchandizes ſo ſhipped, laden, or diſcharged, as is aforeſaid, rate and rate like, as ſtrangers & aliens borne out of the obeyſance of our ſaid Soueraigne Lady the Queenes Maieſty doe, and ought to pay for wares and merchandizes of like nature and kind.

The penalty where any merchandize ſhall be ſhipped or diſcharged but in Engliſh ſhips. Stat. 14. R.2.6.

There ſhalbe no croſſing of the ſea with any Hoy or Plate of an Engliſh ſubiect. 5.El.5.13.El. 15.

And bee it further enacted by the authority aforeſaid, That no Hoy, or Plate, whereof any Engliſh ſubiect or ſubiects, is, bee, or ſhall bee owner or owners, at any time after the firſt day of Ianuary aforeſaid, from any Port, Creeke, or place of this ſaid Realme of England, or any of the Dominions of the ſame, ſhall trauerſe or croſſe the Seas, in, to, or for any of the Ports beyond the Seas, with any wares, goods, or merchandize, vpon paine that the ſaid Owner or Owners ſhall forfeit and loſe the ſame Hoy or Plate, with all and euery the munition, tackling, and other neceſſaries pertaining thereunto: whereof the one moity to be to the vſe and behoofe of the Queenes ſaid Maieſty, her heires and ſucceſſors, and the other moity to the perſon or perſons which will ſue for the ſame, by Bill, Plaint, Action, or Information, in any her highneſſe Courts at Weſtminſter: in which caſe no wager of law, protection or eſſoine ſhalbe admitted.

In what caſe Merchants may vſe ſtrangers ſhips.

Prouided alwayes, and be it enacted, that it ſhall be lawfull to the Merchants, commonly called Merchants aduenturers, and Merchants of the Staple, and euery of them, at their ſeuerall Fleets, or ſhippings of Cloth and Wooll, and euery of them, from and out of the riuer of Thames, onely being made twice in one yeare at the moſt, to embarke, ſhip, and lade any goods, wares and merchandize in, or to any ſhip, Veſſell, or Bottome, belonging or appertaining to any ſtranger or alien borne, ſo long and at ſuch time as there be not ſhips, veſſels, or bottoms belonging

ing to the Quéenes highneſſe, her heires or ſucceſſors, or any of her ſubiects, in the ſayd River of Thames, ſufficient in number, and apt and méete for the ſure and ſafe conueiance of the wares and marchandiſe into the parts of Flanders, Holland, Zeland, or Brabant, or any of them, without paying any greater or more cuſtome and ſubſidie, than Engliſhmen doe, and ought to pay: any thing in this act to the contrary notwithſtanding. This act to continue and ſtand in force for the ſpace of fiue yeares onely next immediatly follow this preſent Seſſion of Parliament, and from thence to the end of the Parliament then next following.

Prouided, that foraſmuch as the Merchants of the Citie of Briſtowe, haue ſuſtained of late great loſſes at the ſea by the enemies, by reaſon of taking of all their beſt ſhips, with much ſubſtance, ſo that they be not of ability to prouide ſufficient ſhips and veſſels of their owne within the time limitted in this preſent act: that they for lacke of their owne ſhippes, or any other veſſels of the Quéenes dominions, within forty miles of the City of Briſtowe, may load and embarke their owne wares and marchandiſes in ſtrangers Bottomes, without paying any other cuſtome, than for wares and marchandiſes laden in Engliſh Bottomes: this act or any thing therein contained to the contrary notwithſtanding.

In what caſe merchants of Briſtow may vſe ſtrangers ſhips.

Cap. XIIII.

What perſons of Bocking, Weſtbardfold, Cockeſhall, and Dedham, may vſe the making of Cloth or Kerſey, as they might haue done before the ſtatute of 4. and 5. Phil. and Mar. 5.

WHereas by a certaine Act of Parliament begun at Weſtminſter the twentieth day of January in the fourth and fifth yeares of the raignes of the late King Philip and Quéen Mary, and there continued till the ſeuenth day of March, in the ſayd fourth and fifth yeares of the reignes of the ſayd late King and Quéene, amongſt other things it was enacted, that from & after the firſt day of May then next following, no perſon or perſons whatſoeuer, ſhall vſe or exerciſe the feate or myſterie of making, weauing, or rowing of Woollen clothes, long or ſhort, or Kerſies, pinned Whites, or plaine Streights, to the intent to put the ſame to ſale, but onely in a Market towne where Cloth hath continually béene vſed to be made by the ſpace of ten yeares then laſt paſt, or in a City, Borough, or Towne corporate, vpon paine of forfeiture for euery ſuch woollen Cloth or Kerſey made, wouen, or rowed, out of ſuch City, Borough, Towne corporate, or market towne, fiue pounds.

By the Stat. 4. & 5 P. & M. 5 no cloth ſhalbe made to ſell, but in a market towne, &c.

And where alſo it is prouided in the ſayd act, that it ſhall be lawfull to any perſon, then vſing or exerciſing the feat or myſtery of making, weauing, or rowing of cloth or kerſey, to inhabit or dwell where he then did dwell, and there to vſe the making, weauig, or rowing of Cloth or Kerſie, as he hath heretofore: any thing in the ſayd act, notwithſtanding.

And where it is further prouided by the ſayd act, that it ſhall bee lawfull to all and euery perſon or perſons, which then did, or after that time ſhould inhabite or dwell in any of the Shires of North Wales, or South Wales, Cheſhire, or Lancaſhire, Weſtmerland, Cumberland, Northumberland, Biſhopricke of Durham, Cornewall, Suffolke, Kent, the towne of Goddelmine in the County of Surrey, or Yorkeſhire, being not within twelue miles of the City of Yorke, or in any of the townes or villages neare adioyning to the water of Strowde, in the County of Gloceſter, where Clothes haue béene vſually made by the ſpace of twenty yeares then laſt paſt, and hauing béene apprentice to the occupation of cloth making, or vſed the ſame by the ſpace of ſeuen yeares, to ſet vp, vſe, and exerciſe the feat or myſtery of making, weauing, or rowing of woollen cloth, out of a city, borough, or market towne, as before that time they might haue done: any thing in the ſayd act to the contrary notwithſtanding.

The inhabitants of what places may make cloth out of a market towne.

And foraſmuch as the townes or villages of Bocking, Weſtbarfold, Dedham, and Cockſhall in the County of Eſſex, be faire large townes, and as well planted for cloth making, as the ſayd towne of Godelmine, or better, and few townes in this realme better planted for that purpoſe, and haue bin inhabited of a long time with Clothmakers, which haue made, and dayly do make good and true cloth, to the great commonweale of the countrey there, and nothing preiudiciall to, or for the commonwealth of this realme: be it therefore ordained and enacted by the authority of this preſent Parliament, that it ſhall be lawfull to all and euery ſuch perſon and perſons, which now doe inhabite or dwell, or hereafter ſhall dwell in the ſayd townes or villages of Bocking, Weſtbarfold, Cockſhall and Dedham, or in any of them, now vſing or exerciſing, or that hereafter ſhall vſe or exerciſe the feate or myſterie of making, weauing, or rowing of cloth, or kerſie, by the ſpace of ſeuen yeares at the leaſt, or haue bin prentice therto by the ſayd ſpace of ſeuen yéeres, to inhabite and dwell in the ſaid townes or villages of Bocking, Weſtbardfold, Cockſhall, and Dedham, & in euery or any of them, & to vſe the making, weauing, or rowing of cloth or kerſie, as before this time they might haue done, if the ſayd act had neuer bin made: any thing in the ſaid act to the contrary thereof made, or any other act, ſtatute, or law heretofore made, or hereafter to be made to the contrary hereof in any wiſe, notwithſtanding. 27. E. 23.

The inhabitants of Bocking, Weſtbarfold, Cockſhall & Dedham may make cloth.

CAP. XV.

No Timber ſhall be felled to make coales or fuell for making of Iron.

FOr the auoyding of deſtruction and waſting of Timber, be it enacted by our Soueraigne Lady the Queenes Maieſtie, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, that no perſon or perſons hereafter ſhall conuert or imploy, or cauſe to be conuerted or imployed to coale, or other fuell, for the making of Iron, any Timber tree or Timber trees, of Oke, Beech, or Aſh, or of any part thereof, of the breadth of one foote ſquare at the ſtub, and growing within fourteene miles of the ſea, or of any part of the riuers of Thames, Seuerne, Wye, Humber, Dee, Tine, Teeſe, Trent, or any other riuer, creeke, or ſtreame, by the which cariage is commonly vſed by boate, or other veſſell, to any part of the Sea, vpon paine of forfeiture for euery ſuch tree, or any part thereof, ſo imployed or conuerted to coale, or other fuell, for the making of Iron as is aforeſayd, forty ſhillings of lawfull money of England: the one halfe of all which forfeitures to be to our ſoueraigne Lady the Queenes Maieſtie, and her heires and ſucceſſors, and the other moity to him or them that will ſue for the ſame by originall writ, bill, plaint, or information, wherein no eſſoine, protection, iniunction, or wager of law ſhall be admitted or allowed.

What timber-trees & growing in which places ſhall not be conuerted to fuell for the making of Iron.

Prouided alwayes, that this act ſhall not extend to the County of Suſſex, nor to the Weild of Kent, nor to any the Pariſhes of Charlewood, Newdigate, and Lighe, in the Weild of the County of Surrey: This act to begin and take effect from and after the Feaſt of the Natiuity of S. Iohn Baptiſt next comming, after this Seſſion of Parliament. Stat, 23. Eliz. 5. 27. Eliz. 19.

To what ſhires or places this Statute ſhall not extend.

CAP. XVI.

The Statute made *Anno* 1. *Marie*, againſt vnlawfull & rebellious aſſemblies, ſhalbe continued during the Queenes life, & vntill the end of the Parliament then next following. EXP.

CAP. XVII.

The penalty for taking of the Spawne or Frie of any Fiſh, or Salmons, or Trowts, not ſeſaonable, &c.

FOr the preſeruation hereafter of ſpawne, frie, and young breed of Eeles, Salmons, Pikes, and of all other fiſh, which heretofore hath beene much deſtroyed in riuers and ſtreames, ſalt and freſh within this Realme, in ſo much that in diuers places they feede ſwine and dogges with the frie and ſpawne of fiſh, and otherwiſe (lamentable and horrible to be reported) deſtroy the ſame, to the great hinderance and decay of the Common wealth: Be it therefore enacted by the Queenes moſt excellent Maieſty, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that no perſon or perſons, of what eſtate, degree, or condition ſoeuer he or they be, from and after the firſt day of Iune next comming, with any manner of Net, Weele, Butt, Taining, Kepper, Lime, Crele, Raw, Fagnet, Trolnet, Trimenet, Trimbote, Salthote, Webliſter, Seur, Lammet, or with any deuiſe or engine made of haire, wooll, line, or canuas, or ſhall vſe any heling net, or Trimle boate, or by any other deuiſe, engine, cawtell, wayes or meanes whatſoeuer, heretofore made or deuiſed, or hereafter to be made or deuiſed ſhall take and kill any young brood, ſpawne, or frie of Eeles, Salmon, Pike, or Pickerell, or of any other fiſh, in any floudgate, pipe at the taile of a Mill, Weare, or in any ſtraites, ſtreames, brookes, riuers, ſalt or freſh within this Realme of England, Wales, Barwicke, or the Marches thereof, nor ſhall from and after the firſt day of Iune next comming, by any of the wayes and meanes aforeſayd, or otherwiſe, in any riuer or place aboue ſpecified, take or kill any Salmons, or Trowtes, not being in ſeaſon, being kepper Salmons, or kepper Trowtes, ſhedder Salmons or ſhedder Trowts.

No perſon ſhall take the ſpawne or frie of fiſh.

None ſhall take any Salmons or Trouts not in ſeaſon.

And be it further enacted by authority aforeſayd, that no perſon or perſons, of what eſtate, degree, or condition he or they ſhall be of, from and after the ſayd firſt day of Iune, by any of the meanes aforeſayd, in any of the riuers or places aboue named, ſhall take and kill any Pike or Pickerell, not being in length ten inches fiſh, or more, nor any Salmon not being in length ſixteen inches fiſh, and more, nor any Trowt not being in length eight inches or more, nor any Barbell not being in length twelue inches or more.

Of what length fiſhes muſt be that ſhalbe take & killed.

And to the intent, the ſayd young frie, brood, or ſpawne may be preſerued according to the true meaning hereof, be it further enacted by the authority aforeſayd, that no manner of perſon or perſons, from and after the firſt day of Iune next comming, ſhall fiſh or take fiſh with any manner of Tramell, Kepe, Wore, Hiuie, Crele, or by any other engine, deuice, wayes or meanes whatſoeuer, in any riuer, or other places aboue mentiond, but onely with net or Tramell, whereof euery meſhe or maſke ſhall be two inches and a halfe broad, angling excepted.

Of what meſhe each net ſhalbe.

Prouided neuertheleſſe, and bée it enacted by authority aforeſayd, that in all ſuch places where Smelts, Loches, Minneis, Bulheads, Gudgions, or Eeles haue béene vſed to bée taken and killed, that in all ſuch places, it ſhall be lawfull onely for the taking of Smelts, Loches, Minneis, Gudgions and Eeles, to vſe ſuch nets, leyes, and other engines, deuices, wayes and meanes as heretofore haue béene vſed for the taking of the ſame: ſo that ſuch perſon or perſons vſing or occupying ſuch nets, or other engines, as is laſt afore mentioned, doe not take, kill, or deſtroy any other fiſh with the ſayd nets or engines, contrary to the tenor and forme aboue in this ſtatute contained.

What nets or other deuices may be vſed for the taking of ſmal fiſh.

And bée it further enacted, that if any perſon or perſons, after the aboueſayd day limitted in this preſent acte, offend in any of the points before reheaſed, contrary to the tenour, forme, and purpoſe of any part of the ſame: that then euery ſuch perſon and perſons ſo offending, ſhall loſe and forfeit for euery time of his or their offence, the ſumme of twenty ſhillings, and the fiſh ſo taken contrary to the tenor hereof, and alſo the vnlawfull nets, engines, deuices and inſtruments whatſoeuer they be, wherewith or whereby ſuch offence ſhall fortune to bee made, committed, or done.

The penalty of the offender.

And to the intent that a perfect execution may bee had of this preſent acte, bee it further ordained by authority aforeſayde, that the Lord Admirall of England, and the Maior of the City of London for the time being, and all and euery other perſon and perſons, bodies politike and corporate, which by graunt or other lawfull wayes or meanes, lawfully haue, or ought to haue any conſeruation or preſeruation of any Riuers, Streames, or Water, or puniſhments and corrections of offences committed in any of them, ſhall haue full power and authoritie by vertue of this act, to enquire of all the offences to bée committed and done contrary to the effect and true meaning of this acte, within his or their ſuch lawfull rule, gouernement, iuriſdiction and conſeruacy, by the oathes of twelue men or more, and to heare and determine all and euery the ſame offences committed within his or their ſuch iuriſdiction, conſeruacie, rule and gouernement.

Which perſons ſhall haue authoritie inquire of, & determine the offences aforeſayd, & who ſhall haue the forfeitures.

And that all ſuch paines and forfeitures, as ſhall riſe or grow by the reaſon of any ſuch conuiction for any the offences aforeſayd, ſhall be to the vſe of euery of the ſayd perſon and perſons, being no bodie politike or corporate nor head of any body politike or corporate, before whom ſuch conuiction, as is aforeſayd, ſhall bee had, and to the vſe of euery ſuch body politike and corporate, as heretofore haue lawfully had any fines, forfeitures, and amerciaments for any offence vnlawfully committed or done, in any ſuch their iuriſdiction, or conſeruacies, vpon conuiction had before the head of any ſuch body politike or corporate.

And that alſo the Lord of euery Léet within this Realme of England and Wales, or the dominions of the ſame, ſhall haue full power and authoritie to enquire of all the offences contrary to the purport, tenor, and forme of this eſtatute, within the precinct of their ſayd Léete: ſuch inquirie to be had, in manner and forme, and after ſuch ſort as common amerciaments, or other things inquirable in their Court Léete, haue béene lawfully vſed and accuſtomed to bee had and made. And that vpon euery ſuch preſentment had in any Court or Léete, by the oath of twelue men or more, as is aforeſayd, of any offence or offences, made contrarie to the tenor of this eſtatute: that then all ſuch forfeiture aboue in this eſtatute limitted and appointed for ſuch offence, ſhall be vnto the Lord of the ſayd Léete for the time being, to his owne vſe for euer, and ſhall be leuied in ſuch manner & forme, as amerciament for affraies committed within the precinct of ſuch Léete haue bin vſed and accuſtomed to be leuied.

And if any Léete after the ſayd firſt day of Iune, bée kept within this Realme of England or Wales, or the dominions thereof, and the Steward of the ſayd Leet for the time being, or other for him, doe not charge the Iury ſworn in ſuch Léet, to inquire of all the offences done within the precinct of the ſayd Léete contrary to the tenor and forme of this eſtatute: that then the Steward of the ſayd Leet, to loſe and forfeit forty ſhillings, the one moity of which forfeitures ſhall be to the Quéenes Maieſtie, her heires and ſucceſſors, and the other moity to him that will ſue for the ſame. And if any Iury ſworne in any Léet, and being charged to enquire of the offences committed within the precinct of that Léet, doe wilfully and willingly conceale and make default in preſentment, or doe not preſent the offence and offenders: that then it ſhall be lawfull to the Steward, or Baily of the Léet or his or their deputy for the time being, to impannell one other Iury within the ſayd Léet, and to inquire of ſuch concealement, default, or non preſentment, & that vpon ſuch concealement, default, or non preſentment found and preſented, euery of the ſayd Iurours which ſo did conceale, make default, or not preſent, ſhall loſe and forfeit for euery ſuch offence xx.s. to the Lord of the ſayd Léet, the ſame to be leuied in manner and forme as is aboueſayd, for the other offences limitted and expreſſed

The forfeiture of the ſteward of a Leet that doth not giue this ſtatute in charge.

The forf. of a Iury in a Leet that doth conceale any offence.

And it is further enacted by authoritie aforeſayde, That if the offences aboue mentioned touching or taking, killing, or deſtroying of Fiſh, or Frie and Spawne, bée not preſented at the Léet where they ſhal be committed, within one yeare next after the offence committed, that the Iuſtices of Peace in their Seſſions, Iuſtices of Oyer and Determiner, and Iuſtices of Aſſiſe in their ſeuerall Circuites, ſhall haue full power and authoritie to enquire thereof, and

Who may puniſh the ſayd offences if they be not preſented in the Leet.

to heare and determine all the offences committed contrary to the tenor of the eſtatute.

A ſauing of the liberties of all perſons hauing right to enquire of and puniſh the ſaid offences.

Sauing alwayes to all and euery perſon and perſons, bodies politike and corporate and euery of them, all ſuch right, title, intereſt, claime, priuiledge, and conſeruation, and enquirie, and puniſhment of and for the offences aforeſayd, as they or any of them lawfully haue enioy, or of right ought to haue and enioy, by any manner of meanes in this act to the contrary notwithſtanding. This act to indure to the end of the next Parliment.

To what perſons of waters this ſtatute doth not extend.

Prouided alwayes, that this acte, nor any thing therein contained, ſhall not extend unto the fiſhing of the riuer or water of Twéede, nor to any riuer or water whereof the Quéenes Maieſtie is anſwered of any yearely rent or profit, nor to the owners, farmors and occupiers of the riuers of Uske, or Wye, in the County of Monmouth, for any fiſh hereafter to be taken in any the the riuers or waters before mentioned and expreſſed: but that it ſhall be lawfull at all ſeaſonable time & times hereafter, for ſuch as haue or ſhall haue any maner of intereſt therein, to take and fiſh the ſaid riuers & waters, in ſuch manner & forme as heretofore hath béene vſed & accuſtomed, not vſing any net or engine, to the intent willingly to take kill, and deſtroy the ſpawne, brood, or frie, bréeding any kind of fiſh within the ſayd ſeuerall riuers or waters: this acte or any thing therein mentioned or contained to the contrary notwithſtanding. 3. Car. 4. made perpetuall.

Cap. XVIII.

The Statutes made Anno 22 *Hen*. 8. 7. Anno 23. *Hen*. 8. 3. & 17. Anno 24. *Hen*. 8. 9. Anno 28. *Hen*. 8. 6. 8. 9. Anno 31. *Hen*. 8. 7. Anno 35. *Hen*. 8. 17. Anno 37. *Hen*. 8. 23. Anno 2. & 3. *Edw* 6 9. Anno 3 & 4. *Edw*. 6. 19. 21. Anno 5. & 6. *Edw*. 6 14. Anno 7. *Ed*. 6. 11. Anno 1. *Mar*. 12. 13. Anno 1. & 2. *Phil*. & *Mar*. 16. Anno 2. & 3. *Phil*. & *Mar*. 2. 3. & 5. ſhall bee reuiued and made to continue vntill the end of the next Parliament. EXP.

Cap. XIX.

Leaſes and other aſſurances of Biſhops lands.

All Gifts, Grants, Feoffements, Fines, and other conueyances, or Eſtates from the firſt day of this preſent Parliament, had, made, done, or ſuffered, or to be had, made, done, or ſuffered, by any Archbiſhop, or Biſhop, of any Honors, Caſtles, Mannors, Lands, Tenements, or other Hereditaments, being parcell of the poſſeſsion of his Archbiſhopricke or Biſhopricke, or vnited, appertaining, or belonging to any of the ſame, to any perſon (other than to the Queene, her heires or ſucceſſours) whereby any eſtate ſhould or might paſſe from the Archbiſhop or Biſhop, other than for terme of one and twenty yeares, or three liues, from ſuch time as any Leaſe, Grant, or Aſſurance ſhall begin, and wherupon the old accuſtomed yearely rent, or more ſhall be reſerued, payable yearely during the ſaid terme of 21. yeares, or three liues, ſhall be vtterly void, any law, cuſtome, &c. notwithſtauding.

Cap. XX.

A Subſidie of Tonnage and Poundage, granted to the Queene during her life, payable of of diuers merchandiſes. EXP.

Cap. XXI.

The confirmation of a Subſidie and two Fifteenes, granted to the Queene by the Temporaltie. EXP.

ANNO QVINTO REGINÆ *ELIZABETHÆ*.

AT the Parliament holden at Weſtminſter, the twelfth of January, in the fifth yeare of our Soueraigne Lady, ELIZABETH, by the grace of God, of England, France, and Ireland, Queene, Defendor of the Faith, &c. To the high pleaſure of Almighty God, and the weale publike of this Realme, were enacted as followeth.

Cap. I.

Aſſurance of the Queenes power ouer all Eſtates.

FOr preſeruation of the Quéenes moſt excellent highneſſe, her Heires and Succeſſors; and the dignity of the Imperiall Crowne of this Realme of England, and for auoyding both of ſuch hurts, perilles, diſhonours, and Inconuenienceſ, as haue before time befallen, as well

in

to the Quéenes Maieſties noble Progenitors, Kings of this Realme, as for the whole eſtate thereof, by meanes of the iuriſdiction and power of the Sea of Rome, vniuſtly claimed, & vſurped within this Realme, and the dominions thereof, and alſo of the dangers by the fautors of the ſayd vſurped power, at this time growne to marueilous outrage, & licentious boldneſſe, and now requiring more ſharpe reſtraint and correction of Lawes, than hitherto in the time of the Quéenes Maieſties moſt milde and mercifull reigne haue bin had, vſed or eſtabliſhed.

Bée it therefore enacted, ordained, and eſtabliſhed by the Quéene our Soueraigne Lady, and the Lordes Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That if any perſon or perſons dwelling, inhabiting, or reſiant within this Realme, or within any other the Quéenes Dominions, Seigniories, or Countreyes, or in the Marches of the ſame, or elſewhere, within or vnder her obeyſance and power, of what eſtate, dignity, preheminence, order, or condition ſoeuer hée or they bée, after the firſt day of April, which ſhall bée in the yeare of our Lord God one thouſand fiue hundreth ſixty thrée, ſhall by writing, cyphring, printing, preaching, or teaching, déede, or acte, aduiſedly and wittingly, hold or ſtand with, to extoll, ſet forth, maintaine, or defend the authority, iuriſdiction, or power of the Biſhop of Rome, or of his Sée, heretofore claymed, [a] vſed, or vſurped, within this Realme, or in any Dominion or Countrey, beeing of, within or vnder the Quéenes power or obeyſance, or by any ſpéech, open déede, or act, aduiſedly and wittingly attribute any ſuch manner of iuriſdiction, authority, or preheminence to the ſayd Sée of Rome, or to any Biſhoppe of the ſame Sée for the time béeing within this Realme, or in any the Quéenes Dominions, or Countreyes: that then euery ſuch perſon or perſons ſo doing or offending, their abbettors, procurors, and councellors, and alſo their ayders, aſſiſtants, and comforters, vpon purpoſe, and to the intent to ſet foorth, further, and extoll the ſayd vſurped power, authoritie or iuriſdiction, of any of the ſayd Biſhop or Biſhoppes of Rome, and euery of them, béeing thereof lawfully indicted or preſented within one yeare next after any ſuch offences by him or them committed, and being lawfully conuicted or attainted at any time after, according to the Laws of this Realme, for euery ſuch default and offence, ſhall incurre into the dangers, penalties, paines and forfeitures, ordained and prouided by the ſtatute of Prouiſion and Præmunire, made in the ſixtéenth yeare of the raigne of King Richard the ſecond.

Dyer fol. 1.

yer 363.

The penalty for maintaining the authority of the Biſhop or Sée of Rome St. 28. H. 8. 10. 13. El. 2.

16. R. 2.

And it is alſo enacted by the authority aforeſayd, That as well Iuſtices of Aſſiſe in their Circuits, as Iuſtices of Peace within the limits of their Commiſſion and authorities, or two of euery ſuch Iuſtices of Peace at the leaſt, whereof one to bée of the Quorum, ſhall haue full power and authority by vertue of this Act, in their quarter or open Seſſions, to enquire of all offences, contempts, and tranſgreſſions, perpetrated, committed, or done contrary to the true meaning of the premiſſes, in like manner and forme as they may of other offences, againſt the Q. peace, and ſhall certifie euery preſentment afore them, or any of them, had or made concerning the ſame, or any part thereof, before the Queene, her Heires and Succeſſors, in her or their Court commonly called the Kings Bench, within forty dayes next after any ſuch preſentment had or made, if the Tearme be then open, and if not, at the firſt day of the full Tearme next following the ſayd forty dayes, vpon paine that euery of the Iuſtices of Aſſiſe, or Iuſtices of the Peace, before whom ſuch preſentment ſhall be made, making default of ſuch certificate contrary to this Statute, to loſe & forfeit for euery ſuch default one hundreth pounds to the Quéenes Highneſſe, her Heires and Succeſſors.

which Iuſtices may inquire of and certifie the offences aforeſayd.

The penalty for default of certificate of the ſayd offences.

And it is enacted by the authority aforeſayd, that the Iuſtices of the Kings Bench, as well vpon euery ſuch Certificate, as by inquirie before themſelues within the limits of their authorities, ſhall haue full power and authortie to heare, order, and determine euery ſuch offence done or committed contrary to the true meaning of this preſent act according to the laws of this Realme, in ſuch like manner and forme to all intents and purpoſes, as if the perſon or perſons againſt whom any preſentment ſhall be had vpon this eſtatute, had béene preſented vpon any matter or offence expreſſed in the ſaid Eſtatute made in the ſayd ſixteenth yeare of King Richard the ſecond.

The Iuſtices of the Kings Bench may heare and determine the offences aforeſaid.

And moreouer, bée it enacted by the authority aforeſayd, That as well all manner of perſons, expreſſed and appointed in and by the Acte made in the firſt yeare of the Quéenes Maieſties reigne that now is, intituled, An Act reſtoring to the Crowne the ancient iuriſdiction ouer the eſtate Eccleſiaſticall and Spirituall, and aboliſhing all forraine powers repugnant to the ſame, to take the Oath expreſſed and ſet foorth in the ſame: as all other perſons which haue taken, or ſhall take Orders, commonly called Ordines Sacros, or Eccleſiaſticall Orders, haue béene, or ſhall be promoted, preferred, or admitted to any degrée of learning in any Vniuerſitie within this Realme or Dominions to the ſame belonging: And all Schoolemaſters, and publike and priuate teachers of children, as alſo all manner of perſon and perſons, that haue taken, or hereafter ſhall take any degrée of learning in or at the common Laws of this Realme, as well Vtter barreſters, as Benchers, Readers, Auncients in any houſe or houſes of

Theſe ſhall take the oath ſet forth An. 1. Eliz. 1.

Takers of Eccleſiaſticall Orders.

Degrees in the Vniuerſitie.

Schoolemaſters.

Vtter barreſters.

Benchers.

Readers.

Auncients.

Pronotaries. Atturneyes. Philizers. Sheriffes. Eſcheators. Feodaries. Officer at the Common Law. Officer of any Court.

Court, and all Principall Treaſurers, and ſuch as be of the grand company of euery Inne of Chancery, and all Atturneys, Protonotaries, and Philizers towards the Lawes of this Realm, and all manner of Sheriffes, Eſchetors, and Feodaries, and all other perſon and perſons, which haue taken, or ſhall take vpon him or them, or haue been or ſhall be admitted to any Miniſtry or office, in, at, or belonging to the Common law or any other law or lawes, of, to, or for the execution of them, or any of them, vſed or allowed, or at any time hereafter to bee vſed or allowed within this Realme, or any of the Dominions or Countries belonging, or which hereafter ſhall happe to belong to the Crowne or dignity of the ſame, and all other officers or miniſters, of, or towards any Court whatſoeuer, and euery of them, ſhall take and pronounce a corporall Oath vpon the Euangeliſts, before he or they ſhall be admitted, allowed, or ſuffered to take vpon him or them to vſe, exerciſe, ſupply, or occupy any ſuch vocation, office, degrée, miniſtery, roome, or ſeruice, as is aforeſayd, and that in the open Court wherunto he doth or ſhall ſerue or belong. And if hee or they do not or ſhall not ſerue or belong to any ordinary or open Court, then he or they ſhall take and pronounce the Oath aforeſayd, in an open place before a conuenient aſſembly, to witneſſe the ſame, & before ſuch perſon or perſons as haue or ſhall haue authority by common vſe, or otherwiſe, to admit or call any ſuch perſon or perſons as is aforeſayd, to any ſuch vocation, office, miniſtery, roome, or ſeruice, or elſe before ſuch perſon or perſons, as by the Quéenes highneſſe, her heires or ſucceſſors, by Commiſſion vnder the great Seale of England ſhall be named or aſſigned, to accept and take the ſame according to the tenour, effect, and forme of the ſame Oath verbatim, which is, and as it is already ſet forth to be taken in the foreſayd Act, made in the firſt yeare of the Quéenes Maieſties reigne.

The Biſhop may tender the Oath to any Spirituall perſon.

And alſo be it enacted by the authority of this preſent Parliament, that euery Archbiſhop and Biſhop, within this Realme and Dominions of the ſame, ſhall haue full power and authority by vertue of this Act, to tender or miniſter the Oath aforeſayd, to euery or any Spirituall or Eccleſiaſticall perſon within their proper Dioceſſe, as well in places and iuriſdictions exempt, as elſewhere.

The L. Chancelor may direct Commiſſion, to take the Oath of any perſon.

And be it enacted by the authority aforeſayd, that the Lord Chancellor or Kéeper of the great Seale of England for the time being, ſhall and may at all times hereafter by vertue of this Act, without further warrant, make and direct Commiſſion or Commiſſions, vnder the great Seale of England, to any perſon or perſons, giuing them, or ſome of them thereby authority to tender and miniſter the Oath aforeſayd, to ſuch perſon or perſons, as by the aforeſayd Commiſſion or Commiſſions the ſayd Commiſſioners ſhall be authoriſed to tender the ſame Oath vnto.

The penalty for the firſt refuſall of the Oath.

And be it alſo further enacted by the authority of this preſent Parliament, that if any perſon or perſons, appointed or compellable by this Act, or by the ſayd Act made in the ſaid firſt yere, to take the ſayd Oath: or if any perſon or perſons to whom the ſayd Oath by any ſuch Commiſſion or Commiſſions ſhall be limitted and appointed to be tendred, as is aforeſayd, doe or ſhall at the time of the ſayd Oath ſo tendred, refuſe to take or pronounce the ſayd Oath, in maner and forme aforeſayd, that then the party ſo refuſing, and being thereof lawfully indicted or preſented, within one yeare next after any ſuch refuſall, and conuicted or attainted at any time after, according to the lawes of this Realme, ſhall ſuffer and incurre the dangers, penalties, paines and forfeitures, ordained and prouided by the Statute of prouiſion and Præmunire aforeſayd, made in the xvi. yeare of the reigne of King Richard the ſecond.

And furthermore, be it enacted by the authority aforeſayd, that all and euery ſuch perſon and perſons, hauing authority to tender the Oath aforeſayd, ſhall within forty dayes next after ſuch refuſal or refuſals of the ſayd Oath, if the Terme be then open, and if not, then at the firſt day of the full Terme next following the ſayd forty dayes, make true certificate vnder his or their ſeale or ſeales, of the names, places & degrées of the perſon or perſons ſo refuſing the ſame Oath before the Quéen her heirs or ſucceſſors, in her or their Court commonly called the Kings bench, vpon paine that euery of the ſayd perſons, hauing ſuch authority to tender the ſayd Oath, making default of ſuch certificat, ſhall for euery ſuch default forfeit an hundred pound to the Quéens highneſſe, her heires or ſucceſſors. And that the Sheriffe of the County, where the ſayd Court commonly called the Kings Bench ſhal for the time be holden, ſhall or may by vertue of this Act, impannell a Iury of the ſame County, to enquire of and vpon euery ſuch refuſall and refuſals: Which Iury ſhall or may vpon euery ſuch Certificate, and other euidence to them in that behalfe to be giuen, by vertue of this Act, procéed to indict the perſon and perſons ſo offending, in ſuch ſort and degrée, to all intents and purpoſes, as the ſame Iury may doe of any offence or offences againſt the Quéenes Maieſties peace, perpetrated, committed, or done, within the ſame County, of and for the which the ſame Iury is ſo impannelled.

Certificate of refuſall into the Kings Bench.

Indictment of the offendor.

And for ſtronger defence and maintenance of this Act, it is further ordained, enacted, and eſtabliſhed by the authority aforeſayd, that if any ſuch offendor or offendors, as is aforeſayd, of the firſt part or branch of this Eſtatute, that is to ſay, by Writing, Cyphering, Printing, Preaching, or Teaching, Déede, or Act, aduiſedly and wittingly, hold or ſtand with, to extoll, ſet forth, maintaine, or defend the Authority, Iuriſdiction, or Power of the Biſhop of Rome, or of his Sée, heretofore claimed, vſed, or vſurped within this Realme, or in any Dominion or Countrey, being of, within or vnder the Quéenes power or obeyſance: Or by any ſpéech, open déede or act, aduiſedly and wittingly attribute any ſuch manner of iuriſdiction, authority or preheminence to the ſaid Sée of Rome, or to any Biſhop of the ſame Sée for the time being, within this Realme, or in any the Quéenes Dominions or Countries, or bée to any ſuch offendor or offendors abbetting, procuring, or counſelling, or ayding, aſſiſting or comforting, vpon purpoſe, and to the intent to ſet forth, further, and extoll the ſaid vſurped power, authority or iuriſdiction. After ſuch conuiction and attainder, as is aforeſaid, doe eftſoones commit or doe the ſaid offences, or any of them, in maner and forme aforeſaid, and be thereof duely conuicted and attainted, as is aforeſaid.

It ſhall be treaſon the ſecond time to maintaine the authority of the Biſhop or Sée of Rome, or to refuſe the Oath.

And alſo that if any the perſons aboue named and appointed by this Act to take the oath aforeſaid, doe after the ſpace of thrée moneths next after the firſt tendour thereof, the ſecond time refuſe to take and pronounce, or doe not take or pronounce the ſame, in forme aforeſaid to be tendered: that then euery ſuch offendor or offendors, for the ſame ſecond offence and offences, ſhall forfeit, loſe, and ſuffer ſuch like and the ſame paines, forfeitures, iudgement and execution, as is vſed in caſes of high treaſon.

Prouided alwayes, that this Act nor any thing therein contained, nor any attaindour to bée had by force and vertue of this Act, ſhall not extend to make any corruption of bloud, the diſheriting of any heire, forfeiture of dower, nor to the preiudice of the right or title of any perſon or perſons, other than the right or title of the offendor or offendors during his, her, or their naturall liues onely.

No corruption of bloud or forfeiture of dower for any attaindor by this Act.

And that it ſhall and may be lawfull to euery perſon and perſons, to whom the right or intereſt of any lands, tenements, or hereditaments, after the death of any ſuch offendor or offendors, ſhould or might haue appertained, if no ſuch attainder had béene, to enter into the ſame, without any Ouſter le maine to be ſued, in ſuch ſort as he or they might haue done if this Act had neuer béene had ne made.

Prouided alſo, that the Oath expreſſed in the ſaid Act, made in the ſaid firſt yeare ſhall be taken and expounded in ſuch forme as is ſet forth in an Admonition annexed to the Quéenes Maieſties Iniunctions, publiſhed in the firſt yeare of her Maieſties reigne: That is to ſay, to confeſſe and acknowledge in her Maieſty, her heires, and ſucceſſors, none other authority than that was chalenged and lately vſed by the noble King Henry the eighth, and King Edward the ſixt, as in the ſaid Admonition more plainly may appeare.

How the oath expreſſed anno 1. Eli. ſhall be expounded.

And be it enacted by the authority aforeſaid, that this Act ſhall be openly read and publiſhed, and declared at euery Quarter Seſſions by the Clerke of the Peace, and at euery Léet and lawday by the Steward of the Court, and once in euery Terme, in the open Hall of euery houſe and houſes of Court and Chauncery, at the times, and by the perſons thereunto to bée limitted and appointed by the Lord Chauncellor or Kéeper of the great Seale for the time being.

In what courts and places this Act ſhall be publiſhed.

And bee it further enacted that euery perſon which hereafter ſhall bee elected or appointed a Knight, Citizen, or Burgeſſe, or Baron, for any of the fiue ports, for any Parliament or Parliaments hereafter to be holden: ſhall from henceforth, before he ſhall enter into the Parliament houſe, or haue any voyce there, openly receiue and pronounce the ſaid Oath before the Lord Steward for the time being, or his deputy or deputies for that time to be appointed. And that hée which ſhall enter into the Parliament houſe without taking the ſaid Oath, ſhall bée déemed no Knight, Citizen, Burgeſſe, nor Baron for that Parliament, nor ſhall haue any voyce: but ſhall bee to all intents, conſtructions, and purpoſes, as if he had neuer bin returned nor elected Knight, Citizen, Burgeſſe, or Baron for that Parliament, and ſhall ſuffer ſuch paines and penalties, as if he had preſumed to ſit in the ſame without election, returne, or authority.

Euery Knight, Citizen and Burgeſſe of the Parliament ſhall take the ſaid Oath.

Prouided alway, that foraſmuch as the Queenes Maieſty is otherwiſe ſufficiently aſſured of the Faith and loyalty of the Temporall Lords of her high Court of Parliament: Therefore this Act nor any thing therein contained, ſhall not extend to compell any Temporall perſon, of or aboue the degree of a Baron of this Realme, to take or pronounce the Oath aboueſaid, nor to incurre any penalty limited by this Act, for not taking, or refuſing the ſame: any thing in this Act to the contrary, in any wiſe notwithſtanding.

None of or aboue the degree of a Baron ſhall be compelled to take the ſaid Oath.

Prouided, and bee it enacted by the authority aforeſaid, that charitable giuing of reaſonable almes to any of the offendour or offendours aboue ſpecified, without fraud or couin, ſhall not be taken or interpreted to be any ſuch abetment, procuring, counſelling, ayding, aſſiſting, or comforting, as thereby the giuer of ſuch almes ſhall incurre any paine, penalty, or forfeiture appointed in this Act.

Charitable giuing of almes to offendors ſhall be no cauſe of forfeiture.

Prouided alſo, and bee it enacted by the authority of this preſent Parliament, that if any Peere of this Realme ſhall hereafter offend, contrary to this Act, or any braunch or Article thereof, that, in that and all ſuch caſe and caſes, they ſhall bee tried by their Peeres, in ſuch manner and forme as in other caſes of Treaſons they haue vſed to be tried, and by none other meanes.

Peeres offending ſhall be tried by their Peeres.

Who only ſhal be compelled to take the oath vpon the ſecond tender.

Prouided alſo further, and be it enacted, that no perſon ſhall be compelled by vertue of this Act to take the Oath aboue mentioned, at or vpon the ſecond time of offering the ſame, according to the forme appointed by this Statute, except the ſame perſon hath bin, is, or ſhall be an Eccleſiaſticall perſon, that had, hath, or ſhall haue, in the time of one of the reignes of the Queens Maieſties moſt noble father, brother, or ſiſter, or in the time of the reigne of the Queens Maieſty, her heires or ſucceſſors, charge, cure, or office in the Church: Or ſuch perſon or perſons as had, hath, or hereafter ſhall haue any office or miniſtery in any Eccleſiaſticall Court of this Realme, vnder any Archbiſhop or Biſhop, in any the times or reignes aforeſaid: Or ſuch perſon or perſons as ſhall wilfully refuſe to obſerue the orders and rites for diuine Seruice, that be authoriſed to be vſed and obſerued in the Church of England, after that he or they ſhall be publiquely by the Ordinary or ſome of his Officers for Eccleſiaſticall cauſes admoniſhed to keep and obſerue the ſame: Or ſuch as ſhall openly and aduiſedly depraue by words, writings, or any other open fact, any of the rites and ceremonies, at any time vſed, and authoriſed to be vſed in the Church of England: Or that ſhall ſay or heare the priuate Maſſe prohibited by the lawes of this Realme, and that all ſuch perſons ſhall be compellable to take the Oath vpon the ſecond tender or offer of the ſame, and incurre the penalties for not takingof the ſaid Oath, and none other.

It is not lawfull to ſlay one attainted in Præmunire,

And for as much as it is doubtfull, whether by the lawes of this Realme there be any puniſhment for ſuch as kill or ſlay any perſon or perſons attainted in or vpon a Præmunire: Be it therefore enacted by authority aforeſaid, that it ſhall not be lawfull to any perſon or perſons, to ſlay or kill any perſon or perſons in any manner attainted, or hereafter to be attainted, of, in, or vpon any Præmunire, by pretence, reaſon, or authority of any iudgement giuen or hereafter to be giuen in or vpon the ſame, or by pretence, reaſon, or force of any word or words, thing or things contained or ſpecified in any Statute or law of prouiſion and Præmunire, or in any of them: Any Law, or Statute, or opinion, or expoſition of any Law, or Statute, to the contrary in any wiſe notwithſtanding.

Puniſhments inflicted by former lawes.

Sauing alwaies the due execution of all and euery perſon and perſons attainted, or to be attainted, for any offence whereupon iudgement of death now is, or ought to be, or hereafter may lawfully be giuen, by reaſon of this Statute, or otherwiſe: And ſauing alwayes all and euery ſuch paines of death, or other hurt or puniſhment, as heretofore might without danger of law be done vpon any perſon or perſons that ſhall ſend or bring into this Realme, or any other the Queenes Dominions, or within the ſame, ſhall execute any ſummons, ſentence, excommunication, or other proceſſe, againſt any perſon or perſons, from the Biſhop of Rome for the time being, or by or from the See of Rome, or the authority or iuriſdiction of the ſame See.

Vpon what proofe only any perſon may be indicted.

Prouided alwayes, and be it enacted by the authority aforeſaid, that no perſon or perſons ſhall hereafter be endicted for aſſiſting, ayding, maintaining, comforting, or abetting of any perſon or perſons for any the ſaid offences, in extolling, ſetting forth, or defending of the vſurped power and authority of the Biſhop of Rome, vnleſſe he or they be thereof lawfully accuſed by ſuch good and ſufficient teſtimony or proofe, as by the Iury by whom he ſhall ſo be indicted, ſhall be thought good, lawfull, and ſufficient, to proue him or them guilty of the ſaid offences. Stat. 23. El. 1.

Cap. II.

The *Statute* of 4. *H.* 7. 19. 7. *H.* 8. 1. and 27. *H.* 8. 22. ordained for the keeping in repaire of Townes, and houſes of husbandry, and maintaining of tillage, ſhall bee put in execution. The Stat. of 5. & 6. *Ed.* 6. 5. and 2. & 3. *P.* & *M.* 2. prouided for the reedifying of houſes of husbandry, and the increaſe of tillage, ſhall be repealed. Such lands, or ſo much in quantity, as in any Towne, Village, Hamlet, Lordſhip, place knowne, or Pariſh, as hath beene put in tillage and eared in any one yeare, and ſo kept foure yeare, ſithence the feaſt of S. *George* the Martyr, *Anno* 20. *H.* 8. ſhall be eared and kept in tillage according to the nature of the ſoile, and cuſtome of the countrey by the occupier thereof, vpon paine that euery offendor ſhall forfeit x. s. an acre yearely to the next in remainder or reuerſion for the terme of life, liues, or in taile: for the which he may diſtraine, or haue A. B. P. or I. And in his default by the ſpace of one yeare, then he in the reuerſion or remainder in fee ſimple ſhall haue the ſame remedy. And in his default the immediat Lord of the fee. And in his default the Q. or the Q. and Informer. But this Act ſhall not extend to any land conuerted from tillage into paſture for the onely keeping of his own horſes. draught, oxen, kine, or other cattell for the only victuals to be ſpent in his own houſe, ſo that he hath not other ſufficient paſture within fiue miles, nor to any Parke, Warren of Conies, &c. *vt ſupra* 5. *Ed.* 6. 5. REP. 39. *Eliz.* 1. & 21. *Iac.* 28. *Coke. pla. fo.* 131.

Cap. III.

A reuiuer of the Stat. of 22. *H.* 8. 12. and 3. & 4. *Ed.* 6. 16. touching relieuing poore & impotent perſons, and puniſhment of Vagabonds. The poore & impotent perſons of euery Pariſh ſhall be relieued of that which euery perſon will of their charity giue weekely. And the ſame reliefe ſhalbe gathered in euery Pariſh by Collectors aſſigned, and weekely diſtributed to the poore, for none of them ſhall openly goe or ſit begging. And if any pariſhioner ſhall obſtinately refuſe to pay reaſonbly towards the reliefe of the ſaid poore, or ſhall diſcourage others: Then the Iuſt. of P. at the Q. Seſſions may taxe him to a reaſonable weekely ſumme, which if he refuſe to pay, they may commit him to priſon. And if any pariſh haue in it more impotent poore perſons than they are able to relieue, then the Iuſtices of Peace of the County may licence ſo many of them as they ſhall thinke good, to begge in one, or more hundreds of the ſame County. And if any poore begge in any other place than he is licenced, he ſhall be puniſhed as a Vagabond, according to the Stat. of 22. *Hen.* 8. EXP. St. 14. *Eliz.* 5.

CAP. IIII.

A repeale of ſo much of former Stat. as concerne the hiring, keeping, departing, working, wages, or order of ſeruants, labourers, &c. And a declaration who ſhall be compellable to ſerue in handicrafts, and who in husbandry, and their ſeuerall duties, &c.

ALthough there remaine and ſtand in force preſently a great number of Acts and Stat. concerning the retaining, departing, wages, & orders of apprentices, ſeruants and labourers, as well in husbandry, as in diuers other arts, myſteries, and occupations: yet partly for the imperfection and contrariety that is found and doth appeare in ſundry of the ſaid lawes, and for the variety and number of them, and chiefly for that the wages and allowances limited & rated in many of the ſaid ſtatutes, are in diuers places too ſmall, and not anſwerable to this time, reſpecting the aduancement of prices of all things belonging to the ſaid ſeruants and labourers, the ſaid lawes cannot conueniently without the great griefe and burden of the poore labourer and hired man, be put in good and due execution. And as the ſaid ſeuerall Acts and Statutes were at the time of the making of them, thought to be very good and beneficiall for the common wealth of this Realme (as diuers of them yet are) So if the ſubſtance of as many of the ſaid lawes as are meet to be continued, ſhall be digeſted and reduced into one ſole law and ſtatute, and in the ſame an vniforme order preſcribed and limitted, concerning the wages and other orders for apprentices, ſeruants, and labourers, there is good hope that it will come to paſſe, that the ſame law (being duely executed) ſhould baniſh idleneſſe, aduance husbandry, & yeeld vnto the hired perſon, both in the time of ſcarcity, and in the time of plenty, a conuenient proportion of wages.

The ſubſtance of many former Statutes reduced into this one.

Be it therefore enacted by the authority of this preſent Parliament, that as much of all the ſtatutes heretofore made, and euery branch of them, as touch or concerne the hiring, keeping, departing, working, wages, or order of ſeruants, workemen, artificers, apprentices, and labourers, or any of them, and the penalties and forfeitures concerning the ſame, ſhall be from and after the laſt day of September next enſuing, repealed and vtterly voyd and of none effect, and that all the ſaid Statutes, and euery branch thereof, or any matter contained in them, and not repealed by this Statute, ſhall remaine and be in full force and effect: Any thing in this Statute to the contrary notwithſtanding.

A repeale of ſo much of all former Stat. as doe concerne the keeping, departing, etc. of ſeruants, etc.

And be it further enacted by the authority aforeſaid, That no manner of perſon or perſons, after the aforeſaid laſt day of September now next enſuing, ſhall retaine, hire, or take into ſeruice, or cauſe to be retained or hired, or taken into ſeruice, nor any perſon ſhall be retained, hired, or taken into ſeruice, by any means or colour, to work for any leſſe time or terme than for one whole yeare, in any of the Sciences, Crafts, Myſteries, or Arts, of Clothyers, Wollen Cloth Weauers, Tuckers, Fullers, Clothworkers, Shermen, Dyers, Hoſiers, Taylors, Shoomakers, Tanners, Pewterers, Bakers, Brewers, Glouers, Cutlers, Smiths, Farrors, Curriers, Sadlers, Spurriers, Turners, Cappers, Hatmakers, or Feltmakers, Bowyers, Fletchers, Arrow-head makers, Butchers, Cookes, or Millers.

No perſon ſhall retaine a ſeruant in theſe ſciences vnder one whole yeare.

And be it further enacted, That euery perſon being vnmarried, and euery other perſon being vnder the age of xxx. yeares, that after the Feaſt of Eaſter next ſhall marry, & hauing been brought vp in any of the ſaid Arts, Crafts, or Sciences, or that hath vſed or exerciſed any of them by the ſpace of three yeares, or more, and not hauing lands, tenements, rents, or hereditaments, copihold, or freehold, of one eſtate of inheritance, or for terme of any life or liues, of cleare yearely value of xl. s. nor being worth of his owne goods the cleare value of x. pound, and ſo allowed by two Iuſt. of the Peace, of the County where he hath moſt commonly inhabited by the ſpace of one whole yeare, and vnder their hands and ſeales, or by the Maior or other head officer of the City, Borough, or town corporate, where ſuch perſon hath moſt commonly dwelt by the ſpace of one whole year, & two Aldermen, or two other diſcreet Burgeſſes of the ſame City, Borough, or towne corporate, if there be no Aldermen, vnder their hands & ſeales, nor being retained with any perſon in husbandry, or in any of the afore ſaid arts & ſciences, according to this ſtatute, nor lawfully retained in other art or ſcience, nor being lawfully retained in houſhold, or in any office, with any noble man, gentleman, or others, according to the lawes of this Realme, nor haue a conuenient farme, or other holding in tillage, whereupon he may imploy his labour: ſhall (during the time that he or they ſhall ſo be vnmaried, or vnder the ſaid of xxx. yeares, vpon requeſt made by any perſon vſing the art or myſtery wherein the ſaid perſon ſo required hath beene exerciſed, as is aforeſaid)

What ſort of perſons are compellable to ſerue in any of the crafts aforeſaid.

be retained, and ſhall not refuſe to ſerue according to the tenour of this Statute, vpon the paine and penalty hereafter mentioned.

No perſon ſhall put away his ſeruant, nor any ſeruant ſhall depart from his Maſter before the end of his time.

The cauſe of the ſeruants putting away or departing to be determined by a Iuſtice of Peace, Maior, Balliſe, &c.

And be it further enacted, that no perſon which ſhall retaine any ſeruant, ſhall put away his or her ſaid ſeruant, and that no perſon retained according to this Statute, ſhall depart from his Maſter, Miſtreſſe, or Dame, before the end of his or her terme, vpon the paine hereafter mentioned, vnleſſe it be for ſome reaſonble and ſufficient cauſe or matter, to be allowed before two Iuſtices of Peace, or one at the leaſt, within the ſaid County, or before the Maior or other chiefe officer of the City, Borough, or Towne corporate, wherein the ſaid Maſter, Miſtreſſe, or Dame inhabiteth, to whom any of the parties grieued ſhall complaine. Which ſaid Iuſtices or Iuſtice, Maior or chiefe officer, ſhall haue and take vpon them or him, the hearing and ordering of the matter, betwixt the ſaid Maſter, Miſtreſſe, or Dame, and ſeruant, according to the equity of the cauſe.

No ſeruant ſhall depart or be put away, but vpon a quarters warning.

And that no ſuch Maſter, Miſtreſſe or Dame, ſhall put away any ſuch ſeruant at the end of his terme, or that any ſuch ſeruant ſhall depart from his ſaid Maſter, Miſtreſſe, or Dame, at the end of his terme, without one quarter warning giuen before the end of his ſaid tearme, either by the ſaid Maſter, Miſtreſſe or Dame, or ſeruant, the one to the other, vpon the paine hereafter enſuing.

What ſort of perſons are compellable to ſerue by the yeare in husbandry.

And be it further enacted by the authority aforeſaid, that euery perſon betwéene the age of xii. yeares and the age of lx. yeares, not being lawfully retained, nor apprentice with any Fiſherman or Mariner haunting the ſeas, nor being in ſeruice with any Kydder or carier of any corne, graine or meale, for prouiſion of the City of London, nor with any husbandman in husbandry, nor in any City, Towne corporate, or market Towne, in any of the Arts or Sciences limited or appointed by this eſtatute to haue or take apprentices, nor being retained by the yeare, or halfe the yeare at the leaſt, for the digging, ſéeking, finding, getting, melting, fining, working, trying, making of any Siluer, Tinne, Lead, Iron, Copper, ſtone, ſea cole, ſtone cole, Moore cole, or cherke cole, nor being occupied in or about the making of any glaſſe, nor being a gentleman borne, nor being a Student or Scholler in any of the Vniuerſities, or in any Schole, nor hauing lands, tenements, rents, or hereditaments, for tearme of life, or of one eſtate of inheritance, of the cléere yearely value of forty ſhillings, nor being worth in goods and cattels to the value of ten pound, nor hauing a father or mother then liuing, or other anceſtor whoſe heire apparant he is, then hauing lands, tenements, or hereditaments, of the yearely value of ten pound, or aboue, or goods or cattels of the value of forty pound, nor being a neceſſary or conuenient officer or ſeruant lawfully retained as is aforeſaid, nor hauing a conuenient farme or holding, whereupon he may or ſhall imploy his labour, nor being otherwiſe lawfully retained, according to the true meaning of this Statute: ſhall after the foreſaid laſt day of September now next enſuing, by vertue of this Eſtatute be compelled to be retained to ſerue in husbandry by the yeare, with any perſon that kéepeth husbandry, and will require any ſuch perſon ſo to ſerue, within the ſame Shire where he ſhall be ſo required.

The forf. for putting away his ſeruant within his terme, or at the end of his terme without warning.

And be it further enacted by the authority of this preſent Parliament, that if any perſon after he hath retained any ſeruant, ſhall put away the ſame ſeruant before the end of his terme, vnleſſe it be for ſome reaſonable and ſufficient cauſe, to be allowed as is aforeſaid: or if any ſuch Maſter, Miſtreſſe or Dame, ſhall put away any ſuch ſeruant at the end of his terme, without one quarters warning giuen before the ſaid end, as is aboue remembred, that then euery ſuch Maſter, Miſtreſſe or Dame ſo offending, vnleſſe he or they be able to proue by two ſufficient witneſſes ſuch reaſonable and ſufficient cauſe of putting away of their ſeruant or ſeruants, during their terme, or a quarters warning giuen afore the end of the ſaid terme, as is aforeſaid, before the Iuſtices of Oyer and Terminer, Iuſtices of Aſſiſe, Iuſtices of Peace in the quarter Seſſions, or before the Maior or other head officer of any City, Borough or Towne Corporate, and two Aldermen, or two other diſcréete Burgeſſes of the ſame City, Borough or Towne Corporate, if there be no Aldermen, or before the Lord Preſident and Councell eſtabliſhed in the Marches of Wales, or before the Lord Preſident and Councell for the time being eſtabliſhed in the North parts, ſhall forfeit the ſumme of xl.s.

The puniſhment of a ſeruant which performeth not his duty in ſeruice or departure.

And if any ſeruant, retained according to the forme of this Eſtatute, depart from his Maſter, Miſtreſſe or Dames ſeruice before the end of his terme, vnleſſe it be for ſome reaſonable and ſufficient cauſe, to be allowed as is aforeſaid: Or if any ſeruant at the end of his terme depart from his ſaid Maſter, Miſtreſſe or Dames ſeruice, without one quarters warning giuen before the end of his ſaid terme, in forme aforeſaid, and before two lawfull witneſſes: Or if any perſon or perſons compellable and bounden to be retainors, and to ſerue in Husbandry, or in any other the Arts, Sciences, or Myſteries aboue remembred, by the yeare or otherwiſe, doe (vpon requeſt made) refuſe to ſerue for the wages that ſhall bée limited, rated and appointed, according to the forme of this Statute: or promiſe or couenant to ſerue, and doe not ſerue, according to the tenour of the ſame: that then euery ſuch ſeruant, ſo departing away, and euery perſon ſo refuſing to ſerue for ſuch wages, vpon complaint thereof made by the Maſter, Miſtreſſe, or Dame of the ſaid Seruant, or by the party to or with whom the ſaid refuſall is made,

made or promiſe not kept, to two Juſtices of Peace of the County, or to the Maior or other head officer of the City, Borough, towne corporate, and two Aldermen, or two other diſcreete Burgeſſes of the ſame City, Borough, or Towne corporate, if there be no Aldermen where the ſaid Maſter, Miſtreſſe, or Dame, or the ſaid party to or with whom the ſaid refuſall is made and promiſe not kept, dwelleth, or to either of the ſaid Lords Preſidents and Councell of Wales and the North, the ſaid Juſtices, Lords Preſidents and Councell, and alſo the ſaid Maiors or other head officers, and other perſons of Cities, Boroughs, or Townes corporate, or any of them as is aforeſaid, ſhall haue power by force of this ſtatute, to heare and examine the matter, and finding the ſaid ſeruant or the ſaid party ſo refuſing, faulty in the premiſſes, vpon ſuch proofes and good matter as to their diſcretions ſhall be thought ſufficient, to commit him or them to ward, there to remaine without baile or mainepriſe, vntill the ſaid ſeruant or party ſo offending ſhalbe bound to the party to whom the offence ſhalbe made, to ſerue and continue with him for the wages that then ſhall be limitted and appointed, according to the tenour and forme of this eſtatute, and to be diſcharged vpon his deliuery, without paying any fee to the Gaoler where he or they ſhalbe ſo impriſoned.

None may depart forth of the City, Towne, Pariſh &c. without a teſtimoniall.

And be it likewiſe enacted by the authority aforeſaid, that none of the ſaid retained perſons in huſbandry, or in any the arts or ſciences aboue remembred, after the time of his retainour expired, ſhall depart forth of one City, Towne, or Pariſh, to another, nor out of the Lath, Rape, Wapentake, or Hundred, nor out of the County or Shire, where he laſt ſerued, to ſerue in any other City, Towne corporate, Lath, Rape, Wapentake, Hundred, Shire or County, vnleſſe he haue a teſtimoniall vnder the Seale of the ſaid City or Towne corporate, or of the Conſtable or Conſtables, or other head officer or officers, and of two other honeſt houſeholders, of the City, Towne, or Pariſh where he laſt ſerued, declaring his lawfull departure, and the name of the ſhire and place where he dwelled laſt before his departure, according to the forme hereafter expreſſed in this Act. Which certificate or teſtimoniall ſhall be written and deliuered vnto the ſaid ſeruant, and alſo regiſtred by the Parſon, Vicar, or Curate of the Pariſh, where ſuch Maſter, Miſtreſſe or Dame doth or ſhall dwell, taking for the doing thereof two pence and not aboue. And the forme thereof ſhall be as followeth.

The forme of the teſtimoniall.

> Memorandum that A.B. ſeruant to C.D. of E. huſbandman, or Taylor, &c. in the ſaid county, is licenced to depart from his ſaid Maſter, and is at his liberty to ſerue elſewhere, according to the Statute in that caſe made and prouided. In witneſſe whereof, &c. Dated, the day, moneth, yeare, and place. &c. of the making thereof.

No ſeruant ſhall be retained without ſhewing his teſtimoniall.

The Maſter ſhall pay v. li. which retaineth a ſeruant without a teſtimoniall.

Counterfeit teſtimoniall.

And be it further enacted by the authority aforeſaid, that no perſon or perſons that ſhall depart out of ſeruice, ſhall be retained or accepted into any other ſeruice, without ſhewing, before his retainor ſuch teſtimoniall as is aboue remembred, to the chiefe officer of the towne corporate and in euery other towne and place, to the Conſtable, Curat, Churchwarden, or other head officer of the ſame, where he ſhall be retained to ſerue, vpon the paine that euery ſuch ſeruant ſo departing without ſuch certificat or teſtimoniall, ſhall be impriſoned, vntill he procure a teſtimoniall or certificat, the which if he cannot doe within the ſpace of xxi. dayes next after the firſt day of his impriſonment, then the ſaid perſon to be whipped and vſed as a vagabond, according to the lawes in ſuch caſes prouided. And that euery perſon retaining any ſuch ſeruant, without ſhewing ſuch teſtimoniall or certificat, as is aforeſaid, ſhall forfeit for euery ſuch offence fiue pounds. And if any ſuch perſon ſhall be taken with any counterfeit or forged teſtimoniall, then to be whipped as a vagabond.

How long labourers ſhall continue at their worke.

And be it further enacted, by the authority aforeſaid, that all artificers and labourers, being hired for wages, by the day or weeke, ſhall betwixt the middes of the moneths of March and September, be and continue at their work, at or before fiue of the clocke in the morning, and continue at worke, and not depart, vntill betwixt ſeuen and eight of the clocke at night (except it be in the time of breakefaſt, dinner, or drinking, the which times at the moſt ſhall not exceede aboue two houres and a halfe in the day, that is to ſay, at euery drinking one halfe houre, for his dinner one houre, and for his ſleepe when he is allowed to ſleepe, the which is from the middeſt of May to the middeſt of Auguſt, halfe an houre at the moſt, and at euery breakfaſt one halfe houre. And all the ſaid artificers and labourers, betweene the middeſt of September and the middeſt of March, ſhall be and continue at their worke from the ſpring of the day in the morning, vntill the night of the ſame day, except it be in time afore appointed for breakefaſt and dinner, vpon paine to loſe and forfeit i.d. for euery houres abſence, to be deducted & defaulked out of his wages that ſhall ſo offend.

No artificer or labourer ſhall depart before his worke be finiſhed.

And be it alſo enacted by the authority aforeſaid, that euery artificer and labourer, that ſhall be lawfully retained in or for the building or repairing of any Church, Houſe, Ship, Mill, or euery other peece of worke taken in great, in taske, or in groſſe, or that ſhall hereafter take vpon him to make or finiſh any ſuch thing or worke, ſhall continue and not depart from the ſame, vnleſſe it bee for not paying of his wages or hire agreed on, or otherwiſe lawfully taken or appointed to ſerue the Queenes Maieſty, her Heires or Succeſſors, or for other lawfull cauſe, or without licence of the Maſter or owner of the worke, or of him that hath the charge thereof, before the finiſhing of the ſaid worke, vpon paine of impriſonment by one moneth without baile or mainepriſe, and the forfeiture of the ſumme of fiue pounds to the party from whom he ſhall ſo depart, for the which the ſaid party may haue his action of debt againſt him that ſhall ſo depart, in any of the Queenes Maieſties Courts of Record, ouer and beſides ſuch ordinary coſts and damages, as may or ought to be recouered by the Common Lawes, for or concerning any ſuch offence. In which action, no protection, wager of Law, or Eſſoigne, ſhall be admitted.

And that no Artificer or Labourer retained in any ſeruice, to worke with the Queenes Maieſty, or any other perſon, depart not from her ſaid Maieſty, or from the ſaid other perſon, vntill ſuch time as the worke be finiſhed, if the perſon ſo retaining the Artificer or Labourer ſo long will haue him, and pay him his wages or other duties, vpon paine of impriſonment of euery perſon ſo departing, by the ſpace of one moneth.

The wages of ſeruants, labourers, Artificers ſhall be aſſeſſed by the Iuſtices of P. Sheriffe, &c. 39.El.12. 1.Iac.6.

Alt.39.El.12. 1.Iac.6.

Proclamations ſhall be made of the rates of the wages of ſeruants, &c.

And for the declaration and limitation what wages Seruants, Labourers, and Artificers, either by the yeare, or day, or otherwiſe ſhall haue and receiue: Be it enacted by the authority of this preſent Parliament, that the Iuſtices of peace of euery Shire, Riding, and Liberty, within the limits of their ſeuerall Commiſſions, or the more part of them, being then reſiant within the ſame, and the Sheriffe of that County, if he conueniently may, and euery Maior, Bailiffe, or other head officer, within any City, or Towne Corporate, wherein is any Iuſtice of Peace within the limits of the ſaid City or Towne Corporate, and of the ſaid Corporation, ſhall before the tenth day of Iune next comming, and afterward ſhall yearely at euery generall Seſſions firſt to be holden and kept after Eaſter, or at ſome time conuenient, within ſixe weekes next following euery of the ſaid Feaſts of Eaſter, aſſemble themſelues together, and they (ſo aſſembled) calling vnto them ſuch diſcreet and graue perſons of the ſaid County, or of the ſaid City or Towne Corporate, as they ſhall thinke meete, and conferring together, reſpecting the plenty or ſcarcity of the time, and other circumſtances neceſſarily to be conſidered, ſhall haue authority by vertue hereof, within the limits and precincts of their ſeuerall Commiſſions, to limit, rate, and appoint the wages, aſwell of ſuch and ſo many of the ſaid Artificers, handicrafts men, Husbandmen, or any other Labourer, ſeruant, or workeman, whoſe wages in time paſt hath beene by any Law or Statute rated and appointed, as alſo the wages of all other Labourers, Artificers, Workemen, or Apprentices of husbandry, which haue not beene rated, as they the ſame Iuſtices, Maiors, or head Officers within their ſeuerall Commiſſions or Liberties, ſhall thinke meete by their diſcretions to be rated, limited, or appointed by the yeare, or by the day, weeke, moneth, or otherwiſe, with meat and drinke, or without meat and drinke, and what wages euery workeman or Labourer ſhall take by the great, for mowing, reaping, or threſhing, of Corne and graine, and for mowing or making of Hay, or for Ditching, Paning, Rayling, or Hedging by the Rod, Pearch, Lugge, Yarde, Pole, Rope, or Foot, and for any other kind of reaſonable labour or ſeruice, and ſhall yearely before the twelfth day of Iuly, next after the ſaid aſſeſſement and rates ſo appointed and made, certifie the ſame, ingroſſed in Parchment, with the conſiderations and cauſes thereof, vnder their hands and ſeales, into the Queenes moſt honourable Court of Chancery, whereupon it ſhall be lawfull to the Lord Chancellor of England, or Lord Keeper of the great Seale for the time being, vpon declaration thereof, to the Queenes Maieſty, her heires or Succeſſors, or to the Lords and others of the priuy Councell, for the time being, attendant vpon their perſons, to cauſe to be printed and ſent downe before the firſt day of September, next after the ſaid Certificate, into euery County, to the Sheriffe and Iuſtices of Peace there, and to the ſaid Maior, Bailiffe, and head Officers, tenne or twelue Proclamations or more, containing in euery of them the ſeuerall rates appointed by the ſaid Iuſtices and other head Officers, as is aforeſaid, with commandement by the ſaid Proclamations, to all perſons in the name of the Queenes Maieſty, her heires or Succeſſors, ſtraightly to obſerue the ſame, and to all Iuſtices, Sheriffes, and other Officers, to ſee the ſame duely and ſeuerally obſerued, vpon the danger of the puniſhment and forfeitures limited and appointed by this Eſtatute. Vpon receipt whereof, the ſaid Sheriffes, Iuſtices of Peace, and the Maior and head Officer in euery City, or Towne Corporate, ſhall cauſe the ſame Proclamation to be entred of Record, by the Clerke of the Peace, or by the Clerke of the City or Towne Corporate. And the ſaid Sheriffes, Iuſtices, and other the ſaid Maior, and head Officers, ſhall forthwith in open Markets, vpon the Market dayes before Michaelmas then enſuing, cauſe the ſame Proclamation to be proclaimed in euery City or Market Towne within the limits of their Commiſſion, and the ſame Proclamation to bee fixed in ſome conuenient place of the ſaid City and Towne, or in ſuch of the moſt occupied Market Townes, as to the ſaid Sheriffes, Iuſtices of Peaces, and to the ſaid Maior and head Officer ſhall bee thought meete.

Continuance or alteration of the rates of wages at the Iuſtices diſcretion.

And if the ſaid Sheriffes, Iuſtices of Peace, or the Maior and head Officers, ſhall at their ſaid generall Seſſions, or at any time after, within ſixe weekes then following, vpon their aſſembly and conference together, thinke it conuenient to retaine & keepe for the yeare then to come, the rates and proportions of wages that they certified the yeare before, or to change or reforme them, or ſome part of them: then they ſhall before the ſaid twelfth day of Iuly, yearely certifie into the ſayd Court of Chancery their reſolutions and determinations therein, to the intent that Proclamations may accordingly bée renued and ſent downe. And if it ſhall happen that there bée no néede of any reformation or alteration of the rates of the ſayd wages, but that the former ſhall be thought méete to be continued: then the Proclamations for the yéere paſt, ſhall remaine in force vntill new Proclamations vpon new rates concerning the ſayd wages, ſhall bée ſent downe according to the forme of this Eſtatute.

The fine of the Iuſtices, Maiors Bailiffes, &c which be abſent at the taxing of ſeruants wages.

And bée it further enacted by authority of this preſent Parliament, that if all the ſaid Iuſtices of Peace, reſiant within the Counties where they are or ſhall be Iuſtices of Peace, Maiors, and head Officers, doe not before the tenth day of Iune next comming, and afterward yearely appeare and aſſemble at the ſaid generall Seſſions, or within ſix wéeks next after the ſayd generall Seſſions, and limit and rate the wages of the ſaid Seruants and Labourers, or ſhall not conſider whether the former rates made, be méete to be continued, or to be altered and reformed in manner and forme aforeſaid, or be negligent or remiſſe in the Certificat thereof, in forme aboue written, that then euery Iuſtice of Peace of the County, and euery Maior and head Officer of the Citie or Towne Corporate, in whom any ſuch default or negligence ſhall be found, being within the ſaid County, City, or Towne Corporate, at the time of the ſaid next aſſembly, or at the time of the ſaid Seſſions or at the times of the ſaid Seſſions, or at the times of the ſaid rates of wages to be ſet, within ſix wéekes next after euery ſuch Seſſions, and not viſited with any ſuch ſickneſſe as hée could not trauell thither without perill and danger of his life, or not hauing any other lawfull and good excuſe to bee allowed by the Iuſtices then aſſembled for the rating and taxing of wages, as is aforeſaid, or by the more part of them, vpon a corporall oath and Affidauit to bée taken and made openly before the ſaid Iuſtices vpon the holy Euangeliſts by ſome credibl perſon, aſſeſſed and taxed in the Booke of Subſidy of that County, to the cléere value of fiue pounds at the leaſt, or by ſuch other perſon as the moſt part of ſuch Iuſtices ſhall allow and accept to take ſuch oath, ſhall for ſuch default or negligence forfeit vnto the Quéenes Maieſty, her heires and ſucceſſors ten pounds of lawful money of England.

The puniſhment of him which giueth more wages than is taxed by the Iuſtices &c.

And be it further enacted by the authority aforeſayd, that if any perſon, after the ſaid Proclamation ſhall bee ſo ſent down and publiſhed, ſhall by any ſecret wayes or meanes, directly or indirectly, retaine or kéep any ſeruant, workman, or labourer, or ſhall giue any more or greater wages, or other commodity contrary to the true meaning and purport of this Eſtatute, or contrary to the rates or wages that ſhall bée aſſeſſed or appointed in the ſaid Proclamations: that then euery perſon that ſhall ſo offend, and be thereof lawfully conuicted before any the Iuſtices, or other head Officers aboue remembred, or either of the ſaid Preſidents and Councels, ſhall ſuffer impriſonment by the ſpace of tenne daies, without baile or maineprize, and ſhall loſe and forfeit fiue pounds of lawfull money of England.

The puniſhment of the ſeruant, labourer, &c. which taketh more wages than is taxed.

And that euery perſon that ſhall be ſo retained and take wages, contrary to this Eſtatute, or any branch thereof, or of the ſaid Proclamation, and ſhall bée thereof conuicted before the Iuſtices aforeſaid, or any two of them, or before the Maior, or other head Officers aforeſayd, ſhall ſuffer impriſonment by the ſpace of one and twenty dayes, without baile or maineprize.

Euery retaining contrary to this ſtat. ſhall be voyd.

And that euery retainer, promiſe, gift, or payment of wages, or other thing whatſoeuer, contrary to the true meaning of this Eſtatute, and euery writing and bond to bée made for that purpoſe ſhall be vtterly voyd and of none effect.

The puniſhment of the ſeruant which maketh aſſault vpon his Maſter, Miſtris, Ouerſeer.

And be it enacted by the authorite aforeſayd, that if any ſeruant, workeman or labourer, ſhall wilfully, or maliciouſly, make any aſſault or affray, vpon his Maſter, Miſtreſſe, or Dame, or vpon any other that ſhall at the time of ſuch aſſault or affray, haue the charge or ouerſight of any ſuch ſeruant, workman, or labourer, or of the worke wherein the ſeruant, workeman, or labourer is appointed or hyred to worke, and being thereof conuicted before any two of the Iuſtices, Mayor, or other head Officer aforeſayd, where the ſayd offence is committed, or before eyther of the ſayd Lords Preſidents and Councell before remembred, by confeſſion of the ſayd ſeruant, workman, or labourer, or by the teſtimony, witneſſe and oath of two honeſt men: that then euery ſuch offendor ſhall ſuffer impriſonment by the ſpace of one whole yéere, or leſſe, by the diſcretion of two Iuſtices of Peace, if it bée without a Towne Corporate, and if it bée within any Towne Corporate, then by the diſcretion of the Mayor or head Officer of the ſame Town Corporate, with two others of the diſcréeteſt perſons of the ſame Corporation, at the leaſt. And if the offence ſhall require further puniſhment, then to receiue ſuch other open puniſhment, ſo as it extend not to life or limme, as the Iuſtices of Peace in open Seſſions, or as the more part of them, or the ſayd Mayor, or head Officer, and ſix or foure at the leaſt of the diſcréeteſt perſons of the ſame Corporation before whom the offence ſhall be examined, ſhall thinke conuenient for the quality of the ſayd offence ſo done or committed.

Artificers compellable to worke in hay time & haueſt.

Prouided alwaies, and bée it enacted by the authority aforeſayd, that in the time of Hay or Corne harueſt, the Iuſtices of Peace, and euery of them, and alſo the Conſtable or other head Officer of euery Towneſhippe, vpon requeſt, and for the avoyding of the loſſe of any Corne, Graine, or Hay, ſhall and may cauſe all ſuch Artificers and perſons as be méete to labour, by the diſcretions of the ſayd Iuſtices or Conſtables or other head Officers, or by any of them, to ſerue by the day, for the mowing, reaping, ſhearing, getting, or inning of Corne, Graine, and Hay, according to the ſkill and quality of the perſon, and that none of the ſaid perſons ſhall refuſe ſo to doe, vpon paine to ſuffer impriſonment in the ſtockes, by the ſpace of two dayes and one night. And the Conſtable of the Towne, or other head Officer of the ſame, where the ſayd refuſall ſhall be made, vpon complaint to him made, ſhall haue authority by vertue hereof, to ſet the ſayd offendor in the ſtockes for the time aforeſayd, and ſhall puniſh him accordingly, vpon paine to loſe and forfeit for not doing thereof the ſumme of forty ſhillings.

A prouiſo for ſome which do goe into other Shires for worke in hay time and harueſt.

Prouided alſo that all perſons of the Counties where they haue accuſtomed to goe into other Shires for harueſt worke, and hauing at that time no harueſt worke ſufficient in the ſame Towne nor County, where hee or they dwelt in the winter then laſt paſt, bringing with him or them a teſtimoniall vnder the hand and ſeale of one Iuſtice of the Peace of the Shire or other head Officer of the Towne or place that he or they come from, teſtifying the ſame, for the which hee ſhall pay not aboue one peny (other than ſuch perſons as ſhall bee retained in ſeruice according to the forme of this eſtatute) may repaire and reſort in harueſt of Hay or Corne, from the Countries wherein their dwelling places are, into any other place or County, for the only mowing, reaping, and getting of Hay, Corne, or Graine, and for the onely working of harueſt workes, as they might haue done before the making of this Eſtatute: Any thing herein contained to the contrary, notwithſtanding.

Women compellable to ſerue which be aboue twelue, & vnder forty yere old vnmarried and forth of ſeruice.

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And be it further enacted by the authority aforeſaid, that two Iuſtices of Peace, the Mayor or other head Officer of any City, Borough, or Towne Corporate, and two Aldermen, or two other diſcreet Burgeſſes of the ſame City, Borough or Towne Corporate, if there bee no Aldermen, ſhall and may by vertue hereof, appoint any ſuch woman as is of the age of twelue yeres, and vnder the age of forty years, and vnmarried, and forth of ſeruice, as they ſhall thinke meet to ſerue, to be retained or ſerue by the yeare, or by the weeke or day, for ſuch wages, and in ſuch reaſonable ſort and manner as they ſhall thinke meet. And if any ſuch woman ſhall refuſe ſo to ſerue, then it ſhall be lawfull for the ſayd Iuſtices of Peace, Mayor, or head Officers, to commit ſuch woman to ward, vntill ſhee ſhall bee bounden to ſerue, as is aforeſayd.

Huſbandmen may take apprentices

And for the better aduancement of Huſbandry and Tillage, and to the intent that ſuch as are fit to be made apprentices to Huſbandry, may be bounden thereunto: Be it enacted by the authority of this preſent Parliament, That euery perſon being an houſholder, and hauing and vſing halfe a plough land at the leaſt in tillage, may haue and receiue to an apprentice any perſon aboue the age of tenne yeares and vnder the age of eighteene yeeres, to ſerue in Huſbandry, vntill his age of xxi. yeares at the leaſt, or vntill the age of xxiiij. yeares, as the parties can agree, and the ſayd retainour and taking of an apprentice, to be made and done by Indenture.

Euery houſholder dwelling in any Towne corporate may take an apprentice for ſeuen years.

And be it further enacted, That euery perſon being an houſholder, and xxiiij. yeares old at the leaſt, dwelling or inhabiting, or which ſhall dwell and inhabite in any City or Towne Corporate, and vſing and exerciſing any Art, Myſtery, or manuall Occupation there, ſhal and may after the Feaſt of Saint Iohn Baptiſt next comming, during the time that he ſhall ſo dwell or inhabit in any ſuch City or Towne Corporate, and vſe and exerciſe any ſuch Art, Myſtery, or manuall Occupation, haue and retaine the ſonne of any Freeman, not occupying Huſbandry, nor being a labourer, and inhabiting in the ſame, or in any other City or Towne that now is, or hereafter ſhall bee, and continue incorporate, to ſerue and bee bound as an apprentice, after the cuſtome and order of the City of London, for ſeauen yeeres at the leaſt, ſo as the terme and yeares of ſuch apprentice doe not expire or determine, afore ſuch apprentice ſhall bee of the age of xxiiij. yeares at the leaſt.

Merchants, &c. may take no prentices, but ſuch whoſe Parents may diſpend xl. ſhillings of freehold.

Prouided alwaies, and be it enacted, That it ſhall not be lawfull to any perſon dwelling in any City or Towne corporate, vſing or exerciſing any of the Myſteries or Crafts of a Marchant, traffiquing by Traffique or Trade into any the parts beyond the Sea, Mercer, Draper, Goldſmith, Ironmonger, Imbroyderer, or Clothier, that doth, or ſhall put cloth to making and ſale, to take any apprentice or ſeruant to bee inſtructed or taught in any of the Arts, Occupations, Crafts, or Myſteries which they or any of them doe vſe or exerciſe, except ſuch ſeruant or apprentice be his ſonne, or elſe that the father or mother, of ſuch apprentice or ſeruant ſhall haue at the time of taking ſuch apprentice or ſeruant, Lands, Tenements, or other Hereditaments, of the cleere yearly value of fortie ſhillings of one eſtate of inheritance, or free hold, at the leaſt, to bee certifyed vnder the hands and Seales of three Iuſtices of the Peace, of the Shire or Shires, where the ſayd Lands, Tenements, or other Hereditaments, doe or ſhall lye, to the Mayor, Bayliffe or other head Officers of that City or Towne corporate, and to bee inrolled among the records there.

Whom they may haue for their prentices which dwell in market Townes not corporat.

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And be it further enacted, that from and after the ſayd Feaſt of Saint Iohn the Baptiſt next, it ſhall be lawfull to euery perſon being an houſholder, and [a] foure and twenty yeares old at the leaſt, and not occupying Huſbandry, nor being a labourer dwelling or inhabiting, or that ſhall hereafter dwell or inhabite in any Towne, not being incorporate, that now is, or hereafter ſhall be a Market Towne, ſo long as the ſame ſhall be weekly vſed and kept as a Market Towne, and vſing or exerciſing any Art, Myſtery, or manuall occupation, during the time of his abode there, and ſo vſing and exerciſing ſuch Art, Myſtery, or manuell occupation, as aforeſayd, to haue in like manner to apprentice or apprentices, the childe or children of any other Artificer, or Artificers, not occupying huſbandrie, nor being a labourer, which now doe, or hereafter ſhall inhabite or dwell in the ſame, or any other ſuch Market Towne within the ſame Shire, to ſerue as an apprentice or apprentices, as is aforeſaid, to any ſuch Art, Myſterie, or manuell occupation, as hath béene vſually exerciſed in any ſuch market towne, where ſuch apprentice ſhall bee bound in manner and forme aboueſayd.

Prouided alwayes, and be it enacted, that it ſhall not be lawfull to any perſon, dwelling or inhabiting in any ſuch market towne, vſing or exerciſing the feate, myſtery, or art of a merchant, trafiquing or trading into the parts beyond the Seas, Mercer, Draper, Goldſmith, Ironmonger, Imbroderer, or Clothier that doth or ſhall put Cloth to making and ſale, to take any apprentice, or in any wiſe to teach and inſtruct any perſon, in the arts, Sciences, or myſteries laſt before recited, after the feaſt of Saint Iohn Baptiſt aforeſayd, except ſuch ſeruant or apprentice ſhall be his ſonne, or elſe that the father or mother of ſuch apprentice ſhall haue Lands, Tenements, or other Hereditaments, at the time of taking ſuch apprentice, of the cleare yearely value of thrée pounds, of one eſtate of inheritance, or fréehold, at the leaſt, to bee certified vnder the hands and ſeales of thrée Iuſtices of the Peace, of the Shire or Shires where the ſayd Lands, Tenements, or other Hereditaments, doe or ſhall lye, to the head Officers, or head Officer of ſuch market Towne where ſuch apprentice or ſeruant ſhall be taken, there to bee enrolled by ſuch head Officers alwayes to remaine of Record.

What apprentices Merchants, &c. dwelling in a market towne not corporate may take.

And be it further enacted, that from and after the ſayd Feaſt it ſhall be lawfull to any perſon, vſing or exerciſing the Art or occupation of a Smith, Whéelewright, Ploughwright, Millwright, Carpenter, Rough maſon, Plaſterer, Sawyer, Lime burner, Brickmaker, Bricklayer, Tyler, Slater, Helier, Tylemaker, Linnen weauer, Turner, Cowper, Miller, Earthen potters, Wollen weauer, Weauing huſwifes or houſhold cloth onely and none other cloth, Fuller, otherwiſe called Tucker or Walker, burner of Ore and Woad aſhes, Thatcher, or Shingler, whereſoeuer he or they ſhall dwell or inhabite, to haue or receiue the ſonne of any perſon, as apprentice in manner and forme aforeſayd, to be taught and inſtructed in theſe occupations onely, and in none other, albeit the father or mother of any ſuch apprentice haue not any lands, tenements, or hereditaments.

Theſe Artificers may take prentices whoſe parents may diſpend no land.

And be it further enacted by the authority aforeſayd, that after the firſt day of May, next comming, it ſhall not be lawfull to any perſon or perſons, other than ſuch as now doe lawfully vſe or exerciſe any Art, Myſterie, or manuell Occupation, to ſet vp, occupy, vſe, or exerciſe any craft, myſtery, or occupation, now vſed or occupyed within the Realme of England or Wales, except he ſhall haue bin brought vp therein ſeuen yeares at the leaſt as apprentice in manner and forme aboueſaid, nor to ſet any perſon on worke in ſuch Myſtery, Art or Occupation, being not a workman at this day, except he ſhall haue béene apprentice, as is aforeſayd, or elſe hauing ſerued as an apprentice as is aforeſayd, ſhall or will become a Iourneyman or hired by the yere, vpon paine that euery perſon willingly offending or doing the contrary, ſhall forfeit and loſe for euery default forty ſhillings, for euery moneth.

None may vſe any manuall occuation except he hath bin prentice to to the ſame. Sta.31.El.5.

Prouided alwayes, and be it further enacted by the authority aforeſayd, that no perſon or perſons, vſing or exerciſing the art or myſtery of a Wollen cloth weauer, other than ſuch as be inhabiting within the Counties of Cumberland, Weſtmerland, Lancaſter, and Wales, weauing Frizes, Cottons, or Huſwifes cloth onely, making and weauing Wollen cloth, commonly ſold, or to be ſold by any Clothman or Clothier: ſhall take and haue any apprentice, or ſhall teach or in any wiſe inſtruct any perſon or perſons in the Science, Art, or Occupation of Weauing aforeſaid, in any Village, Towne, or place, (Cities, Townes Corporate, and Market Townes onely except) vnleſſe ſuch perſon be his ſonne, or elſe that the father or mother of ſuch apprentice or ſeruant, ſhall at the time of the taking of ſuch perſon or perſons to be an apprentice or ſeruant, or to be inſtructed, haue Lands and Tenements, or other Hereditaments, to the cleare yearely value of thrée pounds at the leaſt, of an eſtate of inheritance or fréehold, to bée certified vnder the hands and Seales of thrée Iuſtices of the Peace of the Shire or Shires where the ſayd Lands, Tenements, or other Hereditaments doe or ſhall lye. The effect of the Indenture to be regiſtred within thrée moneths, in the pariſh where ſuch maſter ſhall dwell, and to pay for ſuch regiſtring, foure pence, vpon paine of forfeiture of twentie ſhillings, for euery moneth that any perſon ſhall otherwiſe take any apprentice, or ſet any ſuch perſon on worke contrary to the meaning of this article.

What ſort of perſons wollen weauers may take to be apprentices.

And be it further enacted by the authority aforeſayd, that all and euery perſon and perſons, that ſhall haue thrée apprentices in any of the ſayd crafts, myſteries, or occupations of a clothmaker, Fuller, Shereman, Weauer, Taylor, or Shoomaker, ſhall retaine and keepe one Iourneyman, and for euery other apprentice aboue the number of the ſayd thrée apprentices, one other Iourneyman, vpon paine for euery default ten pounds.

He which hath three prentices muſt keepe one Iourneyman.

Prouided alwayes, that this Act, nor any thing therein contained, ſhall not extend to preiudice or hinder any liberties heretofore granted by any act of Parliament, to or for the company

A prouiſo for the liberties of worſted makers in Norwich and Norfolke. St.14.H.8.3.

and Occupation of Worſted makers and Worſted Weauers within the Citie of Norwich, and elſewhere within the County of Norfolke: Which liberties be in force, vntill the beginning of this preſent Parliament: any thing herein contained to the contrary in any wiſe notwithſtanding.

The puniſhment of him which refuſeth to be an Apprentice.

And be it further enacted, That if any perſon ſhall be required by any houſeholder, hauing and vſing halfe a plough land at the leaſt in tillage, to be an Apprentice, and to ſerue in Husbandry, or in any other kind of Art, Myſtery, or Science before expreſſed, and ſhall refuſe ſo to doe: That then, vpon complaint of ſuch houſekeeper made to one Iuſtice of the Peace of the Countie where the ſayd refuſall is or ſhall be made, or of ſuch houſeholder inhabiting in any City, Towne corporate, or Market Towne, to the Maior, Bailiffes, or head officer of the ſayd City, Towne corporate, or Market Towne, if any ſuch refuſall ſhall there be, they ſhall haue full power and authority, by vertue hereof, to ſend for the ſame perſon ſo refuſing. And if the ſayd Iuſtice, or the ſayd Maior or head officer ſhall thinke the ſaid perſon meet and conuenient to ſerue as an Apprentice in that Art, Labour, Science, or Myſtery, wherein hee ſhall be ſo then required to ſerue: that then the ſayd Iuſtice or the ſayd Maior or head Officer, ſhall haue power and authority, by vertue hereof, if the ſayd perſon refuſe to be bound as an Apprentice, to commit him vnto ward, there to remaine, vntill hee bee contented and will bee bounden to ſerue as an Apprentice ſhould ſerue, according to the true intent and meaning of this preſent Act. And if any ſuch Maſter ſhall miſuſe or euill entreat his Apprentice, or that the ſayd Apprentice ſhall haue any iuſt cauſe to complaine, or the Apprentice doe not his dutie to his Maſter: then the ſayd Maſter or Apprentice being grieued, and hauing cauſe to complaine, ſhall repaire vnto one Iuſtice of Peace within the ſayd County, or to the Maior or other head Officer of the City, Towne corporate, Market Towne, or other place, where the ſayd Maſter dwelleth, who ſhall by his wiſedome and diſcretion take ſuch order and direction betweene the ſayd Maſter and his Apprentice, as the equity of the cauſe ſhall require. And if for want of good conformity in the ſayd Maſter, the ſayd Iuſtice of Peace, or the ſayd Maior or head Officer, cannot compound and agree the matter betweene him and his Apprentice: then the ſayd Iuſtice, or the ſayd Maior or other head Officer, ſhall take Bond of the ſayd Maſter, to appeare at the next Seſſions then to be holden in the ſayd County, or within the ſayd City, Town corporate, or Market town, to be before the Iuſtices of the ſayd County, or the Maior, or head officer of the ſayd Towne corporate, or Market Towne, if the ſayd Maſter dwell within any ſuch; & vpon his appearence and hearing of the matter before the ſayd Iuſtices, or the ſayd Maior, or other head officer, if it bee thought meet vnto them, to diſcharge the ſaid Apprentice of his apprenticehood, that then the ſayd Iuſtices, or foure of them at the leaſt, whereof one to be of the Quorum, or the ſayd Maior or o- head officer, with the conſent of three other of his brethren, or men of beſt reputation within the ſayd City, Towne corporate, or Market towne, ſhall haue power by authority hereof, in writing vnder their hands and ſeales, to pronounce and declare, that they haue diſcharged the ſayd Apprentice of his apprenticehood, and the cauſe thereof, and the ſayd Writing ſo being made and enrolled by the Clerke of the Peace or Towne-Clerke amongſt the Records that he keepeth, ſhal be a ſufficient diſcharge for the ſayd Apprentice, againſt his Maſter, his executors, and adminiſtrators: the Indenture of the ſayd apprenticehood, or any Lawe or Cuſtome to the contrary notwithſtanding. And if the default ſhall be found to bee in the Apprentice, then the ſayd Iuſtices, or the ſayd Maior, or other head officer, with the aſſiſtants aforeſaid, ſhall cauſe ſuch due correction and puniſhment to be miniſtred vnto him, as by their wiſedome and diſcretions ſhall bee thought meet.

The remedie for the Prentice which is miſuſed by his Maſter, & for the Maſter when the Prentice doth not his duty.

Where an Apprentice may be diſcharged of his prenticehood.

None ſhall be bound to bee prentices but thoſe which be vnder xxi. yeares of age.

Prouided alwayes, and bee it enacted by authority of this preſent Parliament, That no perſon ſhall by force or colour of this Eſtatute bee bounden to enter into any Apprenticeſhip, other than ſuch as be vnder the age of xxi. yeares.

Aſſembly of the Iuſtices twice in the yeere for the due execution of this ſtat.

And to the end that this Eſtatute may from time to time bee carefully and diligently put in good execution, according to the tenor and true meaning thereof: Bee it enacted by authority of this preſent Parliament, that the Iuſtices of Peace of euery County diuiding themſelues into ſeuerall Limits, and likewiſe euery Maior and head officer of any Citie or Towne corporate, ſhall yearely betweene the Feaſt of Saint Michael the Archangell, and the Natiuity of our Lord, and betweene the Feaſt of the Annunciation of our Lady, and the Feaſt of the Natiuity of Saint Iohn Baptiſt, by all ſuch wayes and meanes, as to their wiſedomes ſhall bee thought moſt meet, make a ſpeciall and diligent inquiry of the Branches and Articles of this Eſtatute, and of the good execution of the ſame, and where they ſhall finde any defaults, to ſee the ſame ſeuerely corrected and puniſhed, without fauour, affection, malice, or diſpleaſure.

The Iuſtices allowance for their paines.

And in conſideration of the paines and trauaile that the ſayd Iuſtices of Peace, and the ſayd Maior and head officer, ſhall take and ſuſtaine in and about the execution of this Eſtatute, it is further ordained and enacted by authority of this preſent Parliament, That euery Iuſtice of Peace, Maior, or head officer, for euery day that he ſhall ſit in and about the execution of this Eſtatute, ſhall haue allowed vnto him fiue ſhillings, to be allowed and payd vnto him, or vnto the ſayd Maior or head Officer, of the fines and forfeitures of the paines and penalties that ſhall be forfeited, and due vnto the Queenes Maieſtie, her Heires or Succeſſors, by force of this Eſtatute in ſuch manner and forme as the ſayd Iuſtices haue beene heretofore commonly payd for their comming and charges at the quarter Seſſions. ſo that the ſitting of the ſayd Iuſtices or Maior, or head Officer, be not at any one time aboue three dayes, and for the matters contained in this Eſtatute.

And be it enacted by authority aforeſayd that the one halfe of all forfeitures and penalties, expreſſed and mentioned in this Statute, other than ſuch as are expreſſely otherwiſe appointed, ſhall bee to our Soueraigne Lady the Queenes Maieſtie, her Heires and Succeſſors, and the other moity to him or them that ſhall ſue for the ſame in any of the Queenes Maieſties Courts of Record, or before any of the Iuſtices of Over and Terminer, or before any other Iuſtices, or Preſident and Councell before remembred, by action of debt, information, bill of complaint or otherwiſe: in which Actions or Suites, no Protections, Wager of Law, or Eſſoigne ſhall be allowed: and that the ſayd Iuſtices or two of them, whereof one to bee of the Quorum and the ſayd Preſidents and Councell as is aforeſayd, and the ſayd Maiors or other head Officers of Cities or Townes Corporate, ſhall haue full power and authority to heare and determine all and euery offence and offences that ſhall be committed or done againſt this Eſtatute, or againſt any branch thereof, aſwell vpon inditement to be taken before them in the Seſſions of the Peace, as vpon Information, Action of debt, or Bill of complaint, to be ſued or exhibited by an perſon: and ſhall and may by vertue hereof, make proceſſe againſt the defendant, and award execution, as in any other caſe they lawfully may by any the Lawes and Statutes of this Realme, & ſhall yearely in Michaelmas Terme certifie by Eſtreat the fines & forfeitures of euery the offences contained in this Eſtatute, that ſhall be found before them, into the Court of the Exchequer, in like ſort and forme as they be bound to certifie the eſtreates for other offences and forfeitures to be loſt before them: Any thing in this ſtatute contained to the contrary, notwithſtanding.

Who ſhal haue the forfeitures mentioned in this ſtatute.

Iuſtices of P. Maior, &c. may heare & determine all offences committed againſt this ſtatute. 31. El. 5.

Prouided alwayes, that this Act or any thing therein contained or mentioned, ſhall not be preiudiciall or hurtfull to the Cities of London and Norwich, or to the lawfull liberties, vſages, cuſtomes, or priuiledges of the ſame Cities, for or concerning the hauing or taking of any Apprentice or Apprentices: but that the Citizens and free men of the ſame Cities, ſhall and may take, haue, and retaine Apprentices there in ſuch manner and forme as they might lawfully haue done before the making of this Statute: This Act or any thing therein contained to the contrary in any wiſe notwithſtanding.

A prouiſo for the Cities of London and Norwich.

And be it alſo further enacted that all Indentures, couenants, promiſes and bargaines, of or for the hauing, taking, or keeping of any Apprentice, otherwiſe hereafter to bee made or taken, than is by this Statute limitted, ordained, and appointed, ſhall be clearely voyd in the Law to all intents and purpoſes, and that euery perſon, that ſhall from henceforth take, or newly retaine any Apprentice, contrary to the tenor and true meaning of this Act, ſhall forfeit and loſe for euery apprentice ſo by him taken, the ſumme of ten pounds.

The forf. of him that taketh a prentice otherwiſe thã is limited by this ſtatute.

And becauſe there hath beene, and is ſome queſtion and ſcruple moued, whether any perſon, being within the age of one and twenty yeares, and bounden to ſerue as an Apprentice, in any other place, than in the ſayd City of London, ſhould be bounden, accepted and taken as an Apprentice.

For the reſolution of the ſayd ſcruple and doubt: Bee it enacted by authority of this preſent Parliament, that all and euery ſuch perſon or perſons, that at any time or times, from henceforth ſhall be bounden by Indenture, to ſerue as an apprentice, in any Art, Science, Occupation or labour, according to the tenour of this Eſtatute, and in manner and forme aforeſayd: albeit the ſame apprentice, or any of them ſhall bee within the age of one and twenty yeares, at the time of the making of their ſeuerall Indentures, ſhall be bounden to ſerue for the yeres in their ſeuerall Indentures contained, as amply and largely to euery intent, as if the ſame apprentice were of full age at the time of the making of ſuch Indentures: any law, vſage, or cuſtome to the contrary notwithſtanding.

Hee that is bound prentice within the age of xxi. yeares is cõpellable to ſerue.

Prouided alwayes, and be it enacted by the authority aforeſayd, That the inhabitants now dwelling or inhabiting, or that hereafter ſhall dwell, or inhabite within the Towne of Godalming, within the County of Surrey, within the limits of the watch of the ſayd Towne, may vſe and exerciſe ſuch Arts, myſteries, and occupations, and take and vſe apprentices and ſeruants, in ſuch manner and forme, as the inhabitants within Market townes by this Statute may lawfully doe.

A prouiſo for the inhabitants of Godalming in Surrey.

Prouided alwayes, and be it enacted by the authority aforeſayde, that all manner amerciaments, fines, iſſues, and forfeitures, which ſhall riſe, grow, or come by reaſon of any offences or defaults mentioned in this act, or any branch thereof, within any City or Towne corporate, ſhall be leuied, gathered and receiued, by ſuch perſon or perſons of the ſame City or Towne corporate, as ſhall be appointed by the Maior, or other head Officers, mentioned in this ſayd act, to the vſe and maintenance of the ſame City or Towne corporate, in ſuch caſe and condition,

Who ſhall haue the forf. in Cities and Townes Corporate.

as any manner other amerciaments, fines, iſſues or forfeitures, haue bin vſed to bee leuied & imployed within the ſame City or Towne corporate, by reaſon of any grant or charter from the Quéenes Maieſtie that now is, or of any her Graces noble Progenitors, made and granted to the ſame Citie, Borough, or towne corporate, any thing or clauſe before mentioned and expreſſed in this Act to the contrary notwithſtanding.

Retainings & couenants made before this ſtatute.

Prouided alwayes, that this Act, or any thing therein contained, ſhall not extend to any lawfull retainings or couenants had or made before the making of this act, but that all and euery the parties to ſuch retainings or couenants, ſhal and may haue the ſame and like aduantages of ſuch retainings and couenants, and of the ſtatutes heretofore in that behalfe prouided, as if this Act had neuer béene had or made: Any clauſe of repeale or other matter whatſoeuer in this act to the contrary in any wiſe notwithſtanding.

A remedy for thoſe ſeruants which depart from their maſters, & doe flee into other Shires.

And be it further enacted by the authority aforeſayd, that if any ſeruant or apprentice of Huſbandry, or of any Art, Science or Occupation aforeſayd, vnlawfully depart or flée into any other Shire, that it ſhall be lawfull to the ſayd Iuſtices of Peace, & to the ſayd Maiors, Bailiffes, & other head Officers of Cities and Townes corporate, for the time being Iuſtices of Peace there, to make and grant writs of Capias, ſo many and ſuch as ſhall be néedfull to be directed to the Sheriffes of the Counties, or to other head Officers of the places, whither ſuch ſeruants or apprentices ſhall ſo depart or flée, to take their bodies returnable before them, at what time ſhall pleaſe them, ſo that if they come by ſuch proceſſe, that they be put in priſon till they ſhall find ſufficient ſurety, well and honeſtly to ſerue their Maſters, Miſtreſſes or Dames, from whom they ſo departed or fled, according to the order of the Law.

High Conſtables may keep Stat. Seſſions.

Prouided alwaies, that it ſhall be lawfull to the high Conſtables of Hundreds in euery Shire, to hold, kéepe, and continue petie Seſſions, otherwiſe called ſtatute Seſſions, within the limits of their authorities, in all Shires wherein ſuch Seſſions haue béene vſed to be kept, in ſuch manner and forme as heretofore hath béene vſed and accuſtomed, ſo as nothing be by them done therein contrary or repugnant to this preſent Act.

CAP. V.

Conſtitutions for the maintenance of the Nauie, &c.

Any ſubiect may cary ſea fiſh forth of the Realme in any of the Q. Subiects ſhips without paying cuſtome, EXP.
1. Iac. 25.
21. Iac. 28.
3. Car. 4.
13. Eliz. 11.
27. Eliz. 15.

FOr the better mainetenance & encreaſe of the Nauie of this Realme of England: be it enacted by the Quéenes moſt excellent Maieſtie, with the aſſent of the Lords Spirituall & Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority aforeſayde, That from the firſt day of Aprill Anno Domini M. D. lxiiii. and ſo from thence forth, It ſhall be lawfull to all and euery of the Subiects of our Soueraigne Lady the Quéene, her heires and ſucceſſors, at his and their will & pleaſure, to carry and tranſport out of this Realme, in the Ships or other Veſſels of any of the Subiects aforeſayd, all & euery kinds of Herring & other Sea fiſh, to be taken vpon the Seas by any of the Subiects aforeſayd (any Act of Parliament, or law to the contrary notwithſtanding) & that all and euery perſon and perſons, which ſhall by vertue of this Act tranſport or carry any Herrings, or other Sea fiſh from or out of any Port or Harbour of this Realme, to any place out of the Dominions of the Quéenes Maieſtie, her heires or ſucceſſors, ſhall be frée from payment of any Cuſtome, Subſidy or Pondage money for the ſame fiſh ſo carried or tranſported, during the ſpace of foure whole yeares, beginning at the ſayd firſt day of Aprill, M. D. lxiiii. and ſo further during her Maieſties pleaſure.

None ſhall ſet price of, make reſtraint, or demand tolle of ſea fiſh brought into this Realme.

And be it further enacted by the authority aforeſayd, that from the firſt day of May next comming, It ſhall not be lawfull to any perſon or perſons in any Port, Citie, Towne, Market, or other place, within this Realme, to ſet price, make any reſtraint, or take or demand tolle or taxe of any Sea fiſh to be brought into this Realme, or any part thereof, being taken by any of the Subiects aforeſayd, in the Ships or other veſſels of the ſame ſubiects, vpon paine to euery perſon offending contrary to the meaning hereof, to forfeit the value of the fiſh ſo reſtrained, prized, tolled or taxed: Any liberty, cuſtome, grant, priuiledge or other matter whatſoeuer to the contrary, in any wiſe notwithſtanding.

A prouiſo for the Maior, &c. of Kingſton vpon Hull.

33. H. 8. 33.

Prouided alwayes, that this preſent Act, nor any thing therein contained, ſhall be preiudiciall or hurtfull to the Maior and Burgeſſes of the Kings towne vpon Hull, or their ſucceſſors, Maiors and Burgeſſes of the ſame Towne, or to any other Officer, or Miniſter of the ſame Towne at any time hereafter: but that they and euery of them may receiue, haue, and take all and euery ſuch tolle, cuſtomes, and ſummes of money, of all and euery ſuch perſon & perſons, as is limitted, appointed, and ſet forth by them to be taken, in an act of Parliament made in the thrée and thirtieth yeare of the raigne of our late Soueraigne Lord King Henry the eighth. And that neither the ſayd Maior and Burgeſſes of Kingſton vpon Hull, nor any inhabitant there, or any of them, ſhall take any aduantage of the article of this eſtatute, for the carriage of any Herrings or ſalted fiſh to any the parts beyond the Sea: Any thing in this preſent Act mentioned, contained, ſpecified or declared, in any wiſe to the contrary nontwithſtanding.

Be it alſo enacted by the authority aforeſaid, that no Purueyour or other perſon whatſoeuer, ſhal from the ſaid firſt day of May, by vertue of any Commiſſion or otherwiſe, take any herring or Sea fiſh from any of the ſubiects afore mentioned, that ſhall take the ſame in the ſhips or other veſſels of the ſaid ſubiects, as it is aboueſaid otherwiſe than by agreement of the owners or ſellers of the ſame fiſh, vpon paine for euery Purueyour and other perſon whatſoeuer offending contrary to the tenour of this Act, to forfeit the double value of the Herrings or fiſh ſo to be taken. And it ſhalbe lawfull for any perſon, being owner or ſeller of any ſuch ſea fiſh ſo taken, as is aforeſaid, to withſtand any perſon that will (by any colour of purueying or otherwiſe) demand any ſuch fiſh, or the tolle of any ſuch fiſh, without the good will of the owner or ſeller, as aforeſaid.

No Purueyour ſhall take any Sea fiſh of any that ſhall take the ſame in any ſubiects ſhip.

Prouided, that the fiſh called Compoſition fiſh, heretofore granted to the Queenes Maieſty by the ſubiects of this Realme, trauailing into Iſeland, ſhalbe taken by her Maieſties Officers and Purueyours in ſuch ſort as the ſame hath beene lawfully vſed to be taken before the making of this Act: and ſauing to the Queens Maieſty, her heires & ſucceſſors, and to all other perſons, ſuch fiſhes as be knowne & vſed to be called Regall fiſhes, whereunto her Maieſty, or the ſaid other perſons, haue, or ſhall haue right or intereſt, for ſuch recompence as heretofore hath bin accuſtomed.

A prouiſo for Compoſition fiſh.

Regall fiſhes.

And be it further enacted by the authority aforeſaid that from the firſt day of Aprill, which ſhall be in the yeare of our Lord God, M.D.lxiiii. It ſhall not be lawfull to any perſon or perſons to buy of any ſtranger borne out of the Queenes Maieſties obeyſance or out of any ſtrangers Bottome, any Herring, being not ſufficiently ſalted, packed and casked, vpon paine to euery perſon and perſons ſo buying, to forfeit the Herrings ſo by him or them to bee bought, or the value thereof.

No herring ſhall bee brought forth of a ſtrangers Bottome, which is not ſalted, packed and casked ſufficiently.

Prouided alwayes, that this branch of this Act ſhall not extend to any Herrings to be bought, which by reaſon of ſhipwracke ſhall be brought into this Realme, but that it ſhall be lawfull to all and euery perſon and perſons, to buy all ſuch Herrings ſo brought in by ſhipwracke, as aforeſaid, as he or they lawfully might haue done before the making of this Act: Any thing in this Act contained to the contrary in any wiſe not withſtanding.

A prouiſo for herrings brought into this Realme by ſhipwrack.

Be it alſo further enacted by the authority aforeſaid, that from the Feaſt of Saint Iohn Baptiſt next enſuing, It ſhall not be lawfull to any perſon or perſons, to cauſe to be laden and caried in any Bottome or Bottomes, whereof any ſtranger or ſtrangers borne then be owners, ſhipmaſters, or part owners, any kinde of fiſh, victuall, wares or things, of what kinde or nature ſoeuer the ſame ſhall bee, from one Port or Creeke of this Realme, to another Port or Creeke of the ſame Realme, vpon paine to euery one that ſhall offend contrary to the true meaning of this braunch of this preſent Acte, to forfeit all the goods ſo laden or carried or the value thereof.

No wares may be carried from one Port in this Realme to another in a ſtrangers ſhip.

And that from henceforth all Engliſh hoyes and Plats may croſſe the Seas, as far as Cane in Normandy, and Eaſtward as farre as Norwey: The Statute made in the firſt yeare of the Queenes Maieſties reigne, to the contrary hereof not withſtanding.

1.El. 13.
St.13.El.15.

And for as much as there is much deceitfull packing vſed in Cod and Lings, brought in Barrels or other Caske into this Realme: Bee it therefore enacted by the authority aforeſaid, That from and after the firſt day of Aprill, in the yeare of our Lord God, M.D.lxiiii it ſhall not be lawfull to any perſon or perſons, to bring into this Realme any Cod or Lings in Barrels or other Caskes, but looſe in bulke and by tayle, to be ſold within this Realme, vpon paine for euery one that ſhall offend contrary to the tenor hereof, to forfeit all the Cod and Lings ſo to be brought in, or the value thereof.

All Cod and Lings muſt be brought into this Realme looſe, and not in barrels.
Exp. St.13. El. 11.
St.3.Car.4.
St.21.Iac.28.

And be it further enacted, that from the Feaſt of Saint Michael the Archangell next following, no perſon or perſons whatſoeuer, ſhall bring into this Realme of England, or any part of the ſame, any Wine comming out of any the Dominions or Countries belonging to the Crown of France, or any Woad called Tholouſſe Woad, in any other veſſel or veſſels, but onely in ſuch veſſell and veſſels, whereof ſome ſubiect or ſubiects of the Queenes Maieſty, her heires or ſucceſſors, ſhall be then onely owner or part owner, vpon paine to forfeit all Wines and Woad brought contrary to the meaning hereof, according to the meaning of an eſtatute made in the time of the reigne of King Henry the ſeuenth, concerning Wine of the Duchie of Gaſcoin and Guyon (Except that there may be brought into Wales or any Port within the County of Monmoth Rochell Wines.)

No wine ſhal be brought forth of France, nor any woad brought into this Realme but in Engliſh ſhippes.
5.Ed.6.18.
4.H.7.10.
5.R.2.3.

Be it alſo enacted by the authority aforeſaid, that from henceforth it ſhall bee lawfull to all and euery owner and owners of ſhips or veſſels, and to euery houſholder, vſing and exerciſing the trade of the Seas by fiſhing or otherwiſe, and to euery Gunner or Gunners, commonly called Canoners, and to euery Shippe-wright, to take and keepe one or more Apprentice or Apprentices, to be brought vp in the ſaid trade or trades: euery of the ſame Apprentice or Apprentices, to be to them bound for tenne yeares or vnder. And euery Apprentice ſo taken, being aboue ſeuen yeares of age, ſhall bee by the ſame coucnants bound, ordered and vſed to all intents, according to the cuſtome of the City of London, ſo that the ſame couenant or bond of Apprenticeſhippe bee made by writing indented, and inrolled in the Towne where the ſame Apprentice ſhall bee then inhabiting, if it bee a Towne Corporate: and if the Towne

Owners of ſhip, Fiſhers on the Sea, Gunners and Shipwrights may take Apprentices.

be not incorporate, then to be enrolled in the next Towne incorporate to the habitation of euery ſuch Apprentice. And that the officers of euery ſuch Towne corporate, ſhall take for euery ſuch enrollement not aboue twelue pence: Any Law, Statute or other matter whatſoeuer to the contrary, notwithſtanding.

A Repeale of part of the ſtatute of 5.& 6. Ed 6.14 made againſt Regrators,&c.

And be it further enacted, that ſo much of the Statute made in the fift and ſixth yeares of the late King Edward the ſixth, intituled: An Act againſt Regrators, Foreſtallers and Ingroſſers: And ſo much of all other eſtatutes againſt all Regrators, Foreſtallers and Ingroſſers, as doth and may concerne the buying of Sea fiſh vnſalted, or Mudde fiſh, or any Wine, Oyle or Salt, to be taken and brought in any Engliſh ſubiects Ships, Crayers, or other veſſell, vnto any Port, Creeke or place of this Realme: ſhall from henceforth to all intents, conſtructions, and purpoſes, be vtterly repealed and voyd, for ſo much of the ſaid Oyles, Wine, Sea fiſh, Mudde fiſh, & Salt, as any buyer or buyers, vpon the Sea, by way of Foreſtalling or Regrating, ſhall and doe bring and diſcharge in any Port or Hauen within this Realme. And for increaſe of prouiſion of fiſh by the more vſuall and common eating thereof.

Euery wedneſday ſhalbe fiſh day. Exp. St.27 El 11. St.3. Car.4.

Be it further enacted by the authority aforeſaid, that from the Feaſt of Saint Michael the Archangell, in the yeare of our Lord God M.D.lxiiii. euery Wedneſday in euery weeke throughout the whole yeare, which heretofore hath not by the lawes or cuſtomes of this Realme beene vſed and obſerued as a fiſh day, and which ſhall not happen to fall in Chriſtmas weeke or Eaſter weeke, ſhall be hereafter obſerued and kept as the Saturdaies in euery weeke be or ought to be. And that no maner of perſon ſhall eate any fleſh on the ſame day, otherwiſe than ought to be vpon the common Saturday.

All fiſh dayes ſhall be obſerued.
Forfeiture of three pound, or three moneths cloſe impriſonment, for eating of fleſh vpon daies prohibited. Alt.35.El.7.
Forfeiture of the houſholder where fleſh is eaten.
How the forfeiture ſhalbe beſtowed.
A prouiſo for them which haue licences to eate fleſh.
How much euery perſon ſhall pay for his licence.

And be it further enacted by the authority aforeſaid, for the benefit and commodities of this Realme, to grow as well in maintenance of the Nauie, as in ſparing and increaſe of fleſh victuall of this Realme: that from and after the Feaſt of Pentecoſt next comming, It ſhall not be lawfull to any perſon or perſons within this Realme, to eate any fleſh vpon any dayes now vſually oſerued as fiſh dayes, or vpon any Wedneſday now newly limited to be obſerued as fiſh day, vpon paine that euery perſon ſo offending herein, ſhall forfeit three pound for euery time he or they ſhall offend, or elſe ſuffer three moneths cloſe impriſonment without baile or mainepriſe.

And euery perſon or perſons within whoſe houſe any ſuch offence ſhall be done, and being priuy or knowing thereof, and not effectually puniſhing or diſcloſing the ſame to ſome publike Officer, hauing authority to publiſh the ſame, for euery ſuch offence to forfeit forty ſhillings. All which forfeitures for not abſtaining from meats, ſhall be diuided into three equall parts: That is, one part to the vſe of the Queenes Maieſty, her heires or ſucceſſors, the other part to the Informer, the third to the common vſe of the Pariſh, where the offence is or ſhall be committed, and to be leuied by the Church-wardens, after any conuiction in that behalfe.

Prouided alwayes, and be it enacted, that this Act, nor any thing herein contained, concerning eating of fleſh, ſhall in any wiſe extend to any perſon or perſons, that ſhall hereafter haue any ſpeciall licence vpon cauſes to be contained in the ſame licence, and to be granted according to the Lawes of this Realme in ſuch caſes prouided.

All and euery which ſaid licence and licences, ſhalbe voyd to all intents, vnleſſe the ſame containe the conditions hereafter mentioned: That is to ſay, euery licence made to any perſon or perſons being of the degree of a Lord of Parliament, or of their wiues, ſhalbe vpon condition, that euery ſuch perſon ſo to be licenced, ſhall pay to the poore mens boxe within the Pariſh where they ſhall dwell or remaine, in the Feaſt of the Purification of the bleſſed Virgin Mary, or within ſix dayes after the ſame Feaſt, ſixe and twenty ſhillings and eight pence. The ſame to be paid within one moneth next after the ſame Feaſt, vpon paine of forfeiture of euery ſuch licence. And euery licence to any perſon of the degree of a Knight, or a Knights wife, ſhalbe vpon condition, that euery ſuch perſon ſo licenced, ſhall pay yearely thirteene ſhillings and foure pence, to the vſe aforeſaid, and in forme afore mentioned. And euery licence to any perſon or perſons being vnder the degrees aboueſaid, ſhalbe vpon condition, that euery ſuch perſon ſo licenced, ſhall pay yearely ſixe ſhillings and eight pence to the ſaid vſe, and in forme afore mentioned.

Prouided alwayes, that no licence ſhall extend to the eating of any Beefe at any time of the yeare, nor to the eating of any Veale in any yeare, from the Feaſt of Saint Michael the Archangell, vnto the firſt day of May.

Licences in times of ſickeneſſe.

Prouided alſo that all perſons which by reaſon of notorious ſickneſſe, ſhalbe enforced for recouery of health to eat fleſh for the time of their ſickeneſſe, ſhalbe ſufficiently licenced by the Biſhop of the Dioceſſe, or by the Parſon, Vicar or Curate of the Pariſh where ſuch perſon ſhalbe ſicke, or of one of the next Pariſh adioyning, if the ſaid Parſon, Vicar or Curat of his or their own Pariſh be wilfull, or if there be no Curat within the ſame Pariſh. Which licence ſhall be made in writing ſigned with the hand of the Biſhop of the Dioceſſe, or of the Parſon, Vicar or Curate, and not endure longer than the time of the ſickenes. And that if the ſicknes ſhall continue aboue the ſpace of eight daies after ſuch licence granted, then the licence ſhall be regiſtred in the church booke, with the knowledge of one of the Churchwardens, & the party licenced ſhall giue to the Curat foure pence for ẏ entry thereof, & that licence to endure no longer but only for ẏ time of his, her or their ſicknes.

And if any licence by any Parſon, Vicar or Curate, be granted to any perſon or perſons, other than ſuch as euidently appeare to haue neede thereof, by reaſon of their ſickeneſſe: not only euery ſuch licence ſhall be voyd, but alſo euery ſuch Parſon, Vicar or Curate, ſhall forfeit for euery ſuch licence otherwiſe granted, fiue markes.

Prouided alſo, & be it enacted, that all licences heretofore granted to any ſubiect of this Realm, by any of the late Kings, or by the late Queene Mary, or by the Queenes Maieſty now being, or by any Archbiſhop of this Realme, hauing authority ſo to doe, ſhall be of as good force in law for the Wedneſday now limited, and other accuſtomed fiſh dayes, as they were before the making this Act, for the ſaid other accuſtomed fiſh dayes; ſo as the parties licenced, do hereafter obſerue all ſuch conditions as be limited in this eſtatute, to ſuch as ſhall hereafter obtaine any licences.

The licences granted to any perſons before the making of this act ſhall extend to the wedneſdaies.

And ſuch perſons alſo as heretofore were or ought to be licenced by reaſon of age, or other impediment or cauſe, by order of the Eccleſiaſticall lawes, ſhall inioy the ſame priuiledge and accuſtomed licences: Any thing in this Act to the contrary hereof, in any wiſe notwithſtanding.

Licences by the law Eccleſiaſticall.

And be it enacted by the authority of this preſent Parliament, that no forfeiture of ſhip, crayer or other veſſell, or of any apparell of the ſame, nor any other penalty or forfeiture, ſhalbe extended or grow againſt any owner or owners of any ſhip, crayer or other veſſell, for the tranſporting or carrying of any Wheat or other corne, or things prohibited by the eſtatute made in the Parliament holden the firſt and ſecond yeares of King Philip and Queene Mary, vnleſſe the ſame owner or owners ſhalbe witting, knowing, aiding or conſenting to the prohibited tranſporting or carrying: The ſaid eſtatute or any thing therein mentioned to the contrary hereof in any wiſe notwithſtanding.

1. & 2. P. & M. 5. In what onely caſe the owner of a ſhip ſhall forfeit it for tranſporting of corn.

And be it further enacted by the authority of this preſent Parliament, that all and euery perſon and perſons, which be or ſhall be by the lawes and eſtatutes of this Realme, or otherwiſe authoriſed to ſell Wines by retayle, in the ſeuerall Counties and places where they be or ſhall be ſo authoriſed: ſhall and may from henceforth ſell the ſaid Wines by pint, quart, pottell, gallon or otherwiſe at ſuch price or prices, and in ſuch forme as ſhall be limited by the Queenes Maieſties proclamation in that County or place, made with the aſſent of ſuch Lords and other perſons, as by the ſtatute made in the xxviii. yeare of the reigne of King Henry the eight, were authoriſed to ſet price vpon Wines in groſſe, without any paine or forfeiture for the ſame: Any law, vſage, or eſtatute heretofore made or had to the contrary hereof, in any wiſe notwithſtanding.

Exp. St. 1. Iac. 25. Stat. 21. Iac. 28. Stat. 3. Car. 4. Wines ſhalbe ſold at ſuch prices as ſhall be limited by the Queenes proclamation. 28. H. 8.

And be it further enacted by the authority of this preſent Parliament, that from and after the Feaſt of Saint Michael the Archangel next comming, it ſhall be lawfull to all and euery perſon and perſons, being ſubiects of the Queenes Maieſty, her heires and ſucceſſors, onely out of ſuch Ports or Creekes, as by the Queenes Maieſties proclamation hereafter ſhall be publiſhed and appointed and not elſewhere, to load, carry or tranſport any Wheat, Rye, Barley, Mault, Peaſe or Beanes, into any parts beyond the Seas, to ſell as a merchandize, in Ships, Crayers or other veſſels, whereof any Engliſh borne ſubiect then ſhall be the onely owners, ſo that the price of the ſaid Corne or Graine ſo carried or tranſported, exceed not the prices hereafter following, at the times, Hauens, and places, where and when the ſame corne or graine ſhalbe ſhipped or laden: viz. The quarter of Wheat at ten ſhillings, the quarter of Rye, Peaſe or Beanes, at eight ſhillings, the quarter of Barley or Mault at ſixe ſhillings eight pence, of currant mony of England: Any law, vſage or eſtatute heretofore made to the contrary hereof in any wiſe notwithſtanding.

When and vpon what prices and conditions each perſon may tranſport corne. Act. 1. Iac. 25. 21. Iac. 28. 3. Car. 4.

And where doubt hath heretofore beene, whether the ſtatute in the eighteenth yeare of the reigne of King Henry the ſixt, heretofore made againſt Souldiers retained, which depart from their Captaines without licence, did or ought to extend vnto Mariners and Gunners ſeruing on the Seas, taking wages of the King or Queene of this Realme: Be it expreſſed, ordained, enacted and declared by authority of this preſent Parliament, that the ſaid eſtatute made in the ſaid eighteenth yeare of the reigne of King Henry the ſixt, in all paines, forfeitures & other things did, doth, and hereafter ſhall extend, as well to all and euery Mariner and Gunner, hauing taken or ſhall hereafter take preſt or wages to ſerue the Queenes Maieſty, her heires or ſucceſſors, to all intents and purpoſes, as the ſame did or doth vnto any ſouldier: Any diuerſities of opinion, doubt, matter, or thing to the contrary hereof in any wiſe notwithſtanding.

The Statute of 18. H. 6. 19. ordained againſt ſouldiers, ſhall extend to Mariners and Gunners.

And where an eſtatute concerning ſowing of Flaxe and Hempe, was made and prouided in the Parliament holden the three and twentieth yeare of the reigne of our late Soueraigne Lord King Henry the eight, to be vniuerſall through euery County of this Realme, for the better prouiſion of Nets, for helpe and furtherance of fiſhing, and for eſchewing of idleneſſe.

Be it ordained and enacted by authority of this preſent Parliament, that in euery ſuch County of this Realme, or part of ſuch County, where by the Queenes Maieſties Proclamation it ſhall hereafter be publiſhed, the ſaid eſtatute to be commodious or profitable for the Common wealth: The ſaid eſtatute, and euery clauſe, article and prouiſion therein contained, be and ſhall be reuiued, and ſtand in full force and ſtrength to be executed and performed, from the Feaſt of Saint Michael the Archangell next comming, in all things other than in the proportion of a Roode or fourth part of an Acre, and in the paine of three ſhillings and foure pence, by the ſaid eſtatute limited. In place whereof, be it ordained and enacted by the authority

In what caſes & places the Statute of 24. H. 8. 4. prouided for the ſowing of of Hemps and Flaxe ſhall be reuiued. Rep. 35. El. 7.

aforeſaid, that in euery caſe and degrée where by the ſaid former eſtatute, one Rode or fourth part of an Acre is limited to be ſowne with Linſéede, otherwiſe flaxe ſéede, or hempe ſéede, from the ſaid Feaſt of Saint Michael the Archangell next comming: In ſtead and lieu of the ſaid Rode or fourth part of an Acre, one whole Acre or leſſe, as by proclamation in forme aforeſaid ſhall be limited, ſhalbe ſowne with Linſéed, otherwiſe flaxe ſéed or hempe ſéed, vpon paine of forfeiture of fiue pounds for euery ſuch default or offence.

which Magiſtrates ſhall inquire of, heare and determine the offences aforeſaid. 28.H.8.15.

And further be it ordained and enacted by the authority aforeſaid, that all and euery ſuch of the offences before mentioned, as hereafter ſhall be done on the maine Sea, or coaſts of the Sea, being no part of the body of any County of this Realme, & without the precinct, iuriſdiction and liberties of the Cinque Ports, and out of any Hauen or Pére: ſhalbe tried and determined before the Lord Admirall of England, or his Lieutenant, Deputy or Deputies, and other Juſtices of Oyer and Terminer, according to the forme of the ſaid eſtatute of Anno xxviij. Henrici viij. for cauſes of Piracie. And if the ſame ſhall be done on the maine Sea, or coaſts of the Sea, within the iuriſdiction or liberty of the Cinque Ports, and out of any Hauen or Port, then the ſame to be tried and determined before the ſaid Lord Warden of the ſaid Cinque Ports, or his Lieutenant or Judge, or before Juſtices of Oyer and Terminer, according to the true forme of the ſaid eſtatute of Anno xxviij. Henrici viij, for cauſes of Piracie. And for all and ſingular ſuch other of the offences before mentioned, as ſhall be done in the Land, or within any Hauen or Pére, all Juſtices of Peace in their Seſſions, and Maiors, Sheriffes and Bailiffes, and other head Officers, in Cities and Townes Corporate, in their Seſſions or other Courts, within the limits of their Commiſſions or authorities, ſhall haue full power and authority to enquire of the offendors of this Act, as well by the othes of twelue men, as otherwiſe by information, and thereupon to heare and determine the ſame.

And if any perſon or perſons ſhalbe preſented before the ſaid Judges, Juſtices or officers, within the limits of their authorities, or any information giuen to them of any offendor of this Act, that then they ſhall haue full power and authority vpon any ſuch preſentment or information, to make proceſſe againſt the offendors of this Act, like as is commonly vſed vpon inditements of treſpaſſe. And if any be preſented, and afterward be conuicted, by confeſſion or otherwiſe, that then euery ſuch perſon ſhall ſuffer no leſſe forfeiture or puniſhment than herein is before limited: All which forfeitures to be leuied in manner and forme following. That is to ſay, ſuch forfeitures concerning eating of fleſh, as are before limited, to certaine vſes, to be to the ſame vſes in that behalfe before expreſſed: and all ſuch forfeitures as according to the tenor of this Act ſhalbe determinable before the ſaid Judges, Juſtices, or other Officers of the Admiralties aforeſaid, or before Commiſſioners of Oyer and Terminer, in that behalfe, ſhall be to the vſe of the Lord Admirall of England, or Lord Warden of the Cinque Ports, where ſuch offence ſhall be preſented, or whereas the iuriſdiction of the cauſe ſhall appertaine.

who ſhal haue the benefit of all the forfeitures aforeſaid.

And all ſuch forfeitures, as according to the tenour of this Act ſhall be determinable before Maiors, Sheriffes, Bailiffes or other head Officers of Cities or Townes corporate, ſhall be to the common vſe of the Corporation of the ſaid City or Towne Corporate, where ſuch offences ſhall be preſented, or where as the iuriſdiction of the cauſe ſhall appertaine.

And all ſuch forfeitures, as according to the tenour of this Act ſhall be determinable before the Juſtices of the Peace, ſhall be to the vſe of the Quéenes Maieſty, her heires & ſucceſſors. And if any perſon ſhall be conuict, by confeſſion, or otherwiſe vpon any information made by any perſon or perſons, againſt any offendor or offendors of this Act, in any cauſe (ſaue for the eating of fleſh firſt before ſpecially limited) that then euery ſuch perſon ſo conuict vpon any information, ſhall loſe ſuch forfeiture as is before limited, the one halfe to ſuch as ſhall make the information, and the other halfe to thoſe which vpon preſentment without ſpeciall information are before limited to haue the whole forfeiture.

what Proceſſe ſhall be awarded againſt offenders.

And that for the leuying of euery forfeiture growing by this eſtatute, as well the ſaid Lord Admirall of England, Lord Warden of the Cinque Ports, their Lieutenants and Judges, as the ſaid Juſtices, Maiors, Sheriffes, Bailiffes, and other head Officers within the limits of their Commiſſions or authorities, haue and ſhall haue full power and authority to make ſuch proceſſe, as they ſhall thinke góod by their diſcretions.

Within what time an information ſhall be made after the offence committed.

Prouided alwayes, that none information at the ſute of any perſon concerning this Act, ſhall be of any effect to put any perſon to anſwer or loſſe of forfeiture, except the ſaid information be commenced within halfe a yéere next after the offence done contrary to this Act, nor that any information or preſentment for the Quéenes Maieſty, her heires or ſucceſſors, or for the Admirall, Warden of the Cinque Ports, Maiors or other Officers aforeſaid, be of any effect, to put any perſon to any anſwer or loſſe of any forfeiture by vertue of this Act, except the ſaid information or preſentment bée within one yeare next after the offence done and committed contrary to the this Act.

what diet each perſon muſt haue vpō his table on the Wedneſday. which ſhall haue licence to eate fleſh.

Prouided and be it likewiſe enacted that it ſhall be lawfull to any perſon or perſons, to haue at his or their table, vpon euery Wedneſday, being ordered by this eſtatute to bee obſerued as a fiſh-day, one onely vſuall competent diſh of fleſh, of one kinde and no moe, ſo that he, ſhee or they haue alſo ſerued to the ſame table and meaſe at the ſame meale, three full competent vſuall diſhes of Sea-fiſh, of ſundry kinds, either freſh or ſalt, and that without fraud or couine, and ſo ſhall alſo order, that the ſame fiſh be meete and ſeaſonable, and that it ſhall be eaten or ſpent in like manner, as vpon Fridayes or Saturdayes in like caſe are vſed.

And alſo ſuch perſons as haue, or hereafter ſhall haue, vpon good and iuſt conſideration, any lawfull licence to eate fleſh vpon any fiſh day (except ſuch perſons, as for ſickeneſſe ſhall for the time be licenced by the Biſhop of the Dioceſſe, or by their Curates, or ſhall be licenced by reaſon of age, or other impediment allowed heretofore by the Eccleſiaſticall lawes of this Realme) ſhalbe bound by force of this Statute, to haue for euery one diſh of fleſh ſerued to be eaten at their table, one vſuall diſh of Sea-fiſh, freſh or ſalt, to be likewiſe ſerued at the ſame table, and to bee eaten or ſpent without fraud or couine, as the like kind is, or ſhall be vſually eaten or ſpent on Saturdayes.

And that theſe two articles and clauſes next aboue, ſhalbe taken and interpreted from time to time, in the fauour of expence of Sea fiſh, and that the offendour or offendours, herein, ſhall bee puniſhed in like manner, as is ordered by this eſtatute, for puniſhment of ſuch as ſhall eat fleſh vpon Fridayes, Saturdayes, or other fiſh dayes.

And becauſe no manner of perſon ſhall miſiudge of the intent of this eſtatute, limiting orders to eate fiſh, and to forbeare eating of fleſh, but that the ſame is purpoſely intended and meant politikely for the increaſe of Fiſhermen and Mariners, and repairing of Port Townes and Nauigation, and not for any ſuperſtition to be maintained in the choiſe of meats.

The intent of this Statute touching eating of fiſh and forbearing of fleſh.

Be it enacted, that whoſoeuer ſhall by preaching, teaching, writing or open ſpeech notifie that any eating of fiſh, or forbearing of fleſh mentioned in this ſtatute, is of any neceſſity for the ſauing of the ſoule of man, or that it is the ſeruice of God, otherwiſe than as other politique lawes are and be: that then ſuch perſon ſhalbe puniſhed, as ſpreaders of falſe newes are and ought to be.

Spreaders of falſe newes.

Be it enacted in the fauour of Fiſhermen and Mariners, haunting the Sea as Fiſhermen or Mariners, that none of them ſhall hereafter at any time be compelled againſt his or their will, to ſerue as any ſouldiers vpon the Land or vpon the Sea, otherwiſe than as a Mariner, except it ſhalbe to ſerue vnder any Captaine of ſome ſhip or veſſell for landing, to doe ſome ſpeciall exploit, which Mariners haue vſed to doe, or vnder any other perſon hauing authority to withſtand any inuaſion of enemies, or to ſubdue any rebellion within the Realme, and alſo except all ſuch perſons as by tenure, lawfull cuſtome or couenant, be or ſhall be otherwiſe bound to ſerue.

Fiſhermen & Mariners ſhall not be compelled to ſerue as ſouldiers, but in ſome caſes.

Prouided alwayes, and bee it enacted by the authority aforeſaid, that this Act or any thing therein contained, ſhall not extend to take away or diminiſh any Liberty, Priuiledge Franches, forfeiture, or amerciament, fines, iſſues, wreckes of the Sea, or any other lawfull inheritance, or free hold, from any perſon or perſons, bodies politike or corporate, their heires or ſucceſſors, for or touching any lawfull liberty, authority, or iuriſdiction Admirall, or for conſeruation of any water, that they or any of them now haue lawfully, or hereafter ſhall haue: Any thing in the ſame to the contrary notwithſtanding.

A ſauing of the Liberties of all perſons.

Prouided alwaies, and be it further enacted by the authority aforeſaid, that no Fiſhermen vſing or haunting the Sea, ſhalbe taken by the Queenes Maieſties Commiſſion, to ſerue her Highneſſe as a Mariner on the Sea: but that the ſaid Commiſſion be firſt brought by her Highneſſe Taker or Takers, to two Iuſtices of Peace, next adioyning and inhabiting to the ſaid Sea coaſts, Townes, or other places, where the ſaid Mariners are ſo to be taken, to the intent the ſaid Iuſtices may chooſe out, and cauſe to be returned ſuch ſufficient number of able men, as in the ſaid Commiſſion ſhall be contained to ſerue her Maieſtie, as is aforeſaid.

In what caſes a Fiſherman ſhall be taken by Commiſſion to ſerue on the Sea as a Mariner.

Sauing alwayes to the Cinque Ports, and alſo to the Towne of great Yarmouth, all ſuch lawfull liberties as they iuſtly haue before the making of this Act, touching the free Faire kept at Yarmouth, other than in buying of ſtrangers and taking of toll, as the ſame be before prohibited.

The liberties of the fiue Ports & great Yarmouth in ſome caſes reſerued.

Prouided alwaies, that any thing in this Act contained, ſhall not be hurtfull or preiudiciall to any authority, ſtyle, preheminence, dignity or iuriſdiction, belonging to the office of the Lord Warden of the Cinque Ports.

The authority of the Lord Warden of the Cinque Ports.

Prouided alwayes, that it ſhall and may be lawful to and for any perſon or perſons being ſtrangers borne, to bring yearely in any Ship, Bottome or Veſſell, whereof any ſtranger or ſtrangers borne, is or ſhalbe owner or owners, into the Hauens, Ports and Townes of the Iſle of Man, or into any of them, any of the Wines made in any of the Dominions or Countries belonging to the Crowne of France, and in the ſame Ports and Townes, or any of them, to diſcharge the ſaid Wines ſo to be brought, ſo that there be not brought and diſcharged by the ſame ſtrangers, in ſuch any ſtrangers Ships, Bottomes or Veſſels, in any one yeare, in, or at the ſaid Hauens, Ports and Townes, or any of them, aboue one hundred Tonnes at the moſt: This Act or any thing therein contained to the contrary thereof, notwithſtanding.

What Wine may be brougt in ſtrangers ſhips into the Iſle of Man.

Prouided alſo, that it ſhall and may be lawfull to and for any perſon or perſons being ſtrangers borne, to bring yearely in any Ship, Veſſell or Bottome, whereof any ſtranger or ſtrangers borne, Wine brought in ſtrangers ſhippes into Chepſtow.

borne, is or ſhall be owner or owners, into the Hauen, Port, and Towne of Chepſtowe, in the County of Monmouth, any Wines made in any of the ſaid Dominions or Countries belonging to the ſaid Crown of France, ouer and beſides all Rochell Wines heretofore in this Act allowed to be brought, and in the ſame Port and Town to diſcharge the ſaid Wines, ſo that there be not brought and diſcharged by the ſame ſtrangers, in any ſuch ſtrangers Ships, Bottomes, or Veſſels, in any one yeare, in, or at the ſaid Hauen, Port, and Towne, aboue one hundred Tonnes at the moſt: This Act, or any thing therein contained to the contrary, notwithſtanding.

What wine may bee brought in ſtrangers ſhips into Wales and Newport.

Prouided alſo, that it ſhall and may be lawfull to and for any perſon or perſons, being ſtrangers borne to bring yearely in any Ship, Veſſell, or Bottome, whereof any ſtranger or ſtrangers borne, is or ſhalbe owner or owners, into the Hauens, Ports, and Townes of Cardiffe, Carnervon, Beawmarris, and other Hauens, Ports, and Towns of South Wales and North Wales, or any of them, and into the Hauen, Port, and Towne of Newport in the ſaid County of Monmoth, any of the ſaid Wines made in any of the ſaid Dominions or Countries belonging to the ſaid Crowne of France, ouer and beſides all Rochell Wines heretofore in this Act allowed to be brought, and in and at the ſame Ports and Townes, or any of them, to diſcharge the ſaid Wines ſo to be brought, ſo that there be not brought and diſcharged by the ſame ſtrangers, in any ſuch ſtrangers Ships, Bottomes, or Veſſels, in any one yeare, in or at the ſaid Hauens, Ports, and Townes, or any of them, aboue one hundred Tonnes at the moſt: This Act, or any thing therein contained to the contrary thereof notwithſtanding.

A ſauing of al the Queenes duties.

Sauing vnto the Queenes Maieſty, her heires and ſucceſſors, all ſuch duties and things which her Highneſſe, her heires, and ſucceſſors, ought to haue and inioy, be anſwered and paid, for the ſaid three hundred Tonnes of Wines, mentioned in the ſaid three laſt Prouiſoes, to be brought and diſcharged, as in the ſame three Prouiſoes beene mentioned and declared: Any thing in this Act to the contrary thereof notwithſtanding.

The Lord Admirall &c. ſhall haue no greater authority than he had before.

Prouided alſo, and be it further enacted by the authority aforeſaid, that this Act, or any thing or things therein contained, ſhall not in any maner of wiſe extend to giue vnto the Lord Admirall of England for the time being, or to any his Viceadmirals, Iudge or Iudges of the Admiralty, his or their deputy or deputies, or to any other the Officers or Miniſters of the Admiralty, or to any others hauing or claiming any Admirall power, iuriſdiction or authority within this Realme and Wales, or any other the Queenes Dominions: any other power, right iuriſdiction, preheminence, or authority, then he, or they, or any of them lawfully haue, hath, or had, or ought to haue and inioy before the making of this Act, other than for ſuch of the offences ſpecified in this Act, as hereafter ſhall be done vpon the maine Sea, within the iuriſdiction of the Admiralty: This Act or any article, branch, clauſe, prouiſion, or thing therein contained to the contrary thereof, notwithſtanding.

This Act ſhall continue and endure vntill the end of tenne whole yeares, to be accounted from the feaſt of Saint Michael the Archangel, which ſhall be in the year of our Lord God M.D.lxiii. and from thence to the end of the next Parliament then following the end of the ſaid ten yeares. St. 35. El. 7. 39. El. 18. 1. Iac. 25. 1. Iac. 29. 21. Iac. 28. 3. Car. 4.

Cap. VI.

Whoſoeuer ſhall ſell or deliuer to any perſon (hauing not in poſſeſſion lands or fees, to the cleere yearely value of 3000. li.) any forraine wares not firſt growne, or firſt wrought within the Queenes dominions, appertaining to the clothing or adorning of the body, for which wares or the workmanſhip thereof, the ſeller ſhall not haue receiued the whole money, or ſatisfaction in hand, or within eight and twenty dayes after the making or deliuery thereof, The ſeller, maker, &c. ſhall be without all remedy by order of any law, cuſtome, or decree, to recouer any recompence for ſuch wares, or the workmanſhip, whatſoeuer aſſurance he ſhall haue by bond, ſurety, promiſe, or pawne of the party, or any other: And all aſſurances and bonds in that caſe ſhall be voide. EXP. 38. Ed. 3. 5. 7. Iac. 12.

Cap. VII.

No perſon ſhall bring into this Realme to be ſold, girdles, rapiers, daggers, &c. ready wrought and made beyond Seas.

Where as heretofore the Artificers of this Realme of England (as well within the City of London, as within other Cities, Townes, and Boroughs of the ſame Realme) that is to wit, Girdlers, Cutlers, Sadlers, Glouers, Poyntmakers, and ſuch like handicrafts men, haue been in their ſaid faculties greatly wrought and greatly ſet on worke, as well for the ſuſtentation of themſelues, their wiues and families, as for a good education of a great part of youth of this Realme in good art and laudible exerciſe: beſides the manifold benefits, that by meanes or by reaſon of their knowledges, inuentions, and continuall trauell daily and vniuerſally came to the whole eſtate of the common wealth of this ſaid Realme:

Yet notwithſtanding, ſo now it is, that by reaſon of the abundance of forraine wares brought into this Realme from the parts of beyond the Seas, the ſaid Artificers are not onely leſſe occupied, and thereby vtterly impoueriſhed, the youth not trained in the ſaid Sciences and exerciſes, and thereby the ſaid faculties and the exquiſite knowledges thereof like in ſhort time within this Realme to decay: but alſo diuers Cities and Townes within this Realme of England much thereby impaired, the whole Realme greatly endamaged, and other Countries notably enriched, and the people thereof well ſet on worke, to their commodities and liuings, in the Arts and Sciences aforeſaid, and to the great diſcouragement of the ſkilfull workemen of this Realme, being in very déed nothing inferiour to any ſtranger in the faculties aforeſaid.

The ſeuerall inconueniences of bringing wares ready wrought into England,

For reformation whereof: Be it enacted by our Soueraigne Lady the Quéenes Highneſſe, and by the Lords Spirituall and Temporall, and the Commons of this preſent Parliament aſſembled, and by the authority of the ſame, That no perſon or perſons whatſoeuer, from or after the feaſt of the Natiuity of S. Iohn Baptiſt now next enſuing, ſhall bring or cauſe to be brought into this Realme of England, from the parts of beyond the Seas, any Girdles, Harneſſe for Girdles, Rapiers, Daggers, Kniues, Hylts, Pummels, Lockets, Chapes, Dagger blades, Handles, Scabbards, and Sheathes for Kniues, Saddels, Horſe harneſſe, Stirops, Bittes, Gloues, Poynts, Leather Laces, or Pinnes, being ready made or wrought in any parts of beyond the Seas, to be ſold, bartred or exchanged within this Realme of England or Wales, vpon paine to forfeit all ſuch wares ſo to be brought contrary to the true meaning of this Act, in whoſe hands ſoeuer they or any of them ſhalbe found, or the very value thereof: The one halfe of the forfeiture to be to our Soueraigne Lady the Quéenes highneſſe, her heires and ſucceſſors, and the other moity thereof to him or them that will ſeiſe the ſame, or ſue therefore in any Court of Record of the Quéenes maieſty, her heires and ſucceſſors, by action of debt, bill, plaint, information, or otherwiſe, where no wager of law, eſſoyne or protection, ſhall be to him or them allowed. This Act to continue and endure to the end of the next Parliament. 3.Car.4. contin. vntill the end of the firſt Seſsion of the next Parliament.

None ſhall bring into this Realme the wares within mentioned ready wrought. 3.Ed.4.4. 1.Ri.3.12. St.27.El.11.

Cap. VIII.

No Butcher ſhall be a Tanner. Who onely may be Tanners. The ſeuerall duties of Tanners, Curriers, and Shoomakers in their wares & workmanſhips. Where, when, and by whom Leather ſhalbe ſearched, ſealed, and ſold. Oakes ſhalbe felled in barking time onely. A reſtraint of tranſporting of Leather. A repeale of the Statutes of 25.Ed.3.4. 13.R.2.12.4.H.4.35.2.H.6.7.4.Ed.4.7.1.H.7.5.19.H.7.19.3.H.8.10.5.H.8.7.14.H.8.9.22.H.8.6.24.H.8.1. 2.& 3. Ed.6.9.1.El.18.3.& 4.Ed.6.9. of part of the 5.& 6.Ed.6.15.1.El.8.& 9. made touching Tanners, Curriers, and Shoomakers, their wares and workmanſhip. REP.1.Iac.22.

Cap. IX.

What puniſhments ſhall be inflicted vpon perſons who commit wilfull periury.

WHere in the Parliament holden at Weſtminſter in the xxxii. yeare of the reigne of the late King of famous memory, King Henry the eighth, amongſt other things it was ordained, enacted, and eſtabliſhed, That no perſon or perſons of what eſtate, degrée, or condition ſoeuer he or they were, ſhould from thenceforth vnlawfully ſuborne any witneſſe or witneſſes, by letters, rewards, promiſes, or by any other ſiniſter labour or meanes, for to maintaine any matter or cauſe, or to the diſturbance or hinderance of Juſtice, or to the procurement or occaſion of any manner of periury, by falſe verdict, or otherwiſe, in any of the Kings Courts of Chancery, the Starre Chamber, the White Hall, or elſewhere within any the Kings Dominions of England, or Wales, or the Marches of the ſame, where any perſon or perſons haue, or from thenceforth ſhould haue authority, by vertue of the Kings Commiſſion, Patent, or Writ, to hold plea of Land, or to examine, heare, or determine any title of Lands, or any matter or witneſſes concerning the title, right, or intereſt of any lands, tenements, or hereditaments, vpon paine of forfeiture for euery ſuch offence x. li. the one moity thereof to be to the King, and the other to the party that would ſue for the ſame, as by the ſame Eſtatute, amongſt diuers other things, more plainely it doth appeare.

A rehearſall of the Statute of 32.H.8.9. made againſt the ſubornation of witneſſes.

Sithence the making whereof, for that the ſaid penalty is ſo ſmall towards the offendors in that behalfe, the ſaid offence of ſubornation and ſiniſter procurement of falſe witneſſe hath neuertheleſſe greatly encreaſed and augmented, and by reaſon of the wilfull periury committed by the ſame ſuborned witneſſes, diuers and ſundry of the Quéenes Maieſties ſubiects haue ſuſtained diſheriſon and great impoueriſhment, as well of their lands and tenements, as alſo of their goods and cattels.

Be it therefore enacted by our Soueraigne Lady the Quéene, by the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and euery ſuch perſon and perſons, which at any time after the tenth day of Aprill next comming, ſhall vnlawfully & corruptly procure any witneſſe or witneſſes by letters, rewards, promiſes, or by any other ſiniſter and vnlawfull labor or means whatſoeuer, to commit any wilfull and corrupt periury, in any matter or cauſe whatſoeuer, now depending,

The penalty for procuring of wilfull periurie.
Coke pla.fol. 362. 367.
Raſt.pla.fo.481.

or which hereafter ſhall depend in ſuite and variance, by any writ, action, bill, complaint or information, in any wiſe touching or concerning any lands, tenements, or hereditaments, or any goods, cattels, debts, or damages in any of the courts before mentioned, or in any of the Queenes Maieſties Courts of Record, or in any leete, view of franke pledge, or lawday, auncient demeane Court, Hundred Court, Court Baron, or in the Court or Courts of the Stannarie in the Counties of Deuon, and Cornewall, or ſhall likewiſe vnlawfully and corruptly procure or ſuborne any witneſſe or witneſſes, which ſhall from and after the ſaid tenth day of Aprill bee ſworne to teſtifie In perpetuam rei memoriam, that then euery ſuch offendor or offendors, ſhall for his, hers, or their ſaid offence, being thereof lawfully conuicted or attainted, loſe and forfeite the ſumme of forty pounds.

And if it happen any ſuch offendor or offendors, ſo being conuicted or attainted, as aforeſaid, not to haue any goods or cattels, lands or tenements, to the value of forty pound, that then euery ſuch perſon ſo beeing conuict or attainted of any the offences aforeſayd, ſhall for his or their ſayd offence, ſuffer impriſonment by the ſpace of one halfe yeare, without baile or maineprize, and to ſtand vpon the pillory by the ſpace of one whole houre, in ſome Market towne next adioyning to the place, where the offence was committed, in open Market there, or in the Market towne it ſelfe, where the offence was committed.

And that no perſon or perſons being ſo conuicted or attainted, to bee from thenceforth receiued as a witneſſe to be depoſed and ſworn in any Court of Record within any of the Queenes Highneſſe Dominions of England, Wales, or the Marches of the ſame, vntill ſuch times as the iudgement giuen againſt the ſayd perſon or perſons ſhall be reuerſed by attaint or otherwiſe, and that vpon euery ſuch reuerſall, the parties grieued, to recouer his or their damages, againſt all and euery ſuch perſon and perſons as did procure the ſayd iudgement ſo reuerſed to be firſt giuen againſt them or any of them, by action or actions, to be ſued vpon his or their caſe or caſes, according to the courſe of the common lawes of this Realme.

And bee it further enacted by the authority aforeſayd, that if any perſon or perſons after the ſaid tenth day of Aprill next comming, either by the ſubornation, vnlawfull procurement, ſiniſter perſwaſion or meanes of any others, or by their owne act, conſent or agreement, wilfully and corruptly commit any manner of wilfull periurie, by his or their depoſition in any of the Courts before mentioned, or being examined ad perpetuam rei memoriam, that then euery perſon and perſons ſo offending, and being thereof duely conuict or attainted by the lawes of this Realme, ſhall for his or their ſaid offence, loſe and forfeit twenty pounds, and to haue impriſonment by the ſpace of ſix moneths without baile or maineprize, and the oath of ſuch perſon or perſons ſo offending, from thenceforth not to be receiued in any Court of Record within this Realme of England or Wales, or the Marches of the ſame, vntill ſuch time as the iudgement giuen againſt the ſaid perſon or perſons ſhall bee reuerſed by attaint or otherwiſe. And that vpon euery ſuch reuerſall, the parties grieued to recouer his or their damages, againſt all and euery ſuch perſon and perſons as did procure the ſaid iudgement ſo reuerſed, to be giuen againſt them or any of them, by action or actions to be ſued vpon his or their caſe or caſes, according to the courſe of the common lawes of this Realme.

The penalty of him that doth commit wilfull periury.
Coke pla.fol. 164, 165. 362.

And if it happen the ſaid offendor or offendors ſo offending, not to haue any goods or cattels to the value of twenty pounds: that then he or they to be ſet on the pillory in ſome Market-place within the Shire, City, or Borough, where the ſaid offence ſhall be committed, by the Sheriffe or his miniſters, if it ſhall fortune to be without any City or Towne corporate: And if it happen to be within any ſuch City or Towne corporate, then by the ſaid head officer or officers of ſuch City or Towne corporate, or by his or their miniſters, and there to haue both his eares nailed, and from thence forth to be diſcredited and diſabled for euer to be ſworne in any of the Courts of Record aforeſaid, vntill ſuch time as the iudgement ſhall be reuerſed, and thereupon to recouer his damages in manner and forme before mentioned.

Who ſhall haue the forfeitures and by what meanes.

The one moity of all which ſummes of money, goods, and cattels, to bee forfeited in manner and forme aforeſaid, to be to the Queen our Soueraigne Lady, her heirs and ſucceſſors: and the other moity to ſuch perſon or perſons as ſhall be grieued, hindred, or moleſted, by reaſon of any the offence or offences before mentioned, that will ſue for the ſame by action of Debt, Bil, Plaint, Information, or otherwiſe, in any of the Queenes Maieſties Courts of Record, in the which no Wager of Law, Eſſoyne, Protection, or Iniunction, to be allowed.

Who ſhal haue authority to heare and determine the offences aforeſayd.

And be it alſo enacted by the authority aforeſaid, That as well the Iudge and Iudges of euery ſuch of the ſaid Courts where any ſuch ſuite is or ſhall be, and whereupon any ſuch periury is or ſhall happen to be committed, as alſo the Iuſtices of Aſſiſes and Goale deliuery in their ſeuerall Circuits, and the Iuſtices of the Peace in euery County within this Realme, or in Wales, at their quarter Seſſions, both within the liberties and without, ſhall haue full power and authority, by vertue hereof, to enquire of all and euery the defaults and offences perpetrated, committed, or done contrary to this Act, by Inquiſition, Preſentment, Bil, or Information, before them exhibited, or otherwiſe, lawfully to heare and determine the ſame, and thereupon to giue iudgement, award proces, & execution of the ſame, according to the courſe of the lawes of this Realme.

And bee it further enacted by the authority aforeſaid, that the Juſtices of Aſſiſe of every circuit within this Realme, and elſe-where within the Queenes Dominions, ſhall in every County within their circuits, two times in the yeare, that is to ſay, in the time of their ſittings, make open Proclamation of this Eſtatute, or of the effect thereof, to the intent no perſon or perſons ſhall be ignorant or miſcognizant of the penalties therein contained.

This Stat. ſhall be proclaimed at all Aſſiſes.

Provided alſo that this Act nor any thing therein contained, ſhall not extend to any Spirituall or Eccleſiaſticall Court or Courts within this Realme of Englang or Wales, or the marches of the ſame: But that all and every ſuch offendor or offendors as ſhall offend in forme aforeſaid, ſhall and may be puniſhed by ſuch uſuall and ordinary lawes as heretofore hath been, and yet is uſed and frequented in the ſayd Eccleſiaſticall Courts: any thing in this preſent Act contained to the contrary in any wiſe notwithſtanding.

This Act ſhal not extend to any Court Eccleſiaſtical.

Provided alſo, and be it further enacted by the authority aforeſayd, that if any perſon or perſons, upon whom any proceſſe out of any of the Courts of Record within this Realme or Wales, ſhall be ſerved to teſtifie or depoſe, concerning any cauſe or matter depending in any of the ſame Courts, and having tendred unto him or them, according to his or their countenance or calling, ſuch reſonable ſummes of money for his or their coſtes and charges, as having regard to the diſtance of the places, is neceſſary to be allowed in that behalfe, doe not appeare according to the tenour of the ſaid proceſſe, having not a lawful and reaſonable let or impediment to the contrary: that then the party making default, to loſe and forfeit for every ſuch offence, x. li. and to yeeld ſuch further recompence to the party grieved, as by the diſcretion of the Judge of the Court, out of the which the ſayd proceſſe ſhall be awarded, according to the loſſe and hinderance that the party which procured the ſayd proceſſe, ſhall ſuſtaine by reaſon of the non-appearance of the ſaid witneſſe or witneſſes, the ſayd ſeverall ſummes to be recovered by the party ſo grieved againſt the offendor or offendors, by action of debt, bill, plaint, or information, in any of the Queenes Maieſties Courts of Record, in which no wager of law, eſſoyne, or protection to be allowed.

Proceſſe ſerved upon witneſſes to teſtifie.

Provided alwayes that this Act or any thing therein contained, ſhall not extend in any wiſe to reſtraine the power or authority given by act of Parliament, made in the time of King Henry the ſeventh, to the Lord Chancellor of England, and others of the Kings Councell, for the time being, to examine and puniſh riots, routs, hainous periuries, and other offences and miſdemeanors: which Lord Chancellor and other ſithence the making of the ſayd Act, have moſt commonly uſed to heare and determine ſuch matters in the Court of Weſtminſter, commonly called the Starre chamber, nor to reſtraine the power or authority of the Lord Preſident and Councell in the marches of Wales, or of the Lord Preſident and Councell in the North, nor of any other Iudge, having abſolute power to puniſh periury before the making of this Eſtatute: But that they and every of them ſhall and may proceed in the puniſhment of all offences heretofore puniſhable, in ſuch wiſe as they might have done, and uſed to doe before the making of this Act, to all purpoſes, ſo that they ſet not upon the offendor or offendors leſſe puniſhment than is conteyned in this Act. This Act to continue unto the end of the next Parliament. 29 El.5. made perpetuall. 1. Iac.25. continued. 21. Iac.28. made perpetuall. Coke li.5. fol.50.99. Dyer f.242. 302. 323.

The authority to puniſh periury, given by the Stat. of 11. H.7.25. ſaved.

Cap. X.

Servants imbeſiling their Maſters goods of the value of xl. ſhillings or above, ſhall be puniſhed as felons.

Where in the Parliament holden at London the third day of November, in the xxi. yeare of the reigne of the late King of moſt famous and worthy memory King Henry the eighth, and from thence adiourned to Weſtminſter, and there holden and continued by divers prorogations unto the diſſolution thereof: it was ordayned and enacted among other things, that all and ſingular ſervants to whom any Caſkets, Jewels, mony, goods or cattels, by his or their Maſter or Maſters, ſhould from thenceforth be delivered to keep, that if any ſuch ſervant or ſervants withdraw him or them from their ſayd Maſters or Miſtreſſes, and goe away with the ſayd Caſkets, Jewels, money, goods or cattels, or any part thereof, to the intent to ſteale the ſame, and defraud his or their ſaid Maſters and Miſtreſſes thereof, contrary to the truſt and confidence to him or them put, by his or their ſaid Maſters and Miſtreſſes: or els being in ſervice of his ſaid Maſters or Miſtreſſes, without the aſſent or commandement of his Maſters or Miſtreſſes, imbeſell the ſame Caſkets, Jewels, money, goods or cattels, or any part thereof, or otherwiſe convert the ſame to his owne uſe, with like purpoſe to ſteale it, that if the ſayd Caſkets, Jewels, money, goods or cattels, that any ſuch ſervant ſhall go away with, or which he ſhall imbeſell, with purpoſe to ſteale it, as is aforeſaid, be of the value of forty ſhillings or above: That then the ſame falſe, fraudulent, and untrue act and demeanour, ſhould from thenceforth be deemed and adiudged felony, and that he or they ſo offending, ſhould bee puniſhed as other felons for felony committed, by the courſe of the common Law, as by the ſayd Act amongſt other things therein contained more at large it doth and may appeare.

21.H.8.7.

Which ſaid Act, in the Parliament begun and holden at Weſtminſter the firſt day of October,

1. Ma. 1.

in the firſt yeare of the reigne of the late Queene Mary, and there continued to the xxi. day of the ſame moneth, that is to ſay, in the firſt Seſſion of the ſame Parliament, by the generall words of one Act then and there made, entituled, An Act repealing certaine treaſons, felonies, and Præmunire, was from thenceforth vtterly repealed and made voyd.

Reuiuer of the St. of 21. H. 8. 7 whereby it is made felony for a ſeruant to imbezil his maſters goods, to the value of xl.s or aboue.

And foraſmuch as ſithence the repeale of the ſame, the ſaid Act is thought neceſſary for the Common wealth of this Realme: Be it therfore enacted by our Soueraigne Lady the Queenes Maieſty, with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that the ſaid Act made in the xxi. yeare, and euery clauſe, article, branch, ſentence, and prouiſion therein contained, be from henceforth reuiued, and put in due execution, according to the intent and meaning thereof, and from thenceforth ſhall ſtand good, endure, and continue for euer. St.27.H.8.17.

Cap. XI.

The clipping, &c. of Coynes for gaines ſake, ſhall be high Treaſon.

St.3.H.5.6.

1. Ma. 1.

Whereas the offences of clipping, rounding, waſhing, and fyling of money or coynes of this Realme, was declared by an Act of Parliament in the time of King Henry the fifth, to be Treaſon to the King and the Realme, and according to the ſaid Act, the ſame offences were and did continue Treaſon, vntill the firſt yeare of the reigne of Queene Mary: at which time, the paines and penalties due for the ſaid offences, were abrogated and taken away, by the generall Act of repeale then made. By reaſon whereof, diuers falſe and euill diſpoſed perſons, perceiuing themſelues to be looſe and free from the ſeuerity and danger of the ſaid law and penalty, haue beene of late the more hardie and bold, to attempt and practiſe, for wicked lucre and gaines ſake, to diminiſh, impaire, and falſifie the moneyes and coynes currant within this Realme, and the dominions of the ſame, by ſuch clipping, waſhing, rounding, and fyling thereof, (not onely) to the great diſhonour of the Queenes Maieſty our Soueraigne Lady that now is, by whoſe great goodneſſe the new moneyes or coynes of the ſame are now reduced to as much fineneſſe as euer hath beene in any time of her noble progenitors (but alſo) to the great loſſe and damage of the good Subiects of this Realme, and more is like to bee hereafter, if the ſame be not ſpeedily met withall.

The preiudices redounding to the Qu. and the Realme by clipping, waſhing, &c. of money.

For remedy whereof, be it enacted, declared, and eſtabliſhed, by the authority of this preſent Parliament, that from and after the firſt day of May next comming, clypping, waſhing, rounding, or fyling, for wicked lucre, or gaines ſake, of any the proper moneyes or coynes of this Realme, or the dominions thereof, or of the moneyes or coynes of any other Realme, allowed and ſuffered to be currant within this Realme, or the dominions thereof at this preſent, or that hereafter at any time ſhalbe the lawfull moneyes or coynes of this Realme or of the dominions thereof, or of any other Realme, and by proclamation allowed and ſuffered to be currant here, by the Queenes Maieſty, her heires or ſucceſſors: ſhalbe taken, deemed, and adiudged by vertue of this Act, to bee Treaſon, and the offendors therein, their counſellors, conſentors, and ayders, ſhall be from and after the ſame firſt day of May, taken, deemed, and adiudged as offendors in Treaſon, and being thereof lawfully conuicted or attainted, according to the due order and courſe of the lawes of this Realme, ſhall ſuffer paines of death, and loſe and forfeit all his and their goods and cattels, and ſhall alſo loſe and forfeit all his and their lands and tenements, during his and their naturall life or liues onely.

The clipping, waſhing, rounding or filing of currant money, ſhall be adiudged Treaſon.

And be it further enacted by the authority aforeſaid, that all & euery perſon and perſons, which haue any lawfull grant to haue and inioy the forfeiture of lands, tenements, goods or cattels of offenders, and men attainted in high Treaſon, within any Manor, lordſhip, towne, pariſh, hundred, or other precinct within this Realme of England or Wales: ſhal and may at all times hereafter haue like liberty, to take, ſeiſe, and inioy all ſuch forfeitures of lands, tenements, goods, and cattels, as ſhall come or grow within their liberties, by force of the attaindor of any perſon or perſons, for, and vpon any offence or offences made Treaſon by this Act, as they or any of them ſhould, ought, or might haue, by vertue of any good and lawfull grant to them or any of them heretofore had or made.

They which haue forfeitures of lands or goods by grant ſhall in this caſe inioy them.

Prouided alwayes, and be it enacted by the authority aforeſaid, that this Act, nor any thing therein contained, nor any attaindor or attaindors, of any perſon or perſons, for any offence or offences made treaſon by this Act, ſhal in any wiſe extend, or be iudged, interpreted or expounded, to make any corruption of bloud, to any the heire or heires of any ſuch offendor or offendors, or to make the wife of any ſuch offendor to loſe or forfeit her dower, of, or in any lands, tenements, or hereditaments, or her title, action, or intereſt in the ſame: Any thing in this Act contained, or any attaindor or attaindors hereafter to be had for any offence or offences made Treaſon by this Act, to the contrary notwithſtanding.

These offences make no corruption of bloud, or forfeiture of dower.

And be it further enacted by the authority aforeſaid, that if any of the Lords of the Parliament, or Peere of this Realme for the time being, ſhall fortune at any time hereafter to be indicted of any offence made Treaſon by this Act: that then they and euery of them ſhall haue his or their tryall by their Peeres, as hath beene vſed heretofore in caſes of high Treaſon. 18.El.1.

Tryall of a Peere by Peeres.

CAP. XII.

None ſhall be Badgers of Corne, nor Drouers of Cattell, without licence.

WHere in the Seſſion of Parliament holden vpon prorogation at Weſtminſter the xxiij. day of January, in the fift yéere of the reigne of our late Soueraigne Lord King Edward the ſixth, amongſt other things it was enacted, that whatſoeuer perſon or perſons, after the firſt day of May then next enſuing, ſhould ingroſſe or get into his or their hands, by buying, contracting, or promiſe taking (other than by demiſe, grant, or leaſe, of land or tythes) any Corne growing in the fields, or any other Corne or Graine, Butter, Chéeſe, Fiſh or other dead victuals whatſoeuer, within the Realme of England, to the intent to ſell the ſame againe, ſhall bee accepted, reputed and taken an vnlawfull Engroſſor or Engroſſors: with a prouiſo, and ordinance contained in the ſame Acte, that it ſhould bee lawfull to euery perſon or perſons, being a common Badger, Kydder, Lader, or Carrier, which ſhall bee licenced, aſſigned, and allowed thereunto by thrée Iuſtices of the Peace of the County where the ſayd Badger, Lader, Kidder, or Carrier ſhall dwell, which ſhall ſell or deliuer in open faire or market, or to any other victualler, or to any other perſon or perſons, for the prouiſion of his or their houſe or houſes, all ſuch Corne, Butter, or Chéeſe, as any ſuch perſon or perſons ſhall buy or cauſe to be bought, and that within the moneth next after, he or they ſhall ſo buy any ſuch Corne, Graine, Butter, or Chéeſe, ſo that the ſame ſhall be bought without foreſtalling: ſhall not be in any wiſe déemed, adiudged, or taken, any offence contrary to the ſayd Act.

Who ſhall be accounted an Ingroſſer by the St. of 5. & 6. of Ed. 6. 14.

A prouiſo for a Badger, Carrier, &c. licenced.

And where alſo it is prouided and enacted by the ſame Act of Parliament, that it ſhall be lawfull to all and euery perſon and perſons, knowne for a common Drouer or Drouers, being lycenced, authorized, and allowed in writing by thrée Iuſtices of the Peace, whereof one to be of the Quorum, of the County or Counties where the ſame Drouer or Drouers ſhall bee moſt abiding and dwelling, to buy Cattell in ſuch Shires or Counties, where Drouers haue béene wont in times paſt accuſtomarily to buy Cattell, at their frée liberty and pleaſure, and to ſell the ſame againe. And that it ſhall be lawfull to euery perſon and perſous which ſhall bee aſſigned and allowed by thrée Iuſtices of the Peace of the County where he ſhall dwell, to buy (otherwiſe than by foreſtalling) Corne, Graine, or Cattell to be tranſported or carried by water from any Port or place within this Realme or Wales, vnto any other Port or place within the ſayd Realme or Dominions, as in the ſayd Act amongſt other things doth appeare.

A prouiſo for a Drouer of cattell, or for buying of corne to be tranſported from one Port to another.

Since the making of which Act, ſuch a great number of perſons, ſéeking onely to liue eaſily, and to leaue their honeſt labour, haue and doe dayly ſéeke to be allowed and licenced to the ſaid offices or doings, being moſt vnfit and vnméete for thoſe purpoſes, and alſo very hurtfull to the Common wealth of this Realme, as well by the inhaunſing of prices of Corne and Graine, and other the ſaid victuals, as alſo by the diminiſhing of the number of good and neceſſary husbandmen, which ſayd number of Drouers of Cattell, and Badgers, Laders, Kidders, and Carriers of Corne and Graine, are many times without good orders, and due conſideration, aſſigned and allowed thereunto, to the great preiudice of the Common wealth.

The inconueniences enſuing the number of Douers of cattel, and Badgers &c. of corne & other victuals.

In conſideration whereof, be it enacted by the Quéene our Soueraigne Lady, with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That no Drouer of Cattel, Badger, Lader, Kidder, Carrier, buyer or tranſporter of Corne or Graine, Butter and Chéeſe, be from and after the Feaſt of Eaſter next after the firſt day of this preſent Parliament, licenced, admitted, aſſigned, or allowed to thoſe offices or doings, or to any of them, but only in the generall and open quarter Seſſions of the Peace to be holden in the Shire, where ſuch perſon or perſons ſo to be admitted, aſſigned, or allowed, doth or ſhall dwell, and hath or ſhall haue dwelled there by the ſpace of thrée yeares next before the Teſte of his ſayd licence. And that no perſon or perſons after the firſt day of May next comming, be admitted to the ſayd offices or doings, or to any of them, but ſuch only as be or haue béene married men, and ſhall be at the time of ſuch licence to be granted, houſholders, and not houſhold ſeruants, nor reteiners to any perſon or perſons, and of the age of xxx. yéeres at the leaſt. And that all licences being made and granted, as is aboueſayd, ſhall haue continuance, and be good only for one yeare next after the date thereof, and for no more nor longer time.

To what kind of perſons, & at what place only licence ſhalbe granted to be Badgers, Drouers, &c.

Which ſaid licences and euery of them, ſhall beare date of the day and place where the ſayd Seſſions ſhall be holden, and ſhall be ſigned and ſealed with the proper hands and Seales of thrée of the ſayd Iuſtices of the Peace, being preſent at the ſame Seſſions, at the leaſt, whereof one to be of the Quorum, vpon paine that euery perſon or perſons that ſhall take any licence contrary to this ordinance, to loſe and forfeit to our Soueraigne Lady the Quéene, her heires and ſucceſſors, fiue pounds ſterling. And that all licences made and granted, or hereafter to be made and granted otherwiſe than is before expreſſed, ſhall from and after the ſayd firſt day of May next comming, be voyd and of none effect.

The date of the licences, & the Iuſtices hands & ſeals.

And further be it enacted by the authority aforeſayd, that the Iuſtices of the Peace, in the ſayd generall and open Seſſions, ſhall or may by their diſcretions, take band and ſurety from time to

Bonds with ſureties ſhall be taken of drouers, carriers, &c. not to infringe this Act.

The fees of the clerke of the Peace.

time by recogniſance, of ſuch as ſhall be admitted or allowed hereafter a common drouer of cattel, Badger, Lader, Kidder, Carrier or buyer of Corne, Graine, Butter or Cheeſe, that they nor any of them ſhall by colour of his or their licence, foreſtall or ingroſſe, or otherwiſe practiſe or doe any act or thing contrary to the tenour and true meaning, or in defrauding the ſaid former Eſtatute, or of any matter or thing therein contained. All which licences, and euery of them, and the ſaid Recogniſances, ſhall be made and written by the Clerke of the Peace of euery County where ſuch licence ſhall be granted, or by his lawfull deputy, and by none other perſon or perſons. And euery perſon that ſhall haue any ſuch licence, ſhall pay to the Clerke of the Peace, or his deputy for making thereof, twelue pence at the moſt, and for euery Recogniſance in forme aboueſaid to be made and knowledged, eight pence at the moſt, and for regiſtring of the ſame licence and Recogniſance, foure pence at the moſt. For which ſaid fee, the ſaid Clerke or his deputy, ſhall haue and keepe one regiſter Booke, and therein ſhall regiſter and write all the names, ſurnames, and dwelling places of ſuch as ſhall be licenced as aforeſaid, with a briefe declaration of euery of the ſaid licence, and of the day, time, and place where ſuch a licence or licences ſhall be granted. Which Booke or Regiſter, the ſaid Clerke of the Peace or his deputy, ſhall haue and bring to euery Seſſions, to the intent that it may appeare what number of licences be and ſhall be from time to time granted, whereby the better conſideration may be had thereof.

None ſhall buy corne to ſell againe without ſpeciall licence.

Who ſhall haue the forfeitures.

Prouided alwayes, and be it further enacted by the authority aforeſaid, that no perſon or perſons, ſhall or may by authority of any ſuch licence aboue mentioned, buy any Corne or Graine out of open Faire or Market to ſell againe, vnleſſe ſuch perſon and perſons ſhall be thereunto licenced, and ſhall haue ſpeciall and expreſſe words contained in ſuch licence or licences, that he or they may ſo doe, vpon paine to forfeit for euery ſuch time that any ſuch perſon or perſons ſhall doe to the contrary fiue pounds. The moity of all which forfeitures afore rehearſed ſhall be to the Queene our Soueraigne Lady, her heires and ſucceſſors, and the other moity to him or them that will ſue for the ſame in any of the Queenes Courts of Record, by bill, plaint, action of debt, or information, in the which bill, plaint, action or information, no wager of Law, eſſoine or protection ſhall be admitted.

Juſt. of P. in their Seſſ. ſhall inquire of & determine theſe offences.

Be it alſo enacted by the authority aforeſaid, that the Juſtices of Peace in euery County within this Realme or Wales, at the quarter Seſſions, ſhall haue full power and authority by vertue of this Act, to enquire, heare and determine all and euery the defaults and offences perpetrated, committed or done contrary to this Act, within the County where any ſuch Seſſions ſhall be kept, by inquiſition, preſentment, bill or information, before them exhibited, and by examination of two lawfull witneſſes, or by any of the ſame wayes or meanes, by the diſcretion of the ſaid Juſtices, and to make proceſſe thereupon, as though they were indicted before them by inquiſition, or by verdict of twelue men or more. And vpon the conuiction of the offendor, by information or ſuit of any other than the Queene, to make extracts of the moity of the forfeitures to be leuied to the Queenes vſe, as they vſe to doe of other fines and amerciaments growne in the Seſſions of Peace, and to award execution of the other moity for the complainant or informer againſt the offendor by *Fieri facias* or *Capias*, as the Queenes Juſtices at Weſtminſter may doe and vſe to doe. And if any ſuch conuiction or attainder ſhall hereafter happen to be at the Queenes ſuit onely, that then the whole forfeitures to be extracted and leuied to the Queenes vſe onely.

A City &c. may appoint purueyors for their prouiſion.

Prouided alwaies, that this Act or any thing therein contained, ſhall not in any wiſe extend to the preiudice of the liberty of any City or Towne Corporate, but that they and euery of them ſhall and may lawfully aſſigne and licence Purueyors for the prouiſion of the ſame City or Towne Corporate, in ſuch manner and forme as they might lawfully haue done before the making of this Act.

To the Inhabitants of which Counties this Act doth not extend.

Prouided further, that this Act nor any thing therein contained, ſhall be in any wiſe hurtfull or preiudiciall vnto any the inhabitants within the Counties of Weſtmerland, Cumberland, Lancaſter, Cheſter and Yorke, or any of them, but that they may doe as heretofore they haue lawfully vſed to doe: any thing in this preſent Act to the contrary notwithſtanding. 13. El. 25.

CAP. XIII.

The Statute of 2. & 3. P. & M. 8, touching amending of high wayes, continued: and the authorities of Superuiſor of high wayes enlarged.

The Statute of 2 & 3 P. & M. 8 touching repayring of high wayes continued.

WHere in the Parliament holden at Weſtminſter in the ſecond and third yeares of the reignes of the late Princes, King Philip and Queene Mary, amongſt other good Acts then had and made, one neceſſary Statute was prouided and eſtabliſhed for the amendement and reparation of the high wayes within this Realme, which Act was made to endure and continue for ſeuen yeares, and after the expiration of the ſaid ſeuen yeares, till the end of the Parliament then next enſuing, as by the ſame Statute more plainely appeared: Which ſeuen yeares, foraſmuch as they be now expired and ended, and the ſaid Act is very beneficiall, and moſt neceſſary to be continued, for the eaſe and common weale of the people of this Land: Be it therefore enacted by the Queenes excellent Maieſty, the Lords Spirituall and Temporall, and the Commons in this Parliament aſſembled, and by the authority thereof, that the ſaid Act made in the ſaid ſecond and third yeares of the reigne of King Philip and Queene Mary, touching and concerning the reparation and amendement of the high wayes, and every article and branch of the ſame, ſhall from henceforth be, ſtand, and continue in full force, effect, and ſtrength, for and during the terme of twenty yeares next following, from and after the beginning of this preſent Parliament, and after the expiration of the ſaid twenty yeares, to the end of the Parliament then next after the end of the ſaid twenty yeares to be holden and kept.

And foraſmuch as the ſaid Statute made in the ſecond and third yeares of King Philip and Queene Mary, in divers parts of this Realme, ſerveth not to ſo good purpoſe and effect as it may be made, for that ſuch ſubſtance and matter as is moſt fit and convenient for the reparations of the ſaid wayes, cannot be lawfully had, fetched and taken out of the ſeverall grounds and ſoyle thereunto nigh or adioyning, being no great loſſe or detriment to the owners of the ſame ſeverall grounds and ſoyle; whereby the amendment of the ſaid wayes is little encreaſed, or elſe of very ſmall and ſlender continuance, to the great and continuall charge and trouble of the poore people inhabiting thereabouts.

The Superviſors may take rubbiſh in other mens grounds for the mending of wayes.

For reformation whereof, and that the reparations of the ſaid high wayes may hereafter in good and due maner well and ſufficiently be made: Be it further by the authority of this preſent Parliament enacted, that from henceforth it ſhall and may be lawfull to all and every Superviſor and Superviſors and orderers of the workes for the time being, for the amendment of the ſaid high wayes thereunto elected and appointed, according to the Statute made in the ſecond and third yeares of King Philip and Queene Mary, for the better reparation and amendment of the waies within their ſeverall Pariſhes and limits where they ſhall be ſo made Superviſors (if it ſhall be ſo to them thought neceſſary) to take or carry away of the rubbiſh or ſmalleſt broken ſtones of any quarrie or quarries lying and being within the pariſh where they ſhall be Superviſors, without licence, controlement or impeachment of the owner or owners, ſo much as by their diſcretions ſhall be deemed and adiudged neceſſary for the amendment of the ſaid wayes. And that for default of any quarry or quarries not being within their ſaid pariſh or limits, or in default of rubbiſh to be found in any ſuch quarry or quarries: It ſhall and may be lawfull to every ſuch Superviſor or Superviſors for the uſe aforeſaid, in the ſeverall grounds of any perſon or perſons being within the Pariſh and limits where they ſhall be Superviſors, and nigh adioyning to the ſaid high wayes wherein ſuch reparations ſhall be thought neceſſary to be made, and wherein gravell, ſand or ſinder, is likely to be found, to dig or cauſe to be digged, for gravell, ſand or ſinder, and alſo to gather ſtones lying upon any lands or grounds within the Pariſh, and meete to be uſed for the ſaid ſervice and purpoſe, and thereof to take and carry away ſo much as by the diſcretion of the ſaid Superviſors ſhall be thought neceſſary to be imployed in the amendement of the ſaid high wayes:

What rubbiſh Superviſors may not dig, nor in what places.

Provided alwayes, that it ſhall not be lawfull to any ſuch Superviſor or Superviſors by vertue of this Act, to cauſe any rubbiſh to be digged out of any quarry or quarries, but only ſhall extend to ſuch rubbiſh as ſhall be found there ready digged by the owner or owners of the ſaid quarry or quarries, or otherwiſe by his or their licence and commandement, nor ſhall not extend or give authority to any Superviſor or Superviſors, to dig or cauſe to be digged any gravell, ſand or ſinder, in the houſe, garden, orchard or medow, of any perſon or perſons, nor that it ſhall be lawfull by this Act to any ſuch Superviſor or Superviſors, to cauſe any more pittes to be digged for gravell in any ſeverall and incloſed ground, than one onely, and that the ſame pit or hole ſo digged for gravell as is aforeſaid, ſhall not by any way be in breadth or length above tenne yards over at the moſt. And that every ſuch Superviſor as ſhall cauſe any ſuch pit to be made and digged, for gravell, ſand or ſinder as is abovesaid, ſhal within one moneth next after ſuch digging or pit made, cauſe the ſame to be filled and ſtopped up with earth, at the coſts and charges of the Pariſhioners, upon paine to forfeit to the owner or owners of the ſoile wherein any ſuch pit ſhall be made and digged, for every default five markes, to be recovered by action of debt, as in other like caſes of debt hath beene accuſtomed.

A Superviſor ſhall cauſe a pit digged for gravell &c. to be ſtopped up againe.

And foraſmuch as the high wayes in ſundry places of this Realme be full of continuall ſprings and water courſes, by continuall increaſe and ſinking whereof into the ground, the ſaid wayes are not only very deepe and dangerous, but alſo for the moſt part impoſſible to be amended and repaired in any good and ſufficient manner, without ſome further remedy provided for the ſame:

Turning of a water courſe into anothers ground.

Be it therefore by the authority aforeſayd enacted, that from hence forth every ſuch Superviſor and Superviſors, as is aforeſaid, ſhall by force of this Act, within the Pariſh or limits where he or they ſhall bee Superviſors, have full power and authority to turne any ſuch water courſe or ſpring of water, being in any of the ſayd high wayes, into any ditch or ditches of the ſeverall ground or ſoyle of any perſon or perſons whatſoever next adioyning to the ſayd waies, in ſuch maner and forme as by the diſcretions of the ſayd Superviſors ſhall be thought meeteſt and moſt convenient.

And be it further enacted by the authority aforeſaid, that the heyes, fences, dikes or hedges, next

Fences & ditches neere the wayes ſhalbe repaired and the woods cut downe.

next adioyning on either ſide to any high or common carying way, ſhall from time to time be diched, ſcowred, repayred and kept low, and all trees and buſhes growing in the high wayes, cut downe by the owner or owners of the ground or ſoyle which ſhall be incloſed with the ſaid haies, fences, dikes or hedges aforeſaid, whereby the ſaid wayes may be open, and the people haue more ready and eaſy paſſage in the ſame. And whereas in the ſaid Statute made in the ſaid ſecond and third yeares of the reignes of the ſaid King Philip and Queene Mary, there are but foure dayes yearely appointed for the reparations and amendment of the ſaid high wayes: Be it further by this preſent Parliament enacted, that from henceforth there ſhall be yearely ſixe dayes, during the time and force of this Statute, obſerued, vſed and imployed, in reparation and amendment of the ſaid high wayes, in like manner and forme as the ſaid foure dayes were limited and appointed to be obſerued and kept, by the ſaid Statute made in the ſecond and third yeares of King Philip and Queene Mary.

Sixe dayes appointed for the amending of high waies.

The Superuiſor ſhall preſent euery offence to the next Iuſtice.

And be it further enacted by the authority aforeſaid, that from henceforth all and euery ſuch Superuiſor or Superuiſors for the time being, within one moneth next after default or offence made, done or committed, by any perſon or perſons, contrary to the prouiſion, purport and true meaning of the ſaid Statute, made in the ſecond and third yeares of King Philip and Queene Mary, or contrary to the prouiſion, purport and true meaning of this preſent Act, ſhall preſent euery ſuch default or offence, to the next Iuſtice of Peace for the time being, vpon paine to forfeit for euery ſuch default and offence, in ſuch ſort not by them preſented, forty ſhillings. And that euery ſuch Iuſtice of Peace, to whom any ſuch default or offence ſhall be preſented as is aforeſaid, ſhall certifie the ſame preſentment ſo to him made, at the next generall Seſſions within the ſaid County then next after to be holden, vpon paine to forfeit for not certifying of euery ſuch preſentment, of euery ſuch default or offence as is aforeſaid, fiue pound. And that the Iuſtices of Peace of euery County, where the ſaid defaults or offences ſhall be committed, ſhall immediately haue authority to inquire of any ſuch default or offence committed within the limits of their Commiſſion, at euery their quarter Seſſions, and to aſſeſſe ſuch fines for the ſame, as they or two of them, whereof the one to be of the Quorum, ſhall thinke meete.

Certificat of euery offence preſented at the next Seſſions.

Euery Iu. of P. may preſent defaults vpon his own knowledge.

And be it further enacted by the authority aforeſaid, that euery Iuſtice of Peace, ſhall haue authority by this Statute, vpon his owne proper knowledge, in the open generall Seſſions, to make preſentment of any high way not well and ſufficiently repaired and amended, or of any other default or offence committed and done within the County and limits of his Commiſſion, contrary to the prouiſion and intent of this Statute, or the ſaid Statute made in the ſecond and third yeares of King Philip and Queene Mary. And that euery ſuch preſentment, made by any ſuch Iuſtice of Peace, vpon his owne knowledge as is aforeſaid, ſhall be as good and of the ſame force, ſtrength and effect in the Law, as if the ſame had beene preſented, found and adiudged by the oath of twelue men. And that for euery ſuch default ſo preſented, as is aforeſaid, the Iuſtices of the Peace of the ſaid County ſhall immediately, at the ſaid generall Seſſion, haue authority to aſſeſſe ſuch Fines, as to them, or two of them, whereof the one to bee of the Quorum, ſhall be thought meete: Sauing euery perſon and perſons that ſhall be touched by any ſuch preſentment to haue his or their lawfull Trauers to the ſame preſentment, as they might haue vpon any Indictment of Treſpas, or forcible Entry, by the Lawes of this Realme, before the making of this Statute.

Aſſeſſing of fines for defaults.

Trauerſe to a preſentment.

Eſtreating & leuying of the fines and amerciaments.

And that all ſuch fines, forfeitures and amerciaments, to be aſſeſſed by the ſaid Iuſtices of the Peace at their generall Seſſions in any the caſes aforeſaid, ſhall be eſtreated by the Clerke of the Peace of the ſaid County, and ſhall be leuied in ſuch maner and forme, and imployed to ſuch vſes and intents, as in the ſaid Statute made in the ſecond and third yeares of King Philip and Queene Mary, is limited and appointed. This Act to continue for twenty yeares next after the beginning of this preſent Parliament, and from thence vntill the end of the Parliament then next after to be holden. 29. El. 5. made perpetuall. 18. El. 10. 27. El. 24.

Cap. XIIII.

The ſeuerall penalties for forging of deedes the firſt or ſecond time, &c.

The mildneſſe of the law hath increaſed the forging of deeds.

FOraſmuch as the wicked, pernicious, and dangerous practice of making, forging, and publiſhing of falſe and vntrue charters, euidences, deedes and writings, hath of late time beene very much more practiſed, vſed and put in vre in all parts of this Realme, than in times paſſed, not onely to the high diſpleaſure of GOD, but alſo to the great iniury, wrong, hurt, damage, diſheriſon and vtter vndoing of diuers the Queenes Maieſties Subiects of this Realme, and to the great ſubuerſion of Iuſtice and truth, which ſeemeth to haue growne and happened chiefly by reaſon that the paines and puniſhments limited for ſuch great and notable offences, by the Lawes and Statutes of this Realme, before this time haue beene, and yet are ſo ſmall, milde and eaſie, that ſuch euill people haue not beene nor yet are afraid to enterpriſe the practiſing and doing of ſuch offences:

Be it therefore enacted by the Queenes moſt excellent Maieſty, with the aſſent of the Lords

Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons whatſoeuer, after the firſt day of Iune, now next comming, vpon his or their owne head and imagination, or by falſe conſpiracy and fraud with others, ſhall wittingly, ſubtilly and falſely forge or make, or ſubtilly cauſe or wittingly aſſent to be forged or made, any falſe Deede, Charter or writing ſealed, Court roll, or the Will of any perſon or perſons in writing, to the intent that the ſtate of Freehold or inheritance of any perſon or perſons, of, in or to any Lands, Tenements, or Hereditaments, Freehold, or Copihold, or the right, title or intereſt of any perſon or perſons, of, in or to the ſame, or any of them, ſhall or may be moleſted, troubled, defeated, recouered [b] or charged: or after the ſaid firſt day of Iune, ſhall pronounce, publiſh or ſhew forth in euidence, any ſuch falſe and forged Deede, Charter, Writing, Court roll or Will, as true, knowing the ſame to be falſe and forged, as is aforeſaid, to the intent aboue remembred, and ſhall be thereof conuicted either vpon action or actions of forger of falſe Deeds, to be founded vpon this Statute at the ſuit of the party grieued or otherwiſe according to the order and due courſe of the Lawes of this Realme, or vpon bill or information to bee exhibited into the Court of the Starre Chamber, according to the order and vſe of that Court: ſhall pay vnto the party grieued, his double coſts and damages, to be found or aſſeſſed in that Court where ſuch conuiction ſhall be, and alſo ſhall be ſet vpon the Pillory, in ſome open Market towne or other open place, & there to haue both his eares cut off, and alſo his noſthrils to be ſlit and cut, and ſeared with an hot Iron, ſo as they may remaine for a perpetuall note or marke of his falſhead, and ſhall forfeit to the Queene our Soueraigne Lady, her Heires and Succeſſors, the whole iſſues and profits of his Lands and Tenements during his life, and alſo ſhall ſuffer and haue perpetuall impriſonment during his life. The ſaid damages and coſts to be recouered at the ſuit of the party grieued, as is aforeſaid, to be firſt payed and leuied of the goods and cattels of the offendor, and of the iſſues and profits of the ſaid Lands, Tenements, and Hereditaments, of ſuch party conuicted, or of one or both of them: The ſaid title of our ſaid Soueraigne Lady the Queene, her Heires or Succeſſors to the ſame notwithſtanding.

The penalty for forging or publiſhing of a falſe deede whereby an others freehold ſhall be troubled.

And be it further enacted by the authority aforeſaid, that if any perſon or perſons, after the ſaid firſt day of Iune, vpon his or their owne head or imagination, or by falſe conſpiration or fraud had with any other, ſhall wittingly, ſubtilly, and falſely forge or make, or wittingly, ſubtilly and falſely cauſe or aſſent to be made and forged, any falſe Charter, Deede or writing, to the intent that any perſon or perſons, ſhall or may haue or claime any eſtate or intereſt, for terme of yeares, of, in or to any Manors, Lands, Tenements or Hereditaments, not being Copihold, or any annuity in Fee ſimple, Fee taile or for terme of life, liues or yeares, or after the ſaid day, ſhall as is aforeſaid, forge, make, or cauſe, or aſſent to be made or forged, any obligation, or bill obligatorie, or any acquittance, releaſe, or other diſcharge of any debt, accompt, action, ſuit, demaund, or other thing perſonall: or if any perſon or perſons, after the ſaid firſt day of Iune, ſhall pronounce, publiſh, or giue in euidence any ſuch falſe or forged Charter, Deede, Writing, Obligation, bill Obligatorie, Acquittance, releaſe or diſcharge, as true, knowing the ſame to be falſe and forged, and ſhall be thereof conuicted, by any the wayes or meanes aforeſaid: that then he ſhall pay vnto the party grieued his double coſts and damages, to bee found and aſſeſſed in ſuch Court, where the ſaid conuiction ſhall bee had, and ſhall be alſo ſet vpon the Pillory in ſome open Market Towne, or other open place, and there to haue one of his eares cut off, and alſo ſhall haue and ſuffer impriſonment by the ſpace of one whole yeare, without baile or mainpriſe.

Forging of a deed whereby a leaſe or annuity may be claimed.

Forging of an obligation, acquittance, releaſe or &c.

And be it further enacted by the authority aforeſaid, that the party and parties grieued, by reaſon of any the offences aforeſaid, ſhall and may at his and their pleaſure, haue and ſue his action of forger of falſe Deedes, vpon this Statute, againſt any the offendors in the ſame, by originall Writ out of the Queenes Highneſſe Court of Chauncery, and ſhall and may haue like proceſſe vpon the ſame, as in caſes of Treſpas at the Common Law: or may at his pleaſure take his ſuit againſt any ſuch offendors, in any the premiſſes, by bill before the Queenes Highneſſe, her Heires and Succeſſors, in her Court commonly called the Kings Bench, or in the Court of the Exchequer, in which ſuits, no eſſoine, iniunction or protection ſhall be allowed for the party defendant.

The ſeuerall remedies of the party grieued againſt the offendor.

And be it further enacted by the authority aforeſaid, that if the party defendant ſhall be conuicted for any the offences aforeſaid, according to the order and forme aboue limited, and ſhall haue receiued thereupon puniſhment corporall, according to this Act: that then he ſhall not eftſoones be impeached for the ſame offence.

He that is once puniſhed for an offence ſhall not after be impeached for the ſame.

And be it further enacted by the authority aforeſaid, that although the party or parties plaintiffe, in any ſuch action or bill to be ſued, as is aforeſaid, ſhall after verdict paſſed againſt the defendant or defendants, happen to releaſe or diſcharge the iudgement or execution vpon the ſame, or otherwiſe ſuffer the ſame to be diſcontinued: that yet neuertheleſſe the ſame releaſe, diſcharge, or diſcontinuance, ſhall extend onely to diſcharge ſuch coſts and damages, as the ſame plaintiffes ſhould haue had againſt the defendant, and that the Iudges, before whom the ſaid action

The plaintiffes releaſe ſhal diſcharge only his owne remedy.

oꝛ ſuit ſhall be taken, ſhall and may proceed to iudgement, of, and vpon the reſidue of the ſaid penalties and foꝛfeitures, and to commaund execution vpon the ſame, the ſaid releaſe, diſcontinuance oꝛ other charge, had, made, done oꝛ ſuffered by the party plaintiffe, in any wiſe notwithſtanding. This Act, oꝛ any thing therein contained to the contrary in any wiſe notwithſtanding.

The puniſhment foꝛ the ſecond offence is felony.

And be it further enacted by the authoꝛity afoꝛeſaid, that if any perſon oꝛ perſons, being hereafter conuicted oꝛ condemned of any the offences afoꝛeſaid, by any the wayes oꝛ meanes aboue limitted, ſhall after any ſuch his oꝛ their conuiction oꝛ condemnation eftſoones commit oꝛ perpetrate any of the ſaid offences in foꝛme afoꝛeſaid: that then euery ſuch ſecond offence oꝛ offences, ſhall be adiudged felony, and the parties being thereof conuicted oꝛ attainted, accoꝛding to the lawes of this Realme, ſhall ſuffer ſuch paines of death, loſſe and foꝛfeiture of their goods, cattels, lands and tenements, as in caſes of felony, by the common lawes of this Realme ought to be loſt oꝛ foꝛfeited, without hauing any aduantage oꝛ benefit of Clergy oꝛ Sanctuary. Sauing to euery perſon and perſons, bodies politike and coꝛpoꝛate, their heires and ſucceſſoꝛs, other then the ſaid offendoꝛs and ſuch as claime to their vſes, all ſuch rights, titles, intereſts, poſſeſſions, liberties of diſtreſſes, leaſes, rents, reuerſions, offices, and other pꝛofits, and aduantages, which they, oꝛ any of them ſhall haue at the time of ſuch conuiction oꝛ attaindoꝛs, of, in, oꝛ to any the lands, tenements, oꝛ hereditaments of any ſuch perſon, ſo as is afoꝛeſaid, conuicted oꝛ attainted, oꝛ at any time befoꝛe, in as large and ample maner, to all intents and purpoſes, as if this Act had neuer béene had ne made.

There ſhall be no foꝛf. of dower oꝛ coꝛruption of blood foꝛ this felony.

Pꝛouided alwayes, and be it enacted by the authoꝛity afoꝛeſaid, that any ſuch conuiction oꝛ attaindoꝛ of felonie, as is afoꝛeſaid, oꝛ any foꝛfeiture by reaſon of the ſame, ſhall not in any wiſe extend to take away the Dower of the wife of any ſuch perſon attainted, noꝛ to the coꝛruption of blood, oꝛ diſheriſon of any the heire oꝛ heires of any ſuch perſon oꝛ perſons ſo attainted: this Act, oꝛ any thing therein contained, oꝛ any other Statute, Law, vſage, cuſtome, oꝛ thing heretofoꝛe vſed to the contrary in any wiſe notwithſtanding.

Officials oꝛ Regiſters putting a ſeale to a will.

Pꝛouided alſo, and be it further enacted by the authoꝛity afoꝛeſaid, that this Act, oꝛ any thing therein contained, ſhall not extend to charge any Oꝛdinary, oꝛ any their Commiſſaries, Officials, Regiſters, oꝛ any other their officers oꝛ miniſters, with any the offences afoꝛeſaid, foꝛ putting their Seale of office to any Will, to be exhibited vnto them, not knowing the ſame to be falſe oꝛ foꝛged, oꝛ foꝛ making of the ſaid Will oꝛ pꝛobat of the ſame: this Act oꝛ any thing therein contained to the contrary notwithſtanding.

which Iuſt. may heare & determine theſe offences.

And be it further enacted by the authoꝛity afoꝛeſaid, That all and euery Iuſtices of Oyer and Determiner, and Iuſtices [d] of Aſſiſe in their Circuits, and euery of them, ſhall haue full power and authoꝛity in euery of their open and generall Seſſions, to inquire, heare, and determine, of all and euery the offences afoꝛeſaid, committed oꝛ done within the limits of their Commiſſion, and to make proceſſe foꝛ the execution of the ſame, as they may doe againſt any perſon, being indicted befoꝛe them of Treſpaſſe, oꝛ lawfully conuicted thereof.

d Ca.

A repeale of all other St. made againſt foꝛgery 1. H. 5. 3.

And be it further enacted by the authoꝛity afoꝛeſaid, that all other Statutes heretofoꝛe made and pꝛouided foꝛ foꝛgery of falſe déeds, charters, muniments, oꝛ writings, and all and euery penalty appointed by the ſame, ſhall from and after the ſaid firſt day of Iune, be voyde and of none effect in the law: Any ſuch ſtatute oꝛ thing therein contained to the contrary in any wiſe notwithſtanding.

To what perſons this St. ſhall not extend.

Pꝛouided alwayes, that this Act, oꝛ any thing therein contained, ſhall not extend, oꝛ be hurtfull in any wiſe to any Pꝛoctoꝛ, Aduocate, oꝛ Regiſter of any Eccleſiaſticall Court within this Realme, foꝛ the writing, ſetting foꝛth, oꝛ pleading of any pꝛoxie made accoꝛding to the Eccleſiaſticall lawes, oꝛ cuſtomes heretofoꝛe vſed and allowed by the Eccleſiaſticall Courts of this Realme, foꝛ the appearance of any perſon oꝛ perſons, being cited to appeare in any of the ſaid Courts Eccleſiaſticall, noꝛ to any Archdeacon, oꝛ officiall, foꝛ putting their authentique Seale to the ſaid pꝛoxies oꝛ pꝛoxie, neither yet to any Iudge Eccleſiaſticall foꝛ admitting of the ſame: But that they, and euery of them may hereafter doe in all points, concerning the ſame, as they and euery of them might lawfully haue done, befoꝛe the making of this Act: Any thing in this Act to the contrary in any wiſe notwithſtanding.

Foꝛging of deedes befoꝛe this St. oꝛ pꝛeſently after

Pꝛouided alwayes, and be it further enacted by the authoꝛity afoꝛeſaid, That if any perſon oꝛ perſons whatſoeuer, that hath of his oꝛ their owne head, oꝛ by falſe conſpiracy and fraud with any other, wittingly, ſubtelly and falſely, foꝛged oꝛ made, oꝛ ſhall befoꝛe the ſaid firſt day of Iune, foꝛge and make any falſe Déede, Charter oꝛ Writing ſealed, oꝛ the Will of any perſon in writing, oꝛ any Court roll, to the intent that the ſtate of Fréehold oꝛ inheritance, oꝛ the right, title, oꝛ intereſt of inheritance, oꝛ Fréehold of any perſon oꝛ perſons, of, in, oꝛ to any Manoꝛs, Lands, Tenements oꝛ Hereditaments, being Fréehold oꝛ Copy hold, oꝛ that by any ſuch foꝛged Déed, Charter, Court roll oꝛ Writing, befoꝛe the ſaid firſt day of Iune, ſhall oꝛ may be moleſted, troubled oꝛ defeated of any the ſaid Eſtates of any Lands, Tenements oꝛ Hereditaments, being Fréehold oꝛ Copihold: oꝛ if any perſon oꝛ perſons haue heretofoꝛe publiſhed oꝛ ſhewed foꝛth in euidence, oꝛ befoꝛe the ſaid firſt day, ſhall publiſh oꝛ ſhew in euidence, foꝛ the pꝛoofe of any title, any falſe and foꝛged Déede, Charter, Writing, Will oꝛ Court roll, as true, knowing the ſame to be falſe and forged as is aforeſaid, to the intent aboueremembred, and ſhall be thereof attainted or conuicted, according to the order of the Lawes of this Realme, either in an action of forger of falſe faits, or in an action vpon the caſe, at the ſuit of the party grieued, his heires, executors or aſſignes: that then the party ſo conuicted, ſhall pay and yéeld damages and coſts of ſuit to the plaintiffe, as ſhall be aſſeſſed according to the order of the Lawes of this Realme, in any ſuch like action or ſuit, and ſhall ſuffer impriſonment, and pay fine and ranſome at the pleaſure of the Quéenes Maieſtie, her heires and ſucceſſors.

And if any perſon or perſons, ſhall after the ſaid firſt day of June, plead, publiſh or ſhew forth in euidence or otherwiſe, for the proofe of any tytle, any falſe and forged Déede, Charter, Writing, Will or Courtroll (heretofore falſly made and forged, or to be falſly made and forged before the ſaid firſt day of June) as true, knowing the ſame to be falſe and forged, to the intent to haue or claime thereby any eſtate of Inheritance, Fréehold or leaſe of yeares, in or to any Mannors, Lands, Tenements or Hereditaments, or any annuity, rent or profit, forth of any Mannors, Lands, Tenements or Hereditaments, or to the intent to alter, defeate, moleſt, trouble, charge or recouer the eſtate of Inheritance, Fréehold, or for yeares of any perſon, in any Mannors, Lands, Tenements, Rents or Hereditaments: That then euery perſon and perſons that ſhall ſo offend, and ſhall be thereof conuicted in forme firſt aboue remembred, ſhall pay vnto the party grieued, double coſts and damages, and ſhall haue impriſonment, loſſe of eares, ſlitting and ſearing of noſe, and forfeiture of lands, in the ſame manner and forme as aboue is limited for any perſon that ſhall offend by forging or publiſhing of any falſe deede or writing, as is aforeſaid, after the aforeſaid firſt day of June.

The penalty for pleading or publiſhing a forged deeds mede before this Stat. or ſhortly after.

Prouided alwaies, and be it enacted by the authority aforeſaid; that this Act, nor any paine, forfeiture, or thing therein contained, ſhall extend to any Attourney, Lawyer or Counſellour, that ſhall for his Clyent plead, ſhew forth, or giue in euidence any falſe & forged déed, or Charter, Will, Courtroll, or other writing, for true or góod, being not party or priuy to the forging of the ſame, for the pleading, ſhewing forth, or giuing in euidence of the ſame: Any thing in this Act to the contrary notwithſtanding.

A Lawyer or Atturny pleading a forged deede.

Prouided alwaies, and bee it enacted by the authority aforeſaid, that this Act, or any thing therein contained, ſhall not extend to any perſon or perſons, that ſhall pleade or ſhew forth any deede or writing exemplified vnder the great Seale of England, or vnder the Seale of any other autentique Court of this Realme: nor ſhall extend to any Judge or Juſtice, or other perſon, that ſhall cauſe any Seale of any Court to be ſet to any ſuch deed, Charter, or writing inrolled, not knowing the ſame to be falſe or forged: Any thing in this Act to the contrary, notwithſtanding.
Coke li.5.fol.50. Dyer fol.323.

Pleading a writing exemplified or ſetting a ſeale to the ſame.

CAP. XV.

Penalty for publiſhing any falſe and phantaſticall prophecie vpon armes, fields, badges, &c.

FOraſmuch as ſithence the expiration and ending of the Statute made in the time of King Edward the ſixt, intituled, An Act againſt fond and phantaſticall prophecies, diuers euill diſpoſed perſons enclined to the ſtirring and mouing of factions, ſeditions and rebellions within this Realme, haue béene the more bold to attempt the like practice in faining, imagining, inuenting, and puliſhing of ſuch fond and phantaſticall prophecies, as well concerning the Quéenes Maieſtie, as diuers honourable perſonages, gentlemen and others of this Realme, as was vſed and practiſed before the making of the ſaid Statute, to the great diſquiet, trouble, and perill of the Quéenes Maieſty, and of this her Realme. For remedy whereof,

St.33.H.8.14. St.3.Ed.6.15.

Bee it ordained and enacted by the authority of this preſent Parliament, that if any perſon or perſons, after the firſt day of May next comming, doe aduiſedly, and directly aduance, publiſh, and ſet forth by writing, printing, ſinging, or any other ſpéech or déede, to any perſon or perſons, any fond, phantaſticall, or falſe prophecie, vpon or by the occaſion of any armes, fieldes, beaſts, badges, or ſuch other like things accuſtomed in armes, cogniſances, or ſignets, or vpon, or by reaſon of any time, yeare or day, name, bloudſhed or warre, to the intent thereby to make any rebellion, inſurrection, diſſention, loſſe of life, or other diſturbance within this Realme, and other the Quéenes Dominions: that then euery ſuch perſon, being thereof lawfully conuicted, according to the due courſe of the Lawes of this Realme, for euery ſuch offence, ſhall ſuffer impriſonment of his body, by the ſpace of one yeare, without baile or maineprize, and ſhall forfeit for euery ſuch offence the ſumme of tenne pounds.

The penalty for publiſhing of any phantaſtical prophecy vpon armes &c to make inſurrection &c.

And if any ſuch offendor doe after ſuch conuiction eftſoones offend in any of the premiſſes, and be thereof lawfully conuicted as is aforeſaid, that then euery ſuch offendor ſhall for his ſecond offence and conuiction, as is aforeſaid, ſuffer impriſonment of his body without baile or maineprize during his life, and ſhall forfeit all his goods and cattels reals and perſonals. The moities of euery which forfeitures, ſhall be to the Quéenes Highnes her heires any ſucceſſors, and the other moities thereof, to him that ſhall or will ſue for the ſame in any of the Quéenes Courts of

The penalty for the ſecond offence.

Record, by action, bill, plaint, or information, in which caſe no eſſoyne, wager of law, or protection ſhall be allowed or admitted.

Which Juſtices may heare and determine the offences aforeſaid.

And bée it further enacted by the authority aforeſaid, that all and euery Juſtice of Aſſiſe, Juſtice of Oyer and Determiner, Juſtice of Peace, ſhall haue full power and authority by vertue hereof, to enquire, heare, and determine all and euery offence or offences aboueſaid, committed or done within the limits of their Commiſſion, contrary to the tenour and meaning of this Act.

Within what time an offender muſt bee accuſed.

Prouided alwayes, and be it enacted by the authority aforeſaid, that no perſon or perſons ſhall at any time hereafter be impeached of any offence hereafter to be committed or done, contrary to this Act, vnleſſe he be therefore impeached or accuſed within ſixe moneths next enſuing any ſuch offence, by him or them committed or done.

Cap. XVI.

The ſeuerall penalties of Coniuration, or inuocation of wicked ſpirits, and of Witchcraft, Enchantment, Charme or Sorcery. REP. 1. *Iac.* 12. St. 33. *H.* 8. 8. 1. *Ed.* 6. 12.

Cap. XVII.

The Statute of 25. H. 8. 6. whereby the committing of Buggery with mankinde or beaſt, is made felony, reuiued.

25. H. 8. 6.

WHere in the Parliament begun at London, the third day of Nouember, in the one and twentieth yeare of the late King of moſt famous memory, King Henry the eighth, and after by prorogation holden at Weſtminſter, in the fiue and twentieth yeare of the reigne of the ſaid late King, there was one Act and Statute made, intituled: An Act for the puniſhment of the vice of Buggery, whereby the ſaid deteſtable vice was made Felony, as in the ſaid Statute more at large it doth and may appeare. Foraſmuch as the ſaid Statute concerning the puniſhment of the ſaid crime and offence of Buggery, ſtandeth at this preſent repealed and void by vertue of the Statute of Repeale, made in the firſt yeare of the reigne of the late Quéene Mary: Sithen which Repeale ſo had and made, diuers euill diſpoſed perſons, haue béene the more bold to commit the ſaid moſt horrible and deteſtable vice of Buggery aforeſaid, to the high diſpleaſure of Almighty God:

The Stat. of 25. H. 8. 6. made againſt the vice of Buggery, reuiued.

Bée it enacted, ordained, and eſtabliſhed by the Quéene our Soueraigne Lady, and by the aſſent of the Lords Spirituall and Temporall and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that the ſaid Statute before mentioned, made in the fiue and twentieth yeare of the ſaid late King Henry the eighth, for the puniſhment of the ſaid deteſtable vice of Buggery, and euery branch, clauſe, article, and ſentence therein contained, ſhall from and after the firſt day of June next comming, bée reuiued, and from thenceforth ſhall ſtand, remaine, and be in full force, ſtrength and effect for euer, in ſuch maner, forme, and condition, as the ſame Statute was at the day of the death of the ſaid late King Henry the eighth, the ſaid Statute of Repeale made in the ſaid firſt yeare of the ſaid late Quéene Mary, or any words generall or ſpeciall therein contained, or any other Act or Acts, thing or things to the contrary notwithſtanding. Stat. 2. & 3. Ed. 6. 29. Coke pla. fol. 351.

Cap. XVIII.

The Authority of the Lord Keeper, and the Lord Chancellour is, euer was, and ought to be one.

WHere ſome queſtion hath of late riſen, whether like place, authority, preheminence, iuriſdiction and power doth belong, and of right ought to belong to the Office of the Lord Kéeper of the great Seale of England for the time being, as of right doth and ought to belong to the Office of the Lord Chancellor of England for the time being, or not.

The authority of the Lord Keeper of the great Seale, and of the L. Chancellor is all one.

For declaration thereof, and in auoyding ſuch queſtion hereafter: Bée it enacted and declared by the Quéene our Soueraigne Lady, the Lords Spirituall and Temporall, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that the Common law of this Realme is, and alwayes was, and ought to be taken, that the Kéeper of the great Seale of England for the time being, hath alwayes had, vſed and executed, and of right ought to haue, vſe and execute, and from henceforth may haue, perceiue, take, vſe and execute, as of right belonging to the office of the Kéeper of the great Seale of England for the time being, the ſame and like place, authority, preheminence, iuriſdiction, execution of lawes, and all other cuſtomes, commodities and aduantages, as the Lord Chancellor of England for the time being, lawfully vſed, had, and ought to haue, vſe, and execute, as of right belonging to the Office of the Lord Chancellor of England for the time being, to all intents, conſtructions and purpoſes, and as if the ſame Kéeper of the great Seale for the time, were Lord Chancellor of England.

Cap.

Cap. XIX.

In the Statute of 1. Ed.6.5. touching carrying of horſes out of this Realme, this branch ſhall be repealed, viz. (for their onely occupation in their iourneyes, and not to the intent to ſell.)

Where in the Parliament holden at Weſtminſter, in the firſt yeare of the reigne of the late King Edward the ſixth, brother to our Soueraigne Lady the Queenes Maieſty that now is, amongſt diuers other Statutes, there was one Act and Statute made againſt the carrying and conueying of any Horſes, Geldings, or Mares out of this Realme: In which Act amongſt other things, there is one Prouiſo or Branch contained in theſe words hereafter following. That is to ſay: Prouided alwayes, that it ſhall be lawfull to euery of the Kings ſubiects, that ſhall paſſe ouer beyond the Sea, to ſhip and carry with them Horſes, or Geldings, for their onely occupation in their iourneyes, and not to the intent to ſell the ſame beyond the Sea, & that intent to be iudged by oath of him or them that ſo will carry ouer any Horſe, or Gelding, which oath ſhall be taken before the Cuſtomers or Searcher, or their deputies, of euery ſuch Port where the ſame Horſe, or Gelding, ſhall be ſhipped, before the ſhipping thereof, as by the ſame Act and Prouiſo it doth and may appeare. And although the ſame Act and Statute, in all parts thereof (except the ſayd Prouiſo) is very beneficiall and profitable for this Realme: Yet neuertheleſſe, by colour of the ſayd Prouiſo & Branch contained in the ſayd Statute, many euill diſpoſed perſons, of a couetous and greedy deſire, doe dayly tranſport out of this Realme very great numbers of Horſes and Geldings, and doe exchange and ſell the ſame in the parts beyond the Seas, for their owne priuate lucre and gaine. And becauſe the triall of ſuch offences is by force of the ſayd Prouiſo and Branch mentioned in the ſayd Statute, no otherwiſe to be tried or iudged, but onely by the oath of the offendor himſelfe: therefore the offendors therein doe eſcape vnpuniſhed, and thereby many perſons are greatly encouraged dayly to commit the like offences, contrary to the true meaning and intent of the ſayd Statute.

1. Ed.6.5.

For redreſſe thereof: Be it enacted by the Queenes Maieſtie, with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That all the ſayd Prouiſo and Branch before rehearſed and mentioned, and contained within the ſayd Act and Statute, and euery Article and Sentence contained within the ſayd Prouiſo, ſhall from henceforth be repealed, mere voyd, and of none effect: and that all the reſidue of the ſayd Act and Statute ſhall ſtand, remaine, and be in full force and ſtrength: Any thing herein ſpecified to the contrary notwithſtanding.

A repeale of a prouiſo conteined in the Statute of 1. E. 6. 5. touching the tranſporting of horſes.

Cap. XX.

How Vagabonds, calling themſelues Egyptians, ſhall be puniſhed.

Whereas ſithence the Act made in the firſt and ſecond yeares of the late King Philip and Queene Mary, for the puniſhment of that falſe and ſubtile company of Vagabonds, calling themſelues Egyptians, there is a ſcruple and doubt riſen, whether ſuch perſons as being borne within this Realme of England, or other the Queenes highneſſe Dominions, and are or ſhall become of the fellowſhip or company of the ſayd Vagabonds, by transforming or diſguiſing themſelues in their apparell, or in a certaine counterfeit ſpeech or behauiour, are puniſhable by the ſayd act in like manner as others of that ſort are, being ſtrangers borne, and tranſported into this Realme of England.

Therefore for the auoyding of all doubts and ambiguities in that behalfe, & to the intent that all ſuch ſturdy & falſe vagabonds of that ſort, liuing onely vpon the ſpoile of the ſimple people, may be condignly met withall and puniſhed: Be it enacted by the Queene our Soueraigne Lady, the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that the ſayd Statute made in the firſt and ſecond yeares of the ſayd late King and Queene, concerning thoſe vagabonds calling themſelues Egyptians, ſhall continue, remaine, and be in full force, ſtrength and effect.

The Stat. of 1. & 2. P. & M. 4. concerning Egyptians, ſhall continue in force.

And yet moreouer, bee it enacted by the authority aforeſayd, that all and euery perſon and perſons, which from and after the firſt day of May now next enſuing, ſhall bee ſeene or found within this Realme of England or Wales, in any company or fellowſhippe of vagabonds, commonly called, or calling themſelues Egyptians, or counterfeiting, transforming, or diſguiſing themſelues by their apparell, ſpeech, or other behauiour, like vnto ſuch vagabonds, commonly called, or calling themſelues Egyptians, and ſo ſhall or doe continue and remaine in the ſame, either at one time, or at ſeuerall times, by the ſpace of one moneth, that then the ſayd perſon or perſons, ſhall by vertue of this Act, bee deemed and iudged a fellon

It ſhall be felony for Egyptians or others counterfeiting themſelues like to them, to remaine a moneth in this realme.

and felons, and ſhall therefore ſuffer paines of death, loſſe of lands and goods, as in caſes of felony by the order of the Common lawes of this Realme, and ſhall vpon the triall of them, or any of them therein, be tried in the County, and by the inhabitants of the County or place where they or he ſhall be apprehended or taken, and not per medietatem linguæ, and ſhall loſe the priuiledge and benefit of Sanctuary and Clergy.

To what perſons this act ſhall not extend.

Prouided alwayes, and be it enacted by the authority aforeſayd, that this act ſhall not in any wiſe extend to any childe or children being within the age of fourtéene yéeres, nor to any of the ſayd perſons being in priſon the laſt day of this preſent Parliament, ſo that he or they ſo being in priſon, doe within fourtéene dayes next after his or their deliuery out of priſon, either depart out of this Realme of England and Wales, or put him or themſelues to ſome honeſt ſeruice, or exerciſe ſome lawfull worke, trade or occupation, and vtterly forſake the ſayd idle and falſe trade, conuerſation and behauiour of the ſayd counterfeit and diſguiſed vagabonds, commonly called, or calling themſelues Egyptians.

None borne in the realme compellable to depart thence.

Prouided alſo, and be it enacted by the authority aforeſayd, that the ſayd act made in the firſt and ſecond yeares of the ſayd late King and Quéene, ſhall not extend to compell any perſon or perſons borne within any the Quéenes Maieſties Dominions, to depart out of this Realme of England or Wales, but onely to conſtraine and binde them and euery of them, to leaue their ſayd naughty, idle, and vngodly life and company, and to place themſelues in ſome honeſt ſeruice, or to exerciſe themſelues at home with their parents, or elſewhere honeſtly in ſome lawfull worke, trade, or occupation: Any thing mentioned in this ſayd former act to the contrary hereof, in any wiſe notwithſtanding.

CAP. XXI.

How perſons for vnlawfull Fiſhing, Hunting in a Parke, And taking of Hawkes, or Hawkes egges out of anothers ground, ſhall be puniſhed.

WHere as well the Quéenes Maieſtie, and her moſt noble Progenitors, as alſo the Noblemen, Gentlemen, and diuers other perſons of great Dominions, Lordſhips, Mannors, and Poſſeſſions within this Realme, haue of ancient and long time had, and many of them now of late, to their great coſts and charges, for the neceſſary and better prouiſion, and maintenance of their houſholds, haue erected and made in and vpon their ſeuerall demeanes, grounds, and poſſeſſions, as well Pooles, Stagnes, Stewes, Motes, Pits, or Ponds, for the onely increaſe of Fiſh, & haue ſtored the ſame with Pickerell, Breme, Tench, Carpe, and diuers other good kinds of Fiſh, for the neceſſary encreaſe of victuals, & for the better maintenance and prouiſion of their houſes as is aforeſayd, and alſo haue emparked, enuironed, and incloſed many parcels of their ſaid demeanes, ſoyles, grounds, and poſſeſſions for the bréeding, cheriſhing, and encreaſe, as well of Redde, as Fallow Déere within their ſeuerall Parkes and Incloſures, for the cauſes afore declared, & alſo haue bréeding within their Woods and Grounds, diuers Eyries of Hawkes of ſundry kinds, to their great pleaſure & commodity. Yet neuertheleſſe, the ſayd ſeuerall waters, grounds, parkes, and incloſures ſo being had, erected, and made, and alſo being ſo ſtored and repleniſhed, haue béene from time to time by euill diſpoſed perſons, of a very euill, wilfull, and inſolent diſpoſition, and of malice and diſpleaſure, not onely by night time broken & entred into, but alſo the heads or dammes of the ſayd Ponds, Pooles, Stagnes, Motes, Stewes, or ſeuerall waters, haue béene maliciouſly, wilfully, and vnlawfully cut out, and the pales, fences, and incloſures of the ſayd Parkes and grounds broken, caſt downe, and ſet open, and the Fiſh, Déere, & Hawkes, within the ſame, taken, deſtroyed, carried away, and ſtollen, not onely to the great loſſe & damage of the owners thereof, and to the ſmall encouragement of other good ſubiects, minding the carefull prouiſion of ſuch neceſſary victuals, but alſo to the manifeſt emboldening of many like wilfull malefactors and malicious offendors, whereby many riots, manſlaughters, miſchiefes, and other inconueniences haue beene daily perpetrated, and like to be committed and done, if circumſpect remedy be not hereunto prouided.

The penalty for deſtroying of any poole, pond, &c. or for the taking of any fiſh. 31.H.8.2.

Be it therefore enacted by the Quéenes Maieſtie, the Lords ſpirituall and temporall, and the Commons of this preſent Parliament aſſembled, and by the authority of the ſame, that if any perſon or perſons after the feaſt of Pentecoſt next comming, ſhall at any time by day or by night, vnlawfully without authority, breake, cut downe, cut out, or deſtroy any head or heads, damme or dammes, of any ponds, pooles, motes, ſtagnes, ſtewes, or ſeuerall pits, wherein fiſh are, or ſhall happen to be put in or ſtored withall by the owners or poſſeſſioners thereof, or do or ſhall wrongfully fiſh in any of the ſayd ſeuerall ponds, pooles, motes, ſtagnes, ſtewes, or pits, to the intent to deſtroy, kill, take, or ſteale away any of the ſame fiſh, againſt the will, mind, or pleaſure of the owners, or poſſeſſioners of the ſame, not hauing any lawfull title or authority ſo to doe, & thereof be lawfully conuicted, at the ſuit of our Soueraigne Lady the Quéene, her heires or ſucceſſors, or the party grieued, ſhall ſuffer impriſonment of his or their bodies by the ſpace of thrée moneths, and ſhall yeeld and pay to the party grieued, his treble damages, and after the ſayd three monethes expired, ſhall find ſufficient Sureties for his or their good Abearing againſt the Queene our Soueraigne Lady, her heires and ſucceſſors, and all her liege people for the ſpace of ſeuen yeares after, or elſe ſhall remaine and continue ſtill in priſon without baile or mainepriſe, vntill ſuch time as he or they ſo offending, can and ſhall find ſuch ſufficient ſureties, during the ſayd time & ſpace of ſeuen yeares, as is aforeſayd.

And bee it alſo enacted by authority of this preſent Parliament, that if any perſon or perſons, after the ſaid feaſt of Pentecoſt, next comming, at any time by night or by day, in maner aforeſayd, wrongfully or vnlawfully breake or enter into any parke impaled, or any other ſeuerall ground cloſed with wall, pale, or hedge, and vſed for the keeping, breeding, and cheriſhing of Deere, and ſo wrongfully hunt, driue or chaſe out, or take, kill, or ſlea any Deere within any ſuch empaled Parke, or cloſed ground, with wall, pale, or other incloſure and vſed for Deere, as is aforeſayd, or doe or ſhall take away any Hauke or Haukes, or the egges of any of them, by any wayes or meanes vnlawfully, out of any of the Woods or ground of any perſon or perſons, (not hauing lawfull authority or licence ſo to doe) and thereof bee lawfully conuicted at the ſuit of our Soueraigne Lady the Queene, or the party grieued, as is aforeſayd: ſhall likewiſe ſuffer impriſonment of his or their bodies by the ſpace of three moneths, and ſhall yeeld and pay to the party grieued his treble damages. And after the ſayd three monethes expired, ſhall find ſufficient ſureties for his or their good abearing, for the ſpace of ſeuen yeares after, againſt the Queenes Maieſtie, her heires and ſucceſſors, and all her liege people, as is aforeſayd, or elſe ſhall remaine & continue ſtill in priſon, without baile or mainepriſe, vntill ſuch time as he or they ſo offending, can and ſhall find ſuch ſufficient ſureties during the ſayd time of ſeuen yeares, as is afore rehearſed.

The penalty for breaking of a Parke, & hunting of Deere.
3.Ia.13.1.Ia.27
Coke pla.f.361

The penalty for taking of Hawkes or Hawkes egges out of anothers ground.

Prouided alwayes, that this Act, or any thing therein contained, extend not to any Parke, or incloſed ground hereafter to be made and vſed for Deere, without the Grant or Licence of our Soueraigne Lady the Queene, her Heires, Succeſſors, or Progenitors.

A Parke incloſed by the Licence of the Queen, or &c.

Prouided alwayes, and be it enacted by authority aforeſayd, that it ſhall be lawfull for the partie grieued to ſue and take his further remedy againſt all and euery ſuch offendor and offendors, for his loſſe and damages, and to recouer the treble value of the ſame in this behalfe, as well before Iuſtices of Oyer and Determiner, Iuſtices of Aſſiſes in their Circuites, and Iuſtices of the Peace, as elſe where, in any other the Queenes Courts of Record, and that vpon the true ſatiſfaction of the ſayd treble damages to the party grieued, or vpon the confeſſion and knowledge thereof by the ſame party, before the ſayd Iuſtices in open Seſſions to be holden within the County where the offence was committed: it ſhall be at the liberty of the ſame party grieued, to whom the ſayd offence was committed, to releaſe at his pleaſure the ſayd ſuretiſhip of good abearing, at any time within the ſayd ſeuen yeares or before: Any thing in this preſent Act before ſpecified or expreſſed to the contrary, notwithſtanding.

The remedy of the party grieued, & before whom.

The party grieued may releaſe the ſuretiſhip of good abearing.

And be it further enacted by the authority aforeſayd, that the Iuſtices of Oyer and Determiner, Iuſtices of Aſſiſe in their Circuits, and Iuſtices of the Peace and Gaole deliuery, in their Seſſions, ſhall by vertue hereof, haue power and authority to enquire, heare, and determine all and ſingular the offences aforeſayd, and to make and award Proceſſe thereupon, as well vpon inditements taken before them, as by bill of complaint, information, or any other action, in which ſuit or action, no eſſoine, wager of law, nor protection ſhall be allowed.

Which Iuſtices may heare and determin the offences aforeſaid.

And bee it further enacted by the authority aforeſayd, that if any perſon or perſons, at any time hereafter ſhall fortune to bee bound before any of the Iuſtices before mentioned, to the Queene, her Heires or Succeſſors, for his or their good abearing for ſeuen yeares, according to the tenour of this Act, and the ſame party or parties ſo bound, ſhall afterwards within the ſayd ſeuen yeares, come before the Iuſtices of the Peace of the ſayd County, where the ſayd offence was committed, or ſome of them, in open Seſſions, and there in the ſayd open Seſſions confeſſe and acknowledge his or their ſayd offence or offences, and bee ſory therefore, & ſatiſfie the party or parties grieued, according to the tenor of this act: That then the ſame Iuſtices before whom the confeſſion ſhall be ſo made, ſhall and may haue power and authority by vertue of this Act, in the ſame open Seſſion, or in any other open Seſſions afterward to be holden before the ſayd Iuſtices in the ſayd County, within the ſayd terme of ſeuen yeares, if it ſhall ſeeme good to their diſcretions, to diſcharge the ſayd Recogniſance and bond ſo taken, and alſo the ſaid party and parties ſo bound: This Act or any thing therein conteined to the contrary thereof notwithſtanding.

In what caſe the Iuſtices of Peace may releaſe the offendor of the good abearing.

CAP. XXII.

Forfeiture of him who ſhall tranſport any ſkinnes of Stagge, Hinde, Bucke, Doe, &c. *or the leather made of them. And for what purpoſes they be made and bought within this realme.*

To what purpoſes onely pelts may be made, and to what intent any may buy the ſkin of a ſtagge, bucke, &c.

FOr reformation of many griefes, lamentably declared this preſent Parliament, by diuers Artificers of this Realme, working Leather: it may pleaſe your royall Maieſty, that it may be enacted and eſtabliſhed with the aſſent of this high Court of Parliament, That it ſhall not be lawfull to or for any manner of perſon or perſons whatſoeuer, from and after the firſt day of May next comming, to make any Pelts, that is to ſay, to pull, ſheare, clip, or take away the Wooll of any Sheepeſkin, or Lambeſkin, or to buy any ſkin of any Stag, Hinde, Bucke, Doe, Goat, Fawn, or Kidde, or the pelts or ſkinnes of any of them, vnleſſe ſuch perſon or perſons ſo making any pelts, or buying ſuch ſkinnes, as is aforeſayd, doe make or cauſe to be made thereof tawed or lawfully tanned leather, or parchment, or otherwiſe conuert the ſame into ſemits, pannels, or other their owne neceſſary vſes, vpon paine that euery perſon ſo making pelts, or buying any of the ſkinnes, or pelts aforeſayd, contrary to the meaning of this act, ſhall forfeit and loſe the value of all ſuch pelts or ſkins ſo made and bought, and two ſhillings ſixe pence for euery ſkin or pelt ſo bought, or pelt ſo made as is aforeſayd.

The penalty for tranſporting of ſheepſkins, lambes ſkins, &c. REP.8.EL.14.

And be it further enacted, that it ſhall not be lawfull to or for any perſon or perſons whatſoeuer, from and after the feaſt aforeſayd, to ſhip or conuey, or cauſe or procure to be ſhipped or conueyed, in or to any ſhip, boate, or veſſell, in or vpon the Sea, or in or vpon any hauen, riuer, creeke, or place within this Realme of England & Wales, or either of them, any maner of Sheepeſkins, Woolfels, Shorelings, Morelings, or the ſkins of any Stagge, Hinde, Bucke, Doe, Goat, Fawne, or Kidde, or the pelts or ſkinnes of any of them, or the leather made of them or any of them, to the intent to tranſport or carry the ſame into any the parts beyond the Seas, there to be vttered, bartered, or ſold by way of marchandiſe or otherwiſe, vpon paine of forfeiture of all ſuch ſkinnes or pelts bought, laden, ſhipped, or tranſported, contrary to the tenor and true meaning of this Act, or the value of them, and alſo two ſhillings ſixe pence of lawfull money of England, for euery Fell Shoreling, Moreling, Pelt, or Skin aforeſayd, bought, laden, ſhipped, or tranſported, contrary to the tenor & true meaning of this preſent act. The moity of all which forfeitures, ſhall be to our Soueraigne Lady the Queenes Maieſtie, her heires and ſucceſſors, and the other moity to him or them that will ſue for the ſame, by action, bill, plaint, information, or otherwiſe, in any of the Queenes Maieſties Courts: In which action, no eſſoine, protection, or iniunction ſhall be admitted or allowed.

Wares that may be lawfully tranſported by any marchant.

Prouided alwayes, that it ſhall and may be lawfull to the Marchants of the Staple, the Marchants of Newcaſtle vpon Tine, Hartlepoole, and Barwicke, their ſeruants, factors, & attourneyes, and euery of them, to carry & tranſport all ſuch lawfull wares as heretofore they haue been accuſtomed and lawfully might: Any thing in this act to the contrary notwithſtanding.

CAP. XXIII.

The order of awarding and returning the Writ of Excommunicato capiendo: *what is to bee done vpon the parties appearance, and what if he cannot be found: and the cauſe of awarding this Writ.*

The cauſe of the not executing of the Writ of Excōmunicato Capiendo.

FOraſmuch as diuers perſons offending in many great crimes & offences appertaining merely to the iuriſdiction and determination of the Eccleſiaſtical Courts & Iudges of this Realm, are many times vnpuniſhed for lacke and want of the good & due execution of the Writ de Excommunicato Capiendo, directed to the Sherife of any County, for the taking and apprehending of ſuch offendors. The great abuſe whereof, as it ſhould ſeeme, hath growen for that the ſayd Writ is not returnable in any Court that might haue the iudgement of the well executing and ſeruing of the ſayd Writ, according to the contents thereof, but hitherto, haue beene left onely to the diſcretion of the Sherifes and their deputies, by whoſe negligences and defaults, for the moſt part, the ſayd Writ is not executed vpon the offendor as it ought to be.

By reaſon thereof, ſuch offendors bee greatly encouraged to continue their ſinfull and criminous life, much to the diſpleaſure of Almighty GOD, and to the great contempt of the Eccleſiaſticall Laws of this Realme.

Awarding & returning of Excommunicato Capiendo.

Wherefore, for the redreſſe thereof: be it enacted by the Queenes moſt excellent Maieſty with the aſſent of the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that from and after the firſt day of May next comming, euery Writ of Excommunicato capiendo, that ſhalbe granted & awarded out of the high Court of Chancery, againſt any perſon or perſons within the realme of England, ſhalbe made the time of the Terme, & returnable before the Queenes highnes, her heires and ſucceſſors, in the Court commonly called the Kings Bench, in the Terme next after the Teſte of the ſame Writ, and that the ſame Writ ſhall be made to containe at the leaſt twenty dayes betwéene the Teſte and the returne thereof: And after the ſame Writ ſhall be ſo made and ſealed, that then the ſaid Writ ſhall be forthwith brought into the ſaid Court of the Kings Bench, & there in the preſence of the Juſtices ſhall be opened and deliuered of Record to the Sheriffe or other officer, to whom the ſeruing and execution thereof ſhall appertaine, or to his or their deputy or deputies. And if afterwards it ſhall or may appeare to the Juſtices of the ſame Court for the time being, that the ſame writ ſo deliuered of record, be not duely returned before them at the day of the returne thereof, or that any other default or negligence hath béen vſed or had in the not well ſeruing and executing of the ſaid writ: that then the Juſtices of the ſaid Court, ſhall and may by authority of this Act aſſeſſe ſuch amerciament vpon the ſaid Sheriffe or other officer, in whom ſuch default ſhall appeare, as to the diſcretion of the ſaid Juſtices ſhall be thought méet and conuenient, which amerciament ſo aſſeſſed ſhall be eſtreated into the Court of Eſchequer, as other amerciaments hath béene vſed.

The Sheriffe ſhall be amerced for not returning of the writ.

And be it further enacted by the authority aforeſaid, That the Sheriffe or other officer, to whom ſuch writ of Excommunicato capiendo, or other proceſſe by vertue of this Act, ſhall be directed, ſhall not in any wiſe be compelled to bring the body of ſuch perſon or perſons, as ſhall be named in the ſaid Writ or Proceſſe, into the ſaid Court of the Kings Bench, at the day of the returne thereof: but ſhall onely returne the ſame Writ and Proceſſe thither, with declaration briefly how and in what manner hee hath ſerued and executed the ſame, to the intent that thereupon the ſaid Juſtices may then further therein procéed, according to the tenour and effect of this preſent Act.

What ſhall be done with the body of the excommunicate.

And if the ſaid Sheriffe or other officer to whom the execution of the ſaid Writ ſhall ſo appertaine, doe or ſhall returne that the party or parties named in the ſaid Writ cannot bee found within his Bailywike: that then the ſaid Juſtices of the Kings Bench for the time being, vpon euery ſuch returne ſhall award one writ of Capias againſt the ſaid perſon or perſons named in the ſaid writ of Excommunicato capiendo, returnable in the ſame Court in the Terme time, two moneths at the leaſt next after the Teſte thereof, with a Proclamation to be contained within the ſayd writ of Capias, that the Sheriffe or other officers, to whom the ſaid writ ſhall be directed, in the full County Court, or elſe at the generall Aſſiſes and Gaole deliuery to be holden within the ſaid County, or at a quarter Seſſions to be holden before the Juſtices of the Peace within the ſame County, ſhall make open Proclamation ten dayes at the leaſt before the returne, that the party or parties named in the ſaid writ ſhall within ſix dayes next after ſuch Proclamation, yéeld his or their body or bodies to the Gaole and priſon of the ſaid Sheriffe, or other ſuch officer, there to remaine as a priſoner, according to the tenour and effect of the firſt writ of Excommunicato capiendo, vpon paine of forfeyture of ten pound. And thereupon after ſuch Proclamation had, and the ſayd ſixe dayes paſt and expired, then the ſaid Sheriffe, or other officer to whom ſuch writ of Capias ſhall be directed, ſhall make returne of the ſame writ of Capias into the ſaid Court of the Kings Bench, of all that hee hath done in the execution thereof, and whether the party named in the ſaid writ haue yéelded his body to priſon or not.

If the Sheriffe returne Non eſt inuentus.

Capias 1.

And if vpon the returne of the ſaid Sheriffe, it ſhall appeare, that the party or parties named in the ſaid writ of Capias, or any of them, haue not yeelded their bodies to the Gaole and priſon of the ſaid Sheriffe or other officer according to the effect of the ſame Proclamation: that then euery ſuch perſon that ſo ſhall make default, ſhall for euery ſuch default forfeyt to the Quéenes highneſſe, her heyres and ſucceſſors, ten pounds, which ſhall likewiſe be extreated by the ſaid Juſtices, into the ſaid Court of Eſchequer, in ſuch maner and forme as fines and amerciaments there taxed and aſſeſſed, are vſed to be.

Ten pound forfeyt for not appearance vpon the firſt Capias.

And thereupon the ſaid Juſtices of the Kings Bench ſhall alſo award forth one other writ of Capias againſt the ſaid perſon or perſons that ſo ſhall be returned to haue made default with ſuch like Proclamation as was contayned in the firſt Capias, and a paine of twenty pounds, to bee mentioned in the ſaid ſecond writ and Proclamation. And the Sheriffe or other Officer to whom the ſaid ſecond writ of Capias ſhall be ſo directed, ſhall ſerue and execute the ſame ſecond writ, in ſuch like manner and forme as before is expreſſed for the ſeruing and executing of the ſayd firſt Writ of Capias. And if the Sheriffe or other officer ſhall returne vpon the ſaid ſecond Capias, that he hath made the Proclamation according to the tenour and effect of the ſame writ, and that the party hath not yéelded his body to priſon, according to the tenour of the ſaid Proclamation: that then the ſaid party that ſo ſhall make default, ſhall for ſuch his contempt and default, forfeyt to the Quéens highneſſe, her heyres and ſucceſſors, the ſumme of twenty pound, which ſaid ſumme of twenty pound, the ſaid Juſtices of the Kings Bench for the time being ſhall likewiſe cauſe to be eſtreated into the ſaid Court of Exchequer, in maner and forme aforeſaid.

2. Capias.

Twenty pound forf. vpon the ſecond Capias.

And then the ſaid Juſtices ſhall likewiſe award forth one other Writ of Capias againſt the ſaid party, with ſuch like Proclamation and paine of forfeyture, as was contayned in the ſaid ſecond Writ of Capias: And the Sheriffe or other Officer to whom the ſaid third writ of Capias

3. Capias.

ſhall ſo be directed, ſhall ſerue and execute the ſaid third Writ of Capias, in ſuch like manner and foꝛme, as befoꝛe in this Act is expꝛeſſed and declared, foꝛ the ſeruing and executing of the ſayd firſt and ſecond Writs of Capias. And if the Sheriffe oꝛ other officer to whom the execution of the ſayd third Writ ſhall appertaine, doe make returne of the ſayd third Writ of Capias, that the party vpon ſuch Pꝛoclamation hath not yéelded his body to pꝛiſon, accoꝛding to the tenoꝛ thereof: that then euery ſuch party, foꝛ euery ſuch contempt and default, ſhall likewiſe foꝛfeit to the Quéenes Maieſty her heires and ſucceſſoꝛs, other xx. li. which ſumme of xx. li. ſhall likewiſe be eſtreated into the ſayd Court of the Exchequer, in maner and foꝛme afoꝛeſayd: and thereupon the ſayd Iuſtices of the Kings Bench ſhall likewiſe award foꝛth one Writ of Capias againſt the ſayd party, with like Pꝛoclamation, and like paine of foꝛfeiture of xx. li. And that alſo the ſayd Iuſtices ſhall haue authoꝛity by this Act, infinitely to award ſuch pꝛoceſſe of Capias, with ſuch like Pꝛoclamation and paine of foꝛfeiture of xx. li. as is befoꝛe limited, againſt the ſayd party that ſo ſhall make default, in yéelding of his body to the pꝛiſon of the Sheriffe, vntill ſuch time as by returne of ſome of the ſayd Writs befoꝛe the ſayd Iuſtices, it ſhall and may appeare, that the ſayd party hath yeelded himſelfe to the cuſtody of the ſayd Sheriffe oꝛ other officer, accoꝛding to the tenour of the ſayd Pꝛoclamation, and that the party vpon euery default and contempt by him made, againſt the Pꝛoclamation of any of the ſayd Writs ſo infinitely to be awarded againſt him, ſhall incurre like paine and foꝛfeiture of xx. li. which ſhall likewiſe bee eſtreated in manner and foꝛme afoꝛeſayd.

xx. li. foꝛfeit vpon the 3 Capias.

Awarding of Capias infinitely, and xx. li. foꝛfeit vpon euery of them.

The offendoꝛ yeelding his body ſhall be committed to pꝛiſon.

And be it further enacted by the authoꝛity afoꝛeſayd, That when any perſon oꝛ perſons ſhall yéeld his oꝛ their body oꝛ bodies to the hands of the Sheriffe oꝛ other officer, vpon any of the ſayd Writs of Capias: that then the ſame party oꝛ parties that ſhall ſo yeeld themſelues, ſhall remaine in the pꝛiſon and cuſtody of the ſayd Sheriffe oꝛ other officer, without baile, bailem, oꝛ mainepꝛiſe, in ſuch like manner and foꝛme, to all intents and purpoſes, as he oꝛ they ſhould oꝛ ought to haue done, if he oꝛ they had béene appꝛehended and taken vpon the ſayd Writ of Excommunicato capiendo.

The foꝛfeiture of a Sheriffe foꝛ a falſe returne.

And be it further enacted by the authoꝛity afoꝛeſayd, That if any Sheriffe oꝛ other officer, by whom the ſayd Writ of Capias, oꝛ any of them, ſhall be returned as is afoꝛeſayd, do make an vntrue returne vpon any of the ſayd Writs, that the party named in the ſaid Writ hath not yéelded his body, vpon the ſayd Pꝛoclamations, oꝛ any of them, where indéed the party did yéeld himſelfe accoꝛding to the effect of the ſame: That then euery ſuch Sheriffe oꝛ other officer, foꝛ euery ſuch falſe and vntrue returne, ſhall foꝛfeit to the party grieued and dammified by the ſayd returne, the ſumme of xl. li. Foꝛ the which ſumme of xl. li. the ſayd party grieued ſhall haue his recouery and due remedy by action of debt, bill, plaint, oꝛ infoꝛmation, in any of the Quéenes Courts of Recoꝛd, in which action, bill, plaint oꝛ infoꝛmation, no eſſoyne, pꝛotection, oꝛ wager of law ſhall bee admitted oꝛ allowed foꝛ the party defendant.

The Biſhops authoꝛity to receiue ſubmiſſion & deliuer the excommunicate.

Sauing and reſeruing to all Archbiſhops, and Biſhops, and all others hauing authoꝛity to certifie any perſon excommunicated, and like authoꝛity to accept and receiue the ſubmiſſion and ſatiſfaction of the ſayd perſon ſo excommunicatad, in manner and foꝛme heretofoꝛe vſed, and him to abſolue and releaſe, and the ſame to ſignifie, as heretofoꝛe it hath béene accuſtomed, to the Quéenes Maieſty, her heires and ſucceſſoꝛs, into the high Court of Chancery, and thereupon to haue ſuch Writs, foꝛ the deliuerance of the ſayd perſon ſo abſolued and releaſed from the Sheriffes cuſtody oꝛ pꝛiſon, as heretofoꝛe they oꝛ any of them had, oꝛ of right ought oꝛ might haue had: Any thing in this pꝛeſent Statute ſpecified oꝛ contained to the contrary hereof, in any wiſe notwithſtanding.

Pꝛoceſſe out of liberties where the Queens writ runneth not.

Pꝛouided alwaies, that in Wales, the Counties Palatines of Lancaſter, Cheſter, Durham, and Ely, and in the Cinque Poꝛts, being iuriſdictions and places exempt, where the Quéenes Maieſties Writ doth not runne, and pꝛoceſſe of Capias from thence not returnable into the ſayd Court of the Kings Bench, after any Significauit being of recoꝛd in the ſayd Court of Chancery, the tenour of ſuch Significauit by Mittimus ſhall bee ſent to ſuch of the head officers, of the ſayd Country of Wales, Counties Palatines and places exempt, within whoſe offices, charge, oꝛ iuriſdiction the offendoꝛs ſhall bee reſiant, that is ſo ſay, to the Chancelloꝛ oꝛ Chamberlaine foꝛ the ſayd County Palatine of Lancaſter and Cheſter, and foꝛ the Cinque Poꝛts to the Loꝛd Warden of the ſame, and foꝛ Wales and Ely, and the County Palatine of Durham, to the chiefe Iuſtice oꝛ Iuſtices there. And thereupon euery of the ſayd Iuſtices and officers to whom ſuch tenour of Significauit with Mittimus, ſhall be directed and deliuered, ſhall by vertue of this Statute haue power and authoꝛity to make like pꝛoceſſe to the inferiour officer and officers, to whom the execution of pꝛoceſſe there doth appertaine, returnable befoꝛe the Iuſtices there at their next Seſſion oꝛ Courts, two moneths at the leaſt after the Teſte of euery ſuch pꝛoceſſe. So alwaies as in euery degrée they ſhall pꝛocéede in their Seſſions and Courts againſt the offendoꝛs, as the Iuſtices of the ſayd Court of Kings Bench, are limitted by the tenour of this Act, in Terme times to doe and execute.

Pꝛouided alſo, and be it enacted, that any perſon at the time of any pꝛoceſſe of Capias, afoꝛe mentioned, awarded, being in pꝛiſon, oꝛ out of this Realme in the partes beyond the Sea, oꝛ within age, or of non ſanæ memoriæ, or woman couert, ſhall not incurre any of the paines or forfeitures afore mentioned, which ſhall grow by any returne or default happening, during ſuch time of nonage, impriſonment, being beyond the Sea, or non ſanæ memoriæ. And that by vertue of this eſtatute, the partie grieued may plead euery ſuch cauſe or matter in barre, of and vpon the diſtreſſe or other proceſſe that ſhall bee made for leuying of any of the ſayd paines or forfeytures.

Certaine perſons diſcharged of the penalty aforeſaid.

And that if the offendor againſt whom any ſuch Writ of Excommunicato capiendo ſhall bee awarded, ſhall not in the ſame Writ of Excommunicato capiendo haue a ſufficient and lawfull addition, according to the forme of the eſtatute of primo of Henry the fifth, in caſes of certain ſuites, whereupon proceſſe of exigent are to be awarded. Or if in the Significauit it be not contained, that the excommunication doth procéed vpon ſome cauſe or contempt of ſome originall matter of hereſie, or refuſing to haue his or their child baptiſed, or to receiue the holy Communion as it is now commonly vſed to be receiued in the Church of England, or to come to diuine ſeruice, now commonly vſed in the ſayd Church of England, or error in matters of religion or doctrine now receiued & allowed in the ſayd Church of England, incontinencie, vſury, ſimony, periurie in the Eccleſiaſticall Court, or Idolatry: That then all and euery paines and forfeitures limitted againſt ſuch perſons excommunicate by this eſtatute by reaſon of ſuch writ of Excommunicato capiendo, wanting ſufficient addition, or of ſuch Significauit wanting all the cauſes afore mentioned, ſhall be vtterly voyd in law, and by way of plea to be allowed to the party grieued.

Addition according to the ſtat of Anno 1. H.5.

Cauſes of excommunication.

And if the addition ſhall be with a nuper of the place: Then in euery ſuch caſe, at the awarding of the firſt Capias with Proclamation according to the forme afore mentioned, one writ of Proclamation (without any paine expreſſed) ſhall be awarded into the County where the offender ſhal be moſt commonly reſiant at the time of the awarding of the ſayd firſt Capias with paine, in the ſame writ of Proclamation, to be returnable the day of the returne of the ſaid firſt Capias, with paine, and Proclamation thereupon at ſome one ſuch time and Court, as is preſcribed for the Proclamation vpon the ſayd firſt Capias, with paine. And if ſuch Proclamation be not made in the County where the offendor ſhall be moſt commonly reſiant, in ſuch caſes of additions of nuper: That then ſuch offendor ſhall ſuſtaine no paine or forfeiture by vertue of this eſtatute, for not yéelding his or her bodie, according to the tenour afore mentioned: Any thing before ſpecified and to the contrary hereof, in any wiſe notwithſtanding.

Addition with a Nuper.

Cap. XXIIII.

The Statute of 23.H.8.2. touching the making & repairing of Gaoles ſhall be reuiued, and continue ten yeares. And the I. of Peace in the Counties of Pembroke, Glamorgan, Cardigan, Radnor, and Mountgomerie in Wales, ſhall haue power to doe and execute all things concerning the new making of Gaoles, as the Iuſtices and other perſons mentioned in the ſaid Statute. EXP.

Cap. XXV.

In certaine caſes, a Tales de Circumſtantibus *may be granted in the 12. Shires in Wales and in the County Palatine of Cheſter, &c. by the Iuſt. at their great Seſsions.*

Where in the Parliament holden at Weſtminſter in the xxxv. yeare of the reigne of our Soueraigne Lord King Henry the eighth, father to our moſt deare Soueraign Lady the Quéenes Maieſtie that now is, one wholeſome and profitable Act and Eſtatute, amongſt other, was then eſtabliſhed and enacted, intituled by the name of an Act concerning the apparance of Iurors in Niſi prius, where amongſt other things in the Act, it was eſtabliſhed, That where a full Iury returned betwixt party and party, did not appeare before the Iuſtices of Aſſiſe, or Niſi prius, or elſe after apparance of a full Iury by challenge of any of the parties, the Iury was like to remaine vntaken for default of Iurors, that the ſame Iuſtices, vpon requeſt made by the party plaintiffe or demandant, ſhould haue authority by vertue of the ſame Act, to command the Sherife, or other Miniſter or Miniſters, to whom the making of the ſayd returne ſhould appertaine, to name & appoint, as often as néed ſhould require, ſo many of ſuch other able perſons of the ſayd County, then preſent at the ſaid Aſſiſe, or Niſi prius, as ſhould make vp a full Iury: which perſons ſo to be named & impannelled by ſuch Sherif, or other Miniſter or Miniſters, ſhould be added to the former pannell, and their names annexed to the ſame, and further, as in the ſame Act more plainely may appeare. Which ſaid beneficiall act doth not extend vnto the xii. Shires of Wales, nor to the County Palatine of Cheſter, nor to the County Palatine of Lancaſter, nor to the County Palatine of Durham, by reaſon whereof many Iuries remaine vntaken betwixt the parties, what for lacke of apparance of Iurors, and ſome becauſe of challenges, to the great hinderance of Iuſtice, and great expences and charges to the parties.

A rehearſall of the Statute of 35.H.8.6. touching filling vp a Iury de Circumſtantibus.

For reformation whereof, be it enacted by the Quéene our Soueraigne Lady, with the aſſent of the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled, and

Tales de Circūmſtantibus ſhall be grantable in the 12. Shires of Wales, Cheſhire, Lancaſhire, and Durham.

and by the authority of the ſame, That in euery of the Shires of Wales, that is to ſay, Penbroke, Carmarthen, Cardigan, Brecknock, Radnor, Glamorgan, Momtgomery, Denbigh, Flint, Merioneth, Angleſey, Carneruan, and in the County Palatine of Cheſter, and in the ſaid County Palatine of Durham, and in the ſayd County Palatine of Lancaſter, where a full Iury ſhall not appeare before the Iuſtices of the great Seſſion, in any of the ſayd Shires or Counties Palatines, or their deputies there, or els after appearance of a full Iury, by challenge of any of the parties, the Iury is like to remaine vntaken for default of Iurors: that then the ſame Iuſtices, in euery of the ſayd Shires & Counties Palatines, for the time being, or their deputie or deputies, vpon requeſt made by the party plaintiffe or demaundant, ſhall haue full authority by vertue of this Act, to command the Sheriffe, or other Miniſter or Miniſters, to whom the making of the ſayd returne ſhall appertaine, to name and appoint as often as néed ſhall require, ſo many of ſuch other able perſons of the ſayd Counties, then preſent at the ſayd great Seſſion, as ſhall make vp a full Iury: which perſons ſo to bee named and impanelled by ſuch Sheriffe, or other Miniſter or Miniſters, ſhall be added to the former Panell, and their names annexed to the ſame. And that euery of the parties ſhall or may haue his or their Challenge to the Iurors ſo named, added, and annexed to the ſayd former Panel, by the ſaid Sheriffe or other Miniſter or Miniſters, in ſuch wiſe as if they had béene impanelled vpon the Venire facias, awarded to try the ſayd Iſſue. And that the ſayd Iuſtices, and euery of them, and their deputy or deputies, ſhall and may procéede to the tryall of euery ſuch Iſſue with thoſe perſons that were before impanelled and returned, and with thoſe newly added and annexed to the ſayd former Panell, by vertue of this Act, in ſuch wiſe, as they might or ought to haue done, if all the ſayd Iurors had béene returned vpon the Writ of Venire facias, awarded to try the ſayd Iſſue. And that all and euery ſuch tryall had, ſhall be as góod and effectuall in the Law, to all intents, conſtructions, and purpoſes, as if ſuch tryall had béene had and tryed by xii. of the Iurors impannelled and returned vpon the Writ of Venire facias, awarded to try ſuch Iſſue. And in caſe ſuch perſons as the ſaid Sheriffe, Miniſter or Miniſters, ſhall name and appoint, as is aforeſayd, or any of them, after they ſhall be called, be preſent, and do not appeare, or after his or their appearance, doe wilfully withdraw him or themſelues from the preſence of the Court: that then ſuch Iuſtices, or their deputies, ſhall and may ſet ſuch fine vpon euery ſuch Iuror making default, or wilfully withdrawing himſelfe, as aforeſaid as they ſhall thinke góod by their diſcretions, the ſayd fine to bee leuied in ſuch manner and forme, as Iſſues forfeited and loſt by Iurors for default of their appearance, as is prouided by the Law and Cuſtome of the ſayd Countries of Wales, and Counties Palatines aforeſaid, where ſuch Iſſues are forfeited.

Coke pla.

Challenge to the Iurors newly named.

A Iuror newly impanelled, doth withdraw himſelfe.

The firſt Iurors making default, ſhall loſe their iſſues.

And be it further enacted by the authority aforeſayd, That where any Iury that ſhall be returned by the Sheriffe, or other Miniſter or Miniſters, ſhall be made full, by the commandement of the ſaid Iuſtices, or their Deputies, by vertue of this preſent Act, that yet neuertheleſſe ſuch perſons as were returned in the ſaid Panell, by the Sheriffe, or other miniſter or miniſters, to trye any ſuch Iſſue, that ſhall not appeare, but make default, ſhall loſe the Iſſues vpon them returned, in ſuch wiſe, as though the ſame Iurie had remained for default of Iurors.

Vpon a reaſonable excuſe, Iurors ſhall be diſcharged of iſſues.

Prouided alwayes, and be it further enacted, that vpon a reaſonable excuſe, for the default of appearance of any Iuror or Iurors, ſufficiently proued before the Iuſtices of the great Seſſions, or their deputies in the countreyes and counties Palatines aforeſaid, at the day of their appearance, by the oaths of two lawfull and honeſt witneſſes, that the ſame Iuſtices ſhall haue authority by their diſcretions to diſcharge euery ſuch Iuror of euery ſuch forfeiture of Iſſues vpon him returned, and that the ſaid Sheriffe or Sheriffes, or other miniſter or miniſters, hauing commandement by the ſaid Iuſtices to omit the returning of ſuch iſſues, as is aforeſaid, vpon ſuch Iuror or Iurors, ſhall be therein diſcharged of the penalties aforeſaid, for the non returning of the ſaid Iſſues, and that yet notwithſtanding the ſaid returne to be góod and effectuall in the Law: Any Law, Vſage, Ordinance, or Cuſtome to the contrary notwithſtanding.

If the Iuſtices come not, the Iury ſhall be diſcharged of their iſſues.

Prouided alſo, and be it enacted by the authority aforeſaid, That if the ſaid Iuſtices, or their deputies, afore whom any ſuch Iury ſhould appeare in the Shires or Counties Palatines where ſuch Iſſue is to be tryed, doe not come at the day and place appointed: that then euery one of the ſame Iurors ſhall bee diſcharged for forfeiting of any Iſſues vpon him returned in the ſame Writ. And the Sheriffe, or other miniſter or miniſters, ſhalbe likewiſe diſcharged of the penalties of this Eſtatute, for the non returning of ſuch Iſſues, as are before limited in this Act: Any Article or Sentence herein contained to the contrary notwithſtanding.

The Sheriffes forfeiture for returning of iſſues vpon a Iuror not warned.

And alſo be it further enacted by the authority aforeſaid, That if vpon any ſuch Writ of Habeas corpora, or Diſtringas, Iſſues be returned vpon any Hundredors, Iuror or Iurors, by the Sheriffe or other miniſter or miniſters, to whom the execution of the ſame Writ or Writs ſhall appertaine, whereas the ſame Hundredors and Iurors ſhall not be lawfully ſummoned, warned, or diſtrained in that behalfe: that then euery ſuch Sheriffe, or other miniſter or miniſters aforeſaid, ſhall loſe for euery ſuch offence ſo committed, double ſo much as the ſaid Iſſues returned vpon ſuch Hundredors or Iurors not lawfully ſummoned, warned, or diſtrained, ſhall amount vnto: the moity of all which forfeitures conteyned in this preſent Act, other than the iſſues to be returned vpon the Iurors, as is aforeſaid, ſhall be to the Queene our Soueraigne Lady, her heyres and ſucceſſors, and the other halfe to him that will ſue for the ſame, by action of debt, bill, plaint, or information in the Queene her Graces great Court, within the ſaid County where ſuch forfeiture ſhall happen to be, before the ſaid Iuſtices, his or their deputy or deputies, in which no wager of law, eſſoyne or protection ſhall be allowed ne admitted. Sauing to all manner of perſons and bodies politike and corporate, their heyres and ſucceſſors, hauing lawfull right, title and intereſt to haue ſuch iſſues to be before any ſuch Iuſtices or their deputies, at any time or times hereafter loſt and forfeyted, all ſuch right, title and intereſt, as they or any of them ſhould or ought to haue had to ſuch iſſues to be loſt and forfeyted, as though this Act had neuer beene had or made.

Who ſhal haue the forfettures, and by what meanes they ſhal be recouered.

Prouided alſo, that this Act nor any thing therein contayned, ſhall not extend to any City or Towne corporate, or to any Sheriffe, Miniſter or Miniſters in the ſame, for the returne of any Inqueſt or panell, to be made and returned of perſons inhabiting in the ſaid cities or townes corporate, but that they and euery of them ſhall and may returne ſuch perſons in euery ſuch Inqueſt or panell as before this time they might and haue beene accuſtomed to do, and as if this Act had neuer beene had or made, ſo that the ſame Sheriffe, Miniſter or Miniſters returne vpon ſuch perſons as ſhall be impanelled, ſuch reaſonable iſſues as they ought to returne: Any thing in the ſame conteyned to the contrary notwithſtanding. 2.Ed.6.32.

Returning of Enqueſts in cities and townes corporat.

Cap. XXVI.

Indentures of bargaine of manors, lands &c. inrolled ſixe moneths after the date of them in the Courts of the Counties of Lancaſter, Cheſter, and Biſhopricke of Durham ſhall be good in law.

FRom the feaſt of Eaſter next, all inrolments of ſuch writings indented (viz. as be mentioned 27.H.8.16.) of any bargaine and ſale after the ſaid feaſt of Eaſter, to be made of any mannors, lands, tenements, or other hereditaments, ſet, lying or being in the Counties of Lancaſter, Cheſter, and Biſhopricke of Durham, being made and inrolled within ſixe moneths next after the date of any ſuch writings indented in the Queenes Court of Chancery at Lancaſter, or before the Queenes Iuſtice or Iuſtices of Aſſiſes at Lancaſter aforeſaid, concerning any mannors, lands, tenements, or hereditaments within the ſaid County of Lancaſter, or in the Queenes Court of the Exchequer at Cheſter, or before the Queenes Iuſtice or Iuſtices of Aſſiſes at Cheſter aforeſaid, concerning any manors, lands, tenements or hereditaments within the ſaid County of Cheſter, Or in the Court of Chancery at Dureſme, or before the Iuſtice or Iuſtices of Aſſiſes at Dureſme aforeſaid, concerning any manors, lands, tenements or hereditaments, within the ſaid County of the Biſhopricke of Dureſme, ſhall be accepted, deemed, reputed and taken to be as good and availeable in law, to all intents, as if the ſame writings indented had beene made and inrolled in any of the Queenes Courts at Weſtminſter: Any thing in the ſaid former Act &c. notwithſtanding.

Inrolments in Lancaſter, Cheſter, Durham.

Prouided alwayes, that this Act ſhall not extend to any manors, lands, tenements or hereditaments lying within any City, Borough, or Towne corporate within any of the ſayd Counties, wherein the Mayors, Recorders, Bayliffes, or other officer or officers haue authority, and haue lawfully vſed to inroll any Euidences, Deeds, or other writings within their precinct or limits: Any thing in this Statute contayned to the contrary notwithſtanding.

Corporat townes.

Cap. XXVII.

Fines levied before the I. of the County Palatine of Durham of lands lying in the ſame County ſhall be good.

ALl and ſingular fines which at any time hereafter ſhall be leuied or knowledged before the Iuſtice or Iuſtices of the County Palatine of Durham for the time being, authoriſed for that purpoſe and cauſe, of any Lands, Tenements, or other Hereditaments, lying or being within the ſaid County Palatine of Durham, which ſhall bee openly read and proclaimed two ſeuerall dayes in the open Seſſions, in the preſence of the Iuſtices of Aſſiſe at Durham, or one of them for the time being, at the ſame Seſſions that the ſame ſhall fortune to be ingroſſed, and alſo that ſhall be openly read and proclaimed in the preſence of the Iuſtices of Aſſiſe at Durham, or one of them for the time being, at two generall Seſſions that ſhall be holden in the County Palatine of Durham before the Iuſt. of the ſame County, commonly called Iuſtices of Aſſiſes at Durham, or one of them, next after the leuying or ingroſſing of ſuch ſaid fine, ſhall be of like, and of the ſame force, ſtrength and effect in the Lawe, to all intents, conſtructions and purpoſes, as fines being duely leuied with Proclamations

Fines leuied before the I. of Aſſiſe at Durham.

clamations before the Quéenes Iuſtices of her common Pleas at Weſtminſter bee or ought to bee.

CAP. XXVIII.

By whoſe order the Bible, and Booke of Common Prayer ſhall be tranſlated into the Welſh tongue.

The Bible & booke of Common prayer tranſlated into the Welſh tongue.

THe Biſhops of Hereford, Saint Dauies, Aſaph, Bangor, and Landaph, and their ſucceſſors, ſhall take ſuch order amongſt themſelues for the ſoules health of the flockes committed to their charge within Wales, that the whole Bible conteining the new Teſtament and the old, with the Booke of Common prayer, and adminiſtration of the Sacraments, as is now vſed within the Realme in Engliſh, to be truely and exactly tranſlated into the Brittiſh or Welſh tongue, and that the ſame ſo tranſlated, being by them viewed, peruſed, and allowed, be imprinted to ſuch number at the leaſt, that one of either ſort may bee had for euery Cathedrall, Collegiat, and Pariſh Church, and Chappell of eaſe, in ſuch places, and countries of euery of the ſayd Dioceſſes where that tongue is commonly ſpoken or vſed, before the firſt day of March, Anno Domini, 1566. And that from that day forth, the whole Diuine Seruice ſhall be vſed and ſayd by the Curats and Miniſters throughout all the ſayd Dioceſſes where the Welſh tongue is commonly vſed, in the ſayd Brittiſh or Welſh tongue in ſuch manner and forme as is now vſed in the Engliſh tongue, and differing nothing in any order or forme from the Engliſh booke: for the which bookes ſo imprinted, the pariſhioners of euerie of the ſayd Pariſhes ſhall pay the one halfe or moity, and the Parſon and Vicar of euery of the ſayd Pariſhes (where both be) or elſe the one of them, where there is but one, ſhall pay the other halfe or moity, the prices of which bookes ſhall bee appointed and rated by the ſayd Biſhops & their ſucceſſors, or by three of them at the leaſt. The which things if the ſayd Biſhops or their ſucceſſors neglect to doe, then euery one of them ſhall forfeit to the Quéenes Maieſty, her heires and ſucceſſors the ſumme of xl.li. to be leuied of their goods and cattels.

A Bible and book of Common prayer in Engliſh ſhall be in euery Church in Wales.

And one booke conteining the Bible, and one other booke of Common Prayer in the Engliſh tongue, ſhall be brought and had in euery Church throughout Wales, in which the Bible and Booke of Common Prayer in Welſh is to be had by force of this Act (if there be none already before the firſt day of March, one thouſand fiue hundred ſixty ſixe) and the ſame bookes to remaine in ſuch conuenient places, within thy ſayd Churches, that ſuch as vnderſtand them may reſort at all conuenient times to read and peruſe the ſame. And alſo ſuch as doe not vnderſtand the ſayd language, may by conferring both tongues together, the ſooner attaine to the knowledge of the Engliſh tongue. Any thing in this Act to the contrary notwithſtanding.

CAP. XXIX.

The confirmation of a Subſidie of ſixe ſhillings in the pound, granted to the Queene by the Clergie, to be payd in three yeares, EXP.

CAP. XXX.

A Subſidy and two Fifteenes granted to the Queene by the Temporalty. EXP.

CAP. XXXI.

The Queenes generall and free Pardon confirmed by Parliament. Except, &c. EXP.

ANNO OCTAVO REGINÆ ELIZABETHÆ.

AT the Parliament by prorogation holden at Weſtminſter, the laſt day of September, in the eighth yeare of the reigne of our Soueraigne Lady, ELIZABETH, by the grace of God, of England, France, and Ireland, Queene, Defendor of the Faith, &c. And there continued vntill the diſſolution of the ſame. To the high pleaſure of Almighty God, and the weale publique of this Realme, amongſt other were enacted as followeth.

CAP. I.

All Acts made by any perſon ſince 1. El. for the conſecrating, inueſting, &c. of any Archbiſhop or Biſhop, ſhall be good.

A queſtion whether the making of Biſhops were duly and orderly done.

FOr as much as diuers queſtions by ouer much boldneſſe of ſpéech and talke, amongſt many of the common ſort of people, being vnlearned, hath lately growne vpon the making and conſecrating of Archbiſhops and Biſhops within this Realme, whether the ſame were and be duely and orderly done according to the law or not, which is much tending to the ſlander of all the ſtate of the Clergy, being one of the greateſt ſtates of this Realme. Therefore, for the auoyding of ſuch ſlanderous ſpéech, and to the intent that euery man that is willing to know the truth, may plainely vnderſtand that the ſame euill ſpéech and talke is not grounded vpon any iuſt matter or cauſe: It is thought conuenient hereby partly to touch ſuch authorities, as doe allow and approue the making and conſecrating of the ſame Archbiſhops and Biſhops to be duely and orderly done, according to the lawes of this Realme, and thereupon further to prouide for the more ſurety thereof, as hereafter ſhall be expreſſed.

26.H.8.1. Firſt, it is very well knowne to all degrées of this Realme, that the late King of moſt famous memory, King Henry the eighth, as well by all the Clergy then of this Realme, in their ſeuerall conuocations, as alſo by all the Lords Spirituall and Temporall, and Commons aſſembled in diuers of his Parliaments, was iuſtly and rightfully recogniſed and knowledged to haue the ſupreme power, iuriſdiction, order, rule and authority, ouer all the ſtate Eccleſiaſticall of the ſame, and the ſame power, iuriſdiction, and authority did vſe accordingly: 25.H.8.20. And that alſo the ſaid late King in the fiue and twentieth yeare of his reigne, did by authority of Parliament, amongſt other things, ſet forth a certaine order of the maner and forme how Archbiſhops and Biſhops within this Realme, and other his Dominions, ſhould be elected and made, as by the ſame more plainely appeareth: And that alſo the late King of worthy memory, King Edward the ſixth, did lawfully ſuccéed the ſaid late King Henry his father, in the imperiall Crown of this Realm, and did iuſtly poſſeſſe and enioy all the ſame power, iuriſdiction, and authority before mentioned, as a thing to him deſcended with the ſame imperial Crowne, and ſo vſed the ſame during his life: And that alſo the ſaid late King Edward the ſixth, in his time, by authority of Parliament, cauſed a godly and vertuous booke, intituled: The Booke of Common prayer, and adminiſtration of Sacraments, and other rites and ceremonies in the Church of England, to be made and ſet forth, not only for one vniforme order of Seruice, Common prayer, and the adminiſtration of Sacraments 5.& 6.Ed.6.1. to be vſed within this Realme, and other his Dominions: but alſo did adde and put to the ſame booke, a very good and godly order, of the maner and forme how Archbiſhops, Biſhops, Prieſts, Deacons, and Miniſters ſhould from time to time be conſecrated, made and ordered, within this Realme, and other his Dominions, as by the ſame more plainely will and may appeare. And although in the time of the late Quéene Mary, as well the ſayd Act and Statute made in the fiue 1.& 2.P.& M.8. and twentieth year of the reigne of the ſayd late King Henry the eighth, as alſo the ſeuerall Acts and Statutes made in the ſecond, third, fourth, fifth, and ſixth yeares of the reigne of the ſaid late King Edward, for the authorizing and allowing of the ſaid booke of Common prayer, and other the premiſſes, amongſt diuers other Acts and Statutes, touching the ſayd ſupreme authority, were repealed: Yet neuertheleſſe, at the Parliament holden at Weſtminſter, in the firſt yéere of 1.El.1 the reigne of our Soueraigne Lady the Quéens Maieſty that now is, by one other Act and Statute there made, all ſuch iuriſdictions, priuiledges, ſuperiorities, and preheminences Spirituall and Eccleſiaſticall, as by any Spirituall or Eccleſiaſticall power or authority, hath heretofore béene, or may lawfuly bee vſed ouer the Eccleſiaſticall eſtate of this Realme, and the order, reformation, and correction of the ſame, is fully and abſolutely, by the authority of the ſame

Parliament, vnited and annexed to the Imperiall Crowne of this Realme. And by the ſame act and ſtatute, there is alſo giuen to the Queenes Highneſſe, her heires and ſucceſſors, Kings or Queenes of this Realme, full power and authority by Letters Patents, vnder the great Seale of England, from time to time, to aſſigne, name, and authorize ſuch perſon or perſons, as ſhe or they ſhall thinke meet and conuenient, to exerciſe, vſe, occupy, and execute vnder her Highneſſe, all manner of iuriſdictions, priuiledges, preheminences, and authorities, in any wiſe, touching or concerning any Spirituall or Eccleſiaſticall power or iuriſdiction within this Realme, or any other her Highneſſe Dominions or Countries. And alſo by the ſame Act and Statute, the ſayd Act made in the xxv. yeare of the reigne of the ſayd late King Henry the eighth, for the order and forme of the electing and making of the ſayd Archbiſhops and Biſhops, together with diuers other Statutes, touching the iuriſdiction ouer the ſtate Eccleſiaſticall, is reuiued, and made in full force and effect, as by the ſame Act and Statute, plainely appeareth. And that alſo by another Act and Statute made in the ſayd Parliament, in the firſt yeare of the reigne of our ſayd Soueraigne Lady, entituled, An Act for the vniformity of Common Prayer, and ſeruice in the Church, and adminiſtration of Sacraments, the ſayd booke of Common Prayer, and the adminiſtration of Sacraments, and other the ſayd orders, rites and ceremonies before mentioned, and all things therein contained, with certaine additions therein newly added and appointed by the ſaid eſtatute, is fully ſtabliſhed and authorized, to be vſed in all places within this Realme, and all other the Queenes Maieſties Dominions and Countries, as by the ſame Act, amongſt other things, more plainely appeareth. Whereupon, our ſayd Soueraigne Lady, the Queenes moſt excellent Maieſty, being moſt iuſtly and lawfully inueſted in the Imperiall Crowne of this Realme, with all authorities, preheminences and dignities thereunto appertaining: And thereby hauing in her Maieſties order and diſpoſition, all the ſayd iuriſdictions, power, and authorities, ouer the ſtate Eccleſiaſticall and Temporall, aſwell in caſes Eccleſiaſticall as Temporall, within this Realme, and other her Maieſties Dominions and Countries, hath by her Supreme authorities, at diuers times ſithence the beginning of her Maieſties reigne, cauſed diuers and ſundry graue and well learned men, to be duly elected, made and conſecrated Archbiſhops and Biſhops, of diuers Archbiſhoprickes and Biſhoprickes within this Realme, and other her Maieſties Dominions and Countries, according to ſuch order and forme, and with ſuch Ceremonies, in and about their conſecrations, as were allowed and ſet forth by the ſaid Acts, ſtatutes, and orders annexed to to the ſaid booke of Common Prayer before mentioned. And further, for the auoiding of all ambiguities and queſtions that might be obiected againſt the lawfull confirmations, inueſting, and conſecrations of the ſaid Archbiſhops and Biſhops, her Highneſſe in her Letters Patents, vnder the great Seale of England, directed to any Archbiſhop, Biſhop, or others, for the confirming, inueſting, and conſecrating of any perſon, elected to the office or dignity of any Archbiſhop or Biſhop, hath not only vſed ſuch words and ſentences as were accuſtomed to be vſed by the ſaid late K. Henry, and K. Edward, her Maieſties father and brother, in their like L. Patents, made for ſuch cauſes: but alſo hath vſed and put in her Maieſties ſaid Letters Patents, diuers other generall words and ſentences, whereby her Highneſſe by her Supreme power and authority, hath diſpenſed with all cauſes, or doubts, of any imperfection or diſability, that can or may in any wiſe be obiected againſt the ſame, as by her Maieſties ſaid Letters Patents, remaining of Record, more plainly will appeare. So that to all thoſe that will well conſider of the effect and true intent of the ſaid Lawes and Statutes, and of the ſupreme and abſolute authority of the Queenes Highneſſe, and which ſhe by her Maieſties ſayd Letters Patents, hath vſed and put in vre, in and about the making and conſecrating of the ſaid Archbiſhops and Biſhops: it is and may be very euident and apparant, that no cauſe of ſcruple, ambiguity, or doubt, can or may iuſtly be obiected againſt the ſaid elections, confirmations, or conſecrations, or any other materiall thing, meet to be vſed or had in or about the ſame: but that euery thing requiſite and materiall for that purpoſe, hath beene made and done, as preciſely and with as great a care and diligence, or rather more, as euer the like was done before her Maieſties time, as the Records of her Maieſties ſaid father and brothers time, and alſo of her owne time, will more plainly teſtifie and declare.

1. El. 2.

The Q. by her ſupreme authority cauſed diuers perſons to be elected & conſecrated Archbiſhops and Biſhops.

The Qu. diſpenſation of all doubts of imperfections or diſability of electing of Biſhops.

Wherefore, for the plaine declaration of all the premiſſes and to the intent that the ſame may the better be knowne to euery of the Queenes Maieſties Subiects, whereby ſuch euill ſpeech, as heretofore hath been vſed againſt the high ſtate of Prelacy, may hereafter ceaſe: Be it now declared and enacted by the authority of this preſent Parliament, That the ſaid Act and ſtatute made in the firſt yeare of the reigne of our ſayd Soueraigne Lady the Queenes Maieſty, whereby the ſayd booke of Common prayer, and the adminiſtration of Sacraments, with other rites and ceremonies, is authorized and allowed to be vſed, ſhall ſtand and remaine good and perfect to all reſpects and purpoſes: And that ſuch order and forme for the conſecrating of Archbiſhops and Biſhops, & for the making of Prieſts, Deacons, & Miniſters, as was ſet forth in the time of the ſaid late King Edward the ſixth and added to the ſayd booke of Common Prayer, and authorized by Parliament in the fifth and ſixth yeare of the ſayd late King, ſhall ſtand and be in full force and effect, and ſhall from henceforth be vſed and obſerued in all places within this Realme, and other the Queenes Maieſties Dominions and Countries.

A confirmation of the ſtat. of 1. El. 2. touching the booke of Common prayer, and adminiſtration of the Sacraments.

A confirmation of the ſtat. of 5. & 6. Ed. 6. 1. touching the forme of conſecrating Archbiſhops &c.

And that all Acts and things heretofore had, made, or done by any perſon or perſons, in or about any conſecration, confirmation, or inueſting of any perſon or perſons, elected to the office or dignitie of any Archbiſhop or Biſhop within this Realme, or within any other the Quéenes Maieſties Dominions or Countries, by vertue of the Quéenes Maieſties Letters Patents or Commiſſion, ſithence the beginning of her Maieſties reigne, be & ſhall be by authority of this preſent Parliament, declared, iudged, & déemed, at & from euery of the ſeuerall times of the doing thereof, good and perfect to all reſpects and purpoſes: Any matter or thing that can or may be obiected to the contrary thereof in any wiſe notwithſtanding.

All acts done by any perſon about conſecration or inueſting any perſon elected to be Biſhop by vertue of the Q. letters patents ſithence the beginning of her reigne, ſhal be good.

And that all perſons that haue béene or ſhall be made, ordered, or conſecrate, Archbiſhops, Biſhops, Prieſts, Miniſters of Gods holy Word, & Sacraments, or Deacons, after the forme and order preſcribed in the ſayd order & forme how Archbiſhops, Biſhops, Prieſts, Deacons, & Miniſters ſhould be conſecrated, made, and ordered, be in very déede and alſo by authority hereof, declared and enacted, to be, and ſhall be Archbiſhops, Biſhops, Prieſts, Miniſters, and Deacons, and rightly made, ordered, and conſecrated: Any ſtatute, law, canon or other thing to the contrary, notwithſtanding.

All perſons made & to be made Biſhops, Prieſts Miniſters, &c. according to the ſtat of 5. & 6. E. 6. 1 bee rightly made St. 39 El 8.

Prouided alwayes, and neuertheleſſe be it enacted by the authority aforeſayd, that no perſon or perſons ſhall at any time hereafter, be impeached or moleſted, in body, lands, liuings, or goods by occaſion or meane of any [a] Certificat by any Archbiſhop or Biſhop heretofore made, or before the laſt day of this preſent Seſſion of Parliament to be made, by vertue of any Act made in the firſt Seſſion of this preſent Parliament, touching or concerning the refuſall of the oath, declared and ſet forth by Act of Parliament, in the firſt yeare of the reigne of our ſayd Soueraigne Lady Quéene Elizabeth: Any thing in this Act, or any other Act or Statute heretofore made to the contrary notwithſtanding.

[a] Dyer fo. 234.

And that all tenders of the ſayd oath, made by any Archbiſhop or Biſhop aforeſayd, or before the laſt day of this preſent Seſſion, to be made by authority of any Act eſtabliſhed in the firſt Seſſion of this preſent Parliament, and all refuſals of the ſame oath ſo tendered, or before the laſt day of this preſent Seſſion, to be tendered by any Archbiſhop or Biſhop, by authority of any Act eſtabliſhed in the firſt Seſſion of this preſent Parliament: ſhall be voyde and of none effect or validitie in the Law.

No perſon ſhall be impeached by any Certificate of and Biſhop heretofore made touching the oath of Supremacie made 1. El. 1.

Cap. II.

The defendant ſhal recouer coſts and damages, where the plaintiſe doth delay or diſcontinue his ſuite, or is non-ſuite, &c.

Where diuers perſons of their malicious mindes, & without any iuſt cauſe do many times cauſe and procure others of the Quéenes Maieſties louing Subiects, to be very much moleſted and troubled, by attachments & arreſts, made of their bodies, aſwell by proceſſe of Latitat, alias, and Pluries capias, ſued out of the Court commonly called the Kings Bench, as alſo by plaint, bill, or other ſuit, in the Court commonly called the Marſhalſey, and within the Citie of London, and other Cities, Townes Corporate, and places where any liberty or priuiledge is to hold pleas of debt, treſpaſſe, and other perſonall actions and ſuites: And when the parties that be arreſted or attached, are brought forth to anſwer to ſuch actions and ſuites, as ſhould bee obiected againſt them, then many times there is no declaration or matter layd againſt the parties ſo arreſted or attached, whereunto they may make any anſwer: And ſo the party arreſted, is very maliciouſly put to great charges and expences, without any iuſt or reaſonable cauſe. And yet neuertheleſſe, hitherto, by order of the Law, the party ſo grieued and vexed, could neuer haue any coſts or damages, to him to be iudged or awarded for the ſayd vniuſt vexation and trouble.

The inconuenience of purſuing of ſuits vpon malice without iuſt cauſes.

For remedy whereof, be it enacted and ordained, by the authority of this preſent Parliament, That when and as often as any perſon or perſons, after the firſt day of Ianuary next comming, ſhall ſue forth, or by any meane, cauſe or procure to be ſued forth of the ſayd Court, commonly called the Kings Bench, any of the Writs or Proces before mentioned, againſt any perſon or perſons, which vpon the ſame Writ or Writs ſhall happen to be arreſted, or which ſhall appeare vpon the returne of any the ſayd Writs or Proces, and ſhall put in his or their bayle or bayles, to anſwer ſuch ſuit as ſhall be obiected againſt him, according to the common order of the Court: that then, in euery ſuch caſe, if the party or parties, at whoſe ſuit, meanes, or procurement, the ſame Writ, Writs, or Proces was obtained or ſued forth, doe not within thrée dayes next after ſuch bayle had and taken, put into the ſame Court his or their declaration againſt the ſame party or parties, againſt whom ſuch Writs or Proces hath béene or ſhall be ſued: or if after declaration had and put into the ſame Court, the plaintiſe in ſuch caſe ſhall not proſecute the ſame with effect, but ſhall willingly and apparantly to the ſame Court, ſuffer his or their ſayd ſuit to be delayed, or ſhall after declaration ſo had, ſuffer the ſame ſuit to be diſcontinued, or otherwiſe, ſhall be nonſuit in the ſame: That then, in euery ſuch caſe, the Iudges of the ſayd Court for the time being, ſhall by their diſcretions, from time to time, as they ſhall ſée or

Coſts, damages & charges ſhall be awarded where the plaintiſe doth delay his ſuit, doth diſcontinue or is nonſuit in the Kings bench, 23. H. 8. 15. 4 Iac. 3.

perceiue any ſuch default to be in the party or parties, at whoſe ſuit, meanes, or procurement, ſuch writs or proceſſe was ſued forth, award and iudge to euery ſuch perſon and perſons ſo arreſted, vexed, moleſted, or troubled by ſuch writs, or ſuit, his and their coſts, damages, and charges, by any meanes ſuſtained by occaſion of any ſuch writs, proceſſe, arreſts, or ſuites, taken, ſued, or had againſt him, to be payd by ſuch perſon or perſons, that ſo doth, or ſhall cauſe or procure any ſuch writs, or proceſſe to be ſued forth, as is aforeſaid.

A remedy if the plaintiffe doe delay, diſcontinue or is nonſuit in the Marſhalſey or any City or Towne corporate.

And be it further enacted by the authoritie aforeſaid, that if any perſon or perſons, ſhall after the ſaid firſt day of Januarie, cauſe or procure any other perſon or perſons, to be attached or arreſted to anſwer to any bill, plaint, action, or ſuit, in the ſaid Court of the Marſhalſey, or in any Court within the ſaid Citie of London, or in any Citie, Borough, Towne corporate, or other place or places, where any libertie or priuiledge is vſed to hold plea, in any action or actions perſonall, and doe not, in all Courts, hauing their continuance De die in diem, within three dayes next after ſuch time as the partie defendant or defendants ſhall be bayled, or otherwiſe appeare in Court, by force of any arreſt or attachment had and returned, and in all other Courts at the next Seſſion or Court to be holden, after ſuch arreſts or attachments, and appearance of the partie defendant, or defendants whereas the ſaid partie defendant or defendants, ſhall bee compelled, or ought to appeare (vnleſſe a further day ſhall bee eſpecially giuen by the diſcretion of the Court, from whence any precept, proceſſe or attachment, ſhall be awarded) put, and exhibit his bill or declaration againſt ſuch perſon or perſons, as ſo by his ſuit and meanes, ſhall bee attached or arreſted into ſuch Court, where the party by ſuch attachment or arreſt is compelled or ought to appeare: or if any ſuch perſon or perſons, at whoſe ſuit or meanes any ſuch attachment or arreſt of any perſon or perſons, ſhall be ſo had and made, after his declaration, bill or plaint exhibited, doe not from thenceforth proſecute the ſame his ſuit with effect, or ſhall ſuffer the ſame to be diſcontinued, or ſhall after be non-ſuit in the ſame, or willingly & apparently to the ſame Court, ſhall for vexation of the defendant in ſuch ſuit, delay the ſame ſuit: That then in euery ſuch caſe, the Judge or Judges of euery ſuch Court, before whom any perſon or perſons ſhall ſo be ſued, moleſted or troubled, by occaſion or meane of any ſuch attachment or arreſt, or by ſuch ſuit or ſuits, ſhall forthwith by his or their diſcretion, from time to time, as hee or they ſhall ſee or perceiue any ſuch default or delay in the partie that cauſed or procured any ſuch attachment or arreſt to be had, award and iudge to euerie ſuch perſon or perſons, which after the ſaid firſt day of January ſhall ſo be attached, arreſted, moleſted, vexed, or troubled, his coſts, damages, and charges, by any meanes ſuſtained by occaſion of any ſuch attachment, arreſt, or ſuit, ſo had and taken againſt him, to be paid by ſuch perſon or perſons, that ſo doth, or ſhall cauſe or procure any ſuch attachment or arreſt to be ſo had or made.

The penalty for arreſting of any perſon at the ſuit of another not knowing thereof. 2 Coke pl. fo. 160. Raſt. pl. fo. 598.

And if any perſon or perſons, at any time after the ſaid firſt day of January, ſhall by any way or meane, maliciouſly, or for vexation and trouble, cauſe or procure any other perſon or perſons, to bee arreſted or attached, to anſwer in any the Courts or places aforeſaid, at the ſuit, or in the name of any perſon or perſons, where indeed there is no ſuch perſon or perſons knowne, or without the aſſent, conſent, or agreement of ſuch perſon or perſons, at whoſe ſuit, or in whoſe name ſuch arreſt or attachment is or ſhall be ſo had and procured: that then euery ſuch perſon and perſons, that ſo ſhall cauſe, or procure any ſuch arreſt or attachment of any other perſon or perſons to be had or made for vexation or trouble, as is aforeſaid, and ſhall thereof be conuicted, or lawfully accuſed by inditement, preſentment, or by the teſtimonie of two ſufficient witneſſes or mo, or other due proofe, ſhall for euery ſuch offence by him or them committed, done, or procured, haue, and ſuffer impriſonment of his or their body or bodies by the ſpace of ſix moneths, without baile or mainepriſe: And before he or they ſhall be deliuered out of priſon, ſhall pay to the party or parties ſo arreſted or attached by his or their meanes or procurement, treble the coſts, charges, damages, and expences, that hee or they ſhall be put vnto, by reaſon or occaſion of ſuch arreſt or attachment ſo had, and ſhall alſo forfeit and pay vnto ſuch perſon or perſons in whoſe name, or at whoſe ſuit he or they ſhall ſo procure ſuch arreſt or attachment to be had or made, if then there ſhall be any ſuch perſon knowne, the ſumme of ten pounds, for euery ſuch offence.

A remedy to recouer the coſts and damages awarded. Raſt. pl. fo. 598.

And be it further enacted by the authoritie aforeſaid, that euery perſon and perſons to whom any coſts, charges, damages, forfeiture or paiment of any ſumme or ſummes of money, by authority of this Act ſhall be awarded, iudged, or forfeited: ſhall and may at all times hereafter haue his or their remedie for the recouery thereof, by action of debt, bill, or plaint, in any Court of Record, againſt ſuch perſon or perſons, their heires, executors, or adminiſtrators, as ſhould or ought to pay the ſame by vertue or force of this Act, in which action, bill, or plaint, no eſſoigne, protection, or wager of Law ſhall bee admitted or allowed to any the defendant, or defendants in the ſame.

CAP.

CAP. III.

Penaltie for conueying of any ſheepe aliue out of this Realme.

FOr ſundry good cauſes and conſiderations moued in this high Court of Parliament, be it enacted by the authority of the ſame, That no manner of perſon or perſons, of what eſtate, degrée, or condition ſoeuer he or they be, ſhall after the laſt day of February, next enſuing, bring, deliuer, ſend, receiue, or take, or procure to be brought, deliuered, ſent, or receiued, into any Ship or Bottome, any Rams, Shéepe, or Lambes, or any manner of other kind of ſhéepe being aliue, to be carried and conueyed out of this Realme of England, Wales, or Ireland, or out of any of the Quéenes Highneſſe Dominions, vpon the paine that euery ſuch perſon or perſons, their ayders, abettors, procurers, and comforters, ſhall for his or their firſt offence or offences, ſo done contrary to the true meaning of this Eſtatute, forfeit and loſe all his goods for euer: whereof, the one moity ſhall be to the Quéenes Maieſtie, her Heires and Succeſſors, the other moity to him or them that will ſue for the ſame in any Court of Record, wherein on eſſoine, protection, nor wager of Law for the defendant ſhall be admitted or allowed.

The penalty for deliuering or receiuing into any Ship any Sheep being aliue to be caried forth of the Realme.

And further, euery ſuch offendor or offendors ſhal ſuffer impriſonment by the ſpace of one whole yeare, without baile and maineprize: and at the yeares end, ſhall in ſome open Market Towne, in the fulneſſe of the Market, on the Market day, haue his left hand cut off, and that to be nailed vp, in the openeſt place of ſuch Market. And that euery perſon or perſons eftſoones offending againſt this ſtatute ſhall be adiudging a felon, and ſhall ſuffer death, as in caſes of felony.

The ſecond offence felony.

Prouided alwayes, that this Act ſhall not extend to any corruption of bloud, or bee preiudiciall or hurtfull to any woman, claiming dower by or from any ſuch offendor or offendors: Any thing in this Act to the contrary, notwithſtanding.

No corruption of bloud or forfeiture of Dower.

And be it further enacted by the authority aforeſayd, that the Iuſtices of Oyer and Terminer, Iuſtices of Gaole deliuery, and Iuſtices of Peace, in euery County and Shire within this Realme of England & Wales, & other the Quéenes Maieſties Dominions, ſhall haue full power and authority by vertue of this Act, to enquire of euery offendor & offendors, contrary to the forme and effect of this Act, and to heare & determine euery offence & offences, committed, perpetrated, and done contrary to the forme and effect of the ſame, according to the courſe of the Laws of this Realme. 3.H.6.2.

Which Iuſtices may heare and determine the offences aforeſaid.

CAP. IIII.

He that taketh away priuily from the perſon of another money or goods, not knowing thereof, ſhall not haue his Clergy, &c.

WHere a certaine kind of euill diſpoſed perſons, commonly called Cutpurſes, or Pickpurſes, but indéed by the Laws of this Land very felons and théeues, doe confeder together, making among themſelues, as it were, a brotherhood or fraternity of an Art or Myſtery, to liue idly by the ſecret ſpoile of the good and true Subiects of this Realme. Aud aſwell at Sermons and preachings of the Word of God, and in places & time of doing ſeruice and common Prayer in Churches, Chappels, Cloſets, and Oratories: And not only there, but alſo in the Princes Palace, houſe, yea and preſence, & at the places and Courts of Iuſtice, and at the times of Miniſtration of the Laws in the ſame, and in Faires, Markets and other aſſemblies of people: Yea, and at the time of doing of execution, of ſuch as béene attainted of any murder, felony, or other criminall cauſe, ordained chiefely for terror and example of euill doers, doe without reſpect or regard of any time, place, or perſon, or of any feare or dread of God, or any Law, or puniſhment, vnder the cloake of honeſtie, by their outward apparell, countenance, and behauiour, ſubtilly, priuily, craftily, and feloniouſly, take the goods of diuers good and honeſt ſubiects, from their perſons, by cutting and picking their Purſes, and other felonious ſleights and deuiſes, to the vtter vndoing and impouerishment of many.

The impudent boldnes of Cutpurſes & Pickpurſes.

Be it therefore enacted by the authority of this preſent Parliament, that no perſon or perſons, which hereafter ſhall happen to be indicted or appealed for felonious taking of any money, goods or cattels, from the perſon of any other, priuily without his knowledge, in any place whatſoeuer, and thereupon found guilty by verdict of twelue men, or ſhall confeſſe the ſame vpon his or their arraignement, or will not [a] anſwer directly to the ſame, according to the Laws of this Realme, or ſhall ſtand wilfully or of malice, or obſtinately mute, or challenge peremtorie aboue the number of twenty, or ſhall be vpon ſuch indictment or appeale outlawed, ſhall from henceforth bee admitted to haue the benefit of his or their Clergy, but vtterly be excluded thereof, and ſhall ſuffer death, in ſuch manner and forme, as they ſhould if they were no Clarkes.

He that doth feloniouſly take money, &c. priuily from the perſon of another ſhall not haue his Clergie.

And alſo whereas diuers perſons doe oft times commit and doe diuers and ſundrie deteſtable murders, heinous robberies and felonies, and other capitall offences, for the which Clergy is not allowable by the lawes and ſtatutes of this Realme, and after the ſame offences, ſo done,

Where one ſhal be araigned for a former offence hauing his Clergie for a latter.
St. 18.El.7.
25.Ed.3.5.

b Dyer fo. 114.

b either flye out of the County or other parts of this Realme, into the parts beyond the Seas, or keepe themſelues ſecret in other places where they are not knowne, for a great time, & after happen to commit ſome other felony, for the which they may haue their Clergie, & being arraigned for the ſame, haue their Clergy to them allowed, and thereupon committed to the cuſtody of the Ordinary, according to the Law & Cuſtome of this Realme, the former offence, wherein Clergy is not grantable, being not then knowen, and ſo by that meanes cannot after be impeached for the ſayd other horrible and great offences, by the Law and Cuſtome of this Realme, to the great encouraging of offenders, vſing ſuch practiſes of fore-knowledge and ſet purpoſe, for their diſcharge of the ſame.

For reformation whereof, be it further enacted by the authority aforeſaid, That euery perſon or perſons, which ſhall hereafter vpon his & their arraignement for any Felony, bee admitted to the benefit of his Clergy, by the Laws of this Realme, & deliuered to the Ordinary for the ſame, and ſhall make his due purgation for the ſame offence or offences, whereupon he was ſo admitted to his Clergie, & ſhall before the ſame admiſſion to his Clergy, haue committed any other ſuch offence, whereupon Clergy by the Lawes or Statutes of this Realme is not allowable, and not being thereof indicted, and acquitted, conuicted or attainted, or pardoned, ſhall & may be indicted or appealed for the ſame, & thereupon put to anſwer, and ordered, and vſed in all things according to the Laws and Statutes of this Realme, in ſuch like manner and forme, as though no ſuch admiſſion of Clergy had beene. Any law, cuſtome, or vſage to the contrary, notwithſtanding.

CAP. V.

A ſentence definitiue in a Ciuile and Marine cauſe by Delegates appointed by Commiſsion, ſhall be finall.

A ſentence definitiue in a Ciuill and Marine cauſe by delegats appointed by Commiſſion ſhall be finall.

FOr the auoyding aſwell of long and tedious ſuits, as alſo of great charges & expences in proſecuting of Ciuile and Marine cauſes, by reaſon of diuers appeales permitted to be made by order of the Lawes Ciuile in ſuch cauſes, and to the intent that aſwell ſtrangers, as alſo others the ſubiects of this Realme that ſhall haue cauſe of ſuit in thoſe matters, may haue ſuch expedition in the ſame, as their natures and qualities do require: Be it enacted by the Queenes Maieſtie our Soueraign Lady, the Lords Spirituall and Temporall, and the Commons in the this preſent Parliament aſſembled, and by the authority of the ſame, that from the laſt day of this preſent Seſſion of Parliament, All and euery ſuch iudgement and ſentence definitiue, as ſhall be giuen or pronounced in any Ciuile and Marine cauſe, vpon appeale lawfully to be made therein, to the Queenes Maieſty in her highneſſe court of Chancery, by ſuch Commiſſioners or Delegates, as ſhall be nominated and appointed by her Maieſty, her heires or ſucceſſors, by Commiſſion vnder the halfe Seale, as it hath beene heretofore vſed, in ſuch caſes, ſhall be finall, and no further appeale to bee had or made from the ſayd iudgement or ſentence definitiue, or from the ſayd Commiſſioners or Delegates, for or in the ſame: Any Law, vſage, or cuſtome to the contrary, notwithſtanding.

CAP. VI.

No Kentiſh nor Suffolke Clothes ſhall be tranſported vnwrought: and for euery nine Clothes vnwrought tranſported by licence, one Cloth ſhall be wrought of like ſort, length, breadth, and goodneſſe.

FOr the better employment and reliefe of great multitudes of the Queenes ſubiects, vſing the Art and labour of Clothworking, it may pleaſe the Queenes moſt excellent Maieſty, at the moſt humble ſuits of her ſayd ſubiects, that it be enacted.

For nine cloths tranſported by licence one ſhal bee ready wrought. 7.Ed.4.3. 3.H.7.11. 27.H.8.13. 33.H.8.19.

And be it enacted by authority of this preſent Parliament, that from henceforth, for euery nine Clothes vnwrought, hereafter to be ſhipped or carried into any the parts beyond the Seas, contrary to the forme of any Statute heretofore made, and now remaining in ſtrength, by force of any licence hereafter to be granted, the party that ſhall ſhip and carry ouer the ſame, ſhall ſhip and carry ouer alſo one like woollen Cloth, of like ſort, length, breadth, and goodneſſe, ready wrought and dreſſed, that is to ſay, rowed, barbed, firſt courſed and ſhorne from the one end to the other, ſo that euery tenth Cloth paſſing ouer the Seas, in forme aforeſayd, may & ſhall be dreſſed within this Realme, before the ſame ſhall be ſhipped or tranſported ouer, vpon paine to forfeit for euery ſuch nine Clothes ſo to be ſhipped or tranſported, contrary to the meaning of this act, ten pounds.

The tenth cloth ſhall be none of the licence.

Prouided alway, that euery ſuch tenth Cloth, ſo to be tranſported ready wrought, ſhall not bee accompted any of the Clothes, permitted to be tranſported by force of ſuch licence, but that ſuch perſon as ſhall haue ſuch licence, may tranſport, according to ſuch licence, the full number of Clothes vnwrought, mentioned in the ſame licence, ouer and aboue the number of ſuch tenth Clothes, which they ſhall be compelled to ſhip and carry ouer by force of this Statute.

And be it further enacted by authority aforeſaid, that from the laſt day of February now next comming, no perſon ſhall ſhip or carry into the parts beyond the Seas, contrary to the forme of any ſtatute heretofore made now remaining in force, any Cloth commonly called Kentiſh Cloth, or Suffolke Cloth, made, or to be made in the Counties of Kent or Suffolke, vnwrought and vndreſſed within this Realme, that is to ſay, not rowed, barbed, firſt courſed, and ſhorne, vpon paine to forfeit for euery ſuch Cloth, commonly called Kentiſh or Suffolke Cloth, made, or to be made in either of the ſayd Counties, ſo to be ſhipped or tranſported contrary to the forme of this Statute, forty ſhillings.

Kentiſh or Suffolke cloth ſhall not be tranſported vnwrought by any licence.

And that no licence for tranſporting of any Cloth or Clothes ſhall be conſtrued or expounded, to extend to any ſuch Kentiſh or Suffolke Cloth, made, or to bée made, in either of the ſaid Counties, to be from henceforth tranſported.

And that all the forfeitures appointed by this Statute, for tranſporting of Clothes, ſhall bée the one halfe to the Quéenes Maieſtie, her heires and ſucceſſors, and the other moity to the Maſter and Wardens of the ſaid Company of Clothworkers, to the reliefe of the poore of the ſaid Company, to be recouered in any Court of Record, by action of debt, bill, plaint, or information, wherein no Eſſoigne, Protection, nor Wager of Law, for the defendant ſhall be admitted & allowed.

Who ſhall haue the forf. and by what meanes.

CAP. VII.

Who may vſe the Trade or occupation of Drapers in Shrewesbury, or the Liberties thereof, &c.

FOraſmuch as in the Towne of Shrewsbury in the County of Salop, there hath béene, time out of minde of man, and yet is a Company, Fraternity, or Guilde of the art and myſtery of Drapers, which ſaid Company, Fraternity, or Guilde, hath béene by a great time lawfully incorporated, and made a body politike: which ſaid Corporation and Fraternity, hath by reaſon of a certaine trade and occupation of buying and ſelling of Welſh Cloth and lining, commonly called Cottons, Frizes, and Plaines, which they haue had, and vſed amongſt them, béene able not onely to liue thereby, but alſo haue at their common coſts prouided houſes and other neceſſaries for poore people within the ſayd Towne of Shrewsbury, whom alſo with further reliefe they doe wéekely helpe and maintaine. And by the ſame their trade aforeſaid, haue vſed moſt commonly to ſet on worke, aboue ſixe hundred perſons, of the art or ſcience of Sheremen, or Frizers, within the ſayd Towne of Shrewsbury, whereby as well they, as their poore wiues and families, are wholly maintained and kept. To the impeachment and hinderance of which ſaid trade, diuers Artificers, and other perſons within the ſayd Towne of Shrewsbury, not being of the ſayd Company or myſtery, nor brought vp in the vſe of the ſayd trade, haue of late with great diſorder, vpon a méere couetous deſire, and minde, intromitted with, and occupied the ſaid trade of buying of Welſh cloth or lining, hauing no knowledge, experience, or ſkill in the ſame. By reaſon whereof, the ſaid ignorant and vnſkilfull perſons, haue and doe buy commonly and apply ſuch Welſh cloth and lining as is defectiue, and not truely made, according to the good Lawes and Statutes of this Realme in that behalfe prouided. By meanes whereof, the ſaid trade is greatly decayed and diſcredited, to the great loſſe and hinderance of ſuch poore ſheremen and Frizers, as were wont to be ſet on worke thereby, and of all others that were wont to be maintained, and relieued by the ſaid trade, as well in making as working of the ſaid Frizes, Cottons, and Plaines, and to the great deceit damage and hinderance of all the Quéenes Maieſties Subiects, that buy and prouide the ſame, and to the ſlander and diſcredit of the ſaid commodities in forraine parts, where, by the occaſion aforeſaid, they are growne out of eſtimation and credite.

A Fraternity of the myſtery of Drapers in Shrewsbury

What benefit the ſame company haue receiued and done to others by buying and ſelling of Welſh cloth & Lining.

The inconueniences that vnskilfull perſons do deale in a trade whereof they are ignorant.

And where moreouer in the Parliament holden at Weſtminſter, in the fourth and fifth yeares of the reigne of our late Soueraigne Lord and Lady, King Philip and Quéene Mary, vpon good and deliberate aduice, amongſt other things, it was enacted, that no perſon or perſons which ſhould buy to ſell againe, by way of retayle or otherwiſe, any of the ſaid Welſh linings, ſhould dreſſe or worke, or cauſe to be dreſſed and wrought, within his or their dwelling houſe or houſes, or in any other place by himſelfe, or his ſeruant, any of the ſaid Welſh linings, but ſhould put the ſame to ſome ſuch perſon or perſons, as ſhould be of the Art or Science, of Sheremen, Cottoners, or Frizers, to be by them wrought and dreſſed, vpon paine of forfeiture for euery Welſh Cloth or Lining, frized or cottoned to the contrary, ſixe ſhillings and eight pence, as in the ſame Act doth appeare. Sithence which time, diuers perſons for the defrauding of the ſaid Statute, haue cauſed others to buy the ſaid Frizes, Cottons, & Plaines, and then to take the workemanſhip thereof vnto themſelues, of ſuch buyers: vſing the like fraud, by buying and turning worke ouer vnto the ſame perſons, of whom they receiue worke, to the manifeſt defrauding of the good intent and meaning of the ſaid Statute.

The good intent of the ſtat. of 4. & 5. P. & M. 5.

By what fraudulent meanes the good intent of the ſaid ſtat. is defeated.

For remedy whereof, and for the benefite and reliefe of the poore men, that be Sheremen and Frizers: Be it enacted by the authoritie of this preſent Parliament, That from & after the Feaſt of Eaſter next enſuing, no maner perſon or perſons whatſoeuer, inhabiting and dwelling within

No perſon inhabiting in Shrewsbury, ſhall occupy the trade of buying of Welſh Cottons, &c. vnleſſe he be free thereof.

REP. 14. El. 12.

the ſaid Towne of Shrewsbury, or the liberties and franchiſes of the ſame Towne, other than ſuch as haue, or ſhall haue ſerued as Apprentices in the ſaid Occupation and Science of Drapers, or be, or ſhall be frée of the ſaid Science or Myſterie, ſhall occupie, vſe, exerciſe, or frequent the ſaid Trade, Art, Myſterie or Science of buying of the ſaid Welſh Cloth or Lining, Cottons, Frizes and Plaines, nor haue any factor or doer for him or them in the ſame, nor by any colour, engine or fraud, be any occupier of the ſaid Frizes, Cottons and Plaines, vpon paine that euery perſon and perſons, inhabiting as is aforeſaid, and occupying, vſing or exerciſing the ſaid trade, occupation, or ſcience of buying of Welſh Cloth and Lining, and not authoriſed by this preſent Act, ſhall loſe and forfeit for euery piéce of the ſame Clothes ſo bought, ſixe ſhillings and eight pence.

He that occupieth the trade of buying of Frizes, Cottons, &c. ſhall not exerciſe to Frize or Cotton.

And ouer that, be it further enacted, That no perſon dwelling and inhabiting, as is aforeſaid, and vſing and occupying the ſaid trade of buying of Frizes, Cottons or Plaines, ſhall vſe or exerciſe the faculty of frizing or cottoning, vpon paine to incurre ſuch like forfeitures for euery offence, as is aboue mentioned. The moitie of all ſuch paines and forfeitures aboue mentioned, ſhall be to our Soueraigne Lady the Quéene, her heires and ſucceſſors, and the other moity to ſuch perſon and perſons, as will ſue for the ſame in any Court of Record, by action, bill or plaint, of debt, wherein no protection, eſſoyne, iniunction or wager of Law ſhall bee allowed and admitted.

A prouiſo for them that occupied before the trade of buying of Welſh Cloth.

Prouided alwayes, and be it further enacted by the authority aforeſaid, that this preſent Act, or any thing, ſentence or matter therein contained, ſhall not extend, or bee in any wiſe preiudiciall or hurtfull to any ſuch perſon or perſons, as haue heretofore vſed, occupied or frequented the ſaid Trade, Art, Myſtery or Science of buying or ſelling of Welſh Clothes or Linings aforeſaid, but that euerie ſuch perſon and perſons, which hath or haue vſed the ſaid Trade or Science, as is aforeſaid, ſhall and may haue and enioy the like benefit, commodity and aduantage, as well in buying and ſelling the ſaid Welſh Clothes and Linings, as otherwiſe, in as large, frée and ample manner and forme, as if this Act had neuer béene made.

Occupiers of the trade of buying and ſelling Welſh Cloth, ſhall pay to their Sheremen ready money.

And further, to the intent the ſaid poore Sheremen, Frizers, and Cottoners, may bee the better relieued and maintained, bee it enacted by the authority aforeſaid, that all and euery perſon and perſons, occupying and vſing, or which hereafter at any time ſhall occupie or vſe the ſaid Trade, Science or Art of buying and ſelling of Welſh Cloth and Linings aforeſaid, and ſhall from the Feaſt of Eaſter next enſuing, deliuer any Welſh Cloth or Linings aforeſaid, to be cottoned, frized, dreſſed or wrought, to any Shereman, Cottoner or Frizer, ſhall deliuer, content and pay to the ſaid Shereman, Cottoner or Frizer, ready and preſent money for all his ſaid worke, without any colour, fraud or engine whatſoeuer, and ſhall not deliuer any ware or other thing whatſoeuer in contentation or ſatisfaction of his ſaid worke, or any part thereof, vpon paine that euery perſon offending in this behalfe, ſhall forthwith loſe all ſuch liberties, fréedomes and priuiledges, which he hath or ſhall haue, as one of the ſaid company, fraternitie or guilde of the ſaid Art and Myſtery of Drapers: and alſo ſhall for euer after be vtterly diſabled and excluded to vſe, occupie, or enioy, by himſelfe, or by any other for him or to his vſe, the ſaid Trade, Art, Myſterie, or Science of buying or ſelling of Welſh Clothes or Linings, this Act, or any other matter or thing whatſoeuer to the contrary in any wiſe notwithſtanding.

CAP. VIII.

The Statute of 32. H. 8. 13. mentioning ſo much as the height of Horſes feeding vpon the Mariſh grounds of the Counties of Huntington, Cambridge, Lincolne, &c. repealed. And of what height the Horſes feeding there ſhall be.

The effect of the ſtatute of 32. H. 8. 13. ordained for the breeding of horſes of an higher ſtature

WHere at a Parliament holden at Weſtminſter, the two and thirtieth yeare of the reign of the moſt victorious Prince of famous memory, King Henry the eighth, moſt deare Father vnto the Quéenes excellent Highneſſe, our Soueraigne Lady that now is, amongſt other things it was ordained, eſtabliſhed and enacted, by the ſaid late King, with the aſſent of the Lords Spirituall and Temporall, and the Commons of the ſame Parliament aſſembled, for the increaſe and bréed of greater and ſtronger Horſes from thence after to bee had, within this Realme of England: That no Commoner or Commoners within any Foreſt, Chaſe, More, Mariſh, Heath, Common or waſte ground, nor any Officer or Officers, of, or within any of the ſaid Foreſts, or Chaſes, nor any other perſon or perſons, whatſoeuer he or they be, at any time after the laſt day of March, which ſhould be in the yeare of our Lord God M. D. xliii. then next following the Seſſion of the ſame, ſhould haue or put to paſture, into or vpon any ſuch ground, Foreſt, Chaſe, More, Mariſh, Heath, Common or waſte ground, any ſtoned Horſe or Horſes, being aboue the age of two yéeres, and not being of the altitude and height of fiftéene handfull, to be meaſured from the loweſt part of the hoofe, vnto the higher part of the wither, and euery handfull to containe foure inches of the Standerd, to paſture, féede, or to be nouriſhed in or vpon any of the ſaid Foreſts, Chaſes, Commons, Mores, Mariſhes, Heathes, or waſte grounds, within any of the ſaid Shires and Territories of Norffolke, Suffolke, Cambridge, Buckingham, Huntington, Eſſex, Kent, Southhampton, Northwilſhire, Oxford, Barke, Worceſter, Glouceſter, Somerſet, Northwales, Southwales, Bedford, Warwick, Northhampton, Yorkeſhire, Cheſhire, Stafford, the County of the City of Yorke, the Towne and Liberties of Glouceſter, the County of the Towne of Kingſton vpon Hull, the County Palatine of Lancaſter, the County of Sallop, Leyceſter, Hereford and Lincolne, or within any of them, nor ſhall put to feed or paſture any ſtoned horſe or Horſes, being aboue the ſayd age of two yeares, and not being in height of fourteene handfull, to be meaſured as is aboueſayd, within or vpon any like ground or grounds, as hath bin aboue written, lying or being within any other Shire of this Realme, neither yet any of them, vpon paine of forfeiture and loſſe of the ſayd horſe or horſes, which ſhould be found in or vpon any ſuch grounds, Forreſt, Chaſe, More, Mariſh, Heath, Common or waſte grounds, at any time after the ſayd laſt day of March, which was in the yeare of our Lord God, M. D. xliii. contrary to the forme of the ſayd late eſtatute, and further, as by the ſayd eſtatute more fully and at large may appeare. By reaſon whereof, and ſince which time, diuers and ſundry great and manifold hurts, hinderances and loſſes haue happened and chanced as well to the inhabitants of the Mores, Mariſhes and Fenne grounds within the Ile of Ely, ſituate, lying and being in the ſaid County of Cambridge, as alſo to the inhabitants of other the Mores, Mariſhes, and Fenne grounds within the ſaid Shire, together with the Counties of Huntington, Northhampton, Lincolne, Norfolke and Suffolke, next adioyning and bordering vpon the ſame Ile: For that the ſaid Mores, Mariſhes and Fenne grounds, becauſe of their rottenneſſe, vnfirmeneſſe, moyſture, and wateriſhneſſe, were neuer able, ne yet are, to breed, beare or bring forth ſuch great breed of ſtoned horſes, of ſuch bigneſſe and high ſtature, as within the aforeſaid Statute are expreſſed, without danger and perill of the mireing, drowning and periſhing of the ſame. Whereupon many Promoters, taking occaſion by reaſon of the aforeſaid eſtatute, haue as well entered into the ſaid Ile, as alſo other the Mores, Mariſhes and Fenne grounds, in all the Countrey next bordering and ioyning vnto the ſame, and taken away by vertue and purney of the ſaid eſtatute, from diuers poore men, not being able otherwiſe to remedie the ſame, their Horſe, not being comparable of like ſtature to the ſaid eſtatute, as well to the great loſſe and hinderance of all the breed of Horſes there, no man daring to put any ſuch forth on the ſaid grounds, for feare of ſuch perſons: as alſo to the vtter ſubuerſion and decay of all the tillage and cariage within the ſaid Ile, and others the Countries round about the ſame, in time to come.

The inconueniences which enſued to diuers perſons by the Statute of, 32.H.8.13.

For reformation and redreſſe whereof, be it further enacted by the Queene our Soueraigne Lady, the Lords Spirituall and Temporall, and the Commons of this preſent Parliament aſſembled, and by the authority of the ſame: That as much of the aforeſaid eſtatute, made in the ſaid two and thirtieth yeare of King Henry the eighth, or yet any part, branch or article, or any parcell thereof, touching or concerning any the Mariſhes and ſeggie Fenne grounds within the ſaid Ile, ſituate, lying and being in the ſaid Countie of Cambridge, together with all others the Mariſhes, and ſeggie Fenne grounds, within the ſaid Shires of Cambridge, Huntington, Northhampton, Lincolne, Norffolke and Suffolke, ſhall be from henceforth vtterly repealed, fruſtrate, void and of none effect in the law: Any thing in the ſaid former Act expreſſed to the contrary notwithſtanding.

A repeale of ſo much of the ſtatute of 32.H.8.13. as doth concerne certaine Counties and places.

Neuertheleſſe, bee it ordained and enacted by the authority of this preſent Parliament, that no perſon or perſons what ſoeuer he or they be, at any time after the laſt day of March next comming, ſhall haue or put to paſture into or vpon any Mariſh or ſeggie Fenne ground within the ſaid Ile of Ely, or into or vpon any Mariſh or ſeggie Fenne grounds within the ſaid Counties of Cambridge, Huntington, Northhampton, Lincolne, Norffolke and Suffolke, or any of them, any ſtoned Horſe or Horſes, being aboue the age of two years, and not being of the altitude and height of thirteene handfull, to be meaſured from the loweſt part of the hoofe of the forefoot, vnto the higher part of the wither, and euery handfull to containe foure inches of the Standerd, to paſture, feede, or to be nouriſhed, in or vpon any the ſaid Mariſhes, or ſeggie Fenne grounds, within the ſaid Ile, and within the ſaid Counties of Cambridge, Huntington, Northhampton, Lincolne, Norffolke and Suffolke, or any of them, vpon ſuch and the like paine, as by the ſaid former Act is limited and expreſſed.

Of what height Horſes ſhall be, feeding vpon the Commons in the Ile of, Ely, &c.

CAP. IX.

Somuch of the Statute of 23.H.8.4. as concerneth the prices of veſſels for Ale and Beere, repealed, &c.

IN their moſt humble wiſe ſhewen vnto the Queenes moſt excellent Maieſty, and vnto the Lords Spirituall and Temporall, and vnto the Commons in this preſent Parliament aſſembled: The Cowpers of the Citie of London, and of all other Cities and Townes within this Realme of England, that where in the Parliament holden by prorogation at Weſtminſter, the fifteenth day of Ianuary, in the three and twentieth yeare of the reigne of the late King of famous memory, King Henry the eighth, Father to our ſaid Soueraigne Lady the Queenes Highneſſe that now is, there was one Statute made and enacted, entituled: An Act, that no Brewers

The effect of the Statute of 23.H.8.4. touching the prices of Barrels and Kilderkins.

of Béere or Ale, ſhall make their Barrels, Kilderkins, nor Firkins within them, and how much the ſame Barrels, Kilderkins and Firkins ſhall containe. In which ſtatute amongſt other things therein contained, it is enacted, that no Artificer of the Cowpers, ſhall inhaunce the prices of any ſuch Barrels, Kilderkins, Firkins, or other veſſels, in the ſale of them to any Ale-brewer, or Béere-brewer, or other perſon, as in the ſayd Act are mentioned, but ſhould kéepe the rates of ſuch prices, as in the ſame Act are expreſſed, and not aboue, vpon paine to forfeit for euery Barrell, Kilderkin and Firkin, defectiue or enhaunced in price, in any point contrary to the ſayd Act, thrée ſhillings and foure pence. (That is to ſay) for euery Béere barrell nine pence, for euery Béere kilderkin fiue pence, for euery Béere Firkin thrée pence. And the Ale barrell ſixtéene pence, the Ale kilderkin nine pence, and the Ale firkin fiue pence, as by the ſame Act amongſt diuers other things therein contained, more fully and at large doth and may appeare: Since which time the Clouebord and ſtuffe whereof the ſayd veſſels and the hoopes thereof ſhould be made, are riſen and growne to ſuch exceſſiue prices, that ſuch as do make the ſayd veſſels, cannot make and ſell any ſuch Barrels, Kilderkins, Firkins, or other veſſels, at the prices expreſſed in the ſaid eſtatute, but to their great loſſe and hinderance: whereby the myſtery, trade and facultie of the ſayd Cowpers is vtterly ouerthrowne, to the impoueriſhment and vtter vndoing of them, their wiues, children and families, as is moſt euident.

The difference betwene the old and new prices of barrel bords & hoopes.

For as much as at the time of the making of the ſayd eſtatute, the Cowpers might haue bought a thouſand of Barrell boords, for twelue ſhillings or thirtéene ſhillings and foure pence, and a thouſand of Kilderkin boords, for nine ſhillings or ten ſhillings, and a load of hoopes for nine ſhillings or ten ſhillings: And now a thouſand of Barrell boorde cannot be bought vnder thrée and thirty ſhillings and foure pence, and forty ſhillings, and a thouſand of Kilderkin boords vnder ſix and twenty ſhillings and eight pence, and a loade of hoopes vnder thrée and thirty ſhillings and foure pence, and forty ſhillings, as is right well and notoriouſly knowne.

A repeale of ſo much of the ſtatute of 23.H.8.4. as toucheth the prices of veſſels for Ale & Beere.

Bee it therefore enacted by the Quéenes moſt excellent Maieſty, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that as much of euery article, clauſe and ſentence, compriſed in the ſayd eſtatute, made in the ſayd thrée and twentieth yeare of the reigne of the ſayd late King, as doth touch and concerne the prices of Barrels, Kilderkins, Firkins and other veſſels, and all and euery paine and forfeiture expreſſed and declared in the ſayd Act, for ſelling of any of the ſayd kinde of veſſels, aboue the prices before ſpecified, from the time of new prices to be ſet in forme hereafter expreſſed, for ſuch places onely as the ſame new prices ſhall be ſet, ſhall be clearely repealed, fruſtrate and made voyd.

Who ſhall rate the prices of veſſels for Ale and Beere.

And that from henceforth the prices of all Barrels, Kilderkins, Firkins, and other veſſels to be ſold, for Ale, Béere, or Sope, to be vttered therein, ſhall be rated and taxed by Maiors, Bayliffes, and other head Officer or Officers of euery City and Towne Corporate, where any ſuch veſſels ſhall be made, or offered to be ſold.

And where ſuch veſſels ſhall be made or ſold out of any City, Borough, or Towne corporate, the prices thereof ſhalbe rated and taxed by the Iuſtices of the Peace, or the more part of them, being preſent in the generall quarter Seſſions, yéerely next after Eaſter, at ſuch reaſonable prices, as they ſhall thinke reaſonable by their diſcretions. The ſaid eſtatute made in the ſaid thrée and twentieth yéere of the reign of the ſaid late King Henry the eighth, or any other law, cuſtome or vſage, to the contrary thereof in any wiſe notwithſtanding.

The forfeiture of Cowpers not ſelling their veſſels at the prices rated.

And be it further enacted, that if the ſayd Cowpers, or any of them, ſhall not make ſale, according to ſuch prices as ſhall be rated, as is aforeſayd, after Proclamation thereof made: that then euery perſon and perſons ſo offending, ſhall for the ſame, incurre the paines and forfeitures mentioned in the ſayd ſtatute, made the ſaid thrée and twentieth yéere of the reigne of the ſayd late King: That is to wit, for euery Barrell, Kilderkin and Firkin, which ſhall be ſold at greater price then ſhall be rated and taxed, as is aforeſaid, the ſum of thrée ſhillings and foure pence, of lawfull money of England, whereof the one moity to be to the Quéens Highneſſe, her heires and ſucceſſors, and the other moity to ſuch perſon or perſons, as will ſue for the ſame, by action of debt, in any Court of Record, wherein no protection, eſſoyne, or wager of law ſhalbe allowed and admitted.

CAP. X.

The Statutes made in the reignes of Ed.4. H.7. *and* H.8. *concerning ſo much as the prices of Bowes, repealed. And who may be Bowyers in London or the Suburbs thereof, &c.*

A rehearſall of the ſtatute of 33.H.8.9. touching the making of bowes.

MOſt humbly complaining, ſheweth vnto your Highnes, and to your high Court of Parliament, your obedient ſubiects, the Bowyers, dwelling and inhabiting within the City of London, and the Suburbs of the ſame, that where in the Parliament of the late King of moſt famous memory, King Henry the eighth, begun and holden at Weſtminſter, the ſixtéenth day of January, in the thrée and thirtieth yéere of the reigne of the ſayd late King, & there continued vntill the firſt day of Aprill then next following, there was one Act and Statute then made and prouided, intituled: An Act for the maintenance of Artillery, and debarring of vnlawfull games. In which Act and Statute, amongſt other things, there is one branch contained and ſpecified : The tenor whereof is, as hereafter followeth. That is to ſay, and to the intent, that euery perſon may haue bowes of meane price, bée it enacted by the authority aforeſayd, that euery Bowyer dwelling out of the City of London, ſhall after the Feaſt of the Purification of our Lady then next comming, for euery bow that he maketh of Ewe, make foure other bowes méete to ſhoot in, of Elme, Witchhaſell, Aſhe, and other wood, apt for the ſame, vnder the paine to loſe and forfeit for euery ſuch bow ſo lacking, thrée ſhillings and foure pence. And euery Bowyer, dwelling within the City and Suburbs of London, ſhall after the ſayd Feaſt of the Purification of our Lady then next comming, for euery bow of Ewe, make two other bowes apt for ſhooting, of Aſhe Elme, Witchhaſell, or other wood, méete for the ſame, vnder the like paine and forfeiture, as by the ſayd Statute, more plainely it doth and may appeare. And although the ſayd branch of the ſayd Statute, bée néedfull and expedient to remaine and continue for ſuch Bowyers as doe dwell and inhabite in the Countrey, and other places out of the City of London, and the Suburbs of the ſame : Yet foraſmuch as there be very few or no bowes of Elme, Witchhaſell or Aſhe, or of any other wood, than onely of Ewe, vſed or occupied by any perſon within the ſaid City & Suburbs of the ſame : therefore the ſayd branch of the ſayd Act and Statute before rehearſed, was not, ne is néedfull to bée had and made for the Bowyers, dwelling within the ſayd City and Suburbs.

And yet neuertheleſſe, your ſayd Subiects, for the auoiding of the danger and penalty contained in the ſayd branch, are dayly enforced to make ſuch great number of bowes of Elme, Witchhaſell and Aſh, that they cannot in conuenient time, vtter and ſell the ſame, but are conſtrained to kéepe ſuch Bowes by them ſo made, vntill they bée putrified, and not méete for any góod vſe and purpoſe.

By reaſon whereof, much of the ſayd wood of Elme, Witchhaſell and Aſhe, is dayly waſted and conſumed in making of the ſaid Bowes, and your ſaid ſubiects, by ſuch loſſes as they daily ſuſtaine in making ſuch bowes, greatly impoueriſhed, and the Common wealth thereby nothing aduanced, but rather hindred.

And where alſo in the ſeuerall Statutes of the noble King of famous memory, King Edward the fourth, made in the two and twentieth yeare of his Reigne, and in the third yeare of the reigne of King Henrie the ſeuenth, Grandfather to our ſaid Soueraigne Ladie the Queenes Maieſty, and in the ſaid thrée and thirtieth yeare of the reigne of our ſaid late Soueraigne Lord, King Henry the eighth, Father to our ſaid Soueraigne Lady, there is mention made of the prices of bowes, which at thoſe ſeuerall times, was appointed to be but thrée ſhillings and foure pence, and not aboue, to ſell the beſt.

22.Ed.4.4.
3.H.7.13.
33.H.8.9.

At which ſaid times, ſuch bowes might well haue béene ſo ſold to any perſon or perſons, according to the rates and prices expreſſed in the ſaid ſeuerall Acts, vntill now, within this twentie yeares, the prices of Bowſtaues haue diuerſly béene raiſed and enhaunced from fiue pounds a hundreth, to twelue pounds, or thereabouts, for which cauſes, the prices contained in the ſaid ſeuerall Statutes, cannot be obſerued : and yet your Maieſties ſaid Subiects the Bowyers, are preſently in danger of the ſaid ſeuerall Statutes concerning the prices of Bowes, which they humbly beſeech your Maieſtie, with the aſſent of your high Court of Parliament, may be releaſed vnto them, and the penalties appointed for the ſame.

Be it therefore enacted, ordained and eſtabliſhed by the Quéenes Maieſty our Soueraigne Lady, with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that the ſayd eſtatutes of King Edward the fourth, and King Henry the ſeauenth, concerning the prices of Bowes, and all the branches contained in the ſayd Statute of King Henry the eighth, ſo farre foorth as the ſame extendeth to the prices of bowes, therein expreſſed onely, from the firſt day of this preſent Parliament, and ſo for euer, bee thereby clearely repealed, and made voyde and fruſtrate, to all intents, conſtructions and purpoſes, and alſo all and euery clauſe and ſentence of the ſayd Statute of King Henry the eighth before recited, tending to the making of Bowes of Elme, Witchhaſell, Aſhe, and other wood, beſides Ewe before rehearſed, or any penalty therein contained, for any the ſayd laſt rehearſed premiſſes, from henceforth for euer ſhall not be intended, conſtrued, or taken to extend to any Bowyer now dwelling or inhabiting, or which héereafter ſhall happen to dwell or inhabite within the Cities of London and Weſtminſter, or the Suburbs of any of them, or in the Borough of Southwarke in the County of Surrey : The ſayd Statutes, or any thing in them, or any of them, contained in any wiſe to the contrary, notwithſtanding.

A repeale of ſo much of the Statute of 22.Ed.4.4. 3.H.7.13.& 33.H.8 9. as doe concerne the prices of bowes, and the making of bowes of Elme, &c in London, &c.

And bée it further enacted by the authority aforeſayd, that all and euery the ſayd Bowyers within the ſayd Cities and Suburbs of London and Weſtminſter, and Borough of Southwarke, ſhall from henceforth from time to time, and all times hereafter, prouide and haue in his or their cuſtody, the number of fifty góod and able bowes of Elme, Witchhaſell or Aſh, at the leaſt, well and ſubſtantially made and wrought, vpon paine that euery of the ſayd Bowyers, which by the ſpace of twenty dayes, ſhall not haue in his cuſtody ſuch number of the ſayd bowes of

A Bowyer dwelling in London or the Suburbs ſhal haue fifty bowes of Elme, &c.

Witchhaſell, Elme or Aſhe, ready made, and meete to be ſold and vſed, as aforeſaid, ſhall hereafter for euery bow lacking of the number aforeſaid, forfeit ten ſhillings, the one moity of which forfeiture, ſhall be to our ſaid Soueraigne Lady the Queenes Maieſty, and the other moity thereof, ſhall be to him or them, vſing the Art of an Armourer, Fletcher, or maker of Bowſtrings, that will ſue for the ſame, by action of debt, bill, plaint, or otherwiſe, in any Court of Record, in which action and ſuit, no protection, or wager of law, ſhall in any wiſe be admitted or allowed for the defendant.

The ſeuerall prices of ſeuerall ſorts of Bowes.

Prouided alwayes, and be it enacted by the authority aforeſaid, that if any Bowyer, after the firſt day of May next comming, doe ſell any Bowes meete for mens ſhooting, being outlandiſh Ewe, and of the beſt ſort, ouer and aboue the price of ſixe ſhillings and eight pence, or doe ſell any Bowes meete for mens ſhooting, being of the ſecond ſort, ouer and aboue the price of three ſhillings and foure pence, or ſhall ſell any Bowes meete for men, as is aforeſaid, being of the courſe ſort, called liuery Bowes, for and aboue the price of two ſhillings apeece, or that ſhall after the ſaid firſt day of May, ſell any Bowes being Engliſh Ewe, ouer and aboue the price of two ſhillings the peece: that then the ſeller or ſellers of ſuch Bowes, ſhall forfeit for euery Bow ſo ſold, ouer and aboue the price aforeſaid, forty ſhillings, the one moity thereof, to the Queenes Maieſty, her heires and ſucceſſors, and the other moity, to the party vſing the Art of an Armourer, Fletcher, or maker of Bowſtrings, that will ſue for the ſame in any Court of Record, by action of debt, bill, plaint, or otherwiſe, wherein no Wager of law, eſſoigne or protection, ſhall be admitted or allowed: Any thing in this Act, or in any other Act contained to the contrary, in any wiſe notwithſtanding. This Act to continue vntill the laſt day to the firſt Seſſion of the next Parliament. 3. Car. 4. continued vntill the end of the firſt Seſſion of the next Parliament.

Cap. XI.

Who may make Hats and Caps, and how they ſhall be made.

VVhere great multitudes of the Queens Maieſties true ſubiects, vſing the Art of making woollen Caps, are impoueriſhed and decayed by the exceſſiue vſe of Hats & Felts, and thereby diuers good Cities and Townes brought to deſolation, great plenty of ſtrange commodities, without neceſſity conſumed, and great numbers of people enforced to depend vpon the buying of forrain woolles, to the diſcommodity of this Realm, the diſfurniture of ſeruice to be done to the Queenes Maieſty, and greater euident dangers, if remedy be not prouided.

None ſhall worke Hats with forraine wooll, but which hath beene apprentice the myſtery of Hat-making.

It may therefore pleaſe the Qu. moſt excellent Maieſty, at the lamentable ſuit & complaint of her ſaid poore ſubiects, that it be enacted by the authority of this preſent Parliament, that no perſon, by him or her ſelfe, or by any other, ſhall after the Feaſt of the Natiuity of Saint Iohn Baptiſt next comming, make or worke any Felt or Hatte, of, or with any forraine wooll or ſtuffe, vnleſſe ſuch perſon ſhall firſt haue beene apprentice or couenant-ſeruant, to ſuch myſtery of Felt or Hatte making, by the ſpace of ſeuen yeares at the leaſt, vpon paine to forfeit all ſuch Hattes or Felts, as he ſhall make, or cauſe to be made while he worketh, contrary to the forme of this Act, and fiue pounds in money for euery moneth that he ſhall ſo continue.

Caps of Felt or of woollen cloth not knit.

Dying of Caps.

And be it enacted by the authority aforeſaid, that from the firſt day of Aprill next comming, No perſon whatſoeuer, ſhall make, ſell, or cauſe to be made or ſold, any Cappe, or other thing of Felt, but onely Hattes, nor ſhall make, ſell, or cauſe to be made or ſold, any Cappe of any woollen cloth not knit. And that no perſon, after the ſaid firſt day of Aprill, ſhall die, or cauſe to be dyed blacke, any Cappe, with barke or ſwarfe, but onely with Copperas and Gall, or with Woad and Madder.

Thicking or fulling of Caps.

And (for the ſetting of many poore and impotent perſons to worke, and for the better making of Cappes) that no perſon, after the ſaid firſt day of Aprill, ſhall thicke or full in any Mill, or cauſe to be thicked or fulled in any Mill, any Cappe, vntill ſuch time as the ſame Cappe be firſt well ſcoured and cloſed vpon the banke, and halfe thicked at the leaſt in the footeſtocke.

Who onely may weare a Hat or vpper Cap of Veluet.

Rep 1. Iac. 25.

Who ſhall haue the forfeiture.

And that no man vnder the degree of a Knight, or of a Lords ſonne, ſhall after the ſaid firſt day of April, weare any Hat or vpper Cap of Veluet, or couered with Veluet, on paine to forfeit for euery Hat, Cap, or other thing to be made, dyed, thicked, fulled, ſold or worne, contrary to the meaning of this Act, ten ſhillings, whereof the one moity ſhall be to the Queenes Maieſty, her heires and ſucceſſors, the other moity to ſuch perſon then vſing the feate of Cap-making, as will ſue for the ſame in any Court of Record, wherein no eſſoyne, protection or wager of law, for the defendant, ſhalbe admitted or allowed.

Alt. 1. Iac. 17.

Who may ſearch and reforme Cappers and Hatters.

And for the better and truer making of Cappes and Hattes within this Realme: Be it enacted by the authority aforeſaid, That it ſhall be lawfull to the Maſter and Wardens of the company of Haberdaſhers, within the City of London, and to their ſucceſſors for the time being, calling to them one of the company of Cappers, and another of the makers of Hattes, as often as neede ſhall require, within the ſayd City, or within three miles of the ſame, to ſearch all and all manner of Cappers and makers of Hattes, and the offendours and defaults by them found, to correct and puniſh by fines and otherwiſe, as in like caſes they doe other offendors, and defaults within the ſaid company. And that it ſhall be lawfull for all Maiors, Bailiffes and other head Officers, in all other Cities and Townes corporate, to doe the like.

Prouided alwayes, and be it enacted by the authority aforeſaid, that euery Hat-maker, that now is a maker or worker of Hattes, and being a houſholder, apprentice, couenant-ſeruant, or Iourneyman, ſhall or may, during ſuch perſons naturall life, continue making of Hattes and Felts, albeit ſuch perſon were not bounden apprentice, to the ſame Art for the ſpace of ſeauen yeares.

Who may be a Hat-maker, though he hath not beene an Apprentice.

And be it enacted that no maker or worker of hats, ſhal take or receiue, any apprentices, contrary to the true meaning of this Act, that is to ſay, aboue two apprentices at one time, nor thoſe for any leſſe time, than ſeauen yeares at the leaſt, on paine to ſuffer for euery apprentice to be taken or receiued againſt the forme of this Act, one moneths impriſonment in the Common Goale, without baile or mainepriſe. And that euery taking or receiuing of apprentice, contrary to this Acte, ſhall be voyd: And alſo ſuch perſon ſo taking or receiuing, ſhall be from thenceforth diſabled to haue any moe apprentices, than one at one time.

How many Apprentices a Hat-maker may take.

Prouided alway, that nothing in this Act ſhall extend to charge any perſon, allowed to bee a Feltmaker or Hatmaker, with any paine or forfeiture, for ſetting or vſing his or their owne children to the making or working of Felts or Hats, in his or their owne houſes. Prouided that this Act ſhall not extend to any making of Hats with Worſted yarne, in the City of Norwich. 1. Iac. 17.

A Hat-maker may vſe his owne childe.

Cap. XII.

The owners marke and Aulnegers ſeale ſhall be put to Lancaſhire clothes before the ſale of them: In what Townes he ſhall haue a Deputy: his fees, &c.

FOr as much as diuers Clothiers inhabiting within the County Palatine of Lancaſter, ſeeking inordinately their owne ſinguler gaines, haue of late practiſed priuily, to conuey and carry away out of the ſayd County, diuers Cottons, Frizes and Rugges, there made to bee ſold, before ſuch time as the Quéenes Aulneger of the ſayd County, hath fixed vnto euery ſuch cloth the Quéenes Seale in that behalfe appointed, and ſometime counterfeiting and ſetting to to their clothes, ſeales of their owne, minding thereby, not onely to defraud the ſayd Aulneger of his accuſtomable fées, due to be payd to the Quéenes Highneſſe vſe, for the ſealing of euery ſuch Cloth, Cotton, Frize or Rugge: but alſo to couer and hide the vntrue and deceitfull making of many of the ſayd Clothes, contrary to the true meaning of ſundry good and wholſome Statutes and lawes heretofore made, as well for the true making of the Clothes beforeſayd, as alſo for the ſearching, trying, and ſealing of the ſame, to the no little preiudice and damage of the ſayd Aulneger, who ſtandeth charged with the payment of a great annuall farme to the Quéenes Maieſty for the ſayd Aulnage, in deceit of her Highneſſe Subiects, and diſcredite of the commodities of the ſayd Clothes.

Practiſes by Clothiers in Lancaſhire to deceiue the Queene of her duties, and the Aulneger of his.

For reformation thereof, be it enacted by our ſayd Soueraigne Lady the Quéene, the Lords Spirituall and Temporall, and the Commons of this preſent Parliament aſſembled, and by the authority of the ſame, That no perſon or perſons, from and after the firſt day of Aprill next comming, ſhall ſell, or put to ſale within the ſayd County, or conuey or carry, or cauſe to be conueyed and carried out of the ſayd County of Lancaſter, any kinde of Clothes, Cottons, Frizes or Rugs, hereafter to be made within the ſayd County Palatine of Lancaſter, to be ſold, before ſuch time that the owner or maker of euery ſuch Cloth, Cotton, Frize or Rug, ſhall fix and put to or cauſe to be fixed, and put to euery ſuch Cloth, Frize, Cotton or Rug, one ſeale of lead, hauing the marke of euery ſuch owner or Clothier ingraued on the one ſide thereof, and the true length of euery ſuch Cloth, Frize, Cotton or Rug, as it is found being wet, to be ingraued on the other ſide of the ſayd Seale. And alſo the Quéens Highneſſe Aulneger of the ſayd County Palatine for the time being, vpon triall of the weight of euery ſuch Cotton, Frize and Rugge, ſhall fixe and put, or cauſe to be fixed and put to euery ſuch Cotton, Frize and Rugge, the Quéenes Highneſſe Seale of lead, hauing the Portcullies crowned, ingraued on the one ſide thereof, and the true weight of euery ſuch Cotton, Frize or Rugge, to be ingraued on the other ſide of the ſame Seale, vpon paine and forfeiture of all and euery ſuch Clothes, Cottons, Frizes and Rugges, conueyed, carried, ſent, ſold, and put to ſale, or to the intent to be ſolde, being vnſealed, contrary to the meaning of this preſent Acte: the one moity thereof to be to the vſe of the Quéenes Highneſſe, her heires and ſucceſſors, and the other moity thereof, to ſuch perſon or perſons, that ſhall ſeiſe the ſame Cloth, Cotton, Frize or Rug, or will ſue for the ſame, to be recouered in any of the Quéenes Highneſſe Courts of Record, by bill, plaint, information or otherwiſe, wherein no eſſoyne, protection, or wager of law, ſhall be allowed for the defendant.

No cloth ſhall be ſold before the party and Aulneger haue ſet to their ſeales.

And bee it further enacted by the authority of this preſent Parliament, That the ſayd Aulneger, after the ſayd firſt day of Aprill, ſhall appoint and haue his lawfull Deputy within euery of the ſeuerall Townes of Mancheſter, Rachdale, Bolton, Blackeborne, and Bery, in

Certaine townes in the County of Lancaſter, wherein the Aulneger ſhall haue his deputies.

in the ſaid Countie where the ſaid Aulneger hath béene accuſtomed to haue his Deputy heretofore, there to be ready vpon lawfull requeſt vnto him made, without delay, to weigh euery of the ſaid Cottons, Frizes, and Rugges, as ſhall be brought vnto euery ſuch deputy, and ſealed with the ſeale of the owner or maker of euery of the ſame Clothes, in forme aforeſaid, and to fixe and ſet to euery of the ſaid Clothes, Cottons, Frizes, and Rugges, the Quéenes highneſſe ſeale beforeſaid, to be ingraued in manner and formh before mentioned, vpon paine of forfeiture of xx.s. for euery packe of Cottons, frizes, or ruggges, ſealed by the ſaid Aulneger, or any of his ſaid deputies, before the ſame be weighed in form beforeſaid. The one moity thereof, to be to the vſe of the Quéenes highneſſe, her heires and ſucceſſors, and the other moity thereof, to him or them that will ſue for the ſame, in any of the Quéenes Maieſties Courts of Record, by bill, plaint, information, action of debt, or otherwiſe: wherein no wager of Law, Protection, or Eſſoyne, ſhall be allowed.

How much the Aulneger may take for ſealing of clothes.

Prouided alwayes, and be it enacted by the authority aforeſaid, that it ſhall be lawfull for the ſaid Aulneger or his deputy, to haue and take of the owner or maker of euery of the ſayd clothes, cottons, frizes, or rugges, for the weighing and ſealing of euery pack of the ſaid clothes, cottons, fryzes, and rugges, iii. d. And for euery péece of ſuch courſe clothes, cottons, fryzes, and rugges, not amounting to a whole packe, one halfepeny, and the ſame to be payd by the owner or bringer of the ſaid clothes, at the weighing and ſealing of the ſame: Any cuſtome, vſe, or preſcription to the contrary, in any wiſe notwithſtanding.

And foraſmuch as ſuch perſons as commonly doe vſe to vtter and ſell the ſaid ſeuerall kinds of cottons, fryzes, and rugges, haue béene, and are dayly moleſted, vexed, and troubled, to their great loſſe and hinderance, by meanes of the cruelty of Informers and Searchers, ſéeking continually their owne priuate gaine, by finding of the ſayd cottons, frizes, and rugges, at no time made according to ſuch forme of weight, lengthes, and breadthes, as by the former Statutes of this Realme, lately made for the true making of wollen cloth, is limited and appointed: And for that the ſame perſons doe alleage, that the makers of the ſaid cottons, fryzes, and rugges, can by no meanes be reduced to obſerue the ſaid weights, lengthes, and breadths, in making of the ſaid cottons, fryzes, and rugges, according to the forme of the ſaid former Eſtatutes, without the vtter vndoing of great numbers of poore people, that are commonly the makers of ſuch kind of cloths, and that by meanes hereof, the ſaid cottons, fryzes, and rugges, ſithence the making of the ſaid Eſtatutes, haue béen, and are made ſcarce and dearer, then they were before the making of the ſaid Eſtatutes, and in nothing at all amended in ſubſtance or forme of making.

The weight, length and breadth of Cottons.

Frizes or rugges.

For reformation thereof: be it enacted, that from and after the firſt day of April next comming, euery of the ſaid cottons, being ſufficiently milled or thicked, clean ſcoured, well wrought, and fully dyed, ſhall weigh xxi. pound at the leaſt, and ſhall containe in length xxi. goades or xx. goads at the leaſt, and in breadth at the moſt, thrée quarters of the yard, or within one nayle of thrée quarters of the yard at the leaſt. And that euery of the ſaid frizes or rugges being thicked and fully dryed, ſhall weigh xliiii. pound at the leaſt, and ſhall containe in length, betwixt xxxv. yardes, and xxxvii. yards, and ſhall containe in breadth at the moſt, thrée quarters of the yard, or within one nayle of thrée quarters at the leaſt, and not to be ſtrained vpon the teynters, aboue one nayle in breadth: And alſo if any of the ſaid cottons, fryzes, or rugges, ſhall be of any greater length, then is before ſeuerally expreſſed, that then euery goade or yarde ſo exceeding the ſaid ſeuerall lengthes, ſhall weigh after ſuch rate, as euery goade or yarde of ſuch cottons, fryzes, or rugges, containing the ſaid ſeuerall lengths, ſhall or ought to weigh, vpon paine of forfeiture for euery goade or yard not weighing after ſuch rate xii. d.

And alſo if any of the ſaid cottons, frizes, and rugges, ſhall be of any leſſe weight, than is before ſeuerally limited and appointed, that then all and euery ſuch perſon or perſons, that ſhall ſo ſell, or cauſe to be ſold, any ſuch cotton, frize, or rugge, ſhall forfeyt for euery pound lacking vnder thrée pounds, xii. d. and for euery pound weight lacking aboue iii. li. fiue ſhillings: the one halfe of which forfeitures, ſhall be to our Soueraigne Lady the Quéenes highneſſe, her heires, and ſucceſſors, and the other halfe thereof, to ſuch perſon or perſons, that ſhall ſue for the ſame, by action of debt, bill, plaint, or information, in any of the Quéenes Maieſties Courts of Record, wherein no eſſoyne, protection, or wager of law ſhall be admitted or allowed for the defendant.

All acts made for the ſealing and making of cottons, frizes, and rugs, ſhall be void. 34. H. 8. 11.

And further be it enacted by the authority aforeſaid, that all and euery branch, clauſe, ſentence, and article ſpecified and contained in any other Acts of Parliament before this time made, concerning the ſealing and making of the ſaid cottons, frizes, and rugges, ſhall be from henceforth vtterly repealed, voyd, and of none effect: Any thing in the ſayd Acts contained to the contrary, in any wiſe notwithſtanding.

The liberties of townes corporat in Lancaſhire ſaued.

Prouided alwayes, that this Act ſhall not in any wiſe extend to be preiudiciall or hurtfull vnto any charter, or liberty of any Borrough or corporate Towne, within the ſaid County Palatine of Lancaſter, concerning the making and putting to ſale of any wollen cloth, Any thing therein contained to the contrary, notwithſtanding.

CAP.

CAP. XIII.

The Maſter, Wardens, & Aſſiſtants, of the Trinity houſe at Deptford Strond, may at their coſts from time to time, erect ſuch, & ſo many Becons, markes, & ſignes for the Sea, in ſuch places, of the Seaſhores, and vplands neere to the Sea-coaſts, only for the Sea-markes, as to them ſhall ſeeme requiſite. And the ſame ſhall be continued, and renued at their coſts. PR.

CAP. XIIII.

So much of the Stat. of 5. Eliz. 22. as concerneth the tranſporting of tawed Leather, of Sheepeskins and Lambeskinnes, repealed.

Forasmuch as in one Act made in the firſt Seſſion of this preſent Parliament, entituled: An Act againſt the carrying of Sheepeſkinnes and pelts ouer the Sea, not being Staple ware, there is contained one branch againſt the making of any pelts by any perſon, other than ſuch as are permitted to make the ſame by the ſaid Statute. The execution of which branch, hath béene put in ſuſpence, by reaſon that ſome other parts of the ſame ſtatute, are ſuppoſed to be againſt the entercourſe of the low Countries of the King of Spaine.

5. Eliz. 22.

Be it therefore declared and enacted by the authoritie of this preſent Parliament, that the ſaid firſt branch of the ſaid Statute, being not againſt the ſaid entercourſe, ſhall from henceforth be put in due execution. And foraſmuch as great multitudes of the Quéenes Maieſties liege people, haue béene ſet on worke by conuerting of Shéepeſkinnes and Lambeſkinnes, into tawed Leather and Parchment, here within this Realme, which by one other branch of the ſaid ſtatute, is prohibited to be tranſported out of the Realme in Leather. And where the conuerting of ſuch skins into Leather and Parchment, hath béene great maintenance of many thouſands of the ſubiects of this Realme, and greater daily will be, to the great benefit of this Realme, if the ſaid firſt branch concerning making of pelts ſhould be duely put in execution, where otherwiſe, if the ſaid pelts ſhould be tranſported into other Realmes, the ſame would be an occaſion of the impoueriſhing of many of the naturall Engliſh people of this Realme. Be it therefore enacted by authority of this preſent Parliament, that ſo much of the ſaid Statute, as concerneth the tranſporting of tawed Leather, to be made of Shéepeſkinnes, and Lambeſkinnes, ſhall from henceforth, as touching only the tranſporting of ſuch tawed Leather, bee repealed and voyd: Any thing in the ſaid Statute to the contrary, notwithſtanding.

A repeale of ſo much only of the Stat. of 5. El. 22. as toucheth the tranſporting of tawed Leather of Shéepeſkins and Lambeſkinnes,

CAP. XV.

That branch only of the St. of 24. H. 8. 10. ſhall be reuiued which concerneth the prouiſion, vſe and maintenance of Nets and Shrops for the deſtruction of Crowes &c. and all the reſt of that Statute ſhall be repealed. Seuerall rewards aſsigned for the taking and bringing of the heads and egges of diuerſe rauenous birds and vermine. EXP.

14. El. 15.

CAP. XVI.

The Sheriffewike of ſeuerall Counties diuided into two Sheriffes, which before had but one.

Whereas the Counties and Shires of Surrey and Suſſex, Eſſex and Hertford, Somerſet and Dorſet, Warwicke and Leiceſter, Nottingham and Derby, Oxon and Barks, of long time haue had but one Sheriffe, to ſerue for two of the ſaid Counties, that is to ſay, one for Surrey and Suſſex, and one other for Eſſex and Hertford, & one other for Somerſet and Dorſet, and one other for Warwick and Leiceſter, and one other for Nottingham & Derby, and one other for Oxon & Barks. The occaſion whereof, in the beginning (as it ſhould ſéeme) was, for that euery of the ſaid ſeuerall Counties were not then ſo well inhabited with Gentlemen of good ability, to ſerue in the ſaid office, as (thankes be to God) they be at this preſent. And foraſmuch as the ſeruice & charges of that office of Sheriffewike of the ſaid Counties, is more than in times paſt it hath béene, and is now commonly greater than one Sheriffe is able to ſerue and ſupply: Therefore ſuch Gentlemen as doe dwell in the ſaid ſeuerall Counties, are very deſirous to haue for euery of the ſaid Counties, one Sheriffe to be yearly made and appointed for the ſame. And for that the hauing of ſeuerall Sheriffes accordingly, cannot be hurtfull to any, but thereby may grow ſome eaſe of charges and trouble to ſuch as ſhall hereafter be appointed to ſuch Office, and alſo the ſaid Office better ſerued and executed, than heretofore hath béene.

The cauſe that there was but one Sheriffe before time of two Counties.

The reaſons why the Sheriffewikes be diuided.

Be it therefore enacted by the authority of this preſent Parliament, That the Quéenes moſt excellent Maieſty, her heires and ſucceſſors, Kings or Quéenes of this Realme, ſhall & may from and after the firſt day of Nouember, which ſhall be in the yeare of our Lord God, a thouſand, fiue hundred, thréeſcore and ſeuen, yearly chuſe and make for euery of the ſaid Counties before named, one ſufficient and able perſon, to be Sheriffe of the ſame, in ſuch like manner & forme, as is & hath béen vſed to be choſen, made, and done for any other County or Shire within this Realme: Any law, cuſtome, or vſage, heretofore had or vſed, to the contrary thereof, notwithſtanding. And that euery perſon, which after the ſaid firſt day of Nouemb. ſhalbe made & appointed Sheriffe, for any

There ſhall be one Sheriffe of euery of the Counties aforeſaid, of the ſaid Counties, ſhall bee accomptable and vſed in the order of his accompt, and all other things and allowance to him to be made, in the Court of Exchequer, and all other Courts and Places, in ſuch manner and forme, as is commonly vſed for Sheriffes in like caſes.

The ſeuerance of the Proffers of the foreſaid Sheriffe-wikes diuided.

Prouided alwayes, and be it further enacted by the authority aforeſaid, That the Barons of the Queenes Highneſſe, her heires and ſucceſſors, of the Court of Exchequer, for the time being, calling vnto them as well her or their Graces Officers of Remembrancer, and the Treaſurers Remembrancer, together with the Clerke of the Pipe of the ſame Court, as alſo the ſeuerall Sheriffes, the which next after the ſaid firſt day of Nouember, ſhall bee by her Highneſſe, her heires and ſucceſſors, conſtituted, named, and appointed, of euery of the ſaid ſeuerall Counties of Surrey and Suſſex, Eſſex and Hertford, Somerſet and Dorſet, Warwicke and Leiceſter, Nottingham and Derby, Oxon and Barks, ſhall haue by vertue of this Act of Parliament, full power and authority, to ſeuer and diuide by the diſcretion and iudgment of the ſaid Barons, all and ſingular the Proffers of the ſaid Counties of Surrey and Suſſex, Eſſex and Hertford, Somerſet and Dorſet, Warwicke and Leiceſter, Nottingham and Derby, Oxon and Barkes. The which ſaid ſeuerance and diuiſion of the ſaid Proffers, ſhall bee entred of Record in the ſaid Court of Exchequer, and ſhall be finall and perpetuall, during ſo long time as this preſent Act of Parliament ſhall endure and haue continuance.

The Tayle of reward ſhall be ſeuered.

And be it further enacted by the authority aforeſaid, That in ſuch and the ſame manner and forme as the ſaid Proffers ſhall be diuided, euen ſo the tayle of reward of euery of the foreſaid Counties, where any tayle of reward hereafter ſhall bee taken, ſhall bee ſeuered and diuided in manner and forme aforeſaid.

Order for the payment of Creation Mony, Fees, and other mony accuſtomed to be paid.

And be it likewiſe further enacted by the authority aforeſayd, That the ſaid Barons for the time being, of the Queenes Highneſſe ſaid Court of Exchequer, and of her heires and ſucceſſors, calling vnto them the ſaid Officers of the Treaſurers Remembrancer, and the Clerke of the Pipe, ſhall haue full power and authority from time to time, to take order and appointment for the true and ſpeedy payment and contentation of ſuch Creation Mony, Fees, and Annuities, and all other ſummes of Mony, as haue been accuſtomed to haue beene payd, or of right ought to haue been payd, to any perſon or perſons, by the hands of the ſaid ſeuerall Sheriffes. And that ſuch order, direction, and appointment ſo made, had, and taken by the ſaid Barons, in manner and forme laſt before recited, ſhall be obſerued, performed, fulfilled, and kept yeerly, as well by all the Sheriffes of the ſaid ſeuerall Counties of Surrey and Suſſex, for the time being, as by the ſaid ſeuerall Sheriffes, for the time being, of the ſaid Counties of Eſſex and Hertford, and of Somerſet and Dorſet, and of Warwike and Leiceſter, and of Nottingham and Derby, and of Oxon and Barks: Any Vſage, Law or Cuſtome, to the contrary, in any wiſe notwithſtanding.

But halfe the charges ſhall be paid by Sheriffe-wikes diuided in any Court of Record.

Prouided alwayes, and be it further enacted by the authority aforeſaid, That no Sheriffe hereafter to be choſen and made of any one of the ſaid Counties in this Act mentioned, ſhall pay in any Court of Record, for any duty belonging properly to the office of Sheriffe, any other fees or charges, than only the one halfe of the charges and fees, which he ſhould be compelled to haue payd, if he had been Sheriffe of two of the ſaid Shires and Counties, as before the making of this Act was vſed: Any Law, Vſage, or Cuſtome, to the contrary, notwithſtanding.

This Act to continue and endure vnto the end of three whole yeers, to bee accompted from the Feaſt of All Saints, in the yeere of our Lord God, a thouſand fiue hundred threeſcore and ſixe, and from thence to the end of the next Parliament then next following the end of the ſaid three yeeres. 13. El. 25. made perpetuall, ſauing for the Sheriffes of Suſſex and Surrey.

CAP. XVII.

A confirmation of a Subſidie of foure ſhillings in the pound, granted to the Queen by the Clergie, to be paid in three yeares. EXP.

CAP. XVIII.

The Queenes free and generall pardon confirmed by Parliament: Except &c. EXP.

CAP. XIX.

A Graunt by the Temporaltie to the Queene, of one Subſidie, and of one Fifteene and Tenth. EXP.

ANNO DECIMO TERTIO REGINÆ *ELIZABETHÆ*.

AT the Parliament begun and holden at Weſtminſter, the ſecond of April, in the xiii. yeare of the reigne of our moſt gracious Soueraigne Lady, ELIZABETH, by the grace of God, of England, France, and Ireland, Queene, Defendor of the Faith, &c. And there continued vntill the diſſolution of the ſame. To the high pleaſure of Almighty God, and the weale publike of this Realme, were enacted as followeth.

CAP. I.

It ſhall be high treaſon to intend deſtruction or bodily harme to the Queene: or to leuy war, or to moue others to war againſt her: or to affirme that the Queene ought not to enioy the Crowne, but ſome other perſon: Or to publiſh that the Queene is an Heretike, Schiſmatike, Tyrant, Infidell, or vſurper of the Crowne: or to claime Right to the Crowne: or to vſurpe the ſame during the Queenes life: or to affirme the Right in ſucceſſion of the Crown in ſome other than the Queene: or to affirme that the Laws and Statutes doe not binde the Right of the Crowne, and the deſcent, limitation, inheritance, or gouernance thereof.

Whoſoeuer ſhall during the Queenes life, by any booke, or worke written, or printed, expreſly affirme (before the ſame be eſtabliſhed by Parliament) that any one particular perſon is, or ought to be heire and ſucceſſor to the Queene, except the ſame be the naturall iſſue of her body: Or ſhall wilfully ſet vp in open place, or ſpread any bookes or ſcrowles to that effect: Or ſhall print, binde, or put to ſale, or vtter, cauſe, &c. any ſuch booke or writing, he, his abettors, and Counſellors, ſhall for the firſt offence, be a whole yeare impriſoned, and forfeit halfe his goods, and for the ſecond offence ſhall incurre the penaltie of Præmunire. EXP. *Sta.* 26. *H.* 8. 13. 1. *Ed.* 6. 12. 1. & 2. *P.* & *M.* 10. 1. *El.* 5.

CAP. II.

Penalties for bringing in, and putting in execution Buls brought from Rome, &c.

WHere in the Parliament holden at Weſtminſter, in the fifth yeare of the reigne of our Soueraigne Lady the Queenes Maieſtie that now is, by one Act and Statute then and there made, intituled, an Act foꝛ the aſſurance of the Queenes Maieſties Royall power ouer all States and Subiects within her Highneſſe Dominions: it is among other things very well oꝛdained and pꝛouided, foꝛ the aboliſhing of the vſurped power and iuriſdiction of the Biſhop of Rome, and of the See of Rome, heretofoꝛe vnlawfully claimed & vſurped within this Realme and other the Dominions to the Queenes Maieſty belonging, That no perſon oꝛ perſons ſhall hold oꝛ ſtand with, to ſet foꝛth, maintaine, defend, oꝛ extoll the ſame vſurped power, oꝛ attribute any manner iuriſdiction, authoꝛity, oꝛ pꝛeheminence to the ſame, to bee had oꝛ vſed within this Realme, oꝛ any the ſayd Dominions, vpon paine to incurre the danger, penalties, & foꝛfeitures, oꝛdained and pꝛouided by the Statute of Pꝛouiſion and Præmunire, made in the ſixteenth yeare of the reigne of King Richard the ſecond, as by the ſame Act moꝛe at large it doth and may appeare. And yet neuertheleſſe, diuers ſeditious and very euill diſpoſed people, without reſpect of their duty to Almighty GOD, oꝛ of the faith and allegiance which they ought to beare and haue to our ſaid Soueraigne Lady the Qu. and without all feare and regard had to the ſayd good Lawe and Statute, oꝛ the paines therein limitted: but minding as it ſhould ſeeme verie ſeditiouſly and vnnaturally, not onely to bꝛing this Realme, and the Imperiall Crowne thereof, (beeing in very deed of it ſelfe moſt free) into the thꝛaldome and ſubiection of that foꝛreine, vſurped, and vnlawfull iuriſdiction, pꝛeheminence, and authoꝛity claimed by the ſayd See of Rome: but alſo to eſtrange and alienate the mindes and hearts of ſundꝛy her Maieſties Subiects from their dutifull obedience, and to raiſe and ſtirre ſedition and rebellion within this Realme, to the diſturbance of the moſt happy peace thereof, haue lately pꝛocured and obtained to themſelues from the ſayd Biſhop of Rome, and his ſayd See, diuers Bulles and wꝛitings, the effect whereof hath bin, and is, to abſolue and reconcile all thoſe that will be contented to foꝛſake their due obedience to our moſt gracious Soueraigne Lady the Queens Maieſty, and to yeeld and ſubiect themſelues to the ſayd fained, vnlawfull, and vſurped authoꝛity: and by colour of the ſayd Bulles and wꝛitings, the ſayd wicked perſons very ſecretly and moſt ſeditiouſly, in ſuch parts of this Realme where the people foꝛ want of good inſtruction are moſt weake, ſimple, and ignoꝛant, and thereby fardeſt from the good vnderſtanding of their duties towards God and the Qu. Maieſty, haue by

A rehearſal of the Statute of 5. El. 1, touching the aboliſhing of the authoꝛitie of the Biſhop and See of Rome.

16. R. 2, 5.

The effect of Buls bꝛought from Rome.

their lewd and ſubtile practices and perſwaſions, ſo farre forth wrought, that ſundry ſimple and ignorant perſons haue beene contented to be reconciled to the ſaid vſurped authority of the See of Rome, and to take abſolution at the hands of the ſaid naughty and ſubtile practicers, whereby hath growne great diſobedience and boldneſſe in many, not onely to withdraw and abſent themſelues from all diuine ſeruice, now moſt godly ſet forth and vſed within this Realme, but alſo haue thought themſelues diſcharged of, and from all obedience, duty, and allegiance to her Maieſtie, whereby moſt wicked and vnnaturall rebellion hath enſued, and to the further danger of this Realme is hereafter very like to be renued, if the vngodly and wicked attempts in that behalfe, be not by ſeuerity of lawes reſtrained and bridled.

For remedy and redreſſe whereof, and to preuent the great miſchiefes and inconueniences that thereby may enſue: Be it enacted by the Queenes moſt excellent Maieſty, with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame: That if any perſon or perſons, after the firſt day of Iuly next comming, ſhall vſe or put in vre in any place within this Realme, or in any the Queenes Dominions, any ſuch Bull, writing, or inſtrument, written or printed, of abſolution, or reconciliation, at any time heretofore obtained and gotten,, or at any time hereafter to be obtained or gotten from the ſaid Biſhop of Rome, or any his ſucceſſors, or from any other perſon or perſons authoriſed, or claiming authority by or from the ſaid Biſhop of Rome, his predeceſſors, or ſucceſſors, or See of Rome: Or if any perſon or perſons after the ſaid firſt day of Iuly, ſhall take vpon him or them by colour of any ſuch Bull, writing, inſtrument, or authority to abſolue or reconcile any perſon or perſons: or to grant or promiſe to any perſon or perſons within this Realme, or any other the Queenes Maieſties Dominions, any ſuch abſolution or reconciliation, by any ſpeech, preaching, teaching, writing, or any other open deed: Or if any perſon or perſons within this Realm, or any the Queens Dominions, after the ſaid firſt day of Iuly, ſhall willingly receiue and take any ſuch abſolution, or reconciliation.

Putting in vre any bull of abſolution or reconciliation from the Biſhop of Rome.

Abſoluing or reconciling of any perſon & being abſolued or reconciled.

Or elſe if any perſon or perſons haue obtained or gotten ſince the laſt day of the Parliament, holden in the firſt yeare of the Queenes Maieſties reigne, or after the ſaid firſt day of Iuly, ſhall obtaine or get from the ſaid Biſhop of Rome, or any his ſucceſſors or See of Rome, any manner of bull, writing, or inſtrument, written, or printed, containing any thing, matter, or cauſe whatſoeuer: or ſhall publiſh, or by any wayes or meanes put in vre any ſuch bull, writing, or inſtrument: That then all and euery ſuch act and acts, offenſe and offences, ſhall be deemed and adiudged by the authority of this Act to be high Treaſon, and the offendor and offendors therein, their procurors, abbettors, and counſellors to the fact, and committing of the ſayd offence or offences, ſhall be deemed and adiudged high Traytors to the Queene and the Realme: and being thereof lawfully indicted and attainted, according to the courſe of the laws of this Realme, ſhall ſuffer paines of death, and alſo loſe and forfeit all their lands, tenements, hereditaments, goods, and cattels, as in caſes of high treaſon by the laws of this Realme ought to be loſt and forfeited.

Getting of any bull from Rome, containing any matter whatſoeuer, or publiſhing or putting in vre the ſame.

And be it further enacted by the authority aforeſaid, that all and euery aydors, comforters, or maintainers of any the ſayd offendor or offendors, after the committing of any the ſayd acts, or offences, to the intent to ſet forth, vphold, or allow the doing or execution of the ſayd vſurped power, iuriſdiction, or authority, touching or concerning the premiſſes, or any part thereof, ſhall incur the paines and penalties contained in the ſtatute of Præmunire, made in the ſixteenth yeare of the reigne of King Richard the ſecond.

Aydors, comforters and maintainers of offendors after the offence.

Prouided alwayes, and be it further enacted by the authority aforeſayd, that if any perſon or perſons to whom any ſuch abſolution, reconciliation, bull, writing, or inſtrument, as is aforeſayd, ſhall after the ſayd firſt day of Iuly, be offered, moued, or perſwaded to be vſed, put in vre, or executed, ſhall conceale the ſame offer, motion, or perſwaſion, and not diſcloſe and ſignifie the ſame by writing, or otherwiſe, within ſixe weekes then next following, to ſome of the Queenes Maieſties priuie Councell, or elſe to the Preſident or Vicepreſident of the Queenes Maieſties Councell eſtabliſhed in the North parts, or in the Marches of Wales, for the time being: that then the ſame perſon or perſons ſo concealing, and not diſcloſing, or not ſignifying the ſayd offer, motion, or perſwaſion, ſhall incurre the loſſe, danger, penalty, and forfeiture of miſpriſion of high Treaſon.

Concealing or not diſcloſing a bull or reconciliation offered.

And that no perſon or perſons ſhal at any time hereafter be impeached, moleſted, or troubled, in or for miſpriſion of Treaſon, for any offence or offences made Treaſon by this act, other than ſuch as by this act are before declared to be in caſe of miſpriſion of high Treaſon.

And be it further enacted by the authority aforeſayd, that if any perſon or perſons ſhall at any time after the ſayd firſt day of Iuly, bring into this Realme of England, or any the dominions of the ſame, any token or tokens, thing or things, called or named by the name an Agnus dei, or any croſſes, pictures, beades, or ſuch like vaine and ſuperſtitious things, from the Biſhop or See of Rome, or from any perſon or perſons authoriſed, or claiming authority by or from the ſaid Biſhop or See of Rome, to conſecrate or hallow the ſame. (Which ſayd Agnus dei, is vſed to be ſpecially hallowed and conſecrated, as it is termed, by the ſayd Biſhop in his owne perſon, and the ſayd croſſes, pictures, beades, and ſuch like ſuperſtitious things, beene alſo hallowed either by the

Bringing into the Realme or vſing of Agnus Dei, pictures, croſſes, &c.

ſame Biſhop, or by others, hauing power, or pretending to haue power for the ſame, by or from him or his ſaid Sée, and diuers pardons, immunities, & exemptions granted by the authority of the ſaid Sée, to ſuch as ſhall receiue and vſe the ſame:) and that if the ſame perſon or perſons ſo bringing in as is aforeſaid, ſuch Agnus dei, and other like things as béene before ſpecified, ſhall deliuer, or cauſe, or offer to be deliuered the ſame or any of them, to any ſubiect of this Realme, or of any the Dominions of the ſame, to be worne or vſed in any wiſe: that then aſwell the ſame perſon and perſons ſo doing, as alſo all and euery other perſon or perſons which ſhall receiue and take the ſame, to the intent to vſe or weare the ſame, being thereof lawfully conuicted and attainted by the order of the common lawes of this Realme, ſhall incurre into the dangers, penalties, paines and forfeitures, ordained, and prouided by the ſtatute of Præmunire and prouiſion, made in the ſixtéenth yeare of the reigne of King Richard the ſecond.

Prouided neuertheleſſe, and be it further enacted by the authority aforeſaid, that if any perſon or perſons to whom any ſuch Agnus dei, or other the things aforeſaid, ſhalbe tendred & offered to be deliuered, ſhall apprehend the party ſo offering the ſame, and bring him to the next Iuſtice of peace of that Shire, where ſuch tender ſhall be made; if hée ſhall be of power and able ſo to doe, or for lack of ſuch ability, ſhall within the ſpace of iii. dayes next after ſuch offer made as is aforeſaid, diſcloſe the name and names of ſuch perſon or perſons as ſo ſhall make the ſame offer, and the dwelling place, or place of reſort of the ſame perſon or perſons, (which he ſhall endeuour himſelfe to know by all the wayes and meanes he can) to the Ordinary of that Dioces, or to any Iuſtice of peace of that ſhire, where ſuch perſon or perſons, to whom ſuch offer ſhall be made, as is aforeſaid, ſhalbe reſiant: and alſo if ſuch perſon or perſons to whom ſuch offer ſhall be made, ſhall happen to receiue any ſuch Agnus dei, or other thing aboue remembred, and ſhall within the ſpace of one day next after ſuch receit, deliuer the ſame to any Iuſtice of peace within the ſame ſhire where the party ſo receiuing ſhall be then reſiant, or ſhall happen to be: that then euery ſuch perſon or perſons doing any the acts or things in this prouiſo aboue mentioned, in forme aboue declared, ſhall not by force of this ſtatute, incurre any danger or penalty appointed by this ſtatute, or any other paine or penalty: this act or any thing therein contained to the contrary in any wiſe notwithſtanding.

Apprehending an offendor, or diſcloſing his name.

Deliuering an Agnus Dei receiued, to the ordinary, or a Iuſtice of Peace.

And be it further enacted by the authority aforeſaid, that all & euery perſon and perſons, which at any time ſince the beginning of the firſt yeare of the Quéenes Maieſties reigne that now is, haue brought or cauſed to be brought into this Realme, any ſuch Buls, writings, or inſtruments of reconciliation, onely as are aboue mentioned, and now haue any of the ſame buls, writings, or inſtruments in his or their hands or cuſtody, and ſhall and do within the ſpace of thrée monethes next after the end of any Seſſion or diſſolution of this preſent Parliament, bring and deliuer all ſuch buls, writings, and inſtruments, which they or any of them now haue in his or their cuſtodie, to the Biſhop of the Dioceſſe where ſuch abſolution hath béene giuen and receiued, to the intent that the ſame buls, writings, or inſtruments may be cancelled and defaced, and ſhall openly and publikely before ſuch Biſhop confeſſe and acknowledge his or their offence therein, and humbly deſire to be receiued, reſtored, and admitted to the Church of England, ſhall ſtand and be cléerely pardoned and diſcharged of all and euery offence and offences done or committed in any matter or cauſe concerning any of the ſaid buls, writings, or inſtruments, for or touching ſuch abſolution or reconciliation only. And that all and euery perſon and perſons, which haue receiued or taken any abſolution from the ſaid Biſhop of Rome, or his ſaid Sée of Rome, of any reconciliation vnto the ſaid Biſhop, or to the ſaid Sée of Rome, ſithence the ſaid firſt year of the reign of our ſayd Soueraigne Lady the Quéene, and ſhall within the ſayd ſpace of thrée moneths next after any Seſſion or diſſolution of this preſent Parliament, come before the Biſhop of the dioces of ſuch place where ſuch abſolution or reconciliation was had or made, and ſhall publiquely and openly before the ſame Biſhop confeſſe and acknowledge his or their offence therein, and humbly deſire to be receiued, reſtored, and admitted to the Church of England, ſhall likewiſe ſtand & be cléerely pardoned & diſcharged of all and euery offence & offences, done or committed in any matter or cauſe concerning the ſayd buls, writings, or inſtruments, for, or touching onely receiuing of ſuch abſolution or reconciliation, & for and concerning all abſolution or reconciliation had or receiued by colour of any of the ſaid buls, writings, or inſtruments onely.

A pardon to them that ſhall bring in to be cancelled thoſe buls which before they receiued.

A pardon of all thoſe that haue beene reconciled to the Biſhop of Rome, and do confeſſe it, and ſubmit themſelues.

Prouided alſo, & be it further enacted by the authority aforeſaid, that if any Iuſtice of Peace, to whom any matter or offence before mentioned, ſhall be vttered, ſhewed, or declared, as is aforeſayd, do not within the ſpace of xiiii. dayes next after it ſhall be to him ſhewed or vttered, ſignifie or declare the ſame to ſome one of the Quéenes Maieſties priuy Councell: that then the ſame Iuſtice of peace ſhall incur the danger, paine, and forfeiture prouided by the ſayd ſtatute made in the ſayd ſixtéenth yeare of King Richard the ſecond.

The penalty of a Iuſtice of peace not diſcloſing an offence declared to him.

Prouided alſo, and be it further enacted by the authority aforeſayd, that if any noble man, béeing a Péere of this Realme, ſhall at any time hereafter happen to be indicted for any the offence or offences aforeſayd: that then euery ſuch Nobleman and Péere of this Realme, ſhall haue his triall by his Péeres, as in caſes of high Treaſon, and miſpriſion of Treaſon hath heretofore béen accuſtomed or vſed.

Triall of a Noble man by his Peeres.

A ſauing of the right of others.

Sauing to al and euery perſon and perſons, bodies politike and coꝛpoꝛate, their heires and ſucceſſoꝛs, and the heires & ſucceſſoꝛs of euery of them, other than the ſayd offendoꝛs & their heires, clayming onely as heire oꝛ heires to any ſuch offendoꝛs, and ſuch perſon and perſons as claime to any their vſes, all ſuch rights, titles, intereſts, poſſeſſions, leaſes, rents, reuerſions, remainders, offices, fées, and all other pꝛofits, commodities and hereditaments, as they oꝛ any of them ſhall haue at the day of the committing of ſuch offence oꝛ offences, oꝛ any time befoꝛe, in as large and ample manner to all intents and purpoſes, as if this Act had neuer béene had noꝛ made: any thing herein contained to the contrary thereof notwithſtanding. 23. El. 1.

Cap. III.

If any borne within this Realme, or made free denizen, hath departed or ſhall depart the Realme without the Queens licence, vnder the great or priuy Seale, & ſhal not returne again within ſixe monethes after warning by proclamation, he ſhall forfeit to the Queene the profits of all his lands during his life, and alſo all his good and cattels. The like penaltie he ſhall ſuſtain, which hauing licence, ſhall not return within ſix months after his licence expired. The offendor ſhall haue reſtitution vpon ſubmiſsion. Fraudulent aſſurances made by fugitiues of their lands and goods, to deceiue the Queene, ſhall be voide. EXP. 14. *El.* 6. *St.* 5. *R.* 2. 2. 4. *Iac.* 1. 12. *R.* 2. 8.

Cap. IIII.

Treaſurers, Receiuers and other Accomptants lands ſhall be liable for the payment of the Queenes debts, by them not payd, &c.

Accomptants whoſe lands are liable to the payment of their debts to the Queene. 14. El. 7.

For the better ſecuritie of the Quéenes Maieſtie, her Heires and Succeſſoꝛs, againſt ſuch as ſhall haue the receit and charge of the money and treaſure of her Highneſſe, her Heires and Succeſſoꝛs: Be it declared and enacted by the Quéenes Maieſtie, with the aſſent of the Loꝛds Spirituall and Tempoꝛall, and the Commons in this pꝛeſent Parliament aſſembled, and by the authoꝛity of the ſame, That all Lands, Tenements, pꝛofits, commodities and hereditaments, which any Treaſurer oꝛ Receiuer, in oꝛ belonging to any of the Quéenes Maieſties Courts of the Exchequer, Wardes and Liueries, oꝛ Dutchy of Lancaſter, Treaſurer of the Chamber, Cofferer of the houſehould to the Queenes Maieſtie, her heires oꝛ ſucceſſoꝛs, treaſurer foꝛ the Wars, treaſurer of any Foꝛt, Towne oꝛ Caſtle where any Gariſon is oꝛ ſhall be kept, treaſurer of the Admiralty oꝛ Nauy, treaſurer, vndertreaſurer, oꝛ other perſon accomptable to the Quéenes Maieſtie, her Heires oꝛ Succeſſoꝛs, foꝛ any office oꝛ charge, of oꝛ within the Mint, Treaſurer oꝛ Receiuer of any ſummes of money in pꝛeſt oꝛ otherwiſe, foꝛ the vſe of the Quéenes Maieſty, her heirs oꝛ ſucceſſoꝛs, oꝛ foꝛ pꝛouiſions of victuall, foꝛ the foꝛtifications, buildings oꝛ woꝛkes, oꝛ foꝛ any other pꝛouiſions to be vſed in any the offices of the Quéenes Maieſties Oꝛdinance and Artillery, Armoꝛy, Wardꝛobe, Tents and Pauillions oꝛ Reuels, Cuſtomer, Collectoꝛ, Farmoꝛ of Cuſtomes, ſubſidies, impoſts, oꝛ other duties within any Poꝛt of the Realms, Collectoꝛ of the tenths of the Clergy, Collectoꝛ of any Subſidie oꝛ Fiftéene, Receiuer generall of the Reuenues of any County oꝛ Counties, anſwerable in the receipt of the Exchequer, oꝛ in the Court of Wards & Liueries, oꝛ the Dutchy of Lancaſter, Clerke of the Hamper, now hath, oꝛ at any time hereafter ſhall haue, within the time whileſt he oꝛ they oꝛ any of them, ſhall remaine accomptable, ſhall foꝛ the payment & ſatiſfaction vnto the Quéenes Maieſty, her Heires and Succeſſoꝛs, of his oꝛ their arrerages, at any time hereafter to be lawfully, accoꝛding to the lawes of this realm, adiudged & determined vpon his oꝛ their accompt (all his due & reaſonable petitions being allowed) be liable to the payment thereof, & be put and had in execution, foꝛ the payment of ſuch arrerages oꝛ debts, to be ſo adiudged & determined, vpon any ſuch Treaſurer, Receiuer, Teller, Cuſtomer, Collectoꝛ, Farmer, Officer [a] oꝛ Accomptant, as is befoꝛe named, in like & in as large and beneficiall manner to all intents and purpoſes, as if the ſame Treaſurer, Receiuer, Teller, Cuſtomer, Farmer oꝛ Collectoꝛ, vpon whom any ſuch arrerages oꝛ debts ſhall be ſo adiudged oꝛ determined, had the day he became firſt Officer oꝛ Accomptant, ſtood bound by wꝛiting obligatoꝛy, hauing the effect of a Statute of the Staple, to her Maieſty, her Heires oꝛ Succeſſoꝛs, foꝛ the true anſwering and payment of the ſame arrerages oꝛ debts.

a Co.Li

Certaine caſes wherein the Q. may ſell the accomptants lands.

And foꝛaſmuch as many times it may come to paſſe, that the Quéenes Highneſſe, her Heires oꝛ Succeſſoꝛs, ſhall not oꝛ may not bée conueniently ſatiſfied of the debt to be determined oꝛ due vpon any accompt oꝛ farme, as is afoꝛeſayd, by way of extent, foꝛ that the yearely value of the lands extended, will not ſatiſfie her Highneſſe, her Heires oꝛ Succeſſoꝛs, within the compaſſe of many yeares, ſo as thereby great loſſe might enſue to her Highneſſe, her Heires and Succeſſoꝛs. Foꝛ remedy thereof, be it further enacted, That if any Treaſurer, Receiuer, Collectoꝛ, Farmer, Cuſtomer, Teller, Collectoꝛ of cuſtom, ſubſidy oꝛ impoſt, oꝛ other perſon accomptant befoꝛe mentioned, which ſhall from and after the feaſt of S. Michael the Archangel, now next comming receiuing ceiue or be chargeable with any Money or Treaſure of our ſayd Soueraigne Lady the Quéene, her heires, or ſucceſſors, and ſhall vpon the determining of his or their accompt (all his and their due petitions to them vpon the ſame accompt being allowed) or by reaſon of any farme as aforeſayd, be found in arrerages, or to owe vnto our ſaid Soueraigne Lady the Quéene, her heires, or ſucceſſors, any ſumme or ſummes of Money, and ſhall not within the ſpace of ſixe moneths next after his or their accompts finiſhed, or debt knowne, (hauing allowance of his or their due and reaſonable Petitions, as is aforeſayd) truely ſatiſfie and pay all ſuch arrerages and ſummes of Money, as he or they ſhall owe, vpon determination of his or their accompt, or vpon his or their debt knowne, as is aforeſayd: that then it ſhall and may be lawfull to the Quéenes Highneſſe, her heires and ſucceſſors, at any time, and from time to time after the ſayd ſixe moneths ended, to make ſale by her or their Letters Patents, vnder the great Seale of England, of ſomuch of the Lands, Tenements, and Hereditaments, of euery ſuch Accomptant or Debtor, ſo being found in arrerages, or in debt, as is aboue mentioned, as may ſuffice our ſayd Soueraigne Lady the Quéene, her heires, or ſucceſſors, for the ſatiſfaction of his or their debt or arrerages, to be determined or adiudged vpon his or their accompt or farme, as is aforeſayd, (all due Petitions being allowed, as is aforeſayd) vntill her Maieſtie, her heires, or ſucceſſors, be by ſuch ſale fully ſatiſfied and payd, of ſuch arrerages and debt to be found vpon accompt or farme, as is aforeſayd.

Deliuery of the ouerplus to the owner of the land.

And if any ouerplus of Money ſhall be reſerued or had vpon any ſuch ſale, then the ſame ſhal be paid and deliuered to the Accomptant or Farmer, or his heires, by the officer that ſhall receiue the Money vpon any of the ſayd Sales, without any further or other warrant in that behalfe to be made, or obtained.

The ſale good againſt the Qu. and accomptant.

And be it further enacted by the authority aforeſayd, That all the ſayd ſales to be made by the Quéenes Maieſty, her heires or ſucceſſors, as is aforeſayd, ſhall be good & auailable in law againſt the party accomptant, indebted as is aforeſayd, and his heires claymring as heires, and againſt the Quéenes Maieſtie, her heires and ſucceſſors, notwithſtanding any former charge or encumbrance to her Maieſty, her heires or ſucceſſors, by the perſon or perſons for whoſe debt or duty the ſame ſhall fortune to be ſold.

Accomptant purchaſeth lands in others names.

And be it further enacted by the authority aforeſayd, That if any perſon or perſons accomptant or indebted as is aforeſayd, ſhall at any time after he or they ſhall become accomptant, or chargeable as is aforeſayd, purchaſe and buy, or cauſe to be purchaſed and bought, any Lands, Tenements or Hereditaments, and cauſe the aſſurance thereof to be made in the name of any other perſon or perſons, where the ſame is indéede ment or intended to the vſe, profit or behoofe of ſuch perſon accomptant or indebted, or of any other perſon or perſons, and that the ſame maner of purchaſing, and ſecret vſes, profits or behoofe, ſhall be found by office or inquiſition: That then all and euery Lands, Tenements and Hereditaments, ſo to bee bought or purchaſed, or cauſed to be purchaſed (as is before mentioned in this laſt proviſo) ſhall by vertue of this Act, be taken, déemed and vſed for the ſatiſfaction of the arrerages and debt of euery ſuch accomptant or debter, as is aboue mentioned, to all intents and purpoſes, as though the perſon or perſons indebted, vpon his or their accompt or farme, were thereof actually ſeiſed of ſuch eſtate as was conueyed to any perſon or perſons, by any ſuch accomptant or debter, or by his means as is aforeſayd: And that all ſales to be thereof made by the Quéenes Maieſty, her Heires or Succeſſors, for ſatiſfaction of ſuch debt or arrerages as ſhall be found (as is aforeſaid) to be due and owing to our ſaid Soueraigne Lady the Quéene, her Heires or Succeſſors, ſhall be of the like effect, and be vſed and done in ſuch like manner and forme, as is before expreſſed.

And whereas heretofore ſome Treaſurers, Tellers, Receiuers, Collectors, and others, hauing had charge of the Quéenes Maieſties money and treaſure, haue gotten into their hands great ſummes of the Quéenes Maieſties money and treaſure, ſithence the beginning of her Maieſties reigne, and haue moſt fraudulently employed her Maieſties money and treaſure which they had in their charge, in ſundry wiſe to their owne vſes, partly in the purchaſing her Maieſties owne lands, and partly in purchaſing lands of others: and to the intent the ſame ſhould not be lyable to ſatiſfie and pay her Maieſty, her heires or Succeſſors, of that which to her or them ſhould appertaine, haue purchaſed the ſame ſometimes in their own names, and ſomtimes in the names of ſundry their friends and kinſfolkes, wiues or children, and yet neuertheleſſe haue taken and receiued the rents and reuenues thereof to their owne vſes.

Lands purchaſed by accomptants ſince the beginning of the Qu. reigne.

Be it therefore further enacted and ordained by the authority aforeſayd, That all and ſingular Lands, Tenements and Hereditaments, which any Treaſurer, Receiuer, Teller, Cuſtomer, Collector, Officer, or Accomptant before named, hath heretofore ſince yͤ beginning of the Quéens Maieſties reigne purchaſed or cauſed to be purchaſed, to the intent the ſame ſhould not be lyable, as is aforeſayd (the fraud and couin aforeſayd, being firſt found by office or inquiſition) ſhall and may be ſeiſed and taken by her Maieſty, her Heires and Succeſſors, and retained by her Maieſtie, her Heires and Succeſſors, in fée ſimple, to bee ſold or otherwiſe vſed at her and their wils and pleaſures, towards the payment and ſatiſfaction of all and euery arrerages already ſet or determined, and adiudged, or that hereafter ſhall be ſet, determined or adiudged, vpon his or their accompt (all reaſonable and due petitions being allowed) at ſuch rate and value, as the ſame were purchaſed and bought, or cauſed to be purchaſed or bought, by any ſuch Treaſurer, Receiuer, Teller, Cuſtomer or Collector, before named, or by any other perſon to their vſe.

The Queene ſhall ſeiſe only ſo much land as will ſatiſfie her.

Prouided alwayes, that if the Lands and Tenements ſo to be ſeiſed, taken, or ſold, by her Maieſtie, her heires or ſucceſſors, as is laſt aboue mentioned, doe ſurmount after the rate and value aforeſaid, the debt and arrerages to be ſet, determined or adiudged, vpon the accompt of any Treaſurer, Receiuer, Teller, Cuſtomer, Collector, or accomptant before named: that then her Maieſtie, her Heires and Succeſſors, ſhall take and ſeiſe onely ſo much as ſhall amount after the rate and value aforeſaid, to the iuſt payment and ſatiſfaction of ſuch debt and arrerages, as hath been or ſhall be ſet, determined or adiudged, vpon his or their accompt, as is aforeſaid.

No Biſhops lands ſhall be chargeable.

Prouided alwayes, and be it further enacted by the authority aforeſaid, That no Biſhop hauing the collection of any Subſidy or Tenthes, or any his Lands, Tenements or Hereditaments whereof he is ſeiſed in the right of his Biſhoprick, ſhall be charged by vertue of this Act, for any arrerages of Tenthes or Subſidie, otherwiſe or in any other maner than he might lawfully haue beene before the making of this Act: Any thing herein contained to the contrary thereof notwithſtanding.

Accomptants whoſe receipt exceedeth not CCC.l.

And bee it alſo further prouided and enacted by the authoritie aforeſaid, That this Act or any thing therein contained, ſhall not in any wiſe extend to charge any Treaſurer, Receiuer, Teller, Cuſtomer, Collector or Accomptant aforeſaid, hauing any yearely receipt, nor any their Lands, Tenements or Hereditaments, whoſe yearely receipt, collection and charge or whole whole receipt from the beginning of his charge, is not or hath not beene, or hereafter ſhall not be, aboue the ſumme of CCC.li. otherwiſe, or in any other maner and forme than he or they might lawfully haue been charged before the making of this Act: Any thing herein contained to the contrary thereof notwithſtanding.

And foraſmuch as ſundry the Accomptants before named, namely the Treaſurer of the Chamber, and Coferer of the houſhold of our ſaid Soueraigne Lady the Queene, her Heires, and Succeſſors, Treaſurers of Wars or Garriſons, Treaſurers of the Nauie, Treaſurers or Receiuers of any ſummes of money for prouiſion of victuall, or for fortifications, or for buildings, and Maſter of the Wardrobe, are by order of their offices and charge, after their accompts ended and determined, to diſburſe, expend, and defray the debt remainig vpon their accompts, in ſuch charges as are neceſſarily and incidently to be ſpent and prouidnd in their offices and charges, ſo as they are not of ſuch ſummes of money or debt remaining vpon their accompt, to make preſent payment and ſatisfaction as other accomptants are:

Accomptants which are not to make preſent payment.

Bee it therefore enacted and ordained by the authoritie aforeſaid, That this Act or any thing therein contained, ſhall not extend to giue any power or authoritie to make ſale of any Lands, Tenements or Hereditaments, for any ſuch debt to be ſet and adiudged in any of his or their accompts mentioned in this branch, vnleſſe the Queenes Maieſty, her Heires and Succeſſors, vpon the ending or determining of his or their accompts (all his or their due petitions to them vpon the ſame accompts being allowed) require or command preſent payment thereof, or otherwiſe eftſoones require a new accompt of the ſame debt, ſo ſet or remaining in any the accompts mentioned in this branch: and that then the ſame debt, or any part thereof, ſhall bee found to bee owing and vnexpended in the matters or charges pertaining to any of their ſaid offices or charges mentioned in this branch, and the ſame debt remaine vnpayed by the ſpace of ſix months after ſuch requeſt or commandement.

This act ſhall not charge any Sheriffe, Eſcheator, or Bayliffe of liberties.

Prouided alway, that this Act ſhall not extend to charge any Sheriffe, Eſcheator or Bailiffe of Liberties, or the Lands, Tenements, or Hereditaments, of any Sheriffe, Eſcheator or Bailiffe of Liberties, nor of any their heires or aſſignes, for any thing touching his or their office of Sheriffwike, Eſcheatorſhip or Bayliffewike, nor for any money by him or them receiued, or to be receiued, by reaſon of any their ſaid offices, otherwiſe, or in any other manner than he or they might lawfully haue beene charged before the making of this Act: Any thing herein contained to the contrary notwithſtanding.

Lands purchaſed Bona fide.

Prouided alſo, That this Act as touching onely the ſale of any Lands or Tenements, ſhall not extend to any Lands, Tenements or Hereditaments, which any perſon or perſons now haue or enioy, and haue purchaſed or obtained Bona fide, and not being priuy or conſenting vnto any ſuch intent to defraud the Queenes Maieſty, as is aboue ſayd. And that it ſhall bee lawfull to euery perſon and perſons, whoſe Lands, Tenements or Hereditaments, ſhall by any office or inquiſition, be found to be fraudulently conueyed or aſſured as is aboue ſayd, to haue his or their lawfull Trauerſe to euery ſuch office or inquiſition: and if it be found with the party that tendreth the Trauerſe, that then he ſhall haue the ſaid Lands out of the Princes hands, without any petition, liuerie, or Ouſter le maine, or any other ſuit to be had, made or vſed: and the ſame being found, for ſuch perſon or perſons ſo trauerſing, the ſame Lands, Tenements and Hereditaments, ſhall bee adiudged as not liable, chargeable, nor to be ſold by force of this Statute.

Any party grieued may haue his Trauerſe.

If the Q. doe ſell the accomptants lands, his ſureties ſhall be diſcharged for ſo much.

Prouided alſo, and be it enacted, that if the Queenes Maieſty, her Heires or Succeſſors, ſhall by any ſale of lands by force of this ſtatute, be fully ſatisfied of the debt or arrerages of any ſuch accomptant or debtor, or any part thereof, then the ſureties of ſuch accomptant or debtor ſhall bee diſcharged of ſo much of the ſaid debt, foꝛfeiture and arrerage, as ſo ſhall be ſatisfied, and foꝛ the reſidue only, ſhall be ratably accoꝛding to their habilities charged: any thing in this oꝛ any other ſtatute to the contrary notwithſtanding.

Pꝛouided alwayes, that this Act noꝛ any thing therein contained, ſhall in any wiſe extend to charge Henry Golding, Eſquire, and Thomas Neale one of the Quéenes Maieſties Auditoꝛs, oꝛ the Lands oꝛ Tenements of eyther of them, to whom the Quéenes Maieſtie hath demiſed any cuſtomes, ſubſidies oꝛ impoſts, in any thing onely touching the ſaid demiſe and leaſe, otherwiſe, oꝛ in any other manner than they might haue been lawfully charged if this Act had neuer béen had oꝛ made, except they oꝛ eyther of them doe hereafter take any of the pꝛofits of the ſaid ſubſidies, cuſtomes oꝛ impoſts, by foꝛce of the ſayd demiſe: Any thing herein contained to the contrary thereof notwithſtanding. 14 Eliz.7. 27.Eliz.3. 1.Iac.25.

Certain perſons not chargeable by this act.

Cap. V.

Fraudulent deeds made to auoyd the debts of others ſhall be voyde, and the penalties of the parties to ſuch fraudulent aſſurances.

FOꝛ the auoyding and aboliſhing of feigned, couenous and fraudulent Feoffements, Gifts, Gꝛants, Alienations, Conueyances, Bonds, Suits, Judgements and Executions, as well of Lands and Tenements, as of goods and Cattels, moꝛe commonly vſed and pꝛactiſed in theſe dayes, than hath béene ſéene oꝛ heard of heretofoꝛe: which Feoffments, Gifts, Gꝛants, Alienations, Conueyances, Bonds, Suits, Judgements and Executions, haue béene and are deuiſed and contriued of malice, fraud, couin, colluſion oꝛ guile, to the end, purpoſe and intent, to delay hinder oꝛ defraud creditoꝛs and others of their iuſt and lawfull Actions, Suites, Debts, Accompts, Damages, Penalties, Foꝛfeitures, Heriots, Moꝛtuaries, and Reléefes, not only to the let oꝛ hinderance of the due courſe and execution of Law and Juſtice, but alſo to the ouerthꝛow of all true and plaine dealing, bargaining and cheuiſance betwéene man and man, without the which no Common wealth oꝛ ciuill ſocietie can be maintained oꝛ continued.

The end and intent of fraudulent conueyances.

Be it therefoꝛe declared, oꝛdained and enacted by authoꝛity of this pꝛeſent Parliament, That all and euery Feoffement, Gift, Gꝛant, Alienation, Bargaine and [a] Conueyance of Lands, Tenements, Hereditaments, Goods and Cattels, oꝛ of any of them, oꝛ of any Leaſſe, Rent, Common oꝛ other pꝛofit oꝛ charge, out of the ſame Lands, Tenements, Hereditaments, Goods and Cattels oꝛ any of them, by wꝛiting oꝛ otherwiſe: and all and euery bond, ſuit, iudgement and execution, at any time had oꝛ made ſithence the beginning of the Quéenes Maieſties reigne that now is, oꝛ at any time hereafter to be had oꝛ made, to oꝛ foꝛ any intent oꝛ purpoſe befoꝛe declared & expꝛeſſed, ſhall be from hencefoꝛth déemed and taken (onely as againſt that perſon oꝛ perſons, his oꝛ their heires, ſucceſſoꝛs, executoꝛs, adminiſtratoꝛs and aſſignes, and euery of them, whoſe actions, ſuits, debts, accompts, damages, penalties, foꝛfeitures, heriots, moꝛtuaries and reléefes, by ſuch guilefull, couenous oꝛ fraudulent deuices and pꝛactices, as is afoꝛeſaid, are, ſhall oꝛ might bée in any wiſe diſturbed, hindered, delayed oꝛ defrauded) to be cléerely and vtterly voyd, fruſtrate, and of none effect: any pꝛetence, colour, feigned conſideration, expꝛeſſing oꝛ vſe, oꝛ any other matter oꝛ thing to the contrary notwithſtanding.

All fraudulent conueyances made to auoyd the debt oꝛ duty of others, ſhall be voyd. Raſt.pla.f.207.

And be it further enacted by the authoꝛity afoꝛeſaid, that all and euery the parties to ſuch feigned, couenous oꝛ fraudulent feoffement, gift, grant, alienation, bargaine, conueyance, bonds, ſuits, iudgement, [b] executions, and other things befoꝛe expꝛeſſed, and being pꝛiuy and knowing of the ſame, oꝛ any of them, which at any time after the tenth day of June next comming, ſhall wittingly and willingly put in vꝛe, auow, maintaine, iuſtifie oꝛ defend the ſame, oꝛ any of them, as true, ſimple and done, had oꝛ made Bona fide, and vpon good conſideration: oꝛ ſhall alien oꝛ aſſigne any the Lands, Tenements, Goods, Leaſſes, oꝛ other things befoꝛe mentioned, to him oꝛ them conueyed as is afoꝛeſaid, oꝛ any part thereof, ſhall incurꝛe the penalty and foꝛfeiture of one years value of the ſayd Lands, Tenements and Hereditaments, Leaſſes, Rents, Commons, oꝛ other pꝛofits, of oꝛ out of the ſame, and the whole value of the ſaid goods and cattels, and alſo ſo much mony as are oꝛ ſhall be contained in any ſuch couenous and feigned bond: the one moitie whereof to be to the Quéenes Maieſty, her heires and ſucceſſoꝛs, and the other moity to the party oꝛ parties grieued by ſuch feigned and fraudulent feoffement, gift, grant, alienation, bargain, conueyance, bonds, ſuits, iudgements, executions, leaſſes, rents, commons, pꝛofits, charges, and other things afoꝛeſaid, to be recouered in any of the Quéenes Courts of Recoꝛd, by action oꝛ debt, bill, plaint, oꝛ infoꝛmation, wherein none eſſoine, pꝛotection, oꝛ wager of Law ſhall be admitted foꝛ the defendant oꝛ defendants, and alſo being thereof lawfully conuicted, ſhall ſuffer impꝛiſonment foꝛ one halfe yeare without bayle oꝛ mainpꝛize.

The foꝛfeiture of the parties to fraudulent deeds. b.Coke pla. f.162.

Who ſhall haue the foꝛfeiture, and by what meanes.

Pꝛouided alwayes, and bee it further enacted by the authoꝛity afoꝛeſayd, that whereas ſundꝛy common recoueries of Lands, Tenements and Hereditaments, haue heretofoꝛe béene had, and hereafter may bee had againſt Tenant in taile, oꝛ other Tenant of the fréeholde the reuerſion oꝛ remainder, oꝛ the right of reuerſion oꝛ remainder then being in any other perſon oꝛ perſons, that

Common recoueries againſt the tenants of freehold.

euery ſuch common recouery heretofore had, and hereafter to be had of any Lands, Tenements or Hereditaments, ſhall as touching ſuch perſon and perſons, which then had any remainder or reuerſion, or right of remainder or reuerſion, and againſt the heires of euery of them, ſtand, remaine and be of ſuch like force and effect, and of none other, as the ſame ſhould haue béene if this Act had neuer béen had, ne made.

Making an eſtate whereby a voucher may be vſed in a Formedon.

Prouided alwayes, and be it further enacted by the authority aforeſaid, That this Act or any thing therein contained, ſhall not extend to make voyde any eſtate or conueyance, by reaſon whereof any perſon or perſons ſhall vſe any voucher in any Writ of Formedon, now depending or hereafter to bee depending, but that all and euery ſuch vouchers in any Writ of Formedon, ſhall ſtand and be in like force and effect, as if this Act had neuer béen had, ne made: any thing before in this Act contained to the contrary notwithſtanding.

Eſtates made vpon good conſideration, and Bona fide.

Prouided alſo, and be it enacted by the authoritie aforeſaid, That this Act or any thing therein contained, ſhall not extend to any eſtate or intereſt in Lands, Tenements, Hereditaments, Leaſſes, Rents, Commons, Profits, Góods or Cattels, had, made, conueyed or aſſured, or hereafter to be had, made, conueyed or aſſured, which eſtate or intereſt, is or ſhall be vpon góod conſideration and Bona fide, lawfully conueyed, or aſſured to any perſon or perſons, or bodies Politike or Corporate, not hauing at the time of ſuch conueyance or aſſurance to them made, any maner of notice or knowledge of ſuch couin, fraud or colluſion as is aforeſaid: any thing before mentioned to the contrary hereof notwithſtanding.

This Act to endure vnto the end of the firſt Seſſion of the next Parliament. 29. Eliz. 5. made perpetuall. 2.R.2.3. 3.H.7.4. 50.Ed.3.6.

CAP. VI.

Exemplification of Letters Patents ſhall be as effectuall to be ſhewed or pleaded, as the ſaid Letters Patents were.

A ſupply of the Sta. of 3. & 4. Ed. 6. 4.

FOr the auoyding of all ſuch doubts, queſtions, and ambiguities, as heretofore haue riſen and béene moued, and of ſuch as hereafter might riſe and be moued, in and vpon the Statute made in the Parliament, begun and holden at Weſtminſter the fourth day of Nouember, in the third yeare of the reigne of our late Soueraigne Lord King Edward the ſixth, entituled, An Act concerning Graunts and Gifts, made by Patentées out of Letters Patents, and for a due and full ſupply of all ſuch wants as may be thought to be therein.

An exemplification of Letters Patents ſhall be of the ſame force as the Letters Patents themſelues.

a Co. Inſt.7

390.b.

c Coke li.5.

Dyer f.167.17

Co. Inſt.115

Be it enacted and [a] declared by the authoritie of this preſent Parliament, That all and euery Patentée and Patentées, their heires, ſucceſſors, executors, and aſſignes, and all and euery other perſon and perſons, hauing by, or from them, or any of them, or vnder their title, any eſtate or intereſt, of, in, or to any lands, tenements, or hereditaments, or any other thing whatſoeuer, to ſuch [c] Patentée or Patentées heretofore granted by any Letters Patents, eyther of the moſt famous Princes, King Henrie the eighth, King Edward the ſixth, Quéen Mary, King Philip and Quéene Mary, or by any of them, or by the Quéenes moſt excellent Maieſtie that now is, at any time ſithence the fourth day of February, in the xxvii. yeare of the reigne of the ſaid late King Henry the eighth, or elſe by the Quéenes Maieſtie that now is, her heires, or ſucceſſors, at any time hereafter to be granted, ſhall & may at all times hereafter, in any of the Quéenes highneſſe Courts, her heires, or ſucceſſors, and elſewhere, by the authority of this preſent Act, make and conuey, and be allowed and ſuffered to make and conuey, to and for him, them, and euery of themſelues, ſuch claime or title, by way of Declaration, Plaint, Auowrie, Barre, Replication, or other pleading whatſoeuer, as well againſt the Quéenes Highneſſe, her heires, and ſucceſſors, and euery of them, as againſt all and euery other perſon and perſons whatſoeuer, for, or concerning the lands, tenements, hereditaments, or other things whatſoeuer, ſpecified or contained in any ſuch Letters Patents, or of, for, or concerning any part or parcell thereof, by ſhewing forth an Exemplification, or Conſtat, vnder the great Seale of England, of the enrolment of the ſame Letters Patents, or of ſo much thereof, as ſhall and may ſerue, to, or for ſuch title, claime, or matter, the ſame Letters Patents then being and remaining in force, not lawfully ſurrendred nor cancelled, for, or concerning ſo much and ſuch part and parcell of ſuch lands, tenements, hereditaments, or other thing, whereunto ſuch title or claime ſhall be made, as if the ſame Letters Patents ſelfe were pleaded, and ſhewed forth: Any Law, Vſage, or other thing whatſoeuer to the contrary notwithſtanding. Coke pla. fol. 541.

CAP. VII.

Who is a Bankrupt, how and by whom his body, lands, and goods ſhall be ordered for payment of the creditors.

34.H.8.4.

FOr as much as notwithſtanding the Statute made againſt Bankrupts, in the xxxiiii. yeare of the reigne of our late Soueraigne Lord King Henrie the eighth, thoſe kind of perſons haue & doe ſtill increaſe into great and exceſſiue numbers, and are like more to doe, if ſome better prouiſion viſion be not made for the repreſſion of them. And for a plaine declaration to be made and ſet forth, who is and ought to be taken and deemed for a Bankrupt: Therefore bée it enacted and eſtabliſhed by the authoritie of this preſent Parliament, That if any Merchant or other perſon, vſing or exerciſing the trade of merchandize, by way of Bargaining, Exchange, Rechange, Bartry, Cheuiſance, or otherwiſe, in groſſe, or by retaile, or ſéeking his or her trade of liuing by buying and ſelling, and being ſubiect borne of this Realme, or of any the Quéenes Dominions, or Denizen, ſithence the firſt day of this preſent Parliament hath, or at any time hereafter ſhall depart the Realme, or begin to kéepe his or her houſe or houſes, or otherwiſe to abſent him or her ſelfe, or take Sanctuary, or ſuffer him or her ſelfe willingly to be arreſted for any debt or other thing, not growne or due for Money deliuered, Wares ſold, or any other iuſt or lawfull cauſe, or good conſideration or purpoſes, hath or will ſuffer him or her ſelfe to be outlawed, or yeeld him or her ſelfe to priſon, or depart from his or her dwelling houſe or houſes, to the intent or purpoſe to defraud or hinder any of his or her Creditors, being alſo a ſubiect borne, as is aforeſaid, of the iuſt debt or duty of ſuch Creditor or Creditors, ſhall be reputed, déemed, and taken for a Bankrupt.

Who ſhall be ſaid a bankrupt.

The L. Chancellour may grant a commiſſion to take order for bankrupts bodies, lands, and goods.

The authoritie of the Commiſſioners.

And be it enacted by the authoritie aforeſayd, That the Lord Chancellour of England, or Lord Kéeper of the great Seale of England for the time being, vpon euery complaint made to him in writing, againſt any ſuch perſon or perſons being bankrupt, as is before defined, ſhall haue full power and authoritie by Commiſſion vnder the great Seale of England, to name, aſſigne, and appoint, ſuch wiſe and honeſt diſcréete perſons, as to him ſhall ſéeme good: Who or the moſt part of them, by vertue of this Act and of ſuch Commiſſion, ſhall haue full power and authoritie, to take by their diſcretions ſuch order and direction, with the body and bodies of ſuch perſon, whereſoeuer he or ſhée may be had, either in his or her houſe or houſes, ſanctuary or elſe where, as well by impriſonment of his or her body or bodies, as alſo with all his or her Lands, Tenements, Hereditaments, as well Copie or Cuſtomary hold, as Frée hold, which he or ſhée ſhall haue in his or her owne right, before he or ſhée became bankrupt, and alſo with all ſuch Lands, Tenements and Hereditaments, as ſuch perſon ſhall haue purchaſed, or obtained for money, or other recompence iointly with his wife, children or childe, to the onely vſe of ſuch offendor or offendors, or of, or for ſuch vſe, intereſt, right or title, as ſuch offendor or offendors then ſhall haue in the ſame, which he or ſhée may lawfully depart withal, or with any perſon or perſons, of truſt to any ſecret vſe of ſuch offendor or offendors, and alſo with his or her money, goods, cattels, wares, merchandizes and debts, whereſoeuer they may be found or knowne, and cauſe the ſaid Lands, Tenements, Fées, Annuities, Offices, Goods, Cattels, Wares, Merchandizes and Debts, to be ſearched, viewed, rented, and appryſed to the beſt value they may, and by Déed indented, inrolled in one of the Quéenes Maieſties Courts of Record, to make ſale of the ſaid Lands, Tenements, and Hereditaments, and of all Déedes, Writings, and Euidences, touching onely the ſame, belonging to ſuch offendor or offendors, debtor or debtors, and alſo of all Fées, Annuities, Offices, Goods, and Cattels, or otherwiſe to order the ſame for true ſatiſfaction and payment of the ſaid Creditors: that is to ſay, To euery of the ſaid Creditors a portion, rate and rate like, according to the quantity of his or their debts: and that euery direction, order, bargaine, ſale, and other things done by the ſaid perſons ſo authoriſed, as is aforeſaid, in forme aforeſaid, ſhall be good and effectuall in the Law, to all intents, conſtructions, and purpoſes, againſt the ſaid offendor or offendors, debtor or debtors, his or their wife or wiues, heire and heires, childe and children, and ſuch perſon and perſons, as by ſuch ioynt purchaſe with the ſaid offendor or offendors, as is aforeſaid, haue or ſhall haue any eſtate or intereſt in the premiſſes, and againſt all other perſon and perſons, clayming by, from, or vnder ſuch offendor or offendors, debtor or debtors, by any Act or Acts had, made, or done after any ſuch perſon ſhall become bankrupt, as is aforeſaid, and alſo againſt the Lords of the Manors, whereof the ſaid Copyhold or Cuſtomary lands béene holden, their heires, ſucceſſors, and aſſignes, and euery of them.

The Commiſſioners may ſel bankrupts lands, goods, &c.

Againſt what perſons the Commiſſioners ſale of a bankrupts lands, goods, &c. ſhalbe auaileable.

Vendees of Copyhold lands ſhall compound with the Lord of the manor for their fines.

Prouided alwayes, and be it enacted by the authority aforeſaid, That all and euery perſon or perſons, to whom any ſuch ſale of Copyhold, or Cuſtomary Lands, or Tenements ſhall be made, ſhall before ſuch time as they or any of them ſhall enter or take any profit of the ſame Lands or Tenements, agree and compound with the Lords of the Manors of whom the ſame ſhall be holden, for ſuch Fines or incomes as heretofore hath béene moſt vſuall and accuſtomed to be yeelded or paid therefore: and that vpon euery ſuch agreement or compoſition, the ſaid Lords for the time being, at the next Court to be holden at or for the ſaid Manors, ſhall not onely grant vnto the ſaid Vendee or Vendees, vpon requeſt, the ſame Copy or Cuſtomary Lands or Tenements, by Copy of Court Roll, of the ſame manors, for ſuch eſtate or intereſt as to them ſhall be ſo ſold, and reſeruing the ancient Rents, Cuſtomes, and Seruices: but alſo in the ſame Court admit them tenants of the ſame Copy or Cuſtomary lands, as other Copyholders of the ſame Manors haue béene wont to be admitted, and to receiue their fealty accordingly.

The Commiſſioners ſhall declare to the bankrupt how they haue beſtowed his lands & goods.

Prouided alwayes, and be it enacted by the authority aforeſaid, That ſuch of the ſaid Commiſſioners as ſhall put the ſaid Commiſſion in execution, ſhall vpon lawfull requeſt to them made by the ſaid Bankrupt, not onely make a true declaration to the ſame Bankrupts, of the imploying ſing and beſtowing of their ſaid lands, tenements, offices, fées, goods, cattels, and debts ſo payed and ſatiſfied to their ſaid creditors, but alſo make payment of the ouerplus of the ſame (if any ſuch ſhall be) to the ſayd bankrupts, their executors, adminiſtrators, or aſſignes.

The remedy where goods or debts of Bankrupts bee in the hands of others.

And be it further enacted by authority aforeſaid, that if after any ſuch act or offence committed, and complaint thereof made to the ſaid Commiſſioners ſo to be appointed, as is aforeſayd, or the more part of them, by any party grieued, as is aforeſaid, concerning the premiſſes, knowing, ſuppoſing, or ſuſpecting any of the goods, cattels, wares, merchandizes, or debts of ſuch offendor or offendors, debtor or debtors, to be in cuſtody, vſe, occupying, kéeping or poſſeſſion of any perſon or perſons, or any perſon or perſons to be indebted to any ſuch offendor or offendors, doe make relation thereof to the ſaid Commiſſioners ſo to bee appointed, or the more part of them: that then the ſaid Commiſſioners, or the moſt part of them, ſhall by vertue hereof and of the ſaid Commiſſion, haue full power and authority to ſend for, and call before them by ſuch proceſſe, wayes or meanes, as they ſhall thinke conuenient by their diſcretions, all and euery ſuch perſon and perſons ſo knowne, ſuſpected, or ſuppoſed to haue any ſuch goods, cattels, wares, merchandizes, or debts, in his or their cuſtody, vſe, occupation, kéeping or poſſeſſion, or ſuppoſed, or ſuſpected to be indebted, to ſuch offendor or offendors, and vpon their appearance, to examine them, and euery of them, as well by their oaths as otherwiſe, by ſuch wayes and meanes as the ſaid Commiſſioners, or the more part of them, by their diſcretions ſhall thinke méete and conuenient, for and vpon the ſpecialty, certainty, true declaration, and knowledge of all and ſingular ſuch goods, cattels, wares, merchandizes, and debts of any ſuch offendour or offendours, as be ſuppoſed or ſuſpected to be in his or their cuſtody, vſe, occupation or poſſeſſion, and all ſuch debts as by them or any of them, ſhall be ſuppoſed or ſuſpected to be owing to any ſuch offendor or offendors.

The penalty of ſuch as be examined that will not diſcloſe the truth or refuſe to ſweare.

How the forfeiture ſhall be recouered and imployed.

And if any ſuch perſon or perſons vpon ſuch examination, doe not diſcloſe and plainely declare, and ſhew the whole truth of ſuch things as he or they ſhall be examined of concerning the premiſſes to his knowledge, or doe deny to ſweare: then euery ſuch perſon or perſons ſo denying to ſweare, or being examined doe not declare the plaine and whole truth concerning the premiſſes, vpon due proofe thereof to be made before the ſaid Commiſſioners, or the more part of them ſo to be appointed, as is aforeſaid, by witneſſe, examination, or otherwiſe, as to the ſaid Commiſſioners, or the more part of them ſhall ſéeme ſufficient in that behalfe, ſhall loſe and forfeit double the value of all ſuch goods, cattels, wares, merchandizes, and debts, by them or any of them ſo concealed, and not wholly and plainely declared and ſhewed: which forfeiture ſhall be leuied by the ſaid Commiſſioners, or the more part of them, of the lands, tenements, hereditaments, goods and cattels, of ſuch perſon ſo denying to ſweare, or not diſcloſing the whole truth, as is aforeſaid, by ſuch wayes and meanes, and in ſuch manner and forme, as is before limitted and appointed for the principall offendor or offendors, debtor or debtors, and the ſame forfeiture or forfeitures to be diſtributed, or imployed to and for the ſatisfaction and payments of the debts of the ſaid creditor or creditors, in ſuch like manner, rate, and forme, as is aboue declared, concerning the ordering of the lands, and tenements, offices, fées, goods, and cattels, of ſuch offendor or offendors, debtor or debtors, as is aforeſaid.

A remedy againſt them which doe detaine the goods of Bankrupts.

And be it further enacted, That if at any time before or after that any ſuch perſon or perſons departeth the Realme, or ſhall kéepe his or their houſe or houſes, or otherwiſe abſent him or themſelues, or take ſanctuary, or ſuffer him or themſelues to be arreſted, outlawed, or yéeld his or their bodies to priſon, as is aforeſaid: any perſon or perſons doe fraudulently by couin or colluſion, claime, demaund, recouer, poſſeſſe, or detaine any debts, duties, goods, cattels, lands, or tenements, by writing, truſt, or otherwiſe, which were or ſhall be due, belonging or appertaining to any ſuch offendor or offendors, other than ſuch as he or they can and doe proue to be due by right and conſcience in forme aforeſaid, for money payed, wares deliuered, or other iuſt conſideration or cauſe reaſonable, to the iuſt value thereof, before the ſaid Commiſſioners ſo to bee appointed, or the more part of them, as is aforeſaid, and the ſame to procéede (bona fide) without fraud or couin: that then euery ſuch perſon or perſons, ſo craftily demanding, claiming, hauing, poſſeſſing, or detaining any ſuch debt, duty or other thing, as is aforeſaid, ſhall forfeit and loſe double as much as he or they ſhall ſo claime, demand, detaine, or poſſeſſe, which ſaid forfeiture ſhall be leuied, recouered, and imployed in maner and forme as is afore rehearſed.

How the forfeitures ſhall be beſtowed after the bankrupts debts be paid.

Prouided alſo, and be it enacted by authority aforeſaid, that if it ſhall fortune the creditors of any ſuch bankrupt, as is aforeſaid, to be ſatiſfied and payed of their debts and duties, of, or with the proper lands, tenements, goods, cattels, and debts of the ſaid bankrupts, or of, or with the ſame, and ſome part of the forfeitures of the ſaid double values to be forfeited, as is aforeſaid, and that there ſhall remaine an ouerplus of the ſayd forfeiture of the ſaid double values: that then the one moity of the ſaid ouerplus of the ſaid forfeitures of the double values ſo remaining, ſhall bée by the ſaid Commiſſioners ſo executing the ſaid Commiſſion, within conuenient time after the leuying thereof, payd vnto the Quéenes Maieſty, her heires and ſucceſſors, and the other moity thereof ſhall bée by the ſaid Commiſſioners, employed and diſtributed to and amongſt the poore within the Hoſpitals in euery City, towne, or county, where any ſuch bankerupt ſhall happen to be: Any thing in this Act to the contrary thereof, notwithſtanding.

And be it further enacted by authority aforeſayd, that if any ſuch perſon or perſons which is or ſhall be indebted, doe of purpoſe withdraw him or themſelues out or from his or their vſuall manſion houſe or houſes: that then vpon complaint thereof made to the ſayd Commiſſioners hauing authority, as is aforeſayd, the ſame Commiſſioners, or the more part of them, ſhall by vertue and authority of this preſent Act, haue full power & authority to award fiue Proclamations to be made in the Queenes name, vpon fiue ſundry market dayes, in ſuch places neere the place where ſuch bankrupt hath moſt commonly dwelled or made his abode, commanding him or them by the ſame Proclamations in the Queenes name to returne with all conuenient ſpeed, and to yeeld his or their bodie before the ſayd Commiſſioners, hauing authority as is aforeſayd, or one of them, at ſuch time and place as by the ſayd Proclamation ſhall be appointed: and if the ſayd perſon doe not according to ſuch Proclamation repaire and yeeld his or their body, as is aforeſayd, that then the body of all and euery ſuch offendor or offendors, ſhall be adiudged, taken, and deemed to all intents and purpoſes out of the Queenes protection: and that alſo euery perſon and perſons that ſhal willingly and wittingly helpe to hide or conuey, or ſhal willingly and wittingly receiue, detaine, or keepe ſecretly any perſon or perſons ſo demanded by Proclamation as is aforeſaid, ſhall ſuffer ſuch paines by impriſonment of his or their bodies, or pay ſuch fine to our Soueraigne Lady the Queens Maieſty, her heires and ſucceſſors, as to the ſaid Lord Chancellor, or Lord Keeper of the great ſeale (being informed thereof) by the Commiſſioners ſo to be appointed as is aforeſayd, or the more part of them, ſhall ſeeme meete and conuenient for their ſaid offence or offences.

A Remedy againſt him which withdraweth himſelfe from his dwelling place.

The penalty of a Banckerupt not yeelding himſelfe after Proclamation, & of ſuch as doe hide, or receiue him.

Prouided alwaies, and be it further enacted, that if the creditors of any ſuch offendor or offendors, debtor or debtors, which ſo doe depart the Realme, keepe his or their houſe or houſes, or otherwiſe abſent or withdraw him or themſelues into places vnknowen, or take Sanctuarie, or wil ſuffer him or themſelues to be arreſted or outlawed, or yeeld his or their bodies into priſon purpoſely, & for the cauſes aforeſaid, be not fully ſatiſfied or otherwiſe contented for their debts & duties by the waies & meanes before ſpecified and declared: that then the ſaid creditor or creditors, and euerie of them, ſhall and may haue their remedy for the recouery & leuying of the reſidue of their ſayd debts or duties, whereof they ſhall not be fully ſatiſfied, payd, or otherwiſe contented in forme aforeſayd, againſt the ſayd offendor or offendors, in like manner and forme as they ſhould and might haue had before the making of this Act. And that the ſayd creditor or creditors, and euery of them, ſhall be onely barred & excluded by vertue of this Act, of and for euery ſuch part & portion of the ſayd debts and duties as ſhall be payd, ſatiſfied, diſtributed, or deliuered vnto him or them by order of the ſayd perſons, as is aforeſayd, and of no more portion or parcell thereof: Any thing herein ſpecified that may be taken or conſtrued to the contrary notwithſtanding.

A remedy for the Creditor if he be not ſatiſfied of his whole debt.

Prouided alwayes, and be it alſo enacted by authority aforeſaid, that if any perſon or perſons, which is or ſhall be publiſhed and declared to be a Bankrupt by vertue of this Act, ſhall at any time after purchaſe any lands, tenements, hereditaments, free or copy, offices, fees, goods or cattels: or that any lands, tenements, hereditaments, free or copy, offices, fees, goods or cattels ſhall deſcend, reuert, or by any meanes come to any ſuch perſon or perſons being Bankrupts as is aforeſaid, before ſuch time as their debts due to their creditors ſhall be fully ſatiſfied and payed, or otherwiſe agreed for: that then the ſaid lands, tenements, hereditaments, as well free as copy, offices, fees, goods and cattels, ſhall by vertue of this Act, be by the ſaid Commiſſioners to be appointed as is aforeſaid, or the more part of them, be bargained, ſold, extended, deliuered and vſed in and towards the payment of the ſaid creditors, in ſuch like maner & forme as other the lands, tenements, hereditaments, free or copy, offices, fees, goods, and cattels of the ſaid Bankrupts, which they had when they were declared firſt to be Bankrupts, ſhould or might haue beene bargained, ſold, diſpoſed, or vſed by vertue of this Act.

Lands &c. extendable which be purchaſed, or doe deſcend to a Bankrupt.

li.fo. Prouided alwayes, that this Act ſhall not extend to any lands, tenements, or hereditaments, free or copy hold, which heretofore haue beene aſſured by any ſuch Bankrupt, or hereafter ſhall be aſſured by any Bankrupt before he become Bankrupt: ſo alwayes that ſuch aſſurance bee made bona fide, and not to the vſe of the Bankrupt himſelfe onely, or of his heyres: and that the parties to whoſe vſe ſuch aſſurance hath or ſhall be made, be not at or before the making of ſuch aſſurance, priuy or conſenting to the fraudulent purpoſe of any ſuch Bankrupt, to deceiue his creditors, 1. Iac. 15. 21. Iac. 19.

Lands conueyed away before the party become Bankrupt.

CAP. VIII.

The Stat. of 37.H.8.9. reuiued, and the Stat. of 5. Ed.6.20. repealed, both which were made againſt vſurie, &c.

37.H.8.9.

5.Ed.6.20.

WHereas in the Parliament holden the ſeuen and thirtieth yeare of the raigne of our late Soueraigne Lord King Henry the eighth of famous memorie, there was then made and eſtabliſhed one good Act for the reformation of vſurie, by which Act, the vice of vſurie was well repreſſed, and ſpecially the corrupt cheuiſance and bargaining by way of ſale of wares, and ſhifts of intereſt. And where ſince that time by one other Act made in the fifth and ſixth yeares of the raigne of our late Soueraigne Lord King Edward the ſixth, the ſaid former Act was repealed, and new proviſoes for repreſſing of vſurie deuiſed and enacted: which ſaide later Act hath not done ſo much good as was hoped it ſhould, but rather the ſaid vice of vſurie, and ſpecially by way of ſale of wares, and ſhiftes of intereſt, hath much more exceedingly abounded, to the vtter vndoing of many Gentlemen, Merchants, occupiers, and other, and to the importable hurt of the Common-wealth, as well for that in the ſaid later Act there is no proviſion againſt ſuch corrupt ſhifts and ſales of wares, as alſo for that there is no difference of paine, forfeiture, or puniſhment, vpon the greater or leſſer exactions and oppreſſions, by reaſon of loanes vpon vſurie.

The Stat. of 5.&6.Ed.6.20. repealed, & the Stat. of 37.H.8.9. reuiued.

Be it therefore enacted, that the ſaid later Statute made in the fifth and ſixth yeares of the raigne of King Edward the ſixth, and euery branch and article of the ſame, from and after the fiue and twentieth day of Iune next comming, ſhall be vtterly abrogated, repealed, and made voyd: and that the ſaid Act made in the ſeuen and thirtieth yeare of King Henry the eighth, from and after the ſaid fiue and twentieth day of Iune next comming, ſhall be reuiued, and ſtand in full force, ſtrength and effect.

All contracts & aſſurances whereby aboue x.li. in the C. li. ſhall be reſerued, ſhall be void. Raſt.pla.f.689.

And be it further enacted, that all bonds, contracts, and aſſurances, collaterall or other, to be made for payment of any principall, or money to be lent, or couenant to be performed vpon or for any vſury in lending or doing of any thing againſt the ſaid Act now reuiued, vpon or by which lone or doing there ſhall be reſerued or taken aboue the rate of x.li. for the hundred for one yeare, ſhall be vtterly voide.

The penaltie of Brokers, & driuers of vſurious bargains. Cok.pla.f.435.

And be it further enacted, that all Brokers, Solicitors, and driuers of bargaines, for contracts or other doings againſt the ſaid Statute now reuiued, whereupon ſhall be reſerued or taken more then after the rate of tenne pound for the lone of one hundred pound for a yeare, ſhall be to all intents and purpoſes iudged, puniſhed, and vſed as Counſellors, Attorneys, or Aduocates, in any caſe of præmunire.

He that taketh x.li or leſſe for the lone of C. li. ſhall forfeit the intereſt only.

And for as much as all vſurie being forbidden by the Law of God, is ſinne and deteſtable: Be it enacted, that all vſurie, lone, and forbearing of money, or giuing dayes for forbearing of money, by way of lone, cheuiſance, ſhifts, ſale of wares, contract, or other doings whatſoeuer for gaine, mentioned in the ſaid Statute, which is now reuiued, whereupon is not reſerued, or taken, or couenanted to be reſerued, payed, or giuen to the lender, contracter, ſhifter, forbearer, or deliuerer, aboue the ſumme of tenne pound for the lone or forbearing of a hundred pound for one yeare, or after that rate for a more or leſſer ſumme or time, ſhall be from the fiue and twentieth day of Iune next comming, puniſhed, in forme following, that is to ſay, that euery ſuch offendor againſt this branch of this preſent Statute, ſhall forfeit ſo much as ſhall be reſerued by way of vſurie, aboue the principall, for any money ſo to be lent or forborne. All ſuch forfeitures to be recouered and imployed, as is limited for forfeitures by the ſaid former Statute now reuiued.

Which Magiſtrates may heare and determine the offences aforeſaid.

And be it further enacted, that Iuſtices of Oyer and Terminer, and Iuſtices of Aſſiſe in their circuits, Iuſtices of Peace in their Seſſions, Maiors, Sheriffes: and Bayliffes of Cities, ſhall alſo haue full power and authoritie to enquire, heare, and determine, of all and ſingular offences committed againſt the ſaid Statute now reuiued.

The Stat. of 37.H.8.9. ſhall be conſtrued ſtrongly for the repreſſing of vſurie.

And be it further enacted, that the ſaid Statute now reuiued, ſhall be moſt largely and ſtrongly conſtrued for the [a] repreſſing of vſurie againſt all perſons that ſhall offend againſt the true meaning of the ſaid Statute by any way or deuice, directly or indirectly.

a Cok

Prouided alway, that this Statute doth not extend, nor ſhall be expounded to extend vnto any allowances or payments for the finding of Orphans, according to the ancient rates or cuſtomes of the Citie of London, or any other Citie where like order is for the cuſtodie of Orphanes and their goods, as is in the ſaid Citie of London.

In what caſe an offendor ſhall be alſo puniſhed by the Eccleſiaſticall law.

Prouided alwayes, and be it further enacted by the authoritie aforeſaid, that if any perſon or perſons, ſhall from and after the ſaid fiue and twentieth day of Iune, offend contrarie to the ſaid Statute reuiued by this preſent Act, made in the ſeuen and thirtieth yeare of the raigne of the ſaid late King Henry the eight: that then all and euery ſuch offendor and offendors, ſhall and may alſo be puniſhed and corrected according to the Eccleſiaſticall lawes heretofore made againſt vſurie. And that all and euery perſon and perſons offending in vſury, ſhifts, or cheuiſance againſt this preſent Act, and not taking or receiuing but onely after the rate of ten pounds in the hundred, or vnder, for a yeare, ſhall be only puniſhed by the paines and forfeitures prouided and appointed by this Act, againſt ſuch as ſhall not take or receiue ouer and aboue the rate of x. li. in the hundred for a yéere, and not otherwiſe. This Act to continue and endure for and during the ſpace of fiue yéeres, next after the end of this preſent Parliament, and from thence vnto the end of the firſt Seſſion of the Parliament then next enſuing.

And be it further enacted by the authority aforeſaid, that if this preſent Act ſhall not be continued in the firſt Seſſion of the Parliament next enſuing the ſaid terme of fiue yéeres, and then in the ſame Seſſion no other Statute or Prouiſion made againſt vſury or corrupt cheuiſance: that then all and euery the Lawes and Statutes repealed by this Act, ſhall remaine and be of ſuch like force and effect, as if this preſent act had neuer béen had, ne made. 39. Eliz. 18. made perpetuall. Dyer. fol. 346. 376. St. 31. El. 5. 21. Iac. 17.

Cap. IX.

How long the Commiſſion of Sewers, and the Commiſſioners orders ſhall be in force: And who may be Commiſſioners, and who not, &c.

FOraſmuch as no Commiſſion of Sewers, by the eſtates heretofore made, may haue continuance aboue the ſpace of fiue yeares: Be it therefore enacted by the Quéenes moſt excellent Maieſty, with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from henceforth all and euery commiſſion and commiſſions of Sewers, now ſtanding in force, or that hereafter ſhall be granted and made, ſhall ſtand and continue in force for the terme of tenne yeares, next enſuing the date of euery ſuch Commiſſion, vnleſſe the ſame Commiſſion or Commiſſions, be or hereafter ſhall bee repealed, or determined, by reaſon of any new Commiſſion in that behalfe made, or by Superſedeas. And that all ſuch lawes, ordinances and conſtitutions, as be or ſhall be duly made by force of any ſuch commiſſion, according to the tenor and effect limitted in any former Statute heretofore made touching commiſſion or commiſſions of Sewers, and being written in parchment indented, and vnder the Seales of the ſayd Commiſſioners, or ſix of them (whereof the one part ſhall remaine with the Clerke appointed and to be appointed for the commiſſion of Sewers for the time being, and the other part in ſuch place as the ſame Commiſſioners, or ſix of them ſhall order and appoint) ſhall without any Certificat thereof to bee made into the Court of Chancery, and without the royall aſſent to the ſame had, ſtand and continue in full force and effect, notwithſtanding any determination of any ſuch commiſſion by Superſedeas, vntill ſuch time as the ſame lawes, conſtitutions, and ordinances ſhall be altered, repealed, or made voyde, by the Commiſſioners after to be aſſigned and appointed for Sewers, in thoſe parts where the ſame lawes, &c. ordinances and conſtitutions were made, ordained, and conſtituted, or by ſix of them.

Stat. 3. Ed. 6. 8.

Stat. 23. H. 8. 5. A Commiſſion of Sewers ſhall continue ten yeares.

The orders of the Commiſſioners of Sewers ſhall be of force without the certificat of them, or the royall aſſent.

And be it further enacted by the authority aforeſaid, that at all times from and after the end and expiration of the terme of ten yéeres, next enſuing the date or teſte of any commiſſion of Sewers hereafter to be made, all ſuch lawes, ordinances and conſtitutions, as were made by vertue of any ſuch commiſſion, and written in parchment indented and ſealed, as is aboue mentioned, without certificat thereof, or the aſſent royall to the ſame had, as is aforeſaid, ſhall notwithſtanding the determination of any ſuch commiſſion, by the expiration of the terme of tenne yeares, next enſuing the date of any ſuch commiſſion of Sewers, likewiſe continue in force, for and by the ſpace of one whole yeare then next enſuing: and that the Iuſtices of Peace in the ſhire and ſhires, where the ſame lawes, ordinances, and conſtitutions are to bée executed, within their ſeuerall commiſſions and limits, or ſix of them, whereof two to be of the Quorum, ſhall haue power and authority, by the ſpace of one whole yeare next after the expiration of euery ſuch commiſſion, to execute the ſame lawes, ordinances, and conſtitutions, and euery of them, as fully, and in as ample maner and forme, as the Commiſſioners, or any of them, named and appointed in euery or any commiſſion ſo expired might or ſhould haue done, to all intents and purpoſes, as if the ſaid commiſſion or commiſſions had continued in force.

The Commiſſioners of Sewers orders ſhall continue though the Commiſſion do expire.

The Iuſtices of Peace may for one yeare execute the Commiſſion of Sewers, vnleſſe a new Commiſſion be granted.

Prouided alwaies, and be it neuertheleſſe enacted, that if any new commiſſion of Sewers ſhall be made within the ſayd yeare, that then immediately from and after ſuch commiſſion newly made and publiſhed, the power of the ſaid Iuſtices of the Peace, and euery of them, in any wiſe concerning the execution of any ſuch lawes, ordinances, and conſtitutions of Sewers, ſhall vtterly ceaſe: any thing or things in this Act to the contrary expreſſed in any wiſe, notwithſtanding.

And be it further enacted, that no Farmor or Farmors, for terme of yeares, of any manors, A farmor of lands chargeable, ſhall not be Commiſſioner within the ſame precinct.

lands or tenements, lying or being within the precincts or limits of any ſuch commiſſion of Sewers, which be, or hereafter may be aſſeſſed and chargeable by any lawes, ordinances, or conſtitutions, made or to be made by vertue of any ſuch commiſſion, wherein he or they ſhall be named or appointed Commiſſioner, or Commiſſioners, not hauing eſtate of freehold within the Realme of England, of or in manors, lands, or tenements, of the yéerely value of forty pounds, ſhall at any time hereafter haue power to ſit, or in any wiſe intermeddle with the execution of ſuch commiſſion, or commiſſions, during the time he or they ſhall continue, or be ſuch farmor or farmors of any ſuch manors, lands, or tenements, and ſhall not haue eſtate of freehold as is aforeſayd: but that euery ſuch commiſſion, as hauing reſpect onely to euery ſuch perſon or perſons, for ſuch and ſo long time as he, or they ſhall be and continue farmer or farmers of any ſuch manors, lands, or tenements, ſhall bee déemed and adiudged in law to be as voyd, and of none effect: any thing in the ſame commiſſion, or any Statute or law heretofore made to the contrary notwithſtanding.

There ſhall be no certificat or returns of the Commiſſion.

And be it further enacted by the authority aforeſaid, that from henceforth the ſayd Commiſſioners, nor any of them, ſhall not be compelled or compellable to make any Certificate or returne of the ſaid Commiſſions, or any of them, or of any their Ordinances, Lawes, or doings, by the authority of any the ſayd Commiſſions, nor ſhall not haue any fine, paine, or amerciament ſet vpon them or any of them, or any wayes to be moleſted in body, lands, or goods for that cauſe.

The fines and amerciaments ſhall be eſtreated into the Exchequer.

And yet neuertheleſſe, to the intent the Quéenes Maieſtie our Soueraigne Lady, her heires and ſucceſſors, may bee at all times hereafter truely anſwered of all ſuch iſſues, fines, and amerciaments, as ſhall happen, grow, or be forfeited by vertue of any ſuch Commiſſion, or by the execution thereof: be it alſo enacted that the Clerke and Clerkes appointed, and hereafter to be appointed, for and in any ſuch commiſſion and commiſſions of Sewers, ſhall yearly truly eſtreat all the ſaid iſſues, fines, penalties, forfeitures, and amerciaments that ſhall be due and forfeitable to her highneſſe, her heires and ſucceſſors, and the ſame eſtreates ſhall yearely deliuer into the Court of the Exchequer, at ſuch time and times, and in ſuch maner and forme, as Iuſtices aſſigned to and for the conſeruation of the peace in any wiſe ſhould or ought to doe by vertue of their commiſſion, vpon paine to forfeit to our Soueraigne Lady the Quéene, her heires and ſucceſſors, for euery default in that behalfe made, v. li.

In what caſe a farmor of lands chargeable may be a Commiſſioner.

Prouided alwayes, that it ſhall be lawfull for any Commiſſioner, being alſo a farmer, and not hauing lands and tenements, to the cleere yéerely value of forty pounds of Freehold, to ſit by vertue of the ſayd commiſſion, and haue his voyce and full authority with others to make and eſtabliſh ordinances for Sewers, according to the tenor of the commiſſion touching and concerning all lands and tenements within the precinct of euery ſuch commiſſion, other than ſuch lands and tenements as he or they, for the time being, hold and enioy as farmer, as he or they might haue done before the making of this Statute: Any thing therein contained to the contrary notwithſtanding.

Cap. X.

Fraudulent deeds made by ſpirituall perſons to defeate their ſucceſſors of remedie for Dilapidations, ſhall be voyde, &c.

WHere diuers and ſundry Eccleſiaſticall perſons of this Realme, being endowed and poſſeſſed of ancient Palaces, manſion houſes, and other edifices and buildings belonging to their Eccleſiaſticall Benefices or Liuings, haue of late yéeres not onely ſuffered the ſame for want of due reparations partly to run ſo great ruine and decay, and in ſome part vtterly to fall downe to the ground, conuerting the timber, leade, and ſtones to their owne benefit and commoditie: but alſo haue made déeds of gift and colourable alienations, and other conueyances of like effect, of their goods and chattels in their liues time, to the intent, and of purpoſe after their deaths to defeate and defraud their ſucceſſors of ſuch iuſt actions and remedies, as otherwiſe they might and ſhould haue had for the ſame, againſt their executors, or adminiſtrators of their goods, by the Lawes Eccleſiaſticall of this Realme, to the great defacing of the ſtate Eccleſiaſticall, and intolerable charges of their ſucceſſors, and euill preſident and example for others, if ſpeedy remedy be not prouided.

Wrongs and frauds practiſed by diuers Eccleſiaſticall perſons.

How the ſucceſſor ſhall haue remedy where the predeceſſor doth make a fraudulent deed to defeat him for dilapidations. Stat. 14. El. 11.

Bée it therefore enacted by the Quéenes moſt excellent Maieſty, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any Archbiſhop, Biſhop, Deane, Archdeacon, Prouoſt, Treaſurer, Chaunter, Chancellor, Prebendarie, or any other hauing any dignitie or office in any Cathedrall or Collegiat Church within this Realme: or if any Parſon, Vicar, or other Incumbent of any Eccleſiaſticall liuing, whereunto doe belong any houſe or houſes, or other buildings, which by law or cuſtome he is bound to kéepe and maintaine in reparation, doe from henceforth make any déed or déeds of gift or alienation, or other like conueyances of his moueable goods or chattels,

tels, to the intent and purpoſe aforeſayd: that then the ſucceſſor and ſucceſſors of him that ſhall make ſuch déed or déeds of gift or alienation, ſhall and may commence ſuit, and haue ſuch remedy in any Court Eccleſiaſticall of this Realme, competent for the matter againſt him or them to whom ſuch déed or déeds of gift or alienation ſhall be ſo made, for the amendment and reparation of ſo much of the ſaid Dilapidations and decayes, or iuſt recompence for the ſame, as hath happened by his fact or default, in ſuch ſort as he might, ſhould, or ought lawfully to haue, if he or they to whom ſuch déed or déeds of gift or alienation ſhall be ſo made, were executor or executors of the Teſtament and laſt Will of him that made ſuch déed or déeds of gift or alienation, or were adminiſtrator or adminiſtrators of his goods or chattels: Any law, cuſtome, or other thing to the contrary in any wiſe notwithſtanding.

And for that long and vnreaſonable Leaſes made by Colledges, Deane and Chapters, Parſons, Vicars, and other hauing Spirituall promotions, bee the chiefeſt cauſes of the Dilapidations, and the decay of all ſpirituall liuings and hoſpitality, and the vtter impoueriſhing of all ſucceſſors Incumbents in the ſame: Be it enacted by the authority aforeſaid, that from henceforth all Leaſes, gifts, graunts, feoffements, conueyances, or [a] eſtates, to be made, had, done, or ſuffered, by any Maſter and Fellowes of any Colledge, Deane and Chapter of any Cathedrall or Collegiat Church: Maſter or Guardian of any Hoſpitall, Parſon, Vicar, or any other hauing any Spirituall or Eccleſiaſticall liuing, or any houſes, lands, tythes, tenements, or other hereditaments, being any parcell of the poſſeſſions of any ſuch Colledge, Cathedrall Church, Chapter, Hoſpitall, Parſonage, Vicarage, or other ſpirituall promotion, or any wayes appertaining or belonging to the ſame, or of any of them, to any perſon or perſons, bodies politike or corporate (other than for the terme of one and twenty yéeres, or thrée liues from the time as any ſuch leaſe or grant ſhall be made or granted, whereupon the accuſtomed yearely rent [b] or more, ſhall bee reſerued and payable yearely during the ſayd terme) ſhall be vtterly voyde, and of none effect, to all intents, conſtructions, and purpoſes: Any law, cuſtome, or vſage to the contrary any wayes notwithſtanding.

What conueyances, and for what time ſpirituall perſons may make of their lands, tythes, &c. Stat. 14. El. 11. Stat. 18. El. 11.

Prouided neuertheleſſe, and be it enacted by the authority aforeſaid, that this Act nor any thing therein contained, ſhall be taken or conſtrued to make good any leaſe, or other graunt to be made by any ſuch Colledge or Collegiat Church, within eyther of both the Vniuerſities of Oxford and Cambridge, or elſewhere within the Realme of England, for more yeares than are limitted by the priuate Statutes of the ſame Colledge.

Termes aſſigned by the priuate Statute of any Colledge in an Vniuerſity.

Prouided alwayes, that this Act ſhall not extend to any leaſe hereafter to be made vpon ſurrender of any leaſe heretofore made, or by reaſon of any couenant or condition contayned in any leaſe heretofore made, and now continuing, ſo that the leaſe to bee made doe not containe more yeares than the reſidue of the yeares of the former leaſe now continuing ſhall be, at the time of ſuch leaſe hereafter to be made, nor any leſſe rent than is reſerued in the ſayd former leaſe. Coke lib.4.fol.120.lib.5.fol.14.St.1.Iac.25.21.Iac.28.

New leaſes made vpon the ſurrender of old, or former couenants.

CAP. XI.

So much of the Stat. of 5.El.5. as concerneth the tranſporting of ſea-fiſh and herring, in Engliſh ſhips with croſſe ſailes, without payment of cuſtome, reuiued, &c.

WHere at the Parliament holden at Weſtminſter in the fifth yeare of your Maieſties reigne, there was among other, made and prouided an Act touching certain politike conſtitutions made for the maintenance of the Nauie, and in the ſame amongſt other things it was enacted, that from the firſt day of April, in the yeare of our Lord God M.D.lxiiii. and ſo from thenceforth, it ſhould be lawfull to all and euery the ſubiects of your Maieſty, your heyres and ſucceſſors, at his and their will and pleaſure, to carry and tranſport out of this Realme in their ſhips and other veſſels of any the ſubiects aforeſaid, all and euery kind of herring and other ſea-fiſh, to be taken vpon the ſea by any the ſubiects aforeſaid: any act of Parliament or law to the contrary notwithſtanding. And that all and euery perſon and perſons, which ſhould by vertue of that Act, tranſport or carry any herring or ſea-fiſh, from out of any Port or Harbour of this Realme, to any place out of the Dominions of your Maieſty, your heires and ſucceſſors, ſhould be frée from payment of any cuſtome, ſubſidy, or pondage money, for the ſame fiſh ſo carryed or tranſported, during the ſpace of foure whole yeares, beginning at the ſaid firſt day of April, M.D.lxiiii. and ſo further during your Maieſties pleaſure, which terme of foure yeares is now expired and ended. 5.El.5.

And where it is by experience found, that the ſayd Act hath béene a very good Act, and greatly encreaſed the Nauy and Fiſhermen, and cauſeth many poore men to be ſet aworke, and is in great likelihood dayly to encreaſe the ſame more and more: it may pleaſe your moſt excellent Maieſty, of your aboundant Grace, that it may be enacted by authority of this preſent Parliament, That ſo much of the ſayd Act as is aboue recited for libertie of tranſporting of Herring and Sea-fiſh, by the naturally borne ſubiects of your Maieſty, your heires

A continuance of part of the Stat. of 5 El.5. for 6. yeares. Exp.

or ſucceſſors, & for freedome from paying of any cuſtome, ſubſidy or poundage money, ſhall be reuiued, and ſhall from thenceforth continue for the ſpace of fiue yeares from the end of this Seſſion of Parliament, and from thenceforth to the end of the next Parliament after the ſayd fiue yeares to be ſummoned, and from thenceforth during your Maieſties moſt gracious pleaſure, ſo that ſuch tranſporting be in veſſels with croſſe Sailes.

5. El 5.

And where alſo in the ſayd Act made in the ſayd fifth yeare, amongſt other things, all manner of perſons are generally forbidden to bring into this Realme any Coddes or Lings, in barrels or other caſkes, vpon paine of forfeiture of all the Coddes and Lings ſo to be brought in, or the value thereof, contrary to the tenour of this Act. Foraſmuch as by that branch of the ſayd Statute, it was well intended and meant to méete with the fraud of ſtrangers and other which brought into this Realme great quantity of Coddes and Lings deceitfully packed in barrels, and not meant to hinder any the Quéenes Maieſties ſubiects, vſing vprightneſſe & truth in the barrelling of ſuch fiſh: May it therefore pleaſe your Maieſty, that it be further enacted by the authority aforeſayd, that after the feaſt of Eaſter, which ſhall be in the yeare of our Lord God 1575. it ſhall be lawfull from thenceforth to all your Maieſties louing ſubiects borne within this Realme, or within any other your Maieſties dominions (vſing no fraud or deceipt in packing or barrelling thereof) for the terme of fiue yeares next enſuing, to bring into this Realme or any other your highneſſe dominions, all ſuch Coddes and Lings as they ſhall happen to take vpon the Sea by their owne fiſhing in veſſels with croſſe Sailes, without incurring any forfeiture or penalty therefore: any thing in the ſayd Act contained to the contrary notwithſtanding.

What Cods may bee brought into the realme in Barrels or Caſkes. Exp. 27. El. 15.

And for the auoiding of the lewde outrages committed and done vpon the Sea coaſts of Norfolke and Suffolke by the Catches, Mongers, and Picardes, pretending to buy freſh herrings, and which doe cut in ſunder diuers péeces of fiſhermens nets, trauelling the high Seas to take freſh herrings, to the vtter vndoing of the ſayd poore Fiſhermen: be it therefore enacted, ordained, and eſtabliſhed by the authority of this preſent Parliament, that no perſon or perſons vſing any Ship, Boat, or Veſſel, called Catch, Monger, or Picard, or other veſſell of like vſe, ſhall in the time of common fiſhing vpon the ſayd Sea coaſts of Norfolke & Suffolke, betwéene the fouretéenth day of September, and the fouretéenth day of Nouember, from Sun ſetting to Sun riſing, anker vpon the maine Sea, or in the common ſtreame or trade of fiſhing, where the fiſhermen vſe to driue, vpon paine to forfeit their Catch, Monger, Picker, or veſſell with the tackle and all the fiſh in the ſame, or the value thereof: the one halfe to your Maieſtie, your heires & ſucceſſors, the other halfe to the Bailiffes, Burgeſſes and Comminalty of the towne of great Yarmouth, to be imployed to the recompencing his dammages to the party whoſe nets ſhall ſo be cut, & to the building and repairing of the decayed hauen there, & to be taken by way of ſeaſure, or otherwiſe to be recouered by Bill, Action, or Information, in any of your Maieſties Courts of Record: any Statute, Law, or vſage, to the contrary notwithſtanding.

What kind of ſhips ſhall not anker vpon the Sea in the time of common fiſhing.

And where your Subiects vſing the trade of fiſhing for herring, haue of many yeares, and time out of minde, vſed to packe their herring in caſke of barrels, containing about to and thirty gallons of vſuall Wine meaſure, & with ſuch aſſiſe hath bin vſually gaged and allowed at your honourable City of London, and doe containe the ſayd meaſure of two and thirtie gallons, according to ſuch vſuall braſſe meaſure as is out of your honourable Court of Exchequer deliuered to your ſayd honourable City of London: which meaſure yet hath lately bin quarrelled at by certain Informers, for that the ſame containe not two and thirty gallons by the old meaſure of Standard, which they neuer did, though peraduenture the extremity of old Statutes in words, by ſome mens conſtruction, might be ſtretched to require ſo much. And for that the vſuall barrels now be as great as euer within the time of any memory they haue béen knowne to be, and the alteration thereof would be a great decay and perill of vndoing to the ſayd Fiſhermen: It may alſo pleaſe your moſt excellent Maieſtie, that it be alſo enacted and declared, that the ſayd aſſiſe of two and thirty gallons of Wine meaſure, which is about eight & twenty gallons by old ſtandard well packed, & containing in euery barrell vſually a thouſand full herrings at the leaſt, is & ſhall be taken for good, true, and lawfull aſſiſe of herring barrels, throughout the whole liberty of the ſayd towne of great Yarmouth, and elſe where: any ancient or former Law or Statute to the contrary notwithſtanding.

The aſſiſe of herring barrels.

Be it further enacted, that no fiſh hereafter to be taken or brought into this Realme by any ſtranger, nor any fiſh commonly called Scottiſh fiſh, or Flemiſh fiſh, ſhall be dried within England to be ſold, vpon paine of forfeiture of all ſuch fiſh to be dried contrary to the meaning of this act, or the value thereof: which forfeiture ſhall be to ſuch perſon dwelling at any towne where is any Port, Péere, or Hauen, as will ſeiſe the ſame fiſh, or will ſue for the ſame value, in any Court of Record, to be imployed to the reparation and maintenance of ſuch Port, Péere, or Hauen, as is next to the place where the offence ſhall be committed.

No forreine fiſh ſhall bee dried within England to be ſold.

Cap. XII.

Reformation of diſorders in the miniſters of the Church &c.

That the Churches of the Quéenes Maieſties dominions may bee ſerued with Paſtors of ſound Religion: Be it enacted by the authoritie of this preſent Parliament, That euery perſon vnder the degrée of a Biſhop, which doth, or ſhall pretend to bee a Prieſt or Miniſter of Gods holy Word and Sacraments, by reaſon of any other forme of Inſtitution, Conſecration, or ordering, than the forme ſet forth by Parliament in the time of the late King of moſt worthy memory, King Edward the ſixth, or now vſed in the reigne of our moſt gracious Soueraign Lady, before the feaſt of the Natiuitie of Chriſt next following, ſhall in the preſence of the Biſhop or Guardian of the ſpiritualties of ſome one dioceſſe where he hath or ſhall haue Eccleſiaſticall liuing, declare his aſſent, and [a] ſubſcribe to all the Articles of Religion, which onely concerne the confeſſion of the true Chriſtian faith, and the doctrine of the Sacraments, comprized in a Boke imprinted, entituled, Articles whereupon it was agreed by the Archbiſhops and Biſhops of both Prouinces, and the whole Clergie in the Conuocation holden at London in the yeare of our Lord God, a thouſand fiue hundred ſixtie and two, according to the computation of the Church of England, for the auoyding of the diuerſities of opinions and for the eſtabliſhing of conſent touching true Religion, put forth by the Queenes authoritie: and ſhall bring from ſuch Biſhop or Guardian of ſpiritualties in writing vnder his ſeale authentike, a teſtimoniall of ſuch aſſent and ſubſcription, and openly on ſome Sunday in the time of ſome publike ſeruice after none, in euery Church where by reaſon of any Eccleſiaſticall liuing hée ought to attend, read both the ſaid Teſtimoniall, and the ſayd Articles, vpon paine that euery ſuch perſon which ſhall not before the ſaid feaſt, doe as is aboue appointed, ſhall be ([b] ipſo facto) depriued, and all his Eccleſiaſticall promotions ſhall bee voyde, as if he then were naturally dead.

Dyer.377.

[illegible]

3.Ed.6.12.
5.Ed.6.1.

Euery Eccleſiaſticall perſon ſhall ſubſcribe to the Articles touching the confeſſion of the faith, and declare his aſſent thereunto.

Reading of the Articles and Teſtimoniall.

And that if any perſon Eccleſiaſticall, or which ſhall haue Eccleſiaſticall liuing ſhall aduiſedly maintaine or affirme any doctrine directly contrary or repugnant to any of the ſaid Articles, and being conuented before the Biſhop of the Dioceſſe, or the ordinary, or before the Quéenes highneſſe Commiſſioners in cauſes Eccleſiaſticall, ſhall perſiſt therein, or not reuoke his error, or after ſuch reuocation eftſoones affirme ſuch vntrue doctrine: ſuch maintaining or affirming, and perſiſting, or ſuch eftſoone affirming, ſhall be iuſt cauſe to depriue ſuch perſon of his Eccleſiaſticall promotions: And it ſhall bee lawfull to the Biſhop of the Dioceſſe, or the Ordinarie, or the ſaid Commiſſioners, to depriue ſuch perſon ſo perſiſting, or lawfully conuicted of ſuch eftſoones affirming, and vpon ſuch ſentence of depriuation pronounced, hee ſhall bee indéede depriued.

The penalty for maintaining of doctrin againſt the Articles.

And that no perſon ſhall hereafter be admitted to any benefice with Cure, except he then be of the age of thrée and twentie years at the leaſt, and a Deacon, and ſhall firſt haue ſubſcribed the ſaid Articles in preſence of the Ordinary, and publikely read the ſame in the Pariſh Church of that benefice, with declaration of his vnfaigned aſſent to the ſame. And that euery perſon after the end of this Seſſion of Parliament to bee admitted to a benefice with Cure, except that within two moneths after his induction he doe publikely read the ſaid Articles in the ſame Church whereof he ſhall haue Cure, in the time of Common prayer there, with delaration of his vnfaigned aſſent thereto, and be admitted to miniſter the Sacraments, within one yeare after his induction, if he be not ſo admitted before, ſhall be vpon euery ſuch default, ipſo facto, immediately depriued.

Seuerall things required in him which ſhall be admitted to a Benefice.

And that no perſon now permitted by any diſpenſation or otherwiſe, ſhall retaine any Benefice with Cure, being vnder the age of one and twenty yeares, or not being Deacon at the leaſt, or which ſhall not be admitted as is aforeſaid, within one yeare next after the making of this Act, or within ſix moneths after he ſhall accompliſh the age of xxiiii. yeares on paine that ſuch his diſpenſation ſhall be méerely voyd.

And that none ſhall be made Miniſter or admitted to preach or adminiſter the Sacraments, being vnder the age of foure and twenty yéeres, nor vnleſſe he firſt bring to the Biſhop of that Dioceſſe from men knowne to the Biſhop to be of ſound Religion, a Teſtimoniall both of his honeſt life, and of his profeſſing the doctrine expreſſed in the ſaid Articles: nor vnleſſe he bee able to anſwer and render to the ordinary an account of his faith in Latine, according to the ſaid Articles, or haue ſpeciall gift and ability to be a Preacher: nor ſhall be admitted to the order of Deacon or Miniſtry, vnleſſe he ſhall firſt ſubſcribe to the ſayd Articles.

The age of a Miniſter or Preacher, and his teſtimoniall.

And that none hereafter ſhall be admitted to any Benefice with Cure, of or aboue the value of thirty pounds, yéerely in the Quéenes Bokes, vnleſſe he ſhall then be a Batchelour of Diuinity, or a Preacher lawfully allowed by ſome Biſhop within this Realme, or by one of the Vniuerſities of Cambridge or Oxford.

Who may haue a Benefice of the yearly value of xxx. li.

And that all admiſſions to Benefices, Inſtitutions, and Inductions to be made of any perſon contrary to the forme or any prouiſion of this Act, and all Tolerations, Diſpenſations, Qualifications,

All Admiſſions, Inſtitutions, Tolerations.

ſications, and licences whatſoeuer to be made to the contrary hereof, ſhall be meerely voyde in law, as if they neuer were.

No lapſe vpon depriuation but after notice.

Prouided alway, that no title to conferre or preſent by [a] lapſe, ſhall accrue vpon any depriuation, ipſo facto, but after ſixe moneths after notice of ſuch depriuation giuen by the Ordinary to the Patrone.

[a] Dyer fo. 31
346. 369.
Co. li. 6. fo. 2

CAP. XIII.

When Corne may be transported, and when not.

Corne may be tranſported out of ſome Ports, and with ſome kind of Ships when the prices be allowed reaſonable.

FOr the increaſe of tillage, and for maintenance and increaſe of the Nauy, and Mariners of this Realme: be it enacted that from and after the feaſt of the Natiuity of S. John Baptiſt next comming, it ſhall be lawfull to all and euery perſon and perſons, being ſubiects of the Qu. Maieſtie, her heirs and ſucceſſors, and inhabiting within her highneſſe Realmes and dominions, only out of ſuch Ports & creekes where are or ſhall or be reſident a cuſtomer or collector of Subſidy, of Tonnage & Pondage, or one of their Deputies, and not elſewhere, to loade carry or tranſport any Wheate, Rie, Barley, Mault, Peaſe or Beanes, into any parts beyond the Seas, being in amity with this Realme, and not prohibited by any reſtraint or Proclamation, onely to ſell as a merchandize in ſhips, Crayers, or other veſſels, bearing croſſe ſailes, whereof any Engliſh borne Subiects, inhabiting within her highneſſe Realmes and dominions, then ſhall be the onely owners, at all ſuch times as the ſeuerall prices, thereof ſhall be ſo reaſonable and moderate in the ſeuerall Counties where any ſuch tranſportation ſhall be intended, as that no prohibition ſhall be made either by the Queenes Maieſty, her heires or ſucceſſors, by Proclamation to be made in the ſhire towne, or in any Port townes of the County, or elſe by ſome order of the Lord Preſident and Counſell in the North, or the Lord Preſident and counſell in Wales, within their ſeuerall iuriſdictions, or of the Iuſtices of Aſſiſes at their Seſſions in other ſhires, out of the iuriſdiction of the ſaid two Preſidents and Counſels, or by the more part of the Iuſtices of the peace of the countie at their quarter Seſſions, in this maner following: that is, the ſaid Lord Preſidents and counſels for the Shires within their iuriſdictions, the Iuſtices of Aſſiſe at their ſeuerall Seſſions in other Shires out of the ſaid iuriſdictions belonging to the ſaid Councels in the North, and in Wales, yearely ſhall vpon conference had with the inhabitants of the countrey, of the cheapnes and dearth of any the ſayd kindes of graine within the Counties within the Iuriſdictions of the ſayd Counſels, or in the other countries within the limits of the ſayd Iuſtices of Aſſiſe: by their diſcretion determine whether it ſhall bee meet at any time to permit any graine to be carried out of the Realme, by any port within the ſayd ſeuerall Iuriſdictions or limits, & ſo ſhall in writing vnder their hands and ſeales, cauſe and make a determination either for permiſſion or prohibition, and the ſame cauſe to be by the Sheriffes of the Counties publiſhed, & affixed in as many accuſtomed market townes & ports within the ſayd ſhire, as they ſhall thinke conuenient, and in ſuch manner as the Qu. Maieſties Proclamations are vſually publiſhed and affixed: which determination of the ſayd Preſidents and Counſels in their Iuriſdictions, and of the Iuſtices of Aſſiſe in their limits ſhall continue in force for the time, place, and manner therein expreſſed, vntill the ſayd Preſidents & Counſels ſhall otherwiſe order, or vntill the Iuſtices of Aſſiſe at their being in their ſayd circuits, in euery of the ſayd counties, ſhall alter or otherwiſe order the ſame, except the ſame ſhall be otherwiſe in the mean time altered or countermanded by the Q. Maieſty, her heires or ſucceſſors, or by ſome order of the Iuſtices of P. in the counties ſituated out of the Iuriſdictions of the ſaid two counſels in their quarter Seſſions to be holden in the meane time, or the greater part of them which ſhall find the ſame determination of the Iuſt. of Aſſiſe to be hurtfull to the County by meanes of dearth, or to bee a great hinderance to tillage by meanes of two much cheapeneſſe, and ſhall by their writings vnder their hands and ſeales make any determination to the contrary, either for permiſſion or prohibition of carriage of any kind of graine out of the realme, and the ſame determination ſhall cauſe to be in like maner publiſhed and affixed, as aboue is ſayd: which determination ſhall alſo continue in force, except the ſame ſhall be altered by the Qu. Maieſty, her heires, and ſucceſſors, or vntill the Iuſtices of Aſſiſe, at their being in their ſaid circuits, in euery of the ſayd Counties afore to them limitted, ſhall alter, or otherwiſe order the ſame, who ſhall and may vpon new conference had, by their diſcretions from time to time alter & change the ſayd determinations in the whole or in part, as to their diſcretions ſhall ſeeme meete, and the ſame ſhall alſo cauſe to be publiſhed, as is before preſcribed.

Who ſhall haue authority to determine of the tranſporting of Corne, or the reſtraint thereof.

The Iuſtices order ſhall be firſt notified to the Qu. or her councell, and by them allowed.

Prouided neuertheleſſe, that neither any of the ſayd Preſidents & Counſels, nor the ſayd Iuſ of Aſſiſe, nor the ſaid Iuſtices of P. aboue mentioned, ſhall publiſh any their determinations aboue mentioned, vntill the ſame ſhalbe firſt by writing notified to the Qu. Maieſtie, or to her priuy Counſell, and by her Maieſty or her priuy Counſell ſhall be liked and allowed.

The cuſtoms due to the Qu. of corne tranſported either by force of this ſtatute, or by licence.

Prouided alſo that the Qu. Maieſty, her heires, and ſucceſſors, ſhall haue and receiue by the cuſtomers and officers of her Ports for the cuſtome or pondage of euery quarter of wheat to be tranſported by force of this ſtatute xii. d. and of euery quarter of any other graine, viii. d. & of euery quarter of wheat that ſhalbe by any ſpeciall licence hereafter to be granted, tranſported out of the realme, and not by force of this ſtatute, ii. s. and of euery quarter of other graine, ſixteene pence, notwithſtanding any manner of words that ſhall be contained or inſerted in any licences to the contrary: which ſaid ſeuerall ſummes ſo to be had or taken as cuſtome or pondage, to be in full ſatiſfaction of all manner of cuſtome or pondage for the ſaid Corne or graine, by any conſtitution, order, ſtatute, law, or cuſtome, heretofore made, vſed, or taken for tranſporting of any ſuch manner of corne or graine.

Prouided alſo, and be it enacted by the authority of this preſent Parliament, that the Qu. Maieſtie, her Heires, and ſucceſſors, may at all times by her writ of Proclamation to be publiſhed generally in the whole Realme, or in the Counties of the Realme where any Port Townes are, command that no perſon ſhall by vertue of this Act, tranſport or carry out any manner of graine to any parts out of her dominions, either generally out of any Port in the Realme, or particularly out of any ſpeciall ports, to be in the ſame Proclamation named, and that it may not be lawfull for any perſon to carry out any ſuch graine, contrary to the tenor of the ſame Proclamation, vpon ſuch paines as by the Lawes of the Realme are and haue beene prouided. Stat. 1. & 2. P. & M. 5. 1. Iac. 25. 21. Iac. 28. 3. Car. 4.

The Queen by Proclamation may reſtraine the tranſporting of Corne.

Cap. XIIII.

The Stat. of 12. Ed. 4. 2. touching Bowſtaues, confirmed, and for euery Tunne weight of Merchandize foure Bowſtaues ſhall be brought into this Realme.

Whereas the vſe of Archery, not onely hath euer beene, but alſo yet is by Gods ſpeciall gift to the Engliſh nation a ſingular defence of this Realme, and an occaſion of many noble victories, and both a very wholſome exerciſe for the health and ſtrength of mens bodies, and a maintenance of a great number of the Qu. true ſubiects and artificers, as Bowyers, Fletchers, Stringers, Arrowheadmakers, and other of this Realme: and for that among other cauſes of the decay of Archery, one great cauſe is the exceſſiue price of bowe ſtaues, which groweth principally by the ſcarcity of bowe ſtaues, brought into this Realme. For reformation whereof be it enacted by the authority of this preſent Parliament, that all the ſtatutes made in the xii. yeare of the reigne of King Edward the fourth, concerning bringing in of a certaine number of bowſtaues, according to the weight or value of other wares to be brought into this Realme, ſhall from henceforth be duely put in execution. And be it enacted and declared by this preſent ſtatute, that all merchant ſtrangers, vſing to bring wares into this Realme from the Eaſt parts, aſwell from the 72. hanſe townes, be compriſed and meant vnder the name of, and bound as the Merchants mentioned and bound by the ſaid ſtatute, to bring in bowſtaues, vpon like paines and forfeitures as by the ſayd ſtatutes are appointed. And where the greateſt cauſe of not putting the ſaid ſtatute in execution hath been, that the forfeitures thereby limitted, are by the ſayd ſtatute giuen onely to the Queenes Maieſty, her heires and ſucceſſors, without any reward to the perſon that ſhall ſue for the ſame: be it enacted that from henceforth all the forfeitures appointed by the ſaid ſtatutes, ſhall be imployed in forme following, that is to ſay, the one halfe thereof to the Qu. Maieſty, her heires and ſucceſſors, the other halfe to ſuch perſon as ſhall ſue for the ſame in any Court of Record, wherein no eſſoine, protection, nor wager of Law, for the defendant ſhall be admitted, or allowed. And it may pleaſe the Queenes moſt excellent Maieſty, that it be on her highneſſe part ſtraightly charged and commanded, that all the ſtatutes now remaining in force, for repreſſing of vnlawfull games, and for the maintenance and vſe of Archery, ſhall be duely put in execution for euer, vnder the paines in the ſaid ſtatutes contained.

The benefit of Archery, and the cauſe of the decay thereof.

A confirmation of the ſtatute of 12. Ed. 4. 2. touching the bringing into this Realme of Bowſtaues.

What ſort of Merchants are compellable to bring Bowſtaues into this Realme.

Who ſhall haue the forfeitures and by what meanes.

St. 1. R. 3. 11. 33. H. 8. 9.

Cap. XV.

The Stat. of 1. El. 13. prohibiting the croſſing of the Sea with a Hoy, or Plate of an Engliſh mans, reuiued: and a repeale of the Stat. of 5. El. 5. that repealeth that Statute.

Where at the Parliament holden at Weſtminſter in the firſt yeare of your highneſſe reign, it was amongſt other things enacted, that no Hoy or Plate, whereof any Engliſh ſubiects then was or ſhould be owner or owners, at any time after the firſt day of Ianuary next enſuing the Seſſion of the ſame Parliament, from any Port, Creeke, or place of this Realme of England, or any of the dominions of the ſame, ſhould trauerſe or croſſe the Seas into or for any of the Ports beyond the Seas, with any wares, goods, or merchandizes, vpon paine that the ſaid owner or owners, ſhould forfeit and loſe the ſame Hoy or Plate, with all and euery the munition, tackling, and other neceſſaries pertaining thereunto, as by the ſame ſtatute more at large doth & may appeare. And whereas by an Eſtatute made in the fifth yeare of your highneſſe reigne, it is amongſt other things enacted, that from thenceforth all Engliſh Hoyes and Plates, might croſſe the Seas as farre as Cane in Normandy, and Eaſtward as farre as Norwey: the ſaid eſtatute, made in the firſt yeare of your highneſſe reigne to the contrary thereof, notwithſtanding. And foraſmuch as the ſaid branch in the ſaid eſtatute, made in yͤ fifth yeare of your reigne, tendeth greatly to the decay of Mariners, and ſhips, by the maruellous increaſe of Hoyes: Be it there-

1. Eliz. 13.

5. Eliz. 5.

fore enacted by the authority aforeſaid, that from the feaſt of S. Michael tharchangell next comming, the ſaid clauſe contained in the ſaid eſtatute made in the ſaid fifth yeare of your reigne, for the croſſing of the Seas by hoyes and plates ſhall be vtterly repealed, and made voyd, and of none effect. And that from the ſaid feaſt of S. Michael tharchangel next, the ſaid eſtatute made in the firſt yeare of your reigne, prohibiting the croſſing of the Seas by hoyes and plates, be obſerued and kept: the ſaid eſtatute made in the fifth yeare of your Maieſties reigne to the contrary hereof notwithſtanding. This Act to continue vntill the end of the next Parliament. EXP.

A reuiuer of the Statute of 1.El.13. and repeale of the ſtat.5. El.5. touching Hoyes croſſing the ſeas.

Cap. XVI.

The conuictions, outlawries, and attainders of *Charles* Earle of Weſtmerland, and 57. others attainted of treaſon, for open rebellion in the North parts, confirmed. The Queen, her heirs & ſucceſſors ſhal haue for this time all the lands & goods, which any of the ſaid perſons attainted, within the Biſhoprick of Durham againſt the Biſhop & his ſucceſſors, though he claimeth *Iura Regalia*, & challengeth all the ſaid forfeitures in the right of his Church. PR. St.18.*El*.4.

Cap. XVII.

Robert Earle of Leiceſter ſhall haue authority to found an Hoſpitall in Warwicke or Kenelwoorth for reliefe of poore and impotent people: which Hoſpitall ſhall haue capacity to purchaſe Lands in any County of England, not exceeding the yearly value of two hundred pounds, aboue all charges that be not holden of the Queen immediatly by Knights ſeruice in chiefe, or elſe by Knights ſeruice not in chiefe. PR.

Cap. XVIII.

The Riuer of Lee, otherwiſe called Ware Riuer, by a new cut or Trench, (to be made within tenne yeares at the charges of the Lord Maior, Commonalty, and Citizens of London) ſhall be made to conuey by water all victuals, Corne, and other neceſſaries from the town of Ware to the City of London, and from London to Ware. PR. Stat. 3. *H*.6.5. 9.*H*.6.9.

Cap. XIX.

Euery perſon aboue the age of ſeuen yeares, ſhall wear vpon the Sabbath and holy day, (vnleſſe in the time of their trauels out of their Townes, Hamlets, &c.) vpon their head a Cap of Wooll knit, thicked and dreſſed in England, made within this Realme, and only dreſſed and finiſhed by ſome of the trade of Cappers, vpon paine to forfeit for euery day not wearing, three ſhillings foure pence. Except Maides, Ladies, Gentlewomen, Noble perſonages, and euery Lord, Knight and Gentleman of twenty Marks Land, and their heires, and ſuch as haue borne office of worſhip in any Citie, Borough, Towne, Hamlet, or ſhire, and the wardens of the worſhipfull Companies of London. REP. 39.*Eliz*.18.

Cap. XX.

How long Leaſes made of Eccleſiaſticall Liuings with Cure, may ſtand in force, and how they may be auoyded.

How long the leaſe of a Benefice ſhall endure. Co.pla.fo.205.

St.14. Eliz.11.

18.El.11. 43.El.5.

That the liuings appointed for Eccleſiaſticall miniſters may not by corrupt and indirect dealings be transferred to other vſes: Be it enacted by the authority of this preſent Parliament, That no Leaſe after the fifteenth day of may next following the beginning of this Parliament, to be made of any Benefice or Eccleſiaſticall promotion, with Cure, or any part thereof, and not being impropried, ſhall endure any longer than while the Leſſor ſhall be ordinarily reſident, and ſeruing the Cure of ſuch Benefice without [a] abſence aboue fourеſcore dayes in any one yeare, but that euery ſuch Leaſſe, ſo ſoone as it, or any part thereof, ſhall come to any poſſeſſion or vſe aboue forbidden, or immediatly vpon ſuch abſence, ſhall ceaſe and be voyd, and the incumbent ſo offending, ſhall for the ſame loſe one yeares profit of his ſaid Benefice, to be diſtributed by the Ordinary among the poore of the Pariſh. And that all chargings of ſuch Benefices with Cure, hereafter with any penſion or with any profit out of the ſame to be yeelded or taken, hereafter to be made, other than rents to be reſerued vpon Leaſes hereafter to be made, according to the meaning of this Act, ſhall be vtterly voyd.

[a] Dyer.fo.

No Benefice with Cure ſhalbe charged with a penſion.

The Parſons Leaſe to his Curate,

Prouided, that euery perſon by the Lawes of this Realme allowed to haue two Benefices, may demiſe the one of them, vpon which he ſhall not then be moſt ordinarily reſident, to his Curate only, that ſhall there ſerue the Cure for him: but ſuch Leaſe ſhall endure no longer than during ſuch Curates reſidence, without abſence aboue forty dayes in any one yeare. This Act to continue to the end of the next Parliament. 3.Car.4. made perpetual. Note that in this ſtatute, theſe words (ſo ſoone as it, or any part thereof, ſhall come to any poſſeſſion, or vſe aboue forbidden, or) are repealed. 14.*El*.11.

CAP. XXI.

In what caſes the Qu. Purueyors may take victuals &c. in Cambridge, or Oxford, or within fiue miles thereof, and in what not.

WHereas in the ſecond and third yeares of the late King Philip and Queene Mary, it was with the aſſent of the Lords Spirituall and Temporall, and the Commons in that preſent Parliament aſſembled, enacted, ordained, and eſtabliſhed, that from thenceforth no manner of Purueyor, Taker, Badger, Loader, or other miniſter, might, or ſhould take or bargaine for any kind of victuall or grains, in any of the Markets of the Townes of Cambridge, and the City of Oxford, nor ſhould take or bargaine for any victuall within the compaſſe of fiue miles thereunto adioyning, without the conſent, agreement, or good will of the owner or owners, neither ſhould attempt to carry, take away, or bargaine for any manner of graine, or other victuall, bought or prouided within the ſaid ſpace of fiue miles, by any common miniſter of any Colledge, Hoſtell, or Hall, to be ſpent within any of the ſaid Colledges, Hoſtels, or Halles, vpon paine of forfeiture of the quadruple value of any ſuch maner grain, or victuall, ſo taken or bargained for in any of the ſaid Markets, or within the ſaid ſpace of fiue miles, againſt the will of the owners as is aboueſaid, or attempted to be taken or carried away, or bargained for, being prouided as is aboueſaid, for to be ſpent within any of the ſaid Colledges, Hoſtels, or Halles, and further ſhould ſuffer impriſonment for the ſpace of three moneths, without baile or mainpriſe, and that the Chancellour or Vicechancellour or his Commiſſary for the time being, in either of the ſaid Uniuerſities, with two Iuſtices of Peace of the County wherein the ſaid Uniuerſities be ſet, ſhall haue full power by authority of the ſaid Act, to enquire by the oaths of twelue men, of and vpon the defaults and offences committed contrary to the tenour thereof, and to ſee due puniſhment and reformation thereof in forme aforeſaid, from time to time: the one halfe of which foreſaid forfeitures to be to the common Treaſurers of either of the ſaid Uniuerſities, reſpectiuely to the fault committed againſt the ſaid priuiledge, the other halfe to the party that will ſue for the ſame by action of debt, bill, plaint, or otherwiſe, in any Court of Record, or before the foreſaid Chancellor, his Vicechancellor, or Commiſſary, or their deputies for the time being, and two Iuſtices of Peace, as is before expreſſed, as by the ſaid Act more at large appeareth. Sithence the making of which Act, diuers of the towneſhips inhabitants and reſiants within the limits and precinct aforeſaid, haue conuerted the benefit of the ſaid Act to their priuate vſe and commodity, without any profit or commodity to the poore Schollers of either of the ſaid Uniuerſities, contrary to the true intent and meaning of the ſaid Act, whereby the Queenes Maieſty is not onely not ſerued of prouiſion of Corne, graine, and other victuall, to be taken for her Maieſties prouiſion, but alſo the ſaid Uniuerſities are defrauded of the benefit and commodities to them intended, and granted, as is aforeſaid.

A rehearſall of the ſtatute of 2. & 3. P. & M. 15. reſtraining Purueyors to take victuall in Cambridge or Oxford.

By what meanes the Uniuerſities be defrauded of the benefit of the ſaid Act.

In what caſes the purueyors may take victuall in Cambridge or within fiue miles.

For remedy whereof, bee it enacted and ordained by the authority of this preſent Parliament, that from henceforth no manner of Purueyor, Taker, Badger, Loader, Poulter, or other miniſter for the Queenes Maieſty, her Heires or Succeſſors, nor any other common Poulter, ſhall, or may take or bargaine for any kinde of victuall or graine in any of the ſaid Markets or Townes of Cambridge and the Citie of Oxford, or either of them, nor ſhall take or bargaine for any victuall or graine within the compaſſe of the foreſaid fiue miles thereunto adioyning, without the conſent, agreement, goodwill, and licence of either of the ſaid Chancellors, or Vicechancellors, for the time being, in writing had and obtained, vnder the Seale or Seales of the office of the ſaid Chancellor or Vicechancellor of either of the ſaid Uniuerſities, and in no other forme than in the ſaid licence in writing ſhall be conteined and expreſſed, ſo as the ſame giue not to any of the foreſaid Purueyors, Takers, Badgers, Loaders, Poulters, or others, any further authority and power, than they haue or may lawfully vſe in other parts of the ſame Country, being without the ſaid limits of fiue miles, Neither ſhall attempt to carry take away, or bargaine for any manner of graine, and other victuall bought and prouided within the ſaid ſpace of fiue miles by any common miniſter of any Colledge, Hoſtel, or Hall, to be ſpent within any of the ſaid Colledges, Hoſtels, or Halles without like licence and aſſent, and in no other forme than is next aforeſaid mentioned vpon like paines, forfeitures and impriſonments, and to like vſes as are limited and ordained by the ſaid former ſtatute. And that the ſaid Chancellors or Vicechancellors for the time being of either of the ſaid Uniuerſities, with two Iuſtices of Peace of the ſaid Uniuerſities, Citie, Towne, or Countie, wherein the ſaid Uniuerſities be ſet, ſhall haue like power and authoritie by this Act, to enquire vpon the default and offences contrarie to the tenor hereof, and to ſee due puniſhment and reformation thereof in forme aforeſaid, as was to them limited and appointed by the ſaid former Act.

Who may inquire of & puniſh the defaults committed contrary to this Statute.

The Qu. Purueyors may take of them which refuſe to ſerue the Uniuerſitie.

And be it further by the authoritie aforeſaid enacted and ordained, that if any perſon or perſons within the ſaid precinct of fiue miles, ſhall refuſe reaſonably to ſerue the neceſſarie prouiſion of the ſaid Uniuerſities, according to the true meaning of this preſent Act, that then it ſhall be lawfull to any of the Quéenes Maieſties Takers, or Purueyors, to prouide any corne or victuall of any ſuch perſon or perſons within any part of the precinct aforeſaid, for the vſe of the Quéenes Maieſty, as ſhall be declared and notified to the ſaid Purueyors, or Takers, to be perſons not worthy of the ſaid priuiledge, for not reaſonable ſeruing the neceſſities of the ſaid Vniuerſities, by the Chancellor or Vicechancellor for the time being of either of the ſaid Vniuerſities, with the aſſent and conſent of two Iuſtices of peace, reſiant within either of the ſaid Vniuerſities, Citie, Towne, or County, vnder the hands and ſeales of the ſaid Chancellor or Vicechancellor, and the ſaid two Iuſtices of peace, as the ſaid Purueyors or Takers lawfully may in any other place, without the ſaid precinct of fiue miles, and not otherwiſe. The ſaid former Act, or any thing therein contained, or any other clauſe, article, ſentence, or matter whatſoeuer to the contrary, notwithſtanding.

This Act ſhal be in ſuſpence during the Qu. abode within ſeuen miles.

Prouided, that this Act ſhall not be put in execution at any time or times whenſoeuer the Quéenes Maieſty, her heires or ſucceſſors, ſhall come to any of both the ſaid Vniuerſities, or within ſeuen miles of either of them, but ſhall be in ſuſpence during that time only, & no longer.

The liberties of Oxford & Cambridge reſerued.

Prouided alwayes, and be it enacted by the authority aforeſayd, that this Act or any thing therein contained, ſhall not in any wiſe be preiudiciall or hurtfull to the Mayor, Bailiffes, and Comminalty of the city of Oxford, nor the Maior or Comminalty of the Towne of Cambridge, or to their ſucceſſors, for and concerning any of their liberties or priuiledges: but that they, and euery of them, and their ſucceſſors, reſpectiuely may haue and vſe the ſame, in ſuch maner and forme, as they or any of them might or ought to haue done before the making of this Act: any thing in this Act contained to the contrary, notwithſtanding.

Prouided alwayes, that this Act ſhall continue vnto the laſt day of the next Parliament. 14.El.11.18.El.20.27.El.11.3.Car.4. continued vntill the end of the firſt Seſſion of the next Parliament.

Cap. XXII.

The Stat. of 8.El.16. *touching the diuiſion of Sherifewikes in diuers counties, made to continue for euer: Sauing the Sheriffes of Suſſex and Surrey.*

A rehearſall of the Statute of 8.El. 16. touching the ſeuerance of the Sheriffes of ſeuerall counties.

WHere in the Parliament by prorogation holden at Weſtminſter the laſt day of September, in the eighth yeare of the reigne of our moſt gracious Soueraigne Lady Quéene Elizabeth, and there continued to the end and diſſolution of the ſame: it was ordained and enacted amongſt other things, that where the Counties and Shires of Surrey and Suſſex, Eſſex, and Hertford, Somerſet and Dorſet, Warwicke and Leiceſter, Nottingham and Derby, Oxon and Berkes, of long time haue had but one Sheriffe to ſerue for two of the ſaid Counties, that is to ſay, one for Surrey & Suſſex, & one other for Hertford & Eſſex, and one other for Somerſet and Dorſet, and one other for Warwicke and Leiceſter, & one other for Nottingham and Derby, and one other for Oxon and Berkes, that from and after the firſt day of Nouember, which was in the yeare of our Lord God, 1567. the Quéenes Moſt excellent Maieſty, her heires and ſucceſſors kings and Quéenes of this Realme, ſhould and might from and after the ſaid firſt day of Nouember, in the ſaid yeare of our Lord God 1567. yearely chooſe and make for euery of the ſaid counties before named one ſufficient and able perſon to be Sheriffe in euery of the ſaid ſeuerall counties, in ſuch like maner and forme, as is and hath béene vſed to be choſen, made, and done for any other county or ſhire within this Realme: any law, cuſtome or vſage heretofore had or vſed to the contrary thereof, notwithſtanding: with diuers other articles, clauſes, branches, and prouiſoes therein contained as by the ſayd Act more at large doth and may appeare: the ſame Act to continue & endure to the end of thrée whole years, to be accompted from the feaſt of All Saints, in the ſaid yeare of our Lord God 1567. and from thence to the end of the next Parliament then next following the end of the ſaid thrée yeares.

And for as much as the charges and burthen of Sheriffes are partly eaſed thereby, and alſo an occaſion of the better execution of Iuſtice miniſtred, by reaſon that the Gentlemen appointed to be Sheriffes, doe beſt know, and are beſt acquainted with thoſe counties and ſhires wherein they inhabite and are commorant (as by the experience thereof hath béene well ſéene:) Be it therefore enacted by the Quéenes moſt excellent Ma. the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that the ſaid Act made in the ſaid eighth yeare of her Maieſties reigne, for, touching, and concerning the choiſe, election, and making of Sheriffe and Sheriffes in the ſaid ſeuerall counties of Surrey, Suſſex, Eſſex, Hertford, Somerſet, Dorſet, Warwicke, Leiceſter, Nottingham, Derby, Oxon, and Berkes, and euery of them, and that all and euery article, clauſe, ſentence, branch and prouiſo therein contained, ſhall from henceforth for all and euery the ſaid Shires and Counties, and euery of them, except the ſaid Shires of Surrey and Suſſex, ſtand, remaine, and continue in full force, ſtrength, vertue, and effect, to all intents, conſtructions, and purpoſes, to be holden and kept for euer: Any Act, ſtatute, law, cuſtome, or vſage, to the contrary thereof in any wiſe notwithſtanding.

The ſhires of Surrey and Suſſex ſhall continue vnited for the Sheriffewike

Cap.

Cap. XXIII.

A way without Algate in the Suburbes of London, ſometime called the barres without Algate: And a way leading from the old Cage to the North end of Nightingale lane: And another way betweene the ſaid old Cage and Craſſe Mill in the pariſh of Saint *Mary*, ſhall be paued with ſtone, and ſo ſhall be for euer continued by thoſe which be ſeiſed in fee ſimple, fee taile, or for terme of life, of lands adioyning to the ſaid high-way, on the one ſide, or on the other, vnto the midſt of the ſaid wayes, vpon pain to forfeit iii.s. iiii.d. for euery yard ſquare not paued. PR. 23. *El.* 12.

Cap. XXIV.

The Streetes of Ipſwich in the County of Suffolke, and of the Suburbes thereof, ſhall bee paued with good pauing ſtone, & for euer repaired by the owners, landlords, or terre-tenants, along, from and againſt their houſes, lands, and tenements, adioyning to the Sreet, viz. ſo much of the ſaid Street in length, as his houſe, lands &c. ſo adioyning extendeth vnto, & in breadth during all the ſaid length to the channell, or to ſuch place as the channell there ſhall be appointed by the Bayliffs, on pain of forfeiture for euery yard ſquare not ſufficiently repaired, viii. d. The Bayliffs of Ipſwich, and the Portmen there, the Churchwardens and foure of euery pariſh, ſhall haue authority to taxe vpon euery houſe, ground and tenement free and copy, ſituate within the ſeuerall pariſhes of Ipſwich, reaſonable ſummes of money to be yearely paied, aſwell toward the finding of a conuenient ſtipendary Miniſter within euery pariſh, as for the reparation of the Churches there. PR.

Cap. XXV.

Diuerſe Stat. for winding of wooll, touching attaints, for preſeruation of woods, againſt foreſtallers &c. keeping of milch kine, and breeding of Calues, made perpetuall: and other Statutes reuiued &c.

23.H.8.17. 23.H.8.3. WHere in the Parliament begun & holden at London the third day of Nouember, in the one & twentieth yeare of the reigne of our late moſt dread Soueraigne Lord of famous memory King Henry the eight, & from thence adiorned to Weſtminſter, & there holden and continued by diuers prorogations, vntill the diſſolution thereof, An Act was made for the true winding of wools.

35.H.8.17. And where alſo in the ſame Parliament, one other Act was made and eſtabliſhed for Attaints to be ſued for the puniſhment of periury vpon vntrue verdicts.

And where in the Parliament holden at Weſtminſter the xxxv. yeare of the reigne of our ſayd late Soueraigne Lord King Henry the eighth, one Act was made for the preſeruation of woods.

5.& 6.Ed.6.14. And where alſo at the ſeſſion of Parliament by prorogation holden at Weſtminſter the three & twentieth day of Ianuary, in the fifth yeare of the reigne of our late ſoueraigne Lord King Edward the ſixth, one Act was then and there made againſt Regrators, Foreſtallers, & Ingroſſers.

2.& 3.P.&M.3. And where alſo at a Parliament begun & holden at Weſtminſter the xxi. day of October, in the ſecond and third yeares of the reigne of the late King Philip and Queene Mary, and there continued vntill the diſſolution of the ſame, one Act was made then & there for keeping of milch kine, and for the breeding and rearing of Calues: all which Acts were by ſundry acts of Parliament continued in force and effect, vntill the end and diſſolution of the laſt Parliament of our ſoueraign Lady the Queenes Maieſty that now is, at which time the ſame ſeuerall Acts and euery of them were diſcontinued, and loſt their force and effects. Anno 8.Eliz. Which acts aboue mentioned, and euery of them, by proofe and experience haue ſince the making of the ſame, beene tried & found to be very neceſſary, beneficiall, & profitable for the commonwealth of this Realme, & therefore are thought good to be made perpetuall. The fiue former Stat. reuiued, to continue for euer. Be it therefore enacted by the Queenes Maieſty our ſaid Soueraigne Lady, with the aſſent of the Lords Spiritual & Temporall, & the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſayd Acts aboue remembred, & euery of them, and all and euery the branches, clauſes, and prouiſions in them & euery of them contained ſhall be reuiued, and from henceforth remaine & continue in force and effect for euer.

21.H.8.8. And where alſo in the ſayd Parliament begun and holden at London, in the third day of Nouember, in the ſayd one and twentieth year of the reigne of the ſayd late King Henry the eighth, and from thence adiorned to Weſtminſter, and there continued by prorogation vntill the diſſolution thereof, one act was there made, entituled, An act againſt the killing of young beaſts, called Weynlings.

3.& 4.Ed.6.19. And where in the ſeſſion of a Parliament ended at Weſtminſter in the firſt day of February, in the fourth yeare of the reigne of our ſayd late ſoueraigne Lord King Edward the ſixt, one Act was made concerning the buying and ſelling of Rother beaſts.

3.& 4.Ed.6.21. And alſo one other Acte was then and there likewiſe made, entituled, An Acte for the buying and ſelling of butter and chéeſe: All which Acts were continued vntill the end of the laſt Parliament of our ſoueraigne Lady the Quéenes Maieſty that now is, at which time the ſame were likewiſe for defect of further continuance, diſcontinued, and loſt their force and effects.

5.Eliz.2.

And where alſo an Act was made in the firſt Seſſion of the ſayd Parliament, holden in the fift yeare of her Maieſties reigne, entituled, An act for the maintenance and encreaſe of tillage.

5.Eliz.3.

And one other act then alſo made, entituled, An act for the reliefe of the poore: which were to endure to the end of the next Seſſion of the ſame Parliament, & then alſo in the end of the ſayd Parliament, diſcontinued and loſt their force and effect, for defect of further continuance.

1.Eliz.17.

And where alſo in the Parliament begun and holden at Weſtminſter, in the xxiii. day of January, in the firſt yeare of the reigne of the Quéenes Maieſty that now is, and there continued by prorogation vntill the diſſolution thereof, one Act was then & there made, entituled, An act for the preſeruation of ſpawne and frie of fiſh: which Act was to endure to the end of the next Parliament, and then in the ſame next Parliament was not any further continued, and ſo likewiſe loſt his force and effect.

The laſt mentioned ſtatuts reuiued and continued vntill the end of the next Parliament.

For as much as all the ſayd ſeuerall acts, and euery of them laſt recited, do ſéeme by triall and experience of them hitherto had, to be good, profitable & neceſſary for the commonwealth of this Realme, and therefore to be reuiued, and to haue yet further continuance: Be it therefore enacted by our ſayd ſoueraigne Lady the Quéenes Maieſty, with the aſſent of the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, That all the ſayd laſt mentioned actes, and euery of them and all the articles, clauſes, and prouiſions in them and euery of them contained, ſhall be likewiſe reuiued, and ſhall from henceforth continue and endure in full force and effect, vntill the end of the next Parliament.

Anno 23.H8.3

1.M.14.

5.El.24.

And where alſo one Act entituled, An act for the making of Gaoles in diuers ſhires of this Realme was made in the aforeſayd Parliament, begun & holden in the third day of Nouemb. in the xxiii. yeare of the reigne of our ſayd late ſoueraigne Lord King Henry the eighth, & ſithence by diuers acts continued vntill the death of the ſame late King: and after in the laſt Seſſion of the Parliament begun & holden vpon prorogation at Weſtminſter, the xxiiii. day of October in the firſt yeare of the reigne of our ſayd late ſoueraigne Lady Quéene Mary, the ſame Act, and all clauſes and ſentences therein contained, was then made to continue and endure vntill the end of ten yeares then next enſuing to the ſame Parliament: which act afterwards in the firſt ſeſſion of Parliament, begun and holden at Weſtminſter the xii. day of Januarie in the fifth yeare of the reigne of our ſayd ſoueraigne Lady the Quéenes Maieſtie that now is, and there by prorogation continued vntill the diſſolution thereof, was by one act then and there made, and entituled, An act for the reuiuing of a ſtatute made Anno 23. Henrici octaui, touching the repairing of Gaoles, made to continue and endure in full force and effect, and to be obſerued and kept in all things, vnto the end and terme of ten yeares next enſuing the laſt day of the ſame Parliament, & was alſo by the ſayd Act made in the ſame fifth yeare of her Maieſties reign, in certaine points and articles enlarged, as by the ſame act more fully appeareth. And for as much as the ſayd acts made in the ſayd xxiii. yeare of the reigne of the ſayd late King Henry eighth, and in the ſaid ſeſſion of Parliament holden in the fifth of our ſayd ſoueraigne Lady the Quéenes Maieſty that now is, touching the making and repairing of Gaoles, are thought to be very good & beneficiall for the commonwealth of this Realme, and doe not yet extend to the county of Cambridge: Be it therefore enacted, that the ſayd acts ſhall extend to the ſayd county of Cambridge, and to and for the making and repairing of Gaoles in the ſame county, in all and euery thing and article, as fully, and in as ample manner and forme, as the ſame Acts, and either of them, doe extend to the counties and Gaoles in them, and either of them ſpecially mentioned, and as though the ſayd county of Cambridge, and the Gaole in the ſame county, had béene in the ſame acts, and either of them ſpecially mentioned: and that the ſayd acts, and euery clauſe, ſentence, and prouiſion in them and either of them contained, ſhall continue and endure, and be obſerued in all things, as well within them ſpecified, for ten whole yeares next enſuing the end and determination of the ten yeares mentioned in the ſayd Act made in the ſaid fifth yeare of the raigne of our ſayd ſoueraigne Lady the Quéenes Maieſty that now is.

The Stat. of 23.H 8.2. and 5. El 24. ſhall extend to the county of Cambridge, & endure ten yeares.

5.El.7.

5.El.9.

And where in the firſt Seſſion of the Parliament begunne and holden at Weſtminſter, in the fifth yeare of the reigne of our Soueraigne Lady the Quéenes Maieſtie that now is, and from thence continued by prorogation vntill the diſſolution thereof, one act was then and there made, entituled, An act for the auoyding of diuers forraine wares made by handycrafts men beyound the Seas, and one other act intituled, An act for the puniſhment of ſuch perſons as ſhould procure or commit any wilfull periury: which acts were limited to endure to the end of the next Parliament.

8.El.10.

And where alſo in the laſt ſeſſion of the ſame parliament holden by prorogation at Weſtminſter, in the eighth yeare of the reigne of the Quéenes moſt excellent Maieſtie that now is, one act was then and there made, entituled, An act for Bowyers, and the prices of Bowes, and was made to continue to the end of the firſt ſeſſion of the next parliament.

And alſo withall one other Act then made, entituled; An Act for the preſeruation of graine, and to continue to the end of the next parliament enſuing: all which ſeuerall actes, without further continuance, will end and diſcontinue in this preſent Parliament, and alſo loſe their force and effects. Wherefore, and for as much as the ſame ſeuerall actes, and euery of them, do ſeeme good, beneficiall, and needfull to be further continued for the weale and profite of this Realme: Be it therefore further enacted by the Queenes moſt excellent Maieſtie, with the aſſent of the Lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by the authority of the ſame, that the ſame actes, and euery of them, and each and euery article, clauſe, and ſentence in them and euery of them conteyned, ſhall continue, be, and endure in full force and effect, vntill the end of the next Parliament.

8.Eliz.15.

The foreſaid ſtat. of 5. El. 7.& 9. and of 8. El. 10.& 15. continued vntill the end of the next Parliament.

Prouided neuertheleſſe, and be it enacted by the authority aforeſaid, that the ſaid acte concerning the auoyding of forreine wares, made by handycrafts men beyond the ſeas, or any clauſe, article, or meaning therein conteyned, ſhall not in any wiſe extend or be preiudiciall to any entercourſe, or treatiſe of any entercourſe now ſtanding in force, had or made betweene the progenitors of the Queenes Maieſtie, or her highneſſe, and any others: any thing heretofore, or now ordeyned or enacted to the contrary in any wiſe, notwithſtanding.

14.Eliz.11. this prouiſo is repealed.

For the more encreaſe of woods, where by an act of Parliament made in the xxxv. yeare of the raigne of K. Henry the eighth, entituled for the preſeruation of woods &c. there are ſeuerall clauſes limiting how many yeares all manner of landes, or coppice woods, being ſeuerall or in common, ſhall next after the felling thereof, be ſufficiently incloſed, or the ſprings thereof otherwiſe ſaued, and preſerued from deſtruction, as by the ſame acte more particularly appeareth. For that by experience it is found, that the ſpace and time of the ſaid ſeuerall yeares of incloſure or preſeruation is not ſufficient: be it enacted by authority of this preſent parliament, that from the twentieth of Iune next, all manner of woods or coppice, intended by the ſaid acte to be incloſed, and the ſprings thereof preſerued, ſhall be ſufficiently incloſed, or the ſprings thereof otherwiſe ſaued from deſtruction, by the ſpace of two full yeares more then in the ſeuerall clauſes of the ſaid Act is ſeuerally limited, according to the age of the woods felled, vpon like paines as are conteyned in the foreſaid clauſes of the ſaid acte, concerning incloſure or preſeruation of the ſaid woods, coppice, or ſprings: and that from the ſaid twentieth of Iune next following, It ſhall not be lawfull for any maner of perſon, to put any maner of cattell into any coppice woods incloſed to be preſerued, from the time of the ſale thereof, vntill the end of fiue yeares, nor from the end of fiue yeares, any other cattell but calues and yereling colts only, vntill the end of ſixe yeares, if the wood was vnder the age of xiiij. yeares at the laſt fall, or vntill the age of eight yeares, if the wood was aboue the age of xiiij. at the time of the laſt fall, &c.

35.H.8.17.

How long time the ſpring of woods ſhall be preſerued in ſeueraltie.

At what age of wood, cattell may be put into them, & then what cattell.

Prouided that this addition to the ſtatute of woods, ſhall continue as long in force, as the aforeſaid ſtatute made in the xxxv. yeare of the raigne of King Henry the eighth.

Prouided alwayes, and be it enacted by the authority aforeſaid, that no perſon or perſons, ſhall be a buyer, badger, kydier, or carrier of corne, cattell, butter, cheeſe, and ſuch like kind of victuall, in none other manet, nor forme then is conteyned in a ſtatute made in the fifth yeare of the raigne of our ſoueraigne Lady Queene Elizabeth, nor ſhall be any other wayes admitted or licenſed to be a buyer, badger, kydier, or carrier, as is aforeſaid, then is mentioned and appointed by the ſaid ſtatute: any thing in this or any other acte heretofore to the contrary, notwithſtanding.

5.Eliz.12. who may be buyer, badger, or carrier of corne, butter, &c.

Prouided alway, and be it enacted, that the ſaid acte againſt regrators, foreſtallers, and ingroſſers is not meant to extend, nor ſhall extend to any wines, oyles, ſugars, ſpices, corrans, nor other forreine victuals, brought, or to be brought into this Realme from beyond the ſeas, fiſh and ſalt onely excepted.

To which forreine victuals the Stat. of 5.& 6. Ed.6.cap.14. ſhall not extend.

Cap. XXVI.

A confirmation of a Subſidie of vj.s. in the pound graunted to the Queene by the Clergie, to be payed in three yeares. EXP.

Cap. XXVII.

A confirmation of two fifteenes and Tenthes, and one Subſidie graunted to the Queene by the Temporaltie. EXP.

Cap. XXVIII.

A confirmation of the Queenes free and generall Pardon. Except. &c. EXP.

ANNO DECIMO QVARTO REGINAE *ELIZABETHÆ*.

AT this preſent Seſſion of Parliament holden at Weſtminſter, the eighth day of May, in the fourteenth yeare of the reigne of our Soueraigne Lady ELIZABETH, by the grace of God, of England, France and Ireland, Queene, Defendor of the Faith, &c. and there continued vntill the laſt day of Iune following. To the high pleaſure of Almighty God, and the weale publike of this Realme, amongſt other were enacted as followeth.

CAP. I.

It ſhall be felony to take or keepe from the Queene any of the Caſtles, Forts, Holds, &c. or to race, or burne any Caſtle or Fort, hauing the Queenes munition, or ordnance therein, or guarded with Souldiers, and aduiſedly to expreſſe the ſame by words, acts, or writings. It ſhal be high Treaſon to withhold from the Queene any of the Caſtles, Holds, &c. or any of her Ships, Artillery, or fortification of warre: or to burne or deſtroy any of her ſhips; or to bar any hauen. EXP.

CAP. II.

The penalty for conſpiring, deuiſing, or going about to enlarge any priſoner committed to priſon or cuſtody by the Queens ſpecial commandement, for any treaſon or ſuſpition of treaſon concerning her owne perſon, and the ſame conſpiracy, deuice, &c. by expreſſe words, writing, or other matter manifeſtly to declare, or ſet forth, before the priſoner ſhall be indicted, ſhall be deemed miſpriſion of Treaſon, after Indictment felony, after Attainder high Treaſon. EXP.

CAP. III.

It is miſpriſion of high Treaſon to forge money, which is not the coine of this Realme, nor currant therein.

FOꝛ as much as by the laws oꝛ ſtatutes of this Realme, ſmall oꝛ no condigne puniſhment is at this time pꝛouided foꝛ ſuch euill diſpoſed perſons, as ſhall counterfeit, oꝛ foꝛge ſuch kinde of gold oꝛ ſiluer of other Realmes, as is not the pꝛoper coine of this Realm, noꝛ currant in payment within this Realme: by reaſon whereof, diuers euill diſpoſed perſons, as wel without this realme as within, are encouraged & emboldned daily to counterfeit oꝛ foꝛge ſuch kind of gold and ſiluer, and vtter the ſame in this Realme, in great deceit of her Maieſties ſubiects, Be it enacted by our ſayd Soueraigne Lady the Quéene, the Loꝛds Spirituall and Tempoꝛall, & the Commons in this pꝛeſent Parliament aſſembled, and by the authoꝛity of the ſame, That if any perſon oꝛ perſons, hereafter falſely foꝛge oꝛ counterfeit any ſuch kind of coyne of gold oꝛ ſiluer, as is not the pꝛoper coine of this Realme, noꝛ permitted to be currant within this Realme: that then euery ſuch offence ſhall be déemed, and iudged miſpꝛiſion of high Treaſon, and the offendoꝛs therein, their pꝛocurers, aiders, and abbettoꝛs, being conuict accoꝛding to the laws of this realme of ſuch offences, ſhall be impꝛiſoned, and foꝛfeit ſuch lands, goods, and chattels, as in caſes of miſpꝛiſion of Treaſon, foꝛ concealement of high Treaſon.

The penalty foꝛ foꝛging of coine which is not the money of this Realm noꝛ currant therein.

CAP. IIII.

The Stat. of 1.*El.*10. prohibiting the tranſporting of Leather, Tallow, and raw hides, ſhall be reuiued for ſeuen yeares. EXP. & REP. 18.*El.*9.

CAP. V.

How Vagabonds ſhall be puniſhed, and the poore relieued.

A Repeale of the Stat. of 22.*H.*8.12. and 3.& 4.*E.*6.16.& 5.*E.*6.2. prouided for the reliefe of the poore, & puniſhment of Vagabonds. A Vagabond aboue the age of 14 yeares, ſhalbe adiudged to be grieuouſly whipped, & burned through the griſtle of the right eare, with a hot yron of the compaſſe of an ynch, vnleſſe ſome credible perſon will take him into ſeruice for a yere. And if being of the age of 18. yeres, he after do fall againe into a roguiſh life, he ſhal ſuffer death as a felon, vnleſſe ſome credible perſon will take him into ſeruice for 2. yeres. And if he fal a third time into a roguiſh life, he ſhal be adiudged a felon. Who ſhal be adiudged vagabonds. The penalty for the reliefe of them. Who may make Paſports and Licences, and to whom.

35.El.7.REP.

39.El.4.18.

43.El.2.

whom. Aſſeſſements ſhall be made of the Pariſhioners of euery pariſh, for the reliefe of the poore of the ſame pariſh. Euery Biſhop ſhall viſite & reforme Hoſpitals within his Dioceſſe: No perſon ſhall bring any rogue out of Ireland, or the Iſle of Man into England. EXP.

2. H. 5. 1.
1. Iac. 25.

A prouiſion for the reliefe of the priſoners in the common Goale.
1. Iac. 25.
21. Iac. 28.
3. Car. 4.

It ſhall and may be lawfull for the Iuſtices of Peace, of euery Shire within this Realme, at their generall quarter ſeſſions of the Peace to be holden within the ſame ſhires, or the moſt part of the ſaid Iuſtices being then preſent, to rate and taxe euery pariſh within the ſaid ſhires, at ſuch reaſonable ſummes of money, for & towards the reliefe of the ſaid priſoners, as they ſhall thinke conuenient by their diſcretions: ſo that the ſaid taxation and rate doth not exceede aboue ſixe pence, or eight pence by the weeke out of euery pariſh: and that the Church-wardens of euerie pariſh within this Realme for the time being, ſhall euery Sunday leuie the ſame, and once euerie quarter in the yeare pay to the high Conſtables, or head officers of euery Towne, Pariſh, Hundred, Riding, or Wapentake within this Realme, all ſuch ſummes of money, as their Pariſh ſhall be rated and taxed, for and towards the reliefe of the ſaid priſoners within their ſaid ſeuerall pariſhes: And that the ſaid high Conſtables and head officers, and euery of them, ſhall pay all ſuch ſummes of money ſo to them payed by the ſaid Church-wardens, at euery generall quarter ſeſſions to be holden within the ſaid ſeuerall ſhires, to ſuch ſufficient perſons dwelling nigh the ſaid Goales, as ſhall be appointed by the ſaid Iuſtices in their ſaid open quarter ſeſſions, to be there ready to receiue the ſaid money ſo collected, as is aforeſaid. And that the Collectors for the ſaid priſoners, ſhall weekely diſtribute and pay all ſuch ſummes of money, as they and euery of them ſhall receiue for the reliefe of the ſaid priſoners, as aforeſaid, vpon paine as well the ſaid Church-wardens of euerie Pariſh, Conſtables and head officers of euery Hundred, or Wapentake, as alſo the ſaid Collectors appointed for the collection and contribution of the ſaid priſoners, ſo making default, as aforeſaid to forfeit fiue pounds, the one moitie thereof ſhall be to the vſe of the Queenes Maieſtie, her heires and ſucceſſors, and the other moitie to the reliefe of the priſoners: Any Statute, Law, Cuſtome, vſe, or other thing to the contrarie in any wiſe notwithſtanding.

The forfeiture of the Church-wardens, Conſtables or Collectors omitting their duties.

Prouided alwayes, that the Iuſtices of Peace within any countie of this Realme, or Wales, ſhall not intromit or enter into any Citie, Borough, place, or towne corporat, where be any Iuſtice, or Iuſtices of Peace, for any ſuch Citie, Borough, place, or towne corporat, for the execution of any branch, article, or ſentence of this Act, for, or concerning any offence, matter, or cauſe growing or ariſing within the precincts, liberties, or iuriſdictions of ſuch citie, borough, place, or towne corporat: but that it may and ſhall be lawfull to the Iuſtice, & Iuſtices of Peace, Mayor, Bayliffes, and other head officers of thoſe Cities, Boroughes, places, and towns corporat, where there be Iuſtice, or Iuſtices, to proceed to the execution of this Act, within the precinct and compaſſe of their liberties, in ſuch maner and forme as the Iuſtices of Peace in any countie, may or ought to doe within the ſame county by vertue of this Act: any matter or thing in this act expreſſed to the contrary thereof, notwithſtanding.

Iuſt. of P. ſhall not meddle in any Citie, Borough, &c. But the Mayors or officers of the ſame.

And that euery Iuſtice and Iuſtices of the peace, within euery ſuch citie, borough, place, and towne corporat, for euery offence by them, or any of them to be committed contrarie to the intent and meaning of this ſtatute, ſhall be puniſhable, and chargeable as other Iuſtices of peace at large in the counties, are by this act aboue appointed to be.

CAP. VI.

The Queene may make graunts by copie of court roll, vſuall wood ſales, or other things of fugitiues lands, as tenant *pur terme dauter vie*, may do. The rents of fugitiues lands ſhall be anſwerable in the Exchequer, & of Dutchy lãds, in the Court of the Dutchy of Lancaſter. EXP.

CAP. VII.

The Statute of 13. Eliz. 4. *enabling Treaſurers and Receiuers lands to be liable to the payment of the Queenes debts, ſhall extend to vnder-collectors of Tenthes, and Subſidies.*

FOr auoyding and redreſſe of great deceits done to the Queenes Maieſtie, and to the Prelates and Clergie of this Realme, by vnder Collectors of the Tenthes and Subſidies of the Clergie, appointed by and vnder the Archbiſhops and Biſhops of this Realme, and Deanes & Chapters (Sede vacante:) Be it enacted, that the Statute made in the thirteenth yeare of her Maieſties raigne, to make the lands, tenements, goods, and cattels of Tellers, Receiuers, &c. to be liable to the payment of their debts, ſhall to all intents and purpoſes, as amply and largely extend, and be conſtrued to extend to all ſuch vnder Collectors of Tenthes and Subſidies of the Clergie, and to their lands, tenements, and hereditaments, goods, and cattels, for ſatiſfying of ſuch money as they haue collected, or ſhall collect of the ſaid Tenthes and Subſidies, to the vſe of the Queenes Maieſtie, her heires or ſucceſſors (of what yearely ſumme ſoeuer the charge of their collection is, or ſhall be) in like forme as it doth extend to the Tellers, Receiuers, and other perſons accomp-

The Stat. of 13. El. 4. ſhall extend to make the lands of vnder collectors liable to their debts.

tant, whom the ſaid act ſpecially and expreſſely concerneth, and in as ample wiſe, as if ſuch under Collectors were immediatly accomptant to the Quéenes Maieſtie, her heires or ſucceſſors: any proviſion in the ſaid ſtatute, or other matter whatſoever to the contrarie, notwithſtanding.

The under collectors ſhall accompt in the Exchequer. The Biſhop ſhall be diſcharged of ſo much as is levied of his Under-collectors lands, or goods.

And that every ſuch under Collector, ſhall upon proceſſe to be awarded out of the Court of Exchequer, be chargeable to account for his receipt of ſuch tenthes and ſubſidies, as any Receiver immediately accomptant to her Maieſtie, is, or ought to be: and that every Archbiſhop and Biſhop, and Deane, and Chapter (Sede vacante) to whoſe charge the collection of ſuch Tenthes or Subſidies doth or ſhall appertaine, ſhall be diſcharged of ſo much of the ſaid Tenthes and Subſidies, as ſhall be ſatiſfied to the Quéenes Maieſtie, her heires or ſucceſſors, of or by the lands, tenements, hereditaments, goods, or cattels, of ſuch under Collector or his heires, without any other warrant whatſoever, in that behalfe to be obteined. 1. Iac. 25.

Cap. VIII.

A recovery had by the aſſent of parties againſt Tenant for terme of life, without the aſſent of him in reverſion or remainder, ſhalbe voide: And the Stat. of 32. H. 8. 31. repealed.

WHere diverſe perſons being ſeiſed, or that have béene ſeiſed of lands, tenements, and hereditaments, as tenants by the curteſie of England, tenants in taile after poſſibilitie of iſſue extinct, or otherwiſe, onely for terme of life or lives, or of eſtates determinable upon life or lives, have heretofore permitted and ſuffered other perſons by agréement or covine betwéene them had, to recover the ſame lands and tenements, and other hereditaments, againſt the ſame particular tenants, in the Quéenes Maieſties Court, or have permitted and ſuffered themſelves to be vouched by other perſons, by agréement or covine betwéene them had, in recoveries ſuffered of the ſame lands, tenements, and other hereditaments, in the Quéenes Maieſties Court, to the great preiudice of thoſe to whom the reverſion or remainder thereof hath appertained, or ought to appertaine.

Cok. pla. f. 655. 670.

Recoveries againſt tenants for life, &c. by covine ſhalbe void.

For remedie whereof, be it enacted by the Quéenes moſt excellent Maieſtie, with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That all ſuch recoveries hereafter to be had or proſecuted by agréement of the parties, or by covine, as is aforeſaid, againſt any ſuch particular [a] tenant of any Lands, Tenements, or hereditaments, whereof the ſame particular tenant is, or hereafter ſhall be ſeiſed of any ſuch particular eſtate, as is aforeſaid, or againſt any other with voucher over of any ſuch particular tenant, or of any having, or that had right or title to any ſuch particular eſtate or tenancie, as is aforeſaid, ſhall from henceforth, as againſt ſuch perſon or perſons to whom any reverſion or remainder thereof, by force of any conveiance or deviſe before that time had or made, ſhall, ought, or lawfully may appertaine, and againſt their heires and ſucceſſors, be cleerely and utterly void and of none effect: any Lawe or uſage heretofore had to the contrary thereof, in any wiſe notwithſtanding.

[a] 5. Mal
a Cok. L.
lib. fol.

Recovery by good title.

Provided alway, that this act nor any thing therein conteined, ſhall extend, or be preiudiciall to any perſon or perſons, that ſhall hereafter by good title recover any lands, tenements, or hereditaments, without fraud or covine, by reaſon of any former right, or title: but that all and every ſuch recovery and recoveries, ſo to be had or proſecuted upon former rights or titles, ſhall ſtand and be in like force, ſtrength, and effect as they were before the making of this act: any thing herein conteined to the contrarie, in any wiſe notwithſtanding.

A recovery by the aſſent of him in the reverſion or remainder.

Provided alſo, that all and every ſuch recovery and recoveries, to be had or proſecuted of any lands, tenements, or hereditaments, as aforeſaid, by the aſſent and agréement of any perſon or perſons, to whom any reverſion or remainder thereof then ſhall or ought to appertaine (ſo that the ſame aſſent [b] and agréement doe appeare of record in any Court of our Soveraigne Lady the Quéenes Maieſtie, her heires or ſucceſſors) ſhall ſtand and be in like force, ſtrength, and of like effect againſt ſuch perſon and perſons that ſhall ſo aſſent and agrée, their heires and ſucceſſors, as they were before the making of this act: any thing herein conteined to the contrary, in any wiſe notwithſtanding.

[b] Cok.
fol.

A repeale of the ſtat. of 32. H. 8. 31. touching recoveries.

Be it further enacted by the authoritie aforeſaid, that one Act made in the two and thirtieth yeare of our late Soveraigne Lord King Henry the eighth, entituled, An act for the avoiding of recoveries, by colluſion by tenants for terme of life, ſhall be from the firſt day of July next enſuing, repealed, and ſhall no longer ſtand in force. Coke Inſt. 356. a. 362. a.

Cap. IX.

In what caſes a Tales de Circumſtantibus *may be granted at the tenants or defendants requeſt.*

St.35.H.8.& 5.El.25.

FOr the auoyding of great and chargeable delayes oftentimes happening vnto tenants and defendants: be it enacted, That in all caſes whereas the party pl' or demandant, by any ſtatute heretofore made, may haue vpon his or their requeſt made vnto the Iuſtices of Niſi prius, within this Realme of England, or to the Iuſtices of Oyer, [a] or of Aſſiſes, of the xii. ſhires of Wales, and of the Counties Palatines of Lancaſter, Cheſter, and Durham, a Tales de circumſtantibus, that in all and euery ſuch caſe and caſes, the party and parties, tenants, actors, auowants, and defendants (if the plaintiffes or demandants ſhall vpon the calling of the principall pannell or Iury, forbeare or refuſe to pray the ſame) ſhall and may vpon his or their requeſt or deſire, haue vpon the ſame record, and by the ſame Iuſtices the tales or taleſſes vnto them granted, in like manner, forme, and degrée, to all reſpects and purpoſes, as the plaintiffe or demandant in any ſuit, or action may haue the ſame, by any Statute or Ordinance heretofore made, or ſet forth, and the rather for the ſpéedy tryall of the iſſue and iſſues ioyned, or hereafter to be ioyned in any plea, ſuit, or action: any Law, Cuſtome or vſage heretofore vſed to the contrary thereof in any wiſe, notwithſtanding.

In what caſe a Tales de circumſtantibus, ſhalbe granted at the tenant or defendants ſuit.

Prouided alſo and be it further enacted by the authority aforeſaid, that in all popular actions, Informations, Billes, or Suits, commenced or had, or hereafter to be commenced or had in any the Quéenes Maieſties Courts of Record, vpon any penall Lawes or Statutes, wherein any perſon doth, or ſhall ſue, or proſecute, or informe, aſwell for the Quéenes Maieſty, her heires and ſucceſſors, as for himſelfe, whereupon iſſue is or ſhall be ioyned to be tryed by the Country: that therein the party defendant, or defendants, ſhall be admitted to pray, and haue a Tales de Circumſtantibus, as in other caſes aforeſaid.

The defendant may haue a Tales in popular actions.

Cap. X.

No perſon vſing the trade of making of Kerſies, ſhall purpoſely make any aboue the length of eighteene yards. REP. 3. *Iac.* 16.

Cap. XI.

Seuerall Statutes made in the reignes of K. H. 8. K. Ed. 6. *and Queene* Eliz. *reuiued, continued and explained, &c.*

WHere in the Parliament holden vpon prorogation at Weſtminſter the fourth day of February, in the foure and twentieth yeare of the reigne of the late King Henry the eighth, one Act was there made, entituled, an Act to continue, and renew the Act made againſt killing of Calues: and one other Act entituled, An Act againſt killing of young beaſts, called weanlings. 24.H.8.7. 24.H.8.9.

And where in the Seſſion of a Parliament ended at Weſtminſter on the firſt day of February, in the fourth yeare of the reigne of our late Soueraigne Lord King Edward the ſixth, one Act was made concerning the buying and ſelling of Rother beaſts. Anno 3. & 4. Ed.6.19.

And alſo one other Act was then and there likewiſe made, entituled, An Act for the buying and ſelling of Butter and Chéeſe. 3.& 4.Ed.6.21.

And where alſo an Act was made in the firſt Seſſion of the Parliament, holden in the fifth yeare of the Quéenes Maieſties reigne, entituled, An Act for the maintenance and increaſe of Tillage. 5.Eliz.2.

And where alſo in the Parliament begun at Weſtminſter on the thrée and twentieth day of Ianuary, in the firſt yeare of the reigne of the Quéenes Maieſty that now is, and there continued by prorogation vntill the diſſolution thereof, one Act was then and there made, entituled, An Act for the preſeruation of ſpawne and fry of fiſh. 1.Eliz.17.

And where alſo in the firſt Seſſion of the Parliament begunne and holden at Weſtminſter, in the fifth yeare of the reigne of our Soueraigne Lady the Quéenes Maieſty that now is, and from thence continued by prorogation vntill the diſſolution thereof, one Act was then and there made, entituled, An Act for the auoyding of diuers forraine wares, made by handicrafts men beyond the Seas. 5.Eliz.7.

And one other Act, entituled, An Act for the puniſhment of ſuch perſons as ſhould procure or commit any wilfull periury, which Acts were limited to endure to the end of the next Parliament. 5.Eliz.9.

And where alſo in the laſt Seſſion of the ſame Parliament holden by prorogation at Weſtminſter, in the eighth yeare of the reigne of the Quéenes moſt excellent Maieſty that now is, one Act was then and there made, entituled, An Act for Bowyers, and the prices of Bowes, and 8.Eliz.10.

was made to continue to the end of the firſt Seſſion of the next Parliament.

8.Eliz.15. And alſo one other Act was then made, entituled, An Act for the preſeruation of graine: All which ſeuerall Acts and Statutes were made to continue but for certaine times: and all which Acts made in the ſaid fourth yeare of King Edward the ſixth, and in the ſaid firſt, fifth, and eighth yeares of the Quéenes Maieſties reigne, were at the laſt Parliament holden at Weſtminſter the ſecond day of Aprill, in the thirtéenth yeare of the reigne of our ſaid Soueraigne Lady the Qu. Maieſty, made to continue and ſtand in force vnto the end of the next Parliament then next following.

13.Eliz.25.

13.El.5. And where alſo in the Parliament begun and holden at Weſtminſter, the ſecond day of Aprill, in the thirtéenth yeare of the reigne of our ſaid Soueraigne Lady the Quéene, one Act and Statute was then and there made, for the auoyding and aboliſhing of fained, couinous, and fraudulent feoffements, gifts, grants, alienations, conueyances, bonds, ſuits, iudgements, and executions, entituled An Act againſt fraudulent déedes, gifts, grants, alienations, &c. which Act and ſtatute was then made to endure vnto the end of the firſt Seſſion of the next Parliament, as by the ſaid Act more plainly will appeare.

13.Eliz ca. 20. And where alſo in the ſaid Parliament begun and holden at Weſtminſter the ſaid ſecond day of Aprill, there was alſo one other Act and Statute made for the auoyding of ſome leaſes in certaine caſes to be made of Eccleſiaſticall promotions with Cure, entituled, An Act touching Leaſes of Benefices, with other Eccleſiaſticall liuings with Cure, which Act was likewiſe made to continue to the end of the next Parliament.

13.Eliz.21. And where alſo there was one other Act and Statute made in the ſaid Parliament, begun and holden at Weſtminſter the ſaid ſecond day of Aprill, in the ſaid thirtéenth yeare, entituled, An Act that Purueyors may take graine, corne, or victuals within fiue miles of Cambridge and Oxford in certaine caſes, which Act was made likewiſe to continue to the laſt day of the next Parliament.

A repeale of a Prouiſo contained in the ſtat. of 13. El. 25. And where in the ſtatute made in the thirtéenth yeare of the Quéenes Maieſties reigne, entituled, An Act for the reuiuing and continuance of certaine ſtatutes, is contained one Prouiſo, That the ſaid Act concerning the auoyding of forraine wares made by handicrafts men beyond the Seas, or any clauſe, article, or meaning therein contained, ſhould not in any wiſe [illegible] or be preiudiciall to any entercourſe, or treatiſe of any entercourſe then ſtanding in force, had, or made betwéene the progenitors of the Quéenes Maieſty, or her highneſſe, and any others. Now for good conſiderations, and ſpecially that ſtrangers may not be at liberty, and the Quéenes Maieſties naturall Subiects reſtrained: be it enacted that the ſaid prouiſo, and euery clauſe, article, and matter therein contained, ſhall from henceforth be repealed and vtterly voyd.

Certaine words contained in the ſtat. of 13. El. 20. diſcontinued. Prouided alſo, and be it enacted, that theſe words (ſo ſoone as it, or any part thereof, ſhall come to any poſſeſſion or vſe aboue forbidden, or) which words are contained in the ſaid ſtatute made in the ſaid thirtéenth yeare, touching leaſes of Benefices and other Eccleſiaſticall liuings with Cure, ſhall not be reuiued by this Act, but remaine diſcontinued, and ſhall from henceforth be omitted out of the ſaid Act, any thing in the ſayd Act, or in this Act to the contrary notwithſtanding.

Co. pl. fo. 295. Bonds and couenants for the enioying of leaſes ſhall be void. 43. El. 9. And where ſundry euill diſpoſed perſons, haue defrauded the true meaning of the laſt mentioned ſtatute, made in the ſayd thirtéenth yeare, by bonds and couenants of ſuffering other perſons to enioy Eccleſiaſticall Liuings, and the fruits thereof, for that ſuch bonds and couenants are not in Law taken to be leaſes, although indéed they amount to aſmuch: Be it therefore enacted, That all bonds, contracts, promiſes, and couenants, hereafter to be made for ſuffering or permitting any perſon to enioy any Benefice, or Eccleſiaſticall promotion with Cure, or to take profits or fruits thereof, other than ſuch bonds and couenants, as ſhall be made for aſſurance of any leaſe heretofore made, ſhall bee to all intents and purpoſes adiudged of ſuch force and validity, and not otherwiſe, as leaſes by the ſame perſons made of ſuch Benefices and Eccleſiaſticall promotions with Cure.

Leaſes made by Curats of benefices with cure. And be it further declared and enacted, that all leaſes, bonds, promiſes, and couenants of and concerning Benefices and Eccleſiaſticall Liuings with Cure, to be made by any Curate, ſhall be of no other, nor better force, validity, or continuance, than if the ſame had béene made by the beneficed perſon himſelfe, that demiſed, or ſhall demiſe the ſame to any ſuch Curate.

13.Eliz.10. And where in one other Act made in the ſayd thirtéenth yeare, entituled, An Act againſt fraudulent gifts, to the intent to defeat dilapidations of Eccleſiaſticall Liuings, and for leaſes to be granted by Collegiat Churches, there is one branch to auoyd certaine leaſes to be made by Maſters and Fellowes of Colledges, Deanes & Chapters of Cathedrall or Collegiat Churches, maſters or gardians of any Hoſpitall, or by any Parſon, Vicar, or any other hauing any ſpirituall or eccleſiaſtical liuing: Be it enacted, that the ſaid branch, nor any thing therin contained, ſhal not extend to any grant, aſſurance or leaſe of any houſes belonging to any the perſons or bodies politik or corporat aforeſaid, nor to any grounds to ſuch houſes appertaining, which houſes be ſituate in any City, Borough, Towne Corporate, or Market Towne, or the Suburbs of any of them,

Leaſes made by ſpirituall perſons of houſes in Cities or Corporate Townes.

but that all ſuch houſes and grounds may be granted, demiſed, and aſſured, as by the Lawes of this Realme, and the ſeuerall Statutes of the ſayd Colledges, Cathedrall Churches and Hoſpitals, they lawfully might haue béene before the making of the ſaid Statute, or lawfully might bée, if the ſayd Statute were not, ſo alway that ſuch houſe be not the Capitall or dwelling houſe vſed for the habitation of the perſons aboue ſaid, nor haue ground to the ſame belonging, aboue the quantity of tenne acres: any thing in the ſayd Act to the contrary notwithſtanding.

And be it further enacted, that all ſummes of money hereafter to bee recouered, for, or in name of dilapidations, by ſentence, compoſition, or otherwiſe, ſhall within two yeares after ſuch receipt, be truely employed vpon the buildings and reparations, in reſpect whereof ſuch money for dilapidations ſhalbe payed, on paine that euery perſon ſo receiuing, and not imploying, as aforeſaid, ſhall forfeit double as much, as ſo ſhall be by him receiued, and not imployed, the which forfeiture ſhall be to the vſe of the Quéenes Maieſty, her heires and ſucceſſors.

Money recouered for dilapidations ſhal be imployed in repaire of the ſame houſes.

Prouided alway, and be it enacted, that no Leaſe ſhall be permitted to be made by force of this Act in reuerſion, nor without reſeruing the accuſtomed yearely rent at the leaſt, nor without charging the Leſſée with the reparation, nor for longer terme than fortie yeares at the moſt: Nor any houſes ſhall bee permitted to bée aliened, vnleſſe that in recompence thereof, there ſhall bée afore, with, or preſently after ſuch alienation, góod, lawfull, and ſufficient aſſurance made in Féeſimple abſolutely to ſuch Colledges, houſes, bodies politike or corporate, and their ſucceſſors, of lands of as góod value, and of as great yearely value at the leaſt, as ſo ſhall bée aliened: any ſtatute to the contrary, notwithſtanding.

Certaine obſeruations in the leaſes to be made by ſpirituall perſons according to this Stat.

No Colledge ſhall alien any houſe without preſent and ſufficient ſatiſfaction.

And foraſmuch as all the ſame ſeuerall Acts and Statutes, and euery of them, doe ſéeme góod, beneficiall, and needefull to bée further continued for the weale and profit of this Realme: bée it therefore now enacted by the Quéenes moſt excellent Maieſty, with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that the ſame ſeuerall Acts and Statutes, and euery of them; and all and euery article, clauſe, and ſentence in them and euery of them contained, ſhall continue, bée, and endure in full force and effect, vntill the end of the next Parliament. St. 39. El. 18.

The firſt mentioned 13. ſtat. continued vntill the end of the next Parliament.

Cap. XII.

So much of the Stat. of 8, El. 7. *as reſtraineth any of the Inhabitants of Shrewsbury to buy Welſh Cloth, Cottons or Frizes: Repealed.*

Where at the Parliament holden at Weſtminſter the laſt day of September, in the eighth yeare of the reigne of our Soueraigne Lady the Quéenes moſt excellent Maieſtie, there was an Act made, entituled, An Act touching Drapers, Cottoners, and Frizers, in the Towne of Shrewesbury, in the County of Salop: and in the ſame Acte there is conteined matter then ſuppoſed for the benefit of the ſayd Towne of Shrewesburie, in aduancing the Corporation of Drapers, Cottoners, and Frizers of the ſayd Towne. And it was thereby enacted, That from and after the Feaſt of Eaſter then next enſuing, no manner perſon or perſons whatſoeuer, inhabiting and dwelling within the ſayd Town of Shrewesbury, or the liberties or franchiſes of the ſame Towne, (other than ſuch as then had, or then after ſhould ſerue as Apprentice in the occupation and ſcience of Drapers, or then had béene, or thereafter ſhould bee frée of the ſaid Science or Myſtery) ſhould occupy, vſe, exerciſe, or frequent the ſayd Trade, Art, Myſterie, or Science of buying of the ſayd Welſh Cloth, or Lining, Cottons, Frizes, or Plaines: nor haue any Factor or doer for him or them in the ſame, nor by any colour, engine, or fraude, buy any of the ſayd Frizes, Linings, Cottons, and Plaines, vpon paine that euery perſon and perſons inhabiting, as is aforeſayd, and occupying, vſing or exerciſing the ſayd Trade, Art, Myſtery, Occupation, or Science of buying of Welſh Clothes and Linings, &c. and not authorized by the Act, ſhould loſe and forfeit for euery péece of the ſaid Clothes bought, ſix ſhillings eight pence.

A rehearſall of the ſtat. of 8. El. 7. limiting which of the inhabitants of Shrewſbury may buy Welſh Cloth, and which not,

And where ſithence the making of the ſayd Acte, experience hath plainely taught in the ſayd Towne, that the ſayd Act hath not onely not brought the góod effect that then was hoped and ſurmiſed, but alſo hath béene, and now is likely to bee the very greateſt cauſe of the impoueriſhing and vndoing of the poore Artificers and other, at whoſe ſuite the ſayd Acte was procured: for that there be now ſithence the making of the ſayd ſtatute, much fewer perſons to ſet them a work than before: and by reſtraining all other inhabitours of the ſayd Towne of Shrewesbury, from the former lawfull Trade euer heretofore vſed of buying of Welſh Clothes, Frizes, Cottons, Linings, and Plaines, (leauing the ſame neuertheleſſe frée for all the ſubiects of England without any reſtraint, ſauing for the ſayd inhabitants of the Towne of Shrewesburie, and the

The inconueniences enſuing vpon the making of the aforeſaid Act to the poore inhabitants of Shrewſbury, and others.

the liberties and franchiſes of the ſame Towne onely) hath béene the euident occaſion of great decay, not only to the ſaid Towne, and the liberties and franchiſes of the ſame, but alſo to a great and infinite number of poore people in Northwales, that is to ſay, in the Counties of Montgomery, Denbigh, Merionneth, and alſo the towne of Oſweſter, and the greateſt part of the country thereabouts, where the ſaid Welſh clothes, fryzes, cottons, linings, and plaines are made & ſold, which were wont to be maintained and relieued by trade of making or working of the ſaid fryzes, cottons, &c. contrary to the expectation that then was wrongfully conceiued.

A repeale of part of the ſtat. of 8. El. 7. and a confirmation of the reſidue.

Be it therefore, at the humble ſuit of the inhabitants of the ſaid Towne, and alſo of the ſaid Artificers for whoſe benefit the ſaid Act was ſuppoſed to be prouided, enacted, that the ſaid Act, and all the matter in the ſaid Act contained, ſhall from henceforth be repealed and made voyd: any thing in the ſayd Act to the contrary, notwithſtanding.

Prouided alwayes, that ſo much of the ſaid ſtatute of the eighth yeare of our Soueraign Lady the Quéenes Maieſty that now is, and euery article and branch therein contained as toucheth the preſent and ready payment of money to Sheremen, Cottoners, and Fryzers, for their worke, and alſo as toucheth the reſtraint of ſuch as ſhall, or doe occupy or vſe the trade of buying of frizes, cottons, or plaines, from the vſe or exerciſe of the faculty of fryzing or cottoning, ſhall ſtand and be in force: any thing in this ſtatute to the contrary, notwithſtanding.

Cap. XIII.

Hexam and Hexamſhire, with the liberties thereof, ſhall bee within the County of Nothumberland.

Anno Decimo Octauo Reginae *ELIZABETHÆ*.

AT this preſent Seſſion of Parliament by prorogation holden at Weſtminſter the eighth day of February, in the eighteenth yeare of the reigne of our moſt gracious Soueraigne Lady ELIZABETH, by the grace of God, of England, France, and Ireland, Queene, Defendor of the Faith, &c. and there continued vntill the fifteenth of March following. To the high pleaſure of Almighty God, and the weale publike of this Realme, were enacted as followeth.

Cap. I.

Diminiſhing, ſkaling, or lightning of any Coyne currant within this Realme,] ſhall be high treaſon.

By the ſtat. of 5. El. 11. the clipping, waſhing and filing of money, ſhall be high treaſon.

Other vndue meanes practiſed to falſifie money not within the ſtrict words of the foreſaid ſtatute.

WHereas the offences of clipping, rounding, waſhing, and filing, for wicked lucre or gaines ſake, of any the proper moneyes or Coynes of this Realme, or the Dominions thereof, or of the Moneyes or Coynes of any other Realme, allowed by Proclamation, and ſuffered to be currant within this Realme, or the Dominions thereof, by a Statute made in the fifth yeare of the Quéenes Maieſties reigne, are taken, déemed, and adiudged to be Treaſon, and the offendors therein, their counſellors, conſenters, and ayders likewiſe déemed and adiudged as offenders in Treaſon, and being thereof lawfully conuicted or attainted, according to the due order and courſe of the Lawes of this Realme, are to ſuffer paines of death, and to loſe and forfeit all his and their goods and chattels, and alſo all his and their lands and tenements, during his and their naturall life or liues onely, as by the ſaid Eſtatute thereof made, among other things therein contained, more at large it doth and may appeare. Sithence the making of which good Law and Statute, diuers falſe and euill diſpoſed perſons knowing that the ſaid Law being, as it is, penall, ought to be taken and expounded ſtrictly, according to the words thereof, and the like offences not by any equity to receiue the like puniſhment or paines, haue ſithence the making of the ſaid Law and Statute, moſt wickedly deuiſed and practiſed, for wicked lucre and gaines ſake, other Arts, vndue wayes, and meanes, to falſifie, impaire, diminiſh, and lighten, as well the proper Moneyes and Coynes of this Realme, and the dominions therof, as alſo the Moneyes or Coynes of other Realmes, allowed and ſuffered to be currant within this Realme, and the Dominions thereof, by her Maieſties Proclamation, to the great damage, loſſe, hurt, and deceit, as well of her Maieſty, as of all her faithfull and louing Subiects, and more is like hereafter to be practiſed and done, if the ſame be not ſpéedily met withall. For reformation and remedy thereof, be it enacted, declared, and eſtabliſhed by authority of this preſent Parliament. That if any perſon or perſons, of what eſtate, degrée, or condition ſoeuer he or they be, ſhall from and after the firſt day of Aprill next comming, for wicked lucre or gaines ſake, by any art, wayes, or meanes whatſoeuer, impaire, diminiſh, falſifie, ſcale, or lighten the proper Moneyes or Coynes of this Realme, or any the Dominions thereof, or the Moneyes or Coynes of any other Realmes, allowed and ſuffered to be currant at the time of the offence committed, within this Realme of England, or any the Dominions of the ſame, by the Proclamation of the Quéenes Maieſty, her heires or ſucceſſors, ſhall be taken, adiudged, and déemed to be Treaſon, and the offenders therein their counſellors, conſenters, and ayders, ſhall be likewiſe déemed and adiudged as offendors in Treaſon, and being thereof lawfully conuicted or attainted, according to the due order of the Lawes of this Realme, ſhall ſuffer paines of death, and loſe and forfeit all their goods and cattels to the Quéenes Maieſty, her heires and ſucceſſors, and ſhall alſo loſe and forfeit to the Quéenes Highneſſe, her heires and ſucceſſors, all their lands, tenements, and herditaments, during his or their naturall life or liues onely.

The diminiſhing, ſcaling, or lightening for gainſake, of any money currant within this Realm ſhall be high treaſon.

Prouided alwayes, and be it enacted by the authority aforeſaid, That this Act, nor any thing therein contained, nor any attainder or attainders of any perſon or perſons for any offence or offences made Treaſon by this Act, ſhall in any wiſe extend, or be iudged, interpreted, or expounded, to make any corruption of blood to any the heire or heires of any ſuch offendor or offendors, or to make the wife of any ſuch offendor to loſe or forfeit her Dower of or in any lands, tenements, or hereditaments, or her title, action, or intereſt to the ſame, any thing in this Act contained, or any attainder or attainders hereafter to be had, for any offence or offences made Treaſon by this Act, to the contrary notwithſtanding.

No corruption of blood or forfeiture of dower for this treaſon.

And be it further enacted by the authority aforeſaid, That if any the Lords of the Parliament, or Péere of this Realme, for the time being, ſhall fortune at any time hereafter to be indicted of any offence made Treaſon by this Act, that then they and euery of them ſhall haue his or their triall by their Péeres, as hath béene vſed heretofore in caſes of high Treaſon. Stat.25. Ed.3.2. 1.M.6. 5.Eliz.11.

Tryall of a Peere by his Peeres.

CAP. II.

Confirmation of all Letters Patents made by the Queene ſince the beginning of her reigne, or to be made ſeuen yeares after, notwithſtanding any miſrecitall, nonrecitall, &c, And of all aſſurances made or to be made to the Queene during the ſaid terme.

Where ſithence the eightéenth day of Nouember, in the firſt yeare of the Quéenes Maieſties reigne, diuers and ſundry Honors, Caſtles, Manors, Lands, Tenements, Rents, Reuerſions, Seruices, and other Hereditaments, haue béene conueyed and aſſured to her highneſſe, her heires and ſucceſſors, by, or from diuers and ſundry perſons and bodies politike, as well for the diſcharge & ſatisfaction of great debts and ſummes of money, as for other good conſiderations. For the perfect aſſurance, confirmation, and further ſurety whereof, be it enacted by the authority of this preſent Parliament, that all feoffements, fines, ſurrenders, aſſurances, conueyances, and eſtates in any wiſe conueyed, had, or made, or to be had or made, at any time, during the ſpace of ſeuen yeares, next after the end of this preſent Seſſion of Parliament, to, or for our ſayd Soueraigne Lady the Quéenes Maieſty, by, or from any perſon or perſons, bodies politike or corporate, of any Honors, Caſtles, Manors, Lands, Tenements, Rents, Reuerſions, Seruices, and other hereditaments, for any debt, ſumme or ſummes of money, or other conſideration whatſoeuer, ſhall ſtand, remaine, and bée good and auailable in the Law, to all intents, conſtructions, and purpoſes. according to the true meaning, intent and purport of the ſame. Sauing to all and euery perſon and perſons, and to their heires, bodies politike and corporate, and to their ſucceſſors and euery of them, (other than ſuch perſon or perſons, and their heires, and wiues, being parties or priuies to ſuch conueyances or aſſurances, and euery of them, bodies politike or corporate, and their ſucceſſors, and euery of them, of, or from whom the Quéenes highneſſe hath had, obtained or purchaſed, or ſhall obtaine, or purchaſe, during the ſpace of ſeuen yeares, any Manors, Meſſuages, Lands, Tenements, Rents, Reuerſions, Seruices, or hereditaments, by exchange, gift, bargaine, fine, feoffement, recouery, déede enrolled, or otherwiſe) all ſuch Right, Title, intereſt, vſe, poſſeſſion, rents, reuerſions, remainders, offices, fées, commons, profits, & commodities whatſoeuer, which they or any of them haue, might, or ought to haue had, of, in, or to the premiſſes, or any part thereof, in as large and ample manner, forme, and condition, to all intents, conſtructions, and purpoſes, as if this Act had neuer béene had ne made, this preſent Act or any thing therein contained to the contrary, notwithſtanding.

Co.l.5.fo.15. Li.10.67.76.

A confirmation of the aſſurance made of any lands to the Queens by any other perſon ſince the beginning of her reigne.

The right of other ſaued.

And where our ſaid Soueraigne Lady the Quéenes highneſſe, ſithence the ſaid eightéenth day of Nouember, in the firſt yeare of her Maieſties reigne, as well for diuers and great ſummes of money, as alſo for diuers and ſundry other conſiderations, hath bargained, ſold, giuen, and granted, by her Graces ſundry Letters Patents, Indentures, or other writings, ſealed vnder the great Seale of England, or the ſeale of the Duchie of Lancaſter, or the Seale of the County Palatine of Lancaſter, as well to bodies politike and corporate, as to diuers aud ſundry other her louing and obedient Subiects, diuers and ſundry honors, manors, lands, tenements, rents, reuerſions, ſeruices, and other hereditaments, in fee ſimple, fee taile, or for terme of life, liues, or yeares, as in the ſame ſeuerall Letters Patents, Indentures, and other writings is mentioned and declared.

A confirmation of the Let. P. of the Q. made ſithence the beginning of her reigne, or to be made vii. yeares after.

Coke pla. fo. 382. 582.

Defects in Let. P. ſalued.

And to the intent the ſame Letters Patents, Indentures, and other writings ſhould bee good, auaileable, and of perfect force and effect, to all and euery her highneſſe louing ſubiects, according to the true meaning and effect of the ſame: be it enacted and eſtabliſhed by authority of this preſent Parliament, that as well all and ſingular Letters Patents, Indentures, and other writings, ſealed vnder the great Seale of England, or vnder the Seale of the Duchie of Lancaſter, or the ſeale of the County Palatine of Lancaſter, and heretofore made or granted by our ſayd Soueraigne Lady the Queene for any ſummes of money, or for and vpon any other conſiderations, as all other Letters Patents hereafter to be made by our ſayd ſoueraigne Lady the Queene, for any ſumme or ſummes of money, or other conſiderations, during the ſaid ſpace of ſeuen yeares next enſuing the making of this Act, to any body politike or corporate, or to any other perſon or perſons whatſoeuer, of any Honors, Caſtles, Manors, Lordſhips, Granges, Meſes, Lands, Tenements, Meddowes, Paſtures, Rents, Reuerſions, Seruices, Woods, Aduowſons, Nominations, Patronages, Annuities, Rights, Intereſts, Entrees, Conditions, Leetes, Courts, Liberties, Priuiledges, Franchiſes, or of any other Hereditaments, with their appurtenances, or of any other part or parcell of them, ſealed with or vnder the great Seale of England, or vnder the Seale of the Duchie of Lancaſter, or the Seale of the County Palatine of Lancaſter, of whatſoeuer kind, nature, or quality they or any of them be, or ſhall be reputed, knowen, or taken, with their appurtenances, or any part or parcell of them, ſhall bee good, perfect, and effectuall in the law, and ſhall ſtand, be taken, reputed, deemed, and adiudged good, perfect, ſure, auaileable, and effectuall in the law againſt the Queenes Maieſty, her heires and ſucceſſors, according to the tenor and effect of the ſayd Letters Patents, the ſame to be expounded, conſtrued, deemed, and iudged moſt beneficially for the Patentees, and grauntees of the ſame, and their aſſignees, according vnto the words and purport of euery the ſaid Letters Patents, without any confirmation, licence, or
1. toleration of the Queene, her heires or ſucceſſors: any miſnaming, miſrecitall, or nonrecitall, of
any the ſame Honors, Caſtles, Manors, Lands, Tenements, and other the premiſſes, or of any
2. parcell thereof: Or any lacke of finding of offices, or inquiſitions, of and in the premiſes, or any
part thereof, whereby the title of the Queenes highneſſe therein ought to haue beene found, before
3. the making of the ſame Letters Patents, or other writings: Or any miſrecitall or nonrecitall
4. of leaſes thereof before made, as well of record as not of record: Or any lacke of the certainty,
miſcaſting, rating, or ſetting forth of the yearely value and rate of the premiſſes, or of the yearely
rents reſerued of and for the premiſſes, or any parcell thereof, mentioned or conteyned in any
of the ſayd Letters Patents or other writings, or for that the premiſſes bee, or any part thereof
is valued to a more or leſſe value in the ſaid Letters Patents or writings, than the ſayd Mannors,
5. Lands, Tenements, and other the premiſſes then were, or ſhall bee in yearely value: Or any
miſnaming, or not true naming of the Townes, Hamlets, Pariſhes, or Counties where the
ſame Honors, Mannors, Lands, Tenements, Rents, Hereditaments, and other the premiſſes,
6. and euery parcell thereof, or any parcell thereof, lyen or beene: Or any lacke of the true naming
of the Lands, Tenements, or Hereditaments, or of the natures, kindes, ſorts, qualities,
or quantities of the ſayd poſſeſſions, or hereditaments, or any parcell thereof: Or any lacke of
7. the true naming of the Corporation: Or any lacke of the attornament, liuerie, or ſeiſon: Or
8. of any miſnaming of any the late Tenants, or Fermours of the ſame Honours, Mannors,
9. Lands, Tenements, and Hereditaments, or any part thereof, ſo ſold, granted, or giuen,
notwithſtanding.

Patents of offices.

Prouided that this Act, nor any thing therein contained, ſhall not extend to make any Letters Patents of any office or offices, to be of any other effect, force, or ſtrength, than the ſame Letters Patents were, or ſhould haue beene before the making of this Act.

A ſatiſfaction to the Queene for the ouerplus of the value of the lands by her granted.

Prouided alſo, that all and ſingular ſuch patentees, grauntees, and donees, and euery of them, which at any time heretofore ſithen the ſayd eighteenth day of Nouember, haue obtained and gotten of our ſayd Soueraigne Lady the Queene, or at any time hereafter during the ſayd ſpace of ſeuen yeares, ſhall obtaine and get of our ſayd Soueraigne Lady the Queenes Maieſtie that now is, by way of exchange, or for any ſumme or ſummes of money, or other conſiderations, any Letters Patents, of any Manors, Lands, Tenements, or Hereditaments whatſoeuer, which at the date and making of any the ſame Letters Patents ſo made, ſithen the ſayd eighteenth day of Nouember, or hereafter to bee made, during the ſayd ſpace of ſeuen yeares, as is aforeſayd, were or ſhall be at the time of the making of ſuch Letters Patents, of better and more yearly value to the Queenes Highneſſe, and ſo anſwered in yearely rent and ferme, than was, is, or ſhall bee contained, mentioned, and ſpecified in any ſuch Letters Patents, or in the particulars or rate thereof made, or to be made by any Auditor or Auditors, Surueyor or Surueyors, or other

ther officer: That then euery ſuch patentee, grauntee, or donee, , their heires, executors, or aſſignes, and euery of them, within one yeare next after office, or other due proofe, order, and decree thereof made and had, or to be made and had within the ſpace and terme of ten yeares next after the end of this preſent Seſſion of Parliament in the Court of the Exchequer, ſhall content and pay vnto the Queenes Maieſty, her heires and ſucceſſors, for the ſame ouerplus and more value of the ſame manors, lands, tenements, and other hereditaments whatſoeuer, with their appurtenances, ſo ſold, giuen, graunted, or exchanged, as is aforeſaid, after the rate of threeſcore yeares purchaſe, and according to ſuch yearely value and rate, as the ſame manors, lands, tenements, and other hereditaments whatſoeuer, were, and anſwered at the time of the making of any ſuch Letters patents ſo made or to be made, in maner and forme aforeſaid: any thing contained in ſuch Letters Patents to the contrary in any wiſe notwithſtanding.

Forty yeares purchaſe.

Prouided alſo, that this Act or any prouiſo therein contained, ſhall not in any wiſe extend to confirme, ratifie, or make good any leaſe or leaſes, made or to be made by our Soueraigne Lady the Queene, for terme of life, liues, or for yeares, whereupon the old and accuſtomed rents or more, be not, or hereafter ſhall not be reſerued and yearely payable, during the time and terme of euery ſuch Leaſe: Nor that this preſent Act ſhall in any wiſe extend to reuiue or make good any Letters patents made of any office or offices to any Controller, Cuſtomer, Aulneger, Searcher, nor to any Let.pat. of the graunt of any other office or offices heretofore graunted or made by the Queenes Maieſty, which now be, or at any time heretofore haue beene adnihilated, determined, or made voide, by iudgement, by authority of Parliament, or by decree: nor to any patents to be made to any perſon or perſons for terme of yeares, or during the minority of any heire of any manors, lands, or tenements, whereof any trauerſe hereafter ſhall be tendred within three moneths after any office found and certified into any the Queenes Maieſties Courts of Record: ne to make good any Letters patents made by our ſaid Soueraigne Lady, of any office or offices to be of any other effect, force, or ſtrength, than the ſame Letters patents were or ſhould haue beene before the making of this Act.

Patents or graunts whereunto this ſtat. ſhall not extend.

Prouided alſo, that this Act, or any thing therein contained ſhall not extend to any Letters patents, which at any time heretofore ſithence the beginning of the Queenes Maieſties reigne, haue beene, or hereafter ſhall be made by the Queenes highneſſe, to any perſon or perſons, of any manors, lands, tenements, rents, reuerſions, ſeruices, or other hereditaments, by force of any Information, ſuit, or ſuggeſtion, made, or to be made to her highneſſe, that the ſame manors, lands, tenements, and other hereditaments, ſo contained in any ſuch Letters patents, were concealed [a] lands, but that the ſame Letters patents, and euery of them, ſhall ſtand, remaine, and be in the ſame force, ſtrength, and effect, as they were before the making of this Act: any thing in this Act mentioned to the contrary notwithſtanding. Sauing to all and euery other perſon or perſons, and bodies politike and corporate, their heires and ſucceſſors, and euery of them, all ſuch right, title, intereſt, poſſeſſion, eſtate, leaſes, rents, ſeruices, commons, and all other profits and commodities what ſoeuer, as they or any of them ſhould or might haue had before the Letters patents thereof made, if this Act had neuer beene had ne made: Any thing therein contained to the contrary, notwithſtanding. St.43.El.1.35.El.3.34.H.8.21. 1.Ed.6.8.7.Ed.6.3.4.& 5.P.& M.1.

ali.4.l.36.
nia.110,

Patents of of concealed lands.
21. Iac. 2.

CAP. III.

Inſt. of P. ſhall order the puniſhment of the mother and reputed father of a Baſtard, &c.

A Rogue ſhal be conueyed from Conſtable to Conſtable, vntil he come to the Gaole. A ſtock to ſet the poore on worke ſhalbe prouided in euery City and Towne corporate. Houſes of correction ſhalbe aſſigned in euery county. Lands holden in Socage may during twenty years be giuen towards the maintenance of houſes of correction, and ſtockes for the poore. EXP.

Concerning Baſtards begotten & borne out of lawfull matrimony (an offence againſt Gods law and mans law) the ſaid Baſtards being now left to be kept at the charges of the Pariſh where they be borne, to the great burden of the ſame Pariſh, and in defrauding of the reliefe of the impotent and aged true poore of the ſame Pariſh, and to the euill example and encouragement of lewd life: It is ordained and enacted by the authority aforeſaid, That two Iuſtices of the peace, whereof one to be of the Quorum, in or next vnto the limits where the pariſh Church is, within which pariſh ſuch baſtard ſhall be born (vpon examination of the cauſe and circumſtance) ſhall & may by their diſcretion take order, as well for the [b] puniſhment of the mother and reputed father of ſuch Baſtard childe, as alſo for the better reliefe of euery ſuch pariſh in part or in all, and ſhall & may likewiſe by like diſcretion, take order for the keeping of euery ſuch baſtard child, by charging ſuch mother or reputed father, with the payment of money weekely, or other ſuſtentation for the reliefe of ſuch childe, in ſuch wiſe as they ſhall thinke meete and conuenient. And if after the ſame order by them ſubſcribed vnder their hands, any the ſayd perſons, viz. mother or reputed father, vpon notice thereof, ſhall not for their part obſerue, and performe the ſaid order: that then euery ſuch party ſo making default, in not performing of yͤ ſaid order, to be committed to

i.4.l.17.

A prouiſion for the keeping of Baſtards.
7. Iac. 4.

ward to the common Gaole, there to remaine without baile or mainpriſe, except hée, ſhée, or they ſhall put in ſufficient ſuerty to performe the ſaid order, or elſe perſonally to appeare at the next generall Seſſions of the peace to be holden in that county where ſuch order ſhall be taken, and alſo to abide ſuch order as the ſaid Juſtices of the Peace, or the more part of them, then and there ſhall take in that behalfe (if they then and there ſhall take any) and that if at the ſaid Seſſions the ſaid Juſtices ſhall take no other order, then to abide & performe the order before made, as is aboreſaid. 3. Car. 4. continued vntill the end of the firſt Seſſion of the next Parliament.

Cap. IIII.

Euery perſon which hath or claimeth to have any eſtate of inheritance, leaſe, or rent, not already entred of Record in the Exchequer, of, in, or to any lands, or hereditaments, &c. by any aſſurance made by *Charles* Earle of Weſtmerland, or any other Rebels in the North attainted, named in the Stat. of 13, *Eliz.* 16. or in any of the Records of their ſeuerall attainders, at any time within two yeares next before the ſeventh day of Nouember, an. 11. of the Queens reign, ſhall within one yeare next enſuing the firſt day of May next, openly ſhew forth in the Exchequer, in the Terme time, the ſame his conueyance, and exhibite the ſame to be inrolled of Record: Or elſe every ſuch conueyance made by any of the ſaid Rebels ſhall be voide. And after the ſaid party which exhibiteth the ſame conueyance, may within one yeare produce witneſſes to be examined in the Exchequer, to prove the ſame to be made *bona fide*. And yet if at the ſuit of the Queene, or any of her Patentees, it ſhall be found by verdict, that any ſuch conueyance was made by couin, to defraud the Q. of her forfeiture, it ſhall be voide. But this Act ſhall not extend to any bargaine and ſale made of lands by deed indented and inrolled, nor to leaſes for three liues, or xxi. yeares, nor to eſtates graunted by copy according to the cuſtome of the mannor, ſo uſed to be letten, by the ſpace of twenty yeares, whereupon the old, and accuſtomed yearely rent, or more ſhall be reſerued. PR. *Coke li.* 7. *fol.* 11. Stat. 13. *Eliz.* 16.

Cap. V.

The dutie of an Informer in proſecuting a ſuit upon a penall Statute, and his puniſhment if hee abuſe it.

The duty of an Informer in proſecuting a ſuit vpon a penall Stat.

For redreſſing of diuers diſorders in common Informers, and for better execution of penall lawes: Be it enacted That every Informer vpon any penall ſtatute ſhall exhibite his ſuite in proper perſon, and purſue the ſame onely by himſelfe, or by his Atturney in Court, and that none ſhall be admitted or receiued to purſue againſt any perſon or perſons vpon any penall Statute, but by way of Information, or originall action, and not otherwiſe, nor ſhall haue ne vſe any Deputy or Deputies at all, and that vpon every ſuch Information which ſhall bée exhibited, a ſpeciall note bée made of the very day, moneth, and yeare of the exhibiting thereof into any office, or to any officer, which lawfully may receiue the ſame, without any maner of antedate thereof to be made, and that the ſame Information be accompted and taken to be of record from that time forward, and not before. And be it likewiſe enacted for the conſideration aforeſaid, That no proceſſe be ſued out vpon any ſuch Information, vntill the Information be exhibited in forme aforeſaid, and that vpon every ſuch proceſſe, ſhall be indorſed as well the parties name that purſueth the ſame proceſſe, as alſo the Statute vpon which the Information in that behalfe made, is grounded. And that every Clerke making out proceſſe contrary to the tenor and prouiſion of this Act, ſhall forfeit and loſe forty ſhillings for every ſuch offence, the one halfe to be to the Quéenes Maieſty, her heyres and ſucceſſors, and the other halfe to the party againſt whom any ſuch defectiue proceſſe ſhall be awarded, to be recouered in any Court of Record by action of debt or information, in which, no eſſoyne, protection, iniunction, or wager of law ſhall be permitted or allowed.

A note of the day, moneth & yeare of the exhibiting of an Information.

Indorcement of the proceſſe awarded vpon an Information.

Co. li.

Where the triall of an iſſue ſhall be in a ſuit vpon a penall Stat.

And be it further enacted, That no Jury ſhall be compelled to appeare in any of the Quéenes Maieſties Courts at Weſtminſter, for the tryall of any iſſue in any ſuch ſuit vpon any penall law, for any offence committed aboue thirty miles from the City of Weſtminſter, except in caſe where the Atturney generall for the time being, for ſome reaſonable cauſe in that behalfe to be ſhewed, ſhall require the ſame to be tryed at the barre, in any of the Courts of the Quéenes Maieſty, her heires or ſucceſſors, at Weſtminſter aforeſaid: which requeſt ſhall be noted on the backſide of the writ of Diſtringas thereupon awarded, to the end the Sheriffe or his Bayliffe may and ſhall ſignifie the ſame to the Jury that are in ſuch caſe impanelled.

No Informer ſhall compound with the defend. but by conſent of the Court.

And be it further enacted, that no ſuch Informer or plaintiffe, ſhall or may compound or agrée with any perſon or perſons, that ſhall offend, or ſhall be ſurmiſed to offend againſt any penall ſtatute, for ſuch offence committed, or pretended to be committed, but after anſwer made in Court vnto the Information or ſuit in that behalfe exhibited or proſecuted: nor after anſwer, but by the order or conſent of the Court in which the ſame Information or ſuit ſhall be depending, vpon paines and penalties hereafter in this preſent Act ſet downe and declared.

And that if any ſuch Informer or plaintiffe, as aforeſayd, ſhall willingly delay his ſuit, or ſhall diſcontinue, or bee nonſuit in the ſame, or ſhall haue the triall or matter paſt againſt him therein by verdict or iudgement of law: that then in euery ſuch caſe the ſame Informer or plaintiffe, ſhall yeeld, ſatiſfie, and pay vnto the party defendant, his coſts, charges, and damages, to bee aſſigned by the Court in which the ſame ſuit ſhall be attempted: For the recouery and execution whereof, euery ſuch defendant ſhall immediatly vpon the ſame coſts, charges, and damages aſſigned, haue his capias ad ſatisfac', fieri facit, or elegit, to be awarded vnto him out of the ſame Court in which the ſame ſhall be ſo aſſigned, as is aforeſayd, as in other cauſes of execution.

The penalty of the Informer delaying or diſcontinuing his ſuit or being non ſuit &c.

And be it alſo enacted, that if any perſon or perſons (except the Clerkes of the Court onely, for making out of proceſſe otherwiſe than is aboue appointed) ſhall offend in ſuing out of proceſſe, making of compoſition, or other miſdemeanor, contrary to the true intent and meaning of this ſtatute, or ſhall by colour or pretence of proceſſe, or without proceſſe, vpon colour or pretence of any matter of offence againſt any penall law, make any compoſition, or take any money, reward, or promiſe of reward, for himſelfe, or to the vſe of any other, without order or conſent of ſome of her Maieſties Courts at Weſtminſter, that then hee or they ſo offending, being thereof lawfully conuicted, ſhall ſtand on the pillory in ſome market towne next adioyning where the ſame offence ſhall be committed, in the open market time, and there remaine by the ſpace of two houres, and ſhall from and after ſuch conuiction, for euer be diſabled to purſue, or be plaintiffe, or informer in any ſuit or information vpon any ſtatute popular or penall: and ſhall alſo for euery ſuch offence forfeit and loſe ten pounds of lawfull Engliſh money, the one halfe thereof to the Queenes Maieſty, her heires and ſucceſſors, and the other halfe to the party grieued thereby, to be recouered in any court of record, by action of debt, or information: in which no eſſoyne, protection, iniunction, or wager of law, ſhall be permitted or allowed. And that Iuſtices of Oyer and Terminer, Iuſtices of Aſſiſe in their circuits, and Iuſtices of Peace in their quarter ſeſſions, ſhall haue full power and authority to heare and determine all offences to bee committed or done contrary to the true intent and meaning of this preſent Act.

The puniſhment of an Informer miſbehauing himſelf in the proſecution of his ſuit, &c.

Which Iuſtices may heare and determine theſe offences.

Prouided alwaies, and neuertheleſſe be it enacted, that it ſhall and may be lawfull to and for any perſon or perſons grieued by meanes of any maner of maintenance, champerty, buying of titles or imbracerie, to purſue vpon any the ſtatutes prouided and ſet forth againſt maintenance, champertie, buying of titles, or imbracerie, as he or they might haue done, before the making of this Act: any thing in this Act conteined to the contrary in any wiſe notwithſtanding.

Purſuing vpon Stat. againſt Maintenance, Chāperty &c.

Prouided alſo, that this Act ſhall not extend to any ſuit already depending, nor ſhall reſtraine any certaine perſon, body politike or corporate, to whom or to whoſe vſe any forfeiture, penalty, or ſuit, is or ſhall be ſpecially limited or graunted by vertue of any ſtatute, and not generally to any perſon that will ſue, but that euery ſuch certaine perſon, body politike or corporate, which might ſue or informe, as if this Act were not made, may in ſuch caſe, ſue, informe, and purſue, as hee or they might haue done, if this Act were neuer had nor made.

Penalties giuen to perſons certain & not generally.

And prouided alſo, that neither this Act, nor any thing therein contained, ſhall in any wiſe extend to any ſuch officers of record, as haue in reſpect of their offices heretofore lawfully vſed to exhibite informations, or ſue vpon penall lawes, nor to any officers informing or purſuing for matters onely concerning his or their offices, but that they and euery of them, may informe and purſue in that behalfe, as they might haue done before the making of this Act: any thing in this Act contayned to the contrary in any wiſe, notwithſtanding.

Officers vſing to exhibit Informations.

This Act to take force and effect from the feaſt of Eaſter next comming, and from thenceforth to endure vnto the end of the firſt ſeſſion of the next Parliament. 27. El. 10. made perpetuall. 31. Eliz. 5.

Cap. VI.

Vpon Leaſes made by Colledges, the third part of the rent ſhall bee reſerued in Corne.

FOr the better maintenance of Learning, and the reliefe of Schollers in the Vniuerſities of Cambridge and Oxford, and the Colledges of Wincheſter and Eaton, bee it enacted by the Queenes Maieſty, the Lords ſpirituall and temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame: That no Maſter, Prouoſt, Preſident, Warden, Deane, Gouernor, Rector, or chiefe Ruler of any Colledge, Cathedral Church, Hall, or Houſe of learning, in any of the Vniuerſities aforeſayd, nor any Prouoſt, Warden, or other head officer of the ſayd Colledges of Wincheſter or Eaton, nor the corporation of any of the ſame, by what title, ſtile, or name ſoeuer they now be, ſhall, or may be called, after the e of this preſent Seſſion of Parliament, ſhall make any leaſe for life, liues, or years, of any farme, or any their lands, tenements, or other hereditaments, to the which any tithes, arable land, meddow, or paſture, doth, or ſhall appertain, except that the one third part at the leaſt of the old rent be reſerued in corn, for the ſayd Colledges, Cathedral Church, Halls, & Houſes, that is to ſay, in good wheat, after vi. s. viii. d. the quarter, or vnder, and good mault at v. s. the quarter or vnder, to be deliuered yearely vpon daies

Vpon Leaſes made by Colledges, a third part of the rent ſhall be reſerued in Corne.

preſcribed, at the ſayd Colledges, Cathedrall Church, Halls, or Houſes, and for default thereof, to pay to the ſayd Colledges, Cathedrall Church, Halls, or Houſes, in ready money, at the election of the ſayd Leſſées, their executors, adminiſtrators, and aſſignes, after the rate of the beſt wheate, and mault in the market in Cambridge, for the rents that are to bee payd to the vſe of the houſe, or houſes there, and in the market of Oxford, for the rents that are to be payd to the vſe of the houſe, or houſes there, and in the market of Wincheſter, for the rents that are to bee payde to the vſe of the houſe, or houſes there, & in the market of Winſor, for the rents that are to be payd to the vſe of the houſe, or houſes at Eaton, is or ſhall be ſold the next market day before the ſayd rent ſhall bée due, without fraud or deceipt: And that all Leaſes otherwiſe hereafter to bee made, and all Collaterall bonds, or aſſurance to the contrary by any of the ſayd Corporations, ſhall be voyd in law to all intents, and purpoſes. The ſame wheate, mault, or money comming of the ſame, to be expended to the vſe of the reliefe of the Commons and diet of the ſayd Colledges, Cathedrall Church, Halls, and Houſes onely, and by no fraud, or colour, let or ſold away from the profit of the ſayd Colledges, Cathedrall Church, Halls, and Houſes, and the Fellowes and Schollers in the ſame, and the vſe aforeſayd, vpon paine of depriuation of the Gouernor and chiefe Rulers of the ſayd Colledges, Cathedrall Church, Halls, and Houſes, and all other therunto conſenting.

Mouncken barne in Suſſex.

Prouided alwaies, that this Act, or any thing therein contained, ſhall not extend, or be in any wiſe preiudiciall to any Leaſe to bee made of a barne called Mouncken barne, with a certaine portion of tithes, riſing, growing, and being in the pariſh of Southweeke in the County of Suſſex, being parcell of the poſſeſſions of Maudeleyn Colledge in Oxford, ſo that the terme demiſed in and by the ſayd leaſe exceede not the number of tenne yeares, from and after the feaſt of S. Michael the Archangell next comming: any thing therein ſpecified to the contrary notwithſtanding.

Fiſielde demiſed to White.

Prouided alſo, that this Act ſhall not extend to any Leaſe to bée made by the Preſident, and Schollers of the ſame Colledge of S. Iohn Baptiſt, in Oxford, to any heire male of Sir Thomas White, late Knight and Alderman of London, founder of the ſaid Colledge, which leaſe ſhall be made according to the meaning of the foundation, and ſtatutes of the ſayd Colledge of the Manor of Fiſielde, and no other hereditaments.

Cap. VII.

Offendors in Rape and Burglary ſhall not haue Clergie, and how Clerkes conuict ſhall be deliuered without purgation.

For the repreſſing of the moſt wicked and felonious Rapes or rauiſhments of women, maides, wiues, and damſels, and of felonious Burglaries, and for the auoyding of ſundry periuries and other abuſes, in and about the purgation of Clerkes conuict, deliuered to the Ordinaries: Be it enacted and ordained by the authority of this preſent Parliament, That if any perſon or perſons, ſhall fortune at any time after the firſt day of Iune now next enſuing, to commit or doe any manner of felonious Rape, rauiſhment, or Burglary and to be found guilty by verdict, of any ſuch felonious Rape or Burglary, or that any perſon or perſons ſhall fortune to be [a] outlawed for any the offences aforeſaid, or vpon his or their arraignement, ſhal confeſſe any ſuch felonious Rape or Burglary: that in euery ſuch caſe, euery perſon and perſons ſo being found guilty, outlawed, or confeſſing any of the ſayd felonious Rapes or Burglaries, ſhall ſuffer paines of death, and forfeit as in caſes of felony hath béen vſed and accuſtomed by the Common lawes of this Realme, without any allowance of the priuiledge or benefit of Clergie: any law, cuſtome or vſage heretofore had, made, or vſed to the contrary, notwithſtanding.

a Cok.li

None ſhall haue Clergie, that committeth rape or burglary.

No man allowed his Clergie ſhall be committed to the Ordinary, but preſently deliuered. 4. H.7. 13. 3. E. 1. 2.

And moreouer be it further enacted by the authority aforeſayd, that euery perſon and perſons, which at any time after the end of this preſent ſeſſion of Parliament, ſhall be admitted and allowed to haue the benefit or priuiledge of his or their Clergie, ſhall not thereupon bee deliuered to the Ordinary, as hath béen accuſtomed, but after ſuch Clergy allowed, and burning in the hand, according to the Statute in that behalfe prouided, ſhall forthwith be enlarged [b] and deliuered out of priſon, by the Iuſtices before whom ſuch Clergie ſhall bee graunted, that cauſe notwithſtanding.

b Cok.

The Iu. may retaine offendors in priſon for a time.

Prouided neuertheleſſe, and be it alſo enacted by the authority aforeſayd, that the Iuſtices before whom any ſuch allowance of Clergy ſhall be had, ſhall and may for the further correction of ſuch perſons to whom Clergie ſhall be allowed, deteine and keepe them in priſon for ſuch conuenient time, as the ſame Iuſtices in their diſcretions ſhall thinke conuenient, ſo as the ſame doe not excéed one yeares impriſonment: any law or vſage heretofore had or vſed to the contrary in any wiſe, notwithſtanding.

To know a woman carnally vnder the age of x. yeres ſhall be felony.

And for plain declaration of law, be it enacted, that if any perſon ſhall vnlawfully and carnally know and abuſe any woman childe vnder the age of ten yeares, euery ſuch vnlawfull and carnall knowledge ſhall bée felony, and the offendor thereof being duely conuicted, ſhall ſuffer as a felon, with out allowance of Clergie.

Prouided alwayes, that all and euery perſon and perſons, which ſhall hereafter be admitted to haue the benefit of his oꝛ their Clergy, ſhall notwithſtanding his oꝛ their admiſſion to the ſame, be put to anſwer to all other felonies whereof he oꝛ they ſhall be hereafter indicted oꝛ appealed, and not being thereof befoꝛe acquitted, conuicted, attainted, oꝛ pardoned, and ſhall in ſuch manner and foꝛme be arraigned, tried, adiudged & ſuffer ſuch execution foꝛ the ſame, as he oꝛ they ſhould haue done if as Clerke oꝛ Clerkes conuict they had bin deliuered to the Oꝛdinary, and there had made his oꝛ their purgations: any thing in this Act contained to the contrary notwithſtanding.

He that is allowed his Clergy ſhall anſwer to other felonies. 25.Ed.3.5. 8.El.4.

CAP. VIII.

The Queene may appoint Iuſt. of Aſſiſes in Wales, and of what things they may hold plea.

Whereas by diuers laudable ſtatutes, vſages, and lawes of this Realme, foꝛ the good gouernment & adminiſtration of Iuſtice within the principalitie & dominion of Wales, and the countie Palatine of Cheſter, it hath bin eſtabliſhed, vſed & enacted among other things that there ſhall be holden & kept Seſſions twice in euery yeare, in euery of the ſhires in the ſaid dominion & principalitie of Wales, that is to ſay, in the ſhires of Glamoꝛgan, Brecknocke, Radnoꝛ, Caermarthen, Pembroke, the Towne and county of Hauerfoꝛd Weſt, Cardigan, Mountgomery, Denbigh, Flint, Caernaruan, Merioneth, and Anglizey, and in the ſaid county Palatine of Cheſter, the which Seſſions are called the Kings great Seſſions, & that the Iuſtice of Cheſter foꝛ the time being, ſhall hold and keepe Seſſions twice in euery yeare, in the ſhires of Cheſter, Denbigh, Flint, and Mountgomery: And likewiſe that the Iuſtice of Noꝛthwales ſhall hold & keepe Seſſions twice euery yeare, in euery of the ſaid ſhires of Caernaruan, Merioneth, and Anglizey: And that alſo one perſon learned in the lawes of this Realme of England, by the Queenes Maieſtie to be appointed, ſhall be Iuſtice of the ſhires of Radnoꝛ, Brecknocke, and Glamoꝛgan, and ſhall in likewiſe hold and keepe Seſſions twice in euery yeare in euery of the ſame ſhires; and that one other perſon learned in the lawes of this Realme, to be appointed as is afoꝛeſayd, ſhall be Iuſtice of the ſhires of Caermarthen, Pembroke, and Cardigan, and the towne & countie of Hauerfoꝛd Weſt, and ſhall likewiſe hold and keepe Seſſions twice in euery yeere, in euery of the ſame ſhires. And that the ſaid perſons oꝛ Iuſtices, & euery of them then being, oꝛ that hereafter ſhould be, ſhould haue ſeuerall Letters Patents and Commiſſions foꝛ their offices, vnder the great Seale of England, to be exerciſed by themſelues, oꝛ their ſufficient deputies, accoꝛding to the purpoꝛts and intents in the oꝛdinances ſpecified.

27.H.8.26. 34.H.8.26.

Foꝛaſmuch as by the good adminiſtration of Iuſtice within the ſaid ſhires and counties, the ſame principalitie and dominion of Wales, and the ſayd county Palatine of Cheſter, are reduced to great obedience of her Maieſties lawes, and the ſame greatly inhabited, manured, & peopled, and foꝛ that all and all manner cauſes, plees, actions, as well reall, perſonall, and mixt, as treaſons, plees of the crowne, attaints, conſpiracies, aſſiſes, quare impedit, appeales of murder, mayme, & felony, and triall vpon all murders, manſlaughters, and felonies whatſoeuer, ariſing within the ſayd ſeuerall circuits, are by the ſaid lawes, vſages, & ſtatutes impledable, impleded, and determinable befoꝛe one onely Iuſtice, as is afoꝛeſaid: And foꝛ that many great and weighty cauſes, matters, queſtions, demurres, and ambiguities in law do thereupon daily ariſe, encreaſe, and are like moꝛe and moꝛe to encreaſe within the ſaid ſhires, to the infinite trouble of ſuch one Iuſtice within euery of the ſayd ſeuerall circuits, and to the great delay and hinderance of adminiſtration of Iuſtice.

The benefits enſuing by the adminiſtration of Iuſtice in Wales, Cheſhire, &c.

To haue one Iudge ouercharged with the hearing of many cauſes is a great delay of Iuſtice.

Foꝛ the better and moꝛe ſpeedie remedie whereof, her Maieſties ſubiects of the ſayd principality and dominion of Wales, and county Palatine of Cheſter, haue made their moſt humble petition and ſuit to her highneſſe, to haue two Iuſtices learned in the lawes, in euery of the ſayd ſeuerall circuits. And foꝛ as much as ſome queſtion, ambiguity, and doubt hath beene heretofoꝛe made, whether her highneſſe by her Letters Patents vnder the great Seale of England, might oꝛ may authoꝛize, conſtitute, oꝛ appoint two perſons oꝛ moꝛe, to be her highneſſe Iuſtices in euery the ſayd ſeuerall circuits, oꝛ graunt commiſſion oꝛ commiſſions of aſſociation, oꝛ aſſociations, to oꝛ with euery oꝛ any ſuch ſeuerall Iuſtice and Iuſtices, oꝛ no: and alſo whether after ſuch grant the adminiſtration of Iuſtice in thoſe offices and function done by two, may be ſufficiently warranted by law, oꝛ no. Foꝛ plaine explanation whereof, and foꝛ the better redreſſe and moꝛe ſpeedy adminiſtration of Iuſtice to be had touching the premiſſes: Be it declared, explained, enacted and eſtabliſhed, by the Queenes moſt excellent Maieſty, by the aſſent of the Loꝛds Spirituall and Tempoꝛall, and the Commons in this preſent Parliament aſſembled, and by the authoꝛity of the ſame, That the Queenes highneſſe, her heires and ſucceſſoꝛs, may and ſhall at her oꝛ their will and pleaſure, haue full power, prerogatiue, and authoꝛity from time to time, to conſtitute, authoꝛiſe, name, oꝛ appoint, two oꝛ moꝛe learned as afoꝛeſaid, in the lawes of this Realme, to be Iuſtices of and foꝛ the ſayd counties of Cheſter, Flint, Denbigh, and Mountgomery: and two oꝛ moꝛe learned as afoꝛeſaid, to be Iuſtices of Noꝛthwales, viz. of and foꝛ the ſayd ſhires of Anglizey, Caernaruan, and Merioneth: and likewiſe two oꝛ moꝛe learned, as a-

The Queene ſhall appoint two oꝛ moe to be Iuſt. foꝛ euery circuit in Wales.

foreſayd, to be Juſtices of and for the ſayd circuit and ſhires of Radnor, Glamorgan, and Brecknocke: and alſo two or more learned men aforeſayd, to be Juſtices of & for the ſayd circuit and ſhires of Cardigan, Caermarthen, and Pembroke, and the towne and county of Hauerford weſt: any law, vſage, opinion, or ſtatute to the contrary notwithſtanding.

The Queene may grant commiſſions of Aſſociation to any perſon licenced to bee aſſociat with Juſtices.

And that her Maieſty, her heires and ſucceſſors, may and ſhall at her and their good will and pleaſure, from time to time, aſſociate & grant commiſſion and commiſſions of aſſociation or aſſociations, vnder the great Seale of England, to any perſon or perſons learned as aforeſayd, to be aſſociate to or with euery or any ſuch ſeuerall Juſtice or Juſtices for the time being, of the ſaid ſeuerall circuits and counties aforeſayd, or in any of the ſayd counties: And that all and euery ſuch two Juſtices or more, within euery of the ſayd ſeuerall circuits and counties, and alſo that euery ſuch Juſtice or Juſtices, together with ſuch perſon or perſons aſſociate (if any ſuch aſſociation or aſſociations ſhall happen to be, as aforeſayd) during ſuch aſſociation, & after ſuch aſſociation ended, or without ſuch aſſociation, ſuch Juſtice or Juſtices ſhall haue the like full power, preheminence, authority, and iuriſdiction from henceforth, to all intents, conſtructions, purpoſes, & effects, as any one Juſtice within any of the ſayd circuits or ſhires aforeſayd, now hath, or at any time heretofore had or ought to haue: and alſo ſhall haue like power, authority, preheminence, and iuriſdiction, to keepe & hold the ſeuerall ſeſſions aforeſayd, twice in euery yeare, in euery of the ſayd ſhires, within their ſeuerall circuits aforeſayd, and to heare, determine, order, award, adiudge, receiue, take knowledge of, and execute all and ſingular cauſes, matters, pleas of Aſſiſes, treaſons, murders, felonies, indictments, appeales of murder, felony, and maimes, actions reals, perſonals, and mixt ſuits, plaints, informations, quarrels, attaints, conſpiracies, quar' impedit, and all actions grounded vpon any ſtatute or ſtatutes, writs, proceſſes, returnes, eſſoines, verdicts, iudgements, fines, acknowledges, confeſſions, warrants, and executions, actions, and actes whatſoeuer, and to doe, performe, obſerue, accompliſh; & make all and euery other act and actes, matter and matters, thing and things whatſoeuer, in like, and in as ample, beneficiall, lawfull and effectuall manner and forme, to all conſtructions, qualities, intents, and purpoſes, as any of the now ſeuerall Juſtices, or any one of the now Juſtice or Juſtices within the ſame ſeuerall circuit or circuits and counties aforeſayd, may, ought, hath, or might lawfully doe by force of any law, vſage, or ſtatute heretofore had, made, or vſed, before the making of this Act: and that from henceforth all and ſingular writs, proceſſes, returnes, eſſoines, verdicts, iudgements, fines, recoueries, recogniſances, acknowledges, confeſſions, acte and actes, thing and things, matter and matters, as afore ſayd, had, made, taken, done, returned, heard determined, awarded, adiudged, or executed by or before any ſuch two Juſtices or more, or any ſuch Juſtice or Juſtices and aſſociate or aſſociates, as aforeſayd, to be appointed, nominated, authorized, or conſtituted aforeſayd, ſhall be allowed, taken, conſtrued, expounded and adiudged, as good, effectuall, and auaileable, to all intents, conſtructions, and purpoſes, as if the ſame had beene had, made, taken, done, returned, heard, determined, awarded, adiudged, or executed by or before any ſuch one Juſtice, or one of the Juſtices now, or late being Juſtice or Juſtices of the ſame circuit, or ſeuerall circuits aforeſayd: any law, vſage, ſtatute, acte, ordinance or preſcription to the contrary, in any wiſe notwithſtanding.

Of what things the two Juſtices or they with the Aſſociats may hold.

CAP. IX.

The Stat. of 1. El. 10. & 14. El. 4. touching the tranſporting of Leather repealed. The penalty for ſhipping Leather, &c. to the intent to tranſport it beyond the Sea.

1.Eliz.8.

14.Eliz.4.

5.Eliz.8.

A repeale of the Stat. of 1.El.8 & 14. El.4. prohibiting the tranſporting of leather, &c.

A Reuiuor of the Stat of 5. El.8. touching the tranſporting of Leather, REP. 21.Iac,22.

WHere in the Parliament holden at Weſtminſter in the firſt yeare of the reigne of the Queenes moſt excellent Maieſtie, one Act was made that the carrying of Leather, Tallow, and rawe Hides out of the Realme for Merchandizes, ſhould be felony: which Act was made to endure but for a certaine time, and afterwards was diſcontinued, and ſithence, viz. in the firſt Seſſion of this preſent Parliament, reuiued to haue continuance for certaine yeares yet to come. And where alſo in the Parliament holden in the fifth yeare of her Maieſties reigne, one other Act was made, vpon great aduice, conference, & deliberation, concerning Tanners, Curriers, Shoemakers, & other Artificers occupying the cutting of Leather, & thereby all former Acts were repealed concerning the ſame: by which meane it was hoped that the goodnes of Leather, & the exceſſe prices therof, as alſo of Tallow, ſhould haue bin remedied, which notwithſtanding dayly hath encreaſed, & yet doth: the cauſe whereof is, that being ſhipped for foreigne parties, or tranſported out of the Realme, no forfeiture is giuen to him or them that will ſeaze or ſue for the ſame. For remedy wherof, be it enacted by the Qu. our Soueraign Lady, & by the authority of this preſent Parliament, that the ſayd Act made in the ſayd firſt yeare, and continued in the firſt Seſſion of this preſent Parliament, ſhall be repealed, and that ſo much of the ſayd Act made in the ſayd fifth yeare, and the prouiſoes therein contained, as doe or doth concerne the tranſporting of leather or hides, ſhall be continued, and duely put in execution.

And be it further enacted, that it ſhall not be lawfull for any perſon or perſons, to lade, ſhip, or carrie, in any veſſel or ſhip, or otherwiſe, any Leather, Tallow, or rawe Hides, of intent to tranſport or carry the ſame into any place or places of the parts beyond the Seas, or into the Realme of Scotland, by land or by ſeas, other than Scottiſh Hides, according to the ſaid prouiſo in the ſaid Act, made in the ſayd fifth yeare, vpon the paine & forfeitures hereafter enſuing: that is to ſay, vpon the paine of the forf. of the ſayd Leather, Tallow, or rawe Hides, ſo laden or tranſported, and treble the value thereof, to be forfeited by the owner or owners: and alſo the owners of the ſayd Ships or Veſſels, knowing of ſuch offence, to forfeit the ſayd Ships or Veſſels, with all their apparell & furniture to them and euery of them belonging, & the Maſters & Mariners knowing of ſuch offence, to forfeit all their goods & chattels, and to haue impriſonment by the ſpace of one yeare without baile or maineprize: The one moity of all which forfeitures, to be to the Queenes Maieſtie, her heires & ſucceſſors, the other moity to him or them that will ſue for the ſame, by action of debt, or Information, in any Court of Record, in which ſuit, no protection, nor wager of Law ſhall be admitted.

The penalty for ſhipping or loading of any leather, tallow or raw hides to the intent to be tranſported.

The forfeiture of the owners of a ſhip, maſter & mariners offending.

Prouided alwayes, that if any owner of any ſuch Ship or Veſſell, or any Maſter or Mariner knowing any ſuch tranſportation of Leather, Tallow, or rawe Hides, ſhall within three moneths next after his knowledge thereof, or after his returne into this Realme, giue good Information, bona fide, before any of the Barons of the Queenes Maieſties Court of the Exchequer, or before the Lord Preſident or Councell in the North, or in the Marches of Wales, or before the head officer of any Port where he ſhall firſt arriue, vpon his, or their oath, of the number & quantitie of Leather, Tallow, rawe Hides, ſo carried, conueyed & tranſported, and by whom, where, and in what Ship or Veſſel, & afterwards ſhall be ready vpon reaſonable warning by proceſſe, to witneſſe & proue the ſame for the Queenes Maieſty, that then ſuch owner or owners, Maſter, Mariner, or Mariners, ſhall not forfeit his or their Ship, Veſſell, or Veſſels, nor incurre the forfeitures aforeſaid: any thing herein contained to the contrary, notwithſtanding.

By what meanes the maſter or owner of a ſhip, or mariner may eſcape the penalty aforeſayd.

And bee it further enacted by the authority aforeſayd that euery perſon or perſons whatſoeuer, that ſhall ſhippe or carry any Leather, Tallow, or rawe Hides, otherwiſe than by force of the ſayd prouiſo made in the ſayd fifth yeare, into the parts of beyond the Seas from henceforth, ſhall pay to the Queenes Maieſty, her heires, and ſucceſſors, for euery Hide ſo to bee carried, by the name of Subſidy, the ſumme of tenne ſhillings, and for euery dozen of Calues ſkinnes, three ſhillings foure pence, and for euery hundred pound weight of Tallowe, ſix ſhillings eight pence.

The Subſidy of hides, calues ſkins, and tallow tranſported.

And further, that all Cuſtomers, Comptrollers, Farmors, and ſuperuiſors of Cuſtomes and Subſidy, ſhall be accomptant to the Queenes Maieſty, her heires, and ſucceſſors, to pay the ſayd Cuſtome and Subſidy for all ſuch goods entred & laden, vpon the paines & penalties contained in the Statute made for falſe concealments of Cuſtomes & Subſidie, in the third yeare of the reigne of King Henry the ſixth.

Cuſtomers, Comptrolers, & Farmors, ſhall bee accomptant for the ſayd Cuſtomes.

3 H.6.3.

CAP. X.

Who, and for what euery perſon ſhall be charged toward the amending and maintenance of high wayes.

WHere in the Parliament holden at Weſtminſter, in the ſecond and third yeares of the reignes of our late Soueraigne Lord & Lady King Philip & Queene Mary, An act was made and ordeined for the amending and repairing of the high wayes.

2.& 3.P.& M.8

And whereas there is one other Act made in the fifth yeare of our Soueraigne Lady the Qu. that now is, for the better amendement of high wayes, wherein ſome doubts & defects haue been. For explanation whereof, & better prouiſion hereafter to be made for amendment of high wayes: Be it explaned & enacted by the Queenes Maieſtie, the Lords Spirituall and Temporall and the Commons in this preſent Parliament aſſembled, & by the authority of the ſame, that euery perſon or perſons (except ſuch as ſhall dwell in the Citie of London) that ſhall be aſſeſſed to the paiment of any Subſidy to her Maieſty to fiue pounds in goods, or forty ſhillings in lands, or aboue, during all ſuch time as he ſhall ſtand ſo aſſeſſed & not altered, & being none of the parties chargeable for the amendement of high wayes by any former law, but as a cottager, ſhall finde two able men yearely to labour in the high wayes, at ſuch dayes and times, as by the ſayd ſeuerall ſtatutes are limitted and appointed.

5.Eliz. 13.

The charge of each perſon towards the repairing of high wayes hauing v.li. in goods, or xl.s. in lands.

And euery other that hereafter ſhall occupy a plough land in tillage or paſture, lying and being in ſeuerall Pariſhes, ſhall be chargeable to the making of the wayes within the Pariſh where he dwelleth, as farre forth, and in ſuch manner and forme as any perſon hauing a plough land in any one pariſh, is, or ought to be chargeable by reaſon of the ſayd former ſtatutes or either of them.

The charge of him that hath one ploughland in ſeuerall pariſhes.

And that euery perſon or perſons, occupying and keeping in his, or their hands or poſſeſſion, The charge of him that hath ſeuerall plough lands in ſeuerall Pariſhes.

ſeuerall or diuers ploughlands, as aforeſayd in ſeuerall or diuers Townes, ſhall be charged to find for each Towne or Pariſh (where the plough lands being in his occupying, do lye) one cart, waine, tumbrel, dungpot, or court, Sledes, carres, or drags, furniſhed for the amendment & repairing of the high wayes within the ſeuerall Pariſhes where the ſayd ploughlands doe lye, in ſuch manner and forme, as if he or they were a Pariſhioner dwelling within the Pariſhes where the ſame ſeuerall ploughlands doe lye.

The penalty for not ſcowring ditches, hedges, & fences not cutting downe of buſhes.

And be it further enacted by the authority aforeſayd, that all and euery perſon and perſons that ſhall not repaire, diche, or ſcoure any wayes, fences, diches, or hedges adioyning to any high way or common fayzing way, or ſhall not cut downe or keepe low all trees & buſhes growing in or nere adioyning to any the ſayd wayes, according to the true intent and meaning of the aboue recited Act made in the fifth yeare of the Queenes Maieſties reigne that now is, for euery offence committed therein contrary to the true intent thereof, ſhall forfeit and loſe for euery default x.s.

And that all and euery perſon and perſons, that ſhall occupy any lands adioyning to the ſayd ground, ſo adioyning to any ſuch high way, or common fayzing way, where any diching or ſcouring, ſhould or ought to be, as aforeſayd, ſhall from time to time, as néede ſhall require, diche and ſcoure in his and their ground ſo adioyning, whereby the water conueyed from the ſayd high way, or common fayzing way, ouer the ground next adioyning, may haue paſſage ouer the ſaid ground ſo next adioyning, vpon paine of forfeiture for euery time ſo offending, for euery rod not ſo diched and ſcoured xii.d.

The penalty for caſting of ſoyle into the way.

And for the better kéeping of the high wayes paſſable for her Maieſties people: Be it enacted by the authority aforeſayd, that no perſon or perſons, hauing any ground by leaſe, or otherwiſe, adioyning to any high way, or common fayzing way, leading to any Market Towne, ſhall caſt or ſcoure any ditch, and throwe or lay the ſoile thereof into the high way, and ſuffer it to lye there by the ſpace of ſixe moneths, to the annoyance of the ſayd high way, or common fairing way, vpon paine of forfeiture for euery load of ſoile ſo caſt into the high way, or common fayzing way in diching, or ſcouring, twelue pence. And where any heretofore haue béene ſo caſt into the high way, or common fayzing way, that there is a bancke betwéene the ſayd way & the ditch, it ſhall be lawfull for the Surueyors & workemen by the Laws and Statute, of this Realme, appointed for the amendment of the ſayd wayes, to make Sluces or other deuices by their diſcretions to conuey the water out of the ſayd way into the ditch: any law, right, intereſt, cuſtome, or vſage to the contrary, notwithſtanding.

Making of ſluces to conuey the water.

How the forfeitures ariſing by this ſtatute ſhall be leuied & imployed.

And that all & euery penalty, ſumme or ſums of money forfeited for any cauſe within this Statute, ſhall be leuied in euery Pariſh by the Surueyors of the wayes within that Pariſh for the time being, by diſtreſſe, & ſale of diſtreſſe, in manner and forme as fines or amerciaments in Léets haue bin vſed, and the money ſo leuied to bee imployed vpon the high way or common fayzing way, where the offence was committed. And if the Surueyors ſhall not or will not leuy and employ the ſame within one yeare after the offence ſo committed, that then the ſayd ſum or ſums, forfeiture or forfeitures, ſhall be leuied in forme aforeſaid, by the Conſtables or Churchwardens of the Towne or Pariſh where the worke ought to be done in the high way (as aforeſaid) and that he or they ſo leuying any of the ſayd penalties or forfeitures, ſhall make and yéeld ſuch account appointed in the before recited ſtatutes, or either of them.

Which officers may heare & determine the offences aforeſayd.

And be it further enacted by the authority aforeſayd, that all and euery Iuſtices of Aſſiſe, Iuſt. of Oyer and Terminer, Iuſt. of the Peace in the Seſſions, and Stewards of Leets and Lawdayes, in their Léets and Lawdayes, ſhall heare and determine all and euery offence, matter, and cauſe, that ſhall grow, come, or riſe by reaſon of this ſtatute.

By what perſons & meanes Kings Ferry in the Iſle of Shippey in Kent ſhall bee repaired.

And where the Ferry, or Paſſage, called the Kings Ferry, within the Iſle of Shippey, in the County of Kent, before the making of the Statute of high wayes, was vſually repaired and maintained time out of memorie of man, at the charges of all the inhabitants and land occupiers within the whole Iſle, by taxation and ſeſſement at one Court or Lawday, time out of minde yearely holden on the Munday next after the Feaſt of Pentecoſt, at Kingſborow within the ſaid Iſle, in the name of the Quéenes Maieſty and her progenitors, onely for the maintenance of the ſame Ferry: Be it therefore enacted, that the ſayd Court ſhall be duely kept, in ſuch maner and forme as hath béene heretofore accuſtomed, and that it ſhall and may be lawfull to and for the Iurie impannelled and ſworne at the ſame Court, for the time being, by their diſcretions, reaſonably to aſſeſſe & taxe themſelues, and all other the inhabitants and land occupiers of the ſaid Iſle indifferently, according to the rate of land in euery mans occupying, towards the maintenance of the ſaid Ferrie and Paſſage, and the wayes belonging or leading to the ſame, ſo as no acre of freſh marſh and vpland be taxed aboue the rate of a peny in one yeare, nor of euery ten acres of ſalt marſh aboue the rate of a peny in one yeare. And that all and euery thing, profit, benefit, and commodity, which heretofore hath bin giuen by any perſon or perſons whatſoeuer, towards the maintenance of the ſaid Paſſage or Ferrie, ſhall be had and imployed to the maintenance of the ſaid Paſſage or Ferry, and that the Ferry Warden for the time being, ſhall haue full power & authority to leuy, recouer, and receiue the ſame, and the taxes and aſſeſſements of euery perſon & perſons,

How freſh & vpland Marſh ſhall be taxed, & how ſalt marſh, by the acre.

Things giuen to the maintenance of the Ferry.

ſons by way of diſtreſſe, vpon the Extreats made out by the Steward of the ſayd Court, as all amerciaments are vſed to be leuied that are extreated out of other the Quéenes Maieſties Léets, and Lawdayes: and that the ſayd Ferry Warden ſhall beſtow the money ſo leuied, vpon the repairing and maintenance of the ſayd Ferry, Paſſage, and wayes, and thereof ſhall giue accompt, as they haue béene accuſtomed, to the Steward of the ſayd Court and homage, there to be ſworne at the next Lawday following, and all arrerages in his hands remaining, ſhall deliuer ouer to the next Ferry Warden, on paine to forfeit the double of the ſayd arrerages, to bee leuied as other paines and amerciaments in the Court aforeſayd aſſeſſed, and to be imployed, to the maintenance of the ſayd Paſſage or Ferry.

The Ferry Warden ſhall beſtow the money vpon the repaire thereof, and make payment of the Arrerages.

And foraſmuch as the vſuall high way, leading from the market Towne called Middleton, to the ſayd Ferry, is preſently in ſuch decay, that neither man nor beaſt without great danger is able to paſſe, whatſoeuer neceſſity ſhould ſuddenly happen for men to repaire into or out of the ſaid Iſle, and the Pariſh where the ſame lieth is not able to repaire the ſame: Be it therefore further enacted, That it ſhall be lawfull from henceforth yearely during the ſpace of ten yeares, for thrée Juſtices of Peace, whereof one to be of the Quorum, next inhabiting to the ſayd towne of Middleton within the ſayd County of Kent, reaſonably to aſſeſſe and take all and euery land occupiers dwelling out of the ſayd Iſle, and within foure miles diſtant from the ſayd Ferry, as to their diſcretion ſhall ſéeme conuenient, not excéeding the ſumme of one penny, vpon euery acre of freſh marſh and vpland, in one yeare, and vpon euery ten acres of ſalt marſh, one penny in one yeare, and to aſſigne and appoint ſuch perſon and perſons as they ſhall thinke méet, for the collecting and imploying of the ſame, vpon the ſayd high wayes: and that it ſhall be lawfull for the ſayd thrée Juſtices for the time being, yéerely during the ſayd ten yeares to take account and reckoning of the ſayd perſon or perſons, touching or concerning the ſayd money ſo to be leuied or imployed. St. 27. El. 24.

Taxing of the inhabitants for the repaire of the way from Middleton to the Ferry.

Cap. XI.

A Leaſe or other conueyance to be made of any Spirituall liuing, whereof there is a Leaſe in being, not to be determined within three yeares, and all bonds and couenants for renuing thereof, ſhall be voyd, &c.

WHereas by the ſtatute made in a Parliament holden at Weſtminſter, the ſecond day of April, in the thirtéenth yeare of the Reigne of our moſt gracious Soueraigne Lady, entituled, An act againſt fraudulent gifts, to the intent to defeat dilapidations of Eccleſiaſticall liuings, and for leaſes to be granted by Collegiat Churches: It was amongſt other things enacted by the authority of Parliament, that from thenceforth, all leaſes, gifts, grants, feoffements, conueyances, or eſtates, to be made, had, done, or ſuffered, by any Maſter and Fellowes of any Colledge, or by any Deane and Chapter of any Cathedrall or Collegiate Church, Maſter, or Gardian, of any Hoſpitall, Parſon, Vicar, or any other, hauing any Spirituall or Eccleſiaſticall liuing, or any houſes, lands, tithes, tenements, or other hereditaments, being any parcell of the poſſeſſions of any ſuch Colledge, Cathedrall Church, Chapter, Hoſpitall, Parſonage, Vicarage, or other Spirituall promotion, or any wayes appertaining or belonging to the ſame, or of any of them, to any perſon or perſons, bodies politike or corporat, other than for the terme of xxi. yeares, or thrée liues, from the time of any ſuch leaſe or grant ſhall bee made or granted, whereupon the accuſtomed yearely rent or more ſhall be reſerued, & payable yearely during the ſayd termes, ſhall be vtterly voyd and of none effect, to all intents, conſtructions, and purpoſes: any law, cuſtome, or vſage to the contrary notwithſtanding, as in the ſayd Act more plainely appeareth.

A rehearſall of the ſtatutes of 13. El. 10 touching aſſurances made by ſpirituall perſons, of their lands, tithes, &c.

Sithence the making of which ſayd eſtatute, diuers of the ſayd Eccleſiaſticall and Spirituall perſons, & others, hauing Spirituall or Eccleſiaſticall liuings, haue from time to time made leaſes for the terme of xxi. yeares, or thrée liues, long before the expiration of the former yeares, contrary to the true meaning and intent of the ſayd Eſtatute: Be it therefore enacted by this preſent Parliament, that all Leaſes hereafter to be made by any of the ſayd Eccleſiaſticall, Spirituall or Collegiat perſons or others, of any their ſayd eccleſiaſticall, ſpirituall, or collegiat lands, tenements, or hereditaments, whereof any former leaſe for yeares is in being not to be expired, ſurrendred, or ended, within thrée yeares next after the making of any ſuch new leaſe, ſhall be voyd, fruſtrate, and of none effect, any Law vſage, or cuſtome, to the contrary, notwithſtanding.

Practiſes to defeat the meaning of the foreſayd Statute.

Leaſes by Spirituall perſons, of their lands in leaſe.

And be it likewiſe enacted, by the authority aforeſayd, that all and euery bond & couenant whatſoeuer, hereafter to be made, for renewing or making of any leaſe or leaſes, contrary to the true intent of this act, or of the ſayd act made in the ſayd xiii. yeare ſhall be vtterly void: any law ſtatute, ordinance, or other thing whatſoeuer to the contrary in any wiſe notwithſtanding.

A bond or couenant for the renewing of a leaſe.

Prouided alwayes, that this Act, or any thing therin contained, ſhal extend or be preiudicial to make fruſtrate or voyd any leaſe or leaſes, hertofore made by any of the ſayd Spirituall or Eccleſiaſticall perſon or perſons, or any of them: but that the ſame and euery of them, are of the

Leaſes made before this ſtatute.

like force and effect, as they or any of them were before the making of this preſent ſtatute: this Act or any thing therein contained to the contrary, notwithſtanding.

Sir Thomas White founder of Saint Iohns Colledge in Oxford.

And where Sir Thomas White, late Knight and Alderman of London, for aduancement of good learning, hath founded one Colledge in the Vniuerſity of Oxford, called S. Iohn Baptiſts Colledge, & being ſeiſed of the Manor of Fichyde, alias Fifelde, in the County of Berkes, did together with all other his lands, tenements, and hereditaments, giue and aſſure the ſayd Manor, with the appurtenances, to the Preſident & Schollers of the ſayd Colledge for euer: And neuertheleſſe the ſayd Sir Th. White, hauing then one Ralfe White his brother liuing, & ſundry kinſmen, to whom by courſe of the common law his lands might haue deſcended, did deuiſe & order, & by the ſtatutes which he prouided for the ſayd houſe, & by order of the now viſitor of the ſayd Colledge, it is ordeined that the ſayd Manor, of Fichyde, alias Fifelde, with the appurtenances, ſhould be demiſed by the ſayd Preſident & Schollers, for the time being, to the ſayd Ralfe, for the terme of xcix. yeares, if the ſayd Ralfe ſhould ſo long liue, and ſo it is intended that from heire male to heire male of the ſayd Sir Thomas White, new deuices ſhould from time to time be made, of the ſayd Manor with the appurtenancs, to euery ſuch heire male ſucceſſiuely, for the terme of fourescore & ninetéene yeares, if ſuch heire male ſhould ſo long liue, yéelding to the ſayd Preſident & Schollers, for the time being, ſuch rent as now is reſerued with ſuch further couenants & conditions, as by the ſayd ſir Tho. White or viſitor is agréed and appointed.

A leaſe may be made to Ralfe White of the Manor of Fifelde by ſaint Iohns Colledge in Oxford.

And where ſince the deceaſe of the ſayd ſir Tho. White, the ſayd aſſurances to the ſayd Preſident & Schollers, in all, or the moſt part of the lands, tenements, and hereditaments of the ſayd founder, were found in ſome reſpect vnperfect, and inſufficient in law, & that thereupon the ſayd Ralfe White, to whom the aduantage of ſuch imperfection came by law, did neuertheleſſe take no ſuch aduantage but did willingly make perfect the ſayd aſſurances, according to the true meaning of the ſayd ſir T. White his brother, accepting only one leaſe of the ſaid Manor, in ſuch ſort as the ſaid viſitor was appointed, with the copiholds, & other appurtenances of the ſayd Manor. For remedy whereof, be it enacted, that the Preſident & Schollers of the ſayd Colledge, may from time to time demiſe the ſayd Manor, Copiholds, and other appurtenances, to euery heire male of the ſayd ſir Tho. White ſucceſſiuely, according to the forme of leaſe thereof already made to the ſayd Ralfe, and that euery ſuch leaſe ſo to be made, and euery couenant made, or to be made for the performance of the ſame, ſhall be good in law, as if the ſayd act made in the ſayd xiii. yeare had neuer bin had nor made: any thing in the ſayd act made in the xiii. yeare, or any other Act or matter whatſoeuer to the contrary, notwithſtanding.

13. El. 20.

And whereas in one other ſtatute made in the ſayd thirtéenth yeare of her Maieſty, entituled, An act touching leaſes of Benefices, and other Eccleſiaſtical liuings with cure, one clauſe is contained, that the Incumbent offending the purport of the ſayd ſtatute, ſhall for the ſame loſe one yeres profit of his ſaid benefice, to be deſtributed by the Ordinary among the poore of the Pariſh, as by the ſayd branch in the ſayd laſt recited ſtatute appeareth: Be it therfore enacted by the authority aforeſaid, that after complaint made to the Ordinarie, and ſentence giuen vpon any offence committed by the Incumbent, whereby he ſhall or ought to loſe one yeares profit of his benefice, as afore ſhewed, that the Ordinary within two months after ſuch ſentence giuen, and requeſt to him made by the Churchwardens of the ſayd Pariſh, or one of them, ſhall grant the ſequeſtration of ſuch profits, to ſuch inhabitant or inhabitants within the Pariſh where ſuch benefice ſhall be, as to him ſhall ſéeme méet & conuenient, & vpon default therin by the Ordinary, that it may and ſhall be lawfull to euery Pariſhioner, where the benefice is, to retaine & kéepe his or their tithes, and likewiſe for the Churchwardens of the ſayd Pariſh, to enter and take the profits of the Glebe lands, and other rents, and duties of euery ſuch benefice, to be imployed to the vſe of the poore, as aforeſayd, vntill ſuch time as ſequeſtration ſhall be committed by the Ordinary, and then as well the Churchwardens as Pariſhioners, to yéeld account of, and make payment to him or them, to whom ſuch ſequeſtration ſhall be committed, and that hee or they, to whom ſuch ſequeſtration ſhall bee committed from time to time ſhall iuſtly and truely imploy and beſtow the ſayd profits, or the true and iuſt value thereof, without fraude or guile, to ſuch vſes as by the ſayd ſtatute is limitted and appointed, vpon paine of forfeiture of the double value of ſuch withholden profits, to bée recouered in the Eccleſiaſticall Court by the poore of the ſayd Pariſh. Coke lib. 4. fol. 120. Coke Inſt. 44.

In what caſe ſequeſtration may be granted by the Ordinary of a benefice demiſed contrary to the ſtat of 13. El. 20.

In what caſe the Pariſhioners may reteine the tithes.

CAP. XII.

Iſſues ioyned in the Chancery, Kings Bench, Common Place, or Exchequer may be tryed by Niſi prius *in Weſtminſter hall.*

WHereas heretofore all iſſues ioyned in any of the Courts of Record at Weſtminſter, triable in the County of Middleſex, haue béene vſually tryed at the barres in the ſayd Courts in Weſtminſter: And whereas a great number of actions haue of late yeares béene brought in the ſayd County of Middleſex, for ſpeedineſſe of triall, and that for ſmall cauſes, by reaſon whereof, the Iudges of the ſame Courts haue not onely bin letted and hindered in their procéedings in matters of great weight depending before them by demurrer, or otherwiſe to the great delay of Iuſtice, and occaſion of great expences & charges of a number of the Q. Maieſties moſt louing ſubiects, but alſo to the trouble and charge of the Fréeholders of the ſaid County, who are compelled to giue daily attendance at the ſeuerall barres of the ſame ſeuerall Courts, for the triall of the ſaid iſſues. For reformation whereof, be it enacted by the Quéenes moſt excellent Maieſty our Soueraigne Lady, with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, & by the authority of the ſame, That from henceforth the chiefe Iuſtice of England for the time being, vpon iſſues ioyned, or to be ioyned in the Court called the Kings Bench, or in the court of Chancery, the chiefe Iuſtices of the Common Plées for the time being, vpon iſſues ioyned or to be ioyned in the court of common Plées, & the chiefe Baron of the Exchequer, for the time being, vpon iſſues ioyned or to be ioyned in the court of Exchequer, or in the abſence or default of any of them, two other Iudges or Barons of the ſame ſeuerall Courts where it ſhall happen either of the ſame chiefe Iuſtices or the chiefe Baron, for the time being, to bee abſent, ſhall or may at their diſcretions within the ſayd Hall, called Weſtminſter Hall, in Weſtminſter, or in the place where the court of Exchequer is commonly kept in the ſaid County of Middleſex, as Iuſtices of Niſi prius, for the ſaid County of Middleſex within the terme time, or within foure dayes next after the end of euery or any terme ſeuerally trie all manner of iſſues ioyned, or to be ioyned in any of the ſaid ſeuerall Courts, which by the ordinary courſe of the lawes of the Realm, ought to be tried in any of the ſaid courts by an inqueſt of the ſaid County of Middleſex; and that Commiſſions & Writs of Niſi prius ſhall be awarded, in ſuch caſes, and in ſuch forme, as they are or haue béene vſed in any other ſhire of this Realme: & that it ſhall be lawfull for any perſon or perſons from henceforth, vpon reaſonable warning giuen to the aduerſe party, or his or their Atturny, as hath bin accuſtomed in ſuch like caſes, to take, & ſue for writs and records of Niſi prius, for the triall of the ſaid iſſues in the ſayd County, of Middleſex, as they may doe vpon any iſſue ioyned, tryable in any other County, and thereupon take Iury in ſuch manner & forme, and with awarding of Tales de circumſtantibus, and awarding the nonſuit, as is vſed for the trial of iſſues ioined, or nonſuits to be awarded in the ſaid courts, or any of them, triable within the City of London, or within any other county of this Realme of England, and that the Sheriffes of the ſayd county of Middleſex for the time being, ſhall make returne of all Writs of Niſi prius, which ſhall be deliuered to them, or to their, or any of their ſufficient deputy, for the time being, before the ſayd Iudges, Baron, or Barons, & euery of them, and ſhall giue their attendance vpon the ſayd Iuſtices, Baron & Barons, aſwell for the returning of ſuch Tales as ſhall be prayed de circumſtantibns, for the trying of the ſayd iſſues, as for the doing and executing of all other thing and things, to the office of Sheriffe in ſuch caſe belonging or appertaining. And that all perſons to be impannelled in ſuch Iuries, and the parties to the ſame iſſues and ſuits, and the witneſſes for the ſame, ſhall be charged and bound in ſuch & the like ſort, and vpon like paines & penalties for their not appearance and attendance, or for their, or any of their miſdemeanour or default before the ſayd Iuſtices of Niſi prius, as they ſhould haue bin, if the ſame iſſue had béene tried in the Court from whence the Niſi prius thereof was awarded: all which ſeuerall trials ſo to be had before the ſayd ſeuerall Iuſtices, Baron or Barons, ſhall by authority of this preſent, Parliament, ſtand, and be as good & auailable in law as if the ſame had bin tried in the terme time at the barre in the court where ſuch iſſue was ioyned or triable, any Law, vſage or cuſtome heretofore made, vſed or accuſtomed to the contrary hereof, in any wiſe notwithſtanding.

Triall of iſſues ioyned in Chancery, Kings bench, Common place, & Exchequer, by Niſi prius, in Weſtminſter Hall.

The Sherife of Middleſex his attendance.

The Iurors & parties witneſſes bound by the triall.

Cap. XIII.

Tranſcripts of Offices found before Eſcheators or Commiſſioners within the Counties Palatines, ſhall be certified vnto the Court of Wards.

WHereas the Quéenes moſt royall Maieſty, by the Lawes, and Statutes of this her highneſſe Realme of England, ought to haue the cuſtody, wardſhip, & mariage of the body, lands, and tenements, of the heires of euery of her highneſſe Tenements, holding of her Maieſtie by knights ſeruice in chiefe, as of her Crowne, or otherwiſe by knights ſeruice, or of a third part thereof, and alſo primer ſeiſon and liuery of their lands, tenements, and hereditaments, as the caſe doth require, aſwell within the County Palatines of the Duchy of Lancaſter, & the Earledome of Cheſter, and in the County Palatine of the Biſhoprike of Dureſme, as alſo in all other places within the Dominions of this her highneſſe Realme of England and Wales. And whereas heretofore all ſuch offices and inquiſitions, as haue béene found by vertue of Writs of Diem clauſit extremum, or by other Writs or Commiſſions, or virtute Officii, concerning lands or hereditaments, after the death of any of her Maieſties ſayd Tenants, within the ſayd County Palatines, are alwayes, and haue béene returned into the Court of the ſayd

Duchie

The preiudices which haue enſued by not tranſcripting of Offices found in Counties Palatine into the Court of Wards.

Duchy of Lancaſter, and into the Exchequers of the ſayd County Palatines of Cheſter and Dureſme, or into ſome ſuch offices or officers hands therefore ſpecially appointed, and ſo being returned, there doe remaine. By reaſon whereof, and for that the ſayd offices and inquiſitions are not tranſcripted into her Maieſties Court of Wards and Liueries, like as other offices and inquiſitions are certified out of her highneſſe Court of Chancery, her Maieſties title hath béene oftentimes long delayed and deferred, from the knowledge of the Maſter and Counſell of the ſayd Court of Wards and Liueries, ſo that ſundry times it hath happened that the heires of her Maieſties Tenants, being within age, haue died before compoſition made for their Wardſhips & marriages, & other of full age likewiſe died before they haue entred into bonds, or payd their primer ſeiſon, and ſued their Liueries, whereby oftentimes great intruſions and arrerages of the rents, iſſues, and profits of their Lands hath accrued and growne before liuery ſued, to the great preiudice and hinderance, aſwell of her ſayd highneſſe, and other her Maieſties progenitors for times heretofore paſſed, as alſo to diuers her Maieſties Subiects, Occupyers, Farmors, and takers of the rents, iſſues, and profits of the ſayd Lands, Tenements, and Hereditaments.

Offices found in Counties Palatine ſhall be certified into the Court of wards.

For ſpéedy remedy whereof, bee it therefore enacted by the Quéenes Maieſty, with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled: that all ſuch inquiſitions and offices to be found from and after the firſt day of July next comming, before any Eſcheators or Commiſſioners, by vertue of any ſuch Writs or Commiſſion, or otherwiſe, within the ſayd County Palatines of the ſayd Duchy of Lancaſter, Cheſter, and Dureſme, or any of them, ſhall be returned by the ſayd Eſcheators and Commiſſioners, within one moneth next after the taking of any ſuch office or inquiſition, into ſuch place or places, and to ſuch office and officers, as heretofore they haue vſually béene accuſtomed to bee certified and returned into, vpon paine to forfeit for euery default, forty pounds, to the vſe of our ſayd Soueraigne Lady the Quéene, her heires and ſucceſſors. And that the Clerke of the ſayd Duchy of Lancaſter, the Vicechamberlain of the ſayd Earledome of Cheſter, and the Chancellor of the ſaid County Palatine of the ſayd Biſhopricke of Dureſme, or other the ſayd officers or miniſters within the ſayd County Palatines, or their Deputie or Deputies, and euery of them, for the time being, hauing authority to receiue any ſuch office, or inquiſition, to whoſe hands any ſuch office or inquiſition ſhall come, ſhall certifie, or cauſe to bee certified vnder his or their hands, in Parchment, the true tranſcript of euery ſuch office or inquiſition, taken before any of the Eſcheators or Commiſſioners, vnto the Maſter of the ſayd Court of Wards and Liueries, in ſuch like manner, forme and ſort, as is limitted and appointed to the Clerkes of the Petibag, in her highneſſe ſayd Court of Chancery to tranſcript the ſame, vpon paine to forfeit for euery ſuch default fiue pounds to the vſe of our ſayd Soueraigne Lady, her heires, and ſucceſſors: which tranſcript ſo to be certified, ſhall there remaine of Record, in like manner and forme to all intents and purpoſes, as the tranſcripts of other offices already certified into the ſaid Court, by the Clerkes of the Petibag in her Maieſties high Court of Chancery are vſed: any Cuſtome, Statute, Act, Prouiſo or Prouiſoes, heretofore had, made or vſed to the contrary, in any wiſe notwithſtanding.

CAP. XIIII.

After verdict giuen in Court of Record, there ſhall be no ſtay of iudgement, or reſeruing thereof, for want of forme, falſe Latine, variance, &c. when an Atturney ſhall deliuer his Warrant of Record.

After verdict giuen in court of Record there ſhall bee no ſtay of iudgement, or reuerſing thereof for want of forme &c.

BE it enacted by the Quéenes moſt excellent Maieſty, the Lords Spirituall & Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that if any verdict of twelue men or more, ſhall be giuen in any action, ſuit, bill, plaint, or demand, in any court of record, the iudgement thereupon ſhall not be ſtayed or reuerſed, by reaſon of any default in forme, or lacke of forme, touching falſe latin, or variance from the Regiſter, or other [a] defaults in forme in any Writ originall or iudiciall, counte, declaration, plaint, bill, ſuit, or demand, or for want of any Writ original or iudicial, or by reaſon of any imperfect or inſufficient returne of any Sheriffe, or other Officer, or for want of any Warrant of Atturney, or by reaſon of any manner of default in Proceſſe, vpon or after any ayde prier or voucher, nor any ſuch record or iudgement after verdict to be giuen hereafter, ſhall be reuerſed for any the defects or cauſes aforeſaid: any law, ſtatute, or vſage to the contrary notwithſtanding.

[a] Coke li 35,36,37 49.

To what things this ſtat. ſhall not extend.

Prouided alwaies, & be it further enacted by the authority aforeſaid, That this Act, or any thing therein contained, ſhall not extend to any Writ, declaration, or ſuit of appeale of felony or murder, nor to any indictment, or preſentment of felony, murder, treaſon, or other matter, nor to any Proceſſe vpon any of them, nor to any writ, bill, action, or information vpon any popular or penall ſtatute: any thing aforeſaid to the contrary notwithſtanding.

Prouided alſo, and be it enacted by the authoritie aforeſayd, That all Atturneyes in any ſuit or action in any Court of Record, ſhall deliuer in the[b] Warrant of Atturneyes in ſuch action or ſuite, wherein they be named Atturneyes, to bee entred or filed of Record, in ſuch manner and forme, as heretofore by the law or ſtatutes in that behalfe made, they ſhould or ought to haue done, vpon paine to forfeit tenne pounds for euery ſuch offence: the one moity thereof to be to the Queenes Maieſty, her heires and ſucceſſors, and the other moity to ſuch officer or officers to whom or in whoſe office the ſame Warrant ſhould be deliuered, entred, or filed, and to ſuffer impriſonment by the diſcretion of the Iuſtices of the Court for the time being, where any ſuch default ſhall fortune to be had or made, the ſaid ten pounds to be recouered by action of debt, bill or information, in which no eſſoyne, protection, nor wager of Law ſhalbe allowed. Stat. 32. H. 8. 30, 2. Ed. 6. 32. 21. *Iac.* 13.

When an Atturney ſhall enter his Warrant of Record.

Cap. XV.

A Goldſmith ſhall ſet his marke to his ware: of what fineneſſe his wares of gold and ſiluer ſhall be of.

VVHere certaine euill diſpoſed Goldſmiths, deceitfully doe make and ſell Plate, and other gold and ſiluer wares, to the great defrauding of her Maieſty, and her good ſubiects: for remedy thereof, be it enacted by the authority of this preſent Parliament, that no Goldſmith, from the twentieth day of Aprill next comming, ſhall worke, ſell, exchange, or cauſe to be wrought, ſold, or exchanged, any plate or other Goldſmiths wares of gold, leſſe in fineneſſe than that of xxii. Carrects, and that he vſe no ſother, amell, nor other ſtuffings whatſoeuer, in any of their workes, more than is neceſſary for the finiſhing of the ſame, and that they take not aboue the rate of twelue pence for the ounce of gold, (beſides the faſhion) more than the buyer ſhall or may be allowed for the ſame at the Queenes exchange or Mint, vpon paine to forfeit the value of the thing ſo ſold or exchanged: and that from the ſaid twentieth day of Aprill, no Goldſmith ſhall make, ſell, or exchange in any place within this Realm, any plate, or Goldſmiths wares of ſiluer, leſſe in fineneſſe than that of eleuen ounces two peny weight, nor take aboue the rate of twelue pence for euery pound weight of plate or wares of ſiluer, beſides the faſhion, more than the buyer ſhall or may be allowed for the ſame at the Queenes exchange or Mint: nor put to ſale, exchange, or ſell, any plate or Goldſmiths worke of ſiluer, before he hath ſet his owne marke to ſo much thereof as conueniently may beare the ſame, vpon paine to forfeit the value of the thing ſo ſold or exchanged. And if any Goldſmith ſhall make any Goldſmiths worke or plate, and the ſame after the ſaid twentieth day of Aprill ſhall be touched, marked, and allowed for good, by the Wardens or Maſters of that myſtery, and if in the ſame there ſhalbe found any falſehood or deceit: then the Wardens and Corporation of that myſtery for the time being, ſhall forfeit and pay the value of the thing ſo exchanged or ſold: the one moity of all which forfeitures, ſhalbe to the vſe of the Qu. Maieſty, and the other moity to the vſe of ſuch party grieued and ſuſtaining loſſe thereby, as will ſue for the ſame in any Court of Record, by action, bill, plaint, information, or otherwiſe, wherein no eſſoyne, protection, or wager of Law ſhalbe admitted for the defendant.

Of what fineneſſe Goldſmiths ſhall make their wares of gold.

The fineneſſe of ſiluer plate, and what the Goldſmith ſhall take more than the buyer ſhall haue for it at the mint. St. 17. Ed. 3. 7. 2. H. 6. 14.

The penalty if falſhood be found in plate, or work marked by the Wardens of the Goldſmiths. 17. Ed 4. 1.

Cap. XVI.

Perſons dwelling in the Counties of Somerſet, Glouceſter, and Wiltes out of corporate Townes, may make clothes, notwithſtanding the Statute of 4. & 5. *P. & M.* 5. &c. REP. 21. *Iac.* 28.

Cap. XVII.

The morrow after the quarter Seſſions holden next after Eaſter in Kent, the Wardens and Commonalty of the lands contributory to Rocheſter Bridge, ſhall foreuer aſſemble at the caſtle of Rocheſter, and there elect by the moſt voices, two perſons of the ſame Commonalty, to be wardens of the ſaid Bridge, & twelue perſons of the ſame Commonalty, to be aſſiſtants to the ſaid two Wardens, for one yeare after the feaſt of Pentecoſt then following. And the two Wardens ſo choſen ſhall doe their endeauour that yeare to benefit the ſaid Bridge: and ſhall receiue the fines, rents, & reuenues of the lands belonging to the Bridge, & of all contribution money payable to the vſe of the ſame Bridge: and ſhall anſwer & pay out of the ſame, as cauſe ſhall require. The new Wardens ſhall be bound to the former Wardens to make an accounc. The old Wardens ſhall account the thurſday in Whitſun weeke. The Wardens and Aſsiſtants ſhall ſubſcribe to all Leaſes made of the Bridges lands: which Leaſes ſhall be made but of ſuch effect as Tenant in Taile may doe by the Stat. of 32. H. 8. 28. and for no fines. And euery 7. yeare there ſhalbe made a Terror of the Lands leaſed. No owners or tenants of lands contributory to the maintenance of the ſaid Bridge, ſhall be aſſeſſed to pay any duty towards the maintenance therof, but only when the rents or profits of the lands belonging to the ſame be not ſufficient. Pr.

27. Eliz. 25.

Cap. XVIII.

The County of Glouceſter, and the County of Monmouth, ſhall ſtand for euer chargeable for the maintenance, repairing, and new making of Chepſtow Bridge, as often as need ſhall require, viz. either of them for ſuch part and moitie, as lyeth in the middle of the ſtreame of the Water of Wye, on the ſides of the Lordſhips of Chepſtow and Tydenham. And for the aſſeſſement, collection, and imploying of the money thereupon to be ſpent, ſuch order ſhalbe obſerued as is appointed by the Stat. of 22. H.8.5. Rep. 3. Iac. 23.

Cap. XIX.

Euery perſon which ſhall be immediate owner, landlord, or terre-tenant of any houſe, lands, or tenements within the City of Chicheſter, in fee ſimple, fee taile, for life or yeares, ſhall from time to time, or by the aſſignement of the Mayor of the city, cauſe to be paued with good pauing ſtones, along, from, and againſt his houſe, lands, &c. adioyning to the ſtreet, ſo much of the ſaid ſtreet as is in length to the channell, vpon paine of forfeiture of iij.s.iiij.d. for euery yard ſquare not paued. The Leſſees for yeares, or at will, may defaulke ſo much of their Lords rent, as they ſhall beſtow in ſuch pauing, vnleſſe they ſhall otherwiſe couenant. Pr.

Cap. XX.

By whom and at whoſe charge the bridges and high wayes within one mile of Oxford, ſhall be repaired.

2.&3. P.& M.15.

13. Eliz. 21.

The wayes neere Oxford decayed, and the inhabitants not able to repaire them.

Foraſmuch as your highneſſes Vniuerſity and City of Oxford, hath receiued from your highnes, and your noble progenitors, great priuiledges and prerogatiues, as alſo the inhabitants and dwellers within the compaſſe and precinct of fiue miles thereunto adioyning, as chiefly by a Statute made in the ſecond and third yeare of King Philip and Queene Mary, entituled, An Act that no Purueyor ſhould take any graine, corne, or other victuall within the compaſſe or precinct of fiue miles of the ſaid City, and in the thirteenth yeare of your Maieſties reigne, hath bene renewed and enlarged. By meane whereof, the Inhabitants aforeſaid, not onely to themſelues, but to their poſterity, by the markets of your ſaid City, is like to reape much gaine, profite, commodity, and aduantage, by vtterance of their corne, graine, and victuall: ſauing that the wayes, bridges and paſſages, leading from your highneſſes Mannors, and other places of this Realme to your highneſſes City (being for the moſt part water workes) within theſe two yeares, by force of waters are ſo decayed, fallen downe, and impaired, that your highneſſe and ſubiects, with your and their carriage trauailing that way, as others trauailing out of all parts of this Realme, are much annoyed and incumbred, and the inhabitants there are not able, without great danger, to trauaile or repaire vnto the ſaid City, or bring to the Markets their corne, graine, victuall, or other neceſſaries, to the great hurt of the ſaid City, as dearth like to enſue within the Vniuerſity and City.

How they that haue land, meadow, or paſture in occupation next to Oxford, ſhalbe charged towards the repaire of the wayes there.

ALT. 35. El. 7.

The cottier and laborers charge.

May it therefore pleaſe your highneſſe that it may be enacted by this preſent Parliament, That euery perſon and perſons, reſiant, dwelling or inhabiting within the compaſſe, circuite, or precinct of fiue miles of your highneſſes Vniuerſity and City of Oxford, or Franchiſes of the ſame, hauing in his or their hands or occupation, to the vſe of himſelfe, or any other, the quantity of one yard land or vpward, in tillage, paſture, or other ground: or hauing, keeping, vſing, or occupying as draught Cart, Plough, or Waine, at his or their owne proper coſts and charges, ſhall finde and ſend, or cauſe to be found and ſent, for and to the mending, repairing, and vpbuilding of the decayed bridges, wayes and paſſages, ſcituate, lying, and being within one mile of the ſaid City of Oxford, for euery yard land, one Waine or draught Cart, furniſhed after the cuſtome of the Countrey, with oxen, horſe, and other cattell, with all other neceſſaries meete and conuenient to carry things for ſuch manner of purpoſe, with able men to loade and vnloade the ſame draught Cart or Waine. And euery other houſholder, cottager, or labourer, dwelling or inhabiting within the foreſaid compaſſe, precinct, or circuit (being no hired ſeruant) ſhall by his or their ſelues, or other ſufficient labourer, hauing with them ſufficient tooles, at their like proper coſts and charges, finde and ſend, in, and to the mending, repairing, and vpbuilding of the decayed bridges, wayes, cauſeys, and paſſages, one ſufficient man or labourer, to worke and labour in and vpon the aforeſaid decayed premiſſes. And that euery perſon or perſons that by the meaning of this Act, is chargeable with cart, carriage, worke, or labour, ſhall by the commandement or commandements of certaine Superuiſors hereafter to bee appointed and nominated by the Vicechancellor and Mayor, with other Iuſtices of the Vniuerſity and City of Oxford for the time being, by the ſpace of fiue whole dayes, ſhall doe their carriages, keepe their worke, fetch their carriages, and doe their labour, at ſuch place and places, and in ſuch workes as to them or any of them ſhall be nominated and appointed. And vpon paine that euery perſon or perſons making default aboueſaid, for euery dayes default, or any part thereof, ſhall loſe & forfeit fiue ſhillings, to be leuied and imployed only to the mending of the ſaid bridges and cauſeys.

The forfeiture of them which make default.

And that it ſhalbe lawfull to and for the aforeſaid Superuiſors for the time being, for the more ſpéedy amendment of the foreſaid decayes, in ſuch place and places, as by the diſcretion of the Vicechancellor, Mayor, or Superuiſors, ſhall be thought neceſſary, to digge, or cauſe to be digged, within the ſeuerall grounds of any perſon or perſons, for grauell, ſand, rubbiſh, ſtone, or ſinder, and other things, according to the Statute made in the ſecond and third yeare of King Philip and Quéene Mary for high wayes. And that the aforeſaid ſixe dayes carriages, workes, or labours, according to the true meaning, intent and purport of this preſent Act, ſhalbe done, finiſhed, and performed, by all manner of perſon or perſons by this Act chargeable, betwéene the feaſt of S. Iohn Baptiſt, next after this preſent Seſſion of Parliament, and the feaſt of All Saints next after that. And vpon twelue dayes warning giuen, or ſent in writing from the Vicechancellor and Maior of the City of Oxford for the time being, or from either of them, to the Conſtable, or other officer of any Borough, Pariſh, head Officer, or Gouernour of euery other place whatſoeuer, that by this Act ought to ſerue.

Digging of grauell, ſand, rubbiſh, or ſtone in other mens grounds. 2.&3.P.&M.8.

And for the performance of this Act, be it enacted, That if any perſon or perſons ſhall make any default, as is aforeſaid, hauing not made any manner of reaſonable compoſition or agréement for the ſame default, that then it ſhalbe lawfull for the Vicechancellor, and the Mayor of the City of Oxford for the time being, or other their Officers appointed, to diſtraine within any the Boroughs, Townes, Pariſhes, or other places where ſuch perſon or perſons dwelleth, that maketh default or refuſeth. And the ſame diſtreſſe to leade, driue, and carry away, and the ſame to withhold, till they and euery of them haue, or ſhall pay the forfeitures limitted and appointed in this preſent Act, as alſo the charges of kéeping ſuch diſtreſſe ſo taken.

Diſtreſſe for default of payment of the forfeiture.

Prouided alwayes, and be it enacted, that this Act ſhall endure for the ſpace of ſeuen yeares next enſuing the end of this preſent Parliament, and from thence to the end of the Parliament then next following, and no longer. 3.Car.4. continued vntill the end of the firſt Seſſion of the next Parliament.

Cap.. XXI.

It ſhall be lawfull to euery perſon to buy and ſell within the Borough of new Woodſtock, in the County of Oxford, all manner of Woolls and Yarnes brought into the ſaid Borough, vpon the vſuall Market, and Faire dayes, and the ſame to vſe and imploy to their beſt profit. Pr.

Cap. XXII.

The confirmation of a Subſidy of ſixe ſhillings in the pound graunted to the Queene by the Clergy, to be paid in three yeares. EXP.

Cap. XXIII.

Two Fifteenes and Tenths, and one Subſidy granted to the Queene by the Temporalty. EXP.

Cap. XXIIII.

A Confirmation by Parliament, of the Queenes free and generall pardon. EXP.

ANNO VICESIMO TERTIO REGINAE *ELIZABETHÆ.*

AT this preſent Seſſion of Parliament by prorogation holden at Weſtminſter the ſixteenth day of Ianuary, in the three and twentieth yeare of the reigne of our moſt gracious Soueraign Lady, ELIZABETH, by the grace of God, of England, France, and Ireland, Queene, Defender of the Faith, &c. And there continued vntill the eighteenth of March following. To the high pleaſure of Almighty God, and the weale publike of this Realme, were enacted as followeth.

Cap. I.

An Act for retaining the Queenes Subiects in their due obedience.

WHere ſithence the Statute made in the thirtéenth yeare of the reigne of the Quéene our ſoueraigne Lady, intituled, An Act againſt the bringing in and putting in execution of Bulles, 13.Eliz.2.

Bulles, Writings & Inſtruments, and other ſuperſtitious things from the Sée of Rome, diuers euill affected perſons haue practiſed, contrary to the meaning of the ſaid Statute, by other meanes than by Bulles, or Inſtruments, written or printed, to withdraw diuers the Q. Maieſties Subiects from their naturall obedience to her Maieſtie, to obey the ſaid vſurped authoritie of Rome, and in reſpect of the ſame, to perſwade great numbers to withdraw their due obedience from her Maieſties lawes, eſtabliſhed for the due ſeruice of Almighty God.

Treaſon to withdraw any from the religion eſtabliſhed, to the Romiſh religion.

For reformation thereof, and to declare the true meaning of the ſaid Law: Be it declared, and enacted by the authority of this preſent Parliament, That all perſons whatſoeuer, which haue, or ſhall haue, or ſhall pretend to haue power, or ſhall by any wayes or meanes, put in practiſe to abſolue, perſwade, or withdraw any of the Quéenes Maieſties Subiects, or any within her highneſſe Realmes and Dominions, from their naturall obedience to her Maieſtie: or to withdraw them for that intent from the Religion now by her highneſſe authority eſtabliſhed within her highneſſe Dominions, to the Romiſh Religion: or to moue them, or any of them, to promiſe any obedience to any pretended Authority of the Sée of Rome, or of any other Prince, State, or Potentate, to bee had or vſed within her Dominions, or ſhall doe any ouert acte, to that intent or purpoſe, and euery of them, ſhall bee to all intents, adiudged to bée traitors: And being thereof lawfully conuicted, ſhall haue iudgement, ſuffer and forfeit, as in caſe of high treaſon. And if any perſon ſhall after the end of this Seſſion of Parliament, by any meanes be willingly abſolued, or withdrawne, as aforeſaid, or willingly be reconciled, or ſhall promiſe any obedience to any ſuch pretended authority, Prince, State, or Potentate, as is aforeſaid: that then euery ſuch perſon, their procurers and counſellers thereunto, being thereof lawfully conuicted, ſhalbe taken, tried and iudged, and ſhall ſuffer and forfeit, as in caſes of high treaſon.

It ſhall be treaſon to be reconciled or withdrawen to the Romiſh religion.

The penalty of ayders, maintainers, and concealors.

And bée it likewiſe enacted and declared, that all and euery perſon and perſons, that ſhall wittingly be ayders, or maintainers of ſuch perſons ſo offending as is aboue expreſſed, or of any of them knowing the ſame, or which ſhall conceale any offence as aforeſaid, and ſhall not within twenty dayes at the furtheſt, after ſuch perſons knowledge of ſuch offence, diſcloſe the ſame to ſome Iuſtice of peace, or other higher officer, ſhalbe taken, tried and iudged, and ſhall ſuffer and forfeit as offenders in miſpriſion of treaſon.

The forfeiture for ſaying or hearing of Maſſe.

And be it likewiſe enacted, that euery perſon which ſhall ſay or ſing Maſſe, being thereof lawfully conuicted, ſhall forfeit the ſumme of two hundred marks, and be committed to priſon in the next goale, there to remaine by the ſpace of one yeare, and from thenceforth till he haue paid the ſaid ſumme of two hundred marks: and that euery perſon which ſhall willingly heare Maſſe, ſhall forfeit the ſumme of one hundred markes, and ſuffer impriſonment for a yeare.

The penalty for not comming to the Church by the ſpace of a moneth, according to the Stat. of 1. Eliz. 2. St. 29. Eliz. 6. 35. Eliz. 1. 1. Iac. 4. 3. Iac. 4. 5.

Bee it alſo further enacted by the authority aforeſaid, That euery perſon aboue the age of ſixtéene yeares, which ſhall not repaire to ſome Church, Chappell, or vſuall place of common prayer, but forbeare the ſame, contrary to the tenor of a Statute made in the firſt yeare of her Maieſties reigne, for vniformity of Common prayer, and being thereof lawfully conuicted, ſhall forfeit to the Quéenes Maieſtie for euery moneth after the end of this Seſſion of Parliament, which hée or ſhée ſhall ſo forbeare, twenty pounds of lawfull Engliſh money, and that ouer and beſides the ſaid forfeitures, euery perſon ſo forbearing, by the ſpace of twelue moneths as aforeſaid, ſhall for his or her obſtinacie, after certificate thereof in writing made into the Court, commonly called the Kings Bench, by the Ordinarie of the Dioceſſe, a Iuſtice of Aſſiſe and Goals deliuerie, or a Iuſtice of Peace of the Countie where ſuch offendor ſhall dwell or be, be bound with two ſufficient ſureties in the ſumme of two hundred pounds at the leaſt to the good behauiour, and ſo to continue bound, vntill ſuch time as the perſons ſo bound doe conforme themſelues, and come to the Church, according to the true meaning of the ſaid Statute made in the ſaid firſt yeare of the Quéenes Maieſties reigne.

Co.l.i

The forfeiture for kéeping of a Schoolemaſter not repairing to the Church, or be allowed by the Ordinary. 1. Iac. 4.

And be it further enacted, That if any perſon or perſons, body politike, or corporate, after the Feaſt of Pentecoſt next comming, ſhall kéepe or maintaine any Schoolemaſter, which ſhall not repaire to Church as is aforeſaid, or bée allowed by the Biſhop or Ordinary of the Dioceſſe, where ſuch Schoolemaſter ſhall be ſo kept, ſhall forfeit and loſe for euery moneth ſo kéeping him, tenne pounds.

(Prouided, that no ſuch Ordinary, or their miniſters, ſhall take any thing for the ſaid allowance) And ſuch Schoolemaſter or Teacher preſuming to teach contrary to this Act, and being thereof lawfully conuict, ſhall be diſabled to be a Teacher of youth, and ſhall ſuffer impriſonment without baile or mainpriſe for one yeare.

Which Iuſtices may inquire of offences done againſt the ſtat. of 1. El. 1. 5. El. 1. 13. El. 1.

And be it likewiſe enacted, that all and euery offences againſt this Act, or againſt the Acts of the firſt, fifth, or thirtéenth yeares of her Maieſties reigne, touching acknowledging of her Maieſties Supreame gouernment in cauſes Eccleſiaſticall, or other matters touching the ſeruice of God, or comming to Church, or eſtabliſhment of true Religion in this Realme, ſhall and may be inquirable, as well before Iuſtices of Peace, as other Iuſtices named in the ſame Statutes within one yeare and a day after euery ſuch offence committed: any thing in this Act, or in any other Act, to the contrary notwithſtanding.

Be it likewiſe enacted, that Juſtices of Oyer and Terminer, and Juſtices of Aſſiſe, and of Gaole deliuery, in their ſeuerall limits, ſhall haue power to enquire, heare and determine of all offences againſt this Statute: and Juſtices of Peace in their open Quarter Seſſions of Peace ſhall haue power by vertue of this Act to inquire, heare and determine of all offences againſt this Act (except Treaſon, and miſpriſion of Treaſon.)

29. Eliz. 6.

Prouided alway, that euery perſon guilty of any offence againſt this Statute, other than Treaſon, and miſpriſion of Treaſon, which ſhall before he be thereof indicted, or at his arraignement or tryall before Judgement, ſubmit and conforme himſelfe before the Biſhop of the Dioceſſe where he ſhall be reſident, or before the Juſtices where he ſhall bée indicted, arraigned, or tryed, (hauing not before made like ſubmiſſion at any his tryall being indicted for his firſt like offence) ſhall vpon his recognition of ſuch ſubmiſſion in open Aſſiſes or Seſſions of the County where ſuch perſon ſhall be reſident, be diſcharged of all and euery the ſaid offences againſt this Act (except Treaſon and miſpriſion of Treaſon) and of all Paines and Forfeitures for the ſame.

A remedy for a guilty perſon conforming himſelfe. Co. pla. fo. 569.

And be it likewiſe enacted, That all forfeitures of any ſummes of money limited by this Act, ſhall be diuided in thrée equall parts, whereof one third part ſhall be to the Quéenes Maieſty, to her owne vſe, one other third part to the Quéenes Maieſty, for reliefe of the poore in the Pariſh where the offence ſhall be committed, to be deliuered by warrant of the principall Officers in the Receit of the Exchequer, without further warrant from her Maieſty, and the other third part to ſuch perſon as will ſue for the ſame in any court of Record, by action of Debt, Bill, Plaint, or Information: in which ſuit no Eſſoyne, Protection, or Wager of Law ſhall be allowed: And that euery perſon which ſhall forfeit any ſummes of money by vertue of this Act, and ſhall not be able, or ſhall faile to pay the ſame within thrée moneths after Judgement thereof giuen, ſhall be committed to priſon, there to remaine, vntill he haue paid the ſaid ſummes, or conforme himſelfe to goe to Church, and there doe as is aforeſaid.

Who ſhall haue the money forfeited by this Stat.

He ſhall be impriſoned, that is not able, or doth not pay the forfeiture.

Prouided alſo, that euery perſon, which vſually on the Sunday ſhall haue in his or her houſe the Diuine Seruice which is eſtabliſhed by the Law in this Realme, and be thereat himſelfe or her ſelfe vſually or moſt commonly preſent, and ſhall not obſtinately refuſe to come to Church, and there to doe as is aforeſaid, and ſhall alſo foure times in the yeare at the leaſt be preſent at the Diuine Seruice in the Church of the Pariſh where he or ſhee ſhall be reſident, or in ſome other open common Church or ſuch Chappell of eaſe, ſhall not incurre any paine or penalty limited by this Act for not repairing to Church.

Seruice in a mans priuate houſe.

And be it likewiſe enacted and declared, that euery graunt, conueyance, bond, iudgement, and execution, had, or made ſince the beginning of this Seſſion of Parliament, or hereafter to be had, or made, of couinous purpoſe to defraud any intereſt, right or title, that may or ought to grow to the Quéene, or to any other perſon by meane of any conuiction or iudgement, by vertue of this ſtatute, or of the ſaid ſtatute of the ſaid thirteenth yeare, ſhall be, and be adiudged to be vtterly voyd againſt the Quéene, and againſt ſuch as ſhall ſue for any part of the ſaid penalties in forme aforeſaid.

Fraudulent aſſurances to defeat forfeitures. 29. Eliz. 6.

Prouided alway, that if any Péere of this Realme ſhall happen to be indicted of any offence made Treaſon or miſpriſion of Treaſon by this Act, he ſhall haue his tryall by his Péeres, as in other like caſes is accuſtomed.

Tryall of a Peere by his Peeres.

Prouided alſo, that neither this Act, nor any thing therein contained, ſhall extend to take away or abridge the authority or iuriſdiction of the Eccleſiaſticall Cenſures for any cauſe or matter, but that the Archbiſhops and Biſhops, and other Eccleſiaſticall Judges may doe and procéed, as before the making of this Act they lawfully did or might haue done: Any thing in this Act to the contrary notwithſtanding. Stat. 5. Eliz. 1.

Eccleſiaſticall Cenſures.

Cap. II.

If any perſon ſhall aduiſedly and with a malitious intent, of his owne imagination, ſpeak any falſe and ſlanderous newes or tales againſt the Queene that now is, then he ſhall haue both his eares cut off, except he pay two hundred pounds to the Queenes vſe in the Exchequer, within two moneths after Iudgement. And if he ſpeake ſuch ſlanderous newes of the report of any other, he ſhall haue one of his eares cut off, except he pay two hundred markes, &c. And if any perſon once conuict, ſhall offend againe, it ſhall be adiudged felony. And if any perſon within this Realme, or without, ſhall deuiſe, write, print, or ſet forth any Booke, Rime, Ballad, Letter, or Writing, containing any falſe, ſeditious and ſlanderous matter, to the defamation of the Queene, or to the ſtirring or mouing of any rebellion: Or ſhall cauſe any ſuch Booke, Rime, Writing, &c. to be written, printed, or publiſhed: Or ſhall, by ſetting of any Figure, caſting of Natiuity, or by Calculation, Prophecying, Witchcraft, Coniuration, &c. ſeeke to know, and ſhall ſet forth by expreſſe words, deeds, or writings, how long the Queene ſhall liue: Or who ſhall reign as King or Queene after her deceaſe: Or ſhall vtter any Prophecies, to any ſuch intent: Or ſhall wiſh or deſire the death or depriuation of the Queene, or any thing to the ſame effect: Then euery ſuch offence ſhalbe adiudged felony. EXP. 1. & 2. *P. & M.* 9. 1. *Eliz.* 6.

CAP. III.

Fines and Recoueries may be inrolled: the errors therein may be reuerſed, and by whom, &c.

Inrolement of Fines and Recoueries.

FOr the appeaſing of ſuites, the auoyding of falſe Practices, Deceits, Deuiſes, and miſdemeanours, and for helping of Negligences and Miſpriſions of Clerkes and Officers, dangerous to aſſurances of mens Lands and Hereditaments: Be it enacted by the Queenes moſt excellent Maieſty, our Soueraigne Lady, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That euery Writ of Couenant, and other Writ, whereupon any Fine heretofore hath béene leuied, or hereafter ſhall be leuied, the returne thereof, the Writ of Dedimus poteſtatem, made for the knowledging of any of the ſame Fines, the returne thereof, the concord, note, and foot of euery ſuch Fine, the Proclamations made thereupon, and the Kings Siluer: And alſo euery originall Writ of Entry in the poſt, or other Writ, whereupon any common Recouery hath béene ſuffered, or hereafter ſhall be ſuffered or paſſed, the Writs of Summon. ad Warrantizandum, the Returnes of the ſaid Originals and Writs of Summon. ad Warrantizandum, and euery Warrant of Atturney, had or to be had, as well of euery Demandant and Tenant, as Vouchée extant and remaining, or that ſhall be extant and in being, may vpon the requeſt or election of any perſon be inrolled in Rolles of Parchment by ſuch perſons, and for ſuch conſiderations, as hereafter in this Act ſhall be mentioned: and that the Inrolements of the ſame, or of any part thereof, ſhall be of as good force and validity in Law, to all intents, reſpects, and purpoſes, for ſo much of any of them ſo inrolled, as the ſame being extant and remaining, were or ought by Law to bée.

The Validity of the Inrolements.

For what errors Fines and Recoueries are not reuerſable.

And be it further enacted by the authority aforeſaid, That no Fine, Proclamations vpon Fines, or common Recouery, heretofore had, leuied, ſuffered, or paſſed, or hereafter to be had, leuied, ſuffered, or paſſed, ſhall be reuerſed or reuerſable by any Writ of Error for falſe or incongrue Latine, raſure, enterlining, miſentring of any Warrant of Atturney, or of any Proclamation, miſreturning or not returning of the Sheriffe, or other want of forme in words, and not in matter of ſubſtance.

What perſons may haue Writs of Error to reuerſe Fines or Recoueries, and in what caſes.

Prouided alwayes, that this Act, nor any thing therein contained, ſhall barre or exclude any perſon or perſons from any Writ of Error, which ſhall be had, taken, or purſued, within fiue yeares next after the end of the Seſſion of this preſent Parliament, vpon any fine or Recouery heretofore had or ſuffered: Nor from any writ of Error, which ſhall be had, taken, or purſued, vpon any Fine, or Recouery, heretofore leuied, knowledged, or had: Which Fine or Fines, Recouery or Recoueries, or any part or parcell of them, or any of them now is, or at any time before the firſt day of Iune, which ſhall bée in the yeare of our Lord God one thouſand fiue hundred eighty two, ſhall be exemplified vnder the Great Seale of England, at and by the ſuit of any perſon, that is or may be entituled to haue or ſue any Writ of Error vpon any the Fines or Recoueries heretofore paſſed: Nor to barre any Feme couert, or any perſon within the age of one and twenty yeares or any perſon that is non compos mentis, in priſon or beyond the Seas, of or from any Writ of Error to be had or proſecuted for the reuerſing of any Fine or Recouery heretofore paſſed, leuied, or ſuffered, ſo that ſuch Feme couert, or her heires, within ſeuen yeares next after that ſhe become ſole, and ſuch perſon within the age of one and twenty yeares, or his heires, within ſeuen yeares next after he ſhall come and be of full age of one and twenty yeares, And ſuch perſon that is non compos mentis within ſeuen yeares next after he ſhall be come of ſane memory, and in default thereof, the heires of ſuch perſon that is non compos mentis, within ſeuen yeares next after the death of ſuch perſon being non compos mentis. And ſuch perſon in priſon, or his heires, within ſeuen yeares next after the ſame perſon ſhall be at liberty. And ſuch perſon beyond the Seas, or his heires, within ſeuen yeares next after the returne of ſuch perſon into this Realme of England, or the death of the ſaid perſon, if he ſhall before his returne dye in any forraine Countrey, ſhall ſue, take and proſecute their Writs of Error, as their caſes ſeuerally ſhall require, for reuerſing of any the ſaid Fines or Recoueries heretofore paſſed, leuied, or ſuffered.

A remedy for the heire, where the anceſtor dyeth, hanging the ſuit.

Prouided alwayes, and bée it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall within the time and yeares afore mentioned, commence or ſue his or their Writs of Error, for the reuerſing of any the ſaid Fines or Recoueries heretofore paſſed, which ſuit ſhall fortune to abate by the death of any the parties to the ſame: That then it ſhall and may be lawfull for his and their heires, at any time within one yeare next after the ſaid ſeuen yeares expired, to haue, ſue, and take the Writ of Error, for the reuerſing of euery ſuch Fine and Recouery: And if ſuch heire be an Infant, within the age of one and twenty yeares, then within one yeare next after the full age of ſuch Infant: Any thing in this preſent Act contained to the contrary thereof, in any wiſe notwithſtanding.

And be it further enacted by the authority of this preſent Parliament, That euery perſon

that

The day and yeare ſhall be certified of the knowledge of a Fine or Warrant of Atturney, for the ſuffering of a Recouerie.

that ſhall at any time hereafter take the knowledge of any Fine or Warrant of Attorney of any Tenant, or Vouchée, for ſuffering any common Recouery, or ſhall certifie them or any of them, ſhall with the Certificate of the Concord or Warrant of Attorney, certifie alſo the day & yeare wherein the ſame was knowledged: And that no perſon that taketh any ſuch knowledge of any Fine or Warrant for any Recouery, ſhall be bounden, or by any meanes inforced to certifie any ſuch knowledge or Warrant, except it be within one yeare next after the ſayd knowledge taken. And that no Clerke or Officer ſhall receiue any Writ of Couenant, or Writ of Entry, whereupon any Fine or common recouery is hereafter to paſſe, vnleſſe the day of the knowledge of the ſame Fine and Warrant ſhall appeare in or by ſuch Certificate, vpon paine, that euery Clerke that ſhall receiue any ſuch Writ, ſhall forfeit for euery time that he ſhall ſo offend, the ſumme of fiue pounds. And that no Attornement in or vpon any Fine be entred vpon Record, except the party mentioned to attourne therein, firſt haue appeared in the Court in perſon, or by Attorney warranted by the hand of one of the Juſtices of the one Bench or the other, or of one Juſtice of Aſſiſe, vpon a Writ of Quid iuris clamat, quem Redditum reddit, or per quæ ſeruitia, as the caſe requireth: And that euery entry of Atturnement hereafter to be made, where there ſhall be no apparance, as afore is ſayd, ſhall be vtterly voyd, & of none effect, without any Writ of Error, or other meanes to be vſed, for auoyding thereof.

Atturnement vpon a Fine.

The Office of Inrollments of Writs for Fines & Recoueries.

And be it further enacted by the authoritie aforeſayd, That there ſhall be for euer one Office for the Inrollment aforeſayd, which ſhall be and continue an Office for euer, called the Office of Inrollments of Writs for Fines and Recoueries: And that the Juſtices of the Common pleés for the time being (other than the chiefe Juſtice) ſhall haue and take the care and charge of and for the Inrollments aforeſayd, and ſhall haue and enioy the ſayd Office, and the diſpoſition thereof, and carefully ſée and looke to the execution thereof: and in conſideration of their charges, paines, and trauell therein, ſhall haue and take the ſummes of money hereafter following, and no more: That is to ſay, for the Inrollment and examination of euery Fine, and the parts thereof before mentioned, the ſum of ſixe ſhillings eight pence. And for the Inrollment of the ſaid parts of euery Recouery, and the examination thereof, ſixe ſhillings eight pence. And for euery Exemplification of the Inrollment of any Fine, fiue ſhillings. And for the Exemplification and Returnes of euery Writ of Entry, Summons and Warrantizands, and Warrants, fiue ſhillings. And for the ſearch of the Rolls of one yeare, foure pence. And for the Copie of one ſhéet of Paper, containing foureteene Lines, foure pence. And that the ſayd Juſtices, or one of them, ſhall examine the Inrollments of euery ſuch Fine and parts of Recoueries, and forthwith, after examination thereof, and immediately after the Inrollment of euery ſuch Fine and parts of Recoueries, write his name that ſo examineth with his owne hand in the Roll thereof, vpon paine, that the ſayd Juſtices ſhall forfeit to our Soueraigne Lady, the Quéenes Maieſty, the ſumme of fiue pounds, for euery time that they, or ſome one of them, ſhall make default of ſuch Examination, or Writing of his, or their name, as afore is ſayd. And that it ſhall and may be lawfull, to, and for the Juſtices of the ſayd Court of Common Plées, from time to time, to take order in all things that ſhall be conuenient and needefull for the Inrollments aforeſayd: And vpon Examination in the ſayd court, to aſſeſſe ſuch Fine or Amerciament vpon any Clerke Sheriffe, Deputy, Attorney, and other perſon, for his and their Miſpriſion, Contempt, and Negligence, for not doing or miſdoing in any thing, of, in, or concerning the ſayd Fines & Recoueries, or any part of them, or either of them, as by the ſaid Juſt. of the ſayd Court of Common Plées for the time being, ſhall be thought méete and conuenient: The ſaid Fine & Amerciament to be eſtreated amongſt other Fines and Amerciaments of that Court, where ſuch offence or miſpriſion ſhall be committed.

The fees for Inrolment of Fines and Recoueries.

The Juſtices may aſſeſſe Fines for Miſpriſion, Contempt, Negligence.

A Table containing the content of euery Fine, ſhall be ſet vp in the Cõmon Place, & at euery Aſſiſes.

And be it further enacted by the authority of this preſent Parliament, That the Chirographer of fines of the Common Plées for the time being, for euer ſhall write and make, or cauſe to bée written and made for euery County, where her Maieſties Writ runneth, one Table, wherin ſhall be contained ſuch contents of euery Fine that ſhall paſſe in any one Terme, as hereafter is mentioned: That is to ſay, the name of the County wherein the Tenements mentioned in any Fine be, the name of euery Plaintife and Deforciant, and of euery Mannor named in the Fine, if any ſuch be, and of the Townes and Places where the Tenements in ſuch Fine compriſed doe lye. And the firſt day of the next Terme after the ingroſſing of euery ſuch Fine, ſhall fixe euery of the ſayd Tables vpon ſome open place of the Court of Common Plées, and ſo euery day of the ſayd Terme, during the time of ſitting of the ſayd Court: And that the ſayd Chirographer ſhall deliuer to euery Sheriffe of euery County, his vnder Sheriffe or Deputy, faire written in Parchment, a perfect content of the Table, ſo to be made for that Shire, in the Terme that ſhall be next before the Aſſiſes bée holden in the ſayd County, or elſe meane betwéene that Terme and the ſayd Aſſiſes. And that euery ſuch Sheriffe, to whom ſuch Parchments, with the contents aforeſayd, ſhall bée deliuered, the firſt day of the next Aſſiſes after the deliuery thereof vnto him, and euery day during the ſayd Aſſiſes ſhall fixe and ſet vp the ſame Writing vndefaced in ſome open place in the Court, where the Juſtices of the Aſſiſe of that Countie ſhall ſit, & ſhal ſée the ſame to continue there during ſuch time as the ſayd Juſtices ſhall ſit there in Court, vpon paine, that euery Chirographer and Sheriffe offending againſt any thing in this Act contayned, ſhall forfeit to our ſoueraigne Lady the Quéenes Maieſty, the ſumme of fiue pounds, the one moitie whereof ſhall be to the Quéenes Maieſtie, her heires and ſucceſſors; and the other moitie to him or them that will ſue for the ſame in any Court of Record, wherein no Eſſoine, Protection, or wager of Law ſhall be allowed. And that the Chirographer for the time being ſhall haue and take for euery ſuch content of euery Fine ſo ſet downe in the Table aforeſaid, foure pence.

The Chirographers fee for writing the content of a Fine.

And foraſmuch, as vpon great examination it appeareth, that diuers Fines and Recoueries haue béene heretofore leuied and ſuffered of diuers Manors, Meſuages, Lands, Tenements, and Hereditaments, which ſometime were the inheritance of George ſometime Earle of Kent, great grandfather to Henry now Earle of Kent, in vſe, poſſeſſion, reuerſion, or remainder, whereunto the ſaid now Earle of Kent pretendeth title, in vſe, poſſeſſion, reuerſion, or remainder, which if they be erroneous, as is pretended, doe much varie from the generall cauſe and miſchiefe, for which this Statute meaneth to prouide: Be it therefore enacted by the authoritie aforeſaid, that neither this Statute, nor any thing therein contained, ſhall extend to take away any Writ of Error, whereunto any perſon or perſons is now, or hereafter ſhall be lawfully intitled, for the reuerſing of the ſaid Fines and Recoueries, or any of them, heretofore leuied or ſuffered of any of the ſaid Manors, Meſuages, Lands, Tenements, or Hereditaments, which late were any part or parcell of the Inheritance of the ſaid George, ſometime Earle of Kent, in vſe, poſſeſſion, reuerſion, or remainder: Any thing in this Statute contained to the contrary thereof in any wiſe notwithſtanding.

The Earle of Kent his Title.

Prouided alwayes, and be it enacted by the authority aforeſaid, That it ſhall be lawfull by the Juſtices Clerkes, authorized by their warrant in the ſaid ſeuerall Offices and Places where the ſame Records, or any of them doe or ſhall remaine, to write out or inroll the ſame Records, and euery part thereof, without any thing to be paid therefore. And that the ſaid Records, nor any of them, for the writing out, or making the Rolls thereof by the Clerks of the ſaid Juſtices, otherwiſe than for the examination thereof by the Juſtices, ſhall be brought or carried forth of the ſaid Offices or Places.

The Records ſhall not be carried forth of the Office.

And be it further enacted by the authority aforeſaid, That none of the Fines or Recoueries heretofore leuied, paſſed, or ſuffered, which ſhall be exemplified vnder the Great Seale, according to the forme of this Act, ſhall after ſuch exemplification had, be in any wiſe amended. 27. Eliz. 9.

No amendment of Fines &c after exemplification.

Cap. IV.

The Queene ſhall and may, as need ſhall require, by Commiſſion vnder the Great Seale, giue authoritie to certaine Commiſſioners, in all and euery the Counties of Northumberland, Cumberland, Weſtmerland, and the Countie Palatine of Durham, or in any one of them, to enquire what Tenancies, and Houſes of Habitation, ſithence *Anno* 27. *H.* 8. be decayed, and not occupied by men able to ſerue as horſemen, or footmen, according to the ancient dutie of thoſe Tenancies, and to examine the probable cauſes of thoſe ruines, and of all the wants and euill furnitures of the ſaid horſemen and footmen: and to giue order for the reformation thereof with all ſpeed, for the defence of the frontiers towards Scotland. EXP. & REP. 4. *Iac.* 1.

Cap. V.

Woods growing within a certaine compaſſe of London, or Thames, ſhall not be felled to be conuerted to Coales for making of Iron workes: In what places Iron workes ſhall be erected.

Whereas by reaſon of the late erection of ſundry Iron Milles in diuers places of this Realme, not farre diſtant from the Citie of London, and the Suburbes of the ſame, or from the Downes and Sea Coaſts of Suſſex, the neceſſary prouiſion of Wood, as well Timber fit for Building, and other vſes, as alſo all other ſellable Woods ſeruing for Fewell, doth daily decay and become ſcant, and will in time to come become much more ſcarcer, by reaſon whereof the prices are growne to be very great and vnreaſonable, and in time to come will be much more, if ſome remedie be not prouided, to the great dammage not onely of the Inhabitants of the ſaid Citie of London, and the Suburbes of the ſame, but alſo to all others the Quéenes Maieſties moſt louing Subiects, hauing occaſion daily from all parts of the Realme to repaire vnto the ſame and the places aboue-ſaid. For remedie whereof, Be it therefore enacted by the Quéenes moſt excellent Maieſtie, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament here aſſembled, and by the authority of the ſame, That no perſon or perſons from and after the Feaſt day of the Natiuitie of Saint John the Baptiſt next comming, ſhall conuert or imploy, or cauſe to be conuerted or imployed to coale or other fewell, for the making of Iron or of Iron metall in any Iron mills, furnace or hammer,

Iron Mills the great decay of wood.

hammer, any maner of wood, oꝛ vnderwood now growing, oꝛ which hereafter ſhall grow within the compaſſe and precinct of two and twenty miles from and about the Citie of London, oꝛ the Suburbes of the ſame, oꝛ within two and twenty miles of the riuer of Thames, from Doꝛcheſter in the countie of Oxfoꝛd downewards the ſaid riuer of Thames, noꝛ within foure miles of the foot of the hills called the Downes betwixt Arundell and Pemſey, in the countie of Suſſex, noꝛ within foure miles of any of the townes of Winchelſey, and Rye, noꝛ within two miles of the towne of Pemſey, noꝛ within thꝛée miles of the towne of Haſtings in the ſaid countie, vpon paine to foꝛfeit foꝛ euery load of wood ſo to be imployed oꝛ conuerted into coale oꝛ other fewell foꝛ the making of Iron oꝛ Iron metall, in any Iron mill, furnace oꝛ hammer, as is afoꝛeſaid, foꝛty ſhillings of lawfull money of England, the one halfe of all which foꝛfeitures to be to our Soueraigne Lady the Quéenes Maieſtie, and to her heires and ſucceſſoꝛs, and the other moitie to him oꝛ them that will ſue foꝛ the ſame, by oꝛiginall wꝛit, bill, plaint, oꝛ infoꝛmation, wherein no eſſoine, pꝛotection, oꝛ iniunction, oꝛ wager of law ſhall be admitted oꝛ allowed.

Woods growing in certaine places, ſhall not be conuerted into Coale foꝛ the making of Iron.

Pꝛouided alwayes, that this Act ſhall not extend to any woods growing, oꝛ to grow in any ſuch part of the Weilds of Surrey, Suſſex, oꝛ Kent, within the ſaid twenty two miles of the ſaid Citie of London and the riuer of Thames, as is diſtant aboue eightéene miles from the Citie of London, and eight miles from the ſaid riuer of Thames.

Woods growing in the Weilds of Surrey, Suſſex, and Kent.

And be it likewiſe further enacted, that from hencefoꝛth no new Iron woꝛkes ſhall be erected within twenty two miles of the ſaid Citie of London, noꝛ within fourteene miles of the riuer of Thames, noꝛ within foure miles of the Downes afoꝛeſaid, oꝛ of the ſaid townes of Pemſey, Winchelſey, Haſtings, oꝛ Rye, vpon paine of one hundꝛed pounds of lawfull money of England, likewiſe to be recouered and employed, as is afoꝛeſaid.

New Iron woꝛkes.

Pꝛouided alſo, that this Act, noꝛ any thing therein conteyned, ſhall extend to any woods oꝛ vnderwoods now ſtanding oꝛ growing, oꝛ which hereafter ſhall ſtand oꝛ grow in oꝛ vpon any lands of Chriſtopher Darrell Gentleman in the pariſh of Newdigate, within the Weild of the Countie of Surrey, which woods of the ſaid Chriſtopher haue heretofoꝛe beene, and be by him preſerued and coppiſed foꝛ the vſe of his Iron woꝛkes in thoſe parts. Stat. 1. El. 15. 27. El. 19.

The Woods of Chꝛiſtopher Darrel.

CAP. VI.

For euery Ship, Veſſell, or Crayer, whereof any of the Queenes Subjects ſhall be owners, or part owners of the burden of twenty Tunnes, or vpward, loading or diſcharging within this Realme, and paſſing to and from any forreine Countrey, during eight yeares, there ſhall be paid for euery ſuch Voyage by the Maſter or owner of ſuch Ship, &c. three pence for euery Tunne of Burden of ſuch Ship, &c. (except Veſſels laden with Sea-Coales or Grindſtones) towards the repaire of Douer Hauen: and for euery Chaldron of Sea-Coale or Grindſtone, one penny halfe-penny. EXP. 31. *El.* 13. 35. *El.* 7. 39. *El.* 18. 43. *El.* 9. 1. *Iac.* 32.

CAP. VII.

It ſhall not be lawfull to any Engliſh-man, or woman, or Denizen, to goe or ſend into any other forreine Countrey, for the buying or bringing into this Realme any ſalted Fiſh, or ſalted Herring, nor to make agreement with any ſtranger, or other, for ſuch bringing of ſalted Fiſh, &c. And no ſalted Fiſh, or &c. ſhall be brought hither out of any forreine Dominion, but by the owners thereof, being Aliens, without the procurement of any of the Queenes Subjects. REP. 39. *El.* 10. 33. *H.* 8. 2. 27. *El.* 15. 13. *El.* 11.

CAP. VIII.

Penaltie for vſing deceit by mixture in melting of Waxe, &c.

Where by the goodneſſe of God this Land doth yéeld great plenty of Honey, and Waxe, as not onely hath and doth ſuffice the neceſſary vſes of the Quéenes Maieſtie and her Subiects, to be ſpent within this Realme, but alſo a great quantitie to be ſpared, to be tranſpoꝛted vnto other Realmes and Countries beyond the Seas, by way of Merchandize, to the great benefit of her Maieſtie and the Realme, and yet neuertheleſſe, a great part of the Waxe made and melted within this Realme, hath béene found to be of late very corrupt, by reaſon of the deceitfull mixture thereof, and the makers and ſellers of Honey alſo haue not onely vſed to put the ſaid Honey in Caſke of deceitfull aſſize, but haue vſed alſo deceitfull mixtures of the ſame: Be it therefoꝛe enacted by the authoꝛity of this pꝛeſent Parliament, That euery perſon within this Realme, oꝛ the Dominions of the ſame, which ſhall after the Feaſt of Pentecoſt next enſuing, in the making and melting of Waxe, by any way oꝛ meanes vſe oꝛ pꝛactiſe, oꝛ cauſe to be vſed and pꝛactiſed any manner deceit by mixture, and mingling the ſame with Roſin, Tallow, Turpentine, oꝛ any other deceitfull thing, to the intent to ſell and vtter the ſame, oꝛ

Deceits vſed in the mixture of waxe and Honey.

The foꝛfeiture foꝛ vſing deceit by mixture in melting of waxe.

offer the ſame to be ſold or vttered for Ware, to any perſon or perſons whatſoeuer, ſhall forfeit and loſe the ſame mingled or corrupted Ware. And if the ſame corrupted Ware ſhall happen to be ſold, before ſuch fault and corruption ſhall be found, that then the ſaid Melter, Mingler, or corrupter, cauſer or procurer thereof, ſhall forfeit for euery pound two ſhillings, whereof the one halfe to the Quéenes Maieſtie, the other halfe to the partie deceiued, if he will ſue for it, or any other perſon or perſons that will ſue for the ſame, in any the Quéenes Maieſties Courts of Record.

Euery Melter of ware ſhall haue a marke.

And to the intent that the offendors in theſe kind of deceits, may be the better and ſooner knowne and found out: Be it enacted by the authoritie aforeſaid, That euery Melter and maker vp of vnwrought Ware, ſhall haue for himſelfe a Stampe, or Marke, of the breadth of ſixe pence, wherein two letters ſhall be plainely grauen, ſignifying his name and ſurname, and with the ſame, ſhall ſtampe euery Péece of Ware, to be printed or ſtamped triangle, in thrée places vpon the out-ſide of the vpper part of euery Péece ſo melted and caſt, vpon the paine to forfeit the value of euery Péece or Cake ſold, or offered to be ſold, and not ſo ſtamped or marked.

Wrought wax ſhall be good ſtuffe, and marked with a Stampe or Seale.

And be it further enacted by the authority aforeſaid, That no manner of perſon ne perſons within this Realme, or the Dominions thereof, ſhall from the ſaid Feaſt of Pentecoſt, melt, mixe, worke, or ſell any manner of wrought Ware, Stuffe, or Wares wrought with Ware, as in Lights, Staffe-torches, Red Ware, or Sealing Ware, Booke-candle, Searing-candle, Searing of dead Corpes, Lynckes, Gréene Ware, Red Ware, or any other worke or thing whatſoeuer, to be done or wrought with Ware to be put to ſale, but with good, wholeſome, pure and conuenient ſtuffe, méete in ſuch Wares or Worke in conuenient quantitie to be vſed. And that euery perſon or perſons that ſhall worke or ſell ſuch ſtuffe, or Wares of Ware, haue a Marke, Stampe, or Seale, to ſet on his or their worke, by him or them wrought, or ſold, to the intent, that if any deceit be vſed or done, it may be knowne who were the workers thereof, and ſuch perſon or perſons as ſhall be found or knowne to worke, or ſell, or to ſale put any ſuch falſe Ware, or Wares wrought with Ware to be put to ſale, ſhall forfeit and loſe the ſame corrupted or deceitfull Ware and Wares, the one halfe to be to the Quéenes Maieſtie, her heires and ſucceſſors, and the other to the partie deceiued, if hee ſhall ſue for the ſame, or otherwiſe to him or them that will ſue for the ſame by Action of Debt, Bill, Plaint, or Information, in any the Quéenes Maieſties Courts of Record, wherein no Eſſoine, Protection, or Wager of Law ſhall be allowed.

The forfeiture of him that will worke or ſell wrought waxe corrupted.

And be it further enacted by the authority aforeſaid, That euery perſon and perſons whatſoeuer, which after the Feaſt of Pentecoſt aforeſaid, ſhall ſell or offer to be ſold, any corrupted and falſe mingled Ware, ſhall loſe and forfeit the ſaid Ware: The one moytie thereof to be to the Quéenes Maieſtie, and the other to the partie deceiued, if hee ſhall ſue for the ſame, or otherwiſe, to him or them that will ſue for the ſame, as is aforeſaid. And that all Barrells, Kilderkins and Firkins filled with Honey, by the maker and filler, ſhall be marked with two letters ſtanding for his name and ſurname, each letter of an ynch and a halfe of length at the leaſt, burnt vpon the head of the Caske with a hot Iron, vpon the paine to forfeit ſixe ſhillings eight pence, for euery Barrell, Kilderkin, Firkin or Caske, ſold or offered to be ſold, and not ſo marked: and that if any perſon or perſons doe, or ſhall after the foure and twentieth day of Auguſt next comming, after the end of this Seſſion of Parliament, fill and ſell, or cauſe to be filled or ſold, or offered to be ſold, any Barrell, Kilderkin, or Firkin, with Honey, for or in the name of a Barrell, Kilderkin or Firkin, conteyning leſſe than two and thirty Wine Gallons the Barrell, ſixtéene Wine Gallons the Kilderkin, and eight Wine Gallons the Firkin: Euery perſon and perſons ſo offending, ſhall forfeit and loſe for euery halfe Gallon ſo lacking, fiue ſhillings of Engliſh money: And euery perſon and perſons, that ſhall corrupt the Honey ſo ſold or to be ſold, with any deceitfull mixture, ſhall forfeit the Barrell or Veſſell, and Hony therein conteyned, the one moytie whereof to be to our Soueraigne Ladie the Quéenes Maieſtie, and the other to him or them that will ſue for the ſame, as aforeſaid.

Veſſels of honey ſhall be marked with two letters.

The content of euery veſſell of hony to be ſold.

The penalty for corrupting of hony.

Prouided alwayes, that this Act as touching the marking of Ware, ſhall not extend to any perſon or perſons, ſelling the Ware of their owne Bees in open Markets, in ſmall peeces, nor to any ſeruant or ſeruants, or other perſons, mingling, or corrupting any Ware, by commandement of their maſter or other perſon hauing authoritie ouer them, ſo as they will confeſſe the ſame.

Selling ware of their owne Bees.

And be it further enacted by the authoritie aforeſaid, that if any perſon or perſons, ſhall at any time hereafter counterfeit any the markes aboue-mentioned, or ſhall ſet to the marke or markes of any other perſon or perſons, without the conſent of the ſame perſon or perſons, whoſe names the ſaid markes ſhall ſignifie, that euery ſuch offendor in the premiſſes, ſhall forfeit for euery ſuch default v. li. The one moitie thereof to be to the Quéenes Maieſtie, her Heires and Succeſſors, and the other moitie to the partie deceiued if he will ſue for the ſame, or otherwiſe to any other perſon or perſons, that ſhall ſue for the ſame, by bill, Action, or Information, in any the Quéenes Maieſties Courts of Record, wherein no Eſſoine, Protection, or wager of Law ſhall be admit-

The penalty for counterfeiting of markes, or marking with anothers marks.

ted or allowed for the defendant. And for non-ſufficiency of payment thereof to be ſet on the Pillorie, in the next Market Towne to the place where ſuch offence ſhall be committed, and to ſuffer thrée monethes impriſonment, without baile or mainpriſe, for euery offence committed contrary to this Article of this preſent Act.

Cap. IX.

Logwood and Blockwood ſhall not be vſed in dying of Cloth, &c.

WHereas of late yeares there hath béen brought into this Realme of England, from beyond the Seas, a certaine kind of Ware or Stuffe called Logwood, alias Blockwood, wherewith diuers Dyers, Clothiers, Hat-makers, and others, haue and doe dye daily, diuers ſundry Clothes, Karſies, Wools, Permeſtons, Baiſe, Cottons, Hoſeyarne, Hats, Caps, Flannels, Wodmalls, Mockadoes, Raſhes, Buſtins, tuft Mockadoes, and other things, Foraſmuch as the colors made with the ſaid Stuffe called Logwood, alias Blockwood, is falſe and deceitfull, and the Clothes and other things therewith dyed, are not onely ſold and vttered, to the great deceit of the Quéenes louing Subiects within this her Realme of England, but alſo beyond the Seas, to the great diſcredit and ſlander, as well of the Merchants, as of the Dyers of this Realme.

For reformation thereof, be it ordeyned, enacted, and eſtabliſhed, by the Quéene our Soueraigne Lady, and by the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that all ſuch Logwood, alias Blockwood, in whoſe hands ſoeuer the ſame ſhall be found, after the Feaſt of Saint Michael the Archangel next enſuing, ſhall be forfeited, and openly burned by authority of the Maior or other head Officer of the Citie or Towne Corporate, or of two Juſtices of Peace of the Countie where it ſhall be found. And that from and after twenty dayes after the end of this Seſſion of Parliament, no perſon, of what degrée ſoeuer he be, ſhall dye, or cauſe to be dyed, any Cloth, Wooll or any other of the premiſſes aboue-mentioned, or any other thing whatſoeuer, with any of the ſaid Ware or Stuffe called Logwood, alias Blockwood, vpon paine that the Dyer of euery ſuch ſeuerall thing ſo dyed, ſhall forfeit the value of the thing ſo dyed: the one moytie to the vſe of the Quéenes Maieſty, her heires or ſucceſſors, and the other moitie to him that will ſue for the ſame, by action of debt, bill, plaint, or information, in any Court of Record, in which ſuit, no eſſoine, protection, wager of Law, nor writ of priuiledge for the defendant, ſhall be admitted or allowed: and the party offending, being thereof conuicted, to remaine in priſon without baile or mainpriſe, till he haue ſatiſfied the ſame value.

Logwood ſhall be forfeited, openly burned, and no cloth or wooll ſhall be died therewith.

And where Clothes, Karſies, and Hoſen haue béene dyed, with a colour which is commonly called a galled and mathered black, or with a colour commonly called a ſhomacke and mathered blacke, which colours, although they carry a ſhew of a good, true, and perfect colour of woaded and mathered blacke, and of ſuch as doe buy the ſaid colours, either in Cloth, Kerſie, or Hoſe, taken ſo to be, notwithſtanding in proofe and wearing proue contrary to the great deceit of the Quéenes Subiects, and diſcrediting of the Cloth, and other things ſo dyed: For reformation whereof, Be it enacted, that no kinde of Cloth or Clothes, Kerſies, Baies, Friſeadoes broad or narrow, Hoſen, or other things, being in the nature of Cloth, ſhall from henceforth be mathered for a black, except the ſame be firſt grounded with woad onely, or with woad and a nele, alias blew Inde, vnleſſe the madder be put in with ſhomake or gallis. And that from and after twenty dayes after the end of this Seſſion of Parliament, no perſon of what degrée ſoeuer he be, ſhall dye or cauſe to be dyed any Cloth or Clothes, or other things aboue-ſaid, of what kinde or nature ſoeuer, mathered for a blacke, not hauing a ground of woad onely, or of woad and a nele, alias blew Inde, vnleſſe the madder be put in with ſhomake or gallis, vpon paine that the Dyer of euery ſuch ſeuerall thing ſo dyed, ſhall forfeit the value of the ſame thing ſo dyed, the one moytie thereof to the vſe of the Quéenes Maieſty, her heires or ſucceſſors, and the other moytie to him that will ſue for the ſame, by action of debt, bill, plaint, or information, in any Court of Record, in which ſuit, no eſſoine, protection, wager of Law, nor Writ of priuiledge for the defendant, ſhall be admitted or allowed, and the party offending being thereof conuicted, to remaine in priſon, without baile or mainepriſe, till he haue ſatiſfied the ſame value.

No Cloth ſhall be mathered for black, vnleſſe it be firſt grounded with woad.

Prouided alwayes, that it ſhall and may be lawfull to die all maner of galle blacke, ſhomake black, alias plaine black, wherein no mather ſhall be vſed, as heretofore lawfully hath béen done: this Act or any thing therein conteyned to the contrary notwithſtanding.

Galle blacke, ſhomake black, plaine blacke.

Prouided alwayes, that euery Dyer that ſhall after the Feaſt of Pentecoſt next enſuing the end of this Seſſion of Parliament, die any of the ſaid Clothes, Kerſies, or Friſeadoes mathered and not woaded, ſhall before he deliuer any of the ſame forth of his hands, fix a Seale of Lead to euery of them, in which the Letter M. ſignifying mathered, ſhall be conteyned, vpon paine that euery Dyer offending to the contrary, ſhall forfeit for euery yard of ỹ ſaid Cloth, Kerſies, Baies or Friſadoes, the ſumme of iij. s. iiij. d. And that if any perſon ſhall ſell any Cloth, Kerſies, Baies or

A Dyer ſhall fix a ſeale of lead to his Cloth, with the letter M.

Friſeadoes waſhered and not woaded, after the ſaid Feaſt of Pentecoſt, and ſhall not firſt giue notice to the buyer thereof, that the ſame is not woaded, ſhall forfeit alſo the double value of all ſuch Cloth, Kerſies, Bayes, and Friſeadoes, as he ſhall ſo ſell, which forfeitures ſhall be to the party that ſhall ſue for the ſame in any Court of Record, by action of debt, bill, plaint, or information wherein no eſſoine, protection, or wager of Law ſhall lye. St. 24. H. 8. 2. 39. Eliz. 11.

CAP. X.

Penaltie for deſtroying of Pheſants and Partridges in the night, and for hawking in eared or codded Corne growing.

WHere the game of Pheſants and Partridges is within theſe few yeares in maner vtterly decayed and deſtroyed in all parts of this Realme, by meanes of ſuch as take them with nets, ſnares, and other engines and deuices, as well by day as by night, and alſo by occaſion of ſuch as doe vſe hawking in the beginning of Haruest, before the young Pheſants and Partridges be of any bigneſſe, to the great ſpoile and hurt of Corne and Graſſe then ſtanding and growing in the fields.

The penalty for taking or killing of Pheaſants, or Partridges, in the night. 11. H. 7. 17.

For reformation thereof, be it enacted, eſtabliſhed, & ordeined, by the Queene our Soueraigne Lady, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that no maner of perſon or perſons, of what eſtate, degree or condition ſoeuer, ſhall at any time or times, from and after the firſt day of Aprill next enſuing, take, kill, or deſtroy any Pheaſants or Partridges, with any maner of nets, ſnares, gins, engins, rowſting, lowſſing, or other deuiſes whatſoeuer, in the night time, vpon paine of forfeiture for euery Pheaſant ſo taken, killed, or deſtroyed, contrary to the true meaning of this Act, the ſum of xx. s. and for euery Partridge ſo taken, killed, or deſtroyed, the ſum of x. s. the which ſaid penalties and forfeitures if euery perſon or perſons ſo offending, doe not pay within x. daies next after his or their conuiction, then to haue one moneths impriſonment without baile or mainprize, and further ouer and beſides ſuch forfeiture or impriſonment, to put in bond with good ſureties, for the ſpace of two years, that he ſhall not take, kill, or deſtroy any Partridges or Pheaſants, contrary to the true meaning of this Act, the ſame bond to be taken by ſome Juſtice of the Peace, of the Countie where the ſaid offence ſhall be committed: the one halfe of all which ſaid ſeuerall forfeitures to be to the chiefe Lord or Lords of the Liberties, Lordſhips, or Mannors, vpon and in which the ſame ſhall be ſo taken, killed, or deſtroyed: and the other moytie to ſuch perſon or perſons as will ſue for the ſame in any of her Maieſties Courts of Record, by bill, plaint or information: in which ſuit, no eſſoine, protection, or wager of Law ſhall be allowed.

Who ſhall haue the forfeitures, & by what meanes they ſhall be recouered.

Prouided alwayes, that if ſuch perſon to whom the one halfe of the ſaid forfeiture is appointed for the taking, killing, or deſtroying of Partridges or Pheaſants, contrary to the tenor and true meaning of this Act, ſhall diſpence with licence, or procure any taking, killing or deſtroying of any Partriges or Pheaſants, contrary to the forme of this Act: That then all ſuch forfeitures & penalties as ſuch perſon or perſons ſhould haue, by vertue of this Act, ſhall be to the poore of the pariſh, where ſuch taking, killing or deſtroying ſhall be committed: and that to be leuied or recouered in maner and forme aforeſaid, by any one of the Church-wardens of the Pariſh where the offence ſhall be committed.

The forf. for hawking in eared or codded Corne ſtanding, or before the Corne ſhall be ſhocked.

And be it likewiſe further enacted by the authority aforeſaid, that no maner of perſon or perſons from and after the ſaid firſt day of Aprill, ſhall hawke, or with his Spaniells hunt, in any ground where Corne or other Graine ſhall then grow, (except it be in his owne ground) at ſuch time as any eared or codded Corne or Graine ſhall be ſtanding and growing vpon the ſame, nor before ſuch time, as ſuch Corne and Graine ſhall be ſhocked: cocked, hiled, or copped, vpon paine of forfeiture for euery time that hee ſhall ſo hawke or hunt as aforeſaid (without the conſent of the owner of the Corne or Graine) to ſuch perſon or perſons as ſhall be owner of the ſaid eared or codded Corne or Graine, xl. s. and the ſame to be leuied or recouered in maner and forme aforeſaid.

Which officers may heare and determine the offences aforeſaid.

A Juſtice of Peace may examine an offendor, and binde him to appeare at the next Seſſions.

Prouided alwaies and be it further enacted by the authority aforeſaid, That the Juſtices of Aſſiſes in their circuits, and Juſtices of the Peace in euery Shire, Countie, and Towne Corporate, within this Realme, in their Seſſions, within the ſeuerall limits of their Commiſſion, and Stewards of Létes, Liberties, and Lawdaies, within their ſeuerall Juriſdictions, ſhall and may by vertue hereof, heare, enquire, and determine of all and euery offence or offences, which ſhall be committed within the precinct of their Liberties, Juriſdictions, or Franchiſes, againſt the tenor of this Act. And further, that euery Juſtice of the Peace within euery County of this Realme, ſhall within the limits of his Commiſſion, haue power and authority by vertue hereof, to examine all offendors in the premiſſes within the County where he is or ſhall be Juſtice, if ſo be that the ſaid offence or offences, ſhall not before be heard or determined by the Juſtices of Aſſiſe in their Circuits, or by the Stewards of Létes, Liberties, or Lawdaies, within their ſaid ſeuerall Juriſdictions, and alſo to take bond with good ſureties for his and their appearance that ſhall ſo offend, to appeare at the next generall Seſſions, of the Peace, to be holden within the ſame countie where the ſame offence ſhall be committed, to anſwer the ſaid offence, and to pay the penalties or receiue the puniſhment by this Act appointed or limited.

Provided alwayes, that this Act ſhall not in any wiſe extend to Lowbellers, Tramellers, or others, which ſhall vnwillingly happen to take any Partridges or Feaſants by night, vnder any Tramell, Lowbell, Roſtnet or other Engine, ſo as they and euery of them do preſently loſe and let goe euery Feaſant and Partridge ſo taken, and ſuffer them preſently to flye and go at large, at the place where they ſhall happen ſo to be taken, without willingly killing, or wilfully hurting any ſuch Feaſant or Partridge ſo taken in any manner of ſort: Any thing in this Act contained to the contrary notwithſtanding. 1. Iac. 27. 7. Iac. 11.

Feaſants or partridges vnwillingly taken & letten goe againe.

Cap. XI.

The Countie of Glamorgan in Southwales, and the Towne of Cardiffe therein ſtanding neere vnto the Riuer of Toffe, ſhall ioyntly proceede together to the reedifying of the bridge there, viz. the County ſhall alwayes beſtow fiue parts of the charges, and the Towne of Cardiffe one part: and ſo for euery v. li. payable by the County, the Towne of Cardiffe and the Liberties ſhall ſtand charged with xx. s. and ſo from time to time, for the maintaining of the ſayd Bridge, ſhall defray all ſuch charges as ſhall bee neceſſary in like proportion. PR.

Cap. XII.

An addition to the Statute of 13. Eliz. 23. touching the pauing of a Street without Algate, in the Suburbes of London, leading to the Queenes Store-houſe of the Mineries, toward the Tower of London, and other places neere thereunto. Euery perſon that hath lands adioyning to the Northſide of Hoglane ſhall skoure and keepe skoured and clenſed the ditch there againſt the ſaid lands, vpon paine to forfeit to the Queene vi. s. viii. d. for euery rod not cleanſed. PR.

Cap. XIII.

A continuance for two yeares, of certaine Statutes not in print, made Anno 5. 8. & 14. Eliz. touching the inning and fencing of Earith, Lyſnes, and Plumſted Marſh, in the County of Kent. And ſome further benefits granted to the Inners. PR. 27. Eliz. 27. 4. Iac. 8.

Cap. XIIII.

A confirmation of a Subſidie of vj. s. viij. d. in the pound, granted to the Queen by the Clergie to be payed in three yeares. EXP.

Cap. XV.

A grant of a Subſidie and two Fifteenes, to the Queene by the Temporaltie. EXP.

Cap. XVI.

A confirmation of the Queenes generall and free pardon: Except, &c. EXP.

ANNO VICESIMO SEPTIMO REGINAE *ELIZABETHÆ*.

AT the Parliament begun and holden at Weſtminſter the three and twentieth day of Nouember, in the ſeuen and twentieth yeare of the reigne of our moſt gracious Soueraign Lady, ELIZA[illegible]TH, by the grace of God, of England, France, and Ireland, Queene, Defender of the Faith, &c. And there continued vntill the nine and twentieth of March following. To the high pleaſure of Almighty God, and the weale publike of this Realme, were enacted as followeth.

CAP. I.

Foure and twentie perſons at the leaſt. whereof part of the Queenes Priuie Councell, and the reſidue being Peeres of the Realme, by the Queenes Commiſsion ſhall examine the offences of ſuch as ſhall make any open inuaſion, or rebellion within this Realme, or attempt hurt to the Qu. perſon, by, or for any pretending title to the Crowne: who after iudgement giuen and publiſhed by proclamation, ſhall be diſabled to haue, or pretend title to the Crowne. And thereupon euery perſon ſhall be purſued to death by all the Queenes ſubiects, by whom, or whoſe meanes, aſſent or priuity, any ſuch rebellion ſhall be denounced to bee made, or other thing attempted, compaſſed, or imagined againſt the Queenes perſon. If any act ſhall be executed, whereby the Queenes life ſhall be ſhortened, the offendors ſhall bee proſecuted to death, and diſabled to pretend title to the Crowne: The meaning of the aſſociation was to the effect aforeſayd. EXP.

CAP. II.

Ieſuits and Prieſts in England ſhall depart, and none ſhall come into this Realme. The penalty for relieuing them, &c.

The cauſes why Ieſuits & Prieſts doe come into this Realme.

WHeras diuers perſons, called or profeſſed Ieſuits, Seminarie Prieſts, & other Prieſts, which haue béen, and from time to time are made in the parts beyond the Seas, by or according to the order and rites of the Romiſh Church, haue of late yeares comen and béen ſent, and dayly doe come and are ſent into this Realme of England, and other the Quéenes Maieſties Dominions, of purpoſe (as it hath appeared, as well by ſundry of their owne examinations and confeſſions, as by diuers other manifeſt meanes and proofes) not onely to withdraw her Highneſſe ſubiects from their due obedience to her Maieſtie, but alſo to ſtir vp and moue ſedition, rebellion, and open hoſtility within the ſame her highneſſe Realmes and Dominions, to the great indangering of the ſafety of her moſt royall Perſon, & to the vtter ruine, diſolation & ouerthrow of the whole Realme, if the ſame be not the ſooner by ſome good meanes foreſéene and preuented.

All Ieſuits & Prieſts ſhall depart forth of the Realm.

For reformation whereof, be it ordained, eſtabliſhed and enacted by the Quéenes moſt excellent Maieſtie, and the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame Parliment, That all & euery Ieſuits, Seminary Prieſts, and other Prieſts whatſoeuer, made or ordained out of the Realme of England, or other her Highneſſe dominions, or within any of her Maieſties Realmes or dominions by any authority, power or iuriſdiction, deriued, challenged, or pretended from the Sée of Rome, ſince the Feaſt of the Natiuity of Saint Iohn Baptiſt, in the firſt yeare of her Highneſſe reigne, ſhall within forty dayes next after the end of this preſent Seſſion of Parliament, depart out of this Realme of England, and out of all other her highneſſe Realmes and dominions, if the wind, weather, and paſſage ſhall ſerue for the ſame: or elſe ſo ſoone after the end of the ſayd forty dayes, as the wind, weather, and paſſage ſhall ſo ſerue.

No Ieſuits or Prieſts ſhall come into or remaine in this Realme.

And be it further enacted by the authority aforeſayd, That it ſhall not be lawfull to or for any Ieſuit, Seminary Prieſt, or other ſuch Prieſt, Deacon, or Religious or Eccleſiaſticall perſon whatſoeuer, being borne within this Realme, or any other her highneſſe dominions, and heretofore ſince the ſayd Feaſt of the Natiuity of Saint Iohn Baptiſt, in the firſt yeare of her Maieſties reigne, made, ordained or profeſſed, or hereafter to be made, ordained or profeſſed, by any authoritie or iuriſdiction, deriued, challenged or pretended from the Sée of Rome, by or of what name, title or degrée ſoeuer the ſame ſhall be called or knowne, to come into, be, or remaine in any part of this Realme, or any other her highneſſe dominions, after the end of the ſame forty dayes, other than in ſuch ſpeciall caſes, and vpon ſuch ſpeciall occaſions onely, and for ſuch time onely as is expreſſed in this Act: and if he doe, that then euery ſuch offence ſhall bee taken and adiudged to be high Treaſon, and euery perſon ſo offending, ſhall for his offence be adiudged a Traitor, and ſhall ſuffer, loſe, and forfeit, as in caſe of high Treaſon.

Receiuing or relieuing a Ieſuit or Prieſt ſhallbe Felony.

And euery perſon, which after the end of the ſame forty dayes, and after ſuch time of departure as is before limited and appointed, ſhall wittingly and willingly, receiue, relieue, comfort,

aide,

ayde or maintaine any ſuch Ieſuit, Seminary Prieſt, or other Prieſt, Deacon, or Religious or Eccleſiaſticall perſon, as is aforeſayd, being at liberty or out of hold, knowing him to be a Ieſuit, Seminary Prieſt, or other ſuch Prieſt, Deacon, or Religious or Eccleſiaſticall perſon, as is aforeſayd, ſhal alſo for ſuch offence be adiudged a felon, without benefit of Clergy, and ſuffer death, loſe and forfeit, as in caſe of one attainted of felony.

And be it further enacted, by the authority aforeſayd, if any of her Maieſties Subiects (not being a Ieſuit, Seminary Prieſt, or other ſuch Prieſt, Deacon, or Religious or Eccleſiaſticall perſon, as is before mentioned) now being, or which hereafter ſhall be of, or brought vp in any Colledge of Ieſuites or Seminary already erected or ordained, or hereafter to be erected or ordained in the parts beyond the Seas, or out of this Realme in any forrein parts, ſhall not within ſixe monethes next after Proclamation in that behalfe to be made in the City of London, vnder the great Seale of England, returne into this Realme, and thereupon within two dayes next after ſuch returne, before the Biſhop of the Dioceſſe, or two Iuſtices of Peace of the Countie, where he ſhall arriue, ſubmit himſelfe to her Maieſtie and her Lawes, and take the Othe ſet forth by Act in the firſt yeare of her reigne: That then euery ſuch perſon which ſhall otherwiſe returne, come into, or be in this Realme, or any other her Highneſſe Dominions, for ſuch offence of returning, or being in this Realme, or any other her Highneſſe Dominions, without ſubmiſſion as aforeſayd, ſhall alſo be adiuged a traitor, and ſuffer, loſe and forfeit, as in caſe of high treaſon.

They which be in Seminaries ſhall after proclamation returne & take the Oath.

And be it further enacted by the ſuthority aforeſaid, if any perſon vnder her Maieſties ſubiection or obedience, ſhall at any time after the end of the ſayd forty dayes, by way of exchange, or by any other ſhift, way or meanes whatſoeuer, wittingly and willingly, either directly or indirectly conuey, deliuer, or ſend, or cauſe or procure to be conueyed or deliuered, to be ſent, ouer the ſeas, or out of this Realme, or out of any other her Maieſties Dominions or Territories, into any forreine parts, or ſhall otherwiſe wittingly and willingly yéeld, giue or contribute any money or other reliefe, to or for any Ieſuit, Seminary Prieſt, or ſuch other Prieſt, Deacon, or Religious or Eccleſiaſticall perſon as is aforeſayd, or to or for the maintenance or reliefe of any Colledge of Ieſuits or Seminary, already erected or ordained, or hereafter to be erected or ordained in any the parts beyound the Seas, or out of this Realme in any forreine parts, or of any perſon then being of or in the ſame Colledges or Seminaries, and not returned into this Realme with ſubmiſſion as in this Act is expreſſed, and continuing in the ſame Realme: That then euery ſuch perſon ſo offending, for the ſame offence ſhall incurre the danger and penalty of Præmunire, mentioned in the Statute of Præmunire, made in the ſixtéenth yeare of the reigne of King Richard the ſecond.

Sending reliefe to any Ieſuit, Prieſt or other perſon abiding in a Seminarie.

16.R.2.5.

And be it further enacted by the authority aforeſayd, that it ſhall not be lawfull for any perſon, of or vnder her highneſſe obedience, at any time after the ſayd forty dayes, during her Maieſties life (which GOD long preſerue) to ſend his or her childe, or other perſon, being vnder his or her gouernement, into any the parts beyond the Seas, out of her Highneſſe obedience, without the ſpeciall licence of her Maieſty, or of foure of her Highneſſe priuy Councell, vnder their hands in that behalfe firſt had or obtained (except Merchants, for ſuch onely as they or any of them ſhall ſend ouer the Seas, onely for or about his, her, or their trade of merchandize, or to ſerue as Mariners, and not otherwiſe) vpon paine to forfeit and loſe for euery ſuch their offence, the ſum of one C.li.

None ſhall ſend his child or other beyond the ſeas without licence. EXP. 3.Iac.5.

And be it alſo enacted by the authority aforeſayd, that euery offence to be committed or done againſt the tenor of this Act, ſhall & may be enquired of, heard and determined, as well in the court commonly called the Kings Bench, in the County where the ſame court ſhall for the time be, as alſo in any other County within this Realme, or any other her Highneſſe Dominions, where the offence is or ſhall be committed, or where the offendor ſhall be apprehended and taken.

Where the offences committed againſt this Act ſhall be enquired of & determined.

Prouided alſo, and be it enacted by the authority aforeſayd, that it ſhall and may be lawfull, for and to euery owner & maſter of any Ship, Barke, or Boat, at any time within the ſay forty daies, or other time before limitted for their departure, to tranſport into any the parts beyong the Seas, any ſuch Ieſuit, Seminarie Prieſt, or other ſuch Prieſt aforeſaid, ſo as the ſame Ieſuit, Seminarie Prieſt, or other Prieſt aforeſaid ſo to be tranſported, doe deliuer vnto the Maior or other chiefe officer of the Towne, Port, or place where he ſhall be taken in to be tranſported, his name, and in what place he receiued ſuch order, and how long he hath remained in this Realme, or in any other her Highneſſe Dominions, being vnder her obedience.

Tranſporting of Ieſuits, Prieſts, &c.

Prouided alſo, that this Act or any thing therein contained, ſhal not in any wiſe extend to any ſuch Ieſuit, Seminarie Prieſt, or other ſuch Prieſt, Deacon, or Religious or Eccleſiaſticall perſon, as is before mentioned, as ſhall at any time within the ſaid forty daies, or within thrée dayes after that he ſhall hereafter come into this Realm, or any other her Highneſſe Dominions, ſubmit himſelfe to ſome Archbiſhop or Biſhop of this Realme, or to ſome Iuſtice of Peace within the Countie where he ſhall arriue or land, and doe thereupon truely and ſincerely before the ſame Archbiſhop, Biſhop, or ſuch Iuſtice of Peace, take the ſaid Oath ſet forth in Anno primo, and by

A Ieſuit or Prieſt ſubmitting himſelfe & taking the oath & obeying the Lawes.

writing vnder his hand confeſſe and acknowledge, and from thenceforth continue his due obedience vnto her Highneſſe Lawes, Statutes, and Ordinances, made and prouided, or to be made or prouided in cauſes of Religion.

Prouided alwayes, if it happen at any time hereafter any Péere of this Realme to be indicted of any offence made treaſon, felony, or Præmunire, by this Act, that he ſhall haue his triall by his Péeres, as in other caſes of treaſon, felony, or Præmunire, is accuſtomed.

Prouided neuertheleſſe, and it is declared by authority aforeſayd, that if any ſuch Ieſuit, Seminary Prieſt, or other Prieſt, aboueſayd, ſhall fortune to be ſo weake or infirme of body, that he or they may not paſſe out of the Realme by the time herein limited without imminent danger of life, & this vnderſtood as well by the corporall Oath of the party, as by other good meanes, vnto the Biſhop of the Dioceſſe, and two Iuſtices of Peace of the ſame County where ſuch perſon or perſons doe dwell or abide: That then and vpon good and ſufficient bond of the perſon or perſons with ſureties of the ſum of CC. li. at the leaſt, with condition that he or they ſhall be of good behauiour towards our Soueraigne Lady the Quéene, & all her liege people, Then he or they ſo licenced & doing as is aforeſayd, ſhall and may remaine and bée ſtill within this Realme, without any loſſe or danger to fall on him or them by this Act, for ſo long time as by the ſame Biſhop and Iuſtices, ſhall be limited and appointed, ſo as the ſame time of aboad excéed not the ſpace of ſixe moneths at the moſt: And that no perſon or perſons ſhall ſuſtaine any loſſe, or incur any danger by this Act, for the receiuing or maintaining of any ſuch perſon or perſons ſo licenced as is aforeſaid, for and during ſuch time onely as ſuch perſon or perſons ſhall bée ſo licenced to tarry within this Realme: Any thing contained in this Act to the contrary notwithſtanding.

One knowing a Ieſuit or Prieſt to remaine in the Realme, doth not diſcouer it to a Iuſt. of Peace.

And be it alſo further enacted by authority aforeſayd, that euery perſon or perſons being ſubiect of this Realme, which after the ſayd forty dayes ſhall know and vnderſtand that any ſuch Ieſuit, Seminary Prieſt, or other Prieſt aboueſayd, ſhall abide, ſtay, tarry, or be within this Realme, or other the Quéenes Dominions and Countries, contrary to the true meaning of this Act, & ſhall not diſcouer the ſame vnto ſome Iuſt. of Peace, or other higher Officer, within twelue daies next after his ſayd knowledge, but willingly conceale his knowledge therein: that euery ſuch offendor ſhall make fine, & be impriſoned at the Quéenes pleaſure, that if ſuch Iuſtice of Peace, or other ſuch officer to whom ſuch matter ſhall be ſo diſcouered, doe not within eight & twenty daies then next following, giue information thereof to ſome of the Quéenes priuy Councell, or to the Preſident or Vicepreſident of the Quéenes Councell, eſtabliſhed in the North, or in the Marches of Wales for the time being: That then he or they ſo offending, ſhall for euery ſuch offence forfeit the ſumme of two hundred markes.

And be it likewiſe enacted by the authority aforeſayd, that ſuch of the priuie Councell, Preſident or Vicepreſident, to whom ſuch information ſhall be made, ſhall thereupon deliuer a note in writing ſubſcribed with his owne hand, to the party by whom hee ſhall receiue ſuch information, teſtifying that ſuch information was made vnto him.

All oaths, bonds, & ſubmiſſions certified into the Chancery.

And be it alſo enacted, that all ſuch Oaths, Bonds and ſubmiſſions, as ſhall be made by force of this Act as aforeſaid, ſhall be certified into the Chancery by ſuch parties before whom the ſame ſhall be made, within thrée moneths after ſuch ſubmiſſion, vpon paine to forfeit and loſe for euery ſuch offence, C. li. of lawfull Engliſh money, the ſayd forfeiture to be to the Quéene, her heires and ſucceſſors.

None ſubmitting himſelfe ſhall come within ten miles of the Queene.

And that if any perſon ſo ſubmitting himſelf as aforeſaid, do at any time within the ſpace of x. yeres after ſuch ſubmiſſion made, come within ten miles of ſuch place where her Maieſty ſhal be, without eſpeciall licence from her Maieſty in that behalfe to bee obtained in writing vnder her hand: that then, and from thenceforth, ſuch perſon ſhall take no benefit of his ſayd ſubmiſſion, but that the ſame ſubmiſſion ſhall be voyd, as if the ſame had neuer béene. 1. Iac. 4. 3. Iac. 5.

CAP. III.

The Statute of 13. Eliz. 4. *making the lands and goods of Tellors, Receiuers, &c. liable to the payment of the Queenes debts, explained.*

A queſtion ariſing vpon the expoſition of the Stat. of 13. Eliz. 4.

VVHere in the Parliament holden at Weſtminſter the ii. day of April, in the xiii. yeare of the reigne of our Soueraign Lady Quéen Elizabeth, there was amongſt other things an Act made, entituled, An Act to make the Lands, Tenements, Goods, & Cattels of Tellors, Receiuers, &c. liable to pay their debts, vpon which Act ſome doubt & queſtion hath bin moued, whether the Quéens highnes, her heires & ſucceſſors, might for the ſatiſfaction of her & their debts and farmes, by her or their Letters Patents vnder the great Seale of England, make ſale of any the lands, tenements, and hereditaments, whereof her highneſſe, her heires or ſucceſſors, haue power or authority to make ſale by vertue of the ſame Act after the death of ſuch accomptant or debtor as is mentioned in the ſayd Act, or where the accompt of ſuch accomptant or debtor was not or is not made, or his or their debt knowne in the life time of the ſame accomptant or debtor.

For declaration and explaining whereof, Be it declared and enacted by the authority of this preſent Parliament, that the ſayd Act (of 13. Eliz. 4) in euery part thereof touching the power giuen by that recited Act vnto her Highneſſe, her Heires and Succeſſors, to make ſale of any the Lands, Tenements, or Hereditaments by the ſame Act limited to be ſold, is, ſhall and ought to be expounded and intended as well in caſe where the ſale is to be made after the death of ſuch accomptant or debtor, as where it is to be made in his or their life time : and alſo as well in caſe where the accompt is made, or the debt knowne within eight yeares after the death of ſuch accomptant or debtor, as where the ſame accompt is made, or the debt knowen in the life time of the ſame accomptant or debtor : Any ambiguity or queſtion that hath riſen or growne, or may ariſe, grow, or be conceiued vpon the letter of the ſame Act, to the contrary therof in any wiſe notwithſtanding.

Sale of the accomptants lands after his death. The accomptants debt knowen within 8 yeares after his death.

Prouided alwayes, and be it enacted by the authority aforeſayd, that after the death of ſuch accomptant and debtor, as is mentioned in the ſayd recited Act, & before ſuch time as any the Lands, Tenements, and Hereditaments, deſcended vnto the heire of ſuch accomptant or debtor as heire vnto the ſame accomptant or debtor, ſhall be ſold as aforeſayd, a Scire facias ſhall be awarded out of her Maieſties Court of Exchequer vnto the Sheriffe of the County where any ſuch lands doe lye, to garniſh the ſame heire, to ſhew cauſe why the ſame Lands, Tenements, & Hereditaments ſo to him deſcended as aforeſayd, ſhould not be put to ſale for ſatiſfaction of the ſayd debts or fermes in the ſame Act mentioned, according to the tenor of the ſayd Act, whereupon if the heire doe not within a conuenient time vpon a garniſhment or two Nichils returned, ſhew & proue vnto the ſaid Court that the executors or adminiſtrators of ſuch accomptant or debtor haue ſufficient, which ought to anſwer or be lyable for the ſame debt or ferme, & whereby the ſayd debt or ferme ſhall & may be duly and fully ſatiſfied : That then after ten moneths next after ſuch two Nichils or garniſhment returned, the ſame Lands, Tenements, & Hereditaments ſhall be ſold by her Maieſtie, her heires or ſucceſſors, and the money thereof comming, diſpoſed according to the true intent and meaning of the ſayd former recited Act.

Proceſſe againſt the accomptants heire before the ſale of his lands.

And be it further enacted by the authority aforeſayd, That the ſayd recited Act, and this Statute of explanation alſo as touching onely the ſale of any Lands, Tenements, or Hereditaments, to be made after the death of ſuch accomptant or debtor as is aforeſayd, ſhall not extend to any lands, tenements, or hereditaments, which any perſon or perſons not being priuy or conſenting vnto any ſuch intent to defraud the Queenes Maieſty, her heires or ſucceſſors, as in the ſayd recited Act is mentioned, now haue or enioy, and haue purchaſed or obtained, or before any Scire facias, to be awarded as aforeſayd, ſhall haue or enioy, purchaſe or obtaine bona fide, and vpon good conſideration : Any thing in this Act or in the before mentioned Act to the contrary thereof in any wiſe notwithſtanding.

The heires ſale good to him which is not conſenting to defraud the Queene.

Prouided alwayes, and be it enacted; That this Act of explanation ſhall extend onely vnto ſuch as haue beene or ſhall be Tellors, Receiuors, Treaſurers, Cuſtomers, Cofferers of the houſhold, Farmors of Impoſt, Collectors, Bailifs, Victuallers, and other Officers of receipts & accompts vnto our Soueraigne Lady the Queenes Maieſty, her heires and ſucceſſors, and to euery of them, their heires, executors and adminiſtrators, and to no other.

To which accomptants this Stat. of explanation ſhall extend.

Prouided alſo, and be it further enacted by the authority aforeſaid, That in ſuch caſes where any accompt ſhall or ought to be made, or any debt ſhall be owing in the Courts of the Duchy of Lancaſter, and Wards and Liueries, or in any of them : Then after the death of ſuch accomptant or debtor as is mentioned in the ſayd former Act, in any of the ſayd laſt mentioned Courts, and before ſuch time as any of the Lands, Tenements, or Hereditaments, deſcended vnto the heire of ſuch accomptant or debtor, as heire vnto the ſame accomptant or debtor, ſhall bee ſold as aforeſayd, ſuch Proceſſe ſhall bee awarded as hereafter is expreſſed, that is to wit, Firſt a priuy Seale, commanding the ſame heire to make perſonall appearance in the Court, out of which the ſame priuy Seale ſhall be awarded, to ſhew cauſe, as in the Writ of Scire facias to bee awarded out of the Exchequer is before appointed : And if the ſame heire ſhall make default at the day of the returne of the ſame priuy Seale, That then vpon Affidauit made that the ſame priuy Seale was duely ſerued, either vpon the perſon of the ſame heire, or left at the place of his or her dwelling or moſt vſuall aboade, an attachment with proclamation ſhall be awarded againſt the ſame heire, and ſhall be openly publiſhed & proclaimed in ſome Market Towne in the County where the ſame heire was laſt dwelling, or made his or her vſual abode, vpon ſome Market day there in the time of open Market, twenty dayes at the leaſt before the return thereof: And if vpon returne thereof the ſaid heire ſhall eftſoones make default, That then all things ſhall bee done and executed for the ſale of the ſame lands, tenements, & hereditaments, & for the full ſatiſfaction of the ſame debt or farme, in like & as large & ample manner and forme to all intents and purpoſes, as before in this act is limited & appointed, in caſes where default is made vpon a garniſhment or two Nichils returned vpon a Scire fac' awarded out of the ſaid court of Exchequer.

Proceſſe againſt the heir where the debt groweth in the Court of wards or Duchy.

Prouided alſo and be it likewiſe enacted, that if the heire of any accomptant or debtor before mentioned, ſhall happen to be within the age of xxi. yeares when any ſuch proceſs ſhall fortune to be awarded, that then during the time of his or her nonage, this Act or any thing therein contained

No ſale of the heires lands during his minority. The heires lands liable to ſale 8. yeares after he ſhall accompliſh his full age.

ſhall not in any wiſe be extended, executed or put in vre as touching or concerning onely the ſelling of the lands, tenements, or hereditaments of any ſuch heire, Any thing in the ſame Act contained to the contrary in any wiſe notwithſtanding. And yet neuertheleſſe after ſuch time as any ſuch heire ſhall accompliſh the full age of xxi. yeares, all and ſingular the lands, tenements and hereditaments deſcended vnto the ſame heire from any ſuch debtor or accomptant as aforeſayd, ſhall at all times during the ſpace of eight yeares then next enſuing, be ſubiect & liable to bee ſold for the payment & ſatiſfaction of her Maieſty, her heires or ſucceſſors, according to the intent and true meaning of this Act, in ſuch manner and forme to all intents and purpoſes, as if the ſame heire had béene of full age at the time of the death of ſuch debtor or accomptant.

No ſale of lands where the accomptant hath a Quietus eſt.

Prouided alwayes, and be it further enacted, that this Act or any thing therein contained, ſhall not extend to the ſale of the lands, tenements or hereditaments of any ſuch heire or heires, for or by reaſon of any accompt, debt, or farme, whereof any ſuch debtor or accomptant haue, or ſhall haue a Quietus eſt, or diſcharge in his or their life time. St. 39. Eliz. 7. 1. Iac. 25.

CAP. IIII.

Fraudulent conueyances to defeat purchaſers ſhall be voyd, and the penalty of thoſe which iuſtifie them, &c.

FOraſmuch as not onely the Quéenes moſt excellent Maieſty, but alſo diuers of her Highneſſe good and louing Subiects, and bodies Politique and Corporate, after conueyances obtained or to be obtained, and purchaſes made or to be made, of Lands, Tenements, Leaſes, Eſtates and Hereditaments, for money or other good conſiderations, may haue, incurre and receiue great loſſe and preiudice by reaſon of fraudulent & couenous conueyances, eſtates, gifts, grants, charges, & limitations of vſes heretofore made, or hereafter to be made, of, in, or out of lands, tenements, or hereditaments ſo purchaſed, or to be purchaſed, which ſayd gifts, grants, charges, eſtates, vſes, & conueyances, were, or hereafter ſhall be meant or intended by the parties that ſo make the ſame, to be fraudulent and couenous of purpoſe and intent, to deceiue ſuch as haue purchaſed or ſhall purchaſe the ſame: Or elſe by the ſecret intent of the parties, the ſame be to their owne proper vſe, & at their free diſpoſition, coloured neuertheleſſe by a fained countenance, & ſhew of words & ſentences, as though the ſame were made bona fide, for good cauſes and vpon iuſt and lawfull conſiderations.

Fraudulent conueyances made to deceiue purchaſers ſhall be voyd.

a Co.li.3. li.5.fo. 72.li.11.

Co.pla.fol.677.

For remedy of which inconueniences, and for the auoyding of ſuch fraudulent, fained, and couenous conueyances, gifts, grants, charges, vſes, and eſtates, and for the maintenance of vpright and iuſt dealing in the purchaſing of lands, tenements, and hereditaments: Be it ordained and enacted by the authority of this preſent Parliament, That all & euery conueyance, grant, charge, leaſe, eſtate, incumbrance, and limitation of vſe [a] or vſes, of, in, or out of any lands, tenements, or other hereditaments whatſoeuer, had or made any time heretofore, ſithence the beginning of the Quéenes Maieſties reigne that now is, or at any time hereafter to be had or made, for the intent and of purpoſe to defraud and deceiue ſuch perſon or perſons, bodies politique or corporate, as haue purchaſed, or ſhall afterwards purchaſe in fée ſimple, fée taile, for life, liues, or yeares, the ſame lands, tenements, and hereditaments, or any part or parcell thereof, ſo formerly conueyed, granted, leaſed, charged, incumbred, or limited in vſe, or to defraud and deceiue ſuch as haue or ſhal purchaſe any rent, profit, or commodity, in, or out of the ſame, or any part thereof, ſhall be déemed and taken only as againſt that perſon & perſons, bodies politique and corporat, his & their heires, ſucceſſors, executors, adminiſtrators, and aſſignes, and againſt all and euery other perſon & perſons lawfully hauing or claiming by, from, or vnder them, or any of them which haue purchaſed, or ſhall hereafter ſo purchaſe for mony or other good conſideration the ſame lands, tenements, or hereditaments, or any part or parcell thereof, or any rent, profit, or commodity in or out of the ſame, to be vtterly voyd, fruſtrate, and of none effect: any pretence, colour, fained conſideration, or expreſſing of any vſe or vſes, to the contrary notwithſtanding.

The penalty of the parties to fraudulent conueyances which doe auow the ſame.

And be it further enacted by the authority aforeſayd, that all & euery the parties, to ſuch fained, couenous, and fraudulent gifts, grants, leaſes, charges, or conueyances before expreſſed, or being priuie & knowing of the ſame, or any of them, which after the xx. day of April next comming ſhal wittingly & willingly put in vre, auow, maintaine, iuſtifie, or defend the ſame, or any of them, as true, ſimple, & done, had, or made bona fide, or vpon good conſideration, to the diſturbance or hinderance of the ſayd purchaſer or purchaſers, leſſées or grantées, or of or to the diſturbance or hinderance of their heires, ſucceſſors, executors, adminiſtrators, or aſſignes, or ſuch as haue or ſhall lawfully claime any thing by, from, or vnder them or any of them, ſhall incurre the penalty and forf. of one yeares value of the ſayd lands, tenements, & hereditaments ſo purchaſed or charged: the one moity whereof to be to the Q. Maieſty, her heires & ſucceſſors, and the other moity to the party or parties grieued by ſuch fained and fraudulent gift, grant, leaſe, conueyance, incombrance, or limitation of vſe, to be recouered in any of the Quéenes courts of record, by action of debt, bill, plaint, or information, wherein no eſſoine, protection, or wager of law ſhall be admitted for the defendant or defendants: and alſo being thereof lawfully conuicted, ſhall ſuffer impriſonment for one halfe yeare, without baile or mainpriſe.

Conueyances made vpon good conſiderations and bona fide.

Col.3.f.83.

Prouided alſo and be it enacted by the authority aforeſayd, that this Act or any thing therein contained, ſhall not extend or be conſtrued to impeach, defeit, make voyd, or fruſtrate any conueyance, aſſignement of leaſe, aſſurance, grant, charge, leaſe, eſtate, intereſt, or [a] limitation of vſe or vſes of, in, to, or out of any lands, tenements, or hereditaments heretofore at any time had or made, or hereafter to be had or made, vpon or for good conſideration and bona fide, to any perſon or perſons, bodies politique or corporate, any thing before mentioned; to the contrary hereof notwithſtanding.

Lands firſt conueied with condition of reuocation or alteration, & after ſold for money, or other good conſideration.

And be it further enacted by the authority aforeſayd, that if any perſon or perſons, haue heretofore ſithence the beginning of the Queens Maieſties reigne that now is, made or hereafter ſhall make any conueyance, gift, grant, demiſe, charge, limitation of vſe or vſes, or aſſurance of, in, or out of any lands, tenements, or hereditaments, with any clauſe, prouiſion, article or [b] condition of reuocation, determination, or alteration, at his or their will or pleaſure, of ſuch conueyance, aſſurance, grants, limitations of vſes, or eſtates, of, in, or out of the ſayd lands, tenements, or hereditaments, or of, in, or out of any part or parcell of them contained or mentioned in any writing, deed or indenture of ſuch aſſurance, conueyance, grant or gift, and after ſuch conueyance, grant, gift, demiſe, charge, limitation of vſes or aſſurance, ſo made or had, ſhall or doe bargaine, ſell, demiſe, grant, conuey, or charge the ſame Lands, Tenements, or Hereditaments, or any part or parcell thereof, to any perſon or perſons, bodies Politique or Corporat, for money or other good conſideration, payd or giuen (the ſayd firſt conueyance, aſſurance, gift, grant, demiſe, charge, or limitation, not by him or them reuoked, made voyd, or altered, according to the power and authority reſerued or expreſſed vnto him or them, in, and by the ſayd ſecret conueyance, aſſurance, gift, or grant,) That then the ſayd former conueyance, aſſurance, gift, demiſe and grant, as touching the ſayd lands, tenements, and hereditaments, ſo after bargained, ſold, conueyed, demiſed, or charged againſt the ſayd bargainees, vendees, leſſees, grantees, and euery of them, their heires ſucceſſors, executors, adminiſtrators, and aſſignees, and againſt, all and euery perſon and perſons, which haue, ſhall, or may lawfully claime any thing, by, from, or vnder them, or any of them, ſhall be deemed, taken, and adiudged to be voyd, fruſtrate, and of none effect, by vertue and force of this preſent Act.

Morgages lawfully made

Prouided neuertheleſſe, that no lawfull morgage made, or to be made bona fide, and without fraud or couin, vpon good conſideration, ſhall be impeached or impaired by force of this Act, but ſhall ſtand in the like force and effect, as the ſame ſhould haue done, if this Act had neuer been had nor made: Any thing in this Act to the contrary in any wiſe notwithſtanding.

Stat. Merchant, &c. ſhall be entred in the office of the Clerke of Recogniſances. Ot 23. H.8.6.

And be it further enacted by the authority aforeſayd, That all the whole tenor and contents of all Statutes Merchants, and Statutes of the Staple, hereafter to be knowledged, ſhall within ſixe moneths next after ſuch knowledging, be entred in the Office of the Clerke of Recogniſances, taken according to the Statute made in the three and twentieth yeare of the reigne of the late King Henry the eighth, by the ſhewing forth of the ſayd Statute Merchant, or Statute Staple ſo knowledged vnto the ſayd Clerke, which ſayd Clerke of the Recogniſance ſhall enter, or cauſe to be entred, the ſame Statutes into a Booke for that purpoſe to be prouided, and ſafely kept by him, taking viii.d. and no more, for euery ſuch entry.

The Statute not entred, voyd againſt the purchaſer.

And be it further enacted, That if the party to whom any ſuch Statute Merchant or of the Staple ſhall be knowledged, his executors or adminiſtrators, do or ſhall not within foure months next after the knowledging of any ſuch Statute, bring and deliuer, or cauſe to be brought and deliuered vnto the ſayd Clerke, or his deputy or deputies for the time being, all & euery ſuch ſtatute and ſtatutes as ſhall be ſo knowledged to him or to his vſe, wherby and to the intent that the ſayd Clerke, his deputy or deputies may take and enter a true copy thereof, That then euery ſuch Statute Merchant and of the Staple not ſo entred, ſhall be voyd, fruſtrate, and of none effect againſt all and euery ſuch perſon and perſons, and bodies politique and corporate, their heires, ſucceſſors, executors, adminiſtrators and aſſignes, onely as ſhall after the knowledging of the ſayd ſtatutes, or any of them, purchaſe for money or other good conſideration the lands, tenements, or hereditaments, which are liable to the ſame ſtatute Merchant, or of the Staple, or any part or parcell thereof, or any rent, leaſe, or profit of, or out of the ſame.

The forf. of the Clerke not entring or not endorſing a ſtat.

And if the ſayd Clerke, or his deputy or deputies for the time being, ſhall not vpon ſuch ſhewing and deliuery vnto him or them of any Statute Merchant, or of the Staple, enter, or cauſe to be entred the ſame in his ſayd Booke within the ſayd time of ſixe moneths, & alſo endorſe vpon euery ſuch Statute ſo by him entred, the day and yeare of his ſayd entry, with his or their owne name: that then euery ſuch Clerke failing, or defectiue in that behalfe, ſhall forfeit and loſe for euery Statute Merchant and of the Staple ſo brought vnto him or them, and not entred and endorſed, or cauſed to be entred and endorſed, as aforeſayd, the ſumme of twenty pounds: The one moity whereof to bee to the Queenes Maieſty, her heires and ſucceſſors, and the other moitie to him or them that will ſue for the ſame in any of the Queenes Courts of Record by action of debt, bill, plaint, or information, wherein no eſſoine, protection, or wager of Law ſhall be allowed.

Clerke of the Recogniſances fees for ſearch.

And be it further enacted by the authority aforeſayd, that no Clerke of the ſayd Recogniſances ſhall or may take for or in reſpect of any ſearch to be made, for or concerning any Statute Merchant, or of the Staple, ſo to be entred as aforeſayd, aboue two pence for one yeares ſearch, and ſo after the rate of two pence for euery yeare, and not aboue, vpon paine to forfeit and loſe to the party or parties grieued thereby twenty times as much as he ſhall take contrary to the true meaning of this Act, to be recouered in any of the Quéenes Maieſties Courts of Record, by action of debt, bill plaint, or information, wherein no protection or wager of Law ſhall be allowed: This act to continue for the ſpace of ten yeares, and from thenceforth vnto the end of the Parliament then next following.

Aſſurance of lāds defeated & the party in poſſeſſion at the time of the Statute.

Prouided alwayes, that this Act nor any thing therein contained, ſhall extend or be conſtrued to make good any purchaſe, grant, leaſe, charge, or profit, of, in, or out of any Lands, Tenements, or Hereditaments heretofore made voyd, defeated, or vndone by reaſon of any former conueyance, grant, or aſſurance, ſo as the party or parties, or their heires or aſſignes, which haue ſo defeated or made voyd the ſame, were in actuall poſſeſſion the firſt day of this preſent Parliament, of, or in the ſayd lands, tenements, or hereditaments, whereof, or out of which, any ſuch purchaſe, grant, leaſe, charge, or profit was made.

The authority of the court of Star-chamber.

Prouided, that this Act, nor any thing therein contained, ſhall extend in any ſort to reſtraine or impaire the iuriſdiction, power, or authority of the Court of Starre-Chamber. Statute 39. Eliz. 18. made perpetuall. Coke Inſt. 3. b.

CAP. V.

After demurrer ioyned and entred, Iudgement ſhall be giuen, notwithſtanding any defect in proceſſe or pleading. What defects in forme ſhall be amended by the Court, and what not.

After demurrer iudgement ſhall be giuen notwithſtanding any defect in proceſſe or pleading. The party demurring ſhall ſet down the cauſes. Co.pla.fo.421.

FOr as much as exceſſiue charges and expences, and great delay & hinderance of Iuſtice hath growen in actions and ſuits betwéene the ſubiects of this Realme, by reaſon that vpon ſome ſmal miſtaking or want of forme in pleading, Iudgements are often reuerſed by Writs of Error, and oftentimes vpon demurrers in Law, giuen otherwiſe than the matter in Law, & very right of the cauſe doth require, whereby the parties are conſtrained either vtterly to loſe their right, or elſe after long time and great trouble and expences, to renue againe their ſuits: For remedy whereof, Be it enacted by the Quéenes moſt excellent Maieſty, the Lords Spirituall & Temporall, and the Commons in this preſent Parliament aſſembled, & by the authority of the ſame, That from henceforth after demurrer ioyned and entred in any action or ſuit in any Court of Record within this Realm, the Iudges ſhal procéed & giue iudgment according as the very right of the cauſe and matter in Law ſhall appeare vnto them, without regarding any imperfection, defect, or want of forme in any writ, returne, plaint, declaration, or other pleading, proceſſe or courſe of proceeding whatſoeuer: except thoſe onely which the party demurring ſhall ſpecially & particularly ſet downe and expreſſe together with his [a] demurrer: & that no iudgement to be giuen ſhall be reuerſed by any writ of Error, for any ſuch imperfection, defect, or want of forme as is aforeſayd, except ſuch onely as is before excepted.

The court may amend defects of forme after demurrers ioyned 8. H. 6. 12.

And be it further enacted, that after demurrers ioyned & entred, the Court where the ſame ſhal be, ſhall & may by vertue of this Act, from time to time amend all & euery ſuch imperfections, defects, & wants of forme, as is before mentioned, other than thoſe onely, which the party demurring ſhal ſpecially and particularly expreſſe and ſet downe, together with his demurrer as is aforeſaid.

Appeale, inditment, & preſentment of felony, murder, treaſon.

Prouided alwayes, & be it further enacted by the authority aforeſaid, That this Act or any thing therin contained, ſhall not extend to any writ, declaration, or ſuit of appeale of felony or murther, nor to any inditment or preſentment of felony, murder, treaſon, or other matter, nor to any proces vpon any of them, nor to any writ, bill, action, or information vpon any popular or penall ſtatute: any thing aforeſayd to the contrary notwithſtanding.

CAP. VI.

What Iurors and iſſues ſhall be returned vpon euery perſon impannelled; how the Sherife ſhall be puniſhed for returning one ſummoned that is not, or for taking reward to ſpare any, &c.

The benefit of returning ſufficient fréeholders to be Iurors.

FOr the returning of more able and more ſufficient Iurors for trials to bee hereafter had betwéene party and party, and for reformation of abuſes in Sheriffes and other Miniſters, who for reward oftentimes doe ſpare at home the moſt able and ſufficient fréeholders, and returne the poorer and ſimpler ſort, leaſt able to diſcerne the cauſes in queſtion, and moſt vnable to beare the charges of apparance and attendances in ſuch caſes: Be it ordained and enacted by authority of this preſent Parliament, that in all caſes where any Jurors to be returned for triall of any iſſue or iſſues, ioyned in any of the Quéenes Maieſties Courts of the Kings Bench, Common Pléas, and the Exchequer, or before Juſtices of Aſſiſe by the Laws of this Realme now in force, ought to haue ſtate of fréehold in lands, tenements, or hereditaments, of the cléere yearely value of xl.s. that in euery ſuch caſe, the Jurors that ſhall be returned, from and after the end of this preſent Seſſion of Parliament, ſhall euery of them haue eſtate of fréehold, in Lands, Tenements, or Hereditaments, to the cléere yearely value of [a] iiii.li. at the leaſt, and that the Writs of Venire facias, which from and after the end of this preſent Seſſion of Parliament, ſhal be awarded and directed for the impanelling of Juries in the caſes aforeſayd, ſhall be in this forme, Reginæ, &c. Precipimus, &c. quod venire facias coram, &c. duodecim libros & legales homines de vicineto de B. quorum quilibet habeat quatuor libras terræ, tenementorum vel redditvum per annum ad minus, per quos rei veritas melius ſciri poterit, & qui nec, &c. and ſo forth the reſidue of the ſayd Writ after the ancient forme: & that vpon euery ſuch Writ and Writs of Venire facias the Sheriffe or other miniſters, vnto whom the making of the panell ſhall appertaine, ſhall not returne in any ſuch pannell, any perſon. vnleſſe he may diſpend iiii. li. by the yeare at the leaſt, of fréehold out of ancient demeſne, within the County where the iſſue is to be tried, vpon paine to forfeit for euery perſon being returned in any ſuch pannell, that cannot diſpend iiii li. fréehold, as is aforeſayd, xx.s.

Venire facias where each Juror muſt diſpend 4.li. of fréehold.

And further be it enacted by the authority aforeſayd, that vpon euery firſt Writ of Habeas corpora, or Diſtringas, with a Niſi prius, deliuered of Record to the Sheriſe or other miniſter or miniſters, to whom the making of the returne ſhall appertaine, ſhall from and after the xx. day of May next enſuing, returne in iſſues vpon euery perſon impannelled and returned vpon any ſuch Writ, at the leaſt x.s. and at the ſecond Writ of Habeas corpora, or Diſtringas, with a Niſi prius vpon euery perſon impannelled & returned vpon any Writ, xx.s. at the leaſt, & at the third writ of Habeas corpora, or Diſtringas, with a Niſi prius, that ſhall be further awarded vpon euery perſon impannelled and returned vpon ſuch Writ, xxx.s. And vpon euery Writ that ſhall be further awarded to try any ſuch iſſues, to double the iſſues laſt afore ſpecified, vntill a full Jury be ſworne or the proceſſe otherwiſe ceaſed or determined, vpon paine to forfeit for euery returne of iſſues contary to the forme aforſayd, v.li.

Iſſues returned vpon Jurors.

And be it further enacted, that if any Sheriffe, Vnderſheriffe, Bailiffe, or other miniſter, from and after the end of this preſent Seſſion of Parliament, doe returne any perſon or perſons to bee ſummoned to appeare in any Jury, wherein he ſhall for default of his apparance loſe or forfeit any iſſues, where in truth ſuch perſon ſhall not be lawfully ſummoned, that then the ſame Sheriffe, Vnderſheriffe, Bailiffe or other miniſter, by whoſe default ſuch perſon ſhall be returned, ſummoned as aforeſaid, ſhal forfeit, loſe and pay vnto the ſaid perſon & perſons ſo returned, double the value of the iſſues by ſuch Juror or Jurors loſt or forfeited for his default of apparance.

Iſſues returned vpon a Juror not ſummoned.

And beit further enacted by the authority aforeſayd, that if any ſheriffe, vnder ſheriffe, ſheriffes deputy, ſheriffe or vnderſheriffes clerke, or any bailiffe of Franchiſe, ſhall at any time after the end of this preſent Seſſion of Parliament, receiue, take, or haue, by himſelfe, or by any other, any ſum of mony, reward, or any other profit directly or indirectly, or doe take any promiſe, make any agréement or aſſent, to haue any ſum of mony, reward or other profit, directly or indirectly, of any perſon or perſons, for the ſparing, not warning or not returning of any ſuch perſon to be ſworne as a Juror, for the triall of any iſſue ioyned, or to be ioyned in any of the Qu. Maieſties Courts aforeſaid, or before any Juſtices: that then euery ſheriffe, vnderſheriffe, ſheriffes deputy, ſheeiffe or vnderſheriffe his clerke, or bailiffe of Liberty or Franchiſe ſo offending, to forfeit for euery ſuch offence the ſum of v li. the one moity thereof to our Soueraigne Lady the Q. Maieſtie, and the other moity thereof to ſuch perſon and perſons as will ſue for the ſame in any Court of Record, by action of debt, bill, plaint, or information, wherein no eſſoine, protection, or wager of law ſhall bee allowed to the defendant.

Receiuing reward for the not returning of a Juror.

And further be it ordained and enacted by the authority aforeſayd, that from and after the end of this preſent Seſſion of Parliament, at or vpon the triall of any iſſue ioyned in any perſonall action, no further challenge for the Hundred ſhall be admitted, if two ſufficient Hundreders doe appeare at and vpon the triall of ſuch iſſue.

Two hundredors ſufficient in a perſonall Action.

Prouided neuertheleſſe, that all other challenges principall or for other cauſe, ſhall bee admitted allowed and tried in ſuch order and forme, as if this Act had neuer béen had or made.

Other challenges.

Prouided alſo that this Act ſhall not extend to any Juries or iſſues to be returned in any Citie or Towne Corporate, or other Towne or place priuiledged to hold plea, or in the twelue Shires of Wales, but that they ſhall and may be returned as heretofore they lawfully might haue bin: this Act or any thing therein contained to the contrary in any wiſe notwithſtanding. St. 35. H.8. 6. 2.Edw. 6.32.

Juries returned in a corporat Towne or Wales.

CAP.

CAP. VII.

No Juror ſhall be returned without addition of his dwelling place, and how iſſues loſt ſhall be leuied.

How Baliffs doe abuſe ſeuerall men of one name.

WHereas there are within this Realme of England, in ſundry Counties of the ſame diuers Fréeholders of one name, and often and ſundrie times ſome one or moe of them béene returned and impannelled in Juries, for triall of matters betwéene party and party: and if it happen any one of them ſo returned to make default or loſe iſſues, when the ſame are extreated to be leuied, the Bailiffe or other Collectors thereof, for lucre and gaine doe demand require the ſame of euery one within the ſayd County that is of that name, and doe perſwade euery perſon that is dwelling in that County and ſo named, that he is the party that hath loſt thoſe iſſues, and compell him to pay the ſame by the diſtreſſe of his or their goods and cattels, to their great moleſtation and trouble, & yet neuertheleſſe many times doe detaine and kéepe all, or the more part of the iſſues ſo collected, to their owne vſe, in contempt of the Quéenes Maieſties Lawes, and to the great grieuance of her louing Subiects, and contrary to all equitie and good conſcience.

The dwelling place of euery Juror ſhalbe returned.

In euery extract of iſſues againſt a Juror his addition ſhal be put.

For remedy whereof, be it enacted by the authority of this preſent Parliament, That from and after forty dayes after the end of this Seſſion of Parliament, No Sheriffe, Coroner, or other perſon, to whom it ſhall appertaine to make returne of any Writ, ſhall returne any Juror dwelling out of any Liberty, without the true addition of the place of his dwelling or abode at the time of the ſayd returne, or within one yeare next before the making of any ſuch returne, or ſome other addition by which the party returned may be knowne: nor any Juror within any Liberty with other addition than ſuch as ſhall be deliuered to him by the Bailiffe of the ſayd Liberty or his deputy, certified vnder his or their hand: nor any Bailiffe of any Liberty, nor any his or their deputie or deputies, ſhall of himſelfe returne any Juror, or deliuer to the Sheriffe, his Vnderſheriffe, deputie or deputies, the names of any perſons to be returned vpon any Pannell or Jury without the true addition certified vnder his or their hands to the Sheriffe, of the place of dwelling or abode of euery perſon ſo to be returned at the time of the ſaid returne, or within one yeare next before the ſayd returne, or ſome other addition, by which the party returned may be knowne: And that no extract of iſſues againſt any Juror returned as aforeſayd, ſhall be deliuered out, receiued or put in vre, without ſuch addition as is put in the originall Panell or Tales wherein ſuch Juror ſhall be ſo returned: And that no Vnderſheriffe, Bailiffe, or other Officer, or perſon whatſoeuer, ſhall collect, leuy, or gather any iſſues ſo extreated, of any other perſon or perſons than of ſuch perſon and perſons, as by vertue of the ſayd extreate is of right charged or chargeable with the payment of the ſayd iſſues, vpon paine that euery Clerke that ſhall write or deliuer, or cauſe or procure any ſuch extreate to be deliuered out, receiued, or put in vre, & euery other perſon offending, contrary to the intent & meaning of this Act, ſhall forfeit to the Quéenes Maieſty, her heires and ſucceſſors, fiue markes, and to the party grieued, or which ſhall ſuſtaine any loſſe thereby, the ſumme of fiue markes, of lawfull English money: All which forfeitures and penalties ſhall and may be recouered, by action of debt, bill, plaint, or information, in any Court of Record, wherein no eſſoine, protection or wager of Law ſhall be allowed.

Which officers haue authoritie to heare & determine the offences aforeſaid.

And be it further enacted by the authority aforeſaid, That Juſtices of Oyer and Terminer within the limits of their Commiſſion, Juſtices of Aſſiſe in their circuits, and Juſtices of Peace as well within Liberties as without, within the limits of their Commiſſion, ſhall by vertue of this preſent Act, haue full power and authority to inquire, heare and determine all & euery offences aforeſayd committed, or to be committed within the ſeuerall limits, circuit, or precinct, of their ſeuerall Commiſſion or Commiſſions, and to award forth proceſſe of execution for the leuying of the forfeitures: This Act to endure to the end of the next Parliament. 39. Elizab. 18. made perpetuall.

CAP. VIII.

How erronious iudgements in the Kings Bench vpon certaine perſonall actions may be redreſſed.

Erronious iudgements giuen in the Kings bench by the common laws are onely reuerſible in Parliament.

FOraſmuch as erronious Judgements giuen in the Court called the Kings Bench, are only to bée reformed by the high Court of Parliament, which Court of Parliament is not in theſe dayes ſo often holden, as in ancient time it hath béene, neither yet (in reſpect of greater affaires of this Realme) ſuch erronious Judgements can be well conſidered of and determined, during the time of the Parliament, whereby the ſubiects of this Realme are greatly hindered and delayed of Juſtice in ſuch caſes.

Be it therefore enacted by the authority of this preſent Parliament, that where any Judgement ſhall at any time hereafter be giuen in the ſayd Court of the Kings Bench in any ſuit or action of debt, detinue, couenant, accompt, action vpon the caſe, eiectione firmæ, or treſpaſſe, firſt commenced or to be firſt commenced there (other than ſuch only, where the Queens Maieſty ſhal be party) the party Plaintiffe or Defendant, againſt whom any ſuch Iudgement ſhall be giuen, may at his election ſue forth out of the Court of Chancery, a ſpeciall writ of Error, to be deuiſed in the ſaid court of Chancery, directed to the chiefe Iuſtice of the ſaid Court of the Kings Bench for the time being, commanding him to cauſe the ſayd Record, and all things concerning the ſayd Iudgement, to bee brought before the Iuſtices of the common Bench, and the Barons of the Exchequer, into the Exchequer Chamber, there to be examined by the ſayd Iuſtices of the common Bench, and Barons aforeſayd, which ſayd Iuſtices of the common Bench, and ſuch Barons of the Exchequer as are of the degree of the Coyfe, or ſixe of them at the leaſt, by vertue of this preſent Act, ſhall thereupon haue full power and authority to examine all ſuch Errors as ſhal be aſſigned or found in or vpon any ſuch Iudgement, and thereupon to reuerſe or affirme the ſayd Iudgement, as the law ſhall require, other than for Errours to be aſſigned or found for or concerning the iuriſdiction of the ſayd Court of Kings Bench, or for any want of forme in any Writ, returne, plaint, bill, declaration, or other pleading, proceſſe, verdict or proceeding whatſoeuer: And that after that the ſayd Iudgment ſhall be affirmed or reuerſed, the ſayd Record, and all things concerning the ſame, ſhall be remoued and brought backe into the ſayd Court of the Kings Bench, that ſuch further proceeding may be thereupon, as well for execution as otherwiſe, as ſhall appertaine.

Before whom iudgements giuen in certaine actions in the Kings Bench may be examined.

And be it further enacted that ſuch Reuerſall or Affirmation of any ſuch former Iudgement, ſhall not be ſo finall, but that the party who findeth him grieued therewith, ſhall and may ſue in the high Court of Parliament, for the further and due examination of the ſayd Iudgement, in ſuch ſort as is now vſed vpon Erronious Iudgements in the ſayd Court of Kings Bench. Stat. 31. Eliz. 1. Stat. 14. Ed. 3. 5. Coke pla. fol. 2. 24. 37.

Erronious iudgement examined in Parliament.

CAP. IX.

Fines acknowledged, and Recoueries ſuffered of lands in the twelue Shires of Wales, Counties Palatine, &c. may be inrolled: for what errors Fines and Recoueries are not reuerſable, and in what caſes writs of Errour ſhall be allowed.

Whereas in the Parliament by prorogation holden at Weſtminſter in the three and twentieth yeare of her Maieſties reigne that now is, one good and beneficiall Statute was made and ordained for the appeaſing of ſuits, the auoyding of falſe practiſes, deceits, deuices and miſdemeanors, and for helping of negligences, and miſpriſions of Clerkes and Officers, dangerous to aſſurances of mens lands and hereditaments, entituled, An Act for the reformation of errours in Fines and Recoueries: Foraſmuch as the ſayd Statute, or ſundry good and neceſſary clauſes and parts thereof, doth not extend to Fines and Recoueries leuied, had and ſuffered in the twelue Shires of Wales, that is to ſay, Glamorgan, Brecknocke, Radnor, Caermarthen, Pembroke, Cardigan, Mountgomery, Denbigh, Flint, Caernaruon, Angleſey, and Merioneth, the Towne and County of Hauerford Weſt, & the counties Palatines of Cheſter, Lancaſter, and Dureſme: Be it therefore enacted by our Soueraigne Lady the Queenes moſt excellent Maieſtie, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, & by the authoritie of the ſame, That euery writ of Couenant & other writ, whereupon any Fine heretofore hath bin leuied, or hereafter ſhall be leuied, the returne thereof, the Writ of Dedimus poteſtatem made for the acknowledging of any of the ſame Fines, the returne thereof, the concord note, and fote of euery ſuch Fine, the Proclamations made thereupon, & the Kings ſiluer, & alſo euery originall Writ of Entre in the Poſt, or other Writ, whereupon any common Recouery hath bin ſuffered, or hereafter ſhall be ſuffered or paſſed, the Writs of Summon. ad Warrantizandum, the Returnes of the ſayd Originals, and Writs of Summon. ad Waroantizandum, and euery Warrant of Atturney, had or to be had, aſwell of euery demandant and tenant, as vouchee extant and remaining, or that ſhall be extant & being in the Courts of Aſſiſes or great Seſſions within the ſayd twelue Shires of Wales, Towne & County of Hauerford Weſt, and Counties Palatines, or in the cuſtody of the Officers, to whom the charge of keeping thereof doth appertaine, may vpon the requeſt or election of any perſon or perſons be inrolled in Rols of Parchment, by ſuch perſons, and for ſuch conſiderations, as hereafter in this Act ſhall be mentioned. And that the Inrollements of the ſame, or any part thereof, ſhall be of as good force and validity in Law to all intents, reſpects, and purpoſes, for ſo much of any of them ſo enrolled, as the ſame being extant and remaining, were or ought by Law to be.

Stat. 23. Eliz.

Inrollement of Fines & Recoueries in wales & the Counties Palatine.

Be it further enacted by the authority aforeſayd, That no fine, Proclamations vpon Fines, or common Recouery heretofore had, leuied, ſuffered, or paſſed, or hereafter to be had, leuied, ſuffered, or paſſed, in any of the ſayd twelue Shires of Wales, Towne and Countie of Hauerford Weſt, or Counties Palatine, ſhall be reuerſed or reuerſable by any Writ of Error for falſe or incongrue Latine, raſure, interlining, miſentring of any Warrant of Atturny, or of any Proclamation,

For what errors Fines & Recoueries are reueſible.

mation, miſreturning or not returning of the Sheriffe, or other want of forme in words and not in matter of ſubſtance.

In what caſes & what perſons may haue writs of Error to reuerſe fines or recoueries.

Prouided alwayes, that neither this Act, nor any thing therein contained, ſhall barre or exclude any perſon or perſons from any writ of Errour, which ſhall be had, taken, or purſued within fiue yeares next after the end of this ſeſſion of this preſent Parliament, vpon any Fine or Recouery heretofore had or ſuffered in any of the Courts aforeſayd: Nor from any writ of Error, which ſhall be had, taken, or purſued vpon any Fine or Recouery heretofore leuied, acknowledged, or had in any of the ſayd Courts aforeſayd, within any of the ſayd twelue ſhires of Wales, or Towne and County of Hauerford Weſt, which Fine or Recouery, or any part or parcell thereof, now is, or at any time before the firſt day of Iune, which ſhall be in the yeare of our Lord God 1585. ſhall be exemplified vnder the Iudiciall ſeale of the ſayd Courts, at or by the ſuit of any perſon, that is or may be entitled to haue or ſue any writ of Error vpon any the ſame Fines or Recoueries ſo heretofore paſſed: Nor from any writ of Error which ſhall be had, taken, or purſued, vpon any Fine, or Recouery heretofore leuied, knowledged, or had in any of the courts aforeſayd, within any of the ſayd Counties Palatine, which Fine or Recouery, or any part or parcell thereof, now is, or at any time before the ſayd firſt day of Iune, which ſhall be in the yeare of our Lord God 1585. ſhall be exemplified vnder the ſeale of the ſame County Palatine, where the ſame Fine or Recouery ſhall be ſo leuied, knowledged, or had, at or by the ſuit of any perſon that is or may be entitled to haue or ſue any writ of Errour vpon the ſame Fine or Recouery ſo heretofore paſſed: Nor to barre any Feme couert, or any perſon within the age of one and twenty yeares, or any perſon that is non compos mentis, in priſon or beyond the Seas, or of or from any writ of Error to be had or proſecuted, for the reuerſing of any Fine or Recouery heretofore paſſed, leuied, or ſuffered, in any of the ſayd twelue ſhires of Wales, Towne and County of Hauerford Weſt. or Counties Palatine, ſo that ſuch Feme couert or her heires within fiue yeares next after that ſhe become ſole, and ſuch perſon within the age of one and twenty yeares, or his heires within ſeuen yeares next after he ſhall come and be of full age of one and twenty yeares, and ſuch perſon that is non compos mentis, within ſeuen years next after he ſhall become of ſanæ memoriæ, and in default thereof, the heires of ſuch perſon that is non compos mentis within ſeuen yeares next after the death of any ſuch perſon being non compos mentis. And ſuch perſon in priſon or his heires, within ſeuen yeares next after the ſame perſon ſhall be at liberty, and ſuch perſon beyond the Seas or his heires, within ſeuen yeare next after the returne of ſuch perſon into this Realme of England, or the death of the ſayd perſon, if he ſhall before his returne die in any foreine countrey, ſhall ſue, take and proſecute their writs of Error, as their cauſes ſhall ſeuerally require for reuerſing of any of the ſayd Fines or recoueries heretofore paſſed, leuied or ſuffered.

A remedy for the heire where the anceſtor dyeth hanging the ſuit.

Prouided alwayes, and be it further enacted by the authority aforeſayd, That if any perſon or perſons ſhall within the time and yeares aforeſayd commence or ſue his or their Writs of Errour, for reuerſing of any the ſayd Fines or Recoueries heretofore paſſed, which ſuit ſhall fortune to abate by the death of any of the parties to the ſame, that then it ſhall and may be lawfull for his and their heires at any time within one yeare next after the ſayd ſeuen yeares expired, to haue, ſue and take their writ of Error for the reuerſing of euery ſuch Fine and Recouery, and if ſuch heire be an infant within the age of one and twenty yeares, then within one yeare next after the full age of ſuch infant, any thing in this preſent Act contained to the contrary thereof in any wiſe notwithſtanding.

The day and yeare of the knowledge of a fine or warrant of Atturney for a recouerie ſhall be certified.

And be it further enacted by the authority of this preſent Parliament, that euery perſon that ſhall at any time hereafter take the knowledge of any Fine, or warrant of Atturney, of any tenant or vouchée, for ſuffering any common Recouery to be leuied, knowledged, paſſed or had, within any of the ſayd twelue ſhires of Wales, Towne and County of Hauerford Weſt, or Counties Palatine, or ſhall certifie them or any of them, ſhall with the certificate of the concord or warrant of Atturney, certifie alſo the day & yeare wherein the ſame was acknowledged: And that no perſon that taketh any ſuch knowledge of any fine or warrant for any Recouery, ſhall be bound or by any meanes inforced to certifie any ſuch knowledge or warrant, except it be within one yeare next after the ſaid knowledge taken.

And that no Clerke or officer in any of the ſayd twelue ſhires of Wales, Towne and Countie of Hauerford Weſt, or Counties Palatine, ſhall receiue any writ of Couenant, or writ of Entrée, or any other writ, whereupon any Fine or common Recouere is hereafter to paſſe, vnleſſe the day of the knowledge of the ſame fine and warrant ſhall appeare in or by ſuch certificat, vpon paine that euery Clerke that ſh receiue any ſuch writ, ſhall forfeit for euery time that he ſhall ſo offend, the ſumme of forty ſhillings. And that no Attournement in or vpon any ſuch fine, in any of the Courts aforeſayd, be entred vpon Record, except the party mentioned to attourne therein, firſt haue appeared in the Court in perſon or bee Attourney, warranted by the

Attournment

hands of one of the Iuſtices of the ſame Court, vpon a writ of Quid iuris clamat, quem redditum redd', or per quæ ſeruitia, as the cauſe requireth. And that euery entry of Attornment hereafter to be made in any of the courts aforeſayd, wherein there ſhal be no appearance as aforeſaid, ſhall be vtterly voyd and of none effect, without any writ of Errour or other meanes to be vſed for auoyding thereof.

And be it further enacted by the authority aforeſaid, That there ſhall be for euer an Office for the Inrolments aforeſaid in euery of the ſaid twelue Shires of Wales, Towne & County of Hauerford Weſt, and Counties Palatine, which ſhall be and continue an Office for euer, called the office of Inrolments of Fines and Recoueries, and that the Iuſtices of the ſaid twelue Shires of Wales, Towne and Countie of Hauerford Weſt, and Counties Palatine for the time being, that is to wit, euery of them, within the limits and precincts of their ſeuerall authorities and Commiſſions, ſhall haue and take the care and charge, of, and for the Inrolments aforeſaid, and ſhall haue and enioy the ſaid Office, and the diſpoſition thereof, and carefully ſee and looke to the execution thereof, and in conſideration of their charges, paine, and trauell therein, ſhall haue and take the ſummes of money hereafter following, and no more, that is to ſay, for the Inrolment and examination of euery Fine and the parts thereof, fiue ſhillings: and for the Inrolment and examination of euery Recouery, and the parts thereof, fiue ſhillings: and for euery exemplification of the Inrolment of euery Fine, and the parts thereof, three ſhillings foure pence: and for euery exemplification of the Inrolment of euery recouery, and the parts thereof, three ſhillings foure pence: and for the ſearch of the Rolls for one yeare, foure pence: and for the copie of one ſheete of paper, contayning fourteene lines, foure pence. And that the Iuſtices of the ſaid Courts of Aſſiſes, or great Seſſions for the time being within the ſaid twelue Shires of Wales, Towne and Countie of Hauerford Weſt, and Counties Palatine, or any one of them, within the ſeuerall limits and precincts of their ſaid ſeuerall Commiſſions, ſhall examine the Inrolment of euery ſuch Fine and Recouery, and of the parts thereof, and after ſuch examination of the Inrolment of euery ſuch Fine and Recouery, and of the parts thereof, ſhall immediately write his name that ſo examineth with his owne hand, in the Roll thereof, vpon paine that the ſaid Iuſtices ſhall forfeit to our Soueraigne Lady the Queenes Maieſty, the ſumme of fourtie ſhillings, for euery time that they or one of them ſhall make default of ſuch examination or writing of his or their name, as is aforeſaid, and that it ſhall and may be lawfull for the ſaid Iuſtices or any of them for the time being, to take order in all things that ſhall be conuenient and needefull for the Inrolments aforeſaid, and vpon examination in the ſaid Courts, to aſſeſſe ſuch Fine or amerciament vpon any Clerke, Sheriffe, Deputie, Attorney, or any other perſon for his and their miſpriſion, contempt, and negligence, for not doing or miſdoing in any thing, of, in, or concerning the ſaid Fines or Recoueries, or any part of them, or either of them, as by the ſaid Iuſtices for the time being, or any one of them ſhall be thought meete and conuenient: The ſaid Fine and amerciament to be eſtreated amongſt other Fines and amerciaments of that Court where ſuch offence or miſpriſion ſhall be committed.

The office of Inrolments.

Fees for Inrolments and exemplifications of Fines and Recoueries.

Aſſeſſing of Fines for miſpriſion, contempt or negligence.

And be it further enacted by the authority aforeſaid, That the exemplification of any ſuch Inrolment of any Fine or Recouery, or of any part thereof, within any of the ſaid twelue Shires of Wales, or the ſaid Towne and County of Hauerford Weſt, vnder the Iudiciall Seale of the ſaid Shire, Towne or County, where ſuch Fine or Recouerie was leuied, had, or paſſed, and the exemplification of any ſuch Inrolment of any Fine or Recouery, or of any part thereof, within any of the ſaid Counties Palatine, vnder the Seale of that Countie Palatine, where ſuch Fine or Recouery was leuied, had, or paſſed, ſhall be of as good force and validity in the Law, to all intents, reſpects, and purpoſes, for ſuch part and ſo much of any of them as ſhall be ſo exemplified, as the very originall Record it ſelfe being extant and remaining there, or ought by Law to be.

The exemplification of as good force as the originall record.

Prouided alwayes, and be it enacted by the authority aforeſaid, That it ſhall be lawfull for the Iuſtices Clerkes, authorized by their Warrant in the ſaid ſeuerall Offices and Places, where the ſame Records, or any of them, doe or ſhall remaine, to write out or enroll the ſame Records, and euery part thereof, and that the ſaid Records, nor any of them, for the writing out or making the Rolls thereof by the Clerks of the ſaid Iuſtices, ſhall be brought or carried forth of the ſaid Offices or Places.

Records ſhall not be carried forth of the offices.

And be it further enacted by the authority aforeſaid, That none of the ſaid Fines or Recoueries aforeſaid, heretofore leuyed, paſſed, or ſuffered, which ſhall be exemplified vnder any Iudiciall Seale of any of the ſaid Shires of Wales, or Towne or Countie of Hauerford Weſt, or vnder the Seale of any of the ſaid Counties Palatine, according to the forme of this Act, ſhall after ſuch Exemplifications had, be in any wiſe amended.

No Fine or Recouerie ſhall be amended after exemplification.

Prouided alwayes, That this Act, or any thing therein contayned, ſhall not in any wiſe extend to the preiudice of the heires of Sir Edward Grey, Knight, Lord Powys deceaſed, or of Sir Edward Herbert, Knight, or his heires or aſſignes, Henry Vernon, or Iohn Vernon, Eſquires, or their heires or aſſignes, for, or concerning any Fine leuied, or Recouery ſuffered, by or againſt the ſaid Lord Powys, of any Baronies, Honours, Manours, Lands, Tene-

The heires of the Lord Powys. Sir Ed. Herbert. Vernon.

ments,

ments, or hereditaments in the County of Mountgomerie, or any exemplification thereof, or for or concerning any writ of Error, brought, or to be brought for the reuerſing of any ſuch Fine or Recouerie: But that they and euery of them, ſhall haue and enjoy the ſame right, title, benefite and aduantage to all intents and purpoſes, as if this Act had neuer béene had or made.

The Earle of Kent his title.

And for as much as vpon great examination it appeareth, that diuers Fines and Recoueries haue béene heretofore leuied and ſuffered of diuers Caſtles, manors, meſuages, lands, tenements and hereditaments, which ſometime were the inheritance of George, ſometime Earle of Kent, great grandfather to Henry now Earle of Kent, in vſe, poſſeſſion, reuerſion, or remainder, whereunto the ſaid now Earle of Kent pretendeth title, in vſe, poſſeſſion, reuerſion, or remainder, which if they be erronious as is pretended, doe much varie from the generall cauſe and miſchiefe for which this Statute meaneth to prouide: Be it therefore enacted by the authority aforeſaid, that neither this Statute, nor any thing therein contayned, ſhall extend to take away any writ of Error, whereunto any perſon or perſons is now, or hereafter ſhall be lawfully entitled to haue for the reuerſing of the ſaid Fines and recoueries, or any of them heretofore leuied or ſuffered of any of the ſaid Caſtles, manors, meſuages, lands, tenements, or hereditaments, which late were any part or parcell of the inheritance of the ſaid George, ſometime Earle of Kent, in vſe, poſſeſſion, reuerſion, or remainder, any thing in this Statute contayned to the contrary thereof in any wiſe notwithſtanding. 23. Eliz. 3.

CAP. X.

The Stat. of 18. Eliz. 5. *touching Informers vpon penall Statutes made perpetuall.*

WHere in the Parliament holden at Weſtminſter, the eight day of Februarie, in the eightéenth yeare of the reigne of our moſt gracious Soueraigne Lady Quéene Elizabeth, there was amongſt others an Act made, entitled, An Act to redreſſe diſorders in common Informers vpon penall lawes, which Act is to continue in force and effect, but vnto the end of this Seſſion of this preſent Parliament: For as much as the ſaid Act is found by experience ſince the making of the ſame Act, to be very neceſſary, beneficiall, and expedient for the common-wealth.

The Statute of 18. El. 5 prouided to redreſſe diſorder in common Informers made perpetuall.

Be it therefore enacted by the authority of this preſent Parliament, that the ſame Act then remembred, and all and euery the branches, clauſes, and prouiſions in the ſame contayned, ſhall remaine, continue, and be from henceforth in full force and effect for euer.

CAP. XI.

Certaine Statutes, viz. xix. made in the reignes of King Hen. 8. King Ed. 6. and Queene Eliz. reuiued, and made to continue vntill the end of the next Parliament. EXP. A Repeale of ſo much of the Stat. of 5. Elizab. 5. as concerneth the eating of fiſh, and reſtraineth the eating of fleſh vpon the Wedneſday. Sea-fiſh may be ſold any day in the weeke, ſauing Sunday. Victuallers ſhall vtter no fleſh in Lent, nor vpon Fridayes or Saturdayes. All maner of pinnes may be brought into this Realme. EXP. 35. El. 7. 39. El. 18. Coke pla. fo. 371.

CAP. XII.

Vnderſheriffes, Bayliffes of Liberties, Sheriffes Clerkes and Deputies ſhall be twice ſworne.

Complaints of the miſdemeanour of Vnderſheriffes.

FOr as much as grieuous complaints are many times made of the miſdemeanour and euill behauiour of Vnderſheriffes, who oftentimes hauing to them committed by the high Sheriffe, the whole or part of the exerciſing and executing of the office of the high Sheriffe, and not taking any corporall oath, as the high Sheriffe doth, for the executing and diſcharging of the ſame office, doe therefore daily moſt iniuriouſly through corruption and affection impanell Iurors for the Quéenes Maieſty, and betwixt party and party, to the great loſſe, dammage, and hinderance of diuers her Maieſties louing ſubiects of this Realme.

Two oathes ſhall be taken by euery Vnderſheriffe.

For reformation whereof, be it enacted by the authority of this Parliament, That all and euery perſon and perſons, that from, and after the laſt day of the Seſſion of this preſent Parliament, ſhall be admitted to, or take vpon him the executing of the office of an Vnderſheriffe, in any Shire or Countie within this Realme of England, before he intermeddle with the vſe or exerciſe of the ſaid office, ſhall receiue and take a corporall oath vpon the holy Euangeliſts, before the Iuſtices of Aſſiſe, or one of them of the ſame Circuit wherein that Countie is, whereof hee ſhall be Vnderſheriffe, or before the Cuſtos Rotulorum, or two Iuſtices of the Peace, whereof one to be of the Quorum of the ſaid Countie whereof hee ſhall be Vnderſheriffe as aforeſaid, for and concerning the Supremacie, in ſuch maner and forme as that oath is expreſſed manner or iron milles, fornace, finary, or blomary, for the making or working of any manner of iron, or iron mettall, other than either vpon ſuch old and former Bayes or Pens whereupon hath lately beene, or at the time of the new erection ſhall be then ſtanding ſome iron milles, fornace or Hammer, or elſe in and vpon ſuch Lands as the party or parties ſo erecting any ſuch intended new worke, ſhall continually furniſh the ſame with ſufficient ſupply of his or their owne proper woods, ſtanding or growing in and vpon his or their owne proper Soile or land, being to him or them in fee Simple, fee Taile, or for terme of life, or liues, without impeachment of waſte at the leaſt, and not otherwiſe: nor ſhall conuert or imploy, or cauſe to be conuerted or imployed to coales, or other fuell, for the making or working of iron or iron mettall, in or about any manner of iron milles, fornaces, hammer, finary, forge or blomary, the body or bodies of any ſound Timber tree or trees, apt for the making of good and ſufficient cleftwares or ſawing Timber of Oake, Aſhe or Elme, growing of the breadth or bigneſſe of one foot ſquare at the ſtubbe, or any part of the ſame body or bodies of any ſuch tree or trees, vpon paine of forfeiture for euery iron mille, fornace, forge, finary, or blomary, made, erected, builded or ſet vp contrary to the tenour and true meaning of this Act, the ſumme of three hundred pounds, and for euery body of euery ſuch Timber tree ſo employed or conuerted to coale or other fuell, for the making or working of iron as is aforeſaid, the ſumme of forty ſhillings of lawfull money of England, the one halfe of which forfeitures to be to our Soueraigne Lady the Queenes Maieſty, her heires and ſucceſſors, and the other halfe to him or them that will ſue for the ſame by Originall writ, Bill, Plaint or information, wherein no eſſoyne, protection, or wager of Law ſhall be admitted or allowed.

Timber ſhall not be imployed to the making of Iron.

The forfeitures for the offences aforeſaid.

Prouided alwayes, and be it further enacted by the authority aforeſaid, that it ſhall and may be lawfull to and for the owners of ſuch trees (the bodies whereof haue beene or ſhall be from time to time conuerted and imployed to, or for any maner of Timber or cleft ware within the Wealds of Suſſex, Surrey or Kent, or any of them the ſame not being within eighteene miles of the City of London, or eight miles of the Riuer of Thames, or foure miles of the townes of Rye and Winchelſey, or within three miles of Haſtings, or within foure miles of the foot of the hilles called the Downes, betweene Arundel & Pemeſey in the County of Suſſex aforeſayd, or any of them) to imploy the tops and Offals of all ſuch trees, to or for coales or other fuell, ſeruing to or for iron workes at their owne will and pleaſures, this Statute or any other to the contrary hereof in any wiſe notwithſtanding. And foraſmuch as the high wayes in the ſaid Counties of Suſſex, Surrey and Kent, are in many places greatly impaired and ſpoyled by meanes of carriages of coales, mines and iron, to and from the iron workes in the ſayd Counties, to the great hinderance of the common paſſages of the Queenes Maieſties Subiects trauelling through the ſame: For remedy whereof, be it further enacted by the authority aforeſayd, that the occupyers of all manner of iron workes whatſoeuer, as owners or farmors of the ſame, by or for any eſtate or eſtates, of inheritance for life, liues, or for terme of yeare or yeares, which ſhall at any time hereafter carry, or cauſe to be carried any coales, mine or iron, to, or for any their iron workes, betweene the xii. day of October, and the firſt day of May yearely, ſhall likewiſe yearely carry and lay, or cauſe to be carried and layed for euery ſixe loads of coales, or mine, aſwell as alſo for euery tunne of yron which ſhall be carried by any manner of Waine or Cart, betweene the ſaid xii. day of October, and the firſt day of May, yearely by the ſpace of one mile thorow any high wayes, being vnder any the hilles commonly called the North downes of Surrey and Kent, to or from any manner of yron worke, one vſuall Cart loade of ſindar, grauel, ſtone, ſand or chalk, meet for the repayring and amending of the ſaid high waies, to be layd and imployed in ſuch place and places of the ſayd high wayes, as any Iuſtice of P. of any of the Counties aforeſayd, dwelling neere vnto the places where the high wayes within the limits aforeſaid, ſhalbe moſt annoyed by any the meanes aforeſayd, according to the greater and more preſent neceſſity, ſhalbe appointed or aſſigned, or elſe pay or cauſe to be payd, for and in allowance of euery Cart loade, in maner and forme aforeſayd, to haue beene ſo carried and laid, ii.s.vi.d. within eight dayes after the demand thereof, to the hands of the ſayd Iuſt. of P. or his aſſigne, the ſame to be leuied after default of paiment vpon the demand thereof from time to time, vpon ſuch yron as ſhall be by and thorow the ſame high wayes ſo carried by way of diſtreſſe. And if ſuch Iuſt. of P. by reaſon of abſence or other occaſion, doe not or ſhall not within forty dayes next after the ſayd firſt day of May, yearely aſſigne or appoint where & in what place of the high wayes, the ſayd ſindar, grauell, ſtone, ſand, or chalke to be carried as aforeſayd ſhalbe laid, or where, & how the money thereof due, or ſo paid ſhall be imployed and beſtowed: That then the ſame ſindar, grauell, ſtone, ſand or chalke, ſhalbe laid, and imployed, by ſuch perſon and perſons as by this act are to carry and lay the ſame, or to cauſe the ſame to be carried and laid in ſuch place and places of the high wayes, as the Surueyors of the high wayes within the Pariſh for the time being, where the high wayes ſhall be moſt annoyed, as is aforeſaid, ſhall aſſigne or appoint, or in default thereof pay to the ſayd Surueyors for euery ſuch loade due, and vncarried, ii.vi.d. in manner and forme aforeſayd, vpon paine of forfeiture of x.s. for euery loade of ſindar, grauell, ſtone, ſand, or chalke not carried, layed and imployed in the high wayes, or ii.s.vi.d. vnpaid as is aforeſayd, to be forfeited, and paid by the perſon and

perſons

Which Toppers or Offols of timber may be imployed to iron workes.

A remedy for the repaire of high wayes in Suſſex, Surrey, and Kent.
REP. 39. Eliz. 19.

Two ſhillings and ſixe pence ſhalbe paid in lieu of euery Cart loade of grauell, &c. vncarried.

In what caſe the Surueyors ſhall appoint where the grauell ſhall be laide.

How the forfeitures ſhall be imployed.

A remedie where the offenders doth not pay the forf.

perſons which by this Act ought to carry and lay, or cauſe to be carried and laid, the ſindar, grauell, ſtone, ſand, or chalke, or therefore to haue paid, as is aforeſaid, after due preſentment and conuiction thereof had before the Iuſtices of Oyer and Terminer, or Iuſtices of Peace in any of their open Seſſion or Seſſions to be holden before them or any of them. All which ſumme and ſummes of money to be forfeited by reaſon of this Act, for or in default of carriage and laying of the ſaid ſindar, grauell, ſtone, ſand, or chalke, or payment thereof due as aforeſaid, ſhall be likewiſe beſtowed and imployed vpon the amendment and repayring of the high wayes in the ſaid Pariſhes, where the cauſe of forfeiture by default or refuſall grew and was giuen, at and by the diſcretion of any ſuch Iuſtice of Peace as ſhall dwell and be reſiant next vnto the place or places being moſt annoyed by the carrages aforeſaid, and where the money therefore due ſhould haue béene paid as aforeſaid, and the ſame to be leuied by way of diſtreſſe by any Conſtable, Tithingman, Headborough, or other Officer thereunto to be aſſigned by warrant made in open Seſſions by any Clerke of the Peace of the County where any the offence or offences aforeſaid ſhall bée committed, or by any two Iuſtices of the Peace, whereof one to be of the Quorum, which were preſent at the Seſſions, wherein the ſaid conuiction of or for any the offences aforeſaid ſhalbe had. And if no ſufficient diſtreſſe can be found by the ſayd officer appointed to leuie the ſame, or if the ſayd offendor ſhall obſtinately refuſe to pay the ſame forfeiture, or do not pay the ſame within xx. daies after a lawfull demand of the ſame, by the ſaid officer to be appointed for the leuying thereof as aforeſaid, that then euery perſon ſo denying or refuſing, and not paying the ſame forfeiture within twenty dayes, as aforeſaid, to forfeit the double ſumme he ſhould before haue paid, to be leuyed by ſuch wayes and means, as to two of the Iuſtices of P. of the ſame County where the ſaid offence ſhall be committed, whereof one to be of the Quorum, ſhall be thought moſt méete: the ſame forfeiture to be likewiſe imployed vpon the amendment of the high wayes, as the other forfeiture ſhould haue béene, if the ſame had béene leuied according to the true intent and meaning of this Statute.

Cap. XX.

It ſhall be lawfull to the Mayor & Commonalty of Plimmouth in the county of Deuon, and their ſucceſſors, to dig & myne a trench, or ditch, containing in breadth betwixt ſixe or ſeuen foot ouer in all places, through all the grounds, lying between the towne of Plimmouth, & any part of the Riuer of Mew, for the neceſſary conueying of the ſaid Riuer to the ſaid Town, & to doe reparations, and make all things neceſſary, whereby the Riuer may be brought & continue vnto the ſaid Towne without the let of any perſon: The ſaid Mayor & Commonalty paying to the owners and fermors of the ſaid ground, the value of the ground ſo digged, to be aſſeſſed by two Iuſtices of Aſſiſe. But the ſaid Riuer ſhall not be conueyed through any perſons houſe, orchard, or garden, nor to the hinderance of the water courſe of any Mill, without the owners conſent. PR.

Cap. XXI.

It ſhall not be lawfull to any perſon to ſet any Net with any Boat called a Stalboate, or other boat or veſſell whatſoeuer, within the entry or mouth of Oxford hauen in the County of Suffolke, or in the Gull, being a branch of the ſaid Hauen, except the Maske or Shale of euery ſuch net throughout the whole doe containe two Inches and a halfe at the leaſt, in wideneſſe from knot to knot, vpon paine to forfeit the net ſo ſet, or the value thereof, & fiue pounds to the Qu. and I. to be recouered by A.B.P. or I. wherein no W. & P. &c. PR. Stat. 4. H. 7. 21.

Cap. XXII.

It ſhall be lawfull to the Mayor and Citizens of the City of Chicheſter, in the County of Suſſex, their Succeſſors and Aſſignes at any time hereafter to lay out ſo much ground in ſuch places as they ſhall thinke moſt meet for that purpoſe, for the making of a new channell, from ſuch place of the Hauen of the ſaid City, vnto the ſuburbs therof, between the Dell Key there, and a place called Fiſhborne, and in ſuch length & breadth throughout, as to them ſhall ſeeme neceſſary, for the conueying the water along the channell vnto the Suburbs: And alſo to enter into any Lands within halfe a mile of the ſaid new channell, where any Brookes, Waters, Streames or Springs ſhall be, and to aſſigne and lay out ſuch quantity thereof as ſhall be conuenient to bring the ſame Brookes, &c. into the ſaid channell. PR.

Cap. XXIII.

What perſons in Boxſted and Langham in the County of Eſſex may make weaue, or rowe Woollen Cloth there.

WHereas by a certaine Act of Parliament beginning at Weſtminſter the twentieth day of Ianuary, in the fourth and fifth yeares of the reignes of the late King Philip and Quéene Mary, and there continued vntill the ſeuenth day of March, in the ſaid fourth and fifth yeares of the reignes of the ſaid late King and Quéene, amongſt other things it was enacted, that

The taxation of the townes by the Juſtices.

The taxation of the inhabitants by the Conſtables.

Diſtraining and ſale of diſtreſſe for default of paiment.

aſwell of the ſaid hundred where any ſuch robbery ſhall be committed, as of the liberties within the ſaid hundred to and towards an equall contribution to be had and made, for the reliefe of the inhabitant or inhabitants, againſt whom the party or parties robbed, before that time had his or their execution: And that after ſuch taxation made, the Conſtables, Conſtable, Headboroughs, or Headborough of euery ſuch Towne, Pariſh, Village and Hamlet, ſhall by vertue of this preſent Act, haue full power and authority within their ſeuerall limits, rateably and proportionably to taxe and aſſeſſe according to their abilities, euery Inhabitant & dweller in euery ſuch Towne, Pariſh, Village and Hamlet, for and towards the paiment of ſuch taxation and aſſeſſement, as ſhall be ſo made vpon euery ſuch Towne, Pariſh, Village and Hamlet, as aforeſaid, by the ſaid Juſtices: And that if any inhabitant of any ſuch Towne, Pariſh, Village or Hamlet, ſhall obſtinately refuſe and deny to pay the ſaid taxation and aſſeſſement, ſo by the ſaid Conſtables, Conſtable, Headboroughs, or Headborough taxed and aſſeſſed, that then it ſhall and may be lawfull to and for the ſaid Conſtables, and Headboroughs, and euery of them within their ſeuerall limits and iuriſdictions, to diſtraine all and euery perſon and perſons ſo refuſing and denying by his and their goods, and cattels, and the ſame diſtreſſe to ſell, and the money thereof comming, to retaine to the vſe aforeſaid, and if the goods or cattels ſo diſtrained and ſold, ſhall be of more value then the ſaid Taxation ſhall come vnto, that then the reſidue of the ſaid money, ouer and aboue the ſaid taxation, ſhall be deliuered vnto the ſaid perſon or perſons ſo diſtrained.

The Conſtables ſhall deliuer the money collected to the Juſtices.

And be it further enacted, that all and euery the ſaid Conſtables and Headboroughes after that they haue within their ſeuerall limits and iuriſdictions, leuied and collected their ſaid rates and ſummes of money ſo taxed, ſhall within tenne daies after ſuch collection, pay and deliuer the ſame ouer vnto the ſaid Juſtices of Peace, or one of them, to the vſe and behoofe of the ſaid inhabitant or inhabitants, for whom ſuch rate, taxation and aſſeſſement ſhall be had or made, as aforeſaid: which money ſo payd, ſhall by the Juſtices or Juſtice ſo receiuing the ſame, be deliuered ouer (vpon requeſt made) vnto the ſaid inhabitant or inhabitants, to whoſe vſe the ſame was collected.

Leuying of the contribution in the Hundred where default of purſuite ſhall be.

And be it further enacted by the authority aforeſaid, that the like taxation, aſſeſſement, leuying by diſtreſſe and payment, as aforeſaid, ſhall be had and done within euery Hundred, where default or negligence of purſuit and freſh ſuit ſhall be, for and to the benefite of all and euery inhabitant and inhabitants of the ſame Hundred, where ſuch default ſhall be, that ſhall at any time hereafter by vertue of this preſent Act, haue any dammages or money leuyed of them, for or to the payment of the one moitie, or halfe of the money recouered againſt the ſaid Hundred, where any robbery ſhall be hereafter committed.

No penaltie where any of the offenders be apprehended.

Cok.l.3.f.5.

Prouided alſo, and be it further enacted by the authority aforeſaid, that where any robbery is, or ſhall be hereafter committed by two, or a greater number of malefactors, and that if happen any one of the ſaid offenders to be apprehended by purſuit to be made according to the ſaid formermentioned Lawes and Statutes, or according to this preſent Act, that then, and in ſuch caſe, no Hundred or Franchiſe, ſhall in any wiſe incurre, or fall into the penalty, loſſe, or forfeiture mentioned either in this preſent Act, or in any the ſaid former ſtatutes, although the reſidue of the ſaid malefactors ſhall happen to eſcape, and not to be apprehended: any thing in this Statute, or in the ſaid former Statutes, to the contrary notwithſtanding.

The ſuit ſhall be commenced within one yeare after the robberie.

Prouided alſo, that no perſon or perſons hereafter robbed, ſhall take any benefit by vertue of any the ſaid former Statutes, to charge any Hundred where any ſuch robbery ſhall be committed, except he or they ſo robbed, ſhall commence his or their ſuit or action within one yeare next after ſuch robbery ſo to be committed.

In what ſort huy and crie, and purſuite of felons ſhall be made.

fol.370.

And be it further enacted by the authority aforeſaid, that no Huy and Cry, or purſuit hereafter to be done or made by the countrey, or inhabitants of any hundred, ſhall be allowed and taken to be a lawfull Hue and Crie, or purſuite, vpon or after any the ſaid Felons or Offenders, except the ſame huy and cry or purſuite be done and made by horſemen and footemen, any vſage, or cuſtome to the contrary, notwithſtanding.

The partie robbed ſhall giue notice thereof to the inhabitants of ſome towne, &c.

The partie robbed examined before a Juſtice, whether he knew any of the offenders.

Coke pl.f.348.
Raſt.pl.fo.406.

l.5.f.7.

And be it further alſo enacted by the authority of this preſent Parliament, that no perſon or perſons, that ſhall hereafter happen to be robbed, ſhall haue or maintaine any action, or take any benefit by vertue of the ſaid two mentioned Statutes, or either of them, except the ſaid perſon and perſons ſo robbed, ſhall with as much conuenient ſpeede as may be, giue notice and intelligence of the ſaid felony or robbery ſo committed vnto ſome of the inhabitants of ſome Towne, Village, or Hamlet neere vnto the place where any ſuch robbery ſhall be committed, Nor ſhall bring or haue any action, vpon and by vertue of any the Statutes aforeſaid, except he or they ſhall firſt within twenty dayes next before ſuch action to be brought, be examined vpon his or their corporall oath to be taken before ſome Juſtice of the Peace of the County where the robbery was committed, inhabiting within the ſaid hundred where the robbery was committed, or neere vnto the ſame whether he or they doe know the parties that committed the ſaid robbery, or any of them. And if vpon examination it be confeſſed, that he or they doe know the parties that committed the ſaid robbery, or any of them, that then he or they ſo confeſſing, ſhall before the ſaid action be commenced or brought, enter into ſufficient bond by recogniſance before yͤ ſaid Juſtice, before whom the ſaid examination is had, effectually to proſecute the ſame perſon and perſons ſo knowne to haue committed the ſaid robbery by Inditement, or otherwiſe according to the due courſe of the lawes of this Realme. 39. El. 25.

Cap. XIIII.

Stat. of 2. & 3. Ed. 6. 10. touching the true making of Malt, reuiued.

WHereas in the Parliament holden at Weſtminſter vpon Prorogation the fourth day of Nouember, in the ſecond yeare of the raigne of the late King of moſt famous memorie King Edward the ſixt, moſt deare brother to our Soueraigne Lady the Queenes Maieſty that now is, there was amongſt other things one good and neceſſary Acte of Parliament made and eſtabliſhed, entitled, An Acte for the true making of Mault: Which ſayd Statute was after diſcontinued, and ſo reſteth and remaineth as yet, albeit in truth, during the continuance thereof, the ſame did much good to the Common-wealth, and ſo would it doe ſtill, if the ſame might be reuiued, and ſtand in force, as heretofore it hath done.

A Reuiuer of the Stat. made 2. Ed. 6. 10. for the making of Malt.

In conſideration whereof, may it pleaſe her Highneſſe, with the conſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that it may be enacted, that the ſaid former Act and Statute aboue-mentioned, and euery branch, article, and prouiſo therein conteyned, ſhall be reuiued, and from henceforth continue, ſtand, and endure in force, and ſtrength, to all intents, conſtructions, and purpoſes, and ſhall be obſerued and kept in all things according to the tenour, effect, and true meaning of the ſame. This Act to continue for the time of three yeares now next following, after the end of this preſent Seſſion of Parliament: and after the end of the ſaid three yeares, then to the end of the Parliament then next after following. 3. Car. 4. Continued vntill the end of the firſt Seſſion of the next Parliament.

Cap. XV.

It ſhall be lawfull to any of the Queenes Subjects to bring into this Realme from the parts beyond the Sea in Engliſh Ships, or Crayers, being ſayled by Engliſh Mariners with croſſe Sailes, Herring, Staple Fiſh, and Ling Fiſh, for ſeruing of the North parts, paying the Queenes cuſtome, and Subſidie for the ſame. So as none of the ſaid Fiſh be ſhipped from any of thoſe North parts into any place of England, South, or South-weſt from Bolton: Any ſtatute or prouiſo notwithſtanding &c. But this ſhall not be prejudiciall to the Towne or Burgeſſes of Berwicke. EXP. 5. *El.* 5. 13. *El.* 11. & 23, *El.* 7.

Cap. XVI.

It ſhall not be lawfull to any perſon (ſauing a Tanner, his Executors, Adminiſtrators, or Legatories, or to them to whom tanned Leather ſhall be forfeited) to ſell or put away any tanned Leather, vnwrought, not conuerted into made wares, in defrauding the true meaning of the Statute of 5. *Eliz.* 8. EXP.

Cap. XVII.

Of what length, breadth, and weight, Whites made in the Counties of Gloceſter, Somerſet, and Wiltſhire, and elſe-where ſhall be.

The length, breadth and weight of whites and Reddes made in certaine Counties by the ſtat. of 5. & 6. Ed. 6. 6.

WHereas in the Parliament holden at Weſtminſter in the fifth and ſixth yeares of the raigne of our late Soueraigne Lord King Edward the ſixth, one Statute was made, intitled, An Act for the true making of woollen Cloth: whereby (amongſt other things) it was enacted, That all Whites and Reddes, which after the Feaſt of S. Michael the Archangel then next comming, ſhould be made in the Shires or Counties of Wiltſhire, Gloceſter, and Somerſet, or any of them, or elſe-where of like making, and all other Whites which ſhould be made in any other parts of this Realme of England, and not before in the ſame Statute mentioned, ſhould conteyne in length being thorow wet, betweene ſixe and eight and twenty yards, and ſhould be ſeuen quarters of the yard in breadth within the liſts, at the leaſt, and liſted according to the ancient cuſtome, and being well ſcoured, thicked, milled, and fully dryed, ſhould weigh euery piece lxiiij. li. being white, and lx. li. being coloured at the leaſt, as by the ſaid act among diuers clauſes, articles, and prouiſions conteyned in the ſame, more plainely is expreſſed.

The weight of the ſaid clothes 4. & 5. P. & M. 5.

And whereas alſo in the Parliament holden at Weſtminſter in the fourth and fifth yeares of the reignes of our late Soueraigne Lord and Lady King Philip and Queene Mary, one other Statute was made, entitled, An Act touching the making of Woollen clothes, whereby alſo (amongſt other things) it was ordeyned, eſtabliſhed, enacted, and prouided, that euery White Cloth which ſhould be made in the Counties of Wiltſhire, Glocester, and Somerſet, or any of them, or elſe-where of like making appointed by the ſaid Act made in the ſaid fifth and ſixth yeares of King Edward the ſixth, to weigh threeſcore foure pound, ſhould weigh being well ſcowred, thicked, milled, and fully dryed threeſcore and one pound at the leaſt, with a prouiſion in the ſame laſt recited Act conteined, that no perſon or perſons ſhould incurre the danger, penalty, or forfeiture limited and appointed for any offence in the ſaid former reciſed Act, which was mitigated or otherwiſe appointed by the ſaid Act, made in the fourth and fifth yeares of King Philip and Queene Mary, as by the ſame Act made in the fourth and fifth yeares of King Philip and Queene Mary, amongſt diuers clauſes, articles and prouiſoes therein contained, more plainly is expreſſed. Sithence the making of which ſaid ſeuerall Statutes, although the makers of the ſaid clothes haue endeuoured themſelues according to their beſt ſkill and induſtry, to performe and fulfill the ſaid recited Statutes in euery of their clothes, as much as in them did lye, as touching the breadth of clothes, and to that end and purpoſe haue allowed and doe allow ſo much yarne, and ſtuffe to euery ſuch cloth as might ſufficiently ſerue to make all the ſaid clothes full out in length and breadth, according to the ſaid former Stat. made in the fifth & ſixth yeares of K. Edward the ſixth, & in weight according to the ſaid branch of the ſaid Stat. made in the fourth and fifth yeares of the reigns of the late K. Philip and Qu. Mary: yet notwithſtanding many times by reaſon of the diuers natures in the woolls, and by the great diuerſities in the ſpinning, carding, and milling, many of the ſaid clothes made within the ſaid counties, of Wiltſhire, Glouceſter, Sommerſet, and Oxon. and elſewhere of like making, doe not containe full ſeuen quarters in breadth, according to the ſaid Stat. made in the fifth and ſixth yeares of K. Ed. 6. and yet doe hold their full weight or more according to the former Stat. made in the time of the ſaid K. Philip and Qu. Mary, and no default touching the breadth can iuſtly be imputed to the maker thereof, for that the ſaid Clothmakers (as experience daily ſheweth) cannot obſerue the ſaid former ſtatutes in all the ſaid clothes as touching the breadth, although they endeauour themſelues neuer ſo much thereunto, which Clothes not containing their full aſſiſe in breadth, as is aforeſaid, are many times taken and ſized by the Searchers of London when they come to their Market at Blackwell Hall, to the great loſſe and damage of the ſaid Clothmakers, & to the great hinderance of cloth making within the ſaid Counties.

The reaſons wherefore the foreſaid Stat. of 5. & 6. Ed. 6. & 4. & 5. P. & M. cannot be performed, and yet no default in the Clothier.

In conſideration thereof, albeit it is not hereby intended to repeale or make voyd the ſaid former recited Eſtatutes, or either of them, otherwiſe than is hereafter expreſſed, yet neuertheleſſe, be it enacted by the Queenes moſt excellent Maieſty, with the aſſent of the Lords Spirituall and Temporall, and the Commons of this preſent Parliament aſſembled, and by the authority of the ſame, that no perſon or perſons ſhall be hereafter charged for any ſuch default which hereafter ſhall bee in any of the ſaid Clothes mentioned in this Act for want of breadth of ſeuen quarters, ſo that the ſame cloth doe containe in breadth being throughly wet, ſixe quarters and an halfe at the leaſt within the liſts vnwrought and liſted, according to the ancient cuſtome, any thing in any of the former Statutes mentioned to the contrary in any wiſe notwithſtanding.

The breadth of Clothes made in Wiltſhire, Glouceſter, Somerſet, and Oxfordſhire.

Prouided alwayes, and be it enacted by the authority aforeſaid, that if any of the ſaid Clothes ſhall not containe ſixe quarters and an halfe at the leaſt within the liſts as aforeſaid, that then euery perſon offending in that behalfe, ſhall for euery ſuch Cloth be ſubiect to ſuch paines, penalties, and forfeitures, as were by force of the former recited Statute of the fifth & ſixth yeares of K. Edward the ſixth, to haue beene forfeited for want of breadth of ſeuen quarters within the liſts.

The penalty, if the Cloth doe not containe in breadth ſixe quarters and an halfe.

And be it neuertheleſſe enacted by the authority aforeſaid, that if any cloth to bee made within any of the ſaid Counties, or elſe where of like making, called Narrow-liſted Whites, being well ſcowred, thicked, milled, and fully dryed, ſhall containe in weight any leſſe than lxi. li. at the leaſt: or if any cloth to bee made within any of the ſaid Counties or elſe where of like making, called Broadliſted Whites, being well ſcowred, thicked, milled, and fully dryed, ſhall containe in weight any leſſe than lxiiii. li. at the leaſt, or if any of the ſayd Clothes called Narrowliſted or Broadliſted Whites, ſhall containe in length any more than twenty and eight yards at the moſt: that then euery of the ſayd Clothiers therein offending, ſhall incurre double ſuch penalties and forfeitures for euery pound ſo wanting of the ſeuerall weights aboue limited, and for euery yard exceeding in length, and not weighing after ſuch rate as is before expreſſed, as by the ſaid Statute of the fourth and fifth yeares of King Philip and Queene Mary is prouided and appointed. This Act to indure and continue for the ſpace of fiue yeares next after the end of this Seſſion of this preſent Parliament, and from the end of the ſaid fiue yeares, vntill the end of the next Seſſion of Parliament then next enſuing. 35. Eliz. 7. made to continue for euer.

The weight of narrowliſted whites, and broadliſted Whites.

The length of narrowliſted & broadliſted whites.

REP. 43. El. 10.

The penalty of the Clothiers offending.

CAP. XVIII.

Part of the ſtat. of 5. Ed. *6. 6. & the whole ſtat. of 7.* E. *6. 9. reſtraining the putting of haire, flockes, or Lambs wooll into plaine white Straits & pinned white Straits made in Deuon and Cornwall repealed, &c.*

WHere in the Parliament vpon prorogation holden at Weſtm. the xxiii. of January in the fifth yeare of the reigne of the late King of famous memory Edw. 6. one Act was made for true making of woollen Clothes: by which Act amongſt other things it was enacted, that from & after the feaſt of S. Michael the Archangel next enſuing the making of the ſaid Act, no perſon or perſons ſhould put any haire, flockes, or any yarne of lambs wooll into any Cloth, Kerſey, Frize, or Cotton made & ſold, or offered to be ſold, as in the ſaid Act is expreſſed, vpon paine to forfeit euery ſuch Cloth, Kerſey, Frize, & Cotton, wherein any ſuch yarne, haire, or flockes ſhould be put, or

5. Ed. 6. 6.

the value of ſuch Cloth, Kerſey, Frize or Cotton, as by the ſaid Act it doth and may appeare.

7.Ed.6.9.

And whereas by another Act made in the Parliament holden at Weſtminſter in the ſeuenth yeare of the reigne of the ſaid late King, entituled, An Act for the making of plaine white ſtraights, and pinned white ſtraights, in Deuon and Cornewall; the ſaid former Act was altered, and liberty giuen to the makers of the ſaid Clothes, called plaine white ſtraights, and pinned white ſtraights, to vſe in making of the ſaid Clothes, Flockes, Haire, or Yarne made of Lambes wooll, and by the ſaid Statute diuers rules and orders were appointed for making of the ſaid Clothes called plaine white Straights, and pinned white Straights, as by the ſaid Statute doth appeare: Now for that the orders and rules both by the ſaid Statute made in the ſaid fifth yeare, as alſo in the ſaid ſeuenth yeare of the ſaid late King Edward the ſixth, tend to the vtter vndoing and decay of great numbers and multitudes of people which liue by the trade of Clothing, and are not profitable any longer to be kept in theſe Countries and places, where the ſayd Clothes called plaine white Straights and pinned white Straights are vſually made, the ſame Clothes being but a baſe and courſe kind of Clothes, vſually made for the vſe of poore people beyond the Seas, and moſt commonly ſhipped into Britaine, and there vttered for a Merchandize to ſerue the vſe of the poorer ſort there: And eſpecially for that ſithence the making of the ſaid Statutes the yarne wherewith the ſaid Clothes called plaine white Straights and pinned white Straights are vſually made to the great benefit of the poore people where the ſame are made, is growne ſmaller and finer, whereby many more poore people are ſet on worke with ſpinning of the ſame, than either at or before the making of any the ſaid ſeuerall Statutes they were, ſo that the weight, length, and breadth cannot agree as before it did in making of the ſaid Clothes:

A Repeale of part of the ſtat. of 5. Ed. 6. and of the whole ſtat. of 7. Ed. 6. 9. touching the making of certaine clothes in Deuon and Cornewall.

Be it therefore enacted by the Queenes Maieſty our Soueraigne Lady, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the branch made in the ſaid fifth yeare, which prohibiteth putting of haire, flockes, or yarne made of Lambes wooll into any Cloth or Frize, hauing regard vnto the ſaid Clothes called plaine white Straights, and pinned white Straights, be vtterly repealed and made void.

And that the ſaid ſtatute alſo made in the ſaid ſeuenth yeare of the reigne of the ſaid late King, and euery branch, article, & clauſe therein, be from henceforth vtterly repealed and void for euer.

What ſtuffe may be put into Cloth made in Deuon and Cornwall. 43.Eliz.10. How many Loomes a workeman may keepe in his houſe in Deuon, &c.

And that it be further enacted, that from henceforth it ſhall be lawfull to all and euery the Queenes Maieſties ſubiects, inhabiting, or which ſhall hereafter inhabite within the ſaid Counties of Deuon and Cornewall, as well in Townes corporate, market Townes, or elſewhere, to weaue and make the ſaid clothes called plaine white ſtraights and pinned white ſtraights, and to vſe and occupy in making of the ſaid clothes called plaine white ſtraights and pinned white ſtraights, flockes, haire, and yarne made of Lambes wooll, and to haue, keepe, and vſe in his and their houſes three loomes, and not aboue for making of the clothes aforeſaid, and to make the ſame clothes of ſuch length, weight, and breadth as the merchant ſhall like or accept, to buy the ſame for merchandizes, or appoint the ſame to be made for the vſe and moſt acceptable allowance of the countrey people where the ſame ſhall be tranſported for merchandizes, for that in truth none of the ſame are worne or occupied within this Realme: The ſaid Statute made in the ſaid fifth year of the reign of the ſaid late King Edward the ſixth, or any other Law or Statute heretofore made to the contrary notwithſtanding.

The weight, length, and breadth of certaine Clothes made in Deuon & Cornwall.

Prouided alwayes, that in defrauding of her Maieſties cuſtome, no piece of the ſaid Clothes ſhall be made aboue twelue pounds in weight, or aboue fourteene yardes in length, or one yard in breadth, vpon paine of forfeiture of all ſuch Clothes made ouer and aboue the ſaid length, breadth or weight, or the value thereof: The one moity to the Queenes Maieſty, her heires and ſucceſſors, and the other moity thereof to him that will ſue for the ſame by Writ, Bill, Plaint, or Information, in any Court of Record, wherein no Eſſoine, protection or wager of Law ſhall be allowed. 43. El. 10.

Cap. XIX.

No new Iron Milles ſhall be made in Suſſex, Surrey, or Kent, nor good Timber ſhall be conſumed by the making of Iron, and the high wayes there ſhall be repaired and amended.

No new Iron Milles ſhall be erected in Suſſex Surrey or Kent, but in certaine caſes. 1. Eliz. 15. 23. Eliz. 5.

Whereas by the ouer great negligence or number of yron workes which haue beene and yet are in the Wields of the Counties of Suſſex, Surrey, and Kent, it is thought that the great plenty of Timber which hath growne in thoſe parts, hath beene greatly decayed and ſpoyled, and will in ſhort time be vtterly conſumed and waſted, if ſome conuenient remedy therein be not timely prouided: Be it therefore enacted by our Soueraigne Lady the Queenes Maieſty, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That no perſon or perſons from and after the feaſt of Eaſter, next after the end of this preſent Seſſion of Parliament, ſhall make, erect, build, or new ſet vp, at or in any place within the Counties of Suſſex, Surrey, or Kent, or any of them, any

manner

and declared in one Act of Parliament made, and ordayned in the firſt yeare of the reigne of our ſaid Soueraigne Lady the Quéenes Maieſty, together with which Oath hee ſhall in like ſort, before the ſame perſon or perſons, receiue and take another corporall Oath, as followeth, (that is to ſay:) I A.B. ſhall not vſe or exerciſe the Office of vnder Sheriffe corruptly, during the time that I ſhall remaine therein, neither ſhall or will accept, receiue or take by any colour, meanes, or deuice whatſoeuer, or conſent to the taking of any maner of Fée or reward, of any perſon or perſons, for the impanelling or returning of any Inqueſt, Iurie or Tales in any Court of Record for the Quéene, or betwixt party and party, aboue two ſhillings, or the value thereof, or ſuch Fées as are allowed and appointed for the ſame, by the Lawes and Statutes of this Realme: But will according to my power, truely and indifferently with conuenient ſpéede impanell all Iurors, and returne all ſuch writ or writs touching the ſame as ſhall appertaine to be done by my duety or office, during the time that I ſhall remaine in the ſaid office. So helpe me God. And likewiſe be it enacted by the authority aforeſaid, that this Act ſhall be a ſufficient warrant to the perſons appointed by this Act, to miniſter the Oath aforeſaid, for the miniſtring thereof accordingly.

1. El. 1. The Oath of Supremacie.

The Vnderſheriffes oath touching the impanelling of Iuries.

And be it further enacted by the authority aforeſaid, that euery vnder Sheriffe that is already choſen and appointed for the executing of the ſaid office of vnder Sheriffe for the yeare or time begun, of, or vpon the laſt change of Sheriffes, ſhall within forty dayes next enſuing the Seſſion of this preſent Parliament, receiue and take the Oathes mentioned in this Act, before ſuch perſon or perſons, as by this Act is, or are limited and appointed to miniſter the ſame.

The Vnderſheriffe choſen at the time of the ſtatute making.

And be it further enacted by the authority aforeſaid, that euery Bayliffe of Franchiſes, Deputie and Clerke of euery Sheriffe and vnder Sheriffe, and euery other perſon and perſons, which after forty dayes after the end of this Seſſion of Parliament, ſhall haue authority, or take vpon him to empanell or returne an Inqueſt, Iurie, or Tales, or to intermeddle with execution of Proceſſe, in any Court of Record, ſhall before he or they intermeddle with any further execution thereof, receiue and take the oathes aforeſaid corporally, before the perſon or perſons appointed by this Act to miniſter the ſame, or before the head Officer of the place, if it be a Towne corporate, changing onely the words (the office of the vnder Sheriffe) contained in the Oath expreſſed in this Act, to ſuch words as are conuenient for the Deputation, Office, or place, in which the party which taketh the Oath, is to be exerciſed in. And if any the ſaid perſons, limited to take the oath aforeſaid, doe take vpon him to impanell or returne any Inqueſt, Iurie, or Tales, or to intermeddle with the execution of proceſſe, not hauing before taken the Oathes aforeſaid, that then euery ſuch perſon ſhall loſe and forfeit the ſumme of forty pounds of currant Engliſh money, the one moitie to be to the vſe of our Soueraigne Lady the Quéene, the other moitie to him or them that will ſue for the ſame.

Bayliffes of Franchiſes, Sheriffes, Clerkes and Deputies ſhall take the foreſaid oath.

And be it further enacted by the authority aforeſaid, that if an vnder Sheriffe, or other perſon mentioned in this Act, or any of them, at any time and times, from and after forty dayes next enſuing the laſt day of this preſent Seſſion of Parliament, ſhall doe or commit any Act or Acts, contrary to the Oathes aforeſaid, or eyther of them, or contrary to the true intent and meaning of this Act, that then euery ſuch perſon ſo offending, ſhall forfeit and loſe for euery ſuch offence to the party or parties grieued, his or their treble dammages. All which ſeuerall forfeitures before-mentioned, ſhall or may, by the authority of this preſent Act be recouered, had, and leuied by Action of Debt, Bill, Plaint, or Information in any of the Quéenes Maieſties Courts of Record: in which Actions, Suits, Plaints, or Informations, no wager of Law, Eſſoine, or Protection ſhall be allowed.

The forfeiture of the offendors, & how it may be recouered.

And be it further enacted, by authority aforeſaid, That the Iuſtices of Aſſiſe, and Iuſtices of Peace, in their open Seſſions, ſhall haue full power within the limits of their authority, to heare and determine the defaults done contrary to this Act, as well by preſentment and information, as inditement: And vpon conuiction of the offendors, to award execution for the leuie of the forfeitures aforeſaid, by fieri facias, attachment, Capias or Exigent.

which officers may heare and determine the offences aforeſaid,

CAP. XIII.

How and by whom Huy and Cries are to be made, and the penaltie for default thereof, &c.

WHereas by two ancient Statutes, the one made in the Parliament holden at Wincheſter, in the thirtéenth yeare of the reigne of King Edward the firſt, and the other in the eight and twentieth yeare of the reigne of King Edward the third, it was for the better repreſſing of Robberies and Felonies (amongſt other things) enacted to this effect, That if the Countrey doe not anſwer for the bodies of ſuch malefactors, that then the paine ſhould bee ſuch, that is no wit, that the people dwelling in the countrey, ſhall bee anſwerable for the robberies done, and the dammages: ſo that the whole Hundred where the robberie

The effect of the ſtatutes of 13. Ed. 1. 1. & 2. & 28. Ed. 3. 11. touching anſwering for robberie.

ſhall be done, with the Franchiſes which are within the precinct of the ſame Hundred, ſhall anſwer the robberies done. And if the robbery chance to be done in the diuiſion of two hundreds, that then both the hundreds together, with the Franchiſes, within the precinct of them, ſhall be anſwerable, as in the ſaid two ſeuerall Statutes it doth more at large appeare.

Seuerall inconueniences enſuing the foreſaid Statutes touching huy and crie.

For as much as the ſaid parts of the ſeuerall Statutes being of late dayes more commonly put in execution, than heretofore they haue beene, are found by experience to be very hard and extreame, to many of the Queenes Maieſties good Subiects, becauſe by the ſame Statutes they doe remaine charged with the penalties therein contained, notwithſtanding their vnability to ſatiſfie the ſame, and though they doe as much, as in reaſon might be required in purſuing ſuch malefactors and offendors, whereby both large ſcope of negligence is giuen to the inhabitants and reſiants in other hundreds and counties, not to proſecute the Huy and Crie made, followed, and brought vnto them, by reaſon they are not chargeable for any portion of the goods robbed, nor with any dammages in that behalfe giuen, and alſo great encouragement and emboldning is likewiſe giuen vnto the offendors to commit daily more fellonies and robberies, as ſeeing it in manner impoſſible for the inhabitants and reſiants of the ſaid Hundred and Franchiſes wherein the robbery is committed, to apprehend them without the ayde of the other Hundreds and Counties adioyning, and for that alſo the party robbed hauing remedy by the aforeſaid Statutes for the recouering of his goods robbed, and dammages againſt the inhabitants and reſiants of the Hundred wherein the robbery was committed, is many times negligent and careleſſe in proſecuting and purſuing the ſaid malefactors and offendors: Our Soueraigne Lady the Queenes Maieſty, not willing therefore that her people ſhould be impoueriſhed by any ſuch paine or penalty, which ſhould be hard or grieuous to them, and hauing ſpeciall regard to abate the power of felons, and to repreſſe felonies, doth for remedy hereof, with the conſent of the Lords Spirituall and Temporall, and of the Commons in this preſent Parliament aſſembled, and by the authority of the ſame Parliament, eſtabliſh and enact, That the inhabitants and reſiants of euery, or any ſuch Hundred, (with the Franchiſes, within the precinct thereof) wherein negligence, fault, or defect of purſuit, and freſh ſuit, after Huy and Crie made, ſhall happen to be, from and after forty dayes, next after the end of this preſent Seſſion of Parliament, ſhall anſwer and ſatiſfie the one moitie or halfe, of all and euery ſuch ſumme and ſummes of money and dammages, as ſhall by force or vertue of the ſaid Statutes, or either of them be recouered or had againſt, or of the ſaid Hundred, with the Franchiſes therein, in which any robbery or felonie ſhall at any time hereafter bee committed or done. And that the ſame moitie, ſhall and may be recouered by action of debt, bill, plaint, or information in any of the Queenes Maieſties Courts of Record at Weſtminſter, by, and in the name of the Clerke of the Peace, for the time being, of or in euery ſuch County within this Realme, where any ſuch robbery and recouery, by the party or parties robbed ſhall be, without naming the Chriſtian name or ſurname of the ſaid Clerke of the Peace, which moitie ſo recouered, ſhall be to the onely vſe and behoofe of the inhabitants of the ſaid Hundred, where any ſuch robberie or felony ſhall be committed or done.

The inhabitants of the Hundred where freſh ſuit ſhall be made, ſhall anſwer halfe dammages.

The moitie ſhall be recouered by the Clerke of the Peace.

The death or remouing of the Clerke of the Peace ſhall not ceaſe the ſuit.

And be it further enacted by the authority aforeſaid, That if any Clerke of the Peace, of, or in any Countie within this Realme, ſhall at any time hereafter commence or preferre any ſuch Suit, Action, or Information, and ſhall after the ſame ſo ſued, commenced, or preferred, happen to die, or to be remoued out of his Office, before recouery and execution had: that yet no ſuch Action, Suit, Bill, Plaint, or Information, ſued, commenced, or preferred, ſhall by ſuch diſplacing or death, be abated, diſcontinued or ended, but that it ſhall and may be lawfull to and for the Clerke of the Peace next ſucceeding in the ſaid County, to proſecute, purſue and follow all and euery ſuch Action, Bill, Plaint, Suit, and Information, for the cauſes aforeſaid, ſo hanging and depending in ſuch maner and forme, and to all intents and purpoſes, as that Clerke of Peace might haue done, which firſt commenced or preferred the ſaid ſuit, bill, plaint, or information.

And although the whole Hundred, where ſuch robberies and felonies are committed with the liberties, within the precinct thereof, are by the ſaid two former Statutes charged with the anſwering to the party robbed his dammages: yet neuertheleſſe the recouery and execution, by and for the party or parties robbed, is had againſt one or a very few perſons of the ſaid inhabitants, and he and they ſo charged, haue not heretofore by law had any meane or way, to haue any contribution, of or from the reſidue of the ſaid Hundred, where the ſaid robbery is committed, to the great impoueriſhment of them, againſt whom ſuch recouery or execution is had.

A remedie for thoſe againſt whom recouery and execution is had to haue contribution.

For remedy whereof, Be it enacted by the authority aforeſaid, that after execution of dammages by the party or parties ſo robbed had, it ſhall and may be lawfull (vpon complaint made by the party or parties ſo charged) to and for two Iuſtices of the Peace, (whereof one to be of the *Quorum*,) of the ſame Countie, inhabiting within the ſaid Hundred, or neere vnto the ſame, where any ſuch execution ſhall be had, to aſſeſſe and taxe rateably and proportionably, according to their diſcretions, all and euery the Townes, Pariſhes, Villages and Hamlets,

aſwell

that from and after the firſt day of May then next following, no perſon or perſons whatſoeuer ſhould vſe or exerciſe the feat or myſtery of making, weauing, or rowing of Woollen Clothes long or ſhort, or Kerſies, plaine Whites, or plaine ſtraights, to the intent to put the ſame to ſale, but onely in a market towne where cloth had continually bin vſed to be made by the ſpace of tenne yeares then laſt paſt, or in a Citie, Borough, or Towne corporate, vpon paine of forfeiture for euery ſuch Wollen cloth, or Kerſie, made, wouen, or rowed out of ſuch Citie, Borough, Town corporate, or market towne, fiue pounds: And where alſo it is prouided in the ſayd Act, that it ſhalbe lawfull to any perſon then vſing or exerciſing the feate or myſtery of making, weauing, or rowing of Cloth, or Kerſie, to inhabite or dwell where they then did dwell, and there to vſe the making, weauing, or rowing of Cloth or Kerſie as he hath heretofore, any thing in the ſayd Acte notwithſtanding. And where it is further prouided by the ſayd Act, that it ſhall bée lawfull to all and euery perſon or perſons which then did, or after that time ſhould inhabite or dwell in any of the Shires of Northwales, Cheſhire, or Lancaſhire, Weſtmerland, Cumberland, Northumberland, Biſhopricke of Durham, Cornewall, Suffolke, Kent, the Towne of Goddelmine in the County of Surrey, or Yorkeſhire, being not within twelue miles of the Citie of Yorke, or in any of the Townes or Villages néere adioyning to the waters of Strowd in the Countie of Glouceſter, where Clothes haue bin vſually made by the ſpace of twentie yeares then laſt paſt, and hauing béene apprentice to the occupation of Clothmaking, or vſed the ſame by the ſpace of ſeauen yeares, to ſet vp, vſe, and exerciſe the feate or myſtery of making, weauing, or rowing of wollen Cloth out of a Citie, Borough, or market towne, as before they might haue done, any thing in the ſayd Act to the contrary notwithſtanding.

A rehearſall of the ſtat. of 4 & P. & M. 5 limitting in what places the cloth may be made, & by what perſons.

And whereas by one other Act beginning at Weſtminſter the xxiii. of January, in the firſt yeare of the reigne of our Soueraigne Lady Elizabeth, the Quéene that now is, and there prorogued vntill the xxv. day of the ſame moneth, and then there holden and continued vntill the viii. day of May, then next following, amongſt other things it was enacted in manner and forme following, that foraſmuch as the Townes, and Villages of Bocking, Weſtbargholl, Dedham, and Cockſhall in the County of Eſſex, be faire large Townes, and as well planted for Clothmaking, as the ſayd Towne of Goddelmine, or better, and fewer Townes in this Realme better planted for that purpoſe, and haue béene inhabited of a long time with Clothmakers, which haue made, and dayly doe make good and true Cloth to the great Common wealth of the countrey there, and nothing preiudiciall to, or for the Common wealth of this Realme, it was therefore ordained and enacted by the authority of the ſayd laſt recited Parliament, that it ſhould bée lawfull to all and euery ſuch perſon or perſons which now doe inhabitite or dwell, or hereafter ſhall dwell in the ſaid Townes or villages of Bocking, Weſtbargholl, Cockſhall, and Dedham, or in any of them, now vſing or exerciſing, or that hereafter ſhall vſe or exerciſe the feate or myſterie of making, weauing, or rowing of Cloth or Kerſey, by the ſpace of ſeuen yeares at the leaſt, or haue béene Prentice thereto by the like ſpace of ſeuen yeares, to inhabite and dwell in the ſame villages and Townes of Bocking, Weſtbargholl, Cockſhall, and in euery or any of them, and to vſe the making and weauing or rowing of Cloth or Kerſey, as before that time they might haue done, if the ſaid Act had neuer béene made, any thing in the ſaid Act to the contrary thereof made, or any other Act, Statute or Law heretofore made, or hereafter to be made, to the contrary thereof in any wiſe notwithſtanding.

A liberty giuen by the Stat. of 1 El. 14. to the inhabitants in certaine Townes in Eſſex to make cloth notwithſtanding the Stat. of 4. & 5. P. & M. 5.

And foraſmuch as the Townes of Borſtead and Langham in the ſaid County of Eſſex, are faire ancient Townes and aſwell planted for Cloth-making, as any of the ſaid Townes of Bocking, Weſtbargholl, Dedham, and Cockſhall, and few Townes in this Realme better planted for that purpoſe, and haue béene inhabited a long time with Cloth-makers, which haue made, and daily doe make good and true Cloth, to the great Common-wealth of the Countrey there, by ſetting to worke a great number of poore people, aſwell within the ſaid Townes of Borſtead and Langham, as in diuers other villages and Townes there round about, and being nothing preiudiciall to or for the Common-wealth of this Realme: Be it therefore enacted and ordayned by the authority of this preſent Parliament, That it ſhall be lawfull to and for all and euery ſuch perſon or perſons which now doe inhabite or dwell, or that hereafter ſhall inhabite or dwell in the ſaid Townes or villages of Borſtead and Langham, now vſing or exerciſing, or that hereafter ſhall vſe or exerciſe the feate or myſterie of making, weauing or rowing of Cloth or Kerſey, by the ſpace of ſeuen yeares at the leaſt, or haue béene, or ſhall be hereafter Prentice thereunto by the ſpace of ſeuen yeares, to inhabite and dwell in the ſayd Townes or villages of Borſtead and Langham, and there to vſe the making, weauing or rowing of Cloth or Kerſey, as before the making of the ſayd Statute of the fourth and fifth yeares of the reigne of King Philip and Quéene Mary they might haue done, and as if the ſaid Act had neuer béene had nor made, any thing in the ſaid Act to the contrary thereof made, or any other Act, Statute or Law heretofore to the contrary hereof in any wiſe notwithſtanding.

The inhabitants of Borſted & Langham in Eſſex may make Cloth &c.

CAP.

Cap. XXIIII.

Iuſtices of Peace within the County of Norffolke, ſhall take order for the keeping of the ſea bankes and ſea workes within the ſame Countie in repaire.

2.&3.P.&M.8

5.Eliz. 13.

28 Eliz. 10.

WHereas in the Parliament holden at Weſtminſter, in the ſecond and third yeares of the reigne of the late King Philip and Quéene Mary, one Act was made and ordayned for the amending and maintaining of high waies, which ſayd Act hauing no longer continuance but for ſeuen yeares after the end of the ſame Parliament, was afterwards by one other Act of Parliament made in the fifth yeare of the Quéenes Maieſties reigne that now is, reuiued to haue further continuance for a certaine time yet enduring, in which ſayd Act made in the ſayd fifth yere, and one other Act made in the eightéenth yere of her Maieſties reigne, there were contained diuers further additions and ordinances, tending to the amendment and maintenance of the ſayd high wayes: And whereas the ſea bankes, and ſea works in ſundry parts of the ſea coaſts within the County of Norffolke, (not being within the particular charge of any perſon or perſons, or of any Towneſhip, or to bee maintained by any other common charge) are by the working of the ſea ruined and decayed, to the great hurt and preiudice of many Towneſhips within thrée miles of the ſayd bankes and ſea workes, and likely dayly more and more to grow in ruine and decay, if conuenient remedy be not prouided in that behalfe: And whereas the high wayes within thrée miles of the ſayd ſea bankes, and ſea works be ſo grauelly and ſandy, as neyther néed nor require for the amendment of the ſame ſo many of the ſayd day workes, as be limitted and appointed by the ſayd Statutes, the ſurpluſage of which ſayd day workes, if it might be yearely imployed towards the repairing, amending and maintenance of ſuch of the ſayd ſea banks and ſea workes, as are not or ought not to be made and maintained at the particular charge of any perſon or perſons, or at the charge of any Towneſhip, or by acreſhot, or other common charge, would bee a ſingular benefit and helpe to the aforeſayd Towneſhips, within thrée miles of the ſayd ſea bankes, and ſea workes ſo yearely to be made and maintained.

The Iuſtices of Peace in Norff. ſhall take order for the repaire of ſea-bankes & ſea workes within the ſame County.

For remedy whereof, bee it enacted and ordayned by authoritye of this preſent Parliament, That from and after the feaſt of Pentecoſt now next enſuing, the Iuſtices of Peace within the ſayd County of Norffolke ſhall and may yearely, at any generall Seſſions to bee holden within the ſayd County, for and towards the making and amending of the ſayd ſea banks or ſea workes (now being, or that hereafter ſhall be in ruine or decay) limit and appoint ſo many of the aforeſayd day workes, as by their diſcretions ſhall be thought ſuperfluous and not néedfull to bee imployed towards the amendment of the aforeſayd high wayes within thrée miles of the ſayd ſea bankes or ſea works, which ſhall néedfully require any ſuch reparation or amendment.

Euery perſon chargeable for the repaire of ſea-banks, as they ſtand charged for the amending of high waies.

The Conſtables of hundreds ſhall be ſurueyors of ſea workes.

They which ſhalbe charged with the amendment of ſea workes, ſhalbe diſcharged of the repaire of high-waies.

And bée it further enacted, that euery perſon and perſons, dwelling within thrée miles of the ſayd ſea bankes and ſea workes néedefully to bée amended, as is aforeſayd, ſhall yearely vpon reaſonable warning giuen during ſo many dayes as ſhall be limitted and appointed in the ſayd Seſſions, in reſpect of his and their labour and carriages, ſtand and bee in that degrée charged and chargeable towards the making, repairing, and amending of the ſayd ſea bankes or ſea workes, as by the aforeſayd ſtatutes they ſtand charged and chargeable for the amendment of any high wayes, and that they and euery of them for the not doing and performing the ſame, ſhall incurre the like paine, penalty and forfeiture, as is conteyned in the aforeſayd Statutes made for the amendment of high wayes, and euery of them. And that the ſayd Iuſtices likewiſe in their aforeſayd generall Seſſions, ſhall and may nominate and appoint the high Conſtables of euery Hundred, that ſhall be charged or chargeable by force of this Act, towards the making or amending of the ſayd ſea bankes or ſea workes, to be Surueyors of the ſayd ſea workes and ſea bankes, and that they and euery of them ſhall take vpon them the execution of the ſayd charge and office and duely performe the ſame, vpon ſuch like paine and forfeitures as by the ſayd Statutes, or any of them to be impoſed vpon any Surueyor or Surueyors, for not taking vpon him or them the office of Surueyor for the amending of high wayes. And that euery perſon and perſons which ſhall bee yearely charged to the making and maintenance of the ſayd bankes or ſea workes, ſhall bee diſcharged of ſo many daies towards the making of the ſayd high wayes, as ſhall bee imployed and beſtowed towards the making and amending of the ſayd ſea workes and ſea bankes, all the ſayd penalties and forfeitures to be leuied in manner and forme, as in the ſayd Statutes are limitted and appointed. This Act to endure and continue for the ſpace of fiue yeares, and from thenceforth vnto the end of the Parliament next enſuing the ſayd fiue yeares. 3. Car. 4. Continued vntill the end of the firſt Seſſion of the next Parliament.

Cap. XXV.

As often as the Rents or profits belonging to Rocheſter bridge in Kent, ſhall be ſufficient to bear the charge of the reparation thereof, the two Wardens, & more part of the 12. aſſiſtants ſhall taxe all the contributory lands, rating euery Pariſh where thoſe lands be, proportionably at ſuch ſumme of money, to be paid in ſuch maner as by the ſaid Wardens &c. ſhall be appointed in writing vnder their hands and ſeales, for the which any perſon by them aſſigned may diſtraine, and ſell the diſtreſſe. At the yearely election of the ſaid two Wardens and Aſſiſtants, two houſhoulders at the leaſt ſhall be preſent of euery Pariſh within ſeuen miles of the ſaid bridge, wherein any contributory lands doe lie, to giue their voices at the ſame election. PR. 9. H. 5. 12. 18. El. 17.

CAP. XXVI.

It ſhall be lawfull for 6. 5. 4. or 3. Iuſtices of peace inhabiting within eight miles of Middleton in the Countie of Kent, to taxe vpon the grounds lying without the Ile of Sheppey, and within foure miles diſtant from Kings Ferry, there ſuch aſſeſſements towards the repaire of the high way leading from Middleton to Kings Ferry, as to them ſhall ſeeme reaſonable, though the owners or occupiers of the ſaid grounds be dwelling without the compaſſe of foure miles. So as of euery yeare no acre of freſh Marſh be rated aboue a penny, nor 10. acres of ſalt Marſh aboue a penny, notwithſtanding the Stat. of 18. Eliz. 10. PR.

CAP. XXVII.

Liberty continued to certaine perſons for ſixe yeares, for the inning of Erith, Leſnes, and Plumſted Marſhes, in the Countie of Kent. The moitie of all the lands ſo to be recouered and inned, aſſured to the Inners and their heires, in reſpect of their charges: and alſo the eight part of the other moitie. They ſhall hold it of the Queene, as of the mannor of Eaſt Greenewich in ſocage by fealtie, paying a penny an acre yearely, and ſhall pay no tithe for ſeuen yeares. PR. 23. El. 13. 4. Iac. 8.

CAP. XXVIII.

A Confirmation of a Subſidie of ſixe ſhillings in the pound, granted to the Queene by the Cleargie, to be paid in three yeares. EXP.

CAP. XXIX.

One entire Subſidie, and two fifteenes granted to the Queene by the Temporaltie. EXP.

CAP. XXX.

The Queenes generall and free Pardon confirmed by Parliament, except &c. EXP.

ANNO VICESIMO NONO REGINAE ELIZABETHÆ.

AT this preſent Seſſion of Parliament by prorogation holden at Weſtminſter the fifteenth day of Februarie, in the nine and twentieth yeare of the reigne of our moſt gracious Soueraign Lady, ELIZABETH, by the grace of God, of England, France, and Ireland, Queene, Defender of the Faith, &c. And there continued to the diſſolution of the ſame. To the high pleaſure of Almighty God, and the weale publike of this Realme, were enacted as followeth.

CAP. I.

A Confirmation of the lawfull, and juſt conuictions & attainders of Thomas Lord Paget, F.E.C.P.F.T.W.S.A.B.T.S.E.I.E.A.C.T.C.T.R.B.I.C. and I.T. lately attainted of high treaſon by Outlary, verdict, or confeſſion. And they ſhall forfeit to the Qu. all their Mannors, lands offices, rights, conditions, and hereditaments. PR. St. 35. El. 5.

CAP. II.

No Record of Attainder of Treaſon ſhall be reuerſed, where the partie attainted is executed for the ſame.

FOraſmuch as through corruption, or negligent keeping, the records of Attainders of treaſon happen many times to be impayred, blemiſhed, or otherwiſe to be defectiue. Be it ordayned and enacted by authority of this preſent Parliament, that no Record of Attainder that now is, of any perſon or perſons of or for any high treaſon, where the party ſo attainted is or hath bin executed for the ſame treaſon, ſhall by the heire or heires of any ſuch perſon, or by any other whatſoeuer claiming in, from, by or vnder any ſuch heire or heires, be in any wiſe hereafter reuerſed, vndone, auoyded, or impeached by any plea, or for any Error whatſoeuer.

No record of attainder of treaſon ſhall be reuerſed, where the partie attainted is executed.

Where the record is reuerſed or thereupon a writ of Error depending.

Prouided alwayes neuertheleſſe, that this Acte nor any thing therein contayned, ſhall in any wiſe extend to any Record of Attainder, of or for any Treaſon, vpon which any writ of Error is now depending, or which Record is already reuerſed, repealed, or vndone, by or for any Error, matter, plea, or cauſe whatſoeuer: but that the ſame ſhall be and remaine as vnto and againſt that partie, at whoſe ſuit the ſame Writ of Error is depending, or at whoſe purſuit the ſame record hath bin reuerſed, repealed or vndone, and his and her heires and aſſignes onely, as if this act had neuer bin had or made. Any thing in this Act to the contrary thereof, notwithſtanding.

CAP. III.

Euery perſon which hath, or claymeth to haue any eſtate of inheritance, leaſe, or rent not already entred of Record, or certified in the Exchequer, of, in, to, or out of any mannors, landes, or hereditaments, by or vnder any Grant, or Aſſurance whatſoeuer, made ſithence the beginning of the Queenes reigne, by any of the perſons attainted for matter tending to the hurt, death, or deſtruction of the Queene, or to any actuall Rebellion, or Inuaſion, or for being adherent, or giuing ayde, or comfort to any of the Queenes enemies, ſithence the eight day of February, in the eighteenth yeare of the Queenes reigne, ſhall within two yeares after the end of this Seſſion of Parliament openly ſhew forth the ſame in the Exchequer: And there in Terme time in open Court exhibite the ſame Aſſurance, (or vpon his oath affirming, that he hath not, nor can come to the ſame, or that it was neuer put in writing) Then the effect thereof in writing to be entred and inrolled of Record: Or elſe euery ſuch Aſſurance ſhall bee voyde to all intents. *Et ſic, vt ſupra.* 18. Eliz. 4. PR.

CAP. IIII.

How much any Sheriffe or his Officer may take for ſeruing an Execution, and the penaltie if he take more.

How much the Sheriffe may take for the ſeruing of an execution.

The forfeiture of the offender, and how it ſhall be recouered.

BE it enacted by the authority of this preſent Parliament, That it ſhall not be lawfull, from the firſt day of May now next enſuing, to or for any Sheriffe, Vnderſheriffe, Bayliffe of Franchiſes or Liberties, nor for any of their, or either of their Officers, miniſters, ſeruants, Bayliffes, or Deputies, nor for any of them, by reaſon or colour of their or either of their Office or Offices, to haue, receiue, or take of any perſon or perſons whatſoeuer, directly or indirectly, for the ſeruing and executing of any extent or execution vpon the body, lands, goods or cattels of any perſon or perſons whatſoeuer, more, or other conſideration or recompenſe, than in this preſent Act is and ſhall be limited and appointed, which ſhall be lawfull to be had, receiued and taken, that is to ſay, twelue pence of and for euery twenty ſhillings, where the ſumme exceedeth not one hundred pounds: and ſixe pence of and for euery twenty ſhillings, being ouer and aboue the ſaid ſumme of one hundred pounds, that he or they ſhall ſo leuy or extend, and deliuer in execution, or take the body in execution for, by vertue and force of any ſuch extent or execution whatſoeuer, vpon paine and penaltie that all and euery Sheriffe, Vnderſheriffe, Bayliffe of Franchiſes and Liberties, their and euery of their miniſters, ſeruants, officers, Bayliffes, or Deputies, which at any time after the ſaid firſt day of May now next enſuing, ſhall directly or indirectly doe the contrary, ſhall loſe and forfeit to the party grieued his treble dammage, and ſhall forfeit the ſumme of forty pounds of good and lawfull Engliſh money, for euery time that he, they, or any of them ſhall doe the contrary: The one moitie thereof to be to our Soueraigne Lady the Qu. her heires and ſucceſſors, and the other moitie thereof to the party or parties that will ſue for the ſame, by any plaint, action, ſuite, bill, or information, wherein no Eſſoine, Wager of Law, or Protection ſhall be allowed.

Fees for executions within Cities or Townes corporate.

Prouided alwayes, that this Act, or any thing therein contayned, ſhall not extend to any fees to be taken or had for any execution within any Citie or Towne corporate, Any thing aboue mentioned to the contrary thereof notwithſtanding.

CAP. V.

Statutes made in the reigne of Queene Eliz. touching Periury, touching fraudulent deedes, and touching repaire of high wayes made perpetuall, and certaine other Statutes made in the reignes of King H. 8. K. Ed. 6. and Q. El. continued, &c.

WHere in the firſt Seſſion of Parliament holden at Weſtminſter the twelfth day of Ianuary, in the fifth yeare of her highneſſe reigne, an Act was then and there made for the puniſhment of ſuch perſons as ſhould procure or commit any wilfull periurie: And where in the Parliament begunne and holden at Weſtminſter the ſecond day of Aprill, in the thirteenth yeare of her Maieſties reigne, an Acte was then and there made, for the auoyding and aboliſhing of fained, couetous, and fraudulent feoffements, gifts, grants, alienations, bonds, ſuites, iudgements and executions, entitled, An Acte againſt fraudulent Deedes, Gifts, Grants, Alienations, &c.

5. Eliz. 9.

13. Eliz. 5.

And where alſo in the firſt Seſſion of the Parliament begun and holden at Weſtminſter the
12. day of Ianuary, in the ſaid fifth yeare of her highneſſe reigne, and from thence continued by
prorogation vntill the diſſolution thereof, there was one other Act made for the reuiuing of a ſtatute 5. Eliz. 13.
of 2. & 3. Philippi & Mariæ, for the amending of high wayes, all which Acts aboue mentioned, 2. & 3. Phil. &
are by proofe and experience tryed and found to be very neceſſary and profitable for the common- M. 8.
wealth of this Realme. For which cauſe, Be it enacted by the Qu. Maieſty, with the aſſent The three former
of the Lords Spirituall & Temporall, and the Commons in this preſent Parliament aſſembled, ſtatutes
and by the authority of the ſame, That the ſayd Actes aboue remembred, and euery of them, and made perpetuall.
all and euery the branches clauſes and prouiſions in them and euery of them contayned, ſhall from
henceforth be, remaine, and continue in force and effect for euer.

And where in the firſt Seſſion of Parliament begun in the City of London the third day of
November, in the 21. yeare of the reigne of our late Soueraigne Lord of famous memory, King 21. H. 8. 12.
Henry the eight, and from thence adiourned and proroged to the Palace of Weſtminſter, an Act
or Statute was made, entitled. An Act for the making of Cables, Halſers, and Ropes: And
where in the Parliament holden vpon prorogation at Weſtminſter, the fourth day of February,
in the 24. yeare of the reigne of the ſayd King, one other Act was then and there made, 24. H. 8. 9.
entitled, An Act againſt killing of young beaſts called weanlings: And where in the Seſſion of
a Parliament ended at Weſtminſter, the firſt day of February, in the fourth yeare of the reigne
of our late Soueraigne Lord King Edward the ſixt, one Act was made concerning the buying & 3. & 4. El. 6. 19.
ſelling of Rother beaſts and cattell: And alſo one other Act was then and there likewiſe made, 3. & 4. El. 6. 21.
entitled, An Act for the buying and ſelling of Butter and Cheeſe: And where alſo in the Parliament
begun at Weſtminſter, the 23. day of Ianuary, in the firſt yeare of the reigne of the Qu. 1. Eliz. 17.
Maieſty that now is, and there continued by prorogation vntill the diſſolution thereof, one Act
was then and there made, entitled, An Act for preſeruation of Spawne and Frie of fiſh: And
where alſo in the firſt Seſſion of Parliament holden at Weſtminſter, the twelfth day of Ianuary,
in the firſt yeare of her highneſſe reigne, one Act was then and there made, entitled, An Act 5. El. 2.
for maintenance and increaſe of Tillage: and one other Act was then and there likewiſe made,
entitled, An Act for the auoyding of diuers forreine wares made by handicrafts men beyond the 5. El. 7.
Seas: And where alſo in the laſt Seſſion of the Parliament holden by prorogation at Weſtminſter,
the laſt day of September, in the eight yeare of her Maieſties reigne, one Act was then 8. El. 10.
and there made, entitled, An Act for Bowyers, and the prices of Bowes: And where alſo
in the Parliament begun and holden at Weſtminſter the ſecond day of Aprill, in the 13. El. 20.
thirteenth yeare of her Maieſties reigne, there was one Act and Statute made for the auoyding
of ſome Leaſes in certaine caſes to bee made of Eccleſiaſticall Promotions with
cure, entitled, An Act touching Leaſes of Benefices, and other Eccleſiaſticall liuings with
cure. And where alſo there was one other Act and Statute made in the ſayd Parliament
begunne and holden at Weſtminſter the ſaid ſecond day of Aprill, in the ſaid thirteenth yeare, 13. El. 21.
entitled, An Act that Purueyors may take Graine, Corne, or Victuals within fiue miles of
Cambridge and Oxford in certaine caſes: And alſo one other Act was then and there made, entitled, 13. El. 8.
An Act againſt Vſurie.

And where in the Parliament holden at Weſtminſter the eight day of May, in the fourteenth 14. Eliz. 11.
yeare of her highneſſe reigne, there was one other Act made, entitled, An Act for the continuation, continuance
explanation, perfecting and enlarging of diuers Statutes, in which Statute are of Statutes.
contayned diuers branches, clauſes, and prouiſions touching and concerning the explanation,
perfecting and enlarging of diuers of the Statutes before mentioned: And where alſo in the
firſt Seſſion of the Parliament begunne and holden at Weſtminſter, the eight day of May
in the fourteenth yeare of the Queenes Highneſſe reigne that now is, and from thence continued 14. El. 5.
by prorogation till the diſſolution thereof, there was one other Act made, entitled,
An Acte for the puniſhment of Vagabonds, and for the reliefe of the poore and impotent:
And where in the Parliament holden at Weſtminſter aforeſaid, in the eighteenth yeare of 18. El. 3.
her Maieſties reigne, there was one other Acte made, entitled, An Act for the ſetting of
the poore in worke, and for the auoyding of idleneſſe. And where in the Parliament holden
at Weſtminſter the three and twentieth day of November, in the ſeuen and twentieth yeare
of her Maieſties reigne, one other Acte was made for the reuiuing, continuance, explanation, 27. Eliz. 11.
and perfecting of diuers Statutes, in which are contayned diuers branches, prouiſions, and continuance
clauſes, touching and concerning certaine additions and alterations vnto and of diuers of the of Statutes.
ſaid former recited Statutes, and other new prouiſions. And where in the ſaid Parliament
holden at Weſtminſter the three and twentieth day of November, in the ſeuen and twentieth 27. Eliz. 7. leuying of
yeare of the Queenes Maieſties reigne that now is, there was an Acte made for the leuying of iſſues loſt by
Iſſues loſt by Iurors. Iurors.

And whereas alſo in the Parliament holden at Weſtminſter the three and twentieth day of Anno 27. Eliz.
November, in the ſeuen and twentieth yeare of the Queenes Maieſties reigne that now
is, there was one other Act made, entitled, An Acte for the good gouernment of the Citie
or Borough of Weſtminſter: For as much as all the ſame ſeuerall Acts and Statutes, branches,

clauſes and prouiſions and euery of them doe ſéeme good, beneficiall, and néedfull to the weale and profite of this Realme, Be it therefore further enacted by the authority of this preſent Parliament, that the foreſaid ſeuerall laſt recited Statutes and Actes, and the ſaid mentioned branches, clauſes, prouiſions, additions, alterations, and explanations and euery of them, and all and euery article, clauſe and ſentence in them and euery of them contayned, ſhall be continued and endure in full force and effect during the time hereafter mentioned, that is to ſay, till the end of the next Parliament next enſuing.

The laſt mentioned 17 St. ſhall continue vntill the end of the next Parliament. Exp.

And where alſo in the firſt Seſſion of Parliament holden at Weſtminſter the twelfth day of January, in the ſaid fifth yeare of her Maieſties reigne, one Acte was then and there made, entitled, An Acte touching certaine politique Conſtitutions made for the maintenance of the Nauie: Be it further enacted by the authority of this preſent Parliament, that ſo much only of the ſaid laſt mentioned Acte, as at this preſent ſtandeth in force and not heretofore at any time repealed, ſhall continue and endure in full force and effect, vnto the end of the next Parliament next enſuing.

5. Eliz. 5. politike conſtitutions for the maintenance of the Nauie.

Prouided alwayes, that whereas diuers her Maieſties louing ſubiects dwelling in the remote parts of this Realme, are many times maliciouſly troubled vpon Informations and Suites, exhibited in the Courts of the Kings Bench, Common Pleas and Exchequer, vpon penall Statutes, and are drawne vp vpon Proces out of the Countries where they dwell, and often to attend and put in baile to their great trouble and vndoings: For reformation whereof, Be it enacted, that if any perſon or perſons ſhall be ſued or informed againſt, vpon any penall law in any the ſaid Courts of the Kings Bench, Common Pleas, or Exchequer, where ſuch perſon or perſons are bayleable by law, or where by the leaue or fauour of the Court ſuch perſon or perſons may appeare by Attourney: That in all and euery ſuch caſe, the perſon or perſons ſo to be impleaded or ſued, ſhall and may at the day and time contayned in the firſt Proces ſerued for his appearance, appeare by Attourney of the ſame Court where the Proces is returnable, to anſwer and defend the ſame, and not be vrged to perſonall appearance, or to put in baile for the anſwering of ſuch ſuite, Any former Law, Cuſtome, or vſage to the contrary notwithſtanding.

The defendant in ſuites vpon penall Stat. may appeare by Attourney. 13. Eliz. 10.

This branch extends not to aliens. 31. Eliz. 10.

Cap. VI.

Certaine aſſurances made by Recuſants of their lands, ſhall be voide to the Queene. In what Courts they ſhall be conuicted.

FOr auoyding of all fraudes and delayes heretofore practiſed, or hereafter to be put in vre, to the hinderance of the due and ſpéedy execution of the Statute made in the Seſſion of Parliament holden by prorogation at Weſtminſter the ſixtéenth day of January in the thrée & twentieth yeare of the reigne of our moſt gracious Soueraigne Lady the Quéenes Maieſtie, entitled, An Act to retaine the Quéenes Maieſties ſubiects in their due obedience: Bée it enacted by authority of this preſent Parliament, That euery Feoffement, Gift, Grant, Conueyance, Alienation, Eſtate, Leaſe, Encumbrance, and Limitation of Vſe, of, or out of any lands, tenements, or hereditaments whatſoeuer, had or made at any time ſince the beginning of the Quéenes Maieſties reigne, or at any time hereafter to be had or made by any perſon which hath not repaired, or ſhall not repaire to ſome Church, Chappell, or vſuall place of Common prayer, but hath forborne, or ſhall forbeare the ſame contrary to the tenor of the ſaid Statute: and which is or ſhall be reuokeable at the pleaſure of ſuch offender, or in any wiſe directly or indirectly meant or intended, to, or for the behoofe, reliefe or maintenance, or at the diſpoſition of any ſuch offender, or wherewith, or whereby, or in conſideration whereof ſuch offender or his family ſhall be maintained, releeued or kept, ſhall be déemed, and taken to be vtterly fruſtrate and voyd, as againſt the Quéenes Maieſtie, for, or concerning the leuying and paying of ſuch ſummes of money as any ſuch perſon by the Lawes or Statutes of the Realme already made, ought to pay or forfeit for not comming or repairing to any Church, Chappell, or vſuall place of Common Prayer, or for ſaying, hearing, or being at any Maſſe, and ſhall alſo be ſeiſed and had, to and for her Maieſties vſe and behoofe, as hereafter in this Act is mentioned, Any pretence, colour, fained conſideration, or expreſſing of any vſe to the contrary notwithſtanding.

23. Eliz. 1.

Certaine aſſurances made by Recuſants. ſhall be voide againſt the Queene.

And further be it enacted by the authority aforeſaid, That euery conuiction heretofore recorded for any offence before mentioned, not already eſtreated or certified into the Quéenes Maieſties Court of Exchequer, ſhall from the Iuſtices before whom the Record of ſuch conuiction ſhall be remaining, be eſtreated and certified into the Quéenes Maieſties Court of Exchequer, before the end of Eaſter Terme next comming, in ſuch conuenient certainty for the time and other circumſtances, as the Court of Exchequer may thereupon award out Proces for ſeiſure of the lands and goods of euery ſuch offender, as hath not paid their ſaid forfeitures, according to the Lawes and Statutes in ſuch caſe prouided: And that euery conuiction hereafter for any offence before mentioned, ſhall bée in the Court commonly called the Kings Bench, or at the Aſſiſes, or generall Goale deliuery, and not elſe-where, and ſhall from the Iuſtices before whom the

Conuiction of Recuſancy ſhall be certified into the Exchequer.

In what Courts conuiction of Recuſancy ſhall be.

the Record of ſuch conuiction ſhall remaine, be eſtreated and certified into the ſayd Court of Exchequer, before the end of the Terme next enſuing after euery ſuch conuiction, in ſuch conuenient certainty as is afore mentioned.

And be it alſo enacted by the authority aforeſaid, That euery ſuch offender in not repairing to Diuine Seruice, but forbearing the ſame contrary to the ſaid Eſtatute, as hath beene heretofore conuicted for ſuch offence, and hath not made ſubmiſſion, and beene conformable according to the true meaning of the ſaid Statute, ſhall without any other Indictment, or Conuiction, pay into the Receit of the ſaid Exchequer all ſuch ſummes of money, as according to the rate of twenty pounds for euery moneth ſithence the ſame conuiction, doe yet remaine vnpayd, in forme as hereafter enſueth: that is to ſay, the one moitie thereof before the end of the next Trinitie Terme, and the other moitie thereof before the end of the next Hillarie Terme, or at any ſuch other times, as by the Lord Treaſurer, Chancelor, and chiefe Baron of the Exchequer, or any two of them, ſhall by compoſition, vpon good bond and ſurety taken, be limited, before the end of the ſayd next Trinitie Terme, if any ſuch compoſition ſhall happen to be: And ſhall alſo, in euery Eaſter and Michaelmas Terme, vntill ſuch time as the ſame perſon doe make ſubmiſſion, and be conformable, according to the true meaning of the ſaid Statute, pay into the ſaid Receipt of the Exchequer twenty pounds for euery Moneth, which ſhall incurre in all that meane time.

At what time the money forfeited for not going to the Church, ſhall be paid.

And be it alſo enacted by the authority aforeſaid, That euery ſuch offender, in not repairing to Diuine Seruice, but forbearing the ſame contrary to the ſayd Eſtatute, as hereafter ſhall fortune to be thereof once conuicted, ſhall in ſuch of the Termes of Eaſter or Michaelmas, as ſhall be next after ſuch conuiction, pay into the ſaid Receit of the Exchequer after the rate of twenty pounds for euery Moneth which ſhall be contayned in the Indictment whereupon ſuch conuiction ſhall be: And ſhall alſo for euery Moneth after ſuch conuiction, without any other Indictment or conuiction, pay into the Receit of the Exchequer aforeſaid at two times in the yeare, that is to ſay, in euery Eaſter Terme and Michaelmas Terme, as much as then ſhall remaine vnpaid, after the rate of twentie pounds for euery Moneth after ſuch conuiction. And if default ſhall be made in any part of any payment aforeſaid, contrary to the forme herein before limited, that then and ſo often the Queenes Maieſty ſhall and may, by Proces out of the ſaid Exchequer, take, ſeize, and enioy all the goods, and two parts as well of all the Lands, Tenements, and Hereditaments, Leaſes and Farmes of ſuch offender, as of all other the Lands, Tenements, and Hereditaments, lyable to ſuch ſeiſure, or to the penalties aforeſaid, by the true meaning of this Act, leauing the third part onely of the ſame Lands, Tenements, and Hereditaments, Leaſes, and Farmes, to and for the maintenance and reliefe of the ſame offender, his wife, children, and familie.

The Queene may take all the offenders goods, and two parts of his Lands and Leaſes, which payeth not xx. pounds a Moneth.

And for the more ſpeedie conuiction of ſuch offender, in not repairing to Diuine Seruice, but forbearing the ſame contrary to the ſaid Eſtatute: Be it enacted by the authority aforeſaid, That the Indictment of euery ſuch offender mentioning the not comming of ſuch offender to the Church of the Pariſh where ſuch perſon at any time before ſuch Indictment, was, or did keepe houſe or reſidence, nor to any other Church, Chappell, or vſuall place of Common Prayer, ſhall be ſufficient in the Law: and that it ſhall not be needfull to mention in any ſuch Indictment, that the party offender was or is inhabiting within this Realme of England, or any other the Queenes Maieſties Dominions. But if it ſhall happen any ſuch offender then not to be within this Realme, or other her Maieſties Dominions, that in ſuch caſe the party ſhall be releeued by Plea to be put in, in that behalfe and not otherwiſe. And that vpon the Indictment of ſuch offender, a Proclamation ſhall be made at the ſame Aſſiſes, or Goale deliuery, in which the Inditement ſhall be taken (if the ſame be taken at any Aſſiſe or Goale deliuery) by which it ſhall be commanded, that the body of ſuch offender ſhall be rendred to the Sheriffe of the ſame Countie, before the ſaid next Aſſiſes or generall Goale deliuery to be holden in the ſame County. And if at the ſaid next Aſſices or Goale deliuery, the ſame offender ſo proclaimed, ſhall not make apparance of Record, that then vpon ſuch default recorded, the ſame ſhall be as ſufficient a conuiction in Law of the ſaid offence whereof the party ſo ſtandeth indicted, as is aforeſaid, as if vpon the ſame Indictment a Tryall by Verdict thereupon had proceeded, and beene recorded.

The Indictment ſufficient, though it be not mentioned, that the party is within the Realme.

A proclamation, that the party indicted ſhall yeeld his body to the Sheriffe.

Prouided alwayes, That whenſoeuer any ſuch offender, as is aforeſaid, ſhall make ſubmiſſion, and become conformable, according to the forme limited by the ſame Eſtatute, made in the three and twentieth yeare of the Queenes Maieſties reigne, or ſhall fortune to dye: That then no forfeiture of twenty pounds for any Moneth, or ſeiſure of the Lands of the ſame offender, from and after ſuch ſubmiſſion and conformitie, or death, and full ſatiſfaction of all the arrerages of twentie pounds Monethly, before ſuch Seiſure due, or payable, ſhall enſue, or be continued againſt ſuch offender, ſo long as the ſame perſon ſhall continue in comming to Diuine Seruice, according to the intent of the ſaid Eſtatute.

The offender ſubmitting, or dying, no forfeiture ſhall enſue.

The third part of the forfeiture aſſigned to the poore. 35. El. 1.

And where by the ſaid former Eſtatute, the third part of the forfeitures for not comming to Diuine Seruice, is limited to the poore: Be it further enacted by the authority aforeſaid, That it ſhall and may be lawfull to and for the Lord Treaſurer of England, Chancelor, and chiefe Baron of the Exchequer for the time being, or two of them, to aſſigne and diſpoſe of the full third part of the twenty pounds for euery Moneth payd or to be payd into the Receit of the Exchequer, as is aforeſaid, for the reliefe and maintenance as well of the poore, and of the Houſes of Correction, as of impotent and maymed Souldiers, as the ſame Lord Treaſurer, Chancelor, and chiefe Baren, or any two of them, ſhall order or appoint: Any thing in the ſaid Eſtatute made in the ſaid thrée and twentieth yeare of her Maieſties reigne mentioned, to the contrary thereof in any wiſe notwithſtanding.

Aſſurances made bona fide, not impeached.

Prouided alwayes, that this Act, or any thing therein contayned, ſhall not in any wiſe extend or be conſtrued to make void or impeach any Grant or Leaſe heretofore made bona fide, without fraud or couin, whereupon any yearely rent or payment is reſerued, or payable, or any Grant or Leaſe hereafter to be made bona fide, without fraud or couin, whereupon the accuſtomed yearely rent or more ſhall be reſerued, or any other conueyance, aſſurance, or aſſignement whatſoeuer heretofore made bona fide, vpon good conſideration, and without fraud or couine, which is not or ſhall not be reuokeable at the pleaſure of ſuch offendor, otherwiſe than to giue benefit and title to her Maieſty, her heires and ſucceſſors, to haue, perceiue, and enioy ſuch rents and payments during the continuance of ſuch Leaſe or Grant, according to the true meaning of this Act.

Seiſure of lands, whereof the offendor hath but eſtate for life.

And prouided alſo, that this Act or any thing therein contayned, ſhall not in any wiſe extend or be conſtrued to continue any ſeiſure of any Lands or Tenements of ſuch offender in her Maieſties hands, or in the hands of her heires or ſucceſſors, after the ſaid offenders death, which Lands or Tenements he ſhall haue or be ſeiſed of, onely for terme of his life, or in the right of his wife: Any thing in this Act to the contrary in any wiſe notwithſtanding. 23. Eliz. 1. 35. El. 1. & 2. 1. Iac. 4. 3. Iac. 4. 5.

Cap. VII.

A Subſidie granted of ſixe ſhillings in the pound granted to the Queene by the Clergie, to be payd in three yeares. EXP.

Cap. VIII.

A Subſidie and two fifteenes granted to the Queene by the Temporaltie. EXP.

Cap. IX.

A Confirmation of the Queenes generall and free Pardon. Except &c. EXP.

ANNO TRICESIMO PRIMO REGINÆ ELIZABETHÆ.

AT a Seſſion of Parliament holden at Weſtminſter the fourth day of Februarie, in the one and thirtieth yeare of the reigne of our moſt gracious Soueraigne Ladie ELIZABETH, by the grace of God, of England, France and Ireland, Queene, Defendor of the Faith, &c. And there continued vntill the diſſolution thereof, being the nine and twentieth of March. To the high pleaſure of Almighty God, and the weale publique of this Realme, were enacted as followeth.

Cap. I.

The not comming of the Lord Chancelor, and Lord Treaſurer, or either of them, in a Writ of Error purſued according to the Statute, ſhall be no diſcontinuance of ſuch Writ: But three Iuſtices of the Common Place, and Barons of the Exchequer, may receiue Writs of Error, and award Proces according to the Statute, &c.

A rehearſall of the Statute of Anno 31. Eliz. 3. 12. touching a writ of error brought in the Exchequer.

WHereas by an Eſtatute made in the one & thirtieth yeare of the reigne of King Edward the third, it is enacted, That vpon complaint concerning Error made in the Exchequer, touching the King or other perſons, the Lord Chancelor and Lord Treaſurer ſhall doe to come before them in any Chamber of Councell nigh the Exchequer, the Record and Proces of the Exchequer, and taking to them ſuch Iuſtices and other ſage perſons, as to them ſhall be thought méete, meete, ſhall heare and determine ſuch errors, as by the ſayd Eſtatute more at large appeareth: And whereas thoſe two being great Officers of the Realme, are imployed not onely in their ſeuerall Offices & Places of Juſtice elſewhere, but alſo for the other weighty affaires of the Realme in Councell attendant on the Queenes Maieſties perſon, and otherwiſe, they bee many times vpon ſudden warning called away in ſuch wiſe, as they both many times, and ſometimes neither of them can bee preſent in the Exchequer at their day of adiournement in ſuch ſuite of Error: And then by not comming of them at the day of adiournement, euery ſuch Writ of Error depending, is by the Lawes of the Realme diſcontinued, and the party cannot proceede, but muſt begin his ſuit of new, to the great loſſe of the party, and hinderance of Juſtice. For remedie whereof, Be it ordained and enacted by authoritie of this preſent Parliament, That the not comming of the Lord Chancellor, and Lord Treaſurer, or of either of them, at the day of adiournement in any ſuch ſuit of Error, depending by vertue of the ſayd former Eſtatute, ſhall not bee any diſcontinuance of any ſuch Writ of Error. But if both the chiefe Juſtices of either Bench, or any one of the ſayd great Officers, the Lord Chancellor, or Lord Treaſurer, ſhall come to the Exchequer Chamber, and there be preſent at the day of adiournement in ſuch ſuit of Error, it ſhall bee no diſcontinuance, but the ſuit ſhall proceede in Law to all intents and purpoſes, as if both the Lord Chancellor and Lord Treaſurer had commen and beene preſent at the day and place of adiournement.

The not comming of the L. Chancellor or L. Treaſurer, at the day of adiournement in a writ of Error, doth not diſcontinue the ſuit.

Prouided alwaies, That no Judgement ſhall bee giuen in any ſuch Suite, or Writte of Error, vnleſſe both the Lord Chancellor, and the Lord Treaſurer, ſhall bee preſent thereat.

There ſhalbe no iudgement, vnleſſe both the Lords bee preſent.

And whereas in the Parliament holden in the ſeauen and twentieth yeare of the reigne of our moſt gracious Soueraigne Lady, the Queenes Maieſty, one Acte or Statute was made, intituled, An Act for redreſſe of erronious Judgements in the Court commonly called the Kings Bench: By which, it is amongſt other things enacted, That where any Judgement ſhall at any time then after bee giuen in the ſayd Court of Kings Bench, in any Suite or Action of Debt, Detinue, Couenant, Accompt, Action vpon the Caſe, Eiectione firme, or Treſpas firſt commenced, or to be firſt Commenced there, other than ſuch onely where the Queenes Maieſtie ſhall bee partie: The partie Plaintiſe, or Defendant, againſt whom any ſuch Judgement ſhall bee giuen, may at his election ſue foorth, out of the Court of Chancerie, a ſpeciall Writ of Error, to bee deuiſed in the ſayd Court of Chancerie, directed to the chiefe Juſtice of the ſayd Court of Kings Bench for the time being, commanding him to cauſe the ſayd Record, and all things concerning the ſayd Judgement, to bee brought before the Juſtices of the Common Bench, and the Barons of the Exchequer into the Exchequer Chamber, there to bee examined by the ſayd Juſtices of the Common Bench, and Barons aforeſayd. Which ſayd Juſtices of the Common Bench, and ſuch Barons of the Exchequer as are of the degree of the Coiſe, or ſixe of them at the leaſt, by vertue of the ſame Act, ſhall thereupon haue full power and authoritity to examine all ſuch Errors as ſhall bee aſſigned or found in or vpon any ſuch Judgement, and thereupon to reuerſe or affirme the ſayd Judgement as the Law ſhall require, other than for Errors to bee aſſigned or found for or concerning the iuriſdiction of the ſayd Court of Kings Bench, or for any want of forme in any Writ, Returne, Plaint, Bill Declaration, or other pleading, proceſſe, verdict, or proceeding whatſoeuer.

A rehearſall of the ſtat. of 27 El. 8. touching reuerſing of erronious iudgements giuen in the Kings Bench.

For as much as it doth many times fall out, that the full number of the ſayd Juſtices of the Common Bench, and Barons of the Exchequer ſo authorized by the ſayd Statute, ſometimes for want of health, ſometimes through other weightie ſeruices, and earneſt occaſions cannot be preſent at the dayes and times of the returnes and continuances of the ſame Writs of Error: And by reaſon of their abſence and not comming, the ſayd Writs of Error are diſcontinued, Juſtice delayed, and the parties put to beginne new Suite, to their great charges and preiudice: For remedy thereof, bee it alſo enacted be the authority aforeſayd, that from henceforth, if the full number of the Juſtices and Barons authorized by the ſayd Act, come not at the day or time of returne, or continuance of any ſuch Writ of Error, That it ſhall bee lawfull for any three of the ſayd Juſtices and Barons, at euery of the ſayd dayes and times, to receiue Writs of Error, to award Proceſſe thereupon, to make and prefixe dayes from time to time, of and for the continuance of all ſuch Writs of Error as ſhall bee there returned, certified or depending. And that the ſame ſhall be to theſe reſpects as good and auaileable, as if all the Juſtices and Barons authorized by the ſame Act, were preſent. And that the Juſtices and Barons authorized by the ſayd Statute, may after that lawfully proceede in all thoſe caſes, in ſuch ſort to all intents, as they may doe in other caſes mentioned in the ſayd Statute, any not comming of any the ſayd Juſtices or Barons, notwithſtanding.

Three Juſt. and Barons may receiue writs of Error, & award Proces.

Prouided neuertheleſſe, that no Judgement ſhall bee giuen in any ſuch ſuit or Error, vnleſſe it bee by ſuch full number of the ſayd Juſtices and Barons, as are in that behalfe authorized and appointed by the ſayd Act.

Judgement ſhall not be giuen but by ſix Juſtices, &c.

Prouided alſo, and bee it neuertheleſſe enacted by the authoritie aforeſayd, That the party

Plaintiſe

Erronious Judgement may be reuerſed in Parliament.

Plaintiſe or Defendant, againſt whom any ſuch Judgement hath béene heretofore or hereafter ſhall bee giuen in the ſayd Court of Kings Bench, may at his election ſue in the High Court of Parliament, for the reuerſall of any ſuch Judgement as heretofore hath béene vſuall or accuſtomed: Any thing in this Statute, or in the ſayd former Act, to the contrary thereof notwithſtanding.

CAP. II.

A Fine leuied in the Common Place, ſhall be proclaimed foure times, viz. *euery Terme once of foure Termes.*

4. H. 7. 24.
1. R. 3. 7.

A Fine leuied in the Common Place ſhalbe proclaimed onely euery Terme once of foure Termes.

WHereas the Statute made in the fourth yeare of King Henry the ſeuenth hath ordayned, That euery Fine to bee leuied with Proclamations in the Kings Court, afore his Juſtices, of the Common Plées, ſhould bée proclaimed in the ſame Court that Terme in which it is engroſſed, and in thrée Termes then next following, at foure ſeuerall daies in euery Terme: By reaſon whereof, they ought to bee proclaimed foure times in euery of the foure ſeuerall Termes. And that during the time of proclaiming of ſuch Fines, all Plées ſhould ceaſe: which to doe according to the ſayd Statute (conſidering the multitude of Fines now vſually leuied) would require ſixtéene dayes in euery Terme: And by reaſon of the many Cauſes and Suites in that Court, is a farre greater trouble than heretofore hath béene, ſo as ſcarcely one day in euery Terme can be ſpared for the proclaiming of Fines: Bée it enacted by the authoritie of this preſent Parliament, That all Fines with Proclamations, from and after the Feaſt of Eaſter next enſuing, to bée leuied in the ſayd Court, ſhall be proclaimed only foure times, that is to ſay, once in the Terme wherein it is engroſſed, and once in euery of the thrée Termes holden next after the ſame engroſſing. And that euery Fine proclaymed as aforeſayd, ſhall be of as great force and effect in Law, to all intents and purpoſes, as if the ſame had béene ſixtéene times proclaymed, according to the Statutes heretofore made.

CAP. III.

Three Proclamations ſhall be made in euery Action Perſonall, wherein any Writ of Exigent ſhall be awarded, &c.

How many Proclamations ſhall be made in a Perſonal Action, where an Exigent ſhall be awarded, & where not.

The Officers fee for the making of the writ of Proclamation by the ſtat. of 6. H. 8. 4.

The Sherifes fee for the making of the proclamation at the Church doore.

FOr the auoyding of ſecret Outlawries in Actions Perſonall againſt the Quéenes Subiects, hauing knowne places of their dwellings, by reaſon that Proclamations are made in the Countie Courts, and in Quarter Seſſions, which are places remote from their dwellings, and thereby they haue not any conuenient notice of ſuch Sutes againſt them: Bée it enacted and ordained by the authority of this preſent Parliament, That in euery Action Perſonall, wherein any Writ of Exigent ſhall be awarded out of any Court, in, or after the Terme of Eaſter next comming, one Writ of Proclamation ſhall bée awarded and made out of the ſame Court, hauing day of Teſte and returne, as the ſayd Writ of Exigent ſhall haue, directed and deliuered of record to the Sheriffe of the County where the defendant at the time of the Exigent ſo awarded ſhall be dwelling: which Writ of Proclamation ſhall conteine the effect of the ſame action. And that the Sheriffe of the County vnto whom any ſuch Writ of Proclamation ſhall bee directed, ſhall make thrée Proclamations in this forme following, and not otherwiſe: that is to ſay, one of the ſame Proclamations in the open County Court, and one other of the ſame Proclamations, to be made at the generall Quarter Seſſions of the Peace in thoſe parts where the party defendant at the time of the Exigent awarded ſhall bee dwelling, and one other of the ſame Proclamations to be made one moneth at the leaſt before the quint. exact, by vertue of the ſaid Writ of Exigent, at or néere to the moſt vſuall doore of the Church or Chappell of that Towne or Pariſh where the defendant ſhall be dwelling at the time of the ſayd Exigent ſo awarded: and if the defendant ſhal be dwelling out of any Pariſh, then in ſuch place as aforeſayd of the Pariſh in the ſame County, and next adioyning to the place of the defendants dwelling, and vpon a Sunday immediately after Diuine Seruice and Sermon, if any Sermon there bee, and if no Sermon there bee, then forthwith after Diuine Seruice. And that all Outlawries had and pronounced after the end of the next Eaſter Terme, and no Writ of Proclamations awarded and returned, according to the forme of this Statute, ſhall be vtterly voyd and of none effect: and that the Officer in whoſe Office ſuch Writs of Exigent and Proclamations ſhall be made, ſhall and may take ſuch fées, as by the Statute made in the firſt yeare of the reigne of the late King of famous memory King Henry the eighth, is limited and appointed in that behalfe, and no greater fées in any wiſe: and that the Sheriffe for making of the Proclamation at or néere to the Church or Chappell doore, as is aforeſayd, ſhall haue twelue pence.

Bnd for the auoyding of ſecret ſummons in reall actions, without conuenient notice of the Tenants of the fréehold, Be it alſo ordained and enacted by the authority of this preſent Parliament,

ment, That after euery ſummons vpon the Land in any reall action, fourtéene dayes at the leaſt before the day of the returne thereof, Proclamations of the ſummons ſhall bée made on a Sunday in forme aforeſayd, at, or néere to the moſt vſuall doore of the Churches or Chappell of that Towne or Pariſh where the Land whereupon the ſummons was made, doth lye, and that Proclamation ſo made, as aforeſayd, ſhall bée returned, together with the names of the ſummoners: and if ſuch ſummons ſhall not be proclaymed and returned, according to the tenour and meaning of this Act, then no Graund Cape to be awarded, but an Alias and Pluries ſummons, as the cauſe ſhall require, vntill a ſummons and Proclamation ſhall be duely made and returned, according to the tenour and meaning of this Act.

A proclamation ſhall be made of the Summons in a reall action at the Church doore.

And be it further enacted, That before any allowance of any Writ of Error, or reuerſing of any Outlawrie, be had by Plea, or otherwiſe, thorough, or by want of any Proclamation to bee had or made, according to the forme of this Statute, after the end of Eaſter Terme next: the Defendant and Defendants in the originall Action ſhall put in bayle, not onely to appeare and anſwere to the Plaintife in the former Suit in a new Action to be commenced by the ſaid Plaintife for the cauſe mentioned in the firſt Action, but alſo to ſatisfie the condemnation, if the Plaintife ſhall begin his Suit before the end of two Termes next after the allowing the Writ of Error, or otherwiſe auoyding of the ſayd Outlawrie.

The defendant vpon a Writ of Error ſued ſhall be bound to anſwer the plaintife, and to ſatiſfie the condemnation.

CAP. IIII.

Imbeſiling the Queenes Ordnance, Armour, or Victuall, to the value of twenty ſhillings, prouided for Souldiers ſhall be felony.

BEe it enacted by the authority of this preſent Parliament, That if any perſon or perſons, hauing at any time hereafter the charge or cuſtody of any Armour, Ordnance, Munition, Shot, Pouder, or habillements of warre, of the Quéenes Maieſties, her heires or ſucceſſors, or of any victuals prouided for the victualling of any Souldiers, Gunners, Mariners, or Pioners, ſhall for any lucre or gaine, or wittingly, aduiſedly and of purpoſe, to hinder or impeach her Maieſties ſeruice, imbeſill, purloyne, or conuey away any the ſame Armour, Ordnance, Munition, Shot, or Powder, habillements of warre or victuals, to the value of twenty ſhillings at one or ſeuerall times: that then euery ſuch offence ſhall be iudged felony, and the offendor and offendors therein to bée tried, procéeded on, and ſuffer as in caſe of felony.

It ſhalbe felony to imbeſill the Q. ordnāce, armour, or victuall to the value of xx.s. prouided for ſouldiers.

Prouided alwayes, and be it enacted by the authority aforeſaid, That none ſhall be impeached for any offence againſt this Statute, vnleſſe the ſame impeachment be proſecuted or begun within the yeare next after the offence done. And that this Act nor any thing therein contayned, nor any attainder or attainders of any perſon or perſons, for any offence made felony by this Acte, ſhall in any wiſe extend, or be adiudged, interpreted, or expounded, to make the offender or offenders to forfeit or loſe any lands, tenements, or hereditaments any longer then onely during his or their life or liues, or to make any corruption of blood to any the heire or heires of any ſuch offender or offenders, or to make the wife of any ſuch offender to loſe or forfeit her dower, or title of dower, of or in any lands, tenements, or hereditaments, or her action or intereſt to the ſame: Any thing in this Act contayned, or any attainder or attainders hereafter to be had for any offence made felonie by this Act to the contrary notwithſtanding. And that ſuch perſon and perſons as ſhall be impeached for any offence made felony by this eſtatute, ſhall by vertue of this Act be receiued and admitted to make any lawfull proofe that he can, by lawfull witneſſe or otherwiſe, for his diſcharge and defence in that behalfe: any Law to the contrary notwithſtanding.

Within what time the offendor ſhalbe impeached.

No corruption of blood, nor forf. of the inheritance of lands or dower for this felony.

The def. may bring proof for his diſcharge.

CAP. V.

None reſtrained by order of any of the Queenes Courts, may be an Informer: In Information vpon penall Statutes, the County where the offence was done, muſt be expreſſed, &c.

FOr that diuers of the Quéenes Maieſties ſubiects be daily vniuſtly vexed and diſquieted by diuers common Informers vpon penall Statutes, notwithſtanding any former ſtatute that hath béene heretofore made againſt their diſorders: For remedie thereof, Be it enacted by the authority of this preſent Parliament, that all former Statutes made for reformation of diſorders of ſuch common Informers, not repealed or altered by this Act, ſhall be put in due execution. And that no perſon, other than the party grieued, after twenty dayes after the end of this Seſſion of Parliament, ſhall be receiued to informe or ſue vpon any penall Statute, that before that time hath béene for any miſdemeanour, by any order of any the Quéenes Maieſties Courts, ordered not to follow or purſue any ſuit vpon any penall Statute.

Many be diſquieted by common Informers.

Informers reſtrained to ſue by order of ſome Court.

And be it further enacted by the authority aforeſaid, That in any Declaration or Information at any time after twenty dayes after the end of this Seſſion of Parliament to be had, brought,

ſuch

The County ſhal be expreſſed where the offence was done.

ſued, or exhibited, the offence againſt any penall Statute ſhall not be layd to be done in any other County, but where the contract, or other matter alledged to bee the offence, was in truth done. And that euery Defendant, in ſuch Action or Information, ſhall and lawfully may trauerſe and alledge, that the offence ſuppoſed by the ſame ſuit to be committed, was not committed in the County where ſuch offence is alledged. Which being tried for the Defendant, or if the Plaintife be thereupon Nonſuite in his Information or Suit, that then the Plaintife ſhall be barred in that Action or information: Any Law or vſe to the contrary notwithſtanding.

Officers of Record ſhall not bee bound by this Act.

Prouided alwayes, that this Act, nor any thing herein contayned, ſhall in any wiſe extend to any ſuch Officers of Record, as haue in reſpect of their Offices heretofore lawfully vſed to exhibite Informations, or ſue vpon penall lawes: But that they and euery of them may informe and purſue in that behalfe, as they might haue done before the making of this Act: Any thing in this Act to the contrary in any wiſe, notwithſtanding.

Certaine offences, whereof Information may be giuen in any County.
1.El. 11.
1. El. 20.
37 H.8.9.
13.E.8.
5.Ed 6.14.

And prouided alſo, That this Act, nor any thing therein contained, ſhall extend to the laying or alledging of any offence in any Declaration or Information, for or concerning any Champertie, buying of Titles, or Extortion, or any offence committed, or to bee committed, againſt the Statute made in the firſt yeare of the Quéenes Maieſties reigne, intituled, An Act limitting the times for laying on Land Merchandize from beyond the Seas, and touching Cuſtomes of ſweet Wines: And one other Act made in the ſayd firſt yeare of her Maieſties reigne, intituled, An Act of a Subſidie of Tonnage and Poundage, or any thing in any of them contayned, or for the concealing or defrauding the Quéenes Maieſtie, her heires or ſucceſſors, of any Cuſtome, Tonnage, Poundage, Subſide, Impoſt, or Priſage, or for any matter of corrupt Vſury, or for any offence compriſed in any Statute made, or to bee made, againſt engroſſing, regrating, or fore-ſtalling, where the penaltie or forfeiture ſhall appeare to bee to the value of twenty pounds, or aboue: But that euery ſuch offence ſhall or may be layd in any County, at the pleaſure of any ſuch Informer: Any thing in this Act to the contrary, notwithſtanding.

within what times ſutes vpon penall ſtatutes ſhall be purſued.

And be it further enacted by the authority aforeſayd, That all Actions, Suites, Bills, Indictments, or Informations, which after twenty dayes ofter the end of this Seſſion of Parliament ſhall bée had, brought, ſued, or exhibited, for any forfeiture vpon any Statute penall, made, or to be made, whereby the forfeiture is or ſhall be limitted to the Quéene, her heires or ſucceſſors onely ſhall be had, brought, ſued, or exhibited within two yeares next after the offence committed or to be committed againſt ſuch Act penall, and not after two yeares. And that all Actions, Suits, Bills, or Informations, which after the ſayd twentie dayes ſhall be had, brought, ſued, or commenced, for any forfeiture vpon any penall Statute made, or to be made, except the Statute of Tillage, the benefite and ſuit whereof is or ſhall be by the ſayd Satute limited to the Quéene, her heires or ſucceſſors, and to any other which ſhall proſecute in that behalfe, ſhall bee had, brought, ſued, or commenced by any perſon that may lawfully purſue for the ſame, as aforeſayd, within one yeare next after the offence committed or to be committed againſt the ſaid Statute, and in default of ſuch purſuit, that then the ſame ſhall bee had, ſued, exhibited, or brought for the Quéenes Maieſty, her heires or ſucceſſors, at any time within two yeares after that yeare ended. And if any Action, Suit, Bill, Indictment, or Information for any offence againſt any penall Statute made, or to be made, except the Statute of Tillage, ſhall be brought after the time in that behalfe before limitted: That then the ſame ſhall be voyd and of no effect: Any Act or Statute made to the contrary notwithſtanding.

Actions, Informations, &c limitted by ſome Stat to be ſued within a ſhorter time.

Prouided alwaies, That where any Action, Information, Indictment, or other Suit, is or ſhall be limitted by any Statute penall, to be had, ſued, commenced, or brought within ſhorter time than is afore rehearſed: That in euery ſuch caſe, the Action, Information, Indictment, or other Suit ſhall be brought within the time limitted by ſuch Eſtatute.

A repeale of the ſtat. of 7.H.8. 3. touching Informations.

And bee it further enacted by the authority aforeſayd, That one Statute made in the ſeuenth yeare of the reigne of the late King of famous memory, King Henry the eighth, concerning the time of bringing Actions or Informations vpon penall Lawes, ſhall from and after twenty daies after the end of this Seſſion of Parliament be vtterly repealed. And that all ſuites from and after the ſayd twentie dayes to be purſued vpon any ſtatute, for vſing any vnlawfull game, or for not vſing of any lawfull game, or for not hauing Bowes and Arrowes according to the Law, or for vſing any Arte or myſtery, in the which the party hath not béene brought vp, according to the ſtatute in that behalfe made, ſhall be ſued and proſecuted in the generall quarter Seſſions of the Peace, or Aſſiſes of the ſame County, where the offence ſhall be committed, or otherwiſe enquired of, heard and determined in the Aſſiſes, or generall quarter Seſſions of the Peace of the ſame County, were ſuch offence ſhall be committed, or in the Léete within which it ſhall happen, and not in any wiſe out of the ſame Countie, where ſuch offence ſhall happen or be committed. Stat. 11.El. 5. 27. El. 10. 21. Iac. 4.

St. 5.El.4.
Certaine offences puniſhable only at the Aſſiſes, Q. Seſſions or in a Leet.

CAP.

CAP. VI.

Penalties for taking rewards for election of Schollers, &c. and for preſentation of Benefices.

WHereas by the intent of the Founders of Colledges, Churches Collegiate, Churches Cathedrall, Schooles, Hoſpitals, Halls, and other like Societies within this Realme, and by the Statutes and good Orders of the ſame, the Elections, Preſentations, and nominations of Fellows, Schollers, Officers, and other perſons to haue roome or place in the ſame, are to be had and made of the fitteſt and moſt meet perſons, being capable of the ſame elections, preſentations, and nominations freely, without any reward, gift, or thing giuen or taken for the ſame: And for true performance whereof, ſome Electors, Preſentors, and Nominators in the ſame, haue or ſhould take a corporall oath to make their elections, preſentations, and Nominations accordingly: yet notwithſtanding it is ſeene and found by experience, that the ſayd elections, preſentations, and nominations be many times wrought and brought to paſſe with money, gifts and rewards, whereby the fitteſt perſons to be elected, preſented, or nominated, wanting money or friends, are ſeldome or not at all preferred, contrary to the good meaning of the ſayd Founders, & the ſaid good Statutes and Ordinances of the ſayd Colledges, Churches, Schooles, Halls, Hoſpitals, and Societies, and to the great preiudice of learning, and the common wealth and eſtate of the Realme.

Elections, Preſentations, &c. in Colledges, &c. wrought contrary to the intent of the founders.

For remedy whereof, be it enacted by the Queenes moſt excellent Maieſty, the Lords Spirituall and temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons, bodies politike or corporate, which haue election, preſentation, or nomination, or voyce, or aſſent in the choice, election, preſentation, or nomination of any Fellow, Scholler, or any other perſon, to haue roome or place in any the ſayd Churches, Colledges, Schooles, Hoſpitals, Halls, or Societies, ſhall at any time after forty dayes next after the end of this preſent Seſſion of Parliament, haue, receiue, or take any money, fee, reward, or any other profite directly or indirectly, or ſhall take any promiſe, agreement, couenant, bond, or other aſſurance to receiue or haue any money, fee, reward, or any other profite, directly or indirectly, either to him or themſelues, or to any other of their or any of their friends for his or their voyce or voyces, aſſent or aſſents, or conſents, in electing, chooſing, preſenting, or nominating any Officer, Fellow, Scholler, or other perſon, to haue any roome or place in any the ſayd Churches, Colledges, Schooles, Halls, Hoſpitals, or Societies: that then and from thenceforth the place, roome, or office, which ſuch perſon ſo offending ſhall then haue in any the ſayd Churches, Colledges, Schooles, Halls, Hoſpitals, or Societies, ſhall be voyd. And that then as well the Queenes Maieſty, her heires and ſucceſſors, and euery other perſon and perſons, or their heires and ſucceſſors, to whom the preſentation, donation, gift, election, or diſpoſition, ſhall of right belong or appertaine of any ſuch of the ſayd roomes or places of the ſayd perſon offending as aforeſayd, ſhall or may at their pleaſure elect, preſent, nominate, place, or appoint any other perſon or perſons, in the roome, office, or place of ſuch perſon or perſons ſo offending, as if the ſayd perſon or perſons ſo offending then were naturally dead.

The forfeiture of him which taketh a reward for his voyce in electing a Fellow, Scholler, &c. into a Colledge, &c.

And be it further enacted by the authority aforeſayd, That if any Fellow, Officer, or Scholler of any the ſayd Churches, Colledges, Schooles, Halls, Hoſpitals, or Societies, or other perſons hauing roome or place in any of the ſame, ſhall at any time heereafter directly or indirectly take or receiue, or by any way, deuice, or meanes contract to agree, or haue, or receiue any money, reward, or profite whatſoeuer, for the leauing or reſigning vp of the ſame his roome or place, for any other to be placed in the ſame: that then euery perſon ſo taking or contracting, or agreeing to take or haue any thing for the ſame, ſhall forfeit and loſe double the ſumme of money, or value of the thing ſo receiued and taken, or agreed to be receiued or taken: And euery perſon by whom or for whom any money, gift, or reward as aforeſayd, ſhall be giuen or agreed to be payd, ſhall bee vncapable of that place or roome for that time or turne, and ſhall not be, nor had, nor taken to be a lawfull Fellow, Scholler, or Officer of any of the Churches, Colledges, Halls, Hoſpitals, Schooles, or Societies, or to haue ſuch roome or place there: but that they to whom it ſhall appertaine at any time hereafter, ſhall and may elect, chooſe, preſent and nominate any other perſon fit to be elected, preſented, or nominated into the ſayd roome or Felloſhip, as if the ſayd perſon, by or for whom any ſuch money, gift, or reward ſhall be giuen or agreed to be payd were dead, or had reſigned and left the ſame: And for more ſincere election, choice, preſentation, and nomination of Fellowes, Schollers, Officers, and other perſons, to haue roome or place hereafter in any of the ſayd Churches, Colledges, Halls, Schooles, Hoſpitals, and other like Societies:

The penalty for giuing or taking of money for reſigning a place in a Colledge, Societie, &c.

Bee it further enacted by the authority aforeſaid, that at the time of euery ſuch Election, preſentation, or nomination hereafter to be had, aſwell this preſent Act, as the Orders and Statutes of the ſame places, concerning ſuch election, preſentation, or nomination to bee had, ſhall then and there be publikely read, vpon paine that euery perſon, in whom default thereof ſhall bee, ſhall forfeit and loſe the ſumme of fortie pound: All which forfeitures, ſhall and may bee had and recouered in any her maieſties Courts of record, by any perſon or perſons, bodies bolitike & corporate, that will ſue for the ſame by bill, plaint, or action of debt, in which no eſſoine, protection, or

At euery election this ſtat. & the ſtatutes of the houſe ſhall be read.

Who ſhal haue the forfeitures, & by what meanes.

wager of law ſhall bee allowed. The one moity whereof ſhall bee to him or them that will ſue for the ſame, the other moity to the vſe of the ſayd Church, Colledge, Hall, Hoſpitall, Schole, or Societie where ſuch offence ſhall bée committed. And for the auoyding of Simony and corruption in Preſentations, Collations, and Donations, of and to Benefices, Dignities, Prebends and other Liuings and Promotions Eccleſiaſticll, and in admiſſions, inſtitutions, and inductions to the ſame:

The penalty for preſenting to a Benefice, or for being preſented for reward. Coke. pla. f. 516.

Bée it further enacted by the authoritie aforeſayd, that if any perſon or perſons, bodies politike and corporate, ſhall or doe at any time after the end of fortie dayes, next after the end of this Seſſion of Parliament, for any ſumme of money, reward, gift, profite, or benefite, directly or indirectly, or for, or by reaſon of any promiſe, agréement, graunt, bond, couenant, or other aſſurance, of, or for any ſumme of money, reward gift, profite, or benefite whatſoeuer, directly or indirectly, preſent or collate any perſon to any Benefice with cure of ſoules, Dignity, Prebend or liuing Eccleſiaſticall, or giue or beſtow the ſame, for, or in reſpect of any ſuch corrupt cauſe or conſideration, that then euery ſuch preſentation, collation, gift, and beſtowing, and euery admiſſion, inſtitution, inueſture, and induction thereupon, ſhall bée vtterly voyd, fruſtrate, and of none effect in Law. And that it ſhall and may bee lawfull, to and for the Queenes Maieſty, her heires and ſucceſſors, to preſent, collate vnto, or giue, or beſtow euery ſuch Benefice, Dignity, Prebend, and liuing Eccleſiaſticall for that one time or turne onely, and that all and euery perſon or perſons, bodies politike and corporate, that from thenceforth ſhall giue or take any ſuch ſumme of money, reward, gift, or benefite, directly or indirectly, or that ſhall take or make any ſuch promiſe, grant, bond, couenant, or other aſſurance, ſhall forfeit and loſe the double value of one yeares profite of [illegible]ery ſuch Benefice, Dignity, Prebend, and liuing Eccleſiaſticall: and the perſon ſo corruptly [illegible]ing, procuring, ſéeking, or accepting any ſuch Benefice, Dignity, Prebend, or liuing, ſhal therevpon, and from thenceforth be adiudged a diſabled perſon in Law, to haue or enioy the ſame Benefice Dignity, Prebend, or liuing Eccleſiaſtcall.

The penaltie for preſenting or collating, or for being preſented to a Benefice with cure for reward.

And bée it further enacted that if any perſon ſhall at any time after fortie dayes next after the end of this Seſſion of Parliament, for any ſumme of money, reward, gift, profite, or commodity whatſoeuer, directly or indirectly (other than for vſuall and lawfull fées) or for, or by reaſon of any promiſe, agréement, grant, couenant, bond, or other aſſurance, of, or for any ſumme of money, reward, gift, profite, or benefite whatſoeuer, directly or indirectly, admit, inſtitute, inſtall, induct, inueſt, or place any perſon in, or to any Benefice with cure of ſoules, Dignity, Prebend, or other liuing Eccleſiaſticall: that then euery ſuch perſon ſo offending, ſhall forfeit and loſe the double value of one yeares profit of euery ſuch Benefice, Dignity, Prebend and Liuing Eccleſiaſticall. And that thereupon immediatly from and after the inueſting, inſtallation, or induction thereof had, the ſame Benefice, Dignity, Prebend, and Liuings Eccleſiaſticall, ſhall be efſoones méerely voyd: And that the Patron, or perſon to whom the Aduowſon, gift, preſentation, or collation ſhall by Law appertaine, ſhall and may by vertue of this Act, preſent or collate vnto, giue and diſpoſe of the ſame Benefice, Dignity, Prebend, or Liuing Eccleſiaſticall, in ſuch ſort, to all intents and purpoſes, as if the party ſo admitted, inſtituted, inſtalled, inueſted, inducted or placed, had béene, or were naturally dead.

No title to conferre by lapſe, but after ſixe moneths, after notice.

Prouided alwayes, that no title to conferre, or preſent by lapſe, ſhall accrew vpon any voydance mentioned in this Act, but after ſixe moneths next after notice giuen of ſuch voydance by the Ordinary to the Patron.

The penaltie for corrupt reſigning or exchanging of a Benefice with cure of Soules.

And be it further enacted by the authority aforeſaid, that if any Incumbent of any Benefice with cure of ſoules, after the end of the ſayd forty dayes, doe, or ſhall corruptly reſigne or exchange the ſame, or corruptly take for, or in reſpect of the reſigning or exchanging of the ſame, directly or indirectly, any penſion, ſumme of money, or benefite whatſoeuer: that then as well the giuer, as the taker of any ſuch penſion, ſumme of money, or other benefite corruptly, ſhall loſe double the value of the ſumme ſo giuen, taken, or had, the one moitie as well thereof, as of the forfeiture of double value of one yeares profite before mentioned, to be to the Quéenes Maieſty, her heires and ſucceſſors, and the other moitie to him or them that will ſue for the ſame, by action of debt, bill, or information, in any of her Maieſties Courts of Record, in which no eſſoine, protection, or wager of law, or priuiledge ſhall be admitted or allowed.

Penalties inflicted by the Eccleſiaſticall Law be not taken away by this ſtatute.

Prouided alwayes, that this Act, or any thing herein contayned, ſhall not in any wiſe extend to take away, or reſtraine any puniſhment, paine, or penalty limited, preſcribed, or inflicted by the lawes Eccleſiaſticall, for any the offences before in this Act mentioned, but that the ſame ſhall remaine in force, and may be put in due execution, as it might be before the making of this act: this act, or any thing therein contayned to the contrary thereof, in any wiſe notwithſtanding.

The penalty for giuing or taking of rewards to make Miniſters, or to giue licence to preach.

Prouided further, and be it enacted by the authority aforeſayd, that if any perſon or perſons whatſoeuer, ſhall or doe at any time after the end of this Seſſion of Parliament, receiue or take any money, fée, reward, or any other profite, directly or indirectly, or ſhall take any promiſe, agréement, couenant, bond, or other aſſurance, to receiue or haue any money, fée, reward, or any other profite, directly or indirectly, either to him or themſelues, or to any other of their, or any of their friends (all ordinary and lawfull fées only excepted) for or to procure the ordayning or making of any Miniſter or Miniſters, or giuing of any orders, or licence or licences to preach: that then euery perſon and perſons ſo offending, ſhall for euery ſuch offence, forfeit & loſe the ſumme of forty pounds of lawfull money of England: and the party ſo corruptly ordained or made Miniſter or taking Orders, ſhall forfeit and loſe the ſum of ten pounds. And if at any time within ſeuen yeares next after ſuch corrupt entring into the Miniſtry, or receiuing of Orders, he ſhall accept or take any Benefice, Liuing, or Promotion Eccleſiaſticall: that then immediately from & after the Induction, Inueſting, or Inſtallation thereof, or thereinto had, the ſame Benefice, Liuing, and Promotion Eccleſiaſticall, ſhall be eftſoones meerely voyd, and that the Patron or Perſon, to whom the Aduowſon, gift, preſentation or collation, ſhall by Law appertaine, ſhall & may by vertue of this Act, preſent or collate vnto, giue and diſpoſe of the ſame Benefice, Liuing, or Promotion Eccleſiaſticall, in ſuch ſort to all intents and purpoſes, as if the party ſo Inducted, Inueſted, or Inſtalled had been, or were naturally dead: any law, ordinance, qualification, or diſpenſation to the contrary notwithſtanding. The one moity of all which forfeitures ſhall be to our Soueraign Lady the Queene, her heires and ſucceſſors, and the other moity to him or them that will ſue for the ſame, by action of debt, bill, plaint, or information, in any of her Maieſties Courts of Record, in which no Eſſoine, Protection, Priuiledge, or wager of Law ſhall be admitted or allowed. Coke Inſt. 120.a.

Who ſhal haue the forfeitures, & by what means.

CAP. VII.

Penalty for building a Cottage without foure acres of land to it, and the like for placing or ſuffering Inmates.

FOr the auoyding of the great inconueniences which are found by experience to grow by the erecting and building of great numbers and multitude of Cottages, which are dayly more and more increaſed in many parts of this Realme: Be it enacted by the Queenes moſt excellent Maieſty, and the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That after the end of this Seſſion of Parliament, no perſon ſhall within this Realme of England, make, build, or erect, or cauſe to be made, builded, or erected, any maner of Cottage for habitation or dwelling, nor conuert or ordaine any building or houſing, made, or hereafter to be made, to be vſed as a Cottage for habitation or dwelling, vnleſſe the ſame perſon doe aſſigne & lay to the ſame Cottage or building, foure acres of ground at the leaſt, to be accompted according to the Statute or Ordinance de terris menſurandis, being his or her owne freehold and inheritance, lying neere to the ſayd Cottage, to be continually occupied and manured therewith, ſo long as the ſame Cottage ſhall be inhabited, vpon paine that euery ſuch offendor ſhall forfeit to our Soueraigne Lady the Queens Maieſty, her heires and ſucceſſors x. li. of lawfull money of England, for euery ſuch offence.

No new Cottage ſhall bee erected without foure acres of land laid to it. St.34.Ed.1.

And be it further enacted by the authority aforeſayd, that euery perſon which after the end of this Seſſion of Parliament, ſhall willingly vphold, maintaine, and continue any ſuch Cottage hereafter to be erected, conuerted, or ordained for habitation or dwelling, whereunto foure acres of ground as is aforeſaid ſhall not bee aſſigned and layd to bee vſed and occupied with the ſame, ſhall forfeit to our ſayd Soueraigne Lady the Queenes Maieſty, her heires and ſucceſſors forty ſhillings for euery moneth that any ſuch Cottage ſhall be by him or them vpholden, maintained and continued.

The forfeiture for continuing of a new Cottage.

Prouided alſo, and be it enacted, that from and after the feaſt of All ſaints next comming, there ſhall not be any Inmate, or more families or houſholds than one, dwelling or inhabiting in any one Cottage, made, or to be made or erected, vpon paine that euery owner or occupyer of any ſuch Cottage, placing, or willingly ſuffering any ſuch Inmate, or other family than one, ſhall forfeit and loſe to the Lord of the Leet, within which ſuch Cottage ſhall bee, the ſumme of ten ſhillings of lawfull money of England, for euery moneth that any ſuch Inmate, or other family than one, ſhall dwell or inhabite in any one Cottage as aforeſayd. And that all and euery Lord and Lords of Leet & Leets, and their Stewards within the precinct of his & their Leet and Leets, ſhall haue full power and authority within their ſeuerall Leets, to enquire and to take preſentment by the oathe of the Iurors of all and euery offence and offences in this behalfe, and vpon ſuch preſentment had or made to leuy by diſtreſſe to the vſe of the Lord of the Leet, all ſuch ſums of money, as ſo ſhall be forfeited: And moreouer that it ſhall be lawfull for the Lord of euery ſuch Leet where ſuch preſentment ſhall be made, to recouer to his owne vſe any ſuch forfeiture, by action of debt in any of the Queenes Maieſties Courts of Record, wherein no eſſoine, protection, or wager of law ſhall be allowed.

The penalty for receiuing of an Inmate Coke pl.f.665.

And be it further enacted by the authority aforeſayd, that all Iuſtices of Aſſiſes, and Iuſtices of Peace in their open ſeſſions, and euery Lord within the precinct of his Leet, and none others, ſhall haue full power & authority within their ſeuerall limits and Iuriſdictions, to enquire of, heare & determine all offences contrary to this preſent Act, as well by Indictment, as otherwiſe by preſentment or information, & to award execution for the leuying of the ſeuerall forfeitures aforeſayd, by Fieri facias, Elegit, Capias, or otherwiſe, as the cauſe ſhall require.

Who may heare & determin the offences aforeſayd, and by what meane.

Cottages in cities or market townes, or for workemen in minerall workes. Quarries, &c.

Prouided alwayes, that this Statute or any thing therein contained, ſhall not in any wiſe bée extended to any Cottage, which ſhall be ordained or erected to, or for habitation or dwelling in any City, Towne-corporate, or ancient Borough, or Market towne within this Realm, nor to any Cotages or buildings, which ſhall be erected, ordained, or conuerted to, and for the neceſſary and conuenient habitation or dwelling of any workemen, or labourers in any minerall workes, cole mines, quarries, or delfs of ſtone, or ſlate, or in or about the making of bricke, tyle, lime or coles within this Realme: So as the ſame Cottages or buildings, be not aboue one mile diſtant from the place of the ſame minerall or other workes, and ſhall be vſed onely for the habitation & dwelling of the ſayd workemen, nor ſhall in any ſort preiudice, charge, or impeach any perſon or perſons, for the erecting, maintaining, or continuing of any ſuch Cottages, as are before in this prouiſo mentioned and ſpecified.

Certain Cottages to the which this ſtatute ſhall not extend.

Prouided alwayes, that this Act ſhall not extend to any cottage to bee made within a mile of the Sea, or vpon the ſide of ſuch part of any Nauigable Riuer where the Admirall ought to haue iuriſdiction, ſo long as no other perſon ſhall therein inhabite, but a Sayler or man of manuall occupation, to or for making, furniſhing, or victualling of any Ship or Veſſell, vſed to ſerue on the Sea, nor to any Cottage to be made in any Foreſt, Chaſe, Warren or Parke, ſo long as no other perſon ſhall therein inhabite, but an Vnderkéeper or Warrener, for the good kéeping of the Déere, or other game of Warren, nor to any Cottage heretofore made, ſo long as no other perſon ſhall therein inhabite, but a common Heardman or Shepheard, for kéeping the cattell or ſhéepe of the Towne, or a poore lame, ſicke, aged or impotent perſon, nor to any cottage to be made, which for any iuſt reſpect vpon complaint to the Iuſtice of Aſſiſe at the Aſſiſes, or to the Iuſtices of Peace at the quarter Seſſions, ſhall by their order entered in open Aſſiſes or quarter Seſſions, be decreed to continue for habitation, for and during ſo long time onely, as by ſuch decrée ſhall be tolerated and limitted. Stat. 35. Eliz. 6. 43. Eliz. 2.

CAP. VIII.

Veſſels brought from beyond Sea for Beere, or Ale, into London, or within two miles compaſſe ſhall gawged, and what ſhall be taken for gawging of them.

Veſſels brought from beyond the Sea for Ale & Beere in London ſhall be gawged.

Veſſels brought from beyond the Sea to other parts of the Realme. 23. H. 8. 4.

What ſhall be taken for the gawging of veſſels in London, and elſewhere.

WHere Beere and Ale are now very commonly vttered, ſold, and put to ſale, by the Béere Brewers, and Ale Brewers, aſwell within the City of London, as elſewhere within the Realme of England, in Butts, Pipes, Puncheons, Hogſheds, Tierces, and ſuch other veſſels brought from beyond the ſeas, which were neuer lawfully gawged for that purpoſe within this Realme, to the great loſſe as well of the Quéenes highneſſe, as of her Subiects: Be it therefore enacted by the authority of this preſent Parliament, That no Brewer ſhall after the end of fortie dayes next after the end of this Seſſion of this preſent Parliament, ſell, vtter, or put to ſale, any Béere, or Ale in ſuch veſſell or veſſels, within the City of London, or Suburbes of the ſame, or in any other place or places within two miles compaſſe without the ſame Suburbes, before the ſame ſhall be lawfully gawged, and the true content of euery ſuch veſſell ſet downe vpon the ſame by the Gallon, appointed and allowed for Beere and Ale, according to that Standard, by the Maſter and Wardens of the art or myſtery of Fréemen of the Cowpers of the City of London, or their Deputy or Deputies: nor ſhall (after the time before limitted) ſell, vtter, or put to ſale, any Béere, or Ale, in any ſuch veſſell or veſſels, in any other place or places within the Realme of England, and Wales, before the ſame ſhall be lawfully gawged, and the true content of euery ſuch veſſell ſet downe vpon the ſame by the Gallon aforeſayd, according to the Standard, by ſuch as by the Statute in that behalfe made in the thrée and twentieth yeare of the reigne of the late King of famous memory, King Henry the eighth, are to haue the gawging of Barrels, Kilderkins, and Firkins, made for Béere or Ale to bée put in, in ſuch other place or places within the Realme of England and Wales, vpon paine to forfeit all and euery ſuch veſſell and veſſels, wherein any Béere or Ale, ſhall be vttered, ſold, or put to ſale, contrary to the true meaning hereof. And alſo all the Beere, or Ale, which ſhall bee at the time of ſuch vttering, ſelling, or putting to ſale therein contained, to him or them that will ſeiſe the ſame, and vpon paine alſo to forfeit for euery ſuch veſſell wherein Beere or Ale ſhall bee ſo vttered, ſold, or put to ſale, tenne ſhillings, the one moity of which forfeitures ſhall bee to the Quéenes Maieſty, her Heires and Succeſſors, and the other moity to him or them that will ſue for the ſame, by Action of debt, bill, plaint, information, or otherwiſe, wherein no Eſſoyne, Protection, Wager of Law, or Iniunction ſhall be admitted or allowed for the Defendant. And that there ſhall be taken for the gawging of euery ſuch veſſell, within the City of London, and Suburbes of the ſame, and in all and euery place and places within two miles compaſſe without the ſame Suburbes, by the Maſter and Wardens of the Art or Myſtery of Fréemen of the Cowpers of the City of London, for euery Butte, one peny, for euery Pipe, one peny, for euery Puncheon, one halfepeny, for euery Hogſhead, one halfepeny, for euery Tierce, one halfepeny, and for euery other veſſell which ſhall at any time (after the time before expreſſed) be brought into this realme, from any the parts beyond the Seas, wherein Béere or Ale ſhall be vttered, ſold, or put to ſale, within the ſaid City, or Suburbes, or any other place or places within two miles compaſſe without the ſame Suburbes, after like rates & no more: and that there ſhall be taken for the gawging of euery ſuch veſſell or veſſels, in all and euery other place and places within the Realme of England and Wales, by ſuch perſon & perſons, as by the ſayd Statute made in the ſaid thrée and twentieth yeare of the reigne of King Henry the eight, are appointed for gawging thereof, after ſuch rates as are herein before appointed to be taken, for gawging within the City of London & Suburbes of the ſame, & in other places within two miles compaſſe without the ſame ſuburbes.

And it is further enacted by the authority aforeſayd, that this Act ſhall extend to all and euerie perſon and perſons, which ſhall vſe or occupy the myſtery of brewing, as well Engliſh borne, as Strangers: & that it ſhall be lawfull to all and euery perſon & perſons, which ſhall haue authority by vertue of this Act, to gawge any veſſell or veſſels by this Act meant or intended to be gawged, to retaine euerie veſſel which ſhall be gawged, according to the true meaning of this Act, vntill the money which ſhall be due for the gawging thereof, ſhall be truely ſatiſfied and payd.

The veſſels may bee retained vntill the gawging money be payd.

Prouided alwayes, and be it further enacted by the authority aforeſayd, That the Maſter and Wardens of Cowpers aforeſayd, or their ſufficient deputy or deputies, within the ſpace of eight and forty houres next after any reaſonable requeſt (to them or any of them made) ſhall come to any Brewer or Brewers houſe, or other place in the ſayd City of London, or ſuburbes thereof, or two miles diſtance of the ſame, where as their Caſkes ſhall be, and there with all reaſonable expedition ſhal gawge and marke the ſame Caſkes and euery of them, vpon paine for euery default, to forfeit and loſe to the party by or for whom ſuch requeſt as aforeſayd ſhall be made, the ſumme of twenty ſhillings of lawfull money of England, to be had and recouered by the ſayd party againſt the Corporation of Cowpers aforeſayd, by action of debt, in any of her Maieſties Courts of Record at Weſtminſter or elſewhere: in which action, no eſſoine, protection, or wager of law ſhall be admitted or allowed.

The Wardens of Cowpers ſhall come to the Brewers houſes to gawge veſſels.

Prouided alſo, that if any Scottiſh man, or any Stranger, ſhall bring from Scotland, or from beyond the Seas, to the ſayd Brewers, or any of them, any maner of forreigne caſke, & ſhall require to haue Béere put into the ſame, and will tranſport the ſame Béere from hence, either into Scotland, or ouer the Seas, there to be drunke: that then in euery ſuch caſe, it ſhall and may bee lawfull to and for the ſayd Brewers, or any of them, to fill all ſuch Caſkes with Béere, at ſuch rate and reckoning, as he and his Merchant can agrée, without hauing the ſayd Caſkes, or any of them, gawged or marked as is aforeſayd, & without incurring any penalty therefore: this Act, or any thing therein contained to the contrary thereof, in any wiſe notwithſtanding. This Act to continue to the end of the next ſeſſion of the next Parliament. 3. Car 4. Continued vntill the end of the firſt Seſſion of the next Parliament.

Veſſels which ſhall be filled with Ale or Beere and tranſported.

Cap. IX.

Writs vpon Proclamations and Exigents againſt any perſon dwelling within the County Palatine of Durham, ſhall be directed to the Biſhop of Durham, &c.

WHere the Biſhopricke of of Durham is, and of long time hath béene an ancient County Palatine of it ſelfe: in which Biſhopricke the Quéens Writ hath not, nor yet doth run, ſo that the Writ of Proclamation awarded vpon any Exigend, againſt any perſon or perſons inhabiting within the ſame County in any action wherein proceſſe of Outlawry doth lye, according to the Statute made in the ſixth yeare of the reigne of the late King Henry the eighth, cannot be directed to any Sheriffe, or other Officer within the ſayd Biſhoprick, but vnto the Sheriff of the County next adioyning vnto the ſayd Biſhopricke, ſo that the party dwelling within the ſayd Biſhopricke, againſt whom any ſuch Exigend and Proclamation hath béen or ſhall be awarded, hath not had, nor hereafter can haue any knowledge of the ſame ſuit or proceſſe: by reaſon whereof, many perſons inhabiting within the ſayd Biſhopricke without knowledge hath béene outlawed, and hereafter are like to be outlawed in like manner to their vtter vndoings, if ſome ſpéedy remedy be not the ſooner prouided.

6. H. 8. 4.

Be it therefore, and for diuers other good conſiderations enacted, ordayned, and eſtabliſhed by the authority of this preſent Parliament, That whenſoeuer any Writ of Exigend, at any time after the firſt day of April next comming, ſhall be awarded at the ſuit of our Soueraign Lady the Quéenes Maieſty, her heires or ſucceſſors, Kings or Quéenes of this Realme, or at the ſuit or ſuits of any other perſon or perſons, plaintife or plaintifes, in any action or ſuit in any of the Courts of our ſayd Soueraigne Lady, her heires or ſucceſſors, Kings and Quéenes of this Realme, commonly called the Kings Bench, and the Common Place, againſt any perſon or perſons dwelling within the ſayd Biſhopricke: That then immediately vpon the awarding of euery ſuch Exigend, the Iuſt. or Iuſtices before whom any ſuch Writ of Exigend, vpon ſuch ſuit or action ſhal be ſued, ſhal haue full power & authority by vertue of this Act, to award one Writ of Proclamation, according to the tenor & effect of Writs of Proclamation awarded vpon Exigēds & commonly directed out of any of the ſayd Courts into London, or into any other Shires of this

A Writ of Proclamation vpon an Exigent againſt any perſon dwelling in the Biſhopricke of Durham.

Realme, againſt any perſon or perſons dwelling in other ſhire or ſhires of this realme, where the Queens Writ doth runne according to the order and forme of the ſaid Act, made in the firſt yeare of the raigne of the ſaid late King, to be directed to the Biſhop of Durham for the time being, and during the vacation of the Biſhopricke, then to the Chauncellor of the ſaid Biſhopricke or County Palatine for the time being, where it ſhall happen the ſayd defendant againſt whom any ſuch action ſhall be ſued, as is aforeſayd, to be dwelling, and not to the Sheriffe of any other Shire next adioyning to the ſayd Biſhopricke or County Palatine (any Law, Cuſtome, or vſage heretofore vſed to the contrary notwithſtanding.) And that euery ſuch Writ of Proclamation ſo to be hereafter awarded to ſuch Biſhop or Chancellor of the ſayd Biſhopricke or County Palatine, ſhall haue the ſame Teſte and day of returne, as the Exigends whereupon euery ſuch writ of Proclamation ſhall be awarded ſhall haue: And that euery ſuch Biſhop or Chancellor, to whom any of the ſayd Writ or Writs of Proclamation ſhall bee directed, ſhall by his or their mandat, directed to the Sheriffe of the ſayd County Palatine, cauſe Proclamation to be made of the ſame Writs of Proclamation, according to the tenor of the ſame, & ſhall make true returnes of the ſame, in ſuch Court & Courts, and before ſuch Iuſtices as the tenor of the ſame writ and writs of Proclamation ſhall require and demand: And that all outlawries hereafter to bee promulged or pronounced againſt any perſon or perſons, vpon any ſuch Exigent or Exigents awarded againſt any perſon or perſons, dwelling within the ſaid Biſhopricke or County Palatine, and no writs of Proclamation awarded in forme aforeſayd, to the Biſhop or Chancellor aforeſayd, where the party defendant ſhall be, as is aforeſayd, dwelling, or not returned as aforeſayd, to be cleerely voyd & of none effect nor force in the law.

The Biſhops mandat to the Sheriffe to make proclamation

The Biſhop of Durham ſhall haue a Deputy in the Kings Bench and Common place. 23.H.6.10.

And be it further enacted by the authority aforeſayd, that euery Biſhop of the ſayd Biſhoprick for the time being, and during the vacation of the ſayd Biſhopricke, the Chancellor of the ſayd County Palatine for the time being, ſhall haue in euery of the ſayd Courts of the Kings Bench & Common Pleas, one ſufficient Deputie at the leaſt, to receiue all ſuch writs of Proclamations which ſhal be hereafter directed to euery ſuch Biſhop or Chancellor of the ſaid Biſhoprick or County Palatine, for whom the ſame Deputy or Deputies ſhall be appointed, in like manner & forme, and vpon like paines, as by the former Statutes & Laws of this Realme, the Sheriffes of other Shires or Counties within this Realme of England, bee bound to haue in either of the ſame Courts, and that all ſuch writs of Proclamation as aforeſayd, ſhall be deliuered vnto euery ſuch Deputy or Deputies of record in the ſame courts, and either of them, & alſo like fees ſhall be paid for making of euery ſuch writ of Proclamantion, and for enrolling the ſame of Record, as is limited in the ſame Statute, made in the firſt yeare of the ſaid King Henry the eighth.

The forfeiture of the Biſhop or Chancellor that doth not returne the proclamation.

And be it further enacted and eſtabliſhed by the authority aforeſayd, that if any ſuch writ or writs of Proclamation hereafter to be directed to any Biſhop or Chancellor of the ſayd Biſhopricke or County Palatine, be deliuered vnto any of the ſayd Biſhops for the time being, or during the vacation of the ſayd Biſhopricke to the Chancellor of the ſayd County Palatine for the time being, or to his or their deputy or deputies, in manner and forme aforeſayd, the ſame Biſhop for the time being, or during the vacation of the ſayd Biſhopricke, the ſayd Chancellor of the ſayd County Palatine for the time being, doe not make true returne of euery ſuch writ and writs of Proclamation to them directed into ſuch Court and Courts, out of which the ſayd writ or writs of Proclamation ſhall be awarded: That for euery ſuch default of non returne, euery ſuch Biſhop for the time being, and during the vacation of the ſayd Sea, the ſayd Chancellor for the time being, ſo fayling to make due returne, ſhall loſe & forfeit fiue pounds, the one halfe whereof ſhall be to the Queene, her heires and ſucceſſors, and the other halfe thereof to any ſuch perſon or perſons, as will ſue for the ſame, in any action of debt to bee grounded vpon this Act in any of the Queenes Courts of Record, wherein no eſſoine, protection, or wager of Law, ſhall be allowed or admitted.

A prouiſion for the Biſhop of Durhams other liberties

Prouided alwayes, that this Act, or any thing therein contained, ſhall not in any wiſe extend, or be preiudiciall to any Biſhop of the ſayd Biſhopricke of Durham, for or concerning ſuch Liberties, Franchiſes, or Priuiledges as belong to the ſame Biſhops Biſhopricke or Sea, or to any miniſters or officers of the ſame Biſhopricke or County Palatine, otherwiſe or in any other manner, than by the true meaning of this Act is before prouided or declared, (any thing in this Act mentioned to the contrary notwithſtanding.)

To whom writs ſhall be directed againſt any perſon outlawed in the ſaid Biſhopricke.

Prouided alſo, that if any perſon or perſons dwelling within the ſayd Biſhopricke or County Palatine, after the foreſayd firſt day of April, ſhall be outlawed in any ſuch ſuit or action as is aforeſayd: That then all writs of ſpeciall Capias vtlagatum, ſingle Capias vtlagatum non moleſtandum, and all other proceſſe, for or againſt any perſon or perſons ſo outlawed, ſhall and may from henceforth be directed from time to time to the Biſhop of the ſayd Biſhopricke & County Palatine for the time being, and during the vacation of the ſayd Sea, to the Chancellor there for the time being, who ſhall make like writs and proceſſe thereupon and of like effect, ſealed with the ſeale of their ſayd offices, to be directed to the Sheriffe of the ſayd County Palatine for the time being, as heretofore hath beene vſed and accuſtomed in ſuch caſes.

Prouided alway, and be it further enacted by the authority aforeſayd, that vpon any Writ of Proclamation to be awarded by vertue of this Act, and the mandate thereupon to be made to the Sheriffe, and the execution thereof, there ſhall be but one onely Fee taken, receiued or demanded for the ſame, by the ſaid Biſhop, Chancellor, and Sheriffe of the ſayd County Palatine for the time being.

One onely fee ſhall be taken for the Proclamation, mandat and execution.

Cap. X.

Certaine Stat. made in the reignes of King H:8. *K.* Ed.6. *& Qu.* El. *continued. And the Stat. of* 29. El. 5. *touching making of Atturnies in ſuits, vpon penall Lawes, ſhall extend only to naturall borne* Subiects *and free denizens.*

Whereas in the firſt Seſſion of Parliament, begun in the City of London the third day of Nouember, in the one and twentieth yeare of the reigne of our late Soueraigne Lord of famous memory King Henry the eight, and from thence adiourned and prorogued to the Pallace of Weſtminſter, An Act or Statute was made, entituled, An Act for the true making of Cables, Halſers, and Ropes. 21.H 8.12.

And where in the Parliament holden vpon prorogation at Weſtminſter, the fourth day of Febuary, in the foure & twentieth yeare of the reigne of the ſayd King, One other Act was then and there made, entituled, An Act againſt killing of yong beaſts, called Weanelings. 24.H.8.9.

And where in the Seſſion of a Parliament ended at Weſtminſter the firſt day of February, in the fourth yeare of the reigne of our late Soueraigne Lord King Edward the ſixth, One Act was made, concerning the buying and ſelling of Rother beaſts and cattell. 4.Ed.6.19.

And alſo one other Act was then and there likewiſe made, entituled, An Act, for the buying and ſelling of Butter and Cheeſe. 4 Ed.6.21.

And where alſo in the Parliament begun at Weſtminſter the three & twentieth day of Ianuarie, in the firſt yeare of the reigne of the Queens Maieſty that now is, and there continued by prorogation vntill the diſſolution thereof, an Act was then and there made, entituled, An Act for the preſeruation of Spawne and Fry of Fiſh. 1.Eliz.17.

And where alſo in the firſt Seſſion of Parliament begun at Weſtminſter, the twelfth day of Ianuary in the fifth yeare of her Highneſſe reigne, One Act was then and there likewiſe made, entituled, An Act for maintenance and increaſe of Tillage. 5.Eliz.2.

And one other Act was then and there likewiſe made, entituled, An Act for the auoiding of diuers forreigne wares made by handycrafts men beyond the Seas. 5.Eliz.7.

And where alſo in the laſt Seſſion of the Parliament holden by prorogation at Weſtminſter the laſt day of September, in the eight yeare of her Maieſties reigne, One Act was then & there made, entituled, An Act for Bowyers, and the price of Bowes. 8.Eli.10.

And where alſo in the Parliament begun and holden at Weſtminſter, in the ſecond day of April, in the thirteenth yeare of her Maieſties reigne, there was one Act and Statute made for the auoyding of ſome leaſes in certaine caſes to bee made of Eccleſiaſticall promotions with Cure, entituled, an Act touching leaſes of Benefices and other Eccleſiaſticall Liuings with Cure. 13.El.10.

And where alſo there was one other Act and Statute made in the ſayd Parliament begun and holden at Weſtminſter, the ſayd ſecond day of April, in the ſayd thirteenth yeare, entituled, an Act that Purueyors may take graine, corne, or victuals, within fiue miles of Cambridge and Oxford, in certaine caſes. 13 El.21.

And alſo one other Act was then and there made, entituled, an Act againſt Uſury. 13.El 8.

And where in the Parliament holden at Weſtminſter, the eight day of May, in the fourteenth yeare of her highneſſe reigne, there was one other Act made, entituled, an Act for the continuation, explanation, perfecting & enlarging of diuers Statutes, In which Statute are contained diuers branches, clauſes and Prouiſions touching and concerning the explanation, perfecting and enlarging of diuers of the ſtatutes before mentioned. 14.El.11.

And where alſo in the firſt Seſſion of the Parliament begunne and holden at Weſtminſter the eight day of May, in the fourteenth yeare of the Queenes highneſſe reigne, that now is, and from thence continued by prorogation till the diſſolution thereof, there was one other Acte made, entituled, an Act for the puniſhment of Uagabonds, and for the reliefe of the poore and impotent. 14.El.5.

And where in the Parliament holden at Weſtminſter aforeſayd, in the eighteenth yere of her Maieſties reigne, there was one other Act made, entituled, an Act for the ſetting of the poore on worke, and for the auoyding of idleneſſe. 18.El.3.

And where in the Parliament holden at Weſtminſter the three & twentieth day of Nouember in the ſeuen and twentieth yeare of her Maieſties reigne, One other Act was made for the reuiuing, continuance, explanation, and perfecting diuers Statutes, in which are contained diuers branches, prouiſions, and clauſes touching and concerning certaine additions and alterations vnto 27.El.11.

to and of diuers of the ſayd former recited Statutes, and other new prouiſions.

27.El.7.

And where in the ſayd Parliament holden at Weſtminſter the thrée and twentieth day of Nouember in the ſeuen and twentieth yeare of the Quéenes Maieſties reigne that now is, there was an Act made, for the leuying of iſſues loſt of Iurors.

27.El.not printed.

And whereas alſo in the Parliament holden at Weſtminſter the thrée and twentieth day of Nouember in the ſeuen and twentieth yeare of the Quéenes Maieſties reigne that now is, there was one other Act made, entitled, an Act for the good gouernement of the City or Borough of Weſtminſter.

The before rehearſed 17. Stat. ſhall continue vntill the end of of the next Parliament. EXP.

Foraſmuch as tho branches, clauſes and prouiſions contained and ſpecified in the two Acts of continuance made in the fouretéenth & ſeuen and twentieth yeare of her Maieſties reigne, in addition, alteration, explanation, perfecting & enlarging of diuers of the ſayd Statutes, and other ſtatutes, & all the reſidue of the ſaid recited Acts, doe ſéeme good & beneficiall to the weale & profit of this Realme: Be it enacted that the ſayd branches, clauſes, and prouiſions of the ſayd two Acts of continuance, and all the reſidue of the ſaid recited Statutes & Acts and euery of them, & all and euery article, clauſe, & ſentence in them and euery of them contained, ſhall be continued & endure in full force and effect vntill the end of the next Parliament next enſuing.

5.El.5.

And where alſo in the firſt Seſſion of Parliament holden at Weſtminſter the twelfth day of Ianuary in the ſayd fifth yeare of her Maieſties reigne, One Act was then and there made, entituled, an Act touching certaine politike conſtitutions made for the maintenance of the Nauy. Be it further enacted by the authority of this preſent Parliament, that ſo much onely of the laſt mentioned Act as at this preſent ſtandeth in force, and not heretofore at any time repealed, ſhall continue and endure in full force and effect vnto the end of the next Parliament next enſuing.

29.El.5.

Where in the Parliament now laſt paſt holden at Weſtminſter, an Act was then made, entituled, an Act for the continuance and perfecting of diuers ſtatutes, in the end of which Act one prouiſo is contained in theſe words following, viz. Prouided alwayes that whereas diuers her Maieſties louing ſubiects dwelling in the remote places of this Realme are many times maliciouſly troubled vpon information and ſuits exhibited in the Courts of Kings Bench, Common Pleas, and Exchequer, vpon penall Statutes, & are drawne vp vpon proceſſe out of the Countries where they dwell, and driuen to attend & put in baile, to their great troubles & vndoings: For reformation whereof, Be it enacted that if any perſon or perſons ſhall be ſued or informed againſt vpon any penall Law in any the ſayd Courts of the King s Bench and Common Pleas, or Exchequer, where ſuch perſon or perſons are bailable by Law, or where by the Law or fauor of the Court ſuch perſon or perſons may appeare by Atturney, that in all & euery ſuch caſe the perſon or perſons ſo to be impleaded or ſued, ſhould and might at the day and time contained in the firſt proceſſe ſerued for his appearance, appeare by Atturney of the ſame Court where the proceſſe is returnable, to anſwer & defend the ſame, and not be bred to perſonall appearance, or to put in baile for the anſwering of ſuch ſuit: any former law, cuſtome, or vſage to the contrary notwithſtanding. Be it now enacted by the authority of this preſent Parliament, that the ſame branch of the ſaid Act ſhall extend and ſhall be interpreted, expounded and vnderſtood, to extend onely to the naturall ſubiects borne or to be borne within the Dominions of the Quéenes Maieſty, her héires and ſucceſſors, and to perſons made frée denizens and to no others: any thing therein contained to the contrary in any wiſe notwithſtanding.

The ſtatute of 29.Ed.5. touching appearing by Atturny in ſuits vpon penall laws ſhall extend onely to natural borne Subiects or free denizens.

CAP. XI.

There ſhall be no reſtitution vpon an Indictment of forcible entry, or withholding with force, where the Defendant hath beene three yeares in quiet poſſeſſion, and his eſtate not ended.

8.H.6.9.

WHereas there is one good Act made & eſtabliſhed in the eight yere of the reigne of King Henry the ſixth, againſt ſuch perſons as ſhould make forcible entry into lands, tenements and other poſſeſſions, or them ſhould forcibly hold: And one very good prouiſo or clauſe in the ſaid Act contained, as inſueth.

Prouided alwayes, that they which kéepe their poſſeſſions with force, in any lands, and tenements, whereof they or their anceſtors haue continued their poſſeſſion in the ſame by thrée yeres or more, be not endamaged by force of the ſayd Statute.

The Prouiſo in the ſtat. of 8.H.6.9. touching continuance of poſſeſſions by thrée yeares.

And whereas diuers of the Quéenes Maieſties good & louing ſubiects, and their anceſtors, or thoſe whoſe eſtate they haue for many yeares together, aboue the ſpace of thrée yeares or more haue bin in quiet poſſeſſion of their dwelling houſes, and other their lands and poſſeſſions: And now of late diuers of her Maieſties ſayd ſubiects hauing entries made vpon their poſſeſſions, hauing had ſuch quiet and long poſſeſſion, for diſturbing of ſuch Entrers, and for kéeping of their poſſeſſion againſt ſuch entrers, by colour of Indictments, of forcible entry, or forcible kéeping poſſeſſion found againſt them, by meanes of the Othes of ſuch Entrers, haue bin remoued and put out of their dwelling houſes, and other their poſſeſſions, which they haue quietly held by the ſpace of thrée yeares together, or longer time, next before ſuch Indictments found againſt them, againſt the true meaning and intent of the ſayd Prouiſo or clauſe contained in the ſaid Act. For remedy of which inconuenience, & for true declaration and explanation of the law therein: Be it ordeined, declared, and enacted, by the authority of this preſent Parliament, that no reſtitution vpon any Indictment of forcible Entry, or holding with force, be made to any perſon or perſons, if the perſon or perſons ſo indicted hath had the occupation, or hath bin in quiet poſſeſſion by the ſpace of thrée whole yeares together, next before the day of ſuch Indictment ſo found, & his, fol.141. her or their eſtate or eſtates, therein not ended or determined: which the party indicted ſhall and may alledge for ſtay of reſtitution, and reſtitution to ſtay vntill that be tried, if the other will deny or trauerſe the ſame. And if the ſame allegation be tried againſt the ſame perſon or perſons ſo indicted, then the ſame perſon or perſons ſo indicted to pay ſuch coſts & damages to the other partie, as ſhall be aſſeſſed by the Iudges or Iuſtices before whom the ſame ſhall be tried, the ſame coſts & damages to be recouered and leuied, as is vſuall for coſts and damages contained in iudgements vpon other actions. St.5.R.2.7. 15.R.2.2. 4.H.4.8. 8.H.6.9. 21.Iac.15.

No reſtitutiõ ſhall be made if the party indicted hath bin thrée yeares in quiet poſſeſſion & his eſtate not ended.

Coſts ſhall be awarded againſt the partie indicted if his ſayd allegation be found againſt him,

Cap. XII.

Sellers of Horſe in Faires or Markets, muſt be knowne to the Toletaker or ſome other who will auouch the ſale which ſhall be entred into the Tolebooke, &c.

WHeras through moſt Counties of this Realme, horſe-ſtealing is growne ſo common as neither in paſtures or cloſes, nor hardly in ſtables the ſame are to be in ſafety from ſtealing, which enſueth by the ready buying of the ſame by horſecourſers & others in ſome open faires or markets farre diſtant from the owner, & with ſuch ſpéede as the owner cannot by purſuit poſſibly helpe the ſame: And ſundry good ordinances haue heretofore bin made touching the maner of ſelling, & tolling of horſes, mares, geldings, & colts in faires and markets, which haue not wrought ſo good effect for the repreſſing or auoiding of horſeſtealing, as was expected.

The cauſe of the furthering of ſtealing of horſes. 2.&3.P.&M.7

Now for a further remedy in that behalfe, Be it enacted by the authority of this preſent Parliament, that no perſon after twenty dayes next after the end of this Seſſion of Parliament, ſhal in any Faire or Market, ſell, giue, exchange, or put away any horſe, mare, gelding, colt, or filly, vnleſſe the Col-taker there, or (where no tol is payd) the Booke keeper, Bailiffe, or chiefe Officer the ſame Faire or Market, ſhall and will take vpon him perfect knowledge of the perſon that ſo ſhal ſell, or offer to ſell, giue or exchange any horſe, mare, gelding, colt, or filly, and of his true Chriſten name, Syrname, & place of dwelling or reſiancy, and ſhall enter all the ſame his knowledge into a booke there kept for ſale of horſes: or elſe, that he ſo ſelling or offering to ſell, giue, exchange, or put away any horſe, mare, gelding, colt, or filly, ſhall bring vnto the Col-taker or other officer aforeſayd of the ſame Faire or Market, one ſufficient & credible perſon, that can, ſhall or will teſtifie and declare vnto, and before ſuch Coltaker, Bookekeeper, or other officer, that he konweth the party that ſo ſelleth, giueth, exchangeth, or putteth away ſuch horſe, mare, gelding, colt, or filly, and his true name, ſyrname, myſtery and dwelling place: and there enter or cauſe to be entred in the booke of the ſayd Coltaker or officer, as well the true Chriſten name Syrname, myſtery and place of dwelling, or reſiancy of him that ſo ſelleth, giueth, exchangeth, or putteth away ſuch horſe, mare, gelding, colt, or filly, as of him that ſo ſhall teſtifie or auouch his knowledge of the ſame perſon, and ſhall alſo cauſe to be entred the very true price or value that he ſhall haue for the ſame horſe, mare, gelding, colt, or filly ſo ſold. And that no perſon ſhall take vpon him to auouch, teſtifie or declare, that he knoweth the party that ſo ſhall offer to ſell, giue, exchange, or put away ſuch horſe, mare, gelding, colt, or filly, vnleſſe he doe in déede truely know the ſame partie, and ſhall truely declare to the Coltaker or other officer aforeſayd, as well the Chriſten name, Syrname, myſtery, and place of dwelling and reſiancie of himſelfe, as of him, of, and for whom hee maketh ſuch teſtimony and auouchment. And that no Coltaker or other perſon kéeping any booke of entry of ſales of horſes in Faires or Markets, ſhall take or receiue any Tol, or make entry of any ſale, gift, exchange or putting away of any horſe, mare, gelding, colt, or filly, vnleſſe he knoweth the party that ſo ſelleth, giueth, exchangeth, or putteth away any ſuch horſe, mare, gelding, colt, or filly, and his true Chriſten name, Syrname, myſtery, and place of his dwelling or reſiancie, or the party that ſhall and will teſtifie & auouch his knowledge of the ſame perſon ſo ſelling, giuing, exchanging, or putting away ſuch horſe, mare, gelding, colt, or filly, and his true Chriſten name, Syrname, myſtery, and place of dwelling or reſiancy, and ſhall make a perfect entry into the ſayd booke of ſuch his knowledge of the perſon, and of the name, ſirname, myſtery, and place of the dwelling, or reſiancy of the ſame perſon, and alſo the true price, or value that ſhall be Bona fide, taken or had, for any ſuch horſe, mare, gelding, colt, or filly, ſo ſold, giuen, exchanged or put away, ſo farre as he can vnderſtand the ſame, and then giue to the party ſo buying, or taking by gift, exchange, or otherwiſe, ſuch horſe, mare, gelding, colt, or filly, requiring and paying two pence for the ſame, a true and perfect note in writing of all the full contents of the ſame, ſubſcribed with his hand, on paine that euery perſon that ſo ſhall ſell, giue, exchange

The ſeller of a horſe muſt be knowne to the Coltaker or &c.

A ſufficient & credible perſon ſhall auouch the horſeſeller.

The price of the horſe, &c. ſhall be entred into the Colters booke.

A note in writing ſhalbe giuen to the buyer.

The penalty of the perſon offending in any of the caſes aforeſayd.

exchange, or put away any horſe, mare, gelding, colt, or fillie, without being knowne to the Coltaker, or other officer aforeſayd, or without bringing ſuch a voucher or witneſſe, cauſing the ſame to to be entred as aforeſayd, and euery perſon making any vntrue teſtimony or auouchment in the behalfe aforeſaid, and euery Coltaker, book keeper, or other officer of Faire or Market aforeſayd, offending in the premiſſes contrary to the true meaning aforeſayd, ſhall forfeit for euery ſuch default the ſumme of fiue pounds, but alſo that euery ſale, gift, exchange, or other putting away of any horſe, mare, gelding, colt, filly, in Faire or Market not vſed in all points according to the true meaning aforeſayd, ſhall be voyd: the one halfe of all which forfeitures to be to the Qu. Maieſty, her heires and ſucceſſors, and the other halfe to him or them that will ſue for the ſame before the Iuſtices of peace, or in any of her Maieſties ordinary Courts of Record, by bill, plaint, action of debt, or information, in which no Eſſoine or protection ſhall be allowed.

Euery ſale otherwiſe made ſhall be void.

The Iuſtices of P. may heare & determine the offences aforeſayd.

And be it further enacted, that the Iuſtices of P. of euery place and County, as well within liberties as without, ſhall haue authority in their Seſſions within the limits of their authority and Commiſſion, to enquire, heare, and determine all offences againſt this Statute, as they may doe any other matter triable before them.

And be it further enacted, that if any horſe, mare, gelding, colt, or filly, after twenty dayes next enſuing the end of this Seſſion of Parliament, ſhall be ſtollen, & after ſhall be ſold in open Faire or Market, and the ſame ſale ſhall be vſed in all points, & circumſtances as aforeſayd: that yet neuertheleſſe, the ſale of any ſuch horſe, mare, gelding, colt, or filly, within ſix moneths next after the the felony done, ſhall not take away the property of the owner from whom the ſame was ſtollen, ſo as claime be made within ſixe moneths by the party from whom the ſame was ſtollen, or by his executors or adminiſtrators, or by any other by any of their appointment, at, or in the town or pariſh where the ſame horſe, mare, gelding, colt, or filly ſhall be found, before the Maior or other head officer of the ſame towne or pariſh, if the ſame horſe, mare, gelding, colt, or filly ſhall happen to be found in any towne corporate, or market towne, or elſe before any Iuſtice of Peace of that County neere to the place where ſuch horſe, mare, gelding, colt, or filly ſhall be found, if it be out of towne corporate, or market towne, and ſo as proofe be made within forty daies then next inſuing, by two ſufficient witneſſes to be produced and depoſed before ſuch head officer or Iuſtice, (who by vertue of this Act ſhall haue authority to miniſter an oath in that behalfe) that the property of the ſame horſe, mare, gelding, colt, or filly ſo claimed, was in the party, by, or for whom ſuch claime is made, and was ſtollen from him within ſixe moneths next before ſuch claime of any ſuch horſe, gelding, mare, colt, or filly, but that the party from whom the ſayd horſe, mare, gelding, colt, or filly was ſtollen, his executors or adminiſtrators, ſhall and may at all times after notwithſtanding any ſuch ſale or ſales in any Faire, or open Market thereof made, haue property and power to haue, take againe, and enioy the ſayd horſe, mare, gelding, colt, or filly, vpon payment or redineſſe, or offer to pay the party that ſhall haue the poſſeſſion and intereſt of the ſame horſe, mare, gelding, colt, or filly, if he will receiue and accept it, ſo much money as the ſame partie ſhall depoſe and ſweare before ſuch head Officer or Iuſtice of peace, (who by vertue of this Act ſhall haue authoritie to miniſter and giue an oath in that behalfe) that he payd for the ſame bona fide, without fraud or colluſion, any law, ſtatute, or other thing to the contray thereof in any wiſe notwithſtanding.

The owner may redeeme a horſe ſtollen from him within ſixe moneths after paying the price.

An acceſſarie to a Horſe ſtealer ſhall not haue his Clergie. St. 1. E. 6. 12. 2. & 3. E. 6. 33.

And be it further enacted by the authority aforeſayd, that after twenty dayes after the end of this Seſſion of Parliament, not onely all acceſſaries before ſuch Felony done, but alſo all acceſſaries after ſuch Felony, ſhall be depriued and put from all benefit of their Clergy, as the principall by ſtatute heretofore made, is, or ought to be.

CAP. XIII.

The Statute 23. *El. 6.* touching the repaire of Douer Hauen ſhall be reuiued, and continued for 7. yeares. Euery Cuſtomer and Officer ſhall be anſwerable for the wilfull default and negligence of his Deputy, ſo farre as by the ſame Statute he was for his owne. EXP. *St.* 35. *Eliz.* 7. 43. *Eliz.* 9. 1. *Iac.* 32.

CAP. XIIII.

A confirmation of two Subſidies of ſixe ſhillings in the pound, granted to the Queene by the Clergie to be payd yearely by two ſhillings in the pound. EXP.

CAP. XV.

A confirmation of two Subſidies and foure Fifteenes granted to the Queene by the Temporaltie. EXP.

CAP. XVI.

A confirmation by Parliament of the Queenes generall and free Pardon. EXP.

ANNO TRICESIMO QVINTO REGINÆ ELIZABETHÆ.

AT the Parliament begun and holden at Weſtminſter the ninteenth day of Februarie, in the fiue and thirtieth yeare of the reigne of our moſt gracious Soueraigne Ladie ELIZABETH, by the grace of God, of England, France and Ireland, Queene, Defendor of the Faith, &c. And there continued vntill the diſſolution hereof, being the tenth of April. To the high pleaſure of Almighty God, and the weale publique of this Realme, were enacted as followeth.

CAP. I.

Puniſhment of perſons obſtinatly refuſing to come to Church, and perſwading others to impugne the Queenes authority in Eccleſiaſticall cauſes, &c.

FOr the preuenting and auoiding of ſuch great inconueniences & perils as might happen and grow by the wicked and dangerous practiſes of ſeditious Sectaries and diſloyall perſons. Be it enacted by the Queenes moſt excellent Maieſty, & by the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled. & by the authority of the ſame, That if any perſon or perſons aboue the age of ſixteene yeare which ſhall obſtinatly refuſe to repaire to ſome Church, Chappell, or vſuall place of Common prayer to heare diuine Seruice, eſtabliſhed by her Maieſties Laws and Statutes in that behalfe made, and ſhall forbeare to doe the ſame by the ſpace of a moneth next after, without any lawfull cauſe, ſhall at any time after xl. dayes next after the end of this Seſſion of Parliament, by Printing, writing, or expreſſe words or ſpeeches aduiſedly or purpoſely practiſe, or goe about to moue or perſwade any of her Maieſties ſubiects, or any other within her Highneſſe Realmes, or Dominions, to deny, withſtand. and impugne her Maieſties power and authority in caſes Eccleſiaſticall, vnited & annexed to the Imperiall Crown of this Realme, or to that end or purpoſe ſhall aduiſedly and maliciouſly mooue or perſwade any other perſon whatſoeuer, to forbeare or abſtaine from comming to Church to heare diuine ſeruice, or to receiue the Communion according to her Maieſties Lawes, and Statutes aforeſaid, or to come to, or to be preſent at any vnlawfull aſſemblies, conuenticles or meetings, vnder colour or pretence of any exerciſe of Religion, contrary to her Maieſties ſayd laws and ſtatutes. Or if any perſon or perſons which ſhall obſtinatly refuſe to repaire to ſome Church Chappell, or vſuall place of Common prayer, & ſhal forbeare by the ſpace of a moneth to heare diuine Seruice, as is aforeſayd, ſhall after the ſayd forty dayes, either of him, or themſelues, or by the motion, perſwaſion, inticement, or allurement of any other, willingly ioyne in, or be preſent at any ſuch aſſemblies, couenticles, or meetings, vnder colour or pretence of any ſuch exerciſe of Religion, contrary to the Laws and Statutes of this Realme, as is aforeſayd, That then euery ſuch perſon ſo offending, as aforeſayd, and being thereof lawfully conuicted, ſhall be committed to priſon, there to remaine without baile or mainpriſe, vntill they ſhall conforme and yeeld themſelues to come to ſome Church, Chappell or vſuall place of Common prayer, and heare diuine ſeruice, according to her Maieſties Lawes and Statutes aforeſayd, and to make ſuch open ſubmiſſion and declaration of there ſayd conformity, as herafter in this Act is declared and appointed.

The penalty of a Recuſant perſwading others to impugne the Q. Eccleſiaſticall Lawes.

The penalty for being preſent at vnlawfull conuenticles for Religion.

Prouided alwayes & be it further enacted by the authority aforeſayd, that if any ſuch perſon or perſons which ſhall offend againſt this Act, as aforeſayd, ſhall not within three moneths next after they ſhallbe conuicted for their ſaid offence, conforme themſelues to the obedience of the laws and ſtatutes of this Realme in comming to the Church to heare diuine Seruice, and in making ſuch publike confeſſion and ſubmiſſion, as hereafter in this Act is appointed and expreſſed being thereunto required by the Biſhop of the Dioceſſe, or any Iuſtice of the Peace of the County where the ſame perſon ſhall happen to be, or by the Miniſter or Curate of the Pariſh, that in euery ſuch caſe, euery ſuch offender being thereunto warned or required by any Iuſtice of the Peace of the ſame County where ſuch offenders ſhall then be, ſhall vpon his and their corporall oath before the Iuſtices of the P. in the open quarter Seſſions of the ſame County, or at the Aſſiſes and Gaole deliuery of the ſame County, before the Iuſtices of the ſame Aſſiſes, & Gaole deliuery, abiure this Realme of England, & all other the Queenes Maieſties Dominions for euer, vnleſſe her Maieſty ſhall licence the party to returne: And thereupon ſhall depart out of this Realme at ſuch Hauen or Port, and within ſuch time as ſhall in that behalfe be aſſigned & appointed by the ſayd Iuſtices before whom ſuch abiuration ſhall be made, vnleſſe the ſame offender be letted or ſtayed by ſuch lawfull and reaſonable meanes or cauſes as by the Common laws of this Realme are permitted and allowed in caſes of Abiuration for felony. And in ſuch caſes of let or ſtay, then within ſuch

An offendor not cōforming himſelfe ſhall abiure the Realme.

reaſonable & conuenient time after as the common law requireth in caſe of Abiuration for felony as is aforeſayd. And that the Iuſtices of Peace before whom any ſuch abiuration ſhall happen to be made, as is aforeſayd, ſhall cauſe the ſame preſently to be entred of record before them, and ſhal certifie the ſame to the Iuſtices of Aſſiſes and Gaole deliuery of the County at the next Aſſiſes or Gaole deliuery to be holden in the ſame County.

The puniſhment for refuſing to abiure, not departing or returning without licence.

And if any ſuch offendor which by the tenor and intent of this Act is to be abiured, as is aforeſayd, ſhall refuſe to make abiuration as is aforeſayd, or after ſuch abiuration made, ſhall not goe to ſuch hauen, and within ſuch time as is before appointed, and from thence depart out of this Realme according to this preſent Act, or after ſuch his departure ſhall return or come againe into any her Maieſties Realmes or Dominions, without her Maieſties ſpeciall licence in that behalfe firſt had and obtained, That then in euery ſuch caſe the perſon ſo offending ſhal be adiudged a felon, and ſhall ſuffer as in caſe of felony, without benefit of Clergy.

An offender ſhalbe diſcharged vpon his open ſubmiſſion.

And furthermore be it enacted by the authority of this preſent Parliament, that if any perſon or perſons that ſhall at any time herafter offend againſt this Act, ſhall before he or they be ſo warned or required to make abiuration according to the tenor of this Act, repaire to ſome Pariſh Church on ſome Sunday or other Feſtiuall day, & then and there heare diuine Seruice, & at Seruice time before the Sermon or reading of the Goſpell make publike and open ſubmiſſion & declaration of his and their conformity to her Maieſties laws & ſtatutes, as hereafter in this Act is declared and appointed, That then the ſame offender ſhal thereupon be clearely diſcharged of & from all & euery the penalties and puniſhments inflicted or impoſed by this Act for any of the offence aforeſayd. The ſame ſubmiſſion to be made as hereafter followeth, That is to ſay,

The forme of the ſubmiſſion

I A.B. doe humbly confeſſe and acknowledge that I haue grieuouſly offended God, in contemning her Maieſties godly & lawfull gouernement and authority, by abſenting my ſelfe from Church, and from hearing diuine Seruice, contrary to the godly Laws & Statutes of this realme, and in vſing and frequenting diſordered and vnlawfull conuenticles, and aſſemblies vnder pretence and colour of exerciſe of Religion. And I am heartily ſory for the ſame, and doe acknowledge and teſtifie in my conſcience, that no other perſon hath, or ought to haue any power or authority ouer her Maieſty. And I doe promiſe and proteſt without any diſſimulation, or any colour or meanes of any diſpenſation: That from henceforth I will from time to time obey & performe her Maieſties Laws & Statutes, in repairing to the Church, and hearing diuine Seruice, and doe my vttermoſt endeauour to maintaine and defend the ſame.

The Miniſter ſhall enter the ſubmiſſion into a Booke.

And that euery Miniſter or Curat of euery Pariſh where ſuch ſubmiſſion and declaration of conformity ſhall hereafter be ſo made by any ſuch offender as aforeſayd, ſhall preſently enter the ſame into a Booke to be kept in euery pariſh for that purpoſe, and within ten dayes next following ſhall certifie the ſame in writing to the Biſhop of the ſame Dioceſſe.

The offendor ſubmitting falleth into a relapſe.

Prouided neuertheleſſe, that if any ſuch Offender after ſuch ſubmiſſion made as is aforeſayd, ſhall afterwards fall into relapſe, or eftſoones obſtinatly refuſe to repaire to ſome Church, Chappell, or vſuall place of Common Prayer to heare Diuine Seruice, and ſhall forbeare the ſame, as aforeſaid, or ſhall come or be preſent at any ſuch aſſemblies, conuenticles, or méetings vnder colour or pretence of any exerciſe of Religion, contrary to her Maieſties Laws & Statutes: That then euery ſuch offendor ſhall loſe all ſuch benefit as he or ſhe might otherwiſe by vertue of this Act haue or inioy by reaſon of their ſaid ſubmiſſion, & ſhall thereupon ſtand and remaine in ſuch plight, condition, and degrée to all intents, as though ſuch ſubmiſſion had neuer bin made.

The forfeiture for the keeping a Recuſant in his houſe after notice.
REP.3.Iac.4.

And for that euery perſon, hauing houſe and family is in dutie bounden to haue ſpeciall regard to the good gouernement and ordering of the ſame: Be it enacted by the authority aforeſaid, that if any perſon or perſons ſhall at any time hereafter relieue, maintaine, retaine or kéeps in his or their houſe or otherwiſe, any perſon which ſhall obſtinatly refuſe to come to ſome Church Chappell, or vſuall place of Common prayer to heare diuine Seruice, and ſhall forbears the ſame by the ſpace of a moneth together, contrary to the Laws & Statutes of this Realme, That then euery perſon which ſhall ſo relieue, maintaine, retaine or kéepe any ſuch perſon offending as aforeſaid, after notice thereof to him or them giuen by the Ordinary of the Dioceſſe, any Iuſtice of Aſſiſes of the Circuit, or any Iuſtice of Peace of the County, or the Miniſter, Curat or Churchwardens of the Pariſh where ſuch perſon ſhall then be, or by any of them, ſhall forfeit to the Qu. Maieſtie for euery perſon ſo relieued, maintained, retained or kept, after ſuch notice as aforeſayd, x.li. for euery moneth, that he or they ſhall ſo relieue, maintaine, retaine or kéepe any ſuch perſon ſo offending.

What ſort of Recuſants may be kept in houſe.
REP.3.Iac.4.

Prouided neuertheleſſe, that this Act ſhall not in any wiſe extend to puniſh or impeach any perſon or perſons for relieuing, maintaining, or kéeping his or their wife, father, mother, childe or children, wards, brother or ſiſter, or his wiues father or mother, not hauing any certaine place of habitation of their owne, or the husbands or wiues of any of them: or for relieuing, maintaining, or kéeping any ſuch perſon as ſhall be committed by authority to the cuſtodie of any by whom they ſhall be ſo relieued, maintained or kept: Any thing in this Act contained to the contrary notwithſtanding.

And for the more ſpeedy leuying & recouering for and by the Queenes Maieſties of all and ſingular the paines, duties, forfeitures & payments which at any time hereafter ſhall accrue, grow or bee payable by vertue of this Act, or of the ſtatute made in the three and twentieth yeare of her Maieſties reigne concerning Recuſants: Be it enacted by the authority aforeſayd, that all and euery the ſayd paines, duties, forfeitures and payments ſhall and may be ᵃ recouered and leuied to her Maieſties vſe by action of debt, bill, plaint, information or otherwiſe in any of the courts commonly called the Kings Bench, Common Pleas or Exchequer in ſuch ſort, & in all reſpects as by the ordinary courſe of the common lawes of this Realme, any other debt due by any ſuch perſon in any other caſe ſhould or may be recouered or leuied, wherein no eſſoyne, protection or wager of Law ſhall be admitted or allowed.

The Q. remedy to recouer forfeitures, &c. 23. El. 1.

Prouided alwayes, that the third part of the penalties to be had or receiued by vertue of this Act, ſhall be imployed and beſtowed to ſuch good and charitable vſes, and in ſuch maner and forme as is limitted and appointed in the Statute made in the 28. yeare of her Maieſties reigne touching Recuſants. Coke. lib. 11. fol. 57.

In what maner one part of the penalties ſhall bee imployed. 29. El. 6.

Prouided alſo, that no Popiſh Recuſant or femecouert, ſhall be compelled or bound to abiure by vertue of this Act.

Popiſh Recuſants, feme couert.

Prouided alſo, that euery perſon that ſhall abiure by force of this Act, or refuſe to abiure, being thereunto required as aforeſayd, ſhall forfeit & loſe to her Maieſty all his goods and chattels for euer: and ſhall further loſe all his lands, tenements, & hereditaments for and during the life onely of ſuch offendor, & no longer: And that the wife of any offendor by force of this Act, ſhall not loſe her dower: Nor that any corruption of bloud ſhall grow or be by reaſon of any offence mentioned in this Act: but that the heire of euery ſuch offendor by force of this Act, ſhall & may after the death of euery offendor haue & enioy the lands, tenements, & hereditaments of ſuch offendor, as if this Act had not bin made. And this Act to continue no longer than to the end of the next Seſſion of Parliament, 3. Car. 4. Cont.

The forf. of him which abiureth or refuſeth to abiure. The wife ſhal loſe no dower, nor the heire any land for theſe offences.

Cap. II.

Penaltie of a conuicted Popiſh Recuſant remouing aboue fiue miles from his houſe: Where a Recuſant hauing no houſe ſhall make his abode.

For the better diſcouering & auoyding of ſuch traiterous & moſt dangerous conſpiracies and attempts as are daily deuiſed & practiſed againſt our moſt gracious Soueraigne Ladie the Qu. Maieſty, & the happy eſtate of this Common-weale, by ſundry wicked and ſeditious perſons, who terming themſelues Catholickes, & being (indeed) ſpies and intelligencers not only for her Maieſties forreine enemies, but alſo for rebellious & traiterous ſubiects borne within her highnes Realmes & dominions, and hiding their moſt deteſtable & deuilliſh purpoſes vnder a falſe pretext of Religion and Conſcience, do ſecretly wander and ſhift from place to place within this Realme to corrupt and ſeduce her Maieſties ſubiects, and to ſtirre them to ſedition and rebellion.

Be it ordained and enacted by our Soueraigne Lady the Queenes Maieſty, & the Lords Spirituall and Temporall, & the Commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, that euery perſon aboue the age of ſixteene yeares borne within any the Queenes Maieſties Realmes and dominions, or made Denizen, being a Popiſh Recuſant, and before the end of this Seſſion of Parliament conuicted for not repairing to ſome Church, Chappell, or vſuall place of Common prayer, to heare diuine Seruice there, but forbearing the ſame contrary to the tenor of the Lawes and Statutes heretofore made and prouided in that behalfe, & hauing any certaine place of dwelling and abode within this Realme, ſhall within forty dayes next after the end of this ſeſſion of Parliament (if they be within this Realme, and not reſtrained or ſtayed either by impriſonment, or by her Maieſties commandement, or by order and direction of ſome ſixe or more of the Priuy Councell, or by ſuch ſickeneſſe and infirmity of body as they ſhall not be able to trauell without imminent danger of life, and in ſuch caſes of abſence out of the Realm, reſtraint, or ſtay, then within twenty dayes next after they ſhall returne into the Realme and bee enlarged of ſuch impriſonment or reſtraint, and ſhall be able to trauell) repaire to their place of dwelling where they vſually heretofore made their common abode, and ſhall not at any time after paſſe or remoue aboue fiue miles from thence.

A conuicted popiſh Recuſant ſhall repaire to his houſe, & not remoue aboue fiue miles.

And alſo that euery perſon being aboue the age of ſixteene yeares, borne within any her Maieſties Realmes or Dominions, or made Denizen, and hauing, or which hereafter ſhall haue any certaine place of dwelling and abode within this Realme, which being then a Popiſh Recuſant, ſhall at any time hereafter be lawfully conuicted for not repairing to ſome Church, Chappel, or vſuall place of Comman Prayer to heare diuine Seruice there, but forbearing the ſame contrary to the ſayd Lawes and Statutes, and being within this Realme at the time that they ſhall be conuicted, ſhall within forty dayes next after the ſame conuiction (if they be not reſtrained or ſtayed by impriſonment or otherwiſe as is aforeſayd, and in ſuch caſes of reſtraint and ſtay, then

Recuſants which ſhall be conuicted hereafter ſhall repaire to their vſuall dwelling.

The penalty of an offender

then within twenty dayes next after they ſhall be enlarged of ſuch impriſonment or reſtraint and ſhall be able to trauaile,) repaire to their place of vſuall dwelling and abode, and ſhall not at any time after paſſe or remoue aboue fiue miles from thence, vpon pain that euery perſon and perſons that ſhall offend againſt the tenor and intent of this Act in any thing before mentioned, ſhall loſe and forfeit all his and their goods and chattels, and ſhall alſo loſe and forfeit to the Queenes Maieſty all the lands, tenements and hereditaments, & all the Rents and annuities of euery ſuch perſon ſo doing or offending during the life of the ſame offendor.

What a Recuſant ſhall doe that hath no place of abode.

The forf. of a Recuſant remouing aboue fiue miles from his place of obode.

And be it alſo enacted by the authority aforeſayd, that euery perſon aboue the age of ſixteene yeares, borne within any her Maieſties Realmes or Dominions, not hauing any certaine place of dwelling and abode within this Realme, and being a Popiſh Recuſant, not vſually repairing to ſome Church, Chappell, or vſuall place of Common prayer, but forbearing the ſame contrary to the ſame Laws and Statutes in that behalfe made, ſhall within forty dayes next after the end of this Seſſion of Parliament (if they be then within this Realme, and not impriſoned, reſtrained, or ſtayed as aforeſayd, and in ſuch caſe of abſence out of the Realme, impriſonment, reſtraint or ſtay, then within twenty dayes next after they ſhall returne into the Realme, and be enlarged of ſuch impriſonment or reſtraint, and ſhall be able to trauell) repaire to the place where ſuch perſon was borne, or where the father or mother of ſuch perſon ſhall then be dwelling, and ſhall not at any time after remoue or paſſe aboue fiue miles from thence, vpon paine that euery perſon and perſons which ſhall offend againſt the tenor and intent of this Act in any thing before mentioned, ſhall loſe and forfeit all his and their goods and chattels, and ſhall alſo forfeit to the Queenes Maieſty all the lands, tenements, and hereditaments, and all the rents and annuities of euery ſuch perſon ſo doing or offending during the life of the ſame perſon.

A Recuſant copyholder departing fiue miles from his place of abode

And be it further enacted by the authority aforeſayd, That euery ſuch offendor as is before mentioned, which hath or ſhall haue any lands, tenements, or hereditaments, by copy of Court Roll, or by any other cuſtomary tenure at the will of the Lord, according to the cuſtome of any Mannor, ſhall forfeit all and ſingular his and their ſayd lands, tenements, and hereditaments ſo holden by copy of Court Roll, or cuſtomary tenure as aforeſayd, for and during the life of ſuch offendor (if his or her eſtate ſo long continue) to the Lord or Lords of whom the ſame be immediately holden, (if the ſame Lord or Lords be not then a Popiſh Recuſant, and conuicted for not comming to Church to heare diuine Seruice, but forbearing the ſame contrary to the Laws and Statutes aforeſayd, nor ſeiſed or poſſeſſed vpon truſt to the vſe or behoofe of any ſuch Recuſant as aforeſayd,) and in ſuch caſe the ſame forfeiture to be to the Queens Maieſty.

Recuſants ſhall notifie their liuing, & deliuer their names to the Curate.

Prouided alwayes, and be it further enacted by the authority aforeſayd, that all ſuch perſons as by the intent and true meaning of this Act, are to make their repaire to their place of dwelling and abode, or to the place where they were borne, or where their father or mother ſhall be dwelling, and not to remoue or paſſe aboue fiue miles from thence as is aforeſayd, ſhall within twenty dayes next after their comming to any of the ſayd places (as the caſe ſhall happen) notifie their comming thither, and preſent themſelues, and deliuer their true names in writing to the Miniſter or Curate of the ſame pariſh, and to the Conſtable, Headborough, or Tithingman of the Towne, and thereupon the ſayd Miniſter or Curate ſhall preſently enter the ſame into a book to be kept in euery pariſh for that purpoſe.

Recuſants names certified to the Iuſtices.

And afterward the ſayd Miniſter or Curat, and the ſayd Conſtable, Headborough, or Tithingman ſhall certifie the ſame in writing to the Iuſtices of the Peace of the ſame County at the next generall or quarter Seſſions to bee holden in the ſame County, and the ſayd Iuſtices ſhall cauſe the ſame to be entred by the Clerke of the peace in the Rols of the ſame Seſſions.

The penalty of a Recuſant of ſmal ability not repairing to the place appointed, or departing thence.

And to the end that the Realme bee not peſtered and ouercharged with the multitude of ſuch ſeditious and dangerous people as is aforeſayd, who hauing little or no ability to anſwere or ſatiſfie any competent penalty for their contempt and diſobedience of the ſayd Lawes and Statutes and being committed to priſon for the ſame, doe liue for the moſt part in better caſe there, than they could if they were abroad at their owne liberty: The Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, doe moſt humbly and inſtantly beſeech the Queenes Maieſty, that it may be further enacted, That if any ſuch perſon or perſons being a Popiſh Recuſant, (not being a feme couert, and not hauing landes, tenements, rents, or annuities, of an abſolute eſtate of an inheritance, or freehold, of the cleare yearely value of twenty markes, aboue all charges to their owne vſe and behoofe, and not vpon any ſecret truſt or confidence for any other, or goods, and chattels in their owne right, and to their owne proper vſe and behoofe: And not vpon any ſuch ſecret truſt and confidence for any other, aboue the value of xl. pounds) ſhall not within the time before in this Act in that behalfe limited and appointed, repaire to their place of vſuall dwelling and abode, if they haue any, or elſe to the place where they were borne, or where their father or mother ſhall be dwelling, according to the tenor and intent of this preſent Act: And thereupon notifie their comming, and preſent themſelues, and deliuer their true names in writing to the Miniſter or Curate of the Pariſh, and to the Conſtable, Headborough,

borough, or Tithingman of the Towne, within ſuch time, and in ſuch maner and forme as is aforeſaid, or at any time after ſuch their repairing to any ſuch place, as is before appointed, ſhall paſſe or remoue aboue fiue miles from the ſame: And ſhall not within thrée Moneths next after ſuch perſon ſhall be apprehended or taken, for offending as is aforeſaid. conforme themſelues to the obedience of the Lawes and Statutes of this Realme, in comming vſually to the Church to heare Diuine Seruice, and in making ſuch publike Confeſſion and Submiſſion, as hereafter in this Acte is appointed and expreſſed, being thereunto required by the Biſhop of the Dioceſſe, or any Juſtice of the Peace of the Countie where the ſame perſon ſhall happen to bée, or by the Miniſter, or Curate of the Pariſh: That in euery ſuch caſe, euery ſuch offender being thereunto warned or required by any two Juſtices of the Peace, or Coroner of the ſame Countie where ſuch offender ſhall then bée, ſhall vpon his or their corporall Oath before any two Juſtices of the Peace, or Coroner of the ſame Countie, abiure this Realme of England, and all other the Quéenes Maieſties Dominions for euer: And thereupon ſhall depart out of this Realme at ſuch Hauen and Port, and within ſuch time as ſhall in that behalfe bée aſſigned and appointed by the ſaid Juſtices of Peace, or Coroner, before whom ſuch Abiuration ſhall bée made, vnleſſe the ſame offenders be letted or ſtayed by ſuch lawfull and reaſonable meanes or cauſes, as by the common Lawes of this Realme are permitted and allowed in caſes of abiuration for Felony. And in ſuch caſes of let or ſtay, than within ſuch reaſonable and conuenient time after, as the Common Law requireth in caſe of Abiurgation for Felony, as is aforeſaid.

Recuſants abiuring and departing the Realme.

Entring Abiuration of Record, and certifying the ſame.

And that euery Juſtice of Peace, and Coroner before whom any ſuch Abiuration ſhall happen to be made as is aforeſaid, ſhall cauſe the ſame preſently to be entred of Record before them, and ſhall certifie the ſame to the Juſtices of Aſſiſes, or Gaole deliuery of the ſaid Countie at the next Aſſiſes, or Gaole deliuery to be holden in the ſame County.

It ſhall be felony for a Recuſant not to abiure, not going or returning without licence.

And if any ſuch offender, which by the tenour and intent of this Acte is to be abiured, as is aforeſaid, ſhall refuſe to make ſuch Abiuration as is aforeſaid, or after ſuch Abiuration made, ſhall not goe to ſuch Hauen, and within ſuch time as is before appointed, and from thence depart out of this Realme according to this preſent Act, or after ſuch his departure ſhall returne or come againe into any her Maieſties Realmes or Dominions, without her Maieſties ſpeciall licence in that behalfe firſt had and obtained, That then in euery ſuch caſe the perſon ſo offending, ſhall be adiudged a Felon, and ſhall ſuffer and loſe as in caſe of Felony, without benefit of Cleargie.

A Jeſuite or Prieſt refuſing to anſwer, ſhall be impriſoned.

And be it further enacted and ordayned by the authority aforeſaid, That if any perſon which ſhall be ſuſpected to be a Jeſuite, Seminarie, or Maſſing Prieſt, being examined by any perſon hauing lawfull authority in that behalfe, to examine ſuch perſon which ſhall bée ſo ſuſpected, ſhall refuſe to anſwere directly and truely whether he be a Jeſuite, or a Seminary, or Maſſing Prieſt, as is aforeſaid, euery ſuch perſon ſo refuſing to anſwer, ſhall for his diſobedience and contempt in that behalfe, bée committed to priſon by ſuch as ſhall examine him, as is aforeſaid, and thereupon ſhall remaine and continue in priſon without Baile or Mainepriſe, vntill hée ſhall make direct and true anſwer to the ſaid queſtions, whereupon he ſhall be ſo examined.

Licence to trauaile aboue fiue miles.
ALT 3 Iac. 5.

Prouided neuertheleſſe, and be it further enacted by the authority aforeſaid, That if any of the perſons which are hereby limited and appointed to continue and abide within fiue miles of their vſuall dwelling place, or of ſuch place where they were borne, or where their father and mother ſhall be dwelling, as is aforeſaid, ſhall haue neceſſary occaſion or buſineſſe to goe and trauaile out of the compaſſe of the ſaid fiue miles, That then and in euery ſuch caſe vpon licence in that behalfe to be gotten vnder the hands of two of the Juſtices of the Peace of the ſame Countie, with the priuity and aſſent in writing of the Biſhop of the Dioceſſe, or of the Lieutenant, or of any Deputie Lieutenant of the ſame County, vnder their hands, it ſhall and may be lawfull for euery ſuch perſon to goe and trauaile about ſuch their neceſſary buſineſſe, and for ſuch time onely, for their trauailing, attending, and returning, as ſhall be compriſed in the ſame licenſe, any thing before in this Act to the contrary notwithſtanding.

Perſons vrged by Proces or commandement.

Prouided alſo, that if any ſuch perſon ſo reſtrained, as is aforeſaid, ſhall be vrged by Proces, without fraud or couin, or be bounden without fraud or couin to make apparance in any her Maieſties Courts, or ſhall be ſent for, commanded, or required by any thrée or more of her Maieſties Priuie Councell, or by any foure or more of any Commiſſioners to be in that behalfe nominated and aſſigned by her Maieſty, to make apparance before her Maieſties ſaid Councell or Commiſſioners, That in euery ſuch caſe euery ſuch perſon ſo bounden, vrged, commanded, or required to make ſuch apparance, ſhall not incurre any paine, forfeiture or loſſe, for trauailing to make apparance accordingly, nor for his abode concerning the ſame, nor for conuenient time for his returne backe againe vpon the ſame.

Perſons which are to yeeld their bodies to the Sheriffe.

And be it further prouided and enacted by the authority aforeſaid, that if any ſuch perſon or perſons ſo reſtrained as is aforeſaid, ſhall be bound or ought to yéeld and render their bodies to the Sheriffe of the County where they ſhall happen to be vpon Proclamation in that behalfe, without fraud or couin to be made, That then in euery ſuch caſe euery perſon which ſhall be ſo bounden, or ought to yéeld and render their body as aforeſaid, ſhall not incurre any paine, forfeiture or loſſe for trauailing for that intent and purpoſe onely, without any fraud or couin, nor for conuenient time taken, for their returne backe againe vpon the ſame.

An offender vpon open ſubmiſſion ſhall be diſcharged.

And furthermore be it enacted by the authority of this preſent Parliament, that if any perſon or perſons that ſhall at any time hereafter offend againſt this Act, ſhall before he or they ſhall be thereof conuicted, come to ſome Pariſh Church on ſome Sunday or other Feſtiual day, and then and there heare diuine Seruice, and at Seruice time before the Sermon or reading of the Goſpel make publike and open ſubmiſſion and declaration of his and their conformitie to her Maieſties Lawes and Statutes, as hereafter in this Act is declared and appointed, that then the ſame offender ſhall thereupon be cleerely diſcharged of and from all and euery paines and forfeitures inflicted or impoſed by this Act for any of the ſaid offences in this Act contained, the ſame ſubmiſſion to be made as hereafter followeth, That is to ſay,

The forme of the ſubmiſſion.

I A. B. doe humbly confeſſe and acknowledge that I haue grieuouſly offended God: in contemning her Maieſties godly and lawfull gouernment and authority, by abſenting my ſelfe from Church, and from hearing diuine Seruice, contrary to the godly Lawes and Statutes of this Realme, and I am heartily ſorry for the ſame, and doe acknowledge and teſtifie in my conſcience, that the Biſhop or See of Rome hath not, nor ought to haue any power or authority ouer her Maieſtie, or within any her Maieſties Realmes or Dominions. And I doe promiſe and proteſt without any diſſimulation, or any colour or meanes of any diſpenſation, that from henceforth I will from time to time obey and performe her Maieſties Lawes and Statutes, in repairing to the Church, and hearing diuine Seruice, and doe my vttermoſt endeauour to maintaine and defend the ſame.

The Miniſter ſhall enter the ſubmiſſion.

And that euery Miniſter or Curate of euery Pariſh where ſuch ſubmiſſion and declaration of conformity ſhall hereafter be ſo made by any ſuch offender as aforeſaid, ſhall preſently enter the ſame into a Booke to be kept in euery Pariſh for that purpoſe, and within tenne dayes then next following ſhall certifie the ſame in writing to the Biſhop of the ſame Dioceſſe.

A Recuſant ſubmitting falleth into a relapſe.

Prouided neuertheleſſe, that if any ſuch Offender after ſuch ſubmiſſion made as is aforeſaid, ſhall afterward fall into relapſe, or eftſoones become a Recuſant in not repayring to Church to heare Diuine Seruice, but ſhall forbeare the ſame, contrary to the Lawes and Statutes in that behalfe made and prouided, that then euery ſuch Offender ſhall loſe all ſuch benefite as he or ſhée might otherwiſe by vertue of this Act haue or enioy by reaſon of their ſaid ſubmiſſion, and ſhall thereupon ſtand and remaine in ſuch plight, condition, and degrée to all intents, as though ſuch ſubmiſſion had neuer béene made.

Women bound ſauing for abiuration.

Prouided alwayes, and bee it enacted by the authority aforeſaid, that all and euery woman married, or hereafter to be married, ſhall be bound by all and euery article, branch, and matter contayned in this Statute, other than the branch and article of abiuration before mentioned. And that no ſuch woman married, or to be married during marriage, ſhall be in any wiſe forced or compelled to abiure, or be abiured by vertue of this Act, any thing therein contayned to the contrary thereof notwithſtanding. 23. El. 1. 29. El. 6. 1. Iac. 4. 3. Iac. 4. 5.

CAP. III.

All Abbey lands which came to the hands of K. H. 8. &c. ſhall be adiudged to haue beene in his actuall and lawfull poſſeſſion, &c. And all Letters Patents made by him for the foundation of any Deane and Chapter, or Colledge, ſhall be reputed good.

FOraſmuch as diuers ambiguities, doubts and queſtions haue riſen and bin moued, as well touching diuers ſurrenders, grants, & conueyances made and granted by ſundry late Abbots, Priors, and other religious & Eccleſiaſticall perſons to the late King of famous memory King Henry the eight, after the fourth day of February, in the ſeuen and twentieth yeare of his reigne, of diuers their honors, mannors, lands, tenements, and hereditaments, as alſo touching & concerning the validitie of the erections of ſuch Deanes and Chapiters, and ſuch Colledges as were erected, ordained, made or founded by the ſaid late King Henry the eight, after the ſaid fourth day of February, in the ſaid 27. yeare of his reigne. And foraſmuch as the ſame doubts and queſtions ſéeme not to be ſufficiently remedied or prouided for, by the Statute made in the 34. yeare of the reigne of the ſaid late King Henry the eight, entituled, An Act for confirmation of Letters Patents, notwithſtanding miſnaming of any thing contained in the ſame.

34. & 35. H. 8. 21.

Be it therefore declared, explained, and enacted by authority of this preſent Parliament, that all and euery honors, mannors, lands, tenements, and hereditaments, which at any time heretofore were the poſſeſſions of any Abbey, Monaſtery, Priorie, Nunnery, or other Religious or Eccleſiaſticall houſe or houſes, and which after the ſaid fourth day of February, in the ſaid ſeuen and twentieth yeare of the ſaid late King Henry the eight, came to the hands or poſſeſſion of the ſaid late King Henry the eight, or which were put in charge to or for his highneſſe in his

Court of Exchequer, or any other Courts of the ſaid late King concerning his Maieſties reuenues, or by any Auditor, or other officer of the ſaid late King, or which after the ſaid fourth day of February, in the ſeuen and twentieth yeare aforeſaid, were granted or conueighed, or mentioned to be granted or conueighed, in or by any Letters Patents whatſoeuer, made by the ſaid late King Henry the eight, to any perſon or perſons, body politike or corporate, were and ſhall be reputed, taken, and adiudged to haue béene lawfully and perfectly in the actuall and reall poſſeſſion of the ſaid late King and his heires and ſucceſſors, at ſuch time as the ſame did ſo come to his Maieſties hands and poſſeſſion, or were ſo put in charge, or granted, or conueighed by the ſaid late King Henry the eight as aforeſaid, notwithſtanding any defect, want, or inſufficiencie of or in any ſurrender, grant, or conueighance of the ſame honors, mannors, lands, tenements, or hereditaments, or any part thereof, to the ſaid late King Henry the eight, or any other matter or cauſe whatſoeuer, by which his Highneſſe was or might haue béene entituled to the ſame.

All grants made by King H. 8. of any Abbey lands that were in his poſſeſſion ſhall be good.

And be it further declared and enacted by the authority aforeſaid, that all and ſingular Letters Pattents made by the ſaid King Henry the eight, at any time after the ſaid fourth day of February, in the ſaid ſeuen and twentieth yeare of his reigne, for the erection, foundation, incorporation, or endowment of any Deane & Chapiter, or Colledge, were and ſhall be reputed, taken, and adiudged to haue béene good, perfect, and effectuall in the law for all things therein contained, according to the true intent and meaning of the ſame, any thing, matter, or cauſe to the contrary thereof in any wiſe notwithſtanding.

King H. 8. Letters Patents for the foundation of Deane and Chapiter or Colledge ſhall be good.

Sauing alwayes vnto all perſon and perſons, bodies politike and corporate, their heires and ſucceſſors, and euery of them (other than the late Abbots, Abbeſſes, Priors, Prioreſſes, and other gouernours of ſuch Abbeyes, Monaſteries, Priories, Nunneries, and other Religious and Eccleſiaſticall houſes, and their ſucceſſours, and ſuch as pretended to be Founders, Patrons, or Donors of the ſame or any of them: or of any mannors, lands, tenements, or hereditaments belonging to the ſame, or to any of them: and their, and euery of their heires and ſucceſſors) all ſuch right, title, intereſt, claime, and demand, as they, or any of them, or their, or any of their anceſtors or predeceſſors might or ought to haue had of, in, to, or out of any ſuch honors, mannors, lands, tenements, or heditaments, before the ſaid fourth day of February, in the xxvii. yeare of the reigne of the ſaid King Henry the eight, or before the making of ſuch letters patents by the ſaid King Henry the eight, as if the ſaid letters patents made by the ſaid King Henry the eight, and the foreſaid ſtatute made in the ſaid 34. yeare of his reigne, and this preſent Act had neuer béene made: this Act or any thing therein contayned to the contrary notwithſtanding.

Other mens rights ſaued.

Cap. IIII.

Euery Pariſh ſhall be charged with a ſumme weekely, towards the reliefe of ſicke, hurt, & maimed ſoldiers and marriners: REP. 43. El. 3. St. 39. El. 21. 43. El. 9. 39. El. 5, 18.

Cap. V.

A Confirmation of the Attainder of Sir Francis Englefield, that went forth of the realme, Anno 1. Eliz. by the Queenes licence, & was attainted of high treaſon, as well by the Stat. of 29. El. 1. as by the Common Law. His lands eſtabliſhed to be in the Queene, her heires, ſucceſſours, or aſſignes. The Queene ſhall take the aduantage or reuocating of an Aſſurance with a condition made by him vpon the tender of a ring of gold. PR. *Coke li. 7. fol.* 11.

Cap. VI.

No new buildings ſhall be erected within three miles of London, or Weſtminſter. One dwelling houſe in London, Weſtminſter, or three miles thereof ſhall not be conuerted into more. No Inne-mates, or vnderſitters ſhall be in the places aforeſaid. Commons or waſte grounds lying within three miles of London ſhall not be incloſed. A mile ſhall containe fiue furlongs, euery furlong forty poles, and euery pole ſhall containe ſixteene foot and an halfe. EXP. St. 31. El. 7.

Cap. VII.

Seuerall Statutes made in the reigne of K. H. 8. K. Ed 6, and Qu. El. reuiued and continued, and certaine other Statutes repealed, &c.

Where in the firſt Seſſion of Parliament, begun in the City of London the third day of Nouember, in the one and twentieth yeare of the reigne of our late Soueraigne Lord of famous memory King Henry the eight, and from thence adiourned and prorogued to the Pallace of Weſtminſter, An Act or Statute was made, entituled, An Act for the true making of Cables, Halſers, and Ropes. 21. H. 8. 12.

And where in the Parliament holden vpon prorogation at Weſtminſter, the fourth day of February, in the foure & twentieth yeare of the reigne of the ſayd King, One other Act was then and there made, entituled, An Act againſt killing of yong beaſts called Weanelings. 24. H. 8. 9.

And where in the Seſſion of a Parliament ended at Weſtminſter the firſt day of February, 3.& 4.Ed.6.19. in the fourth yeare of the reigne of our late Soueraigne Lord King Edward the ſixth, One Act was made, concerning the buying and ſelling of Rother beaſts and cattell.

3.&4 Ed.6. 21. And alſo one other Act was then and there likewiſe made, entituled, An Act, for the buying and ſelling of Butter and Chéeſe.

1.Eliz.17. And where alſo in the Parliament begun at Weſtminſter the thrée & twentieth day of Januarie, in the firſt yeare of the reigne of the Quéens Maieſty that now is, and there continued by prorogation vntill the diſſolution thereof, an Act was then and there made, entituled, An Act for the preſeruation of Spawne and Fry of Fiſh.

5.Eliz.2. And where alſo in the firſt Seſſion of Parliament holden at Weſtminſter, the twelfth day of January in the fifth yeare of her Highneſſe reigne, One Act was then and there made, entituled, An Act for maintenance and increaſe of Tillage.

5.Eliz.7. And one other Act was then and there likewiſe made, entituled, An Act for the auoiding of diuers forreigne wares made by handycrafts men beyond the Seas.

5.El.5. And one other Act was likewiſe then and there made, entituled, An Act touching certaine politike conſtitutions made for the maintenance of the Nauie.

8. Eli.10. And where alſo in the laſt Seſſion of the Parliament holden by prorogation at Weſtminſter the laſt day of September, in the eight yeare of her Maieſties reigne, One Act was then & there made, entituled, An Act for Bowyers, and the price of Bowes.

13.El.20. And where alſo in the Parliament begun and holden at Weſtminſter, in the ſecond day of April, in the thirtéenth yeare of her Maieſties reigne, there was one Act and Statute made for the auoyding of ſome leaſes in certaine caſes to bee made of Eccleſiaſticall promotions with Cure, entituled, an Act touching leaſes of Benefices and other Eccleſiaſticall Liuings with Cure.

13.El.21. And where alſo there was one other Act and Statute made in the ſayd Parliament begun and holden at Weſtminſter, the ſayd ſecond day of April, in the ſayd thirtéenth yeare, entituled, an Act that Purueyors may take graine, corne, or victuals, within fiue miles of Cambridge and Oxford, in certaine caſes.

13.El.8. And alſo one other Act was then and there made, entituled, an Act againſt Vſury.

14.El.11. And where in the Parliament holden at Weſtminſter, the eight day of May, in the fourtéenth yeare of her highneſſe reigne, there was one other Act made, entituled, an Act for the continuation, explanation, perfecting & enlarging of diuers Statutes, In which Statute are contained diuers branches, clauſes and Prouiſions touching and concerning the explanation, perfecting and enlarging of diuers of the ſtatutes before mentioned.

14.El.5. And where alſo in the firſt Seſſion of the Parliament begunne and holden at Weſtminſter the eight day of May, in the fourtéenth yeare of the Quéenes highneſſe reigne, that now is, and from thence continued by prorogation till the diſſolution thereof, there was one other Acte made, entituled, an Act for the puniſhment of Vagabonds, and for the reliefe of the poore and impotent.

18.El.3. And where in the Parliament holden at Weſtminſter aforeſayd, in the eightéenth yere of her
Maieſties reigne, there was one other Act made, entituled, an Act for the ſetting of the poore on
18. El.20. worke, and for the auoyding of idleneſſe. And alſo one other Acte was then and there made, en-
23. El.6. tituled, An Act for the repairing and amending the bridges and highwayes néere vnto the Citie
of Oxenford. And where in the Parliament holden at Weſtminſter the ſixteenth day of Janu-
ary, in the thrée and twentieth yeare of her Maieſties reigne, one Act was made, entituled, An
Acte for the repairing of Douer hauen.

27.El.11. And where in the Parliament holden at Weſtminſter the thrée & twentieth day of Nouember in the ſeuen and twentieth yeare of her Maieſties reigne, One other Act was made for the reuiuing, continuance, explanation, and perfecting of diuers Statutes, in which are contained diuers branches, prouiſions, and clauſes touching and concerning certaine additions and alterations vnto and of diuers of the ſaid former recited Statutes, and other new prouiſions.

27. El 7. 27 El. not printed. And where in the ſaid Parliament holden at Weſtminſter the thrée and twentieth day of Nouember in the ſeuen and twentieth yeare of the Quéenes Maieſties reigne that now is, there was an Act made, for the leuying of iſſues loſt by Iurors.

And alſo there was then and there one other Act made, entitled, An Act for the good gouernment of the Citie or Borough of Weſtminſter.

And whereas in the Parliament holden at Weſtminſter, vpon prorogation the fourth day of
2. Ed 6.10. Nouemb. in the 2. yeare of the reigne of the King of famous memory K. Edw. the ſixt, one Act
was made, entitled, An Act for the true making of Mault, which ſaid ſtatute was diſcontinued, &
27. El. 14. by an other Act made in the ſaid Parliament holden at Weſtminſter, in the ſaid 27. yeare of the
Q. Maieſties reigne that now is, entitled, An Act for the reuiuing of a former Statute for the
true making of Mault, was reuiued & continued. And alſo one other Act was then & there made,
27. El. 24. entitled, An Act for the keeping of the ſea bankes, and ſea works, in the countie of Norff. And
31. El. 8. where in the ſaid Parliament holden at Weſtminſter the 4. day of February in the 31. yeare of
the Q. Maieſties reigne that now is, there was an Act made, entitled, An Act for the true gaw-
ging of Veſſels brought from beyond the Seas, conuerted by Brewers for the vtterance and ſale
of

of Ale and Béere. And alſo one other Act was then & there made, intituled, An Act for reuiuing & enlarging of a ſtatute made in the 23. yeare of her Maieſties reigne, for repairing of Douer Hauen. And alſo one other Act was then and there made, intituled, An Act for the reliefe of the Citie of Lincolne. Foraſmuch as the branches, clauſes and prouiſions, contained and ſpecified in the ſaid two Acts of continuance, made in the fourtéenth and ſeuen and twentieth yeare of her Maieſties reigne, in addition, alteration, explanation, perfecting and enlarging of diuers the ſaid ſtatutes, and other ſtatutes, and all the reſidue of the ſaid recited Acts, doe ſéeme good and beneficiall to the weale and profit of this Realme: Be it enacted by the authority of this preſent Parliament, That the ſaid branches, clauſes, and prouiſions of the ſaid two Acts of continuance, and of the reſidue of the ſaid recited Statutes and Acts, and euery of them, and all and euery article, clauſe, and ſentence in them and euery of them contained, and by this preſent Act not repealed, except the ſaid Act concerning the repairing of Douer Hauen, ſhall be continued and endure in force and effect, vntill the end of the Parliament next enſuing. And as concerning the ſaid Act touching the repairing of Douer Hauen, the ſaid Act ſhall be by authority of this Parliament continued and endure in force and effect from and after the end of the terme limited by that Act, and yet continuing vntill the end of the next Parliament then next enſuing.

31.El.13.

Continuance vntill the end of the next Parliament of the before mentioned Statutes. Douer Hauen.

Prouided alwayes, and be it alſo enacted by the authority aforeſaid, That all and euery ſuch branch and branches of the ſaid Statute, made for the maintenance and encreaſe of Tillage, as concerne the eyring, plowing, vſing, and kéeping in tillage for euer of ſuch lands or grounds, or ſo much in quantity, as before the making of that Statute had béene eyred or plowed, and put in tillage in any one yeare, and ſo kept in tillage by the ſpace of foure yeares at any time ſithence the Feaſt of S. George the Martyr, in the twentieth yeare of King Henry the eight, and euery matter, clauſe, article, prouiſion, penaltie, and forfeiture in the ſaid Statute, concerning the ſame, ſhall ſo farre forth onely as they concerne the ſame, from henceforth be repealed, ceaſe, and be vtterly voyde: Any thing in the ſaid Statute, or in this preſent Act, to the contrary notwithſtanding.

Part of the Stat. of 5. El. 2. repealed touching earing, vſing, and keeping in Tillage. 39. El. 1.

Prouided alſo, and be it enacted by the authority aforeſaid, That ſo much of the ſaid Statute, made for the maintenance of the Nauie, as heretofore at any time was repealed, and all and euery ſuch branch and branches of the ſaid Statute as concerne the ſowing of Flaxe or Hempe, or the reuiuing of one Statute concerning ſowing of Flaxe or Hempe, made and prouided in the Parliament, holden in the foure & twentieth yeare of the reigne of King Henry the eight, and euery matter, clauſe, article, prouiſion, penaltie, and forfeiture in the ſaid Statute concerning the ſame, ſhall ſo farre forth only as they concerne the ſame, from henceforth be repealed, ceaſe, and be vtterly void: Any thing in the ſaid Statute, or in this preſent Act, to the contrary notwithſtanding.

A repeale of the Statutes of 5. El. 5. and 24. H. 8. 5. touching ſowing of Hempe and Flaxe.

Prouided alſo, and be it further enacted by the authority aforeſaid, That euery perſon eating any fleſh vpon any fiſh dayes, contrary to the forme of the ſaid ſtatute made for the Maintenance of the Nauie, ſhall forfeit onely twenty ſhillings, or elſe ſuffer only one moneths cloſe impriſonment without baile or mainpriſe. And euery perſon or perſons within whoſe houſe any ſuch offence ſhal be done, & being priuie, or knowing thereof, and not effectually publiſhing or diſcloſing the ſame to ſome publike officer hauing authority to puniſh the ſame, for euery ſuch offence to forfeit only xiij. s. iiij. d. Any thing in the ſaid ſtatute contained to the contrary notwithſtanding.

A diminution of the penaltie licenced by the Stat. of 5. El. 5. for eating of fleſh vpon fiſh dayes.

Prouided alſo, and be it further enacted by the authority of this preſent Parliament, That when the price of Cornes or Graines excéedeth not the rates hereafter following, at the times and Hauens & places where and when the ſame Corne or Graine ſhall be ſhipped or loaden, viz. the quarter of Wheat at xx. s. the quarter of Rye, Peaſe and Beanes, at xiij. s. iiij. d. the quarter of Barley, or Mault, at xij. s. of currant Engliſh money: That then it ſhall be lawfull for all and euery perſon and perſons, being ſubiects of her Maieſtie, her heires or ſucceſſors, to load, carry, or tranſport any of the ſaid Cornes or Graines in ſuch maner and forme, as in the ſaid Act made for the maintenance of the Nauie, is limited and appointed: And that the Quéenes Maieſty, her heires and ſucceſſors, ſhall haue and receiue by the Cuſtomers and officers of her Ports, for the cuſtome or pondage of euery quarter of Wheat to be tranſported by force of this Statute, ij. s. and of euery quarter of any other Graine, xvj. d. Which ſaid ſeuerall ſummes ſo to be had or taken as cuſtome or pondage, to be in full ſatisfaction of all maner of cuſtoms or pondage for the ſaid Corne or Graine, by any Conſtitution, Order, Statute, Law, or Cuſtome heretofore made, vſed or taken for tranſporting of any ſuch maner of Corne and Graine.

5. El. 5. 27. El. 11. Tranſporting of Corne. Alt. 3. Car. 4.

The Quéens Cuſtome for euery qarter of Corne tranſported.

Prouided alſo, and be it enacted by the authority aforeſaid, That ſo much of the ſaid Statute made in the xiiij. year of her Maieſties reigne, entitled, An Act for the puniſhment of vagabonds, and for the reliefe of the poore impotent, and of the ſaid Statute made in the xviij. yere of her Maieſties reigne, entitled, An Act for ſetting the poore on worke, and for auoyding of idleneſſe, as concerneth the puniſhment of vagabonds, by goaling, boaring through the eare, and death in the ſecond degrée, and euery matter, clauſe, article, and prouiſion in the ſaid Statute contained, concerning the ſame, ſhall ſo farre forth onely as they concerne the ſame, from henceforth be repealed, ceaſe, and be vtterly void: Any thing in this Statute contained to the contrary notwithſtanding.

So much of the ſtat. of 14. El. 5. and 18. El. 3. as doth concerne the goaling, boring, and death of vagabonds, repealed.

And be it further enacted by the authority aforeſaid, That ſo much of one Act made in the two

A reuiuer of the ſtat. of 22. H. 8. 12 touching the order of aged, poore, and impotent perſons
REP. 39. El. 4.

and twentieth yeare of King Henry the eight, entituled, An Act concerning how aged, poore, and impotent perſons, compelled to liue by almes, ſhall be ordered, and how Vagabonds and mighty ſtrong Beggers ſhall be puniſhed, as concerneth the puniſhment of any ſuch Begger impotent or Vagabond perſon by whipping, and all Branches, Articles, and Clauſes depending vpon the ſame (other then the compelling of ſuch perſons to be ſworne) ſhall from henceforth ſtand and be reuiued, and remaine in his full force and ſtrength.

18. El. 19.

He that hath a yard land within fiue miles of Oxford, ſhall yearely pay iiii d. towards the repaire of bridges.

Prouided alwayes, and be it enacted by the authority aforeſaid, That the ſaid Act made in the eighteenth yeare of her Maieſties reigne, for the repairing and amending of the Bridges and high wayes neere vnto the Citie of Oxon, or any thing therein contayned, ſhall not charge with any thing towards the amending of the ſaid Bridges and high wayes, any perſon or houſeholder inhabiting within fiue miles of the Vniuerſitie and Citie of Oxon, not hauing in poſſeſſion one yard land. And that euery perſon hauing one yard land or more in his poſſeſſion, lying within the ſaid fiue miles, ſhall pay yearely the ſumme of foure pence onely for euery yard land, before the Feaſt of Pentecoſt, vnto the Vice-Chancellor and Maior for the time being, or their deputie or deputies, towards the amending of the ſaid Bridges and high wayes, and no other penalty, with like remedie by diſtreſſe for euery ſumme of foure pence which ſhall be due and not paid as aforeſaid, as is contayned in the ſaid Statute for any penalty therein limited.

It is lawfull to giue lands towards the maintenance of the Houſe of Correction, or of the poore.
18. El. 3.
39. El. 5.

And be it alſo enacted by the authority aforeſaid, That it ſhall be lawfull for euery perſon, for and during the ſpace of twenty yeares next enſuing, to make Feoffements, Grants, or any other aſſurances, or by laſt Will in writing to giue and bequeath in fee ſimple, as well to the vſe of the poore, as for the prouiſion, ſuſtentation, or maintenance of any Houſe of Correction, or abiding Houſes, or of any Stockes or Stores, all or any part of ſuch of his Lands, Tenements, and Hereditaments, and in ſuch maner and forme as he might haue done, to and for the prouiſion, ſuſtentation, or maintenance of any Houſes of Correction, or abiding Houſes, or of any Stockes or Stores, by force of the ſaid Statute.

23. El. 6.
Repaire of Douer Hauen.

Prouided alwayes, and be it enacted by the authority of this preſent Parliament, That all Ships, Barkes, Veſſels, or Crayers, whereof any of her Maieſties ſubiects ſhall be owners, or part owners of the burthen of twenty Tunne, or vpwards, loading or diſcharging within this Realme, and paſſing to and fro any forreine Countrey, that are of any Port, Hauen, or Creeke in Seuerne, from the Lands end in Cornewall to Briſtow, and from thence to Gloceſter, and from Milford Hauen to Cheſter, Lyrpoole, and all the Ports and Creekes to them or either of them belonging, in S. Georges Channell, and from the ſaid places backe againe, ſhall after the eight day of May, which ſhall be in the yeare of our Lord God one thouſand fiue hundreth ninety and ſixe, be diſcharged of the three pence of euery Tunne, for the reparation of Douer Hauen, The ſaid Statutes made for the repairing of Douer Hauen, or either of them, or any thing therein contayned, to the contrary notwithſtanding: Except any of the ſaid Ships, Barkes, Veſſels, or Crayers, ſhall goe for Douer, or to the Eaſtward. And that as well the ſaid Ships, Barkes, Veſſels, and Crayers, that ſhall goe for Douer, or to the Eaſtward, as alſo all the Ships, Barkes, Veſſels, and Crayers, which ſhall croſſe the narrow Seas, ſhall pay in maner and forme as hereafter is expreſſed, and no more: that is to ſay, if they goe forward with any maner of Loading, not a quarter loaden, then to pay after the rate of a quarter loading, and ſo ratably vpwards, according to their loading: but homeward, to pay according to the full rate of the entry of their loading of euery Ship, Barke, Veſſell, or Crayer.

27. El. not imprinted, for the maintenance of the Peere of Lyme Regis

And be it alſo enacted by the authority aforeſaid, That one Act made in the ſeuen and twentieth yeare of her Maieſties reigne, entituled, An Act for the maintenance of the Peere and Cobbe of Lyme Regis, in the Countie of Dorſet, ſhall be renewed, and ſtand in his full force and ſtrength, for and during the ſpace of ten yeares next enſuing, and ſo from thenceforth to the end of the next Parliament then next enſuing.

27. El. 17.
The breadth of woollen clothes in Wilt. Glouceſt. Somerſet, and Oxford ſhire.

And be it further enacted by the authority of this preſent Parliament, That one Act made in the Parliament holden at Weſtminſter the three and twentieth day of Nouember, in the ſeuen and twentieth yeare of her Highneſſe reigne, entituled, An Act touching the breadth of white Woollen Clothes, made in the Counties of Wiltſhire, Glouceſter, Somerſet, and Oxonford, &c. And all and euery the Branches, Clauſes, and Prouiſions in the ſame contayned, ſhall from henceforth be, remaine, and continue in force and effect for euer.

43. El. 10.
The Queens licence for tranſporting of Corne at leſſe cuſtome than is before expreſſed.

Prouided alwayas, That this Act, or any thing therein contayned, ſhall not be preiudiciall or hurtfull to any former Letters Patents, or Licence granted by her Maieſty, to any perſon or perſons, Bodies Politicke or Corporate, for the tranſportation of any Corne or Graine, either at any leſſer Cuſtomes, or Subſidies, than is contayned in this preſent Act, or without any Cuſtome, or Subſidie, but that they, and euery of them, their deputies and aſſignes, ſhall and may tranſport Graine hereafter, for the time in their ſeuerall Letters Patents eſpecified, either at ſuch Prices and Rates, or without Cuſtome, or Subſidie, in ſuch maner and forme, as in the ſaid Letters Patents is contayned, according to the forme and effect of the ſame Letters Patents, and in ſuch maner and forme, and not otherwiſe, to all intents and purpoſes, as if this preſent Act had neuer beene had, or made.

Prouided alwaies, and bee it enacted by the authority of this preſent Parliament, That the Queenes Maieſty, her heyres and ſucceſſors, may at all times by her and their Writ of Proclamation to bee publiſhed generally in the whole Realme, or in any the Counties of the Realme, where any Port Townes are, command, That no perſon ſhall by vertue of this Act tranſport or carry any manner of Graine out of her Highneſſe Dominions generally, or out of any ſpeciall Ports to bee in the ſame Proclamation particularly named, for ſuch time as ſhall bée therein limited and appointed.

The Q. may reſtrain tranſporting of Corne by proclamation.

And that it ſhall not be lawfull for any perſon to carry out any ſuch Graine, contrary to the tenour of the ſame Proclamation, vpon ſuch paines and forfeitures, as by the Lawes and Statutes of this Realme are and haue béene prouided and ordained in that behalfe: This Act or any thing therein contayned to the contrary notwithſtanding.

1 & 2. P. & M. 5. 13. El. 13.

CAP. VIII.

Seuerall penalties for making of Cables of old ſtuffe, being aboue or vnder ſeuen ynches in compaſſe.

FOR as much as it is found by common experience, that ſundry perſons vſing the trade of making Cables, Halſors, and other kinde of Cordage within this Realme, haue of late for their priuate lucre and gaine vſed to make the ſame of old, caſt, and ouerworne Cables, Halſors, and Cordage: and yet haue craftyly and deceitfully vttered and ſold the ſame being tarred, as new, good, and ſtrong, and as made of new and perfect ſtuffe, couering and hiding the falſe and corrupt making thereof by tarring of them before the ſame be put to ſale, by reaſon whereof not only diuers Ships, Veſſels, and goods, aſwell of her Maieſties, as of ſundry her Highneſſe ſubiects, but alſo the liues of diuers of her ſaid ſubiects haue béene loſt, periſhed, and caſt away:

The inconueniences enſuing the deceitfull making of Cordage.

For remedy thereof, and for the auoyding of ſuch great loſſes, inconueniences and dangers as might otherwiſe hereafter enſue by ſuch corrupt, falſe, and deceitfull making of Cables, Halſors, and other Cordage, as is aforeſayd:

Be it enacted by the Queenes moſt excellent Maieſty, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that if any perſon or perſons, ſhall after forty dayes next after the end of this Seſſion of Parliament, make or cauſe to be made, any Cables of any old and ouerworne ſtuffe, which ſhall containe aboue ſeuen ynches in compaſſe: Then euery perſon ſo offending, ſhall forfeit and loſe foure times the value of euery ſuch Cable ſo by him or her made or cauſed to be made as is aforeſaid. And if any perſon or perſons, after the ſayd forty dayes next after the end of this Seſſion of Parliament, ſhall tarre, or cauſe to be tarred any Halſors or other Cordage made within this Realme of ſuch old and ouerworne ſtuffe as aforeſayd, being of leſſer aſſiſe, and not contayning in compaſſe ſeuen ynches, and ſhall after by way of retaile ſell, or put to ſale, or cauſe to bee ſolde or put to ſale the ſame being ſo tarred: That euery perſon ſo offending, ſhall forfeit and loſe the treble value of euery Cable, Halſor, and other Cordage, being of leſſer aſſiſe, and made of ſuch old and ouerworne ſtuffe as is aforeſaid, which ſhall be ſo ſold or put to ſale, being tarred as aforeſayd: The one moyty of all which forfeitures ſhall be to the Queenes Maieſty, her heyres and ſucceſſors, and the other moitie to ſuch perſon or perſons as will ſue for the ſame, by action of Debt, Bill, Plaint, or Information, wherein no Eſſoigne, Protection, or Wager of law ſhall be allowed.

Old ſtuffe put into new Cables.

The penalty for tarring of Cables, Cordage, &c.

And furthermore, that euery perſon which ſhall in any wiſe offend againſt the tenour and meaning of this Act, ſhall be impriſoned for the ſame during her Maieſties pleaſure.

Impriſõment.

CAP. IX.

The length, breadth, and weight of Plunkets, Azures, Blewes, and other coloured Clothes, made in the Counties of Glouceſter, Somerſet, and Wiltſhire.

WHereas in the Parliament holden at Weſtminſter in the fifth and ſixth yeares of the Reigne of our late Soueraign Lord King Edward the ſixth, one Statute was made, intituled, An Act for the true making of Wollen Cloth, whereby (among other things) it was enacted, That all broad Plunkets, Azures, Blewes, and other coloured Cloth, which after the Feaſt of S. Michael the Archangel then next comming, ſhould bee made within the Shires of Wiltſhire, Glouceſter, or Somerſet, or elſewhere of like making, ſhould containe in length, being through wet, betwixt xxv. and xxviij. yards, yard and ynch of the Rule, and ſhould bee ſeuen quarters within the liſts at the leaſt, and liſted according to the ancient cuſtome, and being well ſcowred, thicked, milled and fully dried, ſhould weigh lxviij. pounds the Péece at the leaſt, as by the ſayd Act, among diuers Clauſes, Articles, and Prouiſions contained in the ſame, more plainly is expreſſed: Sithence the making of which ſayd Statute, although the makers of the ſayd

The effect of the ſtat of 5. & 6. Ed. 6. 6. touching the making of Plunkets, &c. in Wiltſhire, Glouceſter, and Somerſet ſhires.

coloured Clothes haue endeuoured themſelues, according to their beſt ſkill and induſtry, to performe and fulfill the ſaid recited Statute in euery of their Clothes, as much as in them did lye, as touching the breadth of Clothes, and to that end and purpoſe haue allowed and doe allow ſo much Yarne and Stuffe to euery ſuch Cloth as might ſufficiently ſerue, to make all the ſaid coloured Clothes full out in length, breadth, and weight, according to the ſayd Statute made in the fift and ſixt yeares of King Edward the ſixt: Yet notwithſtanding, many times, by reaſon of the diuers natures in the Wolls, and by the great diuerſities in the Spinning, Carding, and Milling, many of the ſayd coloured Clothes made within the ſayd Countie of Somerſet and elſewhere of like making, doe not containe full ſeuen quarters in breadth, according to the ſaid Statute made in the fift and ſixt yéeres of King Edward the ſixt, and yet no default touching the ſaid breadth can iuſtly be imputed to the maker thereof, for that the ſaid Clothmakers (as experience dayly ſheweth) cannot obſerue the ſayd former Statute in all the ſayd Clothes, as touching the breadth, although they endeuour themſelues neuer ſomuch thereunto: which Clothes not containing their full aſſize in breadth, as is aforeſayd, are many times taken and ſeized by the Searchers of London, when they come to their Market at Blackwel Hall, to the great loſſe and damage of the ſayd Clothmakers, and to the great hinderance of Clothmaking within the ſayd County: In conſideration whereof, albeit it is not hereby intended, to repeale or make voyd the ſaid former recited Statute, otherwiſe than is hereafter expreſſed; yet neuertheleſſe be it enacted by the Quéenes moſt excellent Maieſty, with the aſſent of the Lords Spirituall and Temporall, and the Commons of this preſent Parliament aſſembled, and by the authority of the ſame, That no perſon or perſons ſhall be hereafter charged for any ſuch default, which hereafter ſhall bee in any of the ſaid broad Plunkets, Azures, Blewes, or other coloured Clothes, for want of breadth of ſeuen quarters, ſo that the ſame Cloth doe containe in breadth, being throughly wet, ſix quarters & an halfe at the leaſt within the liſts vnwrought, and liſted according to the ancient cuſtome: Any thing in the ſaid former recited Statute mentioned to the contrary in any wiſe notwithſtanding.

The Stat. of 5. & 6. Ed. 6. 6 not performed for the breadth of Cloth, and yet no default in the Clothmakers.

The Cloth ſix quarters & a halfe broad being wet.

Prouided alwaies, and be it enacted by the authority aforeſaid, That if any of the ſaid Clothes ſhall not containe ſix quarters and an halfe at the leaſt within the liſts, as is aforeſayd, that then euery perſon offending in that behalfe, ſhall for euery ſuch Cloth be ſubiect to ſuch paines, penalties, and forfeitures, as were by force of the former recited Statute of the fift and ſixt yeares of King Edward the ſixt, to haue béene forfeited for want of breadth of ſeuen quarters within the liſts.

The penalty, if any of the ſaid Clothes be not in breadth ſixe quarters and a halfe.

And be it neuertheleſſe enacted by the authority aforeſayd, That if any of the ſayd broad Plunkets, Azures, Blewes, or other coloured Clothes, being well ſcowred, thicked, milled, and fully dryed, ſhall containe in weight any leſſe than lxviii. pounds at the leaſt: that then euery of the ſayd Clothiers therein offending, ſhall incurre double ſuch penalties and forfeitures, for euery pound ſo wanting of the ſayd weight, and not weighing after ſuch rate as is before expreſſed in and by the ſayd Statute, made in the ſift and ſixt yeares of King Edward the ſixt, is limited and appointed.

The penalty for want of weight. Examined by the Parliament Roll.

And bee it neuertheleſſe enacted by the authority aforeſayd, That if any of the Clothes to be made within the County of Somerſet, or elſewhere, of like making, called Plunkets, Azures, and Blewes, being well ſcowred, thicked, milled, and fully dryed, ſhall containe in weight any leſſe than lxviii. pounds at the leaſt: or if any of the ſayd Clothes ſhall containe in length any more than xxvii. yards at the moſt: That then euery of the ſame Clothiers therein offending, ſhall incurre double ſuch penalties and forfeitures for euery pound ſo wanting, as by the ſayd Statute of the ſayd fift and ſixt yeares of the reigne of King Edward the ſixt, are to ſuch defaults limited and appointed: And for euery yard that any ſuch Cloth ſhall containe aboue xxvii. yards in length, and not weighing after ſuch rate as is before expreſſed, the maker of euery ſuch Cloth ſhall incurre double the penalties by the Statute of the fourth and fift yeares of the reignes of King Philip and Quéene Mary, to ſuch defaults limited and appointed.

weight, 68. pounds. Length, 27 yards. Rep. 43. El. 10.

Cap. X.

The weight and length of a Deuonſhire Kerſey raw, and of a Rudge Waſh Kerſey, &c.

In their moſt humble and dutifull wiſe ſhewen, and beſéchen your Highneſſe, your true and faithfull Subiects the Clothiers, Merchants and Chapmen of your County of Deuon, and of the Counties adioyning, That where in the Moneth of January, in the foure and thirtieth yeare of your Maieſties moſt happy reigne, as well at the humble ſuit and petition of ſundry your ſayd Subiects, as vpon certificate of diuers Iuſtices in your highneſſe ſayd County of Deuon, and vpon complaint of the States of Holland, it pleaſed your Highneſſe, with the aduice of your moſt Honourable Priuie Councell, by your Highneſſe Proclamation, for the reformation of the inſufficiences growne in the Clothes called Deuonſhire Kerſeys or Dozens, (a commodity heretofore in great requeſt, priſe, and eſtimation, both amongſt your naturall Subiects, and in forreine Nations, and Countries) but of late maruellouſly (and not without occaſion) diſcredited by the inuentions and new deuices of the Weauers, Tuckers, and Artificers, To command that the Lawes before that time made and ſtanding in force not repealed, for and concerning the premiſſes, ſhould bee duely accompliſhed in all things: And that euery Officer ſhould diligently performe his Office accordingly: And that the weight of the ſayd Kerſies or Dozens being raw, and wrought with cleane ſtuffe, without any deceitfull addition, ſhould weigh fiftéene pounds, and containe in the Market at the leaſt betwéene fiftéene and ſixtéene yards in length, and that the ſame ſhould bee ſewantly wouen throughout of like ſorted Yarne, forbidding all other deceits in Weauing, and all diminiſhing and vnreaſonable drawing, ſtretching, and other deceits in Tuckers: And that each Weauer ſhould weaue his Shop-marke in each Dozen and a purrell in each end thereof: And that Officers ſhould bee appointed in Market Townes, to view, weigh, and trie the ſame Kerſies, whether they were in length, weight, or goodneſſe according to the rate and proportion ſet forth in the ſame Proclamation, The ſame Proclamation to endure till the firſt day of this preſent Parliament, as by the ſame more at large may appeare.

The Queens Proclamation touching the weight, length, and goodneſſe of Deuonſhire Kerſies.

Now moſt gracious Soueraign, foraſmuch as by the ſayd Proclamation great order and better making of the ſayd Clothes for weight and length thereof hath enſued, and to the end that hereafter further diſcouery and reſtraint of all abuſes and deceits, contrary to the former Lawes and Statutes of this Realme, may bee prouided for, to the reuiuing of the reputation of ſo good, pofitable, and neceſſary a commodity, It may pleaſe your Maieſty, with the aſſent of the Lords Spirituall and Temporall, and the whole Communalty aſſembled in this preſent Parliament, and by the authority of the ſame, that it may be enacted and eſtabliſhed as followeth, that is to ſay, That from and after the firſt day of July now next comming, each Kerſey called Deuonſhire Kerſey or Dozen, which ſhall be made and wouen within the ſaid County of Deuon, or any other County next adioyning thereunto, being raw, vnſcowred, vntucked, and vnwet, as it commeth from the Weauers beame, and being made of cleane and perfect ſtuffe, that is to wit, of Wooll, ſhorne, cleanſed, and throughly waſhed or ſcowred, after the ſhearing, and before the weauing, without any fraud, deceit, policie, or deuice, or any ſtuffe thereunto deceitfully or vnlawfully added in the working, or after the working thereof, for encreaſe of the weight, ſhall weigh in the Market fiftéene pounds, or vpwards.

St. 5. & 6. Ed. 6. 6.
4. & 5. Ph. & M. 5.

The weight of a Deuonſhire Kerſie or Dozen raw.

And that from and after the ſaid firſt day of July, euery raw Deuonſhire Kerſie or Dozen from thenceforth to be wouen and made in the ſaid Countie of Deuon, or any of the other Counties adioyning, being a Rudge Waſh Kerſie, that is to ſay, being made of Fléece Wooll waſhed only on the Shéepes back, and the Wooll not being cleanſed, waſhed, and ſcowred after it is ſhorne, and before it is wouen, ſhal (without any fraud, deceit, policie, deuice, or addition of ſtuffe whatſoeuer, to encreaſe the weight thereof) weigh in the Market ſeuentéen pounds at the leaſt being raw as it commeth off the Weauers beame, and each and euery of the ſame Deuonſhire Kerſies or Dozens ſo being raw and as it commeth forth of the Weauers Loome (without racking, ſtretching, ſtrayning, or other deuice to encreaſe the length thereof) ſhall containe in length betwéene fiftéen and ſixtéens yards by the meaſure of yard and ynch by the Rule, without which obſeruation of weight being raw, they cannot fall out (after they be well ſcowred, thicked, & fully dryed) to containe the length and weight expreſſed and limited in the Statute of the 4. and 5. yeare of Philip and Mary, viz. twelue yards in length, and twelue pounds in weight, as hath béene ſufficiently made knowne & teſtified to your Highneſſe ſaid Priuy Councell before the ſaid Proclamation.

The weight and length of Rudge Waſh Kerſie.

4. Iac. 2.

And if any Weauer ſhal work or make any of the ſaid kinds of Kerſies of leſſe weight or meaſure then is before mentioned after their kind, euery ſuch offender ſhall forfeit for euery quarter of a pound in weight which any of the ſaid raw Kerſies or Dozens which ſhall be brought to any Market, or ſold, or offered to be ſold, ſhall want of their weight aforeſaid, twelue pence: and for euery quarter of a yard which ſhall be wanting in length of either ſort of the ſaid Kerſies, likewiſe being ſold, or offered to be ſold, twelue pence. And that each ſort of the ſaid Kerſies or Dozens ſhalbe ſewantly wouen throughout of well and like ſorted Yarne. And that no Weauer ſhall vſe any diuerſitie in the bigneſſe or goodneſſe of his Yarne in any part of the ſaid Kerſies, ſauing only in the Liſts, nor vſe any other practiſe in edging or weauing of any the ſame Kerſies or Dozens, to make the ſame ſéeme finer néere the edge or Liſts, than in other part of the ſame Cloth,

The forfeiture of the offender.

The weauers dutie in weauing of Dozens.

And that it may be further enacted by the authority aforeſaid, That each Weauer ſhall weaue his Shop-marke of ſome coloured Yarne in the end of euery Kerſie which hée ſhall hereafter weaue or make, & ſhall alſo at each end of euery of the ſame Kerſies weaue one Purrell likewiſe of coloured Yarne, of the breadth of thrée quarters of an ynch at the leaſt, whereby the deceitfull cutting and diminiſhing of ſuch Clothes by Tuckers or Fullers heretofore vſed, may henceforth bee preuented. And if any weauer ſhall vſe any deceit in mingling his Yarne, or ſhall omit his Shop-marke, or ſhall not weaue in euery Kerſie two Purrels, according to the tenor of this Act, he ſhall forfeit and loſe for euery offence to the contrary, ten ſhillings.

A weauers Shop-mark.

A Purrell at each end.

And to the end that the weight and goodneſſe of all the ſayd Kerſies called Dozens being raw, may be the better and more certainely knowne, it may further be enacted, That no Weauer nor any other perſon whatſoeuer, ſhall offer or put to ſale any of the ſame raw Kerſies called Dozens

before

Dozens ſhall be viewed, weighed, and marked,

before the ſame haue bin viewed, weighed, and marked in ſome City, Towne corporate, or Market Towne, and allowed by ſuch Officer, and marked with ſuch markes as ſhall be there in ſuch City or Town, vſed and appointed for that purpoſe, vpon paine to forfeit and loſe for euery Cloth ſold, or offered to be ſold to the contrary, tenne ſhillings: The one halfe of all which forfeitures ſhall bee to the vſe of your Highneſſe, your heires and ſucceſſors, and the other halfe to the principall Officer or Magiſtrate of the Citie, Towne corporate, or Market Towne, next adioyning to the dwelling or working place of ſuch Weauers as ſhall offend in any of the premiſſes, if he the ſame Officer or Magiſtrate ſhall firſt make ſeiſure thereof: or elſe to the principall Officer of that Citie, Towne corporate, or Market Towne, where the ſame ſhall be ſold, or offered to be ſold, to be recouered by action of Debt, Bill, Plaint, or Information, with coſts, in any Court of Record, wherein no Protection, Wager of Law, or Eſſoigne ſhall be allowed.

Searchers of Deuonſhire Kerſies, and their duties.

And for the better diſcouery of the offences aforeſayd, and the more perfect accompliſhing of the premiſſes, it may be alſo enacted, That the principall Officer or Magiſtrate for the time being, in euery Citie, Town corporate, or Market Town of the ſayd County, or of any other of the Counties adioyning, where any ſuch Kerſies called Deuonſhire Kerſies, or Dozens now are, or hereafter ſhalbe wouen, made, offered, or put to ſale, ſhall euery yeare from henceforth appoint and haue in readineſſe at all times néedefull, two or more diſcréet perſons, which ſhalbe ſpeciall and knowen Officers and Searchers, which ſhall attend and ſhalbe at his and their entry into his or their ſaid Office ſworne during his or their continuance in the ſayd Office, truely to view, weigh, & marke each Kerſie called a Dozen, in ſuch Citie or Towne, or any of them, made, ſold, or offered to be ſold, or put to ſale, and to preſent each offence or defect which ſhall there fall out, contrary to the true meaning of this Statute: Euery which Searcher or Officer ſo to bee hereafter appointed for this purpoſe, in any ſuch Citie, Towne corporate, or Market Towne, ſhall by force of this Act haue power and authority to enter in the day time into all Shoppes, Warehouſes, Workehouſes, and other places conuenient of the ſame Citie or Towne, where hee or they ſhall bee ſo appointed, there to view, ſearch and ſée whether any Kerſie or Dozen bee made, ſold, or offered to be ſold, contrary to the true meaning of this Act, and alſo to ſée what paines, penalties, and forfeitures ſhall be growne due to her Maieſtie by any Weauer, ſeller or buyer, within the liberties and precincts of the ſame Towne, taking onely of and for the weighing and marking of euery Kerſie, a farthing for his paines, and ſo according to the number, and no more, which farthing vpon euery Kerſie is to be payd by the ſeller of the ſame Kerſie.

What ſhall be forfeited, and by whom, if Searchers be not appointed, or not attendant.

And if ſuch Searchers and Officers ſhall not be yearely appointed and attendant at all times reaſonable and conuenient, or ſhall neglect his or their duties, in the true ſearch, weighing and marking of the ſayd kerſies, or any of them, or ſhall marke any one Kerſie which wants of his weight, as is aforeſayd, that then and in euery ſuch caſe the chiefe Magiſtrate of euery ſuch Citie and Towne, ſhall forfeit and loſe for euery ſuch offence of their Searcher or Searchers twenty ſhillings, and for euery market day they ſhall want two, or one at the leaſt of ſuch Searchers, the ſumme of forty ſhillings, to be leuied as hereafter is expreſſed.

No Dozen ſhall be brought or dreſſed, before it be tryed.

And that it may further be enacted, That from and after the firſt day of July, no manner of perſon or perſons whatſoeuer, ſhall buy any ſuch raw Kerſie called Deuonſhire Kerſie or Dozen, in any Market or elſewhere, vnleſſe the ſame ſhall be firſt tried, weighed, and marked by the Officers of ſome Citie, or Towne corpate, or Market Towne, as is aforeſaid. And that no Weauer, Tucker, Fuller, or other whatſoeuer, ſhal dreſſe or cauſe to be dreſſed any of the ſaid raw Clothes called Deuonſhire Kerſies or Dozens, vnleſſe the ſame be firſt tried, weighed, and marked in ſome one Market Towne by the Searcher or Searchers, there in that behalfe appointed, vpon paine of forfeiture of euery ſuch Kerſie ſo bought, dreſſed, or put to dreſſing which ſhall not before be tryed and marked as is afore mentioned.

The length of a Dozen ſhall not be diminiſhed.
The forf. and who ſhall haue them.

And for the auoyding of deceit of Tuckers or Fullers, that it may be enacted, that no Clothier, Tucker, Fuller, or other perſon whatſoeuer, ſhall at any time from henceforth cut or diminiſh the length of any Kerſie called a Deuonſhire Kerſie or Dozen, and after offer or put the ſame to ſale as a whole Kerſie or Dozen, vpon paine of forfeiture of twenty ſhillings for euery of the ſame Kerſies or Dozens ſo cut or diminiſhed, the one halfe of all and euery which forfeitures, not before limited and appointed, ſhall be to our Soueraigne Lady the Quéene, and the other halfe to him or them that will ſue for the ſame by Action of Debt, Bill, Plaint, or Information, in any Court of Record, wherein the plaintife is to recouer his coſts. Alſo wherein no Protection, wager of Law, or Eſſoine ſhall be allowed. This Act to endure vntill the end of the next Parliament. 3.Car.4. Continued vntill the end of the firſt Seſſion of the next Parliament.

Cap.

CAP. XI.

A quantity of Clapbord ſhall be brought into this Realme for Beere or Fiſh tranſported. wine caske ſhall not be tranſported but for certaine purpoſes.

Whereas of late yeares Timber is greatly decayed and conſumed within this Realme; the want whereof is greatly to be feared and ſpeedily to be prouided for, And foraſmuch as there is great occaſion of ſpending and conſuming thereof, by felling of great quantities of Timber, and conuerting the ſame into clouen Bord for the making of Caſke, which is vſually tranſported out of the Realme into the parts beyond the Seas, And foraſmuch alſo as Wine Caſke brought into this Realme is very ſeruiceable, as well for her Maieſties houſhould, and Nauie, in time of her Highneſſe ſeruice for victualling of her Highneſſe Ships, and alſo for victualling of Merchants Ships, and a great cauſe of ſparing Timber within this Realme.

Bee it therefore enacted by the Queenes moſt excellent Maieſtie, the Lords Spirituall and Temporall, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That all and euery perſon and perſons, which ſhall after the Feaſt of the Natiuity of S. Iohn Babtiſt next enſuing, ſhip, carry, or tranſport any Beere into the parts beyond the ſeas, to be ſold or exchanged for other Merchandiſe, ſhall (if he be a Stranger) then before the ſame tranſporting, (if he be a Subiect borne) then either before the ſame tranſporting, or within foure months after, bring or cauſe to be brought into this Realme, from the parts beyond the Seas, for euery ſixe tuns of Beere two hundred of Clapbord, fit for to make Caſke of, to containe in length three foot and two ynches at the leaſt, or elſe the ſame Caſke again, or ſo much other good and ſweet Caſke in quantity, and the ſame to be entred at the Cuſtome houſe without any colouring, or if the ſame traſporting ſhall be into the Realme of Ireland, then to bring in manner and forme as aforeſaid, ſo much of Shaffold bord in quantity as the ſayd Clapbord amounteth vnto.

For beere tranſported clapbord or cask ſhall be brought in.

And alſo bee it further enacted by the authority aforeſayd, that no Stranger borne, ſhall after the laſt day of Iune, which ſhall be in the yeare of our Lord, M.D.XC.IIII. ſhip, carry, or tranſport beyond the Seas, any Pilchers or other Fiſh in Caſke, vnleſſe the ſame perſon haue before ſuch ſhipping, brought, or cauſed to be brought into this Realme, from the parts beyond the ſeas, for euery ſix tuns of Pilchers, or other Fiſh according to the rate and maner aforeſaid, of Clapbord fit for Caſke, or elſe Caſke as aforeſayd, vpon paine of forfeiture of the ſayd Beere, Pilchers, and Caſke, that ſhall bee ſhipped or laden, to bee tranſported into the parts of beyond the Seas.

Clapbord ſhall be brought into the Realme for fiſh tranſported.

And be it further enacted by the authority aforeſayd, that it ſhall not be lawfull for any perſon or perſons, after the ſayd feaſt of S. Iohn the Baptiſt next enſuing, to tranſport or carry any Wine Caſke out of this Realme, with any Beere or Beereager, nor any Wine Caſke ſhaken, and ſell the ſame Beere or Beereager, or Caſke, Except for the victualling of any Ship or portable veſſell or of any of her Maieſties Garriſons and forces in the parts of beyond the Seas, vpon paine of forfeiture of the ſumme of xl.s. for euery tun of Caſke ſo carried or tranſported.

In what caſes only wine caske may be tranſported. 3. Iac. 11.

Prouided alwaies, that this Act or any thing therein contayned, ſhall not extend to the tranſportation of any Herrings whatſoeuer in Caſkes: This Act to continue to the end of the next Parliament. 3. Car. 4. Continued vntill the end of the firſt Seſſion of the next Parliament.

CAP. XII.

A confirmation of two Subſidies of foure ſhillings in the pound to be payd in two yeares, graunted to the Queene by the Clergie. EXP.

CAP. XIII.

A confirmation of three Subſidies and ſixe Fifteenes and Tenths granted to the Queene by the Temporalty. EXP.

CAP. XIIII.

A confirmation of the Queenes generall and free Pardon, Except &c. EXP.

ANNO TRICESIMO NONO REGINAE *ELIZABETHÆ.*

AT the Parliament begun and holden at Weſtminſter the foure and twentieth day of October, in the nine and thirtieth yeare of the reigne of our moſt gracious Soueraign Lady, ELIZABETH, by the grace of God, of England, France, and Ireland, Queene, Defender of the Faith, &c. And there continued vntill the diſſolution thereof, being the ninth of Februarie next following, 1597. To the high pleaſure of Almighty God, and the weale publike of this Realme, were enacted as followeth.

CAP. I.

The Statute of 4. H. 7. 19. and all other Statutes made againſt the deſtruction of Townes and houſes of Husbandry, repealed: and the penalty for decaying of houſes of Husbandry ſince 1. Eliz. &c. EXP. Stat. 39. El. 2.

CAP. II.

Arrable land made paſture ſince 1. Eliz. ſhall be againe conuerted to tillage, and what is arable ſhall not be conuerted to paſture &c. EXP. ſtat. 39. El. 1.

CAP. III.

Who ſhall be Ouerſeers of the poore: by whom and when they ſhall be appointed: their office and duty: their accompt: their forfeitures &c. EXP. 43. El. 2. 43. El. 9.

CAP. IIII.

All former Statutes made for puniſhment of vagabonds &c. repealed. Iuſtices of Peace ſhall ſet downe orders for erection of houſes of Correction &c.

A repeale of all former Stat. made for the puniſhment of rogues & touching houſes of correction. 22. H. 8. 12. 27. H 8. 25. 11. H. 7. 2. 14. El. 5. 18. El 3. Orders for the execution and maintenance of houſes of corection. 7. Iac 4.

FOr the ſuppreſſing of rogues, vagabonds and ſturdy beggers: Be it enacted by the authority of this preſent Parliament, that from and after the Feaſt of Eaſter next comming, all Statutes, heretofore made for the puniſhment of rogues, vagabonds or ſturdy beggers, or for the erection or maintenance of houſes of Correction or touching the ſame, ſhall for ſo much as concerneth the ſame be vtterly repealed: And that from and after the ſayd feaſt of Eaſter, from time to time it ſhall and may be lawfull to and for the Iuſtices of Peace of any County or Citie in this Realme or the Dominions of Wales, aſſembled at any quarter Seſſions of the Peace within the ſame County, City, borough, or Towne Corporate, or the more part of them, to ſet downe order to erect, and to cauſe to bee erected one or more houſes of Correction within their ſeuerall Counties or Cities: for the doing and performing whereof, and for the prouiding of ſtockes of money, and all other things neceſſary for the ſame, and for rayſing and gouerning of the ſame, and for correction and puniſhment of offendors thither to be committed, ſuch orders as the ſame Iuſtices or the more part of them ſhall from time to time take, reforme, or ſet downe in any their ſaid quarter Seſſions in that behalfe, ſhall bee of force, and bee duely performed and put in execution.

Who ſhall be accompted rogues vagabonds & ſturdy beggers.

And be it alſo further enacted by the authority aforeſayd, That all perſons calling themſelues Schollers going about begging, All Seafaring men pretending loſſes of their Ships or goods on the Sea going about the Country begging, All idle perſons going about in any Country eyther begging or vſing any ſubtill craft or vnlawfull games and playes, or faining themſelues to haue knowledge in Phiſiognomie, Palmeſtrie, or other like crafty ſcience, or pretending that they can tell deſtinies, fortunes or ſuch other like fantaſticall imaginations, All perſons that bee, or vtter themſelues to be Proctors, Procurers, Patent gatherers, or Collectors for Gaoles, Priſons or Hoſpitals, All Fencers, Bearewards, common Players of Enterludes and Minſtrels, wandering abroad (other than Players of Enterludes belonging to any Baron of this Realme, or any other Honorable perſonage of greater degree, to be authorized to play vnder the hand and ſeale of Armes of ſuch Baron or perſonage) All Iuglers, Tinkers, Pedlers and pettie Chapmen wandering abroad, All wandering perſons and common Labourers, being perſons able in body, vſing loytering and refuſing to worke for ſuch reaſonable wages, as is taxed or commonly giuen in ſuch parts, where ſuch perſon doe, or ſhall happen to dwell or abide, not hauing liuing otherwiſe to maintaine themſelues, All perſons deliuered out of Gaoles that beg for their fees, or otherwiſe doe trauell begging, All ſuch perſons as ſhall wander abroad begging, pretending loſſes by fire, or otherwiſe, And all ſuch perſons not being felons, wandering and pretending themſelues to be Egyptians, or wandering in the habit, forme or attire of counterfeit Egyptians, ſhall be taken, adiudged and déemed rogues, vagabonds and ſturdy beggers, and ſhall ſuſtaine all paine and puniſhments, as by this Act is in that behalfe appointed.

And be it enacted by the authority aforeſaid, That euery perſon which is by this preſent Acte declared to be a rogue, vagabond or ſturdy begger, which ſhall be at any time after the ſaid Feaſt of Eaſter next comming, taken begging, vagrant, wandering or miſordering themſelues in any part of this Realme or the Dominions of Wales, ſhall vpon their apprehenſion by the appointment of any Iuſtice of the Peace, Conſtable, Headborough or Tithingman of the ſame County, Hundred, Pariſh or Tithing where ſuch perſon ſhall be taken, the Tithingman or Headborough, being aſſiſted therein with the aduiſe of the Miniſter, & one other of that Pariſh, be ſtripped naked from the middle vpwards, and ſhall be openly whipped vntill his or her bodie bée bloody: and ſhall be forthwith ſent from Pariſh to Pariſh, by the Officer of euery the ſame, the next ſtraight way to the Pariſh where he was borne, if the ſame may be knowne by the parties confeſſion or otherwiſe. And if the ſame be not knowne, then to the Pariſh where hee or ſhee laſt dwelt before the ſame puniſhment by the ſpace of one whole yeare, there to put him or her ſelfe to labour as a true Subiect ought to doe: Or not being knowne where he or ſhee was borne or laſt dwelt, then to the Pariſh through which he or ſhe laſt paſſed without puniſhment. After which whipping the ſame perſon ſhall haue a Teſtimoniall ſubſcribed with the hand, and ſealed with the ſeale of the ſame Iuſtice of the Peace, Conſtable, Headborough or Tithingman, and of the Miniſter of the ſame Pariſh, or of any two of them, teſtifying that the ſame perſon hath béene puniſhed according to this Acte, and mentioning the day and place of his or her puniſhment, and the place whereunto ſuch perſon is limited to goe, and by what time the ſaid perſon is limited to paſſe thither at his perill. And if the ſaid perſon through his or her default doe not accompliſh the order appointed by the ſaid Teſtimoniall, then to be eftſoones taken and whipped, and ſo as often as any default ſhall be found in him or her contrary to the forme of this Statute, in euery place to be whipped, till ſuch perſon be repaired to the place limited: the ſubſtance of which Teſtimoniall ſhall be regiſtred by the Miniſter of that Pariſh, in a Booke to be prouided for that purpoſe, vpon paine to forfeit v. s. for euery default thereof: and the party ſo whipped and not knowne where he or ſhée was borne, or laſt dwelt by the ſpace of a yeare, ſhall by the officer of the ſaid Village where he or ſhée ſo laſt paſt through without puniſhment, be conueyed to the houſe of Correction of the limit wherein the ſaid Village ſtandeth, or to the common goale of that Countie or place, there to remaine and be employed in worke, vntill he or ſhe ſhall be placed in ſome ſeruice, and ſo to continue by the ſpace of one yeare, or not being able of bodie vntill he or ſhée ſhall be placed, to remaine in ſome Almeshouſe in the ſame Countie or place.

The puniſhment & vſing of a rogue.

A teſtimoniall for the puniſhment of a rogue.

A teſtimoniall regiſtred.

A rogue conueyed to the houſe of correction or to the goals.

Prouided alwaies, and be it enacted, if any of the ſaid rogues ſhall appeare to be dangerous to the inferior ſort of people where they ſhall be taken, or otherwiſe be ſuch as will not be reformed of their roguiſh kind of life by the former prouiſions of this Act, that in euery ſuch caſe it ſhall & may be lawfull to the ſaid Iuſtices of the limit where any ſuch rogue ſhall be taken, or any two of them, whereof one to be of the Quorum, to commit that rogue to the houſe of Correction, or otherwiſe to the goale of the Countie, there to remaine vntill their next quarter Seſſions to be holden in that Countie, and then ſuch of the ſame rogues ſo committed, as by the Iuſtices of the Peace then and there preſent, or the moſt part of them, ſhall be thought fit not to be deliuered, ſhall and may lawfully by the ſame Iuſtices or the moſt part of them, be baniſhed out of this Realme, and all other the Dominions thereof, and at the charges of that Countrey, ſhall be conueied vnto ſuch parts beyond the Seas as ſhall be at any time hereafter for that purpoſe aſſigned by the priuie Councell vnto her Maieſty, her heires or ſucceſſors, or by any ſixe or more of them, whereof the Lord Chancellor, or Lord Kéeper of the great Seale, or the Lord Treaſurer for the time being to be one, or otherwiſe be iudged perpetually to the Gallies of this Realme, as by the ſame Iuſtices or the moſt part of them it ſhall be thought fit and expedient. And if any ſuch rogue ſo baniſhed as aforeſaid ſhall returne againe into any part of this Realme, or Dominion of Wales, without lawfull licence or warrant ſo to doe, that in euery ſuch caſe ſuch offence ſhall be felony, and the party offending therein ſuffer death as in caſe of felony: the ſaid felonie to be heard and determined in that Countie of this Realme or Wales, in which the offender ſhall be apprehended.

Rogues which be dangerous. or will not be reformed.

A rogue baniſhed the Realme, or adiudged to the Gallies.

A rogue baniſhed returning without licence.

And be it alſo enacted be the authority aforeſaid, that if in any Towne, Pariſh or Village, the Conſtable, Headborough or Tithingman be negligent and do not his or their beſt endeuours for the apprehenſion of ſuch vagabond, rogue or ſturdie begger, which there ſhall be found contrary to the forme of this preſent Act, and to cauſe euery of them to be puniſhed & conueyed according to the true meaning of this preſent Act, that then the ſaid Conſtable, Headborough or Tithingman, in whom ſuch default ſhall be, ſhall loſe and forfeit for euery ſuch default x. s. And alſo if any perſon or perſons do in any wiſe diſturbe or let the execution of this Law or any part thereof, concerning the puniſhment or conueying of rogues, vagabonds, ſturdie beggers, or the reliefe or

The forfeit of the officer not puniſhing rogues.

The penalty for diſturbance of the execution of this Statute.

ſetling of poore impotent perſons in any manner of wiſe, or making reſcuſſe againſt any officer or perſon authoriſed by this preſent Act for the due execution of any the premiſſes, the ſame perſon ſo offending, ſhall forfeit and loſe for euery ſuch offence the ſumme of v. li. and ſhall be bound to the good behauiour.

No rogue ſhall be brought from Ireland, Scotland or the Iſle of Man.

And be it alſo further enacted by the authority aforeſaid, that no perſon or perſons hauing charge in any Voyage, in paſſing from the Realmes of Ireland or Scotland, or from the Iſle of Man into this Realme of England, doe wittingly or willingly bring or conuey, or ſuffer to be brought or conueighed in any veſſell or boate from and out of the ſaid Realme of Ireland, Scotland, or Iſle of Man, into the Realme of England or Wales, or any part thereof, any vagabond, rogue or begger, or any ſuch as ſhall be forced, or very like to liue by begging within the Realme of England or Wales, being borne in the ſame Realmes or Iſland, on paine of euery ſuch perſon ſo offending, to forfeit & loſe for euery ſuch vagabond, rogue, begger or other perſon like to liue by begging xx. s. to the vſe of the poore of the ſaid Pariſh in which they were ſet on land. And if any ſuch Manniſh, Scottiſh or Iriſh rogue, vagabond or begger, be already, or ſhall at any time hereafter be ſet on land, or ſhall come into any part of England or Wales, the ſame after he or ſhe ſhall be puniſhed as aforeſaid, ſhall be conueyed to the next Port or Pariſh, in or neere which they were landed or firſt came, in ſuch ſort as rogues are appointed to be by this preſent Act, and from thence to be tranſported at the common charge of the Countrey where they were ſet on land into thoſe parts from whence they came or were brought. And that euery Conſtable, Headborough, and Tithingman, neglecting the due performance thereof, ſhall forfeit for euery ſuch offence x. s.

None reſorting to Bathe or Burton ſhall begge.

Be it further enacted by the authority aforeſaid, that no diſeaſed or impotent poore perſon ſhall at any time reſort or repaire from their dwelling places to the Citie of Bathe or Towne of Burton, or either of them to the Bathes there for the eaſe of their griefes, vnleſſe ſuch perſon doe forbeare to beg, and be licenſed to paſſe thither by two Iuſtices of the Peace of the County where ſuch perſon doth or ſhall then dwell or remaine, & prouided for to trauell with ſuch reliefe, as towards his or her maintenance as ſhall be neceſſary for the ſame perſon, for the time of ſuch his or her trauell and abode at the Citie of Bathe and Towne of Burton, or either of them, and to returne thence, and ſhall returne home againe as ſhall be limited by the ſaid licence, vpon paine to be reputed, puniſhed and vſed as rogues, vagabonds and ſturdy beggers declared by this preſent Act. And that the inhabitants of the ſame citie of Bathe and Towne of Burton ſhall not in any wiſe be charged by this Act with the finding or reliefe of any ſuch poore people.

The authority of Iuſtices in corporate townes.

Prouided alwayes, that the Iuſtices of Peace within any County of this Realme or Wales, ſhall not intermit or enter into any Citie, Borough, or Townes Corporate, where be any Iuſtice or Iuſtices of the Peace for any ſuch Citie, Borough, or Towne Corporate, for the execution of any branch, article or ſentence of this Act, for or concerning any offence, matter or cauſe growing or ariſing within the precincts, liberties or iuriſdiction of ſuch City, Borough, or Townes Corporate, But that it may and ſhall be lawfull to the Iuſtice and Iuſtices of the Peace, Maior, Bailiffes, and other head Officers of thoſe Cities, Boroughes and Townes Corporate, where there be ſuch Iuſtices of the Peace to proceed to the execution of this Act, within the precinct and compaſſe of their liberties, in ſuch maner and forme as the Iuſtices of Peace in any County may or ought to doe within the ſame County, by vertue of this Act: Any thing in this Act to the contrary thereof notwithſtanding.

The poore in S. Thomas hoſpitall in Southwark.

Prouided alwayes, that this Act or any thing therein contained, ſhall not extend to the poore people for the time being in the Hoſpitall, called S. Thomas Hoſpital, otherwiſe called the Kings Hoſpitall, in the Borough of Southwarke neere adioyning to the Citie of London, But that the Maior, Communaltie and Citizens of the ſaid Citie of London for the time being, ſhall and may haue the rule, order and gouernement of the ſaid Hoſpitall, and of the poore people therein for the time being: Any thing in this Act to the contrary notwithſtanding.

Iohn Dutton of Dutton in the county of Cheſters liberties.

Prouided alwayes, that this Act or any thing therein contained, or any authority thereby giuen, ſhall not in any wiſe extend to diſinherit, preiudice or hinder Iohn Dutton of Dutton, in the County of Cheſter Eſquire, his heires or aſſignes, for, touching or concerning any liberty, preeminence, authority, iuriſdiction or inheritance, which the ſaid Iohn Dutton now lawfully vſeth, or hath, or lawfully may or ought to vſe within the County Palatine of Cheſter, and the County of the Citie of Cheſter, or either of them, by reaſon of any ancient Charters of any Kings of this Land, or by reaſon of any Preſcription, Vſage, or Title whatſoeuer.

The employing of the forfeitures.

And be it further enacted by the authority aforeſaid, That all Fines and Forfeitures appointed or to grow by this preſent Act, (except ſuch as are otherwiſe limited and appointed by this preſent Act) ſhall wholly goe and be employed to the vſe of the reparations and maintenance of the ſaid houſes of Correction, and ſtocke and ſtore thereof, or reliefe of the poore where the offence ſhalbe committed, at the diſcretion of ye Iuſtices of the Peace of the ſame Limit, Citie, Borough or Towne corporate: And that all Fines and Forfeitures appointed or to grow by conuiction of any perſon according to this preſent Act, ſhall by warrant vnder the hands and ſeales of any two or more of the Iuſt. of the Peace of the ſame County, City, Borough, or Towne corporate, be leuied by diſtreſſe and ſale of the goods & cattels of the offender: which ſale ſhall be good in the Law againſt ſuch offender. And that if any of the ſaid offences ſhall be confeſſed by the offender, or that the ſame ſhall be proued by two ſufficient & lawfull witneſſes, before ſuch two or more Juſtices of the Peace, that then euery ſuch perſon ſhall forthwith ſtand and be in the Law conuicted thereof.

Confeſſion or proofe of an offence ſhall be a conuiction of the offender

And be it alſo further enacted by the authority aforeſaid, That any two or more Juſtices of the Peace within all the ſaid ſeuerall Shires, Cities, Boroughes, or Townes corporate, whereof one to be of the Quorum, ſhall haue full power by authority of this preſent Act, to heare and determine all cauſes that ſhall grow or come in queſtion by reaſon of this Act.

The Juſt. of P. may heare and determine all cauſes in queſtion.

And be it alſo further enacted by the authority aforeſaid, That the Lord Chancellor or keeper of the great Seale of England for the time being, ſhall and may at all times hereafter, by vertue of this preſent act without further warrant, make and direct Commiſſion or Commiſſions vnder the great Seale of England, to any perſon or perſons, giuing them or ſome of them thereby authority, as well by the oathes of good and lawfull men, as of witneſſes or examination of parties, or by any other lawfull wayes or meanes whatſoeuer, to enquire what ſummes of mony or other things haue beene or ſhall be collected or gathered for or towards the erection of any houſes of Correction, or any Stockes or other things to ſet poore on worke, or for the maintenance thereof, at any time after the ſeuenteenth day of Nouember, in the eighteenth yeare of the reigne of the Queenes moſt excellent Maieſtie, and by whom the ſame were or ſhall be collected or gathered, and to whoſe hands commen, and to what vſe, and by whoſe direction the ſame was or ſhall be imployed And to call all and euery ſuch perſon and perſons, and their ſuerties, and euery of their executors or adminiſtrators to an account, and to compell them and euery of them by attachment of their goods or bodies to appeare before them for the ſame, and to heare and determine the ſame, and to leuie ſuch money and things as they ſhall find not to haue beene duely employed vpon the ſaid houſes of correction, or ſtockes, or vpon other like vſes, hauing in ſuch other like vſes reſpect of things paſt by the ſaid Commiſſioners to be allowed of, either by diſtreſſe and ſale of the goods and cattels of ſuch perſons as they ſhall thinke fit to be chargeable or anſwerable for the ſame, or by impriſonment of their bodies at their diſcretion: And that the ſaid Commiſſioners ſhall haue full power and authority to execute the ſame Commiſſion according to the tenour and purport thereof: And that all their proceedings, doings, iudgements, and executions by force and authority thereof, ſhall be and remaine good and auaileable in the Law: Which ſaid money ſo leuied by the ſaid Commiſſioners, ſhall be deliuered and employed for the erecting or maintenance of the ſame.

Commiſſions to enquire of money giuen to houſes of correction, or for ſtockes for the poore.

Prouided alwayes neuertheleſſe, that euery Seafaringman ſuffering ſhipwracke, not hauing therewith to releeue himſelfe in his trauels homewards, but hauing a teſtimoniall vnder the hand of ſome one Juſt. of the Peace of or neere the place where he landed, ſetting downe therein the place and time where and when he landed, and the place of the parties dwelling or birth, vnto which he is to paſſe, & a conuenient time therein to be limited for his paſſage, ſhall and may without incurring the danger and penaltie of this Act in the vſuall wayes directly to the place vnto which he is directed to paſſe, and within the time in ſuch his teſtimoniall limited for his paſſage, aske and receiue ſuch reliefe as ſhall be neceſſary in and for his paſſage.

A ſeafaring man ſuffering ſhipwracke.

Prouided alſo, that this Statute nor any thing therein contayned, ſhall extend to any children vnder the age of ſeuen yeares, nor to any ſuch glaſſemen as ſhall be of good behauiour, and do trauell in or through any Countrey without begging, hauing licence for their trauelling vnder the hands and ſeales of three Juſtices of the Peace of the ſame Countie where they trauell, whereof one to be of the Quorum.

Children vnder the age of ſeuen yeares Glaſſemen.

And be it alſo further enacted by the authority aforeſaid, that this preſent Act ſhall be proclaimed in the next quarter Seſſion or Seſſions in euery county, and in ſuch other Market townes or places, as by the more part of the Juſtices of the Peace in the ſaid Seſſions ſhall be agreed and appointed. This Act to endure to the end of the firſt Seſſion of the next Parliament. 3. Car. 4. Continued vntill the end of the firſt Seſſion of the next Parliament. Stat. 1. Iac. 7. 1. Iac. 25.

Proclamation of this Act.

Cap. V.

Any perſon may erect an Hoſpitall or houſe of correction, which may purchaſe and enioy goods or lands not exceeding the yearely value of CC. li. &c.

Whereas at the laſt Seſſion of Parliament, Prouiſion was made aſwel for maimed Souldiers, by Collection in euery Pariſh, as for other poore, that it ſhould be lawfull for euery perſon, during twenty yeares next after the ſaid Parliament, by Feoffement, Will in writing, or other aſſurance to giue and bequeath in Feeſimple, as well to the vſe of the poore, as for the prouiſion, ſuſtentation, or maintenance of any houſe of correction, or abiding houſes, or of any ſtockes or ſtores, all or any part of his Lands, Tenements, or hereditaments: Her moſt excellent Maieſty vnderſtanding and finding that the ſaid good law hath not taken ſuch effect as was intended, by reaſon that no perſon can erect or incorporate any Hoſpitall, houſes of correction or abiding places but her Maieſty, or by her Highneſſe ſpeciall licence by letters Patents vnder the

A rehearſall of the Statute of 35. Eliz. 4.

Any perſon may erect an Hoſpitall or houſe of correction.

Incorporation of the Hoſpitall by the Founder.

The Hoſpitall or houſe of correction ſhall be named by the Founder.

The Hoſpitall ſhall be a body politike and corporate.

The Hoſpitall may purchaſe goods or lands.

The Hoſpital may ſue & be ſued.

The Hoſpital ſhall haue a common ſeale.

The ordering, directing & viſiting of an Hoſpitall.

The ſtatutes and ordinances of an Hoſpitall

The Founder may place the head and members.

the great Seale of England in that behalfe to be obtained: Her Maieſtie graciouſly affecting the good ſucceſſe of ſo good and charitable workes, and that without often ſuit vnto her Maieſtie, and with as great eaſe and little charge as may be, is of her Princely care and bleſſed diſpoſition to and for the reliefe and comfort of maimed Souldiers, Mariners, and other poore and impotent people, pleaſed and contented that it be enacted by authority of this preſent Parliament: And be it enacted by the authority of this preſent Parliament, that all and euery perſon and perſons ſeiſed of an eſtate in Féeſimple, their heires, executors, or aſſignes, at his or their wils and pleaſures, ſhall haue full power, ſtrength, licence, and lawfull authority at any time during the ſpace of twenty yeares next enſuing, by Déed inrolled in the high Court of Chancerie, to erect, found and eſtabliſh one or more Hoſpitals, Meaſons de dieu, abiding place, or houſes, of correction, at his or their will and pleaſure, as well for the finding, ſuſtentation and reliefe of the maimed, poore, néedy or impotent people, as to ſet the poore to worke, to haue continuance for euer, and from time to time to place therein ſuch head and members, and ſuch number of poore as to him, his heires and aſſignes ſhall ſéeme conuenient: And that the ſame Hoſpitals or houſes ſo founded, ſhall be incorporated, and haue perpetuall ſucceſſions for euer, in fact, déed, and name, and of ſuch head members, and numbers of poore, néedy, maimed, or impotent people, as ſhall be appointed, aſſigned, limited, or named by the Founder or Founders, his or their heires, executors or aſſignes, by any ſuch déed inrolled: And that ſuch Hoſpitall, Meaſon de dieu, abiding place, or houſe of correction, and the perſons therein placed, ſhall be incorporated, named, and called by ſuch name as the ſaid Founder or Founders, his heires, executors or aſſignes ſhall ſo limit, aſſigne, & appoint: And the ſame Hoſpitall, Meaſon de dieu, abiding place, or houſe of correction, ſo incorporated and named, ſhall be a body corporate and politicke, and ſhall by that name of incorporation, haue full power, authority, and lawfull capacity and ability, to purchaſe, take, hold, receiue, enioy, and haue to them and to their ſucceſſors for euer, as well Goods and Catels, as Mannors, Lands, Tenements, and Hereditaments, being Fréehold of any perſon or perſons whatſoeuer, So that the ſame excéed not the yearely value of two hundred pounds aboue all charges and repriſes, to any one ſuch abiding houſe, Hoſpitall, Meaſon de dieu, or houſe of correction, And ſo as the ſame or any part thereof be not holden of our Soueraigne Lady the Quéene, her heires or ſucceſſors, immediately in chiefe, or elſe of our ſaid Soueraigne Lady the Quéene, or any other perſon by Knights ſeruice, without licence or Writ of Ad quod damnum, the Statute of Mortmaine, or any other Statute or Law to the contrary notwithſtanding. And that the ſame Hoſpitall, Meaſon de diu, abiding place, or houſe of correction, and the perſons ſo being incorporated, founded and named, ſhall haue full power and lawfull authority by the true name of the incorporation thereof, to ſue and to be ſued, implead and to be impleaded, to anſwer and to be anſwered vnto, in all maner of Courts and places that now are, or hereafter ſhall be within this Realme, as well Temporall as Spirituall, in all maner of ſuits whatſoeuer, and of what nature and kind ſoeuer, ſuch ſuits or actions be or ſhall be: And that the ſame Hoſpital, Meaſon de dieu, abiding houſe, or houſe of correction, ſhall haue and enioy for euer ſuch a common Seale or Seales, as by the ſaid Founder or Founders, his or their heires, executors or aſſignes ſhall be in writing vnder his or their hand and ſeale aſſigned, named or appointed: whereby the ſame corporation ſhall or may ſeale any maner of Inſtrument touching the ſame incorporation, and the lands, tenements, hereditaments, goods, or other things thereto belonging, or in any wiſe touching or concerning the ſame. And further ſhall be ordered, directed, and viſited, placed, or vpon iuſt cauſe diſplaced, by ſuch perſon or perſons, bodies politike or corporate, their heires, ſucceſſors, or aſſignes, as ſhall be nominated or aſſigned by the Founder or Founders thereof, their heires or aſſignes, according to ſuch Rules, Statutes, and Ordinances, as ſhall be ſet forth, made, deuiſed, or eſtabliſhed, by the ſaid Founder or Founders, their heires or aſſignes in writing vnder his or their hand and ſeale, not being repugnant or contrary to the Lawes and Statutes of this Realme, any Law, Statute, Cuſtome, Vſage, or other thing whatſoeuer to the contrary in any wiſe notwithſtanding. And that it ſhall be lawfull vnto the Founder or Founders, his and their heires or aſſignes, vpon the death or remouing of any head or member of any ſuch corporation, to place one other in the roome of him that dyeth, or is remoued ſucceſſiuely for euer.

Leaſes made by Hoſpitals.

A ſauing of the right of others in the Hoſpitall lands.

Prouided alwaies, that all leaſes, grants, conueiances or eſtates, to be made by any corporation ſo to be founded as aforeſaid, excéeding the number of one and twenty yeares, and that in poſſeſſion, and whereupon the accuſtomable yearely rent or more by the greater part of twenty yeres next before the making of ſuch leaſe, ſhall not be reſerued and yearely payable, ſhall be void. Sauing to all perſons, bodies politike & corporate, their heires and ſucceſſors (other than the Founders and giuers, their heires and ſucceſſors) all ſuch right, title, claime, poſſeſſion, rents, ſeruices, commons, demands, intereſt, & profits, which they or any of them ſhall haue, or of right ought to haue, of, in or to any the lands, tenements, or hereditaments, hereafter to be giuen, limited or aſſigned in forme aforeſaid, in as ample maner as if this Statute had neuer béene had or made.

Certaine perſons not enabled to erect Hoſpitals.

Prouided alſo, that this Act or any thing therein contained, ſhall not extend to enable any perſon or perſons being within age, women couert without their huſbands, or of not ſanæ memoriæ, to make any ſuch corporation, or to endow the ſame: Any thing in this preſent Act to the contrarie thereof in any wiſe notwithſtanding.

Provided alwaies, that no ſuch Hoſpitall, Maiſon de dieu, abiding place, or houſe of correction ſhall be erected, founded, or incorporated by force of this Act, vnleſſe vpon the foundation or erection thereof, the ſame be endowed for euer with lands, tenements, or hereditaments of the cleare yearely value of x. li. by the yeare.

x. li. land at the leaſt ſhall be aſſured to an Hoſpitall.

Provided alſo, and be it further enacted, that no ſuch incorporation to be founded by force of this Act, ſhall at any time hereafter do or ſuffer to be done any Act or thing whereby or by means whereof any of the lands, tenements, hereditaments, ſtocke, goods or cattels of ſuch incorporation, or any eſtate, intereſt, poſſeſſion or propertie, of, or in the ſame, or any of them ſhall be veſted or transferred in or to any other whatſoeuer, contrary to the true meaning of this Act: and that ſuch conſtruction ſhall be made vpon this Act as ſhall be moſt beneficiall and auaileable for the maintenance of the poore, and for repreſſing and auoiding of all Acts and deuices to be inuented, or put in vre contrary to the true meaning of this Act. 21. Iac. 1. made perpetuall.

The conſtruction of this Act.

Cap. VI.

Commiſſions may be awarded to certaine perſons to enquire of lands or goods giuen to Hoſpitals, or other charitable vſes miſimployed, and to reforme them. REP. 43. El. 9. Sauing for the execution of orders and decrees before made by Commiſſioners according to this Statute.

Cap. VII.

The Queene may ſell her accomptant or Debtors lands in his life time, and after his death. To which accomptant only this Statute doth extend. There ſhall be no ſale of land where the Debtor hath a *Quietus eſt*. If the Queene be ſatisfied, the ſuerties ſhall be diſcharged. What Proces ſhall be awarded where the debt doth grow in the Court of Wards or Dutchie. Proces ſhall be awarded againſt the terre-tenant before the ſale of his land. EXP. 13. *El.* 4. 27. *El.* 3. 43. *El.* 9.

Cap. VIII.

Euery depriuation of any B. or Deane made in the beginning of the Q. reigne, ſhall be good: and Arch-biſhops, Biſhops, and Deanes made by the Q. ſhall be adiudged lawfull.

Whereas diuers and ſundry perſons exerciſing the office and function of Biſhops and Deanes, of diuers Sées and Biſhopricks and Deanries, within this Realme in the reigne of our late Soueraigne Lady Quéene Mary, were before the tenth day of Nouember, in the fourth yeare of the moſt happie and bleſſed gouernement of the Quéenes moſt excellent Maieſtie that now is, lawfully and iuſtly depriued from ſuch Biſhopricks, and Deaneries, as they ſeuerally enioyed and tooke vpon them to hold, and in their ſteads and places ſundry excellent and worthy men duely preferred to the ſame: And whereas the parties ſo depriued, did notwithſtanding, as it is pretended, make ſecret Appeales, and vſed other ſecret meanes, pretending thereby to ſupport the continuance of their ſaid offices and functions:

Be it therefore declared and enacted, by authority of this preſent Parliament, That all and euery depriuation, and depriuations, and all and euery ſentence and ſentences of depriuation whatſoeuer, had, pronounced, or giuen, at any time betwéene the beginning of the reigne of the Quéenes moſt excellent Maieſtie, that now is, and the tenth day of Nouember in the fourth yeare of the ſame, againſt any perſon or perſons, which was, or tooke vpon him to be Archbiſhop or Biſhop of any Sée or Biſhopricke, or Deane of any Deanerie within this Realme, or any the Dominions thereof in the reigne of the ſaid late Quéene Mary, from ſuch Sée or Biſhopricke, ſhall be adiudged, déemed, and taken good and ſufficient in Law to all intents and purpoſes, and ſo ſhall remaine and continue: Any appeale, exception, or other matter or thing whatſoeuer to the contrary thereof in any wiſe notwithſtanding.

Depriuation of Biſhops and Deanes in the beginning of the Q. reigne ſhall be good

And be it further enacted by the authority aforeſaid, that all ſuch Archbiſhops, and Biſhops, and Deanes as were ordayned or made by the authority or licence of the Quéenes Maieſtie that now is, at any time betwéene the beginning of her reigne, and the ſaid tenth day of Nouember in the fourth yeare of her Maieſties reigne, ſhall be taken and iudged to be lawfull Archbiſhop or Biſhop of the Sée or Biſhopricke, and Deane of the Deanrie vnto the which he was ſo preferred, aſſigned, or appointed: And that the ſame Sée of Archbiſhopricke or Biſhopricke, and Deanrie, vnto which he was ſo preferred, aſſigned, or appointed, ſhall be déemed and adiudged to be méerely void to all reſpects and purpoſes before ſuch preſentment, appointment, or aſſignement ſo made as aforeſaid: Any ambiguity or queſtion in that behalfe heretofore made, or hereafter to be made to the contrary in any wiſe notwithſtanding.

Archbiſhops, Biſhops, and Deanes made by the Queen be lawfull. 8. Eliz. 1.

Cap. IX.

He that taketh away a woman againſt her will, that hath lands or goods, or is heire apparant to her anceſtor, ſhall loſe his Clergie.

VVHereas of late times diuers women as well maidens as widowes, and wiues hauing ſubſtance, ſome in goods moueable, and ſome in lands and tenements, and ſome being heires apparant to their anceſtors, for the lucre of ſuch ſubſtance, bin oftentimes taken by miſdoers contrary to their will, and after married to ſuch miſdoers, or to others by their aſſent, or defiled, to the great diſpleaſure of God, and contrary to your highneſſe Lawes, and diſparagement of the ſaid women, and great heauineſſe and diſcomfort of their friends, and ill example of others, which offences, albeit the ſame be made Felony by a certaine Act of Parliament made in the third yeare of King Henry the ſeuenth: Yet for as much as Clergie hath beene heretofore allowed to ſuch Offenders, diuers perſons haue attempted and committed the ſaid offences in hope of life by the benefite of Clergie: Bee it therefore enacted by the Queenes moſt excellent Maieſtie, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and euery ſuch perſon and perſons, as at any time after the end of this preſent Seſſion of Parliament, ſhall be conuicted or attaynted, of or for any offence to be committed after the end of this preſent Seſſion of Parliament, made felony by the ſaid act of the third yeare of the reigne of King Henry the ſeuenth, or which ſhall be indicted & arraigned of or for any ſuch offence, and ſtand mute or make no direct anſwer, or ſhall challenge peremptorily aboue the number of twenty, ſhall in euery ſuch caſe, loſe his and their benefit of Clergie, and ſhall ſuffer paines of death, without any benefit of Clergie: Any former law to the contrary notwithſtanding.

He that taketh away a woman againſt her will contrary to the Stat. of 3 H. 7. 2. ſhall loſe his Clergie.

Prouided alwayes, that this Act, or any thing therein contayned, ſhall not extend to take away the benefite of Clergie, but only from ſuch perſon and perſons as hereafter ſhall be Principals, or Procurers, or Acceſſaries before ſuch offence committed.

Principals, Procurors, or Acceſſories before the offence.

Cap. X.

The Stat. of 23. El. 7. reſtraining Engliſhmen to goe or ſend into any forreigne countrey to buy or bring into this Realme ſalted Herring or ſalted fiſh repealed, &c.

VVHere at the Parliament holden by prorogation the xvj. day of January, in the xxiij. yere of the reigne of our moſt gracious Soueraigne Lady Queene Elizabeth, an Act was made, (intituled, An Act for the increaſe of Mariners, and for maintenance of the Nauigation) whereby amongſt other things, it was enacted, That it ſhould not be lawfull to any natiue Engliſhman, woman, or denizen, at any time, after a time limited in the ſame Act, directly, or indirectly, by themſelues, their ſeruants, factors, agents, deputies, or friends, or any of them whatſoeuer, to goe or ſend into any other forreigne Countrey, Realme, or Dominion whatſoeuer for the buying, prouiding, or bringing into this Realme, out, or from any the ſaid forreine Realmes, or Dominions, out of the Queenes obeyſance, of any ſalted Fiſh, or ſalted Herrings, nor ſhould make any agreement, with any Alien, or Stranger, or any other for ſuch bringing into this Realme, by any Alien, or Stranger, of any ſalted fiſh, or ſalted herrings, And that no ſalted fiſh, nor ſalted herrings, ſhould be brought hither, out of the ſaid forreine Realmes, and Dominions, but by the meere Owners thereof, or Deputies of them, being Aliens and Strangers, without the procurement of any ſubiect of the Queenes Maieſtie, her heires or ſucceſſors, or of any Denizen, and by none other perſon, or perſons, vpon paine that ſuch Engliſh perſon, or Denizen offending againſt that Acte, ſhould forfeit the ſame ſalted Herrings, and ſalted Fiſh, or the value thereof, with diuers other clauſes, and branches in the ſame Statute contayned, touching the bringing of Fiſh into this Realme, and the buying and ſelling of Fiſh, as by the ſame Act at large appeareth, vpon the making of which Acte it was hoped and expected, that the Fiſhermen of this Realme, would in ſuch ſort haue employed themſelues to fiſhing, and to the building and preparing of ſuch ſtore of Boates, and ſhipping for that purpoſe, as that they ſhould long ere this time, haue beene able ſufficiently to haue victualled this Realme, with ſalted Fiſh and Herrings of their owne taking, without any ſupply of Aliens and Strangers, to the great encreaſe of Mariners, and maintenance of the Nauigation within this Realme, notwithſtanding it is ſince found by experience, that the Nauigation of this land is no whit bettered by meanes of that Acte, Nor any Mariners encreaſed, nor like to be encreaſed by it, But contrariwiſe, the naturall ſubiects of this Realme, being not able to furniſh the tenth part of the ſame, with ſalted Fiſh of their owne taking, The chiefe prouiſion and victualling thereof with Fiſh and Herrings, hath euer ſince the making of the ſame Statute, beene in the power and diſpoſition of Aliens and Strangers, who thereby haue much enriched themſelues, greatly encreaſed their Nauigation,

A rehearſall of the Stat. of 23. El. 7. reſtraining Engliſhmen to bring out of a forreine Countrey ſalted fiſh.

What was expected by the foreſaid St. of 23. El. 7.

The inconueniences enſuing the making of the foreſaid ſtat. of 23. El. 7.

nigation, And (taking aduantage of the time) haue extreamely enhaunced the prices of that victuall, to the great hurt and impouerishing of the natiue Subiects of this Realme, and yet doe ſerue the Markets here in very euill ſort by little and little, houſing and keeping their Fiſh, as well on this ſide, as beyond the Seas, till the prices be rayſed to their liking, And the Merchants of this Realme, hauing beene wholly barred in their trades of prouiding of Fiſh for the ſeruice thereof, The Nauigation of this Realme, which was intended to bee augmented, hath beene rather impaired than encreaſed thereby, and the prices of Fiſh greatly enhaunced, to the great and generall preiudice of the ſubiects: For remedy thereof, and for that it is lawfull as well to ſtrangers and Aliens, as to the Subiects of this Realme, to carry out into forreine parts and Dominions ſuch ſalted Fiſh and Herrings, as are taken and prouided by the Subiects of this Realme, And therefore very vnequall that the natiue Subiects of this land, ſhould not be at liberty to bring in alſo forreine prouiſion of Fiſh, for the victualling of their owne Country, as well as to carry out, but that the ſtranger ſhould be wholly truſted therewith:

They which may carry fiſh forth of this Realme may alſo bring in fiſh.

Bee it therefore enacted by the Queenes moſt excellent Maieſty, the Lords Spirituall and Temporall, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſame Statute made in the ſayd three and twentieth yeare of her Maieſties moſt gracious reigne, and euerie clauſe, branch, article, and prouiſo thereof, And all the penalties and forfeitures therein contained, ſhall from henceforth be cleerely repealed, voyd, fruſtrate, and of none effect, to all intents, conſtructions, and purpoſes, as if the ſame had neuer beene had ne made, Any thing in the ſame Acte contained to the contrary thereof in any wiſe notwithſtanding.

A repeale of the before mentioned Statute of 23. El. 7.

And be it further enacted by the Queenes moſt excellent Maieſty, the Lords Spirituall and Temporall, and Commons in this preſent Parliament aſſembled, That it ſhall and may bee lawfull for all and euery her Maieſties ſubiects, being owners of any Shippes, Barkes, or Veſſels ſailing with croſſe ſailes, to receiue and take into their ſayd Ships, Barkes, or Veſſels, any Herrings, or other fiſh, which any Alien or Stranger ſhall buy and prouide of any her Maieſties Subiects within this Realme, And the ſame Herrings and Fiſh, or any of them may tranſport into any parts beyond the Seas, being in league or amity with her Maieſtie, in their ſayd ſhips or veſſels with croſſe ſailes, So as the ſayd aliens or ſtrangers pay to her Maieſty, her cuſtomes and duties for the ſame, in ſuch ſort as by the ſame former Act was limited and appointed.

The Q. ſubiects may tranſport fiſh in ſhips with croſſe ſailes.

And be it enacted by the authority aforeſayd, That all Aliens and Strangers ſhall from henceforth, and from time to time pay to her Maieſty, for all ſalted fiſh, and ſalted Herrings to bee brought into this Realme, all ſuch like Cuſtomes, and Impoſitions, as are or ſhall be impoſed and ſet vpon any her Maieſties Subeicts, in thoſe forreine Regions & Countries, Ports, & Townes, from whence the ſayd ſalted Fiſh, and ſalted Herrings ſhall bee ſhipped and brought for the like Fiſhes and Herrings, ouer and beſides the ordinary Cuſtomes, which haue been payd to her Maieſty for the ſame, in manner and forme, as by the ſame Act was enacted and appointed.

what cuſtoms Aliens ſhall pay to the Q. for fiſh brought into this Realme.

And be it further enacted by the authority aforeſayd, That if any Alien or Stranger borne, or any Denizen or naturall borne ſubiect of this Realme, ſhall bring into any Hauen, Port, Creeke, or Towne of this Realme, any ſalt Fiſh or ſalt Herrings, which ſhall not be good, ſweete, ſeaſonable, and meete for mens meat, and ſhall offer the ſame to be ſold, and ſhall be warned by any officer of ſuch Port, Hauen, or Towne, where the ſame ſhall be offered to be ſold, that the ſame be not ſeaſonable nor meet for mens meat, That then if hee or they ſhall after that, offer any of the ſayd vnſeaſonable fiſh to be ſold to any perſon within this Realme, or being an Alien borne, & no Denizen, ſhall not depart with the ſame from the ſayd hauen, port, or towne, ſo ſoone as conueniencie will ſerue, That then all and euery perſon, owners thereof, ſhall loſe and forfeit to our ſaid Soueraigne Lady, all the ſaid vnſeaſonable fiſh vnmeet for mens meat, as before is ſaid.

The penalty for bringing into this Realm, & offering to ſel vnwholſome fiſh.

And be it likewiſe enacted, that all ordinances of the Fiſhmongers of London, or of any other Company, or Corporation whatſoeuer, made or, to be made, for reſtraint of any perſon to take or ſell fiſh, or to buy or prouide any fiſh of any Merchant, or other within this Realme. ſhall be repealed and voyd. And that euery perſon, or body corporate, that ſhall make or execute any ſuch ordinance or reſtraint, ſhall for euery ſuch offence forfeit one hundred pounds, the one moity thereof to the Queenes Maieſty, her heires and ſucceſſors, and the other moity to the party grieued, that will ſue for the ſame, by action of debt, in any Court of Record, wherein no eſſoyne, protection or wager of law for the defendant ſhall be admitted or allowed.

Ordinances to reſtrain the taking, ſelling, or buying of fiſh ſhal be voyd. Rep. 43. El. 9.

Prouided alwaies that this Act ſhall no longer endure, than to the end of the next Parliament hereafter enſuing. 3. Car. 4. Continued vntill the end of the firſt Seſſion of the next Parliament.

CAP. XI.

The penalty for mixing or vſing Logwood in dying of Cloth, or other ſtuffe.

WHereas by an eſtatute lately made in the three and twentieth yeare of the Queens, Maieſties reigne that now is, it was amongſt other things enacted, that no perſon ſhould dye

Deceits pꝛactiſed to abuſe the meaning of the ſtat. of 23. El. 9. touching dying with Logwood.

dye oꝛ cauſe to be dyed any cloth, wooll, oꝛ other things there mentioned, with any ſtuffe called Logwood, alias Blockwood, vpon ſuch penaltie as in the ſaid ſtatute is mentioned: Since the making of which Statute, ſundꝛy euill diſpoſed perſons haue ſought to defraud the true meaning of the ſaid ſtatute, and to auoid the penaltie therein contayned, by cunning vſing oꝛ mixing of the ſaid Logwood, alias Blockwood together with Woad oꝛ other ſtuffe, which is not only contrary to the true meaning of the ſaid foꝛmer Act, and to the great deceit of her Maieſties louing ſubiects, but alſo to the diſcredite of the trade of clothing, eſpecially in foꝛreine countreyes, where heretofoꝛe Engliſh clothes haue béene had in good accompt and reckoning: foꝛ redreſſe of which fraud, and to the intent the ſaid pꝛactiſe may hereafter be the better diſcouered (which being cloſely and ſecretly done by the offenders, will otherwiſe hardly be found out) and that the ſaid pꝛactiſe, accoꝛding to the true intent and meaning of the ſaid foꝛmer ſtatute be henceforth vtterly aboliſhed.

A Iuſtice of P. may examine the ſeruants oꝛ woꝛkemen of a ſuppoſed offender.

Be it therefoꝛe oꝛdayned and enacted by authoꝛity of this pꝛeſent Parliament, That if any perſon ſhall be ſo ſuſpected to offend, then any Iuſtice oꝛ Iuſtices of Peace of the ſame Countie, where the ſaid ſuppoſed offender ſhall dwell, if he dwell out of a coꝛpoꝛate towne oꝛ citie, and if he dwell within any coꝛpoꝛat towne oꝛ citie, then the Mayoꝛ, Bailiffe, oꝛ other head officer being a Iuſtice of peace of ſuch coꝛpoꝛat towne oꝛ citie, where ſuch ſuppoſed offender ſhall dwell, vpon notice and Infoꝛmation to him oꝛ them giuen in that behalfe, ſhall by authoꝛity of this Act, by his oꝛ their warrant, oꝛ other commandement, cauſe to come befoꝛe him oꝛ them, the ſeruants and woꝛkemen of ſuch ſuppoſed offenders, and other perſons able to diſcloſe the ſaid deceit, and them to examine by their oath oꝛ otherwiſe. And if vpon the ſame examination they ſhall finde any perſon oꝛ perſons after the firſt day of Febꝛuary next enſuing to haue vſed, oꝛ cauſed to be vſed, in the dying oꝛ colouring of any cloth, wooll, yarne, grogerain, Buffins, oꝛ ſilke, oꝛ any thing made of woollen yarne oꝛ Silke, any Logwood, alias Blockwood, oꝛ now oꝛ heretofoꝛe reputed and taken foꝛ Logwood, alias Blockwood, that then the ſaid Iuſtices oꝛ Iuſtice, Mayoꝛ, Bayliffe oꝛ other head Officer, being a Iuſtice of Peace, ſhall not only binde with ſuertie all ſuch perſon oꝛ perſons, whom they ſhall finde ſo ſuſpected to haue offended, and ſuch others as may diſcouer the ſame offence, to the next quarter Seſſions oꝛ goale deliuery, which ſhall happen to be holden foꝛ that Countie, Citie, oꝛ Towne coꝛpoꝛate, but alſo to certifie all ſuch examinations and depoſitions, as tend to the finding out oꝛ diſcouery of the ſaid offences, at the ſaid Goale deliuery oꝛ quarter Seſſions: And alſo if any ſuch perſon ſo ſuſpected to haue offended, vpon examination afoꝛeſaid, ſhall refuſe to be bound as afoꝛeſaid, then the ſaid perſon oꝛ perſons ſo refuſing, to be committed to the next Goale, there to remaine, till he, ſhée, oꝛ they, ſhall ſo become bound with ſuerties, And that the ſaid Iuſtices of Aſſiſe, oꝛ Iuſtices of peace, at ſuch Goale deliuery oꝛ quarter Seſſions, ſhall haue authoꝛity by this Act, to indict and trie the offenders, by the vſuall courſe of inditements and trials in like caſes. And after ſuch conuiction, to adiudge the ſaid offenders to be ſet openly on the Pilloꝛie, in the ſaid Citie oꝛ market Towne where the ſame offence ſhall be committed, And if it ſhall not be in any Market towne, then in the next Market towne adioyning, in the ſame Countie, there to continue, by all the time of the Market, one oꝛ moe dayes by their diſcretion, foꝛ euery ſuch offence: And further, that euery ſuch offender, beſide his ſaid coꝛpoꝛall puniſhment, ſhall foꝛfeit foꝛ euery ſuch offence, the ſumme of xx. li. The one moitie of which ſumme of money, ſhall be to our ſoueraigne Lady the Quéenes Maieſtie, her heires and ſucceſſoꝛs, and the other moitie, to him that will ſue foꝛ the ſame, by action of debt, bill, plaint, oꝛ infoꝛmation in any Court of Recoꝛd. In which ſuit no eſſoine, pꝛotection, wager of law, noꝛ wꝛit of pꝛiuiledge foꝛ the defendant, ſhall be admitted oꝛ allowed, And the party offending, being thereof conuicted, to remaine in pꝛiſon without baile oꝛ mainepꝛiſe, till he haue ſatiſfied the ſame.

The penaltie foꝛ mixing oꝛ vſing of Logwood in dying of cloth with woad oꝛ other ſtuffe.

CAP. XII.

What workemen or labourers wages Iuſt. of Peace may aſſeſſe, &c. EXP. Stat. 1. Iac. 6. 1. Iac. 25. 21. Iac. 28.

CAP. XIII.

The L. Mayor of London, &c. may ſearch all perſons occupying the broad ſheare.

By the St. of 11. H 7. 27. The Mayoꝛ and wardens of Sheremen in London may ſearch the woꝛke of all perſons occupying the bꝛoad Shere.

WHereas by an Act made in the Eleuenth yeare of King Henry the ſeuenth, the Mayoꝛ and Wardens of Sheremen of the Citie of London foꝛ the time being, ſhould haue authoꝛity to enter & ſearch the woꝛkemanſhip of all maner of perſons occupying the bꝛoad ſhere, as well Fuſtians as cloth, and the execution of the ſaid Act, foꝛ vſing any Inſtruments of Iron, oꝛ other vntrue meane oꝛ ſleight in dꝛeſſing the ſame, Since which time, foꝛ that the L. Mayoꝛ of London cannot conueniently go in his own perſon to make the ſaid ſearch, by reaſon of his other weighty occaſions, diuers haue reſiſted the Wardens of the Sheremen, going abꝛoad in offering to make ſearch according to the ſayd Law, and for want of due and dayly ſearch in that behalfe, diuers haue of late dayes, put in vre the Iron Inſtruments, and other ſleights forbidden by the ſayd recited Act, to the great deceit of her maieſties people, amongſt whom the weariug of Fuſtians is lately growen to more vſe, as may ſéeme, than euer it was before time: Which Company of Sheremen, together with the Company of Fullers, were ſince the ſayd Act, made one Company by the name of Clothworkers, and ſo no ſuch ſearch can be duely made: for remedy hereof,

Sheremen & Fullers in London made one Cõpany.

Be it therefore enacted by the Quéenes moſt excellent Maieſty, with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that from henceforth it ſhall and may bee lawfull to and for the ſayd Lord Mayor of the Citie of London, or his ſufficient Deputy, and to and for the Maſter and Wardens of the ſayd myſtery of Clothworkers of London, or ſuch diſcréet perſons as the ſaid Maſter and Wardens of the ſayd Myſtery of Clothworkers for the time being, ſhall from time to time appoint, to enter and make ſearch, as the ſayd Mayor of London, and Wardens of Sheremen might haue done together by the ſayd Act, in the ſayd eleuenth yeare of King Henry the ſeuenth, vpon paine that the perſon or perſons, which ſhall make reſiſtance herein, ſhall forfeit for euery ſuch reſiſtance xx. s. of lawfull money of England, the one halfe to her Maieſty, and the other halfe to him or them that will ſue for the ſame, by action of debt, bill, plaint, or information, in any of the Quéenes Courts of Record, where the ſame may be determined, after the courſe of the Common Law. And that the defendant in ſuch caſe in no wiſe bee admitted to wage his law, Nor that any protection, or eſſoine be in the ſame allowable.

The Mayor & clothworkers of London, or their deputies may ſearch the worke of all perſons there &c.

The forf. of them which make reſiſtance to be ſearched.

CAP. XIIII.

No Cards for Wooll ſhall be brought into this Realme to be ſold.

Whereas many thouſands of Woollen Cardmakers and Cardwyerdrawers of the Cities of London, Briſtoll, Glouceſter, Norwich, Couentrie, and of many other her Highneſſe Cities and Townes within this Realme, haue hertofore liued and well maintained themſelues, their wiues, families, and children, by the benefite and vſe of their trade and facultie of Cardmaking and drawing of Cardwyer, within this Realme. And now of late time, by reaſon of the common bringing in of forraine Cardes for Wooll out of France, and other forrain parts, the ſaid Cardmakers and Cardwyerdrawers, haue bin ſo much impoueriſhed, that ſcant the twentieth perſon, that heretofore liued by the ſayd trades, is now maintained and ſet on worke thereby:

Be it enacted by our Soueraigne Lady the Quéens Maieſty, and by the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That no perſon or perſons whatſoeuer, from, or after the Feaſt day of the Purification of the bleſſed Virgin S. Mary, now next enſuing, ſhall bring, ſend, or conuey, or cauſe to be brought, ſent or conueyed into this Realme of England or Wales, from the parts beyond the Seas, any Cards for Wooll to be ſold, bartered or exchanged within the Realme of England or Wales, vpon paine to forfeit all ſuch Cardes for Wooll, ſo to be brought, ſent, or conueyed, contrary to the true meaning of this Act, in whoſe hands ſoeuer they or any of them ſhall bee found, or the very value thereof, the one halfe whereof to be to our ſaid Soueraign Lady the Quéenes Maieſtie, her heires and ſucceſſors, and the other moity thereof to him or them that will ſeiſe the ſame or ſue therefore, in any Court of Record of the Quéenes Maieſty, her heires and ſucceſſors, by action of debt, bill, plaint, information, or otherwiſe, in whoſe Actions, Suits, Plaints, or Informations, no wager of Law, Eſſoine, or Protection ſhall be allowed. This Act to endure vnto the end of the firſt Seſſion of the next Parliament. 3. Car. 4. Continued vntill the end of the firſt Seſſion of the next Parliament.

No Cards for Wooll ſhall be brought into this Realm to be ſold.

CAP. XV.

No perſon robbing an houſe in the day time to the value of fiue ſhillings, ſhall haue his Clergie.

Whereas of late yeares diuers lewd and felonious perſons vnderſtandiug that the penaltie of the robbing of houſes in the day time (no perſon being in the houſe at the time of the robbery) is not ſo penall, as to commit or doe a robbery in any houſe, any perſon being therein at the time of the robbery, which hath and doth embolden diuers lewd perſons to watch their oppertunity and time to commit and doe many hainous robberies, in breaking and entring diuers honeſt perſons houſes, and eſpecially of the poorer ſort of people, who by reaſon of their pouertie are not able to kéepe any ſeruant, or otherwiſe to leaue any bodie to looke to their houſe, when they goe abroad to heare diuine Seruice, or from home to follow their labour to get their liuing, which is to the hinderance and loſſe of good ſubiects, and the vtter impoueriſhing of many poore widdowes, ſole women, and other people:

Be it therefore enacted by our Soueraigne Lady the Quéenes moſt excellent Maieſty, the

Lords

He ſha'l not haue his Clergie that robbeth a houſe in the day time of the value of v. s.

Lords Spirituall and Temporall, and the Commons of this preſent Parliament aſſembled, that if any perſon or perſons after the end of this preſent Seſſion of Parliment ſhall be found guilty, and conuicted by verdict, confeſſion, or otherwiſe, according to the lawes of this Realme, for the felonious taking away after the feaſt of Eaſter now next enſuing in the day time, of any money, goods, or cattell, being of the value of v. s. or vpwards, in any dwelling houſe or houſes, or any part thereof, or any outhouſe or outhouſes belonging, and vſed to and with any dwelling houſe or houſes, although no perſon ſhall be in the ſaid houſe or outhouſes at the time of ſuch felony committed, then ſuch perſon and perſons ſhall not be admitted to the benefit of his or their Clergie, but ſhall be vtterly excluded thereof.

Cok.L.

Cap. XVI.

What perſons are authoriſed both in the Counties, and Cities, and Townes corporate to reſtraine the exceſſiue making of Mault.

Iuſtices of P. may reſtraine exceſſiue making of Mault.

WHereas greater quantity of Mault is dayly made, than either in times paſt was or is now néedfull: Be it enacted by authority of this preſent Parliament, that from time to time and at all times hereafter it ſhall and may be lawfull for the Iuſt. of Peace within this Realme in their open quarter Seſſions, or the more part of them by their diſcretions, to ſuppreſſe, diſcharge or reſtraine the ſuperfluous and vnneceſſary number of Maulſters in part, or in the whole, and alſo to reſtraine ſuch perſon and perſons, as to their diſcretions ſhall ſéeme méet, from the buying of barly to conuert into Mault in part or in all, for ſuch time or times as to their diſcretions, ſhall ſéeme méet, & if any perſon or perſons ſhall refuſe, diſobey, or not performe ſuch ſuppreſſing, diſcharging, or reſtraint, or any order whatſoeuer the ſaid Iuſtices ſhall ſet down touching the ſame, That then, and ſo often ſuch perſon or perſons being thereof duly conuicted before the ſayd Iuſtices, or any two of them, by the teſtimony of two witneſſes, or by his own confeſſion, ſhalbe by the ſayd Iuſtices, committed to the Common Gaole, of the County Citie, or Corporate Town, wherein the offence is committed, there to remaine without baile, or mainpriſe, by the ſpace of thrée dayes, and from thence vntill he ſhall be bounden by recognizance in the ſumme of xl. li. to be taken to the vſe of her Maieſty, before any Iuſtice of Peace to ſtand to, performe, and obey ſuch ſuppreſſing, diſcharging or reſtraint taken by the ſayd Iuſtices as aforeſayd.

The penaltie of ſuch as ſhall diſobey the Iuſtices verdict.

Chiefe offices of Corporate townes may reſtraine exceſſiue making of Mault.

Prouided alwayes that the ſayd Iuſtices of Peace, within any County of this Realme, ſhall not intromit or enter into any City, Borough, or Towne Corporate, for execution of any article in this Act, except he be a Iuſtice of P. alſo in the ſaid City, Borough, or Towne corporate. But that it ſhall be lawfull to the Iuſt. of Peace, Maiors, Bailiffes, and other head Officers of thoſe Cities, Boroughes, and Townes corporate, where they kéepe Seſſions, to procéede to the execution of this Act, and euery article thereof within the precincts of their liberties, at ſuch time and times, and as often as to them ſhall ſéeme méete, in as large and ample maner, as the Iuſt. of Peace in any County may doe.

Certaine perſons not reſtrainable to make Mault by this ſtatute.

Prouided alſo, that it ſhall and may be lawfull, to and for euery perſon and perſons, which ſhall haue of his owne any Barley or Corne growing, or any Tith corne, or Rent corne reſerued vpon any Leaſe or demiſe, to conuert into Mault, all, or any ſuch Barley or Corne, Any thing in this preſent Act to the contrary notwithſtanding.

An offender of this Act ſhall not meddle in the execution thereof.

Prouided alſo, that no maner of perſon or perſons ſhall deale, or meddle in the execution of this Act, that vſe to buy Barley to conuert to Mault, and to ſell the ſame againe. This Act ſhall not endure or continue any longer time, but vntill the end of the next Seſſion of the next Parliament. 3. Car. 4. Continued vntill the end of the firſt Seſſion of the next Parliament.

Cap. XVII.

Wandring Marriners and Souldiers, and other idle perſons ſhall ſettle themſelues to worke: they ſhall haue teſtimonials, &c.

WHereas diuers lewd and licencious perſons contemning both Lawes, Magiſtrates, and Religion, haue of late daies wandred vp and down in all parts of the Realme, vnder the name of Souldiers & Marriners, abuſing the title of that honourable profeſſion to countenance their wicked behauiours, and doe continually aſſemble themſelues weaponed in the high waies, and elſe-where in troupes, to the great terrour and aſtoniſhment of her Maieſties true Subiects, the impeachment of her lawes, and the diſturbance of the peace and tranquillity of this Realme: And whereas many haynous outrages, robberies, and horrible murders are daily committed by theſe diſſolute perſons: And vnleſſe ſome ſpéedie remedy be had, many dangers are like by theſe meanes to enſue and grow towards the common-wealth.

Be it therefore enacted by the authority of this preſent Parliament, that all idle and wandring Souldiers or Marriners, or idle perſons, which now are, or hereafter ſhall be wandring, Souldiers or Mariners, ſhall ſettle themſelues in ſome ſeruice, labour or other lawfull courſe of life without wandering, or otherwiſe repaire to the places where they were borne, or to their dwelling places, if they haue any, and ther remaine betaking themſelues to ſome lawfull trade or courſe of life as aforeſayd, vpon paine that all perſons offending contrary to this Act, to be reputed as felons, and to ſuffer as in caſe of felony, without any benefit of Clergie to be allowed.

The penalty of wandring Souldiers & Mariners which wil not ſettle themſelues to worke.

And bee it further enacted, that euery idle and wandring Souldier or Mariner, which comming from his Captaine from the Seas, or from beyond the Seas, ſhall not haue a teſtimoniall vnder the hand of ſome one Iuſtice of the Peace, of or neere the place where he landed, ſetting downe therein the place and time when and where hee landed, and the place of his dwelling or birth, vnto which he is to paſſe as aforeſayd, and a conuenient time therein limited for his paſſage, or hauing ſuch teſtimoniall, ſhall wilfully exceed the time therein limited, aboue fourteene daies: And alſo aſwell euery ſuch idle and wandring Souldier or Mariner, as euery other idle perſon wandering, as Souldier or Mariner, which ſhall at any time hereafter forge or counterfeit any ſuch teſtimoniall, or haue with him or them any ſuch teſtimoniall forged, or counterfeited as aforeſayd, knowing the ſame to be counterfeited or forged, in all theſe caſes euery ſuch Acte or Acts to bee felony, and the offendors to ſuffer as aforeſayd, without any benefite of Clergie.

Wandring Souldiers & Mariners ſhall haue teſtimonials.

It ſhalbe felo- to counterfeit a teſtimoniall.

And be it further enacted, that it ſhall be lawfull for the Iuſtices of Aſſiſes, Iuſt. of Gaole deliuery, and the Iuſtices of Peace of euery County, and all Iuſtices of P. in Townes corporat, hauing authority to heare and determine felonies, to heare and determine all ſuch offences, in their generall Seſſions, and to execute the offendors which ſhall bee conuicted before them, as in caſes of felony is accuſtomed: except ſome honeſt perſon valued at the laſt ſubſidie next before the time to x.li. in goods, or xl.s. in lands, or elſe ſome honeſt Freeholder, as by the ſaid Iuſt. ſhalbe allowed, will bee contented before ſuch Iuſtices as ſuch perſon ſhall bee arraigned of felony, to take him or them into his ſeruice for one whole yeare then next following, and then before the ſayd Iuſtices will be bound by Recogniſance of ten pounds to be leuied of his lands, goods, tenements, and chattels, to the vſe of our Soueraigne Lady the Queene, if hee keepe not the ſayd perſon or perſons for one whole yeare, and bring him to the next Seſſions for the peace and gaole deliuery, next enſuing after the ſayd yeere, And if any ſuch perſon retained depart within the yeere, without the licence of him that ſo retained him, then to be indicted, tryed and iudged as a felon, and not to haue the benefit of the Clergie.

Iu. of Aſſiſe & Gaole deliuery & Peace may heare & determine theſe offences.

Taking the offendor into ſeruice for a yeere.

Prouided alwaies, that if any ſuch idle and wandering perſons as aforeſayd ſhall happen to fall ſicke by the way, ſo that by reaſon of his weakeneſſe he cannot trauell to his iournies end within the time limited within his teſtimoniall, no ſuch to be within the danger of this Statute, ſo as he ſettle himſelfe in ſome lawfull courſe of life as aforeſayd, or repaire as aforeſayd to the place where he was borne, or was laſt abiding, within conuenient time after the recouery of his ſickneſſe, and there remaine as aforeſayd, any thing in this Statute contained to the contrary notwithſtanding.

The idle wanderer falling ſick by the way.

Prouided alſo, and bee it further enacted, that when any ſuch Souldier or Mariner, comming from the Seas, or from beyond the Seas, as aforſayd, ſhall repaire to the place of his dwelling or birth, according to the purport of the ſayd Teſtimoniall, and cannot of himſelfe get there any worke, whereby to imploy himſelfe to labour, or other lawfull courſe of life as aforeſayd, that then in all ſuch caſe, vpon complaint made by ſuch Souldier or Mariner to two Iuſtices of P. of the ſayd County, of or neere the ſaid place, the ſaid two Iuſtices ſhall take order by their diſcretion, to ſet ſuch Souldier or Mariner to ſome ſuch honeſt labour or worke as to them ſhall bee thought meete: And for want of ſuch worke, the ſayd two Iuſtices ſhall taxe the whole hundred by their diſcretion, for the reliefe of ſuch Souldier or Mariner till ſuch ſufficient worke may be had.

A remedy where the wanderer cannot get worke.

The hundred taxed for the reliefe of a Souldier or Mariner.

Prouided alſo, that if any ſuch Souldier or Mariner comming from the Seas, or from beyond the Seas as aforeſaid, ſhall not at the time of his landing, or in his trauell to the place whereunto he is to repaire as aforeſayd, going the direct way, that then he reſort to ſome Iuſtice of the peace, next adioyning to the ſaid place of landing or way, and make knowne vnto the ſaid Iuſtice his pouertie: who vpon perfect notice thereof had, ſhall haue full power and authority by this preſent Act to licence the ſame Souldier or Mariner to paſſe the next & direct way to the place where he is to repaire, and to limit him ſo much time onely as ſhall be neceſſary for his trauell thither; And that in ſuch caſe his licence being ſo made, and he purſuing the forme of ſuch his licence ſhall and may for his neceſſary reliefe in his ſuch trauell, aſke and take the reliefe that any perſon ſhall willingly giue him, and in ſuch caſe, his ſuch trauell and taking of almes, as aforeſaid, ſhall not be taken an offence againſt this Law.

Examined by the Parliament Roll.

The Souldier or Mariner licenced may aske and take reliefe.

Prouided alſo, that this Act, nor any thing therein contained, ſhall extend or be interpreted to make or worke any corruption of blood in any the heire or heires, of any ſuch offendor or offendors, Any thing in this Act to the contrary notwithſtanding.

No corruption of bloud.

Prouided alſo, and be it further enacted that this Act ſhall not take any force or effect, till forty dayes next after the end of this Seſſion of Parliament, and ſhall continue to the end of the Parliament next enſuing. 3. Car. 4. Continued vntill the end of the firſt Seſſion of the next Parliament.

Cap. XVIII.

The Stat. of 13. El. *againſt vſury, of* 27. El. 4. *againſt fraudulent aſſurances, and of* 27. El. 7. *for leuying iſſues by Iuries loſt, made perpetuall: and certaine other ſtat. made in the reignes of King* H. 8. K. Ed. 6. *&* *Qu.* El. *reuiued and continued.*

21.H.8.12. Where in the firſt Seſſion of Parliament begun in the Citie of London the iii. day of Nouember in the xxi yeare of the reigne of our late Soueraigne Lord of famous memorie K. Henry the eight, and from thence adiourned and prorogued to the Palace of Weſtminſter, an Act or Statute was made, intituled, An Act for the true making of Cables, Halſors and Ropes.

24.H.8.9. And where in the Parliament holden vpon prorogation at Weſtminſter the fourth day of Febꝛuary, in the xxiiii. yeere of the reigne of the ſayd King, there was one other Act made, intituled, An Act againſt the killing of yong beaſts called weanelings.

3.& 4.Ed.6.19. And where in the Seſſion of Parliament ended at Weſtminſter the firſt day of Febꝛuary, in the fourth yeare of the reigne of our late Soueraigne Lord King Edward the ſixth, One Act was made, concerning the buying and ſelling of Rother beaſts and cattell.

3.& 4.Ed.6,21. And alſo one other Act was then and there likewiſe made, intituled, An Act, for the buying and ſelling of Butter and Cheeſe.

1.Eliz.17. And where alſo in the Parliament begunne at Weſtminſter the three and twentieth day of Ianuary, in the firſt yeare of the reigne of the Queenes Maieſty that now is, and there continued by prorogation vntill the diſſolution thereof, an Act was then and there made, intituled, An Act for the preſeruation of Spawne and Fry of fiſh.

5.Eliz.2. And where alſo in the firſt Seſſion of Parliament holden at Weſtminſter, the twelfth day of Ianuary in the fifth yeare of her Highneſſe reigne, One Act was then and there made, intituled, An Act for maintenance and increaſe of Tillage.

5 El.7. And one other Act was alſo then and there made, intituled, An Act for the auoyding of diuers forraine wares made by handicrafts men beyond the Seas.

5.El.5. And one other Act was likewiſe then and there made, intituled, An Act touching certaine politike conſtitutions made for the maintenance of the Nauie.

8,El.10. And where alſo in the laſt Seſſion of the Parliament holden by prorogation at Weſtminſter, the laſt day of September, in the eighth yeare of her Maieſties reign, One Act was then and there made, intituled An Act for Bowyers, and the prices of Bowes.

13.El.20. And where alſo in the Parliament begunne and holden at Weſtminſter, the ſecond day of Apꝛil, in the thirteenth yeare of her Maieſties reigne, there was one Act and Statute made for the auoyding of ſome leaſes in certaine caſes to be made of Eccleſiaſticall promotions with Cure, intituled, an Act touching Leaſes of Benefices and other Eccleſiaſticall Liuings with Cure.

13.El.21. And where alſo there was then and there one other Act made, intituled, An Act that Purueyors may take graine, corne, and victuals, within fiue miles of Cambridge and Oxford, in certaine caſes.

13.El.8. And alſo one other Act was then and there made, intituled, An Act againſt Vſurie.

13.El.19. And alſo one other Act was then and there made, intituled, An Act for the continuance of making of Cappes.

14.El.11. And where in the firſt Seſſion of Parliament holden at Weſtminſter, the eighth day of May, in the fourteenth yeare of her Highneſſe reigne, there was one other Act made, intituled, An Act for the continuation, explanation, perfecting and enlarging of diuers Statutes, In which Statute are contained diuers branches, clauſes and prouiſions touching and concerning the explanation perfecting and enlarging of diuers of the ſtatues before mentioned.

14.El.5. And where alſo there was then and there one other Act made, intituled, An Act for the puniſhment of Vagabonds, and for the reliefe of the poore and impotent.

18.El.3. And where in the Parliament holden at Weſtminſter aforeſayd, in the eighteenth yeare of her Maieſties reigne, there was one other Act made, intituled, An Act for the ſetting of the poore on worke, and for the auoyding of idleneſſe.

18.Eliz.20. And alſo one other Act was then and there made, intituled, An Act for the repairing and amending of the bridges and highwaies neere vnto the Citie of Oxenford.

23.El 9. And where in the Parliament holden by prorogation at Weſtminſter the ſixteenth day of Ianuary, in the three and twentieth yeare of her Maieſties reigne, one Act was made, intituled An Act for the repairing of Douer Hauen.

27.El.11. And where in the Parliament holden at Weſtminſter the three and twentieth day of Nouember in the ſeuen and twentieth yeare of her Maieſties reigne, One other Act was made for the reuiuing, continuance, explanation, and perfecting of diuers Statutes, in which are contained

ned diuers branches, prouiſions, and clauſes touching and concerning certaine additions and alterations vnto and of diuers of the ſaid former recited Statutes, and other new prouiſions.

And where there was then and there one other Acte made, intituled, An act againſt couetous and fraudulent conueiances. 27. El. 4.

And then and there one other Acte was made, intituled, An acte for the leuying of Iſſues loſt by Iurors. 27. El. 7.

And alſo there was then and there one other Acte made, intituled, An Acte for the good gouernment of the Citie or Borough of Weſtminſter. 27. El. not printed.

And whereas in the Parliament holden at Weſtminſter vpon prorogation, the fourth day of Nouember in the ſecond yeare of the reigne of the late King of moſt famous memory King Edward the ſixth, one Acte was made, intituled, An acte for the true making of Mault, which ſaid ſtatute was diſcontinued. 2. Ed. 6. 10.

And by an other Acte made in the ſaid Parliament holden at Weſtminſter in the ſaid ſeuen and twentieth yeare of the Queenes Maieſties regne that now is, entituled, An Acte for the reuiuing of a former Statute for the true making of Mault, was reuiued and continued. 27. El. 14.

And alſo one other Acte was there made in the ſaid ſeuen and twentieth yeare, entituled, An acte for the keeping of the Sea bankes and Sea workes in the Countie of Norfolke. 27. El. 24.

And where in the Parliament holden at Weſtminſter the fourth day of February, in the one and thirtieth yeare of the Queenes Maieſties reigne that now is, there was an acte made, entituled. An acte for the true gawging of veſſels brought from beyond the Seas, conuerted by Brewers for the vtterance and ſale of Ale and Beere. 31. El. 8.

And alſo one other Acte was then and there made, entituled, An acte for reuiuing and enlarging of a ſtatute made in the xxiij. yere of her Maieſties reigne, for the reliefe of the Citie of Lincolne. Lincolne.

And where in the Parliament holden at Weſtminſter the nineteenth day of February, in the fiue and thirtieth yeare of the Queenes Maieſties reigne that now is, there was an Acte made, entituled, An acte to retaine the Qu. Maieſties Subiects in their due obedience. 35. El. 1.

And alſo one other Act was then and there made entituled, An acte for the neceſſarie reliefe of Souldiers and Marriners. 35. El. 4.

And alſo one other Act was then and there made, entituled, An acte for the reformation of ſundry abuſes in Clothes called Deuonſhire Kerſies or Dozens, according to a Proclamation of the foure & thirtieth yeare of the reigne of our Soueraigne Lady the Qu. Maieſtie that now is. 35. El. 10.

And alſo one other Acte was then and there made, entituled, An acte for the bringing in of Clapboard from the parts of beyond the Seas, and the reſtraining of tranſporting of Wine Caſke, for the ſparing and preſeruing of Timber within the Realme. 35. El. 12.

That foraſmuch as the ſaid Acte made in the ſaid thirteenth yeare of the Queenes Maieſties reigne that now is, entituled. An acte againſt Vſurie.

And one other Act of the ſaid Acts made in the ſeuen and twentieth yeare of the Qu. Maieſties reigne that now is, entituled. An acte againſt couinous and fraudulent conueiances.

And one other of the aforeſaid Acts made in the ſaid ſeuen and twentieth yere of the Queenes Maieſties reigne, entituled, An acte for the leuying of iſſues loſt by Iurors, are by proofe and experience found to be very neceſſary and profitable for the Common-wealth of this Realme: For which cauſe, Be it enacted by the Queenes moſt excellent Maieſtie, with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that the ſaid three laſt recited ſeuerall Acts, made in the ſaid thirteenth and in the ſeuen and twentieth yeares of the Queenes Maieſties reigne, and euery of them, and all and euery the branches, clauſes, and prouiſions in them, and euery of them contained, ſhall from henceforth be, remaine, and continue in force and effect for euer. The ſtat. made 13. El. 8. 27. El. 4. 27. El. 7 made perpetuall.

And foraſmuch as the branches, clauſes and prouiſions, contained and ſpecified in the ſaid two ſeuerall actes of continuance, made in the fourteenth and ſeuen & twentieth yere of her Maieſties reigne, in addition, alteration, explanation, perfecting and enlarging of diuers the ſaid Statutes, and other ſtatutes, and all the reſidue of the ſaid recited Acts and Statutes: Except the ſaid three ſeuerall Statutes before, hereby made perpetuall.

And except alſo the ſaid Act made, entituled, An acte for the auoyding of diuers forreine wares made by handycrafts-men beyond the Seas. 5. El. 7.

And the ſaid acte made, entituled, An acte touching certaine politike conſtitutions made for the maintenance of the Nauie. 5. El. 5.

And the Eſtatute, entituled, An acte for maintenance and encreaſe of Tillage, made in the fifth yeare of her Highneſſe reigne. 5. El. 2.

The ſaid acte made for the continuance of making of Cappes, in the ſaid thirteenth yeare of the reigne of the Queenes Maieſties that now is. 13. El. 19.

The acte made in the fourteenth yeare of the Qu. Maieſties reigne, entituled, An acte for the puniſhment of Vagabonds, and for the reliefe of the poore and impotent. 14. El. 5.

The acte made in the eighteenth yeare of her Maieſties reigne, entituled, An acte for ſetting of poore on worke, and for the auoyding of idleneſſe. 18. El. 3.

And the ſaid acte made, for the repairing of Douer Hauen.

23. El. 6.
35. El. 4.
The foreſaid ſtat. of 14. El. 11. 27. El. 11. and the laſt mentioned 8. ſtat. reuiued and continued vntill the end of the next Parliament.

And the ſaid act made for the neceſſary reliefe of Souldiers and Mariners, doe ſeeme good and beneficiall to the weale and profit of this Realme: Be it enacted by the authoritie of this preſent Parliament, That the ſaid branches, clauſes, and prouiſions of the ſaid two Acts of continuance, and of the reſidue of the ſaid recited Statutes and Acts, except before excepted and euery of them, ſhall be by authority of this preſent Parliament, reuiued, continued, and endure in force and effect vntill the end of the next Parliament next enſuing.

And as concerning the ſaid act, touching politike conſtitutions made for the maintenance of the Nauy: And the ſaid acte made for the repairing of Douer Hauen.

9 El. 5.
23. El. 6.
18. El. 20.
35. El. 7.

And the ſaid acte made for the repairing and amending the bridges and high-wayes nere vnto the Citie of Oxford, the ſame ſhall be, and continue in force vntill the end of the next Parliament in ſuch maner and forme, and with the ſame and like prouiſoes, qualifications, and alterations, as by the ſaid Statute made in the xxxv. yeare of the Queenes Maieſties reigne, that now is, intituled, An act for reuiuing, continuance, explanation and perfecting of diuers Statutes, are qualified, altered, or diſpenced with.

5. Eliz. 7.

And that the ſaid act made, for the auoyding of diuers forreine wares made by handicrafts men beyond the Seas, ſhall be reuiued, continued, and be, and remaine from henceforth in force vnto the end of the next Parliament.

A repeale of the ſtat of 13. El. 19 touching making of Caps.

And that the ſaid act, made for the continuance of making of Cappes, ſhall be from henceforth repealed and made void.

5. El. 2.
39. El. 1. 2.

And that the ſaid act, intituled, An acte for maintenance and encreaſe of Tillage, for ſo much thereof, as doth concerne Tillage ſhall be repealed, and for ſo much of the ſame act as doth concerne the maintenance, repairing, or continuance of any houſes of Huſbandrie, and the lands thereunto belonging, ſhall be continued and be in force vnto the end of the next Parliament, if no other act be made for the maintenance of houſes of huſbandrie, and againſt the decay thereof, in this preſent Parliament.

14. El. 5.
18. El. 3.

And that the ſaid Acts, The one intituled, An act for the puniſhment of Vagabonds, and for the reliefe of the poore and impotent: The other intituled, An acte for ſetting of poore on worke and for the auoyding of idleneſſe, ſhall be reuiued, and ſtand, and be continued and in force, vntill the end of the next Parliament: except for ſo much of the ſame two ſeuerall ſtatutes, and either of them as ſhall be altered, repealed, or otherwiſe prouided for, or made voide by any act of Parliament, made in this preſent Parliament.

35. El. 4.
39. Eliz. 21.
All the foreſaid Statutes continued vntill the end of the next Parliament Except &c. vt ſupra.

Prouided, and be it further enacted by authority of this preſent Parliament, that the ſtatute made in the xxxv. yeare of the Queenes Maieſties reigne that now is, intituled, An act for the neceſſarie reliefe of Souldiers and Mariners, for ſo much thereof, as ſhall not be altered, or otherwiſe prouided for, by any other acte made in this preſent Seſſion of Parliament, ſhall be in force and continue vnto the end of the next Parliament, any thing in this preſent acte to the contrary notwithſtanding.

Cap. XIX.

So much of the ſtat. of 27. El. 19. as concerneth the amendment of High-waies in Suſſex, Surrey, and Kent, repealed: and an other ordinance made for repaire of the waies in the Wildes of Suſſex, &c. vſed for Iron workes.

27. El. 19.

WHereas in one acte of Parliament made in the ſeuen and twentieth yeare of the reigne of our Soueraigne Lady the Queenes Maieſtie that now is, in one acte then made, intituled, An acte for preſeruation of Timber, in the Wildes of the counties of Suſſex, Surrey and Kent, and for the amendment of high-wayes decayed by carriage to and from Iron milles there, ſome remedy is prouided for the impairing and ſpoyling of high-wayes by the carriages of Coles, Mine and Iron, to and from the Iron workes within ſome part of the ſaid Counties of Surrey and Kent, And prouiſions for the amending of high-waies decaied in the Countie of Suſſex, by the ſaid meanes is left out. And alſo the ſaid Act hath not taken the ſame good effect for the amendment of high-wayes within the ſaid Counties of Surrey and Kent, as hath beene expected.

A repeale of ſo much of the ſtat. of 17 El. 19. as concerneth the repairing of high-wayes in Surrey and Kent.

Be it therefore enacted by our Soueraigne Ladie the Queenes Maieſtie, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that ſo much of the ſaid acte of Parliament, made in the ſaid ſeuen and twentieth yeare of the Queenes Maieſties reigne, as ſhall concerne the amendment of high-wayes, in the ſaid Counties of Surrey and Kent, ſhall from henceforth be repealed.

What ſhall be paid for the repaire of high-wayes in the wealds of Suſſex, Surrey, and Kent.

And be it further enacted by the authority aforeſaid, That the occupiers of all maner of Iron works whatſoeuer, as owners or Farmers of the ſame, by any eſtate of inheritance for life, liues or for terme of yeare or yeres, or at will, which ſhall at any time hereafter carry or cauſe to be carried, any Coales, Mine, or Iron, to or for any their Iron workes, betweene the xij. day of October and the firſt day of May in any yeare, ſhall for euery thrée loades of Coale or Mine, as alſo for euery Tunne of Iron, which ſhall be carried by any maner of Waine or Cart, betwéene the ſaid xij. day of October, and the firſt day of May, by the ſpace of one mile, through any high wayes within the ſaid Wildes of Suſſex, Surrey, Kent, or any of them ſhall pay or cauſe to be paid vnto the Iuſtice of Peace dwelling néere vnto the places in the ſaid Countie where the high wayes ſhall be moſt annoyed, or his Aſſigne, the ſumme of thrée ſhillings, the ſame to be leuied, after default of payment thereof, by ſuch Iuſtice of Peace or Aſſigne by way of diſtreſſe, of any of the goods and chattels remaining in the ſaid Countie, of ſuch perſon as ſo ſhould haue paid ſuch ſummes.

Carriage of Coles, &c for any Iron-worke betwéene the firſt day of May and the twelfth of October.

And be it further enacted by the authority aforeſaid, that euery perſon and perſons, occupier of Iron worke, as aforeſaid, which ſhall at any time hereafter carry, or cauſe to be carried any Coles, Mine or Iron, to or for any their Iron workes, betwéene the firſt day of May, and the xij. day of October in any yeare, for euery thirty loades of Coales & Mine, or either of them, and for euery ten Tunnes of Iron, to be carried as aforeſaid, one loade of ſinder, grauell, ſtone, or chalke, méete for the repairing and amending of the ſaid high wayes, as aforeſaid, to be layd and imployed in ſuch place & places of the high wayes, as by any Iuſtice of the Peace of any the Counties aforeſaid, dwelling néere vnto the places where the high wayes within the limits aforeſaid, ſhall be moſt annoyed, by any of the meanes aforeſaid, according to the greater and more preſent neceſſity, ſhall be appointed and aſſigned, or elſe pay or cauſe to be paid, for and in allowance of euery Cart loade, in maner & forme aforeſaid, to haue béene ſo carried and laid iij. s. within eight daies after the demand thereof, at any ſuch Iron worke made, to or from which Iron worke, any ſuch carriage ſhall be, to the hand of the ſaid Iuſtice of Peace, or his aſſignes, the ſame to bée leuied after default of payment vpon the demand thereof from time to time by way of diſtreſſe: And if ſuch Iuſtice of Peace by reaſon of abſence, or other occaſion, doe not or ſhall not within fortie dayes, next after the ſaid firſt day of May, yearely aſſigne and appoint, where and in what place of the high wayes, the ſaid Sinder, Grauell, Stone or Chalke to be carried as aforeſaid, or where or how the money thereof due, or ſo paid, ſhall be imployed and beſtowed. That then the ſame Sinder, Grauell, Stone or Chalke ſhall be laid and imployed by ſuch perſon or perſons, as by this Act are to carrie and lay the ſame, or to cauſe the ſame to be carried and laid, in ſuch place and places of the high waies, as the Surueyors within the Pariſh for the time being, where the high wayes ſhall be moſt annoyed as aforeſaid, ſhall aſſigns or appoint, or in default thereof, pay to the ſaid Surueyors for euery ſuch load due and vncarried, iij. s. in maner and forme aforeſaid, vpon paine of forfeiture of x. s. for euery load of Sinder, Grauell, Stone, or Chalke, not carried, laid and imployed in the highwayes, or iij. s. vnpayd, as is aforeſaid, to be forfeited and paid by the perſon and perſons, which by this Act ought to carry and lay, or cauſe to be carried & laid, the Sinder, Grauell, Stone or Chalke, or therefore to haue paid as is aforeſaid, after due conuiction and preſentment thereof had before the Iuſtices of Oyer and Terminer, or Iuſtices of Peace, in any of their open Seſſion or Seſſions, to be holden before them or any of them: All which ſumme and ſummes of money to be forfeited, by reaſon of this Act, for or in default of carriage and laying of the ſaid Sinder, Grauell, Stone or Chalke, or payment thereof as aforeſaid, ſhall be likewiſe beſtowed and employed vpon the amendment & repayring of the high wayes, at and by the diſcretion of any ſuch Iuſtice of Peace, as ſhall dwell and be reſident next vnto the place and places, being moſt annoyed by the carriages aforeſaid, the ſame to be leuied by way of diſtreſſe, by any Conſtable, Tythingman, Headborough, or other Officer thereunto to be aſſigned, by warrant made in open Seſſions by any Clerke of the Peace of the Countie where any the offence or offences aforeſaid, ſhall be committed, or by any two Iuſtices of the Peace, whereof one to be of the Quorum, which were preſent at the Seſſions, wherein the ſaid conuiction, of, or for any the offences aforeſaid ſhall be had: And if no ſufficient diſtreſſe can be found by the ſaid Officer appointed to leuie the ſame, or if the ſaid offender doe not pay the ſame within twenty dayes after a lawfull demand of the ſame, by the ſaid Officer to be appoynted for the leuying thereof, as aforeſaid, that then euery perſon ſo denying or refuſing, and not paying the ſame forfeiture, within twenty daies aforeſaid, to forfeit the double ſumme he ſhould before haue payd, to be leuied by ſuch wayes and meanes, as to any two of the Iuſtices of the Peace of the ſame County, where the ſaid offence ſhall be committed, whereof one to be of the Quorum, ſhall be thought moſt méete: the ſame forfeiture to be likewiſe imployed vpon the amendment of the high wayes, as the other forfeiture ſhould haue béene, if the ſame had béene leuied, according to the true intent and meaning of this Statute.

In default of the Iuſt. of P. the Surueyors ſhall haue the diſpoſition of the grauel, &c.

The forfeiture of the offender.

How the money forfeited ſhall be leuied and imployed.

The penaltie if no diſtreſſe can be found, nor the offender doe not pay within the time limited.

In what caſe the Surueyors ſhall appoint where the grauel, ſtone, &c. ſhall be laid.

And be it further enacted by the authority aforeſaid, that the Surueyor or Surueyors, from time to time for the time being, within the Pariſh where the high wayes ſhall be moſt annoyed, vpon default of the ſaid Iuſtices as aforeſaid, within xx. daies after ſuch default of the Iuſtice of Peace, as aforeſaid, ſhall aſſigne or appoint where and in what place of the high waies, the ſaid ſinder, grauell, ſtone, or chalke, or the forfeiture of money to be beſtowed, ſhall be carried and laid as aforeſaid, and vpon paine of forfeiture of euery ſuch Surueyor or Surueyors, for euery ſuch default xl. s. And the ſaid Surueyors ſhall make demand according to the limitation of this

Preſentment of offenders, at the quarter Seſſions.

preſent Act, of all and euery ſuch forfeiture & ſummes of money limited to be paid in default of ſuch carriages, as aforeſaid, vpon paine to forfeit for euery ſuch default xl. ſhillings: And ſhall alſo make preſentment of euery ſuch default of carriage, or payment, contrary to the tenor of this preſent Act, at the next quarter Seſſion to be holden for the ſaid Countie, where ſuch default of carriage and payment ſhall be, vpon paine to forfeit for euery ſuch default of preſentment, as aforeſaid, forty ſhillings. The one moitie of ſuch forfeiture and forfeitures, to be to the Queenes Maieſtie, the other moitie to ſuch perſon or perſons as will ſue for the ſame, by Action, Bill, Plaint or information, in any of her Maieſties Courts of Record, where no wager of Law, Eſſoine, or Protection ſhall be allowed.

CAP. XX.

No perſon on the North ſide of Trent ſhall ſtretch or ſtraine any Cloth made, nor vſe any Tenter, &c.

The enormities enſuing the ſtretching of Northerne clothes, and the cauſes thereof.

No perſon ſhall ſtretch or ſtraine clothes made on the North ſide of Trent. 5. Ed. 6. 6. 43. El. 10.

IN moſt humble and dutifull wiſe ſheweth, beſéeching your Highneſſe your true and faithfull Subiects, the Clothiers and Chapmen of your Counties of Yorke, Lancaſter, and other your Highneſſe Counties on the Northſide of the Riuer of Trent, That notwithſtanding the many good and wholeſome Lawes heretofore made for the true making of good and true Clothes and Kerſies, which Lawes either by ſome wants in the Statutes already made, or for lacke of the due execution of the ſaid Lawes, haue not only not reſtrained the abuſe in making of Clothes and Kerſies, but rather haue encreaſed the ſame, inſomuch that the ſaid Northerne Clothes and Kerſies, doe yearely and daily grow worſe and worſe, and are made more light, and much more ſtretched and ſtrained, than heretofore they haue béene, to the great deceit of all Nations where the ſaid Clothes and Kerſies are ſold, and to the great ſhame and ſlander of the Countrey where the ſame is made, And within ſhort time like vtterly to ouerthrow the trade of Cloth making in thoſe countreys, whereupon ſo many thouſands of your ſubiects doe now liue and are maintained: which great enormities your faithfull ſubiects doe chiefly impute to the great number of Tenters and other engines daily vſed and practiſed in the ſaid counties for the ſtretching and ſtraining of the ſaid clothes and kerſies: For remedy and redreſſe whereof, your ſaid ſubiects humbly beſéech your moſt excellent Maieſtie, that it may pleaſe your Highneſſe with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, it may be enacted, any Statute or Law whatſoeuer, to the contrary notwithſtanding, That no perſon or perſons, within any the Counties aforeſaid, from, and after the twentieth day of September now next comming, ſhall ſtretch or ſtraine, or cauſe to be ſtretched or ſtrained, any Clothes, Dozens, Kerſies, Peniſtones, Rugges, Friſes, Kighley Whites, plaine Grayes, or any other Clothes, by what name or names ſoeuer they be called, made, or hereafter to be made, within the ſaid counties of Yorke, Lancaſter, or any other the counties on the North of Trent, vpon paine to forfeit for euery default fiue pound.

None ſhall vſe any Tenter or engine to ſtretch or ſtraine any Northerne clothes.

And further, that no perſon or perſons, from, and after the ſaid twentieth day of September, within the counties aforeſaid, or any of them, ſhall haue, vſe, or occupy any Tenter, of what ſort or kinde ſoeuer, or any maner of wrinch, rope, or other engines, to ſtretch or ſtraine any Clothes, Kerſies, Dozens, Peniſtones, Rugges, Friſes, Cottons, Kighley whites, plaine Grayes, or any other cloth, of what kinde or name ſoeuer it or they be called, made, wrought, or to be made or wrought within the ſaid counties, vpon paine that euery offender that ſhall haue or vſe, or exerciſe any ſuch Tenter, of what ſort or kinde ſoeuer, or any maner of rope, wrinch, ring head, or engine, ſhall forfeit for euery ſuch default twenty pound.

Northerne clothes ſhall be made of ſuch weights, lengths and breadths, as by former ſtatutes is appointed.

A ſeale of lead ſhall be ſet to euery Northerne cloth conteining the length and weight thereof.

And further, that euery perſon or perſons within the counties aforeſaid, or any of them, which ſhall make, or cauſe to be made any Clothes, Kerſies, Dozens, Cottons, Peniſtones, Plaine Grayes, Kighley Whites, Friſes, or any other cloth, by what name or names ſoeuer, it or they be called, ſhall make the ſame of ſuch weights, lengths, and breadths as by the ſtatutes of this realme already in force is prouided, vnder the paines in the ſame Statutes contained: and before the ſame be ſold, or offered to be ſold, ſhal ſet his ſeale of lead, vnto euery of ye ſame cloths, Kerſies, Dozens, Cottons, plaine Grates, Peniſtons, Kighley whites, Friſes, or by what name or names ſoeuer, it or they be called: In which ſaid ſeale of lead ſhall be contained, the true and iuſt length, and the true and iuſt weight at the leaſt, of euery ſuch Cloth, Kerſie, Dozen, Cotton, Peniſtone, plaine Grates, Keighley Whites, Friſes, or by what name or names ſoeuer, it or they ſhalbe called, as it ſhall be duely found by due proofe thereof to be tried by water or weight, vpon paine to forfeit euery Cloth, Dozen, Cottons, Kerſie, Peniſtone, plaine Grates, Keighley Whites, Friſes, or other cloth, by what name or names ſoeuer it or they be called, which ſhall be made within any the counties aforeſaid, whereunto ſuch ſeale as is aforeſaid, ſhall not be put and ſet: And in caſe vpon proofe to be made by water or weight of any ſuch clothes, Kerſies, Dozens, Cottons, Peniſtones, plaine Grates, Kighley Whites, Friſes or any other cloth as is aforeſaid, ſhall be found of leſſe weight, or of ſmaller content in length, then is contained or ſpecified in any of the ſaid ſeales, that the owner of euery ſuch Clothes, Kerſies, Dozens, Cottons, Peniſtones, plaine Graies, Kighley Whites, and Friſes, or any other cloth, by what name or names ſoeuer they be called, as aforeſaid, or any other perſon or perſons in whoſe hands or poſſeſſions, any ſuch Clothes, Kerſies, Dozens, Cottons, Peniſtones, plaine Graies, Kighley Whites, Friſes, or any other cloth by what name or names ſoeuer they be called, ſhall be found, ſhall forfeit for euery yard wanting in length, foure ſhillings: and for euery pound wanting in weight, two ſhillings.

The forfeitures for want of length and weight.

And for the better and more ſpeedy and effectuall reforming of all ſuch abuſes as is aforeſaid, be it further enacted, that in euery pariſh, towne, village, and hamlet within the Counties aforeſaid, where any Clothes, Kerſies, Dozens, Cottons, Peniſtones, plaine Graies, Kighley Whites, Friſes, or any other cloth, by what name or names ſoeuer they be called ſhal be made or ſold, the Iuſtices of Peace of the ſame Shire or Riding, or two of them at the leaſt, and in euery Citie, Borough or Towne corporate, the head Officer or Officers of euery of the ſame Citie, Borough, or Towne corporate, together with ſome one or two of the Iuſtices of the Peace of the Shire or Riding next adioyning to ſuch Citie, Borough or Towne corporate, ſhall haue full power and authority, and ſhall by vertue of this acte, once euery yeare at the leaſt, and as often as they ſhall thinke good, to conuent and call before them by their precept or otherwiſe, two, foure, ſixe or eight, or more as they ſhall thinke good by their diſcretion of the moſt honeſt, diſcreet and able men of euery ſuch Citie, Towne, Village, Hamlet or Pariſh where any cloth ſhal be made or ſold, and them ſhall conſtitute, ordaine and appoint to bee ouerſeers for one whole yeare or ſixe moneths, or ſhorter time at their diſcretions, then next following, within the Citie, Borough, Towne, Village, Hamlet or Pariſh where the ſame ouerſeers ſhall be dwelling, and ſhall and may take them ſworne and bound in Recogniſance of forty pounds apiece to the vſe of your moſt excellent Maieſtie and your ſucceſſors, to doe their beſt endeuour by all lawfull wayes and meanes for their time, to ſee that this Statute in all points ſhall bee truely obſerued and kept within the limits of their charge in euery part thereof, and that the ſame Ouerſeers, or two of them, ſhall once euery moneth at the leaſt, or ſo often as need ſhall require, or they ſhall thinke fit by their diſcretions by force hereof, viſite and goe into all, or any houſe or houſes, ſhoppes or other roomes of any Clothiers, Drapers, Clothworkers, or of any other perſon or perſons whatſoeuer, where any of the ſaid Cloth ſhall be, and there to make due ſearch, and view the ſame made, or remaining to be ſold, and to take, ſearch and trie, as well by weight, water, or any other way whatſoeuer, the ſaid Clothes, Kerſies, Dozens, Cottons, Peniſtones, Kighley Whites and Friſes, or any other Clothes, by what name or names they be called: And if any Clothes aforeſaid, vpon ſearch thereof, ſhall not be found to be ſealed with a Seale, containing the length and weight as aforeſaid, then the Clothier and euery Owner of the ſaid Cloth, ſhall forfeit euery ſuch Cloth, Kerſies, Dozens, Cottons, Peniſtones, Kighley Whites and Friſes, or any other Cloth, by what name or names ſoeuer they be called, made within the Counties aforeſaid, not ſo ſealed and ſold, or offered to be ſold, and the ſaid Ouerſeers and euery of them, ſhall and may ſeiſe and carry away the ſame ſo forfeited as aforeſaid, and preſent the ſame to the Iuſtices of peace at the next quarter Seſſions, to be by them diſpoſed of, as hereafter is in theſe preſents limited and appointed.

Ouerſeers of cloth making ſhall be appointed by the Iuſtices of peace, or head officers of corporate townes.

The ouerſeers duty, and they ſhall make ſearch.

The forf. of the cloth for default of ſealing.

And if the ſaid Ouerſeers ſhall finde any falſe Seale or Marke to be ſet vpon any Cloth aforeſaid, or ſhall vpon ſearch as aforeſaid, finde the ſame Clothes aforeſaid to be ſtretched or ſtrained, then the ſame ouerſeers ſhall preſent the ſame defaults vnto the Iuſtices at the next Quarter Seſſions, and the names of the Owners or Poſſeſſors of ſuch Clothes, Kerſies, Dozens, Cottons, Peniſtones, Kighley Whites, and Friſes, or any other Clothes, by what name or names they be called, ſo found defectiue: And if any manner of perſon or perſons at any time after the ſaid twentieth day of September, ſhall deny, withſtand, or withhold any Clothes, Kerſies, Dozens, Cottons Peniſtones, Kighley Whites and Friſes, or any other Cloth, by what name or names ſoeuer they be called, from the ſaid Ouerſeers, or any of them, or will not ſuffer them to enter into any of the houſes, ſhops, roomes or other places, where any ſuch clothes ſhall be, that then euery ſuch perſon or perſons ſo denying or withſtanding, ſhall for the firſt offence forfeit and loſe tenne pound, and for the ſecond offence, twenty pound, and for the third offence, being thereof lawfully conuicted by verdict of twelue men, and two ſufficient witneſſes ſhall ſtand vpon the pillory in the next market Towne: And if any of the ſaid perſons ſo commanded to appeare, to be made Ouerſeers as aforeſaid, and hauing no reaſonable excuſe, refuſe to come, and take vpon him or them to be ouerſeers as aforeſaid, that then euery ſuch perſon ſo refuſing, and hauing no reaſonable excuſe ſo to doe, ſhall forfeit for euery ſuch refuſing, fiue pound, the one halfe thereof to be to your moſt excellent Maieſtie, and your ſucceſſors, and the other halfe to the Iuſtices of the Peace, or other head Officer, or Officers, by whoſe commandement hee was appointed to be Ouerſeer, and the Ouerſeers ſo offending, to remaine in the Ward of the Sherife, Bailiffe, or other head Officer, vntill ſuch time as he hath made payment of the forfeiture, or otherwiſe put in ſufficient bond for the ſatiſfaction of the ſame.

The penalty for ſetting of a falſe ſeale, or for ſtraining or ſtretching of Cloth.

The forf. for withholding of faulty cloth, or denying of ſearch.

The forf. for refuſing to be Ouerſeer.

The ouerſeers ſhall fixe a ſeale of lead to the clothes. 7. Iac. 16.

And to the end that the ſaid Clothes, Kerſies, Dozens, Cottons, Peniſtones, Keighley Whites and Friſes, or any other Clothes, by what name or names ſoeuer they be called, ſo to be viewed and ſearched, may be the better knowne: It is therefore enacted that the ſaid Ouerſeers ſhall fixe vnto euery kind of the Clothes aforeſaid, a ſeale of lead containing the length and the weight of euery ſuch clothes (together with this word, Searched) which cloth ſo ſealed by the ſaid Ouerſeers, ſhall not be ſearched, tried or viewed by any other Searcher or Ouerſeer of any other citie, borough, towne, village, pariſh or hamlet, by vertue of his or their ſaid office or offices, Any thing in this Act, or in any other Statute to the contrary notwithſtanding.

The penalty for ſetting of ſeales to clothes or taking them away without warrant.

And further, the ſaid Clothiers and other Inhabitants doe humbly pray, that it may be likewiſe enacted, That if any perſon or perſons, but ſuch as are appointed, aſſigned and permitted by this Act, or their ſeruants, or deputies, doe at any time after the ſaid twentieth day of September, counterfeit to ſet to, or willingly and wittingly take away from any the ſaid Clothes, Kerſies, Dozens, Cottons, Peniſtons, Keighley whites, and Friſes, or any other cloth, by what name or names ſoeuer they be called, made within the Counties aforeſaid, any of the ſeales ſo to be fixed, as aboue is recited, that then euery perſon ſo offending, ſhall for the firſt offence forfeit and loſe ten pound: and for the ſecond offence being thereof lawfully conuicted by the verdict of twelue men, and two ſufficient witneſſes, ſtand vpon the pillory, and loſe and forfeit to your moſt excellent Mateſty, your heires and ſucceſſors, twenty pound.

Iuſtices of P. head Conſtables and ouerſeers may ſearch for ropes, rings, wrinches, &c and deface them.

The puniſhment for the ſecond offence.

The ſort for reſiſting of ſearch.

And to the end that the ſaid ſtatutes and lawes aforeſaid may be the more effectually executed, and all ſtretching and ſtraining, and falſifying of any the Clothes aforeſaid taken away, It may be alſo enacted that euery Iuſtice of the Peace, head Conſtable, or other the Ouerſeers aforeſaid, ſhall haue ful power & lawful authority to enter in, or vpon any the meſſuages, Tenements, houſes, buildings, lands, or grounds, of any perſon or perſons whatſoeuer, to ſearch for any ſuch Tenters of what ſort or kind ſoeuer, or any maner of ropes, rings, heads, wrinches, or other engines whatſoeuer, whereby any falſhood or deceit may be vſed in or about the ſtretching and ſtreyning of any the ſaid clothes, Kerſies, Dozens, Friſes, Cottons, Peniſtons, Keighleyes, and Whites, or any other Cloth, by what name or names ſoeuer they be called, or any of them: And if they ſhould finde any ſuch Tenters of what ſort or kinde ſoeuer, or any maner of Ropes, Rings, Heads, Wrings, or Engines, they ſhall and may vtterly deface the ſame, in ſuch ſort as they cannot be employed againe to any ſuch vſe, And if any perſon or perſons, with whom any ſuch ſhal once haue bin found, ſhall after that be knowne to haue or vſe any ſuch Tenter of that ſort or kinde ſoeuer, or any maner of rope, ring, head, wrinch, wring, or engine, that then the ſaid Iuſtices, head Conſtables, or Ouerſeers, or any of them, within the ſeuerall precincts ſhall take and ſell the ſame to the beſt value thereof, and by the conſent of two Iuſtices of Peace within the ſame Countie, diſpoſe the money thereof comming, to the poore of that Pariſh where the ſame ſhall be ſo taken: and that vpon complaint made, or information giuen of any ſuch Tenter, of what ſort or kind ſoeuer, or any maner of rope, head ring, wrinch or wring, or any other engine, to any Iuſtice of Peace, euery one of them to whom ſuch complaint ſhall be made, or information giuen, ſhall within ſeuen dayes next enſuing ſuch complaint or information giuen, repaire to the place where the ſame ſhall be ſo had and vſed, and then and there, execute this law, as aforeſaid, vpon the paine hereafter in this preſent Act expreſſed: And that if any perſon or perſons ſhall withſtand or reſiſt any ſuch Iuſtice of peace, or head Officers, in, or about, touching or concerning the execution of the premiſſes, euery ſuch perſon or perſons, ſhall forfeit and ſuffer, as is before limited, for reſiſting the ouerſeers in the ſearch.

A Iuſtices forfeiture for being negligent in the execution of his duety herein.

Who ſhall haue the forfeitures.

And if any the Iuſtices or Iuſtice of Peace, within the limits or bounds of his or their Commiſſion, ſhall be negligent, or make default in doing of any thing, touching or concerning the due or true execution of this Statute, or any thing therein contained, euery ſuch Iuſtice of Peace for euery ſuch default, ſhall forfeit and loſe fiue pounds. And that all ſuch forfeitures as ſhall happen or grow by reaſon of this act, ſhall be one third part thereof to ſuch perſon or perſons as ſhall be then Ouerſeers, one other third part to the vſe of our ſoueraigne Lady the Queenes Maieſty, and one other third part to the vſe of the poore to be employed to the vſe of the poore, in ſuch ſort as the Iuſtices of peace in their Quarter Seſſions to be holden next after iudgement had, or giuen for the ſame, ſhall limit and appoint.

Iuſtices of peace ſhall heare and determine the foreſaid offences.

And that the ſaid Iuſtices of Peace in the quarter Seſſions, ſhall, and may enquire, heare and determine euery fault or offence, made or done contrary to this preſent Acte, or any thing therein contained, except the offences committed, and forfeitures made by the Iuſtices of Peace, by preſentment, bill, or information, and vpon proofe thereof made by the teſtimony of two ſufficient witneſſes openly giuen to the Iurie, and thereupon preſentment made by the Iury to giue order for the execution of this Statute, and euery clauſe therein contained, and for the recouery of the penalties aforeſaid, to the vſes aforeſaid.

The Iuſtices of Aſſiſe ſhall heare and determine the offences of the Iuſtices of peace.

And that the Iuſtices of Aſſiſe, ſhall, and may enquire, heare and determine euery fault or offence, made or done by any Iuſtice of Peace, contrary to this preſent Act, in neglect of their dutie, in, or about, touching or concerning the execution of this preſent acte, and vpon proofe thereof made by two ſufficient witneſſes, and by the preſentment of the Iury, ſhall, and may giue order for recouery and implcyment of the penalties and forfeitures by them committed and made to the vſes aforeſaid: and for default of iuſtice to be done, in maner and forme aforeſayd, by the Iuſtices of peace, or Iuſtices of Aſſiſe, then the one moity of all ſuch forfeitures to be the one halfe thereof to her Maieſty, the other to him that will ſue for the ſame by action of debt, bill plaint, information, &c. in any of her Maieſties Court, or Courts of Record at Weſtminſter. In which no wager of law, protection or eſſoine ſhall be admitted or allowed.

Searching of Northen clothes brough to London to be ſold.

Prouided neuertheleſſe, and bee it further enacted by the authority aforeſayd, that all and euery kinde of Clothes aforeſayd, by what name ſoeuer they be called, which ſhall be made after the day aforeſayd, within the Counties aforeſaid, and brought vp to the Citie of London to bee ſold there, ſhall be brought into the common Cloth market place within the ſayd City, commonly called Blackwell Hall, to be there ſearched dry, without wetting, and out of Market times, by the Searchers of the ſayd Citie, vpon paine that euery Owner of any ſuch Cloth, ſhall forfeit for euery ſuch Cloth not ſo brought into the Market, forty ſhillings, and vpon paine that euery Searcher that ſhall ſearch at any time in the Market times, to the diſturbance of the ſale of ſuch Clothes in the market there, ſhall forfeit for euery ſuch ſearch ſo made, fiue pound: All which ſayd forfeitures ſhall be the one moity to the vſe of our Soueraigne Lady the Queenes Maieſty, her heires and ſucceſſors, the other to ſuch perſon or perſons, as ſhall ſue for the ſame, by action of Debt or Information, in which ſuits no wager of Law, protection or eſſoine, ſhall be admitted or allowed.

Cap. XXI.

There ſhall be a further taxation for the reliefe of Souldiers & Mariners, where ſufficient was not prouided by the Statute of 35. Eliz. 4. The greateſt rate of euery Pariſh to be taxed, ſhall be viii d. & the leaſt ii. d. weekely. Another prouiſion if the rate be not ſufficient for the Souldiers and Mariners in London. Treaſurers ſhall be appointed by the Iuſtices. The Iuſtices may alter the reliefe of Souldiers or Mariners. EXP. 43. El. 3. 43. El. 9.

Cap. XXII.

Eſtabliſhment of the Biſhopricke of Norwich, and the poſſeſſions of the ſame againſt a pretended concealed title made thereunto, &c.

By a ſtat not printed, made 27 H 8 the monaſtery of S. Benets was annexed to the Biſhopricke of Norwich.

A Surrender to K Ed 6 of the hoſpital of S Giles in Norwich.

Where in the 27. yeare of the reigne of the late King of famous memory King Henry the eighth, it was enacted by authority of Parliament, that ſuch perſon as ſhould then next after the Biſhop of the See of Norwich, being then voyd, and his ſucceſſors Biſhops of the ſaid See, ſhould haue and enioy vnited and knit to the ſayd Biſhopricke, the Monaſtery of S. Benets, in the County of Norfolke, and all the poſſeſſions of the ſame: And where William Rugge was next Biſhop of the ſaid See, and by force of the ſaid Act was ſeiſed to him and his ſucceſſors in Fee ſimple, of, and in the ſaid Monaſtery, and the poſſeſſions of the ſame: And afterward William, by the name of William by the permiſſion of God Biſhop of Norwich, true and vndoubted Patron of the hoſpitall of Saint Giles in Norwich, and Nicholas Shaxton Maſter or Guardian of the ſayd hoſpitall, and the Brethren of the ſame by their deede, bearing date the ſixth day of March in the firſt yeare of the late King Edward the ſixth, and in due forme of Law acknowledged and inrolled, did giue, grant, and confirme to the ſayd King Edward the ſixth, his heires and ſucceſſors the ſayd Hoſpitall, and the poſſeſſions and hereditaments belonging to the ſame, as by the ſayd Deed and Inrolment thereof may appeare; By force whereof the ſayd King Edward the ſixth was of the ſayd hoſpitall, and the poſſeſſions of the ſame, ſeiſed in his Demeſne as of Fee in the right of his Crowne of England: And ſo ſeiſed, diſpoſed of the ſame, as to his Highneſſe did ſeeme good, euer ſince which ſayd Graunt, and ſince the ſayd Statute made in the ſayd ſeuen and twentieth yeare of King Henry the eigth, the ſaid Biſhop of Norwich and his ſucceſſors haue had and enioyed the ſayd Biſhopricke, and the ſayd late Monaſtery of S Benets, and all the poſſeſſions and hereditaments late belonging to the ſame Monaſtery or Biſhopricke, and haue, and yet do maintaine their eſtates of and by the reuenues of the ſame, and there out of haue euer ſince payd vnto King Edward the ſixth, Queene Mary, and to the Queenes Maieſty that now is, and yet doe pay vnto her Maieſty firſt Fruits, Tenthes, & Subſidies, as all other the Biſhops of the Realme haue done, and haue demiſed, let and ſet diuers the poſſeſſions of the ſayd Biſhoprick, late the poſſeſſions of the ſayd late Monaſtery to our ſoueraigne Lady the Queenes Maieſty, and to ſundry others for diuers eſtates, intereſts, and termes of yeares, which ſayd intereſts are by many ſeuerall conueiances paſſed from hand to hand to very many her Maieſties dutiful ſubiects, whoſe whole liuelyhood, or a great part thereof dependeth thereupon: yet certaine perſons of a greedy & couetous deſire to enrich themſelues, haue to the great deceit of her Highneſſe, to the impeachment of the ſayd Biſhopricke, and to the vniuſt diſturbance of the Biſhops of the ſame See, their tenants and farmors, obtained of her Maieſty (little ſuſpecting their euil intention) a graunt

A grant in fée farme made by the Q. of a cottage, & of al lands within the Deanry of Flegg &c belonging to the late Monaſtery of S. Benets.

in fée farme by her Letters Patents, bearing date the ij. day of Auguſt, in the xxvij. yeare of her happy reigne, of all oꝛ the moſt part of the poſſeſſions of the ſaid Biſhopꝛick vnder the name of a Cottage, and of all lands, tenements, tithes and hereditaments, with the appurtenances within the Deanries of Flegg, Bꝛooke, Warham, Bloſield, Repes and Depewade, oꝛ any of them in the county of Noꝛff. to the late monaſtery of S. Benets of Hulme belonging & appertaining at oꝛ vnder the yearely rent only of xl. s. by yeare, as by the ſaid Letters Patents may appeare, pꝛetending now that the ſaid poſſeſſions of the ſaid Biſhopꝛick, which were as afoꝛeſaid, firſt the poſſeſſions of the ſaid Monaſtery, were by the ſaid William late Biſhop of Noꝛwich, by ſome generall woꝛds conueied to King Edward the ſixt, his heires and ſucceſſoꝛs by the afoꝛeſaid déed, dated the ſixt day of March in the firſt yeare of his reigne: whereas indéed he the ſaid Biſhop ioyned with the ſaid maſter and bꝛethꝛen, as patron of the ſaid hoſpitall only, to ſtrengthen the ſaid grant of the ſaid hoſpitall, and the poſſeſſions thereof, and not intending any way to touch any the poſſeſſions of the ſaid Biſhopꝛicke. Which ſaid grant being ſo indirectly againſt the gracious meaning of our ſaid Soueraigne Lady, and without conſideration other then as afoꝛeſaid obtained, they the ſaid concealoꝛs haue conueyed the ſaid pꝛemiſſes, oꝛ ſome part thereof vnto others not ignorant of the ſaid fraud and ill pꝛactiſe, who haue by colour of the ſaid pꝛetenſed title, attempted to trouble the poſſeſſion of diuers the Tenants and Farmoꝛs of the ſaid Biſhopꝛicke: Foꝛ remedie whereof, and becauſe it is moſt maniſeſt, that neither the ſaid William late Biſhop by the ſaid déed, made in the ſaid firſt yeare of the reigne of King Edward the ſixt, did meane to giue oꝛ grant, oꝛ the ſaid King Edward the ſixt, thereby to haue oꝛ take any part of the poſſeſſions afoꝛeſaid, of the ſaid Biſhopꝛicke, neither yet her Maieſtie tooke any knowledge of any ſuch pꝛetended title, neither meant to paſſe any ſuch to the ſaid Concealoꝛs, and yet ſome trouble may ariſe by colour of the ſaid pꝛetenſed title.

The deede made to K. Ed. 6. ſhall not be cōſtrued of any of the lands of the Biſhop of Noꝛwice.

A confirmatiō of the lands of the Biſh. of Noꝛw. to the now Biſh. & his ſucceſſoꝛs.

Be it therefoꝛe enacted by our ſaid Soueraigne Lady the Quéenes Maieſtie, the Loꝛds Spirituall and Tempoꝛall, and the Commons in this pꝛeſent Parliament aſſembled, and by the authoꝛity of the ſame, That the ſaid déed dated the ſixt day of March, in the ſaid firſt yeare of the reigne of the ſaid King Edward the ſixt, ſhall be taken, conſtrued and adiudged, not to haue conueyed to the ſaid King, his heires and ſucceſſoꝛs any mannoꝛs, lands, tenements, ſeruices, rents, Rectoꝛies, Tithes, Aduowſons, Liberties, oꝛ hereditaments, whatſoeuer of the ſaid late Monaſteris of S. Benets, alias Saint Benets of Halme, oꝛ of the ſaid Biſhopꝛicke, oꝛ belonging thervnto, oꝛ to either of them: but that the ſame and euery part thereof ſhall be déemed and adiudged to haue remained, continued and béene in the ſaid William then Biſhop of the ſaid Sée, and his ſucceſſoꝛs, and ſhall at all times foꝛ euer hereafter remaine, continue, and be, and ſo be adiudged to remaine, continue, and be in the now Biſhop of the ſaid Sée, and his ſucceſſoꝛs foꝛ euer, of ſuch and the like eſtate, and in ſuch manner, foꝛme and condition to all intents, conſtructions and purpoſes, as if the ſayd Déed had neuer been had ne made.

This Stat. ſhall not extend to the lands of S. Giles hoſpital.

A ſauing of the right of others.

Prouided that this Act ſhall not extend to the ſayd now, oꝛ late hoſpitall, noꝛ any Landes, Tenements, Rents, and Hereditaments, goods, chattels, rights, oꝛ credits, now oꝛ late belonging to the ſame, noꝛ to the Patronage thereof, noꝛ to any thing whereof, oꝛ whereto the ſaid late Maſter oꝛ Guardian, and Bꝛethꝛen of the ſaid late hoſpitall, were ſeiſed, poſſeſſed, oꝛ intituled, but that the ſayd déed as to the ſame and euery part thereof, ſhall bée good and effectuall in Law to all intents and pupoſes, as if this Act had neuer béen had noꝛ made, (Any thing afoꝛeſayd to the contrary notwithſtanding) Sauing to all perſon and perſons, bodies politike and coꝛpoꝛate, their heires and ſucceſſoꝛs, executoꝛs, adminiſtratoꝛs, and aſſignes (other than the ſayd late King Edward the ſixth, Quéene Mary, the Quéenes Maieſty that now is, their and euery their heires, ſucceſſoꝛs, and aſſignes) claiming any the ſayd poſſeſſions of the ſayd late Monaſtery, oꝛ of the ſaid Biſhopꝛick by foꝛce, vertue oꝛ colour of the ſayd déed, made to the ſayd late King Edward the ſixth, all eſtates, intereſts, rights, titles, claimes, conditions, ſeruices, rents and demands whatſoeuer, as if this Act had neuer bin had oꝛ made.

Bonds & couenants made with the Q. patentees & their aſſignees parties to the fraud, ſhall be voyde.

Prouided alwaies, and be it enacted, that all and ſingular Statutes, Recognizances, Bonds, Couenants, and Agréements, heretofoꝛe had oꝛ made, to oꝛ with the ſayd Patentées, in the ſaid Letters Patents, named oꝛ any of them, oꝛ to oꝛ with any other perſon oꝛ perſons claiming by, from, oꝛ vnder them oꝛ any of them, being parties oꝛ priuie to the ſayd practice oꝛ fraude, foꝛ oꝛ concerning any of the ſayd Landes, tenements, oꝛ hereditaments, now, oꝛ heretofoꝛe parcell of the ſayd Biſhopꝛicke, ſhall bee vtterly voyd foꝛ any matter oꝛ thing touching oꝛ concerning onely the ſame landes, tenements, oꝛ hereditaments, oꝛ any part thereof, now oꝛ hereafter parcell of the ſaid Biſhopꝛicke.

Cap. XXIII.

The inhabitants of the Countie of Monmouth ſhall ſtand chargeable for the making & repairing of Newport & Carlion bridges ouer the riuer of Vske, as need ſhall require. And ſuch order ſhall be obſerued for the aſſeſſement, gathering, and imployment of the money thereupon to be ſpent, as is appointed by the Stat. of 22. H. 8. 5. But no Towne corporate ſhall be chargeable to be contributory thereunto, which is bound by any Law to make or repaire any bridge ouer any maine riuer. PR.

CAP. XXIIII.

A conuenient Bridge of Stone, or Timber, or both, ſhall be made and finiſhed at Wilton vpon Wye, in the County of Hereford, neere vnto the Towne of Roſſe, by the inhabitants of the ſaid County, in ſuch place there, as by the Iuſtices of Peace of the County ſhall be appointed, within ſeuen yeares next after the diſſolution of this Parliament, being *9. die Febr. Anno Dom.* 1597. Pontage ſhall be taken of the ſame Bridge in forme following, and not otherwiſe, viz. euery perſon ſhall pay for euery cart, carre, or waine laden, driuen ouer the ſayd Bridge, ii.d. and for euery horſe laden with a packe i.d. and for euery ten ſheep or vpward to twenty ii. d. & for euery twenty ſheep iii.d. & for fiue beaſts, to the number of twenty ii. d. and for euery twenty beaſts vi.d. & ſo proportionably according to that rate. Two Burgeſſes of the town of Roſſe, & two Freeholders of the County of Hereford, ſhall be yearly choſen Collectors of the ſaid Pontage: to whom, or to their Deputies, it ſhall be lawfull to diſtraine, and impound any perſons beaſts, ſheepe, &c. refuſing to pay the ſayd Pontage. And the ſaid Collectors ſhall yeerely pay to *Charles Bridges*, his heires or aſſignes, (vpon whoſe lands the bridge ſhal be builded) ten pounds at the Feaſt of S. Michaell. And the ſaid Collectors ſhall yerely make account of the profits of the ſaid Pontage. A prouiſo to diſcharge them & their heires, that do yerely pay Corne to the keepers of the paſſage there for their Pontage, &c. PR.

CAP. XXV.

Remedy for the inhabitants of the Hundred of Benhurſt in the County of Berk, for recouery of ſuch ſummes of mony as ſhall be obtained of them by force of the Statute of 27. Eliz. 13.

IN moſt humble wiſe beſeecheth your moſt excellent Maieſty, the poore Inhabitants of the Hundred of Beynerſh, alias Benhurſt, within the County of Berk. that whereas the ſayd Hundred doth conſiſt onely of fiue ſmall villages, and three ſmall Quillets or Hamlets, and hath lying through it two great Roade high wayes, the one leading from London to Henley vpon Thames, the other from London to Reading, and either of them at the leaſt three miles in length, within the great woody ground called the Thicket, And no one of the ſame Villages ſtandeth vpon or adioyning to either of the ſaid waies, but lye diſperſedly farre from the ſame, Neither haue the Inhabitants of the ſame Hundred any open or common fields, either arable or other, adioyning or lying neere to ſuch parts of the ſame wayes (within the ſaid Thicket) as are moſt apt for Robberies to be done, whereby they may haue their ſeruants or workmen labouring within the view of the ſame wayes, to take notice of the Robberies done, and therefore the ſaid Inhabitants, cannot well haue any ſpeedy notice or intelligence of any Robbery which ſhall be there committed, vnleſſe the partie or parties robbed, ſhould giue the ſame vnto them, And the ſeuerall lengths and maner of the lying of the ſame wayes, are ſuch, as all the able men of the ſame ſmall Hundred, cannot ſo watch the ſame ſeuerall waies, as that thereby Robberies may be preuented. And whereas alſo notice of ſuch Robberies, as haue bin of late yeares done there, hath beene (for the moſt part) giuen by the party robbed, at the Towne of Maydenhead, which is out of that Hundred, and three miles diſtant from the aforeſayd theeuiſh places in the Thicket, where the Robberies are moſt vſually done, And yet vpon ſuch notice of Robberies giuen at Maidenhead aforeſayd, (being out of the Hundred) there hath beene lately (within one yeare) the ſumme of twelue ſcore and fifteene pound recouered vpon the aforeſayd Statutes againſt the ſmall Hundred of Bynerſh, alias Benhurſt, which had no notice of the ſame Robberies, whereby many of the poore Inhabitants thereof haue beene, and are vtterly impoueriſhed, to the vtter ruine and ouerthrow of them, their wiues and children, and many other the like extremities may (by the aforeſayd Statutes) fall vpon them, though it lyeth not in their power (as well for want of notice, as otherwiſe) to performe the ſame Statutes, So as the Inhabitants thereof are like to bee generally impoueriſhed, or inforced to remoue their dwellings into ſome other Hundred, without ſome reliefe ſhall bee for them in that behalfe prouided: That it may bee enacted by the authority of this preſent Parliament, That the Inhabitants of the ſayd Hundred of Beynerſh, alias Benhurſt, ſhall and may to their owne proper vſe in the name of the Clerke of the Peace of the ſaid County of Berkeſh. recouer, haue, and leuy, all ſuch ſummes of money, coſts, and damages, as hereafter ſhall bee recouered or leuyed, of, or againſt them, by the aforeſaid Statutes or any of them, againſt the Inhabitants or reſiants of euery or any ſuch Hundred, with the Franchiſes within the precinct thereof, wherein negligence, fault or defect of ſuch purſuit and freſh ſuite (as by the ſayd Statute of the ſeuen and twentieth yeare of your Maieſteis Reigne is appointed to be made) ſhall happen to bee, after notice giuen,

The cauſes that the inhabitants of the Hundred of Benhurſt cannot haue notice of robberies done there.

A remedy for the inhabitants of the Hundred of Benhurſt in the county of Berk. to recouer ſuch money as they ſhall forfeit for not purſuit of Huy and Crie.

or Huy and Crie brought to the ſame Inhabitants or Reſiants, or any of them, of, or vpon any Robbery, which ſhall be at any time hereafter done, within the ſayd Hundred of Beynerſh, alias Benherſt, And that this preſent Act ſhall giue as full power and authority in all reſpects, to the Inhabitants of the ſaid Hundred of Binerſh, alias Benherſt (in the name of the Clerke of the peace of the ſaid County) for recouery, hauing, and leuying of all the ſaid money, coſts, and damages, as aforeſayd, as the aforeſaid Statute of the ſeuen and twentieth yeer of your Maieſties reigne, gaue or intended to giue for the recouery of a moity, or one halfe thereof.

In what caſes onely the recouery ſhall be had.
27. El. 13.

Prouided alwaies, and it is enacted by the authority aforeſayd, that no ſuch remedy or recouery ſhall be had by this Statute, for all, or the whole ſumme or ſummes of money, and damages as aforeſaid, But onely in theſe two caſes, viz. The one where no ſuch notice or intelligence (as by the ſaid Statute of the ſeuen and twentieth yeare of your Maieſties reigne was appointed, to be giuen of euery or any Robbery) ſhall be giuen to the Inhabitants of the ſaid Hundred of Beynerſh, alias Benherſt. The other, where the Inhabitants of the ſame Hundred (after ſuch notice of any Robbery to them, or ſome of them giuen, or after Huy and Crie for the ſame to be brought) ſhall make or cauſe to be made freſh ſuit and purſuit, after the offendors, with horſemen and footmen, according to the ſayd Statute of the ſeuen and twentieth yeare of your Maieſties reigne, And where neuertheleſſe the offendors, or any, or one of them, ſhall not be apprehended within forty dayes after the Robbery committed.

CAP. XXVI.

A Confirmation of three Subſidies, of foure ſhillings in the pound granted to the Queene by the Clergie, to be paid at ſix ſeuerall dayes. EXP.

CAP. XXVII.

A Confirmation made of three entire Subſidies and ſix Fifteenes and Tenths graunted to the Queene by the Temporaltie. EXP.

CAP. XXVIII.

A Confirmation of the Queenes generall and free Pardon. Except &c, EXP.

ANNO QVADRAGESIMO TERTIO REGINÆ *ELIZABETHÆ.*

AT the Parliament begun and holden at Weſtminſter the ſeuen and thentieth day of October, in the three and fortieth yeare of the reigne of our moſt gracious Soueraign Lady ELIZABETH, by the grace of God, of England, France, and Ireland, Queene, Defendor of the Faith. &c. And there continued vntill the diſſolution thereof, being the nineteenth of Decmb. next following, 1601. To the high pleaſure of Almighty God, and the weale publique of this Realme, were enacted as followeth.

CAP. I.

Aſſurances made to or for the Queene of any Lands, &c. ſince 8. Febr. An. 27. of her reigne: and all Letters Patents made by the Queene to others ſince that time, &c. confirmed. To what Letters Patents this ſtatute doth extend, and to what not.

A confirmation of all Aſſurances made to the Queen, ſithence 8. February.
An. 25. Reg. El.

IN moſt humble wiſe beſeechen your moſt excellent Maieſtie, the Lords Spirituall and Temporall, and the Commons in this your Highneſſe Parliament aſſembled, That whereas ſithence the eighth day of Februarie, in the fiue and twentieth yeare of your Maieſties reigne, diuers and ſundry Honours, Caſtles, Manors, Lands, Tenements, Rents, Reuerſions, Seruices, and other Hereditaments, haue beene conueyed and aſſured to your Highneſſe, your heires and ſucceſſors, by and from diuers and ſundry perſons and bodies politike, as well for the diſcharge and ſatiſfaction of great debts and ſummes of Money, as for other good conſiderations: That for better aſſurances, confirmation, and ſuretie thereof, it may be enacted by authority of this preſent Parliament, That all Feoffements, Fines, Surrenders, Aſſurances, Conueyances and Eſtates, in any wiſe conueyed, had, or made to or for your Highneſſe, by or from any perſon or perſons, bodies politike or corporate, ſithence the ſaid eighth day of February, in the fiue and twentieth yeare of your Maieſties reigne, of any Honours, Caſtles, Manors, Lands, Tenements, Rents, Reuerſions, Seruices, and other Hereditaments, for any debt, ſumme or ſummes of money, or other conſideration whatſoeuer (other than Conueyances or Eſtates heretofore had or made by any Eccleſiaſticall perſon or perſons, or bodies politike or corporate, not hauing power or ability by the Lawes and Statutes of this Realme to make the ſame) ſhall ſtand, remaine, and be good and auaileable in the Law, to all intents, conſtructions, and purpoſes, according to the true meaning, intent, and purport of the ſame.

The right of others ſaued.

Sauing to all and euery perſon and perſons, and to their heires, bodies politike and corporate, and to their ſucceſſors, and euery of them (other than ſuch perſon or perſons, and their heires and wiues being parties, or priuies to ſuch conueyances or aſſurances, and euery of them, bodies politike and corporate, and their ſucceſſors and euery of them, of, or from whom the Queenes highneſſe hath had, obtained, or purchaſed any Manors, Meſſuages, Lands, Tenements, Rents, Reuerſions, Seruices, or Hereditaments, by Exchange, Gift, Bargaine, Fee Feoffement, Recouery, Deed inrolled, or otherwiſe) all ſuch right, title, intereſt, vſe, poſſeſſions, rents, reuerſions, remainders, offices, fees, commons, profits, and commodities whatſoeuer, which they or any of them, haue, might, or ought to ought to haue had, of, in, or to the premiſes, or any part thereof, in as large and ample maner, forme and condition to all intents, conſtructions and purpoſes, as if this Act had neuer beene had, ne made, This preſent Act or any thing therein contained to the contrary notwithſtanding.

And whereas your excellent Maieſty ſithence the ſaid eighth day of February in the fiue and twentieth yeare of your Highneſſe reigne, aſwell for diuers and great ſummes of money, as alſo for diuers and ſundry other conſiderations, hath bargained, ſold, giuen and granted by your highneſſe ſundry Letters Patents, Indentures, or other writings, ſealed vnder the great Seale of England, or the Seale of the Duchie of Lancaſter, or the Seale of the County Palatine of Lancaſter, as well to bodies politike and corporate, as to diuers and ſundry other your highneſſe louing and obedient Subiects, diuers and ſundry Honours, Manors, Lands, Tenements, Rents, Reuerſions, Seruices, and other Hereditaments, in fee ſimple, fee tayle, or for terme of life, liues, or yeares, as in the ſame ſeuerall Letters Patents, Indentures, and other writings is mentioned and declared, That to the intent the ſame Letters Pattents, Indentures, and other writings, may bee of good, auaileable, and perfect force and effect to all and euery your Highneſſe louing Subiects, according to the true meaning and effect of the ſame: It may pleaſe your moſt excellent Maieſty, that it may bee enacted by authority of this preſent Parliament, That as well all and ſingular Letters Patents, Indentures, and other writings, ſealed vnder the great Seale of England, or vnder the Seale of the Duchie of Lancaſter, or the Seale of the County Palatine of Lancaſter, heretofore made and graunted by your Highneſſe for any ſummes of Money, or for and vpon any other conſiderations, ſithence the ſayd eighth day of February, in the fiue and twentieth yeare of your Highneſſe reigne, as all other Letters Patents hereafter to be made by your Highneſſe, for any ſumme or ſummes of Money, or other conſiderations, before the laſt day of this preſent Seſſion of Parliament: And moreouer, all other Letters Patents within the ſpace of one yeare then next enſuing, to bee made by force of or according to the purport or true meaning of the Commiſſion, vnder the great Seale of England, now in being, for ſale of your Highneſſe Lands to any body politike or corporate, or to any other perſon or perſons whatſoeuer, of any Honours, Caſtles, Manors, Lordſhips, Granges, Meaſes, Lands, Tenements, Meadowes, Paſtures, Rents, Reuerſions, Seruices, Woods, Aduowſons, Nominations, Patronages, Annuities, Rights, Intereſts, Entries, Conditions, Leetes, Courts, Liberties, Priuiledges, Franchiſes, or of any other hereditaments, with their appurtenances, or of any part or parcell of them, ſealed with or vnder the Great Seale of England, or vnder the Seale of the Duchie of Lancaſter, or the Seale of the County Palatine of Lancaſter, of whatſoeuer kinde, nature, or qualitie they or any of them bee or ſhall bee reputed, knowne, or taken, with their appurtenances, or any part or parcell of them, ſhall be good, perfect, and effectuall in the Law, and ſhall ſtand, bee taken, reputed, deemed, and adiudged good, perfect, ſure, auaileable, and effectuall in the Law, againſt your Highneſſe, your heires and ſucceſſors, according to the tenour and effect of the ſaid Letters Patents, Indentures, or other writings, The ſame to be expounded, conſtrued, deemed, and adiudged moſt beneficially for the Patentees and Grauntees of the ſame, and their heyres, aſſignes, executors, and adminiſtrators, according vnto the words and purport of euery the ſayd Letters Patents, Indentures, or other writings, without any confirmation, licence, or toleration of your Highneſſe, your heires or ſucceſſors: Any miſnaming, miſrecitall, or nonrecitall of any the ſame Honours, Caſtles, Manors, Lands, Tenements, and other the premiſſes, or of any parcell thereof: Or any lacke of finding of Offices or Inquiſitions, of, and in the premiſſes, or any part thereof, whereby the title of your Highneſſe therein ought to haue beene found, before the making of the ſame Letters Patents, Indentures, or other writings: Or any miſrecitall, or nonrecitall of Leaſes thereof made, as well of Record, as not of Re-

cord:

A confirmation of the Qu. graunts made to others ſithence 8. Feb. An. 25. Eliz. & to be made one yere after.

A ſale of the Q. lands to be made by force of a Commiſſion in being.

Letters Pat. ſhal be expounded beneficially for the patentee.

Miſnaming, miſrecitall, nonrecitall of the Lands.

Lack of finding of Offices.

Miſrecitall or nonrecitall of Leaſes.

cord: Or any miſrecitall, nonrecitall, or not true mentioning any in ſuch Letters Patents, Graunts, or Writings of your Maieſties owne Eſtate or Eſtates, either of Fréehold or Inheritance, of, or in the premiſſes, or any part thereof, whereunto your Maieſty hath béne ſithence the beginning of your reigne, or hereafter ſhall be intituled, by any Attainder, Eſcheate, Conueyance or Aſſurance whatſoeuer: And in which Letters Patents, Graunts, or Writings, no Eſtate taile formerly made, or ſuppoſed to be made, haue béen or ſhall be recited, and the reuerſion or remainder thereupon expectant in the ſame Letters Patents, Graunts or writings graunted, or mentioned to be graunted: Or any lack of the certainty, miſcaſting, rating, or ſetting forth of the yearely value and rate of the premiſſes, or of the yearely rents, reſerued of and for the premiſſes, or any parcell thereof, mentioned or contained in any of the ſayd Letters Patents, or other writings: Or for that the premiſſes bée, or any part thereof is valued at a more or leſſe value in the ſaid Letters Patents, or writings, than the ſayd Manors, Lands, Tenements, and other the premiſes, than were, or ſhall be in yearely value: Or any miſnaming or not true naming of the Townes, Hamlets, Pariſhes, or Counties, where the ſame Honours, Manors, Lands, Tenements, Rents, Hereditaments, and other the premiſſes, and euery parcell thereof, or any parcell thereof, lyen or béene: or any lack of the true naming of the Lands, Tenements or Hereditaments, or of the natures, kinds, ſorts, qualities, or quantities of the ſayd poſſeſſions or hereditaments, or any parcell thereof: or any lack of the true naming of the Corporation: Or any lack of Attornement, Liuery or Seiſin: Or of any miſnaming of any the late Tenants or Farmors of the ſame Honours, Manors, Lands, Tenements, and Hereditaments, or any part thereof, ſo ſold, graunted, or giuen: Or of any miſnaming of ſuch perſon or perſons, bodies politike or corporate, as at any time before the making of ſuch Letters Patents, were or ſhall be owners of the premiſes, or any part thereof, to the contrary notwithſtanding.

Miſrecitall or nonrecitall of the Q. eſtate.

No eſtate taile recited.

Lacke of certainty, caſting, rating of the yearely rent or value.

The lands valued at more or leſſe than they be.

Miſnaming, or not true naming of the places where the lands lye.

The lack of the true naming of the lands, & of the kinds, ſorts, &c.

Miſnaming of the Corporation.

Lacke of Attornement, Liuery & Seiſin.

Miſnaming of the late tenants.

Miſnaming of the late owners.

Prouided, that this Act, nor any thing therein contained, ſhall not extend to make any Letters Patents of any Office or Offices to be of any other effect, force, or ſtrength, than the ſame Letters Patents were, or ſhould haue béene before the making of this Act.

Letters Pat. of Offices.

Prouided alſo, that all and ſingular ſuch Patentées, Grauntées, and Donées, and euery of them, which at any time heretofore, ſithence the ſaid eighth day of February, haue obtained and gotten of your Highneſſe, or at any time hereafter, before the laſt day of this Seſſion of Parliament, or within the ſpace of one yeare then next enſuing, ſhall obtaine and get of your Highneſſe, by way of Exchange, or for any ſumme or ſummes of money, or other Conſiderations, any Letters Patents of any Monors, Lands, Tenements, or Hereditaments whatſoeuer, which at the time of the ſayd Letters Patents were or ſhall be of better and more yerely value to your Highneſſe, and ſo anſwered in yearely rent and farme, than was, is, or ſhall be contained, mentioned, and ſpecified in any ſuch Letters Patents, or in the particulars or rates thereof, made or to be made by any Auditor or Auditors, Surueyor or Surueyors, or other Officer: That then euery ſuch Patentée, Grauntée, or Donée, their heires, executors, or aſſignes, and euery of them, within one yeare next after Office, or other due proofe, order, and decrée thereof made and had, or to be made or had within the ſpace and terme of tenne yeares next after the end of this preſent Seſſion of Parliament in the Court of the Exchequer, ſhall content and pay vnto your Highneſſe, your heires and ſucceſſors, for the ſame ouerplus, and more value of the ſame Manors, Lands, Tenements, and other Hereditaments whatſoeuer, with their appurtenances, ſo ſold, giuen, graunted, or exchanged, as is aforeſayd, after the rate of threeſcore yeares purchaſe, and according to ſuch yerely value and rate, as the ſame Manors, Lands, Tenements, and other Hereditaments whatſoeuer were of, and were anſwered for, at the time of the making of any ſuch Letters Patents, ſo made or to be made in maner and forme aforeſaid: Any thing contained in any ſuch Letters Patents to the contrary in any wiſe notwithſtanding.

Recompence for the ouerplus of lands ſold by the Q.

lx. yeares purchaſe.

Prouided alſo, that this act, or any other prouiſo therein contained, ſhall not in any wiſe extend to confirme, ratifie, or make good any Leaſe or Leaſes, made or to be made by your Highneſſe for terme of life, liues, or for yeares, whereupon the old and accuſtomed Rents, or more, or as much in value, or more, proportionably, for the Lands and Tenements ſo demiſed, or to be demiſed, be not, or hereafter ſhall not be reſerued and yearely payable during the time and terme of euery ſuch Leaſe, Nor that this preſent Act ſhall in any wiſe extend to reuiue and make good any Letters Patents made of any Office or Offices, to any Comptroller, Cuſtomer, Aulneger, Searcher, Nor to any Letters Patents of the Grant of any other Office or Offices, heretofore graunted or made by your Highneſſe, which now be, or at any time heretofore haue béene adnihilated, determined, or made void, by Iudgement, by authority of Parliament, or by Decrée, Nor to any Patents to be made to any perſon or perſons for terme of yeares, or during the minority of any heire of any Manors, Lands, or Tenements, whereof any Trauerſe hereafter ſhall be tendred within thrée moneths after any Office found and certified into any your Highneſſe Courts of Record, Ne to make any Letters Patents made by your Highneſſe of any Office or Offices, to be of any other effect, force, or ſtrength, then the ſame Letters Patents were or ſhould haue béene before the making of this Acte.

Graunts whereunto this St. doth not extend.

Prouided alſo, that this acte, or any thing therein contained, ſhall not extend to any Letters Patents,

Patents of concealed Lands.

Patents, or any Gift or Grant therein contained, which at any time heretofore haue beene, or hereafter, before the laſt day of this preſent Seſſion of Parliament, ſhall be made by your Highneſſe to any perſon or perſons of any Manors, Lands, Tenements, Rents, Reuerſions, Seruices, or other Hereditaments, by force of any Information, Suit, or Suggeſtion, made or to be made to your Highneſſe, that the ſame Manors, Lands, Tenements, and other Hereditaments ſo contained in any ſuch Letters Patents, were concealed Lands, or that the ſame, or the profits thereof, were vniuſtly withholden from your Highneſſe, but that the ſame Letters Patents, and euery of them, ſhall ſtand, remaine, and be in the ſame force, ſtrength, and effect, as they were before the making of this Act: Any thing in this Act mentioned to the contrary notwithſtanding.

Patents made by warrant of Commiſſioners authorized to make compoſition with others.

And yet neuertheleſſe, be it declared and enacted by authority of this preſent Parliament, that no Letters Patents, nor any Gift or Grant in them contained, made or to be made by warrant of your Maieſties Commiſſioners, authorized to make compoſitions with your Highneſſe Subiects for new Letters Patents or Grants to be made vnto them, are or ought to be taken, or ſhall be deemed and taken to be made by force of any Information, Suit, or Suggeſtion, that the Manors, Lands, Tenements, or other Hereditaments contained in the ſame Letters Patents, were concealed Lands, but that they and euery of them ſhalbe within the full meaning of this Act, to be fortified and made good, as other Letters Patents (made without any ſuggeſtion or information of concealement, or vniuſt withholding) beene.

Patents decreed to bee void by act of Parliament, or in any of the Q. Courts of Record.

Monopolies.

Patents touching penall Statutes.

William Kirkham.

Prouided alwayes, that this Act, nor any thing herein contained, ſhall extend or be taken to make good any Letters Patents, Indentures, or other writings, or any Grant in them, or any of them contained, which heretofore haue beene adiudged or decreed to be void in any of your Maieſties Courts of Record at Weſtminſter, or by Act of Parliament, Nor to make good any Letters Patents, or any Grant in them, or any of them contained, of, or concerning Licences, Powers, or Priuiledges, commonly called Monopolies: Nor to make good any Letters Patents or Grants, of, or concerning power, licence, liberty, or authority giuen for execution of any penall Statute or Statutes, or for telleration or diſpenſation of, to, or with any offence, prohibited by any penall Statute or Statutes: Nor to make good any Letters Patents to William Kirkeham, Gentleman, or to any other by his procurement, concerning which there hath beene any Act of Parliament made heretofore, or any Suit in your Maieſties Court of Star-chamber or Chancerie.

The right of others ſaued.

Sauing to all and euery other perſon or perſons, and bodies politike and corporate, their heires and ſucceſſors, and euery of them, all ſuch Right, Title, Intereſt, Poſſeſſion, Eſtate, Leaſes, Rents, Seruices, Commons, and all other Profits and Commodities whatſoeuer, as they or any of them ſhould, or might haue had, before the Letters Patents thereof made, if this Act had neuer beene had, ne made: Any thing therein contained to the contrary notwithſtanding.

Patents of lands, whereof there is an Eſtate taile in the Queene.

Prouided alwayes, that this Act, or any thing therein contained, ſhall not extent to make good or auaileable in Law, any Letters Patents, or Grant, of the premiſſes, or any part thereof, whereof there was or ſhall be any good and lawfull Eſtate tayle, heretofore made by your Maieſtie, or any of your Progenitors, or hereafter to be made by your Maieſtie, vnleſſe ſuch Eſtate tayle be duely recited.

Bakewell, Hartington, Roceſter, Blower.

Prouided alwayes, and be it enacted by the authority aforeſaid, That neither this Act, nor any thing therein contained, ſhall extend to make good any Letters Patents heretofore made by your Maieſtie, ſithence the fiue and twentieth yeare of your Highneſſe reigne, to any perſon or perſons, and their heires, for and concerning the Manors, Graunges, Lands, Tenements, Tythes, and other Hereditaments whatſoeuer, ſet, lying, and being in the ſeuerall Pariſhes of Bakewell and Hartington, in the County of Darby, and in the ſeuerall Pariſhes of Rowceſter, alias Roceſter and Blower, in the Countie of Stafford, mentioned or intended to haue been conueyed vnto Francis late Earle of Shrewſbury, by the late King of famous memory, King Henry the eight, by his Highneſſe Letters Patents, bearing date at Weſtminſter the two and twentieth day of Nouember, in the three and thirtieth yeare of the reigne of the ſaid late King. But for and concerning all other Manors, Lands, Tenements, and Hereditaments contained in any ſuch Letters Patents, made ſince the ſaid fiue and twentieth year of your Maieſties reigne, the ſame ſhall be within the remedie and prouiſions of this preſent Act of Parliament, according to the purport, true intent, and meaning of the ſame.

Leaſes made to the Q. by the Biſhop of Carliſle.

Prouided alwayes, that neither this Act, nor any thing therein contained, ſhall extend to the ratifying or making good of any Leaſe made by Iohn May late Biſhop of Carliel deceaſed, to your Maieſtie, which was not enrolled before the firſt day of this Seſſion of Parliament. Stat. 34. H, 8.21. 1. Ed.6.8, 7. Ed.6.3. 4.&.5.Ph.& M.1. 18.Eliz.2. 35.Eliz.3.

CAP. II.

Who ſhall be Ouerſeers for the Poore, their Office, Dutie, and Account, &c.

The Church-wardens and certaine Houſholders, Ouerſeers of the Poore.
The Ouerſeers dutie.
Who ſhall be taxed towards the reliefe of the Poore.
A conuenient Stocke ſhall be prouided to ſet the Poore on worke.
3. Car. 4.

BE it enacted by the authority of this preſent Parliament, That the Church-wardens of euery Pariſh, and foure, three, or two ſubſtantiall houſeholders there as ſhall be thought meet, hauing reſpect to the proportion and greatneſſe of the ſame Pariſh and Pariſhes, to be nominated yearely in Eaſter weeke, or within one moneth after Eaſter, vnder the hand and ſeale of two or more Iuſtices of the Peace in the ſame Countie, whereof one to be of the Quorum, dwelling in or neere the ſame Pariſh, or Diuiſion, where the ſame Pariſh doth lye, ſhall be called Ouerſeers of the Poore of the ſame Pariſh: And they, or the greater part of them, ſhall take order from time to time, by, and with the conſent of two or more ſuch Iuſtices of Peace, as is aforeſaid, for ſetting to worke the children of all ſuch, whoſe parents ſhall not by the ſaid Church-wardens and Ouerſeers, or the greater part of them, be thought able to keepe and maintaine their children. And alſo for ſetting to worke all ſuch perſons, married or vnmarried, hauing no meanes to maintaine them, vſe no ordinary and daily trade of life to get their liuing by: And alſo to raiſe weekely, or otherwiſe, (by taxation of euery Inhabitant, Parſon, Vicar, and other, and of euery occupier of Lands, Houſes, Tythes impropriate. Propriations of Tythes, Coale-mynes, or ſaleable Vnderwoods in the ſaid Pariſh, in ſuch competent ſumme and ſummes of Money as they ſhall thinke fit) a conuenient Stocke of Flaxe, Hempe, Wooll, Thread, Iron, and other neceſſary Ware and Stuffe to ſet the Poore on worke: And alſo competent ſummes of Money, for and towards the neceſſary reliefe of the lame, impotent, old, blinde, and ſuch other among them being poore, and not able to worke: And alſo for the putting out of ſuch Children to be Apprentices, to be gathered out of the ſame Pariſh, according to the ability of the ſame Pariſh, and to doe and execute all other things, as well for the diſpoſing of the ſaid Stocke, as otherwiſe concerning the premiſſes, as to them ſhall ſeeme conuenient.

The Ouerſeers ſhall meet once euery moneth.
The Ouerſeers Account.
The Ouerſeers forfeiture for abſence or negligence.

Which ſaid Church-wardens and Ouerſeers ſo to be nominated, or ſuch of them as ſhall not be let by ſickneſſe, or other iuſt excuſe, to be allowed by two ſuch Iuſtices of Peace, or more, as is aforeſaid, ſhall meet together at the leaſt once euery moneth, in the Church of the ſaid Pariſh, vpon the Sunday in the afternoone, after Diuine Seruice, there to conſider of ſome good courſe to be taken, and of ſome meet order to be ſet downe in the premiſſes, and ſhall within foure dayes after the end of their yeare; and after other Ouerſeers nominated as aforeſaid, make and yeeld vp to ſuch two Iuſtices of Peace, as is aforeſaid, a true and perfect account of all ſummes of money by them receiued, or rated and ſeſſed, and not receiued, and alſo of ſuch ſtocke as ſhall be in their hands, or in the hands of any of the poore to worke, and of all other things concerning their ſaid Office: and ſuch ſumme or ſummes of money as ſhall be in their hands, ſhall pay and deliuer ouer to the ſaid Church-wardens and Ouerſeers, newly nominated and appointed, as aforeſaid, vpon paine, that euery one of them abſenting themſelues without lawfull cauſe, as aforeſaid, from ſuch monethly meeting for the purpoſe aforeſaid, or being negligent in their office, or in the execution of the Orders aforeſaid, being made by and with the aſſent of the ſaid Iuſtices of Peace, or any two of them before mentioned, to forfeit for euery ſuch default of abſence, or negligence, twenty ſhillings.

A prouiſion where the Inhabitants of any Pariſh are not able to releeue the poore.

And be it alſo enacted, That if the ſaid Iuſtices of Peace doe perceiue, that the inhabitants of any Pariſh are not able to leuie among themſelues ſufficient ſummes of money for the purpoſes aforeſaid: that then the ſaid two Iuſtices ſhall and may taxe, rate and aſſeſſe, as aforeſaid, any other of other Pariſhes, or out of any Pariſh within the Hundred where the ſaid Pariſh is, to pay ſuch ſumme and ſummes of money to the Church-wardens and Ouerſeers of the ſaid poore Pariſh for the ſaid purpoſes, as the ſaid Iuſtices ſhall thinke fit, according to the intent of this Law. And if the ſaid Hundred ſhall not be thought to the ſaid Iuſtices able and fit to releeue the ſaid ſeuerall Pariſhes, not able to prouide for themſelues as aforeſaid: then the Iuſtices of Peace at their generall Quarter Seſſions, or the greater number of them, ſhall rate and aſſeſſe, as aforeſaid, any other of other Pariſhes, or out of any Pariſh within the ſaid Countie for the purpoſes aforeſaid, as in their diſcretion ſhall ſeeme fit.

A remedy for the leuying of the money aſſeſſed.
Impriſonment in default of diſtreſſe.
Impriſonment of thoſe which will not worke.
Refuſers to account impriſoned.

And that it ſhall be lawfull as well for the preſent as ſubſequent Church-wardens and Ouerſeers, or any of them, by warrant from any two ſuch Iuſtices of Peace as is aforeſaid, to leuie as well the ſaid ſummes of money and all arrerages of euery one that ſhall refuſe to contribute according as they ſhalbe aſſeſſed, by diſtreſſe and ſale of the offenders goods, as the ſummes of money or ſtocke which ſhall be behind vpon any account to be made as aforeſaid, rendring to the parties the ouerplus: and in defect of ſuch diſtreſſe, it ſhall be lawfull for any ſuch two Iuſtices of the Peace to commit him or them to the common Gaole of the County, there to remain without baile or mainpriſe, vntill payment of the ſaid ſumme, arrerages, and ſtocke: And the ſaid Iuſtices of Peace, or any of them, to ſend to the houſe of Correction or common Gaole ſuch as ſhall not imploy themſelues to worke, being appointed thereunto, as aforeſaid: And alſo any two ſuch

Iuſtices

Juſtices of Peace to commit to the ſaid priſon euery one of the ſaid Churchwardens and Ouerſeers, which ſhall refuſe to accompt, there to remaine without baile or mainpriſe, vntill he haue made a true accompt, and ſatisfied and payd ſo much as vpon the ſaid accompt ſhalbe remaining in his hands.

And be it further enacted, That it ſhall be lawfull for the ſaid Churchwardens and Ouerſeers, or the greater part of them, by the aſſent of any two Juſtices of the Peace aforeſaid, to bind any ſuch children as aforeſaid, to be apprentices, where they ſhall ſee conuenient, till ſuch manchilde ſhall come to the age of foure and twenty yeares, and ſuch woman childe to the age of one & twenty yeares, or the time of her marriage: The ſame to be as effectuall to all purpoſes, as if ſuch child were of full age, and by Indenture of couenant bound him or her ſelfe. And to the intent that neceſſary places of habitation may more conueniently be prouided for ſuch poore impotent people, Be it enacted by the authority aforeſayd, That it ſhall & may be lawfull for the ſayd Churchwardens & Ouerſeers, or the greater part of them, by the leaue of the Lord or Lords of the Mannor, whereof any waſt or common within their pariſh is or ſhall be parcell, & vpon agreement before with him or them made in writing vnder the hands & ſeales of the ſayd Lord & Lords, or otherwiſe, according to any order to be ſet downe by the Juſt. of Peace of the ſayd County at their generall quarter Seſſions, or the greater part of them, by like leaue & agreement of the ſayd Lord or Lords, in writing vnder his or their hands & ſeales, To erect, build & ſet vp in fit & conuenient places of habitation, in ſuch waſt or common, at the generall charges of the pariſh, or otherwiſe of the Hundred or County as aforeſayd, to be taxed, rated, & gathered in manner before expreſſed; conuenient houſes of dwelling for the ſayd impotent poore, & alſo to place Inmates or more Families than one in one cottage, or houſe, One Act made in the xxxi. yeare of her Maieſties reigne, intituled, an Act againſt the erecting & maintaining of cottages, or any thing therein contained to the contrary notwithſtaning. Which cottages & places for Inmates ſhall not at any time after be vſed or imployed to or for any other habitation, but only for impotent & poore of the ſame Pariſh, that ſhal be there placed from time to time by the Churchwardens and Ouerſeers of the poore of the ſame pariſh, or the moſt part of them, vpon the pains and forfeitures contained in the ſayd former Act made in the ſayd xxxi. yeare of her Maieſties reigne.

Binding of children apprentices, 1 Iac. 25. 3 Car. 4.

Building of houſes on the waſte for the poore to inhabite,

31 El. 7.

Prouided alwayes, that if any perſon or perſons ſhall find themſelues grieued with any Seſſe or Taxe, or other act done by the ſayd Churchwardens and other perſons, or by the ſayd Juſtices of Peace, that then it ſhall be lawfull for the Juſtices of Peace, at their generall quarter Seſſions, or the greater number of them, to take ſuch order therein, as to them ſhall be thought conuenient, And the ſame to conclude and bind all the ſayd parties.

A remedy for them which finde themſelues grieued with any taxe.

And be it further enacted, That the Father and Grandfather, and the Mother and Grandmother, and the children of euery poore, old, blind, lame, and impotent perſon, or other poore perſon, not able to worke, being of a ſufficient ability, ſhall at their owne charges relieue and maintain euery ſuch poore perſon in that maner, & according to that rate, as by the Juſtices of Peace of that County where ſuch ſufficient perſons dwell, or the greater number of them, at their generall quarter Seſſions ſhal be aſſeſſed, vpon paine that euery one of them ſhall forfeit twenty ſhillings for euery moneth which they ſhall faile therein.

Poore perſons relieued by their parents or children.

And be it further hereby enacted, That the Maiors, Bailiffes, or other head Officers of euery Towne and place Corporate, and City within this Realme, being Juſtice or Juſtices of Peace, ſhall haue the ſame authority by vertue of this Act, within the limits and precincts of their Juriſdictions, as well out of Seſſions as at their Seſſions, if they hold any, as is herein limited, preſcribed, and appointed to Juſtices of the Peace of the County, or any two or more of them, or to the Juſtices of Peace in their Quarter Seſſions, to doe and execute for all the vſes and purpoſes in this Act preſcribed, and no other Juſtice or Juſtices of Peace to enter or meddle there. And that euery Alderman of the City of London within his Ward, ſhall and may doe and execute in euery reſpect ſo much as is appointed and allowed by this Act to be done and executed by one or two Juſtices of Peace of any County within this Realme.

Officers of corporate Townes haue the authority of Juſt. of Peace.

Aldermen of London.

And be it alſo enacted, That if it ſhall happen any Pariſh to extend it ſelfe into more counties than one, or part to lye within the liberties of any City, Towne, or place Corporate, and part without: that then as well the Juſtices of Peace of euery County, as alſo the head Officers of ſuch City, Towne, or place Corporate, ſhall deale and entermeddle onely in ſo much of the ſayd Pariſh, as lyeth within their liberties, and not any further. And euery of them reſpectiuely within their ſeuerall Limits, Wards, and Juriſdictions, to execute the Ordinances before mentioned concerning the nomination of Ouerſeers, the conſent to binding Apprentices, the giuing warrant to levy Taxations vnpayed, the taking account of Churchwardens and Ouerſeers, and the committing to priſon ſuch as refuſe to accompt, or deny to pay the arrerages due vpon their accompts. And yet neuertheleſſe, the Churchwardens and Ouerſeers, or the moſt part of them, of the ſayd Pariſhes that doe extend into ſuch ſeuerall Limits and Juriſdictions, ſhall without diuiding themſelues, duly execute their Office in all places within the ſayd Pariſh, in all things to them belonging, and ſhall duely exhibite and make one accompt before the ſayd head Officer of the Towne or place Corporat, & one other, before the ſaid Juſt. of Peace, or any ſuch two of them, as is aforeſayd.

A Pariſh extending into two Counties, or into two liberties.

The Iuſtices forfeit for not naming of Ouerſeers.

And further be it enacted by the authority aforeſayd, That if in any place within this Realme there happen to be hereafter no ſuch nomination of Ouerſéers yearely, as is before appointed: that then euery Iuſtice of Peace of the County, dwelling within the diuiſion where ſuch default of nomination ſhall happen, and euery Maior, Alderman, and head Officer of City, Towne, or place Corporate, where ſuch default ſhall happen, ſhall loſe & forfeit for euery ſuch default fiue pounds, to be imployed towards the reliefe of the poore of the ſayd Pariſh, or place Corporat, & to be leuied as aforeſayd of their goods, by warrant from the generall Seſſions of the Peace of the ſayd County, or of the ſame City, Towne, or place Corporate, if they kéepe Seſſions.

How the forf. ſhall be leuied & imployed.

And be it alſo enacted by the authority aforeſaid, That all penalties and forfeitures, before mentioned in this Act to be forfeited by any perſon or perſons, ſhall goe & be imployed to the vſe of the poore of the ſame Pariſh, and towards a Stocke and Habitation for them, and other neceſſary vſes and reliefe, as before in this Act are mentioned and expreſſed, and ſhall be leuied by the ſayd Churchwardens & Ouerſéers, or one of them, by warrant from any two ſuch Iuſtices of peace, or Maior, Alderman, or head Officer of City, Towne, or place Corporate, reſpectiuely within their ſeuerall Limits, by diſtreſſe & ſale thereof, as aforeſayd: or in defect thereof, it ſhall be lawfull for any two ſuch Iuſtices of peace, & the ſayd Aldermen and head Officers, within their ſeuerall Limits, to commit the Offendor to the ſayd Priſon, their to remaine without baile or mainepriſe, till the ſayd forfeitures ſhall be ſatiſfied and payd.

The Iuſtices ſhall rate euery Pariſh to a weekely ſumme.

And be it further enacted by the authority aforeſayd, That the Iuſtices of Peace of euery countie or place corporate, or the more part of them, in their generall Seſſions to be holden next after the Feaſt of Eaſter next, and ſo yearely as often as they ſhall thinke méete, ſhall rate euery Pariſh to ſuch a wéekely ſumme of Money as they ſhall thinke conuenient, ſo as no Pariſh be rated aboue the ſumme of ſixe pence, nor vnder the ſumme of a halfepeny, wéekely to be payd, & ſo as the total ſumme of ſuch taxation of the Pariſhes in euery County amount not aboue the rate of two pence for euery Pariſh within the ſayd County. Which ſummes ſo taxed, ſhall be yearely aſſeſſed by the agréement of the Pariſhioners within themſelues: or in default thereof, by the Churchwardens & pety Conſtables of the ſame Pariſh, or the more part of them: or in default of their agréement, by the order of ſuch Iuſtice or Iuſt. of Peace, as ſhall dwell in the ſame Pariſh, or (if none be there dwelling) in the parts next adioyning.

The penalty for refuſing to pay the mony taxed.

And if any perſon ſhall refuſe or neglect to pay any ſuch portion of mony ſo taxed, it ſhal be lawfull for the ſayd Churchwardens & Conſtables, or any of them, or in their default for any Iuſtice of Peace of the ſayd limit, to leuy the ſame by diſtreſſe, and ſale of the goods of the party ſo refuſing or neglecting, rendring to the party the ouerplus, And in default of ſuch diſtreſſe, it ſhall be lawful to any Iuſtice of that limit, to commit ſuch perſon to the ſayd priſon, there to abide without baile or mainepriſe, till he haue payde the ſame.

Reliefe for the priſoners of the Kings Bench, Marſhalſey, Hoſpitals.

Treaſorers.

L. chife Iuſtice of England.

Knight Marſhall.

The forfeiture of the Churchwardens or high Conſtables offending.

And be it alſo enacted, that the ſaid Iuſtices of the Peace at their generall quarter ſeſſions to be holden at the time of ſuch taxation, ſhall ſet downe what competent ſummes of money ſhall be ſent quarterly out of euery county or place corporat, for the reliefe of the poore priſoners of the Kings Bench, and Marſhalſey, and alſo of ſuch Hoſpitals, and Almes houſes, as ſhall be in the ſayd county, and what ſummes of money ſhall be ſent to euery one of the ſayd Hoſpitals, & Almes houſes, ſo as there be ſent out of euery County yearely xx.s. at the leaſt to each of the ſayd priſons of the Kings Bench & Marſhalſey, which ſummes ratably to be aſſeſſed vpon euery Pariſh, the Churchwardens of euery Pariſh ſhall truely collect and pay ouer to the high Conſtables in whoſe diuiſion ſuch Pariſh ſhall be ſcituate, from time to time, quarterly ten dayes before the end of euery quarter, and euery ſuch Conſtable at euery ſuch quarter ſeſſions in ſuch Countie ſhal pay ouer the ſame to ſuch two Treaſorers, or to one of them, as ſhall by the more part of the Iuſtices of Peace of the County, be elected to be the ſayd Treaſorers, to be choſen by the Iuſtices of P. of the ſayd County, City, or Towne, or place corporate, or of others which were ſeſſed and taxed at v.li. lands, or x.li. goods at the leaſt, at the taxe of Subſidy next before the time of the ſaid election to be made. And the ſayd Treaſorers ſo elected, to continue for the ſpace of one whole yeare in their office, and then to giue vp their charge with a due accompt of their receipts and diſburſements, at the quarter ſeſſions to be holden next after the Feaſt of Eaſter in euery yeare, to ſuch others as ſhall from yeare to yeare in forme aforeſayd, ſucceſſiuely be elected Treaſorers for the ſayd County, City, Towne, or place corporat, which ſayd Treaſorers, or one of them ſhall pay ouer the ſame to the Lord chiefe Iuſtice of England, and Knight Marſhall for the time being, equally to be diuided to the vſe aforeſayd, taking their acquittance for the ſame, or in default of the ſayd chiefe Iuſtice, to the next ancienteſt Iuſtice of the Kings Bench as aforeſayd. And if any Churchwarden or high Conſtable, or his executors, or adminiſtrators, ſhall faile to make payment in forme aboue ſpecified, then euery Churchwarden, his executors or adminiſtrators, ſo offending ſhall forfeit for euery time the ſumme of x.s. and euery high Conſtable his executors or adminiſtrators, ſhall forf. for euery time, the ſum of xx.s. the ſame forfeitures, together with the the ſums behind, to be leuied by the ſayd Treaſorer and Treaſorers, by way of diſtreſſe & ſale of the goods as aforeſaid, in forme aforeſayd, and by them to be imployed towards the charitable vſes compriſed in this Act.

And be it further enacted, that all the ſurpluſage of money which ſhall be remaining in the ſaid Stocke, of any County, ſhall by diſcretion of the more part of the Iuſtices of peace in their quarter Seſſions, bee ordered, diſtributed and beſtowed for the reliefe of the poore Hoſpitals of that County, and of thoſe that ſhall ſuſtaine loſſes by fire, water, the Sea, or other caſualteis, and to ſuch other charitable purpoſes, for the reliefe of the poore, as to the more part of the ſayd Iuſtices of Peace ſhall ſéeme conuenient.

How the ſurpluſage ſhall be beſtowed.

And be it further enacted, That if any Treaſurer elected, ſhall wilfully refuſe to take vpon him the ſayd office of Treaſurerſhip, or refuſe to diſtribute and giue reliefe, or to accompt according to ſuch forme as ſhall be appointed by the more part of the ſayd Iuſtices of Peace, That then it ſhal be lawfull for the Iuſtices of Peace in their quarter ſeſſions, or in their default, for the Iuſtices of Aſſiſe, at the Aſſiſes to be holden in the ſame County, to fine the ſame Traſurer by their diſcretion: the ſame fine not to be vnder thrée pound, and to be leuied by ſale of his goods, and to be proſecuted by any two of the ſayd Iuſtices of Peace, whom they ſhall authorize.

The penalty for refuſing to be Treaſurer, to giue reliefe or to accompt.

Prouided alwayes, that this Act ſhall not take effect vntill the Feaſt of Eaſter next.

And be it enacted, that the ſtatute made in the nine and thirtieth yeare of her Maieſties reigne, entituled, an Act for the reliefe of the poore, ſhall continue and ſtand in force vntill the feaſt of Eaſter next, And that all Taxations heretofore impoſed and not payed, nor that ſhall be payd before the ſayd Feaſt of Eaſter next, And that all Taxes hereafter before the ſayd Feaſt to be taxed by vertue of the ſayd former Act, which ſhall not be payd before the ſayd Feaſt of Eaſter, ſhall & may after the ſaid Feaſt of Eaſter, be leuied by the Ouerſéers and other perſons in this Act reſpectiuely appointed, to leuy taxations by diſtreſſe, and by ſuch warrant in euery reſpect, as if they had béene taxed and impoſed by vertue of this Act, and were not payd.

This Act to take effect at Eaſter.

For what time & to what purpoſe the ſtat. of 39. El. 2. ſhall be put in execution.

39. Eliz. 3.

Prouided alwayes, that whereas the Iland of Fowlnes in the County of Eſſex, being inuironed with the Sea, and hauing a Chappell of eaſe for the inhabitants thereof, & yet the ſayd Iland is no Pariſh, but the lands in the ſame are ſcituated within diuers Pariſhes, farre diſtant from the ſayd Iland, Be it therefore enacted by the authority aforeſayd, that the ſayd Iuſtices of Peace ſhall nominate and appoint inhabitants within the ſaid Iland to be Ouerſéers for the poore people dwelling within the ſaid Iland, And that both they the ſayd Iuſtices, and the ſaid Ouerſéers ſhall haue the ſame power & authority to all intents, conſiderations and purpoſes, for the execution of the parts and articles of this Act, & ſhall be ſubiect to the ſame paines and forfeitures, & likewiſe that the inhabitants, and occupiers of lands there, ſhall be liable and chargeable to the ſame payments, charges, expences, & orders, in ſuch maner and forme as if the ſame Iland were a pariſh. In conſideration whereof, neither the ſayd in habitants, or occupiers of land within the ſayd Iland ſhall not be compelled to contribute towards the reliefe of the poore of thoſe pariſhes, wherin their houſes or lands which they occupy within the ſayd Iland are ſcituated, for or by reaſon of their ſayd habitations or occuppings other than for the reliefe of the poore people within the ſaid Iland, neither yet ſhall the other inhabitants of the pariſhes wherin ſuch houſes or lands are ſcituated, be compelled, by reaſon of theire reſiancy or dwelling, to contribute to the reliefe of the poore inhabitants within the ſayd Iland.

The Iland of Fowlnes in Eſſex.

And be it further enacted, That if any action of treſpaſſe, or other ſuit ſhal happen to be attempted & brought againſt any perſon or perſons for taking of any diſtreſſe, making of any ſale or any other thing doing, by authority of this preſent Act: The defendant or defendants in any ſuch action or ſuit, ſhall & may either plead not guilty, or otherwiſe make Auowrie, Cogniſance, or Iuſtification for the taking of the ſayd diſtreſſes, making of ſale, or other thing doing, by vertue of this Act, alleaging in ſuch Auowry, Cogniſance, or Iuſtification, That the ſayd diſtreſſe, ſale, treſpaſſe, or other thing whereof the plaintife or plaintifes complained was done by authority of this Act, and according to the tenor, purport, and effect of this Act, without any expreſſing or rehearſall of any other matter of circumſtance contained in this preſent Act. To which Auowry, Cogniſance, or Iuſtification, the plaintife ſhall be admitted to reply, That the defendant did take the ſaid diſtreſs, made the ſaid ſale, or did any other Act, or treſpaſſe, ſuppoſed in his declaration of his own wrong, without any ſuch clauſe alleaged by the ſayd defendant; whereupon the iſſue in euery ſuch action ſhall be ioyned, to be tried by verdict of twelue men, and not otherwiſe, as is accuſtomed in other perſonall action. And vpon the triall of that iſſue, the whole matter to be giuen on both parties, in euidence, according to the very truth of the ſame. And after ſuch iſſue tried, for the defendant or nonſuit of the plaintife, after appearance, the ſame defendant to recouer treble damages, by reaſon of his wrongfull vexation in that behalfe, with coſts alſo in that part ſuſtained, and that to bée aſſeſſed by the ſame Iury, or writ to enquire of the damages, as the ſame ſhall require.

The def. plea in a ſuit commenced againſt him vpon this ſtat.

Treble damages for the def. & his coſts.

Prouided alwayes, that this Act ſhall endure no longer than to the end of the next Seſſion of Parliament. 3. Car. 4. Continued vntill the end of the firſt Seſſion of the next Parliament.

CAP. III.

The Stat. of 35. El. 4. and 39. El. 21. concerning the reliefe of Souldiers and Mariners repealed. Who ſhall be hereafter charged with contribution for their reliefe: who ſhall receiue it and pay it to them: and how Mariners or Souldiers begging ſhall be puniſhed, &c.

A repeale of the ſtat. of 35. El. 4. & 39. El. 21. touching the reliefe of Souldiers & Mariners.

WHereas in the xxxv. yeare of the Queenes Maieſties reigne that now is, an Act was made, intituled, an Act for the neceſſary reliefe of Souldiers & Mariners. And whereas in the xxxix. yeare of her Maieſties reigne, there was alſo made another Act, intituled, an Act, for the further continuance & explanation of the ſayd former: Be it enacted by authority of this preſent Parliament, that both the ſayd Acts ſhall be and continue in force vntill the feaſt of Eaſter next, and ſhall be from and after the ſayd feaſt diſcontinued.

And forasmuch as it is found more needefull than it was at the making of the ſayd Acts, to prouide reliefe and maintenance to ſouldiers and mariners, that haue loſt their limmes and diſabled their bodies, in the defence and ſeruice of her Maieſtie and the State, in reſpect the number of the ſayd Souldiers is ſo much the greater, by how much her Maieſties iuſt and honourable defenſiue warres are increaſed: To the end therefore that they the ſayd Souldiers and Mariners, may reape the fruits of their good deſeruings, and others may be encouraged to performe the like endeuours.

Euery pariſh charged with a weekely ſum towards the reliefe of Souldiers & Mariners.

Be it enacted by authority of this preſent Parliament, that from and after the ſayd Feaſt of Eaſter next, euery pariſh within this Realme of England, and Wales, ſhall be charged to pay weekely ſuch a ſumme of money, towards the reliefe of ſicke, hurt, and maimed Souldiers and Mariners, that ſo haue beene as afore is ſayd, or ſhall loſe their limmes, or diſable their bodies, hauing beene preſt, and in pay, for her Maieſties ſeruice, as by the Iuſtices of Peace, or the more part of them, in their generall quarter Seſſions, to be holden in their ſeueral Counties, next after the Feaſt of Eaſter next, & ſo from time to time at the like quarter ſeſſions, to be holden next after the Feaſt of Eaſter, yearely ſhall be appoynted, ſo as no Pariſh bee rated aboue the ſumme of tenne pence, nor vnder the ſumme of two pence, weekely to be payd, and ſo as the totall ſumme of ſuch taxation of the Pariſhes, in any County where there ſhall be aboue fiftie Pariſhes, doe not exceede the rate of ſixe pence for euery Pariſh in the ſame County, which ſummes ſo taxed, ſhall be yearely aſſeſſed by the agreements of the Pariſhioners within themſelues, or in default therof, by the Churchwardens & the pety Conſtables of the ſame pariſh, or the more part of them, or in default of their agreement, by the order of ſuch Iuſtices, or Iuſtice of Peace, as ſhall dwell in the ſame Pariſh, or if none be there dwelling, in the parts next adioyning.

The taxation of euery pariſh.

The penalty for refuſing to pay the money taxed.

And if any perſon ſhall refuſe or neglect to pay any ſuch portion of money ſo taxed, it ſhall be lawfull for the ſayd Churchwardens and pety Conſtables, and euery of them, or in their defaults for the ſayd Iuſtices of Peace, or Iuſtice, to leuy ſuch ſummie by diſtreſſe, and ſale of the goods or chattels of the party ſo refuſing or neglecting, rendring to the party the ouerplus raiſed vpon ſuch ſale.

Churchwardens, &c. ſhall pay to the high Conſtables the money taxed.

And for the collecting and cuſtody of the ſummes taxed in forme aforeſayd, Be it enacted, that the Churchwardens, and pety Conſtables of euery Pariſh, ſhall truely collect euery ſuch ſumme, & the ſame ſhall pay ouer vnto the high Conſtable, in whoſe diuiſion ſuch Pariſh ſhall be ſcituate ten dayes before the quarter ſeſſions, to be holden next bfore or about the Feaſt of the natiuity of S. Iohn Baptiſt next, in the County where the ſayd Pariſh ſhall be ſcituate, & ſo from time to time, quarterly within ten dayes before euery quarter ſeſſions. And that euery ſuch high Conſtable, at euery ſuch quarter ſeſſions in ſuch County, ſhall pay ouer the ſame, to two ſuch Iuſtices of Peace, or to one of them, or to two ſuch other perſons, or one of them, as ſhall be by the more part of the Iuſtices of Peace of the ſame county elected, to be Treaſorers of the ſayd collection, The ſame other perſons to be elected Treaſorers to be ſuch, as at the laſt taxation of the Subſidy next before the ſame election, ſhal be valued and ſeſſed at x. li. in lands yearely, or at xv. li. in goods: which Treaſorers in euery County ſo choſen, ſhal continue but for the ſpace of one whole yeare, and then giue vp their charge, with a due accompt of their receipts and diſburſements, at their meeting in Eaſter quarter ſeſſions, or within ten dayes after, to ſuch others, as ſhall from yeare to yeare in the forme aforeſayd, ſucceſſiuely be elected.

Treaſorers.

Treaſorers accompt.

Churchwardens or Conſtables failing of payment.

And if any Churchwarden, pety Conſtable, or high Conſtable, or his executors, or adminiſtrators, ſhall faile to make payment in forme aboue ſpecified, Then euery Churchwarden, & pety Conſtable, his executors, or adminiſtrators ſo offending, ſhall forfeit the ſum of xx. s. And euery high Conſtable, his executors, or adminiſtrators, the ſumme of xl. s. to be leuyed by the Treaſorers aforeſayd, by diſtreſſe and ſale in maner befors expreſſed, and to be taken by the ſayd Treaſorers in augmentation of their ſtocke, to the vſes aforeſayd.

A Treaſorer failing of his Accompt, or neglecting his charge.

And if any Treaſorer, his executors or adminiſtrators, ſhall faile to giue vp his account within the time aforeſayd, or ſhall be otherwiſe negligent in the execution of his charge, then it ſhall bee lawfull for the more part of the Iuſtices of Peace, of the ſame County in their ſeſſions, to aſſeſſe ſuch fine vpon ſuch Treaſorer, his executors or adminiſtrators, as in their diſcretion ſhall ſeeme conuenient, ſo it be not vnder the ſumme of v.li.

And for the true and iuſt diſtribution and imployment of the ſummes ſo receiued, according to the true meaning of this Act, Be it enacted by the authority aforeſayd, That euery Souldier or Mariner, hauing had his or their limmes loſt, or diſabled in their bodies by ſeruice, being in her Maieſties pay, as aboue is mentioned, or ſuch as ſhall hereafter returne into this Realme, hurt or maimed, or grieuouſly ſicke, ſhall repaire, if he be able to trauell, and make his complaint to the Treaſorers of the County, out of which he was preſſed, or if he were no preſt man, to the Treaſorers of the County where he was borne, or laſt inhabited, by the ſpace of three yeares, at his election. And if he be not able to trauell to the Treaſorers of the County where he ſhall land, or arriue, and ſhall bring a Certificat vnto any of the Treaſorers aforeſayd, vnder the hand & ſeale of the Generall of the Campe, or Gouernour of the Towne wherein he ſerued, And of the Captaine of the Bond, vnder whom he ſerued, or his Lieutenant, or in the abſence of the ſayd Generall or Gouernour, from the Marſhall or Deputy of the Gouernour, or from any Admirall of her Maieſties Fleete, or in his abſence from any other Generall of her Maieſties ſhips at the ſeas, or in abſence of ſuch Generall, from the Captaine of the ſhip wherein the ſayd Mariners or Souldiers did ſerue the Queenes Maieſtie, containing the particulars of his hurts & ſeruices: which Certificat ſhall be alſo allowed by the generall Muſter Maſter, for the time being, reſident here within this Realme, or Receiuer generall of the Muſter rolls, The Treaſorer, and Controller of her Maieſties Nauy, vnder his hand, for the auoyding of all fraud, and counterfeiting: Then vpon ſuch Certificat, ſuch Treaſorers as are before expreſſed, ſhall according to the nature of his hurt, and commendation of his ſeruice, aſſigne vnto him ſuch a portion of reliefe, as in their diſcretions ſhal ſeeme conuenient for his preſent neceſſity, vntil the quarter Seſſions, at the which it ſhall be lawfull for the more part of the Iuſtices of Peace vnder their hands, to make an Inſtrument of grant of the ſame, or like reliefe, to endure, as long as this Act ſhall ſtand or endure in force, if the ſame Souldier or Mariner ſhall ſo long liue, and the ſame penſion not be duly reuoked or altered, which ſhall be a ſufficient warrant to all Treaſorers for the ſame County, to make payment of ſuch penſion vnto ſuch perſons quarterly, except the ſame ſhall be afterward by the ſayd Iuſtices reuoked or altered. So that ſuch reliefe as ſhall be aſſigned by ſuch Treaſorers or Iuſtices of P. to any ſuch Souldier or Mariner, hauing not borne office in the ſayd warres, exceed not the ſumme in groſſe nor yearely penſion of x.li. Nor to any that hath borne office vnder the degree of a Lieutenant, the ſumme of xv. li. Nor to any that hath ſerued in the office of Lieutenant, the ſumme of xx.li.

To which Treaſorer the Souldier or Mariner ſhall repaire for reliefe.

Who ſhall make the Souldiers or Mariners Certificate.

Allowance of the Certificat. The Treaſorer ſhall aſſign reliefe to the Souldier.

The Iuſtices of P ſhall grant reliefe to Souldiers

How much reliefe ſhall bee aſſigned to either ſort of Souldiers

And yet neuertheleſſe, it ſhall and may be lawfull to and for the Iuſtices of Peace and others, hauing authority by this Act, to aſſigne penſions to Souldiers and Mariners, vpon any iuſt cauſe, to reuoke, diminiſh, or alter the ſame from time to time, according to their diſcretions in the generall quarter Seſſions of the Peace, or generall aſſemblies for Cities or Townes Corporat where the ſame penſion ſhall be granted.

The Iuſtices may reuoke or alter the reliefe of Souldiers.

And whereas it muſt needs fall out, that many of ſuch hurt and maimed Souldiers, and Mariners do arriue in Ports, and places farre remote from the Counties, whence they are by vertue of this Act, to receiue their yearely Annuities, and penſions, As alſo they are preſcribed, by this Act, to obtaine the allowance of their Certificates, from the Muſter Maſter, or Receiuer Generall of the Muſter rolls, who commonly is like to abide about the Court or London, ſo as they ſhall need at the firſt, prouiſion for the bearing of their charges, to ſuch places: Be it therefore enacted, that it may be lawfull for the Treaſorers of the County where they ſhall arriue, in their diſcretion, vpon their Certificate (though not allowed) to giue them any conuenient reliefe for their iourney, to carry them to the next County, with a Teſtimoniall of their allowance, to paſſe on towards ſuch a place. And in like maner ſhall it be lawfull for the Treaſorer of the next countie to doe the like: And ſo from County to County (in the direct way) till they come to the place where they are directly to find their maintenance, according to the tenor of this Statute.

Souldiers arriuing far from the place where they are to receiue reliefe.

And for the better execution of this Act in all the branches thereof, Be it enacted that euery the Treaſorers, in their ſeuerall Counties, ſhall keepe a true Booke of Computation, of all ſuch ſums as they leuy, and alſo a Regiſter of the names of euery ſuch perſon vnto whom they ſhall haue diſburſed any reliefe, And ſhall alſo preſerue, or enter euery Certificate, by warrant whereof, ſuch reliefe hath beene by them diſburſed, And alſo that the Muſter maſter, or Receiuer generall of the Muſter rolls, ſhall keepe a Booke, wherein ſhall be entred the names of all ſuch, whoſe certificates ſhall be by him allowed, with an abſtract of their Certificates, And that euery Treaſorer returning, or not accepting the Certificat brought vnto him from the ſayd Muſter maſter, ſhal write and ſubſcribe the cauſe of his not accepting, or not allowing therof, vnder the ſayd Certificate, or on the backe thereof.

The Treaſorers booke of Computation and Regiſter.

Muſter maſter ſhal keepe a booke of Certificates.

And be it further enacted, That if any Treaſorer ſhall wilfully refuſe to diſtribute & giue any reliefe, according to the forme of this Act, That it ſhall be lawfull for the Iuſtices of P, in their quarter ſeſſions, to fine ſuch Treaſorers, by their diſcretions as aforeſayd, The ſame fine to be leuyed by diſtreſſe and ſale thereof, to be proſecuted by any two of them, whom they ſhall authorize.

The Treaſorer refuſing to giue reliefe.

And

XUM

A Souldier or mariner taken begging, or counterfeiting a Certificate.

And be it alſo enacted, That euery Souldier or Mariner that ſhall be taken begging, in any place, within this Realme, after the feaſt of Eaſter next, or any that ſhall counterfeit any Certificate in this Act expreſſed, ſhall for euer loſe his annuity or penſion, and ſhall be taken, déemed, and adiudged as a common rogue, or vagabond perſon, and ſhall haue, and ſuſtaine the ſame, and the like paines, impriſonment, and puniſhment, as is appointed and prouided for common rogues and vagabond perſons.

How the ſurpluſage of the Stock ſhalbe beſtowed. 43. El. 8.

Prouided alwayes, and be it enacted, That all the ſurpluſage of money which ſhall be remaining in the ſtock of any County, ſhall by the diſcretion of the more part of the Iuſtices of peace, in their quarter ſeſſions be ordered, diſtributed and beſtowed, vpon ſuch good and charitable vſes, and in ſuch forme as are limited and appointed in the Statutes made and now in force, concerning reliefe of the poore, and puniſhment of Rogues and Beggers.

Chiefe officers in corporate Townes ſhall execute this act there.

Prouided alwayes, that the Iuſtice of Peace, within any county of this Realme or Wales, ſhall not intromit or enter into any City, Borough, place, or towne corporate, where is any Iuſtice of Peace for any City, Borough, place, or towne corporate, for the execution of any article of this Act: But it ſhall be lawfull to the Iuſtice and Iuſtices of Peace, Mayors, Bayliffes, and other head officers of thoſe cities, boroughes, places, and townes corporate, where there is any Iuſtice of Peace, to procéed to the execution of this Act, within the precinct and compaſſe of their liberties, in ſuch maner as the Iuſtices of Peace in any County may doe, by vertue of this Act And that euery Iuſtice of Peace within euery ſuch City, Borough, place, or towne corporate, for euery offence by him committed, contrary to the meaning of this Statute, ſhall be finable, as other Iuſtices of Peace at the large in the Counties are in this Act appointed to be. And that the Maior and Iuſtices of Peace in euery ſuch City, Borough, place, and towne corporate, ſhall haue authority by this preſent Act to appoint any perſon, for the receiuing of the ſayd money, and paying the ſame, within ſuch City, Borough, place, or towne corporate, which perſon ſo appointed, ſhall haue authority to doe all ſuch things, and be ſubiect to all ſuch penalties, as high Conſtables, by vertue of this Act ſhould haue or be.

How the forfeitures ſhall be imployed.

And be it enacted, That all forfeitures to be forfeited by any Treaſorer, Collector, Conſtable, Churchwarden, or other perſon, for any cauſe mentioned in this act, ſhall be imployed to the reliefe of ſuch Souldiers and Mariners, as are by this Act appointed to take and haue reliefe, And after that reliefe ſatiſfied, then the ouerplus thereof, with the ouerplus of the ſtocke, remaining in any the ſayd Treaſorers hands, ſhall be imployed as is before mentioned, to the charitable vſes, expreſſed in the ſayd Statutes concerning the reliefe of poore, & for puniſhment of rogues and beggers, (except the ſayd Iuſtices, or the more part of them, ſhall thinke méete to reſerue and keepe the ſame in ſtocke for the maintenance and reliefe of ſuch Souldiers and Mariners as out of the ſame County may afterward be appointed, to receiue reliefe and penſions.) And that the reliefe appointed to be giuen by this Act, ſhall be giuen to Souldiers and Mariners, out of the County or place where they were preſſed, ſo farre forth as the taxation limited by this Act, will extend. And if the whole taxation there, ſhall be before imployed, according to the meaning of this Act, or that they ſhall be preſt men, than out of the place where they were borne or laſt inhabited, by the ſpace of thrée yeares, at his or their election.

Out of what County reliefe ſhall be giuen to Souldiers & Mariners.

Penſions aſſigned to ſtand in force, though the Stat. be repealed. 35. El. 4. 39. El. 21.

Prouided alwayes, and be enacted, that euery penſion aſſigned heretofore to any Souldier or Mariner, or that ſhall be aſſigned before the ſayd Feaſt of Eaſter next, notwithſtanding the diſcontinuance of the ſayd two former Acts, ſhall ſtand in force, and ſhall yearely from and after the ſayd Feaſt of Eaſter next, be ſatiſfied and payed, out of ſuch taxations & forfeitures, as ſhall bée made, collected, and leuyed by force of this Act, ſo long as the ſayd penſion ſhall remaine in force, without ſuch reuocation, or diminiſhing, as is before in this Act mentioned. Which clauſe of reuocation or diminiſhing before mentioned, ſhall extend as well to penſions heretofore aſſigned, as to ſuch as at any time hereafter, before, or after the ſayd Feaſt of Eaſter, ſhall bee aſſigned, to any perſon or perſons.

Taxations made & not leuied.

And be it enacted, That all arrerages of taxations heretofore made, by vertue of the ſayd former Statutes, or any of them, which ſhall be or remaine, at the ſayd Feaſt of Eaſter next, vncollected, and not receiued, or leuied, ſhall and may by authority of this Act, be had, receiued, and leuied, by ſuch perſons, and in ſuch maner and forme, as in euery reſpect, taxations made by vertue of this Act, are appointed to be collected, receiued and leuied, and ſhall be imployed to the vſes expreſſed in this Act, And no otherwiſe.

A prouiſion, if the rate be not ſufficient for the ſouldiers in London.

Prouided alwayes, and be it enacted by the authority aforeſayd, That if the ſayd rate ſhall bee thought not to bee ſufficient, for the reliefe of ſuch Souldiers, and Mariners, as ſhall be to bee relieued within the City of London, That then it ſhall be lawfull for the Mayor, Recorder, and Aldermen of London, or the more part of them, to rate and taxe, ſuch reaſonable taxe, ſumme and ſummes of mony, for the ſayd reliefe, as ſhall be to them thought fit and conuenient. So as ſuch ſumme and ſummes of money, ſo to bee rated, doe not exceede thrée ſhillings wéekely out of any Pariſh, And ſo as in the totall, the ſumme ſhall not exceed, or be vnder twelue pence weekely out of euery Pariſh, one with another, within the ſaid City and the liberties thereof.

The

This Act to endure to the end of the next Seſſion of Parliament, and no longer. 3. Car. 3. Continued vntill the end of the firſt Seſſion of the next Parliament.

CAP. IIII.

Commiſſioners authoriſed to enquire of miſimployment of lands or goods giuen to Hoſpitals, &c. which by their orders ſhall be reformed.

WHereas lands, tenements, rents, annuities, profits, hereditaments, goods, chattels, money, and ſtockes of money, haue beene heretofore giuen, limitted, appointed and aſſigned, as well by the Queenes moſt excellent Maieſtie, & her moſt noble Progenitors; as by ſundry other well diſpoſed perſons, ſome for reliefe of aged, impotent, & poore people, ſome for maintenance of ſicke and maimed Souldiers and Mariners, Schooles of learning, free Schooles, and Scholers in Vniuerſities, ſome for repaire of Bridges, Ports, Hauens, Cauſwayes, Churches, Seabankes, & Highwayes, ſome for education and preferment of Orphanes, ſome for or towards reliefe, ſtocke or maintenance for houſes of Correction, ſome for mariages of poore maides, ſome for ſupportation, ayde, and helpe of young trades men, handy crafts men, and perſons decayed, and others for reliefe or redemption of priſoners or captiues, & for ayde or eaſe of any poore inhabitants, concerning payment of fifteenes, ſetting out of Souldiers, and other taxes: which lands, tenements, rents, annuities, profits, hereditaments, goods, chattels, money, & ſtockes of money, neuertheleſſe haue not beene imployed according to the charitable intent of the giuers and founders thereof, by reaſon of frauds, breaches of truſt, & negligence in thoſe that ſhould pay, deliuer, and imploy the ſame. For redreſſe & remedy thereof, Be it enacted by authority of this preſent Parliament, That it ſhall and may be lawfull to and for the Lord Chancellor, or Keeper of the great Seale of England for the time being, and for the Cancellor of the Duchie of Lancaſter for the time being, for lands within the County Palatine of Lancaſter, from time to time, to award Commiſſions vnder the great Seale of England, or the Seale of the Countie Palatine, as the caſe ſhall require, into all or any part or parts of this Realme, reſpectiuely according to their ſeuerall Iuriſdictions as aforeſayd, to the Biſhop of euery ſeuerall Dioceſſe & his Chancellor, (in caſe there ſhall be any Biſhop of that Dioceſſe, at the time of awarding of the ſame Commiſſions,) and to other perſons of good and ſound behauiour, authoriſing them thereby, or any foure or more of them, to enquire aſwell by the oaths of twelue lawfull men or more of the County, as by all other good and lawfull wayes and meanes of all and ſingular ſuch gifts, limitations, aſſignements, and appointments aforeſayd, & of the abuſes, breaches of truſts, negligences, miſimployments, not imploying, concealing, defrauding, miſconuerting, or miſgouernement of any lands, tenements, rents, annuities, profits, hereditaments, goods, chattels, money, or ſtockes of money, heretofore giuen, limited, appointed, or aſſigned, or which hereafter ſhall be giuen, limited, appointed, or aſſigned, to or for any the charitable and godly vſes before rehearſed. And after the ſayd Commiſſioners, or any foure or more of them, (vpon calling the parties intereſted in any ſuch lands, tenements, rents, annuities, profits, hereditaments, goods, chattels, money, and ſtockes of mony) ſhall make enquiry by the oathes of twelue men or more of the ſayd County, (whereunto the ſayd parties intereſted ſhall & may haue, and take their lawfull challenge and challenges,) & vpon ſuch inquiry, hearing, and examining thereof, ſet downe ſuch orders, iudgements, & decrees, as the ſayd lands, tenements, rents, annuities, profits, goods, chattels, money, and ſtockes of money, may bee duely & faithfully imployed, to & for ſuch of the charitable vſes and intents before rehearſed, reſpectiuely, for which they were giuen, limited, aſſigned, or appointed, by the donors and founders thereof. Which orders, iudgements, and decrees, not being contrary or repugnant to the orders, ſtatutes, or decrees of the donors or founders, ſhall by the authority of this preſent Parliament, ſtand firme and good, according to the tenor and purport thereof, and ſhall be executed accordingly, vntill the ſame ſhall bee vndone or altered by the Lord Chancellor of England, or Lord Keeper of the great Seale of England, or the Chancellor of the County Palatine of Lancaſter, reſpectiuely within their ſeuerall Iuriſdictions, vpon complaint by any party grieued to be made to them.

Lands or goods giuen to charitable vſes miſimployed by fraud and breaches of truſt.

Commiſſions to inquire of the gift of lands & goods to charitable vſes.

4. Commiſſioners at the leaſt.

The inqurie.

The Commiſſioners Orders.

The Commiſſioners Orders ſhall be executed.

The Commiſſioners Orders altered.

Prouided alwayes, that neither this Act, nor any thing therein contained, ſhall in any wiſe extend to any lands, tenements, rents, annuities, profits, goods, chattels, money, or ſtockes of mony, giuen, limited, appointed, or aſſigned, or which ſhall be giuen, limited, appointed or aſſigned, to any Colledge, Hall, or houſe of learning within the Vniuerſities of Oxford or Cambridge, or to the Colledges of Weſtminſter, Eaton, or Wincheſter, or any of them, or to any Cathedral or Collegiat Church within this Realme.

Colleges, Halls in Oxford or Cambridge, Weſtminſter Eaton, Wincheſter, Cathedrall Churches.

And Prouided alſo, that neyther this Act, nor any thing therein, ſhall extend to any City, or Towne corporat, or to any the lands, or tenements giuen to the vſes aforeſayd, within any ſuch city, or towne corporat, where there is a ſpecial gouernor or gouernors, appointed to gouerne or direct ſuch lands, tenements, or things diſpoſed to any the vſes aforeſayd, neither to any Colledge, Hoſpital, or free Schoole, which haue ſpeciall viſitors, or gouernors, or ouerſeers, appointed them by their founders.

Citie Towne corporate.

Colledge, Hoſpital, free Schoole.

Pro-

Ordinaries iuriſdiction.

Prouided alſo, and be it enacted by the authority aforeſayd, that neither this Act, nor any thing therein contained, ſhall be any way preiudiciall or hurtfull to the Iuriſdiction of the Ordinary or power of the Ordinary, but that he may lawfully in euery cauſe execute and performe the ſame, as though this Act had neuer béene had or made.

None ſhall be Commiſſioner or Iuror which hath any part of the lands or goods in queſtion.

Prouided alſo, and be it enacted, That no perſon or perſons that hath or ſhall haue any of the ſayd lands, tenements, rents, annuities, profits, hereditaments, goods, chattels, money or ſtockes of money in his hands or poſſeſſion, or doth or ſhall pretend title thereunto, ſhall be named a Commiſſioner or a Iurour for any the cauſes aforeſayd, or being named ſhall execute or ſerue in the ſame.

Purchaſers of the lands bona fide.

And prouided alſo, that no perſon or perſons, which hath purchaſed or obtained, or ſhall purchaſe or obtaine vpon valuable conſideration of money or land, any eſtate or intereſt of, in, to, or out of any lands, tenements, rents, annuities, hereditaments, goods, or chattels that haue béen, or ſhall be giuen, limited or appointed to any the charitable vſes aboue mentioned, without fraud or couin, hauing no notice of the ſame charitable vſe, ſhall not be impeached by decrées or orders of Commiſſioners aboue mentioned, for or concerning the ſame his eſtate or intereſt. And yet neuertheles, Be it enacted that the ſayd Commiſſioners, or any foure or more of them, ſhall & may make decrées & orders for recompence to be made by any perſon or perſons, who being put in truſt, or hauing notice of the charitable vſes aboue mentioned, hath or ſhall breake the ſame truſt, or defraud the ſame vſes by any conueyance, gift, grant, leaſe, demiſe, releaſe, or conuerſion whatſoeuer, and againſt the heires, executors, & adminiſtrators of him, them, or any of them, hauing Aſſettes in law or equity, ſo farre as the ſame Aſſettes will extend.

Recompence by thoſe which breake the truſt.

Lands aſſured to K. H. 8. Ed. 6 Queen Mary, & Q. Eliz.

Prouided alwayes, that this Act ſhall not extend to giue power or authority to any Commiſſioners before mentioned, to make any orders, iudgements or decrées for or concerning any mannors, lands, tenements, or other hereditaments, aſſured, conueyed, granted, or come vnto the Q. Maieſty, to the late King Henry the eight, King Edward the ſixt, or Quéene Mary, by Act of parliament, ſurrender, exchange, relinquiſhment, eſcheat, attainder, conueyance, or otherwiſe. And yet neuertheleſſe, be it enacted, that if any ſuch mannors, lands, tenements, or hereditaments, or any of them, or any eſtate, rent, or profit thereof, or out of the ſame, or any part thereof, haue or hath béene giuen, granted, limited, appointed, or aſſigned to or for any the charitable vſes before expreſſed at any time ſithence the beginning of her Maieſties reigne, That then the ſayd Commiſſioners, or any foure or more of them, ſhall and may as concerning the ſame lands, tenements, hereditaments, eſtate, rent, or profit ſo giuen, limited, appointed or aſſigned, procéed to enquire, and to make orders, iudgements and decrées according to the purport and meaning of this Act, as before is mentioned: the ſayd laſt mentioned Prouiſo notwithſtanding.

Certifying of the Orders.

And be it further enacted, That all orders, iudgements and decrées of the ſayd Commiſſioners, or of any foure or more of them, ſhall be certified vnder the Seales of the ſayd Commiſſioners, or any foure or more of them, either into the Court of the Chancery of England, or into the Court of the Chancery within the County Palatine of Lancaſter, as the caſe ſhal require reſpectiuely, according to their ſeuerall Iuriſdictions, within ſuch conuenient time as ſhall bee limited in the ſayd Commiſſions.

Order for the execution of the Commiſſioners decree.

And that the ſayd Lord Chancellor, or Lord Kéeper, and the ſayd Chancellor of the Duchy, ſhall and may within their ſayd ſeuerall Iuriſdictions take ſuch order for the due execution of all or any of the ſayd Iudgements, Decrées, and Orders, as to eyther of them ſhall ſéeme fit and conuenient.

A remedy for any perſon grieued with the Commiſſioners decree.

And that if after any ſuch certificat or certificates made, any perſon or perſons, ſhall find themſelues grieued with any of the ſayd Orders, Iudgements, or Decrées, That then it ſhall & may be lawfull to and for them, or any of them to complaine in that behalfe vnto the ſayd Lord Chancellor, or Lord Kéeper, or to the Chancellor of the ſayd Duchy of Lancaſter, according to their ſeuerall Iuriſdictions, for redreſſe therein. And that vpon ſuch complaint, the ſayd Lord Chancellor, or L. Keeper, or the ſaid Chancellor of the Duchy, may according to their ſaid ſeueral Iuriſdictions, by ſuch courſe as to their wiſedomes ſhall ſéeme méeteſt, the circumſtances of the caſe conſidered, procéede to the examination, hearing and determining thereof: and vpon hearing thereof, ſhall and may adnull, diminiſh, alter or enlarge the ſayd Orders, Iudgements and Decrées of the ſayd Commiſſioners, or any foure or more of them, as to eyther of them in their ſayd ſeuerall Iuriſdictions ſhall be thought to ſtand with equity and good conſcience, according to the true intent and meaning of the Donors and Founders thereof, and ſhall and may taxe and award good coſts of ſuit by their diſcretions, againſt ſuch perſons as they ſhall finde to complaine vnto them without iuſt & ſufficient cauſe of the Orders, Iudgements, and Decrees before mentioned, 39. El. 6. 43. El. 9.

Coſt of ſuit againſt the complainers.

CAP. V.

At what time a Writ to remoue a ſuit depending in the Court of a Towne Corporate, ſhall be deliuered to the Iudge or Officer of the ſame Court.

WHereas within diuers Cities and Townes Corporate, and other places within this Realme of England, and the Dominions thereof, there are Juriſdictions, Cuſtomes, and Priuiledges, to hold plea in Actions of debt, and other Actions, plaints and ſuits, betwéene partie and partie, And diuers of her Maieſties Subiects doe daily commence many Actions, Plaints and ſuits in the ſaid Cities, Townes corporate and places, according to the Juriſdictions, Cuſtomes, and priuiledges of the ſaid places, and many defendants in Actions, Plaints, and Suits, there brought & commenced, will ſuffer the ſaid Actions, plaints, and ſuits to be procéeded in, and proſecuted there, vntill the cauſe betwéene the plaintifes and them be at iſſue, and the Jurie ſworne, and euidence giuen on the plaintifes part, before the ſaid defendant will deliuer into the Court, where the ſaid Actions, Plaints or Suites, are to be tried, Writs formerly ſued forth by them to remoue the cauſe there depending, into ſome one or other of her Maieſties Courts of Record at Weſtminſter, which kéeping backe of the ſaid Writ is done by the defendant, to no other purpoſe or intent, but to put the parties plaintifes to as great charges and expences as they the ſaid defendants can, and to know what proofes the parties plaintifes can make for the prouing of their iſſue, whereby the defendants that ſued forth the ſaid Writs, may haue longer time to furniſh themſelues with ſome falſe witneſſe to impugne thoſe proofes, which the Plaintifes haue openly made by their witneſſes and proofes, which is a great cauſe of Periurie and ſubornation of Periurie, and great expences to the Plaintifes.

Deuiſes by defendants to put the plaintifes to as great charge as they can, and to know their euidences.

For remedy whereof, Be it enacted by the Quéenes moſt excellent Maieſtie, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that from and after the end of this preſent Seſſion of Parliament, no Writ or Writs of Habeas Corpus, or any other Writ or Writs ſued forth, or to bee ſued forth by any perſon or perſons whatſoeuer, out of any of her Maieſties Courts of Record at Weſtminſter, to remoue any Action, Suite, Plaint, or cauſe depending, or to be depending in any Court or Courts, within any Citie or Towne corporate, or elſe-where, which haue or ſhall haue iuriſdiction, power or authority to hold plea in any Action, Plaint, or Suite, ſhall be receiued or allowed by the Judge or Judges, Officer or Officers of the Court or Courts, wherein, or to whom any ſuch Writ or Writs ſhall be deliuered (but that he and they ſhall procéed in the ſaid cauſe and cauſes, ready to be tried, as though no ſuch Writ or Writs were ſued forth or deliuered to him or them) Except that the ſaid Writ or Writs be deliuered to the Judge or Judges, Officer or Officers of the ſaid Court, before that the Jurie which is to trie the cauſe in queſtion betweene the partie or parties Plainetifes, and the partie or parties that ſued forth the ſaid Writ or Writs, or for whoſe benefit the ſaid Writ or Writs, is or ſhall be ſued forth, haue appeared, and one of the ſaid Jurie ſworne to trie the ſaid cauſe.

At what time a writ to remoue a ſuit in a towne Corporate ſhall be deliuered to the Judge of the Court.

Prouided alwayes, that this Act ſhall continue no longer, than vntill the end of the next Parliament. 3. Car. 4. Continued vntill the end of the firſt Seſſion of the next Parliament.

CAP. VI.

Penaltie of a Sheriffe, &c. arreſting or ſummoning without warrant. No coſts for the Plaintife, where action is brought for a ſumme not exceeding 40. s.

FOr auoiding the infinite number of ſmall and trifling ſuites commenced or proſecuted againſt ſundrie her Maieſties good and louing Subiects in her Highneſſe Courts at Weſtminſter (which by the due courſe of the Lawes of this Realm, ought to be determined in inferior Courts in the Countrie) to the intolerable vexation and charge of her highneſſe Subiects, Be it enacted by the authority of this preſent Parliament, If any Sheriffe, Vnderſheriffe, or other perſon, hauing authority, or taking vpon him to breake writs, after forty dayes next after the end of this Seſſion of Parliament doe make any warrant for the ſummons of any perſon, as vpon any writ, proces, or ſuit, or for the arreſt or attaching of any perſon or perſons by his or their body or goods to appeare in any her Maieſties Courts at Weſtminſter, or elſe-where, (not hauing before that the originall writ or proces warranting the ſame) That then vpon complaint thereof made to the Juſtices of Aſſiſe, of the Countie where the ſame offence ſhall be committed, or to the Judges of the Court, out of which the proces iſſued, not onely the party that made ſuch warrant, but all thoſe that were the procurers thereof, ſhall be ſent for before the ſame Judges or Juſtices, by attachments or otherwiſe, as the ſame Judges or Juſtices ſhall thinke good, and allow of, and be examined thereof vpon their oathes. And if the ſame offence be confeſſed by the ſame offenders, or proued by ſufficient witneſſes, to the ſatiſfaction of the ſame Judges or Juſtices, That then the

Summoning or arreſting without warrant.

the ſame Iudges or Iuſtices that ſhall ſo examine the ſame, ſhall forthwith by force of this Act, commit euery the ſame offenders to the Gaole of the County or Court where the ſame ſhall bee examined, and there to remaine without Baile or Mainepriſe, vntill ſuch time, as they amongſt them haue fully ſatiſfied and paid vnto the partie grieued, by ſuch warrant, not onely the ſumme of tenne pounds of lawfull Engliſh money, but alſo all ſuch coſts and dammages, as the ſame Iudges or Iuſtices ſhall ſet downe that the ſame party hath ſuſtained thereby, and withall xx.li. a piece for their offence to her Maieſtie.

No coſts ſhall be awarded in any action brought for a ſumme not exceeding xl s.

And bee it further enacted by the authority aforeſaid, If vpon any action perſonall to bee brought in any her Maieſties Courts at Weſtminſter, not being for any title or intereſt of lands, nor concerning the fréehold or inheritance of any lands, nor for any battery, it ſhall appeare to the Iudges of the ſame Court, and ſo ſignified or ſet downe by the Iuſtices before whom the ſame ſhall be tried, that the debt or dammages to be recouered therein in the ſame Court, ſhall not amount to the ſumme of fortie ſhillings or aboue, That in euery ſuch caſe the Iudges and Iuſtices, before whom any ſuch action ſhall be purſued, ſhall not award for coſts to the partie plaintiffe, any greater or more coſts than the ſumme of the debt or dammages ſo recouered ſhall amount vnto, but leſſe at their diſcretions. This Act to endure to the end of the firſt Seſſion of the next Parliament. 3. Car. 4. Continued vntill the end of the firſt Seſſion of the next Parliament. Stat. 6, El. 1. 8. St. 21. Iac. 16.

Cap. VII.

Puniſhment for cutting of Corne growing, or of ſuch other ſmall offences: and of a Conſtable refuſing to puniſh ſuch an offender being commanded.

Foraſmuch as vnlawfull cutting and taking away of Corne and Graine growing, robbing of Orchards and Gardens, digging vp or taking away Fruit trées, breaking of Hedges, Pales, or other fences, cutting or ſpoiling of woods or vnderwoods ſtanding & growing, and ſuch like offences, are now more commonly committed by lewd and meane perſons, than in former times: And that the ſaid offences are great cauſes of the maintaining of idleneſſe, and the perſons which commit the ſame, are not for the moſt part able, nor haue wherwith to make recompence or ſatiſfaction: Be it therefore enacted by the authority of this preſent Parliament, that all and euery ſuch lewd perſon and perſons, which from and after the laſt day of February now next following, ſhall cut or vnlawfully take away any Corne or Graine growing, or rob any Orchards or Gardens, or breake or cut any hedge, pales, railes, or fence, or digge, pull vp, or take vp any Fruit trée or trées in any Orchard, Garden, or elſe-where, to the intent to take and carry the ſame away, or ſhall cut or ſpoile any Woods or Vnderwoods, poles or trées ſtanding, not being felonie by the Lawes of this Realme, & their procurer or procurers, receiuer or receiuers knowing the ſame, being thereof lawfully conuicted by the confeſſion of the partie, or by the teſtimonie of one ſufficient witnes, vpon Oath before ſome one Iuſt. of P. Maior, Bayliffe, or other head Officers, (which ſhall haue power by force of this ſtatute to miniſter the ſaid Oath where the offence ſhal be committed, or the party offending apprehended) ſhal giue the partie and parties ſuch recompence and ſatiſfaction for his and their dammages, and within ſuch time, as by any one ſuch I. of P. of the ſaid Countie where ſuch offence ſhall be done, without the Libertie of any Citie or Towne Corporate, or by ſuch head Officer or Iuſtice of P. within any Citie or Towne Corporate ſhall be ordered and appointed, and the ſame to be onely, for the firſt fault. And if ſuch offender or offenders ſhall be thought in the diſcretion of the ſaid Iuſtice or Iuſtices, or other head Officers, not able or ſufficient, or doe not make recompence or ſatiſfaction for the ſaid dammages in manner and forme aforeſaid: Then the ſaid Iuſtice or head Officer ſhall commit all and euery the ſaid offender or offenders to ſome Conſtable or Conſtables, or other inferiour officers, of the Citie, Borough, Towne, or Hamlet where the offence ſhall be committed, or the partie apprehended to be whipped, and for euery ſuch offence, for, or of which the offender or offenders ſhall be eftſoones committed in forme afore limited, the perſon and perſons ſo offending to receiue the ſaid puniſhment of whipping.

The puniſhment for ſmall offences.

The puniſhment of a Conſtable refuſing to puniſh an offender.

And be it enacted by the authority aforeſaid, that if any Conſtable or inferiour officer, doe refuſe, or doe not at the commandement of any Iuſtice of P. or other head Officer, execute by himſelfe or ſome other to be by him appointed vpon the offender, the puniſhment limited by this ſtatute, That in that caſe it ſhall and may be lawfull for the ſaid Iuſtice of Peace to commit the Conſtable, or other inferiour officer, ſo refuſing or not executing the ſaid puniſhment by himſelſe or ſome other, to the common Gaole of the ſaid Countie, Citie, or Towne corporate, there to remaine without Baile or Mainepriſe, vntill the ſaid offender or offenders, be by the ſaid Conſtable or Conſtables ſo refuſing or not executing, or ſome other by his or their procurement, puniſhed and whipped, as is aboue limited and declared.

None ſhall puniſh an offence done vnto himſelfe.

Prouided alwayes, that no Iuſtice of Peace or other head Officer, doe execute this Statute for any the offences aforeſaid done vnto himſelfe, vnleſſe he be aſſociated and aſſiſted with one or more other Iuſtices of Peace whom the offence doth not concerne.

Cap.

Cap. VIII.

Hee who by colour of a fraudulent Adminiſtration, taken in anothers name, doth receiue an Inteſtates goods, &c. ſhall be for ſo much charged as Executor of his owne wrong.

FOraſmuch as it is often put in vre, to the defrauding of creditors, that ſuch perſons as are to haue the Aminiſtration of the goods of others, dying inteſtate, committed vnto them if they require it, will not accept the ſame, but ſuffer or procure the adminiſtration to the granted to ſome ſtranger of meane eſtate, and not of kinne to the Inteſtate, from whom themſelues or others by their meanes doe take deeds of Gifts, and authorities by Letter of Atturney, whereby they obtaine the ſtate of the Inteſtate into their hands, and yet ſtand not ſubiect to pay the debts owing by the ſame Inteſtate, and ſo the creditors for lacke of knowledge of the place of habitation of the Adminiſtrator cannot arreſt him, nor ſue him: and if they fortune to finde him out, yet for lacke of ability in him to ſatiſfie of his owne goods, the value of that he hath conueyed away of the Inteſtates goods, or releaſed of his debts by way of waſting, the creditors cannot haue or recouer their iuſt and due debts.

Fraud practiſed in taking of adminiſtrations to deceiue others of their lawfull debts.

Bee it enacted by the authority of this preſent Parliament, That euery perſon and perſons, that hereafter ſhall obtaine, receiue, or haue any goods or debts of any perſon Inteſtate, or a releaſe or other diſcharge of any debt or dutie that belonged to the Inteſtate vpon any fraud, as is aforeſaid, or without ſuch valuable conſideration, as ſhall amount to the value of the ſame goods and debts or neere thereabouts (except it be in or towards ſatiſfaction of ſome iuſt and principall debt of the value of the ſame goods or debts to him owing by the Inteſtate at the time of his deceaſe) ſhall be charged and chargeable as Executor of his owne wrong, and ſo farre onely as all ſuch goods and debts comming to his hands, or whereof he is releaſed or diſcharged by ſuch Adminiſtrator, will ſatiſfie, deducting neuertheleſſe to and for himſelfe allowance of all iuſt, due and principall debts vpon good conſideration without fraud, owing to him by the Inteſtate at the time of his deceaſe, and of all other paiments made by him, which lawfull Executors or Adminiſtrators may and ought to haue and pay by the Lawes and Statutes of this Realme.

By fraudulent Adminiſtration of Inteſtates goods, the partie ſhall be charged as Executor of his owne wrong.

Allowance of iuſt debts, and other lawfull payment.

Cap. IX.

Seuerall Stat. made in the reignes, of King H. 8. *K.* Ed. 6. *& Qu.* El. *reuiued and continued.*

BE it enacted by authority of this preſent Parliament, That an acte made in the xxi. yeare of the reigne of the late K. Henry the eight, entituled, An acte for the true making of Cables, Halſers and Ropes. 21. H. 8. 12.

And that an Acte made in the xxiiij. yeare of the reigne of the late King Henry the eight, entituled, An acte againſt the killing of young beaſts called weanelings. 24. H. 8. 9.

And that two acts, made in the fourth yeare of the reigne of the late King Edward the ſixt, the one concerning buying and ſelling of Rother beaſts and cattell. 4. Ed. 6. 19.

The other entituled, An acte for the buying and ſelling of Butter and Cheeſe. 4. Ed. 6. 21.

And that an acte made in the firſt yeare of the Queenes Maieſties reigne that now is, entituled, An act for preſeruation of Spawne and Fry of fiſh. 1. El. 17.

And that an Act made in the fifth yeare of the Queenes Maieſties reigne, that now is, entituled, An act for auoiding diuers forreigne wares, made by handycrafts-men beyond the Seas. 5. El. 7.

And that an acte made in the ſame fifth yeare of her Maieſties reigne, entituled, An acte touching certaine politike conſtitutions, made for the maintenance of the Nauie, together with all and euery additions, explanations, and alterations made thereunto, or thereof, or of any part thereof, by any Statute or Statutes made ſithence the making of the ſame acte, and now continuing in force. 5. El. 5.

And that an Acte made in the eight yeare of the Qu. Maieſties reigne, that now is, entituled, An acte for Bowyers, and the prices of Bowes. 8. El. 10.

And that an acte made in the thirteenth yeare of the Qu. Maieſties reigne, that now is, entituled, An acte touching Leaſes of Benefices and other Eccleſiaſticall Liuings with Cure, together with all and euery explanations, additions, and alterations thereof, or thereunto made by any other Statute or Statutes, made ſithence the making of the ſaid acte, and now continuing in force: with this further addition to be enacted by authority of this preſent Parliament, That all Iudgements hereafter to be had, for the intent to haue or enioy any Leaſe, contrary to the ſaid Statutes, or any of them, ſhall be deemed void, in ſuch ſort as bonds and couenants are appointed to be void, which are made for that purpoſe. 13. El. 20. 14. El. 11. 18. El. 11.

Iudgements void as bonds & couenants for Leaſes of Benefices with cure.

And that an acte made in the ſame thirteenth yeare of her Maieſties reigne, entituled, An 13. El. 21.

Act that Purueyors may take graine, corne, and victuals, within fiue miles of Cambridge, and Oxford, in certaine caſes.

28. El. 10. And that an Acte made in the eighteenth yeare of the Queenes Maieſties reigne, entituled, An act for the repairing and amending of the bridges and high-wayes neere vnto the Citie of Oxford.

18. El. 3. And ſo much of one other Acte made the ſame yeare, entituled, An acte for ſetting the poore on worke, and auoiding of idleneſſe, as concerneth Baſtards begotten out of lawfull Matrimony.

23. El. 6. 35. El. 7. And that an Acte made in the three and twentieth yeare of her Maieſties reigne, entituled, An acte for the repairing of Douer Hauen, with the prouiſions and alterations thereof made, by an Acte made in the fiue and thirtieth yeare of the Queenes Maieſties reigne, that now is.

27. Eliz. And that an acte made in the ſeuen and twentieth yeare of her Maieſties reigne, entituled, An acte for the good gouernment of the Citie or Borough of Weſtminſter.

2. Ed. 6. 16. 27. El. 14. 39. El. 16. And that an acte made in the ſaid ſeuen and twentieth yeare of her Maieſties reigne, intituled, An acte for reuiuing of a former Statute for the true making of Malt: Together alſo with an acte made in the nine and thirtieth yeare of her Maieſties reigne, entituled, An acte to reſtraine the exceſſiue making of Malt.

27. El. 24. And that an acte made in the ſaid ſeuen and twentieth yeare of her Maieſties reigne, intituled, An acte for the keeping of the Sea bankes and Sea workes in the County of Norfolke.

31. El. 8. And that an acte made in the one and thirtieth yeare of her Maieſties reigne, entituled, An acte for the true gauging of veſſels brought from beyond Seas, conuerted by Brewers for the vtterance and ſale of Ale and Beere.

23. El. 31. Eliz. And that an acte made in the ſaid one and thirtieth yeare of her Maieſties reigne, entituled, An acte for reuiuing and enlarging of a ſtatute made in the xxiij. yeare of her Maieſties reigne, for the reliefe of the Citie of Lincolne.

35. El. 1. And that three acts made in the fiue and thirtieth yeare of her Maieſties reigne, One entituled, An act to retaine the Qu. Maieſties Subiects in their due obedience.

35. El. 10. Another Act entituled, An act for the reformation of ſundry abuſes in clothes called Deuonſhire Kerſies or Dozens, according to a Proclamation of the fiue and thirtieth yeare of the reigne of our Soueraigne Lady the Qu. Maieſty that now is.

35. El. 11. And one other, entituled, An acte for the bringing in of Clapboord from the parts of beyond the Seas, and the reſtraining of the tranſporting of Wine Caſke, for ſparing and preſeruing of Timber within the Realme.

39. El. 1. And that the ſeuerall acts hereafter mentioned, made in the nine and thirtieth yeare of her Maieſties reigne, that now is, (that is to ſay) An acte entituled, an acte againſt the decaying of Townes houſes of Huſbandrie.

39 El. 2. An acte, entituled, An acte for maintenance of Huſbandrie and Tillage.

39. El. 7. 13. El. 4. An acte entituled, an acte for the more ſpeedy payment of the Queenes Maieſties debts, and for the better explanation of the acte made in the thirteenth yeare of the Queenes Maieſty, entituled, An acte to make the Lands, Tenements goods, and chattels of Tellers, Receiuers, &c. liable to the payment of their debts.

39. El. 10. An acte entituled, an acte for the encreaſe of Marriners, and for maintenance of the Nauigation, repealing a former acte made in the three and twentieth yeare of her Maieſties reigne, bearing the ſame Title.

39. El 12. And an acte entituled, An acte for explanation of the Statute made in the fifth yeare of her Maieſties reigne concerning Labourers.

39. El. 14. An acte, entituled an acte prohibiting the bringing into this Realme of forreigne Cards for Wooll.

39. El. 17. An acte, entituled, An acte againſt lewd and wandring perſons pretending themſelues to be Souldiers and Marriners.

39. El. 4. An acte entituled, An act for puniſhment of Rogues, Vagabonds, and ſturdy Beggers.

The before rehearſed 35. ſtat. continued vntill the firſt Seſſion of the next Parliament. Iohn Dutton of Dutton.

Except the Prouiſo in the ſaid ſaid laſt mentioned Act concerning Iohn Dutton of Dutton in the countie of Cheſter Eſquire, ſhall be continued and remaine in force vntill the end of the firſt Seſſion of the next Parliament. And touching the ſaid Prouiſo concerning the ſaid Iohn Dutton, Bee it enacted by the authority of this preſent Parliament, That the ſame Prouiſo ſhall continue and remaine in force to the end of one yeare next enſuing the firſt day of this preſent Parliament and no longer: Except before the end of the ſaid yeare the ſaid Iohn Dutton, or his heires ſhall procure the Lord Chiefe Iuſtice of the Pleas before the Qu. Highneſſe to be holden, and the Lord Chiefe Iuſt. of the Common Pleas, and the L. Chiefe Baron of her Maieſties Court of Exchequer, or two of them, vpon hearing his allegations and proofes, to make certificate into her Maieſties Court of Chancerie, That the ſaid Iohn Dutton, or his heires, might lawfully (if no ſtatute againſt Rogues or Beggers had been made) by Charter, Tenure or Preſcription, to vſe, haue, and exerciſe, ſuch liberty of licencing of Minſtrels, as he claimeth to vſe; And that the ſaid Certificat be inrolled in her Maieſties ſaid Court of Chancerie within the ſaid yeare. And if he or his heires ſhall procure ſuch Certificat as aforeſaid, and cauſe the ſame to be inrolled as is aforeſaid, Then be it enacted alſo by the authority of this preſent Parliament, That the ſaide prouiſion ſhall alſo continue in force vntill the end of the firſt Seſſion of the next Parliament.

And be it further enacted, That an Act made in the xxxix. yeare of the Qu. Maieſties reigne, entituled, An acte for the reliefe of the poore ſhall alſo continue and remaine in force vntill the end of the firſt Seſſion of the next Parliament, except ſome new acte ſhall be made in this preſent Seſſion of Parliament concerning the ſame. 39. El. 3. 43. El. 2.

And that two acts made, the one in the xxxv. yeare of the Qu. Maieſties reigne, entituled, An act for the neceſſarie reliefe of Souldiers and Mariners, And the other made in the xxxix. yeare of her Maieſties ſaid reigne, for the further explanation and continuance of the ſame former Act, ſhall alſo continue and remaine in force vntill the end of the firſt Seſſion of the next Parliament, except ſome new Act ſhall be made concerning the ſame in this preſent Seſſion of Parliament. 35. El. 4. 39. El. 21. 43. El. 3.

And be it alſo further enacted by authority of this preſent Parliament, that an act made in the nine and thirtieth yeare of the Queenes Maieſties reigne that now is, entituled, An acte to reforme Deceits and Breaches of truſts, touching Lands giuen to charitable vſes, be from henceforth vtterly repealed. 39. El. 6.

And yet neuertheleſſe, be it enacted by the authority of this preſent Parliament, that ſo much of the ſaid Act as concerneth execution of Orders, Iudgements and Decrees heretofore made by Commiſſioners aſſigned by vertue of the ſaid Act, and examination, hearing and determining of the ſaid Orders, iudgements, and Decrees by ſuch Commiſſioners heretofore made, ſhall ſtand and remaine in force onely as for and concerning ſuch Iudgements and Decrees as heretofore haue beene made by vertue of the ſame Act, and of Commiſſions thereupon awarded. Decrees made by Commiſſions by force of the ſtat. of 39. El. 6. ſhall continue.

Prouided alwayes, and be it enacted by authority of this preſent Parliament, that the ſaid act for maintenance of Husbandry and Tillage, ſhall not extend to any Lands lying within the County of Northumberland. The ſtat. of 39 El. 2. ſhall not extend to lands in Northumberland.

And prouided alſo, and be it enacted by the authority aforeſaid, that ſo much of the act aboue mentioned, entituled, An act for the encreaſe of Mariners, and maintenance of the Nauigation, repealing a former act made in the three and thirtieth yeare of her Maieſties reigne, bearing the ſame title, as concerneth the repealing and making void of all Ordinances of the Fiſhmongers of London, or of any other Company or Corporation whatſoeuer, made or to be made for reſtraint of any perſon to take or ſell Fiſh, or to buy, or prouide any Fiſh of any Merchant or other within this Realme, or the making or executing of any ſuch Ordinance or reſtraint, ſhall from henceforth remaine diſcontinued and repealed, The former continuance of the ſaid Act in this preſent Act mentioned, notwithſtanding. 39. El. 10.

And yet neuertheleſſe be it enacted, that no ſuch Ordinance or reſtraint made or to be made, ſhall in any wiſe extend or be put in execution, during the continuance of the ſaid former Act made in the xxxix. yeare of her Maieſties reigne, to reſtraine any Coaſtmen, Fiſhermen, or any other, Subiects or Forreiners, for, or concerning the taking, bringing in, putting to ſale, or buying of any ſalted fiſh, or Herrings being wholeſome and ſweet vpon and vnder the paines and penalties in the ſaid former Act of the nine and thirtieth yeare of her Maieſties reigne contained.

Prouided alwayes, and be it enacted by the authority of this preſent Parliament, That no Ship, Veſſell or Crayer, whereof any her Maieſties Subiects ſhall be owners or part owners, of the burthen of twenty Tunnes loading and vpwards, loading, or diſcharging within this Realme, and paſſing to and from any forreine Countrey (other than Ships, Veſſels, and Crayers, which ſhall be laden with Seacole or Grindſtones) ſhall after the end of this Seſſion of Parliament, in reſpect of any ſuch voyage, pay to the reparation of Douer Hauen, but onely after the rate of three pence the Tunne for the Merchandize, wherewith ſuch Ship, Veſſell, or Crayer ſhall be in ſuch voyage laden, and not after the rate of three pence the Tunne of the burthen of euery ſuch Ship, Veſſell, or Crayer. And that euery Ship, Veſſell, or Crayer, which ſhall be employed in a voyage of fiſhing, ſhall not vpon returne of ſuch voyage pay but after the rate of the rate of three pence the Tunne for ſuch oyle, traine, and merchandize, as ſuch Ship ſhall bring home in ſuch voyage, and not any thing for or in reſpect of the burthen of the ſame Ship, Veſſell, or Crayer. The ſaid Statute made for the repairing of Douer Hauen, or any other Statute touching the ſame, or any thing in this Act contained to the contrary thereof, in any wiſe notwithſtanding. 23. El. 6. 35. El. 7. 1. Iac. 32. Douer Hauen.

Cap. X.

No deceitfull ſtretchings ſhall be put in woollen Clothes, nor any deuiſe to ſtretch them in length or breadth, and how they ſhall be made, &c.

THe Queenes moſt excellent Maieſty with the aduiſe of her highneſſe Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, weighing and conſibering the good and godly purpoſes of diuers and ſundry Statutes heretofore made and ordained for the true making and working of woollen cloth, to be fruſtrated and deluded by ſtraining, ſtretching, want of weight, flockes, ſollace, chalke, flower, deceitfull things, ſubtill ſleights and vntruth, ſo as the ſame clothes being put in water, are found to ſhrinke, rewey, purſey, ſqually, cockling, bandy, light, and notably faulty, to the great diſlike of forreine Princes, and to the hinderance and loſſe of the buyer and wearer: For redreſſe thereof is pleaſed, and willeth it to be enacted, and by the authority of this preſent Parliament it is enacted, That from and after the Feaſt of the Purification of the bleſſed Virgin next enſuing, No perſon or perſons ſhall put any haire, flockes, thrummes, or yarne made of Lambes Wooll, or other deceiuable thing or things, in or vpon any broad woollen cloth, halfe cloth, Kerſie, Friſe, Dozen, Peniſtone or Cotton, Taunton cloth, Bridgewater, Dunſter Cotton (which Dunſter Cotton hereafter ſhall be by this preſent Act intended and taken to be of like weight, length and breadth as Taunton and Bridgewater cloth, or other cloth of what nature, kinde or name ſoeuer, made or to be made to be ſold, or offered to be ſold) vpon paine to forfeit euery ſuch cloth, halfe cloth, Kerſie, Friſe, Dozen, Peniſtone and Cotton, and other woollen cloth, of what nature, kinde or name ſoeuer, whereinto or whereupon any ſuch haire, flockes, thrummes, yarne or Lambes Wooll, or other deceiuable thing or things whatſoeuer, ſhall be ſo put, Any Law, Statute, Diſpenſation, Allegation or Tolleration to the contrary thereof in any wiſe notwithſtanding. And vpon paine that euery perſon and perſons which ſhall buy, gather or procure any haire, flockes, thrummes, yarne of Lambes wooll, or other deceiuable thing or things whatſoeuer for that intent and purpoſe, to forfeit the ſame haire, flockes, thrummes, yarne of Lambes wooll, and other deceiuable thing and things whatſoeuer.

No deceiuable things ſhall be put into woollen cloth. 5. Ed. 6. 6. 4. Iac. 2.

The penaltie for buying or gathering of deceiuable things.

No deuiſe ſhall be made to ſtretch cloth vnwrought in breadth or length. 5. Ed. 6. 6. 39. El. 20.

And that no perſon or perſons, within her Maieſties Realme of England or the dominions of the ſame, ſhall from and after the Feaſt of Eaſter now next enſuing, haue, vſe, or occupy within any place of her Maieſties ſaid Realme or Dominions, any Tenter, Inſtrument, Engine, or other deuice of what ſort or kinde ſoeuer with any lower Barre, Pinne, Ring, or other Engine, or deuice, of what ſort or kinde ſoeuer, whereby or wherewith any rough and vnwrought woollen broad cloth, halfe cloth, Kerſie, Cotton, Dozen, Peniſtone, Friſe, Rugge, or any other rough and vnwrought woollen cloth, of what nature, kinde, or name ſoeuer they be or ſhall be of, made, or to be made to be ſo ſold, ſhall or may be ſtretched or ſtrained in breadth, Or ſhall haue, kéepe or vſe any maner of Wrinch, Ring-head, Growme, Rope, or other engine to ſtretch or ſtraine any rough and vnwrought woollen cloth, halfe cloth, Kerſie, Cotton, Peniſtone, Friſe, Rugge, or any other rough and vnwrought woollen cloth of what nature, kinde or name ſoeuer they be or ſhall be of, in length made or to be made to be ſo ſold, vpon paine that euery offender that ſhall haue, kéepe, vſe or exerciſe any ſuch Tenter, Inſtrument, engine or deuice, with a lower Barre, Pinne, Ring, Engine, or Deuice, Wrinch, Ring-head, Growme, or Rope of what ſort or kinde ſoeuer, ſhall forfeit for euery ſuch offence xx. li. the one halfe thereof to our Soueraigne Lady the Qu. Maieſtie, and the other halfe to him that will ſue for the ſame, by Bill, plaint, or information in any of her Highneſſe Courts of Record, wherein no Eſſoine, protection or wager of Law ſhall be allowed.

No wrought woollen cloth ſhall be ſtretched.

And that no perſon or perſons within her Maieſties Realme of England or the Dominions of the ſame, from and after the ſaid Feaſt of Eaſter, now next enſuing, ſhall ſet, or cauſe to be ſet, directly or indirectly, any wrought woollen broad cloth, halfe cloth, kerſie, cotton, dozen, peniſtone, friſe, rugge, or any other wrought woollen cloth, of what nature, kinde or name ſoeuer they be or ſhall be of, made for ſale or offered to be ſold, in or vpon any Tenter, Inſtrument, engine or deuice, with a lower Barre, pinne, ring, engine, or deuice, wrinch, ring-head, growme, or rope of what ſort or kinde ſoeuer to ſtretch, or ſtraine the ſame wrought woollen cloth, halfe cloth, Kerſie, Cotton, Dozen, Peniſtone, Friſe, Rugge, or any other wrought woollen cloth, by what nature, kinde, or name ſoeuer they be or ſhall be of, otherwiſe than the whole wrought woollen broad cloth one yard in length, and one halfe quarter in breadth. And the halfe cloth one halfe yard in length, and one halfe quarter in breadth. And the Kerſie, Cotton, Dozen, Peniſton, Friſe, and Rugge, one halfe yard in length, and one naile in breadth. Or ſhall vtter or ſell any wrought woollen cloth, halfe cloth, Kerſie, Cotton, Dozen, Peniſton, Friſe, Rugge, or any other wrought woollen cloth, of what nature, kinde, or name ſoeuer they be or ſhall be of, tentered, ſtrained or ſtretched otherwiſe then as aforeſaid, in or vpon any Tenter, Inſtrument, Engine, or deuiſe, with a lower Barre, Pinne, Ring, Engine, or deuice, Wrinch, Ring-head, Growme, or Rope of what ſort or kinde ſoeuer, vpon paine to forfeit euery ſuch wrought woollen cloth, halfe cloth, Kerſie, Cotton, Dozen, Peniſton, Friſe, Rugge, and euery other wrought woollen cloth, of what nature, kind, or name ſoeuer they be or ſhall be of.

None ſhall ſell woollen cloth tentered or ſtretched.

Woollen clothes ſhall not excéed the length appointed by former ſtatutes.

And bee it further enacted by the authority aforeſaid, That no woollen broad cloth, halfe Cloth, Kerſie, Cotton, Dozen, Peniſtone, Friſe, Rugge, nor any other woollen cloth, of what nature, kinde or name ſoeuer they be, or ſhall be of, ſhall from and after the ſaid Feaſt of Eaſter now next enſuing, (being well ſcowred, thicked, milled, and fully dried and made to be ſold, or which ſhall be offered to be ſold) excéed the ſeuerall length or lengths, which heretofore is limited and appointed, reſpectiuely for euery ſuch broad Wollen cloth, halfe cloth, Kerſie, Cotton, Dozens, Peniſton, Friſe, Rugge, and other wollen cloth, of what nature, kinde, or name ſoeuer they be of, and ought at this time to be of, by the ſeuerall ſtatutes therefore limited and appointed, vpon paine of forfeiture of euery ſuch broad Wollen cloth, halfe cloth, Kerſie, Cotton, Dozen, Peniſton, Friſe, Rugge, and euery other wollen cloth, of what nature, kinde, or name ſoeuer.

The weight of woollen clothes appointed by former ſtatutes.

And that euery broad wollen cloth, halfe cloth, Kerſie, Cotton, Dozen, Peniſtone, Friſe, Rugge, and other wollen cloth, of what nature, kinde or name ſoeuer they be, or ſhall be of, ſhall from thenceforth (being well ſcowred, thicked, milled, and fully dried) weigh reſpectiuely the true weight which is heretofore limited and appointed for euery ſuch broad wollen cloth, halfe cloth, Kerſie, Cotton, Dozen, Peniſtone, Friſe, Rugge, and euery other wollen cloth, of what nature, kinde or name ſoeuer they be or ſhall be of, to weigh, and ought at this preſent time to weigh by the ſeuerall ſtatutes therefore limited and appointed, ſauing that Taunton clothes, Bridgewaters, and ſuch clothes as ſhall be made in Taunton, Bridgewater, and other places of like ſort and making, and limited to weigh foure and thirty pounds at the leaſt, ſhall and may from henceforth (being well ſcoured, thicked, milled, wrought & fully dried) weigh only thirty pounds at the leaſt, Any former ſtatute or ſtatutes to the contrary thereof in any wiſe notwithſtanding.

The weight of Taunton and Bridgewater cloth.

The weight of Norfolke &c. clothes. 5. Ed. 6. 6. 4. & 5. Phil. & M. 5.

And ſauing that Suffolke, Norffolke, Eſſex, and Northerne cloth, limited by the ſeuerall Statutes of the fifth yeare of King Edward the ſixt, and the fourth and fifth yeares of King Philip and Quéene Mary, or one of them, to weigh the ſeuerall weights therein mentioned, ſhall and may be abated for the workmanſhip of the whole cloth foure pounds, and for the halfe cloth two pounds in the weight thereof, as the ſame Norffolke, Suffolke, and Eſſex clothes are allowed by her highneſſe tolleration by Proclamation.

The forf. for want of weight.

And if it ſhall happen, that any of the ſaid broad wollen clothes, halfe clothes, Kerſies, Cottons, Dozens, Peniſtons, Frizes, Rugges, or any other wollen cloth, of what nature, kinde or name ſoeuer they be or ſhalbe of, made or to be made to be ſold, or offered to be ſold, ſhal lacke (being well ſcoured, thicked, milled, wrought and fully dried,) of the weight therefore reſpectiuely limited, and which ought to be of that weight by this preſent Acte, aboue thrée pound in any whole broad wollen cloth, or aboue one pound and the halfe of one pound in one halfe broad cloth, Taunton cloth, Bridgewater or other cloth of like ſort, Or aboue one pound in one Kerſie, Cotton, Dozen, Peniſton, Frize, Rugge, or any other wollen cloth reſpectiuely, of what nature, kinde or name ſoeuer they be or ſhall be of, Then the offender ſhall forfeit for one pound wanting more then is aforeſaid, tenne ſhillings, and for two pounds twenty ſhillings, and for thrée pounds forty ſhillings, and ſo double the forfeiture for euery pound ſo wanting, vnleſſe the party offending by ſuch wanting, will yéeld the ſame cloth, halfe cloth, Kerſie, Cotton, Dozen, Peniſtone, Friſe and Rugge ſo wanting, forfeited, which if he will yéeld, then the ſame ſo wanting ſhall be forfeited: any former law, ſtatute or other matter or thing whatſoeuer to the contrary thereof in any wiſe notwithſtanding.

The ſtat. prouided 39. El. 20. for Northerne cloth, ſhall extend to cloth made in other counties.

And that one ſtatute made in the nine and thirtieth yeare of her highneſſe reigne, entituled, An act againſt the deceitfull ſtretching and tentering of Northern cloth, as to, for, touching and concerning viewes, ſeales, ſearches, appointment of Ouerſéers, Ouerſéers, penalties and authority giuen to Iuſtices of Aſſiſe, Iuſtices of Peace, head Officers of cities, boroughs, and townes corporate, and other perſon and perſons of and for Northerne clothes, in the county of Yorke, Lancaſter, and other the counties on the North of Trent, ſhall from the ſaid Feaſt of Eaſter next enſuing reſpectiuely extend vnto all and ſingular wollen broad clothes, halfe clothes, Kerſies, Cottons, Dozens, Peniſtons, Friſes, Rugges, and all other wollen cloth, of what nature, kinde or name ſoeuer they be or ſhall be of, made or to be made within her Highneſſe Realme of England, to be viewed, ſealed, ſearched, ouerſéene, ſubiected to penalties, and authority giuen to Iuſtices of Aſſiſe, Iuſtices of Peace, and other perſon and perſons, in ſuch and the like maner and forme, and to ſuch and the like purpoſes and intents reſpectiuely, as is limited and appointed for ſuch ſaid Northerne clothes.

Cloth ſealed by the ouerſeers ſhall not be ſearched or tried againe.

And that euery broad Wollen cloth, halfe cloth, Kerſie, Cotton, Dozen, Peniſton, Friſe, Rugge, and euery other Wollen cloth, of what nature, kinde, or name ſoeuer they be or ſhall be of, ſealed by the Ouerſéers authoriſed by this preſent acte, ſhall not be brought to be viewed, ſearched, and ſéene, nor ſhall be ſearched, tried, or watered by any other Searcher and Ouerſéer of any other Citie, Borough, Towne, Village, Pariſh, or Hamlet, by vertue of his or their Office or Offices, Any Statute, matter or thing to the contrary thereof in any wiſe notwithſtanding.

A Repeale of part of the ſtat. hereafter mentioned. 5. & 6. Ed. 6. 6. 4. & 5. P. & M. 5. 27. El. 17.

And be it further enacted, That the ſeuerall branches of the ſeuerall Acts of Parliament, the firſt entituled, An acte for the true making of Wollen cloth in the fifth yeare of the reigne of King Edward the ſixth, and the Act entituled, An acte touching the making of Wollen clothes in the fourth and fifth yeares of the reigne of King Philip and Quéene Mary, And in the Acte made in the ſeuen and twentieth yeare of the reigne of our ſaid Soueraigne Lady the Quéenes Maieſtie that now is, entituled, An acte touching the breadth of white Wollen clothes made in the counties of Somerſet, Wilts, Glouceſter, and Oxon, And in the Act made in the fine and

35. El. 9.

The length of Clothes.

Certificate of faulty Cloth.

thirtieth yeare of the reigne of our ſaid Soueraigne Lady the Queenes Maieſtie that now is, entituled, An acte touching the breadth of Plankets, Azures and Blewes, and other coloured Clothes made in the Countie of Somerſet or elſe-where of like making, for and concerning the exceeding of length of Clothes, mentioned in the ſaid Statute of the fifth of King Edward the ſixth, ſhall from henceforth be vtterly repealed, as concerning onely the ſaid ouer-lengths, And that one other branch made in the ſaid fourth and fifth yeare of the reigne of King Philip and Queene Mary, touching and concerning Certificates of faulty Clothes, ſhall from the ſaid Feaſt of Eaſter next enſuing, be likewiſe repealed, for Clothes to be ſold after the ſaid Feaſt of Eaſter next enſuing.

No Merchant ſhall take aduantage of a Clothier for any defect in Cloth.

And be it enacted, That no Merchant or buyer which ſhall tranſport, or cauſe to be tranſported beyond the Seas any broad Wollen Cloth, halfe Cloth, Kerſie, Cotton, Dozen, Peniſtone, Friſe, Rugge, or any other Wollen Cloth, of what nature, kinde or name ſoeuer they be, or ſhall be of, by reaſon of any Clothiers or ſellers of any broad Wollen Cloth, halfe Cloth, Kerſie, Cotton, Dozen, Peniſtone, Friſe, Rugge, or any other Wollen Cloth of what nature, kind or name ſoeuer they be, or ſhall be of, ſo tranſported, his hand to ſuch Merchant or buyers booke, bill or ticket, for or touching any defects, ſhall take any benefit or aduantage.

All Acts contrary to this repealed.

And be it further enacted, that all and euery article, clauſe, and ſentence in any act of Parliament heretofore made, touching or concerning the ſaid abuſes in this act mentioned, and being repugnant and contrariant to any article or ſentence in this acte, ſhall from the ſaid Feaſt of Eaſter now next enſuing, be vtterly void, and of none effect.

39. El. 20.

The forf. to whoſe vſe imployed.

And be it further enacted, that ſuch as ſhall offend after the ſaid Feaſt of Eaſter againſt the ſaid act in the nine and thirtieth yeare of her highneſſe reigne, obſeruing and performing this preſent act, ſhall not incurre any penalty mentioned in the ſaid act of the ſaid nine and thirtieth yere. The moitie of all which forfeitures (not otherwiſe by this preſent act appointed) ſhall be to the Searchers and Ouerſeers that ſhall and will finde the ſame, and in his and their default, to him that ſhall finde the ſame, and the other halfe to the poore of the pariſh where the offence ſhall be committed.

The Aulnegers authoritie.

Prouided alwayes, that this Act or any thing therein contained, ſhall not extend to take away or abridge from any lawfull Aulneger any power or right already giuen vnto him by her Maieſties Letters Patents, for the viewing, ſearching, or ſeiſing of any Clothes put to ſale, contrary to the lawes heretofore made in that behalfe. This act to continue till the end of the next Seſſion of the next Parliament, and no longer.

Vnwrought cloth tentered tranſported and returned.

Prouided alſo neuertheleſſe, That if any vnwrought Cloth, halfe Cloth, Kerſie, Cotton, Dozen, Peniſton, Friſe, Rugge, or any other vnwrought Wollen Cloth, of what nature, kinde or name ſoeuer they be, or ſhall be of, tranſported after the ſaid Feaſt of Eaſter next beyond the Seas, ſhall be found to haue beene formerly tentered, ſtrained and ſtretched by the meanes or conſent of the maker or ſeller thereof, contrary to the true intent of this preſent Act: That then ſuch Merchant or buyer ſhall or may at his owne coſtes and charges returne the ſame into this Realme, and after ſuch returne, deliuer, or cauſe the ſame to be deliuered vnto the maker or ſeller thereof with the ſeales thereunto limited by this preſent Act to be fixed, and thereupon ſhall or may recouer the value thereof ſo returned by action of debt, bill, plaint or information, in any of her highneſſe Courts of Record, againſt the maker or ſeller thereof, by whoſe meanes or conſent the ſame was ſo tentered, ſtrained, and ſtretched. 3. Car. 4. Continued vntill the end of the firſt Seſſion of the next Parliament.

CAP. XI.

Approuement may be made betweene Lords and Commoners of great Mariſhes in ſeuerall Counties, and the perſons vndertaking to keepe them perpetually drie, &c.

Whereas it is apparant to ſuch as haue trauailed in the execution of Commiſſions of Sewers in the Iſle and Counties aforeſaid, That the Waſtes, Commons, Mariſhes, and Fennie grounds there ſubiect to ſurrounding, may be recouered by ſkilfull and able vndertakers, whereby great and ineſtimable benefit would ariſe to her Maieſty, her heires and ſucceſſors, diſburdening her highneſſe of many chargeable banks, and works of Sewers in thoſe ſurrounded grounds, as the encreaſe of many able ſubiects, by habitations being there erected, and in like ſort profitable vnto many her highneſſe ſubiects, both bodies politike as corporate, who haue eſtate of inheritance and other intereſt within the ſame: And for that the draining and making drie and profitable of thoſe ſurrounded grounds is chiefly hindred, for that the greater part of them are waſts and Commons, ſubiect yerely to ſurrounding, wherein diuers haue common by preſcription, by reaſon of their reſiancie and inhabitancy, which kinde of Commons, nor their intereſt therein can by the common law be extinguiſhed, or granted to binde others which ſhould inhabit there afterwards: And in that alſo it appeareth, that the Commoners in reſpect of their pouerty, are vnable to pay the great charges to ſuch as ſhould vndertake the recouery of the ſame.

It may pleaſe your Maieſty, that by your Highneſſe, and the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and the authority of the ſame. It may be enacted, That the Lord or Lords, as well bodies politike or corporate, as any other perſon or perſons whatſoeuer of all and euery the Waſtes and Commons aforeſayd, and the moſt of the Commoners for their particular commons, and likewiſe the owners, & ſuch as haue or ſhall haue intereſt in any ſeuerall ſurrounded grounds, lying within or neere the ſame, may contract or bargaine for part of ſuch Commons, Waſts, and Seueralls aforeſayd, with ſuch perſon and perſons which will vndertake the draining and keeping dry perpetually, the Seueralls, Waſts & Commons of that qualitie. Which contract and bargaine, and conueyances thereupon made, ſhall bee good and auaileable in law to all conſtructions & purpoſes, againſt the ſayd Lords of the ſaid ſoile, and Owners of Seuerall, and their heires, ſucceſſors, and aſſignes, and all the Commoners, and ſuch as ſhall or might haue Common or intereſt there afterwards, according to the contracts, couenants, prouiſions, and agreements in thoſe conueyances to be ſpecified, and for ſo much of ſuch Commons, waſts or Seuerals, as ſhalbe ſo contracted or conueyed, To hold & enioy in ſeueralty to ſuch perſon and perſons, his or their aſſignee or aſſignees, as ſhall or haue vndertaken the ſame, in ſuch manner and forme, as his or their eſtates and intereſt are or ſhall be, by or vpon ſuch contracts and agreements, by ſuch conueyances limited and appointed.

A bargaine betweene the Lords and Commoners in waſtes, and the vndertakers.

Prouided notwithſtanding, and bee it enacted by the authority aforeſayd, That in all caſes where your Highneſſe, your heires, and ſucceſſors is or ſhall be Lord or owner of the Freehold of the ſoile of ſuch waſtes or Commons, or any part of the ſame, That the moſt part of the Commoners in ſuch your highneſſe ſoile, ſhall or may contract, bargaine, aſſigne and ſet forth as is aforeſaid, part of their Common therein, to any perſon or perſons which will vndertake the drayning of that whole Common (accordingly as the Lords and the moſt part of the Commoners in the ſurrounded Waſtes and Commons aforeſaid of bodies politike or corporate may do, as is before declared:) which ſhall binde, and be good and auaileable againſt all the ſaid Commoners, their heires, executors, or aſſignes, and all others that ſhall hereafter, by reaſon of any their reſiancie, claime any Common of paſture in the ſaid Waſtes or common grounds, whereof the ſoile doth or ſhall pertaine to your Maieſtie, of and for all their intereſt or claime of Common therein, To hold, according to the true intent and effect of ſuch contract, bargaine, aſſignement, and conueyances by writing intented, ſealed and deliuered by the moſt part of ſuch Commoners as ſhall be made betweene the moſt part of ſuch Commoners and ſuch vndertakers: but ſhall not in any ſort be of any effect or validity againſt your Highneſſe, your heires, ſucceſſors, or aſſignes, or their eſtate or eſtates, in, or to the ſoile thereof, Except ſuch cenueyances be by wrighting indented in parchment, and one part thereof vnder the hands and Seales of moſt part of the Commoners ſo contracting the ſame, certified into your Highneſſe high Court of Chancery, if the Waſtes or ſoiles ſhall be of the poſſeſſions of your highneſſe Crowne of England. And except your Maieſties royall conſent be obtained thereunto, and ſignified by and vnder your highneſſe priuy Seale, or great Seale, & inrolled into your highneſſe ſayd Court of Chancery. And after ſuch aſſent ſo had, ſignified and inrolled, Then the ſame contracts, and couenants ſhall be good and auaileable to all and euery ſuch vndertakers their heires and aſſignes, againſt your highneſſe, your heires and ſucceſſors, according to the prouiſions, agreements and couenants, ſo aſſented vnto by your highneſſe your heires and ſucceſſors. And where they are of the poſſeſſion of the Duchie of Lancaſter, Then the ſaid contract, bargaine, aſſignement, of or from your highneſſe, ſhall not be of any effect or validitie againſt your highneſſe, your heires, ſucceſſors, and aſſignes, Except ſuch contract and bargain touching the premiſſes, and ſuch aſſignement & ſetting forth of ſuch part to the ſaid vndertakers to hold in ſeueralty, be by writing indented in parchment ſealed and deliuered by the ſaid Commoners, or the moſt part of them, and the ſayd vndertakers, and one part thereof certified vnder the hands and ſeales of moſt part of the Commoners, into your Highneſſe Court of the Dutchy of Lancaſter for the time being, and your Maieſties royall conſent, vnder the ſeale of the ſayd Dutchie, obtained thereunto, and there inrolled in that Court. Which conſent Royall being obtained for the ſoyle of ſuch Waſte, being of the poſſeſſions of the Crowne, and vnder the ſeale of the ſayd Dutchy, of your Highneſſe ſoyle of ſuch Waſtes as are of thoſe poſſeſſions, The ſayd vndertakers, and their heires, and aſſignes, ſhall and may enioy in ſeueraltie, the ſoile of ſo much Waſte and Common, as was ſo contracted for, aſſigned and ſet forth by the moſt part of your Highneſſe Commoners, in ſuch ſort and qualitie, as the ſaid vndertakers ſhall hold and enioy the intereſt of Common, to all intents and purpoſes.

Where the Qu. is owner of the ſoile of the waſte or common, or of part thereof.

The Qu. aſſent vnder the priuy or great ſeale, and inrolled in the Chancery.

The Qu. owner of the waſtes being Dutchie land.

Prouided alwayes, and be it enacted, that this Act, nor any thing therein contained, ſhall not extend to the impairing, diminiſhing, letting, taking away, or extinguiſhing of the intereſt of the Commoners, or any of them, or of the Lords or Owners of the ſoyle, of, in, or to any part of the reſidue of the Waſtes, or Commons, which is not, or ſhall not be ſo ſet forth or aſſigned to the vndertakers, Nor to any Franchiſes or Liberties, or Waife, Stray, Leete, Law-day, nor other liberties to be vſed or taken, in the part ſo to the ſaid vndertakers, aſſigned, But that as well the Commoners and Lords and Owners of that ſoyle, ſhall and may enioy their Commons in the reſidue thereof, And the Queenes Maieſty, her heires and ſucceſſors, and the Lords and Owners

This Act ſhall extend but to ſo much Common as ſhall be contracted for.

This aſſignement ſhall hinder no mans libertie.

ſhall and may haue and enioy ſuch Liberties and Franchiſes, in ſuch their part as heretofore was lawfully vſed, and as they or any of them ſhould or might haue done, if this Act, or ſuch contract, bargaine, and aſſignement had neuer beene, Any thing in this Statute contained to the contrary not withſtanding.

Not preiudiciall to the Ports or Hauens. Eight miles of Yarmouth, or ſix miles of Lin.

Prouided alwaies, and be it enacted, That this Act, or any thing therein contained ſhall not extend either to any bargaine, ſale, agreement, graunt, conueyance, or aſſurance, Or to the inning, drayning, or laying drie of any Commons, Marſhes, or ſurrounded Grounds, whereby, or by meanes whereof, any of the Hauens or Ports of this Realme of England may bee in any ſort annoyed, impaired, or hindered. Nor to any Grounds, within eight miles of Yarmouth, or ſixe miles of Lin, within the County of Norfolke. 4. Iac. 8.

CAP. XII.

Commiſſions awarded to heare and determine Policies of Aſſurances made among Marchants: and the Commiſſioners authority.

The benefits enſuing by the encouragement of Marchants.

A Policie of Aſſurance, & the benefit comming thereby.

Whereas it euer hath beene the policy of this Realme, by all good meanes to comfort and encourage the Marchant, thereby to aduance and encreaſe the generall wealth of the Realme, her Maieſties Cuſtomes, and the ſtrength of Shipping, Which conſideration is now the more requiſite, becauſe Trade and Traffique is not at this preſent ſo open as at other times it hath beene: And whereas it hath beene time out of minde an vſage amongſt Marchants, both of this Realme and of forrein Nations, when they make any great aduenture (ſpecially into remote parts) to giue ſome conſideration of money to other perſons (which commonly are in no ſmall number) to haue from them aſſurance made of their Goods, Marchandizes, Ships, and things aduentured, or ſome part thereof, at ſuch rates, and in ſuch ſort, as the parties Aſſurers and the parties Aſſured can agree, which courſe of dealing is commonly termed, A Policie of Aſſurance: by meanes of which Policies of Aſſurance it commeth to paſſe, vpon the loſſe or periſhing of any ſhip, there followeth not the vndoing of any man, but the loſſe lighteth rather eaſily vpon many, than heauily vpon few, and rather vpon them that aduenture not, than thoſe that doe aduenture, whereby all Marchants, ſpecially of the yonger ſort, are allured to venture more willingly & more freely: And whereas heretofore ſuch Aſſurers, haue vſed to ſtand ſo iuſtly and preciſely vpon their credits, as few or no controuerſies haue riſen thereupon, And if any haue growne, the ſame haue from time to time beene ended and ordered by certaine graue and diſcreet Marchants, appointed by the Lord Mayor of the Citie of London, as men by reaſon of their experience fitteſt to vnderſtand, & ſpeedily to decide thoſe cauſes, vntill of late yeares, that diuers perſons haue withdrawne themſelues from that Arbitrary courſe, and haue ſought to draw the parties aſſured to ſeek their Moneyes of euery ſeuerall Aſſurer, by ſuits commenced in her Maieſties Courts, to their great charges and delayes. For remedy whereof, be it enacted by the authority of this preſent Parliament, That it ſhall and may be lawfull for the Lord Chancellor, or Lord Keeper of the great Seale of England for the time being, to award forth vnder the great Seale of England one generall or ſtanding Commiſſion, to be renewed yerely at the leaſt, and otherwiſe ſo oft as vnto the ſaid Lord Chancellor or Lord Keeper ſhall ſeeme good, for the hearing and determining of Cauſes ariſing, and Policies of Aſſurances, ſuch as now are, or hereafter ſhall be entred within the Office of Aſſurances within the Citie of London, and whereof no Suit ſhall be depending the laſt day of this Seſſion of Parliament, in any of her Maieſties Courts. Which Commiſſion ſhall be directed vnto the Iudge of the Admiraltie for the time being, the Recorder of London for the time being, two Doctors of the Ciuill Law, and two Common Lawyers, and eight graue and diſcreet Merchants, or to any fiue of them: which Commiſſioners, or the greater part of them, which ſhall ſit and meet, ſhall haue by vertue of this preſent act, full power and authority to heare, examine, order and decree all and euery ſuch cauſe and cauſes concerning policies of aſſurances in a briefe and ſummary courſe, as to their diſcretion ſhall ſeeme meete, without formalities of pleadings or proceedings.

Commiſſions awarded to heare & determine touching Policies of Aſſurances.

Who ſhall be Commiſſioners.

The Commiſſioners authoritie.

And be it further enacted by the authority aforeſaid, That it ſhall be lawfull for the ſaid Commiſſioners, as well to warne any of the parties to come before them, as alſo to examine vpon oath any witneſſe that ſhall be produced, and to commit to priſon without baile or mainpriſe, any perſon that ſhall wilfully contemne or diſobey their finall orders or decrees. And that the ſaid Commiſſioners ſhall once euery weeke at the leaſt meete, and ſit vpon the execution of the ſaid Commiſſion, in the Office of the Aſſurances, or in ſome other conuenient publike place by them to be aſſigned. And that no perſon by vertue of this act may claime or exact any fee, for any matter or cauſe concerning the execution of the ſaid Commiſſion.

A remedy for the party grieued by the commiſſioners decree.

And be it further enacted by the authority aforeſaid, That if any perſon ſhall be grieued by ſentence or decree of the ſaid Commiſſioners, that ſuch perſon ſo grieued, may at any time within two moneths of the ſaid decree ſo made, exhibit his Bill into the high Court of Chancery, for the reexamination of ſuch decree, So as euery perſon complainant, before he ſhall exhibit any ſuch bill, doe either execute and ſatisfie the ſaid ſentence ſo awarded, or at the leaſt lay downe In Depoſito with the ſaid Commiſſioners, ſuch ſummes of money as he ſhall be awarded to pay, and that vpon ſo doing, the ſaid complainant ſhall be enlarged of his impriſonment: And that the Lord Chancellor, or Lord Keeper for the time being, ſhall haue full power and authority by vertue of this Act, vpon euery complaint made (in order as aforeſaid) to reuerſe, or affirme euery ſuch ſentence or decrée, according to equity and conſcience. And that the ſaid Lord Chancellor or Lord Keeper, in euery ſuite brought before him as aforeſaid, by ſuch Aſſurers, and decréed againſt the ſaid Aſſurers, ſhall award double coſts to the party aſſured.

Prouided neuertheleſſe, That no Commiſſioner ſhall intermeddle in the execution of any ſuch Commiſſion, in any cauſe or matter of aſſurance, where himſelfe ſhall be either a party aſſurer, or aſſured, in the ſame aſſurance which is brought in queſtion. Nor that any Commiſſioner (other then the ſaid Judge of the Admiraltie, and the Recorder of London) ſhall deale or procéed in the execution of any ſuch Commiſſion, before hee haue taken his corporall oath before the Lord Maior and Court of Aldermen of the Citie of London, to procéede vprightly and indifferently betwéene partie and party.

No Aſſurer or Aſſured ſhall meddle in the commiſſion.

The Cõmiſſioners depoſed.

Cap. XIII.

Remedy to redreſſe the impriſoning, ranſoming, taking and carrying away of priſoners, and other miſdemeanors committed in Cumberland, Northumberland, Weſtmerland, and the Biſhopricke of Dureſme, and a méanes to apprehend outlawes there.

FOraſmuch as now of late yeares, very many of her Maieſties ſubiects dwelling and inhabiting within the Counties of Cumberland, Northumberland, Weſtmerland, and the Biſhopricke of Dureſme, haue bin taken, ſome forth of their owne houſes, and ſome in trauelling by the high way, or otherwiſe, and carryed out of the ſame Counties, or to ſome other places within ſome of the ſayd ſeuerall Counties as priſoners, and kept barbarouſly and cruelly, vntill they haue béene redéemed by great ranſomes: And where now of late time there haue béene many incurſions, roades, robberies, and burning and ſpoiling of Townes, Villages and Houſes within the ſaid Counties, That diuers and ſundry of her Maieſties louing Subiects within the ſayd Counties, and the inhabitants of diuers Townes there, haue been inforced to pay a certaine rate of money, corne, cattell, or other conſideration, commonly there called by the name of Blacke maile, vnto diuers and ſundry inhabiting vpon or néere the Borders, being men of name, and friended and allied with diuers in thoſe parts, who are commonly knowne to be great Robbers and ſpoile-takers within the ſayd Counties, to the end thereby to be by them fréed, protected and kept in ſafety from the danger of ſuch as doe vſually robbe and ſteale in thoſe parts: By reaſon whereof, many of the inhabitants thereabouts, being her Maieſties tenants, or other good Subiects, are much impoueriſhed, and theft and robbery much increaſed, and the maintainers thereof greatly encouraged, and the ſeruice of thoſe Borders and Frontiers much weakned and decayed, and diuers Townes thereabouts much diſpeopled and layd waſte, and her Maieſties owne reuenue greatly diminiſhed: Which hainous and outragious miſdemeanors there, cannot ſo well by the ordinary Officers of her Maieſty in thoſe parts bee ſpéedyly preuented or ſuppreſſed, without further prouiſion of Law.

Seuerall outragious miſdemeanors committed in Cumberland, &c.

For remedy whereof, Be it enacted by the authority of this preſent Parliament, that whoſoeuer ſhall at any time hereafter, without good and lawfull warrant or authority, take any of her Maieſties Subiects againſt his or their will or willes, and carry them out of the ſame Counties, or to any other place within any of the ſaid Counties, or detaine, force, or impriſon him or them, as priſoners or againſt his or their willes, to ranſome them, or to make a prey or ſpoile of his or their perſon or goods, vpon deadly feud or otherwiſe: Or whoſoeuer ſhalbe priuy, conſenting, aiding, or aſſiſting vnto any ſuch taking, detayning, carying away, or procure the taking, detayning, or carying away of any ſuch perſon or perſons priſoners as aforeſayd: Or whoſoeuer ſhall take, receiue, or carry, to the vſe of himſelfe, or wittingly to the vſe of any other, any money, corne, cattell, or other conſideration commonly called Blacke maile, for the protecting or defending of him or them, or his or their lands, tenements, goods or chattels, from ſuch thefts, ſpoiles and robberies as is aforeſayd: Or whoſoeuer ſhall giue any ſuch money, corne, cattell, or other conſideration called Blacke maile, for ſuch protection as is aforeſayd: Or ſhall wilfully, and of malice burne or cauſe to be burned, or ayde, procure, or conſent to the burning of any Barne, or Stacke of Corne or graine, within any the ſayd Counties or places aforeſayd, and ſhall be of the ſayd ſeuerall offences, or of any of them indited, and lawfully conuicted, or ſhall ſtand mute, or ſhall challenge peremptorily aboue the number of twenty before the Juſtices of Aſſiſes, Juſtices of Gaole deliuery, Juſtices of Oyer and Terminer, or Juſtices of Peace within any of the ſayd Counties, at ſome of their generall Seſſions within ſome of the ſayd Counties to be holden, ſhall bee reputed, adiudged, and taken to be as Felons, and ſhall ſuffer

Carrying away or detaining any perſon againſt his will.

Aſſenting or aiding to the taking or detaining of any perſon.

Receiuing or carrying of Blacke maile.

Giuing of Blacke maile for protection.

Burning of barnes, or ſtacks of corne.

The foreſayd offences ſhall be felony withuot Clergie, &c.

paines of death, without any benefit of Clergie, Sanctuary or Abiuration, and ſhall forfeit as in caſe of felony.

And whereas diuers and ſundry perſons within the ſayd Counties, being indicted and outlawed for Murders, Robberies, Burglaries, or other Felonies, doe notwithſtanding ordinarily reſort and come to Markets, Faires, and other publike aſſemblies and meetings, and doe there commerce, traffique, and trade with other her Maieſties ſubiects, and are entertained, and haue the priuiledge as men obedient to Lawes, and yet doe neuer yeeld themſelues to triall of Law, nor are apprehended, whereby the ordinary proceeding of Law, and execution of Iuſtice in thoſe parts are growen now into very great contempt.

The names of all outlawes ſhalbe deliuered to the Sheriffe.

Proclamation of the outlawes.

Be it therefore likewiſe further enacted, That euery Clerke of the Peace within euery of the ſayd Counties, ſhall within the ſpace of two monethes next after any outlawry within any of the ſayd Counties, deliuer, or cauſe to be deliuered, by writing vnder his hand, the names of all and euery ſuch as are or ſhalbe hereafter outlawed within their ſeuerall Counties, to all and euery the Sheriffes of the ſaid ſeuerall Counties: And all and euery the ſayd Sheriffes ſhall proclaime and publiſh them to be outlawed in their ſeuerall County Courts, and in the City of Carliol, the towns of Penreth and Cockermouth in the County of Cumberland, and in the townes of Appulby and Kendall in the Countie of Weſtmerland, and in the Towne of Newcaſtle vpon Tine in the County of the Towne of Newcaſtle vpon Tine, and in the Townes of Morpeth, Alnewicke, and Heram in the County of Northumberland, and in the Citie of Dureſme, and townes of Darlington, Biſhop Awcland, and Barnard caſtle within the ſaid Biſhopricke of Dureſme, and in the Towne of Barwick vpon Twede. And that the ſaid Sheriffes hauing notice as aforeſayd, ſhall from time to time, once in the moneth, at the County Court, proclaime euery of the ſayd perſons ſo outlawed, or hereafter to be outlawed, vntill they ſhall yeeld their bodies to priſon. And likewiſe that the Mayors, Bailiffes, Aldermen, and other chiefe officers within the ſaid ſeuerall cities and townes, ſhall proclaime the like at euery Faire or Faires to be kept within the ſaid cities or townes, and once euery ſix weekes at their Markets.

The puniſhment for releiuing or conferring with an outlaw for felony.

And be it alſo enacted, That if any perſon or perſons inhabiting within any the ſaid ſeuerall Counties, ſhall wittingly and willingly haue conference, talke, or in any ſort ſhall relieue, entertaine, or conferre with any ſuch perſon or perſons ſo outlawed or hereafter to be outlawed for any ſuch murders, robberies, burglaries, or other felonies, hauing knowledge of the ſame outlawries by reaſon of the ſame proclamation or otherwiſe, and then ſhall not with conuenient ſpeede do his beſt endeuour to take and arreſt any ſuch perſon or perſons ſo outlawed or to bee outlawed, as is aforeſaid, ſhall ſuffer impriſonment by the ſpace of ſix monethes without baile or mainpriſe, and be bound with two ſufficient ſureties for his good behauiour, for the ſpace of one yeere after, before he be inlarged of his impriſonment.

The inquiry and puniſhment of the offendors.

And be it further enacted, That the Iuſtices of Aſſiſe within any of the ſayd Counties, Iuſtices of Gaole deliuery, Iuſtices of Oyer and Terminer, or Iuſtices of peace within any of the ſaid Counties, at any of their generall Seſſions, ſhall haue power and authority by vertue of this Act, to enquire, heare and determine of the offences and defaults of the ſayd Sheriffes, Mayors, Bailiffes, Aldermen, and other Officers, and of the Clerks of the peace within the ſaid counties, and proceed againſt them by information or inditement, and puniſh them by fine, impriſonment, or otherwiſe, as they ſhall thinke fit.

The authority of the L. wardens ſhal not be impeached.

Prouided alwaies, That this Act, nor any thing therein contained, ſhall not extend to abbridge or impeach the iuriſdiction or authority of any the Lords Wardens of any the Marches of England, for and anenſt Scotland, any thing in this preſent Act to the contrary notwithſtanding.

CAP. XIIII.

The penaltie of the Statute of 7. Ed. 6. 7. for the aſſize of Fuell, repealed: and another forfeiture aſſigned, &c.

7. Ed. 6. 7.

A repeale of the forf. of 3. s. 4 d. limited by the ſtat. of 7. Ed. 6. 7

The aſſize of Talewood, Billet & Faggot, limited by the ſtat. of 7. Ed. 6. 7. ſhall continue.

Whereas in the Parliament holden at Weſtminſter, in the ſeuenth yeare of King Edward the ſixt, One Act was made touching the aſſized Talewood, Billets and Faggots to bee ſpent in London and Weſtminſter, the which aſſize, were very meete and conuenient ſhould be kept in all places through this Realme, where ſuch Talewood, Billets and Faggots are vſed to be ſpent: Neuertheleſſe the forfeiture contained in the ſayd Statute, for euery Shide of Talewood, Billet and Faggot, lacking the aſſize, being put to ſale, is three ſhillings and foure pence, which penalty is ouer heauie and extreame, conſidering the ſame dependeth vpon the fault of poore labouring men, which doe cut, marke, and make the ſame many times without the knowledge or conſent of the ſeller. For remedy whereof, be it enacted by the authority of this preſent Parliament, That ſo much of the ſayd Statute as concerneth the forfeiture of three ſhillings foure pence for euery Shide of Talewood, Billet or Faggot, lacking the aſſize contained therin, ſhall from henceforth be voyd and of none effect, And yet the aſſize of the ſayd Talewood, Billet and Faggots ſhall ſtill continue in force, not onely for London and Weſtminſter, but alſo in all other Cities, Boroughes, and townes corporate of this Realme, where ſuch Talewood, Billet and Faggots are accuſtomed to be ſold.

And be it further enacted, That if any perſon or perſons ſhall after the firſt day of May next now enſuing, bring any Talewood, Billet or Faggot, to any Citie, Borough, or Towne corporate within this Realme, there to be ſold, or being brought, ſhall put the ſame to ſale, neither being of the aſſize mentioned in the ſaid Statute made in the ſeuenth yere of King Edward the ſixth, or agreeing with the meaſures hereafter in this Act limited: that then vpon information thereof giuen to the Mayor, Bailiffe, or other head Officer of the ſaid Citie, Borough, or Towne corporate, they ſhall haue power and authority to call before them ſix good and lawfull men of the ſayd Citie, Borough, or Towne corporate, and ſhall ſweare them vpon their corporall othes, truly to enquire and preſent, wether all or any part of the ſaid Talewood, Billet or Faggots be of good and ſufficient aſſize, according to the ſayd Statute, and the limitation of aſſiſe herein contained, or not. And if they ſhall preſent vpon their othes, that any of the ſame Talewood, Billets or Faggots be not of ſuch good and ſufficient aſſize as aboueſayd: That then the ſayd Mayor, Bayliffes, and other head Officers of the ſayd Cities, Boroughs, and Townes corporate, by force of this Act vpon their preſentment, ſhall and may take ſuch of the ſame Talewood, Billet and Faggots as be falſe ſized, as forfeited, and ſhall deliuer the ſame vnto ſome Ouerſeers for the poore, in the ſayd Cities, Boroughs, and Townes corporate, to bee by them giuen and diſtributed to the poore there, according to their diſcretions, from time to time, as often as ſuch offences ſhalbe preſented, in maner and forme aboueſaid.

Six charged to enquire of the defaults of Talewood, &c.

The forf. ſhall be diſtributed to the poore.

And whereas in the ſayd former Statute it was enacted and limited, That euery Taleſhide ſhall containe in length foure foot beſides the Carfe, And euery Taleſhide named one, ſhould containe in greatneſſe within one foot of the middeſt, ſixteene ynches about, And euery Taleſhide named of two, to containe in greatneſſe within a foot of the middeſt, twenty and three ynches about, And euery Taleſhide named of three, to containe in greatneſſe within one foote of the middeſt, twenty and eight ynches about, And euery Taleſhide named of foure, to containe in greatneſſe within one foot of the middeſt, thirty three ynches about, And euery Taleſhide named of fiue, to containe in greatneſſe within one foot of the middeſt, thirty eight ynches about, And euery Billet to cotaine in length three foot foure ynches, and euery Billet named a Single, to containe ſeuen ynches and a halfe about, And euery Billet named to be a Caſt, to containe tenne ynches about, And euery Billet named of two Caſt, to containe fourteene ynches about, And euery Faggot bend or ſtick, to containe in length three foot, And the Bond of euery ſuch Faggot to be of foure and twenty ynches about, beſides the knot. In which Act it was further enacted, that all Billets of two Caſt ſhould be marked within ſix ynches of the middeſt thereof, and euery Billet of one Caſt to be marked onely within foure ynches of the end thereof, as in the ſaid Act of Parliament amongſt diuers other Clauſes, Articles, and Prouiſions, doth and may appeare. And whereas diuers euill diſpoſed perſons, ſwaruing from the true intent, good meaning and purpoſe of the ſaid Act of Parliament, haue cunningly deuiſed by cleauing of Wood made or to be marked for Talwood or Billet, and by ſtopping of Faggots with ſhort ſtickes about the middeſt thereof, ſo to deceiue and abuſe the ſubiects of this Realme, as many times they ſell the one halfe or little more for the whole, and yet ſo cunningly carryed, that by the ſtrict Letter of the ſayd Statute they cannot be controlled, by reaſon the ſayd Statute vſeth onely the word (About) and wanteth the word (Round.) And whereas by the true intent of the ſayd Statute, euery bend of Faggot ſhould be three foot, and the bond beſides the knot foure and twenty ynches, the ſayd euill diſpoſed people do not only make the ſayd bends or Faggot ſticks much ſhorter, but if any chance to be of ſufficient length, then only one or two of thoſe ſhalbe put in a faggot, & the bond filled vp with ſhort ſtick or bends ſcarſe one foot long, to the great dammage and deceit of her Maieſties Subiects buying the ſame.

Generall deceitfull practiſes to defraud the true meaning of the ſtat. of 7. Ed. 6. 7.

For auoyding of all which deceits for euer hereafter, and to auoid all ſcruple, ambiguitie, or doubt hereafter to be made of the ſaid Statute, or the true meaning thereof, And for that it muſt needs be permitted to cleaue great Trees into Talwood or Billet, for conuenience of vſe: Bee it therefore (for explanation of the true intent of the ſaid Statute) enacted by authority of this preſent Parliament, That from and after the firſt day of May now next comming, euery Tallſhide marked of one, being round bodied, ſhall containe ſixteene ynches of aſſize in compaſſe, being of halfe round, nineteene ynches of aſſize about, being quarter cleft, eighteene ynches and a halfe of aſſize about: And that euery Tallſhide marked two, being round bodied, ſhall containe in compaſſe three and twenty ynches of aſſize about, being halfe round, ſeuen and twenty ynches of aſſize about, being of quarter cleft, fiue and twenty ynches of aſſize about: And euery Tallſhide marked three, ſhall containe in compaſſe about (being round) eight and twenty ynches of aſſize, being halfe round, to containe in compaſſe three and thirty ynches of aſſize, being of quarter cleft, two and thirty ynches of aſſize about: And euery Tallſhide marked foure, to containe in compaſſe (being round) three and thirty ynches of aſſize, being halfe round, nine and thirty ynches of aſſize about, being of quarter cleft, eight and thirty ynches of aſſize about: And euery Tallſhide marked fiue, ſhall containe in compaſſe (being round) eight and

The compaſſe of Tallſhids as marked.

thirty ynches of aſſize about, being halfe round, and foure and forty ynches of aſſize about, and being quarter cleft, thrée and forty ynches of aſſize about: All which to be meaſured about within ſix ynches of the middeſt thereof, and to containe the length limited by the ſayd Statute. And in all other formes and manner of cleauing of Wood, to bee hereafter marked and ſold for Talwood, which will not admit the former formes, or maner of cleauing, nor any of theſe, to obſerue the Letter of the ſayd Statute of Anno 7. Ed. 6. Cap. 7.

And for the better vnderſtanding of the intent of this Statute, Be it enacted by the authority aforeſaid, That in euery one of theſe formes, the ſurpluſſage of compaſſe that ſhall happen betwéene any two next meaſures, being aboue the one, and vnder the other in euery kinde, ſhall bée déemed, allowed, and taken to bée for and to the benefit of the buyer, and not otherwiſe to bee computable.

The compaſſe of Billets.

And bée it further enacted by the authority aforeſayd, That euery Billet, named a Single, ſhall containe in compaſſe, being round bodied, ſeuen ynches and a halfe of aſſize, and no Singles to be made or marked out of cleft Wood. And euery Billet marked one, commonly called a Caſt, to containe in compaſſe about, eleuen ynches of aſſize, being round, and being halfe round, to containe in compaſſe thirtéene ynches of aſſize about, and being quarter cleft, to containe in compaſſe about twelue ynches and an halfe: And euery Billet marked two, commonly called two Caſt, to containe in compaſſe about, being round, ſixtéene ynches of aſſize, and being halfe round, to containe in compaſſe about, ninetéene ynches of aſſize, and being of quarter cleft, to containe in compaſſe about, eightéene ynches and an halfe, of aſſize: And in all other formes or manner of cleauing of Billet to bée hereafter marked and ſold for Billets, which will not admit the farmer formes, or manner of cleauing, nor any of them, And touching the length of all the ſayd Billets, to obſerue the Letter of the ſayd Statute of Anno 7. Edward. 6. Cap. 7.

The compaſſe of Faggots.

And be it alſo enacted by the authority aforeſayd, That all Faggots hereafter to bee made and put to ſale, ſhall containe in compaſſe, beſides the knot of the bond, foure and twentie ynches of aſſize, and euery Faggot ſtick or bend within the ſayd bond to containe in length full thrée foot of aſſize, or more, excepting onely one ſticke or bend to bée of one foot long, to ſtoppe or harden the binding thereof.

Cap. XV.

Fines may be leuied before the Maior of the Citie of Cheſter, for Lands lying there, &c.

The effect of the Stat of 2. Ed. 6. 28.

WHeareas by an Act made in the Parliament holden at Weſtminſter by prorogation in the ſecond year of the reigne of our late Soueraign Lord of famous memory, King Edward the ſixth, intituled, An Act for Fines with Proclamations in the County Palatine of Cheſter, It was enacted, That all Fines which at any time thereafter ſhould be leuyed or knowledged before the high Iuſtice of the ſayd King, or of his heirs and ſucceſſors, of his Countie Palatine of Cheſter for the time being, or before the Deputie or Lieutenant Iuſtice for the time being, of any Lands, Tenements, or other Hereditaments, lying and being within the ſaid County Palatine of Cheſter, which ſhould be openly read and proclaimed, in ſuch manner and forme, as in and by the ſaid Act is particularly appointed, ſhould be of like force, ſtrength, and effect in the Law, to all intents, conſtructions, and purpoſes, as Fines duely leuied with Proclamations, before the ſayd Kings Iuſtices of his Common Pleas, were.

The Citie of Cheſter made a County of it ſelfe, & diuided from the Countie of Cheſter.

And foraſmuch as the ſaid Act doth not extend to any Lands, Tenements, or other Hereditaments, lying and being within the County of the Citie of Cheſter (the ſaid Citie, with the Suburbs and Hamlets thereof, and all the Land within the Precinct and Circuit of the ſayd Citie, Suburbs, and Hamlets, being long before, by our late Soueraigne Lord of famous memory, King Henry the ſeuenth, by his highneſſe Letters Patents bearing date at Cheſter the ſixth day of Aprill, in the one and twentieth yeare of his reigne, diuided, exempted, and in all things ſeparated from the ſayd County of Cheſter, and from thenceforth made and appointed to be a County by it ſelfe, and in it ſelfe, diſtinct and ſeparate from the ſayd Countie of Cheſter) is that the Inhabitants within the ſayd Citie, and all others being owners of Lands within the County of the ſayd Citie, haue no meanes to leuie any Fines of ſuch their ſayd Lands in any of her Highneſſe Courts of Record.

Fines leuied of lands within the Countie of the Citie of Cheſter.

May it therefore pleaſe your moſt excellent Maieſty, the Lords Spirituall and Temporall, and the Commons of this Realme in this preſent Parliament aſſembled, That it may bée enacted by the authority of the ſame, That from henceforth it ſhall and may bee lawfull to and for all and euery perſon or perſons whatſoeuer, vpon any originall Writ or Writs of Couenant, or any other originall Writ or Writs, whereupon Fines are or haue béene vſually leuied, to bée purchaſed out of her Highneſſe Court of Exchequer within the ſayd Countie Palatine of Cheſter, returnable before the Maior of the ſayd Citie for the time being, in the Portmote Court to be holden within the ſaid Citie, To leuie any Fine or Fines of any Lands, Tenements, or Hereditaments, lying or being within the ſaid Countie of the ſaid Citie of Cheſter, before the Maior of the ſaid Citie for the time being, in the ſaid Portmoote Court, in ſuch manner and forme, as Fines may be leuied by any Lawes or Statutes of this Realme before the Quéenes Maieſties high Iuſtice of her Countie Palatine of Cheſter, of Lands within the ſame Countie Palatine. And that the Maior of the ſaid Citie for the time being, ſhall from henceforth haue full power and authoritie to receiue and record all and euery ſuch Fine and Fines. And that all and euery ſuch Fine and Fines which ſhall be ſo leuied, and which ſhall be openly read and proclaimed before the Maior of the ſaid Citie for the time being in the ſaid Portmoote Court, once at the ſame Court day that the ſaid Fine or Fines ſhall be engroſſed, and once at euery of the nine next Court dayes of Portmoote to be holden within the ſaid Citie, before the Maior thereof for the time being, next after the leuying and engroſſing of ſuch Fine or Fines, ſhall be of like force, ſtrength, and effect in the Law, to all intents, conſtructions, and purpoſes, as Fines duly leuied with Proclamations, before her Maieſties ſaid high Iuſtice of her Countie Palatine of Cheſter, of Lands within the ſame Countie Palatine, are, or ought to be of.

Proclamations of the Fine.

And whereas alſo the Maior of the ſaid Citie for the time being, hath béene euer heretofore (for and during all the time whereof the memorie of man is not to the contrarie) accuſtomed in all and euery common Recouerie or Recoueries, ſuffered before him in the ſaid Court of Portmoote, in abſence of the Tenant or Tenants, Vouchée or Vouchées in ſuch recouerie or Recoueries to award and ſend forth of the ſaid Court a Writ, Proceſſe, or Precept of Dedimus poteſtatem, in the name of our Soueraigne Lady the Quéenes Maieſtie that now is, and of her highneſſe Progenitors, Kings and Quéenes of England, for the time being, vnder the Teſte of the ſaid Maior for the time being, and ſealed with the Seale of his Office, thereby authorizing thoſe to whom the ſame was directed, or ſome of them, to receiue Warrants of Atturneyes from ſuch Tenant or Tenants, Vouchée or Vouchées, to ſuch Atturney or Atturneyes, as the ſaid Tenant or Tenants, Vouchée or Vouchées, would in his or their place or places conſtitute for him or them to appeare in the ſaid Court, and to gaine or loſe the ſaid Lands, Tenements, or Hereditaments, in, or by ſuch Recouerie or Recoueries demanded, or to be recouered.

A Dedimus poteſtatem granted to receiue a Warrant of Atturney for the ſuffering of a Recouerie.

Be it alſo enacted by the authoritie aforeſaid, That vpon all and euery ſuch originall Writ or Writs hereafter to be purchaſed out of her Highneſſe ſaid Court of Exchequer, as aforeſaid, for the leuying of any Fine or Fines within the ſaid Citie of Cheſter: the Maior of the ſaid Citie for the time being, ſhall for euer hereafter haue full power and authoritie to award and ſend forth ſuch like Writ or Writs, Proces, or Precepts of Dedimus poteſtatem, as is aforeſaid, to any two or moe ſufficient perſons authorizing them, or ſome of them, to receiue and take the acknowledgement of ſuch perſon or perſons as ſhall be willing to leuie ſuch Fine or Fines, and by reaſon of ſickeneſſe, or other reaſonable impediment, cannot come in perſon before the ſaid Maior, for the time being, to make ſuch acknowledgement, and that all and euery ſuch Fine and Fines, as vpon any ſuch acknowledgement made and certified into the ſaid Court of Portmoote, ſhall be hereafter engroſſed, recorded, and proclaimed in ſuch manner and forme as is formerly limited and appointed, before the Maior of the ſaid Citie for the time being, in the ſaid Court of Portmoote, ſhall be of like force and effect, to all intents, conſtructions, and purpoſes, as if the ſame Fine or Fines had béene perſonally acknowledged before the ſaid Maior, and engroſſed, recorded, and proclaimed in ſuch manner and forme, as in and by this preſent Act is formerly limited, appointed, expreſſed, and declared.

A Dedimus poteſtatem granted by the Maior of Cheſter to take the acknowledgement of a Fine.

Prouided alwayes, and be it enacted, That Fines to be leuied by vertue of this Acte, ſhall be ſubiect to be reuerſed, and may be reuerſed, vpon Writs of Error to be ſued and proſecuted before the ſaid high Iuſtice of the ſaid Countie Palatine of Cheſter, as other Iudgements giuen by the ſaid Maior in the ſaid Portmoote Court, may be and haue vſed to be, if there ſhall be found error in the ſame Fine or Fines.

Where a Fine leuied in Cheſter may be reuerſed by Writ of Error.

CAP. XVI.

The Countie of Cumberland ſhall ſtand chargeable, for the erecting, maintaining, repairing, and new making of Edon Bridge, and Preſtberk Bridge, ſtanding ouer the Riuer of Edon, when, and as often as need ſhall require: And for the aſſeſſement, rating, collection, and imploying of ſuch Workes, and ſummes of Money, as from time to time ſhall be needfull for the building and repairing of thoſe Bridges, ſuch forme and order ſhall be obſerued in all things, by, and through the ſaid Countie, as is appointed by the Statute of 22. *H.* 8. 5. ordained for the repaire of Bridges. But the inhabitants of the Lordſhip of Mylham ſhall not be chargeable with any contribution thereunto. PR.

Cap. XVII.

A Confirmation of foure Subſidies of foure ſhillings in the pound granted to the Queene by the Clergie. EXP.

Cap. XVIII.

A Grant by the Temporaltie to the Queene of foure entire Subſidies, and eight Fifteenes and Tenths. EXP.

Cap. XIX.

A Confirmation by Parliament of the Queenes generall and free Pardon. Except. &c. EXP.

FINIS.

Anno Reg. IACOBI, *Regis Angl. Scotiæ, Franciæ,*
& Hiberniæ, viz. *Angl. Franc. & Hibern. primo,*
& Scotiæ triceſimo ſeptimo.

At the Parliament begun and holden at VVeſtminſter, the nineteenth day of March, in the firſt yeare of the reigne *of our moſt gracious Soueraigne Lord* IAMES, *by the grace of God, of* England, France, and Ireland, King, Defender of the Faith, &c. and of Scotland the ſeuen and thirtieth. And there continued vntill the ſeuenth day of Iuly, 1604. And then prorogued vntill the ſeuenth of February next following. To the high pleaſure of Almighty God, and to the Weale publike of this Realme, were enacted as followeth.

CAP. I.

A recognition that the Crowne of England is lawfully deſcended vnto King IAMES, *his Progenie and Poſteritie.*

GREAT and manifold were the benefits (moſt Dread and moſt Gracious Soueraigne) wherewith Almighty God bleſſed this Kingdome and Nation, by the happie Vnion and Coniunction of the two Noble Houſes of Yorke and Lancaſter, thereby preſeruing this Noble Realm, formerly torne and almoſt waſted with long and miſerable Diſſention and bloudie Ciuill Warre: But more ineſtimable and vnſpeakeable Bleſſings are thereby powred vpon vs, becauſe there is deriued and growne from and out of that Vnion of thoſe two Princely Families, a more famous and greater vnion (or rather a Reuniting) of two mighty, Famous, and Ancient Kingdomes, (yet anciently but one) of England and Scotland, vnder one Imperiall Crowne, in your moſt Royall Perſon, who is lineally, rightfully, and lawfully deſcended of the body of the moſt excellent Lady Margaret, eldeſt daughter of the moſt renowmed King Henry the ſeuenth, and the High and Noble Princeſſe Queene Elizabeth his wife, eldeſt daughter of King Edward the fourth. The ſaid Lady Margaret being eldeſt ſiſter of King Henry the eight, father of the High and Mighty Princeſſe of famous memorie, Elizabeth, late Queene of England.

The benefits enſuing by the Coniunction of the Houſes of Yorke and Lancaſter.

The vniting of England and Scotland in the Kings perſon.

In conſideration whereof, albeit we your Maieſties loyall and faithfull ſubiects, of all eſtates and degrees, with all poſſible and publike ioy and acclamation, by open Proclamations within few houres after the deceaſe of our late Soueraigne Queene, acknowledging thereby with one full voice of tongue and heart, that your Maieſtie was our onely, lawfull, and rightfull Liege Lord and Soueraigne, by our vnſpeakable & generall reioycing and applauſe at your Maieſties moſt happie Inauguration and Coronation: by the affectionate deſire of infinite numbers of vs, of all degrees, to ſee your Royall Perſon, and by all poſſible outward meanes haue endeuoured to make demonſtration of our inward loue, zeale, and deuotion to your moſt excellent Maieſtie, our vndoubted rightfull Liege Soueraigne Lord and King: Yet, as we cannot doe it too often, or enough, ſo can there be no meanes or way ſo fit, both to ſacrifice our vnfained and hearty thanks to Almighty God, for bleſſing vs with a Soueraigne, adorned with the rareſt gifts of mind and body, in ſuch admirable peace and quietneſſe, and vpon the knees of our hearts to agnize our moſt conſtant faith, obedience, and loyaltie to your Maieſtie, and your Royall Progenie, as in this

The acknowledgement of the Kings title, and the loue of his ſubiects ſhewed by ſeuerall meanes.

High Court of Parliament, where all the whole body of the Realme, and euery particular member thereof, either in perſon or by repreſentation (vpon their owne free elections) are by the Lawes of this Realme deemed to be perſonally preſent.

Seuerall cauſes that haue bound all ſubiects to the loue and obedience of the King.

To the acknowledgement whereof to your Maieſtie, we are the more deepely bounden and obliged, as well in regard of the extraordinary care and paines, which with ſo great wiſdome, knowledge, experience, and dexterity, your Maieſtie (ſithence the Imperiall Crowne of this Realme deſcended to you) haue taken for the continuance and eſtabliſhment of the bleſſed peace both of the Church of England in the true and ſincere Religion, and of the Common-wealth by due and ſpeedie adminiſtration of Iuſtice, as in reſpect of the gracious care and inward affection which it pleaſed you on the firſt day of this Parliament ſo liuely to expreſſe by your owne words, ſo full of high wiſedome, learning, and vertue, and ſo repleat with Royall and thankefull acceptation of all our faithfull and conſtant endeuours, which is, and euer will be to our ineſtimable conſolation and comfort.

Cauſes of thankſgiuing to God for the King and his Progenie.

Wee therefore your moſt humble and loyall ſubiects, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, doe from the bottome of our hearts yeeld to the Diuine Maieſtie all humble thankes and praiſes, not onely for the ſaid vnſpeakable and ineſtimable benefits and bleſſings aboue mentioned, but alſo that he hath further enriched your Highneſſe with a moſt Royall Progeny, of moſt rare and excellent gifts and forwardneſſe, and in his goodneſſe is like to encreaſe the happie number of them, And in moſt humble and lowly manner doe beſeech your moſt excellent Maieſtie, that (as a Memoriall to all Poſterities, amongſt the Records of your high Court of Parliament for euer to endure, of our Loyalty, Obedience, and heartie and humble Affection) it may be publiſhed and declared in this high Court of Parliament, and enacted by authority of the ſame, That we (being bounden thereunto both by the Lawes of God and man) doe recognize and acknowledge (and thereby expreſſe our vnſpeakable Ioyes) That immediately vpon the diſſolution and decreaſe of Elizabeth, late Queene of England, the Imperiall Crowne of the Realme of England, and of all the Kingdomes, Dominions, and Rights belonging to the ſame, did by inherent Birth-right, and lawfull and vndoubted Succeſſion, deſcend and come to your moſt excellent Maieſtie, as being lineally, iuſtly, and lawfully, next and ſole Heire of the Bloud Royall of this Realme, as is aforeſaid, And that by the goodneſſe of God Almighty, and lawfull Right of Deſcent, vnder one Imperiall Crowne, your Maieſtie is of the Realmes and Kingdomes of England, Scotland, France, and Ireland, the moſt Potent and Mighty King, and by Gods goodneſſe, more able to protect and gouerne vs your louing ſubiects in all Peace and Plentie, than any of your Noble Progenitors. And thereunto we moſt humbly and faithfully doe ſubmit and oblige our ſelues, our heires and poſterities for euer, vntill the laſt drop of our bloods be ſpent, And doe beſeech your Maieſtie to accept the ſame, as the firſt fruits in this high Court of Parliament, of our loyaltie and faith to your Maieſtie, and your Royall Progenie and Poſterity for euer. Which if your Maieſtie ſhall be pleaſed (as an argument of your gracious acceptation) to adorne with your Maieſties Royall Aſſent (without which, it can neither be compleat and perfect, nor remaine to all Poſteritie, according to our moſt humble deſire, as a Memoriall of your Princely and tender affection towards vs) wee ſhall adde this alſo to the reſt of your Maieſties vnſpeakable and ineſtimable benefits.

Immediately vpon Q. Elizabeths death, the Crowne of England, &c. deſcended to the King by lawfull Birthright and Deſcent.

CAP. II.

An authoritie giuen to certaine Commiſsioners of the higher and lower Houſe of Parliament, to treat with certaine Commiſsioners of Scotland.

WHereas his moſt excellent Maieſtie hath beene pleaſed, out of his great Wiſedome and Iudgement, not onely to repreſent vnto vs by his owne prudent and Princely Speech on the firſt day of this Parliament, how much hee deſired (in regard of his inward and gracious affection to both the famous and ancient Realmes of England and Scotland, now vnited in Allegeance and loyall ſubiection in his Royall Perſon, to his Maieſtie and his Poſteritie for euer) that by a ſpeedie, mature, and ſound deliberation, ſuch a further Vnion might follow, as ſhould make perfect that mutuall loue and vniformitie of Manners and Cuſtomes, which Almighty God in his prouidence, for the ſtrength and ſafety of both Realmes, hath already ſo farre begun in apparant ſight of all the world, But alſo hath vouchſafed to expreſſe many wayes, how farre it is and euer ſhall be from his Royall and ſincere care and affection to the ſubiects of England, to alter or innouate the Fundamentall and ancient Lawes, Priuiledges, and good Cuſtomes of this Kingdome, Whereby not onely his Regall Authoritie, but the Peoples ſecuritie of Lands, Liuings, and Priuiledges (both in generall and particular) are preſerued and maintained, And by the aboliſhing or alteration of the which, it is impoſſible, but that preſent confuſion will fall vpon the whole State and Frame of this Kingdome.

The King is not willing to alter the ancient Lawes, Priuiledges, & Cuſtomes of this Realme.

Foraſmuch as his Maieſties humble, faithfull and louing Subiects, haue not onely conceiued the weight of his Maieſties reaſons, but apprehend to their vnſpeakeable ioy and comfort, his plaine, cleere and gracious intention, to ſeeke no other changes or alteration, but of ſuch particular, temporarie or indifferent maner of Statutes and Cuſtomes, as may both preuent and extinguiſh all and euery future queſtions or vnhappie accidents, by which the perfect and conſtant loue and friendſhip, and quietneſſe betweene the Subiects of both the Realmes aforeſaid, may be compleated and confirmed, and alſo performe and accompliſh that Reall and effectuall Vnion already inherent in his Maieſties Royall Blood and Perſon, and now deſired by his Maieſtie to be performed and brought to an end, for the weale of both Kingdomes by this courſe following.

What ſort of alterations and to what end the King doth deſire to haue of the Lawes of Esgland and Scotland, viz. to accompliſh vnitie.

Be it therefore enacted by the Kings moſt excellent Maieſtie, by, and with the aſſent and conſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That Thomas Lord Elleſmere, Lord Chancellor of England, Thomas Earle of Dorſet, Lord Treaſurer of England, Charles Earle of Nottingham, Lord high Admirall of England, Henry Earle of Southamton, William Earle of Pembroke, Henry Earle of Northampton, Richard Biſhop of London, Toby Biſhop of Dureſme, Anthony Biſhop of Saint Dauids, Robert Lord Cecill, principall Secretary to his Maieſtie, Edward Lord Zouch, Lord Preſident of Wales, William Lord Mounteagle, Raph Lord Eure, Edmund Lord Sheffield, Lord Preſident of the Councell in the North Lords of the higher Houſe of this preſent Parliament, And Thomas Lord Clinton, Robert Lord Buckhurſt, Sir Francis Haſtings Knight, Sir Iohn Stanhope Knight, Vice-Chamberlaine to the Kings Maieſtie, Sir Iohn Harbert Knight, ſecond Secretarie to his Maieſtie, Sir George Carew Knight, Vice-Chamberlaine to the Queenes Maieſtie. Sir Thomas Strickland Knight, Sir Edward Stafford Knight, Sir Henry Neuill of Berkeſhire Knight, Sir Richard Buklley Knight, Sir Henry Billingſley Knight, Sir Daniel Dun Knight, Deane of the Arches, Sir Edward Hobby Knight, Sir Iohn Sauile Knight, Sir Robert Wroth Knight, Sir Thomas Chaloner Knight, Sir Robert Maunſell Knight, Sir Thomas Ridgeway Knight, Sir Thomas Holcroft Knight, Sir Thomas Hesketh Knight, his Maieſties Atturney of the Court of Wards and Liueries, Sir Francis Bacon Knight, Sir Lawrence Tanfield Knight, Sergeant at Law, Sir Henry Hobberd Knight, Sergeant at Law, Sir Iohn Bennet Knight, Doctor of the Lawes, Sir Henry Withrington, Sir Raph Gray, and Sir Thomas Lake, Knights, Robert Askewith, Thomas Iames, and Henry Chapman, Merchants, Knights, Citizens, and Burgeſſes of the Houſe of the Commons of this Parliament, (Commiſſioners ſelected and nominated by authority of this preſent Palriament) or any eight or more of the ſaid Lords of the ſaid higher Houſe, and any twenty or more of the ſaid Knights, Citizens, and Burgeſſes of the ſaid Houſe of the Commons, ſhall by force of this Act, from and after the end of this preſent Seſſion of Parliament, haue full Power, Libertie, Commiſſion, and Authority, at any time or times before the next Seſſion of this Parliament, to aſſemble, and meete, and thereupon to treat, and conſult with certaine ſelected Commiſſioners to be nominated, and authoriſed by authority of Parliament of the Realme of Scotland, according to the tenour or purport of their Authority or Commiſſion in that behalfe, of, and concerning ſuch an Vnion of the ſaid Realmes of England and Scotland, and of, and concerning ſuch other matters, cauſes, and things whatſoeuer, as vpon mature deliberation and conſideration, the greateſt part of the ſaid Lords of the ſaid higher Houſe which ſhall be ſo aſſembled, as is aforeſaid, and the greateſt part of the ſaid Knights, Citizents and Burgeſſes, of the ſaid Houſe of the Commons, which alſo ſhall be ſo aſſembled as is aforeſaid, and the Commiſſioners to be nominated and authoriſed as is aforeſaid, by the Parliament of the Realme of Scotlond, according to the tenour or purport of their Authority or Commiſſion in that behalfe, ſhall in their wiſedomes thinke and deeme conuenient and neceſſarie for the honour of his Maieſtie, and the weale and common good of both the ſaid Realmes during his Maieſties life (which Almighty G O D long preſerue) and vnder all his Royall Progenie and Poſteritie for euer. Which Commiſſioners of both the ſaid Realmes, ſhall according to the tenour or purport of their ſaid Authorities or Commiſſions in that behalfe, reduce their doings and proceedings therein into Writings or Inſtruments tripartite, euery part to be ſubſcribed and ſealed by them: To the end that one part thereof may in all humbleneſſe be preſented to his moſt excellent Maieſtie, the ſecond part thereof to be offered to the conſideration of the next Seſſion of this Parliament for the Realme of England, and the third to be offered to the conſideration of the next Parliament for the Realme of Scotland, That thereupon ſuch further proceedings may be had, as by both the ſaid Parliament ſhall be thought fit and neceſſarie for the weale and common good of both the ſaid Realmes. 3. Iac. 3. 4. Iac. 1.

The names of the Commiſſioners of England authorized to treat with the Commiſſioners of Scotland.

The effect of the Commiſſioners authority, and of what things they may conſult.

The Commiſſioners ſhall reduce their doings to Inſtruments in writing tripartite.

CAP. III.

All Aſſurances made to the King of the lands of Biſhops ſhall be void.

By the Stat. of Anno 1. El. 18. no Biſhop can make any leaſe of his land but for 21. yeares or 3. liues to a ſubiect

WHereas all the Archbiſhoprickes and Biſhoprickes within this Realme of England, were in ancient times founded by his Maieſties moſt noble Progenitors, Kings of this Realme, and in reſpect thereof, his Maieſty is lawfull and rightfull Patron of all and euery of the ſame: And where alſo by the Lawes and Statutes of this Realme, No Archbiſhop or Biſhop can make any Conueyance, Aſſurance or Eſtate whatſoeuer, of any Honors, Caſtles, Manors, Lands, Tenements or Hereditaments, parcell of the poſſeſſions of his Archbiſhopricke or Biſhopricke, or vnited, appertaining or belonging to any of the ſame, to any ſubiect whatſoeuer, whereby any Eſtate ſhould or might paſſe from any Archbiſhop or Biſhop, other than for terme of xxi. yeares, or iij. liues, with ſuch reſeruations of rent, and in ſuch maner and forme, as by the Lawes and Statutes are prouided: His moſt excellent Maieſtie vnderſtanding that diuers perſons haue with great ſuite and importunity ſought to fruſtrate the true end and intent of the ſaid good Lawes and Statutes in that behalfe, Of his Chriſtian and Princely piety and care, minding ſo to patronize and protect the ſaid poſſeſſions from alienation or diminution, as that the ſame may according to the true intent of the Founders, remaine and continue in ſucceſſion to the Archbiſhops and Biſhops of this Realme, and their ſucceſſors, for the better maintenance of Gods true Religion, keeping of Hoſpitality, and auoiding of Dilapidations, and thereby for euer hereafter to auoid all ſuits and importunities for or concerning any of the ſaid poſſeſſions, Hath out of his owne meere and godly motion, and of his bleſſed diſpoſition, for the publike good, without all regard of any priuate reſpect, vouchſafed and is pleaſed, That it may be enacted and eſtabliſhed by his Maieſty, by and with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled.

No Biſhop ſhall aſſure his land to the King.

Coke li. fol. 61. li. 11. fol.

And be it enacted and eſtabliſhed by the authority of the ſame, That euery Archbiſhop and Biſhop within this Realme, and their and euery of their ſucceſſors, ſhall be from and after the end of this preſent Seſſion of Parliament, for euer wholly and vtterly diſabled in Law, to make, doe, leaue or ſuffer any Act or Actes, thing or things, whereby or by meanes whereof, any of the ſaid Honors, Caſtles, Manors, Lands, Tenements or Hereditaments, or any part of them or any of them, ſhall or may be aliened, aſſured, giuen, granted, demiſed, charged, or in any ſort conueied to our ſaid Soueraigne Lord the King, his heires or ſucceſſors: And that all alienations, aſſurances, gifts, grants, leaſes, charges and conueyances whatſoeuer, from and after the end of this preſent Seſſion of Parliament, to be done, ſuffered or made to our ſaid Soueraigne Lord the King, his heires or ſucceſſors, by any Archbiſhop or Biſhop, or their or any of their ſucceſſors, of or out of any of the ſaid poſſeſſions, or of or out of any part or parcell of them or any of them, and all and euery confirmation and confirmations of the ſame, ſhall be from and after the end of this preſent Seſſion of Pariiament, vtterly void and of none effect, to all intents, conſtructions, and purpoſes: Any former Law, Statute, Act, Ordinance, or other matter or thing to the contrarie notwithſtanding. Coke Iuſt. 44. a.

CAP. IIII.

Statutes made in the reigne of Queene Elizabeth *ſhall be put in execution. In what caſe a Recuſants heire ſhall be charged, in what not. Going into Seminaries.*

All Statutes made againſt Ieſuites, Prieſts and Recuſants ſhall be put in execution.

FOr the better & more due execution of the Statutes heretofore made, aſwell againſt Ieſuits, Seminarie Prieſts, and other ſuch like Prieſts, as alſo againſt all maner of Recuſants: Be it ordained and enacted by authority of this preſent Parliament, That all and euery the Statutes heretofore made in the reigne of the late Queene of famous memorie, Elizabeth, as well againſt Ieſuits, Seminary Prieſts, and other Prieſts, Deacons, Religious and Eccleſiaſticall perſons whatſoeuer, made, ordained, or profeſſed, or to be made, ordained or profeſſed, by any authority or iuriſdiction deriued, challenged or pretended from the See of Rome, As thoſe which doe in any wiſe concerne the withdrawing of the Kings ſubiects from their due obedience, and the Religion now profeſſed, and the taking of the Oath of obedience vnto the Kings Maieſtie, his heires and ſucceſſors, Together with all thoſe made in the ſaid late Queenes time againſt any maner of Recuſants, ſhall be put in due and exact execution.

A Recuſant conforming himſelfe ſhall be diſcharged.

Prouided neuertheleſſe, and be it enacted by the authority of this preſent Parliament, That if any that is or ſhall be a Recuſant, ſhall ſubmit or reforme him or her ſelfe, & become obedient to the Lawes & Ordinances of the Church of England, and repaire to the Church, & continue there during the time of the diuine Seruice & Sermons, according to the true meaning of the Statutes in that behalfe, in the ſaid late Queenes time made and prouided, That then euery ſuch perſon for and during ſuch time as he or ſhe ſhall ſo continue in ſuch conformity and obedience, ſhall from thenceforth be freed and diſcharged of and from any the penalties and loſſes which the ſame perſon might otherwiſe ſuſtaine and beare, in reſpect or by reaſon of ſuch perſons Recuſancie.

And if any Recuſant ſhall hereafter die, his heire being no Recuſant, that in euery ſuch caſe, euery ſuch heire ſhall be fréed and diſcharged of all and ſingular the penalties, charges and incumbrances, happening vpon him or her, in reſpect or by reaſon of his or her Anceſtors Recuſancie. And if at the deceaſe of any ſuch Recuſant, his heire ſhall happen to be a Recuſant, and after ſhall become conformable and obedient to the Lawes & Ordinances of the Church of England, and repaire to the Church, and continue there during the time of the diuine Seruice and Sermons, according to the intent and true meaning of the ſayd Statutes and Ordinances in that behalfe made, as is aforeſayd, and alſo ſhall take the oath of Supremacy in ſuch ſort as that oath is expreſſed in one Act of Parliament made in the firſt yéere of the reigne of our late Soueraign Lady Quéene Elizabeth, before the Archbiſhop or Biſhop of the Dioces, That in euery ſuch caſe, euery ſuch heire ſhalbe fréed and diſcharged of all and ſingular the penalties, charges & incumbrances happening vnto him or her in reſpect or by reaſon of any of his or her anceſtors Recuſancie.

In what caſes a Recuſants heire ſhall be charged, in what not.

Prouided alwaies, and be it enacted by authority of this preſent Parliament, That if the heire of any Recuſants ſhall happen to be within the age of xvi. yéeres, at the time of the deceaſe of his or her anceſtor, & ſhall after his or her ſaid age of xvi yéeres, become or be a Recuſant, that in euery ſuch caſe, any ſuch heire ſhall not be fréed or diſcharged of all or any of the penalties, charges and incumbrances, happening vpon him or her in reſpect or by reaſon of any of his or her anceſtors Recuſancy, vntil he or ſhe ſhall ſubmit or reforme him or her ſelfe, & become obedient to the Laws and Ordinances of the Church of England, and repaire to the Church and continue there during the time of the diuine Seruice and Sermons, according to the intent and true meaning of the ſaid Satutes & Ordinances in that behalfe as is aforeſaid, & ſhall take the ſaid oath of Supremacy in maner & forme afore expreſſed, & yet neuertheleſſe, from & after ſuch ſubmiſſion & oath had & taken euery ſuch heire ſhalbe fréed & diſcharged, of all & ſingular the penalties, charges & incumbrances, happening vpon him or her in reſpect or by reaſon of any of his or her anceſtors Recuſancie.

A Recuſants heire within age at the time of his anceſtors death.

And be it further enacted by authority of this preſent Parliament, that where any ſeiſure ſhall be had of the two parts of any lands, tenements, hereditaments, leaſes or farmes, for the not paiment of the xx.li. due & payable for each moneth, according to the ſtatute in that caſe lately made & prouided: That in euery ſuch caſe, euery ſuch two parts ſhall according to the extent thereof goe towards the ſatiſfaction and payment of the xx.li. due and payable for each month, and vnpaid by any ſuch Recuſant. And that the third part thereof ſhall not be extended or ſeiſed by the Kings Maieſty, his heires or ſucceſſors, for not payment of the ſaid xx.li. payable for each month, forfeited or loſt by any ſuch Recuſant. And where any ſuch ſeiſure ſhall be had of the two parts of the lands, tenements, hereditaments, leaſes or farmes of any ſuch Recuſant as is aforeſaid, and ſuch Recuſant ſhall dye (the debt or duty by reaſon of his Recuſancie not payd, ſatiſfied or diſcharged) that in euery ſuch caſe, the ſame two parts ſhall continue in his Maieſties poſſeſſion, vntil the reſidue or remainder of the ſayd debt or duety be thereby or otherwiſe paid, ſatiſfied or diſcharged. And that his Maieſty his heires or ſucceſſors ſhall not ſeiſe or extend any third part deſcending to any ſuch heires, or any part thereof, either by reaſon of the Recuſancie of his or her anceſtors, or the Recuſancie of any ſuch heire.

23. El. 1. A third part of his liuing ſhall remaine cleere to a Recuſant.

The 2. parts of a Recuſants lands after his death ſhall remaine in the Kings hands vntill he be ſatiſfied of the arrerages.

And be it further enacted by the authority of this preſent Parliament, that all and euery perſon and perſons vnder the Kings obedience, which at any time (after the end of this Seſſion of Parliament) ſhall paſſe or goe, or ſhall ſend or cauſe to be ſent any child or other perſon vnder their or any of their gouernement, into any the parts beyond the ſeas, out of the Kings obedience, to the intent to enter into, or be reſident in any Colledge, Seminary or houſe of Ieſuits, Prieſts, or any other Popiſh order, profeſſion or calling whatſoeuer, or repaire in or to any the ſame, to be inſtructed, perſwaded or ſtrengthened in the Popiſh Religion, or in any ſort to profeſſe the ſame: euery ſuch perſon ſo ſending or cauſing to be ſent any childe or other perſon beyond the Seas to any ſuch purpoſe or intent, ſhall for euery ſuch offence forfeit to his Maieſty, his heires and ſucceſſors, the ſum of C.li. and euery ſuch perſon ſo paſſing or being ſent beyond the ſeas to any ſuch intent and purpoſe as is aforeſaid, ſhall by authority of this preſent Act, as in reſpect of him or herſelfe only, and not to or in reſpect of any of his heires or poſterity, be diſabled and made incapable to inherit, purchaſe, take, haue or enioy any manors, lands, tenements, annuities, profits, commodities, hereditaments, goods, cattels, debts, duties, legacies or ſums of money within this Realme of England, or any other his Maieſties Dominions: and that all & ſingular eſtates, termes & other intereſts whatſoeuer hereafter to be made, ſuffered or done, to or for the vſe or behoofe of any ſuch perſon or perſons, or vpon any truſt or confidence mediatly or immediatly, to or for the benefit or reliefe of any ſuch perſon or perſons, ſhalbe vtterly voyd and of none effect, to all intents, conſtructions and purpoſes.

None ſhall goe or ſend any other to a Seminary &c. 3. Iac. 5. 3. Car. 2.

Any be it farther enacted by the authority aforeſaid, that if any perſon born within this Realme or any the K. Maieſties Dominions, be at this preſent in any Colledge, Seminary, houſe or place in any parts beyond the ſeas (to the end to bee inſtructed or ſtrengthened in the Popiſh Religion) which ſhall not make returne into this Realme, or ſome of his Maieſties Dominions within one yere next comming after the end of this Seſſion of Parliament, & ſubmit himſelfe as is aforeſaid, ſhalbe in reſpect of himſelfe only, & not to or in reſpect of any of his heires or poſterity, vtterly diſa-

They which be in Seminaries, ſhall returne. 27. El. 2.

bled and vncapable to inherit, haue or enioy any manors, lands, tenements, hereditaments, goods, chattels, debts or other things aforeſayd within this Realme, or any other his Maieſties Dominions. Prouided alwaies, that if any ſuch perſon or child, ſo paſſing, ſent, ſending or now being beyond the ſeas as aforeſayd, to ſuch intent as is before mentioned, ſhal after become conformable and obedient vnto the Lawes and Ordinances of the Church of England, and ſhall repaire to the Church & there remaine and be as is aforeſayd, and continue in ſuch conformity, according to the true intent and meaning of the ſaid Statutes and Ordinances: that in euery ſuch caſe, euery ſuch perſon and child, for & during ſuch time as he or ſhe ſhall continue in ſuch conformity & obedience ſhalbe freed and diſcharged of all and euery ſuch diſability and incapacity, as is before mentioned.

A remedie for ſuch as doe returne into the Realme and become conformable to the Lawes.

And be it further enacted by the authority of this preſent Parliament, that no woman nor any child vnder the age of xxi. yeares (except Sailers or Ship-boyes, or the Apprentice or Factor of ſome Merchant in trade of merchandiſe) ſhalbe permitted to paſſe ouer the ſeas (except the ſame ſhalbe by licence of the King, his heires or ſucceſſors, or of ſome ſixe or more of the Kings Priuy Councell, thereunto firſt had vnder their hands) vpon paine that the Officers of the Port that ſhall willingly or negligently ſuffer any ſuch to paſſe, or ſhall not enter the names of ſuch paſſengers licenced, ſhall forfeit his office, & all his goods and cattels: and vpon paine that the Owner of any ſhip or veſſell, that ſhall wittingly or willingly carry any ſuch ouer the ſeas without licence, as is aforeſaid, ſhall forfeit his ſhip or veſſell, and all the tackle: and euery Maſter or Mariner, of or in any ſuch ſhip or veſſell offending as aforeſaid, ſhall forfeit all their goods and ſuffer impriſonment by the ſpace of xii. moneths, without baile or mainepriſe.

No woman or child ſhall paſſe ouer the Seas, without licence.

The forf. of thoſe who do ſuffer them to paſſe.

And be it further enacted by the authority aforeſaid, that no perſon after the Feaſt of S. Michael the Archangel next, ſhall keep any Schoole, or be a Schoolemaſter, out of any the Vniuerſities or Colledges of this Realme, except it be in ſome publike or free Grammer Schoole, or in ſome ſuch Noblemans or Noblewomans, or Gentlemans or Gentlewomans houſe, as are not Recuſants, or where the ſame Schoolemaſter ſhall be ſpecially licenced thereunto by the Archbiſhop, Biſhop or Gardian of the Spiritualties of that Dioceſſe, vpon paine that aſwell the Schoolemaſter, as alſo the party that ſhall retaine or maintaine any ſuch Schoolemaſter, contrary to the true intent and meaning of this Act, ſhall forfeit each of them, for euery day ſo wittingly offending, xl.s. the one halfe of all the penalties and ſummes of money, before mentioned to be forfeited, to be to the King his heires and ſucceſſors, the other to him or them that ſhall or will ſue for the ſame, in any the Courts of Record in Weſtminſter, by action of debt, bill, plaint, or information, in which no Eſſoyne, Protection, or wager of Law ſhall be allowed. 27.El.2.23.El.1.29.El.6.35.El.1.& 2, 1.El.1.5.El.1.

The forfeiture for being or keeping a Schoolemaſter contrary to this Act.

Cap. V.

The Steward of a Court ſhall take no benefit of the profits thereof.

Whereas the Kings moſt excellent Maieſty, the Lords Spirituall and Temporall, & other his Highneſſe ſubiects of this Realme of England & Wales, haue in diuers places of the ſame, many Franchiſes, Iuriſdictions, Priuiledges, and Liberties to keep Court Leets or Court Barons, for the true adminiſtration of Iuſtice, and to the puniſhing and ſuppreſſing of offences, The profits & perquiſites of which Courts haue heretofore bin vſed to be leuied and collected by the bayliffe or other miniſter of ſuch Court, and by him accounted for to his highneſſe Progenitors, or other Lords or Ladies of ſuch Courts & Manors and as of right it ought ſo to be: But now by reaſon of the great increaſe of people, the ſaid profits and perquiſites of Courts are growne to be of a better yerely value than in ancient times it hath bin, diuers that are now ſtewards of ſuch Courts haue heretofore in their owne names, or in the names of ſome other to their vſe, obtained & gotten diuers Grants of all the profits & perquiſites of ſuch Courts whereof they are ſtewards, whereby many of his Ma. ſubiects are vniuſtly vexed, & by grieuous fines & amercements vnduly puniſhed, greatly to the wronging & impoueriſhing of the tenants & inhabitants where ſuch ſtewards are, proceeding out of a greedy deſire, to make and obtaine an vndue & extraordinary gaines to themſelues. It is therefore by the authority of this preſent Parliament eſtabliſhed & enacted, That no ſteward, deputy ſteward, or other vnder ſteward of any the Courts aforeſayd, ſhall directly or indirectly, in his owne name, or in the name of any other, from and after the expiration of one yere next after the end of the Seſſion of this preſent Parliament, take, receiue, or make benefit to his owne vſe, in money, goods, or any other thing, to the value of twelue pence, or more, by vertue or colour of any Demiſe or Grant hereafter to be made, of any the profits, or perquiſites, or amercements of any ſuch Courts whereof they are ſteward, which rightfully ſhal belong to the Lords of the ſame, vpon paine that euery ſteward offending contrary to the tenor of this preſent Act of parliament, ſhall for euery ſuch his offence forfeit the ſumme of forty pounds, and to be diſabled euer after to be ſteward of ſuch Court, or of any other: the one halfe of the forf. to be to our Soueraigne Lord the K. Maieſty, his heires & ſucceſſors, the other halfe to any of his Maieſties ſubiects that ſhall complaine in any of his highneſſe Courts of record, by action of debt, bill, plaint, or information, in which ſuit, no eſſoine, protection, wager of Law, or other dilatory plea ſhalbe allowed.

How the profits and perquiſites of Courts Baron & Leets haue beene collected.

Oppreſſions done to many for the priuate gaine of Stewards of Courts.

A Steward of a Court ſhall not take benefit by the profits of the ſame Court.

Cap.

Cap. VI.

Rating of the wages of Artificers, Labourers, &c. according to the Statute of 5. Eliz. 4.
The penalty of a Clothier refuſing to obey the aſſeſſement.

Whereas by an Act made in the Parliament holden at Weſtminſter in the fifth yere of the reigne of the late Quéene Elizabeth of famous memory, intituled. An Act touching diuers orders for Artificers, Laborers, Seruants of husbandry, and Apprentices, it was prouided and enacted by the authority of the ſame Parliament, for the declaration & limitation what wages ſeruants, labourers, and artificers, either by the yeere, or day or otherwiſe ſhould haue & receiue, That the Juſtices of Peace of euery Shire, Riding or Liberty within the limits of their ſeuerall Commiſſions, or the more part of them, being then reſident within the ſame, and the Sheriffe of that County, if he conueniently may, and euery Mayor, Bailiffe, or other head Officer, within any Citie or towne corporat, wherein is any Juſtice of peace within the limits of the ſaid Citie or Town corporate, and of the ſaid corporation, ſhould before the x. day of June next comming, and afterwards ſhould yeerly at euery general Seſſions firſt to be holden and kept after Eaſter, or at ſome time conuenient within ſix wéeks next following euery of the ſayd Feaſts of Eaſter, aſſemble, themſelues together, and they ſo aſſembled calling vnto them ſuch diſcréet and graue perſons of the ſaid County, or of the ſayd City or Towne corporate as they ſhall thinke méet; and conferring together, reſpecting the plenty or ſcarcity of the time, and other circumſtances neceſſarily to be conſidered, ſhould haue authority by vertue thereof, within the limits or precincts of their ſeuerall Commiſſions, to limit, rate, and appoint the wages as well of ſuch and ſo many of the ſaid Artificers, handicraftſmen, husbandmen, or any other laborer, ſeruant or workman whoſe wages in times paſt hath been by any Law or Statute rated and appointed, and alſo the wages of all other Labourers, Artificers, workemen or Apprentices of husbandry which haue not béen rated, as they the ſame Juſtices, Maiors, or head Officers within their ſeuerall Commiſſions or Liberties ſhould think méet by their diſcretions to be rated, limited, or appointed by the yeare, or by the day, wéeke, moneth or otherwiſe, with meat and drinke, or without meat and drinke, and what wages euery workeman ſhould take by the great for Mowing, Reaping or Threſhing of Corne and Graine, and for Mowing and making of Hay, or for ditching, payling, rayling or hedging by the rodde, pearch, lugge, yard, pole, rope or foot, and for any other kind of reaſonable labors or ſeruice, and ſhould yéerely before the xii. day of July next after the ſaid aſſeſſement and rate ſo appointed and made, certifie the ſame ingroſſed in Parchment, with the conſiderations and cauſes thereof vnder their hands and ſeales into the ſaid Quéenes moſt honorable Court of Chancerie, to the end that Proclamation ſhould be made in the name of the Quéenes Maieſty, her heires and ſucceſſors, for obſeruing of the ſame rates, in ſuch maner and forme as in the ſaid Act more at large is declared.

A reherſall of the Stat. of 5. El. 4. authoriſing Ju. of P. to rate the wages of Artificers, Labourers and ſeruants &c.

Rating of wages by the yere, day, week or moneth, or by the great.

And whereas the ſaid Act hath not according to the true meaning thereof béen duely put in execution, whereby the rates of wages for poore Artificers, Laborers, and other perſons whoſe wages was meant to be rated by the ſaid Act, haue not béen rated and proportioned according to the plenty, ſcarcity, neceſſity and reſpect of the time, which was politikely intended by the ſaid Act, by reaſon that ambiguity and queſtion hath riſen and béen made, whether the rating of all maner Artificers, workmen and workwomen, his and their wages, other than ſuch as by ſome Statute and Law haue béen rated, or elſe ſuch as did worke about Husbandry, ſhould or might be rated by the ſaid Law, foraſmuch as the ſaid Law hath béene found beneficiall to the common wealth.

A queſtion moued vpon the St of 5. El. 4. whoſe wages the Ju. may rate.

Be it enacted by authority of this preſent Parliament, That the ſaid Statute, and the authority by the ſame Statute giuen to any perſon or perſons, for aſſeſſing and rating of wages, and the authority to them in the ſaid Act committed, ſhall be expounded and conſtrued, and ſhall by force of this Act, giue authority to all perſons hauing any ſuch authority, to rate wages of any Labourers, Weauers, Spinſters, and workemen or workwomen whatſoeuer, either working by the day, wéeke, moneth, yéere, or taking any worke at any perſon or perſons hand whatſoeuer, to bée done in great or otherwiſe.

Labourers, Weauers, Spinſters, & workemens wages may be rated by the Juſtices.

And whereas in diuers Shires within this Realme, the Juſtices of Peace haue not vſually kept their generall Seſſions in one place of the Shire together, but the generall Seſſions haue béene kept in ſeuerall places for ſeuerall Diuiſions, by reaſon whereof, the moſt part of the Juſtices of the Peace comming not together, no rating of wages could be wel made in the ſaid Shire where ſuch generall Seſſions haue béene vſed, and for other reſpects.

Be it enacted by authority of this preſent Parliament, that the Juſtices of Peace, or the more part of them reſiant in any Shire, or in any Riding, Liberty or Diuiſion, where ſuch Seſſions haue béene vſually ſeuerally kept, ſhall at any generall Seſſions of the Peace to be holden for the ſame Shire, Diuiſion, Riding or Liberty, or at ſuch time of rating of wages as is limited by the ſaid Act, made in the v. yeare of her Maieſties reigne, haue as full authority and power to rate all manner of wages to be rated within ſuch Shire, and within the limits of ſuch Diuiſion, in any

Rating of wages where Seſſions be kept in ſeuerall parts of the Shire.

ſuch Shire, Riding or Libertie, as if the ſame were done in the generall Seſſions for the ſayd Countie, or by the moſt part of the Iuſtices meeting for the rating of wages by the ſayd Act of the fifth yéere of the late Quéene, for the wages mentioned in the ſame Act.

Proclamations ſhalbe made by the Sheriffe of the rates of wages.

And be it further enacted, That after the rates made for wages, and ingroſſed in Parchment, vnder the hands and ſeales of them, hauing authority to rate the ſame, it ſhall and may be lawfull to the Sheriffe of the ſaid County, or to the Mayor or chiefe officer or officers of any citie or towne corporat, to cauſe Proclamation to be made of the ſeuerall rates ſo rated, in ſo many places within their authorities, as to them ſhall ſéeme conuenient, and as if the ſame had bin ſent downe printed by the Lord Chancellor or Kéeper, after declaration thereof to his Maieſty, and certificat of the ſame into the Kings moſt honourable Court of Chancery. And that euery perſon and perſons ſhalbe bound to obſerue the ſayd rates in giuing and receiuing wages, vpon the paines and puniſhments mentioned in the ſayd Act, to bée recouered, or puniſhment inflicted, as in the ſayd Act is mentioned.

The forf. of a Clothier not paying the wages rated to his workemen.

And furthermore be it enacted by the authority aforeſayd, that if any Clothier or other ſhall refuſe to obey the ſaid order, rate & aſſeſſement of wages as aforeſaid, and ſhall not pay ſo much or ſo great wages to their Weauers, Spinſters, workemen or workewomen, as ſhall be ſo ſet downe, rated and appointed according to the true meaning of this Act, that then euery Clothier, and other perſon and perſons ſo offending, ſhall forfeit and loſe for euery ſuch offence to the party grieued, x. s. And that if the ſaid offence and offences of not paying ſo much or ſo great wages to their ſaid workemen, workewomen and others ſhall be confeſſed by the offendor, or that the ſame ſhall be proued by two ſufficient and lawfull witneſſes, before the Iuſtices of P. in their quarter Seſſions of the Peace, the Iuſtices of Aſſiſe in their Seſſions, or before any two Iuſtices of the peace, whereof one to be of the Quorum, That then euery ſuch perſon ſhall forthwith ſtand & be in Law conuicted thereof: which ſaid forfeiture of x. s. ſhall be leuied by diſtreſſe and ſale of the offendors goods by warrant from the ſaid Iuſtices, before whom any ſuch conuiction ſhall be had, which alſo ſhall be good in Law againſt any ſuch offendor or offendors.

The rates of wages need not to be certified into the Chancery but proclaimed in the County.

And be it further enacted, That no perſon or perſons ſhall incur any danger or penalty for not making certificat vnto the Kings moſt honorable Court of the Chancery of any rates of wages appointed to be certified by the ſayd Act, made in the ſaid fifth yere of the ſaid late Quéen, ſo as the ſame be proclaimed according to the true intent of this law: but the ſaid rates ingroſſed in parchment, and ſealed as aforeſayd, ſhall, if the ſame be in any Shire, be kept by the Cuſtos Rotulorum of the ſaid County, amongſt the Records in his cuſtody, for the ſayd Shire, and in any Citie or Towne Corporat, amongſt the Records of the ſayd Citie or Towne Corporat.

The continuance of this Act.

This Act to continue vntill the end of the next Parliament.

A Clothier being a Iuſt. of P. ſhalbe no rater of wages for Spinſters.

Prouided neuertheleſſe, and be it enacted by the authority aforeſayd, That no Clothier being a Iuſtice of Peace in any Precinct or Liberty, ſhall be any rater of any wages, for any Weauer, Tucker, Spinſter or other Artiſan that dependeth vpon the making of Cloth: And in caſe there be not aboue the number of two Iuſtices of the Peace within ſuch Precinct or Liberty, but ſuch as are Clothiers, That in ſuch caſe, the ſame wages ſhall be rated and aſſeſſed by the maior part of the common Counſell of ſuch Precinct or Liberty, and ſuch Iuſtice or Iuſtices of Peace (if any there be) as are not Clothiers. 3. Car. 4. Continued vntil the end of the firſt Seſſion of the next Parliament. 5. El. 4. 39. El. 12.

CAP. VII.

Who ſhall be adiudged vagabonds. Their puniſhment and vſage. EXP. St. 39. El. 4.

CAP. VIII.

Clergie taken from him that doth ſtab another hauing not a weapon drawne.

TO the end that ſtabbing and killing men on the ſuddaine, done and committed by many inhumane and wicked perſons, in the time of their rage, drunkenneſſe, hidden diſpleaſure, or other paſſion of mind, contrary to the commandement of Almightie GOD, and the common peace and tranquility of this Realme, may from henceforth be reſtrained through feare of due puniſhment, to be inflicted on ſuch cruell and bloudy malefactors, who heretofore haue béen thereunto emboldned, by preſuming on the benefit of Clergie.

He that ſtabbeth another to death ſhall not haue his Clergie.

Be it therefore enacted by the Kings moſt excellent Maieſty, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, That euery perſon and perſons which after one moneth next enſuing the end of this preſent Seſſion of Parliament, ſhall ſtab or thruſt any perſon or perſons, that hath not then any weapon drawne, or that hath not then firſt ſtricken the party which ſhall ſo ſtabbe or thruſt, ſo as the perſon or perſons ſo ſtabbed or thruſt ſhall thereof die within the ſpace of ſixe moneths then next following, although it cannot be proued that the ſame was done of malice forethought, yet the partie ſo offending and being thereof conuicted,

conuicted by verdict of twelue men, confeſſion or otherwiſe, according to the Lawes of this Realme, ſhall bee excluded from the benefit of his or their Clergie, and ſuffer death as in caſe of wilfull murther.

Prouided alwaies, that this Act or any thing therein contained, ſhall not extend to any perſon or perſons which ſhall kill any perſon or perſons ſe defendendo, or by miſfortune, or in any other manner than as aforeſaid, nor ſhall extend to any perſon or perſons which in keeping and preſeruing the peace, ſhall chance to commit manſlaughter, ſo as the ſayd manſlaughter bee not committed wittingly, willingly, and of purpoſe, vnder pretext and colour of keeping the peace, nor ſhall extend to any perſon or perſons which in chaſtiſing or correcting his childe or ſeruant, ſhall beſides his or their intent and purpoſe, chance to commit manſlaughter.

Killing another in defence of himſelfe by miſfortune in preſeruing the peace or due puniſhment.

This Act to continue vntill the end of the firſt Seſſion of the next Parliament, 3.Car.4. Continued vntill the end of the firſt Seſſion of the next Parliament.

Continuance of this Stat.

CAP. IX.

Seuerall penalties of Alehouſe-keepers, for their ſeuerall offences.

WHereas the ancient, true and principall vſe of Innes, Alehouſes and Victualling houſes, was for the receit, reliefe & lodging of wayfaring people trauelling from place to place, and for ſuch ſupply of the wants of ſuch people as are not able by greater quantities to make their prouiſion of victuals, and not meant for entertainement and harbouring of lewd and idle people to ſpend and conſume their money and their time in lewd and drunken maner.

The true and principall vſe of Innes and Alehouſes.

Be it therefore enacted by the Kings moſt excellent Maieſty, the Lords Spirituall and Temporall, and Commons in this preſent Parliament aſſembled, & by the authority of the ſame, that after forty dayes next enſuing after the end of this preſent Seſſion of Parliament, any Innekeeper, Victualler or Alehouſe-keeper within this Realme of England, or the Dominions of Wales, doe permit or ſuffer any perſon or perſons inhabiting and dwelling in any Citie, Towne Corporat, Market Towne, Village or Hamlet within this Realme of England, or Dominions of Wales, where any ſuch Inne, Alehouſe or Tipling-houſe, is or ſhall be to remaine and continue drinking or tipling in the ſaid Inne, Victualling-houſe, Tipling-houſe or Alehouſe, other than ſuch as ſhall be inuited by any Traueller, and ſhall accompany him onely during his neceſſarie abode there: and other than Laboring and Handicraftſmen, in Cities and Townes Corporat, and Market Townes, vpon the vſuall working dayes, for one houre at dinner time, to take their diet in an Alehouſe: and other than Laborers and Workemen, which for the following of their worke by the day or by the great in any Citie, Towne Corporat, Market Towne or Village, ſhall for the time of their ſaid continuing in worke there, ſoiourne, lodge or victuall, in any Inne, Alehouſe or other Victualling-houſe, other than for vrgent and neceſſary occaſions, to be allowed by two Iuſtices of Peace, That then euery ſuch Inne-keeper, Victualler or Alehouſekeeper, ſhall for euery ſuch offence forfeit and loſe the ſum of x.s. of currant money of England, to the vſe of the poore of the Pariſh where ſuch offence ſhall be committed: the ſame offence being viewed and ſeene by any Maior, Bailiſe or Iuſtice of Peace within their ſeuerall limits, or proued by the oath of two witneſſes, to be taken before any Maior, Bailiſe or any other head officer, or any one or more Iuſtice or Iuſtices of the Peace, who by vertue of this Act, ſhalbe authorized to miniſter the ſayd oath to any perſon or perſons that can or will iuſtifie the ſame, being within the Limits of their ſaid Commiſſion.

The forf. of an Alehouſe keeper permitting one to continue vnlawfull drinking in his houſe. 7. Iac. 10. 1. Car 4.

And be it further enacted by the authority aforeſaid, That if any Inne-keeper, Alehouſe-keeper or Victualler, ſhall at any time vtter or ſell leſſe than one full Ale quart of the beſt Beere or Ale for a peny, and of the ſmall two quarts for one peny. That then euery ſuch Inne-keeper, Alehouſe-keeper or Victualler, ſhall forfeit for euery ſuch offence being duly proued in manner aboue limited, the ſumme of xx.s. of lawfull money of England to the vſe aboueſaid, All and euery the ſayd penalties to be leuied by the Conſtables or Churchwardens of the Pariſh or Pariſhes where the offence or offences ſhalbe committed, by way of diſtreſſe to be taken and detained for the ſaid forfeitures, and for default of ſatiſfaction within ſix daies next enſuing, the ſame then to be preſently appriſed and ſold, and the ſurpluſage or remainder ouer and aboue to be deliuered to the party of whom the diſtreſſe was taken, and for want of ſufficient diſtreſſe, the partie or parties offending, to be by the Mayor, Bailiffe, other head Officer, or Iuſtice or Iuſtices aforeſaid, committed to the common Gaole, there to remaine vntill the ſaid penalty or penalties bee truely payed.

The prices of Ale & Beere ſold in an Inne or Alehouſe.

And be it further enacted by the authority aforeſaid, That if the Conſtables or Churchwardens doe neglect their duty in leuying, or doe not leuie the ſaid ſeuerall penalties, or in default of diſtreſſe or diſtreſſes, from time to time, do neglect to certifie the ſame default of diſtreſſe, by the ſpace of twenty dayes then next enſuing, to the Mayor, Baylife, other head Officer, or Iuſtice of Peace within whoſe Iuriſdiction the offence is committed: Then euery perſon and perſons ſo offending, ſhall forfeit for euery ſuch default, the ſumme of xl.s. of currant money of England, to the

The penalty of the Cōſtables or Churchwardens omitting their dutie.

the vſe of the poore of the Pariſh where ſuch offence ſhall be committed, to bee leuied by way of diſtreſſe of the offendors goods, by warrant from any one or more Iuſtice or Iuſtices of the peace, Maior, Bailiffe, or other head Officer within the Limits of their Iuriſdictions reſpectiuely, vnder his or their hand and ſeale, to be taken and detained for the ſaid forfeitures, for the ſpace of ſixe dayes then next enſuing, Within which time if payment be not made, the ſame goods to be preſently appriſed and ſold, and the ſurplaſage and remainder ouer and aboue (if any bee) to be deliuered to the party of whom the diſtreſſe was taken: And for want of ſuch ſufficient diſtreſſe the Conſtables, Churchwarden or Churchwardens ſo offending, to bee by the Maior, Bailiffe, or other head Officer, Iuſtice or Iuſtices of Peace, committed to the common Gaole, there to remaine vntill the ſaid penaltie or penalties be truely payd: for all which penalties, which ſo ſhall be leuied by the ſaid Conſtables or Churchwardens, they the ſayd Conſtables and Churchwardens, ſhall be accomptable to their ſucceſſors and other the pariſhioners, in ſuch ſort as they vſually be in other Church reckonings or accompts. And for all forfeitures to be leuied by reaſon of any neglect of the Conſtables or Churchwardens, thoſe ſhall be accomptable, who by force of any Warrant or Precept doe leuy the ſame, or vpon the inlargement of perſons committed, doe receiue the ſame.

The Conſtables or Churchwardens accompt.

And be it further enacted, that all other Lawes and Statutes touching Inne-keepers, Victuallers and Alehouſe-keepers, ſhall ſtill remaine in their former force, and be put in due execution.

11.H.7.2. 5.&6.Ed.6.25.

This Act to continue to the end of the firſt Seſſion of the next Parliament.

The continuance of this Statute.

Prouided alwaies, and be it enacted by the authority of this preſent Parliament, that the correction and puniſhment of ſuch as ſhall offend againſt this Act or any part thereof within either of the two Vniuerſities of this Realme, or the Precincts or Liberties of the ſame ſhall be done vpon the offendors, and Iuſtice ſhall be miniſtred in this behalfe, according to the intent and true meaning of this Law, by the Gouernors, Magiſtrates, Iuſtices of the peace or other principall Officers of either of the ſame Vniuerſities, to whom in other caſes the adminiſtration of Iuſtice and correction and puniſhment of offendors by the Lawes of this Realme and their ſeuerall Charters doth belong or appertaine, and that no other within their Liberties for any matter concerning this Law contrary to their ſeuerall Charters, doe entermeddle. And that all penalties and ſummes of money to be forfeited or loſt by force of this Act, within either of the Vniuerſities, or the Liberties or Precincts of the ſame, ſhall bee leuied by the Officers or Miniſters of either of the ſaid Vniuerſities, to be from time to time in that behalfe appointed by the Vicechancellors thereof for the time being reſpectiuely, And that all powers & authorities either of impriſonment or otherwiſe, before giuen or appointed by this Act, ſhall by the Gouernors, Magiſtrates and principall Officers aboueſayd of either of the ſayd Vniuerſities, be duely executed and done within either of the ſaid Vniuerſities, and the Liberties and Precincts of the ſame, according to the true intent and meaning of this Act. 21.Iac.7. made perpetuall.

Offences cõmitted within Vniuerſities.

Cap. X.

Nothing ſhall be taken for the Report of a Cauſe referred by any Court.

Nothing ſhal be taken for reports.

FOraſmuch as all exactions, extortions and corruptions, are odious, and prohibited, in all well gouerned Common-weales, Be it enacted, that no perſon, to whom any order or cauſe ſhalbe committed or referred, by any of the Kings Iudges, or Courts at Weſtminſter, or any other Court ſhall directly or indirectly, or by any art, ſhift, colour or deuice, haue, take, or receiue, any money, fee, reward, couenant, obligation, promiſe, agreement, or any other thing, for his Report or Certificat by writing, or otherwiſe, vpon paine of the forfeiture of C.li. for euery ſuch Report or Certificat, and to be depriued of his office and place in the ſame Court: the one moity of the ſaid forfeitures to be to our Soueraigne Lord the King, his heires and ſucceſſors, the other moity to the party grieued, which will ſue for the ſame, at any time during the ſaid ſuit, or within one yere after the ſame cauſe diſcontinued or decreed, and in his default of ſuch ſuit, to him or them that will ſue for the ſame, by originall Writ, Bill, Plaint or Information, in his Maieſties high Court of Starre-Chamber, or in any his Maieſties Courts of Record at Weſtminſter, in which ſuit, by Writ, Bill, Plaint or Information, no wager of Law, Eſſoine, Priuiledge, Superſedeas, Protection, or any other delay, ſhall be ſuffered or admitted.

The Clerkes fee for writing a report.

Prouided neuertheleſſe, that it ſhalbe lawfull for the Clerke to take for his paines for writing of euery ſuch Report or Certificat, vii.d. for the firſt ſide, and ii.d. for euery ſide after, and no more, vpon paine to forfeit x.s. for euery penny taken ouer and aboue the ſaid ſumme, to be had and recouered as aforeſaid.

CAP. XI.

Felonie to marrie a ſecond huſband or wife, the former being liuing.

FOraſmuch as diuers euill diſpoſed perſons being married, runne out of one County into another, or into places where they are not knowne, and there become to be married, hauing another huſband or wife liuing, to the great diſhonor of GOD, and vtter vndoing of diuers honeſt mens children and others: Be it therefore enacted by the Kings Maieſtie, with the conſent of the Lords Spirituall and Temporall, and of the Commons in this preſent Parliament aſſembled, that if any perſon or perſons within his Maieſties Dominions of England and Wales, being married, or which hereafter ſhall marrie, doe at any time after the end of the Seſſion of this preſent Parliament, marrie any perſon or perſons, the former huſband or wife being aliue, that then euery ſuch offence ſhall be felonie, and the perſon and perſons ſo offending ſhall ſuffer death as in caſes of felonie. And the partie and parties ſo offending, ſhall receiue ſuch and the like proceeding, triall and execution in ſuch Countie, where ſuch perſon or perſons ſhall be apprehended, as if the offence had beene committed in ſuch countie where ſuch perſon or perſons ſhall be taken or apprehended.

There ſhall be no ſecond marriage vntill the former huſband or wife be dead.

Prouided alwayes, that this Act nor any thing therein contained, ſhall extend to any perſon or perſons whoſe huſband or wife ſhall be continually remaining beyond the Seas by the ſpace of vij. yeares together, or whoſe huſband or wife ſhal abſent him or her ſelfe the one from the other, by the ſpace of vij. yeares together in any part within his Maieſties Dominions, the one of them not knowing the other to be liuing within that time.

The huſband or wife being abſent 7. yeares from the other.

Prouided alſo, and be it enacted by the authority aforeſaid, That this Act nor any thing herein contained, ſhall extend to any perſon or perſons that are or ſhall be at the time of ſuch marriage diuorſed by any ſentence had or hereafter to be had in the Eccleſiaſticall Court, or to any perſon or perſons where the former marriage hath been or hereafter ſhall be by ſentence in the Eccleſiaſticall Court declared to be void and of no effect: Nor to any perſon or perſons for or by reaſon of any former marriage had or made, or hereafter to be had or made within age of cōſent.

To what perſons this ſtat. ſhall not extend.

Prouided alſo, that no attainder for this offence made Felonie by this Act, ſhall make or worke any corruption of bloud, loſſe of dower, or diſinheriſon of heire or heires.

No corruption of bloud, loſſe of dower or inheritance.

CAP. XII.

The penaltie for practiſing of Inuocation or Coniuration, &c.

BE it enacted by the King our Soueraigne Lord, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Statute made in the fift yeare of the reigne of our late Soueraigne Lady of moſt famous and happie memorie, Queene Elizabeth, intituled, An Act againſt Coniurations, Inchantments, and Witchcrafts, be from the Feaſt of S. Michael the Archangell next comming, for and concerning all offences to be committed after the ſame Feaſt, vtterly repealed.

The Stat. made 5. El. 16. againſt Coniuration, &c. repealed.

And for the better reſtraining the ſaid offences, and more ſeuere puniſhing the ſame, Be it further enacted by the authority aforeſaid, That if any perſon or perſons, after the ſaid Feaſt of S. Michael the Archangell next comming, ſhall vſe, practiſe or exerciſe any Inuocation or Coniuration, of any euill and wicked ſpirit: or ſhall conſult, couenant with, entertaine, imploy, feed or reward any euill and wicked ſpirit, to or for any intent or purpoſe: or take vp any dead man, woman or child, out of his, her or their graue, or any other place where the dead body reſteth, or the ſkin, bone, or any other part of any dead perſon, to be imployed or vſed in any manner of Witchcraft, Sorcery, Charme or Inchantment: or ſhall vſe, practiſe or exerciſe any Witchcraft, Inchantment, Charme or Sorcerie, whereby any perſon ſhall be killed, deſtroyed, waſted, conſumed, pined or lamed in his or her body, or any part thereof: That then euery ſuch offender or offenders, their ayders, abetters and counſellers, being of any the ſaid offences duely and lawfully conuicted and attainted, ſhall ſuffer paines of death as a felon or felons, and ſhall loſe the priuiledge and benefit of Clergie and Sanctuarie.

Coniuration or Inuocation whereby any perſon is killed or lamed.

And further, to the intent that all maner and practiſe, vſe or exerciſe of Witchcraft, Enchantment, Charme, or Sorcerie, ſhould be from henceforth vtterly auoided, aboliſhed & taken away, Be it enacted by the authority of this preſent Parliament, That if any perſon or perſons, ſhall from & after the ſaid Feaſt of S. Michael the Archangel next comming, take vpon him or them by Witchcraft, Inchantment, Charme or Sorcerie, to tell or declare in what place any treaſure of Gold or Siluer, ſhould or might be found or had in the earth or other ſecret places, or where goods or things loſt or ſtollen, ſhould be found or become, or to the intent to prouoke any perſon to vnlawfull loue, or whereby any cattell or goods of any perſon ſhall be deſtroied, waſted or impaired, or to hurt or deſtroy any perſon in his or her body, although the ſame be not effected and done: That then all and euery ſuch perſon or perſons ſo offending, and being thereof lawfully conuicted,

Declaring by witchcraft where any thing is hidden, procuring vnlawfull loue, &c.

ſhall for the ſaid offence ſuffer impriſonment by the ſpace of one whole yeare, without baile or mainpriſe, and once in euery quarter of the ſaid yeare, ſhall in ſome Market Towne, vpon the Market day, or at any ſuch time as any Faire ſhall be kept, there ſtand openly vpon the Pillory by the ſpace of vi. houres, and there ſhall openly confeſſe his or her error and offence.

The 2. offence felonie.

And if any perſon or perſons being once conuicted of the ſame offences as is aforeſaid, doe eftſoones perpetrate and commit the like offence, That then euery ſuch offender being of any the ſaid offences the ii. time lawfully and duely conuicted and attainted as is aforeſaid, ſhall ſuffer paines of death as a felon or felons, and ſhall loſe the benefit and priuiledge of Clergie and Sanctuarie. Sauing to the wife of ſuch perſon as ſhall offend in any thing contrary to this Act, her title of dower; and alſo to the heire and ſucceſſor of euery ſuch perſon, his or their titles of inheritance, ſucceſſion, & other rights, as though no ſuch attainder of the anceſtor or predeceſſor had béen made.

No loſſe of dower or inheritance.

Triall of a Peere of the Realme.

Prouided alwayes, that if the offender in any the caſes aforeſaid, ſhall happen to be a Péere of the Realme, then his triall therein to be had by his Péeres, as it is vſed in caſes of Felonie or Treaſon, and not otherwiſe. Coke pla. fol. 1.

CAP. XIII.

An execution againſt him who is diſcharged by priuiledge of Parliament.

FOraſmuch as heretofore doubt hath béene made, if any perſon being arreſted in Execution, and by priuiledge of either of the houſes of Parliament ſet at libertie, whether the partie at whoſe Suit ſuch execution was purſued, be for euer after barred and diſabled to ſue forth a new Writ of Execution in that caſe.

A new execution may be ſued againſt any which ſhall be deliuered by priuiledge of Parliament.

For the auoyding of all further doubt and trouble, which in like caſes may hereafter enſue, Be it enacted by the Kings moſt excellent Maieſtie, by the Lords Spirituall and Temporall, and by the Commons in this preſent Parliament aſſembled, That from henceforth the partie at or by whoſe Suit ſuch Writ of Execution was purſued, his executors or adminiſtrators, after ſuch time as the priuiledge of that Seſſion of Parliament, in which ſuch priuiledge ſhall be ſo granted ſhall ceaſe, may ſue forth and execute a new Writ or Writs of Execution, in ſuch manner and forme, as by the Law of this Realme he or they might haue done, if no ſuch former Execution had béene taken forth or ſerued, And that from henceforth no Sheriffe, Bailiffe, or other Officer, from whoſe arreſt or cuſtodie any ſuch perſon ſo arreſted in Execution, ſhall be deliuered by any ſuch priuiledge ſhall be charged or chargeable with or by any action whatſoeuer, for deliuering out of Execution any ſuch priuiledged perſon, ſo as is aforeſaid, by ſuch priuiledge of Parliament ſet at libertie: Any Law, Cuſtome, or Priuiledge heretofore to the contrary notwithſtanding.

He ſhall not be charged, out of whoſe cuſtodie ſuch priſoner ſhall be deliuered.

Cenſure inflicted vpon any that ſhall arreſt a Parliament man.

Prouided alwayes, that this Act or any thing therein contained, ſhall not extend to the diminiſhing of any puniſhment, to be hereafter by cenſure in Parliament inflicted vpon any perſon which hereafter ſhall make or procure to be made any ſuch arreſt, as is aforeſaid. Dyer. fol. 59.

CAP. XIIII.

A remedie for a Freeman of London to recouer a debt not exceeding xl.s. owing to him by another inhabiting within the ſaid Citie, or the liberties. A penaltie if the debtor doe not appeare before Commiſſioners vpon warning, or if the creditor or debtor doe not performe their order, or if the creditor being a Freeman of London, doe ſue any other Freeman out of the ſame Citie for a debt vnder xl. s. EXP. 3. Iac. 15.

CAP. XV.

An expoſition and addition to the Statute of Bankrupts, made 13. Eliz. 7.

34. H. 8. 5.
13. El. 7.

FOr that frauds and deceits as new diſeaſes, daily increaſe amongſt ſuch as liue by buying and ſelling, to the hinderance of trafficke and mutuall commerce, and to the generall hurt of the Realme, by ſuch as wickedly and wilfully become Bankrupts, And for that the deſcription of a Bankrupt in former Statutes is not ſo fully expreſſed, nor the power giuen thereby to the Commiſſioners for Bankrupts, ſo large as is méet, in ſuch caſes of deceit, to preuent the deceitfull actions of Bankrupts.

who ſhall be adiudged a Bankrupt.

For remedie whereof, Be it therefore enacted by our Soueraigne Lord the King, and by the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, That all and euery ſuch perſon and perſons, vſing or that ſhall vſe the trade of Merchandize, by way of bargaining, exchange, bartrie, cheuiſance, or otherwiſe in groſſe, or by retaile, or ſeeking his, her, or their trade of liuing by buying and ſelling, and being a Subiect borne of this Realme, or any the Kings Dominions, or Denizen, who at any time ſithence the firſt day of this preſent Parliament, or at any time hereafter ſhall depart the Realme or begin to keepe his or her houſe or houſes, or otherwiſe to abſent him or her ſelfe, or take Sanctuarie, or ſuffer him or her ſelfe willingly to be arreſted for any debt, or other thing not growne or due for money deliuered, wares ſold, or any other iuſt or lawfull cauſe, or good conſideration or purpoſes, or hath or will ſuffer him or her ſelfe to be outlawed, or yeeld him or her ſelfe to priſon, or willingly or fraudulently hath or ſhall procure him or her ſelfe to be arreſted, or his or her goods, money or chattels to be attached or ſequeſtred, or depart from his or her dwelling houſe, or make or cauſe to be made any fraudulent grant or conueyance of his, her or their Lands, Tenements, goods or chattels, to the intent or whereby his, her or their Creditors being Subiects borne as aforeſaid, ſhall or may be defeated or delayed for the recouerie of their iuſt and true debts, or being arreſted for debt, ſhall after his or her arr[illegible] lye in priſon ſix moneths or more, vpon that arreſt or vpon any other arreſt or detention in priſon for debt, and lye in priſon ſix moneths vpon ſuch arreſt or detention, ſhall be accompted and adiudged a Bankrupt to all intents and purpoſes.

And be it further enacted by the authoritie of this preſent Parliament, that the like commiſſions, orders, benefits and remedies, which are and be prouided and limited by the ſaid former Act of Parliament (made in 13. nuper Eliz. Reginæ) againſt any Bankrupts therein deſcribed, or for or concerning his, her or their lands, tenements, hereditaments, fees annuities, offices, goods, chattels, wares, merchandiſes and debts, or any of them, ſhall be had, purſued, taken and expounded againſt ſuch perſon and perſons that are herein expreſſed to be Bankrupts, his, her, and their lands, tenements, hereditaments, fees, annuities, offices, goods, chattels, wares, merchandiſes and debts, in ſuch like maner and forme as the ſame ought or might haue beene if the perſons herein deſcribed to be Bankrupts had beene deſcribed to be Bankrups, according to the intent of the ſaid former Statute.

The like commiſſions, orders, benefits and remedies as be prouided for bankrupts by the ſtat. of 13. El. 9.

And that it ſhall be lawfull for any of the creditors of the ſaid Bankrupt within iiij. moneths after any ſuch commiſſion ſhall be ſued forth, & vntill diſtribution ſhall be made by the ſaid Commiſſioners, for the payment of the Bankrupts debt, as in ſuch caſe hath bin vſed, to partake and ioyne with the other creditors, that ſhall ſue forth any ſuch commiſſion, for ſatiſfaction & payment of his, her or their debts, to him or them owing, without any hinderance, let, or diſturbance of any of the ſame Commiſſioners, or of any of the other creditors of any ſuch Bankrupts, the ſame creditors ſo comming in to contribute to the charges of the ſaid commiſſion, and that if the creditors come not in within iiij. moneths then the Commiſſioners to haue power to diſtribute.

New creditors partakers with the former.

Be it further enacted, that if any perſon which hereafter is or ſhall be a Bankrupt, by intent of this Statute, ſhall conuey or procure, or cauſe to be conueyed to any of his children, or other perſon or perſons, any manors, lands, tenements, hereditaments, offices, fees, annuities, leaſes, goods, chattels, or transferre his debts into other mens names, except the ſame ſhall be purchaſed, conueyed, or transferred, for or vpon marriage of any of his or her children, both the parties married being of the yeares of conſent, or ſome valuable conſideration, ſhall be in the power and authoritie of the Commiſſioners in this behalfe to be appointed, or the more part of them, to bargaine, ſell, grant, conuey, demiſe, or otherwiſe to diſpoſe thereof, in as ample maner, as if the ſaid bankrupt had beene actually ſeiſed or poſſeſſed thereof, or the debts were in his owne name of the like eſtate or intereſt to his or their own vſe, at ſuch time as he or ſhe became Bankrupt, And that euery ſuch grant, bargaine, ſale, conueyance, and diſpoſition of the ſaid Commiſſioners, or of the greater part of them, ſhall be good and auaileable to all intents, conſtructions, and purpoſes in the Law againſt the offender or offenders, his heires, executors, adminiſtrators, and aſſignes, and ſuch children and perſons as ſhall be ſubiect to this Statute, and againſt all other perſon and perſons claiming by, from, or vnder ſuch offender or offenders, or ſuch ſaid other perſons, to whom ſuch conueyance ſhall be made by the ſaid Bankrupt, or by his meanes or procurement.

A Bankrupt conueying his lands or goods to others, or transferring his debts into other mens names.

And for that the practices of Bankrupts of late are ſo ſecret and ſo ſubtile, as that they can very hardly be found out, or brought to light, And for that the former Statute giuing power to the Commiſſioners to examine others than the Bankrupts, hath not fully or ſufficiently authorized them to examine the ſaid Bankrupt vpon oath: For remedie whereof, Be it further enacted by the authoritie of this preſent Parliament, That the ſaid Commiſſioners may call before them, or the greater part of them, the ſaid Bankrupt: and if vpon lawfull warning left or made in writing at thre ſeuerall times at the dwelling place or houſe where the ſaid Bankrupt, his wife or family, for the moſt part of his abode, did lodge or remaine, within one yeare next before he, ſhe, or they became Bankrupt, the ſaid Bankrupt ſhall not appeare before the ſaid Commiſſioners, or the greater part of them, That then and from thenceforth it ſhalbe lawfull for the greater number of the ſaid Commiſſioners, to appoint to proclaime the ſaid partie a Bankrupt, at ſuch publike place or places, where the ſaid Commiſſioners, or the greater part of them ſhall thinke meete, warning him, her, or them to appeare before them vpon the ſaid Commiſſion, at ſome time appointed. And that if vpon fiue ſeuerall proclamations made in ſome publike place, the partie offending appeare not before the ſaid Commiſſioners, and yeeld his, her, or their bodies to them, or ſome of them, the ſaid Commiſſioners, or the greater part of them, ſhall or may award a Warrant to ſuch fit per-

In what caſe he that doth withdraw himſelfe ſhalbe proclaime a Bankrupt.

A Bankrupt apprehended which vpon warning refuſeth to appeare.

ſon or perſons, as they thinke meete, to apprehend the body and bodies, of the ſaid offender, and offenders, and to bring him, her, or them ſo offending, before the ſaid Commiſſioners, whereſoeuer the ſaid partie or parties offending may be found, in place priuiledged or not; to be examined by the ſaid Commiſſioners, or the greater part of them.

The examination of a Bankrupt.

And that it ſhall be lawfull for the ſaid Commiſſioners, or the greater part of them, to examine the ſaid offender or offenders, vpon ſuch Interrogatories, touching the lands, tenements, goods, chattels, debts, bills, bonds, bookes of account, and ſuch other things, as may tend to diſcloſe his, her, or their eſtate, or the ſecret grants, conueyances and eloyning of his, her, or their lands, tenements, goods, money and debts, as they ſhall thinke meete.

A Bankrupt refuſing to anſwer.

And that if therein the offender or offenders ſhall refuſe to be examined, or to anſwer fully to euery Interrogatorie to him to be miniſtred by the [illegible] Commiſſioners, or the greater part of them, it ſhall be lawfull for the ſaid Commiſſioners, or the greater part of them, to commit the ſaid offender or offenders to ſome ſtrait or cloſe impriſonment, there to remaine vntill he, ſhe, or they ſhall better conforme him or her ſelfe.

The puniſhment of a Bankrupt committing periurie.

And that if vpon his, her, or their examination it ſhall appeare, that he, ſhe, or they haue committed any wilfull or corrupt periurie, tending to the hurt or dammage of the creditors of the ſaid Bankrupt, to the value of ten pounds of lawfull money of England, or aboue, the partie ſo offending, ſhall or may thereof be indicted in any of the Kings Maieſties Courts of Record, and being lawfully conuicted thereof, ſhall ſtand vpon the Pillorie in ſome publike place by the ſpace of two houres, and haue one of his eares nailed to the Pillorie, and cut off.

And whereas by the former Statute made in the ſaid thirteenth yeare of the reigne of the late Queene Elizabeth, the Commiſſioners for Bankrupts haue power giuen to them to ſend for ſuch perſon or perſons as the creditors ſhall know, ſuppoſe, or ſuſpect to haue, detaine, or keepe any part of the money, goods, chattels, or debts of the ſaid offender or offenders, or to be indebted to the ſaid offender or offenders, to be examined by the ſaid Commiſſioners, as by the ſame Statute appeareth, but haue not good meanes or remedie by impriſonment or other penaltie, to procure the perſon ſo ſent for by them to appeare before them, nor hauing appeared before them, to make anſwer vpon his oath to ſuch Interrogatories as ſhall be miniſtred vnto him by the ſaid Commiſſioners, for and vpon the ſpecialtie, certainty, true declaration & knowledge of ſuch lands, tenements, hereditaments, goods, debts, or other things of any ſuch offender or offenders, as be, or ſhall be, or which ſhall be ſuſpected to be in his cuſtodie, vſe or poſſeſſion, or in the cuſtodie, vſe, or poſſeſſion of any other to his knowledge, and of all debts owing to or for the benefite of ſuch offender or offenders, by himſelfe or by any other to his knowledge, ſo as many times a great part of the offender or offenders lands, tenements, hereditaments, goods, chattels, or debts, which by the true intent of the ſaid Statute ſhould be employed to the ſatiſfaction of the creditors of the offender or offenders, are concealed or detained in the hands of ſuch perſon and perſons as refuſe to come, or being come refuſe to be ſworne before the ſaid Commiſſioners, to be examined in that behalfe, to the great encouragement of all Bankrupts and their wicked confederates and acceſſaries, and to the great hinderance of the iuſt remedies of the creditors of the ſaid Bankrupts for their true and iuſt debts to them owing: For remedie whereof, be it further enacted by the authority aforeſaid, That if any perſon or perſons being knowne, ſuppoſed, or ſuſpected to haue or detaine any part of the lands, tenements, or hereditaments, goods, chattels or debts of the ſaid Bankrupt, or to be indebted to or for the benefite of the ſaid Bankrupt, ſhall after lawfull warning to the ſaid perſon or perſons giuen to come before the ſaid commiſſioners, or the greater part of them, to be examined according to the intent of the ſaid Statute, refuſe to come, or ſhall not come before the ſaid Commiſſioners at the time appointed, hauing no lawfull impediment (ſuch as ſhall be admitted and allowed of by the ſaid Commiſſioners or the more part of them, and which ſhall be then ſignified or made knowne to the ſaid Commiſſioners, at the time of their aſſembly) Or that any ſuch perſon or perſons hauing knowledge or warning of any other aſſembly or meeting of the ſaid Commiſſioners againſt, ſhall not come and appeare before them at ſuch time as he or ſhe lawfully may come, hauing no ſuch lawfull impediment as ſhal be then made knowen to the ſaid Commiſſioners, & by them admitted and allowed of as aforeſaid, Or being come before them ſhall refuſe to be ſworne and to make anſwer to ſuch Interrogatories as ſhall be miniſtred vnto him or them, according to the true intent and meaning of the ſaid Statute made in the ſaid thirteenth yeare of the reigne of our ſaid late ſoueraigne Lady Queene Elizabeth, or of this preſent Act, That then it ſhall be lawfull for the ſaid Commiſſioners, or for the greater part of them, to commit to ſuch Ward & Priſon as to them or to the greater part of them ſhall be thought meete, all ſuch perſon and perſons as ſhall ſo refuſe to be ſworne and make anſwer to ſuch Interrogatories as ſhall be ſo miniſtred as aforeſaid, and alſo to direct their Warrants to ſuch perſon or perſons as to them or the greater part of them ſhalbe thought meete, to apprehend and arreſt ſuch perſon or perſons as ſhall refuſe to appeare before them as aforeſaid, and to bring him, her, or them before the ſaid Commiſſioners, or the greater part of them to be examined as aboue-ſaid, and vpon his, her, or their refuſall to come or to be examined before the ſaid Commiſſioners as aforeſaid, to commit the ſaid party ſo refuſing, to ſuch priſon as the ſaid Commiſſioners

Examination of ſuch as haue Bankrupts goods, or be indebted vnto them.

The puniſhment of ſuch as will not appeare, or not ſweare to anſwer to Interrogatories.

miſſioners or the greater part of them ſhall thinke meet, there to remaine without baile or mainpriſe, vntill ſuch time as the ſaid perſon ſo refuſing to come, or to be ſworne to anſwer before the ſaid Commiſſioners, ſhall ſubmit him or her ſelfe to the ſaid Commiſſioners, and be by them examined, according to the true intent of the ſaid Statute, and of this preſent Act.

Prouided alwayes, that ſuch Witneſſes as ſhall ſo be ſent for, ſhall haue ſuch coſts & charges as the Commiſſioners in their diſcretion ſhall thinke fit: The ſame charges to be ratably borne by the creditors of the ſaid Bankrupt, according to the proportion of each of their ſeuerall debts. And if any perſon or perſons, other than the Bankrupt, either by ſubornation, vnlawfull procurement, ſiniſter perſwaſion, or meanes of any others, or by his owne act, conſent, or agreement, ſhall wilfully and corruptly commit any maner of wilfull periurie by his depoſition to be taken before the ſaid Commiſſioners, or the greater part of them, as aforeſaid, That then the partie or parties ſo offending, and all and euery perſon and perſons, that ſhall vnlawfully and corruptly procure any ſuch vnlawfull, wilfull, and corrupt periurie, ſhall, or may therefore be indicted in any of the Kings Maieſties Courts of Record, and after his or their conuiction thereof, ſhall incurre ſuch forfeiture, and receiue and ſuffer ſuch paines and puniſhment, as are limited by the Statute made concerning Periurie, in the fifth yeare of the reigne of our ſaid late Soueraigne Lady Queene Elizabeth.

Witneſſes allowed their coſts.

The penaltie of others beſide the bankrupt committing periurie.

5. El. 9.

And be it further enacted, That all and euery ſumme and ſummes of money, which ſhall bee forfeited by force of this preſent Act, ſhall be ſued for, and recouered by the ſaid creditors only, or any of them that will ſue for the ſame, by Action of Debt, Bill, Plaint, or Information, in any of the Kings Maieſties Courts of Record, and the ſumme or ſummes of money ſo recouered, the charges of ſuit being deducted, ſhall be diſtributed and diuided towards the payment of the ſaid creditors of the Bankrupt.

Who ſhall recouer the forfeitures, and how they ſhall imploy them.

And for that the power and authority giuen to the Commiſſioners of Bankrupts, touching the debts due to the ſaid Bankrupt, is not ſo full and perfect, as that the full benefite thereof in due courſe, might be imployed to the vſe of the ſaid Creditors, as was intended: For remedie thereof, Bee it further enacted by the authority aforeſaid, That the Commiſſioners of Bankrupts, or the greater part of them, ſhall haue power to grant and aſſigne, or otherwiſe to order or diſpoſe, all or any of the debts due, or to be due, to and for the benefit of the ſaid Bankrupt, by what perſon or perſons ſoeuer, or in what maner and forme ſoeuer, to the vſe of the creditors of the ſaid Bankrupt, according to the true intent of the ſaid former recited Statute of Bankrupts, And that the ſame Grant, Aſſignement, or diſpoſition of the ſaid debts, in forme aforeſaid to be made by the ſaid Commiſſioners, or the greater part of them, ſhall ſo veſt the propertie, right, and intereſt of the ſaid debt, and debts, in the perſon or perſons of him, her, or them, to whom it ſhall be granted, aſſigned, or ordered by the ſaid Commiſſioners, or the greater part of them, as fully to all intents and purpoſes, as if the ſaid Bill, Bond, Bonds, Statutes, Recognizances, Iudgement, or Contract, whereupon the ſaid Debt or Debts, Deede or Deedes ſhall ariſe or grow, had beene made, to or with, or for the ſaid perſon or perſons, to whom the ſame ſhall be ſo granted, aſſigned, or diſpoſed, by the ſaid Commiſſioners, and that after ſuch Grant, Aſſignement, or Diſpoſition made of the ſaid Debts, that neither the Bankrupt, nor any other to whom any ſuch Debt ſhall be due, ſhall haue power to recouer the ſame, nor to make any releaſe, or diſcharge thereof, neither ſhall the ſame be attached, as the Debt of the Bankrupt, or ſuch ſaid other perſon or perſons, to whom the ſame ſhall be due, by any other perſon or perſons, according to the Cuſtome of the Citie of London, or otherwiſe, But that the partie or parties to whom the ſame Debts ſhall be Aſſigned, ſhall haue like remedie to recouer the ſame, as fully and lawfully in the name or names of the perſon or perſons, to whom the ſame ſhall be ſo granted, aſſigned, or ordered by the ſaid Commiſſioners, in all reſpects and purpoſes, as the partie himſelfe might haue had, Any Law, Statute, Vſe, or Cuſtome to the contrary thereof in any wiſe notwithſtanding.

The authority of Commiſſioners touching debts due to a Bankrupt.

The remedy for the Creditor to recouer a Bankrupts debt aſſigned to him by the Commiſſioners.

Prouided alwayes, that no debtor of the Bankrupt be hereby indangered, for the payment of his other debt, truely and bona fide, to any ſuch Bankrupt, before ſuch time as he ſhall vnderſtand or know that he is become a Bankrupt.

Prouided alſo, and be it further enacted, That ſuch of the ſaid Commiſſioners as ſhall put the ſaid Commiſſion in Execution, ſhall vpon lawfull requeſt to them made by the ſaid Bankrupt, not onely make a true declaration to the ſaid Bankrupts, of the imploying and beſtowing of his, her, or their ſaid lands, tenements, and hereditaments, offices, fees, goods, wares, money, cattels, and debts, which ſhall be paid and ſatiſfied to their ſaid Creditors, as is in like caſe limited and appointed, by the ſaid former Statute, made in the ſaid thirteenth yeare of the ſaid late Queenes Maieſties reigne, but alſo make payment of the ouerplus of the ſame, if any ſuch ſhall be, to the ſaid Bankrupts, their executors, adminiſtrators, & aſſignes, And that the ſaid Bankrupts, after the full ſatiſfaction of the ſaid creditors, ſhal haue full power and authority to recouer and receiue the reſidue and remainder of the debts to them owing, Any thing in this Act contained to the contrarie in any wiſe notwithſtanding.

Commiſſioners ſhall declare to the Bankrupt, how they haue beſtowed his lands and goods.

Be it further enacted, That if any Action of Treſpaſſe, or other ſuit, ſhall happen hereafter to

The Commiſſioners plea in an Action brought againg them.

be brought againſt any Commiſſioner authorized by the Statute, made in decimo tertio of our late Soueraigne Lady Queene Elizabeth, for Banckrupts, or any other perſon or perſons, hauing authority by vertue or vnder the Commiſſion, authorizing the ſaid Commiſſioner for the doing or executing of any matter, by force of the ſaid Statute, or this preſent Statute, That the defendant or defendants, in any ſuch Action or Suit, may plead Not guiltie, or otherwiſe iuſtifie that the act or thing whereof the plaintife or plaintifes complained, was done by authority of the ſaid Act made in the thirteenth of Elizabeth, or in this preſent act reſpectiuely, without expreſſing or rehearſall of any other matter of circumſtance contained in either of the ſaid Actes, and without inforcing him or them to ſhew forth their Commiſſion authorizing the ſaid Acte, or thing, whereunto the Plaintife ſhall be admitted to reply, that the Defendant did the Fact ſuppoſed in the Declaration of his owne wrong, without any ſuch cauſe alledged by the ſaid Defendant, whereupon the iſſue in ſuch Action, ſhall be ioyned to be tried by verdict of twelue men, and vpon the triall of that iſſue, the whole matter to be giuen on both parties in euidence, according to the very truth of the ſame, And if verdict vpon ſuch iſſue ſhall paſſe for the defendant, the defendant to haue his coſts.

The Commiſſioners ſhall proceed to execution though the Banckrupt die.

Prouided alwayes, and be it further enacted, That after any Commiſſion of Banckrupts hereafter ſued forth, and dealt in by the Commiſſioners, the offender happen to die, before the Commiſſioners ſhall diſtribute the Goods, Lands, and Debts of the offenders, or any of them, by force of the foreſaid Statute, of the thirteenth yeare of the raigne of our late Soueraigne Lady Queene Elizabeth, and this Statute, or either of them, That then neuertheleſſe, the ſaid Commiſſioners ſhall and may in that caſe proceed in execution, in, and vpon the ſaid Commiſſion, for, and concerning the offenders Goods, Lands, Tenements, Hereditaments, and Debts, in ſuch ſort as they might haue done, if the partie Offender were liuing. Stat. 21. Iac. 19.

Cap. XVI.

What Apprentice or ſeruant a Wherriman may take. His age.

Seuerall dammages enſuing by vnskilfull watermen.

FOraſmuch as it hath often happened that diuers and ſundrie people paſſing by Water vpon the Riuer of Thames betweene Winſor and Graueſend, haue beene put in great hazard and danger of the loſſe of their liues and goods, and many times haue periſhed and beene drowned in the ſaid Riuer through the vnskilfulneſſe and want of knowledge or experience in the Wherrimen or Waterment that did tranſport or carrie them and their ſaid goods from place to place vpon the ſaid Riuer in Wherries, Tiltboates, and Barges: And for that hitherto there hath not beene any ſufficient prouiſion had or made for remedie herein: Be it now enacted and eſtabliſhed by the Kings moſt excellent Maieſtie, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from henceforth no Wherriman or Waterman that now is, or that hereafter ſhall be, and ſhall row vpon the ſaid Riuer of Thames, and ſhall tranſport or carrie any paſſengers or goods in any Wherries, Tiltboates, or Barges, (other than Weſterne Barges, Pilboats, and all other Veſſels ordinarily ſeruing for other vſes than the carrying of paſſengers) ſhall retaine or take any ſeruant or Apprentice to ſerue him as a Waterman vpon the ſaid Riuer, vnleſſe the ſaid Wherryman or Waterman that ſo ſhall retaine, take, or haue any ſuch ſeruant, ſhall haue beene an Apprentice to a Wherryman or Waterman by the ſpace of fiue yeares before ſuch retaining. And further, that no Wherryman or Waterman that now is, or that hereafter ſhall be vpon the ſaid Riuer of Thames, ſhall retaine, haue, keepe, or take any perſon or perſons to ſerue him to row vpon the ſaid Riuer as his Apprentice, vnleſſe the ſaid perſon ſo to be retained, or to become an Apprentice, ſhall then be of the age of eighteene yeares at the leaſt, and ſhall be retained and bound to his Maſter to ſerue vpon the ſaid Riuer, for and during the terme of ſeuen yeares at the leaſt, vpon paine that euery perſon or perſons doing the contrary, ſhall from time to time for euery ſuch offence forfeit the ſumme of ten pounds of lawfull Engliſh money, the one halfe whereof ſhall be vnto our ſaid Soueraigne Lord the King, his Heires and Succeſſors, and the other halfe vnto any perſon or perſons that will ſue for the ſame in any of the Courts of Record of our ſaid Soueraigne Lord the King, his Heires or Succeſſors, by Action of Debt, Suit, Bill, Plaint or Information, in which no wager of Law, Eſſoine, Protection, or other delay ſhall be admitted or allowed.

Which watermen onely may retaine ſeruants or Apprentices, and what ſort of perſons they may retaine.

Wherrimens ſonnes except.

Prouided alwayes, That this Act nor any thing therein contained, ſhall extend to the ſonne or ſonnes, which now are, or hereafter ſhall be, of any Wherryman or Waterman aboueſaid (being of the age of ſixteene yeares at the leaſt, and of conuenient growth and ſtrength) that formerly hath beene, or that hereafter ſhall be trained and brought vp in Rowing, or haue or hath accuſtomed to row vpon the ſaid Riuer, and there haue vſed or ſhall vſe to tranſport or carrie paſſengers from place to place, But that all and euery ſuch ſonne or ſonnes ſhall and may from time to time from henceforth be admitted and allowed to ſerue, and may ſerue vpon the ſaid Riuer, and there tranſport or carry paſſengers from place to place as an Apprentice, as heretofore they haue done, Any thing in this Act contained to the contrary in any wiſe notwithſtanding.

And be it further enacted and eſtabliſhed by the authority aforeſayd, That the eight Ouerſéers or Rulers of the Society or Company of Wherrymen, or Watermen that now are, and that from time to time hereafter ſhall be, from henceforth twice in euery yere, that is to ſay, vpon the firſt day of September, and vpon the firſt day of March, ſhall openly reade and publiſh, or cauſe openly to be read and publiſhed in the Hall or place of their common aſſembly, where they vſually either haue, or hereafter ſhall appoint to aſſemble and méet together, all and euery the Conſtitutions and Orders already made by them, or that at any time hereafter ſhall be made by the Ouerſéers and Rulers for the good or better ordering or gouernement of the ſayd Wherrymen or Watermen, vpon paine that euery of them ſhall from time to time for euery ſuch offence, forfeit to our ſaid Soueraigne Lord the King, his heires and ſucceſſors, the ſumme of ſixe pounds, thirtéene ſhillings and foure pence, of lawfull Engliſh money, the one halfe thereof ſhall bée to our Soueraigne Lord the King, his heires and ſucceſſors, and the other halfe thereof vnto any perſon or perſons that will ſue for the ſame in any of the Kings Courts of Record, by Action of Debt, Suit, Bill, Plaint, or Information, wherein no wager of Law, Eſſoine, or other delay ſhall be admitted or allowed. 2.& 3.P. & M. 16.

The watermens orders ſhall be read twice in the yere.

Cap. XVII.

None ſhall make Felts or Hattes but which hath beene Apprentice.

WHereas in the Parliament by prorogation holden at Weſtminſter, the laſt day of September, in the eighth yere of the reigne of the late Quéen Elizabeth, Quéen of England, there was made one Statute, intituled, An Act for the true making of Hattes and Caps, by one branch thereof, it was enacted, That no perſon or perſons by him or her ſelfe, or any other, ſhould after the Feaſt of the Natiuity of Saint Iohn Baptiſt then next comming, make or worke any Felt or Hat, of, or with any forraine Wooll or ſtuffe, vnleſſe ſuch perſon ſhould firſt haue béene Apprentice or Couenant ſeruant, to ſuch myſtery of Hatte and Feltmaking, by the ſpace of ſeuen yeres at the leaſt, vpon paine to forfeit all ſuch Hattes or Felts, as he ſhould make or cauſe to be made, while hee worketh contrary to the forme of the ſaid Act, and fiue pounds in money for euery moneth, that hee ſhould ſo continue, as by the ſayd Acte (amongſt diuers other things therein contained) more plainely may appeare: For as much as by the ſayd Act, no part of the forfeitures or penalties for ſuch as ſet vp, and do exerciſe the ſaid Art of Hatte and Felt-making, and haue not béene Apprentice or Couenant ſeruant thereunto, by the ſpace of ſeuen yéeres, nor no penalty nor forfeiture at all, for taking of Apprentices or Couenant ſeruants, contrary to the tenor of the ſaid Act, is giuen or appointed to any common perſon that would ſue for the ſame, The execution of the ſayd Act hath béene wholly neglected, and the ſame in theſe two branches haue béene likewiſe tranſgreſſed, and diuers perſons that neuer were Apprentices to the ſaid Art, and ſome that haue ſerued but onely ſome few yeares therein, haue taken vpon them to ſet vp and exerciſe the ſame Art, and retained great number of Apprentices, who dayly goe away from their Maſters, and before their termes be ended, and being vnſkilfull, doe make and put to ſale, great quantities of Hats and Felts very falſely and deceitfully made and wrought, to the great damage of his Maieſties moſt louing ſubiects.

A rehearſall of the St. of 8. El. 11. touching ſuch as ſhall make Felts or Hats with forraine wooll.

For reformation whereof, be it enacted by the Kings moſt excellent Maieſty, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after forty dayes next enſuing the end of this preſent Seſſion of Parliament, the moity or one halfe part of all and euery the forfeitures, and penalties contained in the ſame former Act, that ſhall ariſe or grow due, after the end of the ſaid forty dayes next enſuing the end of this Seſſion of Parliament, and alſo the moity or one halfe part of all and euery the forfeitures, and penalties hereafter limited and appointed, in and by this preſent Act, ſhall be to our Soueraigne Lord the Kings Maieſty, his heires and ſucceſſors, and the other moity, or halfe part thereof, to ſuch perſon or perſons as will ſue for the ſame, by Action of Debt, Bill, Plaint, or Information, to bée commenced, or brought, or proſecuted in any Court of Record, wherein no Eſſoine, Protection, or wager of Law ſhall hee admitted or allowed for the Defendant.

Who ſhall haue the forf. accrued by the ſtat. of 8. El. 11. & this ſtat.

And be it further enacted by the authority aforeſayd, That no perſon or perſons, from and after the ſayd forty dayes ſhall make or cauſe to be made, any Felt or Hatte of, or with any wooll or ſtuffe whatſoeuer, vnleſſe he, or they ſhall haue firſt ſerued as Apprentices in the foreſayd Trade, or Art of Felt-making, during the ſpace of ſeuen yeres at the leaſt, Neither ſhall they retaine and ſet to worke in the ſaid Art, any other perſon or perſons, than Iourneymen, that haue lawfully ſerued in that Art, and Apprentices lawfully bound in the ſaid Trade or Art, Nor aboue the number of two Apprentices at one time, nor thoſe for any leſſe terme than ſeuen yeares, Vpon paine to forfeit v.li. for euery moneth, that he ſhall continue offending contrary to the true meaning of this Act, to be recouered to the vſes, and in maner aforeſaid.

Who only may be Felt-makers, and who their ſeruants and how many.

And

No ſtranger ſhalbe ſet on worke in making of Hats.

And be it further enacted by the authority aforeſayd, That no perſon or perſons, from and after the ſayd forty dayes, ſhall retaine or ſet on worke in the ſayd Art of Hat or Felt-making, any perſon or perſons borne out of his Maieſties Realmes and Dominions of England, Scotland, and Ireland, vpon paine to forfeit fiue pounds for euery moneth, wherein ſuch perſon or perſons ſhall ſo offend, contrary to the meaning of this Act, and to be recouered to the vſes, and in maner and forme aforeſaid.

Hat-makers ſonnes.

Prouided alwaies that nothing in this Act, or in the ſaid former Act contained, ſhall extend to charge any perſon or perſons, lawfully exerciſing the ſayd Arte, with any paine or forfeiture, for ſetting or vſing his or their owne naturall ſonne or ſonnes, to the making or working of Hats or Felts, in his or their owne houſe or houſes, ſo as euery ſuch ſonne or ſonnes, be bound by Indenture of Apprentice-hood, for the terme of ſeuen yeares at the leaſt, which terme ſhall not bee to expire, before he ſhall bee of the full age of two and twenty yeares (any thing aboueſayd to the contrary notwithſtanding.)

Felt-makers at the time of this Statute, and their ſeruants may ſo continue.

Prouided alwaies, and bee it enacted by the authority aforeſaid, That euery Felt-maker that now is, and by the ſpace of one yeare laſt paſt before the beginning of this preſent Parliament, was a maker or worker of Felts, and being an Houſeholder, and all ſuch as now are Apprentices, Couenant ſeruant, or Iourney man, in the ſame Art or Myſtery of Felt-making (ſo as the ſame Apprentice ſerue the reſidue of ſeuen yeares at the leaſt) ſhall or may during ſuch perſons naturall life, continue making of Hattes and Felts, albeit the ſame perſon were not bound Apprentice to the ſame Art, for the ſpace of ſeuen yeares, Any thing in this Act or elſewhere to the contrary notwithſtanding.

CAP. XVIII.

The penalty for bringing into this Realme corrupted Hoppes, or for Brewing with them.

Seuerall falſehoods practiſed by ſtrangers in packing of Hops.

FOr ſo much as of late great fraudes and deceits are generally practiſed and vſed by Forreiners, Merchants, Strangers and others in forraine parts beyond the Seas, in the falſe packing of all forreine Hoppes brought into this Realme of England from forreine parts by way of Merchandiſe, here to be vttered and ſold with leaues, ſtalkes, powder, ſand ſtraw, and with loggets of wood, droſſe, and other ſoile in very many ſackes of Hoppes for increaſe of the weight thereof, ſelling the ſame together for ſo much money as the Hoppes are ſold for, to the inriching of themſelues by deceit: By meanes of which falſe packing of forreine Hoppes, the Subiects of this Realme haue beene of late yeares abuſed and deceiued vnto the value of twenty thouſand pounds yerely at the leaſt, beſides the danger of the ſubiects healthes, for that in many Sackes of forreine Hoppes there is not found ſcarce one third part to bee good and cleane Hoppes, the reſt being droſſe and ſoile:

The penalty for bringing into this Realme corrupt or mixed Hoppes.

For reformation whereof, Be it therefore enacted by our Soueraigne Lord the King, and by the Lords Spirituall and Temporall, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any Forreiner, Stranger, natiue Engliſh man, Denizen, Merchant, or any other perſon or perſons whatſoeuer, Doe at any time or times from & after the Feaſt of S. Michael the Archangel next comming after the end of this preſent Seſſion of Parliament, bring or cauſe to be brought into this Realme of England, out from any other forreine Realme or Dominions from beyond the Seas, any Hoppes being deceitfully or corruptly vncleane, corrupt, or mixt with any powder, duſt, droſſe, ſand, or other ſoile whatſoeuer, that euery perſon ſo offending therein contrary to this Act, ſhall forfeit the ſame Hoppes ſo brought into this Realme.

The forf. for Brewing Ale or Beere to be ſold with corrupt or mingled Hoppes.

And for the better auoyding of the danger of ſickneſſe by vſing of the falſe packed, vncleane and corrupt Hoppes, Bee it therefore further enacted by the authority aforeſayd, That if any Brewer of Beere or Ale, or any other perſon which ſhall buy the ſame Hoppes ſo brought from beyond the Seas, or growing within this Realme, and ſhall imploy and ſpend the ſame about the making, or brewing of Beere or Ale to be ſold, being vncleane, corrupt, or mixt with any powder, duſt, droſſe, ſand, or any other ſoyle whatſoeuer, Euery perſon ſo offending therein, contrary to the intent of this Act, ſhal in like ſort forfeit for the ſame offence, the value of thoſe Hoppes ſo bought, imployed or ſpent in Brewing, The one moity of all which forfeitures ſhall be to our Soueraigne Lord the King, his heires and ſucceſſors, the other moity thereof to him or them that will ſeize the ſame, or ſue for the ſame by bill, plaint, information, or action of debt in any of the Kings Courts of Record: In which no Eſſoyne, Protection, or Wager of Law ſhall be allowed, &c.

The continuance of this Act.

This Act to continue to the end of the firſt Seſſion of the next Parliament. 3. Car. 4. Continued vntill the end of the firſt Seſſion of the next Parliament.

Cap. XIX.

The penalty if Spices be not garbled, and ſealed: Or be mixed with other things.

WHereas heretofore great deceits and abuſes haue beene committed in vttering, ſelling, and putting to ſale of ſundry ſorts of vncleane, corrupt and mingled Spices, Drugges, Wares, and other Merchandizes garbleable, to the ieopardy of his Maieſties Perſon, and of his Subiects vſing the ſame in their meates, drinkes, and other needfull occaſions, and to the great deceit, loſſe, and hinderance of ſuch of his Maieſties Subiects as ſhall buy the ſame: For remedie thereof, be it ordained and enacted by the Kings moſt excellent Maieſty, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that from and after the laſt day of September, next enſuing the end of this Seſſion of Parliament, All Spices,, Wares; Drugges, and other Merchandiſes garbleable, that is to ſay, Pepper, Cloues, Mace, Nutmegs, Cynamon, Ginger, Long-pepper, Worme-ſeeds, Cominſeeds, Annyſeeds, Coliander ſeeds, Bynny-pepper, Almonds, Dates, Galles, Gummes of all ſorts and kindes garbleable, Spikenard, Galingall, Turmericke, Setwell, Caſſia fiſtula, Ginnie-pepper, Senie, Barberies, Riſe, Erius, Stauiſaker, Calamus, Fennyericke, Caſſia, Lignum, Graines, Carroway-ſeedes, and all other Spices, Drugges, Wares, and other Merchandiſes that haue beene vſually garbled, or ought to be garbled, cleanſed, ſeuered, ſorted or diuided in the Citie of Londou, and the liberties thereof, ſhall for the Fees vſually allowed in that behalfe, be ſufficiently clenſed, ſeuered, garbled, and diuided, and afterwards ſealed by the Garbler, thereunto appointed for the time being, or by his ſufficient Deputie or Deputies, Seruant or Seruants, before that the ſame or any part thereof ſhall be ſold, vpon paine of forfeiture of all and euery ſuch Spices, Drugges, Wares, and other Merchandizes, or the value thereof which ſhall be ſold.

Spices ſhall be garbled and ſealed before they be ſold.

And be it furthermore enacted by authority aforeſayd, That if any the ſaid Spices, Drugges, Wares, and other Merchandizes ſhall be mixed with any garbles, matter or thing whatſoeuer, after ſuch time as the ſame ſhall be firſt garbled, ſeparated, or diuided by the Garbler thereunto appointed, or by his ſufficient deputie or deputies, ſeruant or ſeruants, and ſealed as aforeſayd: That then the ſayd Spices, Drugges, Wares, and other Merchandizes, or the value thereof ſhall be wholly forfeited.

Spices mixed after the garbling thereof ſhall be forfeited.

And be it further enacted by the authority aforeſayd, That for the better and more true executing of this Act, it ſhall and may be lawfull to and for the ſayd Garbler of Spices, Drugges and Merchandizes within the ſaid Citie of London, and Liberties thereof for the time being, and to and for his Deputie or Deputies, Aſſignee or Aſſignees by vertue of this Act, at all and euery time and times in the day time, to enter into any Shoppes, Warehouſes, or Cellars within the ſayd Citie or Liberties thereof, wherein any ſuch Drugges, Spices, Wares, or Merchandizes bought, or ſold, or mixed contrary to the true meaning hereof, which haue accuſtomed to be garbled, ſhalbe, or ſhalbe ſuſpected to be, and there to view, ſee and ſearch the ſame, And if he or they ſhall find any ſuch Spices, Drugges, Wares, or Merchandizes there vngarbled, which haue beene accuſtomed to be garbled, Then, and ſo often it ſhalbe lawfull to and for the ſaid Garbler, and his Deputy or Deputies, Aſſignee or Aſſignees, to garble, or to cauſe his or their ſeruants to garble and make cleane the ſame, The one moity of all forfeitures in this Act mentioned, to bee to our ſayd Soueraigne Lord the K. Maieſty, his Heires and Succeſſors, and the other moity to him or them that will ſue for the ſame by action of debt, bill, plaint, or information to be proſecuted in any Court or Courts of Record within the Realme of England: In which Suit no Eſſoigne, Protection, Wager of Law, Writ of priuiledge, or Iniunction ſhalbe allowed.

Searching for ſpices to be garbled.

The forfeitures.

Prouided alwayes, and bee it enacted by authority of this preſent Parliament, That if any Merchant, or any perſon or perſons (other than Merchants, Alien, or made or to be made Denizen) ſhall bring any Spices, Drugs, or other Merchandizes that be garbleable within this Realm, and ſhal not offer the ſame to ſale, or ſell the ſame within this Realme, But ſhall bona fide & without fraud or couin, reſerue or retaine the ſame vnſold, to be tranſported againe out of the Realm, and ſhall tranſport the ſame within eight moneths, to be accounted from his firſt landing or arriuall, with ſuch Spices, Drugs, or other Merchandizes garbleable, by the prouiſion and intention of this Act: That for ſuch Spices, Drugs, & Merchandizes ſo to be tranſported vngarbled, and not ſold within this Realme, no penalty mentioned in this ſtatute ſhalbe forfeited or incurred by any perſon or perſons (other than Merchants, Alien, or Denizen as aforeſayd) Any thing herein before contained to the contrary in any wiſe notwithſtanding.

Spices brought in, & after tranſported vngarbled.

Cap.

CAP. XX.

A Plaiſterer ſhall not vſe the Occupation of a Painter in London.

Qu. Eliz. did incorporate the Maſter, wardens, and Commonaltie of Painters ſtainers within London.

who only may occupy that myſterie.

WHereas the Art or Myſtery of Painters, is an ancient Art and Myſtery, and hath time out of minde béene an ancient Company and Fellowſhip within the Citie of London, And of late vpon due conſiderations, the Freemen of the ſayd Citie of that Faculty, Art or Myſtery (by Letters Patents vnder the great Seale of England, dated at Weſtminſter the xix. day of July, in the thrée and twentieth yeare of the reigne of Quéene Elizabeth) were incorporate by the name of Maſter, Wardens, and Commonaltie of the Freemen of the Art and Myſtery of Painters, commonly called Painters Stainers, within the Citie of London, and the Suburbs and Liberties of the ſame Citie: And furthermore, by the ſayd Letters Patents it is prohibited, enioyned and commanded, That no perſon or perſons, of whatſoeuer eſtate, degrée, or condition they were, ſhould vſe, exerciſe, or occupy the ſayd Art or Myſtery of Painters, commonly called Painters Stainers, or any Worke or Workes, Colour or Colours, Painting or Paintings in the ſaid Art or Myſtery occupied, vnleſſe ſuch perſon or perſons before that time, had béene brought vp and inſtructed, or ſhould from that time forwards, be brought vp and inſtructed by or with ſome one perſon of the ſayd Art or Myſtery, as an Apprentice, by the ſpace of ſeuen yeares at the leaſt.

Searching of painting worke, and ſeiſing the deceitfull.

And whereas for the auoyding of deceit to be vſed in the ſaid Arte or Myſtery of Painting, the ſayd late Quéene by the foreſaid Letters Patents did grant vnto the ſayd Maſter & Wardens, and to their Succeſſors, That they ſhould haue full power and authoritie for euer, to make or cauſe to be made, due ſearch of all and ſingular the Workes, Colours, Paintings, and other things whatſoeuer, to the ſayd Art or Myſtery of Painting in any wiſe appertaining, or touching or concerning the ſame, aſwell vpon the Fréemen of the ſaid Myſtery, as vpon any perſon or perſons whatſoeuer, ſelling, making, or working the ſame within the Citie of London, or the Liberties or Suburbs of the ſame, And the ſaid Workes, Colours, and Paintings whatſoeuer, deceitfully made, to ſeize and take away, and the offendors therein to puniſh and correct, as by the ſame Letters Patents more at large it doth and may appeare.

Plaſterers doe vſe the art of Painters Stainers.

And whereas the Plaiſterers within the Citie of London, of old time vſing nothing but Laſhing, Dawbing, Plaiſtering and Liming, did, and yet doe procure thereby for themſelues and their families, a conuenient liuing and maintenance: Yet not ſatiſfied with that reaſonable liuing, that they doe make of their ſayd proper Faculties and Trades, wherewith and wherein they haue béene brought vp as Apprentices, Haue now of late vſed and practiſed the Arte and Myſterie of Painters Stainers, as well with Oyle colours, as Size colours, and that ſince the making of the ſayd Letters Patents more vſually than in former times they haue vſed or did: Whereby not onely many of the ſaid Arte and Myſtery of Painters, who haue well and honeſtly as Apprentices to the ſame, ſerued for the ſpace of ſeuen yeares and vpwards, and by their labours and induſtries, haue attained to the full and perfect ſkill and knowledge thereof, are not onely diſabled to get any competent liuing thereby, for the reliefe of themſelues, their poore wiues and children, But alſo for that the ſayd Plaiſterers, not hauing béene trayned vp in the ſayd Arte or Myſtery of Painting, neither can or doe make any ſuch good Worke, or ſuch ſure and perfect Colours, as other hauing béene trained vp in the ſame Trade, and Apprentices thereunto, And yet vtter the ſame for good and perfect Colours, and being no Fréeman of the ſaid Company of Painters Stayners, eſcape therefore vnpuniſhed, to the great abuſe and deceit of his Maieſties moſt louing Subiects, and whereby the ſayd Art or Myſtery of Painting is likely in ſuch ſort in ſhort time to decay, as that there will not be ſufficient Workemen of ſkill in and about the ſaid Citie, to ſerue in the ſaid Art his Maieſty, or any other his Maieſties ſubiects.

No Plaſterer ſhall vſe the art of a Painter Stainer in London, &c.

For remedy whereof, Be it enacted by the authority of this preſent Parliament, That from and after the nine and twentieth day of September, which ſhalbe in the yeare of our Lord God, One thouſand ſixe hundred and ſixe next comming after the end of this preſent Seſſion of Parliament, No manner of perſon or perſons, being or pretending to be a Plaiſterer, or hereafter to become, or to be a Plaiſterer, or being, or which ſhall be a Seruant, or ſet on worke by any Plaiſterer, ſhall vſe, exerciſe, or ſet vp the Art, Myſtery, or Manual occupation of a Painter, commonly called a Painter Stainer, or any part thereof, in the Citie of London, or the Liberties or Suburbes of the ſame, Or ſhall within the places aforeſayd, make any manner of worke or workes, or lay any manner of Colour or Colours, Painting or Paintings whatſoeuer, in the ſayd Art or Myſtery of Painters Stainers aforeſaid, at any time heretofore occupyed or vſed, vnleſſe he or they be, or ſhall be the Seruant or Seruants, Apprentice or Apprentices of a Painter, otherwiſe called a Painter Stayner, or haue ſerued or ſhall ſerue as an Apprentice, or as Apprentices, by the ſpace of ſeuen yeares (at the leaſt) to a Painter Stayner: Vpon paine that euery ſuch perſon and perſons, as ſhall hereafter doe, or offend contrary to the true intent and meaning of this preſent Act, ſhall forfeit for euery time that he or they ſhall ſo doe, or offend, the ſumme of fiue pounds of lawfull money of England, The one moitie of all which forfeitures ſhall be to the Kings Maieſty, his Heires and Succeſſors, and the other moitie to him or them that will ſue for the ſame in any of the Kings Maieſties Courts of Record, by Action of Debt, Bill, Plaint, or Information: In which ſayd Suit, no Eſſoyne, Protection, or Wager of Law ſhall be admitted or allowed for the ſayd Defendant. Any Law, Vſage, or Cuſtome heretofore had or vſed to the contrary thereof, in any wiſe not withſtanding.

The forf. of an offendor.

Prouided neuertheleſſe, That it ſhall and may bee lawfull to and for any of the Company of Plaiſterers, or their Seruants or Apprentices, to lay and vſe Whiting, Blacking, Red Lead, Red Okar, yellow Okar, and Ruſſet mingled with Size onely, and not with Oyle: This preſent Act or any thing therein contained to the contrary notwithſtanding.

what things a Plaiſterer may vſe in his worke.

Prouided alſo, That no Painter, or Painters Seruant or Apprentice, ſhall haue, or take aboue ſixteene pence by the day, for laying of any Flat Colour whatſoeuer, mingled or mixed with Oyle or Size, vpon any Timber, Stone, Iron, or Lead.

The day wages of a Painter.

Cap. XXI.

Sale of goods purloined in London &c. ſhall not alter the property.

FOraſmuch as of long and ancient time by diuers hundred yeares there haue béene vſed within the Citie of London and Liberties thereof, certaine Fréemen of the Citie, to bee ſelected out of the Companies and Myſteries whereof they are frée and members, and the ſame perſons to be preſented at leaſt by ſixe approued and knowne honeſt perſons of the ſame Myſtery, to the Lord Mayor of London for the time being, and to the Aldermen his brethren, and to be recommended by ſuch Preſentors to bee perſons for their knowne approued honeſty, integrity, and faithfulneſſe, perſons méete for to bee Broker or Brokers, and vpon ſuch relation made to the Mayor, and Aldermen, and partly by their owne knowledge and diligent inquiries made of the ſaid perſons, and of their honeſt fame, report, fidelity, and ſkill, haue béene thereupon admitted, allowed, and approoued, by the Lord Mayor of the Citie, and Aldermen in the Court of Aldermen, to be Brokers within the ſayd Citie and Liberties of the ſame, and haue taken their corporall othes, before the ſayd Mayor and Aldermen, from time to time, as they were ſo preſented and admitted, to vſe and demeane themſelues vprightly, and faithfully betwéene Merchant Engliſh, and Merchant Strangers, and Tradeſmen, in the contriuing, making, and concluding Bargaines and Contracts, to bee made betwéene them concerning their Wares and Merchandizes, to bée bought and ſold, and contracted for, within the Citie of London, and moneyes to bee taken vp by exchange betwéene ſuch Merchant, and Merchants, and Tradeſmen, and theſe kind of perſons ſo preſented, allowed, and ſworne to be Brokers, as aforeſaid, haue had and borne the Name of Brokers, and béen knowne, called, and taken for Brokers, and dealing in Brokerage or Brokerie: who neuer of any ancient time vſed to buy and ſell Garments, houſhold ſtuffe, or to take Pawnes, and bils of Sale of Garments and Apparrell, and all things that came to hand for money, layd out and lent vpon Vſury, or to keepe open Shoppes, and to make open ſhewes, and an open Trade, as now of late yeares hath, and is vſed by a number of Citizens, aſſuming vnto themſelues the name of Brokers, and Brokerage, as though the ſame were an honeſt, and a lawfull Trade, Myſtery, or Occupation, tearming and naming themſelues Brokers, whereas in truth they are not, abuſing the true and honeſt Trade of Broker or Brokerage.

The maner to preſent & allow of Brokers in London.

The differences betweene the ancient & preſent Brokers.

And foraſmuch as many Citizens Fréemen of the Citie, being men of Manuall occupations, and Handicraftſmen, and others inhabiting and remaining néere the Citie, and Suburbs of the ſame, haue left, and giuen ouer, and dayly doe leaue and giue ouer their Handy and Manuall occupations, and haue and do dayly ſet vp a Trade of buying and ſelling and taking to pawne of all kind of worne Apparrell, whether it be old, or little the worſe for wearing, houſhold ſtuffe, and goods, of what kinde ſoeuer the ſame bée of, finding thereby that the ſame is a more idle and eaſier kind of Trade of liuing, and that there riſeth and groweth to them a more ready, more great, more profitable, and ſpéedier aduantage and gaine, than their former Manuall labours and Trades did or could bring them.

The abuſe of Brokerage in theſe later yeares.

And foraſmuch as the ſayd kinde of counterfeit Brokers, and Pawne takers vpon Vſurie, or otherwiſe, for ready money, are growne of late to many hundreds, within the Citie of London, and other places next adioyning to the Citie and Liberties of the ſame, and are like to encreaſe to farre greater multitudes, being Fripperers, and no Brokers, nor exerciſing of any honeſt and lawfull Trade, and within the memory of many yet liuing, ſuch kind of perſons tradeſmen were very few, and of ſmall number.

Fripperers & no Brokers.

And foraſmuch as there are not any Garments, Apparell, Houſhold ſtuffe, or other Goods, of any kinde whatſoeuer the ſame be of, either being ſtollen, or robbed from any, or badly, or vnlawfully purloined, or come by, but theſe kinde of vpſtart Brokers, vnder colour and pre-

By what meanes vpſtart Brokers do come by their goods.

tence

The inconueniences enſuing by vpſtart Brokers.

tence they be Frémen of the ſayd Citie of London, or inhabiting in Weſtminſter, where they pretend to haue the like ouert Market, as the Citie of London, and thereby preſuming to be lawfull for them to vſe and ſet vp the ſame idle and néedleſſe Trades, being the very meanes to vphold, maintaine, and imbolden all kind of lewd and bad perſons, to robbe, and ſteale, and vnlawfully to get, and come by true mens goods, knowing, and finding that no ſooner the ſame goods can bee ſtollen or vnlawfully come by, but that they ſhall, and may preſently vtter, vent, ſell, and pawne the ſame to ſuch kind of new vpſtart Brokers for ready money: For remedy thereof, and for the auoyding of the ſayd miſchiefes, and inconueniences, and for repreſſing and aboliſhing of the ſaid idle and néedleſſe Trades, and vpſtart Brokers, and for the auoyding of Thefts, Robberies, and Felonies, and bad people, and for the repreſſing of ſuch kinde of nouriſhers and aiders of Théeues, and bad people, and for the defence of honeſt and true mens properties and intereſts in their goods,

The ſale of goods wrongfully gotten ſhall not alter the propertie of them.

Be it enacted, and declared by our Soueraigne Lord the King, with the aſſent of the Lords Spirituall and Temporall, and Commons in this preſent Parliament aſſembled, & by the authority of the ſame, That no Sale, Exchange, Pawne, or Morgage of any Iewell, Plate, Apparell, Houſhold ſtuffe, or other goods, of what kinde, nature or quality ſoeuer the ſame ſhall bee of, and that ſhalbe wrongfully or vniuſtly purloined, taken, robbed, or ſtollen from any perſon or perſons, or bodies politike, and which at any time hereafter ſhalbe ſold, vttered, deliuered, exchanged, pawned, or done away within the Citie of London, or Liberties thereof, Or within the Citie of Weſtminſter in the County of Middleſex, Or within Southwarke in the County of Surrey, Or within two miles of the ſayd Citie of London, to any Broker or Brokers, or Pawne takers, by any way or meanes whatſoeuer, directly, or indirectly, ſhall worke or make any change or alteration of the property or intereſt, of, and from any perſon or perſons, or body politike, from whom the ſame Iewels, Plate, Apparel, Houſhold ſtuffe, or goods were, or ſhalbe wrongfully purloined, taken, robbed, or ſtollen. Any Law, Vſage, or Cuſtome to the contrary, notwithſtanding.

And for the better maintaining of true and honeſt dealing, and for the eſchewing and auoyding of falſehood, fraud and deceit, in ſuch kind of Brokers and Pawne takers:

A Broker vpon requeſt ſhall declare what goods be come to his hands.

Be it furthermore enacted and eſtabliſhed by the like authority, That if any perſon or perſons, or bodies politike, from whom any Iewels, Plate, Apparell, Houſhold ſtuffe, or any kinde of Goods whatſoeuer, ſhall be wrongfully purloined, taken, ſtollen, or robbed, ſhall require and demand of any ſuch Broker, or Pawne taker, to declare whether any ſuch goods be come to his or their poſſeſſions, and to declare, ſhew and manifeſt the ſame, and how and by what meanes he had them, or came by the ſame, & how, when, and to whom he hath deliuered, conueyed, or beſtowed & imployed the ſame: And that ſuch Broker, vpon any ſuch requeſt & demand to be made, ſhall deny, & refuſe to diſcloſe, tell, or manifeſt the ſame truely and iuſtly, ſhall forfeit vnto the true owner or owners of ſuch Iewels, Plate, Apparrell, Houſhold ſtuffe, and other goods, from whom the ſame were wrongfully purloined, taken, ſtollen or robbed, double the value thereof that ſhalbe denied & refuſed to be diſcloſed, told, & manifeſted as aforeſayd, The ſame double value to be recouered by the true owner or owners of ſuch goods, from whom the ſame were wrongfully purloined, taken, robbed, or ſtollen, to be recouered by action of debt, bill or plaint, in any of the K. Maieſties Courts of record at Weſtminſter, or within the Citie of London. In which no Eſſoine, Wager of Law or Protection ſhall be allowed.

The ancient trade of Brokers.

Prouided alwaies, That this Act nor any thing therein contained, ſhal not be preiudicial, or hurtful to the ancient trade of brokers within the City of London, vſing & exerciſing the ancient trade of Brokers, betwéen Merchant and Merchant, or other traders or occupiers, within the ſaid Citie and the Liberties of the ſame, being ſelected as aforeſaid.

Cap. XXII.

The duty of Tanners, Curriers, Shoomakers, and of others cutting of Leather.

The cauſes that former ſtatutes made againſt the abuſes of Tanners, Curriers &c. haue not beene performed.

Whereas the Lawes and Statutes, formerly eſtabliſhed and made, for the true and iuſt Tanning, Currying, and Working of Leather, haue not taken that good effect, which was expected, aſwell for that diuers of the ſaid Statutes did not ſufficiently prouide for the redreſſe of thoſe deceits, and abuſes, which haue béene, and are commonly practiſed by the Tanners, Curriers, and Workers of Leather, as for that other of the ſame Statutes, haue béene too ſharpe and rigorous, tying and binding the perſons occupying the ſeuerall Myſteries, or Trades aforeſaid, to diuers inconueniences, and ſundry matters and things impoſſible for them to performe: By reaſon of which too much ſtrictneſſe and rigour, the ſame ſtatutes haue not béene put in execution, but haue béene in effect wholly diſpenſed withall: To the intent therefore, that a reaſonable and indifferent courſe, for the true and well Tanning, Currying, and Working of Leather, may be from henceforth eſtabliſhed and appointed, and yet the perſons vſing and occupying the ſeuerall Crafts, and Myſteries aforeſayd, may not be further or more ſtrictly bound, reſtrained, or limited, then the neceſſary regard of the Common-wealth, and generall commoditie of all ſorts of Subiects within this Realme requireth.

The penaltie for gaſhing or watering of a hide, or ſelling a rotten hide.

Be it enacted by the Kings moſt excellent Maieſtie, the Lords Spirituall and Temporall, and Commons of this preſent Parliament aſſembled, and by the authority of the ſame, that from and after the Feaſt of Saint Bartholomew the Apoſtle next comming, No Butcher by himſelfe, or by any other perſon, ſhall Gaſh, Flaughter, or Cut any Hide of any Oxe, Bull, Steere, or Cow, in flaying thereof, or otherwiſe, whereby the ſame ſhall be impaired or hurt, vpon paine of forfeiture for euery Hide ſo Gaſhed, Flaughtered, or Cut, xx. d. And that no Butcher ſhall water any hide, except onely in the Moneths of Iune, Iuly, and Auguſt, nor ſhall offer or put to ſale any hide being putrified or rotten, Vpon paine of forfeiture for euery hide ſo watered, and for euery hide ſo putrified or rotten, and offered, or put to ſale, iij.s. and iiij. d.

Killing of Calues vnder fiue weekes old.

And be it further enacted by the authority aforeſaid, That no Butcher, or other perſon or perſons, after the Feaſt of Saint Bartholomew next comming, ſhall kill any Calfe to ſell, being vnder fiue weekes old, vpon paine to forfeit for euery Calfe ſo to be killed, and ſold, ſixe ſhillings and eight pence.

No Butcher ſhall be a Tanner.

And be it further enacted by the authority aforeſaid, that no perſon or perſons, occupying the Craft or myſterie of a Butcher, ſhall after the Feaſt of Saint Bartholomew the Apoſtle next comming, occupie, or vſe by himſelfe, or any other perſon or perſons, the Feate, Craft, or Myſterie of a Tanner, during the time that he ſhall vſe the Craft, or Occupation of a Butcher, vpon paine of forfeiture of ſixe ſhillings eight pence, for euery day that he ſhall ſo vſe the Feate, Craft, or Myſterie of a Tanner.

Who may be a Tanner.

And be it further enacted by the authority aforeſaid, that no perſon or perſons ſhall from and after the Feaſt of Saint Bartholomew next comming, tanne any leather, or ſhall vſe, take, or haue any profite, gaine, or commoditie, of, or by the ſaid Craft, or Myſterie of Tanning of leather, except ſuch perſon or perſons, as had a Tan-houſe, at the beginning of this preſent Seſſion of Parliament, and did then occupie the myſterie of tanning of leather, And except ſuch as haue béene, or hereafter ſhall be brought vp, inſtructed, or taught as Apprentices, or couenant or hired ſeruants for that purpoſe, by the ſpace of ſeuen yeares, in the Myſterie of Tanning of leather, And except the wife, and ſuch ſonne or ſonnes of a Tanner, as hath bin brought vp, and hath vſed the Myſterie of Tanning of leather, by the ſpace of foure yeares, or the ſonne or daughter of a Tanner, or ſuch perſon, who ſhall marry ſuch wife or daughter, to whom hee hath, or ſhall leaue a Tan-houſe and Fats, vpon paine of forfeiture of all ſuch leather, by him or them ſo tanned, or whereof he or they ſhall receiue any profit or commoditie by tanning, or the iuſt value thereof.

No Tanner ſhall be a cutter of leather.

And be it further enacted by the authority aforeſaid, That no perſon or perſons vſing the Myſtery of Tanning of leather by himſelfe, or by any other perſon or perſons, from and after the ſaid Feaſt of S. Bartholomew, ſhall during that time, that he ſhall vſe the ſaid Myſterie, occupy, or vſe the Craft or Myſterie of a Shoomaker, Currier, Butcher, or of any other Artificer, vſing, or exerciſing cutting or working of leather, Vpon paine to forfeit and loſe all and euery ſuch Hide, and Hides, Skin, and Skins, ſo by them or any of them wrought or tanned, during the time that he ſhall vſe the Myſterie or Craft of Tanning aforeſaid, or the iuſt value thereof.

Who may buy rough hides, or Calues ſkinnes.

And be it further enacted by the authority aforeſaid, That no perſon or perſons, after the feaſt of S. Bartholomew next comming ſhall bargaine, buy, make any contract for, or beſpeake any rough hide, or Calue ſkinne in the haire, but onely ſuch perſon or perſons as by vertue of this Act, may lawfully vſe the Craft or Myſtery of tanning of leather, and ſhall tanne the ſame, or ſuch perſon or perſons which ſhall tan the ſame. (Except ſalt hides for the neceſſary vſe of ſhips) Vpon paine to forfeit and loſe all and euery ſuch hides and ſkinnes ſo bought, or the iuſt value thereof, And that no Tanner, or other perſon or perſons, ſhall foreſtall any hides comming towards any Faire or Market, nor ſhall buy any hide any other where than in open Faire or Market, vnleſſe it be of ſuch perſon or perſons, as ſhall kill the ſame beaſt, whereof the ſaid Hide ſhall be for the prouiſion of his or their owne houſe or houſes, Vpon paine of forfeiture for euerie Hide ſo foreſtalled, or bought, contrary to the true meaning of this preſent Acte, ſixe ſhillings eight pence.

Foreſtalling of Hides.

Who may buy Tanned Leather not wrought.

And be it further enacted by the authority aforeſaid, That no perſon or perſons ſhall or may after the Feaſt of the Natiuity of our Lord next comming, buy, ſell, bargaine, beſpeake, or take promiſe to haue, exchange, or put away any tanned leather, not wrought, and conuerted into made Wares, but onely ſuch perſon and perſons as will and ſhall worke, and conuert the ſame Leather into made Wares, vpon paine of forfeiture of the leather, ſo bought, ſold, exchanged, or put away, or the value thereof.

Buying Leather at Leaden-Hall in London.

Prouided alwayes, and be it enacted by the authority aforeſaid, That all and euery Artificer, and other perſon or perſons vſing to conuert tanned leather into made Wares, aſwell Strangers borne, as other, may lawfully buy all kind of tanned leather, to make or conuert the ſame into made Wares, at Leaden-Hall in London vpon euery Munday, the ſame being firſt duely Searched, Sealed, and Regiſtred, as is hereafter limited.

Sadlers and Girdlers may ſell their Necks, &c.

Provided alſo, That the Sadlers and Girdlers may ſell their Necks, Shredes of tanned Leather Red, without incurring any paine of forfeiture of the ſame.

How hides ſhall be uſed in Tanning.

And be it further enacted by the authority aforeſaid, That after the Feaſt of Saint Bartholomew next comming, No perſon or perſons whatſoever, which ſhall after the ſaid Feaſt occupie or uſe by him or themſelves, or by any other perſon or perſons, the Craft or Myſterie of Tanning of Leather, ſhall ſuffer any Hide or Skinne to lye in the Lymes, till the ſame be overlymed, Nor ſhall put any hides or ſkinnes into any Tanne Fattes, before the Lyme be well and perfectly ſokened and wrought out of them, and every of them, Nor ſhall uſe, imploy, occupy, or put by themſelves, or by any other perſon or perſons, any thing or ſtuffe in or about the Workemanſhip or Tanning of Leather, but onely Aſhe barke, Oake barke, Tapworte, Mault, Meale, Lyme, Culver doung, or Henne doung, Nor ſhall willingly ſuffer his or their Leather to bee laid, or to hang, or to lye wet in any Froſt, untill the ſame be frozen: Nor ſhall drie, or parch the ſaid Leather with the heat of the Fire, or of the Summer Sunne: Nor ſhall tanne, or cauſe to be tanned any hide or ſkinne, being putrified or rotten by long lying, either before the putting of it into the Lymes, or after in the Water, or Liquor, or by any other meanes: Nor ſhall ſuffer the hides for utter Sole Leather, to lye in the Woozes any leſſe time than twelve months at the leaſt, Nor the hides for upper Leathers in the like Woozes, any leſſe time than nine moneths at the leaſt: Nor ſhall negligently worke the hides in the Woozes, but ſhall renew, and make ſtrong their Woozes, as often as ſhall be requiſite: Nor ſhall after the ſaid Feaſt of S. Bartholomew, put to ſale any Tanned Hide or Skinne, which ſhall be after the ſaid Feaſt wrought and tanned in any other ſort than by this Statute is limited and appointed, Upon paine of forfeiture of every Oxe Hide, Bull hide, Steare hide, Cow hide, or Skinne tanned, or wrought, and offered to be put to ſale, contrary to the true meaning of this preſent Act, or the juſt value thereof.

And foraſmuch as much dammage hath redounded to the Common-wealth, by reaſon that divers Tanners for their private lucre, have uſed to convert to Sole Leather ſuch Hides as are altogether inſufficient for that uſe: Which hides they doe raiſe in the workemanſhip by divers mixtures, thereby making the ſame to ſeeme very ſtrong and ſubſtantiall leather, whereas the ſame doth in the wearing, prove hollow, deceitfull, and altogether unprofitable for the Common-wealth.

Raiſing of Hides with mixtures.

Be it enacted by the authority aforeſaid, That no perſon or perſons, uſing, or which hereafter ſhall uſe the Craft or myſterie of Tanning of Leather, ſhall after the Feaſt of Saint Bartholomew next comming, raiſe with any mixtures any hide, to be imployed and converted to Backe Bend leather, Clouting leather, or any other Sole leather, Except the ſame hide be for largeneſſe, ſtate and growth, fit and ſufficient for that uſe and purpoſe, the ſame to be tried by the Tryers hereafter in this preſent Act to be appointed, Upon paine of forfeiture of all ſuch hides which ſhall be raiſed and converted to Sole leather, contrary to the true meaning of this preſent proviſion.

Sale of tanned Leather red and unwrought.

And be it further enacted by the authority aforeſaid, That from the Feaſt of Saint Bartholomew next comming, No perſon or perſons whatſoever, ſhall put, or cauſe to be put to ſale, Exchange, or otherwiſe depart with any kinde of tanned leather red, and unwrought, but in open Faire or Market in the places therefore commonly accuſtomed, and therefore prepared, unleſſe the ſame leather have béene before lawfully ſearched and ſealed in ſome open Faire, or Market or other place lawfully appointed, to and for the ſearching and ſealing of leather, Nor ſhall after the ſaid Feaſt, offer to put to ſale any tanned leather red and unwrought, before the ſame be ſearched and ſealed according to the Lawes and Order of this Statute hereafter mentioned, upon paine of forf. for every hide or piece of leather ſo ſold, exchanged, or otherwiſe departed with, contrarie to the true meaning of this Acte, five ſhillings eight pence, and for every dozen of Calves ſkinnes, or Shéepe ſkinnes, thrée ſhillings foure pence, and the hide or hides, ſkinne or ſkinnes, and leather in any other wiſe ſold, exchanged, or bought, or the value thereof.

Leather not ſufficiently tanned or dried.

And be it further enacted by the authority aforeſaid, That if any perſon or perſons, uſing, or which ſhall uſe the Myſterie or facultie of Tanning, ſhall at any time or times hereafter, offer or put to ſale, any kinde of leather which ſhall bee inſufficiently or not throughly tanned, or which ſhall not then have bin after the tanning thereof, well and thorowly dried, ſo that the ſame by the Triers of leather lawfully appointed according to this preſent Acte, for the time being, ſhall be found to be inſufficiently, or not thorowly tanned, or not thorowly dried, as aforeſaid, That then all and every ſuch perſon and perſons ſo offending, ſhall forfeit and loſe ſo much of his or their ſaid leather, as ſhall be found inſufficiently, and not thorowly tanned, or not thorowly dried, as aforeſaid: That is to ſay, the whole Hide, Backe, or Skinne, or other piece of leather, if the whole be inſufficiently or not throughly tanned, or not throughly dried: And if the whole Hide, Backe, Skinne, or other piece of leather be not ſufficiently or not throughly tanned, or not throughly dried, then onely ſo much of the Hide, Backe, Skinne, or other piece of leather as ſhall be inſufficiently or not throughly tanned, or not throughly dried, the ſame to be cut out by the ouerſight, diſcretion and direction of the Triers, hereafter in this Act, to be appointed, vpon the oathes of the ſaid Triers.

And whereas diuers Tanners for greedineſſe of gaine, doe ouermuch haſten the tanning of their Leather, and for that purpoſe doe vſe diuers craftie and ſubtile practiſes, ſometime, laying their Leather in their Fattes, ſet in their old Tannehils, where it may be tanned in the hot Wozes, taking vnkinde heate in the ſame hill, and ſometimes by putting of hot Wozes into their Tanne Fattes, where the ſame Hides or Leather lye, by which and other like fraudulent practiſes they make their Leather to ſeeme both faire, and well, and ſufficiently tanned within a very ſhort ſpace.

Craftie meanes to ouerhaſten the tanning of Leather.

For reformation whereof, Be it enacted by the authority aforeſaid, That after the ſaid Feaſt of S. Bartholomew next comming, no perſon or perſons, ſhall ſet their Fattes in Tanhils, or other places, where the Wozes or Leather that ſhalbe put to Tanne in the ſame, ſhall, or may take any vnkinde heates, or ſhall put any Leather into any hot or warme Wozes, or ſhall tanne any Hide, Calue ſkin or Sheepe ſkin, with any hot or warme Wozes whatſoeuer, vpon paine that euery perſon ſo offending, ſhall forfeit for euery ſuch offence, ten pounds: and ſhall alſo for euery ſuch offence ſtand vpon the Pillorie three ſeuerall Market dayes in the Market Towne next to the place where the ſaid offence ſhall be committed.

Leather ſhall not take vnkind heates.

And foraſmuch as Barke is of late become very deare and ſcarce, which happeneth partly by reaſon that diuers perſons doe ingroſſe and buy great quantities thereof, and then doe ſell the ſame againe at exceſſiue and vnreaſonable prices, and partly by the vnreaſonable felling of Oake out of the Barking time.

Be it enacted by the authority aforeſaid, That no perſon or perſons ſhal Regrate, Ingroſſe, or get into their hands by buying, contracting, or promiſe taking, any Oaken Barke, before it be ſtripped, or after, to the intent to ſell the ſame againe, vpon paine of forfeiture of all ſuch Barke ſo by him or them Regrated, Ingroſſed, or bought contrary to the true meaning of this preſent branch, or the full value thereof.

There ſhall be no regrating or ingroſſing of Oaken barke.

And be it further enacted by the authority aforeſaid, That no perſon or perſons ſhall from and after the ſaid Feaſt of S. Bartholomew next comming, fell, or cauſe to be felled any Oaken trees meet to be Barked, where Barke is worth two ſhilling a Cart loade, ouer and aboue the charges of barking and pilling, (Timber to be imployed to or for the neceſſary and needfull building or reparations of houſes, Ships, or Milles, onely excepted) but betweene the firſt day of April, and the laſt day of Iune, vpon paine of forfeiture of euery ſuch Oaken tree ſo felled, or double the value thereof.

At what time Oaken trees to be barked ſhall be felled.

And for the better preſeruation of Timber, which by the Takers of Timber is ſpoiled through the greedy deſire of gaine of the Lops, Tops, or Barke of Timber trees: Be it therefore enacted by the authority aforeſaid, That no Taker or Takers, Purueyor or Purueyors of Timber, or his or their Deputie or Deputies, ſhall fell, or cauſe to be felled for the vſe of the Kings Maieſtie, his heires or ſucceſſors, any Oaken timber tree or trees, meet to be barked, but in barking time, (trees to be felled for the needfull and neceſſarie building or repairing of any his Maieſties Houſes or Ships, only excepted) Or ſhall in any wiſe take or receiue any maner of profit, gaine, or commodity by any Lops, Tops, or Barke of any Trees, to be taken by them or any of them, Or ſhall in any wiſe take, carry away, giue, ſell, or diſpoſe from the owner any more of any tree to be taken as is aforeſaid, then onely the Timber of the ſame Tree or Trees to be vſed, and beſtowed, or imployed onely in, vpon or about the Kings Maieſties Buildings, or Ships, vpon paine of forfeiture to the partie grieued for euery Tree, and for the Lops, Tops, or Barke of euery Tree taken contrary to the meaning of this Article, forty ſhillings: And that it ſhall be lawfull to the partie of whom ſuch Tree or Trees ſhall be taken, or to any other for and in his name to take, retaine, withhold, and keepe to himſelfe all the Barke, Lop or Top of ſuch Tree or Trees, Any Commiſſion or other matter whatſoeuer notwithſtanding.

When Purueyors ſhall fell Timber.

No taking of Lops.

And foraſmuch as no Leather can be ſo well Tanned, but it may be marred in the Currying, Be it therefore enacted by the authority aforeſaid, That from and after the Feaſt of S. Michael the Archangell next comming, no perſon or perſons ſhall currie any kinde of Leather in the houſe of any Shoomaker, or other perſon, but onely in his owne houſe, ſituate in a corporate or market towne, nor ſhall currie any kinde of Leather, except it be well and perfectly tanned, nor ſhall after the ſaid Feaſt of Saint Bartholomew, Curry any hide or ſkinne, being not throughly drie, after his wet ſeaſon, In which wet ſeaſon he ſhall not vſe any Stale, Urine, or any other deceitfull or ſubtill mixture, thing, way, or meanes, to corrupt or hurt the ſame, Nor ſhall curry any Leather meet for vtter ſole Leather, with any other ſtuffe then with hard Tallow, nor of any leſſe of that then the Leather will receiue, Nor ſhall Curry any kind of Leather meet for Ouer leather, and Inner ſoles, but with good and ſufficient ſtuffe, being freſh and not ſalt, and throughly liquored till it can receiue no more, Nor ſhall burne or ſcald any hide or Leather in the currying, Nor ſhall ſhaue any Leather too thinne, Nor ſhall gaſh or hurt any Leather in the ſhauing, or by any other meanes, But ſhall worke the ſame ſufficiently in all points and reſpects, vpon paine of forfeiture for euery ſuch offence or actes done contrary to the true meaning of this article,

Currying of Leather.

The Curriers forfeiture for miſuſing of Leather.

ticle, (other than in gaſhing, or hurting in ſhauing) ſixe ſhillings eight pence, and the value of euery ſuch ſkinne or hide, marred by his euill workmanſhip, and for euery offence to be done againſt this article, in gaſhing or hurting by ſhauing, double ſo much to the party grieued, as the Leather ſhall be impaired thereby, by the iudgement of the Wardens of the Curriers, and the Warden of the Company, whereof the party grieued ſhall be.

Who ſhall currie Leather in or neere to London.

And be it further enacted, That no Cordwainer, Shoomaker, or other perſon or perſons, dwelling or inhabiting within the Citie of London or the Liberties of the ſame, or dwelling within three miles of the ſaid Citie, and occupying wet curried Leather in his Art or Occupation, ſhall put or cauſe to be put any Leather to be curried, but to ſuch perſon or perſons, as be or ſhalbe free of the Company of the Curriers of the citie of London, vpon paine of forfeiture of all ſuch curried Leather, or the value thereof.

Curried leather ſhall be ſearched and ſealed.

And be it further enacted, That no perſon or perſons ſhall by any meanes occupy, or put in any made Wares within the citie of London, or three miles of the ſame City, any curried Leather before the ſame ſhalbe ſearched and allowed by the Wardens of the Curriers of London for the time being, or ſuch perſons as they ſhall thereto aſſigne, and be ſealed with a ſeale therefore to be prepared, vpon paine that euery Shoomaker and other artificer, cutter of leather, offending againſt this article, ſhall forfeit for euery hide or ſkin otherwiſe curried or imployed as is aforeſaid, ſixe ſhillings eight pence, and the value of euery ſuch hide or ſkinne.

A Currier ſhall not be a Tanner, Shoomaker, Butcher, &c.

And be it further enacted, That no perſon occupying the Feat or Myſterie of a Currier, ſhall vſe or exerciſe the Feat or Myſtery of a Tanner, Cordwainer, Shoomaker, Butcher, or other Artificer vſing cutting of Leather, during the time that he ſhall ſo vſe or occupy the myſtery of a Currier, vpon paine of forfeiture of ſixe ſhillings and eight pence, for euery hide or ſkinne that he ſhall curry, during the time that he ſhall occupie or vſe any of the Myſteries aforeſaid, contrary to the meaning of this article.

Within what time Leather ſhall be curried.

And further be it enacted, That no Currier or Curriers, ſhall after the ſaid Feaſt of S. Bartholomew, refuſe to currie any Leather to him or them for that purpoſe brought, by any ſuch Artificer, as is or ſhall be a cutter of Leather, the ſame Artificer or his ſeruant, bringing with him or them good and ſufficient Stuffe, as is before mentioned, for the perfect liquoring of the ſame Leather, and that the ſaid Leather in the preſence of the ſaid Artificers, cutters of leather, his ſeruant or ſeruants (if he or they will be preſent) ſhall be liquored and curried in all things and degrees perfectly: and if he or they will not be preſent, it ſhall neuertheleſſe be likewiſe liquored and curried, in his or their abſence, perfectly with as conuenient ſpeed as may be, not exceeding viij. dayes in Summer, and xvj. dayes in Winter, after he ſhall or may take it in hand, vpon paine to forfeit to the partie grieued, for euery hide or piece of leather not in this maner curried and well and ſpeedily dreſſed, x.s.

Curried leather ſhall be ſearched and ſealed.

And bee it further enacted by the authority aforeſaid, That the Wardens of the Curriers for the time being, or ſuch perſons as they ſhall aſſigne and appoint, ſhall from time to time, ſearch and trie all ſuch curried leather, as ſhall be brought to any of their Companie to bee curried, and ſhall with a Seale therefore to be prepared, with conuenient ſpeed, not exceeding one day after the currying and requeſt made, ſeale ſuch leather as they ſhall finde ſufficiently curried, taking for euery Hide ſo ſealed, after the rate of a pennie for the Dicker, and for euery ſixe dozen of Calues ſkins, one penie, and not aboue, to be paid by the Currier, vpon paine of forfeiture for euery Hide, which ſhall not be ſearched and ſealed as is aforeſaid, ſixe ſhillings eight pence.

The Cordwainers duty in making of bootes, ſhoes, buſkins, ſlippers, &c.

And foraſmuch as Leather well tanned and curried, may by the negligence, deceit, or euill workmanſhip of the Cordwainer or Shoomaker, be vſed deceitfully, to the hurt of the occupier or wearer thereof, Be it further enacted by the authority aforeſaid, That no perſon or perſons, which after the ſaid Feaſt of S. Bartholomew next comming, ſhall occupy the myſterie or occupation of a Cordwainer, or Shoomaker, ſhall make or cauſe to be made, any Bootes, Shooes, Buſkins, Startops, Slippers, or Pantofles, or any part of them of Engliſh Leather, wet curried, (other than Deere ſkinnes, Calue ſkinnes, or Goat ſkinnes, made and dreſſed, or to be made or dreſſed, like vnto Spaniſh Leather) but of leather well and truely tanned and curried, in maner and forme aforeſaid, or of leather well and truely tanned onely, and well and ſubſtantially ſewed with good threed, well twiſted and made, and ſufficieutly wexed, with wexe well roſoned, and the ſtitches hard drawne with hand-leathers, as hath beene accuſtomed, without mixing or mingling Ouerleathers, that is to ſay, part of the Ouerleather being of Neats leather, part of Calues leather, Nor ſhall put into any ſhooes, bootes, buſkins, ſtartops, ſlippers, or pantofles, any leather made of a ſheepe ſkinne, Bull hide, or Horſe hide, nor in the vpper leather of any ſhooes, ſtartops, ſlippers or pantofles, or into the neither part of any Bootes (the inner part of the ſhooe onely excepted) any part of any hide from which the Sole leather is cut, called the Wombes, Neckes, Shanke, Flanke, Powle, or Cheeke, nor ſhall put in the vtter Sole, any other leather, than the beſt of the Oxe, or Steere hide, nor into the inner Sole, any other leather than the wombs, neck, powle, or cheeke, nor in the Treſwels of the double ſoled ſhooes, other than the flankes of the hides aforeſaid, nor ſhall make or put to ſale in any yeare, betweene the laſt of September, and the twentieth of April, any ſhooes, bootes, buſkins, ſtartops, ſlippers, or pantofles, méet for any perſon to weare, excéeding the age of foure yeares, wherein ſhall be any drie Engliſh Leather, (other than Calueſkins, or Goatſkins, made or dreſſed, or to be made or dreſſed like vnto Spaniſh leather, or any part thereof) Nor ſhall ſhew to the intent to put to ſale, any ſhooes, bootes, buſkins, ſtartops, ſlippers, or pantofles vpon the Sunday, vpon paine of forfeiture for euery paire of ſhooes, bootes, buſkins, ſtartops, ſlippers, and pantofles, made, ſold, ſhewed, or put to ſale, contrary to the true meaning of this act, thrée ſhillings and foure pence, and the iuſt and full value of the ſame.

No ſale or ſhewing of bootes, ſhoes, &c. vpon the Sunday.

And be it further enacted for the true execution of this ſtatute, That the Maſters and Wardens of the ſeuerall Myſteries of Cordwainers, Curriers, Girdlers, and Sadlers of the Citie of London for the time being, by what name or names ſoeuer they be incorporated or intituled, or the more part of the ſaid Maſter and Wardens of euery of the ſaid ſeuerall myſteries, vpon paine to forfeit forty pound for euery yeare that they make default, the one halfe thereof to be to the Kings Maieſtie, his heires and ſucceſſors, and the other halfe to him or them that will ſue for the ſame, ſhall by vertue of this Act foure times in the yeare at the leaſt, That is to ſay, once euery quarter of the yeare, or oftner if néed require as they ſhall thinke gód, make true ſearch and view of and for all bootes, ſhooes, buſkins, and other wares and things whatſoeuer made of tanned Leather, in all and euery houſe and houſes, place and places, priuiledged or not priuiledged as well within the citie of London and ſuburbs thereof, as in euery other place within thrée miles of the ſame Citie, where any Shooemaker, Sadler, Girdler, Currier, or other Artificer vſing cutting, working, or dreſſing of Leather, doth or ſhall dwell, or occupie any of the Occupations of cutting, working, or dreſſing of Leather, whether the ſame bootes, ſhooes, wares, ſtuffe and other things be made of tanned leather, and be wrought according to the purport, effect, and true meaning of this ſtatute or not: And that it ſhall and may be lawfull to and for the ſaid ſeuerall Maſters and Wardens of the ſaid ſeuerall Myſteries which ſhall be for the time being, to take, ſeize, and carrie away to their ſeuerall common Halles, all ſuch bootes, ſhooes, wares, ſtuffe, or other things which the ſaid ſeuerall Maſters and Wardens ſhall finde in their ſeuerall Searches inſufficiently made, curried, or wrought.

Wares made of tanned Leather in or neere London, ſhall be ſearched.

Wares of leather that be inſufficient, may be ſeized and carried away.

Prouided alwayes, that none of the ſaid ſeuerall Maſters and Wardens of the ſaid ſeuerall Companies of Cordwainers, Curriers, Girdlers, or Sadlers, ſhall ſearch any perſon or perſons, but ſuch as vſe and exerciſe the myſtery or occupation of the ſaid Maſter and Wardens, and that the Coachmakers dwelling within the ſaid citie of London, or thrée miles from the ſame, ſhall be vnder the ſurvey and ſearch of the Maſter and Wardens of the Companie of the Sadlers of London.

Who may ſearch and be ſearched.

And be it further enacted, That the ſaid Maior of the Citie of London and the Aldermen for the time being, vpon like paine of fortie pounds, likewiſe to be leuied and imployed, ſhall likewiſe yearely appoint eight of the moſt ſubſtantiall, honeſt, and expert perſons being Fréemen of ſome of the Companies of Cordwainers, Curriers, Sadlers, or Girdlers within the Citie of London, whereof one ſhall be a Sealer, and kéepe a Seale for the ſealing of Leather, to bee prepared, who ſhall alſo be ſworne before the ſaid Maior and Aldermen for the time being, to doe their Office truely: Which ſaid Searchers and Sealers ſhall view and ſearch all and euery tanned hide, ſkin or leather, which ſhall be brought as well to the Market of Leaden-Hall, as to any other lawfull Faire or Market therefore vſually appointed within thrée miles of the ſaid Citie, whether the ſame be ſufficiently and throughly tanned, and throughly dried, according to the purport and true meaning of this Statute, or no: And finding it ſufficiently and throughly tanned, and throughly dried, in ſuch manner and forme as by this Statute is appointed, ſhall ſeale the ſame with the ſaid Seale.

Sealers of leather ſhall be appointed by the Maior &c. of London, and their authority.

And be it further enacted by the authority aforeſaid, That all Maiors, Bayliffs, & other head Officers for the time being in all other cities, boroughs, and market townes of this Realme, and all Lords of Liberties, Faires & markets out of the circuit or compaſſe of the ſaid thrée miles, ſhall vpon like paine of forty pounds likewiſe to be leuied & imployed, euery yeare that they make default therein, appoint and ſweare yearely two, thrée, or more perſons, of the moſt honeſt & skilfull men within their ſeuerall offices or liberties, by their diſcretion to ſearch & view within the precinct of their ſaid offices, liberties and authorities, which ſhall, as often as they ſhall thinke gód or néed ſhall be, make like ſearch within their limits, & ſhall haue a marke or ſeale prepared for that purpoſe: And that the ſaid Searchers, or one of them, ſhall kéepe the ſame ſeale or marke; & with the ſame ſhall ſeale and marke ſuch Leather as they ſhall finde ſufficient, and no other. And if the ſaid Searchers or any of them do find any leather ſold, or offered to be ſold, or brought to be ſearched and ſealed, which ſhall be tanned, wrought, conuerted, or vſed contrary to the true intent and meaning of this ſtatute, or any Leather inſufficiently curried, or any bootes, ſhooes, bridles, or any other thing made of tanned or curried leather inſufficiently tanned, curried, or wrought contrary to any prouiſion in this preſent Act, it ſhall be lawfull to the ſaid ſearchers, or any of them, to ſeize all ſuch leather, ſhooes, or other wares made of leather, and to retaine the ſame in their cuſtodie, vntill ſuch time as the ſame be tried by ſuch Triers, and in ſuch maner and forme as is here-

Searching and ſealing of Leather in all other parts of the realme.

after in this Statute appointed.

Sixe Triers of leather ſhal be appointed in London.

And to the end there may be an indifferent and equall courſe eſtabliſhed for the trying of all ſuch Leather, botes, ſhoes, and other wares made of Leather, as ſhall be ſeized by vertue of this act, Be it enacted by the authority aforeſaid, That the Maior of the citie of London for the time being, within ſixe dayes after notice to him giuen of all ſeiſure made of any Leather red or vnwrought within the iuriſdiction of the ſaid citie or three miles diſtant from the ſame, either by the owner or owners, or by the ſeiſers of the ſaid Leather, ſhall elect and appoint ſixe honeſt and expert men, whereof there ſhall be of the better ſort of the Company of Cordwainers of London two, of the better ſort of the Curriers of London two, and other two of the better ſort of Tanners vſing Leaden hall market, who ſhall be no kinne or of affinitie to the ſaid owner or owners, who vpon their corporall othes to be taken before the ſaid Maior, ſhall on the ſecond or third market day at the fartheſt, to be holden vpon the Munday for Leather next after the ſaid ſeiſure, in the afternoone of the ſame day (to the intent the owner or owners may conueniently be preſent) inquire, ſtraightly examine and trie whether the ſaid Leather ſo ſeized ſhall be ſufficient and ſeruiceable or not, according to the intent and true meaning of this preſent Act.

Triers of tanned leather in other places.

And be it further enacted, That euery other Maior, Bailiffe, or other head Officer or Lord of Libertie, or his ſufficient Deputie out of the ſaid compaſſe of the ſaid three miles, within whoſe Precincts or Liberties any ſuch ſeizure of any kinde of tanned Leather red or curried, or of any Shoes, Botes, or other wares made of tanned Leather ſhall happen to be, ſhall with all conuenient ſpeed, after notice vnto him giuen of any ſuch ſeizure, appoint ſixe honeſt and expert men to trie whether the ſame Leather, botes, ſhoes, or other wares ſo ſeized, be ſufficient and according to the true intent of this Statute, or not, the ſame triall to be made openly vpon ſome Market day, and within fifteene dayes at the furtheſt next after ſuch ſeizure made vpon the othes of the ſaid Triers.

The forf. of thoſe officers for not appointing of Triers.

And be it further enacted by the authority aforeſaid, That if the ſaid Maior of the city of London for the time being, or any other Maior, Bailiffe, or other head officer of any other Citie, Borough, Corporate or Market Towne, or any Lord of any Liberty, Faire or Market, ſhall make default in the nomination or appointment of any the foreſaid Triers to be nominated and appointed in ſuch maner and forme as is before ordained, That then euery ſuch Maior, Bailiffe, or other head Officer, or Lord of liberty, Faire or market making ſuch default, ſhall forfeit and loſe for euery ſuch default fiue pounds. The one moitie thereof ſhalbe to the Kings Maieſty, his heires and ſucceſſors, and the other halfe to him or them that will ſue for the ſame in any of the Kings Maieſties Courts of Record, by bill, plaint, information, or otherwiſe. And that the ſaid perſons ſo elected and appointed for the triall of the ſaid Leather, ſhoes, botes, or other wares made of tanned Leather, ſo to be ſeized as aforeſaid, ſhall proceed and doe their duties therein without delay, according to the true intent and meaning of this preſent act, vpon paine that euery of them making default herein, ſhall for euery ſuch ſeuerall default forfeit and pay fiue pounds.

The Searchers and ſealers of leather ſhall be changed yerely in London.

And be it further enacted, That foure of the ſaid Searchers and Sealers ſo to be appointed within the ſaid citie of London as aforeſaid, ſhalbe at the end of euery yeare changed and remoued, and ſo many new choſen in their roomes and places: And that no perſon or perſons ſhall remaine, continue, or be in the ſaid office of ſearching or ſealing of Leather within the ſaid citie of London aboue the ſpace of two yeares together: And he or they which ſhall ſerue or be imployed in the ſaid office of ſearching and ſealing of Leather two yeares, ſhal not in the ſaid office be choſen, ſerue, or imployed againe, vntill the end of three yeares at the leaſt then next following, vpon paine that euery perſon offending or doing the contrary, ſhall forfeite and loſe for euery moneth that he ſhall ſo contrarily vſe and exerciſe the ſaid Office, ten pounds.

The forf. of a ſearcher or ſealer omitting his duty, or taking of bribes.

And be it further enacted by the authority aforeſaid, That if any Searcher or Sealer of Leather ſhall refuſe with conuenient ſpeed to ſeale any Leather ſufficiently tanned, wrought & vſed according to the true meaning of this preſent Act, or doe allow that which ſhall be inſufficient, That then euery ſearcher & ſealer ſhall forfeit for euery ſuch offence fortie ſhillings. And further, that if any Searcher of Leather ſhall receiue any bribe, or exact any other Fee for the execution of his ſaid Office, then is by this preſent Statute limited, for the ſearching, ſealing, and regiſtring of Leather, That then euery ſuch ſearcher or ſealer ſo offending, ſhall forfeit for euery ſuch offence twenty pounds. And that if any perſon or perſons duely elected, according to the true meaning of this preſent act, to and for the execution of the ſaid Office of ſearching or ſealing of Leather, refuſe to execute the ſaid Office, That then the ſaid perſon or perſons ſo refuſing, ſhall forfeit and pay ten pounds.

Leather brought to Leaden hall to be viewed and regiſtred.

And be it further enacted by the authority aforeſaid, That all red tanned Leather which ſhall be brought into the Citie of London, or within three miles compaſſe from the ſame, whether it be to be ſold, or be bought before hand or no, ſhall be brought to Leaden hall before it be houſed in his or their owne houſes, and there viewed whether it hath bin ſearched or ſealed, or no, and ſhall alſo be regiſtred by the Searchers to be appointed as is aforeſaid, with halfe ſuch Fees to be paid for ſuch of the ſaid tanned Leather as ſhalbe bought out of the ſaid city of London, or three miles compaſſe from the ſame, and ſhalbe duely ſearched and ſealed before it be brought within the ſaid

Citie

City, as is hereafter expreſſed for Leather to be ſold in Leaden Hall, vpon paine that every perſon houſing, or not bringing his Leather to Leaden Hall, as is aforeſaid, ſhall forfeit for every hyde or ſkinne, fiue ſhillings eight pence. Provided that this article ſhall not extend to any Leather to be bought in Bartholomew Faire, or Southwarke Market, being ſearched, ſealed, and regiſtred according to the true meaning of this Act.

Leather bought in Bartholomew faire or Southwarke market.

And be it alſo further enacted by the authority aforeſaid, That no tanned Leather ſhalbe ſold within the Citie of London, or three miles diſtant from the ſame, before the ſame haue bin ſearched and ſealed by the ſearchers and ſealers by vertue of this Acte to bee appointed to and for the ſearching and ſealing of Leather within the ſaid Citie, and three miles diſtant from the ſame, vpon paine of forfeiture of all ſuch tanned Leather otherwiſe ſold, or the full value thereof.

Searching & ſealing of Leather in or neere London.

And alſo be it further enacted, That if any perſon will after the ſaid Feaſt of S. Bartholomew next comming wilfully withſtand or deny any ſuch ſearch to be made, according to the tenor of this Act as is aforeſaid, or will not ſuffer the ſaid ſeuerall Maſters and Wardens of the ſeuerall Companies of Cordwainers, Curriers, Girdlers, or Sadlers, or other ſearchers ſo appointed, to enter into his or their houſe or houſes, or other places to view and ſearch at their will and pleaſure, all manner of tanned leather, and all maner of ſhoes, botes, males, ſaddles, coach-couerings and harneſſe, and all manner of wares wrought & made, or to be wrought and made of Leather, and to ſeize and carry away all ſuch leather, ſhoes and wares, as they ſhal find inſufficiently tanned, curried or wrought, or made of ill ſtuffe, that then all and every ſuch perſon or perſons ſo denying and withſtanding, and not ſuffering the ſaid Maſters and Wardens, and Searchers, or any of them ſo appointed for the time being, to enter and make ſearch, and ſeize as is aforeſayd, ſhall loſe and forfeit for every time ſo denying and withſtanding, fiue pounds.

The penalty for denying of search or ſeizing of inſufficient wares.

And be it further enacted, That ſuch perſon and perſons as hereafter ſhall be aſſigned and appointed ſearchers and ſealers of tanned leather, by vertue of this act, ſhall within the limits and precincts of every of their ſearches keepe one Booke or Regiſter, wherein they ſhall enter all ſuch bargaines as ſhall be made for leather, hides, or ſkinnes, by any perſon or perſons, during and by all the time of the faire or market being thereunto required by the buyer or the ſeller, and alſo the prices of ſuch leather, bought and ſold with the names and dwelling places of the buyer and ſeller, taking for the ſearching, ſealing and regiſtring of every ten hides, backes, or butts of leather, with the necks, wombes and robbins, or other pieces of offall cut off from the ſaid backs or buts of leather, of the ſeller of every ſuch ten hides, backes or buttes of leather ſo entred, two pence, and ſo after the rate, and for every fiue dozen of calues ſkinnes, or ſheepeſkinnes two pence, and of the buyer after the ſame rate, and no more, greater or other ſumme or ſummes of money, to be paid for ſearching, ſealing, or entring of any tanned leather.

Regiſtring of leather ſold & bought, & the fees thereof.

And be it further enacted by the authority aforeſaid, That no perſon or perſons, ſhall after the ſaid Feaſt of Saint Bartholomew next comming, ſell, exchange, or put away, or cauſe to be ſold, exchanged, or put away any manner of tanned leather, red and vnwrought, except hee or they Regiſter or cauſe to be Regiſtred, the ſayd tanned leather, and every part and parcell thereof, and the price thereof, vpon paine of forfeiture of the value of the leather ſo ſold, exchanged, or put away, and not regiſtred.

The penalty for ſelling of tanned Leather not regiſtred.
4. Iac. 6.

And be it further enacted by the authority aforeſayd, That it ſhall not be lawfull, to or for any perſon or perſons to buy any tanned leather, before the ſame ſhall be ſearched and ſealed, nor to carry or cauſe to be carried out of the Faire or Market, any leather, till it be regiſtred as aforeſaid, vpon paine to forfeit the ſayd leather, or the value thereof ſo bought, and not ſearched and ſealed, or carried away and not Regiſtred.

The penalty for buying of Leather not ſealed or regiſtred.

And be it further enacted by the authority aforeſayd, That if any Currier within the ſayd Citie of London, or three miles compaſſe of the ſame, after the Feaſt of Saint Bartholomew next comming, doe curry any leather inſufficiently tanned, or after the ſaid Feaſt doe not curry ſuch leather, as he doth or ſhall curry, ſubſtantially and well, according to the meaning and purport of this Acte, Or if any Shoomaker, Cordwainer, or Cobler, within the Citie of London, or three miles compaſſe of the ſame, after the Feaſt of S. Bartholomew next, put any tanned leather into any Shoes, Botes, Buskins, Startops, Slippers, Pantoffles, or other things made of tanned leather, which ſhall bee well and perfectly tanned, according to the purport and true meaning of this Act: Or after the ſayd Feaſt doe put any curried leather into any Bootes, Buskins, Startops, Shoes, Slippers, Pantoffles, or other things made of leather, which ſhall not be well and ſufficiently tanned and curried, and alſo ſealed, as is aforeſaid: Or doe make Botes, Buskins, Shoes, Startops, Slippers, Pantoffles, or other things made of Engliſh tanned leather, in any other manner than is aboue ſpecified and ordained: Or if any Shoomaker, Sadler, or other Artificer, vſing cutting or working of leather, doe make any wares of any tanned leather inſufficiently tanned, or of tanned or curried leather, being not ſufficiently tanned and curried as is aforeſaid, or doe not make their wares belonging to their ſeuerall occupations, ſufficiently and ſubſtantialy, That then every perſon ſo offending ſhall forfeit for every ſuch ſeuerall offence or default, the ſaid wares, and the iuſt value thereof.

The penalty of the Currier or Cordwainer omitting his duty.

Provided alwayes, and be it enacted, That no manner of perſon or perſons, ſhall after the ſaid

Feaſt

No ſelling of wares in London, but in open ſhop, faire or market.

Feaſt of S. Bartholomew, vtter or ſell, or cauſe to be vttered or ſold within the ſayd Citie of London, or within three miles compaſſe of the ſame, any maner of wares appertaining to the craft or myſtery of an Artificer, vſing cutting of leather, but only in open ſhop, common Faire, or Market whereby the ſaid Wardens may haue the true ſearch of the ſame, vpon paine of forfeiture of all ſuch Wares ſo ſold, and ten ſhillings for euery time.

All cutters of leather in or neere London, ſhall be vnder ſearch.

Who ſhal haue the money forfeited by this Statute.

How the wares made of tanned leather forfeited in London, ſhalbe diſtributed.

How the wares made of tanned leather forfeited in other places ſhalbe diſtributed.

Prouided alway and bee it enacted, That all and euery perſon and perſons whatſoeuer, now being, or that hereafter ſhalbe free of the ſaid City of London, of what Company ſoeuer, & all forreiners, Engliſh or Aliens and Strangers borne, dwelling or inhabiting, or which hereafter ſhall dwell or inhabite within the City of London, or three miles compaſſe of the ſame, as well within places priuiledged as not priuiledged, vſing or exerciſing any Manual Occupation of cutting or working of leather into made wares, ſhalbe vnder the ſuruey and ſearch of the Maſters & Wardens of ſuch Companies of the ſaid City of London, as the Artificers commonly vſing the ſame myſtery or occupation, being Freemen of the Citie of London, and of the ſame Company, be, touching or concerning onely their wares and ſtuffe made of or with leather, in like manner and forme, as other Freemen of the ſame Company be or ſhalbe, And ſhall contribute and pay to the ſayd ſeuerall Maſters and Wardens of the ſayd ſeuerall Companies for the time being, within the ſaid Citie, as the Artificers vſing the ſame myſtery being Freemen of the ſaid City, & of the ſame ſeuerall Companies, ſhall contribute and pay: The ſame to bee recouered by diſtreſſe or action of debt, in any of the Kings Maieſties Courts of Record. In which no wager of Law for the defendant to be allowed: All which paines, penalties and forfeitures aforeſayd, of ſummes of money aforeſaid (except ſuch paines, penalties and forfeitures, as are before or hereafter by this Act ſhall otherwiſe be diſpoſed) ſhall be diuided into three equall parts: One part whereof ſhall be to our Soueraigne Lord the King, his Heires and Succeſſors, and an other part to him or them that ſhall firſt ſue for the ſame in any of the Courts of Record of the Kings Maieſty, his heires and ſucceſſors, by action of debt, bill plaint or information or otherwiſe, In which ſuite no wager of Law, or Eſſoine ſhall be admitted or allowed: And the third part thereof ſhall goe to the Citie, Borough, Towne, or Lord or Lords of Liberties, where the offence ſhalbe committed or done. And all ſuch leather, Shooes, Bootes, Buskins, Startops, Slippers, Pantoffles, Wares, Stuffe, or other things whatſoeuer, made of tanned leather, or curried leather, which ſhall be ſeized by vertue of this Act, and ſhalbe found by the Tryers, to bee appointed as is aforeſayd, or by the Maſters and Wardens of the ſeuerall Companies aforeſayd, to be inſufficient, ſhalbe forfeited & diſtributed, as hereafter followeth: That is to ſay, ſuch leather or ſtuffe ſo ſeized within the Citie of London, or within three miles compaſſe of the ſame, to be brought to Guildhall in London, there to be prized by indifferent perſons, and the value thereof to be diuided into three parts, whereof one part to be to the firſt ſeiſor or ſeizors of the ſaid vnlawfull ſtuffe, and an other part to the vſe of the Chamber of London, and the other part to bee diſtributed to the poore folkes, as well being within the new hoſpitall of S. Bartholomewes in London, as to ſuch poore houſholders as ſhalbe inhabiting within the Citie of London, or the circuit aforeſayd, as the diſcretions of ſuch perſons as the Mayor of the ſayd Citie, & foure Aldermen of the ſame for the time being ſhal appoint for the ſame. And that all ſuch leather, bootes, ſaddles, wares, ſtuffe, and things made of or with Leather as is aforeſayd, which ſhalbe found within any other Citie, Borough, Towne or place within this Realme, out of the ſaid Citie of London and three miles compaſſe, vnſufficiently wrought, tanned or curried as is aforeſayd, and ſhalbe ſeized and tried to be forfeited, in maner and forme aforeſaid, ſhalbe brought to the common Hall of euery ſuch Citie, Borough and town, or to ſome conuenient and open place, to be appointed by the Lord of the Liberty or his deputie, where no common Hall is, there to be prized as is aforeſayd: One part of the ſaid value thereof, to be diſpoſed vnto the poore, and in other deeds of charity in thoſe parts, after the diſcretion of the Maiors, Bailiffes, Headboroughs, and Lords of Liberties: An other part to bee deliuered to the Mayors, Bailiffes, and other head Officers of any Citie, Borough, or Towne corporate, to the vſe of the Comminalty of ſuch Citie, Borough, or Town corporate, and where no ſuch officers be, then to the Lord or Lords of the libertie, where any ſuch forfeiture ſhall be committed, or ſeiſure had: And the third part to the ſeiſor or ſeiſors of ſuch Leather, ſtuffe or wares inſufficiently tanned, curried or wrought, as is aforeſayd, for his and their paines.

Forfeited ware ſhal not be ſold to him that will ſel it.

Prouided alwaies, That no perſon to whom any ſuch vnlawfull leather or ſtuffe ſhalbe giuen by this act, ſhal giue or ſell any ſuch leather or ſtuffe, to any perſon or perſons that ſhall ſell the ſame, vpon paine that the buyer ſhall forfeit for euery parcell of ſuch vnlawfull leather, or ſtuffe to be ſold, contrary to the true meaning of this laſt clauſe, iii. s. iiii. d.

The authority of the officers in Oxford & Cambridge for ſearch of leather reſerued.

Prouided alwaies, That this Act, nor any thing therein contained, ſhall not in any wiſe bee preiudiciall or hurtfull to the Chancellors, Vicechancellors, Proctors, Taxors, and Schollers, their Officers, Miniſters, Aſſignes, or Farmors of the Vniuerſities of Oxford & Cambridge, or any of them, of, for, or concerning the authority of ſearch of tanned leather, or any of the forfeitures of the ſame, which they lawfully had or might haue had, before the making of this preſent Act: ſo as they do in all things obſerue ſuch order in, about, or for ſearching, ſealing, and regiſtring of Leather, as by this Acte is preſcribed and appointed, vpon the paine therein contained, Any thing therein contained to the contrary notwithſtanding.

And for the auoyding of all ambiguities and doubts, which may and doe grow vpon the definition and interpretation of this word Leather, It is enacted and declared by theſe preſents, that the hides and ſkinnes of Oxe, Steere, Bull, Cow, Calfe, Deere red and fallow, Goates & Sheepe, being tanned or tawed, and euery ſalt hide, is, ſhall be, and euer hath beene reputed and taken Leather.

What ſhall be reputed leather.

And for the better execution of this Act, Be it further enacted, That all Juſtices of Aſſiſe, Juſtices of Gaole deliuery, Juſtices of Peace, and Stewards of Franchiſes, Leets, and Lawdayes, within their ſeuerall precincts, iuriſdictions, and liberties, and Maior of London for the time being, within the ſayd Citie, & within three miles compaſſe of the ſaid Citie, and all other Mayors, Bailiffes, and other head officers of Cities, Boroughs, and Townes, within their ſeuerall iuriſdictions, liberties, precincts, offices and authorities, ſhall enquire of all the premiſſes in their Seſſions, Leete or Lawday, and heare or determine the ſame, and alſo by their diſcretions examine all perſons ſuſpected to offend this Act, or any parcell thereof.

Which officers may inquire of, and puniſh the offences aforeſaid.

And be it further enacted, That where any Manor, Liberty or Franchiſe immediatly appertaineth to the Kings Maieſty, his heires or ſucceſſors, the Steward for the time being of euery ſuch Manor, Liberty and Franchiſe, ſhall haue the like authorities, powers, iuriſdictions and aduantages, And alſo ſhall beare and pay all the like paines, penalties and forfeitures, as are giuen, appointed, limited, or laid by this Statute, to or vpon the Lords of Liberties and Franchiſes, as in this Statute is expreſſed.

The Stewards authoritie of a Mannor of the Kings.

And be it further enacted, That all currying and dreſſing of Leather, commonly called drie currying, and fryzing, ſhall be conſtrued to be dreſſing and currying of the maner of Spaniſh Leather, of what colour ſoeuer it be, And that to all Artificers, (other than Shoomakers, yeerely betweene the laſt of September, and the twentieth of Aprill) it ſhall be lawfull to vſe all kindes of Leather dreſſed and curryed in that maner of dry currying, and fryzing, as they lawfully might before the making of this Act, ſo that the ſame leather ſo to be vſed, be well and ſufficiently tanned, according to the forme preſcribed in this Act, and alſo well and ſubſtantially dreſſed, curried, and fryzed, in the maner of dry currying, and fryzing aboueſayd.

Drie currying & fryzing of Leather, & who may vſe it.

And be it enacted by the authority aforeſayd, That this Act and euery part thereof, ſhall be conſtrued and adiudged to extend to Wales, as amply as it doth to this Realme, to all intents, conſtructions and purpoſes.

This Acte ſhall extend to Wales.

And foraſmuch as (notwithſtanding the good Lawes, and great penalties in that behalfe prouided) great quantities of leather are daily tranſported out of this Realme, and eſpecially by the negligence and corruption of Controllers, Cuſtomers, Searchers, and all their deputies. Bee it therefore enacted by the authority aforeſaid, that if any leather, wrought, cut, or vnwrought, to the intent to be ſold or bartered, ſhall hereafter vnlawfully be tranſported, or purpoſed to be tranſported into the parts beyond the Sea, from and out of any port, hauen, or creeke of this Realme, or Wales: Euery Controller, Cuſtomer, Surueyor, Collector of Tonnage and Pondage, and the Searchers, and the deputy of any of them, or any other perſons hearing or knowing by any wayes, of any leather meant to be tranſported from any place within his office, and doe not his beſt endeauour to ſeize the ſame, or being tranſported, doe not diſcloſe, or cauſe to be diſcloſed the ſame within forty dayes next after ſuch knowledge, or hearing of the ſame, in ſome Court of Record, ſo as the offender may be puniſhed according to the Lawes in that caſe prouided, ſhall for the firſt offence committed againſt this article, forfeit an hundres pounds, and for the ſecond offence, ſhall forfeit his office.

The forf. of Cuſtomers, &c. ſuffering Leather to be tranſported, and not to ſeize or diſcloſe it.

18. Eliz. 8.

And be it further enacted, That euery Cuſtomer, Officer, or Officers Deputie, that ſhall make any falſe Certificat of the arriuall of any leather in any port, creeke, or place of this Realme, ſhall alſo forfeit for euery ſuch offence, an hundred pounds.

Prouided alway, That neither this Act, nor any Article, Expoſition, or thing therein contained, ſhall extend to any Scottiſh Hides, to be brought into the Towne of Berwicke, out of the Realme of Scotland, being regiſtred in a Booke therefore to be kept, by ſuch perſon or perſons, as the Maior of the ſaid Towne for the time being, ſhall thereunto name and appoint, with the Name and Surname of the Buyer and Seller, to the intent the Engliſh Hides might bee knowne from the Scottiſh, But that the inhabitants of the ſaid Towne of Berwicke may ſend, carrie, and tranſport ſuch Scottiſh Hides, as they lawfully might tranſport before the making of this Act.

This Acte ſhall not extend to Scottiſh hides brought to Berwicke.

Prouided alwayes, and be it enacted by the authority aforeſaid, That if any perſon or perſons ſhall at any time hereafter procure or obtaine any Grant, or Letters Patents, purporting to giue Licence or authority to any perſon or perſons to diſpence with, or tolerate any offence againſt any Clauſe, Prouiſion, or Article in this preſent Act, That then and immediately from and after ſuch Letters Patents or Grant obtained, all and euery ſuch Clauſes, Articles, and Prouiſions, ſo by the ſaid Letters Patents or Grant authorized or licenced to bee diſpenced with, or tolerated, as aforeſaid, ſhall be vtterly repealed, voide, and of no effect: Any thing in this preſent Acte contayned to the contrary in any wiſe notwith-

Licences to diſpence with the offences prohibited by this Acte, ſhall be void.

Continued vntill the end of the next Seſſion of Parliament.

notwithſtanding. This Act to endure vntill the end of the next Seſſion of the next Parliament.

A repeale of the ſtat. of 5. El. 8. & of all former ſtat. repealed by the ſame.

And be it further enacted by the authority aforeſayd, That as well one Statute made in the fifth yeare of the reigne of our late Soueraigne Lady Queene Elizabeth, intituled, An Act concerning Tanners, Curriers, and other Artificers occupying cutting of leather, as all former Statutes, and euery part or parts of any former Statute or Statutes thereby repealed, ſhall from henceforth be vtterly repealed for euer. 3. Car. 4. Continued vntill the end of the firſt Seſſion of the next Parliament.

Cap. XXIII.

Preſeruation of Fiſhing in the County of Somerſet, Deuon, and Cornewall.

To what end Balcors, Condors & Directors did watch vpon hils in fiſhing time.

Whereas the Trade of Fiſhing for Herrings, Pilchards, and Seane Fiſh within the Counties of Somerſet, Deuon, and Cornewall, is, and of late time hath béene very great and profitable, as well to diuers of the Fiſhermen and Inhabitants which dwell néere the Sea Coaſts within the ſayd Counties, as in the Cities of London, and Exceter, and elſewhere within the Realme of England and the Dominions thereof: And whereas alſo for the neceſſary vſe of the taking of the ſayd Herrings, Pilchards, and other Seane Fiſh, diuers perſons within the ſayd Counties, called Balcors, Huors, Condors, Directors, or Guidors, at the Fiſhing times for the ſayd Herrings, Pilchards, and other Seane Fiſh within the ſayd Counties, time out of minde, haue vſed to watch and attend vpon the high Hilles and Grounds néere adioyning to the Sea Coaſts, within the ſayd Counties, for the diſcouery and giuing notice to the Fiſhermen and Inhabitants nere adioyning, when the ſaid Herrings, Pilchards, and Seane Fiſh come towards or néere the Sea Coaſts there, and for the guiding and directing of the Fiſhermen in their Boates vpon the Sea Coaſts, for the taking of the ſaid Herrings, Pilchards, and other Seane Fiſh.

Suites commenced againſt Balcors, Condors & Fiſhers for entring into the grounds of others.

And whereas alſo now of late diuers perſons hauing Lands, Tenements, and Hereditaments néere adioyning to the Sea Coaſts, within the ſaid Counties where the ſayd Fiſhing places for the taking of the ſaid Herrings, Pilchards, and other Seane Fiſh are, haue brought their actions of Treſpas at the Common Law, as well in the high Courts of Record at Weſtminſter, as in inferior Courts within the ſayd Counties, Not onely againſt ſuch Balcors, Huors, Condors, Directors and Guidors, But alſo againſt ſuch Fiſhermen and other perſons, for breaking of their Cloſe, as haue attended their Seanes or Nets, for the drawing and carrying of the ſayd Fiſh on Land or Shore, And haue recouered againſt them Coſts and Damages to their great loſſe and expences: By reaſon whereof, ſuch Watchmen, Balcors, Huors, Condors, Directors and Guidors, and ſuch other perſons as heretofore haue attended the ſayd Seanes and Fiſhing, haue forborne to enter into or goe vpon the Lands, Tenements, and Hereditaments néere adioyning to ſuch Fiſhing places, within the ſayd Counties, for the watching or diſcouerie of the ſayd Herrings, Pilchards, and other Seane Fiſh, or to Balke, Hue, Conde, or Direct, or to attend the Seanes or Nets, as heretofore they haue done, and will likewiſe forbeare the ſame hereafter, if Prouiſion be not had and made, that they may lawfully enter into and vpon ſuch Lands, Tenements and Hereditaments, as doe lye néere or adioyning to the ſayd Sea Coaſts, and places of Fiſhing, as aforeſayd, for their Watching, Balking, Directing & Attending of the Seanes, as is aforeſaid.

Balcors, Condors and Fiſhers may enter into the grounds of others, to take or diſcouer Fiſh.

For remedie whereof, and for the maintenance of the ſaid Trade of Fiſhing, which doth ſo greatly tend to the profit of many of the Inhabitants within the ſaid Counties, and others: Bee it therefore enacted by our Soueraigne Lord the King, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, That it ſhall and may be lawfull at all time and times hereafter, to and for euery ſuch Watchmen, Balcors, Huors, Condors, Directors and Guidors, and all ſuch Fiſhermen and other perſons as ſhall neceſſarily attend the ſaid Seanes or Nettes, as aforeſaid, At the times of Fiſhing for Herrings, Pilchards, and other Seane Fiſh within the ſaid Counties, where ſuch Fiſh ſhall hereafter be taken, to enter and goe into and vpon any Lands, Tenements, and Hereditaments, which doe lye or adioyne néere vnto any ſuch Fiſhing places, and fit, conuenient, and neceſſary to watch and walke in, or to draw or carrie the ſaid Fiſh on Shore, and there to watch for the ſaid Fiſh, and to Balke, Hue, Conde, Direct and Guide the Fiſhermen which ſhall be vpon the ſaid Sea and Sea Coaſts, for the taking of the ſaid Fiſh, and to draw and carrie the ſaid Fiſh on Land or Shore: Any Law, Vſage, or Cuſtome to the contrary in any wiſe notwithſtanding.

The Plea for a Condor, Balker, or Fiſher, in an action of treſpas brought againſt him.

And be it further enacted by the authority aforeſaid, That if any Action of Treſpaſſe or other Suit ſhall at any time hereafter happen to be attempted and brought againſt any perſon or perſons, for entring and going on the Land for watching of the ſaid Fiſh, or for Balking, Huing, Conding, Directing, or Guiding of the ſayd Fiſhermen in their Boates vpon Sea or Sea Coaſt for taking of the ſaid Fiſh, or for the landing of the ſayd Fiſh, as aforeſaid, By authority of this preſent Act, the Defendant or Defendants in any ſuch Action or Suit ſhall and may plead Not guilty for any thing doing by vertue of this Act: And vpon the triall of that Iſſue, the whole matter to be giuen on both parties in Euidence, according to the very truth of the ſame. And after ſuch Iſſue tryed for the Defendant or Defendants, or Nonſuite of the Plaintiffe or Plaintiffes after appearance, the ſame Defendant or Defendants to recouer his or their Damages, by reaſon of his or their wrongfull vexation in that behalfe, with Coſts alſo in that behalfe ſuſtained, and that to be aſſeſſed by the ſame Iurie that ſhall try the ſayd Iſſue, Or elſe by Writ to enquire of the Damages as the cauſe ſhall require, For which Coſts and Damages ſuch Defendant ſhall and may by vertue of this Act, take and ſue forth ſuch Execution as the Defendant in a Repleuin may doe.

Cap. XXIIII.

Who onely ſhall make Mildernix or Powle Dauies.

WHereas the Clothes called Mildernix and Powle Dauies, whereof Sayle Clothes and other furniture for the Nauie and Shipping are made, were heretofore altogether brought out of France, and other parts beyond the Seas, And the Skill and Art of making and weauing of the ſaid Clothes, neuer knowne nor vſed in England, vntill about the two and thirtieth yeare of the Reigne of the late Queene of famous memory, Queene Elizabeth, about that time, and not before, the perfect Art and Skill of making and weauing of the ſayd Clothes was attained vnto, and ſithence practiſed and continued in this Realme, to the great benefit and commodity thereof.

Mildernix firſt made in France & after learned & practiſed in England.

And whereas of late many of the Kings Maieſties Subiects, not trained nor brought vp in the ſayd Art, nor any wayes ſkilfull therein, haue notwithſtanding, vpon deſire of gaine, made and weaued, or cauſed to be made and weaued, many Clothes in likeneſſe and ſhew of Mildernix and Powle Dauies, but in truth neither made of ſuch ſtuffe as the ſayd Mildernix and Powle Dauies are, and ought to be made of, nor ſo well driuen or weaued, nor yet of that length nor breadth, as the true Clothes called Mildernix and Powle Dauies are and ought to bee: Inſomuch, that the ſayd Clothes doe yearely and dayly grow worſe and worſe, and are made more thinner, ſleighter and meaner than heretofore they haue beene, to the great deceit and hurt of all his Highneſſe louing Subiects, that are to vſe and imploy the ſame about the Sayles, and other furniture of their Shippes and ſayling Veſſels, and to the great dammage of his Highneſſe Nauie, the chiefeſt ſtrength of this Realme (next vnto God and his Highneſſe) And within ſhort time, like vtterly to ouerthrow the Art and Trade of making Cloth of that kind within this Realme: Whereupon his Highneſſe ſayd ſubiects, aſwell the makers as vſers of the ſaid Clothes, are much hurt and impoueriſhed, through the deceitfulneſſe, vnſkilfulneſſe, and ignorance of the Weauers and Makers of the ſayd Clothes.

Mildernix made in England neither of good ſtuffe, nor well weaued.

For remedy and redreſſe whereof, Be it enacted by the Kings moſt excellent Maieſty, with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That no perſon or perſons, reſiant, inhabitant or dwelling within this Realme, ſhall at any time after the firſt day of Auguſt next comming, make, weaue, or cauſe to be made or weaued, any ſuch Cloth or Clothes for Sayles or furniture of Shippes, or other ſayling Veſſels, called, termed, or knowne by the name or names of Mildernix and Powle Dauies, or any of them, but ſuch as now doe vſe the ſame, or any of their ſeruants, or ſuch as ſhall hereafter bee apprentices, and trayned and brought vp in the Trade and Art of making of the ſayd Clothes, by the ſpace of ſeuen yeres together at the leaſt, Nor ſhall ſet any man to worke, in the making or weauing of any ſuch Clothes, being not a workeman trayned vp before the firſt day of Auguſt next comming, in the ſayd Art and Myſtery: Vpon paine that euery ſuch perſon offending or doing the contrary, ſhall forfeit and loſe for euery default, twentie ſhillings for euery Moneth.

Who onely ſhall make Mildernix & Powle Dauies.

And further that no perſon or perſons from and after the ſayd firſt day of Auguſt ſhall make or weaue the ſayd Clothes of any other ſtuffe, than of good and ſufficient Hempe, nor of any leſſe length, than three and thirtie yards, nor of any leſſe breadth, than three quarters of a yard: Nor that the Weauer, or other perſon or perſons, ſhall ſell or offer to ſell any the ſayd Clothes, before the ſtuffe be well beaten, ſcowred, breached, and the Cloth well driuen with a Braſen or Iron Shuttle: Vpon paine that euery perſon offending or doing the contrary herein, ſhall forfeit and loſe for euery ſuch peece of Cloth, wouen, made, or ſold contrary to the forme of this Act, fiue ſhillings.

Of what ſtuffe, goodnes, length & breadth Mildernix & Powle Dauy ſhalbe made.

And be it further enacted by the authority aforeſaid, That the one moity of the benefit of all the forfeitures and penalties in this Act contained, ſhal come & be vnto the Kings moſt excellent Maieſty, his heires and ſucceſſors: and the other moity thereof vnto ſuch as wil ſue for the ſame in any of the Kings Maieſties Courts, by bill, plaint, action of debt, information, or otherwiſe, in which actions, ſuits, plaints, or informations, no Wager of law, Eſſoine, or Protection ſhalbe allowed.

Who ſhal haue the forfeitures.

Cap. XXV.

A Continuance of ſeuerall former Statutes, and a Repeale of others.

21.H.8.12. BEe it enacted by authority of this preſent Parliament, That one Act made in the one and twentieth yeere of the reigne of the late King Henry the eighth, intituled, An Act for the true making of Cables, Hallors and Ropes.

24.H.8 9. And that an Act made in the foure and twentieth yeere of the reigne of the ſayd King Henry the eighth, intituled, An Act againſt killing of young Beaſts called Weanelings.

3.& 4.Ed.6.19. 3.& 4.Ed.6.21. And that two Acts made in the Parliament holden at Weſtminſter by prorogation, the fourth day of Nouemb. and continued vntill the firſt day of February next after, in the third and fourth yeeres of the reigne of the late King Edward the ſixth, The one concerning the buying and ſelling of Rother Beaſts and Cattell: The other, intituled, An Act for the buying and ſelling of Butter and Cheeſe.

1.El.17. And that one Act made in the firſt yeere of the reigne of the late Queene Elizabeth, intituled, An Act for preſeruation of Spawne and Fry of Fiſh.

5.El.7. And that An Act made in the fifth yeare of the reigne of the ſaid late Queene Elizabeth, intituled, An Act for auoyding diuers forreine wares made by Handycrafts men beyond the Seas.

5.El.5. And ſo much of one other Act made the ſame yeere, intituled, An Act touching certaine politike Conſtitutions, made for the maintenance of the Nauie, as is not repealed by any later Statute, nor doth concerne the tranſportation of Herring, or other Sea-Fiſh, nor freedome of Cuſtome, Subſidie, or Tonnage for the ſame, nor tranſportation of Corne, Together with all and euery other Additions, Explanations, and Alterations made thereunto, or thereof, or of any part thereof, by any Statute or Statutes, made ſithence the making of the ſaid laſt mentioned Act, and now ſtanding in force.

8.El.10. And that an Act made in the eighth yeere of the reigne of the ſaid late Queene Elizabeth, intituled, An Act for Bowyers, and the prices of Bowes.

13.El.21. 13.El.10. 13.El.20. And that three Acts made in the thirteenth yeere of her late Maieſties Reigne: One intituled, An Act, That Purueyors may take Graine, Corne, and Victuals, within fiue miles of Cambridge and Oxford, in certaine caſes: Another, An Act againſt fraudes, defeating Remedies for Dilapidations: The third, An Act touching leaſes of Benefices, and other Eccleſiaſticall Liuings with Cure, Together with all and euery Explanations, Additions, and Alterations thereof, or of any of them, or to any of them, made by ſeuerall Statutes of the fourteenth, eighteenth, and three and fortieth yeeres of her ſayd late Maieſties reigne.

18.El.20. And that An Act made in the eighteenth yeare of her ſayd Maieſties reigne, intituled, An Act for the repairing and amending of Bridges and High wayes, neere vnto the Citie of Oxford.

18.El.3. And ſo much of another Act, made the ſame eighteenth yeare, intituled, An Act for ſetting the poore on worke, and auoyding idleneſſe, as concerneth Baſtards begotten out of lawfull Matrimony.

27.El.not printed. 27.El.14. 3.& 4.Ed.6.10. 39.El.16. 27.El.24. And that two Acts made in the ſeuen and twentieth yeare of her ſayd Maieſties Reigne: The one intituled, An Act for the good Gouernement of the Citie or Borough of Weſtminſter: The other, An Act for Reuiuing a former Statute, for the true making of Mault: Together alſo, with an Act made in the nine and thirtieth year of her ſaid Maieſties reigne, intituled, An Act to reſtraine the exceſſiue making of Mault: And a third Act made in the ſaid ſeuen and twentieth yere of her ſayd Maieſties reigne, intituled, An Act for keeping the Sea Bankes and Sea Workes in the County of Norfolke.

31.El.8. 31.El.& 23.El. not printed. And two Acts made in the one and thirtieth yeare of her ſayd Maieſties Reigne: The one, intituled, An Act for the true gauging of Veſſels brought from beyond the Seas, conuerted by Brewers, for the vtterance and ſale of Ale and Beere: The other, An Act for Reuiuing and Inlarging of a Statute made in the three and twentieth yere of her ſayd Maieſties reigne, for the reliefe of the Citie of Lincolne.

35.El.1. 35.El.10. 35.El.11. And that three Actes made in the fiue and thirtieth yere of her ſayd Maieſties Reigne: One intituled, An Act to retaine the Queenes Maieſties Subiects in their due obedience: Another, for reformation of ſundry abuſes in Clothes, called Deuonſhire Kerſies, or Dozens, according to a Proclamation of the foure and thirtieth yeare of her ſayd Maieſties Reigne: The third An Act for the bringing in of Clapbords from the parts of beyond the Seas, And the reſtrayning of tranſporting of Wine Caſke, for the ſparing and preſeruing of Timber within the Realme.

39.El.1. And the ſeuerall Acts hereafter mentioned, made in the nine and thirtieth yeare of her ſayd Maieſties Reigne, That is to ſay, An Act intituled, An Act againſt the decaying of Townes and Houſes of Husbandry.

An Act intituled, An Act for the maintenance of Husbandry and Tillage, Together with ſuch

Explanations and Prouiſions, as thereunto are added by the Statute made in the three and fortieth yeare of her ſaid Maieſties Reigne. 39. El. 2. 43. El. 9.

An Act intituled, An act for the increaſe of Mariners, and for maintenance of the Nauigation, Repealing a former Act made in the three and twentieth yeare of her ſaid Maieſties Reigne, bearing the ſame Title. 39. El. 10. 23. El. 7.

An Act intituled, An act for Explanation of the Statute made in the fift yeare of her ſaid Maieſties Reigne, concerning Labourers. 39. El. 12. 5. El. 4.

An Act intituled, An act prohibiting the bringing into this Realme of forreine Cards for Wooll. 39. El. 14.

An Act intituled, An act againſt lewd and wandring perſons, pretending to be Souldiers or Mariners. 39. El. 17.

An Act intituled, An act for puniſhing of Rogues, Vagabonds, and ſturdy Beggers, with this Prouiſion to be annexed thereunto, by authority of this preſent Parliament, That the ſaid laſt mentioned act, nor any thing therein contained, ſhall impeach, auoid, preiudice, or reſtraine ſuch Libertie and Inheritance, as Iohn Dutton of Dutton in the Countie of Cheſter Eſquire, and his Anceſtors (whoſe Heire he is) haue lawfully vſed and exerciſed, in allowing Minſtrels in the Countie Palatine, and Countie of the Citie of Cheſter, and for gouernment of Minſtrels there, and keeping a Court yearely for that purpoſe. 39. El. 4. 1. Car. 4.

And that the ſeuerall Acts hereafter mentioned, made in the three and fortieth yeare of the Reigne of the ſaid late Queene Elizabeth, That is to ſay, An Act intituled, An act for the neceſſarie reliefe of Souldiers and Mariners. 43. El. 3.

An Act intituled, An act to auoid trifling and friuolous Suits in Law in her Maieſties Courts at Weſtminſter. 43. El. 6.

An Act intituled, An act for the Reliefe of the Poore: With this addition, viz. Be it enacted, That all perſons to whom the Overſeers of the Poore ſhall, according to this Act, binde any children Apprentices, may take and receiue and keepe them as Apprentices, Any former Statute to the contrary notwithſtanding. 43. El. 2. 21. Iac. 28.

An Act intituled, An act for the true making and working of Woollen Clothes. 43. El. 10.

An Act intituled, An act to preuent Periurie and Subornation of Periurie, and vnneceſſary expences in Suites in Law, ſhall be continued and remaine in force vntill the end of the firſt Seſſion of the next Parliament. 43. El. 5.

All the foreſaid ſtat. continued vntill the end of the firſt Seſſion of the next Parliament. Exp.

Prouided neuertheleſſe, That ſo much of euery of the ſaid Acts as by any new act made in this Seſſion of Parliament, ſhall be altered or repealed, ſhall ſtand diſcontinued.

Prouided alſo, and be it further enacted by the authority of this preſent Parliament, That when the prices of Cornes or Graines exceed not the Rates hereafter following, at the Times, Hauens and Places, where and when the ſame Corne or Graine ſhall be ſhipped or loaden, viz. The Quarter of Wheat at ſixe and twenty ſhillings eight pence, the Quarter of Rie, Peaſe, and Beanes, at fifteene ſhillings, the Quarter of Barley or Mault, at fourteene ſhillings of currant Engliſh money: That then it ſhall be lawfull for all and euery perſon and perſons, being ſubiects of the Kings Maieſtie, his heires or ſucceſſors, to tranſport of his owne, and to buy and tranſport any of the ſaid Cornes & Graines vnto any parts beyond the Seas in amitie with his Maieſty, to ſell as Merchandize, in Shippes, Crayers, or other Veſſels, whereof any Engliſh borne ſubiect or ſubiects then ſhall be the Owner or Owners, Any Law, Vſage, or Statute to the contrarie hereof notwithſtanding. And that the Kings Maieſtie, his heires and ſucceſſors, ſhall haue and receiue by the Cuſtomers and Officers of his Ports, for the Cuſtome or Pondage of euery Quarter of Wheat, to be tranſported by force of this Statute, two ſhillings, of euery Quarter of other Graine ſixteene pence: Which ſaid ſeuerall ſummes ſo to be had and taken as Cuſtome or Pondage, to be in full ſatiſfaction of all manner of Cuſtome or Poundage for the ſaid Corne or Graine, by any Conſtitution, Order, Statute, Law, or Cuſtome heretofore made, vſed or taken for tranſporting of any ſuch maner of Corne or Graine.

when Graine may be tranſported. Alt. 21. Iac. 28. 3. Car. 4.

The Kings Cuſtome and Pondage of Corne tranſported.

Prouided alwayes, and be it enacted by the authority of this preſent Parliament, That the Kings Maieſtie, his heires and ſucceſſors, may at all times, by his and their Writ of Proclamation, to be publiſhed generally in the whole Realme, or in any of the Counties of the Realme, where any Port Townes are, command, That no perſon ſhall by vertue of this Act tranſport or conuey any maner of Graine out of his Highneſſe Dominions generally, or out of any ſpeciall Ports, to be in the ſame Proclamation particularly named, for ſuch time as ſhalbe therein limited and appointed. And it ſhall not be lawfull for any perſon to carrie out any ſuch Graine, contrary to the tenor of the ſame Ploclamation, vpon ſuch paines and forfeitures, as by the Lawes and Statutes of this Realme are and haue beene prouided and ordained in that behalfe, This Act or any thing therein contained to the contrary notwithſtanding. Stat. 3. Iac. 11.

Prouided alſo, and be it enacted, That no perſon or perſons ſhall incurre any penaltie for want of length, breadth, or weight of Welch Cottons, vnder the price of fifteene pence the yard, or two ſhillings the Goade, ſo as they be not mixt with haire or other deceitfull ſtuffe: Nor for any others aboue that price, except they be mixt as aforeſaid, or ſhall ſhrinke aboue the rate of halfe a yard Stat. 3. Iac. 17.

in twelue yards of length, or weigh leſſe than fourtéene ounces the yard, or hold not full thrée quarters of a yard broad.

5. El. 9. And alſo be it enacted, That an Act made in the fift yeare of the Reigne of the ſaid late Quéene Elizabeth, for puniſhment of Periurie, ſhall be reuiued and continued vntill the end of the firſt Seſſion of the next Parliament.

14. El. 7. And that one acte made in the fourtéenth yéere of the reigne of the late Quéene Elizabeth, intituled, An acte againſt the deceit of Vnder-Collectors of the Tenths and Subſidies of the Clergie.

27. El. 3. 13. El. 4. And one other Act made in the ſeuen and twentieth yere of the Reigne of the ſaid late Quéene, intituled, An acte for the Explanation of the Statute made in the thirtéenth yeare of the Reigne of the ſaid late Quéene, intituled, An act to make the Lands, Tenements, Góods and Chattels of Tellers, Receiuers, &c. lyable to the payment of their debts, Shall from the end of this preſent Seſſion of Parliament, be reuiued and ſtand in force: Any Repeale heretofore made thereof, or of any of them, to the contrary notwithſtanding.

14. El. 5. And that ſo much of one Act made in the fourtéenth yere of the Reigne of the ſaid late Quéene Elizabeth, intituled, An act for the puniſhment of Vagabonds, and for the reliefe of the poore and impotent, as concerneth the Taxing, Rating, Leuying, Receiuing, and Imploying of Goale money, ſhall be reuiued from henceforth, and ſtand and continue vntill the end of the firſt Seſſion of the next Parliament.

And be it alſo further enacted by the authority aforeſaid, That the Statute made in the ſeuen and twentieth yeare of the ſaid Quéene Elizabeth, intituled, An act for the maintenance of the 27. Eliz. not printed. Peere and Cob of Lyme Regis in the Countie of Dorſet, ſhall be continued and ſtand in force and ſtrength, for and during the ſpace of tenne yeares next enſuing the firſt day of this Parliament. And from thence, to the end of the next Seſſion of Parliament.

Stat. 21. Iac. 28. Sanctuaries extinct. And be it alſo enacted by the authority of this preſent Parliament, That ſo much of all Statutes as concerneth Abiured perſons, and Sanctuaries, or ordering or gouerning of perſons Abiured, or in Sanctuaries, made before the fiue and thirtieth yeare of the late Quéene Elizabeths Reigne, ſhall alſo ſtand repealed and be void.

22. Ed, 4. 5. And alſo, that an acte made in the two and twentieth yeare of the Reigne of King Edward the fourth, againſt fulling of Hats, Bonnets, and Caps in Fulling-Mills.

3. H. 8. 15. And an Act made in the third yeare of King Henry the eight, intituled, An act concerning the making of Caps and Hats.

21. H. 8. 9. And an Act made in the one and twentieth yeare of King Henry the eight, intituled, An act limiting the price of Hats and Caps brought from beyond Seas.

7. Ed. 6. 8. And an act made in the ſeuenth yeare of King Edward the ſixt, intituled, An act for the true Fulling and Thicking of Caps.

1. M. 11. And an act made in the firſt yeare of Quéene Mary, intituled, An acte for the ſale of Hats and Caps made beyond the Seas.

4. H. 5. 3. 4. Ed. 4. 9. An acte made in the fourth yeare of King Henry the fourth, That Patten-makers ſhould make no Pattens nor Clogs, of Timber called Aſpe: Together with an Acte made in the fourth yeare of King Edward the fourth, That Patten-makers might make Pattens, or Clogs of ſuch pieces of Timber called Aſpe, as was not conuenient or ſufficient for Shafts.

15. R. 2. 11. And an act made in the fiftéenth yeare of King Richard the ſecond, touching Girdlers, garniſhing their Girdles with white Metall.

5. & 6. Ed. 6. 21. And an acte made in the fift yeare of King Edward the ſixt, intituled, An act againſt Pedlers and Tinkers.

7. Ed. 6. 5. And ſo much of an Act made in the ſeuenth yeare of the Reigne of the ſaid King Edward the ſixt, intituled, An act made to auoid the great and exceſſiue prices of Wines, as doth concerne the ſelling of Wine at certaine prices, or forbidding or reſtraining the hauing of Wines in mens houſes.

4. Ed. 4. 8. And an acte made in the fourth yeare of King Edward the fourth, That no Stranger or Alien ſhould buy any Engliſh Hornes vnwrought: And that the Wardens of the Horners ſhould haue power to ſearch all maner of Wares pertaining to their Myſterie in London, and foure and twentie miles on euery ſide of it.

24. H. 8. 13. All Statutes that concerne Apparell, repealed. And that an Act made in the foure and twentieth yeare of the late King Henry the eight, for Reformation in Exceſſe of Apparell: Together with another Act bearing the ſame Title, made in the firſt and ſecond yeares of the Reignes of the late King Philip and Quéene Mary, And all other Acts heretofore made concerning Apparell.

4. & 5. P. & M. 2. And an acte made in the fourth and fift yeares of the late King Philip and Quéene Mary, for the hauing and kéeping of Horſe, Armour, and Weapon.

5. El. 8. And a Statute made in the fift yeare of the Reigne of our late Soueraigne Lady Quéene Elizabeth, intituled, An act touching Tanners, Curriers, Shóomakers, and other Artificers, occupying the cutting of Leather, ſhall likewiſe from henceforth be repealed and void.

And be it further enacted by the authority of this preſent Parliament, That an acte made in the firſt yeare of the reigne of Quéene Mary, intituled, An Act for the repeale of certaine Statutes made in the time of King Edward the ſixt, ſhall ſtand repealed and void.

1.M.2. The 15.laſt ſtat.repealed.

And that an act made in the Seſſion of Parliament, holden vpon Prorogation, at Weſtminſter, the fourth day of Nouember, in the ſecond yeare of the reigne of the late King Edward the ſixt, and there continued and kept, to the fourteenth day of March, in the third yeare of the ſaid late Kings reigne, intituled, An act to take away all Poſitiue Lawes, made againſt the Marriage of Prieſts,

Marriage of Prieſts.

And an Act made in the Seſſion of Parliament, holden vpon Prorogation at Weſtminſter the thrée & twentieth day of January, in the firſt yeare of the reigne of the ſaid King Edward the ſixt, and there continued & kept vntill the fifteenth day of April, in the firſt yeare of his reigne, intituled An Act made for Declaration of a ſtatute made for the marriage of Prieſts, & for the legitimation of their children, ſhal ſtand reuiued & be in force for euer, the ſaid Act of Repeale notwithſtanding. And the children of Eccleſiaſticall perſons, in the ſaid Act mentioned, ſhall be and continue legitimate, and inheritable, to all intents and purpoſes, in ſuch ſort, as children of Lay perſons doe enioy, and may inherite: Any Canon or Conſtitution to the contrary notwithſtanding.

2.& 3.Ed.6.21. & 5.& 6. Ed. 6. made perpetuall.

The children of Eccleſiaſticall perſons ſhall be legitimate and inheritable.

CAP. XXVI.

A Confirmation of certaine Orders before made for the Exchequer.

Moſt humbly pray your excellent Maieſty, your moſt louing and faithfull ſubiects, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, That whereas the late Quéene Elizabeth, in the thirtéenth yeare of her happie reigne, out of her Princely Grace and méere motion, by her gracious Priuie Seale, to the then Lord Treaſurer, Chancellor, and Barons of her Maieſties Exchequer directed, did authorize and command them to ſet downe and ſtabliſh certaine Orders, touching the awarding of Proces, diſcharge without Pleading, diſcharge of Iſſues, and the Rates of Fées, within the Office of the Lord Treaſurers Remembrancer in the Exchequer: By vertue of which her Royall Commandement, vpon graue deliberation, and with the priuity and conſent of her Maieſties then learned Councell thereunto called, diuers Orders, being moſt honourable and agréeable to Juſtice, were conceiued and eſtabliſhed, which Orders be to this Bill annexed.

The Quéens Priuie Seale to the Officers of the Exchequer, to ſet downe Orders, &c.

May it pleaſe your moſt excellent Maieſty, for the eſtabliſhment, continuance, and furtherance of her ſaid Maieſties then moſt gracious intention, and of your Maieſties moſt abundant Grace and fauourable inclination, to the good and eaſe of your Highneſſe Subiects, That it may be enacted, And by the authority of this preſent Parliament, Be it enacted by the Kings moſt excellent Maieſtie, with the aſſent of the Lords Spirituall and Temporall, and Commons in this preſent Parliament aſſembled, That all manner of Iſſues loſt and forfeited, or hereafter to be loſt and forfeited, which by the true intent of the ſame late Quéenes moſt gracious Priuie Seale, and the ſaid Orders hereunto annexed, ought to be remitted and diſcharged againſt her ſaid Maieſtie, be and at all times for euer hereafter ſhall be accordingly, by vertue of this preſent Act, cleerely diſcharged and acquitted againſt your Maieſtie, your heires and ſucceſſors.

Certaine Iſſues forfeited, ſhall be remitted.

And be it further enacted by the authority aforeſaid, That if the Lord Treaſurers Remembrancer for the time being, or any of his Clerkes, ſhall from and after the laſt day of this preſent Seſſion of Parliament, award any Proces, exact any Pleading, or take any Fées, or otherwiſe in any point demeane him or themſelues, contrary to the true meaning of any the ſaid Orders, That then for euery ſuch offence which the ſaid Lord Treaſurers Remembrancer or his Deputie, or any of his or their Clerkes ſhall commit, the perſon ſo offending, or in caſe any ſuch perſon ſo offending, be vnable to ſatiſfie, the Lord Treaſurers Remembrancer himſelfe ſhall forfeit and loſe the ſumme of twentie pounds, whereof the one moitie to be to your Maieſtie, your Heires and Succeſſors, and the other moitie to the partie grieued, to be ſued for within two yeares of the offence committed, by Action of Debt, Bill, Plaint, or Information, in any your Maieſties Courts of Record at Weſtminſter, wherein no Eſſoine, Protection, wager of Law or Priuiledge ſhall be allowed.

The forfeiture of him that offendeth contrary to the ſaid Orders.

The Orders ſet downe for reſpect of Homage, by the Right Honourable Sir William Cecil of the honourable order of the Garter Knight, Baron of Burghley, Lord Treaſurer of England, and Maſter of the Court of Wards and Liueries, Sir Walter Mildmay Knight, Chancellor and Vice-Treaſurer of her Highneſſe Court of the Exchequer, Sir Edward Saunders Knight, Lord chiefe Baron of the ſaid Court, and other the Barons of the ſame, Calling vnto them Gilbert Gerrard Eſquire, her Maieſties Atturney generall, and Thomas Bromley Eſquire, her Highneſſe Sollicitor generall, and made the fiftéenth day of June, in the yeare of our Lord God, one thouſand fiue hundred thréeſcore and thirtéene, and in the fiftéenth yeare of the raigne of our Soueraigne Lady Elizabeth, by the grace of God, Quéene of England, France and Ireland, Defender of the Faith, &c. According to her Maieſties Priuie Seale to the ſaid Treaſurer and Barons in that behalfe directed, and witneſſed vnder their hands as followeth,

The Orders ſet downe for reſpect of homage.

Firſt, that no Proces Ad faciend. Homagium & fidelitatem, or Ad faciend. fidelitatem, nor

any

Fines ſtreated out of the common place.

any Writ of Scire facias, Capias, or diſtreſſe from the Fines ſtreated out of the Court of common Pleas, ſhall goe out of the Treaſurers Remembrancers Office, vpon any ſuppoſall, vpon paine by former Lawes and Statutes limited, and by the orders of the ſaid Court in that caſe prouided, but vpon a good and iuſt ground, and the ſame ſhall be vouched in euery of the ſaid Proceſſes, according to the Booke, Terme, Yeare, Roll, and Record thereof, that it may be certainely found. And yet if by any knowne Record remaining in that Office, it may appeare the ſame Tenure haue béene Trauerſed, then the ſaid Proceſſes to be diſcharged by the ſaid Trauerſe, without pleading.

Proces vpon the firſt ſtreate of the originall.

2 Vpon the Streate of the originall of the Chancerie, of the firſt grants of any lands or tenements holden in Chiefe, or by Knights ſeruice, or Socage in Chiefe, or of any Licence of Alienation, Pardon of Alienation, Ouſter le maine, generall or ſpeciall Liuerie, or Inrolment of any of them, Proces ſhall be made only for the ſeruice due thereupon, and the parties vpon the ſame ſhall be admitted without Pleading, as it hath béene accuſtomed to make their fine for reſpect of homage, or to doe their fealtie, forthwith whenſoeuer they will appeare, and pray to be receiued for the ſame, paying the charges of their ſaid fine, as hereafter is appointed.

Vpon a Writ the firſt tenant returned Mort. or nihil habet.

3 Where the firſt tenant in any ſuch Writ from the ſaid originall, or ſuch Inrolment is returned by the Sheriffe Mort. or Nihil habet, then ſhall goe out according to the ancient courſe of the ſaid Court a Diſtring. tenent. againſt the Tenants of the ſaid Lands, to the Sheriffe to doe their ſeruice due to the King, and to ſhew their entrie into the ſame, who returning the name of the tenant of the lands in the Writ, there ſhall goe proces then euery Terme againſt the ſaid new tenants to doe their ſaid ſeruice, and alſo to ſhew their Entrie, and they to loſe Iſſues thereupon, vntill they come in, and make their fine for reſpect of homage, or fealtie, or doe their fealtie vpon the ſame, according to the ancient courſe of the Exchequer.

A meane to auoid the charge of pleading in certaine caſes.

4 To auoid the charges of Pleading, vpon ſhewing of any mans Entrie, it ſhall be lawfull for euery perſon that by force of any Licence of Alienation, doth come to any lands or tenements holden in Chiefe, aſſured to him in fée-ſimple, fée-taile generall or ſpeciall, or for terme of life, by any maner of conueyance in Law, from the party in the firſt originall or Inrolment of the ſame, to bring the ſame Licence and conueyance to the ſaid Treaſurers Remembrancer, and thereupon the ſaid Barons of the Exchequer, or the ſaid Treaſurers Remembrancer, finding the ſaid Licence of Alienation to be good, & agréeable to the aſſurance thereupon made, and likewiſe agréeable to and from the ſaid originall, and from and with all the Vouchers of the ſame, the partie to whom ſuch Licence of Alienation is made, ſhall be receiued to Inroll the ſaid Licence onely, and to make his fine thereupon for reſpect of homage, without any further Pleading, or other ſhewing of his Title for the ſame. And likewiſe whoſoeuer ſhall enter into any lands by Liuerie generall, ſpeciall, or Ouſter le maine, bringing the ſame and the ſchedule of his Liuerie with him, he ſhall be receiued to like Inrolment, and making of his Fine without any Pleading.

Inrolling of a Liuerie, or Ouſter le maine.

A Licence of Alienation of lands aſſured by fine.

5 Likewiſe, who ſo that hath a Licence of Alienation of Lands and Tenements, holden in Chiefe, which thereby are aſſured vnto him by Fine, the ſame perſon may alſo bring in his ſaid Licence, and aſſurance thereupon, to be examined, as before in the fourth Article is mentioned, And the ſame agréeing together, and alſo agréeing from and with the Originall, and from and with the Vouchers of the ſame, then the partie to be diſcharged without Pleading.

Writ of Reuerſion.

6 Where any Writ of Reuerſion ſhall be made, vpon any Record, for Lands or Tenements, wherein the Prince is in Reuerſion, if it doe appeare by any ſufficient matter of Record within the Court that the Grant or Record whereupon the ſaid Writ of Reuerſion is made, is cléerely auoided or determined, In ſuch caſe the partie vpon ſhewing forth of ſuch Record, ſhall be diſcharged without Pleading.

The manors of one name in one Countie.

7 Where there be two Manors or moe, or other Lands and Tenements of one name in one Countie, and the one holden of the Prince in Chiefe, or by Knights ſeruice, and the other not, In ſuch caſes where the matter ſhall ſo appeare of Record, the partie that hath the Manors or Lands ſo not holden, ſhall be diſcharged of the Proces without Pleading, and the Iſſues thereupon loſt, to be ſaued.

Which be the Iſſues loſt that ſhall be diſcharged.

8 The Iſſues loſt by her Maieſties Subiects, which her Highneſſe of her gracious fauour and goodneſſe, hath appointed by her Maieſties Priuie Seale to be diſcharged, be as followeth. Viz.

Some returned tenãts of lands which they haue not.

All Iſſues loſt and to be loſt, vpon any that are or ſhall be returned tenants of Lands which they haue not, ſhall be now diſcharged, though they haue other Lands within the Shire, that could not ſo haue béene before the ſaid Priuie Seale was granted.

Iſſues loſt vpon an heire or ward within age.

All Iſſues loſt or to be loſt vpon any Heires or Ward, being within age, or in cuſtodie, or committed to any, ſhall be now as before diſcharged, that were wont to remaine, while the heire come to full Age.

The Committees of Wards lands by leaſe.

All Iſſues loſt or to be loſt, vpon the Committées of any Wards Lands by Leaſe, as returned Tenant thereof, ſhall be now diſcharged, that otherwiſe ſhould haue béene paid by the ſaid Committées, if they had any Lands or Tenements, Goods or Chattels within the ſaid Countie.

All Iſſues loſt or to be loſt vpon any lands in the Queenes Maieſties hands, by Extent or otherwiſe, ſhall bee now diſcharged, that otherwiſe could not haue beene by the courſe of the Court.

Lands in the Q. hands by extent.

All Iſſues loſt or to be loſt vpon the Farmours and Tenants, of any Lands for life, yeares, or at will, ſhall be now diſcharged, that were wont to pay them, being returned Tenants thereof by the Sheriffes, if they had any lands or goods within the Shire.

Iſſues loſt by tenants for life yeares, or at will.

All Iſſues loſt or to be loſt vpon tenants of Lands in Chiefe by Extent, ſhall be now as afore diſcharged, and could not ſo haue beene before, but were alwayes leuiable vpon the lands.

Lands of tenants in chiefe.

All Iſſues loſt or to be loſt by ſundry other vexations, as well by vntrue Returnes and miſreturnes of Sheriffes and Vnder ſheriffes, ſhall or may be diſcharged, moderated, or otherwiſe ordered, as the Court ſhall thinke meete, that were infinite before, and could not be diſcharged, but the partie was driuen to take his remedie againſt the Sheriffe.

Iſſues loſt by the Sheriffes vexation.

All Iſſues loſt or to be loſt vpon any former Grant of Lands and Tenements in Chiefe, that are afterward giuen or not to be holden in Chiefe, ſhall be now diſcharged by this Priuie Seale, and could no way haue beene remitted, vntill the ſecond Grant hath beene laid and pleaded.

Lands holden in chiefe, and after by another tenure.

All Iſſues loſt or to be loſt by any perſon returned in any Iurie in the Excheqer, or in any Attaint or Iurie in the Kings Bench, or Common place at Weſtminſter, or in any Iurie before the Iuſtice of Aſſiſe in any Court within the Realme, which at the time of their appearance appointed, were beyond Sea in her Maieſties ſeruice, or by ſpeciall Licence in writing, or were or ſhall be in priſon, or in Ordinarie of her Maieſties Chamber or Houſehold, and bound to their perſonall attendance there, ſhall be now diſcharged cleare, that before could by no meanes be holpen.

Iſſues loſt by Iurors.

Rara finium pro homag. tenent. Dominæ Reginæ per vnum annum integrum reſpectuand. cum feod. Rememorat. Theſaur. & pro intrac. finium, cum Record. inde fact. ac pro feod. Attorn. pro eodem anno integro exhibit. Parliament.

Valor terrarum.	*Fines Reginæ.*	*Feod. Rem. Theſ.*	*Pro intrac.*	*Pro feod. attorn.*
Li. Li. A C. ad lx.	s. x.	d. xx.	d. iiij.	d. By ſome xl.
Li. Li. A lx. ad xxx.	marc. dim.	d. xx.	d. iiij.	d. By ſome xx.
Li. Li. A xxx. ad xx.	s. v.	d. xx.	d. iiij.	nl. By ſome
Li. Li. A xx. ad xv.	d. xl.	d. xx.	d. iiij.	
Li. Li. A xv. ad x.	s. ij.	d. xx.	d. iiij.	By ſome voluntary Annuities for all matters s. xl. s. xx. s. d. xiij. iiij. s. x. s. d. vj. viij. s. v.
Li. marc. A x. ad x.	d. xx.	d. xx.	d. iiij.	
marc. s. A x. ad C.	d. xij.	d. xij.	d. iiij.	
s. s. A C. ad lx.	d. viij.	d. viij.	d. iiij.	
s. A lx. & infr.	d. iiij.	d. iiij.	d. iiij.	Theſe neuer loſe iſſues, but haue their fines paid, whether they come or come not.

Item, That the ſaid Fines ſhalbe paid after the ſaid Rate exhibited to the Parliament Houſe, and not otherwiſe, Charges for vexation by a writ vpon a ſuppoſall.

According to the ſaid Treaſurers Remembrancers owne offer, for himſelfe and the Clerkes of his Office, It is ordered that he himſelfe ſhall pay euery Subiects charges, as by the Court of Exchequer ſhall be ſet and ordered, that ſhall be vexed by any Writ vpon a ſuppoſall, and not vpon a good and iuſt ground vouched and ſet downe in euery Writ, as before is declared.

Iſſues loſt after the ordinary fine paid for reſpite of homage.

The Clerkes of the ſaid Treaſurers Remembrancers Office, ſhall pay all Iſſues, that any of her Maieſties Subiects ſhall loſe, after he hath paid his ordinary Fine for reſpect of Homage to any of them for any lands or tenements, and ſo may be proued by any of their Acquittances, W. Burleigh, Wa. Myldemaie, Edward Saunders, George Freuile, Iohn Birche. Ex. per G. Gerrard. Thomas Bromley. Ex. per Iohn Osburne, xvij. Nouembr. 1601.

Proces awarded for the preſeruation of the Tenures of the Crowne.

Prouided alwayes neuertheleſſe, and be it enacted by the authority aforeſaid, if in caſe it ſhall be thought fit, for the true knowledge and preſeruation of the Tenures appertaining to the Crowne, and ſo ordered in the open Court of Exchequer, that Proces ſhould iſſue out of the ſaid Court againſt any, That in euery ſuch caſe, the ſaid Treaſurers Remembrancer, or any his Clerkes, may ſend out the ſaid Proces, without incurring any the penalties of this Acte: In which caſe, no ſuch Tenure appearing to the Court, the partie ſhall be clearely diſmiſſed, without any maner of pleading, or paying any Fees at all.

CAP. XXVII.

Penalties for deſtroying of Pheaſants, Partridges, Pigeons, Hares.

11. H. 7. 17.
23. El. 10.
32. H. 8. 8.
13. R. 2. 13.
19. H. 7. 11.

FOraſmuch as there be diuers good and neceſſary Lawes and Statutes, which doe inflict and impoſe diuers great and heauy penalties, puniſhments, and forfeitures vpon ſuch as ſhould with any Gunnes, Nettes, Croſſebowes, or other Inſtruments, or Engines, ſpoile or deſtroy the game of Pheaſants, Partridges, Hearne, Mallard, and ſuch like, and vpon ſuch as kill or deſtroy Hares with Hare-pipes, Cords, or other Engines, or ſhould kill any Hare by tracing, and courſing them with Dogges in the Snow, And neuertheleſſe of late yeares, the ſeuerall games aboue mentioned, haue beene more exceſſiuely and outragiouſly ſpoyled and deſtroyed, than hath beene in former ages, eſpecially by the vulgar ſort, and men of ſmall worth, making a trade and a liuing of the ſpoyling and deſtroying of the ſaid games, who are not of ſufficiencie to pay the ſaid penalties in the ſaid Statutes mentioned, nor to anſwer the coſt and charges of any that ſhould informe and proſecute againſt them, in any of his ſaid Maieſties Courts of Record at Weſtminſter, vpon any of the ſaid penall Lawes and Statutes, By reaſon whereof few ſuits haue beene attempted vpon the ſaid Lawes, and for the ſaid forfeitures, whereby the good thereby meant and hoped, hath not ſucceeded, and thereby great ſcarcitie of the ſaid games in all, or in the moſt parts of this Realme hath followed, and preſently is, and ſo is like to be, if ſome remedie be not in that behalfe prouided.

The penalties for deſtroying a Hare, or certaine fowle, or their egges.

Be it therefore enacted by the authority of this preſent Parliament, That all and euery perſon and perſons, which from and after the firſt day of Auguſt next following, ſhall ſhoot at, kill or deſtroy with any Gunne, Croſſebow, Stonebow, or Longbow, any Pheſant, Partridge, Houſe-Doue, or Pigeon, Hearne, Mallard, Ducke, Teale, Wigeon, Grouſe, Heathcocke, Moregame, or any ſuch fowle, or any Hare, Or after the ſaid firſt day of Auguſt, ſhal take, kill, or deſtroy any Pheſant, Partridge, houſe Doue, or Pigeon, with ſetting Dogs and Nets, or with any maner of Nets, Snares, Engins, or Inſtruments whatſoeuer, or ſhall take the egges of any Pheſant, Partridge, or Swannes, out of the neaſtes, or willingly breake, ſpoile, or deſtroy the ſame in the neaſt, Or after the ſaid firſt day of Auguſt, ſhall trace, or courſe any Hares in the Snow, or at any time take, or deſtroy any Hares with any Hare-pipes, Cords, or with any ſuch Inſtruments, or other Engines, And the ſame offence or offences being proued, by the confeſſion of the partie, or by the teſtimonie of two ſufficient witneſſes, vpon oath before two or more Iuſtices of Peace of the ſame County, City, or Town corporate, wherein the offence ſhall be committed, or the partie offending apprehended, ſhalbe by the ſaid Iuſtices of peace for euery ſuch offence, committed to the common Goale of the ſaid Countie, Citie, or Towne corporate, where the offence ſhall be committed, or the parties apprehended, there to remaine for three moneths without baile or mainpriſe, vnleſſe that the ſaid offender doe, or ſhall forthwith vpon the ſaid conuiction, pay or cauſe to be paid, to the Church-wardens of the ſaid Pariſh where the ſaid offence ſhall be committed, or the partie apprehended, to the vſe of the poore of the ſaid pariſh, the ſumme of xx. s. for euery Pheaſant, Partridge, houſe Doue, Pigeon, Hearne, Mallard, Ducke, Teale, Wigeon, Grouſe, Heathcocke, Moregame, or any ſuch Fowle, and for euery egge of Pheaſant, Partridge, or Swannes, and for euery Hare, which any, and euery ſuch perſon and perſons ſo offending, and conuicted as aforeſaid, ſhall take, kill, or willingly deſtroy, contrary to the true purport, and true meaning of this Statute, or after one moneth after his commitment, together with two ſufficient Suerties, become bound by Recogniſance in the ſumme of twentie pounds a piece to the Kings Maieſties vſe, his Heires and Succeſſors, with condition that hee the ſaid partie ſo offending, ſhall not at any time thereafter ſhoote at, kill, take or deſtroy, any of the ſaid Games before mentioned, by any of the meanes aforeſayd: Which ſayd Recogniſances ſhall bee taken by any two or more Iuſtices of Peace of the ſayd County, Citie, or Towne Corporate, where the Offendor ſhall be ſo impriſoned, as aforeſayd, and ſhall bee returned to the then next Quarter Seſſions, and there to remaine of Record, as other Recognizances, taken for the Peace.

The penalty for keeping of a Greyhound, a ſetting dog, with Nets to take Pheſants, &c.

And for the better preſeruation of Deere, Hares, and other the Games aforeſayd, Bee it further enacted by the authoritie aforeſayd, That all and euery perſon and perſons which from or after the ſaid firſt day of Auguſt, ſhall haue or keepe any Greyhound for courſing of Deere or Hare, or Setting-dogge or Dogges, or Nette or Nettes, to take Pheſants or Partridges (except ſuch perſon or perſons which ſhall be ſeiſed, in their owne right, or in the right of their Wiues, of Lands, Tenements, or Hereditaments, of the cleere yearely value of ten Pounds by the yeare, or more, ouer and aboue all charges and repriſes, of ſome eſtate of inheritance, Or of Lands, Tenements, or Hereditaments in his owne right, or in the right of his wife for terme of life, or liues, of the yearely value of thirty pounds, ouer and aboue all charges and repriſes. Or bee poſſeſt of goods or chattels, to the full value of two hundred pounds to his owne vſe, Or bee the ſonne or ſonnes of any Knight, or of any Baron of Parliament, or of ſome perſon of higher degree, or the ſonne and heire apparant of any Eſquire,) and being thereof conuicted as aforeſayd, ſhall by the ſayd Iuſtices of the Peace, be committed and impriſoned, in maner and forme as in, and by this preſent Act before is expreſſed, ſpecified, and declared, Except ſuch perſon and perſons ſo offending, and thereof conuicted as aforeſayd, do forthwith pay or cauſe to be payd to the Churchwardens of the ſaid Pariſh, where the ſaid offence ſhall be committed, or the party apprehended, to the vſe of the poore of the ſayd Pariſh, the ſumme of forty ſhillings of good and lawfull money of England.

The penalty for ſelling, or buying to ſell again, Deere, Hare, Partridg or Pheſant.

And be it further enacted by the authority aforeſayd, That euery perſon and perſons, which at any time after the ſaid firſt day of Auguſt, ſhall ſell, or buy to ſell againe, any Deere, Hare, Partridge or Pheſant, (except Partridge and Pheſants reared and brought vp in houſe or houſes, or brought from beyond the Seas) ſhall forfeit for euery Deere ſo bought and ſold, xl. s. for euery Hare x. s. and for euery Partridge x. s. and for euery Pheſant ſo to be bought and ſolde, xx. s. Of all which forfeitures, the one moity ſhall be to him that will ſue for the ſame, by Bill of Indictment or Information: And the other moity to the poore of the Pariſh, where the ſaid offence or offences ſhalbe committed.

No puniſhment by any former Law, where it is inflicted by this.

Which officers may hear & determine theſe offences.

And be it further enacted by the authority aforeſaid, That no perſon or perſons ſhall or may after the ſaid firſt day of Auguſt, be puniſhed by force of any former Statute or Law, for any of the ſayd offences, for which by force of this Law, any puniſhment ſhall be inflicted: And that all Iuſtices of Aſſiſe in their ſeuerall Circuits, and all the Iuſtices of the Peace in their generall quarter Seſſions, and any two Iuſtices of Peace or more together out of any Seſſions, ſhall and may by force of this preſent Act, haue full power and authority to examine, heare, puniſh and determine, all offences to be committed againſt this preſent Statute, and to adminiſter oathes as aforeſaid, and performe and execute all and euery act and thing, fit or requiſite for the due execution of this preſent Act.

Who may take Pheſants & Partriges with Nets, & when. Rep. 7. Iac. 11.

Prouided alwaies, That it ſhall and may be lawfull for euery perſon or perſons, which haue or ſhall haue free Warren, and to and for euery Lord of a Manor, and to euery Freeholder, which is or ſhall be ſeiſed in his owne right, or in the right of his wife, of lands, tenements, or hereditaments to the cleere yeerely value of ten pounds or more by the yeare, ouer and aboue all charges and repriſes of ſome Eſtate of Inheritance, or of lands, tenements, or hereditaments in his owne right, or in the right of his wife, for terme of life or liues, of the yearely value of thirtie pounds, ouer and aboue all charges and repriſes, or bee, or which ſhall be worth in Goods, or Chattels, two hundreth pounds, by him or themſelues, or by his or their Meniall ſeruants (ſufficiently authorized from his or their Maſter for that purpoſe) to take Pheſants and Partridges in the day time onely with Nettes, in and vpon his and their owne, or his and their Maſters free Warren, Mannor and Freehold, or on any part of them, betwixt the Feaſt of S. Michael the Archangel, and the Feaſt of the birth of our Lord God, yearely, Any thing in this Law to the contrary notwithſtanding.

Licence to ſhoot in a Gun for Hawkes meate.

And be it alſo further enacted by the authority aforeſayd, That it ſhall and may be lawfull to and for euery perſon and perſons, keeping any Hawke or Hawkes, which at the generall Quarter Seſſions of the Countie (where he and they ſhall dwell) ſhall be licenced to ſhoot haile-ſhot in Hand-gunnes or Birding piece, at Crow, Chough, Pye, Rooke, Ringdoue, Iey or ſmaller birds for Hawkes meat onely, to ſhoote and kill Hawkes meate, according to the ſayd Licence onely, ſo that ſuch partie ſo to be licenced, doe at the ſame quarter Seſſions, wherein he ſhall be licenced, become bound to the Kings Maieſty by Recogniſance in twenty pounds, not to ſhoote at any the Fowle or Game, at which ſhooting is prohibited by this Law, And ſo that hee or they ſhall not ſhoote in any Hand-gunne or other Gunne, within ſixe hundreth paces of any Hernerie, nor within one hundreth paces of any Pigeon houſe, nor in any Parke, Forreſt, or Chace, whereof the partie ſo licenced, or his Maſter, is or ſhall not be the Owner, Keeper, or Gouernor, for which Licence and Recognizance, the Clerke of the Peace is to take onely twelue pence, and no more.

Continuance of this Stat.

This Law to continue to the end of the firſt Seſſion of the next Parliament. 3.Car.4. Continued vntill the end of the firſt Seſſion of the nex Parliament.

Cap. XXVIII.

A Confirmation of the K. Letters Pat. bearing date at Weſtminſter 30 *die Aprilis*, *Anno* 2. *Regis Iacobi*, granted to the Maior, Bailiffes, & Burgeſſes of the Borough of Berwicke vpon Twede. And of the Franchiſes, Liberties, & Cuſtomes of the ſaid Borough. PR. St. 22. Ed. 48.

Cap. XXIX.

To what ſorts of fleſh, Licences to eat fleſh in Lent ſhal not extend. What ſort of fleſh ſhall not be killed in Lent to be put to ſale. EXP. St. 5. El. 5. 35. El. 7.

Cap. XXX.

The Inhabitants of Melcomb *Regis*, in the County of Dorſet, within the Dioces of Briſtoll, may at their owne coſts build a Church vpon the ground where the Chappell now ſtandeth, & the grounds adioyning, conuenient to receiue the inhabitants of Radipoll, & incloſe the waſt grounds adioyning, to make a Church yard, for a place of buriall. After which Church is builded, it ſhalbe called the Parochiall Church of Radipoll. And the new Parſon of Radipoll, and his ſucceſſors, ſhall be Parſons thereof. And the old Pariſh Church of Radipoll ſhall be but a Chappell of eaſe. And the Patron of the old Pariſh Church of Radipoll ſhall bee Patron of the new. A new Manſion houſe in Melcomb *Regis*, aſsigned to the ſayd Parſon, and his ſucceſſors for euer. PR.

Cap. XXXI.

Severall prouiſions made for thoſe that be infected with the Plague.

Foraſmuch as the Inhabitants of diuers Cities, Boroughes, Townes corporate, and of other Pariſhes and places being viſited with the Plague, are found to bee vnable to relieue the poorer ſort of ſuch people ſo infected, who of neceſſity muſt bee by ſome charitable courſe prouided for, leſt they ſhould wander abroad, and thereby infect others: And foraſmuch as diuers perſons infected with that diſeaſe, and other inhabiting in houſes and places infected, as well poore people and vnable to relieue themſelues, that are carefully prouided for, as others which of themſelues are of abilitie, being commanded by the Magiſtrate or Officer, of or within the place where the Infection ſhall bee, to keepe their houſes, or otherwiſe to ſeparate themſelues from companie, for the auoyding of further Infection, doe notwithſtanding very dangerouſly and diſorderly miſdemeane themſelues.

Taxing the inhabitants for reliefe of the ſick of the plague.

Bee it therefore enacted by the authority of this preſent Parliament, That the Maior, Bayliffes, head Officers, and Iuſtices of Peace of euery Citie, Borough, Towne corporate, and places priuiledged, where any Maior & Bailiffes, head Officers, or Iuſtices of Peace are or ſhalbe, or any two of them, ſhall haue power and authority from time to time, to Tax and aſſeſſe all and euery inhabitant, and all houſes of Habitation, Lands, Tenements and Hereditaments within the ſayd Citie, Borough, Towne corporate, and places Priuiledged, or the Liberties or Precincts thereof, at ſuch reaſonable Taxes and Payments, as they ſhall thinke fit for the reaſonable reliefe of ſuch perſons infected, or inhabiting in houſes and places infected in the ſame Cities, Boroughs and Townes corporate, and places Priuiledged, and from time to time to leuy the ſame Taxes, of the goods of euery perſon refuſing or neglecting to pay the ſaid Taxes, by Warrant vnder the Hand & Seale of the Maior & Bailiffes, and head Officers aforeſaid, or two ſuch Iuſtices of Peace, to be directed to any perſon or perſons for the execution thereof.

The penalty of any party taxed, refuſing to pay & hauing no goods.

And if the partie to whom ſuch Warrant is or ſhalbe directed, ſhall not finde any goods to leuy the ſame, and the partie taxed ſhall refuſe to pay the ſame Taxe, That then vpon returne thereof, the ſayd Mayor, Bayliffes, head Officers, or Iuſtices of Peace, or any two of them, ſhall by like Warrant vnder their Hands and Seales, cauſe the ſame perſon ſo taxed to bee arreſted, and committed to the Gaole, without baile or maineprize, vntill hee ſhall ſatisfie the ſame Taxation and the arrerages thereof.

A prouiſion if the inhabitants of the Towne infected be not able to relieue the ſicke.

And if the Inhabitants of any ſuch Citie, Borough, Towne corporate, or place Priuiledged, ſhall finde themſelues vnable to relieue their ſayd poore infected perſons, and others as aforeſayd, That then vpon Certificate thereof, by the Mayor, Bayliffes, head Officers, and other the ſayd Iuſtices of Peace or any two of them, to the Iuſtices of Peace of the Countie of or neere to the ſayd Citie, Borough, Towne Corporate, or Priuiledged place ſo infected, or any two of them to be made, the ſayd Juſtices of or neere the ſaid County or any two of them, ſhall or may Taxe and Aſſeſſe the Inhabitants of the County within fiue miles of the ſaid place infected, at ſuch reaſonable weekely taxes and rates, as they ſhall thinke fit to be leuied by Warrant from any ſuch two Juſtices of Peace of or neere the County, by Sale of goods, and in default thereof, by impriſonment of the body of the partie taxed, as aforeſayd.

And if any ſuch Infection ſhall bee in any Borough, Towne corporate, or Priuiledged place, where there are or ſhall be no Juſtices of Peace, or in any village or Hamlet within any Countie, That then it ſhall and may be lawfull for any two Juſtices of Peace of the ſaid County, wherein the ſayd place infected is or ſhall bee, to Taxe and Aſſeſſe the Inhabitants of the ſayd Countie, within fiue miles of the ſaid place infected, at ſuch reaſonable weekely Taxes and rates as they ſhall thinke fit for the reaſonable reliefe of the ſayd places infected, to be leuyed by Warrant from the ſayd Juſtices of Peace of the ſame County, by Sale of goods, and in default thereof, by impriſonment of the body of the partie ſo Taxed, as aforeſayd: The ſame Taxes made by the ſayd Juſtices of Peace of the County, for the reliefe of ſuch Cities, Boroughs, Townes Corporate, and places Priuiledged, where there are no Juſtices of Peace, to bee diſpoſed as they ſhall thinke fit, And where there are Juſtices of Peace, Then in ſuch ſort as to the Maior, Bayliffes, head Officers, and Juſtices of Peace there, or any two of them ſhall ſeeme fit and conuenient.

A prouiſion if the infection ſhall be where there are no Juſtices of Peace.

All which taxes and rates made within any ſuch Citie, Borough, Towne corporate, or place priuiledged, ſhall be certified at the next quarter Seſſions to be holden within the ſayd Citie, Borough, Towne corporate, or place priuiledged. And the ſayd taxes and rates made within any part of the ſayd County, ſhall in like ſort be certified at the next quarter Seſſions to bee holden in and for the ſayd County, And that if the Juſt. of Peace at ſuch quarter Seſſions reſpectiuely, or the more part of them ſhall thinke it fit the ſaid taxe or rate ſhould continue, or be inlarged, or extended to any other parts of the Countie or otherwiſe determined, then the ſame to be ſo inlarged, extended or determined, increaſed, or taxed and leuyed, in manner and forme aforeſayd, as to the ſayd Juſtices at the quarter Seſſions reſpectiuely ſhall be thought fit and conuenient, And euery Conſtable, and other Officer that ſhall wilfully make default in leuying ſuch money as they ſhall be commanded by the ſayd Warrant or Warrants, ſhall forfeit for euery ſuch offence ten ſhillings to be imployed on the charitable vſes aforeſayd.

The taxes aſſeſſed ſhalbe certified at the next quarter Seſſions.

The forfitures of officers making default to leuy the money aſſeſſed.

And be it further enacted, That if any perſon or perſons infected, or being or dwelling in any houſe infected, ſhall be by the Maior, Bayliffes, Conſtable, or other head Officer of any Citie, Borough, Towne corporate, Priuiledge place, or Market Towne, or by any Juſtice of Peace, Conſtable, Headborough, or other Officer of the Countie, (if any ſuch infection bee out of any Citie, Borough, Towne corporate, Priuiledged place, or Market Towne) commanded or appointed as aforeſayd, to keepe his or their houſe, for auoyding of further Infection, and ſhall notwithſtanding wilfully and contemptuouſly diſobey ſuch direction and appointment, offering and attempting to breake and goe abroad, and to reſiſt, or going abroad, and reſiſting ſuch keepers or Watchmen as ſhall be appointed, as aforeſayd, to ſee them kept in, That then it ſhall be lawfull for ſuch Watchmen, with violence to enforce them to keepe their houſes. And if any hurt come by ſuch enforcement to ſuch diſobedient perſons, That then the ſayd Keepers, Watchmen, and any other their aſſiſtants ſhall not bee impeached therefore. And if any infected perſon, as aforeſayd, ſo commanded to keepe houſe, ſhall contrarie to ſuch Commandement wilfully and contemptuouſly goe abroad, and ſhall conuerſe in Company, hauing any Infectious Sore vpon him vncured, That then ſuch perſon and perſons ſhall bee taken, deemed, and adiudged as a Felon, and to ſuffer paines of Death, as in caſe of Felony. But if ſuch perſon ſhall not haue any ſuch Sore found about him, then for his ſaid offence, to bee puniſhed as a Vagabond in all reſpects ſhould, or ought to be, by the Statute made in the xxxix. yeare of the reigne of our late Soueraigne Lady Qu. Elizabeth, for the puniſhment of Rogues and Vagabonds, And further to bee bound to his or their good behauiour for one whole yeare.

An infected perſon commanded to keepe his houſe, diſobeyeth.

39.El.4.

Prouided, That no attainder of Felonie by vertue of this Acte, ſhall extend to any attainder or corruption of Blood, or forfeiture of any Goods, Chattels, Lands, Tenements, or Hereditaments.

And be it further enacted by the authoritie aforeſayd, That it ſhall be lawfull for Juſt. of Peace, Maiors, Bailiffes and other head officers aforeſaid, to appoint within their ſeuerall limits, Searchers, Watchmen, Examiners, Keepers and Buryers, for the perſons and places reſpectiuely Infected as aforeſayd, and to miniſter vnto them Oathes for the performance of their offices of Searchers, Examiners, Watchmen, Keepers and Buryers, and giue them other Directions, as vnto them for the preſent neceſſity ſhall ſeeme good in their diſcretions. And this Act to continue no longer than vntill the end of the firſt Seſſion of the next Parliament.

Attendants ſhalbe appointed vpon the infected.

The continuance of this Act.

Prouided alwaies, and bee it enacted by authority of this preſent Parliament, That no Maior, Bailiffes, head Officers, or any Juſt. of Peace, ſhall by force or pretext of any thing in this Act contained, do or execute any thing before mentioned, within either the Vniuerſities of Cam-

bridge

The Vniuerſities, Cathedrall Churches, Eaton, Wincheſter Colledge.

bridge or Oxford, or within any Cathedrall Church or the Liberties or Precincts thereof, in this Realme of England, or within the Colledges of Eaton or Wincheſter, But that the Vicechancellor of either the Vniuerſities for the time being, within either of the ſame reſpectiuely, and the Biſhop and Deane of euery ſuch Cathedrall Church, or one of them, within ſuch Cathedrall Church, and the Prouoſt or Warden of either of the ſayd Colledges within the ſame, ſhall haue all ſuch power and authority, and ſhall doe and execute all and euery ſuch Act and Acts, thing and things in this Act before mentioned, within their ſeuerall Precincts and Iuriſdictions aboueſaid, as wholly, abſolutely, and fully to all intents and purpoſes as any Mayor, Bailiffes, Head officers, or Iuſtices of Peace, within their ſeuerall Precincts and Iuriſdictions may elſewhere by force of this Act doe and execute. 3. Car. 4. Continued vntill the end of the firſt Seſſion of the next Parliament.

Cap. XXXII.

From the end of this Seſſion of Parliament during 7. yeares,& no longer, there ſhalbe payd by the Maſter,or owner of euery Ship, Veſſell,or Craier(ſauing of *Lime Regis* in the County of Dorſet) whereof any of the K.ſubiects ſhalbe owners,or part owners,of the burden of 20.Tuns, or vpward, for euery voyage loading, or diſcharging within this Realme, or to, or from any Forreine countrey beyond the Seas,& paſſing to or from London,or from,to,or by Douer,or comming into the Harbour there(not hauing a Coquet teſtifying his payment before)3.d.for euery Tun,of the burden of euery ſuch Veſſell &c. Except Veſſels loaden with Seacoales,or Grindſtones: And for euery Chaldron of Seacoales or Grindſtones i.d. ob. which ſhalbe paid to the Cuſtomer, Collector of Cuſtomes or Subſidies, or their Deputies &c. EXP.

Cap. XXXIII.

A Subſidie granted to the King of Tonnage, Poundage, Woolles, &c.

What ſubſidies the Kings of this Realme haue had, and for what cauſes.

IN their moſt humble wiſe ſhew vnto your moſt Excellent Maieſty, your loyall and obedient Subiects and Commons in this your preſent Parliament aſſembled,That where as well your Noble great Grandfather of worthy memory King Henry the ſeauenth, the Noble King of Famous memory Henry the eighth, the late King of worthy memory, King Edward the ſixth, the late Queene Mary, and the late renowned Soueraigne Lady Queene Elizabeth, as other your right Noble and Famous Progenitors, Kings of this your Realme of England time out of minde, haue had and enioyed vnto them by Authority of Parliament for the defence of this your Realme, and the keeping and ſafegard of the Seas for the intercourſe of Merchandize, ſafely to come into and paſſe out of the ſame, certaine ſummes of money, named Subſidies, of all manner of Goods and Merchandize, comming in or going out of the ſame your Realme, And foraſmuch as wee your ſayd poore Commons, vndoubtedly and moſt aſſuredly doe truſt and haue ſure confidence in your Maieſties good fauour and will towards vs your ſayd Commons, in, and for the keeping and ſure defending of the Seas againſt all perſons, intending or that ſhall intend the diſturbance of vs your ſayd Commons, in the entercourſe and the inuading of this your Realme, to our moleſtation, vnquieting, and loſſe, which at any time cannot be borne without the great exceſſe and intollerable coſtes, charges, and expences of your Maieſtie, which is not when neede ſhall require in ſuch caſes to be lacked at any time, but rather wee your ſayd Commons wiſhing that ſuch furniture of all things may be had in readineſſe from time to time, when neceſſity ſhall require for the ſpeedy indelayed prouiſion and helpe, for the ſuppreſſing of ſuch inconueniences, diſturbances and inuaſions, humbly deſire your moſt excellent Maieſty, benignly and fauorably to take, accept, and receiue theſe our poore grants hereafter enſuing, as granted of true hearts and good willes which we beare vnto your Highneſſe towards your ſaid great coſts, charges, and expences which may be expended and layd out by your Maieſty for the cauſes afore ſayd, when neede ſhall require, as the firſt fruits of our good wils and hearts towards your Highneſſe, although the ſame doe, or hereafter ſhall nothing in effect counteruaile the ſame your great charges, nor yet we your ſayd poore Commons able fully to gratifie your Highneſſe by any meanes,yet neuertheleſſe we your ſaid Commons, by the aduice and conſent of the Lords Spirituall and Temporall in this your preſent Parliament aſſembled, and by the authority of the ſame to the intent aforeſayd, Doe giue and grant to you our Supreme Liege Lord and Soueraigne, one ſubſidy called Tonnage, That is to ſay, of euery Tonne of Wine that is, or ſhall come into this Realme or any your Maieſties Dominions by way of Merchandize, the ſumme of three ſhillings, and ſo after that rate, And of euery Tonne of ſweet Wines, as well Malmeſey as other, that is or ſhall come into this Realme by any Merchant Alien, three ſhillings, and ſo after the rate, ouer and aboue the three ſhillings aboue mentioned, And of euery Awme of Rheniſh Wine, that is, or ſhall ſo come in, twelue pence. And alſo one other Subſidie called Poundage, That is to ſay, of all manner of goods and Merchandize of euery Merchant, Denizen, and Alien,

A Subſidie of Tonnage granted to the King.

A Subſidie of Poundage.

carried or to be carried out of this Realme, or any your Maieſties Dominions, or to be brought into the ſame by way of Merchandize, of the value of euery twenty ſhillings of the ſame goods and Merchandize, twelue pence, & ſo after the rate, And of euery twenty ſhillings value of Tinne and Pewter veſſell carried out of this Realme by euery or any Merchant Alien, twelue pence, ouer and aboue the twelue pence aforeſayd. Except and forepriſed out of this Grant of Subſidie of Poundage, all manner of Woollen Cloth made or wrought, or which ſhall bee made or wrought within this Realme of England, and by euery or any Merchant Denizen, and not borne Alien, carried or to be carryed out of this your ſayd Realme, And all manner of Woolles, Wooll-fels, Hides & backes, of Leather, that is or ſhalbe carried out of this your ſayd Realme: And all Wines not before limited to pay Subſidie or Tonnage, And all maner of Freſh fiſh & beſtiall comming or that ſhall come into the ſame your Realme.

Exceptions out of the ſubſidy of Poundage.

A Subſidy of wooll, Fells and Leather.

And further we your ſayd poore Commons, by the aduiſe, aſſent, and authority aforeſayd, doe giue and grant vnto you our ſaid Liege Lord our Soueraigne for the cauſes aforeſayd, one other Subſidie, that is to ſay, of euery Merchant borne Denizen, of and for euery Sack of Wooll, thirtie thrée ſhillings foure pence, And of and for euery two hundred and fortie Wooll-fels, thirtie thrée ſhillings foure pence, And of and for euery Laſt of hides and backes, thrée pounds ſixe ſhillings eight pence, and ſo after the ſame rate, for euery leſſe or greater quantitie for any the ſame Merchandize more or leſſe, And of euery Merchant Stranger not borne Denizen, of, and for euery Sack of Wooll, thrée pound ſixe ſhillings eight pence, And of and for euery two hundred fortie Wooll-fels, thrée pound ſix ſhillings eight pence, And for euery Laſt of hides and backs, thrée pound thirtéene ſhillings foure pence, And ſo of all the ſayd Woolles, Wool-fels, hides and backs, and of euery or them, after the rate: To haue, take, enioy, and perceiue the Subſidies aforeſayd, and euery of them, and euery part and parcell of them, to your Highneſſe, from the xviii. day of March laſt paſt, during your life naturall.

A Subſidy of the goods of Aliens borne.

The penalty if the ſaid ſubſidie be not payd.

And that it may bee further enacted by the authority aforeſaid, That if any Wines, Goods or other Merchandize, whereof any the Subſidies aforeſayd, are, or ſhall be due, ſhall at any time hereafter be ſhipped, or put into any boat or other veſſell, to the intent to be carried into the parts beyond the Seas, or elſe bee brought from the parts beyond the Seas, into any Port of this Realme, or other your Maieſties Dominions, by way of Merchandize, and vnſhipped to bee layd on Land, the Subſidie, Coſtome, and other duties due, or to be due for the ſame, not payed or lawfully tendered to the Collector thereof, or his Deputie, with the conſent and agréement of the Comptrollor and Surueyor there, or one of them at the leaſt, not agréed with for the ſame in the Cuſtome houſe, according to the true meaning of this Act: That then from the ſayd eightéenth day of March laſt paſt, all the ſame Wine, Goods, and Merchandize whatſoeuer, ſhall be forfeit to your Highneſſe during the time aforeſayd, the one moity of the rate thereof to your Highneſſe, and the other moity to him or them that will ſeize the ſame, or ſue for the ſame. And that it may pleaſe your Highneſſe, that all Merchants, as well Denizens, as Strangers, comming into this your Realme, be well and honeſtly intreated and demeaned for ſuch things as Subſidie by this Act is granted for, as they were in the time of your ſayd Noble Progenitors and Predeceſſors, without oppreſſion to them to bee done, paying the Subſidies aforeſayd.

Merchants Strangers ſhall be well intreated.

A prouiſion for them whoſe goods be taken by Pirates, or periſhed on the Sea.

And be it further enacted by the authority aforeſayd, That if any Goods or Merchandize as aforeſayd, of any Merchant being borne Denizen, after the ſaid xviii. day of March, during the terme of this grant, hath béene, or ſhall be taken by any enemies or Pirates vpon the Sea, or periſhed in any Ship or Ships, that ſhall happen to be taken or periſhed, within the time of the ſaid grant, whereof the Subſidies and other duties aforeſayd, are or ſhall bee duely payd or agréed for, as aforeſayd, And that duely proued before the Treaſurer of England, or Chiefe Baron of the Exchequer, for the time being, by the examination of the ſame Merchants, if they bee aliue, or of their executors or adminiſtrators, if they bee dead, or by two credible witneſſes at the leaſt ſworne, or or other reaſonable witneſſe and proofe ſworne, Then the ſame Merchant or Merchants, his or their executors or adminiſtrators ſhall or may newly ſhip in the ſame Port, where the goods and Merchandize aforeſayd were or ſhall bee Cuſtomed, ſo much other Merchandize or Goods, as the ſame Goods and Merchandize that are, or ſhall be loſt as aforeſaid, ſhall amount vnto, in Cuſtome, without paying any thing for the ſame, ſo as the ſame proofe be recorded and allowed of in the Court of Exchequer, and certified vnto the Collectors of the Cuſtome of the Port, where the ſame Wares and Merchandizes are to bee newly ſhipped without Cuſtome, as aforeſayd. And further that euery Merchant Denizen, that ſhall hereafter ſhippe any Wooll, Wool-fels, Hides, or any other Goods and Merchandize, in any Carricke or Galley, ſhall pay to your Maieſty, all manner of Cuſtomes and all the Subſidies aforeſayd, as any Alien borne out of the Realme.

The Cuſtom of goods ſhipped in Carickes or Gallies.

Shipping of Herrings.

Prouided alwaies, that it ſhall and may bee lawfull, to all and euery of the Subiects of our Soueraigne Lord the King, at his and their will and pleaſure, to carry and tranſport out of this Realme, in the Shippes or other Veſſels of any the Subiects aforeſayd, all and euery kinde of Herrings, or other Sea-fiſh to be taken vpon the Seas, by any the Subiects aforeſayd, from or out of any Port or Harborough of this Realme, to any place out of the Kings Dominions, without paying of any Cuſtome, Subſidy, or Poundage money, for the ſame Herrings & Fiſh, ſo carryed or tranſported, during this preſent grant of Subſidy of Tonnage and Poundage, any thing before contained to the contrary notwithſtanding. EXP.

Anno Reg. IACOBI, *Regis Angl. Scotiæ, Franciæ, & Hiberniæ, viz. Angl. Franc. & Hibern. tertio, & Scotiæ triceſimo nono.*

AT the ſecond Seſſion of Parliament begun and holden by prorogation at Weſtminſter the fifth day of Nouember, in the third yeare of the reigne of our moſt gracious Soueraigne Lord IAMES, by the grace of God, of England, France, and Ireland, King, Defender of the Faith, &c. And of Scotland the nine and thirtieth. And there continued vntill the ſeuen and twentieth of May: (And from this ſecond Seſſion of Parliament ending the ſaid ſeuen and twentieth of May, the ſayd Parliament was prorogued vntil the eighteenth of Nouember next following, 1606.) To the high pleaſure of Almighty God, and to the weale publike of this Realme, were enacted as followeth.

CAP. I.

Yearely Prayer ſhall be made for the deliuery of the King &c. from the Gunpowder Treaſon.

The bleſſings of England by the King & his Progenie.

The Gun-powder Treaſon conſpired to haue béene effected 5. Nouemb. Anno Dom. 1605.

How the Treaſon was diſcouered.

FOraſmuch as Almighty God hath in all ages ſhewed his power and mercie, in the miraculous and gracious deliuerance of his Church, and in the protection of Religious Kings and States, And that no Nation of the Earth hath béene bleſſed with greater benefits then this Kingdome now enioyeth, hauing the true and free profeſſion of the Goſpell vnder our moſt gracious Soueraigne Lord King IAMES, the moſt great, learned and religious King that euer reigned therein, enriched with a moſt hopefull and plentifull Progenie, procéeding out of his Royall loynes, promiſing continuance of his happineſſe and profeſſion to all poſterity: the which many malignant and deuilliſh Papiſts, Ieſuites and Seminarie Prieſts much enuying and fearing, Conſpired moſt horribly, when the Kings moſt Excellent Maieſtie, the Quéene, the Prince, and all the Lords Spirituall and Temporall, and Commons ſhould haue béene aſſembled in the Vpper Houſe of Parliament vpon the fift day of Nouember, in the yeare of our Lord 1605. ſuddenly to haue blowne vp the ſaid whole Houſe with Gun-powder: An inuention ſo inhumane, barbarous and cruell, as the like was neuer before heard of, and was (as ſome of the principall Conſpirators thereof confeſſe) purpoſely deuiſed and concluded to be done in the ſaid Houſe, that where ſundry neceſſary and Religious Lawes for preſeruation of the Church and State were made, which they falſly and ſlanderouſly terme cruell Lawes enacted againſt them and their religion, both place and perſons ſhould be all deſtroyed and blowne vp at once, which would haue turned to the vtter ruine of this whole Kingdome, had it not pleaſed Almighty God, by inſpiring the Kings moſt Excellent Maieſtie, with a diuine ſpirit, to interpret ſome darke phraſes of a Letter ſhewed to his Maieſtie, aboue and beyond all ordinary conſtruction, thereby miraculouſly diſcouering this hidden Treaſon not many houres before the appointed time for the execution thereof: Therefore the Kings moſt Excellent Maieſtie, the Lords Spirituall and Temporall, and all his Maieſties faithfull and louing Subiects, doe moſt iuſtly acknowledge this great and infinite Bleſſing to haue procéeded méerely from God his great mercy, and to his moſt holy Name doe aſcribe all Honour, Glory and Praiſe. And to the end this vnfained Thankefulneſſe may neuer be forgotten, but be had in a perpetuall Remembrance, that all ages to come may yéeld Prayſes to his Diuine Maieſtie for the ſame, and haue in memorie THIS IOYFVLL DAY OF DELIVERANCE.

Thankes ſhal be giuen to God in euery Church yeerely vpon the Fift day of Nouember.

Be it therefore enacted by the Kings moſt Excellent Maieſtie, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and ſingular Miniſters in euery Cathedrall and Pariſh Church, or other vſuall place for Common Praier within this Realme of England and the Dominions of the ſame, ſhall alwaies vpon the Fift day of Nouember, ſay Morning Prayer, and giue vnto Almighty God thankes for this moſt happie deliuerance: And that all and euery perſon and perſons inhabiting within this Realme of England and the Dominions of the ſame, ſhall alwayes vpon that day diligently and faithfully reſort to the Pariſh Church or Chappell accuſtomed, or to ſome vſuall Church or Chappell where the ſaid Morning Prayer, Preaching, or other Seruice of God ſhall be vſed, and then and there to abide orderly and ſoberly during the time of the ſaid Prayers, Preaching, or other Seruice of God there to be vſed and miniſtred.

And becauſe all and euery perſon may be put in minde of his duty, and be then better prepared to the ſaid holy Seruice, Be it enacted by authority aforeſaid, That euery Miniſter ſhall giue warning to his Pariſhioners publikely in the Church at Morning Prayer, the Sunday before euery ſuch fiſt day of Nouember, for the due obſeruation of the ſaid day. And that after Morning Prayer, or Preaching vpon the ſaid fiſt day of Nouember, they reade publikely, diſtinctly, and plainly this preſent Act.

The Miniſter ſhall giue warning of the day, the Sunday before.

Cap. II.

Certaine perſons attainted of high Treaſon for conſpiring to blow vp with Gun-powder the Parliament Houſe.

IN moſt humble maner beſéechen your moſt Excellent Maieſtie, your moſt loyall, faithfull and true hearted Subiects, the Lords Spirituall and Temporall and the Commons in this preſent Parliament aſſembled, That whereas Arthur Creſwel Ieſuite, who at the time of his profeſſion to be a Ieſuite, tooke vpon him the name of Ioſpeth Creſwel, Oſwald Teſmond, Ieſuit, and Thomas Winter late of Huddington in the Countie of Worceſter Gentleman, the laſt day of Iune in the foure and fortieth yeare of the late Qu. Elizabeth of famous Memorie, at Valedolide within the Kingdome of Spaine, and at diuers other dayes within the ſame foure and fortieth yeare of the ſaid late Quéene, at Valedolide, aforeſaid, and elſe-where within the ſame Kingdome of Spaine, by the meanes, procurement and priuitie of Robert Catesby late of Aſhby in the Countie of Northampton Eſquire, Francis Treſham late of Ruſhton in the ſaid Countie of Northampton Eſquire, and Henry Garner Ieſuite, (aſſuming vpon him to be ſuperior of the Ieſuites within this Realme of England) and others being all naturall borne Subiects of this Realme, did trayterouſly and againſt the dutie of their Allegeance, moue and incite Philip then and yet K. of Spaine, then being at open enmitie and hoſtilitie with the ſaid late Qu. with force to inuade this Kingdome of England, and to ioyne with the Papiſts and diſcontented perſons within this Realme of England, to depoſe and ouerthrow the ſame late Quéene, of, and from her Crowne, and of and from all her Royall Eſtate, Title, and dignity, and to ſuppreſſe and aboliſh the true Religion of Almighty God, truely and ſincerely profeſſed within this Kingdome, and to reſtore the ſuperſtitious Romiſh Religion within the ſame, and to bring this Ancient, Famous and moſt Renowmed Kingdome to vtter ruine and miſerable captiuity vnder forreine power: And for that the greateſt impediment vnto the ſame Inuaſion, would be the want of helpe of good Horſes, the ſaid Thomas Winter, the rather to encourage the ſame King thereunto, was to offer to the ſame King on the behalfe of the Papiſts of England, to giue him aſſiſtance preſently vpon the landing of his Forces, with one thouſand fiue hundred, or two thouſand Horſes, And that for their better accompliſhing thereof, he ſhould moue the ſame King to furniſh the Papiſts of England with a good ſumme of Money, partly to be employed to prouide and furniſh the Horſes, and partly in Penſions, to be employed vpon ſome ſuch as were to be prepared for that Seruice: All which the ſaid Thomas Winter did relate to the ſaid King of Spaine, who (the ſaid Kingdomes of England and Spaine then ſtanding in Hoſtilitie) tooke that offer in very good part, ſaying, That he would reſpect and account of the Catholikes of England, (meaning the Papiſts) as of his owne Caſtilians, and thereupon agréed that he would make Inuaſion, and ſet foot in England about the Spring then next following, and would by way of Exchange ſend ouer vnto the Papiſts of England, one hundred thouſand Crownes, to be paid at two dayes agréed vpon, all which particulars are extant in the Confeſſion of ſome of the chiefe offenders: At which time ſundry Papiſts of England did extraordinarily furniſh themſelues by the trayterous and wicked perſwaſion and meanes of ſundry Ieſuites both with Horſe and Armour.

Treaſons practiſed in the time of Queene Eliſabeth.

To what intent the Treaſons were practiſed.

The King of Spaines anſwer to the Traytors motion.

But before theſe things could be effected, Almighty God called the ſaid late Quéene to his mercie: Immediatly after whoſe deceaſe, that is to ſay, in the ſame moneth of March, wherein ſhe departed out of this world, Chriſtopher Wright late of London Gentleman, was employed by the ſaid Robert Catesby, Francis Treſham, Henry Garnet and others into Spaine, to negotiate with the ſaid King of Spaine, by the meanes of the ſaid Creſwel the Ieſuite and others, to procéed in that Inuaſion, which the ſaid Thomas Winter had before negotiated with him. And afterward on the two and twentieth day of Iune, in the firſt yeare of your Maieſties reigne ouer this Realme of England, Sir William Stanley Knight, Hugh Owen Eſquire, William Baldwine Ieſuite and others, did by and with the trayterous procurement, and the conſent of the offenders aforeſaid, from and out of Flanders in the parts beyond the Seas, vnder the gouernment of the Archduke, trayterouſly imploy and ſend Guy Fawkes late of London Gen-

Practiſers in Flanders of Inuaſion of this Realme.

The King of Spaine deteſted the Treaſon

The practiſers of the Gun-powder Treaſon, and their wicked intent.

The Traytors indicted, arraigned and attainted of high Treaſon.

Certaine of the Traytors put to death.

Certaine of the Traytors ſlaine in the Field.

Hugh Owen.

Francis Treſham.

tleman, vnto the ſaid King of Spaine, to negotiate with him on the behalfe of the ſaid Papiſts of England, for Inuaſion to be had againſt this Realme of England, to the ſame effect as was committed to the ſaid Chriſtopher Wright, as is aforeſaid: And the ſaid Guy Fawkes, and Chriſtopher Wright, though they had all the furtherance of the ſaid Creſwel the Ieſuite that he could giue, yet finding no ſuch entertainment with the ſaid King, who (as by the ſequele appeareth) grew into deteſtation with the ſaid propoſitions and negotiations, as they expected or deſired: But being wholly diſappointed of all their hopes concerning that matter, yͤ ſaid Robert Cateſby, and diuers other perſons within this Realme, did ſend ouer the ſaid Thomas Winter into the ſaid Countrey of Flanders, to procure the ſaid Guy Fawkes, a naturall borne Subiect of this Realm, and yet a moſt trayterous, deſperate, and bloudy minded perſon, then ſeruing as a Souldier in the Low-Countries, to come ouer into this Realme, and by and with the Trayterous Conſpiracie and conſent of the ſaid Henry Garnet, Oſwald Teſmond, Iohn Garrard, and other Ieſuites, and Thomas Pearcie late of London Eſquire, Iohn Wright late of London Gentleman, the ſaid Chriſtopher Wright, Francis Treſham, Robert Winter late of Huddington aforeſaid Eſquire, Iohn Graunt late of Norbrooke in the Countie of Warwicke Eſquire, Ambroſe Rookewood late of Stanningfield in the Countie of Suffolke Eſquire, Euerard Digby late of Gotehurſt in the Countie of Buckingham Knight, Robert Keyes late of London Gentleman, and Thomas Bates late of London Yeoman, to vndertake the Execution of the moſt wicked, barbarous, execrable, and abominable Treaſon that euer could enter into the heart of the moſt wicked man, by blowing vp with Gun-powder the Houſe of Parliament, at ſuch time as your moſt Excellent Maieſtie, and your deareſt Conſort the Queene, and the moſt noble Prince Henry, together with the Lords Spirituall and Temporall, the Iudges of the Realme, and the Knights, Citizens, and Burgeſſes of Parliament ſhould be in the Parliament Houſe aſſembled, (for which moſt trayterous and barbarous purpoſe there were ſecretly laid in a Vault or Cellar vnder the Parliament Houſe, Thirty fiue Barrels of Gun-powder or thereabouts) to the vtter ouerthrow and ſubuerſion of the whole State of this flouriſhing and renowned Kingdome, if God of his infinite mercy had not moſt miraculouſly by your Maieſties bleſſed direction, diſcouered the ſame, in finding out the ſaid Barrels of Gun-powder in the ſaid Vault or Cellar, but few houres before the time appointed for the execution thereof: All which moſt heynous, horrible, and damnable Treaſons, are moſt manifeſt and apparent by the voluntary confeſſions and acknowledgments of the Offenders themſelues: Of which moſt barbarous, bloudie, and deteſtable Treaſon, for conſpiring and preparing to blow vp the ſaid Parliament Houſe with Gun-powder, the ſaid Robert Winter, Thomas Winter, Guy Fawkes, Robert Keyes, Ambroſe Rookewood, Iohn Grant, and Thomas Bates, haue been lately indited, and during this preſent Seſſion of Parliament arraigned, conuicted by Verdict, and thereupon attainted. And the ſaid Sir Euerard Digby Knight, hath likewiſe bin indited, and during this preſent Seſſion of Parliament conuicted and attainted by his owne Confeſſion of Record vpon his Arraignement, according to the Lawes of this your Maieſties Realme, As by the Records of their ſeuerall Inditements, and Attainders it doth and may more plainely appeare: And for the which offences the ſaid Sir Euerard Digby, Robert Winter, Thomas Winter, Guy Fawkes, Ambroſe Rookewood, Iohn Graunt, Robert Keyes, and Thomas Bates, haue ſuffered paines of death according to their demerits: And the ſaid Robert Cateſby, Thomas Pearcie, Iohn Wright, and Chriſtopher Wright, were lately ſlaine in open Rebellion by them and other the ſaid moſt wicked Traitors, moued and ſtirred within diuers parts and Counties of this Realme, ſhortly after the ſaid diſcouery of their ſaid moſt deteſtable and damnable treaſon, in conſpiring and preparing to blow vp the ſaid Parliament Houſe, as aforeſaid. And the ſaid Hugh Owen doth (of purpoſe, & for feare of condigne puniſhment according to his demerits) reſide and keepe himſelfe beyond the Seas, by meanes whereof he cannot in reſpect of ſuch his voluntary abſence be arraigned, and publikely by due triall of law vpon apparent teſtimony and proofe againſt him, be proceeded withall for his moſt heynous and abominable Treaſons: And the ſaid Francis Treſham, being likewiſe one of the ſaid moſt deteſtable Traitors, and being apprehended and impriſoned in the Tower of London, hauing by ſundry his examinations confeſſed himſelfe a principall traitor in all the ſaid moſt wicked and abominable treaſons, died in the ſaid Tower, during the time of his ſaid impriſonment, and before he could be indited of the ſaid Treaſon.

The conuictions and attainders of the Traytors confirmed.

It may therefore pleaſe your Maieſtie, of your bleſſed care and diſpoſition to and for the continuance of Gods true Religion and ſeruice, and for the preſeruation and ſafetie of your moſt excellent Maieſtie, and the gracious Queene, the moſt noble Prince, and the reſt of your royall progenie, and for the entire loue, fauour, and hearty affection that your Maieſtie hath alwayes heretofore borne, and yet beareth to the Common-wealth, and ſafety of this your Realme of England (to the end that all others may hereafter feare to enter into any cogitation to attempt the like barbarous and deteſtable Treaſons,) That all and euery the Conuictions and Attainders of the ſaid Robert Winter, Thomas Winter, Guy Fawkes, Ambroſe Rookewood, Iohn Graunt, Robert Keyes, Thomas Bates, and Sir Euerard Digby, may be approued & confirmed: And be the ſame approued and confirmed by the authority of this preſent Parliament: and that it may be further enacted by the authority aforeſaid, That as well the ſaid Robert Winter, Guy Fawkes, Ambroſe Rookwood, Iohn Graunt, Robert Keyes, Thomas Bates, & Sir Euerard Digby, as alſo the ſaid Robert Catesby, Thomas Pearcie, Iohn Wright, Chriſtopher Wright, Hugh Owen, and Francis Treſham, and euery of them, for the moſt abominable and deteſtable Treaſon in conſpiring and preparing the blowing vp of the ſaid Parliament Houſe, ſtand and be adiudged, and by authority of this preſent Act conuicted and attainted of high Treaſon: And that ſuch and ſo many of the ſaid Offenders, and perſons as are attainted by the courſe of the Common Lawes of this Realme as is aforeſaid, ſhall loſe and forfeit to your Maieſtie, and to your heires and ſucceſſors, All and euery ſuch their Mannors, Meſſuages, Lands, Tenements, Rents, Reuerſions, Remainders, Poſſeſſions, Rights, Conditions, Intereſts, Offices, Fées, Annuities, and all other their hereditaments, goods, chattels, debts, and other things, of whatſoeuer names, natures, or qualities they be, which they the ſaid offenders, and perſons already attainted by the courſe of the Common Lawes of this Realme as is aforeſaid, or any of them had, or any other perſon or perſons, to their or any of their vſe, or vſes had, the day of the ſaid ſeuerall Treaſons, ſpecified in the ſeuerall Indictments, whereupon they haue béene attainted, by them or any of them committed, perpetrated or done as is aforeſaid, or at any time ſithence.

The forfeiture of the offenders.

The forf. of certaine of the traytors which were not arraigned.

And that the ſaid Robert Catesby, Thomas Pearcy, Iohn Wright, Chriſtopher Wright, Hugh Owen, and Francis Treſham, ſhall forfeit and loſe to your Maieſtie, your heires and ſucceſſors, all and euery ſuch their Mannors, Meſſuages, Lands, Tenements, Rents, Reuerſions, Remainders, Poſſeſſions, Rights, Conditions, Intereſts, Offices, Fées, Annuities, and all other their hereditaments, goods, chattels, debts, and other things, of whatſoeuer names, natures, or qualities they be, which they the ſaid Robert Catesby, Thomas Pearcie, Iohn Wright, Chriſtopher Wright, Hugh Owen, and Francis Treſham, or any of them had, or any other perſon or perſons to their or any of their vſe or vſes had, the dayes and times of their ſaid ſeuerall Treaſons, by them and euery of them committed, perpetrated and done as is aforeſaid: That is to ſay, the ſaid Robert Catesby, Thomas Pearcie, Iohn Wright, and Chriſtopher Wright, the twentieth day of May, in the ſecond yeare of your Maieſties Reigne of England, France, and Ireland, and of Scotland the ſeuen and thirtieth, or at any time ſithence, The ſaid Hugh Owen the twentieth day of May laſt paſt, or at any time after, And the ſaid Francis Treſham the fouretéenth day of October laſt paſt, or any time ſince. And that all and ſingular ſuch Mannors, Meſſuages, Lands, Tenements, Rents, Reuerſions, Remainders, Poſſeſſions, Rights, Conditions, Offices, Fées, Annuities, and all other hereditaments, goods, chattels, debts, and other the premiſſes, of all and ſingular the offenders, as by the Lawes and Statutes of this Realme, or by force of this Act of Parliament, are or ſhall be forfeited to your Maieſtie, ſhall be déemed, veſted, and iudged to be in the actuall and reall poſſeſſion of your Maieſtie, without any office or Inquiſition thereof hereafter to be taken or found. Sauing to all and euery perſon and perſons, bodies politike and corporate, and to their heires, ſucceſſors, and aſſignes of euery of them, other than the ſaid perſons attainted, and other than the ſaid Offenders before by this Act attainted, and their heires, and the heires of euery of them, claiming any thing in the ſaid Manors, Meſſuages, Lands, Tenements, and other the premiſſes, or any part thereof, onely as heire or heires, and all and euery other perſon and perſons claiming, or hauing any thing in the premiſſes, or any part thereof, to their vſes, or to the vſe of any of them, All ſuch Eſtate, Right, Title, Vſe, Poſſeſſion, Intereſt, Reuerſion, Remainder, Entry, Condition, Fées, Offices, Rents, Annuities, Leaſes, Commons, Action, Suite, Petition, Execution, and all other Hereditaments, and all Actions, and meanes to recouer or obtaine the ſame whatſoeuer, which they or any of them had or ought to haue in the premiſſes, or any part thereof, at or before the ſaid ſeuerall treaſons by the ſaid ſeueral offenders reſpectiuely committed or done, in as large and ample maner to all intents and purpoſes, as if this act had neuer béene had nor made: Any thing therein contained to the contrary thereof notwithſtanding.

From what dayes their ſeuerall forfeitures ſhall haue relation.

All the lands and goods of the traitors attainted ſhal be in the actuall poſſeſſion of the King.

A Sauing the right of others.

And alſo all ſuch Eſtate, Right, Title, Vſe, Poſſeſſion, Intereſt, Reuerſion, Remainder, Entrie, Conditions, Fées, Offices, Rents, Annuities, Commons, and all other Commodities, and Hereditaments whatſoeuer, which they or any of them (except the perſons before excepted) now haue, or at any time hereafter ſhall or may haue, only by vertue of any lawfull conueyance or limitation made before the ſame ſeuerall Treaſons committed or done, for which the ſaid offenders haue béene attainted, or are by this Act attainted, in as large and ample manner to all intents and purpoſes, as if this Act had neuer béene had or made: This Act or any thing therein contained to the contrary thereof notwithſtanding.

Prouided alwayes, that this Act, or any thing therein contained, ſhall not extend to giue the Kings Highnes, his heires or ſucceſſors, any benefit or commoditie, of, or to any goods, chattels, or debts, that were any of the ſaid perſons at the common Law, or by this Acte attainted, at the time of the ſeuerall treaſons by them done and committed, and by them or any of them lawfully and iuſtly without fraud or couin giuen, granted, bargained, releaſed, or diſcharged, before the fift day of Nouember laſt paſt, but that all and euery ſuch perſon and perſons, to whom any lawfull bargaine, gift, grant, releaſe, or diſcharge hath béen made, as is aforeſaid, ſhall and may haue, hold,

Goods, chattels or debts of the traitors giuen, releaſed or diſcharged before the fift of Nouember laſt.

and enioy the ſame, and be acquitted and diſcharged thereof, in ſuch and like manner and forme to all intents and purpoſes, as though this Act had neuer béene had or made.

Cap. III.

The things which are to be done by force of the Statute of 1. Iac. 2. may be performed in any other Seſſion of this Parliament.

A rehearſall of the Stat. of 1 Iac. 2. and the cauſes why it cannot be perfected at this time.

WHereas in the Seſſion of Parliament holden at Weſtminſter the ninetéenth day of March, in the firſt year of the reigne of our moſt dread Soueraigne Lord IAMES, by the grace of God, of England, France, and Ireland King, defender of the Faith, &c. And of Scotland the ſeuen and thirtieth, For the honor of his Maieſtie, and the weale and common good of both the ſaid Realmes, there was amongſt other things made and ordained, one good and profitable Act of Parliament, entituled, An Act authorizing certaine Commiſſioners of the Realme of England to treate with the Commiſſioners of Scotland for the weale of both kingdomes: And albeit by the long and worthy labours of the Commiſſioners, authorized by both Parliaments of the ſaid Realmes, all things haue in all particulars béene fully and effectually purſued and accompliſhed, which by vertue of the ſaid Act were, and ought to haue béene done either before, or at this preſent Seſſion of Parliament, about the execution of the ſaid Commiſſion, or the preſenting of the Inſtruments concerning the ſame: And that of matters of greateſt importance there ought to be had timely and due conſideration: Yet for that it is knowne to all, what time hath béene iuſtly and neceſſarily beſtowed vpon diuers other important buſineſſe, preſſing preſent Reſolution and diſpatch, principally depending vpon the procéedings incident to the late moſt barbarous and pernicious Conſpiracie, And in reſpect of the length of this Seſſion, and of the growing charges of all that attend theſe Seruices, together with the comming on of the yeare, the doubt of ſickneſſe, the approaching of the next Terme for the publicke adminiſtration of Iuſtice, the time, that the bringing of the ſaid worthy labours of the ſaid Commiſſioners to their due effect and conſummation, will require: and the preſent neceſſitie that the reſidue of this Seſſion ſhould be ſpent in the view and confirmation of thoſe Billes, (many of them of great importance) which haue béene with good deliberation begun and procéeded withall in this Seſſion of Parliament, and ſhall vtterly periſh if the ſame receiue not life and perfection at this preſent Seſſion: And for that it is manifeſt by the ſaid Act, That that which is yet to be done and performed by force of the ſaid Act, may as well be done and performed in the next Seſſion of this preſent Parliament, with all conuenient expedition, and without any vnneceſſary delay, or vnſeaſonable deliberation: Be it declared and enacted by the King our Soueraigne Lord, by and with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That all and euery procéeding and procéedings, matter and matters, thing and things whatſoeuer, which are yet to be had, made, done, or performed, of, or concerning the ſaid Act, or in, or about the full and finall execution of the ſame, ſhall and may in euery reſpect be as effectually and fully had, made, performed, and done in any other Seſſion of this Parliament, as if the ſame had béene had, made, done, and performed in this preſent Seſſion. 4. Iac. 1.

Euery matter which is to be done by force of the St. of 1. Iac. 2. may be done in any other Seſſion of this Parliament.

Cap. IIII.

An Act for the diſcouering and repreſſing of Popiſh Recuſants.

FOraſmuch as it is found by daily experience, that many his Maieſties ſubiects, that adhere in their hearts to the Popiſh Religion, by the infection drawne from thence, and by the wicked and deuilliſh counſell of Ieſuites, Seminaries, and other like perſons dangerous to the Church and State, are ſo farre peruerted in the point of their Loyalties and due allegeance vnto the Kings Maieſtie, and the Crowne of England, as they are ready to entertaine and execute any treaſonable conſpiracies and practices, as euidently appeares by that more than barbarous and horrible attempt to haue blowne vp with Gun-powder the King, Quéene, Prince, Lords, and Commons in the Houſe of Parliament aſſembled, tending to the vtter ſubuerſion of the whole State, lately vndertaken by the inſtigation of Ieſuites and Seminaries, and in aduancement of their Religion by their Schollers taught and inſtructed by them to that purpoſe, which attempt by the onely goodneſſe of Almighty God was diſcouered and defeated: And where diuers perſons Popiſhly affected, doe neuertheleſſe, the better to couer and hide their falſe hearts, and with the more ſafety to attend the opportunitie to execute their miſchieuous deſignes, repaire ſometimes to Church to eſcape the penaltie of the Lawes in that behalfe prouided.

Some popiſhly affected doe repaire to the Church.

For the better diſcouery therefore of ſuch perſons and their euill affections to the Kings Maieſtie, & the State of this his Realme, to the end that being knowne, their euill purpoſe may be the better preuented, Be it enacted by the Kings moſt excellent maieſty, the Lords Spirituall and

Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That euery Popiſh Recuſant conuicted, or hereafter to be conuicted, which heretofore hath conformed him or her ſelfe, or which ſhall hereafter conforme him or her ſelfe, and repaire to the Church, and continue there during the time of diuine Seruice, according to the Lawes, and Statutes in that behalfe made and prouided, ſhall within the firſt yeare next after the end of this Seſſion of Parliament (if he or ſhe be conformed as aforeſaid, before the end of this Seſſion of Parliament) or within the firſt yeare next after that he or ſhe ſhall after this Seſſion of Parliament ſo conforme him or her ſelfe and repaire to Church, as aforeſaid, and after the ſaid firſt yeare ſhal once in euery yeare following at the leaſt receiue the bleſſed Sacrament of the Lords Supper, in the Church of that Pariſh where he or ſhe ſhall moſt vſually abide, or be within the ſaid yeare, wherein by the true meaning of this Statute, he or ſhe ought ſo to receiue.

The forfeitures of a conformed Recuſant, which doth not receiue the Sacrament of the Lords Supper yearely.

And if there bee no ſuch Pariſh Church, then in the Church next adioyning to the place of his or her ſuch moſt vſuall abode. And if any Recuſant ſo conformed, ſhall not receiue the ſaid Sacrament of the Lords Supper accordingly, he or ſhe ſhall for ſuch not receiuing, loſe and forfeit for the firſt yeare twenty pounds, and for the ſecond yeare for ſuch not receiuing fortie pounds, and for euery yeare after for ſuch not receiuing thréeſcore pounds, vntill he or ſhe ſhall haue receiued the ſaid Sacrament as is aforeſaid. And if after he or ſhée ſhall haue receiued the ſaid Sacrament as is aforeſaid, and after ſhall eftſones at any time offend in not receiuing the ſaid Sacrament as is aforeſaid, by the ſpace of one whole yeare, that in euery ſuch caſe the perſon ſo offending, ſhall for euery ſuch offence loſe and forfeit thréeſcore pounds of lawfull Engliſh money, the one moitie to be to our Soueraigne Lord the Kings Maieſtie, his Heires and Succeſſors, and the other moitie to him that will ſue for the ſame, And to be recouered in any of the Kings Courts of Record at Weſtminſter, or before Iuſtices of Aſſiſe, or Generall Goale deliuerie, or before Iuſtices of the Peace at their Generall Quarter Seſſions, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoine, Protection or Wager of Law ſhall bee allowed.

Preſenting the monethly abſence from Church of a Recuſant.

And be it further enacted by the authority of this preſent Parliament, That the Church-wardens and Conſtables of euery Towne, Pariſh or Chappell for the time being, or ſome one of them, or if there be none ſuch, then the chiefe Conſtables of the Hundred where ſuch Towne, Pariſh or Chappell, is or ſhall be, or one of them, as well in places exempt, as not exempt, ſhall once in euery yeare preſent the monethly abſence from Church of all and all maner Popiſh Recuſants within ſuch Townes and Pariſhes, and ſhall preſent the names of euery of the children of the ſaid Recuſants, being of the age of nine yeares and vpwards, abiding with their ſaid parents, and as néere as they can, the age of euery of the ſaid children, as alſo the names of the ſeruants of ſuch Recuſants, at the generall or Quarter Seſſions of that Shire, Limit, Diuiſion, or Libertie.

A Recuſants children and ſeruants.

The preſentments recorded,

And be it further enacted by the authority aforeſaid, That all ſuch preſentments, ſhall be accepted, entred and recorded in the ſaid Seſſions by the Clerke of the Peace, or Towne Clerke for the time being, or his Deputie, without any fée to be had, aſked or taken for the ſame. And in default of ſuch preſentment to be made, the ſaid Church-wardens, Conſtables or high Conſtables reſpectiuely, ſhall for euery ſuch default, forfeit xx.s. And in default of ſuch accepting, entring and recording without fée as aforeſaid, the ſaid Clerke of the Peace or Towne Clerke, ſhall for euery ſuch offence, forfeit and loſe xl.s.

The reward of the Church-wardens and Conſtables.

And that vpon euery preſentment of ſuch monethly abſence, as aforeſaid, whereupon ſuch partie ſo preſented, ſhall after happen to be indicted and conuicted (not being for the ſame abſence before preſented) Then the ſaid Church-wardens, Conſtables, or high Conſtables reſpectiuely, ſo making ſuch preſentments, ſhall haue a reward of forty ſhillings, to be leuied out of the Recuſants goods and eſtate, in ſuch maner and forme, as by the more part of the ſaid Iuſtices ſhal be by Warrant vnder their hands and Seales, then and there ordered and appointed.

which officers ſhall enquire of offenders.

The effect of the Proclamation.

Conuiction of a Recuſant.

And be it further enacted by the authority aforeſaid, That the Iuſtices of Aſſiſe and Goale deliuery at their Aſſiſes, and the ſaid Iuſtices of Peace at their ſaid Seſſions, ſhall haue power and authority by vertue of this Act, to enquire, heare and determine of all Recuſants and Offences as well for not receiuing the Sacrament aforeſaid, according to the true meaning of this Law, as for not repairing to Church, according to the meaning of former Lawes, in ſuch maner and forme as the ſaid Iuſtices of Aſſiſe, and Goale deliuery do, or may now do by former Lawes in the caſe of Recuſancie for not repairing to Church; And alſo ſhall haue power at their Aſſiſes, and Goale deliuery, and at the Seſſions (in which any Indictment againſt any perſon either for not repairing to Church according to former Lawes, or not receiuing the ſaid Sacrament, according to this Law ſhall be taken) to make Proclamation, by which it ſhall be commanded that the body of euery ſuch offender ſhall be rendered to the Sheriffe of the ſame Countie, or Bailiffe or other kéeper of the goale of the Liberty, before the next Aſſiſes, and generall goale deliuery, or before the next generall or quarter Seſſions reſpectiuely to be holden for the ſaid Shire, Limit, Diuiſion or Liberty. And if at the ſaid next Aſſiſes and generall Goale deliuery, or Seſſions, the ſame offender ſo proclaimed, ſhall not make appearance of Record, That then vpon euery ſuch default recorded, the ſame ſhall be as ſufficient a conuiction in law of the ſaid offence, whereof the party ſhall ſtand indicted as aforeſaid, as if vpon the ſame indictment a triall by verdict thereupon had proceeded, and beene found againſt him or her, and recorded.

The penalty of a conuicted Recuſant.

29. Eliz. 6.

And be it further enacted, That euery offender in not repairing to Diuine Seruice, but forbearing the ſame, contrary to the Statutes in that behalfe made and prouided, that hereafter ſhall fortune to be thereof once conuicted, ſhall in ſuch of the Termes of Eaſter and Michaelmas, as ſhall be next after ſuch conuiction, pay into the receipt of the Exchequer after the rate of xx.li. for euery moneth, which ſhall be contained in the Indictment, whereupon ſuch conuiction ſhall be, And ſhall alſo for euery moneth after ſuch conuiction without any other indictment or conuiction forfeit twenty pounds, and pay into the Receipt of the Exchequer aforeſaid, at two times in the yeare, That is to ſay, in euery Eaſter and Michaelmas Terme, as much as then ſhall remaine vnpaid after the rate of twentie pounds for euery moneth after ſuch Conuiction, except in ſuch Caſes, where the King ſhall and may by force of this Act refuſe the ſame, and take two parts of the Lands, Tenements, Hereditaments, Leaſes and Farmes of ſuch offender, till the ſaid partie being indicted for not comming to Church contrary to former Lawes, ſhall conforme himſelfe and come to Church, according to the meaning of the ſtatute in that behalfe made and prouided.

Euery conuiction ſhall be certified into the Exchequer.

29. El. 6.

And that euery Conuiction recorded for any offence before mentioned, ſhall from the Iuſtices before whom the Record of ſuch Conuiction ſhalbe remaining, be certified into the Kings Maieſties Court of Exchequer, before the end of the Terme following ſuch Conuiction, in ſuch conuenient certaintie for the time, and other circumſtances, as the Court of Exchequer may thereupon award out Proces for the ſeizure of the lands and goods of euery ſuch offender, as the cauſe ſhall require; And if default ſhall be made in any part of any paiment aforeſaid, contrary to the forme herein before limited, that then and ſo often, the Kings Maieſtie, his heires and ſucceſſors, ſhall and may by Proces out of the ſaid Exchequer, take, ſeize, and enioy all the goods, and two parts as well of all the Lands, Tenements, and Hereditaments, Leaſes and Farmes of ſuch offender, as of all other the lands, tenements, and hereditaments liable to ſuch ſeizure, or to the penalties aforeſaid, by the true meaning of this act, leauing the third part only of the ſame lands, tenements and hereditaments, Leaſes and Farmes, to and for the maintenance, and reliefe of the ſame offender, his wife, children, and family.

The Stat. of 23. El. 1. touching a Recuſants monthly forfeiture.

And whereas by an act made in the Seſſion of Parliament, holden by prorogation at Weſtminſter, in the three and twentieth yeare of the reigne of the late Queene Elizabeth, intituled, An Act to retaine the ſubiects of the ſaid late Queene in their due obedience, It was amongſt other things enacted by authoritie of the ſaid Parliament, that euery perſon aboue the age of ſixteene yeares, which ſhould not repaire to ſome Church, Chappell, or vſuall place of Common Prayer, but forbeare the ſame contrary to the tenor of a ſtatute made in the firſt yeare of the reigne of the ſaid late Queene, for Vniformity of Common Prayer, and being thereof lawfully conuicted, ſhould forfeit to the ſaid Queene, for euery moneth after the end of the ſaid Seſſion of Parliament which he or ſhe ſhould ſo forbeare, twenty pounds of lawfull Engliſh money, as in and by the ſaid Act of Parliament more at large appeareth.

How by the ſtatute of 29. El. 6. the Q. ſhould recouer forfeitures due to her by Recuſants.

And whereas afterwards by another Act of Parliament of the ſaid Queene, it was further enacted by the authoritie of the ſaid Parliament (amongſt other things) how and when the ſaid paiments of the ſaid twenty pounds ſhould be made, & that if default ſhould be made in any part of any paiment of the ſaid twenty pounds contrary to the forme in the ſaid laſt ſpecified ſtatute limited, that then and ſo often the ſaid Queene ſhould and might by Proces out of her highneſſe Exchequer, take, ſeize, and enioy all the goods, and two parts as well of all the lands, tenements, and hereditaments, Leaſes, and Farmes of ſuch offender, as of all other the lands, tenements, and hereditaments liable to ſuch ſeizure, or to the penalties aforeſaid, by the true meaning of the ſaid act of Parliament, leauing the third part only of the ſame lands, tenements, and hereditaments, Leaſes and Farmes, to and for the maintenance and reliefe of the ſame offender, his wife, children, and family, as in and by the laſt ſpecified ſtatute more at large alſo may appeare: Now foraſmuch as the ſaid penaltie of twentie pounds monethly, is a greater burden vnto men of ſmall liuing, then vnto ſuch as are of better abilitie, and do refuſe to come vnto diuine Seruice as aforeſaid, who rather than they will haue two parts of their lands to be ſeized, will be readie alwayes to pay the ſaid twenty pounds, according to the limitation of the ſaid Statutes, and yet retaine the reſidue of their liuings, and inheritance in their owne hands, being of great yearely value, which they doe for the moſt part employ (as experience hath taught) to the maintenance of Superſtition and Popiſh religion, and to the reliefe of Ieſuites, Seminaries, Popiſh Prieſts, and other dangerous perſons to the State: Therefore to the intent that hereafter the penaltie for not repairing to diuine Seruice might be inflicted in better proportion vpon men of great abilitie, Be it enacted by the authoritie of this preſent Parliament, That the Kings Maieſtie, his heires and ſucceſſors, ſhall from and after the Feaſt of Saint Michael the Archangel next comming after the end of this Seſſion of Parliament, haue full power and liberty to refuſe the penalty of twenty pounds a moneth, though it be tendered ready to be paid according to the law,

The King may refuſe xx.li. a month, and take two parts of a Recuſants lands.

and thereupon to ſeiſe and take to his owne vſe, and the vſes, intents and purpoſes hereafter limited, two parts in thrée parts to bee diuided, as well of all the lands, tenements, and hereditaments, Leaſes and Farmes that at the time of ſuch ſeiſure ſhall bée, or afterward ſhall come to any the ſayd offendors, in not comming to Church, or any other to his or her vſe, or in truſt for him or her,. or at his or her diſpoſition, or whereby or wherewith, or in conſideration whereof ſuch offendor or his family, or any of them ſhalbe relieued, maintained, or kept, as of all other lands, tenements, and hereditaments in any wiſe, or at any time liable to ſuch ſeiſure or to the penalties aforeſaid, & the ſame to retaine to his own and other vſes, intents & purpoſes hereafter in this Act appointed, till euery ſuch offendor ſhall conforme him or her ſelfe, reſpectiuely as aforeſayd, in lieu and full recompence of the twenty pounds monethly, that during his ſuch ſeiſure and retainer ſhall incurre, any thing in the ſayd Statutes, or any of them, or any other Statute to the contrary in any wiſe notwithſtanding. Sauing to our Soueraigne Lord the Kings Maieſty, his heires and ſucceſſors, and all and euery perſon and perſons, bodies Politicke and Corporate, their heires and ſucceſſors, (other than the ſaid offendor, his or her heires, and all claiming to his or their vſe, or in truſt for him or them, or at his or their wil or diſpoſition) all and all maner leaſes, rents, conditions, and other rights and titles whatſoeuer, had, made and done (bona fide) and without fraud and couin before ſuch ſeiſure.

Sauing the right of others.

Prouided alwaies, and be it enacted by the authority aforeſayd, That the Kings Maieſty, his heires and ſucceſſors, ſhall not take into his two parts, but leaue to ſuch offendor his chiefe manſion houſe, as part of his third part, and ſhall not demiſe, leaſe, nor put ouer the ſaid two parts nor any part thereof to any Recuſant, nor to or for the vſe of any Recuſant. And that whoſoeuer ſhall take the ſame in leaſe or otherwiſe of his Maieſty, his heires and ſucceſſors, ſhall giue ſuch ſecurity not to commit nor ſuffer waſte to be committed in or vpon any the ſaid premiſſes, as by the Court of Exchequer ſhall be allowed ſufficient.

A Recuſants manſion houſe ſhalbe reſerued to him. The Kings two parts ſhal not be demiſed to a Recuſant.

And for the better triall how his Maieſties ſubiects ſtand affected in point of their loyalty and due obedience, Be it alſo enacted by the authority aforeſayd, That from and after the end of this preſent Seſſion of Parliament, it ſhall be lawful to and for any Biſhop in his Dioceſſe, or any two Iuſtices of Peace, whereof one of them to be of the Quorum, within the limits of their iuriſdiction out of the Seſſions, to require any perſon of the age of eightéene yeares or aboue, being, or which ſhalbe conuict or indicted of or for any Recuſancy, other than Noble men, or Noble women, for not repairing to diuine Seruice according to the Lawes of this Realme, or which ſhall not haue receiued the ſayd Sacrament twice within the year then next paſt, Noble men and Noble women excepted, or any perſon paſſing in or through the County, Shire, or Liberty, and vnknowne, except as is laſt before excepted, that being examined by them vpon oath ſhall confeſſe, or not deny himſelfe or her ſelfe to bée a Recuſant, or ſhall confeſſe or not deny that he or ſhée had not receiued the ſayd Sacrament twice within the yeare then laſt paſt, to take the oath hereafter following vpon the holy Euangeliſt: Which ſayd Biſhop, or two Iuſtices of the peace, ſhall certifie in writing ſubſcribed with his or their hands at the next generall or Quarter Seſſions for that Shire, Limit, Diuiſion, or Libertie, within which the ſayd oath ſhalbe ſo taken, the Chriſten name, Surname, and place of aboade of euery perſon, which ſhall ſo take the ſayd Oath, which Certificate ſhalbe there recorded by the Clerke of the Peace, or Towne clerke, and kept amongſt the Records of the ſayd Seſſions.

Who are compellable to take the oath.

Certificate of the name of him which taketh the oath.

And be it further enacted, That if any ſuch perſon or perſons, other than Noble men, or Noble women, ſhall refuſe to anſwer vpon Oath to ſuch Biſhop or Iuſtices of Peace examining him or her as aforſaid, or to take the ſaid Oath ſo duely tendered vnto him or her by ſuch Biſhop, or two ſuch Iuſtices of Peace out of Seſſions, That then the ſaid Biſhop or Iuſtices of Peace, ſhall and may commit the ſame perſon to the common gaole, there to remaine without baile or maineprize, vntill the next Aſſiſes, or generall or quarter Seſſions to be holden for the ſaid Shire, Diuiſion, Limit, or Libertie, where the ſaid Oath ſhall be againe in the ſayd open Aſſiſes or Seſſions required of ſuch perſon, by the ſaid Iuſtices of Aſſiſe, or Iuſtices of Peace then and there preſent or the greater number of them. And if the ſayd perſon or perſons, or any other perſon whatſoeuer, other than Noble men, or Noble women, of the age of eightéene yeares or aboue, ſhall refuſe to take the ſayd Oath being tendered vnto him or her by the Iuſtices of Aſſiſe and Gaole deliuery in their open Aſſiſes, or the Iuſtices of peace, or the greater part of them, in their ſaid general quarter Seſſions, euery perſon ſo refuſing ſhall incurre the danger and penaltie of Premunire, mentioned in the ſtatute of Premunire, made in the ſixtéenth yéere of the reigne of King Richard the ſecond, except women couert, who vpon refuſall of the ſayd Oath ſhall be by the ſaid Iuſtices of Aſſiſe in their open Aſſiſe, or Iuſtices of Peace in their generall or quarter Seſſions for the ſaid offence, committed only to the common gaole, there to remaine without baile or maineprize, till they will take the ſayd Oath.

Refuſall of the Oath.

The penalty Premunire. Co.pla.fo.434.

Women couert.

The tenour of which ſaid Oath hereafter followeth.

I A.B. doe truly & ſincerely acknowledge, profeſſe, teſtifie and declare in my conſcience before God & the world, That our Soueraigne Lord King IAMES, is lawfull

The forme of the oath of Obedience.

full and rightfull King of this Realme, and of all other his Maieſties Dominions & Countries; And that the Pope neither of himſelfe, nor by any authority of the Church or Sea of Rome, or by any other means with any other, hath any power or authority to depoſe the King, or to diſpoſe any of his Maieſties Kingdoms or Dominions, or to authorize any forrain Prince to inuade or annoy him, or his Countries, or to diſcharge any of his ſubiects of their allegiance & obedience to his Maieſty, or to giue licence or leaue to any of them to beare armes, raiſe tumult, or to offer any violence or hurt to his Maieſties Royall Perſon, State, or Gouernement, or to any of his Maieſties ſubiects within his Maieſties Dominions.

Alſo, I do ſwear from my heart, that notwithſtanding any declaration or ſentence of Excõmunication, or Depriuation, made or granted, or to be made or granted by the Pope or his ſucceſſors, or by any authority deriued, or pretended to be deriued from him or his Sea, againſt the ſaid King, his heirs or ſucceſſors, or any abſolution of the ſaid ſubiects from their obedience: I will beare faith & true allegiance to his Maieſty, his heires & ſucceſſors, & him & them will defend to the vttermoſt of my power, againſt all conſpiracies & attempts whatſoeuer, which ſhalbe made againſt his or their perſons, their Crowne & Dignity, by reaſon or colour of any ſuch ſentence or declaration, or otherwiſe, & wil do my beſt endeauour to diſcloſe & make known vnto his Maieſtie, his heires & ſucceſſors, all Treaſons & Traiterous conſpiracies, which I ſhall know or heare of to be againſt him or any of them.

And I doe further ſweare, That I do from my heart abhorre, deteſt & abiure, as impious & hereticall, this damnable doctrine & poſition, That Princes which be excommunicated or depriued by the Pope, may be depoſed or murthered by their ſubiects, or any other whatſoeuer.

And I doe beleeue & in conſcience am reſolued, that neither the Pope, nor any perſõ whatſoeuer, hath power to abſolue me of this Oath, or any part therof, which I acknowledge by good & full authority to be lawfully miniſtred vnto mee, & doe renounce all Pardons & Diſpenſations to the contrary. And all theſe things I doe plainely & ſyncerely acknowledge & ſwear, according to theſe expreſſe words by me ſpoken, & according to the plaine & common ſenſe and vnderſtanding of the ſame words, without any Equiuocation, or mentall euaſion, or ſecret reſeruation whatſoeuer. And I do make this recognition & acknowledgment heartily, willingly, & truely, vpon the true faith of a Chriſtian. So helpe me God.

Unto which Oath ſo taken, the ſaid perſon ſhall ſubſcribe his or her name or marke.

No indictment of a Recuſant ſhalbe reuerſed for default of forme.

And be it further enacted by the authority aforeſayd, That no Indictment or Indictments had or found, or hereafter to be had or found againſt any perſon or perſons, for not repairing to ſome Church or Chappell, or vſuall place of Common Prayer, but abſenting him or her ſelfe by the ſpace of one moneth, contrary to the Lawes and Statutes in that behalfe prouided, or for not receiuing the ſaid Sacrament contrary to this preſent Law, Nor any Proclamation, Utlawrie, or other proceeding thereupon, shall at any time hereafter be auoided, diſcharged, or reuerſed, by reaſon of any default in forme, or lacke of forme, or other defect whatſoeuer (other than by direct Trauerſe to the point of not comming to Church, or not receiuing the ſaid Sacrament) whereof ſuch perſon or perſons hath béene or ſhall be indicted, but the ſame Indictment ſhall ſtand in force, and bee procéeded vpon: Any ſuch default or forme, or other defect whatſoeuer notwithſtanding.

Co.Li.11.14.

He that conformeth himſelfe, may trauerſe an indictment.

Prouided alwayes, that if any perſon or perſons ſo indicted, or to bée indicted, ſhall at any time hereafter ſubmit and conforme him or her ſelfe, and become obedient to the Lawes of the Church of England, and repaire to the Pariſh Church of his or their moſt abiding, and if there bée none ſuch, then to the Church next adioyning to his or her ſuch dwelling, and there heare Diuine Seruice, according to the true meaning of the Statute in that behalfe made and prouided, and there publikely receiue the ſayd Sacrament, according to the Lawes of this Realme of England now eſtabliſhed: That then euery ſuch perſon and perſons ſo indicted, ſhall and may from thenceforth be admitted and allowed to auoyd, diſcharge, reuerſe and vndoe the ſayd indictment and indictments and all procéedings thereupon in ſuch manner and forme as if this preſent Act had not béene had nor made: Any thing herein contained to the contrary in any wiſe notwithſtanding.

And foraſmuch as it is found by late experience, that ſuch as goe voluntarily out of this Realme of England, to ſerue foreigne Princes, States or Potentates, are for the moſt part peruerted in their Religion and Loyalty by Ieſuits and Fugitiues, with whom they doe there conuerſe: Be it therefore enacted by the authority aforeſayd, That euery ſubiect of this Realme that after the tenth day of Iune next comming, ſhall goe or paſſe out of this Realme to ſerue any forreine Prince, State, or Potentate, or ſhall after the ſayd tenth day of Iune paſſe ouer the ſeas, and there ſhall voluntarily ſerue any ſuch forreine Prince, State or Potentate, not hauing before his or their going or paſſing as aforeſaid, taken the Oath aforeſayd, before the Officer hereafter appointed, ſhall be a Felon.

He ſhall take the Oath which goeth out of the Realme to ſerue a forreine Prince.

And that if any Gentleman or perſon of higher degrée, or any perſon or perſons which hath borne or ſhall beare any office or place of Captaine, Lieutenant, or any other place, charge or office in Campe, Armie, or company of Souldiers, or Conducter of Souldiers, ſhall after goe or paſſe voluntarily out of this Realme, to ſerue any ſuch forreine Prince, State or Potentate, or ſhall voluntarily ſerue any ſuch Prince, State or Potentate, before that he and they ſhall become bound by Obligation, with two ſuch Sureties as ſhall be allowed of by the Officers, which are hereafter by this Act limited, to take the ſame Bond vnto our Soueraigne Lord the Kings Maieſty, his heires or ſucceſſors, in the ſumme of twenty pounds of currant Engliſh money at the leaſt, with condition to the effect following, ſhall be a Felon:

A Gentleman Captaine, or Lieutenant ſeruing a forrein Prince, ſhall be bound to the King, &c.

The tenour of which condition followeth, viz.

THat if the within bounden, &c. ſhall not at any time then after be reconciled to the Pope or Sea of Rome, nor ſhall enter into, or conſent vnto any Practiſe, Plot or Conſpiracie whatſoeuer againſt the Kings Maieſty, his heires & ſucceſſors, or any his & their Eſtate and Eſtates, Realmes or Dominions: but ſhal within conuenient time after knowledge thereof had, reueale and diſcloſe to the Kings Maieſtie his heires and ſucceſſors, or ſome of the Lords of his or their Honourable Priuie Councell, all ſuch Practices, Plots and Conſpiracies, That then the ſayd Obligation to be voyd

And that for the due execution of this Branch of this preſent Law, it ſhall and may be lawfull to and for the Cuſtomer and Controller of euery Port, Hauen, or Créeke, or one of them, and their, or either of their Deputie or Deputies, and none other, to receiue and accept all and euery ſuch Bond and Obligation to and for the vſes aforeſayd, and to miniſter and giue the Oath aforeſayd, according to the true intent of this Statute (taking for ſuch Bond ſixe pence, and no more, and for the ſayd Oath no Fée at all) Which ſayd Cuſtomer, and Controller ſhall regiſter and certifie all and euery ſuch Bond and Oath ſo taken, into the Court of Exchequer at Weſtminſter once euery yeare, vpon paine of fiue pounds for euery Bond not ſo certified, and twenty ſhillings for euery Oath not ſo certified.

Who ſhal take the Obligation, and miniſter the Oath.

Forfeiture for not Certificate.

Prouided alwaies, that this laſt mentioned Branch ſhall not extend to any perſon or perſons which are already gone, or ſhall goe beyond the Seas to ſerue any forreine Prince, State, or Potentate, before the tenth day of Iune next comming, for his ſaid going or paſſing before the ſaid tenth day of Iune.

And further be it enacted by the authority aforeſaid, That if any perſon or perſons at any time after the ſaid tenth day of Iune, ſhall either vpon the Seas, or beyond the Seas, or in any other place within the Dominions of the Kings Maieſtie, his Heires or Succeſſors, put in practice to abſolue, perſwade, or withdraw any of the ſubiects of the Kings Maieſtie, or of his heires or ſucceſſors of this Realme of England, from their naturall obedience to his Maieſtie, his heires or ſucceſſors, or to reconcile them to the Pope or Sea of Rome, or to moue them or any of them, to promiſe obedience to any pretended authority of the Sea of Rome, or to any other Prince, State, or Potentate, That then euery ſuch perſon, their Procurers, Counſellors, Ayders, and Maintainers, knowing the ſame, ſhall be to all intents adiudged Traytors, and being thereof lawfully conuicted, ſhall haue Iudgement, ſuffer and forfeit as in caſes of high Treaſon.

Putting in practice to abſolue or withdraw any from obedience, or to reconcile them to the Pope.

And if any ſuch perſon, as aforeſaid, at any time after the ſaid tenth day of Iune ſhall be either vpon the Seas, or beyond the Seas, or in any other place within the Dominions of the Kings Maieſty, his heires or ſucceſſors, willingly abſolued or withdrawne, as aforeſaid, or willingly reconciled, or ſhall promiſe obedience to any ſuch pretended Authority, Prince, State, or Potentate, as aforeſaid, That euery ſuch perſon and perſons, their Procurers and Counſellors, Ayders and Maintainers, knowing the ſame, ſhall be to all intents adiudged Traitors, and being thereof lawfully conuicted, ſhall haue Iudgement, ſuffer and forfeit as in caſes of high Treaſon.

Being withdrawne or reconciled.

Prouided neuertheleſſe, that the laſt mentioned Clauſe of this Branch, or any thing therein contained, ſhall not extend or be taken to extend to any perſon or perſons whatſoeuer, which ſhall hereafter be reconciled to the Pope or Sea of Rome, as aforeſaid, (for and touching the point of ſo being reconciled onely) that ſhall returne into this Realme, and thereupon within ſixe dayes next after ſuch returne before the Biſhop of the Dioceſſe, or two Iuſtices of Peace (ioyntly

A reconciled perſon taking the Oath.

(ioyntly or ſeuerall) of the County where hee ſhall arriue, ſubmit himſelfe to his Maieſtie and his Lawes, and take the Oath ſet forth by Act in the firſt yeare of the Reigne of the late Quéene Elizabeth (commonly called the Oath of Supremacy) as alſo the Oath before ſet downe in this preſent Act, which ſaid Oathes the ſaid Biſhop and Iuſtices reſpectiuely ſhall haue power and authority by this preſent Act to miniſter to ſuch perſons as aforeſayd. And the ſayd Oathes ſo taken, the ſayd Biſhop and Iuſtices before whom ſuch Oathes ſhall bee ſo taken, reſpectiuely ſhall certifie at the next Generall or Quarter Seſſions of the Peace to bee holden within the ſayd Shire, Limit, Diuiſion, or Libertie, wherein ſuch perſon as aforeſayd ſhall ſubmit himſelfe, and take the ſaid Oathes as aforeſaid, vpon paine of euery one neglecting to certifie the ſame as aforeſayd, the ſumme of forty pounds.

Where the Triall ſhalbe.

And be it further enacted, That all and euery perſon and perſons that ſhall offend contrary to this preſent Branch of this Statute, ſhall be indicted, tryed, and procéeded againſt, by and before the Iuſtices of Aſſiſe and Gaole deliuery of that County for the time being, or before the Iuſtices of the Court of Kings Bench, & be there procéeded againſt, according to the Lawes and Statutes of this Realme againſt Traitors, as if the ſaid offence had bin committed in the ſame Countie where ſuch perſon or perſons ſhall be ſo taken: Any Law, Cuſtome, or Statute to the contrary in any wiſe notwithſtanding.

Péeres.

Prouided alwaies, that if any Péere of this Realme ſhall happen to be indited of any offence made Treaſon by this Act, he ſhall haue his triall by his Péeres, as in other like caſes of Treaſon is accuſtomed.

The forf. for not repairing to Church weekely.

And be it further enacted, That if any ſubiect of this Realme, at any time after one moneth next after the end of this preſent Seſſion of Parliament, ſhall not reſort or repaire euery Sunday to ſome Church, Chappell, or ſome other vſuall place appointed for Common Prayer, and there heare diuine Seruice, according to the ſtatute made in that behalfe, in the firſt yeare of the reigne of the late Quéene Elizabeth, that then it ſhall and may be lawfull to and for any one Iuſtice of peace of that limit, diuiſion, or liberty, wherein the ſayd partie ſhall dwell, vpon proofe vnto him made of ſuch default by confeſſion of the party, or oath of witneſſe, to call the ſayd party before him: and if he or ſhée ſhal not make a ſufficient excuſe, and due proofe thereof, to the ſatisfaction of the ſayd Iuſtice of Peace, That it ſhall be lawfull for the ſayd Iuſtice of Peace to giue warrant to the Churchwarden of the ſayd Pariſh, wherein the ſayd party ſhall dwell, vnder his hand and ſeale, to leuy twelue pence for euery ſuch default, by diſtreſſe, and ſale of the goods of euery ſuch offendor, rendring to the ſaid offendor the ouerplus of the money raiſed of the ſaid goods ſo to be ſold. And that in default of ſuch diſtreſſe, it ſhall and may be lawfull for the ſayd Iuſtice of peace, to commit euery ſuch offendor to ſome priſon within the ſayd Shire, Diuiſion, Limit, or Libertie, wherein ſuch Offendor ſhall bee inhabiting, vntill payment bee made of the ſayd ſumme or ſummes ſo to bée forfeited, which forfeiture ſhall bee imployed to and for the vſe of the poore of that Pariſh wherein the Offendor ſhall be reſident, or abiding at the time of ſuch offence committed.

Within what time the offendor ſhall be impeached.

Prouided, that no man be impeached vpon this Clauſe, except hée be called in queſtion for his ſayd default, within one moneth next after the ſaid default made.

But once puniſhed for one offence.

And that no man being puniſhed according to this Branch, ſhall for the ſame offence be puniſhed by the forfeiture of twelue pence, vpon the Law made in the firſt yéere of the late Quéene Elizabeth.

A repeale of 2 branches of the Stat. of 35. El. 1.

And becauſe in one Act of Parliament begun and holden at Weſtminſter, in the fiue and thirtieth yéere of the late Quéene Elizabeth, intituled, An Act to retaine the Quéenes Maieſties ſubiects in their due obedience, There are two Branches contained, the firſt beginning thus;

(And for that euery perſon hauing houſe and family, is in duty bounden to haue eſpeciall regard of the good gouernment and ordering of the ſame) and ſo forth to the next Clauſe, beginning thus: (Prouided neuertheleſſe, that this Act ſhall not in any wiſe extend to puniſh or impeach any perſons for relieuing &c. ending with theſe words, Any thing in this Act contained to the contrary notwithſtanding) which ſaid two Branches or Clauſes are found defectiue.

Be it therefore enacted, That the ſayd two Branches or Clauſes of the ſayd Act, and no more, ſhall be by authority of this preſent Parliament, vtterly repealed and made voyd.

Relieuing or keeping a Recuſant in his houſe.

And in lieu thereof be it enacted, That euery perſon and perſons, which after one moneth next after the end of this preſent Seſſion of Parliament, ſhall willingly maintaine, retaine, relieue, kéepe, or harbour in his or their houſe, any Seruant, Soiourner, or Stranger, who ſhall not goe to, or repaire to ſome Church or Chappell, or vſuall place of Common Prayer, to heare diuine Seruice, but ſhall forbeare the ſame by the ſpace of one moneth together, not hauing a reaſonable excuſe, contrary to the Lawes and Statutes of this Realme, ſhall forfeit tenne pounds for euery moneth that he, ſhe, or they ſhall ſo relieue, maintaine, retaine, kéepe, or harbour any ſuch Seruant, Soiourner, or Eſtranger in his or their houſe, ſo forbearing as aforeſayd.

Retaining a Recuſant in his ſeruice, fee, or liuery.

And that euery perſon which ſhall within the time aforeſayd retaine or kéepe in his, her, or their Seruice, Fée, or Liuery, any perſon or perſons, which ſhall not goe to, or repaire to ſome Church, Chappell, or vſuall place of Common Prayer, to heare Diuine Seruice, but ſhall forbeare the ſame by the ſpace of one moneth together, ſhall forfeit for euery moneth hee, ſhee, or they ſhall ſo retaine, keepe, or continue in his, her, or their Seruice, Fee, or Liuery, any ſuch perſon or perſons, ſo forbearing as aforeſayd, knowing the ſame, ten pounds, the ſame penalties to be recouered and imployed in manner and forme hereafter following.

Prouided neuertheleſſe, that this Act ſhall not in any wiſe extend to puniſh or impeach any perſon or perſons, for maintaining, retaining, relieuing, keeping, or harbouring his, her, or their Father or Mother, wanting, without fraud or couin, other habitation, or ſufficient maintenance, or the Ward of any ſuch perſon, or any perſon that ſhall be committed by authority to the cuſtody of any by whom they ſhall be ſo relieued, maintained, or kept: Any thing in this Act contained to the contrary notwithſtanding.

The father, mother, ward, &c. perſon committed by authority.

And bee it further enacted by authority of this preſent Parliament, That vpon any lawfull Writ, Warrant, or Proceſſe awarded to any Sheriffe, or other Officer, for the taking or apprehending of any Popiſh Recuſant, ſtanding excommunicated for ſuch Recuſancie, it ſhall bee lawfull for ſuch Sheriffe, or other Officer, authorized in that behalfe, if neede bee, to breake open any houſe wherein ſuch perſon excommunicate, ſhall bee, or to raiſe the power of the County, for the apprehending of ſuch perſon, and the better execution of ſuch Warrant, Writ or Proceſſe.

Breaking a houſe to take a Recuſant excommunicate.

And be it further enacted, That all and euery Offence to bee committed or done againſt this preſent Act, ſhall and may be enquired of, heard, and determined before the Iuſtices of the Kings Bench, Iuſtices of Aſſiſe and Gaole deliuery, in their ſeuerall Aſſiſes and Gaole deliueries. And all Offences, other than Treaſon, ſhalbe enquired, heard, and determined before the Iuſtices of Peace, in their generall or Quarter Seſſions to be holden within the Shire, Diuiſion, Limit, or Libertie, wherein ſuch Offence ſhall happen.

In what courts the offences ſhall be heard and determined.

Prouided alwaies, and be it enacted by the authority aforeſayd, That any attainder of Felony made Felony by this Act, as is aforeſayd, ſhall not in any wiſe extend to take away the Dower of the wife of any ſuch perſon attainted, or bee any barre for recouery of the ſame, nor ſhall make or worke any corruption of Bloud, or Diſheriſon of any the heire or heires, of any ſuch perſon or perſons ſo attainted: This Act, or any thing therein contained, to the contrary in any wiſe notwithſtanding.

Attainder of felony no forf. of Dower, or corruption of Bloud.

And be it further enacted, That if any Action or Actions ſhall at any time hereafter bee commenced or brought againſt any perſon or perſons, doing, committing, or commanding any Act or thing, for or concerning the execution of this preſent Statute, or any Article or Clauſe therein contained, That then euery defendant in ſuch Action and Actions may pleade the generall Iſſue, and be receiued to maintaine the ſame, by any euidence that ſhall proue his doings and proceedings warrantable by this Law.

The plea to an Action brought for doing any thing by force of this Stat.

Prouided alwayes, that neither this Act, nor any thing therein contained, ſhall extend to take away or abridge the Authority or Iuriſdiction of the Eccleſiaſticall Cenſures, for any Cauſe or Matter, But that the Commiſſioners of his Maieſty, his heires and ſucceſſors, in Cauſes Eccleſiaſticall for the time being, and the Archbiſhops, Biſhops, and other Eccleſiaſticall Iudges may vſe and proceede, as before the making of this Act they lawfully did or might haue done: Any thing in this Act to the contrary in any wiſe notwithſtanding.

The authority of the Eccleſiaſticall Court reſerued.

Prouided alwaies, and be it enacted, That no perſon ſhall be charged or chargeable with any penalty or forfeiture by force of this Act, which ſhall happen for his wiues offence, in not receiuing the ſayd Sacrament during her marriage, nor that any woman ſhall be charged or chargeable with any penalty or forfeiture by force of this Act, for any ſuch offence of not receiuing, which ſhall happen during her marriage.

No forfeiture for the wiues offence.

Prouided alſo, and be it enacted by authority of this Parliament, That in all cauſes where any Biſhop or Iuſtices of the Peace may by force of this Act require and take of any ſubiect the Oath aboue mentioned, That the Lords of the Priuie Councell for the time being, or any ſixe of them, whereof the Lord Chancellor, Lord Treaſurer, or the principall Secretary for the time to be one, ſhall haue full power and authority by force of this Act, at any time or times, to require and take the ſayd Oathes before mentioned, of any Noble man or Noble woman (then being aboue the age of eighteene yeares.) And if any ſuch Noble man or Noble woman (other than women married) ſhal refuſe to take ſuch Oath or Oathes, that in euery ſuch caſe ſuch Noble man and Noble woman ſhall incurre the paine and danger of a Premunire.

Who may take the Oath of a Noble man or woman.
Co.pla.fo.43 4.

Prouided alſo, and be it enacted by authority of this Parliament, That where any perſon or perſons ſhall goe or paſſe out of the Cinque Ports, or any member thereof, to any parts beyond the Seas, to ſerue any forreine Prince, State or Potentate: that in euery ſuch caſe, the Lord Warden of the Cinque Ports for the time being, or any perſon by him in that behalfe appointed or to be appointed, ſhall haue full power and authority by vertue hereof, to take the Bond, and miniſter the Oath to ſuch Paſſengers, as is aboue mentioned.

Who ſhall take the Oath in the Cinque Ports.

Cap.

Cap. V.

An Act to preuent and auoyd dangers which may grow by Popiſh Recuſants

WHereas diuers Jeſuits, Seminaries, and Popiſh Prieſts dayly doe withdraw many of his Maieſties ſubiects from the true ſeruice of Almighty God, and the Religion eſtabliſhed within this Realme, to the Romiſh Religion, and from their loyall obedience to his Maieſty, and haue of late ſecretly perſwaded diuers Recuſants and Papiſts, and encouraged and emboldened them to commit moſt damnable Treaſons, tending to the ouerthrow of Gods true Religion, the deſtruction of his Maieſty, and his Royall Jſſue, and the ouerthrow of the whole State and Commonwealth, if God of his goodneſſe and mercy had not within few houres before the intended time of the execution thereof, reuealed and diſcloſed the ſame: Wherefore to diſcouer and preuent ſuch ſecret damnable Conſpiracies and Treaſons, as hereafter may bee put in vre by ſuch euill diſpoſed perſons, if remedy bee not therefore prouided, Bee it enacted by the Kings moſt excellent Maieſty, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That ſuch perſon as ſhall firſt diſcouer to any Juſtice of Peace, any Recuſant or other perſon which ſhall entertaine or releiue any Jeſuite, Seminary or Popiſh Prieſt, or ſhall diſcouer any Maſſe to haue béene ſayd, and the perſons that were preſent at ſuch Maſſe, and the Prieſt that ſayd the ſame, or any of them within thrée dayes next after the offence committed, and that by reaſon of ſuch diſcouerie any of the ſayd offendors be taken and conuicted or attainted, That then the perſon which hath made ſuch diſcouery, ſhall not only be fréed from the danger and penalty of any Law for ſuch offence, if he be an offendor therein, but alſo ſhall haue the third part of the forfeiture of all ſuch ſummes of money, goods, chattels, and debts, which ſhall bee forfeited by ſuch offence (ſo as the ſame totall forfeiture excéed not the ſumme of one hundred and fiftie pounds, and if it excéed the ſumme of one hundred and fifty pounds, the ſaid perſon ſo diſcouering the ſayd offence, ſhall haue the ſumme of fifty pounds onely for euery ſuch diſcouerie :) And ſuch perſon ſo diſcouering the ſame, after conuiction of the offendor, ſhall haue a certificate from the Judges or Juſtices of Peace, before whom ſuch conuiction ſhall happen to be, directed to the Sheriffe or other officer of the ſame county, limit, or place, that ſhall ſeiſe the goods, or leuie the ſayd forfeiture, commanding the ſaid Sheriffe or other officer to pay the ſame accordingly to him that ſo diſcouered the ſame, out of the monies to be leuied by vertue of the ſaid forfeitures, which warrant and paiment ſhall be effectuall in the Law for that purpoſe, and a ſufficient diſcharge in that behalfe for the Sheriffe or other officer vpon his Accompt.

The reward of him which diſcouereth a Prieſt or Maſſe.

A Recuſant ſhall not come to the Court.

And whereas the repaire of ſuch euill affected perſons to the Court or to the Citie of London, may be very dangerous to his Maieſties perſon, and may giue them more liberty to méete, conſult and plot their treaſons and practices againſt the State, than if they ſhould be reſtrained and confined vnto their priuate houſes in the Countrey: For remedie hereof, Be it enacted by the authority aforeſayd, That no Popiſh Recuſant conuicted, or to bee conuicted, ſhall come into the Court or Houſe where the Kings Maieſty or his Heire apparent to the Crowne of England ſhall be, vnleſſe he be commaunded ſo to doe by the Kings Maieſty, his Heires and Succeſſors, or by Warrant in writing from the Lords and others of the moſt Honourable Priuy Councell of the Kings Maieſty, his Heires and Succeſſors, or any of them, vpon paine to forfeit for euery time ſo offending, one hundred pounds, The one moity to the Kings Maieſty, his Heires and Succeſſors, the other moity to him that will diſcouer and ſue for the ſame, by Action of Debt, Bill, Plaint, or Information, in any of his Maieſties Courts of Record: wherein no Eſſoine, Protection, or Wager of Law ſhall be allowed.

Recuſants ſhall depart from London.

And that all Popiſh Recuſants indicted or conuicted, and all other perſons which haue not repaired to ſome vſuall Church or Chappell, and there heard Diuine Seruice, but haue forborne the ſame by the ſpace of thrée moneths laſt paſt, contrary to the Lawes and Statutes of this Realme, dwelling, abiding, or remaining within the Citie of London, or the Liberties thereof, or within tenne miles of the ſaid Citie, ſhall within thrée monethes next after the end of this Seſſion of Parliament, depart from the ſayd Citie of London, and tenne miles compaſſe of the ſame, and alſo ſhall deliuer vp their names to the Lord Maior of London, in caſe ſuch Recuſant doe dwell or remaine within the ſaid City of London, or the Liberties thereof: And in caſe the ſaid Recuſant ſhall dwell or remaine in any other Countie within tenne miles of the ſame Citie, then the ſaid Recuſant ſhall deliuer vp his or her name to the next Juſtice of Peace within ſuch County where the ſayd Recuſant ſhall ſo dwell, or remaine, within forty dayes after the end of this Seſſion of Parliament, vpon paine, that euery perſon offending herein, ſhall forfeit to our Soueraigne Lord the Kings Maieſtie, his heires and ſucceſſors, the ſumme of one hundred pounds, The one moity whereof ſhalbe to the Kings Maieſty his heires & ſucceſſors, the other moity to him or them that will ſue for the ſame by action of debt, bill, plaint, or information, in any of the Kings Maieſties Courts of Record; wherein no eſſoine, protection, or wager of law ſhalbe admitted or allowed.

And that all Popiſh Recuſants, which ſhall hereafter come, dwell, or remaine within the ſaid Citie of London, or the Liberties thereof, or within tenne miles of the ſaid Citie, which now are, or hereafter ſhall be indicted or conuicted of ſuch Recuſancie, or which ſhall at any time hereafter not repaire vnto ſome vſuall Church or Chappell, and there heare Diuine Seruice, but ſhall forbeare the ſame by the ſpace of thrée moneths, contrary to the Lawes and Statutes of this Realme, ſhall within tenne dayes after ſuch Indictment, or Conuiction, depart from the ſaid Citie of London, and tenne miles compaſſe of the ſame, and alſo ſhall deliuer vp their names to the Lord Maior of London for the time being, in caſe ſuch Recuſant ſhall dwell or remaine within the ſaid Citie of London, or the Liberties thereof: And in caſe the ſaid Recuſant ſhall dwell or remaine in any other Countie within tenne miles of the ſaid Citie, then the ſaid Recuſant ſhall deliuer vp his or her name to the next Iuſtice of Peace within ſuch Countie where the ſaid Recuſant ſhall ſo dwell or remaine, within the ſaid ten dayes next after ſuch Indictment, or Conuiction, vpon paine, that euery perſon offending herein, ſhall likewiſe forfeit to our ſaid Soueraigne Lord the Kings Maieſtie, his Heires and Succeſſors, the like ſumme of an hundred pounds, The one moitie whereof ſhall be to the Kings Maieſtie, his Heires and Succeſſors, and the other to him or them that will ſue for the ſame by Action of Debt, Bill, Plaint, or Information, in any of the Kings Maieſties Courts of Record, wherein no Eſſoine, Protection, or Wager of Law ſhall be admitted or allowed.

Tradeſmen and dwellers in London.

Prouided alwayes, That ſuch perſon or perſons as now vſe any Trade, Myſterie, or manuall Occupation within the ſaid Citie of London, or within tenne miles of the ſame, and ſuch as haue or ſhall haue their onely dwelling within the ſaid Citie, or tenne miles compaſſe of the ſame, not hauing any other dwelling or place of abode elſe-where, ſhall or may remaine and continue in ſuch place within the ſaid Citie, or tenne miles of the ſame, as they haue dwelled, inhabited, or remained in by the ſpace of thrée moneths next before this preſent Seſſion of Parliament, Any thing herein contained to the contrary notwithſtanding.

35. El. 2.

A Recuſant confined.

And whereas by a Statute made at Weſtminſter in the fiue and thirtieth yeare of the reigne of Quéene Elizabeth, entituled, An Act for the reſtraining of Popiſh Recuſants to ſome certaine place of abode, it was amongſt other things ordained and enacted, That euery Popiſh Recuſant then or after conuicted for not repairing to Church, Chappell, or vſuall place of common Prayer, hauing any certaine place of dwelling and abode within this Realme, ſhould within the time limited by the ſaid Statute, repaire to their place of vſuall dwelling and abode, or not hauing any certaine place of dwelling or abode within this Realme, ſhould likewiſe within the time limited by the ſaid Statute, repaire to the place where ſuch perſon was borne, or where the Father or Mother of ſuch perſon ſhould be dwelling, and not at any time remoue or paſſe aboue fiue miles from thence, vnder the paines in the ſaid Statute limited and prouided: Which Statute, by reaſon of ſundry Licences giuen vnto ſuch Recuſants, vnder colour of a Prouiſo in the ſaid Statute contained, hath not wrought that góod effect in the Common-wealth, as was hoped: Bee it therefore enacted and ordained by this preſent Parliament, and by the authoritie of the ſame, That the ſaid Statute made in the ſaid fiue and thirtieth yeare of the ſaid Quéene Elizabeth, for and concerning the confining of the ſaid Recuſants, vnder the Paines and Penalties therein contained, ſhall by this Act, and by the Authority of the ſame, be confirmed, and be hereafter put in due execution, according to the tenor, true intent, and meaning of the ſaid Statute in that behalfe made. And that the ſaid Prouiſo in the ſaid Statute contained, giuing power to grant Licence or Licences vnto the ſaid Recuſants, to goe and trauell from or out of the Compaſſe of the ſaid fiue miles, ſhall be from and after the end of this preſent Seſſion of Parliament, vtterly repealed and void, Any thing in the ſaid Statute to the contrary notwithſtanding.

A Repeale of a Prouiſo contained in the ſtat. of 35. El. 2. touching licence to Recuſants.

Licence to a Recuſant confined,

Prouided neuertheleſſe, and be it further enacted by this preſent Parliament, and by the Authority of the ſame, That it ſhall and may be lawfull for the Kings moſt excellent Maieſtie, his Heires and Succeſſors, or for thrée or more of his Maieſties moſt Honourable Priuie Councell, or for thrée or more of the Priuie Councell of his Heires or Succeſſors, in Writing vnder the hands of the ſaid Priuie Councellors, to giue Licence to euery ſuch Recuſant to goe and trauell out of the Compaſſe of the ſaid fiue miles, for ſuch time as in the ſaid Licence ſhall be contained, for their trauelling, attending, and returning, and without any other cauſe to be expreſſed within the ſaid Licence. And if any of the perſons which are ſo confined by vertue of the ſaid Statute, as is aforeſaid, ſhall haue neceſſarie occaſion or buſineſſe to goe and trauell out of the compaſſe of the ſaid fiue miles, That then, and in euery ſuch caſe, vpon Licence in Writing in that behalfe to be gotten, vnder the hands and ſeales of foure of the Iuſtices of Peace of the ſame Countie, Limit, Diuiſion, or place next adioyning to the place of abode of ſuch Recuſant, with the priuitie and aſſent in Writing of the Biſhop of the Dioceſſe, or of the Lieutenant, or of any Deputie Lieutenant of the ſame Countie, reſiding within the ſaid Countie or Liberty, vnder their hands and ſeales, In euery of which Licence or Licences in Writing ſo to be had and made, ſhall be ſpecified and contained both the particular cauſe of the ſaid Licence, and the time how long the ſaid partie licenced ſhall be abſent, in trauelling, attending and returning. It ſhall

The effect of a Licence to be granted by foure Iuſtices of Peace.

and may thereupon be lawfull for euery ſuch perſon ſo licenced, to goe and trauell about ſuch their neceſſarie buſineſſe, and for ſuch time onely for their trauelling, attending, and returning, as ſhall be compriſed in the ſaid Licence, the ſaid partie ſo licenced firſt taking his corporall Oath before the ſaid foure Iuſtices of the Peace, or any of them (who ſhall haue authoritie by vertue of this Act to miniſter the ſame) that he hath truely informed them of the cauſe of his Iourney, and that he ſhall not make any cauſeleſſe ſtayes. And that all and euery Licence hereafter to be made in this behalfe, contrary to the tenor, effect, and true meaning of this Statute, ſhall be vtterly voide, fruſtrate, and of none effect, Any thing in the ſaid former Act, or in this Act, to the contrary notwithſtanding. And euery perſon ſo confined, which ſhall depart or goe aboue fiue miles from the place, whereunto he is or ſhall be confined, not hauing ſuch Licence, and not hauing taken ſuch Oath as aforeſaid, ſhall incurre the paine and penaltie, and forfeit as a Recuſant conuicted, and paſſing or going aboue fiue miles from the ſaid place, whereunto he is or ſhall be confined by the ſaid Statute of Tricesimo quinto Elizabethæ, ſhould doe.

A Recuſant diſabled to practiſe certaine Offices and Functions.

And be it further enacted by the authority aforeſaid, That no Recuſant conuict ſhall at any time after the end of this Seſſion of Parliament, practiſe the Common Law of this Realme, as a Chancellor, Clerke, Attorney, or Sollicitor in the ſame, nor ſhall practiſe the Ciuill Law, as Aduocate, or Proctor, nor practiſe Phyſicke, nor exerciſe or vſe the Trade or Art of an Apothecarie, nor ſhall be Iudge, Miniſter, Clerke, or Steward, of, or in any Court, or kéepe any Court, nor ſhall be Regiſter, or Towne-Clerke, or other Miniſter or Officer in any Court, nor ſhall beare any Office or Charge, as Captaine, Lieutenant, Corporall, Sergeant, Ancient-bearer, or other Office in Campe, Troupe, Band, or Companie of Souldiers, nor ſhall be Captaine, Maſter, Gouernour, or beare any Office or Charge of or in any Ship, Caſtle, or Fortreſſe of the Kings Maieſties, his Heires and Succeſſors, but be vtterly diſabled for the ſame: And euery perſon offending herein, ſhall alſo forfeit for euery ſuch offence one hundred pounds, The one moitie whereof ſhall be to the Kings Maieſtie, his Heires and Succeſſors, and the other moitie to him that will ſue for the ſame by Action of Debt, Bill, Plaint, or Information, in any of the Kings Maieſties Courts of Record, wherein no Eſſoine, Protection, or Wager of Law ſhall be admitted or allowed.

No Recuſant ſhall be a publike Officer.

And be it alſo enacted by the authority aforeſaid, That no Popiſh Recuſant conuict, nor any hauing a wife being a Popiſh Recuſant conuict, ſhall at any time after the end of this Seſſion of Parliament, or any Popiſh Recuſant hereafter to be conuict, or hauing a wife which hereafter ſhall be a Popiſh Recuſant conuict, at any time after his or her conuiction, ſhall exerciſe any publike Office or Charge in the Common-wealth, but ſhall be vtterly diſabled to exerciſe the ſame by himſelfe, or by his Deputie, (Except ſuch huſband himſelfe, and his children which ſhall be aboue the age of nine yeares abiding with him, and his ſeruants in houſehold, ſhall once euery moneth at the leaſt, not hauing any reaſonable excuſe to the contrarie, repaire to ſome Church or Chappell, vſuall for Diuine Seruice, and there heare Diuine Seruice, And the ſaid huſband, and ſuch his children and ſeruants as are of méete age, receiue the Sacrament of the Lords Supper at ſuch times as are limited by the Lawes of this Realme, and doe bring vp his ſaid children in true Religion.)

A woman married Recuſant. Stat. 7. Iac. 6.

And be it alſo enacted by the authority aforeſaid, That euery married woman, being or that ſhall be a Popiſh Recuſant conuict (her huſband not ſtanding conuicted of Popiſh Recuſancie) which ſhall not conforme her ſelfe, and remaine conformed, but ſhall forbeare to repaire to ſome Church or vſuall place of Common Prayer, and there to heare Diuine Seruice and Sermon, if any then be, and within the ſaid yeare receiue the Sacrament of the Lords Supper, according to the Lawes of this Realme, by the ſpace of one whole yeare next before the death of her ſaid huſband, ſhall forfeit and loſe to the K. Maieſtie, his heires and ſucceſſors, the iſſues and profits of two parts of her Ioynture, and two parts of her Dower in thrée parts to be diuided during her life, of or out of any the lands, tenements or hereditaments, which are or were her ſaid huſbands and alſo be diſabled to be executrix or adminiſtratrix of her ſaid huſband, and to haue or demand any part or portion of her ſaid late huſbands goods or chattels, by any Law, Cuſtome, or Vſage whatſoeuer.

A Recuſant ſhall be as excommunicate.

And be it further enacted by the authority aforeſaid, That euery Popiſh Recuſant, which is or ſhall be conuicted of Popiſh Recuſancie, ſhall ſtand and be reputed to all intents & purpoſes diſabled, as a perſon lawfully and duly excommunicated, and as if he or ſhe had bin ſo denounced and excommunicated according to the Lawes of this Realme, vntill he or ſhe ſo diſabled, ſhall conforme him or her ſelfe, and come to Church, and heare Diuine Seruice, and receiue the Sacrament of the Lords Supper, according to the Lawes of this Realme, & alſo take the Oath appointed and preſcribed in one other Act made this preſent Seſſion of Parliament, entituled, An Act for the better diſcouering and repreſſing of Popiſh Recuſants. And that euery perſon or perſons ſued or to be ſued by ſuch perſon ſo diſabled, ſhall and may plead the ſame in diſabling of ſuch plaintiffe, as if he or ſhe were excommunicated by ſentence in the Eccleſiaſticall Court.

Prouided neuertheleſſe, That it ſhall and may be lawfull for any ſuch perſon ſo diſabled, for and notwithſtanding any thing in this Law contained, to ſue or proſecute any Action or Suit, for or concerning only ſuch of his or her lands, tenements, leaſes, rents, annuities and hereditaments, or for the iſſues and profits, thereof, which are not to be ſeized, or taken into the Kings hands, his heires or ſucceſſors, by force of any Law, for or concerning his or her Recuſancie, or any part thereof.

What Actions a Recuſant may proſecute.

Recuſants marriages.

And for that Popiſh Recuſants are not vſually married, nor their children chriſtened, nor themſelues buried according to the Law of the Church of England, but the ſame are done ſuperſtitiouſly by Popiſh perſons in ſecret, whereby the dayes of their marriages, births and burials, cannot be certainely knowne: Be it further enacted by authoritie of this preſent Parliament, That euery man being, or which ſhall be a Popiſh Recuſant conuicted, and who ſhall be hereafter married otherwiſe than in ſome open Church or Chappel, and otherwiſe than according to the orders of the Church of England, by a Miniſter lawfully authorized, ſhall be vtterly diſabled and excluded to haue any Eſtate of Freehold into any the lands, tenements, and hereditaments of his wife as tenant by the courteſie of England: And that euery woman being, or which ſhall be a Popiſh Recuſant conuicted, and who ſhall be hereafter married in other forme, than as aforeſaid, ſhall be vtterly excluded and diſabled not only to claime any dower of the inheritance of her huſband, whereof ſhe may be endowable, or any ioynture of the lands and hereditaments of her huſband, or any of his anceſtors, but alſo of her widowes Eſtate, and Frank-bank in any cuſtomarie lands, whereof her huſband died ſeized, and likewiſe be diſabled and excluded to haue or enioy any part or portion of the goods of her ſaid huſband by vertue of any cuſtome of any Countie, Citie or place, where the ſame ſhall lye or be. And if any ſuch man ſhall be married with any woman contrarie to the intent and true meaning of this Act, which woman hath or ſhall haue no lands, tenements or hereditaments, whereof he may be entituled to be tenant by the Courteſie, than ſuch man ſo marrying as aforeſaid, ſhall forfeit and loſe C. li. the one halfe thereof to be to the K. Maieſtie, his heires and ſucceſſors, and the other moitie to ſuch perſon or perſons as ſhall ſue for the ſame by action of debt, bill, plaint or information in any of the K. Maieſties Courts of Record, wherein no Eſſoine, Protection or wager of Law ſhall be admitted or allowed.

The Baptiſme of Recuſants children.

And that euery Popiſh Recuſant, which ſhall hereafter haue any child borne, ſhall within one moneth next after the birth thereof, cauſe the ſame child to be baptized by a lawfull Miniſter, according to the Lawes of this Realme, in the open Church of the ſame Pariſh where the child ſhall be borne, or in ſome other Church neere adioyning, or Chappell where Baptiſme is vſually adminiſtred: Or if by infirmitie of the child it cannot be brought to ſuch place, than the ſame ſhall within the time aforeſaid, be baptized by the lawfull Miniſter of any of the ſaid Pariſhes or places aforeſaid, vpon paine that the father of ſuch child, if he be liuing by the ſpace of one month next after the birth of ſuch child, or if he be dead within the ſaid moneth, than the mother of ſuch child ſhall for euerie ſuch offence forfeit C. li. of lawfull money of England, one third part thereof to be to the Kings Maieſtie, his heires and ſucceſſors, one other third part to the informer, or him that will ſue for the ſame, and the other third part to the poore of the ſaid Pariſh, to be recouered by action of debt, bill, plaint or information in any of the Kings Maieſties Courts of Record, wherein no Eſſoine, Protection or wager of Law ſhall be admitted or allowed.

The forf. of children departing the Realme.

And if any Popiſh Recuſant, man or woman, not being excommunicate, ſhall be buried in any place, other than in the Church or Church-yard, or not according to the Eccleſiaſticall Lawes of this Realme, That the Executors or Adminiſtrators of euery ſuch perſon ſo buried, knowing the ſame, or the partie that cauſeth him to be ſo buried, ſhall forfeit the ſumme of xx. li. the one third part whereof ſhall be to our Soueraigne Lord the King, the other third part to the Informer, or him or them that will ſue for the ſame, and the other third part to the poore of the Pariſh where ſuch perſon died, to be recouered by action of debt, bill, plaint or information in any of the Kings Maieſties Courts of Record, wherein no Eſſoine, Protection or wager of Law ſhall be admitted or allowed.

And be it further enacted by this preſent Parliament, That if the children of any ſubiect within this Realme (the ſaid children not being Souldiers, Mariners, Merchants, or their Apprentices or Factors) to preuent their good education in England, or for any other cauſe, ſhall hereafter be ſent or goe beyond Seas, without Licence of the K. Maieſtie, or ſixe of his honorable Priuie Councell (whereof the principall Secretarie to be one) vnder their hands and Seales, That then all and euery ſuch child and children ſo ſent, or which ſhall ſo goe beyond the Seas, ſhall take no benefit by any gift, conueyance, deſcent, deuiſe or otherwiſe, of or to any lands, tenements, hereditaments, leaſes, goods or chattels, vntill he or they being of the age of xviij. yeares or aboue take the Oath mentioned in an Act of Parliament made this preſent Seſſion, intituled, An Act for the better diſcouering & repreſſing of Popiſh Recuſants, before ſome Iuſtice of peace of the Countie, Libertie or Limit where ſuch parents of ſuch children, as ſhall be ſo ſent, did or ſhall inhabite and dwell. And that in the meane time the next of his or her kin, which ſhall be no Popiſh Recuſant, ſhall haue and enioy the ſaid lands, tenements, hereditaments, leaſes, goods and chattels ſo giuen, conueyed, deſcended, or deuiſed, vntill ſuch time as the perſon ſo ſent or gone beyond the Seas, ſhall conforme him or her ſelfe, and take the aforeſaid Oath, and receiue the Sacrament of the Lords Supper. And after ſuch Oath taken & conforming of himſelfe, and receiuing the Sacrament of the Supper of the Lord, he or they which haue ſo receiued the profits of the ſaid lands, tenements, hereditaments, goods and chattels, or any of them, ſhall make account of the profits ſo receiued, and in reaſonable time make payment thereof, and reſtore the value of the ſaid goods to ſuch perſon as ſhall ſo conforme him or her ſelfe as aforeſaid. And that all ſuch perſons as ſhall ſend the ſaid child or children ouer Seas without Licence as aforeſaid (vnleſſe the ſaid child or children be Merchants, or their Apprentices or Factors, Mariners or Souldiers) ſhall forfeit C. li. to be diuided, had and recouered in thrée equall parts, whereof the one third part ſhall be to the King, his heires and ſucceſſors, the other third part to ſuch as ſhall ſée for the ſame, and the other third part to the poore of ſuch Pariſh where ſuch offender doth inhabite or remaine, by action of debt, bill, plaint or information in any the K. Maieſties Courts of Record, wherein no Eſſoine, Protection or wager of Law ſhall be admitted or allowed.

The forf of him which ſendeth his child beyond the Sea.
1. Iac. 4.
3. Car. 2.

And for that many Subiects of this Realme, being neither Merchants, nor their Factors nor Apprentices, Souldiers nor Mariners, are of late gone beyond the Seas without Licence, and are not as yet returned, Be it further enacted by the authority of this preſent Parliament, That if any of the ſaid perſons ſo gone beyond the Seas without Licence, which are not yet returned, ſhall not within ſixe months next after their returne into this Realme, then being of the age of xviij. yeares or more, take the Oath aboue ſpecified before ſome Iuſtice of Peace of the Countie, Libertie or Limit where ſuch perſon ſhall inhabite or remaine, that then euery ſuch offender ſhall take no benefit by any gift, conueyance, deſcent, deuiſe or otherwiſe, of or to any lands, tenements, hereditaments, goods or chattels, vntill he or they being of the ſaid age of xviij. yeares or aboue, take the ſaid Oath, and that likewiſe in the meane time the next of kin to the perſon ſo offending, which ſhall be no Popiſh Recuſant, ſhall haue and enioy the ſaid lands, tenements, hereditaments, goods and chattels, ſo giuen, conueyed, deſcended or deuiſed, vntill ſuch time as the perſon ſo offending ſhall conforme himſelfe, and take the aforeſaid Oath, and receiue the ſaid Sacrament of the Lords Supper. And after ſuch conforming, taking of the ſaid Oath, and receiuing of the ſaid Sacrament, he or they that ſhall haue ſo receiued the profits of the ſaid lands, tenements, hereditaments, goods and chattels, ſhall make account of the profits ſo receiued, and in reaſonable time make payment thereof, and of the value of ſuch goods and chattels, to ſuch perſon as ſhall ſo conforme him or her ſelfe as aforeſaid.

The forf of the perſons gone beyond the Sea.

And be it further enacted by the authority of this preſent Parliament, That euery perſon or perſons, that is or ſhall be a Popiſh Recuſant conuict, during the time that he ſhall be or remaine a Recuſant, ſhall from and after the end of this preſent Seſſion of Parliament, be vtterly diſabled to preſent to any Benefice with Cure or without Cure, Prebend, or any other Eccleſiaſticall Liuing, or to collate or nominate to any Frée-ſchoole, Hoſpitall or Donatiue whatſoeuer, and from the beginning of this preſent Seſſion of Parliament, ſhall likewiſe be diſabled to grant any auoidance to any Benefice, Prebend or other Eccleſiaſticall Liuing.

A Recuſant ſhall not preſent to a Benefice nor grant an advowſon.

Cok.l.10.f

And that the Chancellor and Schollers of the Vniuerſitie of Oxford, ſo often as any of them ſhall be void, ſhall haue the preſentatioon, nomination, collation and donation of and to euery ſuch Benefice, Prebend or Eccleſiaſticall Liuing, Schoole, Hoſpitall and Donatiue, ſet, lying and being in the Counties of Oxford, Kent, Middleſex, Suſſex, Surrey, Hampſhire, Berkeſhire, Buckinghamſhire, Gloceſterſhire, Worceſterſhire, Staffordſhire, Warwickſhire, Wiltſhire, Somerſetſhire, Deuonſhire, Cornewall, Dorſetſhire, Herefordſhire, Northamptonſhire, Pembrokeſhire, Carmarthenſhire, Brecknockſhire, Monmothſhire, Cardiganſhire, Montgomeryſhire, the Citie of London, and in euery Citie and Towne being a Countie of it ſelfe, lying and being within any of the Limits, or Precincts of any of the Counties aforeſaid, or in or within any of them, as ſhall happen to be void, during ſuch time as the Patron thereof ſhall be and remaine a Recuſant conuict as aforeſaid.

The Chancellor and Schollers of Oxford ſhall preſent to a Recuſants benefice.

Cok.l.10

And that the Chancellor and Schollers of the Vniuerſitie of Cambridge ſhall haue the preſentation, nomination, collation and donation of and to euery ſuch Benefice, Prebend, or Eccleſiaſticall Liuing, Schoole, Hoſpitall and Donatiue, ſet, lying and being in the Counties of Eſſex, Hartfordſhire, Bedfordſhire, Cambridgeſhire, Huntingtonſhire, Suffolke, Norffolke, Lincolneſhire, Rutlandſhire, Leyceſterſhire, Darbiſhire, Nottinghamſhire, Shropſhire, Cheſhire, Lancaſhire, Yorkeſhire, the County of Durham, Northumberland, Cumberland, Weſtmerland, Radnorſhire, Denbighſhire, Flintſhire, Carnaruonſhire, Angleſeyſhire, Merionethſhire, Glamorganſhire, and in euery Citie and Towne being a Countie of it ſelfe, lying within any of the Limits or Precincts of any of the Counties laſt before mentioned, or in or within any of them, as ſhall happen to be void during ſuch time as the Patron thereof ſhall be and remaine a Recuſant conuict as aforeſaid.

The Chancellor and Schollers of Cambridge.

Prouided, that neither of the ſaid Chancellors and Schollers of either the ſaid Vniuerſities, ſhall preſent or nominate to any Benefice with Cure, Prebend or other Eccleſiaſticall Liuing, any ſuch perſon, as ſhall then haue any other Benefice with Cure of ſoules. And if any ſuch preſentation or nomination ſhall be had or made of any ſuch perſon ſo beneficed, the ſaid preſentation or nomination ſhall be vtterly void: Any thing in this Act to the contrary notwithſtanding.

None ſhall be preſented which hath another Benefice.

Moreouer, becauſe Recuſants conuict are not thought méet to be executors or adminiſtrators, to any perſon or perſons whatſoeuer, nor to haue the education of their owne children, much leſſe of the children of any other of the Kings Subiects, nor to haue the marriage of them: Be it therefore enacted by the authority aforeſaid, that ſuch Recuſants conuicted, or which ſhall be conuicted at the time of the death of any teſtator, or at the time of the granting of any adminiſtration, ſhall be diſabled to be executor or adminiſtrator by force of any Teſtament hereafter to be made, or letters of Adminiſtration hereafter to be granted, nor ſhall haue the cuſtodie of any childe as Guardian in Chiualrie, Guardian in Socage, or Guardian in Nurture of any lands, tenements or hereditaments, being Frécehold or Copihold, but ſhall be adiudged diſabled to haue any ſuch Wardſhip or Cuſtodie of any ſuch child, or of their lands, tenements or hereditaments, being Fréehold or Copihold, as aforeſaid.

A Recuſant ſhall not be executor or adminiſtrator.

A Recuſant ſhall be no guardian.

And that for the better education and preſeruation of the ſaid children and of their eſtates, the next of the kinne to ſuch child or children, to whom the ſaid lands, tenements or hereditaments of ſuch child or children cannot lawfully deſcend, who ſhall viſually reſort to ſome Church or Chappell, and there heare Diuine Seruice, and receiue the holy Sacrament of the Lords Supper thrice in the yeare next before, according to the Lawes of this Realme, ſhall haue the cuſtodie and education of the ſame child, and of his ſaid lands and tenements being holden in Knights ſeruice, vntill the full age of the ſaid Ward of one and twentie yeares, And of his ſaid lands, tenements and hereditaments being holden in Socage, as a Guardian in Socage, And of the ſaid lands, tenements and hereditaments holden by Copie of Court-roll of any manor, ſo long as the cuſtome of the ſaid manor ſhall permit and allow the ſame, and in euery of the ſaid caſes ſhall yéeld an account of the profits thereof to the ſaid Ward, as the caſe ſhall require.

who ſhall haue the wardſhip.

And that if at any time hereafter, any of the Wards of the Kings Maieſtie, or of any other, ſhall be granted or ſold to any Popiſh Recuſant conuict, ſuch Grant or ſale ſhall be vtterly void and of none effect.

The Kings wards.

And be it further enacted by the authority of this preſent Parliament, That no perſon or perſons ſhall bring from beyond the Seas, nor ſhall print, ſell, or buy any Popiſh Primers, Ladies Pſalters, Manuels, Roſaries, Popiſh Catechiſmes, Miſſals, Breuiaries, Portals, Legends and liues of Saints, containing ſuperſtitious matter, printed or written in any language whatſoeuer, nor any other ſuperſtitious bookes printed or written in the Engliſh tongue, Upon paine of forfeiture of fortie ſhillings for euery ſuch Booke, One third part thereof to be to the Kings Maieſtie, his heires and ſucceſſors, one other third part to him that will ſue for the ſame, And the other third part to the poore of the Pariſh where ſuch booke or bookes ſhall be found, to be recouered by Action of Debt, Bill, Plaint, or Information in any of the Kings Maieſties Courts of Record, wherein no Eſſoins, Protection, or Wager of Law ſhall be admitted or allowed, And the ſaid Bookes to be burned.

Popiſh bookes.

And that it ſhall be lawfull for any two Iuſtices of Peace within the limits of their Iuriſdiction or Authority, and to all Maiors, Bayliffes, and chiefe Officers of Cities and Townes corporate in their Liberties, from time to time, to ſearch the houſes and lodgings of euery Popiſh Recuſant conuict, or of euery perſon, whoſe wife is or ſhall be a Popiſh Recuſant conuict, for Popiſh Bookes and Reliques of Poperie: And that if any Altar, Pix, Beades, Pictures, or ſuch like Popiſh Reliques, or any Popiſh Booke or Bookes ſhall be found in their or any of their cuſtodie, as in the opinion of the ſaid Iuſtices, Maior, Bayliffe or chiefe Officer, as aforeſaid, ſhall be thought vnméet for ſuch Recuſant as aforeſaid, to haue or vſe the ſame, ſhall be preſently defaced and burnt, if it be méet to be burned: And if it be a Crucifix, or other Relique of any price, the ſame to be defaced at the generall quarter Seſſions of the Peace, in the Countie where the ſame ſhall be found, and the ſame ſo defaced, to be reſtored to the owner againe.

Iuſt. may ſearch for bookes printed, &c.

A Crucifix defaced.

And be it alſo enacted by the authority aforeſaid, That all ſuch Armour, Gun-powder and Munition, of whatſoeuer kinds, as any Popiſh Recuſant conuict within this Realme of England, hath or ſhall haue in his houſe or houſes or elſe-where, or in the hands or poſſeſſion of any other at his or their diſpoſition, ſhall be taken from ſuch Popiſh Recuſants or others, which haue or ſhal haue the ſame to the vſe of ſuch Popiſh Recuſant, by warrant of foure Iuſtices of Peace at their generall or quarter Seſſions to be holden in the ſame Countie where ſuch Popiſh Recuſant ſhall be reſident (other than ſuch neceſſarie weapons, as ſhall be thought fit by the ſaid foure Iuſtices of Peace to remaine and be allowed for the defence of the perſon or perſons of ſuch recuſants, or for the defence of his, her or their houſe or houſes) and that the ſaid Armour and Munition ſo taken, ſhall be kept and maintained at the coſts of ſuch Recuſants, in ſuch places as the ſaid foure Iuſtices of Peace at their ſaid Seſſions of the Peace ſhall ſet downe and appoint.

A Recuſants Armour.

And be it further enacted by the authority aforeſaid, That if any ſuch Recuſant hauing, or which ſhall haue any ſuch Armour, Gun-powder and Munition, or any of them, or if any other perſon or perſons, which ſhall haue any ſuch Armour, Gun-powder and Munition, or any of them to the vſe of any ſuch Recuſant, ſhall refuſe to declare or manifeſt vnto the ſaid Iuſtices of Peace or any of them, what Armour he, ſhe or they haue, or ſhall haue, or ſhall let, hinder or diſturbe the deliuery thereof, to any of the ſaid Iuſtices, or to any other perſon or perſons authorized by their warrant to take and ſeaſe the ſame, then euery ſuch perſon ſo offending contrarie to this Statute

The fork of a Recuſant not deliuering his Armour.

in this behalfe, ſhall forfeit and loſe to the Kings Maieſtie, his heires and ſucceſſors, his and their ſaid Armour, Gun-powder, and Munition, and ſhall alſo bee impriſoned by Warrant of or from any Iuſtices of Peace of ſuch Countie, by the ſpace of thrée moneths, without Baile or Maineprize.

A Recuſant ſhall maintaine his Armour.

And yet neuertheleſſe be it enacted by the authority aforeſaid, That notwithſtanding the taking away of ſuch Armour, Gun-powder, and Munition, the ſaid Popiſh Recuſant ſhall and may be charged with the maintaining of the ſame, and with the buying, prouiding, and maintaining of Horſe, and other Armour and Munition, in ſuch ſort, as other his Maieſties Subiects from time to time ſhall be appointed and commanded, according to their ſeuerall abilities and qualities, and that the ſaid Armour and Munition, at the charge of ſuch Popiſh Recuſant for them, and as their owne prouiſion of Armour and Munition, ſhall be ſhewed at euery Muſter, ſhew, or vſe of Armour, to be had or made within the ſaid Countie.

Eccleſiaſticall cenſures.

Prouided alwayes, that neither this Act nor any thing therein contained, ſhall extend to take away or abridge the Authority or Iuriſdiction of the Eccleſiaſticall Cenſures, for any cauſe or matter, but that the Commiſſioners of his Maieſtie, his heires and ſucceſſors, in cauſes Eccleſiaſticall, for the time being, Archbiſhops, Biſhops, and other Eccleſiaſticall Iudges may doe, and procéede, as before the making of this Act they lawfully did or might haue done: Any thing in this Act to the contrary in any wiſe notwithſtanding.

CAP. VI.

All Merchants may trade into Spaine, Portugal, and France.

The King granted a Charter of Incorporation to certaine Merchants to trade into Spaine, &c.

The ſeuerall inconueniences that would enſue if the ſaid Charter ſhould take effect.

Whereas diuers Merchants haue of late obtained from the Kings moſt excellent Maieſtie, vnder the great Seale of England, a large Charter of Incorporation for them and their Company to trade into the Dominions of Spaine and Portugal, and are alſo moſt earneſt Suitors to obtaine the like from his ſaid Maieſtie for France, whereby none but themſelues, and ſuch as they ſhall thinke fit, as being méere Merchants, ſhall take benefite of the ſaid Charter, diſabling thereby all others his Maieſties louing ſubiects of this Realme of England and Wales, who during all the time of her late Maieſties warres, were in diuers reſpects, greatly charged for the defence of their prince and countrey, and therefore ought indifferently to enioy all the benefits of this moſt happy peace, And alſo debarring them from that frée enlargement of common Trafficke into thoſe dominions, which others his Maieſties ſubiects of his Realmes of Scotland and Ireland doe enioy, to the manifeſt impoueriſhing of all owners of Ships, Maſters, Mariners, Fiſhermen, Clothiers, Tuckers, Spinſters, and many thouſands of all ſorts of handiecrafts-men, beſides the decreaſe of his Maieſties Cuſtomes, Subſidies, and other Impoſitions, and the ruine and decay of Nauigation, together with the abating of the prices of our Wolls, Cloth, Corne, & ſuch like commodities, ariſing and growing within this his ſaid Maieſties Realm of England, and the inhauncing of all French and Spaniſh commodities, by reaſon of the inſufficiencie of the Merchants, they being few in number, and not of abilitie to kéepe the great number of our Ships, and Seafaring men aworke, and to vent the great ſtore of commodities which this his Maieſties Dominion of England, doth yéeld, and by meanes that all Owners and Mariners with diuers others (if theſe Incorporations ſhould continue) ſhall be cut off from their ordinarie meanes of maintenance, and preſeruing their eſtates: and finally by reaſon that all French and Spaniſh commodities ſhall be in a few mens hands: In reſpect whereof, as alſo for many other manifold inconueniences growing thereby, much hurt and preiudice muſt néedes redound to all his Maieſties louing Subiects of this his Highneſſe Realme of England, if reformation for the preuention of ſo great an euill be not had in due time: For remedie whereof, Be it enacted by the Kings moſt excellent Maieſtie, the Lords Spirituall and Temporall, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That it ſhall and may be lawfull to and for all his Maieſties Subiects of this his Highneſſe Realme of England and Wales, from henceforth at all times, to haue frée libertie to trade into and from the Dominions of Spaine, Portugall and France, in ſuch ſort and in as frée maner as was at any time accuſtomed ſithence the beginning of this his Highneſſe moſt happie reigne in this his Realme of England, and at any time before the ſaid Charter of Incorporation was granted, paying to the Kings moſt excellent Maieſty, his heires and ſucceſſors, all ſuch cuſtomes and other duties as by the Lawes and Statutes of this Realme, ought to be paid and done for the ſame: The ſaid Charter of Incorporation, or any other Charter, Grant, Act, or any thing elſe heretofore made or done, or hereafter to be done, to the contrary in any wiſe notwithſtanding.

All the Kings ſubiects may trade into and from Spaine, Portugal and France.

None reſtrained by Law may depart the Realme without licence.

Prouided alwayes, that this Act or any thing therein contained, ſhall not be of force to enable or giue libertie to any perſon or perſons to goe ouer Seas without licence, who by the Lawes and Statutes of this Realme, or by any Statute hereafter to be made, ſhalbe reſtrained from going beyond the ſeas without licence: any thing to the contrary notwithſtanding. 1. H. 4. 17. 4. Iac. 9.

CAP.

CAP. VII.

An Act to reforme the multitude and miſdemeanors of Atturnies and Sollicitors, and to auoid vnneceſſarie ſuits and charges in Law.

FOr that through the abuſe of ſundry Atturneyes and Sollicitors by charging their Clients with exceſſiue Fées and other vnneceſſary Demaunds, ſuch as were not, ne ought by them to haue béene imployed, or demaunded, whereby the Subiects growe to bee ouermuch burthened, and the practiſe of the iuſt and honeſt Sergeant and Councellour at Law greatly ſlandered: and for that to worke the priuate gaine of ſuch Atturneys and Sollicitors, the Client is often times extraordinarily delayed: Be it enacted by the authority of this preſent Parliament, That no Atturney, Sollicitor, or ſeruant to any, ſhall be allowed from his Client, or Maſter, of or for any Fée giuen to any Sergeant or Councellor at Law, or of or for any ſumme or ſummes of money giuen for Copies to any Clerke or Clerkes, or Officers in any Court or Courts of Record at Weſtminſter, vnleſſe he haue a Ticket ſubſcribed with the hand & name of the ſame Sergeant, or Councellor, Clerke or Clerkes, or Officers aforeſayd, teſtifying how much he hath receiued for his Fée, or giuen or paid for Copies, and at what time and how often,: And that all Atturneys, and Sollicitors, ſhall giue a true Bill vnto their Maſters or Clients, or their Aſſignes, of all other charges concerning the Suits which they haue for them, ſubſcribed with his owne hand and name, before ſuch time as they or any of them ſhall charge their Clients with any the ſame Fées or charges: And that if the Atturney or Sollicitor, doe or ſhall willingly delay his Clients ſuits to worke his owne gaine, or demand by his Bill any other ſummes of money or allowance vpon his accompt of any money which he hath not layd out or diſburſed, That in euery ſuch caſe, the party grieued ſhall haue his Action againſt ſuch Atturney or Sollicitor, and recouer therein coſts and treble dammages: And the ſayd Atturney and Sollicitor ſhall be diſcharged from thenceforth from being an Atturney or Sollicitor, any more.

An Atturney ſhall haue a Ticket of the mony which he giueth for fees, &c.

A Bill of charges.

An Atturney delaying his Clients ſuit, or demanding more than is due.

And to auoid the infinite numbers of Sollicitors and Atturneyes, be it enacted by the authority of this preſent Parliament, That none ſhall from henceforth be admitted Atturneys in any the Kings Courts of Record aforeſayd, but ſuch as haue béene brought vp in the ſame Courts, or otherwiſe well practiſed in Sollicitiug of Cauſes, and haue béene found by their dealings to bée ſkillfull and of honeſt diſpoſition: and that none be ſuffered to Sollicite any Cauſe or Cauſes in any the Courts aforeſayd, but onely ſuch as are knowne to be men of ſufficient and honeſt diſpoſition: and that no Atturney ſhall admit any other to follow any ſuit in his name, vpon paine that both the Atturney and he that followeth any ſuch ſuit in his name, ſhall each of them forfeit for ſuch offence xx. li. The one moity whereof to our Soueraigne Lord the King, his heires and ſucceſſors, and the other moity to the party grieued, to bee recouered in any the ſaid Courts of Record aforeſaid, by originall Writ of Debt, Bill, Plaint, or Information, wherein no manner of Eſſoine, Wager of Law, or Protection ſhall be allowed. And that the Atturney in ſuch caſe ſhall be excluded from being an Atturney for euer thereafter.

Who only ſhal be Atturneys or Sollicitors.

No following of a ſuit in an others name.

CAP. VIII.

An Act to auoyd vnneceſſary delaies of executions.

FOraſmuch as his Highneſſe Subiects are now more commonly withholden from their iuſt debts and often in danger to loſe the ſame, by meanes of Writs of Error, which are more commonly ſued than heretofore they haue béene, Be it therefore enacted by the authority of this preſent Parliament, that from and after the end of this preſent Seſſion of Parliament, no Execution ſhall be ſtayed or delayed, vpon or by any Writ of Error, or Superſedeas thereupon to be ſued, for the reuerſing of any Iudgement giuen, or to be giuen in any Action or Bill of debt, vpon any ſingle Bond for debt, or vpon any Obligation, with condition for the payment of money only, or vpon any Action or Bill of debt for Rent, or vpon any Contract ſued in any of his Highneſſe Courts of Record at Weſtminſter, or in the Counties Palatine of Cheſter, Lancaſter or Durham, or in his highneſſe Courts of great Seſſions in any of the twelue Shires of Wales: vnleſſe ſuch perſon or perſons in whoſe name or names ſuch Writ of Error ſhall bee brought with two ſufficient ſureties ſuch as the Court wherein ſuch Iudgement is or ſhall be giuen ſhall allow of, ſhall firſt before ſuch ſtay made or Superſedeas to be awarded, be bound vnto the partie for whom any ſuch Iudgement is or ſhall be giuen, by Recognizance to be acknowledged in the ſame Court, in double the ſumme adiudged to be recouered by the ſayd former Iudgement, to proſecute the ſayd Writ of Error with effect: and alſo to ſatiſfie and pay (if the ſaid Iudgement bée affirmed) all and ſingular the debts, dammages and coſts, adiudged or to bée adiudged, vpon the former Iudgement: and all coſts and dammages to be alſo awarded for the ſame delaying of Execution.

In what caſes only execution ſhalbe ſtaied vpon the ſuit of a writ of Error.

This

Continuance of this Stat.

This Act to haue continuance to the end of the firſt Seſſion of the next Parliament. 3. Car. 4. made perpetuall.

Cap. IX.

A reliefe of ſuch as lawfully vſe the trade and handicraft of Skinners.

An. Eliz. Charter to the the Eaſtland Merchants that none but they ſhould tranſport merchandiſe thither.

By what meanes the Artizan ſkinners liued.

WHereas the ſaid Artizan Skinners before the one and twentieth yeere of the late Queen were at liberty, and vſually did tranſport into the Eaſtland Countries, Conie-ſkinnes, and Lambe-ſkinnes, callyd Morkins of the growth of this Kingdome, being in great requeſt in thoſe Countreys, without contradiction. In which one and twentieth yeere of her Maieſties reigne, the Eaſtland Merchants procured a Charter from her Maieſty, in which is contained a Prohibition therein, that none but they the Merchants of thoſe Countreys might tranſport any merchandizes thither: Sithence which time the ſayd Artizan Skinners haue by colour of thoſe Letters Pattents beene reſtrained from tranſportation, and thereupon did for the maintenance of them and their poore Families, apply themſelues to their handie labours, and to prouide and buy within this Realme as well of petie Chapmen as others, the ſayd Skinnes within this Kingdome: And the ſurpluſage ouer and aboue ſuch as they wrought into Manufactures, they ſold to the ſaid Merchants that had gotten the ſayd Letters Patents for tranſportation as aforeſayd, by reaſon whereof the ſaid Artizan Skinners, with their wiues and Families, liued in good maner, and maintained many thouſands both Tawers and other workemen, and very many of them were Subſidie men, and men that payed many duties in good ſort, vntill of late time that diuers Merchants and others, for their owne priuate gaine, doe by themſelues, their Factors and Seruants in diſorderly and vnmerchantlike maner, buy, foreſtall, ingroſſe and prouide the ſaid commodities, and ſo draw the whole trade into their owne hands, and worke the ſame in their owne houſes, and not contented therewith, doe likewiſe ſell and retaile the ſaid Skinnes here againe vnto other Merchant ſtrangers, whereby they doe depriue the ſayd Artizan Skinners, both from buying, ſelling and tranſportation, and thereupon the whole trade of Artizan Skinners, is vtterly impoueriſhed generally throughout England.

Merchants ſhal not dreſſe black Conie-ſkins, nor tranſport them vndreſſed.

Be it therefore enacted by our Soueraigne Lord the Kings Maieſty, by the Lords Spirituall and Temporall, and Commons at this preſent Parliament aſſembled, and by the authority of the ſame, That no perſon or perſons after the end of three moneths next enſuing after the end of this preſent Seſſion of Parliament, vſing the trade of Merchandize, or any other, ſhall dreſſe or cauſe to be dreſſed, in his or their houſe or houſes, or by any workman appointed by them for that purpoſe (thoſe workmen not being Artizan Skinners, and vſing the trade of the Artizan Skinners) any of the blacke Conie-ſkinnes of this Kingdome, nor ſhall tranſport or carry beyond the Seas, nor cauſe to be tranſported or carried beyond the Seas, nor ſhall packe, ſhip or lade, to the intent to tranſport or carie beyond the ſeas, any black Conie-ſkinnes of the breed of this Realme vnleſſe the ſame Skinnes ſhall firſt be tawed, and duly and perfectly wrought, dreſſed and packed within this Realme, by thoſe that are Artizan Skinners, or Tawers vnder the ſayd Artizan Skinners, according to the Science, Art and Facultie of the Artizan Skinners, vpon paine of forfeiture of ſuch Skinnes, ſo packed, ſhipped, laden and tranſported, contrary to this Act, or the iuſt and full value thereof.

How many Conie-ſkins or Lambe-ſkins at the leaſt a Merchant muſt buy and ſell at one time.

And be it further enacted by the authority aforeſayd, That no perſon or perſons, vſing or exerciſing the Trade of a Merchant, ſhall after the end of the ſayd three moneths next enſuing after the end of this preſent Seſſion of Parliament, buy, bargaine or contract, or cauſe to be bought, bargained or contracted for, any Conie-ſkinnes or Lambe-ſkinnes, commonly called Morkins, of the breed of this Realme, or being within this Realme, vnder the number of one thouſand blacke Conie-ſkinnes, or three thouſand gray Conie-ſkinnes, or two thouſand Lambe-ſkinnes, called Morkins, at a time, and thoſe not to be bought or contracted for, in or by parcels, but to be contracted for, bargained and deliuered at one time intirely together, and not by parcels (except it be of the Artizan Skinners) nor ſhall vtter or ſell the ſame againe, nor any part thereof, to any perſon or perſons within this Realme in ſmall parcels: That is to ſay, vnder the number of one thouſand blacke Conie-ſkinnes, and three thouſand of gray Conie-ſkines, and two thouſand of Morkins at a time, vnleſſe it bee to the Artizan Skinner, vpon paine of forfeiture of the ſayd Skinnes, or the full value of the ſame.

Who only a Skinner may take to be his Apprentice or Iourneyman.

And be it further enacted by the authority aforeſaid, That after the end of the ſaid three moneths next enſuing after the end of this preſent Seſſion of Parliament, no perſon or perſons ſhall take, retaine or keepe any Seruant, Iourneyman or Apprentice, to ſerue or worke with him therein, except the ſayd perſon ſo vſing or ſetting vp the ſaid Trade, Myſtery or Occupation, haue ſerued ſeuen yeares at the leaſt as an Apprentice therein, and doe vſe the Trade and Handy-craft of a Skinner, vpon paine of forfeiture of the double value of all ſuch Skinnes or Furres, as ſhall be dreſſed or wrought by ſuch perſon or perſons, his or their Seruants, Iourneymen or Apprentices, contrary to the intent of this Act.

And be it enacted by the authority aforeſaid, That all forfeitures and penalties, which by force of this Act ſhall ariſe or grow, ſhall be diuided and diſtributed in maner and forme following, that is to ſay, the one moity of the ſaid penalties and forfeitures afore mentioned, ſhall be to our Soueraigne Lord the Kings Maieſty, his heires and ſucceſſors, and the other moity thereof to ſuch perſon or perſons, as ſhall ſeiſe the ſayd Skins or Furres ſo forfeited, or ſhall ſue for the ſame penalties and forfeitures, by action of debt, bill, plaint, or information in any Court of Record: In which ſuits, no Eſſoine, Protection or wager of Law ſhall be allowed.

Who ſhall recouer the forf. & by what meanes.

This Act to endure vntill the end of the firſt Seſſion of the next Parliament, 3.Car.4. Continued vntill the end of the firſt Seſſion of the next Parliament.

The continuance of the Statute.

Cap. X.

At whoſe charge an offendor ſhall be conueyed to the Gaole.

Whereas his Maieſties honeſt and louing Subiects are much charged and burthened in conueying Felons and other malefactors and Offendors againſt his Maieſties Lawes and Statutes, vnto the Gaole, puniſhable by impriſonment there, the ſaid Felons and other malefactors and offendors, hauing goods and chattels of their owne, whereby to defray the ſame charge themſelues, to the great encouragement of ſuch malefactors and offendors in their ſayd wicked and badde courſes, and to the diſcouragement of his Maieſties ſaid honeſt and louing Subiects in proſecuting the ſayd Malefactors and Offendors to be puniſhed according to their demerits: Bee it enacted by the Kings moſt excellent Maieſty, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That all and euery perſon and perſons whatſoeuer, that from and after the end of this preſent Seſſion of Parliament, ſhall be committed to the common or vſuall Gaole, within any County or Liberty within this Realme, by any Iuſtice or Iuſtices of the Peace, for any Offence or miſdemeanour, That the ſaid perſon or perſons ſo to be committed as aforeſayd, hauing meanes or ability thereunto, ſhall beare their owne reaſonable charges for ſo receiuing or ſending them to the ſayd Gaole, and the charges alſo of ſuch as ſhall be appointed to guard them to ſuch Gaole, and ſhall ſo guard them thither. And if any ſuch perſon or perſons, ſo to be committed as aforeſaid, ſhall refuſe at the time of their commitment and ſending to the ſayd Gaole, to defray the ſaid charges, or ſhall not then pay or beare the ſame, That then ſuch Iuſtice or Iuſtices of the Peace, ſhall and may by writing vnder his or their hand and ſeale, or hands and ſeales, giue Warrant to the Conſtable or Conſtables of the Hundred, or Conſtable or Tithingman of the Tithing or Towneſhip, where ſuch perſon or perſons ſhall be dwelling and inhabite, or from whence hee or they ſhall be committed as aforeſayd, or where he or they ſhall haue any goods within the County or Liberty, to ſell ſuch and ſo much of the goods and chattels of the ſayd perſons ſo to be committed, as by the diſcretion of the ſaid Iuſtice or Iuſtices of the Peace, ſhall ſatisfie and pay the charges of ſuch his or their conueying and ſending to the ſayd Gaole, the Appraiſement to be made by foure of the honeſt inhabitants of the Pariſh, or Tything, where ſuch goods or chattels ſhall remaine and bée, and the ouerplus of the money which ſhall be made thereof, to be deliuered to the party to whom the ſaid goods ſhall belong.

An offendor ſhalbe conueyed to the Gaole at his own charges.

How the charges ſhal be leuied, if the priſoner refuſe to pay them.

And be it further enacted by the authority aforeſayd, That if the ſayd perſon or perſons ſo to bée committed as aforeſayd, ſhall not haue or be knowne to haue any goods or chattels, which may be ſold for the purpoſe aforeſayd within the County or Liberty, That then an indifferent taxe or aſſeſſement ſhal be made by the Conſtables and Church-wardens, and two or thrée other the honeſt inhabitants of the Pariſh, Townſhip, or Tithing, where the ſaid offendor or offendors ſhalbe taken or apprehended, the ſayd taxation being allowed vnder the hand of one or more Iuſtice or Iuſtices of the peace, if there be ſuch Conſtables and Church-wardens there inhabiting, & in default of them by foure of the principall Inhabitants of the ſayd Pariſh, Townſhip, or Tithing, where ſuch Offendors ſhalbe taken or apprehended. And if any ſo taxed or aſſeſſed, ſhall refuſe to pay their ſaid taxation, then the Iuſtice or Iuſtices of Peace, by whom the ſaid Offendors ſhalbe committed to priſon as aforeſayd, or any other Iuſtice of Peace néere adioyning, ſhall and may giue warrant as aforeſayd to the Conſtable, Tithingman, or other officer there to diſtraine the goods of any ſo aſſeſſed, which ſhal refuſe to pay the ſame, & to ſell the ſame, and that ſuch perſon or perſons ſo authorized ſhall haue full power and authority ſo to diſtraine & by appraiſement of foure ſubſtantiall inhabitants of the ſayd place, to ſell a ſufficient quantity of the goods & chattels of the ſaid perſon ſo refuſing, for the leuying of the ſaid taxation, And if any ouerplus of money come by the ſale thereof, the ſame to be deliuered to the perſon or perſons, owner or owners thereof.

If the offendor be not able to beare his charges the pariſhioners ſhal do it.

The remedy if any perſon taxed refuſe to pay.

And be it enacted by the authority of this preſent Parliament, that if any action of treſpaſſe or other ſuit ſhall happen to be attempted, and brought againſt the perſon or perſons for taking of any diſtreſſe, making of any ſale, or any other Act by authority of this preſent Act, the defendant or defendants in any ſuch action or ſuit, ſhall and may either plead not guilty or otherwiſe make Auowrie, cogniſance or iuſtification, for the taking of the ſaid diſtreſſes, making of ſale, or other act

The def. plea in an action brought for any thing done by force of this A by vertue of this Act, alledging in ſuch avowry, cogniſance or iuſtification, that the ſaid diſtreſſe, ſale, treſpaſſe, or other thing whereof the plaintiffe or plaintiffes complained, was done by authority of this Act, and according to the tenor, purport and effect of this Act, without any expreſſing or rehearſall of any other matter of circumſtance contained in this preſent Act. To which avowry, cogniſance or iuſtification, the plaintiffe ſhall be admitted to reply, that the defendant did take the ſaid diſtreſſe, made the ſayd ſale, or did any other act or treſpaſſe ſuppoſed in his declaration of his owne wrong without any ſuch cauſe alledged by the ſaid defendant, whereupon the iſſue in euery ſuch action ſhall be ioyned to be tryed by verdict of twelue men, and not otherwiſe, accuſtomed in other perſonall actions, and vpon the triall of that iſſue, the whole matter to be giuen on both parties in euidence, according to the very truth of the ſame. And after ſuch iſſue tryed for the defendant or nonſuit of the plaintiffe after appearance, the ſayd defendant to recouer treble damages, by reaſon of his wrongfull vexation in that behalfe, with coſts alſo on that part ſuſtained, and that to be aſſeſſed by the ſame Iury or Writ, to enquire of the damages, as the ſame ſhall require. This act to continue vntil the end of the firſt Seſſion of the next Parliament. 3. Car. 4. Continued vntill the end of the firſt Seſſion of the next Parliament.

The def. ſhall recouer treble damages and coſts of ſuit.

The continuance of this Act.

Cap. XI.

When Beere may be tranſported by any perſon, and to what place.

1. Iac. 25.

WHereas by a Statute made in the firſt yeare of the reigne of our now moſt gracious Soueraigne Lord K. Iames, it is lawfull to tranſport ouer the ſeas Barley or Mault, when the common price thereof ſhall not extend the prices in the ſaid Statute limited, by which ſaid Act it is lawfull for euery perſon and perſons, being Subiects of the Kings Maieſty, his heires and ſucceſſors, to tranſport of his owne, and to buy and tranſport vnto any Port beyond the Seas, in Amitie with his Maieſtie, to ſell as Merchandize in Ships, Crayers or other Veſſels whereof any Engliſh borne Subiect or Subiects then ſhall bee the Owner or owners, any Barley or Mault, when the price of euery ſuch quarter of Barley or Mault exceeds not at the times, hauens, and places, where and when the ſame ſhall be ſhipped or laden, the ſumme of xiiii. s. currant Engliſh mony, paying to the Kings Maieſty his heires and ſucceſſors, for the Cuſtom and Poundage of euery ſuch quarter of Barley and Mault ſo tranſported, the ſum of xvi. d. in full ſatisfaction of all maner of Cuſtome & Poundage for the ſame: Now for that by the tranſporting of Beere, the Cuſtome & Poundage that will grow due to the K. Maieſty for the ſame Beere, will be much greater, than when the Barley or Mault, whereof the ſaid Beere is made, is tranſported, and alſo that the Nauie and Mariners of this Realm will be the more increaſed, for that one Ship or Boat load of Barley or Mault, will if the ſame be brewed out into Beere, make foure ſeuerall Ships or Boats load of the ſame burthen of Beere to be tranſported: the Tillage likewiſe of this Realme will be cheriſhed and increaſed, by reaſon of the more ſpeedy and often vent of the Beere, than of Barley or Mault: And alſo by the brewing of ſuch Mault into Beere within this Realme to bee tranſported, diuers Port Townes will be greatly comforted and relieued, many of his Maieſties Subiects thereby imployed and ſet on worke, and the trades of Coupers and Brewers will bee thereby better enabled to liue and maintaine themſelues, their wiues, children and families.

The ſeuerall benefits ariſing by the tranſporting of Beere more than of Mault.

Be it therefore enacted by the Kings moſt excellent Maieſty, the Lords Spirituall and Temporall, and by the Commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, That at all times from and after the Feaſt of Pentecoſt, which ſhall be in the yeare of our Lord GOD, one thouſand ſixe hundred and ſeuen, it ſhall and may bee lawfull for all and euery perſon and perſons to tranſport of his owne, or to buy and tranſport, or cauſe to bee bought and tranſported, any Beere with the Caſke, vnto any place or places beyond the Seas, in Amity and League with his Maieſty, his heires or ſucceſſors, to ſell as Merchandize or otherwiſe, in Ships, Crayers or other Veſſels, when the price of euery quarter of Mault at the times, hauens and places, when and where the ſame ſhall be ſhipped and loaden, exceede not the ſumme of ſixteene ſhillings, currant Engliſh money: Any Ordinance, Law, or Statute to the contrarie thereof in any wiſe notwithſtanding. And that the Kings Maieſtie, his heires and ſucceſſors, ſhall haue and receiue by the Cuſtomers, Comptrollers and Officers of his Ports, where ſuch Beere ſhall be ſo ſhipped or loaden to be tranſported, the ſumme of eight ſhillings ſix pence, for Impoſt, and eighteene pence for Cuſtome to be payd by euery Subiect of the Kings Maieſty, his heires and ſucceſſors, for euery Tunne of Beere ſo to be tranſported: And likewiſe the ſumme of tenne ſhillings for Impoſt, and two and twenty pence halfe peny for Cuſtome to be payd by euery Stranger, which ſhall be in full ſatisfaction of all maner of Cuſtome, Poundage, Impoſt, or other duties whatſoeuer for the ſame Beere: Any Conſtitution, Order, Law, Statute or Cuſtome heretofore made, vſed or taken for tranſporting of any ſuch Beere, to the contrary in any wiſe notwithſtanding.

At what times Beere may be tranſported by any perſon.

What Impoſt & cuſtome ſhal be paid for beere tranſported.

Prouided neuertheleſſe, and bee it further enacted and declared, That this Act nor any thing therein contained, ſhall extend to repeale or make voyd any Clauſe, Article or Prouiſion contai-

35. El. 11.
1. Iac. 25.

ned in any former Law now in force, touching the bringing in of Clapboord, Caske or Shaffoldboord, but that euery ſuch Branch, Article, Clauſe or Prouiſion, ſhall extend as well vnto all and euery tranſportation or tranſportations, made lawfull and warranted by vertue of this Act, as otherwiſe: Any thing contained in this Act to the contrary notwithſtanding.

This Act to continue but to the end of the firſt Seſſion of the next Parliament. 3. Car. 4. Continued vntill the end of the firſt Seſsion of the next Parliament.

The continuance of this Act.

CAP. XII.

The forfeiture for ſetting vp of a new Weare, or for deſtroying the Spawne, or Fry of Fiſh.

FOraſmuch as it is certainly knowne by dayly experience, That the brood of Sea fiſh is Spawned and lyeth in ſtill Waters, where it may haue reſt to receiue nouriſhment and grow to perfection, and that it is there deſtroyed by Weares, Draw-nets, & Nets, with Canuas, or like Engines in the middle or boſome of them, in Harbours, Hauens and Creekes within this Realm, to the great dammage and hurt of Fiſhermen, and hinderance of the Common-wealth, for that euery Weare neere the maine Sea, taketh in twelue houres ſometimes the quantity of fiue Buſhels, ſometimes tenne, ſometimes twenty or thirty Buſhels of the brood of Sea fiſh, and alſo thoſe which vſe Draw-nets, Nets with Canuas, or Engines in the middeſt of them, doe, euery day they fiſh, deſtroy the brood of all the ſorts of Fiſh aforeſaid in great multitudes.

Cauſes of the deſtruction of the brood of fiſh.

For reformation whereof, Bee it enacted by the authority of this preſent Parliament, That euery perſon and perſons that from and after the fiue and twentieth day of July next enſuing this Seſſion of Parliament, ſhall erect or ſet vp any new Weare or Weares along the Sea-ſhore, or in any Hauen, Harbour or Creeke, or within fiue miles of the mouth of any Hauen or Creeke, or ſhall willingly take, deſtroy or ſpoyle any Spawne, Fry, or brood of any Sea fiſh, in any Weare or other Engine or deuice whatſoeuer, ſhall forfeit for euery time ſo erecting, ſetting vp, taking, deſtroying or ſpoiling contrary to this Act, the ſumme of x.li. of good and lawfull money of England, the one halfe to the Kings Maieſtie, his heires or ſucceſſors, and the other halfe to him that will ſue for the ſame: And that euery perſon which after the firſt day of October next enſuing this Seſſion of Parliament, in any Hauen, Harbour, Creeke, or within fiue miles of the mouth of any Hauen, Harbour or Creeke of the Sea, ſhall fiſh with any Draw-net or Drag-net, vnder three ynches Meaſh, viz. an ynch and a halfe from knot to knot, except for the taking of Smoulds in Norffolke only, or with any Net with Canuas, or other Engine or deuice, whereby the Spawne, Fry or brood of Sea fiſh may be deſtroyed, ſhall forfeit ſuch Net, and alſo forfeit for euery time ſo doing, x.s. of lawfull money of England, the one halfe to the vſe of the poore people of the Citie, Towne Corporate, Borough, Market Towne, Pariſh or Libertie where the offence or offences ſhall be committed, and the other halfe to the perſon that ſhall ſue for the ſame, the ſaid forfeitures to be leuyed to the vſes aforeſaid, by the Maior, Bailiffe or other head Officer of euery Citie, Borough, or Towne Corporate, and by warrant of one or more Iuſtices of Peace, it ſhal be lawfull for the Conſtable and Churchwardens of euery Market Towne, Pariſh or Libertie, within which any ſuch offence or offences ſhall be done by way of diſtreſſe, and ſale of the offendors goods, rendring to them the ſurpluſſage, according to the order of former Statutes in ſuch caſes of forfeitures ordained.

The forf. for deſtroying the ſpawne, fry or brood of ſea fiſh.

The forf. for fiſhing with certaine nets & Engines.

Examined by the Parliament Roll.

Prouided alwaies, That this Act or any thing therein contained, ſhall not extend to puniſh any perſon or perſons, for vſing any Net or Nets of leſſer Meaſh, than is by this Statute appointed only for taking of Herring, Pilchards, Sprats or Lauydnyan: Any thing in this Act to the contrary in any wiſe notwithſtanding.

What ſort of Fiſh may be taken with the nets prohibited.

Prouided further that this Act ſhall not extend to the Iſle and County of Angleſey.

Angleſey.

CAP. XIII.

The penalties for vnlawfull hunting, or ſtealing of Deere or Conies

WHereas ſince the making of the Statute of Quinto Reginæ Elizabethæ, Cap. 21. there haue beene diuers grounds incloſed, and vſed and kept for the preſeruation and maintenance of Deere and Conies: And whereas there is not by the ſayd Statute of Quinto Eliz. neither by any other Act now in force, any ſufficient remedy prouided againſt ſuch malefactors and euill diſpoſed perſons, as ſhal chaſe, hunt or kill any the Deere or Conies within ſuch grounds, ſithence the ſayd Statute of Quinto Eliz. incloſed and kept, and vſed for the maintenance and preſeruation of the ſayd Game, as aforeſayd, or any former grounds which haue beene ſithence the making of the ſayd Statute, in any part altered: By reaſon whereof, many Ryots, Man-ſlaughters, Miſchiefes, and other inconueniences haue beene dayly committed and done, and like to be committed and done, if circumſpect remedy be not hereunto prouided.

Certaine offences for which the ſtat. of 5. El. 21. hath not prouided puniſhment.

The penalty for breaking a park or warren, or for hunting of Deere or Conies.
Alt. 7. Iac. 13.

Be it therefore enacted by the Kings moſt excellent Maieſty, the Lords Spirituall and Temporall, and the Commons of this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons, after the Feaſt of S. Iames the Apoſtle next enſuing, ſhall in the night time, or by day, wrongfully or vnlawfully breake or enter into any Parke impaled, or any other ſeuerall grounds encloſed with wall, pale or hedge, and vſed or kept for the kéeping, bréeding and cheriſhing of any Déere or Conies, and wrongfully or vnlawfully ſhall hunt, driue, or chaſe out, or take, kill or ſlay any Déere or Conies within any ſuch impaled Parke, or cloſed ground with pale, wall or other incloſure as aforeſaid, againſt the will, minde or pleaſure of the Owners, Occupiers or Poſſeſſioners of the ſame, not hauing lawfull title or authority ſo to doe, and thereof ſhall be lawfully conuicted at the Suit of our Soueraigne Lord the King, his heires or ſucceſſors, or the partie grieued, ſhall ſuffer impriſonment of his or their bodies by the ſpace of thrée monethes, and alſo ſhall yéelde and pay to the party grieued, his treble dammages and coſts, to be aſſeſſed and rated by the Iuſtices before whom he or they ſhall be conuicted, after the ſaid thrée monethes expired, and ſhall finde ſufficient ſureties for his and their good Abearing againſt the King, his heires and ſucceſſors, & all his Liege people for the ſpace of ſeuen yeares after, or elſe ſhall remaine and continue ſtill in priſon without baile or mainpriſe, vntill ſuch time as he or they ſo offending, ſhall finde ſufficient ſureties, during the ſayd time and ſpace of ſeuen yéeres.

which Iu. may heare & determine the offences aforeſayd.

And bée it likewiſe enacted by the authority aforeſayd, that the Iuſtices of Oyer and Terminer, Iuſtices of Aſſiſe in their Circuits, and Iuſtices of the Peace and Gaole deliuery in their Seſſions, ſhall by vertue hereof, haue power and authority to enquire, heare and determine all and ſingular the ſayd offences, by examination of the offendors, and to make and award Proceſſe thereupon, as well vpon Indictments taken before them, as by Bill of Complaint, Information, or any other action: In which ſuit or action, no Eſſoine, wager of Law, or Protection ſhall be allowed.

The remedy of the party grieued.

And be it alſo enacted by the authority aforeſayd, That it ſhall and may bee lawfull to the party grieued, to ſue and take his further remedy againſt all and euery ſuch offendor or offendors for his loſſe and dammages, and to recouer the treble value of the ſame in that behalfe, as well before the Iuſtices of Oyer and Terminer, Iuſtices of Aſſiſe in their Circuits, and Iuſtices of the Peace and Gaole deliuery in their Seſſions, or elſewhere, in any other the Kings Maieſties Courts of Record at Weſtminſter: And that vpon true ſatisfaction of the ſaid treble dammages to the party grieued, or vpon the confeſſion or acknowledgement thereof by the ſayd party offending, before the Iuſtices in open Seſſions holden for the County, wherein the ſame offence ſhall be committed, it ſhall be at the liberty of the ſaid party grieued, to whom the ſayd offence is committed, to releaſe at his pleaſure the ſuretiſhip of the good behauiour, at any time within the ſaid ſeuen yeares or before: Any thing in this preſent Act before mentioned, or declared to the contrary notwithſtanding.

In what caſe the ſuretiſhip of the good behauior may be releaſed by the party grieued.

The penalty for ſhooting with gun or bow, at Deere or Conies, or for keeping of Engines.

And be it alſo further enacted by the authority aforeſayd, That if any perſon or perſons not hauing any Mannors, Lands, Tenements or Hereditaments, of the cléere yéerely value of fortie pounds, or not worth in Goods or Chattelles, the ſumme of two hundred poundes, ſhall vſe any Gunne, Bow or Croſ-bow, to kill any Déere or Conies, or ſhall kéepe any Buckſtall or Engine, Hayes, Gate-nets, Purſ-nets, Ferrets or Cony-dogges, except ſuch perſon or perſons, as ſhall haue any grounds imparked with pale, or incloſed with wall or hedge as aforeſayd, vſed for the kéeping, or bréeding cheriſhing of any Déere or Conies, the increaſe of which ſaid Conies ſhall amount to the cléere yéerely value of xl. s. to be letten at the leaſt, or Kéepers or Warreners in their Parkes, Warrens or Grounds, belonging to their charge, That then any perſon hauing Lands, Tenements or Hereditaments of the cléere yearely value of one hundred pounds in Fée ſimple, Fée taile or for life, in his owne right or in the right of his wife, may take from the perſon or poſſeſſion of ſuch malefactor or malefactors, and to his owne vſe for euer kéepe ſuch Gunnes, Bowes, Croſbowes, Buckſtalls or Engine, Hayes, Gatenets, Purſnets, Ferrets and Conny Dogges.

In what caſe the Iuſt. may diſcharge the ſuter of good Abearing.

And be it further enacted by the authoritie aforeſaid, That if any perſon or perſons at any time hereafter, ſhall fortune to be bound before any the Iuſtices before mentioned, to the King, his heires or ſucceſſors, for his or their good Abearing for ſeuen yeares, according to the tenour of this Act, And the ſame partie or parties ſo bound, ſhall afterward within the ſaid ſeuen yeares come before the Iuſtices of the Peace of the ſaid Countie, where the ſaid offence was committed, or ſome of them, in open quarter Seſſions, and there in the ſaid Seſſions confeſſe and acknowledge his or their ſaid offence or offences, and that he or they is or are ſorie therefore, and ſatisfie the partie or parties gréeued, according to the tenour of this Act, That then the ſame Iuſtices before whom the ſaid confeſſion ſhall be ſo made, ſhall and may haue power and authoritie by vertue of this Act, in the ſame open Seſſions, or in any other Seſſions afterwards to be holden before the ſaid Iuſtices in the ſaid Countie, within the ſaid terme of ſeuen yeares, if it ſhall ſéeme good to their diſcretions, to diſcharge the ſaid Recogniſance and Bond ſo taken, and alſo the ſaid partie and parties ſo bound: This Act or any thing therein contained to the contrary thereof notwithſtanding.

Prouided alwayes, that this Act or any thing therein contained, doe not extend to any Parks or incloſed ground, hereafter to be made and vſed for Déere or Connies, without the grant or licence of our Soueraigne Lord the King, his heires or ſucceſſors.

A parke or warren made without the Kings licence.

Prouided alwayes, and be it further enacted, that this Act nor any thing therein contained, ſhall extend to any offence or offences concerning the Hunting, Chaſing or Killing of Déere or Connies, which ſhall be done or committed in the day time, but onely to ſuch offences as ſhall be hereafter done or committed in the night time onely: Any thing in this Act contained to the contrarie thereof notwithſtanding. 3. Car. 4. Continued vntill the end of the firſt Seſſion of the next Parliament.

Offences committed in the night only. This prouiſo for deere. Rep. 7. Iac. 13.

Cap. XIIII.

Water-courſes falling into Thames within two miles of London, ſhall be ſubiect to the Commiſsion of Sewers.

FOraſmuch as the Walles, Ditches, Bankes, Gutters, Sewers, Gates, Cauſeys, Bridges, Streames, and Water-courſes in and about the Citie of London, where no paſſage of Boates is vſed, hauing their courſe, and fall into the Riuer of Thames, where it doth vſually ebbe and flow, and is vſed for frée paſſage of Boates to the Sea, are already by the Commiſſion of Sewers appointed to be ſurueyed, reformed and amended, where néed ſhall require, and are as néedfull and méete to be ſurueyed, reformed and amended, from noyance of the ſaid Riuer of Thames, by the Commiſſioners of Sewers, as thoſe Riuers, Streames and Water-courſes, where the Water doth vſually ebbe or flow, and where more vſuall paſſage of Boates hath bin, and yet are not vnder the ſuruey, correction and amendment of the Commiſſion of Sewers, nor of the Statute made for Sewers in the thrée and twentieth year of the reigne of King Henry the eight, or of any other Statute made for Sewers, as the ſame ſhould haue béene, if the hurts, noyſances and inconueniences now by daily experience felt and found in thoſe places, had béene ſéene and conſidered of.

St. 23. H. 8. 5. 25. H. 8. 10. 3. Ed. 6. 8. 13. El. 9.

For reformation thereof, Be it enacted by our Soueraigne Lord the King, and by the Lords Spirituall and Temporall, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Walles, Ditches, Bankes, Gutters, Sewers, Gates, Cauſeys, Bridges, Streames and Water-courſes, within the Limits of two miles, of, and from the Citie of London, which Waters haue their courſe and fall into the Riuer of Thames, ſhall from henceforth be to all intents, conſtructions, and purpoſes, as fully ſubiect to the Commiſſion of Sewers, and to all the Statutes made for Sewers, and to all Penalties in the ſame Statutes, and in euery of them contained, as if the ſame places néere to the ſaid Citie of London, had béene particularly named in the ſaid Statute of Sewers, or that therein the Water had ebbed and flowed, and therein frée paſſage with Boates and Barges to the Sea had béene heretofore vſed: Any thing in the ſaid Statutes or elſe-where to the contrary in any wiſe notwithſtanding.

Water courſes falling into Thames neare vnto London ſhall be ſubiect to the Commiſſion of Sewers.

Cap. XV.

A remedie for the recouery of ſmall debts, and for the releeuing of poore debtors in London.

WHereas by vertue of diuers Acts of common Councell made within the Citie of London, the Lord Maior and Aldermen of the ſame Citie, for the reliefe of poore debtors dwelling within the ſaid Citie, haue accuſtomed monethly to aſſigne two Aldermen, and twelue diſcréet Commoners to be Commiſſioners & ſit in the Court of Requeſts, commonly called the Court of Conſcience in the Guildhall of the ſame Citie, there to heare and determine all matters of debt, not amounting to the ſumme of xl. s. to be brought before them: And whereas at the Seſſions of Parliament holden at Weſtminſter the ninetéenth day of March, in the firſt yeare of the reigne of our ſoueraigne Lord the Kings Maieſtie that now is, for the further reliefe of ſuch poore debtors, and more perfect eſtabliſhing of the ſaid Court, there was made and prouided an Act, intituled, An Act for recouerie of ſmall debts, and relieuing of poore debtors in London: And whereas ſince the making of the ſaid Act, diuers perſons, intending to ſubuert the good and charitable intent of the ſame, and taking hold of ſome doubtfull and ambiguous words therein, doe wreſt the ſame for their owne lucre and gaine, to the auoiding the Juriſdiction of the ſaid Court, contrarie to the godly meaning of the ſaid Act.

St. 10. Iac. 14.

For the remedie whereof, and to the intent that ſome more full and ample prouiſion may be made for the reliefe of ſuch poore debtors, Be it enacted by authority of this preſent Parliament, That euery Citizen and Fréeman of the Citie of London, and euery other perſon and perſons inhabiting, or that ſhall inhabite within the ſaid Citie or the Liberties thereof, being a Trades-

A meane for a Citizen of London to recouer of another there a ſmall debt.

man, Victualler, or a Laboring man, which now haue, or hereafter ſhall haue any debt or debts owing vnto him or them, not amounting to xl. s. by any Citizen, or by any other perſon or perſons being a Victualler, Trades-man, or Laboring man inhabiting, or that ſhall inhabite within the ſaid Citie or the Liberties thereof, ſhall or may cauſe ſuch debtor or debtors to be warned or ſummoned, by the Beadle or Officer of the ſaid Court of Requeſts for the time being, by writing to be left at the dwelling houſe of ſuch debtor or debtors, or by other reaſonable warning or notice to be giuen to the ſaid debtor or debtors, to appeare before the Commiſſioners of the ſaid Court of Requeſts, holden in the Guildhall of the ſaid Citie. And that the ſaid Commiſſioners, or any thrée of them or more, ſhall haue power and authority by the vertue of this Act, from time to time, to ſet downe ſuch order or orders betwéene ſuch partie or parties plaintiffe, and his or their ſuch debtor or debtors defendants, touching ſuch debts, not amounting to the value of xl. s. in queſtion before them, as they ſhall finde to ſtand with Equitie and good Conſcience. All ſuch their order or orders to be regiſtred in a Booke, as they haue béene accuſtomed, and aſwell the partie plaintiffe, as the debtor or defendant to obſerue, performe and kéepe the ſame in all points.

The Commiſſioners may miniſter an Oath to the plaintiffe, defendant or witneſſe.

And that for the more due procéeding herein, it ſhall be lawfull for the ſame Commiſſioners, or any thrée or more of them, to miniſter an Oath to the plaintiffe or defendant, and alſo to ſuch witneſſes as ſhall be produced on each partie, if the ſame Commiſſioners or any thrée of them, or more ſhall ſo thinke it méet.

A creditor ſuing in another Court ſhal pay coſts, and recouer none.

And be it further enacted by the authority aforeſaid, That if in any Action of Debt, or Action vpon the Caſe vpon an Aſſumpſit for the recouery of any debt, to be ſued or proſecuted againſt any the perſon or perſons aforeſaid, in any of the Kings Courts at Weſtminſter, or elſewhere out of the ſaid Court of Requeſts, it ſhall appeare to the Iudge or Iudges of the Court, where ſuch Action ſhall be ſued or proſecuted, that the debt to be recouered by the plaintiffe in ſuch Action doth not amount to the ſumme of xl. s. and the defendant in ſuch Action ſhall duely proue either by ſufficient teſtimonie, or by his owne Oath, to be allowed by any the Iudge or Iudges of the ſaid Court where ſuch Action ſhall depend, that at the time of the commencing of ſuch Action the defendant was inhabiting and reſiant in the Citie of London or the Liberties thereof, as aboue: That in ſuch caſe the ſaid Iudge or Iudges ſhall not allow to the ſaid plaintiffe, any coſts of ſuit, but ſhall award that the ſame plaintiffe ſhall pay ſo much ordinarie coſts to the partie defendant, as ſuch defendant ſhall iuſtly proue before the ſaid Iudge or Iudges, it hath truely coſt him in defence of the ſaid Suit.

The penalty for refuſing to appeare, or to obey the order made by the Commiſſioners.

And be it further enacted, That if any ſuch plaintiffe, or creditor defendant, or debtor, after warning giuen him or them, in maner and forme before in this Act mentioned, by the ſaid Officer of the ſaid Court of Requeſts, ſhall without ſome iuſt or reaſonable cauſe of excuſe, refuſe to appeare in the ſaid Court before the ſaid Commiſſioners, or ſhall not performe ſuch order as the ſaid Commiſſioners or any thrée or more of them ſhall ſet downe, for or concerning ſuch debts as aforeſaid: That then it ſhall be lawfull for the ſaid Officer of the ſaid Court, or any other of the Serieants at Mace of the ſaid Citie, by order of the ſaid Commiſſioners, or any thrée or more of them, to commit ſuch partie or parties to Priſon, into one of the counters of the ſaid citie, there to remaine vntill hee or they ſhall performe the order of the ſaid Commiſſioners in that behalfe.

Debts for Rent, or by reaſon of a Teſtament or Matrimonie.

Prouided alwayes that this Act, or any thing therein contained, ſhall not extend to any debt for any Rent vpon any Leaſe of Lands or Tenements, or any other reall contracts, nor to any other debt that ſhall ariſe by reaſon of any cauſe concerning Teſtament, or Matrimony, or any thing concerning or properly belonging to the Eccleſiaſticall Court, albeit the ſame ſhall be vnder fortie ſhillings, Any thing before contained to the contrary in any wiſe notwithſtanding.

A repeale of the Statute of 1. Iac 14.

And be it enacted by the authority aforeſaid, That the ſaid Act made in the firſt yeare of the Kings Maieſties Reigne, be from the end of this Seſſion of Parliament, for and concerning any order to be made in the ſaid Court of Requeſts, after the end of this Seſſion of Parliament, vtterly repealed.

Cap. XVI.

The length and weight of Ordinarie and Sorting Kerſies.

WHereas in the Parliament holden at Weſtminſter in the fourtéenth yeare of the reigne of our late Soueraigne Lady Quéene Elizabeth, one Act, entituled, An Act to reforme the exceſſiue length of Kerſies, was made, intending thereby to haue reſtrained them to the length of eightéene yards or vnder, Immediatly vpon the making of which Act, by reaſon of the ſaid Law it hath ſithence fallen out, many clothing Townes, as well within the countie of Southampton, as in diuers other counties within this Realme of England, who were then in trade with Merchant ſtrangers, and others vſing the Trade of tranſporting of Kerſies by way of Merchandize beyond the Seas, grew ſuddenly out of Trade, and in great decay, ſo that the ſaid Merchants would no longer buy of the Clothiers any of their ſaid Kerſies wanting their old accuſtomed meaſure of foure and twentie yards or thereabouts, they the ſaid Merchants being by the like cuſtome and vſage in Trade with other Merchants for the ſaid Kerſies of the ſaid meaſure and length, to the great impoueriſhment and ruine of diuers ancient Townes, and of thouſands of poore people; who were wonted by them to be ſet on worke and maintained, And to the great loſſe of our ſaid Soueraigne Lady Quéene Elizabeth, and of the Kings Maieſtie that now is, in their Cuſtomes and Subſidies, which in and by the ſaid former venting and trading of the ſaid Kerſies did and would continually accrew and grow due for the ſame.

Generall inconueniences enſuing vpon the Statute of 14. El. 10. prouided for the length of Kerſies.

Be it therefore enacted by the authority of this preſent Parliament, That the ſaid Act of the fourtéenth yeare of the reigne of our late Soueraigne Lady Quéene Elizabeth, intituled, An Act to reforme the exceſſiue lengths of Kerſies, be from henceforth clearely and abſolutely repealed.

A repeale of the Statute of 14. El. 10.

Prouided alwayes, and be it enacted by authority of this preſent Parliament, That Kerſies called ordinarie Kerſies ſhall not excéed the length of foure and twentie yards to be meaſured by the yard and ynch, and that euery ordinarie Kerſie of the length of foure and twentie yards aforeſaid, being well ſcoured, thicked, milled, dreſſed, and fully dried, ſhall weigh eight and twentie pounds and one halfe pound at the leaſt. And that Kerſies called Sorting Kerſies, ſhall not excéed the length aforeſaid, and that euery Sorting Kerſie of the length of foure and twentie ſuch yards as aforeſaid, being well ſcoured, thicked, milled, dreſſed, and fully dried, ſhall weigh thirtie two pounds and one halfe pound at the leaſt: And that euery Kerſie of a ſhorter length than foure and twentie ſuch yards, as aforeſaid, ſhall weigh proportionably to the foreſaid weight, That is to ſay, Euery ordinarie Kerſie after the rate of one pound and thrée ounces weight for euery yard, that the ſame ſhall containe in length. And euery ſorting Kerſie after the rate of one pound thrée ounces and one halfe ounce in weight, for euery yard that the ſame ſhall containe in length.

The length and weight of ordinarie Kerſies.

Sorting Kerſies.

And if it happen that any Kerſie or Kerſies hereafter to be made, ſhall either excéed the ſaid length of foure and twenty ſuch yards, as aforeſaid, or ſhall not weigh according to the reſpectiue Rates and proportions aforeſaid, then euery perſon or perſons that ſhall make or cauſe the ſame to be made for ſale, ſhall forfeit and loſe for euery yard of ſuch Kerſie, excéeding the length of foure and twenty ſuch ſaid yards, the ſumme of fiue ſhillings onely and no more: And for euery pound weight that ſhall be wanting according to the proportions before reſpectiuely limited, ſhall forfeit two ſhillings for euery pound and no more, Any former Lawes or Statutes limiting or appointing any other or greater penaltie or forfeiture to the contrary thereof in any wiſe notwithſtanding. The one moitie of the ſaid ſummes, penalties and forfeitures to be to the Kings Maieſtie, his Heires and Succeſſors, and the other moitie to him or them that will ſue for the ſame in any of his Maieſties Courts of Record at Weſtminſter, by Bill, Plaint, or Information, wherein no Eſſoigne, Protection, or Wager of Law ſhall be allowed or admitted.

The forfeitures for exceeding in length, or wanting in weight.

Prouided further, and be it enacted by the authority aforeſaid, That euery perſon and perſons, ſelling or trading any ſuch Kerſie or Kerſies, ſhall pay vnto the Kings Maieſtie for euery piece of Kerſie containing foure and twentie yards, as much in Cuſtome and Subſidie rateably, as ſuch perſon or perſons ſhould and ought to pay vnto his Maieſtie for one piece and a third part of a piece containing eightéene yards. Stat. 5. & 6. Ed. 6. 6.

The Cuſtome and Subſidie for a piece of Kerſie.

CAP. XVII.

Welſh Cottons ſhall not be ſealed, ſearched, or tryed.

Whereas in a Statute made at the firſt Seſſion of Parliament holden at Weſtminſter in the firſt yeare of his Maieſties reigne, amongſt other things it was prouided and enacted, That no perſon or perſons ſhould incurre any penaltie for want of length, breadth, or weight of Welſh Cottons, vnder the price of fiftéene pence the Yard, and two ſhillings the Goad, ſo as they be not mixed with Haire or other deceitfull ſtuffe, nor for any other aboue that price, except they be mixt as aforeſaid, or ſhall ſhrinke aboue halfe a yard in twelue yards of length, or weigh leſſe than fourtéene ounces the yard, or hold not full thrée quarters of a yard broad, as by the ſame Statute appeareth: which Prouiſo in the conſtructions of diuers perſons doth not preſerue ſuch as make or ſell courſe Welſh Cottons, from the penaltie and danger of not adding or affixing a Seale to containe the length, breadth or weight of the ſaid Cottons, which affixion of a Seale is néedleſſe, when there is no length, breadth, or weight preſcribed for them: And moreouer for that in all antecedent ages the ſaid Cottons, being commonly vſed for lynings, were neuer ſeized as forfeited for want of the Seals of the makers put vnto them, nor vſed to be ſearched or tried by water, but onely by the buyer: Be it therefore enacted by our Soueraigne Lord the King, and by the Lords Spirituall and Temporall, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from henceforth no perſon

1. Iac. 25.

No penaltie for want of a Seals of Welſh Cottons.

Welſh Cottons ſhall not be ſearched or tried.

ſon or perſons ſhall incurre any penaltie for want of any content Seale to containe the breadth, length, or weight of any Welſh Cottons: And that no Welſh Cottons ſhall at any time or times hereafter be ſearched or tried in the water by any perſon or perſons, other than by the buyer thereof, vpon paine to forfeit for euery ſuch offence by the partie, who ſhall make any ſuch Search or Triall contrary to the intent of this Statute, fiue pounds of lawfull money of England, the one moitie thereof to the Kings Maieſtie, his Heires, and Succeſſors, the other moitie to the partie grieued, to be recouered by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoigne, Protection, or Wager of Law ſhall be allowed. St. 21. Iac. 28. 3. Car. 4.

Cap. XVIII.

A new Riuer of running water may be brought to the North part of the Citie of London.

A new trench may be made to conuey the water from Chadwell and Amwell to London. 4. Iac. 12.

FOr that it is found very conuenient and neceſſary to haue a freſh Streame of running water to be brought to the North parts of the Citie of London, from the Springs of Chadwell and Amwell, and other ſprings in the Countie of Hartford not farre diſtant from the ſame, which vpon view is found very Feſible, and like to be profitable to many: It is therefore enacted by the Kings moſt excellent Maieſtie, and by the Lords Spirituall and Temporall, and Commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, that it ſhall be lawfull to the Lord Mayor, Comminaltie and Citizens of the Citie of London, and their Succeſſours, at any time or times hereafter to begin and continue the laying out of ſuch conuenient Limits of ground for the making of the Trench for the ſaid Riuer at the breadth of tenne fóte and not aboue, as to them and their Deputies and workemen, with the allowance of the Commiſſioners hereafter mentioned, or any ſeuen of them ſhall be ſéene conuenient and méet for the ſame, And in that place that they ſhall finde to be moſt apt and méet for that purpoſe, to haue and take for the purpoſe aboue-ſaid the vſe and libertie of ſuch and ſo much ground, as ſhall containe tenne fóte in breadth, and not aboue, during and by all the length, as the ſaid new Channell, Cut, or Riuer ſhall paſſe from the conueying of the ſaid Water from the ſaid Springs to the Citie of London, leauing the inheritance of the new Cut in the Owners thereof.

The Mayor, &c. of London may make and maintaine the new Cut.

And that the ſaid Mayor, Comminaltie, and Citizens of London, and their ſucceſſors for euer, for the conſideration hereafter expreſſed, ſhall haue libertie to digge the ſame ground to be imployed for the ſaid Riuer or new Cut, not excéding ten foot in breadth alongſt all the ſaid whole length of the ſaid Riuer or new Cut, and from time to time for euer to maintaine and preſerue the ſame, and to lay the earth there digged or to be digged on either ſide of the ſame Riuer or new Cut, in ſuch places as ſhall be thought méet for that purpoſe, and to haue frée paſſage to and from the ſaid new Cut or Riuer, with men, horſes, cart and carriages at all times conuenient, and in places conuenient for making of the ſame new Cut or Trench, and for the preſeruing of the ſame, and of the Baukes thereof, from time to time for euer, to the intent that no part of the ſaid Streame be at any time after the making of the new Cut, without the conſent of the Maior, Comminaltie, and Citizens of London, turned or conueyed out of the ſame new Cut or Water courſe.

Satiſfaction ſhall be made to the owners of the ground where the new cut is made.

In conſideration whereof, The Mayor, Comminaltie, and Citizens of London, and their Succeſſors ſhall make ſuch ſatiſfaction or Compoſition to and with the Lords, Owners, and Occupiers of the ſame grounds, through which the new Cut or Riuer ſhall be made, and with all ſuch perſon and perſons, as ſhall ſuſtaine any Dammage, Loſſe, or Hinderance in their Milles ſtanding vpon any of the Riuers or Streames, from which the water ſhall be taken thorough the ſaid new Cut or Riuer, as ſhall be to the contentment of the Lords, Owners, and Occupiers of the ſaid grounds and Milles, and in default of their agréement by mutuall aſſent ſuch ſatiſfaction or recompence, as ſhall be limited and appointed by the Commiſſioners to be aſſigned for that purpoſe, according to the intent of this Statute, by the Lord Chancellor, or Lord Képer of the great Seale of England for the time being, by Commiſſion vnder the great Seale of England, or by any nine of them, whereof foure of them to be Citizens of the Citie of London,

Sixteene Commiſſioners ſhall be appointed, and what their authoritie ſhall be.

And for the better effecting of the premiſſes, and for the due rating of the value of the things to be compounded for by the true intent of this Statute (if the parties ſhall not agrée,) Be it enacted by the authority of this preſent Parliament, that at the requeſt and charges of the Maior, Comminaltie and Citizens of London, Commiſſion or Commiſſions, vnder the great Seale of England, ſhall bee granted to ſuch perſons, as the Lord Chancellor or Lord Kéeper of the great Seale of England for the time being, ſhall nominate and appoint, whereof foure ſhall be of the Countie of Middleſex, foure of the Countie of Eſſex, and foure of the Countie of Hartford, and foure of the Citie of London, and euery of them hauing lands and tenements of the cleare yearely value of fortie pounds at the leaſt: Which ſixtéene or any nine of them, whereof two to be of the Citie of London, ſhall haue power to order and ſet downe what Rate or Rates, ſumme or ſummes of money ſhall be paid by the Mayor, Comminaltie, and Citizens of London, to the Lords, Owners, and Occupiers of the Grounds and Soile and Milles, for which Compoſition is to be made by the intent of this Act; if the Parties cannot of themſelues agrée, and in what maner the ſame ſhall be paid, and that for the recouerie of ſuch money, as ſhall be ſo ordered and ſet downe by the ſaid Commiſſioners, or any nine of them, whereof two to be of the Citie of London, the partie or parties to whom the ſame money ſhall be due to be paid by the true intent of the ſaid order, ſhall or may recouer the ſame againſt the ſaid Mayor and Comminaltie of London by Action of Debt in any his Maieſties Courts at Weſtminſter, wherein no Eſſoigne, Protection, or Wager of Law ſhall be allowed.

Prouided alwayes, and be it enacted, that if in the New Cutte there happen any Breaches, Inundation, or Hurts, the Mayor, Comminaltie and Citizens of London, ſhall from time to time ſtoppe the Breaches at their owne charges, and ſufficiently maintaine them from time to time, and make ſufficient Recompence to the partie grieued for the dammage ſuſtained by the ſame Breaches riſing by their default, to be recouered by action of the Caſe grounded vpon this Statute.

The Breaches or Innundations in the new Cut ſhall be ſtopped by the Maior, &c. of London.

And be it further enacted by the authoritie aforeſaid, That the Mayor, Comminaltie, and Citizens of London, and their Succeſſors for euer, ſhall make and maintaine at their coſts and charges from time to time conuenient Bridges and wayes for the paſſage of the Kings ſubiects, and their cattell and carriages ouer or through the ſaid New Cut or Riuer, in places méet and conuenient.

Bridges and paſſages ouer and through the new Cut.

And further be it enacted, that vntill or before a full agréement with the Lords, Owners and Occupiers of the premiſſes be had, or that ſuch Order or meanes be deuiſed and agréed vpon by the Commiſſioners, by the Lord Chancellor, or Lord Kéeper of the great Seale of England to be nominated and appointed, or the more part of them, as ſhall ſéeme méet for the due effecting of the premiſſes, and the ſaid Commiſſion returned into the High Court of Chancerie, it ſhall not be lawfull to the ſaid Lord Mayor, Comminaltie, and Citizens to put the ſaid Digging, Trenching or New cutting of the ſaid new Riuer from the ſaid Springs in Execution, nor to cut or take in any ground for Paſſage of Water from the ſaid Springs or any of them by force of this Statute, Any thing in this Act to the contrary not withſtanding.

Nothing ſhall be done vntill the owners of the ground be agreed with.

And be it further enacted by the authoritie aforeſaid, That after ſuch time as there ſhall be a new Cut, Streame, or Riuer brought from the Springs aforeſaid, or any of them, to the Citie of London, that for the better maintenance and preſeruation of the ſaid Riuer or new Cut, and of all the water therein running, to be brought to the Citie of London; the ſame ſhall be ſubiect to the Commiſſion of Sewers, and to the Lawes and Statutes made for Sewers, as fully to all intents and purpoſes, as if the ſame Riuer or new Cut had béene expreſſely mentioned in the ſaid Statutes of Sewers to be vnder the ſuruey of the ſaid Commiſſioners.

The new Cut brought to London, ſhall be ſubiect to the Commiſſion of Sewers.

Prouided neuertheleſſe, and be it enacted, That all ſuch things as ſhall be done, or at any time hereafter, for the ſcouring, cleanſing, amending, and conſeruation of the ſaid new Riuer or Cut, ſhall be at the onely coſt and charges of the Mayor, Citizens, and Comminaltie of the Citie of London: And that all Fines, and Amerciaments which ſhall be impoſed by vertue of the ſaid Commiſſion of Sewers, for any wilfull annoyances and offences, which ſhall be at any time hereafter committed to the hurt or preiudice of the ſaid new Riuer or Cut, or any thing thereunto appertaining, ſhall be to the onely vſe, benefite, and behoofe of the ſaid Maior, Comminaltie, and Citizens of London, and their Succeſſors for euer. PR. ALT. 4. Iac. 12.

The cleanſing and conſeruation of the new Riuer ſhall be at the coſts of the Mayor, &c.

CAP. XIX.

Who ſhall be charged with the repairing and maintaining of the high-way leading from Kingſtone to Noneſuch. PR. EXP. Stat. 21. Iac. 28.

CAP. XX.

How paſſage may be made by water from London to Oxford. PR. REP. 21. Iac. 32.

CAP. XXI.

The Penaltie of Players on Stage, &c. prophanely abuſing the Name of God.

For the preuenting and auoiding of the great abuſe of the holy name of God in Stage-plaies, Enterludes, Maygames, Shewes, and ſuch like, Be it enacted by our Soueraigne Lord the Kings Maieſtie, and by the Lords Spiritual and Temporall, and the Commons in this preſent

The forfeiture of Players vſing prophanely the name of God.

Parliament aſſembled, and by the authority of the ſame, That if at any time or times after the end of this preſent Seſſion of Parliament, any perſon or perſons, doe or ſhall in any Stage-play, Interlude, Shew, Maygame, or Pageant, ieſtingly, or prophanely ſpeake, or vſe the holy Name of God, or of Chriſt Ieſus, or of the Holy Ghoſt, or of the Trinity, which are not to be ſpoken but by feare and reuerence, Shall forfeit for euery ſuch offence by him or them committed tenne pounds: The one moitie thereof to the Kings Maieſtie, his Heires and Succeſſors, the other moitie thereof to him or them that will ſue for the ſame in any Court of Record at Weſtminſter, wherein no Eſſoigne, Protection, or Wager of Law ſhall be allowed.

CAP. XXII.

An Act for the pauing of Saint Giles and Drurie Lane in the Countie of Middleſex.

Who are to be taxed towards the pauing of S. Giles and Drury Lane.

The Iuſtices ſhall appoint Surveyors and Collectors, and what their authority ſhal bee.

WHereas the Towne of Saint Giles in the Fields, and that part thereof which leadeth to Holborne, and the Lane called Drurie Lane, leading from Saint Giles in the Fields towards the Strond, and towards New Inne, is of late yeares by occaſion of the continuall rode there, and often carriages, become deepe, foule, and dangerous to all that paſſe thoſe wayes: Be it enacted by authority of this preſent Parliament, that for amendment, repaire, and pauing of that part of the Towne of S. Giles in the Fields leading to Holborne, and of the ſaid Lane called Drury Lane, within three yeares from and after the end of this Seſſion of Parliament, the Iuſtices of P. of the County of Middleſex for the time being, in the quarter Seſſions, or out of the ſaid quarter Seſſions, any foure of them, ſhall and may aſſeſſe and taxe, according to their diſcretions, all and euery the Occupiers of any houſes, gardens, lands or tenements, and owners of the Freehold or inheritances thereof, adioyning to the ſaid Lane at either end, or on any ſide thereof, and all and euery or any the Inhabitants of the ſeuerall Pariſhes of S. Giles, S. Martins in the Fields, S. Clement Danes, the Sauoy, and ſo much of the Pariſh of S. Andrewes in Holborne, as is within the ſaid Countie of Middleſex, being the fiue Pariſhes, into which the ſaid Towne and Lane doth extend, or the Occupiers of Lands within any of the ſaid Pariſhes, with ſuch ſumme and ſummes of money towards the amendment, repaire, and pauing of the ſaid Towne of S. Giles, and Lane called Drurie Lane, or ſo much thereof, as in the diſcretions of the ſaid Iuſtices or any foure of them, ſhall be thought meet and conuenient: And the ſaid Iuſtices or any foure of them, ſhall haue power to nominate, conſtitute and appoint of the ſubſtantiall Inhabitants of euery of the ſaid Pariſhes, one to be Surueyor of the workes, and in euery of the ſaid Pariſhes, one other to be Collector of the ſaid ſummes within the ſaid Pariſhes, which Surueyors and Collectors ſhall take vpon them the charge and buſineſſe of the ſaid amendments, repaire and pauing: And ſhall and may by authority of this Act leuy by diſtreſſe and Sale of goods, of ſuch perſons as ſhall be aſſeſſed to pay, and doe not within their ſeuerall limits pay all ſuch ſummes, as ſhall be behind and vnpaid of the Taxations, and Aſſeſſements aboue mentioned, rendring the ouerplus of ſuch goods ſold, to the Owner of the ſaid goods.

The Collectors account.

To whom the Accomptant ſhall deliuer the arrerages.

Who ſhall repaire the ſaid Streets after they be paued.

And the ſaid Surueyors and Collectors ſhall alſo from time to time place, ſet on worke, and pay workemen, and prouide and pay for all manner of ſtuffe neceſſary and needfull for the aforeſaid amendment, repaire, and pauing, And the ſaid Collectors, their Executors, or Adminiſtrators, ſhall at the end of the ſaid three yeares, or within one moneth after the ſaid three yeares, or ſooner, and as often within the ſpace of the ſaid three yeares, as by the ſaid Iuſtices of the P. or any foure of them ſhall be thought meet and appointed, deliuer and make a true account of their collection and diſburſements, to the Clerke of the peace of the ſaid County of Middleſex, at the open quarter Seſſions of the ſaid Countie, which account being deliuered in open Seſſions, ſhall be examined by the ſaid Iuſtices of the P. in Seſſions, or the greateſt part of them, or ſuch of them as the Court of Seſſions ſhall aſſigne, And the parties that ſo ſhall examine the ſaid account, ſhall and may by their diſcretion, allow, or diſallow any the particulars of the ſaid account which they ſhall not finde to be iuſt and neceſſary, ſuch and ſo much, as they ſhall thinke meet, and ſet downe the true arrerages of the ſame account, which arrerages of the ſaid account euery Accomptant, his Executors, or Adminiſtrators reſpectiuely, for his or their part and portions, ſhall ſatiſfie and pay into the hands of the Church-wardens of euery of the ſaid Pariſhes, where the Arrerages ſhall be found, within ten dayes after the ſaid Arrerages ſet downe, vpon paine that in default thereof the partie offending ſhall be committed to priſon by the ſaid Iuſtices ſo aſſigned for the taking of the ſaid Account, there to remaine vntill payment thereof made, which arrerages ſhall remaine in the hands of the ſaid Church-wardens, of euery of the ſaid Pariſhes, to be imployed for new repaires or amendment afterwards of the ſaid Lane, as need ſhall require. And that after the ſaid Streets and Lanes ſhall be fully paued and finiſhed, that for euer hereafter, all ſuch Houſes, Lands, and Tenements, or Hereditaments, as are or ſhall be abbutting, or next adioyning to the premiſſes, ſhall be yearely chargeable towards the reparation and maintenance of the ſaid Lanes, and Streets, at ſuch rates, as foure of the ſaid Iuſtices of Peace ſhall in their diſcretions thinke fit. PR. EXP.

CAP. XXIII.

An Act for the new making and keeping in repaire of Chepſtow Bridge.

The effect of the Stat. of 18. El. touching repaire of Chepſtow Bridge.

22. H. 8. 5.

IN all humble manner ſhewen and informe your moſt Excellent Maieſtie, the Inhabitants of the greateſt part of South-Wales, That whereas a certaine great Bridge of Wood, called Chepſtow Bridge, was of late ſtanding ouer the water or Riuer of Wye, which parteth the Counties of Monmouth and Glouceſter, being the meeteſt and moſt neceſſarie paſſage and high way leading into the parts of South-Wales, and out of the ſame to London, Briſtol, and other parts of England: And whereas alſo at a Parliament holden at Weſtminſter, in the xviij. yeare of the reigne of the late Qu. Elizabeth of famous memory, It was enacted that the Shire or Countie of Glouceſter, and the Shire or County of Monmouth ſhould ſtand for euermore chargeable, for the Maintenance, Repairing, Amending, and New making of the aforeſaid Bridge, when and as often as need ſhould require, viz. euery of them for ſuch part and moitie as lay to the middle of the Streame of the aforeſaid Water of Wye, on the Sides of the Lordſhip of Chepſtow in the Countie of Monmouth, & the Lordſhip of Tyddenham in the Countie of Glouceſter: And that for the aſſeſſement, rating, collection, gathering, and imploying of the moneyes thereupon to be ſpent, ſuch forme and order ſhould bee obſerued, as was appointed by an Act made in the xxij. yeare of King Henry the eighth, entituled, An Act concerning repairing, and amending of Bridges in Highwayes: And that for the more ſpeedy performance of the premiſes, it was alſo enacted, that if the Iuſtices of Peace of the foreſayd Shires of Glouceſter, or Monmouth, or any of them, did make any default in not appointing, executing, and obſeruing the order appointed by the ſayd Act, for the aſſeſſement, collection and imployment of the money ſo to be collected according to the meaning of the ſayd Act, by the ſpace of three moneths next after the ſaid Seſſion of Parliament, holden in the ſaid eighteenth yeare of the ſaid late Queene Elizabeth, that then they and euery of them (being reſident and inhabiting in the ſayd Shires) ſhould forfeit for euery ſuch default the ſumme of ten pounds a piece, to be recouered before the then Qu. Maieſties Councel in the Marches of Wales, by information to be imployed to and for the vſe and reparation of the foreſayd Bridge.

The imperfections of the Statute of 18. El. 17.

Foraſmuch as the ſaid Act made in the ſaid xviij. year of the ſaid late Queene, is ſithence found to be ſo defectiue and inſufficient, as well in the power giuen thereby to Iuſtices of P. of the ſaid Counties, for the aſſeſſing and rating of the Inhabitants thereof, and for Collecting of money towards the ſaid Bridge, as alſo in the meanes for recouery of the penalties thereby impoſed vpon Iuſtices of Peace of the ſayd Counties, for the default in taking order in the premiſſes, as that thereby no ſuch remedy, benefit, and order for the maintenance and reparation of the ſaid Bridge, could be effected, as was intended to be prouided by the ſame: And for that by reaſon thereof, the Iuſtices of Peace of either the ſaid Counties, neglecting to take order for the maintenance and reparation of the ſayd Bridge, the ſame is of late broken, fallen downe, and quite carried away with the Streame of the ſayd Water, whereby the ſayd paſſage and highway is vtterly taken away, to the great charge, griefe, noyſance, and hurt of a great multitude of the Kings Maieſties Subiects trauelling thoſe parts:

A repeale of the ſtat. of 18. El. 18. made touching Chepſtow Bridge.

And for that alſo the ſaid Bridge cannot be new made, erected, or kept in reparation, without ſome other and more effectuall law or prouiſion, to bee ordained by Parliament in that behalfe, Be it therefore enacted by the King our Soueraign Lord, and by the conſent of the Lords Spirituall and Temporall, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that the ſaid Act or Ordinance, made in the ſaid eighteenth yeare of the late Queene Elizabeth, for the repairing of the ſaid Bridge, bee from henceforth vtterly repealed, adnulled, voyd and of none effect.

which Counties ſhal ſtand charged for the making & repairing of Chepſtow Bridge.

And be it further enacted by the authority aforeſayd, that the ſaid Shire or County of Glouceſter, and the Shire or County of Monmouth, ſhall for euermore ſtand chargeable reſpectiuely, and ſeuerally, for the erecting, building, new making vp, and continuall reparation and maintenance of the ſayd Bridge, when, and as often as neede ſhall require: viz. The ſayd County of Glouceſter, from the middeſt of the ſayd Bridge, or from the place where the middeſt of the ſaid Bridge ſtood in the ſayd Riuer, for that part or moitie of the ſayd Bridge, which lyeth on that ſide, vnto the Lordſhip of Tiddenham. And the ſaid County of Monmouth from the midſt of the ſayd Bridge, or from the place where the middeſt of the ſayd Bridge ſtood, in the ſayd Riuer, for that part or moity thereof which lyeth on that ſide, vnto the Lordſhip of Chepſtow.: And that the Iuſtices of Peace, or any foure of them in either of the ſayd Counties, whereof one to be of the Quorum, ſeuerally and reſpectiuely, ſhall haue power and authority by this Act, to Taxe, Aſſeſſe, and Rate all and euery the Inhabitants of the ſayd ſeuerall Counties of Glouceſter, and Monmouth, ſeuerally and reſpectiuely, as well within Liberties as without, to ſuch reaſonable Summe and Summes of money, from time to time, as to the ſaid Iuſtices, or any foure of them, in either of the ſaid Counties ſeuerally and reſpectiuely, whereof one to be of the Quorum, ſhalbe

thought

The Iuſtices ſhall taxe the Inhabitants of the Counties of Glouceſter and Monmouth.

Collectors ſhalbe appointed in euery Hundred of both the Counties.

The Collectors authority.

Surueyors ſhalbe appointed and their authority.

The Collectors & Surueyors ſhall make account to the Iuſtices.

The penalty of the Collectors or Surueyors refuſing to account, or to pay that which they haue receiued.

thought fit, néedefull and conuenient, for the building, new making vp, and erecting of the ſayd Bridge, and for the continuall reparation thereof, and after ſuch Taxation made, the ſayd Iuſtices or any foure of them, in either of the ſayd Counties, whereof one to be of the Quorum, within the limits of their Authorities, Commiſſions, and Diuiſions, ſhal cauſe the names and ſummes of euery particular perſon in either of the ſaid Counties ſo by them Taxed, to be written in ſeuerall Rolles indented, and ſhal alſo haue power and authority, to appoint Collectors of euery Hundred, in either of the ſaid Counties, ſeuerally and reſpectiuely within the limits of their ſaid Authorities, Commiſſions, and Diuiſions, for the ſeuerall Collection of all ſummes of money by them Taxed: Which Collectors in either of the ſayd Counties, receiuing ſeuerall parts of the ſayd Rolles indented, vnder the Hands and Seales of the ſayd Iuſtices, or any foure of them within the Limits of their Authorities and Commiſſions, whereof one to bée of the Quorum, ſhall haue power and authority, to Collect and Receiue all the particular ſummes of money therein conteined, & to diſtraine euery ſuch Inhabitant as ſhalbe taxed, and refuſe to make payment thereof in his lands, goods and chattels, and to ſell ſuch diſtreſſes, and of the ſale thereof retaine and perceiue all the money taxed, and the reſidue (if the Diſtreſſes be better) to deliuer to the owner thereof: and that the ſame Iuſtices, or foure of them, in either of the ſayd Counties, whereof one to be of the Quorum, within the Limits of their Commiſſions and Authorities, ſhall alſo haue power to name and appoint foure ſufficient perſons out of the ſayd ſeuerall Counties, to be Surueyors from time to time, as néede ſhall require, to ſuruey and ſet forward the worke for building and repairing of the ſayd Bridge: Viz. two to be Surueyors of the County of Glouceſter, and two to be Surueyors of the County of Monmouth, into whoſe hands the ſayd Collectors of the ſaid Counties, ſeuerally and reſpectiuely, ſhall pay the ſummes of money by them leuyed and collected, to be imployed for the building, erecting, and repairing of the ſaid Bridge from time to time, as néede ſhall require, and ſhall make Rolles indented, to be ſubſcribed interchangeably betwéene them and the ſayd Surueyors, in eyther County reſpectiuely, mentioning the times and payment thereof. And that the ſayd Collectors and Surueyors, and euery of them, and the executors and adminiſtrators of euery of them, from time to time, when they ſhall be thereunto required, ſhall make true declarations and accompts in writing, to the Iuſtices of P. in either of the ſayd Counties wherein they are appointed Collectors or Surueyors, or to any foure of them, whereof one to be of the Quorum, of the receipts, payments, imployments and expences, of all the ſummes of money, by them in that behalfe receiued or beſtowed. And if they or any of them ſhall refuſe ſo to do, or to pay (without delay to the vſe aforeſayd) ſuch part thereof as ſhall be found to remaine in their hands, to ſuch perſon or perſons, as by any foure of the ſayd Iuſtices of Peace in either County, at their quarter Seſſions reſpectiuely, ſhall be nominated or appointed in that behalfe, That then the ſayd Iuſt. of Peace or any foure of them, in either of the ſayd Counties, whereof one to be of the Quorum, from time to time by their diſcretions, ſhall haue power and authority within the limits of their Commiſſions and Diuiſions, to make Proceſſe againſt the ſaid Collectors, and Surueyors, and euery of them, and the executors and adminiſtrators of euery of them, by Attachment or Capias, vnder their Seales, for their apprehenſion, returneable at the generall Seſſions of Peace in either of the ſayd Counties, and if they appeare, then to compell them to accompt and pay as is aforeſayd, or elſe if they or any of them refuſe ſo to doe, then to commit ſuch of them as ſhall ſo refuſe, to ward, there to remaine without Baile or mainpriſe, vntill their ſaid declaration and accompt be truely made, and vntill they make payment of ſuch money as ſhal appeare to be by them detained, and not imployed. And that the ſayd Iuſtices of P. or any foure of them, in either of the ſayd Counties, reſpectiuely ſhall take order, that one part of all the ſeuerall Rolles, containing all taxations, collections, and accompts, of euery of the ſayd Collectors and Surueyors, from time to time in either of the ſayd Counties (being ſubſcribed aſwell by the ſaid Iuſtices, as alſo by the ſayd Collectors and Surueyors) may remaine and be ſafely kept, amongſt the Records of the generall Seſſions of the Peace in either of the ſayd Counties reſpectiuely, whereby it may alwaies appeare how much money is taxed, collected and imployed from time to time in that behalfe.

The forf. of the Iuſtices of P omitting their duties.

And be it alſo enacted by the authority aforeſayd, that euery of the Iuſtices of P. of the ſayd County of Monmouth, from time to time (being reſident and inhabiting in the ſayd County) and alſo euery of the ſayd Iuſtices of peace of the ſaid County of Glouceſter (being reſident and inhabiting in the ſayd County, or within the County of the Citie of Glouceſter) omitting or neglecting the due execution of this Statute, according to the power and direction thereby to them giuen (after requeſt made in that behalfe by any two of the Inhabitants in either of the ſayd Counties reſpectiuely) ſhall forfeit and loſe the ſumme of fiue pounds apiece monethly for euery Moneth, (after the expiration of eight wéekes next enſuing the end of this preſent Seſſion of Parliament) in which no aſſeſſement, collection, imployment of money, or other effectuall procéeding towards the building of the ſayd Bridge ſhalbe by them done or vſed, or procured to be done or vſed, according to the intent and true meaning of this Act, vntill the ſayd Bridge be fully, firmely and ſufficiently made vp, built and erected, and afterward ſhall loſe and forfeit xl. s. apeice, for euery monethly negligence or default by them committed, after like requeſt made in that behalfe,

in

ty not taking order for reparation thereof from time to time as neceſſity ſhall require, in manner as by this Act is preſcribed and limited.

And be it alſo enacted by the authority aforeſayd, That it ſhall and may be lawfull to and for euery ſuch perſon and perſons, as well in the ſayd County of Glouceſter, as alſo in the ſaid County of Monmouth, as by the ſayd Iuſtices of Peace or any foure of them, in either of the ſayd Counties reſpectiuely (whereof one to be of the Quorum, in each County) in their general Seſſions of the Peace ſhalbe nominated and appointed in that behalfe, to aske, receiue, and take of any of the Kings Maieſties Subiects of South-wales, of the Citie of Briſtol, or any other perſon or perſons trauelling by that way or paſſage where the ſayd bridge is to be built (any Act or Statute to the contrary in any wiſe notwithſtanding) all ſuch ſumme and ſummes of money or beneuolence, as they or any of them without compulſion, will willingly giue towards the building and erecting of the ſayd Bridge, vntill the ſame be fully built and erected, and that true accompts vpon Oath ſhall be made and deliuered by euery of the ſaid perſons monethly of all ſuch ſumme or ſummes, as ſhall be ſo receiued or collected, and that the money thereupon due, ſhall be by euery of them likewiſe monethly payd ouer vnto any two of the Iuſtices of Peace reſpectiuely in either of the ſayd Counties, wherein they were ſo nominated and appointed, whereof one to be of the Quorum, by ſeuerall writings indented, to be ſubſcribed interchangeably betweene the ſayd Iuſtices and the ſayd Accomptants, vpon paine that euery of the ſaid perſons ſhall forfeit and loſe forty ſhillings for euery default by them committed, in not making ſuch accompt and payment, and the ſayd money ſo receiued, to be by the ſayd Iuſtices reſpectiuely diſpoſed and imployed towards the building of the ſayd Bridge: and that ſuch parts of the ſayd writings of accompts and payments as ſhall be from time to time deliuered to the ſayd Iuſtices in either County, ſhall remaine, and be kept amongſt the Records of the Seſſions of the Peace in either of the ſaid Counties reſpectiuely, wherby it may appeare, how much is giuen & receiued towards the ſaid Bridge, and aſwell the perſons to be appointed in either of the ſaid Counties, for receiuing the ſaid gifts and beneuolence, as alſo the Collectors and Surueyors afore mentioned in either County, ſhall and may haue ſuch reaſonable allowance towards their paines and ſeruices in the premiſes, as by the more part of the Iuſtices of Peace at their quarter Seſſions reſpectiuely in either of the ſayd Counties, ſhall be ordered and ſet downe vnder their hands in that behalfe.

Asking of beneuolence towards the building of the Bridge.

Allowance to the askers of beneuolence, Collectors & Surueyors for their paines.

And moreouer, be it enacted by the authority aforeſayd, That if the ſaid Iuſtices of Peace in either of the ſayd Counties, or any of them, or any other to his or their vſe haue, or hath heretofore had, or receiued any ſumme or ſummes of money giuen, taxed, or collected, or ſhall at any time hereafter take, or receiue any money giuen, taxed, or collected, towards the erecting and new making of the ſayd Bridge, or the reparation thereof, and ſhall and doe detaine the ſame, or any part thereof in his or their hands, and doe not imploy it towards the building or reparation of the ſayd Bridge with all conuenient ſpeed, vpon requeſt to him or them in that behalfe made, That then euery ſuch Iuſtice of Peace, or other perſon ſo offending, for euery ſuch default or offence, ſhall forfeit and loſe the ſumme of forty pounds. And if any of the ſayd Iuſtices of Peace, or any other perſon or perſons whatſoeuer, which hath had or gotten, or hereafter ſhall haue or get into his hands any money, giuen, rated, receiued or collected, for, or towards the building or reparation of the ſayd Bridge, ſhall conceale, detaine, or conuert the ſame to his, or their owne vſes, and ſhall refuſe to make payment thereof, to be imployed accordingly vpon requeſt made in that behalfe, that then it ſhall and may bee lawfull for any perſon or perſons, to ſue the party or parties, (detaining ſuch money) in the high Court of Chancery, or any other Court of Equitie by Engliſh Bill, for recouery thereof, and the ſame being recouered by Decree or Order of that Court, ſhall be imployed towards the building or repairing of the ſaid Bridge by direction of the ſaid Court, and that ſuch allowance or coſts ſhall be ordered by the ſaid Court to be payd to ſuch as ſhall ſo ſue for the ſame, towards his or their charges and paines beſtowed therein, as ſhall be thought meete and conuenient.

The forf. of a Iuſtice of P. retaining any of the money ſo collected.

And bee it likewiſe enacted by the authority aforeſayd, That all and euery of the ſayd forfeitures herein before mentioned, ſhall and may be recouered againſt the ſayd Iuſtices of Peace, or other perſon ſo offending, and euery or any of them, by Action of Debt, Bill, Plaint or Information, in any of the Kings Maieſties Courts of Record at Weſtminſter, wherein no Eſſoine, Wager of Law, or Protection ſhall be admitted or allowed: And that euery of the ſayd forfeitures which ſhall be recouered, being diuided into foure parts, one part thereof ſhall remaine and be to the vſe of ſuch perſon or perſons as ſhall ſue, complaine, or informe for the ſame, toward his or their charges therein, and the other three parts thereof after ſuch recouery, ſhalbe imployed and beſtowed towards the making and repairing of the ſayd Bridge from time to time by direction and order of the Court, wherein the ſame ſhall be recouered. PR.

By what meanes the forf. ſhalbe recouered & how they ſhall be imployed.

CAP. XXIIII.

The Bridge ouer the Riuer of Seuerne, neere adioyning to the town of Vpton vpon Seuerne in the County of Worceſter ſhalbe wholly made, builded & finiſhed within the ſpace of three

yeares

yeare after the end of this Seſſion of Parliament, by the Inhabitants of the County of Worceſter, &c. PR. EXP.

CAP. XXV.

A Confirmation of foure Subſidies of foure ſhillings in the pound, granted to the King by the Clergie. EXP.

CAP. XXVI.

Three entire Subſidies, and ſixe Fifteenes granted to the King by the Temporalty. EXP.

CAP. XXVII.

A Confirmation of the Kings generall and free Pardon. Except &c. EXP.

Anno Reg. IACOBI, *Regis Angl. Scotiæ, Franciæ, & Hiberniæ,* viz. *Angl. Franc. & Hibern. quarto, & Scotiæ quadrageſimo.*

AT the Parliament begun and holden at Weſtminſter by prorogation the eighteenth day of Nouember, in the fourth yeare of the reigne of our moſt gracious Soueraigne Lord IAMES, by the grace of God, of England, France, and Ireland, King, Defender of the Faith, &c. And of Scotland the fortieth. And there continued vntill the fourth day of Iuly, 1607. And then prorogued vntill the ſixteenth day of Nouember next following. To the high pleaſure of Almighty God, and to the weale publike of this Realme, were enacted as followeth.

CAP. I.

A Repeale of Hoſtile Lawes, and of Hoſtility betweene England and Scotland. A Repeale of the Stat. of 5. R. 2. 2. *reſtraining paſſage ouer the Sea.*

FOr the honour, weale and good of theſe two mighty, famous, and ancient Kingdomes, of England and Scotland, and for the furtherance, and aduancement of the happy Union already begun in his Maieſties Royall perſon, Be it enacted by the Kings moſt excellent Maieſty, with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That one Act made in the fourth yeare of the Reigne of King Henry the fifth, whereby it is enacted, that Letters of Mart, or Repriſall be granted againſt the people of Scotland, in caſe where the Subiects of England haue béene ſpoiled, and haue complained and not receiued redreſſe, ſhall for ſo much thereof, as ſo concerneth the people of Scotland, be vtterly repealed and made voyd:

Letters of Mart. 4.H.5.7.

And alſo that one Proviſo contained in an Act made in the thrée and thirtieth yeare of the Reigne of King Henry the eighth, by which Proviſo the kings Maieſties Subiects Inhabiting within twelue miles of the Borders of Scotland, are allowed and permitted to vſe Croſ-bowes, Hand-gunnes, Hackbuts or Demihakes, or to vſe or kéepe in his or their houſes, or elſewhere, any ſuch Croſ-bowes, Hand-gunnes, Hackbuts, and Demiſhakes, forſomuch of the ſayd Proviſo as ſo concerneth ſuch as ſhall inhabite within twelue miles of the ſaid late Borders, ſhall be vtterly repealed and made voyd.

Croſ-bowes. Hand-guns. 33.H.8.6.

And be it further enacted by the authority aforeſayd, That theſe other Statutes hereafter following, That is to ſay, one Act made in the ſeuenth yeare of the Reigne of Richard the ſecond, whereby it is enacted, That no Armour, Victuall, or other refreſhment be carried into Scotland, vpon paine of ſeizure or forfeiture:

Armour, Victuall. 7.R.2.16.

And one other Act made in the one and thirtieth yeare of the reigne of King Henry the ſixth, whereby it is enacted, That March-Law be not vſed out of the Circuit of the Counties of Northumberland, Cumberland and Weſtmerland, or the Towne of Newcaſtle:

March Law. 31.H.6.3.

And one other Statute made in the ſeuenth yeare of the Reigne of King Henry the ſeuenth, whereby it is Enacted that Scottiſhmen ſhould auoyd out of the Realme of England, within a time prefixed.

Scottiſhmen. 7.H.7.7.

And one other Statute made in the three and twentieth yeare of the reigne of King Henry the eighth.

23.H.8.16.

And a like Statute made in the firſt yeare of the reigne of the late Quéene Elizabeth, whereby the conueying of Horſes out of England into Scotland is made felony.

Horſes.
1. Eliz. 7.

And one other Statute made in the ſecond and third yeares of the reigne of King Philip and Quéene Mary.

Lands let to Scottiſh-men.
2.& 3.P.& M.1.

And the like Statute made in the xxiii. yeare of the reigne of the late Quéene Elizabeth, whereby it is enacted, That no Lands or Tenements be let to Scottiſh-men vpon the Borders, ſhall be vtterly abrogated, repealed, and made void: And if there had appeared any other Statute of this Realme of England, wherein any thing is ordained, enacted, or eſtabliſhed, expreſly and by name againſt Scottiſh-men, as enemies, or Scotland, as an enemy Countrey to the Kings of this Realme, or the State of the ſame, we ſhould for ſo much of them as had ſo concerned Scottiſh-men, or Scotland haue vtterly abrogated and adnulled the ſame: ſéeing all Enmity and Hoſtilitie of former times betwéene the two Kingdomes and people, is now happily taken away, and vnder the gouernment of his Maieſtie, as vnder one parent and head, turned into fraternitie, or brotherly friendſhip.

23.El.4.
A repeale of the former nine Statutes.

Prouided neuertheleſſe, and be it enacted by the authority of this preſent Parliament, That none of the Articles, Branches, or Clauſes aboue-ſaid, in this Act before contained and expreſſed, ſhall take effect, or be in force, or in any wiſe be déemed and expounded to take effect, or be in force, to any intent, conſtruction, or purpoſe, vntill theſe Acts of Parliament of the Realme of Scotland hereafter following, That is to ſay, One Act made in the time of Iames the firſt, King of Scotland, by which it was enacted, That all perſons remaining in England without the Kings Licence, did commit Treaſon.

This repeals ſhall take no effect vntill other ſtat. made in Scotland be repealed.
Remaining in England without the Kings licence.

One other Act made in the time of the ſaid King Iames the firſt, whereby any aſſurance with Engliſh-men, for taking protection from them for Lands or Góods, is Treaſon.

One other Act in the ſame Kings time. Inhibiting all buying and ſelling of Engliſh góods forbidden, vnder paine of Eſcheate.

One other Act made in the time of Iames the ſecond, King of Scotland, That none ſhould paſſe into England in time of warre without licence, vnder paine of Treaſon.

One other Act made in the reigne of the ſaid King Iames the ſecond, That no Engliſh-man come into Scotland without conduct, and that no Scottiſh-man ſit vnder aſſurance with them.

One other Act of the ſame Kings time, That no Scottiſh-man ſupply Barwicke and Roxburgh, vnder paine of treaſon.

One other Act made in the time of the ſaid King Iames the ſecond, That all men be readie for defence of the Realme againſt England.

To Actes made in the time of Iames the third, King of Scotland, For reſiſting King Edward the fourth.

One other Act made in the time of the ſaid King Iames the third, Concerning the vpholding of Barwicke, and Gariſons vpon the borders.

One Act made in the reigne of Mary late Quéene of Scotland, by which it was enacted, That Scottiſh-men are charged to leaue aſſurance with Engliſh-men.

One other Act made in the time of the ſaid Quéene Mary, concerning aſſured Scottiſh-men, aſſiſting the Engliſh Army.

One Act made in the Parliament of Scotland in the time of the moſt happie reigne of our moſt gracious ſoueraigne Lord the King that now is, containing, That the Scottiſh Borderers are diſcharged to marrie Engliſh Borderers daughters.

And laſtly, one other Act made in the time of our ſoueraigne Lord the King, Inioyning the Warden to put in a bill the names of all Engliſh-men that occupy land in Scotland, and ſéeke redreſſe according to the Treaties, ſhall by Act of Parliament of the ſaid Realme of Scotland, be vtterly repealed, fruſtrate and made void: And vntill alſo the ſaid Parliament of the Realme of Scotland, ſhall by their ſaid Act, make as full and ample declaration concerning their cleare intention and deſire of repeale of all other hoſtile Lawes of their part not before mentioned, if they were knowne, as on the part of this Realme of England hath béene in this preſent Act made and expreſſed.

The Parliament of Scotland ſhall repeale all their hoſtile lawes.

And be it further enacted by the authority aforeſaid, That one Act made in the fifth yeare of King Richard the ſecond, concerning the reſtraint of paſſage of his Maieſties ſubiects out of this Realme, and euery Ordinance, Prouiſion, Article, or Clauſe therein contained, ſhall be from henceforth vtterly repealed.

A repeale of the St. of 5. R.2.2. touching the reſtraint of paſſage ouer the Sea.

And be it further enacted by the authority of this preſent Parliament, That no perſon or perſons whatſoeuer, ſubiect of either realme, ſhall be puniſhed, ſued, deliuered, or remaunded, or any way troubled, or called in queſtion for life, member, domage, recompence, reſtitutions, or other ſatiſfactions whatſoeuer, for or by reaſon of any offences, ſpoiles, wrongs or treſpaſſes, (before the deceaſe of the late Qu. Eliz. of famous memorie) which were determinable by the lawes or conſtitutions of the Borders within the Courts and Iuriſdiction of the late Wardens or otherwiſe,

None ſhall be troubled for any wrong done before the death of Q. Eliz. by the lawes of the Borders.

wiſe, which purported actions of hoſtility by ſea or land by him, or them committed, or whereunto he or they were acceſſaries before or after ſuch offence or fact committed, or priuy or aiding to the ſame, or for, or in reſpect whereof he or they were, as are pledges or otherwiſe by any wayes or meanes whatſoeuer anſwerable or chargeable, or elſe ſtand charged or chargeable with any promiſe, contract, bill, bond, billes filed, ſentence, decrée or other aſſurances giuen or taken for the ſame onely, or for ſo much onely, of ſuch other aſſurances, as was giuen, or is in force for that and for no other.

Euill cuſtoms ſetled, be not preſently to be extirpate.

And foraſmuch as no abolition of hoſtile lawes, or of the memory of hoſtilitie, or of ſuits and controuerſies thereupon depending can preſently and at once extirpate and reforme thoſe inueterate euill cuſtomes and diſorders, aſwell of feuds and blood, as of theft and ſpoiles therewith the worſt ſort of inhabitants, néere the limits of both Realmes were infected and inured, although by his Maieſties inceſſant care, and princely policie thoſe parts be already reduced to a more ciuill & peaceable eſtate, than could in ſo ſhort time haue bin expected, And whereas experience teacheth, that the malefactors of either Realme, hauing committed their offences in the other Realme, do forthwith flie and eſcape many times into their owne country, thereby to purchaſe their impunitie, to the great and maniſeſt grieuances of the one Realme, and the diſhonour of the other:

The difference of the lawes, trials, and proceedings in caſe of life betweene the Iuſtice of England and Scotland.

And whereas in regard of ſome difference and inequality in the Lawes, trials and procéedings in caſes of life betwéene the Iuſtice of the Realme of England, and that of the Realme of Scotland, it appeareth to be moſt conuenient for the contentment and ſatiſfaction of all his Maieſties ſubiects, to procéed with all poſſible ſeueritie againſt ſuch offenders in their owne countrey, according to the Lawes of the ſame whereunto they are borne and inheritable, and by and before the naturall borne ſubiects of the ſame Realme if they ſhall be there apprehended:

Trials of felonies committed by Engliſh men in Scotland.

Be it therefore enacted by the authority aforeſaid, That all offences of Coniurations, witchcraft, and dealing with euill and wicked ſpirits, Murther, Manſlaughter, felonious burning of houſes and corne, Burglary, Robbing of houſes by day, Robbery, Theft, the deteſtable vice of Buggerie committed with mankind, or beaſt, and Rape heretofore done and committed ſince his Maieſties comming to the Crowne of England, or hereafter to be done or committed, by any his Maieſties naturall borne Subiects of this Realme of England, or the Dominions of the ſame, within the Realme of Scotland, or the Dominions thereof, and the Acceſſaries of and to the ſame, ſhall be from henceforth enquired of, heard and determined before his Maieſties Iuſtices of Aſſiſe, or his Commiſſioners of Oyer and Terminer, or Gaole deliuery being naturall borne Subiects within this Realme of England, and none other, by good and lawfull men of the Counties of Cumberland, Northumberland, Weſtmerland, or any of the ſaid Counties of the election of the ſaid Iuſtices of Aſſiſes or Commiſſioners in like maner and forme to all intents and purpoſes (the alterations hereafter in this act expreſſed, onely excepted) as if ſuch offences had béene done & committed within the ſame Shire, where they ſhall be ſo enquired of, heard and determined as is aforeſaid. All which trials for the better diſcouery of the truth, and for the better information of the conſciences of the Iurie and Iuſtices, there ſhall be allowed vnto the partie ſo arraigned, the benefit of ſuch witneſſes only to be examined vpon oath, that can be produced for his better clearing and iuſtification, as hereafter in this Act are permitted and allowed.

Witneſſe allowed to the party arraigned.

The proſecutor and witneſſes ſhall be bound to giue euidence.

And be it further enacted by the authority aforeſaid, That euery Iuſtice of peace of the counties aforeſaid, vnto whom complaint ſhall be made, ſhall haue full power and authority by vertue of this Act, to bind ouer by Recogniſance in a conuenient ſumme taken to his Maieſties vſe, as well the party proſecuting as any witneſſes, which he ſhall deſire to produce (ſo as the ſaid witneſſes may haue their reaſonable charges firſt tendred vnto them) to proſecute and giue in euidence before ſuch his Maieſties Iuſtices as aforeſaid, as the caſe ſhall require.

The acceſſary ſhall be tried, though the principall be not conuicted or attainted.

And be it further enacted by the authority aforeſaid, That euery Commander, Procurer, Counſeller, Abbettor, Comforter, Receiuer, or other acceſſary of or to any the offenders or offences aforeſaid ſo committed in Scotland, as aforeſaid, offending within the Realmes of England or Scotland, ſhall be procéeded withall, indicted, tried, iudged, and executed without delay notwithſtanding the principals, or any of them be not conuicted, or attainted; And that no ſuch offender either acceſſary or principall, ſhall be allowed the benefit of his Clergie, nor admitted to his peremptorie challenge of aboue the number of fiue. And that euery Inditement of any of the offences aforeſaid ſo committed as aforeſaid, ſhall be iudged of as good force in Law, notwithſtanding the words (Contra pacem, Coronam & dignitatem noſtras) be omitted, as if the ſaid words had béene therein contained.

The words contra pacem, &c. omitted in an Inditement.

Of how much freehold euery Iuror returned to trie an offender ſhall be.

Challenge for want of freehold.

And be it further enacted, That no Sheriffe, Vndersheriffe, or other Miniſter to whom it appertaineth, ſhall returne any Iuror to inquire of, or try any of the offences aforeſaid, ſo committed as aforeſaid, except euery ſuch Iuror ſhall haue freehold in poſſeſſion, to the value of fiue l.s. by the yeare in the Countie where ſuch inquiry and triall ſhall be, vpon paine to forfeit for euery Iuror that ſhalbe returned contrary to this Act the ſumme of fortie pounds, the one moitie to the Kings Maieſtie, his heires and ſucceſſors, the other to the partie that will ſue for the ſame, by action of Debt, Bill, Plaint, or Information, in any of his Maieſties Courts at Weſtminſter, wherein no Eſſoigne, Protection, or Wager of Law ſhall be allowed: And that the offender ſhall and may challenge any Iuror that ſhall paſſe vpon his life, for want of ſuch freehold as aforeſaid.

Prouided alwayes, and be it enacted by the authority aforeſaid, That no naturall ſubiect of his Maieſtie of the Realme of England, or of the Dominions of the ſame, ſhall for any the offences aforeſaid committed within the Realme of Scotland, or for being acceſſary to the ſame, forfeit any lands, tenements, or hereditaments, either Free, Coppy, or Cuſtomary hold, neither ſhall the blood of ſuch offender be corrupted, nor the wife loſe her dower, yet neuertheleſſe the ſaid offenders ſhall forfeit to his Maieſtie his heires and ſucceſſors, their goods, chattels, and credites whatſoeuer.

What an Engliſh man committing a felony in Scotland ſhall forfeit, and what not.

And foraſmuch as it is intended, that an act like vnto this ſhall be ordained in the Realme of Scotland, for the triall and puniſhment of offenders, being his Maieſties naturall borne ſubiects of the ſame Realme, which ſhall commit any of the offences aforeſaid within the Realme of England or the dominions thereof, and ſhall after eſcape, or returne backe into Scotland,

A like Act ſhall be made in Scotland.

Be it therefore enacted by the authority aforeſaid, That vpon complaint made by any his Maieſties ſubiects of the realme of England to any of the Iuſtices of Aſſiſe, Commiſſioners of Oyer and Terminer, or Gaole deliuery, or Iuſtice of the Peace, within the precincts of their ſeuerall Commiſſions reſpectiuely, being naturall borne ſubiects within the Realme of England, concerning any ſuch offence committed by any of his Subiects of the Realme of Scotland within the Realme of England, in caſe where the offender is returned into the Realme of Scotland, as aforeſaid, the ſaid Iuſtice or Commiſſioner ſhall haue full power and authority, to binde ouer as well the ſaid partie complaining or proſecuting, as any witneſſes that he ſhall deſire to produce, (ſo as their reaſonable charges be firſt tendred vnto them) by Recognizance in a conuenient ſum to his Maieſties vſe, to proſecute and giue in euidence within the Realme of Scotland: wherein if default ſhal be made, and the ſame proued by certificate or otherwiſe before the Lord Treaſurer, Chancellor, and Barons of the Exchequer, or any of them in the Exchequer Chamber, and a Decree there made, that the ſame Recognizance ſhall ſtand forfeited; Then the Court of Exchequer ſhall thereupon proceed for the leuying of the Debt of the ſaid Recognizance, as if it were adiudged forfeited by the courſe of the Common Law.

Binding of the complainant and witneſſes to giue euidence againſt an offender in Scotland.

And be it further enacted by the authoritie aforeſaid, That on the other part euery of his Maieſties ſubiects of the realme of Scotland, either partie grieued, or witneſſe, which ſhall proſecute in any the Caſes aforeſaid, within the Realme of England, and thereby ſhall haue occaſion to make his repaire hither, either voluntarily, or by the like Bond, as is before expreſſed, on the part of the Realme of England, ſhall haue and enioy Priuiledge and Immunitie from all maner of Arreſts, concerning all offences, or other cauſes, as well capitall, as others, committed, done, or occaſioned, before he ſhal ſo come into England, as aforeſaid (except treaſon or wilfull murther) ſo long as he or they ſhall be neceſſarily going, comming or abiding, within the ſaid Realme of England, for the proſecution of the ſaid offenders.

Scottiſh-men comming into England to giue euidence againſt offenders, ſhall be free from arreſts.

Prouided neuertheleſſe, That euery ſuch offence ſo committed as aforeſaid, ſhalbe laid and alledged in the Indictment or other Declaration to be done and committed in the Realme of Scotland, according to the truth of the fact, and not in the Counties, where the triall is limited, to be had and made as aforeſaid: any thing in this Act formerly contained to the contrary notwithſtanding.

The offence ſhall be alledged in the indictment where it is done.

Prouided alſo, and be it further enacted, that if any his Maieſties Subiects of the Realme of Scotland, ſhall be proceeded with and tried in the Realme of Scotland, vpon the proſecution of any partie grieued, and vpon euidence in open Court for any offence done or committed within the Realme of England, that no ſuch perſon ſhal be eftſones called in queſtion, or proceeded with for the ſame fact within the Realme of England, But that it ſhall be lawfull for euery ſuch perſon to pleade and alledge for himſelfe vpon his arraignement, that he was formerly lawfully acquited, conuicted, or attainted of the ſame offence within the Realme of Scotland, And that thereupon all further proceeding ſhal ſtay vntill the Court haue ſufficiently informed themſelues by certificate from the realme of Scotland, or by any other good wayes, and meanes, of the truth of the ſaid allegations, which if they ſhall finde true, the ſaid perſon ſhall be forthwith diſcharged of all further impeachment or proceeding.

He that is once tried, ſhall not be eftſoones called in queſtion for the ſame offence.

And be it further enacted by the authoritie aforeſaid, That no naturall borne Subiect of the Realme of England, or the Dominions of the ſame, ſhall for any high Treaſon, Miſpriſion, or Concealement of high Treaſon, pettie Treaſon, or any other whatſoeuer offence, or cauſe committed within Scotland, be ſent out of England, where he is apprehended, to receiue his triall, vntill ſuch time as both Realmes ſhall be made one in Lawes and Gouernment, which is the thing ſo much deſired, as that wherein the full perfection of the bleſſed Vnion already begun in his Maieſties royall perſon conſiſteth. And becauſe there is too great reaſon to feare, that the partiality and corruptions of many that liue in thoſe parts, through their long and euill courſe of life, cannot but produce much and frequent periury at ſuch trials, as aforeſaid, if the Iury in their proceeding doe not vſe great wiſedome and circumſpection, in which reſpect it is moſt iuſt and neceſſary to prouide as well that the guiltie ſhall not eſcape, as that the innocent ſhall not be condemned:

No Engliſh-man ſhall be ſent out of England to receiue his triall in Scotland. Alt.7.Iac.1.

The Jurors may allow or reiect the witneſſes.

Be it therefore prouided and enacted by the authority aforeſaid, That at all ſuch trials, the Jurors then and there ſworne, or the greater part of them (who in reſpect of the great truſt and charge which muſt now be laid vpon them, are by vertue of this Act as before appeareth, to be perſons of better condition and qualitie, then the Law required heretofore for Jurors in trials of like offences,) ſhall haue in their power and election according to their conſcience and diſcretion vpon their oathes, to receiue and admit onely ſuch ſufficient, good and lawfull witneſſes vpon their oathes, either for, or againſt the partie arraigned, as ſhall not appeare to them, or the greater part of them to be vnfit and vnworthy to be witneſſes in that caſe, either in regard of their hatred and malice, or their fauour and affection, either to the partie proſecuting, or to the partie arraigned, or of their former euill life and conuerſation.

Tryall of a Peere by his Peeres.

Prouided alſo, and be it further enacted, That if the Offender in any the caſes aforeſaid, ſhall be a Péere of the Realme, then his triall therein ſhalbe by his Péeres, as is vſed in caſes of Felonie or Treaſon, and not otherwiſe.

Cap. II.

Of what length, breadth, and weight ſeuerall ſorts of Clothes made in diuers Counties of this Realme ſhall be. Putting of Floxe or Lambes wooll in Cloth.

FOr the auoyding of many inconueniences happening to his highneſſe ſubiects, exerciſing the Myſterie and trade of making and working of Wollen Clothes, of diuers names & natures, and that the buyers of ſuch clothes may haue true and iuſt commerce without fraud or deceit, It pleaſeth his moſt excellent Maieſtie, with the conſent of the Lords Spiritual and Temporall, and the Commons in this preſent Parliament aſſembled, That it be enacted, and by the authoritie of the ſame it is enacted, that from and after foureſcore dayes next after the end of this Seſſion of Parliament, euery long Broad Cloth and Clothes, which ſhall be made of dyed wools, and mingled colours, within any of the Shires of Kent, Yorke, or at the Towne of Reading, or elſewhere of like making, ſhall containe in length at the water, euery piece being throughly wet, betwéene thirty and foure and thirty yards, euery yard, yard and ynch of the Standard and no more, and in breadth, ſixe quarters and a halfe of a yard at the leaſt within the liſts, by the whole length of the ſame cloth. And that euery piece of the ſame cloth being well ſcowred, thicked, milled, and fully dried, ſhall be in weight eighty ſixe pounds at the leaſt.

The length, breadth, and weight of broad clothes dyed. 5. Ed. 6. 6.

The length, breadth and weight of long Worceſters. 5. Ed. 6. 6. 4. & 5. P. & M. 5.

And that euery white cloth, which ſhalbe made within the Cities of Worceſter, Couentry, and Hereford, commonly called Long Worceſters, or elſewhere of like making, ſhal contain in length being wet, betwéene thirty and thirty thrée ſuch ſaid yards and ynches as is aforeſaid, and ſhall be in breadth ſeuen quarters throughout all the whole Cloth, and being cleane ſcowred, thicked, milled, and fully dried, ſhall weigh ſeuenty eight pounds at the leaſt.

Plunkets, Azures, blewes and long white clothes.

And that all and euery long coloured clothes, commonly called Plunkets, Azures & Blewes, and long white Clothes, which ſhalbe made in any of the Shires of Suffolke, Norffolke, & Eſſex, or elſe-where of like making, ſhall containe in length being wet, betwéen twenty nine and thirty two ſuch ſaid yards and ynches as is aforeſaid, and ſhall be in breadth ſixe quarters and one halfe quarter within the liſts at the leaſt, and being well ſcowred, thicked, milled, and fully dried, ſhall weigh eighty pounds at the leaſt. And that all and euery ſhort clothes coloured, and ſhort white clothes, commonly called Sorting Clothes, which ſhall be made in any of the Shires laſt before mentioned, or elſe-where, of like ſort and making, ſhall containe being wet, in length betwéene twenty thrée and twenty ſixe ſuch ſaid yards and ynches as is aforeſaid, and in breadth throughout the whole piece, ſixe quarters within the liſts at the leaſt, and being well ſcowred, thicked, and fully dried, ſhall weigh ſixty foure pounds the Cloth at the leaſt.

The length, breadth and weight of ſorting clothes. 5. Ed. 6. 6. 4. & 5. P. & M. 5.

The length, breadth and weight of fine ſhort Suffolkes.

And that all and euery ſhort clothes coloured, and ſhort white clothes, commonly called fine ſhort Suffolks, which ſhall be made in the Shires laſt before mentioned, or elſe-where of like making, ſhall containe being wet, in length betwéene thrée and twenty and ſixe and twenty ſuch ſaid yards and ynches, as is aforeſaid, and in breadth throughout the whole piece, ſixe quarters and a halfe within the liſts at the leaſt, and being well ſcowred, thicked, milled, and fully dried, ſhall weigh ſixty foure pounds the Cloth at the leaſt. And that euery ſuch ſorting Short cloth ſhall be differenced from the ſaid fine Clothes laſt before mentioned, by a blew Seluedge, or edging on both liſts. And that euery White Cloth, which ſhall be made within the ſame mentioned Shires, or elſe-where of like making, commonly called Handiwarpes, ſhall containe in length betwéene twenty nine and thirty two ſuch ſaid yards and ynches as is aforeſaid, and in breadth ſeuen quarters, and being well ſcowred, thicked, milled, and fully dried, ſhall weigh ſeuenty ſixe pounds at the leaſt. And that all broad Plunkets, Azures, Blewes, and other coloured cloth, which ſhall be made within the Shires of Wiltſhire, and Somerſetſhire, or elſe-where of like making, ſhall containe being throughly wet, betwéene twenty ſixe and twenty eight ſuch yards and inches as is aforeſaid, and in breadth ſix quarters and a halfe within the liſts, and being well ſcowred, thicked, milled, and fully dried, ſhall weigh ſixtie eight pounds the Cloth at the leaſt.

The length, breadth and weight of handiwarps. Coloured cloth made in wiltſhire and Somerſetſhire.

leaſt. And that euery cloth commonly called ſhort Clothes, which ſhall be made of died Wools, and mingled colours, within the Countie of Yorke, or elſewhere of like making, ſhal contain in length being throughly wet, betwéene twentie thrée and twenty fiue ſuch yards and ynches as is aforeſaid, and in breadth ſixe quarters & an halfe betwéene the liſts, and being cleane ſcowred, thicked, milled, and fully dried, ſhall weigh ſixtie ſixe pounds the Cloth at the leaſt, and euery halfe Piece thereof, commonly called Dozens, to be made and wrought after the ſame rate in euery reſpect.

Short cloth made of dyed wools in Yorkeſhire.
A halfe piece called Dozens.

And that all broad liſted Whites and Reds which ſhalbe made in any of the Counties of Wiltſhire, Glouceſterſhire, Oxfordſhire, and the Eaſterne limits of Somerſetſhire, or elſe-where of like making, commonly called ſorting packe broad liſted Clothes, ſhall containe in length being wet, betwéene twenty ſixe and twenty eight ſuch ſaid yards & inches as is aforeſaid, and ſhall be in breadth ſix quarters and a halfe throughout the whole Cloth at the leaſt, and being cleane ſcoured, thicked, milled, and fully dried, ſhall weigh euery piece of the ſame Cloth lxiiij. pounds the cloth at the leaſt. And that all narrow liſted Whites and Reds which ſhall be made in Wiltſhire, Glouceſterſhire, Oxfordſhire, and the Eaſterne limits of Somerſetſhire, or elſe-where of like making, commonly called ſorting packe clothes, ſhall containe in length being wet, betwéene twenty ſixe and twenty eight ſuch ſaid yards and inches as is aforeſaid, and ſhall be in breadth within the liſts, ſixe quarters and a halfe throughout the whole cloth at the leaſt, and liſted with narrow liſts, as hath béene accuſtomed for ſorting packe clothes, and being cleane ſcowred, thicked, milled, and fully dried, ſhall weigh euery piece being white, ſixty one pounds at the leaſt, and being red, ſhall weigh ſixtie pounds the piece at the leaſt.

The length, breadth and weight of broad liſted whites and reds.
The length, breadth and weight of narrow liſted whites and reds.

And that euery fine Cloth with plaine liſts made in the counties of Wiltſhire, Glouceſterſhire, Somerſetſhire, and Oxford, or elſe-where of like making, ſhall containe in length betwéene twenty nine and thirty two ſuch yards and inches, as is aforeſaid, and in breadth ſixe quarters and a halfe betwéene the liſts throughout the whole Cloth, and being cleane ſcowred, thicked, milled, and fully dryed, ſhall weigh ſeuentie two pounds at the leaſt.

The length, breadth and weight of fine clothes with plaine liſts.

And that all and euery Clothes, hauing ſtop liſts and not plaine liſts, ſhall containe in length betwéene thirty and thirty thrée of ſuch ſaid yards and ynches, as is aforeſaid, and in breadth ſeuen quarters within the liſts, throughout the whole Cloth, and in weight, ſeuenty eight pounds at the leaſt, as all Worceſter clothes are limited: And that euery Broad Cloth, commonly called Tauntons, Bridgewaters, and Dunſters made in the Weſterne parts of Somerſetſhire, or elſe-where of like making, ſhall containe being throughly wet, betwéene twelue and thirtéene ſuch ſaid yards and ynches as is aforeſaid, and in breadth ſeuen quarters of a yard at the leaſt, & being well ſcowred, thicked, milled, and fully dried, ſhall weigh thirty pounds the cloth at the leaſt. And euery narrow cloth of like ſort and making within the ſaid countie of Somerſetſhire, or elſe-where, ſhall containe in length being throughly wet, betwéen twenty foure and twenty fiue ſuch yards and ynches as is aforeſaid, and in breadth one yard within the liſts at the leaſt, and liſted with a narrow liſt, and well ſcowred, thicked, milled, and fully dried, ſhall weigh thirtie pounds apiece at the leaſt, and the halfe cloth thereof to be of a proportionable length & weight, and of like breadth as aforeſaid: And that all ſuch like broad Clothes, and narrow Clothes laſt before mentioned, made within the Countie of Yorke, into Whites and Reds, the broad Cloth to hold the ſame lengths, breadth, and weight, but the narrow cloth to be allowed by this Statute to containe betwéene ſeuentéene and eightéene yards of like meaſure, breadth, and in weight proportionable as aforeſaid.

Clothes hauing ſtopped liſts.
Broad cloths called Tauntons, Bridgewaters, and Dunſters.
Broad and narrow cloths made in Yorkeſhire.

And that all Deuonſhire Kerſies called Dozens, ſhall containe in length at the water betwéen twelue and thirtéene ſuch ſaid yards and inches, as is aforeſaid, and being well ſcowred, thicked, milled, and fully dried, ſhall weigh thirtéene pounds the Cloth at the leaſt: And all Clothes, called Checke Kerſies Straights, and plaine Grayes, ſhall containe in length at the water, betwéen ſeuentéene and eightéene ſuch ſaid yards and ynches as is aforeſaid, and in breadth one yard at the leaſt by all the length, and being well ſcowred, thicked, milled, and fully dried, ſhall weigh twenty foure pounds the piece at the leaſt. And that all Clothes, called Ordinary Penniſtones, or Forreſts Whites, ſhall containe in length in the water, betwéene twelue and thirtéene ſuch ſaid yards and ynches as is aforeſaid, and in breadth fiue quarters and an halfe, and being cleane ſcowred, thicked, milled, and fully dried, ſhall weigh twenty eight pounds the piece at the leaſt: And that all Peniſtones, called ſorting Peniſtones, ſhall containe in length in the water, betwéen thirtéene and fourtéene ſuch yards and ynches, and ſhall be in breadth ſixe quarters and a halfe, and being cleane ſcowred, thicked, milled, and fully dried, ſhall weigh thirtie fiue pounds the piece at the leaſt.

Deuonſhire Kerſies called Dozens.
Checke Kerſies Straites, and plaine Grayes.
Ordinary peniſtones, or forreſts whites.
Sorting peniſtones.

And be it likewiſe enacted by the authority aforeſaid, That all Cogware-Kendall, and Carptmeales ſhall from henceforth be made in ſuch ſort as ſhall beſt pleaſe the Buyer, and ſhall not be ſearched, or ſealed, or be ſubiect to any other penaltie, than ſuch as was impoſed thereon before the nine and thirtieth yeare of our late Soueraigne Lady Quéene Elizabeth, ſo as they ſhrinke not aboue one yard for euery twenty yards.

Cogware-Kendall, and Carptmeales.

And be it enacted by the authority aforeſaid, That all Kerſies, called Washers, or Waſh Whites, made within the Counties of Yorke, Lancaſter, or elſe-where of like making, ſhall con-

The length and weight of waſhers or waſh whites.
There ſhalbe no rowing, or raiſing of cloth.
There ſhalbe no different rowing, raiſing, fulling or ſhearing of the liſts of clothes.

taine in length at the water, being halfe thicked, betweene ſeuenteene and eighteene yards of the measure aforeſaid, and being quarter thicked, ſhal containe betweene eighteene and nineteen ſuch yards and ynches as is aforeſaid, and being cleane ſcowred, and fully dried, ſhall weigh ſeuenteene pounds the piece at the leaſt. And that no Cloth-worker, Shereman, or Fuller, ſhall raiſe or row, or cauſe to be raiſed or rowed any kind of Clothes or Kerſies in or with any oyles, gooſe-greaſe, ſwines-greaſe, or any ſuch like thing of any kind of greaſes or oyles, but ſhall ſheare the ſame cloth kerſie plaine and ſtraight, without laying in, or laying on any of the aforeſaid oyles, gooſe-greaſe, ſwines-greaſe, or any other liquid or moyſt thing, but onely vpon the edge of the ſheares with ſemet or oyles, vpon paine to forfeit for euery time ſo doing contrary to the true meaning of this Statute, thirteene ſhillings foure pence. And that no Cloth-worker, Sheareman, or Fuller, ſhall raiſe, full, or row, or ſheare the liſts and ſides of Clothes and Kerſies better than the middeſt, but ſhall worke all alike, vpon paine of forfeiting for euery Cloth Kerſie plaine and ſtraight, done contrary to the true meaning of this Statute, thirteene ſhillings foure pence:

There ſhalbe no cutting of wooll from the backſides of cloth.

And that no Cloth-worker, or any other perſon or perſons whatſoeuer, ſhall haue or vſe for the cutting or taking away of the wooll from the backſides of any Clothes and Kerſies, any Knife or Kniues, Rubſter or Rubſters, Pumiſtone, or any other deuice whatſoeuer, but only to ſheere the ſame backſide with a paire of ſheeres, on paine of forfeiting for euery piece wherein or whereupon the ſame ſhall be ſo done, the ſumme of xiij. s. iiij. d.

There ſhalbe no blowing, ſpouting, or bedewing of any cloth on the ſides neere the liſts.
The forf. for blowing, ſpouting, &c. of a cloth for increaſe of weight.

And be it further enacted by the authority of this preſent Parliament, That no Cloth-worker Shereman, or Fuller, or any other perſon or perſons whatſoeuer, ſhall from and after the Feaſt of Saint Iohn Baptiſt next enſuing the end of this preſent Seſſion of Parliament, blow, ſpout, or bedew any kind of Broad-cloth, or Kerſie on the ſides and edges neere the liſts thereof, with any water, or other liquid or moyſt thing whatſoeuer, whereby the edges or ſides of any cloth or kerſie may make ſhew to be better than it is in the ridge, creſt, or midſt thereof, vpon paine to forfeit for euery ſuch offence, the ſumme of thirteene ſhillings foure pence of lawfull money of England. And if any perſon or perſons ſhall blow, ſpout, wet, or bedew, or cauſe to be blowen, ſpouted, wet or bedewed with any liquid or moyſt thing, or kind of cloth or kerſie, of whatſoeuer countrey, making, or name, for increaſe of weight, thereby to deceiue the Buyers or Searchers, ſuch perſon or perſons ſhall forfeit, and loſe for euery ſuch offence, the ſumme of fortie ſhillings of like lawfull money of England.

Abatement for the dying, dreſſing, ſhearing, and rowing of cloth.

And be it further enacted by the authority aforeſaid, That all the ſaid white clothes, and coloured clothes, which by this preſent Act are not limited and appointed to be wrought, dreſſed, and ſhorne, ſhall haue allowance and abatement for the dying, dreſſing, rowing and ſheering thereof, for euery ſuch ſaid ſhort broad Wollen clothes, foure pounds in weight and no more, and the long clothes fiue pounds and no more, and ſo after the rate in all and euery the ſame halfe wollen Cloth, Kerſie, and other the ſaid woollen cloth.

Into what kind of cloths onely flore, thrummes, and lambes wooll may be put.
Rep. 21. Iac. 18.

Be it alſo enacted by the authority aforeſaid, That it ſhall and may be lawfull to and for any perſon or perſons, lawfully exerciſing the trade or art of a Clothier, or making of clothes, to make flore, thrummes, and lambes wooll into cloth of one onely kind or making, which ſhall containe in length, being throughly wet, betweene twelue and thirteene ſuch yards and ynches as is aforeſaid, and in breadth one yard at the leaſt within the liſts, and being cleane ſcowred, thicked, milled, and fully dried, ſhall weigh fifteene pounds the piece at the leaſt.

The meanes to know cloth made of flore, thrummes, &c.
The penaltie for putting of any haire, flore, &c. into any other cloth.

And for the better and more eaſie diſtinction and knowledge of euery ſuch cloth, from cloth made of perfect wooll, euery cloth made of flore, thrummes, and lambes wooll, ſhall haue the one liſt wholly of blacke yarne, and on the other ſide a ſelvedge onely. And that from henceforth no perſon or perſons ſhall put any haire, flore, thrummes, or any yarne made of lambes wooll or other deceiueable thing or things in or vpon any other broad Wollen Cloth, halfe Cloth, Kerſie, Frize, Dozen, Bayes, Peniſtone, Cotton, Taunton cloth, Bridge-water, Dunſter Cotton, or other cloth of what nature, kind or name ſoeuer made to be ſold, and ſold, not being made and liſted with ſuch blacke liſt and ſelvedge as aforeſaid, vpon paine to forfeit euery ſuch of the ſaid Wollen cloth, halfe cloth, Kerſie, Frize, Dozen, Peniſtone, Cotton, and other Wollen cloth of what nature, kind and name ſoeuer, other than ſuch as ſhalbe liſted and made as aforeſaid, whereinto or vpon which any ſuch haire, flore, thrummes, yarne of lambes wooll, or other deceiueable thing ſhall be put or vſed, or the value thereof.

Places where flanell, wadnals or couerlets be made.

Prouided alwayes, that in ſuch townes, places and counties, where Flannel, Wadnals, and Couerlets or Blankets are vſually made, the ſame may be made in ſuch ſort, as heretofore hath beene lawfully vſed and accuſtomed: This ſtatute or any thing therein contained to the contrary thereof in any wiſe notwithſtanding.

The forfeit. Where the cloth is longer than is appointed.

And if any of the ſaid broad woollen clothes, or halfe cloth, or any other kind of woollen clothes, Dozens, Cottons, or other ſorts of Wollen cloth before mentioned in this preſent Act, of what nature, kind, or name ſoeuer they be of, made to be ſold, and ſold, ſhall be more in length than is therefore reſpectiuely limited and appointed in this preſent Act, then euery perſon or perſons ſelling the ſame, ſhall forfeit and pay for euery yard and ynch, exceeding the length ſo appointed, the ſumme of tenne ſhillings and no more.

And if any ſuch cloth ſhall not weigh proportionably for euery ſuch yard and ynch to the ſeuerall and reſpectiue weight to them ſo limited and appointed, then the ſaid perſon and perſons ſelling the ſame, ſhall forfeit and loſe for euery pound weight that ſhall be wanting aboue two pounds, the ſumme of tenne ſhillings and no more, any former Law or Statute to the contrary thereof in any wiſe notwithſtanding.

The forf. where the cloth wanteth weight.

And if any ſuch cloth before mentioned, not exceeding the ſeuerall lengths to them by this Statute limited or appointed, and holding the ſeuerall and reſpectiue weight limited and appointed, doe yet fortune to want of the iuſt breadth limited or appointed, then the ſaid perſon or perſons ſelling the ſame, ſhall forfeit and loſe for euery cloth falling narrow thorow the whole cloth, twenty ſhillings, and throughout halfe the cloth, tenne ſhillings, and vnder halfe the cloth, fiue ſhillings and no more, any former Lawes or Statutes inflicting other or greater penaltie or penalties to the contrary thereof in any wiſe notwithſtanding.

The forf. if the cloth doe want breadth.

And if any Cloth or Clothes, of any the names, natures, or making aforeſaid, which by this Statute, or any Clauſe or Article therein, or any other Statute now in force, and not repealed, ſhall vpon due and conuenient triall, within conuenient time after ſale thereof, in preſence of the partie that ſold the ſame, or other perſon or perſons by him appointed, if he or they will be preſent at the ſearch and triall thereof, or if he or they will not be preſent, hauing reaſonable notice, then in his or their abſence be found to be of leſſe length than the Seale or Seales thereon fixed at the time of the ſale thereof doe purport: Then the Owner, or perſon or perſons ſelling the ſame, ſhall forfeit and loſe to the Merchant, Draper, or other perſon or perſons that ſhall haue bought the ſame, for ſo much as ſhall be wanting of the length ſpecified in the Seale or Seales of the ſaid cloth, after the rate of ſixe ſhillings eight pence for euery yard, ouer and beſides the true value of ſo much of the ſaid cloth or clothes, as ſhall be found wanting of the length certified by the ſaid Seale or Seales, and no more: Any former Law or Statute, inflicting other or greater penaltie, to the contrary thereof in any wiſe notwithſtanding.

The forfeiture if the Cloth be of leſſe length than the Seale doth purport.

And be it further enacted by the authority of this preſent Parliament, That all and euery Branch, Clauſe, and Sentence in any former Statute, whereby any other length, breadth, or weight of the Clothes before mentioned, or any of them, or any other penaltie or forfeiture concerning the length, breadth, or weight of the foreſaid Clothes, or any of them, or any other Offence by this Act intended to be reformed, is limited, or whereby any penaltie or forfeiture for the Offences in this Bill mentioned, or any of them, are giuen to any other perſon or perſons, then in and by this Statute is limited and intended, ſhall be from henceforth vtterly repealed and made void.

A Repeale of all other Statutes concerning the length, breadth, and weight of Clothes or Forfeitures.

And be it further enacted by authority of this preſent Parliament, That none of the Clothes aforeſaid, which by the Lawes and Statutes of this Realme ought to be ſealed, of what name, nature, or quality ſoeuer they be of, being ſealed by the Ouerſeers authorized as well by a Statute made in the nine and thirtieth yeare of the Reigne of our late Soueraigne Lady Queene Elizabeth, intituled, An Act againſt the deceitfull Stretching and Taintering of Northerne Cloth, as alſo by a Statute made in the three and fortieth yeare of her ſaid Reigne, intituled, An Act for the true working and making of Woollen Cloth, ſhall afterward be ſearched, tryed, or watered by any other perſon or perſons whatſoeuer, but onely by the Merchant, or Draper, or other perſon to whom the ſame ſhall be ſold. And that if any Woollen Cloth, vpon the ſearch by the Searchers or Ouerſeers of the Cities, Counties, Townes, or places where the cloth is made, ſhall be found either to exceed the length, or to want of the weight by this Statute limited, the ſaid Searchers or Ouerſeers finding and certifying the ſaid ouer-length, and the weight that ſhall want, or ſuch of them wherein the Offence ſhall happen to haue beene committed, by his or their Seale or Seales, ſhall haue the one moitie of all ſuch penalties and forfeitures, as by this Statute are giuen, limited, and appointed for exceſſe of length, or want of weight, and no other perſon or perſons, And ſhall or may ſue for and recouer the ſame by Action of Debt, Bill, Plaint, or Information, in any of his Maieſties Courts of Record at Weſtminſter, wherein no Eſſoigne, Protection, or Wager of Law ſhall be allowed, And our Soueraigne Lord the Kings Maieſtie, his Heires and Succeſſors, ſhall haue the other moitie.

Cloth ſearched by Ouerſeers ſhall not be ſearched, tryed, or watered again, but by the buyer thereof. 39. El. 20. 43. El. 10.

Where the Searchers or Ouerſeers ſhall take ſome benefit by the forfeitures.

And alſo if any Woollen Cloth or Clothes, of any the natures, names, or makings aforeſaid, ſhall after ſuch ſearch in the Countrey or other place aforeſaid, be found to be faulty in any thing not certified, and appearing by the Seale or Seales of the ſaid Ouerſeers or Searchers by the Merchant or Draper, or other perſon or perſons buying the ſame, vpon due and conuenient tryall within conuenient time after the ſale thereof, in preſence of the partie that ſold the ſame, or of other perſon or perſons by him or them to be appointed, if he or they will be preſent at the ſearch and tryall thereof, or if he or they will not be preſent, hauing reaſonable notice giuen: Then in his or their abſence, the ſaid Merchant or Draper, or other perſon that bought the ſame, and no other, ſhall haue the one moitie of all the penalties and forfeitures by this Statute impoſed, and incurred, and not become due to the Ouerſeers and Searchers aforeſaid, to his owne onely proper vſe and behoofe. Any former Statute, matter, or thing whatſoeuer, to the contrarie hereof in any wiſe notwithſtanding: And alſo ſhall or may ſue for and recouer the ſame

The forfeit. where clothes be faultie, and not ſo certified by the Ouerſeers.

in any of his Maieſties Courts of Record at Weſtminſter, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoigne, Protection, or Wager of Law ſhall be allowed, And his Maieſtie, his Heires and Succeſſors ſhall haue the other moitie.

Duties and Payments for a broad Woollen Cloth.

And foraſmuch as of late it hath béene reputed, That a broad Woollen cloth ſhould and ought to conſiſt of foure and twentie ſuch yards and ynches as aforeſaid, and not aboue, and Payments and other Duties haue béene accordingly demanded, and paid for the ſame: Be it therefore enacted by the authority aforeſaid, That if any broad Woollen cloth be made longer or ſhorter than foure and twentie ſuch ſaid yards and ynches, all Duties and Payments hereafter to be paid for the ſame, ſhall be demanded and made proportionable, according to the rate and proportion of foure and twentie ſuch ſaid yards and ynches for a whole Cloth, and not otherwiſe.

Euery Clothier may make any kind of Woollen Cloth.

And whereas by this and diuers other Statutes concerning Draperie and Clothing, it is enacted, That all and euery Broad Cloth and Clothes, which ſhall be made in Kent and Suſſex, or at the Towne of Reading, or elſe-where of like making, ſhall be of a certaine length, breadth, and weight, in this or other the ſaid Statutes expreſſed and limited, And in like ſort for Woollen clothes moſt vſually made in ſome other counties, or Townes, are firſt, ſpecially and particularly named in this and other the ſaid Statutes, And after followe theſe words (or elſe-where of like Making) importing, that it ſhould be lawfull for any Clothier, of whatſoeuer Towne or countie within this Realme, to make cloth of like Making, And accordingly the ſame hath heretofore béene put in vre: Yet foraſmuch as of late ſome doubt hath thereupon riſen, Be it therefore explained and enacted, That it is and ſhall be lawfull for euery Clothier, of what Towne or countie ſoeuer within this Realme, where clothing hath heretofore béene vſed, to make, or cauſe to be made, any true Woollen cloth, of what name, nature, or maner of making ſoeuer the ſame be, Albeit the ſame kind of Woollen cloth do beare ſpecially the name of ſome other countie, citie, or towne within this Realme. This Act to continue vntill the end of the firſt Seſſion of the next Parliament.

The continuance of this Act.

The Kings duties and his Officers reſerued.

Cloth once lawfully ſearched and ſealed, ſhall not be ſearched or ſealed againe.

Prouided alwayes, and be it enacted by the authority aforeſaid, That neither this Act, nor any thing therein contained, ſhall extend to abridge or diminiſh any Cuſtomes or Duties appertaining to our Soueraigne Lord the Kings Maieſtie, his Heires or Succeſſors, or to any his Officers, or Miniſters, for the Searching, Meaſuring, or Sealing any the clothes before mentioned, Nor to hurt or preiudice the lawfull Fées due or belonging to his Maieſties Aulneger, Or to hurt or preiudice the lawfull vſe and exerciſe of the Office of Aulneger: So, as after any cloth once lawfully Searched, and lawfully Sealed, the ſame be not compelled to be further Viewed, Searched, Meaſured, or Sealed. St. 21. Iac. 18. & 28. 3. Car. 4.

CAP. III.

Certaine Caſes wherein the Defendant ſhall recouer Coſts againſt the Plaintiffe.

Caſes wherein by the Statute made 23. H. 8. 15. the Defendant ſhall recouer his Coſts.

WHereas in the thrée and twentieth yeare of King Henry the eighth of famous memorie, a good and profitable Law was made, whereby it was enacted, That in Caſes where the Plaintiffe in any Action, Bill, or Plaint of Debt, Treſpaſſe vpon the Caſe, Detinue, Account, and in ſome other Actions therein eſpecially mentioned, ſhould become Nonſuite, or a Verdict ſhould be had againſt the ſaid Plaintiffe, That then in ſuch Caſes the Defendant ſhould haue Iudgement to recouer his coſts, againſt euery ſuch Plaintiffe, as by the ſaid Law appeareth: Which Law hath béene found to be very good and beneficiall for the Common-wealth, and thereby many haue béene diſcouraged from bringing friuolous and vniuſt Suites, becauſe ſuch parties are to make recompence to the parties vniuſtly vexed, for the ſaid vniuſt vexations.

Generall caſes wherein the Defendant ſhall recouer his Coſts againſt the Plaintiffe. St. 8. Eliz. 2.

And foraſmuch as Actions of Treſpaſſe, and Actions of Ejectione firmæ, and many other Actions Reall and Perſonall, are within the ſame miſchiefe, as the ſaid other Actions were at the Common Law, and yet were omitted out of the Prouiſion of the ſaid Law: For remedie whereof, Be it enacted by the Kings moſt excellent Maieſtie, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons at any time after the end of this preſent Seſſion of Parliament ſhall commence or ſue in any Court of Record, or in any other Court, any Action, Bill, or Plaint of Treſpaſſe, or Ejectione firmæ, or any other Action whatſoeuer, wherein the Plaintiffe or Demandant might haue Coſts (if in caſe Iudgement ſhould be giuen for him) And the Plaintiffe or Plaintiffes, Demandant or Demandants, in any ſuch Action, Bill, or Plaint, after appearance of the Defendant or Defendants, be Nonſuited, or that any Verdict happen to paſſe by any lawfull Tryall againſt the Plaintiffe or Plaintiffes, Demandant or Demandants, in any ſuch Action, Bill, or Plaint, then the Defendant and Defendants, in euery ſuch Action, Bill, or Plaint, ſhall haue Iudgement, to recouer his coſts againſt euery ſuch Plaintiffe and Plaintiffes, Demandant and Demandants, to be aſſeſſed, taxed, and leuied in maner and forme, as coſts in the ſaid Actions are to be aſſeſſed, taxed, and leuied in and by the ſaid Law of the thrée and twentieth yeare of King Henry the eighth. Coke pla, fol. 29.

Cap. IIII.

In what caſe only Ale or Beere may be ſold to an Alehouſe-keeper hauing no Licence.

FOr the better repreſſing of Alehouſes, whereof the multitudes and abuſes haue béene and are found intolerable, and ſtill doe and are like to increaſe, Be it enacted by the Kings moſt excellent Maieſty, and the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That no perſon or perſons, by himſelfe, or by any other wayes or meanes, directly or indirectly, ſhall at any time after thrée moneths next after the end of this preſent Seſſion of Parliament, ſell, vtter, or deliuer, or cauſe to be ſold, vttered, or deliuered any Béere or Ale, to any perſon or perſons, or into the houſe or cellar of any perſon or perſons, that then ſhall ſell or vtter Béere or Ale, as a common Tipler, or Alehouſe-keeper, the ſame perſon not hauing any Licence then in force to ſell Ale or Béere, other than for the conuenient vſe and expence of his, her, or their houſhold only, vpon paine to forfeit for euery barrell ſold, vttered or deliuered contrary to the forme and true meaning of this Act, the ſumme of ſixe ſhillings eight pence, and ſo after that rate for a greater or leſſer quantity.

The abuſes of Alehouſes intolerable.

None ſhall ſell Ale or Béere to an Alehouſe keeper not hauing licence, but for the expence of his houſhold.

And be it further enacted by the authority aforeſayd, That all Offences to bee done, or committed, contrary to the true meaning of this Act, and all penalties aforeſayd, ſhall be enquired of, ſued for, heard and determined in the Seſſions of the Peace for the County, Citie or Borough, Towne, or Libertie, or in the Court of Record of the Citie, Borough, Towne, or Libertie, wherein ſuch offence ſhall bee committed, by Action of Debt, Information, Inditement, or Preſentment, wherein no Eſſoine, Protection, or Wager of Law ſhall be allowed to the Defendant: And the one halfe of all which forfeitures ſhall bee to the vſe of the poore people inhabiting within the Citie, Borough, Hundred, Towne, or Liberty, where ſuch offence ſhall be committed from time to time, and the other halfe thereof to him or them that will ſue for the ſame.

In what Courts the offences aforeſaid ſhalbe heard and determined.

Who ſhall haue the forf.

And to the end that the ſayd one halfe of the ſayd forfeitures aboue limited to bee to the vſe of the ſayd poore people, may bée truely imployed and beſtowed vpon them, according to the true meaning of this Act, Be it further enacted, That the Sheriffe, Bayliffe, or other Officer or perſon that ſhall leuie or receiue any ſumme or ſummes of money forfeited and recouered according to the true meaning of this Act, ſhall and may by vertue of this Act, without further warrant, deliuer the one halfe of the ſame ſumme and ſummes of money, by him or them ſo leuied or receiued, to ſome one or more of the Church-wardens and Ouerſéers of the poore of the ſame Pariſh where the ſame offence ſhall be committed, to bée by them and euery of them diſtributed and beſtowed amongſt the ſayd poore people, according to the true meaning of this Act, who ſhall likewiſe haue authority by vertue of this Acte to diſtribute and beſtow the ſame accordingly.

The poores halfe of the forf. ſhalbe deliuered to the Ouerſeers.

And be it further enacted, That euery Sheriffe, Bayliffe, and other Officer and perſon which ſhall leuie or receiue any ſuch forfeiture or forfeitures aforeſayd, and ſhall pay ouer the moity and one halfe thereof, according to the true meaning of this Act, ſhall bee thereof diſcharged againſt the Kings Maieſty his heires and ſucceſſors.

The officers paying the moity to the Ouerſeers ſhalbe diſcharged thereof.

And bee it further enacted, That if any Sheriffe, Bayliffe, or other Officer or perſon ſhall refuſe to pay ouer the moity and one halfe of the ſayd money by him or them leuyed or receiued, or that the ſaid Church-wardens and Ouerſéers, to whom the ſaid money ſhall be ſo payed, ſhall not from time to time within conuenient time truely diſtribute and beſtow the ſame to and amongſt the poore people, according to the true meaning of this Act, That then euery perſon ſo offending, ſhall forfeit double the value thereof, to be recouered and imployed as aforeſayd.

The penalty for not diſtributing the mony receiued to the poore

Cap. V.

The penalty of a Drunkard, and of him that continueth drinking in an Alehouſe.

WHereas the loathſome and odious ſinne of Drunkenneſſe is of late growne into common vſe within this Realme, being the roote and foundation of many other enormious ſinnes, as Bloodſhed, Stabbing, Murder, Swearing, Fornication, Adultery, and ſuch like, to the great diſhonour of God, and of our Nation, the ouerthrow of many good Arts and manuall Trades, the diſabling of diuers Workmen, and the generall impoueriſhing of many good Subiects, abuſiuely waſting the good creatures of God:

Drunkenneſſe the foundation of many other ſins, & the cauſe of ſeuerall enormities.

Be it therefore enacted by the Kings moſt excellent Maieſty, the Lords Spirituall and Temporall, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and euery perſon or perſons, which after forty dayes next following the end of this

preſent

in any of his Maieſties Courts of Record at Weſtminſter, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoigne, Protection, or Wager of Law ſhall be allowed, And his Maieſtie, his Heires and Succeſſors ſhall haue the other moitie.

Duties and Payments for a broad Woollen Cloth.

And foraſmuch as of late it hath béene reputed, That a broad Woollen cloth ſhould and ought to conſiſt of foure and twentie ſuch yards and ynches as aforeſaid, and not aboue, and Payments and other Duties haue béene accordingly demanded, and paid for the ſame: Be it therefore enacted by the authority aforeſaid, That if any broad Woollen cloth be made longer or ſhorter than foure and twentie ſuch ſaid yards and ynches, all Duties and Payments hereafter to be paid for the ſame, ſhall be demanded and made proportionable, according to the rate and proportion of foure and twentie ſuch ſaid yards and ynches for a whole Cloth, and not otherwiſe.

Euery Clothier may make any kind of woollen Cloth.

And whereas by this and diuers other Statutes concerning Draperie and Clothing, it is enacted, That all and euery Broad Cloth and Clothes, which ſhall be made in Kent and Suſſex, or at the Towne of Reading, or elſe-where of like making, ſhall be of a certaine length, breadth, and weight, in this or other the ſaid Statutes expreſſed and limited, As in like ſort for Woollen clothes moſt vſually made in ſome other counties, or Townes, are &c. ſpecially and particularly named in this and other the ſaid Statutes, And after followe theſe words (or elſe-where of like Making) importing, that it ſhould be lawfull for any Clothier, of whatſoeuer Towne or countie within this Realme, to make cloth of like Making, And accordingly the ſame hath heretofore béene put in vre: Yet foraſmuch as of late ſome doubt hath thereupon riſen, Be it therefore explained and enacted, That it is and ſhall be lawfull for euery Clothier, of what Towne or countie ſoeuer within this Realme, where clothing hath heretofore béene vſed, to make, or cauſe to be made, any true Woollen cloth, of what name, nature, or maner of making ſoeuer the ſame be, Albeit the ſame kind of Woollen cloth do beare ſpecially the name of ſome other countie, citie, or towne within this Realme. This Act to continue vntill the end of the firſt Seſſion of the next Parliament.

The continuance of this Act.

The Kings duties and his Officers reſerued.

Cloth once lawfully ſearched and ſealed, ſhall not be ſearched or ſealed againe.

Prouided alwayes, and be it enacted by the authority aforeſaid, That neither this Act, nor any thing therein contained, ſhall extend to abridge or diminiſh any Cuſtomes or Duties appertaining to our Soueraigne Lord the Kings Maieſtie, his Heires or Succeſſors, or to any his Officers, or Miniſters, for the Searching, Meaſuring, or Sealing any the clothes before mentioned, Nor to hurt or preiudice the lawfull Fées due or belonging to his Maieſties Aulneger, Or to hurt or preiudice the lawfull vſe and exerciſe of the Office of Aulneger: So, as after any cloth once lawfully Searched, and lawfully Sealed, the ſame be not compelled to be further Viewed, Searched, Meaſured, or Sealed. St. 21. Iac. 18. & 28. 3. Car. 4.

Cap. III.

Certaine Caſes wherein the Defendant ſhall recouer Coſts againſt the Plaintiffe.

Caſes wherein by the Statute made 23. H. 8. 15. the Defendant ſhall recouer his Coſts.

Whereas in the thrée and twentieth yeare of King Henry the eighth of famous memorie, a good and profitable Law was made, whereby it was enacted, That in Caſes where the Plaintiffe in any Action, Bill, or Plaint of Debt, Treſpaſſe vpon the Caſe, Detinue, Account, and in ſome other Actions therein eſpecially mentioned, ſhould become Nonſuite, or a Verdict ſhould be had againſt the ſaid Plaintiffe, That then in ſuch Caſes the Defendant ſhould haue Iudgement to recouer his coſts, againſt euery ſuch Plaintiffe, as by the ſaid Law appeareth: Which Law hath béene found to be very good and beneficiall for the Common-wealth, and thereby many haue béene diſcouraged from bringing friuolous and vniuſt Suites, becauſe ſuch parties are to make recompence to the parties vniuſtly vexed, for the ſaid vniuſt vexations.

Generall caſes wherein the Defendant ſhall recouer his Coſts againſt the Plaintiffe. St. 8. Eliz. 2.

And foraſmuch as Actions of Treſpaſſe, and Actions of Ejectione firmæ, and many other Actions Reall and Perſonall, are within the ſame miſchiefe, as the ſaid other Actions were at the Common Law, and yet were omitted out of the Prouiſion of the ſaid Law: For remedie whereof, Be it enacted by the Kings moſt excellent Maieſtie, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons at any time after the end of this preſent Seſſion of Parliament ſhall commence or ſue in any Court of Record, or in any other Court, any Action, Bill, or Plaint of Treſpaſſe, or Ejectione firmæ, or any other Action whatſoeuer, wherein the Plaintiffe or Demandant might haue Coſts (if in caſe Iudgement ſhould be giuen for him) And the Plaintiffe or Plaintiffes, Demandant or Demandants, in any ſuch Action, Bill, or Plaint, after appearance of the Defendant or Defendants, be Nonſuited, or that any Verdict happen to paſſe by any lawfull Tryall againſt the Plaintiffe or Plaintiffes, Demandant or Demandants, in any ſuch Action, Bill, or Plaint, then the Defendant and Defendants, in euery ſuch Action, Bill, or Plaint, ſhall haue Iudgement, to recouer his coſts againſt euery ſuch Plaintiffe and Plaintiffes, Demandant and Demandants, to be aſſeſſed, taxed, and leuied in maner and forme, as coſts in the ſaid Actions are to be aſſeſſed, taxed, and leuied in and by the ſaid Law of the thrée and twentieth yeare of King Henry the eighth. Coke pla. fol. 29.

Cap. IIII.

In what caſe only Ale or Beere may be ſold to an Alehouſe-keeper hauing no Licence.

FOr the better repreſſing of Alehouſes, whereof the multitudes and abuſes haue béene and are found intolerable, and ſtill doe and are like to increaſe, Be it enacted by the Kings moſt excellent Maieſty, and the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That no perſon or perſons, by himſelfe, or by any other wayes or meanes, directly or indirectly, ſhall at any time after thrée moneths next after the end of this preſent Seſſion of Parliament, ſell, vtter, or deliuer, or cauſe to be ſold, vttered, or deliuered any Béere or Ale, to any perſon or perſons, or into the houſe or cellar of any perſon or perſons, that then ſhall ſell or vtter Béere or Ale, as a common Tipler, or Alehouſe-kéeper, the ſame perſon not hauing any Licence then in force to ſell Ale or Béere, other than for the conuenient vſe and expence of his, her, or their houſhold only, vpon paine to forfeit for euery barrell ſold, vttered or deliuered contrary to the forme and true meaning of this Act, the ſumme of ſixe ſhillings eight pence, and ſo after that rate for a greater or leſſer quantity.

The abuſes of Alehouſes intolerable.

None ſhall ſell Ale or Béere to an Alehouſekeeper not hauing licence, but for the expence of his houſhold.

And be it further enacted by the authority aforeſayd, That all Offences to bee done, or committed, contrary to the true meaning of this Act, and all penalties aforeſayd, ſhall be enquired of, ſued for, heard and determined in the Seſſions of the Peace for the County, Citie or Borough, Towne, or Libertie, or in the Court of Record of the Citie, Borough, Towne, or Libertie, wherein ſuch offence ſhall bee committed, by Action of Debt, Information, Inditement, or Preſentment, wherein no Eſſoine, Protection, or Wager of Law ſhall be allowed to the Defendant: And the one halfe of all which forfeitures ſhall bee to the vſe of the poore people inhabiting within the Citie, Borough, Hundred, Towne, or Liberty, where ſuch offence ſhall be committed from time to time, and the other halfe thereof to him or them that will ſue for the ſame.

In what Courts the offences aforeſaid ſhalbe heard and determined.

Who ſhall haue the forf.

And to the end that the ſayd one halfe of the ſayd forfeitures aboue limited to bee to the vſe of the ſayd poore people, may bée truely imployed and beſtowed vpon them, according to the true meaning of this Act, Be it further enacted, That the Sheriffe, Bayliffe, or other Officer or perſon that ſhall leuie or receiue any ſumme or ſummes of money forfeited and recouered according to the true meaning of this Act, ſhall and may by vertue of this Act, without further warrant, deliuer the one halfe of the ſame ſumme and ſummes of money, by him or them ſo leuied or receiued, to ſome one or more of the Church-wardens and Ouerſéers of the poore of the ſame Pariſh where the ſame offence ſhall be committed, to bée by them and euery of them diſtributed and beſtowed amongſt the ſayd poore people, according to the true meaning of this Act, who ſhall likewiſe haue authority by vertue of this Acte to diſtribute and beſtow the ſame accordingly.

The poores halfe of the forf. ſhalbe deliuered to the Ouerſeers.

And be it further enacted, That euery Sheriffe, Bayliffe, and other Officer and perſon which ſhall leuie or receiue any ſuch forfeiture or forfeitures aforeſayd, and ſhall pay ouer the moity and one halfe thereof, according to the true meaning of this Act, ſhall bee thereof diſcharged againſt the Kings Maieſty his heires and ſucceſſors.

The officer paying the moity to the Ouerſeers ſhalbe diſcharged thereof.

And bee it further enacted, That if any Sheriffe, Bayliffe, or other Officer or perſon ſhall refuſe to pay ouer the moity and one halfe of the ſayd money by him or them leuyed or receiued, or that the ſaid Church-wardens and Ouerſéers, to whom the ſaid money ſhall be ſo payed, ſhall not from time to time within conuenient time truely diſtribute and beſtow the ſame to and amongſt the poore people, according to the true meaning of this Act, That then euery perſon ſo offending, ſhall forfeit double the value thereof, to be recouered and imployed as aforeſayd.

The penalty for not diſtributing the mony receiued to the poore

Cap. V.

The penalty of a Drunkard, and of him that continueth drinking in an Alehouſe.

WHereas the loathſome and odious ſinne of Drunkenneſſe is of late growne into common vſe within this Realme, being the roote and foundation of many other enormious ſinnes, as Bloodſhed, Stabbing, Murder, Swearing, Fornication, Adultery, and ſuch like, to the great diſhonour of God, and of our Nation, the ouerthrow of many good Arts and manuall Trades, the diſabling of diuers Workmen, and the generall impoueriſhing of many good Subiects, abuſiuely waſting the good creatures of God:

Drunkenneſſe the foundation of many other ſins, & the cauſe of generall enormities.

Be it therefore enacted by the Kings moſt excellent Maieſty, the Lords Spirituall and Temporall, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and euery perſon or perſons, which after forty dayes next following the end of this

preſent

the forf. of him that is conuicted of Drunkenneſſe. 7.Iac 10. 21.Iac 7.

The penalty for refuſing or being not able to pay the forfeiture.

preſent Seſſion of Parliament, ſhall be drunke, and of the ſame offence of Drunkenneſſe ſhall bee lawfully conuicted, ſhall for euery ſuch offence forfeit and loſe fiue ſhillings of lawfull money of England, to bee payed within one weeke next after his, her, or their conuiction thereof, to the hands of the Church-wardens of that Pariſh where the offence ſhall bee committed, who ſhall bee accomptable therefore to the vſe of the poore of the ſame Pariſh. And if the ſayd perſon or perſons ſo conuicted, ſhall refuſe or neglect to pay the ſayd forfeiture as aforeſayd, then the ſame ſhall bee from time to time leuyed of the goods of euery ſuch perſon or perſons, ſo refuſing or neglecting to pay the ſame, by Warrant or Precept from the ſame Court, Judge, or Juſtices, before whom the ſame Conuiction ſhall bee. And if the Offendor or Offendors bee not able to pay the ſayd ſumme of fiue ſhillings, Then the Offendor or Offendors ſhall bee committed to the Stockes, for euery Offence, there to remaine by the ſpace of ſixe houres.

The forfeiture of an inferior Officer, that doth neglect to doe his dutie.

And be in further enacted by the Authoritie aforeſayd, That if any Conſtable, or any other inferiour Officer of that Pariſh or place where the Offence ſhall bee committed, to whom that ſhall bee giuen in charge by the Precept of any Mayor, Bayliffe, other head Officer, or Juſtices of the Peace within their ſeuerall Limits, doe neglect the due correction of the ſaid Offendor, or the due leuying of the ſayd Penalties, where Diſtreſſe may bee had, Then euery perſon ſo offending, ſhall forfeit the ſumme of tenne ſhillings of currant Money of England, to the vſe of the poore of the ſame Pariſh, or place where the offence ſhall bee committed, to bee leuyed by way of Diſtreſſe by any other perſon or perſons, hauing Warrant from any Mayor, Bayliffe, or other head Officer, Juſtices of Peace, or Court, where any ſuch Conuiction ſhall bee, And to be payed to the Church-wardens as before limited, who are alſo to accompt for the ſame to the vſe aforeſayd.

The penalty for continuing drinking in an Alehouſe, &c. 7.Iac 10. 1 Car. 4. 1.Iac.9.

And be it further enacted by the Authoritie aforeſayd, That if any perſon or perſons within this Realme of England, or the Dominions of Wales, ſhall remaine or continue Drinking or Tipling in any Inne, Victualling houſe, or Alehouſe, being in the ſame Citie, Towne, Village, or Hamlet, wherein the ſayd perſon or perſons (ſo remaining Drinking or Tipling) doth dwell and inhabite at the time of ſuch Drinking and Tipling, And the ſame being viewed and ſeene by any Mayor, or other head Officer, Juſtice or Juſtices of Peace within their ſeuerall Limits, or duely proued in ſuch manner and forme as is limited in and by one Act of Parliament, made in the firſt Seſſion of this preſent Parliament, intituled, An Act to reſtraine the inordinate Haunting and Tipling in Innes, Alehouſes, and other Victualling houſes, vnleſſe it be in ſuch caſe or caſes, as be tolerated or excepted in the ſayd Act, That then euery perſon or perſons ſo offending, ſhall forfeit and loſe for euery ſuch Offence the ſumme of three ſhillings and foure pence, of currant Money of England, to the vſe of the poore of the Pariſh where the ſayd Offence ſhall be committed, to bee leuyed by way of Diſtreſſe, in ſuch manner and forme as is before appointed by this Act, for the leuying of the penalty of fiue ſhillings for being drunke. And if it happen, that any Offendor or Offendors, againſt the true intent of this Clauſe or Branch, being thereof lawfully conuicted, bee not able to pay the ſayd forfeiture or forfeitures, Then it ſhall and may be lawfull for any Mayor, Bayliffe, or other head Officer, Juſtice or Juſtices of Peace, or Court, where any ſuch Conuiction ſhall bee, to puniſh the ſayd Offendor or Offendors by ſetting him, her, or them in the Stockes for euery ſuch Offence, by the ſpace of foure houres.

Which Officers ſhall inquire of and puniſh the offences committed againſt this Statute, & the ſtat. of 1.Iac.9.

For the more due execution of this Statute, and for the better and more due proceeding againſt ſuch Offendors, all Offences of Drunkenneſſe, and of exceſſe and vnmeaſurable Drinking, Bee it further enacted by the Authority of this preſent Parliament, That all the Offences in this Act, and in the ſayd former Act mentioned, ſhall be from time to time diligently enquired of, and preſented before the Juſtices of Aſſiſes in their Circuit, Juſtices of the Peace in their Quarter or Ordinarie Seſſions, and before the Mayors, Bayliffes, or other head Officers of euery Citie or Towne corporate, who haue power to enquire of Treſpaſſes, Ryots, Routs, Forces, and ſuch like Offences, and in euery Court Leete, and thereupon ſuch due proceeding ſhall be againſt the Offendor and Offendors, for their due Conuiction in that behalfe, as in ſuch like caſes, vpon any Indictment or Preſentment, is vſed by the Lawes of the Realme, or Cuſtomes of the Citie, Towne, or place where ſuch Preſentment or Indictment ſhall be enquired of and found.

He that is the ſecond time conuict of Drunkenneſſe, ſhall be bound to his good behauior. 21.Iac. 7.

And it is further enacted by the Authority aforeſayd, That if any perſon or perſons being once lawfully conuicted, of the ſayd Offence of Drunkenneſſe, ſhall after that bee againe lawfully conuicted of the like Offence of Drunkenneſſe, That then euery perſon and perſons ſo ſecondly conuicted of the ſayd Offence of Drunkenneſſe, ſhall bee bounden with two Sureties to our Soueraigne Lord the Kings Maieſtie, his Heires and Succeſſors, in one Recogniſance or Obligation of tenne pounds, with Conditions, to be from thenceforth of good behauiour.

Which Officers ſhall preſent the offenders aforeſaid.

Bee it further enacted by the authority aforeſayd, That all Conſtables, Church-wardens, Headboroughes, Tythingmen, Alecunners, and Sidemen, ſhall in their ſeuerall Oathes, incident vent to their ſeuerall Offices, be charged in like ſort to preſent the Offences contrary to this Statute.

Prouided alwaies, that this Act or any thing therein contained, doe not in any wiſe abridge or reſtraine the Eccleſiaſticall power or Iuriſdiction, but that all Ordinaries, and other Eccleſiaſticall Iudges and Officers ſhall and may procéed to enquire of, cenſure, and puniſh all ſuch Offendors, according to the Eccleſiaſticall Lawes of this Realme, in ſuch manner and forme, as before they lawfully might doe, Any thing in this Act to the contrary notwithſtanding.

No reſtraint of Eccleſiaſticall Iuriſdiction.

Prouided alſo, That when any of the offendors againſt the true intent of this Act, or any Branch or Article thereof, hath beene once puniſhed or corrected for his or her offence, by any the wayes and meanes before limited, That then the ſayd offendor ſhall not bée eftſoones puniſhed or corrected for the ſame offence by any other wayes or meanes.

There ſhalbe but one puniſhment for one offence.

Prouided alwaies, That this Act, or any thing therein contained, ſhall not bée preiudiciall to either of the two Vniuerſities of this Land, But that the Chancellor, Maſters and Schollers, and the ſucceſſors of them, and either of them, may as fully vſe and enioy all their Iuriſdictions, Rights, Priuiledges, and Charters, as heretofore they haue, or might haue done: Any thing in this Act to the contrary notwithſtanding.

The liberties of the Vniuerſities ſhall not be preiudiced.

Prouided alwaies, That no perſon or perſons ſhall bée puniſhed, impeached, or moleſted for any offence mentioned in this Statute, vnleſſe he ſhall be for the ſame offence preſented, indicted, or conuicted within fiue moneths after ſuch offence committed. This Act to continue vntill the end of the firſt Seſſion of the next Parliament. 21. Iac. 7. made perpetuall.

Within what time an offendor ſhall be preſented.

The continuance of this Act.

Cap. VI.

In what caſes Sheepe-skins may be bought and ſold vnſearched or vnſealed.
No Leather ſhall be ſold by weight.

Whereas by the ſame Statute it plainely appeareth, That the intent and meaning thereof was to make voyd all former Statutes made concerning Tanners, Curriers, Shoomakers, and other Artificers occupying the cutting of Leather, and to comprehend in one Statute all things mentioned in the ſame former Lawes néedfull to bee enacted concerning Tanners, Curriers, Shoomakers, and other Artificers, occupying the cutting of Leather: And for that in diuers Branches of the ſayd late Statute, touching the ſealing of Leather, amongſt many other kinds of tanned Leather therein particularly named to be ſealed, a Rate is ſet downe to be payed for ſealing of Shéepe-ſkinnes, as if Shéepe-ſkinnes had béene by the intent of the former Lawes vſually ſealed, whereas in truth, Shéepe-ſkinnes are not méete to be ſealed, nor were at any time appointed or limited by any former Law to be ſealed, becauſe the ſealing of them is a fruitleſſe charge, tending to the great hurt and loſſe to many thouſand poore men, and for the good of none, but onely for the gaine of the Sealer thereof.

The intent of the ſtat. made 1. Iac. 22.

Sheepe-ſkins haue not bin appointed by any law to be ſealed.

For reformation whereof, Be it enacted by our Soueraigne Lord the Kings Maieſty, and by the Lords Spirituall and Temporall, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That no perſon or perſons ſhall at any time hereafter incurre any penalty, loſſe, or forfeiture, for houſing, ſelling or buying of any tanned Shéepe-ſkinnes vnſearched or vnſealed, ſo as the ſayd Shéepe-ſkinnes vnſearched and vnſealed, ſhall bée wrought and conuerted into made Wares within this Realme of England: Any thing in the ſayd Statute to the contrary notwithſtanding.

There ſhalbe no penalty for houſing, buying or ſelling Sheep-ſkins vnſealed.

And where ſince the making of the ſayd Statute, his Maieſties ſubiects haue béene much deceiued and abuſed, by ſelling of tanned Leather by weight, the ſaid Leather being neither ſufficiently tanned, nor throughly dryed, as it ought to be, and before time was wont to be: Be it therefore further enacted by the authority aforeſayd, That no perſon or perſons after the end of this preſent Seſſion of Parliament ſhall vtter or ſell, or cauſe to bée vttered or ſold by weight any kinde of tanned Leather, whatſoeuer, vpon paine of forfeiture of the ſayd Leather ſo vttered and ſold: The ſayd Leather, or the value thereof, to bée recouered in any of the Kings Maieſties Courts of Record, by Action of Debt, Bill, Plaint, or Information, wherein no wager of Law, Eſſoine, or Protection ſhall lye or bée allowed, The one moity of the ſayd forfeiture to bée vnto the King, our Soueraigne Lord, his heires and ſucceſſors, and the other moity vnto ſuch perſon or perſons as ſhall ſue for the ſame.

No tanned Leather ſhall be ſold by weight.

Cap. VII.

An Act for the incorporating of the Grammer Schoole in Northleech in the County of Glouceſter.

Humbly beſéech your Maieſty, your loyall and dutifull ſubiects, the Inhabitants of your Highneſſe Towne of Northléech in the County of Glouceſter, That whereas Hugh Weſtwood, Hugh Weſtwood was ſeiſed of the Parſonage impropriate of Chedworth, of the Patronage of the Vicarage, &c.

Hugh Weſtwoods will, dated 1. Maii, Anno 1. Eliz.

The intent of the Will.

The Nomination of the Schoole-maſter.

who ſhall decide the doubts.

A Schoole-houſe prouided by the inhabitants of Northleech.

Thomas Apparry ſuruiuing feoffee, ſought to defraud the truſt by making of a Leaſe.

The heire of the Deuiſor entred ſéeking to auoyd the will.

A Bill exhibited into the Chancery by the Schoole-maſter and inhabitants.

The Lord Chancellors Letter to the Iuſtices of Aſſiſe.

The Iuſtices of Aſſiſe certificate into the Chancery.

The Iuſtices certificate cōfirmed in the Chancery.

wood, late of Chedworth in the ſayd County of Glouceſter Eſquire deceaſed, was in his life time ſeiſed in his Demeſne, as of Fée, of and in the Rectory and Parſonage impropriate of Chedworth aforeſayd, whereunto the Aduowſon, Patronage, and right of Preſentation of the Vicarage of Chedworth aforeſayd, then was, and yet is appendant and belonging, and of and in all and all manner of Glebe Lands, Tenthes, Tythes, Penſions, Portions, Oblations, Obuentions, Profits, Commodities, and Hereditaments, with the appurtenances, of whatſoeuer nature, kinde, or degrée they bee in Chedworth aforeſayd, or elſewhere to the ſayd Rectorie or Parſonage of Chedworth belonging or appertaining, and of and in one Meſſuage or Tenement, and one Cloſe and two yards land and a halfe, with the appurtenances in Chedworth aforeſayd, late in the occupation of one Iames Griffith: and ſo ſeized as aforeſayd, by his laſt Will and Teſtament in Writing made, and bearing date the firſt day of May, in the firſt yeare of the Reigne of our late Soueraigne Lady Quéene Elizabeth, did amongſt other things, giue, will, deuiſe, and bequeath all and euery the ſayd Parſonage and premiſſes, with the appurtenances, vnto the Right Honourable Edmund then Lord Chandes, Sir Giles Poole Knight, Sir Thomas Throgmorton Knight, Sir Nicholas Arnolde Knight, William Repe, Walter Baskeruile, and Henry Hodgkins Eſquires, Thomas Marſhall, Thomas Watſon, William Partridge Gentlemen, Thomas Apparry and Hugh Ratcliffe Yeomen, and to their heires and aſſignes for euer, to the onely vſe and intent, That the ſayd Deuiſees their heires and aſſignes, by and with the profites of the premiſſes, ſhould found, erect, and maintaine one Frée Grammar Schoole for euer in the ſaid Towne of Northléech: By which Will, the Nominations of the Schoolmaſter of the ſayd Schoole was appointed vnto the heires of the ſayd Deuiſor, And alſo the Determinations of all the Doubts and Ambiguities that might ariſe touching the ſayd Will, was referred to the Iuſtices of Aſſiſe of the ſayd County for the time being, to the end the ſame might bee by them compoſed, without any Controuerſie in Law. And ſhortly after the ſayd Deuiſor dyed, after whoſe deceaſe the ſayd Deuiſées entred, and were of the ſayd premiſſes ſeized, by vertue of the ſayd Will: And the Inhabitants of the ſayd Towne of Northléech, according to the direction of the ſame Will, purchaſed and procured to bée conueyed in Fée, to ſome of themſelues, and other Gentlemen of the Countrey, as Feoffées in truſt for the ſayd Schoole, a conuenient Houſe, Garden, Backſide, and little Cloſe, to bée the Schoole-houſe and Habitation of the Schoole-maſter: After which all the ſayd Deuiſées, but the ſayd Thomas Apparrie, dyed, And hée ſuruiuing all the reſt of the ſayd Deuiſées, and being by vertue of Suruiuor, ſolely ſeized of the ſayd Parſonage, and other deuiſed premiſſes, ſought to defraud the ſayd truſt in him repoſed, by making a Leaſe of the ſayd Parſonage, and other the premiſſes, to one of his Sonnes, for a very ſmall Rent, and by conueying the Reuerſion and Inheritance thereof to one other of his Sonnes. And alſo Robert Weſtwood now likewiſe deceaſed, then Couſin and Heire of the ſayd Deuiſor, did enter vpon the ſayd Parſonage and premiſſes deuiſed, challenging the ſame as Heire vnto the ſayd Deuiſor, and ſéeking to impeach the ſayd Will, which tended to the vtter ouerthrow of the ſayd charitable and godly intent of the ſayd Deuiſor: Whereupon the then Schoole-maſter and the Inhabitants of Northléech aforeſayd, exhibited their Bill of Complaint into the High Court of Chancery: And Sir Chriſtopher Hatton Knight, the then Lord Chancellour of England, being informed of the intent and purport of the ſayd Will, whereby all Controuerſies thereupon growing, were referred to the Iuſtices of Aſſiſe of the ſayd Countie of Glouceſter, directed his Letters to Sir Roger Manwood Knight, Lord chiefe Barron of the Exchequer, and Francis Windham, one of the Iuſtices of the Common Pleas, then Iuſtices of Aſſiſe of the ſayd County, for the hearing and finall ordering of the ſayd Cauſe, to the end that what they ſhould thinke fit, ſhould ſtand and be taken as an Order of the ſayd Court in that behalfe: Who, vpon mature and deliberate hearing and conſideration of the ſayd Cauſe, thought fit, and ſo certified into the ſayd Court, That the ſayd Schoole ſhould be incorporated, and that the ſaid Parſonage and premiſſes ſhould be conueyed to the ſaid Schoole-maſter and his ſucceſſors: And that the Prouoſt and Schollars of the Quéenes Colledge in the Vniuerſity of Oxford, ſhould name, order, viſite, and diſplace the Schoole-maſter of the ſaid Schoole, and his ſucceſſors, for the time being: And that the reformations of all abuſes, either in the ſaid Colledge or Schoole-maſter, ſhould bée referred to the Iuſtices of Aſſiſe of the ſayd County for the time being, or one of them: Which ſaid opinion and direction of the ſaid Iuſtices of Aſſiſe, was accordingly ordered by the ſaid Lord Chancellor and high Court of Chancery, and after directed to Sir Iohn Puckering Knight, then Lord Kéeper of the great Seale, and ſince confirmed by the Right Honourable Sir Thomas Egerton Knight, Lord Elleſmere, now Lord Chancellor of England, then Lord Kéeper of the great Seale.

It may therefore pleaſe your Maieſty, that it may bée enacted by your Highneſſe, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and be it enacted by the authority of the ſame, that the ſayd Schoole of Northléech, ſhall from henceforth ſtand and be incorporated, eſtabliſhed, and founded in name, and in déede, a bodie Politike and Corporate, to haue continuance for euer by the name of the Schoole-maſter, and Vſher of the frée

Grammer Schoole of Hugh Weſtwood Eſquire in the Towne of Northleech, and by that name ſhall haue, hold and enioy all and euery the ſayd Parſonage and premiſſes, Yards, Lands, Meſſuages, Tenements and Hereditaments, with the appurtenances intended by the ſaid Hugh Weſtwood, and by the ſayd Inhabitants to the ſayd Schoole (the Patronage of the Vicarage of Chedworth onely excepted) and the Reuerſion and Reuerſions of the ſame, and all and euery Rent and Rents reſerued in any Demiſe or Demiſees thereof, or thereupon made, the Statute of Mortmaine, or any other Law or Statutes, to the contrary in any wiſe notwithſtanding: And by the ſame name ſhall haue power, abilitie and capacitie to demiſe, leaſe, and grant their poſſeſſions and hereditaments, and to take, acquire and purchaſe, and to ſue, and to be ſued, and to doe, performe and execute all and euery other lawfull Act and thing, good, neceſſary or profitable for the ſayd incorporation in as full and ample manner to all intents, conſtructions and purpoſes, as any other Incorporations or bodie Politicke or Corporate, fully and perfectly founded and incorporated may doe. And that William Lickebarrow, Bachellor of Artes, and now Schoole-maſter of the ſayd Schoole, ſhall be the firſt Schoole-maſter of the ſayd Schoole, and that Iohn Stone Bachellor of Artes, ſhall be the firſt Vſher of the ſayd Schoole: And that they the ſayd William Lickebarrow, ſchoole-maſter of the ſayd ſchoole, and the ſaid Iohn Stone, Vſher of the ſayd ſchoole, and their ſucceſſors for the time being, ſhall haue a common ſeale for the making of ſuch their Demiſes & Leaſes, and for the doing of all and euery other thing aboueſaid, touching the ſayd incorporation, in which ſhall be ingrauen the Armes and Name of the ſayd Hugh Weſtwood.

The Schoole of Northleech incorporated to haue continuance for euer.

The name of the Coporation.

Authority to demiſe & purchaſe, & to ſue, and be ſued.

The firſt Schoole-maſter & the firſt Vſher.

The Corporation ſhall haue a cõmon Seale.

And that it may be further enacted, and be it further enacted by the authority aforeſayd, That the ſayd Prouoſt and ſchollers of the Queenes Colledge in the ſayd Vniuerſity of Oxford, and their ſucceſſors for the time being, ſhall haue full power and lawfull authority to nominate and appoint, and ſhall nominate and appoint from time to time, when and as often as the place of ſchoole-maſter of the ſayd ſchoole by death, Reſignation, Depriuation, or otherwiſe, ſhall become voyd, and within one moneth after ſuch voydance, by writing vnder their Common and Colledge Seale, one learned and meet man, being a Graduat of the Vniuerſity of Oxford, to be ſchoole-maſter of the ſayd ſchoole.

Who ſhall appoint the Schoole maſter.

And in caſe the ſayd Prouoſt and ſchollers ſhall not within one moneth after ſuch voydance, make ſuch nomination and appointment as aforeſayd: That then and ſo often the Iuſtices of Aſſiſe of the ſayd County for the time being, within one moneth after ſuch default, ſhall and may by writing vnder their hands and ſeales, nominate and appoint ſome meet and learned man, being a Graduat, as aforeſayd, to the place of ſchoole-maſter of the ſayd ſchoole.

In default of the Prouoſt, &c. the Iuſtices of Aſſiſe ſhall appoint the Schoole-maſter.

And that it may be further enacted, and be it further enacted by the authority aforeſayd, That the ſayd Prouoſt and ſchollers of the ſayd Colledge for the time being, ſhall and may from time to time nominate and appoint ſome learned and meete man, hauing beene trained vp in the ſayd Vniuerſity of Oxford to be Vſher of the ſayd ſchoole, when and as often as the ſame ſhall become voyd, by death, Depriuation, Reſignation or otherwiſe.

Nomination of the Vſher.

And in caſe the ſayd Prouoſt and ſchollers ſhall not within one moneth after the voydance of the place of Vſher, nominate and appoint ſome other ſuch fit perſon thereunto, that then the ſayd Iuſtices of Aſſiſe for the time being, ſhall and may nominate and appoint ſome meete man, trained vp in the Vniuerſity, as aforeſayd, to be Vſher of the ſayd Schoole.

And that it may be further enacted, and be it further enacted by the authority aforeſayd, that the ſayd Prouoſt and ſchollers, for the time being, ſhall haue power and authority vnder their Colledge Seale, to ſet downe and preſcribe ſuch Orders, Rules, Statutes and Ordinances for the Order, Rule and good Gouernement of the ſayd ſchoole, and of the ſchoole-maſters, Vſhers, and Schollers thereof, as to them the ſayd Prouoſt and Schollers and their Succeſſors, ſhall ſeeme meete and conuenient. And that the ſame Orders, Rules, Statutes and Ordinances ſo by them made and ſet downe, ſhall be and ſtand in full force and ſtrength in Law, ſo alwayes that the ſame be not repugnant, nor contrary to the Kings Prerogatiue Royall, nor to the Lawes and Statutes of this Realme of England, nor to any Eccleſiaſticall Canons or Conſtitutions of the Church of England: And that the ſayd Prouoſt and Schollers for the time being, ſhall haue full power and authority to viſite the ſayd Schoole, and to order, reforme and redreſſe all diſorders and abuſes, in and touching the Gouernement of the ſame, and further to cenſure, ſuſpend and depriue the Schoole-maſters and Vſhers of the ſayd Schoole for the time being, as to them ſhall ſeeme iuſt, fit, and conuenient; So alwayes that no viſitation, Act, or thing, in, or touching the ſame, be had or done otherwiſe than by the Prouoſt himſelfe and one of the Fellowes, or by two of the Fellowes at the leaſt of the ſayd Colledge thereunto authorized vnder the ſayd Colledge Seale.

Who ſhall ſet down the Orders, Rules & Statutes of the Schoole.

The Viſitors of the ſchoole.

And that it may be further enacted, and be it further enacted by the authority aforeſayd, that if any difference, controuerſie, or debate touching the premiſſes at any time hereafter ſhall happen to ariſe betweene the ſayd Prouoſt and Schollers of the ſaid Colledge, and the ſaid Schoole-maſter and Vſher for the time being, or eyther of them, or if the Inhabitants of the ſayd Towne of Northleech ſhall finde themſelues grieued, that the intent of the ſayd Deniſor is not obſerued

in

Controuerſies ſhalbe decided by the Iu. of Aſſiſe.

in the free and diligent teaching of their children or otherwiſe, and ſhall not after complaint thereof made to the ſayd Prouoſt and Schollers find and receiue in fit time conuenient redreſſe therein, that then vpon the complaint of the ſayd Inhabitants, Schoole-maſter or Vſher, the Iuſtices of Aſſiſe of the ſayd Countie of Glouceſter for the time being, ſhall haue full power to call before them, both the parties grieued and the parties complained of, and vpon hearing of the ſayd Diſſentions, Controuerſies, and Complaints, to compoſe, decide, order, and determine the ſame, as to them in their iudgements and wiſedomes ſhall ſeeme iuſt and fit: and that ſuch order, deciſion, and determination of the ſayd Iuſtices of Aſſiſe ſet downe in writing vnder their hands and ſeales, ſhall ſtand and be obſerued.

Who ſhal haue the preſentation to the Vicarage of Chedworth.

And that it may be alſo enacted, and bee it enacted by the Authority aforeſayd, That the ſayd Prouoſt and Schollers for the time being, ſhall haue, hold, and enioy, to them and their Succeſſors for euer, the Aduowſon, Patronage, Preſentation, and free diſpoſition of the Vicarage and Church of Chedworth aforeſayd, and that they ſhall and may preſent their ſufficient Clerke vnto the ſayd Church and Vicarage, when and as often as the ſame ſhalbe become void by Death, Depriuation, Reſignation, or otherwiſe.

Which Leaſes to be made of the ſayd Parſonage, meſuage, &c. ſhalbe good, and which not.

Prouided alwayes, that all Leaſes, Graunts, Couenants, Conueyances, Aſſurances, and Eſtates whatſoeuer, to be had or made of the ſayd Parſonage and premiſſes, with the appurtenances, or of any part thereof, other than Leaſes for yeares, (whereupon ſhall be reſerued to the ſaid Schoole-maſter and Vſher of the ſayd Parſonage, with the appurtenances, ſo much in one entire or ſeuerall yearely Rent or Rents, vpon one or more demiſes, as ſhall amount to the ſumme of fifty pounds of lawfull Engliſh money, or more, and for the ſayd Meſſuage and Tenement, with the appurtenances, and other lands thereunto belonging, ſhall be reſerued ſo much in one entire or ſeuerall yearely Rent or Rents, vpon one or more demiſes, as ſhall amount to the ſumme of twenty ſixe ſhillings and eight pence of lawfull Engliſh money at the leaſt, the ſayd ſeuerall Rents to be payable at the foure vſuall Feaſts in the yeare, by equall and euen portions, that is to ſay, at the Annunciation of S. Mary the Virgin, the Natiuity of S. Iohn the Baptiſt, the Feaſt of S. Michaell the Archangell, and the Natiuity of our Lord, and whereunto the ſaid Prouoſt and Schollers ſhall vnder their Colledge Seale giue their conſent, allowance, or confirmation) ſhall be voyd, and of none effect in the Law.

The cauſes why Leaſes may be made for xxi. years, or three liues.

And that no Leaſes whatſoeuer hereafter to be made of the ſayd Parſonage, Tenement and premiſſes, or any part or parts thereof, other than one entire Leaſe, or ſeuerall Leaſes for the terme of one and twenty yeares, or three liues from the time of the making thereof, once onely to be made, before the Feaſt of the Annunciation of the bleſſed Virgin Mary, which ſhall bee in the yeare of our Lord God one thouſand ſixe hundreth and tenne, ſhall be good or effectuall any longer than ſuch Schoole-maſter as ſhall make ſuch Leaſe, ſhall continue Schoole-maſter there, which ſayd Leaſe or ſeuerall Leaſes for one and twenty yeares, or three liues, being therefore permitted to be made, that by fine thereupon ſomewhat may be leuyed towards the ſatisfaction and diſcharge of the ſumme of one hundreth and threeſcore pounds, agreed to bee payed to William Weſtwood Gentleman, ſonne and heire of the ſayd Robert Weſtwood, in lieu and recompence of and for the nominations of the ſayd ſchoole-maſter, and of and for all pretenced right to the premiſſes, and of other ſummes and charges, occaſioned for the perfecting of the ſayd Incorporation, and eſtabliſhment of the premiſſes, ſhall ſtand and be good and effectuall in the Law, Any thing in theſe preſents to the contrary thereof in any wiſe notwithſtanding: So alwayes that there be reſerued thereupon ſo much in yearely Rent or Rents at the leaſt as is aforeſayd, and that the Prouoſt and ſchollers aforeſayd, and their ſucceſſors for the time being, ſhall and may vnder their Colledge ſeale ordaine, ſet downe, and appoint how the Rents and Profites of the premiſſes ſhall bee proportioned, diuided, and diſtributed, to, among, and betweene the ſchoole-maſter and Vſher of the ſayd ſchoole for the time being, ſo as the whole Rent bee diſpoſed betweene them the ſayd ſchoole-maſter and Vſher of the ſayd ſchoole.

Who ſhall appoint how the rents ſhall be diuided.

The ſeuerall eſtates of ſeueral perſons reſerued.

Prouided alwayes, that this Act, nor any thing therein contained ſhall extend to defeate, fruſtrate, or make voyd one Leaſe of the ſayd Parſonage and premiſes, for the terme of diuers yeares, made to Iohn Stone and Thomas Hill, by Henry Lord Biſhop of Carlioll, Iohn Reynolds and Iohn Aglionby Doctors of Diuinity, then and yet Feoffees to the behoofe of the ſayd Schoole, whereupon is reſerued the yearely rent of fiftie pounds: nor to defeat, fruſtrate, or impeach one annuitie or yearely rent of thirty pounds by yeare, out of the premiſſes, ordered and decreed to Euſtace Apparry, ſonne of the ſaid Thomas Apparry, for the terme of his naturall life, and for two yeares after his deceaſe, in conſideration of his yeelding vp of his ſaid Leaſe, and conueyance of the ſaid Parſonage and premiſſes to the ſaid Feoffees, by the direction of the right Honourable the now Lord Chancellor of England, but that they the ſayd Iohn Stone and Thomas Hill, and the ſaid Euſtace Apparrie ſhall and may enioy the ſaid ſeuerall Intereſts and Eſtates, according to the purport and effect of the ſayd Leaſe, Order and Decree, as amply to all intents and purpoſes as if this Act had neuer beene made: Any thing in the premiſſes contained to the contrary in any wiſe notwithſtanding.

And ſauing to our Soueraigne Lord the Kings Maieſtie, his Heires and Succeſſors, and to all and euery other perſon and perſons, bodies politike and corporate, their heires and ſucceſſors (other than the ſeuerall heires of the ſaid Hugh Weſtwood, and of his ſaid Deuiſees, and other than all and euery other perſon and perſons, and their heires claiming any thing in the premiſſes, or any part thereof, by, from, or vnder the heires of the ſaid Hugh Weſtwood, or from, by, or vnder the ſaid Deuiſees) all ſuch Right, Title, Eſtate, Condition, Claime, Poſſeſſion, Rents, Seruices, Commons, Demands, Actions, Remedies, Recoueries, Intereſt, Profits, Commodities, Aduantages, and Demands whatſoeuer, which they or any of them ſhall or may haue, or of right ought to haue, of, in, or to the ſaid Parſonage, or any of the Lands, Tenements, and Hereditaments aforeſaid, or any part or parcell thereof, or iſſuing, or going out of the ſame, or any parcell thereof, as if this Act had neuer beene made. PR.

A ſauing of the right of all others, &c.

CAP. VIII.

The drowned Mariſhes of Leſnes and Fants in the Countie of Kent, may be inned from ouerflowing, by William Burrell.

FOr that the inning and winning of the Marſh grounds lying in the drowned Mariſhes of Leſnes and Fants in the Countie of Kent (which haue beene of long time paſt ſurrounded with waters flowing and comming from the Riuer of Thames) which being inned, will better the channell of the ſame Thames, and be very commodious for Nauigation, and doth for that and the commodities there, afford much benefite to the Common-wealth, and eſpecially to the Citie of London, being within tenne miles thereof: And for that William Burrell of Ratcliffe in the Countie of Middleſex Gentleman, hath vndertaken, couenanted, and agreed with the Lords and owners of the ſame ſurrounded grounds, by Indenture made betweene the ſaid owners and him, dated the ſeuen and twentieth day of Februarie, Anno Dom. 1606. for the conſideration in the ſaid Indenture expreſſed, to doe his beſt endeauour at his coſts and charges, ſufficiently and ſubſtantially to inne, winne, recouer, and defend from inundation and ouerflowing of the ſaid waters all the ſaid Marſh grounds ſo ſurrounded, before the tenth day of October, which ſhall be in the yeare of our Lord God according to the computation of the Church of England 1609. and hath likewiſe at his owne coſts and charges by the ſaid Indenture vndertaken to maintaine and keepe the ſame for one whole yeare, to be reckoned and accounted from the time of the inning and winning of the ſame ſurrounded grounds, which cannot be duely effected without great charges, labour, and ſkill in the vndertaker:

William Burrell the vndertaker to inne the drowned grounds in the Marſhes of Leſnes and Fants.

May it therefore pleaſe the Kings moſt excellent Maieſtie, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, by the authority of the ſame Parliament, that it may be enacted, and be it enacted, That it ſhall be lawfull to and for the ſaid William Burrell, his Heires, Executors, and Aſſignes, and to and for euery other his and their Seruants, Deputies, Carpenters, Labourers, Skauell-men, Headmen, and workemen, and his and their Carts and carriages, and euery of them, at the coſts and charges of the ſaid William Burrell, his heires, executors, or aſſignes, at all and euery time and times from henceforth vntill the tenth day of October, which ſhall be in the yeare of our Lord God, according to the computation of the Church of England 1609. to inne, fence, and winne from inundation and ouerflowing of the ſaid waters, all and ſingular the ſaid grounds and Marſhes lying in the ſaid drowned Marſhes of Leſnes and Fants now ſurrounded as aboue, according to the purport, intent, and true meaning of the ſaid Indentures, at his or their will and pleaſure, and for to labour, worke, and trauell, and to doe and accompliſh things neceſſarie and behouefull during the ſaid time or terme, in, about, and vpon the inning, fencing and winning of the ſaid grounds and Marſhes as aforeſaid, and euery or any of them, according to the purport of the ſame Indenture.

William Burrell and his aſſignes may fence & winne from inundation the ſaid drowned grounds of Leſnes and Fants, &c.

And for the inning and fencing of the ſaid grounds, and for the inning, maintaining, and continuing of the inning, and fencing of the ſaid grounds to bee inned as aboue, to cut and take ſo much growing Reede and Earth in any of the ſaid drowned Marſh, ſo as hee or they, or any of them digge not within twentie Roddes of any wall already made within that Marſh: And that immediatly after the ſubſtantiall inning, fencing and winning of the ſaid grounds and Marſhes from the ſaid waters and floods as is aforeſaid, the ſaid William Burrell, his heires and aſſignes, ſhall haue and enioy to him, his heires and aſſignes for euer, the one halfe of all the ſaid grounds ſo to be inned, according to the purport and true meaning of the ſaid recited Indenture, and the other moitie ſhall be and belong to the owners of the ſaid Marſh grounds ſo to be inned, according to the ſeuerall proportion of their quantities, eſtates, rights, titles and intereſts, which they now haue in the ſaid grounds ſo to be inned, according likewiſe to the ſaid Indenture: and that the ſaid moitie ſo limited, to be and appertain to the ſaid William Burrell, his heires and aſſignes, by and after partition thereof to be made, ſhall be holden of Edmund Cooke Eſquire, his heires and aſſignes, as of his Manor of Leſnes and Fants in the Countie of Kent, in free ſocage

The vndertaker may take Reede and Earth in the drowned Marſh for the inning and continuing of the ground.

The Inner of the ground ſhall haue the one halfe, and the owners the other.

Of whom and by what ſeruices the vndertaker ſhall hold his part inned.

by fealtie and one penie rent for euery acre, and not in Chiefe, nor by Knights ſeruice. And that further in conſideration that the ſaid owners, and their heires for their parts and the ſaid William Burrell, and his heires for his part or moitie, ſhall be put to great charges ſubſtantially and ſufficiently to maintaine and repaire the walles and bankes of the ſame marſh grounds ſo hereafter to be inned, for euer after the inning and partition thereof, As alſo in conſideration of the great coſts, charges and trauell now to be ſuſtained about the inning of the ſame marſh grounds for the benefit of the Common-wealth, the ſaid marſh grounds ſo to be inned and defended from the inundation of the ſame waters, or ſuch part thereof as ſhall be ſo inned and defended, ſhall be diſcharged of all the tithes and tenths whatſoeuer, for and during the terme of ſeuen yeares next after the inning, winning and fencing of the ſame.

The ground inned ſhall be diſcharged of tithe during ſeuen yeares.

A Commiſſion ſhall bee granted to certaine perſons to make partition of the grounds inned.

And be it further by authoritie of this preſent Parliament enacted, that immediatly after the ſubſtantiall inning of the ſaid marſh grounds, it ſhall and may be lawfull for the ſaid William Burrell, his heires and aſſignes, and the ſaid owners of ſuch grounds as ſhall be inned, their heires and aſſignes, or in default of the owners vpon requeſt thereof to be made by the ſaid William Burrell, his heires or aſſignes, to reſort to the Right Honorable the Lord Chancellor of England, or Lord Keeper of the great Seale of England for the time being, and that by the authoritie of this Act, the ſaid Lord Chancellor or Lord Keeper of the great Seale of England, ſhall and may award forth a Commiſſion to ſuch perſon and perſons, as to him in his wiſedome and diſcretion ſhall be thought meet, to enable them to make partition and diuiſion betweene the ſaid owners and Inner, their Heires, Executors, Adminiſtrators, and Aſſignes, and alſo betweene the ſaid Owners, their Heires, Executors, Adminiſtrators, and Aſſignes, according to the ſeuerall proportions of their quantities, rights, titles, and intereſts which they haue, or ſhall haue in the ſaid Marſh grounds ſo to be inned, according to the true intent and meaning of this Statute, and the Indenture before mentioned.

Euery owner and the Inner ſhall haue conuenient wayes to his ground.

Prouided, and it is further enacted by the authoritie aforeſaid, that euery of the ſaid Owners, and the Inner, their heires, executors, adminiſtrators and aſſignes, that ſhall haue any land, or ground ſo to be inned, ſhall haue fit and conuenient wayes for paſſage, drift, and carriage as need ſhall require, thorow the ſaid marſh grounds that ſhall be ſo inned, for the vſe of their grounds inned, and ſo to be diuidedly and proportionably allotted.

Of whom the firſt owners grounds ſhall be holden and by what ſeruices.

Prouided, and be it enacted by the authoritie aforeſaid, that all ſuch of the ſaid ſurrounded grounds as ſhall be by the ſaid Inner, his heires, executors, adminiſtrators, or aſſignes, or any of them inned, and ſhall be aſſigned to any of the owners for their part or parts, and are now holden of Edmund Cooke of Northcray, in the Countie of Kent Eſquire, as of any his Manors within the ſaid Countie of Kent, called Leſnes and Fants, or of either of them, ſhall be holden of him the ſaid Edmund Cooke, his heires and aſſignes onely, as of ſuch of the ſaid Manors, whereof the ſaid Marſh lands are now holden in ſuch maner and forme, and by ſuch Rents and Seruices, as the ſame are now holden by fealtie, and the yearely rent of one penie an acre, to be paid at the Feaſt of S. Michael the Archangel yearely. 23. El. 13. 27. El. 27.

CAP. IX.

A Corporation granted by Q. Elizabeth to certaine Merchants of Exceſter, ſhall continue of force, notwithſtanding the Statute of 3. Iac. 6.

Q. Eliz. by her Letters Pat. granted an Incorporation to the Gouernors of the Merchants of Exceſter.

WHereas it pleaſed our late Soueraigne Lady Queene Elizabeth of famous memory, by her Highneſſe Letters Patents vnder the great Seale of England, bearing date the ſeuenteenth day of Iune, in the ſecond yeare of her Highneſſe reigne, in conſideration of the good, true, and faithfull obedience and ſeruice done by the Maior and principall Citizens of the Citie of Exceſter, as well in the time of King Henry the ſeuenth, as of King Edward the ſixt, againſt diuers Treaſons and Rebellions moued and ſtirred in thoſe dayes, as alſo for the taking away, aboliſhing and auoiding of many and ſundry abſurdities and inconueniences, which within the ſaid Citie and Countie did increaſe, by reaſon of the exceſſiue number of Artificers, and other inexpert, ignorant, and vnworthy men, which did take vpon them to vſe the Art, ſcience, and myſterie of Merchandize and traffique of Merchant wares, to the great detriment of the Common-wealth of this Realme of England, and to the manifeſt impoueriſhment of the ſaid Citie, to incorporate certaine Merchants therein named, and their ſucceſſors (being Citizens and inhabitants of the ſaid Citie and Countie) and to giue and grant vnto them the perpetuall name of the Gouernours, Conſuls, and Societie of the Merchants Aduenturers of the Citie and Countie of Exceſter, trafficquing the Realme of France, and the Dominions of the French King, which ſaid Incorporation or Companie of Merchants are found to be of great vſe, honour, and ſeruice to the State in generall, as well in the aduancement of his Maieſties Cuſtomes, as alſo for that the ſaid Incorporation for the ſpace of fortie and fiue yeares haue releeued twelue poore men with gownes, money, and other neceſſaries to their great comfort, and doe ſtill yearely ſo apparell and comfort them, and by their ſaid Charter they are bound to continue and kéepe the ſame for euer: And likewiſe they haue, and doe, not onely charitably from time to time ſet vp ſundry young Merchants with the loane of money, at their firſt entrance into the trade, but alſo haue raiſed, and alſo doe raiſe diuers ancient Merchants, who by loſſes at the Sea haue béene decayed, by meanes whereof they haue proued afterwards profitable both to the King in Cuſtomes and other payments, and good members to the Common-wealth of the ſaid Citie.

The ſeuerall benefits done by the ſame ſocietie to the K. and Common-wealth.

And for that many particular Merchants of the ſaid Corporation, haue in the time of dearth and ſcarcitie of corne, aduentured great ſummes of money, out of their owne priuate ſtockes, for corne into forreine Kingdomes, for the reliefe of the poore, aſwell of the ſaid Citie, as of the Countie of Deuon, to whom they haue ſold the ſame corne, in time of great dearth and neceſſity, ſometimes for two ſhillings ſixe pence, thrée ſhillings, and thrée ſhillings foure pence leſſe in euery buſhell, than the prices in the markets haue then béene.

And further, for that ſundry members of the ſaid Incorporation haue by their Wills and Teſtaments giuen diuers ſummes of money to the ſaid Company to good vſes, which muſt returne to their executors, if this Companie be diſſolued, as alſo for that the ſaid Societie hath from the beginning thereof béene euer found comfortable to all and offenſiue to none, Therefore wheras in the laſt Seſſion of Parliament holden at Weſtminſter in the third yeare of his Maieſties Reigne, one generall Act was made, intituled, An Act to enable all his Maieſties louing ſubiects of England and Wales, to trade fréely into the Dominions of Spaine, Portugall and France, The generall words of which Act may be obiected and vrged to extend to the annihilating and diſſoluing of the ſaid particular Charter and Companie, contrary to the meaning of this high Court of Parliament, and the intent of the makers of the Law, as is conceiued by the opinion of ſundrie learned in the Lawes: May it therefore pleaſe your moſt excellent Maieſtie, with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, That it may be enacted, explained and declared, and be it enacted, explained and declared by the authority of the ſame, That the ſaid generall Law ſo made, as aforeſaid, neither doth, nor ſhall diſſolue, annihilate, or impeach the ſaid Charter, or the ſaid Company in any their Priuiledges, Liberties, or Immunities granted vnto them by the ſaid Charter: Any thing in the foreſaid generall Act to the contrary thereof in any wiſe notwithſtanding.

The Societie comfortable to all, and hurtfull to none.

The Stat. of 3. Iac. 6. may be extended to the diſſoluing of the ſaid company.

The Stat. of 3. Iac. 6. neither doth nor ſhall impeach the liberties granted by Queene El. Charter.

CAP. X.

Certaine Liberties granted by K. H. 6. to the Maior, &c. of Southampton confirmed.

IN all humbleneſſe beſéech your moſt excellent Maieſtie, the Mayor, Bayliffes, and Burgeſſes of your Highneſſe Towne of Southampton, That whereas your moſt noble Progenitor King Henry the ſixt of famous memorie, in conſideration that the ſaid Towne of Southampton is ſituated on the Sea-coaſt, and ſubiect to the ſudden aſſault, and ſurpriſe of forreine enemies, and that the Inhabitants thereof for their defence haue a long time at their owne coſt and charge vpheld and maintained the walls thereof, with many Towers, Turrets, Bulwarkes, great Ordnances, Powder, aad other defenſiue Artillerie, and for other conſiderations, did grant to the Maior, Bayliffes, and Burgeſſes of the ſaid Towne, and their ſucceſſors, a Charter which hath béene ſince confirmed by many other Princes, reſtraining all Merchants not being frée of the Liberties of the ſaid Towne, to buy or to ſell any manner of Merchandize within the ſaid Towne, or the Liberties thereof, vpon paine of forfeiting the ſame Merchandize to the ſaid Maior, Bailiffes, Burgeſſes, and their ſucceſſors.

The Charter of K. H. 6. to the Towne of Southampton and the reaſons and cauſes thereof.

A reſtraint of all Merchants not being free of Southampton to buy or ſell within the ſaid town.

And whereas now of late ſundry Merchants which are not frée of the Liberties of the ſaid Towne, and yet frée of other Corporations, who reſpecting onely their priuate gaine, without regard either of the ſaid Charter, or how the ſaid Towne ſhall be vpheld and maintained, haue of late intruded on the Liberties thereof, and doe both by themſelues and alſo by their Factors, kéepe ſhops and ware-houſes within the ſaid Towne, and doe ſell their Merchandize both in groſſe and by retaile, contrary to the true meaning of the ſaid Grant, and contrary to all reaſon and conſcience, tending to the vtter vndoing of the Merchants and Inhabitants of the ſaid Towne, and decay of the ſaid Towne: For redreſſe whereof, may it pleaſe your moſt excellent Maieſtie, that it may be enacted by your Maieſtie, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the Authoritie of the ſame, and be it enacted and ordained by the Authority aforeſaid, That ſo much of the ſaid Charter as doth concerne the premiſſes, ſhall from henceforth ſtand and be good, effectuall, and ſufficient in the Law, to all intents and purpoſes, according to the true meaning of the ſame Charter, and that the ſame be ratified and confirmed by this preſent Parliament.

A confirmation of ſo much of the Charter of K. H. 6. as doth reſtraine ſtrangers to buy or ſell in Southhampton.

And further be it enacted by the authority aforeſaid, that no perſon or perſons not being frée of the ſaid Towne, ſhall buy any Merchandize within the ſaid Towne or Liberties thereof, (Salt and Sea-fiſh onely excepted) of any other not being frée of the ſaid Towne, nor ſell any Merchandize (Salt and Sea-fiſh onely excepted) within the ſaid Towne or Liberties

None not being free of the ſaid towne ſhall buy or ſell to another not being free.

thereof, to any perſon or perſons, not being free of the ſaid Towne, vpon paine of forfeiture of all ſuch Merchandize ſo bought or ſold to the Maior, Bayliffes, and Burgeſſes of the ſaid Towne, and their ſucceſſors.

What commodities, and for what purpoſe may be bought by any perſon.

Prouided alwayes, that any perſon or perſons may buy within the ſaid Towne or Liberties thereof any prouiſion for his or their owne houſe, or houſes, ſo as the ſame be expended there, and not in any ſort ſold againe, as if this Act had neuer beene made.

Buying and ſelling in Faires or on ſhip board.

Prouided, and that it ſhall be lawfull to any perſon or perſons to buy or ſell in the time of Faires there, or aboard any Ship within the Port of Southampton of any perſon whatſoeuer, as if this Act had neuer beene made.

The Barons and Free-men of the Cinque ports.

Prouided alwayes, and be it enacted by the Authority aforeſaid, That this Act or any thing therein contained, ſhall not extend, nor be conſtrued to extend to the Barons or Free-men of the Cinque Ports, or of the members to them belonging, nor to any of them, but that they and euery of them ſhall and may at all times hereafter freely and lawfully hold, haue, and enioy all ſuch Liberties, Freedomes, Priuiledges, Immunities, and Franchiſes within the ſaid Towne of Southampton and the Liberties thereof, as haue beene heretofore granted vnto the ſaid Ports, or any of them, or any of the ſaid members, or to the Barons or Free-men there, or haue beene by them or any of them accuſtomed, vſed, or enioyed: Any thing in this Act to the contrary notwithſtanding.

CAP. XI.

The Owners and Farmors of Lands in certaine Manors in the Countie of Hereford may incloſe ſome part thereof.

The different husbandrie of the ſaid Manors from other parts of the Realme.

FOraſmuch as the ſaid Manors, Lordſhips and Pariſhes of Marden alias Mawarden, Bodenham, Wellington, Sutton S. Michael, Sutton S. Nicholas, Murton vpon Lugge, and the Pariſh of Pipe in the ſaid Countie of Hereford, doe differ in the maner of their Huſbandrie from many parts of the ſaid Countie, and other Counties in the Realme of England, and the Inhabitants thereof doe make the Tillage of the ſame Manors, Lordſhips and Pariſhes, the more fertile by raiſing of Compoſt, in houſing all their Cattell of all ſorts, eſpecially all their Sheeps throughout the whole yeare, and not by any other meanes: which Cattell, eſpecially their Oxen, Kine and Sheepe, without ſufficient Meadow, and Paſture for Graſſe and Hay, are not poſſible to be maintained. And therefore the Farmors, Freeholders, and all other Huſbandmen thereof are much diſtreſſed, in that their Tillage doth lye mingled with their Paſture and Meadow grounds yearely, in or neere adioyning to the Corne fields, as the courſe and turnes of Huſbandrie falles out, by occaſion whereof the ſaid Fields, Meadowes and Paſtures being open after Sickle and Sithe, all ſorts of people turne in their Cattell, and within very ſhort ſpace eate vp all the Graſſe thereof, that the Oxen and Kine of the Huſbandmen are in danger to ſtarue in Summer, and of neceſſitie in many places muſt be ſold away for want of Wintering meate, for which inconuenience by complaint of the Huſbandmen of thoſe places, ſome ſpeedie publike redreſſe hath beene long and much deſired: Be it therefore enacted by the authoritie of this preſent Parliament, That euery Owner and Farmor, their heires, ſucceſſors and aſſignes, of any Manors, Capitall Meſſuage, Tenement, or Farme, within the ſaid Manors, Lordſhips and Pariſhes, or any of them that haue not already ſo much of their Land, Meadow and Paſture, belonging or occupied, to or with their ſeuerall Meſſuages, Tenements or Farmes incloſed, and kept in ſeuerall, as doth amount or extend to the cleere third part thereof, may at his and their will and pleaſure ſeuerally add reſpectiuely from time to time, and at all times hereafter incloſe and keepe in ſeuerall, ſo much of their ſaid Lands, Meadow and Paſture, now at the firſt day of this preſent Seſſion of Parliament, belonging or occupied to or with the ſaid ſeuerall Meſſuages, Tenements or Farmes, as together with ſuch thereof as they hold already in ſeuerall, ſhall amount vnto and make vp a cleere third part of all the Lands, Meadow and Paſture, which they doe or ſhall ſo there hold, belonging or occupied to or with the ſaid ſeuerall Meſſuages, Tenements, or Farmes, to be holden and kept in ſeuerall to the maintenance of Tillage of the Arrable Lands belonging or occupied to or with the ſaid ſeuerall Meſſuages, Tenements or Farmes reſpectiuely, according to the Eſtates of them, that are ſeuerally intereſſed in the ſame, leauing the other two parts thereof, in three parts to be diuided, ſeuerally and reſpectiuely to lye and continue, as the ſame haue heretofore vſed and accuſtomed to lye.

Euery owner and farmor within the Manors aforeſaid may incloſe a third part of his lands, &c.

This Act ſhal not extend to a waſte or common ground.

Prouided alwayes that this Act, or any thing therein contained, ſhal not extend to any ancient waſte and common ground that heretofore hath beene, or vſed to be, as a perpetuall common and waſte ground by all the yeare, but that the ſame may ſo continue and remaine ſtill as a perpetuall common or waſte ground.

Prouided likewiſe, that where any perſon or perſons, hath or ought to haue the Hay, or firſt Veſture, or Paſture onely of any Land, Meadow, or Paſture, and whereof the Inhabitants of the Towneſhip or Pariſh where the ſaid land doth lye, haue from the time, to the contrary whereof the memory of man doth not extend, vſed to haue the whole latter Math, latter Crop, or Edgegrowth thereof to themſelues, and the owner of the ſaid Hay, firſt Veſture or Paſture, no part of the ſaid latter Math, latter Crop, or edgegrowth: That in euery ſuch caſe, this Act ſhall not extend to any ſuch Land hereby to be kept in ſeuerall, but that thoſe which haue ſo had, and vſed to haue the ſaid latter Math or latter Crop thereof, may ſtill haue and enioy the ſame, in ſuch manner as formerly they haue accuſtomed: This Act or any thing therein contained to the contrary notwithſtanding.

A prouiſion where one perſon is owner of the firſt Crop, and others of the latter Math.

Prouided alſo, that this Act or any thing therein contained, ſhall not extend to any Land which any perſon or perſons, bodies Politike or Corporate hath, or haue vniuſtly or without good right and title taken or withholden from any other perſon or perſons, bodies politike or corporate, to giue any intereſt or title to any ſuch perſon or perſons, bodies politike or corporate, their heires, ſucceſſors or aſſignes, or any of them, that ſo haue, or hereafter ſhall haue, or doe vniuſtly without lawfull title withhold any ſuch Land, to haue, kéepe or detaine the ſame, but that any perſon or perſons, bodies politike or corporate, that hath, or haue any right or title to the ſame, their heires, ſucceſſors and aſſignes, ſhall and may take his and their lawfull remedie for the recouery thereof, as if this Act had neuer béene had or made: This Act or any thing therein contained to the contrary thereof in any wiſe notwithſtanding.

The Act doth not giue a lawfull title to the poſſeſſor of any land where he had none before.

Prouided alſo, that no perſon or perſons ſhall be barred, hindered or ſtopped of any high way, common way, huſbandrie way, or fóte path, by meanes or reaſon of any ſuch incloſure, but that they and euery of them may haue and vſe all ſuch wayes, in ſuch maner and forme as he, they, or any of them haue vſed, accuſtomed, and of right ought to haue and vſe the ſame: This Act or any thing therein contained to the contrary thereof in any wiſe notwithſtanding.

None ſhall be hindred of his lawfull way.

Prouided alſo, that euery perſon and perſons, and their Heires and Aſſignes, who ſhall at any time or times hereafter incloſe and kéepe in ſeuerall any Land, Meadow, or Paſture by force or vertue of this preſent Act, ſhall be abated and abridged of his and their Common in the common fields and common Paſture in places commonable belonging to the Townes, Meſſuages, or Farmes where ſuch incloſures ſhall be made proportionable after the rate and qualitie of the Lands, Meadow, and Paſture ſo to be incloſed and kept in ſeuerall, But neuertheleſſe ſhall and may haue his and their Common in places commonable there, ratably for the reſidue of his or their Lands there according to the vſage and cuſtome of the place: This Act or any thing therein contained to the contrary thereof notwithſtanding.

Euery perſon that doth incloſe ſhall be abated of his common proportionably.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawfull to and for the Fréeholders and Coppiholders of the ſaid Manors, Pariſhes and Townes, and of euery of them reſpectiuely, their Heires and Aſſignes, or the greater number of them, from time to time hereafter to rate and ſtint euery ſuch perſon and perſons, his and their Heires and Aſſignes, which ſo ſhall incloſe and kéepe in ſeuerall any Land, Meadow, or Paſture by vertue of this Act, what and how many Cattell of all kindes ſuch perſon and perſons, his and their Heires and Aſſignes, ſhall haue, depaſture and kéepe vpon the Commons of the ſame Manor, Pariſh or Towne, where ſuch Land, Meadow or Paſture ſhall ſo be incloſed, and kept in ſeuerall by vertue of this Act.

They which doe incloſe may be ſtinted of their common by the reſidue of the Commoners.

And that if any perſon or perſons, his or their Heires, or Aſſignes, ſhall after he or they ſhall be ſo rated or ſtinted, haue, or kéepe any more or greater number of Cattell vpon the Commons of the ſame Manor, Pariſh or Towne, where ſuch Land, Meadow, or Paſture ſo to be incloſed and kept in ſeuerall, by vertue of this Act ſhall lye, then ſuch perſon or perſons, his, or their Heires and Aſſignes ſhall ſo be rated, or ſtinted at as aforeſaid: That then and ſo often euery ſuch perſon or perſons, his and their Heires and Aſſignes, ſhall forfeit and loſe for euery Beaſt, which he or they ſhall kéepe ouer and aboue ſuch rate or ſtint which he or they ſhall be ſo rated, or ſtinted at, the ſumme of twelue pence, for euery wéeke that he or they ſhall ſo kéepe ſuch beaſt or beaſts, ouer and aboue ſuch rate or ſtint: The one moitie thereof to be to the poore of the Pariſh where ſuch offence ſhall be committed, and the other moitie thereof to be to the Lord of the Manor where ſuch offence ſhall be committed.

The forfeit. of him which keepeth more Cattell then is limited by his ſtint.

And further be it enacted by the authority aforeſaid, that all and euery Lord and Lords of the Manors or Lordſhips aforeſaid, or any of them, where ſuch offence ſhall be committed and their Stewards within the precinct of the ſaid Manors or Lordſhips, and euery of them, ſhal haue full power and authoritie within their ſeuerall Léetes and Court Barons of the ſaid Manors or Lordſhips reſpectiuely to enquire and to take preſentment by the Oathes of Iurors, of all and euery offence and offences in this behalfe to be committed, and vpon ſuch preſentment had, or made, to leuie by Diſtreſſe all ſuch Summes of money, as ſo ſhall be forfeited: and that euery ſuch Lord and Lords, or their Stewards, which ſo ſhall leuie or cauſe to be leuied, any ſuch ſumme or ſummes of money ſo to be forfeited, ſhall within one Wéeke next following the leuying thereof, pay the one moitie thereof to the hands of the Church-wardens and Ouerſéers of the poore of ſuch ſaid Pariſh or Pariſhes, where ſuch offence or offences ſhall be committed to the vſe of the poore of the ſame Pariſh.

The offences of ſurcharge of common ſhall be inquired of and puniſhed in Leets and Barons.

A prouiſion where land incloſed is diſmembred from the tenements wherewith it was occupied.

Prouided alſo, that if any perſon or perſons, bodies Politike or Corporate, their Heires, Succeſſors or Aſſignes, ſhall at any time or times hereafter erect, or build any Cottage for habitation vpon any Land ſo to be incloſed, and kept in ſeuerall by force or vertue of this Act, and ſhall lay any of the ſaid Lands to any Cottage for habitation, and by meanes thereof, or any other meanes diſmember the ſame from the Capitall Meſſuage, Tenement or Farme, to which the ſame is now belonging or occupied: That then and in euery ſuch caſe it ſhall be lawfull by order of the Court of the Manor where ſuch Lands ſhall lie, to the Lord or his Officers of the ſame Manor, or any of them for the time being, or the homages of the ſame Manor, or the more part of them to caſt and put the ſame Land ſo laid to any Cottage, or diſmembred as aforeſaid, open and into Common, at Summer ſeaſons of the yeare, and in ſuch manner and forme as the ſame haue beene formerly vſed: This Act or any thing therein contained to the contrary notwithſtanding.

A prouiſion for the continuing of certain grounds incloſed one time of the yeare as they haue beene.

Prouided neuertheleſſe, that where the latter Math, latter Crop, or Edgegrowth of certaine Meadowes and Paſtures in the ſaid Pariſhes or Lordſhips of Marden alias Mawarden, Sutton Saint Michael, Sutton Saint Nicholas, and Bodenham, commonly called or knowne by the ſeuerall names of Smedell Whitterday, Dole-meadow, the Groues, the Old lands, the Wiſtheies, and the Wirgins, and certaine ſmaller Meadowes and Paſtures to them ſeuerally adioyning, haue been accuſtomed or vſed moſt commonly to be yearely of moſt ancient time hained and incloſed after Hay harueſt, for the keeping and depaſturing of the Oxen and Kine of ſuch Towne or Pariſh, where ſuch Meadowes and Paſtures doe lye, by certaine Rates thereof in Ancient time vſed and accuſtomed, That there and in that caſe the ſame Meadowes and Paſtures ſhall and may be hained, incloſed, kept, and vſed yearely for Oxen and Kine, as moſt commonly they haue beene vſed and accuſtomed to be hayned, incloſed, kept, and vſed.

The vſage of Lug Meadow ſhall not be altered.

Prouided alſo, that this Act or any thing herein contained, ſhall not extend to incloſe or alter the vſage and courſe of the great Meadow, in or neere Sutton Saint Michael, and Sutton Saint Nicholas aforeſaid, called Lug Meadow, or any part there, otherwiſe than the ſame hath beene vſed before the making of this Act: This Act or any thing therein contained to the contrarie thereof in any wiſe notwithſtanding.

The continuance of this Act.

This Act to continue vntill the end of the laſt Seſſion of the next Parliament. 3. Car. 4. Continued vntill the end of the firſt Seſſion of the next Parliament.

Cap. XII.

An Act for the bringing of a New Riuer to the North parts of the Citie of London, according to a former Statute made, 3. Iac. 18.

3. Iac. 18.

VVHereas of late in the Parliament holden at Weſtminſter, in the third yeare of the Reigne of our Soueraigne Lord King Iames, An Act was made for the bringing of a freſh Streame of running Water to the North parts of the Citie of London, as by the ſame Act appeareth. Now, for that ſithence the making of that Law, vpon view of the grounds through which the Waters are to paſſe, by men of ſkill, and vpon aduiſed conſideration of the premiſſes, it is thought more conuenient, and leſſe dammage to the ground, That the ſame running Water be brought and conueyed in and through a Trunke or Vault of Bricke or Stone incloſed, and in ſome places where neede is, raiſed vpon Arches, than in an open Trench or Sewer, Which maner of conueyance of the ſame Water in a Trunke or Vault of Bricke or Stone, is doubtfull whether by the words of the former Law it may be lawfully effected by the Lord Maior and Comminaltie, and Citizens of the Citie of London, albeit they doe duely performe euery part, clauſe, matter and thing in the ſaid Statute contained, which on their part are by the true intent of that Law to be performed:

The Maior, &c. of London may erect a Trunke or Vault in the earth to conuey the water from Chadwell, &c. to London.

For clearing of which doubt, and plaine declaration of the true meaning of the ſaid Law, Be it enacted by our Soueraigne Lord the King, and by the Lords Spirituall and Temporall, and Commons of this preſent Parliament aſſembled, and by the authority of the ſame, that at any time or times after the laying out of ſuch conuenient limits of ground for the making of the Trench, or Conueyance of Water to the North parts of the ſaid Citie of London, at the breadth of tenne foote, and not aboue, as to the Maior, and Comminalty, and Citizens of the Citie of London, and their Deputies and Workemen, with the allowance of Commiſſioners in the ſaid former Act mentioned, or any ſeuen of them ſhall be ſeene conuenient and meet for the ſame, and in that place that they ſhall find to be moſt apt and meet for that purpoſe, according to the true intent of the ſaid Statute, that the Maior and Comminaltie, and Citizens of the ſaid Citie of London and their Succeſſors, Deputies and Workemen, for the conſideration in the ſaid former Act expreſſed, ſhall haue liberty, not onely to digge the ſame ground to be imployed for the ſaid Riuer, or new Cut, as in the ſaid former Act is expreſſed, but alſo in the ſame place, where they ſhall thinke moſt meet for the ſaid new Cut, or Paſſage of Water, to frame, erect, and make a Trunke or Vault of Bricke or Stone for the paſſage of the ſaid Water to the North parts of the ſayd Citie of London, not exceeding tenne foote in breadth, in ſuch maner and forme to be layed in the Earth or vpon Arches, as to the Mayor and Commonalty and Citizens of London ſhall ſeeme meete: And from time to time for euer to maintaine and preſerue the ſame Trunke or Vault of Bricke or Stone, and for that purpoſe to haue like liberty and free paſſage to and from the ſayd Trunke or Vault of Bricke or Stone, for making, erecting, maintaining, and preſeruing thereof from time to time for euer, as they had or might haue had by the intent of the ſayd former Act, to, and from the ſayd new Cut, or Riuer, with men, horſes, cart and carriages, at all times conuenient, and in places conuenient, for the making of the ſaid new Cut or Trench, and for the preſeruing of the ſame from time to time for euer: Any thing in the ſayd former Statute, or in any other Law or Statute to the contrary thereof in any wiſe notwithſtanding. PR.

The Maior &c. of London may from time to time maintaine the ſaid Trunke or Vault.

Cap. XIII.

An Act for the draining of certaine Fennes in the Iſle of Ely.

Whereas by the draining of certaine Fennes, and low grounds within the Iſle of Ely, ſubiect to hurt by ſurrounding, great benefite may come to the Common-wealth, and much profit to the Owners of the ſayd grounds, Be it therefore enacted by the Kings Maieſtie, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, that Francis Tindall Eſquire, Henry Farre, and Iohn Cooper, Gentlemen, (who haue vndertaken to doe their beſt endeauours to effect the ſame at their owne coſts and charges, for the conſiderations hereafter mentioned) their Heires and Aſſignes ſhall haue full power and authority by vertue of this Act, during the ſpace of ſeuen yeares, next enſuing the end of this preſent Seſſion of Parliament to draine all the Fennes and low grounds ſubiect to hurt by ſurrounding in the ſayd Iſle of Ely, that lye and be inuironed with the bankes, beginning at Reekes Mill, and from thence by Tower houſe, to Hobs houſe, and ſo to Tilney Hurne, from thence by Martes Damme, and ſo by Elme Leame to Fryday Bridge, and from thence by Redmore Dike, and Begdale, and ſo by Gold Dike to Reekes Mill againe, And for the doing thereof to make of new, or to repaire in all places needefull, ſuch and ſo many Draines, Loades, Dikes, Bankes Sluces, and other workes of Sewers, as they ſhall thinke meete, not being in Marſh-land within the olde Podike, for conueying to the ſea aſwell of the Socke and downefall, as of the ouerflowing of Riuers, and Land floods, ſatisfying the Owners of ſuch ſeuerals as they ſhall cut, and ſuch perſons as they ſhall otherwiſe damnifie, ſo much money, or other valuable recompence, as by ſixe Commiſſioners of Sewers at the leaſt, whereof three inhabiting within the ſayd Iſle, and three within the County of Norffolke ſhall bee ordered and ſet downe.

Certaine perſons haue vndertaken to draine the Fennes in the Iſle of Ely.

The limits and bounds to be inned.

The perſon damnified ſhal be ſatiſfied.

And bee it further enacted by the authority aforeſayd, that immediately after the ſaid grounds ſhall be Drained, according to the true meaning of this Act, the ſayd vndertakers, their Heires and Aſſignes for and in conſideration thereof, and of the perpetuall maintaining and preſeruing of the ſame Drayning, as in this Act is hereafter mentioned, ſhall haue, hold, and enioy to them their Heires and Aſſignes for euer, in ſeueralty, two full parts in three to bee diuided of all the ſayd Fennes and low grounds, the ſame to bee ſet out by Metes and Bounds, before the Feaſt of Saint Michael the Archangel, which ſhall bee in the yeare of our Lord, One thouſand ſixe hundred and eight, by the ſeuerall owners of the ſayd Fennes and low grounds, or in default of any of them, then at any time after by ſixe Commiſſioners of Sewers at the leaſt whereof foure inhabiting within the ſayd Iſle.

The Vndertakers ſhall haue for the inning and maintaining of the grounds ſurrounded two parts thereof.

And be it further enacted by the Authority aforeſayd, that the ſayd two full parts ſhall be held of the ſeuerall Lords, of whom the ſame are now holden, in free and common Soccage by fealty onely for all manner of Seruices, and not in Capite nor by Knight Seruice. And likewiſe that the ſaid two full parts ſhall be freed from paying any maner of Tythes, vntill the Feaſt of Saint Michaell the Archangel next enſuing the end of ſeuen yeares, after the time limited for the drayning aforeſayd.

Of whom the two parts ſhal be holden.

The 2 parts ſhalbe diſchar- of Tithes during ſeauen yeares.

Prouided neuertheleſſe, and be it enacted by the Authority aforeſayd, That if it ſhall fall out at any time hereafter, that any of the ſayd Fenne or low grounds, after they be once drained, ſhall be againe ſurrounded in default of the ſayd Vndertakers, their Heires or Aſſignes, and ſo do continue at any time betweene the Feaſt of Saint Michael the Archangel, and the Annunciation of the bleſſed Virgin Mary then next following, by the ſpace of two moneths together, or doe ſo continue at any time betweene the Feaſt of the Annunciation of the bleſſed Virgin Mary, and the Feaſt of Saint Michael the Archangel then next following, by the ſpace of one moneth together, and not in the meane time amended by the ſayd Vndertakers, their Heires or Aſſignes, That then and ſo often it ſhall and may be lawfull for euery owner of the grounds ſo ſurrounded, and not amended, by the view and appointment of ſixe Commiſſioners of Sewers at the leaſt, whereof foure inhabiting within the ſayd Iſle of Ely, being aſſembled for that purpoſe, to enter

A prouiſion for the owners if the grounds drowned ſhal be againe ſurrounded.

into the two full parts which were diuided and ſet forth from his grounds ſo ſurrounded, for the ſaid Undertakers as aforeſayd, and the ſame to haue and enioy according to his former Title, Eſtate and Intereſt, vntill the ſame Fennes and low grounds ſo ſurrounded, ſhall bee recouered againe by new drayning or repaire at the coſts and charges of the ſayd Undertakers, their heires or aſſignes: Any thing herein contained to the contrary notwithſtanding.

The Undertakers ſhall not draine through other grounds otherwiſe than they may doe by the Law.

Prouided alſo, that the Authority giuen by this Act to the ſayd Undertakers, their Heires or Aſſignes, for the drayning of the ſayd grounds, ſhall not extend to giue any power to cut and draine thorow any other grounds in any other manner, than by the Lawes and Statutes of this Realme heretofore made, they may lawfully doe. PR.

Anno Reg. IACOBI, *Regis Angl. Scotiæ, Franciæ, & Hiberniæ,* viz. *Angl. Franc. & Hibern. ſeptimo, & Scotiæ quadrageſimo tertio.*

AT the fourth Seſſion of Parliament begun and holden by prorogation at Weſtminſter the nineteenth day of February, in the ſeuenth yeare of the reigne of our moſt gracious Soueraigne Lord IAMES, by the grace of God, of England, France, and Ireland, King, Defender of the Faith, &c. And of Scotland the three and fortieth. And there continued vntill the three & twentieth day of Iuly: (And then prorogued vntill the ſixteenth day of October next following, 1610.) To the high pleaſure of Almighty God, and to the weale publike of thisRealme, were enacted as followeth.

CAP. I.

Where an Engliſh man ſhall haue his tryall that committeth Felony in Scotland.

WHereas in a Statute made in the third Seſſion of this preſent Parliament, intituled, An Act for the vtter abolition of all memorie of Hoſtility, and the dependances thereof, betwéene England and Scotland, and for the repreſſing of occaſion of diſcords and diſorders in time to come, it was amongſt other things enacted, That no naturall borne Subiect of the Realme of England, or the Dominions of the ſame, ſhould for any high Treaſon, miſpriſion or concealement of high Treaſon, pety Treaſon, or any other whatſoeuer offence or cauſe committed within Scotland, be ſent out of England, where he is apprehended to receiue his Triall, vntill ſuch time as both Realmes ſhould be made one in Lawes and Gouernment, which is the thing ſo much deſired, as that wherein the full perfection of the bleſſed Union, already begunne in his Maieſties Royall perſon, conſiſteth.

The inconuenience if an offendor ſhall not receiue his triall in the Kingdom where he committeth his offence.

Since the making of which Statute, although thoſe parts of the Kingdome of England adioyning and lying néere vnto the Realme and Kingdome of Scotland, haue béene and are by his Maieſties inceſſant care and Princely Policie, reduced to a more ciuill and peaceable eſtate, than could in ſhort time haue béene expected or hoped for: yet Experience teacheth, that Malefactors of either Realme hauing committed their Offences in the other Realme, doe forthwith fly and eſcape into their owne Countrey, thereby to purchaſe their impunity, to the great and manifeſt grieuance of the one Realme, and the diſhonour of the other. By meanes whereof, very many great and heinous offences ſince the making of the ſayd Statute, haue béene and are ſtill likely to be committed without condigne puniſhment: for that ſince the making of the ſayd Statute, there hath not béene any one offendor committing any the offences aforeſayd in Scotland, that hath béene proſecuted to his Triall, Iudgement, or Execution in England, by reaſon or vpon any the Branches, Lawes, or Ordinances in the ſayd Statute mentioned or contained: Whereby it manifeſtly appeareth, that the ſayd clauſe in the ſayd Statute contained, and before in this preſent Act expreſſely mentioned, concerning the not ſending out of England any naturall borne Subiect of the Realme or the Dominions of the ſame, for any whatſoeuer offence committed within the Realme of Scotland, to receiue his Trialll for any the ſaid offences, hath not brought forth that good effect as was hoped for, and by the ſayd Law intended, to the great preiudice and diſhonour of both Realmes.

For the preuenting of which apparant and too manifeſt miſchiefe and inconuenience, Be it enacted, and by the authority of this preſent Parliament eſtabliſhed, That if at any time or times after the end of this preſent Seſſion of Parliament, any perſon or perſons ſhall commit any offence or offences within the Realme of Scotland, which by the Lawes of this Realme of England is, are, or ſhall be declared or adiudged to be pety Treaſon, Murder, Manſlaughter, Felonious burning of houſes and corne, Burglary, Robbing of houſes by day, Robbery, Theft or Rape, and doe or ſhall flye or eſcape into the Realme of England, and be or ſhall be apprehended within any the Counties of Northumberland, Cumberland, Weſtmerland, or any parts or members of the ſame, or within the parts or places lying on the North ſide of the River of Tine, commonly called or knowne by the names of Bedlingtonſhire, Northamſhamſhire, and Ilandſhire, the Towne and County of Newcaſtle vpon Tine, and the Towne of Barwick vpon Twede, with the bounds and liberties thereof, That then it ſhall and may be lawfull to and for the Iuſtices of Aſſiſe, or any one of them in the abſence of the other, the Iuſtices of Gaole deliuery at their Gaole deliuery, or any foure of them, or the Iuſtices of Peace in their generall or quarter Seſſions, or any foure of them, vpon due and mature examination of the ſaid offence or offences in open Seſſions, and pregnant proofes of the ſame by warrant vnder their Hands and Seales, to remand and ſend all and euery ſuch offendor and offendors into the Realme of Scotland, there to receiue their Triall for any the offences aforeſayd by them there committed: Any thing in the ſaid Statute contained to the contrary thereof notwithſtanding.

If an Engliſh man ſhall commit felony in Scotland & then fly into England, the Iuſtices may ſend the offendor into Scotland to be tryed.

This Law to continue to the end of the firſt Seſſion of the next Parliament.

Pouided neuertheleſſe, and be it enacted by the authority aforeſayd, that this Statute nor any clauſe therein contained, ſhall take effect or be in force or in any wiſe be deemed or expounded to take effect, to any intent, conſtruction or purpoſe, vntill a Law by Act of Parliament bee made and eſtabliſhed within the Realme of Scotland, for the remanding and ſending out of the Realme of Scotland into the Realme of England all and euery perſon and perſons borne within the Realme of Scotland or the Dominions of the ſame, which ſhall at any time hereafter commit any the offences aforeſayd within the Realme of England, to receiue his and their Tryall in the Realme of England, for all and euery the ſayd offences by them committed in the Realme of England. 3. Car. 4. Continued vntill the end of the firſt Seſsion of the next Parliament.

Continuance of this Stat, A like Act is to be made in Scotland.

Cap. II.

Such as are to be Naturalized, or Reſtored in Bloud, ſhall receiue the Sacrament &c. and the Oathes of Allegeance and Supremacie.

Foraſmuch as the Naturalizing of Strangers, and reſtoring to Bloud perſons attainted, haue beene euer reputed matters of meere grace and fauour, which are not fit to bee beſtowed vpon any others than ſuch as are of the Religion now eſtabliſhed in this Realme: Bee it therefore enacted by the Kings moſt excellent Maieſty, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, That no perſon or perſons of what quality, condition, or place ſoeuer, being of the age of eighteene yeares or aboue, ſhall bee Naturalized, or reſtored in Bloud, vnleſſe the ſaid perſon or perſons haue receiued the Sacrament of the Lords Supper within one moneth before any Bill exhibited for that purpoſe. And alſo ſhall take the Oath of Supremacy, and the Oath of Allegeance, in the Parliament Houſe, before his or her Bill be twice read. And for the better effecting of the premiſſes, Bee it further enacted by the authority aforeſayd, That the Lord Chancellor of England, or Lord Keeper of the great Seale for the time being, if the Bill beginne in the Vpper Houſe, and the ſpeaker of the Commons Houſe of Parliament for the time being, if the Bill beginne there, ſhall haue authority at all times during the Seſſion of Parliament to miniſter ſuch Oath and Oathes, and to ſuch perſon and perſons as by the true intent of this Statute is to be miniſtred. This Act to take place from and after the end of this preſent Seſſion of Parliament.

What they ſhall be bound vnto who ſhal be Naturalized, or reſtored in bloud.

When this Act ſhal take place.

Cap. III.

How money giuen for the binding of poore Children to occupations ſhall be beſtowed.

Foraſmuch as the true labour and exerciſe of Husbandry, and the bringing vp of Apprentices of both ſexes in Trades and Manuall occupations are things very profitable in the Common-wealth and acceptable and pleaſing vnto Almighty God, There being already great ſummes of money freely giuen, and more in time to come like to be giuen by diuers well diſpoſed perſons vnto the Corporations of diuers Cities, Boroughs, Townes Corporate, and vnto diuers perſons in ſundry Townes not corporate, and Pariſhes within this Realme of England

land to be continually employed in the binding out as Apprentices of a great number of the pooreſt ſorts of children, vnto néedefull Trades and Occupations: the experience whereof hath brought forth very great profit and commodity vnto theſe Cities, Townes and Pariſhes where any parts of the ſayd moneyes haue béene ſo giuen and imployed, and ſo no doubt there will conſequently enſue thereof the excéeding good of the Common-wealth in generall. And that for the moſt part of the poorer ſorts of children, would (as heretofore) without ſuch good care and aſſiſtance be brought vp in idleneſſe, and diſordered kindes of life, to their vtter ouerthrow, and to the great preiudice of the whole Common-wealth: And for that it is very likely that many other well diſpoſed people will be the better encouraged willingly to follow the like good example in beſtowing alſo good ſummes of moneyes to the ſame good and godly purpoſes, if it might be ſo prouided, that ſuch moneys as haue béene already ſo fréely giuen, or as hereafter ſhall be giuen for the binding out of ſuch poore children Apprentices may continually hereafter remaine, and bee wholy employed accordingly.

How money giuen for the binding out of Apprentices of poore children ſhall be employed and by whom.

The forf. of thoſe which of duty ought, & yet refuſe to employ the money.

Be it therefore enacted by the Kings moſt excellent Maieſty, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all Summes of money, ſo fréely giuen at any time within thrée yeares laſt paſt, or hereafter to be giuen by any perſon or perſons, to be continually employed for the binding out of Apprentices as aforeſayd, ſhall for euer from henceforth continue, and bée from time to time vſed and employed to ſuch vſes, intents and purpoſes onely, and by ſuch perſons, and in ſuch manner and forme, as ſhall bée hereafter by this preſent Act ſpecified and declared, Except the ſame haue béene or ſhall bee otherwiſe ordered or diſpoſed by the Giuers thereof. That is to ſay, that all Corporations of all Cities, Boroughes and Townes Corporate by what name or names ſoeuer they ſhall be knowne or incorporated, and in Townes and Pariſhes not incorporate the Parſon or Vicar of euery ſuch Towne or Pariſh, together with the Conſtable or Conſtables, the Church-warden or Church-wardens, Collectors, and the Ouerſéers for the poore for the time being, or the moſt part of them, where any ſuch ſumme or ſummes of money are already giuen, or ſhall be hereafter giuen to be ſo employed, ſhall from time to time within the ſaid ſeuerall Cities, Boroughes, Townes and Pariſhes reſpectiuely, haue the nomination and placing of ſuch Apprentices, and the guiding and employment of all ſuch moneys, as haue béene heretofore ſo giuen, or which hereafter ſhall bee giuen, to and for the continuall binding forth of ſuch and ſo many Apprentices, and in ſuch ſort as is already, or ſhall hereafter bee ſo giuen and appointed, either by the laſt Will and Teſtament, or by any writing or writings vnder the Hands and Seales of any perſon or perſons, which hath already or hereafter ſhall ſo giue any ſumme or ſummes of moneyes vnto the good, and godly purpoſes and intents aforeſaid. And if the Corporation of any ſuch Cities, Boroughes or Townes Corporate by what name or names ſoeuer they ſhall be called or incorporated, or any the perſon or perſons in the other Townes and Pariſhes aboue mentioned appointed by this Act to haue continually the guiding and employment of ſuch ſummes of moneyes ſo already giuen or hereafter to be giuen to the intents and purpoſes aforeſayd, ſhall at any time hereafter wilfully forbeare or refuſe, according to their dueties in this behalfe, to employ ſuch ſummes of moneyes ſo giuen, or to bée giuen as aforeſayd, for the binding out of ſuch Apprentices, by meanes of which wilfull forbearance or refuſing, the ſayd money ſhall not bee employed accordingly, That they and euery of them ſo offending contrary to this Act, ſhall forfeit for euery ſuch offence the ſumme of thrée pounds fiue ſhillings and eight pence lawfull Engliſh money, the one halfe thereof to bée giuen to the poore of the Towne or Pariſh where ſuch fault or offence ſhall bee done or committed, the other moitie to the party that ſhall ſue for the ſame. And that euery man that will, may and ſhall bée admitted to ſue for the ſame moitie for the vſe and benefite of the ſayd poore, and ſhall bée alſo admitted to ſue for the forfeiture of the other moitie in any of the Kings Maieſties Courts of Record, to his owne benefit and behoofe, by Action of Debt, Bill, Plaint, or Information, wherein no Protection, Wager of Law, or Eſſoigne, ſhall bee admitted or allowed.

The party which receiueth the mony ſhalbe bound with ſureties to repay it.

And for that all moneyes ſo giuen may the better continue, to and for the purpoſes aforeſayd: Bee it enacted by the authority aforeſayd, That the Maſter, Miſtreſſe, or Dame of euery ſuch Apprentice or Apprentices, that ſhall receiue any ſuch ſumme or ſummes of money as aforeſayd, ſhall become Bound with one or two ſufficient Sureties, by Bond or Obligation in double the ſumme, which they and euery of them ſhall ſo receiue with ſuch Apprentice or Apprentices, as aforeſayd, vnto the Corporation of any ſuch Citie or Towne corporate, by what name of names ſoeuer they ſhall be called or incorporated, or to ſuch perſon or perſons in the other Townes and Pariſhes not incorporated, appointed by this Act, to haue continually the guiding and employment of all ſuch ſummes of money ſo already giuen or hereafter to be giuen, to the intents and purpoſes aforeſayd reſpectiuely: Vpon condition to repay ſuch ſumme or ſummes of money, as hée or ſhée ſhall receiue with ſuch Apprentice or Apprentices, at the end of ſeuen yeares, next enſuing the date of the ſayd Obligation, or within thrée moneths next after the end of the ſayd ſeuen yeares. And if ſuch Apprentice ſhall happen to dye within the ſayd ſpace of ſeuen yeares, then within one yeare after his or her ſayd death. And if the Maſter, Miſtreſſe or Dame, to whom any ſuch apprentice or apprentices ſhall bée bound, ſhall happen to dye within the ſayd ſpace of ſeuen yeares, then within one yeare next after his or her death; So as the ſayd moneyes may be againe employed for placing ſuch apprentice with ſome other perſon of the ſame Trade, to ſerue out the reſidue of the yeares of his or her former apprentiſhip, by the diſcretion of the ſayd perſons, truſted as aforeſayd.

And bee it further enacted by the authority aforeſayd, That euery ſuch ſumme or ſummes of money ſo giuen, or to be giuen in manner and forme, and to and for the good vſes and intents aforeſayd, ſhall alwayes be put forth and employed by the parties aforeſayd, that by this Act ſhall haue the diſpoſing and employment thereof, within thrée moneths at the furtheſt, after ſuch moneys ſhall come to the hands of the ſayd parties, that by the intent and true meaning of this Act, ought to diſpoſe and employ the ſame: And if, at ſuch times there ſhall not bée found fit and apt perſons to bée bound out apprentices as aforeſayd, within the ſayd Cities, Townes and Pariſhes, where ſuch ſummes of money are or hereafter ſhall be giuen to bee employed, as afore is declared: Then ſuch of the poreſt children of any of the Pariſhes next adioyning, ſhall bée bound apprentices in manner as aforeſayd, as by the care and good diſcretions of the parties, which by this Act haue the diſpoſing and employment of the ſayd ſummes of money in the Cities, Townes and Pariſhes, where it was firſt giuen to bee employed, ſhall bée thought fit and conuenient, taking ſuch Bonds and Obligations of the perſons, that ſhall receiue the ſame ſummes of money ſo put forth, and with ſuch ſureties, and vpon ſuch conditions, as is aboue mentioned and declared.

Within what time the mony ſhalbe put forth.

A prouiſion if there be not fit perſons in that Pariſh to be apprentices.

Prouided alwayes, and bee it enacted by the authority aforeſayd, That choice from time to time be made of the pooreſt ſorts of children of euery ſuch Citie, Towne or Pariſh, where ſuch moneys ſhall be ſo giuen and whoſe parents are leaſt able to relieue them. And that no ſuch Apprentice ſhall bee aboue the age of fiftéene yeares, when hée or ſhée ſhall bée ſo firſt bound out an Apprentice.

What ſort of perſons ſhall be apprentices.

And for the better execution of this Act, Be it further enacted by the authority aforeſayd, that all and euery perſon and perſons appointed by this Act, to haue the employing and diſpoſing of any ſumme or ſummes of money ſo giuen or to be giuen as aforeſayd, within any Towne or Pariſh not Corporate, ſhall after the end of this preſent Seſſion of Parliament, once euery yeare in the Eaſter wéeke, or within one moneth next after Eaſter day, make a true and perfect Accompt before foure, thrée, or two Iuſtices of the Peace, dwelling in or next to euerie the ſayd Townes or Pariſhes, of all ſuch ſumme and ſummes of money, as they or any of them haue employed in binding of Apprentices, by vertue of this Act, and of all Bonds and Obligations taken for the payment thereof: And alſo of all ſuch ſummes of money as then ſhall happen to bée remaining in their hands not employed. And alſo ſhall at the making and yéelding vp of the ſayd Accompt, or within tenne dayes then next following, yéeld and deliuer vp vnto ſuch as ſhall happen next to ſuccéede them, or then to bee in the ſayd Roomes or places, all ſuch Obligations and Bonds, as by them or any of them haue béene before that time taken to the vſes aforeſayd: As alſo all ſummes of money remaining in their or any of their hands, to bée employed as aforeſayd, and not employed at the time of the yéelding vp of the ſayd Accompt.

Account ſhall be made of the money employed.

And further bée it enacted by the authority aforeſayd That if any of the parties appointed and truſted by this Act to haue the diſpoſing and employment of any of the ſayd ſummes of money ſo giuen or to bée giuen as aforeſayd, ſhall in any point or degrée breake the truſt and confidence in them in this behalfe repoſed, or ſhall commit any other miſdemeanour or offence in miſemploying of the ſayd ſummes of money, or any part thereof, or in doing any other Act or Acts, contrary to their duties and the true intent and meaning of this Act, for which there is not by this Act any penalty giuen or appointed, Then it ſhall and may be lawfull for any perſon or perſons whatſoeuer in the behalfe of the poore of ſuch Citie, Borough or Pariſh, to exhibite his petition to the Lord Chancellor, or Lord Kéeper of the great Seale of England for the time being, touching the ſame, Which Lord Chancellor or Lord Kéeper of the great Seale of England for the time being, ſhall thereupon haue full power and authority to award out a commiſſion out of the high Court of Chancery vnder the great Seale of England to ſuch and ſo many perſons as his Lordſhip ſhall thinke méete, to enquire, heare and determine the ſayd offences, and euery of them. And if the ſayd Commiſſioners, or the moſt part of them ſhall find, that any ſumme or ſummes of money ſo giuen or to bee giuen are loſt, impaired, waſted or diminiſhed, Then they or the moſt part of them ſhall likewiſe haue power by vertue of this Act, and of their ſayd Commiſſion, to rate, raiſe and collect the ſayd ſumme of money ſo loſt, impaired, waſted or diminiſhed, vpon ſuch perſon or perſons in places not incorporate, as by this Act are appointed to haue the guiding and ordering of the ſayd moneys, if they or any of them haue failed in their ſayd duties in that behalfe, or otherwiſe vpon the able Inhabitants of ſuch Citie, Towne or Pariſh where the ſame ſhall ſo happen, as in the diſcretion of the ſayd Commiſſioners, or the greateſt part of them ſhall be thought fitteſt, and to returne the ſayd Commiſſion and the maner

A remedy where any party truſted ſhal breake the truſt, or cōmits any offence.

of

A remedy for any party grieued by the cōmiſſioners.

of the execution thereof, into the ſayd high Court of Chancery within thrée moneths next after the execution thereof. And if any perſon or perſons ſhall find himſelfe grieued by any thing done by the ſayd Commiſſioners, then vpon complaint thereof made in the high Court of Chancery, the ſayd Lord Chancellor, or Lord Kéeper for the time being, ſhall haue full power and authority to order and decrée the ſame, as to his Lordſhip ſhall be thought moſt fit to ſtand with equity and góod conſcience.

Cap. IIII.

Houſes of correction ſhall be prouided: And the gouernement of them.

WHereas heretofore diuers góod and neceſſary Lawes and Statutes haue béene made and prouided for the erection of houſes of Correction, for the ſuppreſſing and puniſhing of Rogues, Vagabonds, and other idle, vagrant, and diſorderly perſons, which Lawes haue not wrought ſo góod effect as was expected, as well for that the ſayd houſes of Correction haue not béene built according as was intended, as alſo for that the ſayd Statutes haue not béene duely and ſeuerely put in execution, as by the ſayd Statutes were appointed. For remedy whereof, Be it enacted and eſtabliſhed by our Soueraigne Lord the Kings Maieſty, and by the Lords Spirituall and Temporall, and by the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all Lawes and Statutes now in force, made for the erecting and building of houſes of Correction, and for puniſhing of Rogues, Vagabonds, and other wandring and idle perſons, ſhall be put in due execution.

There ſhal be a houſe of correction prouider in euery Shire, to ſet idle perſons to worke. 39. El. 4.

And be it further enacted and eſtabliſhed by the authority aforeſayd, That before the Feaſt of Saint Michael the Archangel, which ſhall bée in the yeare of our Lord God, one thouſand ſixe hundred and eleuen, there ſhall bee erected, built, or otherwiſe prouided, within euery County of this Realme of England and Wales, where there is not one houſe of Correction already built, purchaſed, prouided or continued, one or more fit and conuenient houſe or houſes of Correction, with conuenient Backſide thereunto adioyning, together with Milles, Turnes, Cards, and ſuch like neceſſary Implements, to ſet the ſayd Rogues, or ſuch other idle perſons on worke: The ſame houſes to be built, erected or prouided in ſome conuenient place or Towne in euery County: Which houſes ſhall bée purchaſed, conueyed, or aſſured vnto ſuch perſon or perſons, as by the Iuſtices of Peace, or the more part of them, in their Quarter Seſſions of the Peace, to be holden within euery County of this Realme of England and Wales, vpon truſt, To the intent the ſame ſhall be vſed and employed for the kéeping, correcting, and ſetting to worke of the ſayd Rogues, Vagabonds, or ſturdy Beggars, and other idle and diſorderly perſons.

The forf. of euery Iuſt. of Peace if the houſe of correction be not prouided.

And bee it further enacted by the authority aforeſayd, That if the houſe to bee erected, purchaſed, or prouided, ſhall not bee erected, built, or otherwiſe prouided, before the Feaſt of Saint Michael the Archangel, which ſhall bée in the yeare, one thouſand ſixe hundred and eleuen, next enſuing the laſt day of this preſent Seſſion of Parliament, That then euery Iuſtice of Peace within euery County of this Realme of England and Wales, where ſuch houſe and backeſide ſhall not be erected or prouided, ſhall forfeit for his ſayd neglect, fiue pounds of lawfull Engliſh money, the one moity thereof to be vnto him or them that will ſue for the ſame by Action of Debt, Bill, Plaint, or Information: In which ſuit, no Protection, Eſſoine, or Wager of Law ſhall be admitted: And the other moity thereof to be employed and beſtowed towards the erecting, building, procuring or prouiding the ſayd houſe and backſide, and ſuch neceſſary Implements, as aforeſayd.

A Gouernor ſhalbe appointed of euery houſe of correction, & his authority.

And bee it further enacted and eſtabliſhed by the authority aforeſayd, That the Iuſtices of Peace of euery County within the Realme of England and Wales, at their quarter Seſſions of the Peace, to be holden before their ſeuerall Counties (next after the erecting, prouiding or building of the ſayd houſe or houſes, and ſo from time to time) or the moſt part of them ſhall elect, nominate and appoint, at their will and pleaſure, one or more honeſt fit perſon or perſons, to be Gouernor or Maſter of the ſayd houſe or houſes ſo to be purchaſed, erected, built or prouided: which perſon and perſons ſo choſen by vertue of this preſent Act, ſhall haue power and authority, to ſet ſuch Rogues, Vagabonds, idle and diſorderly perſons, as ſhall be brought or ſent vnto the ſayd houſe to worke and labour, (being able) from time to time, for ſuch time, as they ſhall continue and bee remaining in the ſayd houſe of Correction, and to puniſh the ſayd Rogues, Vagabonds, idle and diſorderly perſons, by putting Fetters or Giues vpon them, and by moderate whipping of them. and that the ſayd Rogues, Vagabonds, and idle perſons, during ſuch time as they ſhall continue and remaine in the ſayd houſe of correction, ſhall in no ſort bee chargeable to the Countrey for any allowance, either at their bringing in, or going forth, or during the time of their abode there, but ſhall haue ſuch and ſo much allowance, as they ſhall deſerue by their owne labour and worke.

The Rogues ſhall not bee chargeable to the countrey.

And be it further enacted by the authority aforeſayd, That the ſayd Iuſtices of Peace of euery

County within euery of their ſeuerall Diuiſions twice in euery yeare at the leaſt, and oftner if there be occaſion, ſhall aſſemble and meete together for the better execution of this Statute, and that ſome foure or fiue daies before their aſſembly and meeting, the ſaid Iuſtices or the more part of them, ſhall by their Warrant command the Conſtables and Tithingmen of euery Hundred, Towne, Pariſh, Village, and Hamlet within their ſeuerall Diuiſions, which ſhall be aſſiſted with ſufficient men of the ſame places, to make a generall priuie ſearch in one night within their ſaid Hundreds, Townes, Villages and Hamlets, for the finding out and apprehending of the ſaid Rogues, Vagabonds, wandring and idle perſons, and that ſuch Rogues, Vagabonds, wandring and idle perſons as they ſhall then find and apprehend in the ſaid ſearch, ſhall by them be brought before the ſaid Iuſtices, at their ſaid aſſembly or meeting, there to be examined of their idle and wandring life, there to be puniſhed, or otherwiſe by their Warrant to be ſent or conueyed vnto the ſaid houſe or houſes of Correction within the ſaid Countie, appointed and prefixed, there to be deliuered vnto the Maſter or Gouernor of the ſaid houſe, or to his deputie or aſſignee, to be ſet to labour and worke, at which dayes and times of aſſembly and meeting, ſo to be held by the ſaid Iuſtices of Peace, the Conſtables and Tithingmen of euery Hundred, Pariſh, Towne, Village and Hamlet, ſhall then appeare in euery their ſeuerall Diuiſions, before the ſaid Iuſtices of Peace, at the ſaid aſſemblies or meetings, and there ſhall giue account and reckoning, vpon Oath in writing, and vnder the hand of the Miniſter of euery Pariſh, what Rogues, Vagabonds, and wandring and diſorderly perſons they haue apprehended both in the ſame ſearch, and alſo betweene euery ſuch aſſemblies and meetings, and how many haue beene by them puniſhed, or otherwiſe ſent vnto the houſes of Correction: which if the ſaid Conſtables or Tithingmen ſhall neglect to performe, as alſo to conuey ſafely all ſuch Rogues, with all other idle and diſorderly perſons at the charge of the Hundred, as by the Iuſtices of Peace Warrants ſhall be ſent vnto the houſes of Correction in the ſame Countie, that then they ſhall forfeit ſuch further fines, paines, and penalties, as by the ſaid Iuſtices of Peace, or the moſt part of them, ſhall be thought fit and conuenient, not exceeding the ſumme of xl.s. for euery offence.

Generall priuie ſearch ſhal be made in euery Hundred, Towns, &c.

The Conſtables account of vagabonds apprehended.

And for that it is conuenient, that the Maſters or Gouernors of the ſaid houſes of Correction ſhould haue ſome fit allowance and maintenance, for their trauell and care to be had in the ſaid ſeruice, as alſo for the releeuing of ſuch as ſhall happen to be weake and ſicke in their cuſtodie, and that the ſubiects of this Realme ſhould in no ſort be ouercharged, to raiſe vp money for ſtockes to ſet ſuch on worke as ſhall be committed to their cuſtodie: Be it therefore enacted and eſtabliſhed by the authoritie of this preſent Parliament, That the Maſters or Gouernors of the ſaid houſes of Correction, ſhall haue ſuch ſumme of money yearely, as ſhall be thought meet, by the moſt part of the Iuſtices of Peace within the ſaid County, at the Quarter Seſſions of the Peace, the ſame to be paid quarterly beforehand by the Treaſurers, appointed by one Act made in the three and fortieth yeare of the late Queene Elizabeth, intituled, An Act for the reliefe of the poore, during the time they the ſaid Maſters or Gouernors ſhall be imployed in the ſaid ſeruice, (the ſaid Maſter or Gouernor giuing ſufficient ſecuritie, for the continuance and performance of the ſaid ſeruice) which if the ſaid Treaſurer ſhall neglect or refuſe to performe, That then the ſaid Maſter or Gouernor of the houſe of Correction, ſhall haue authoritie by this preſent Act, to leuie the ſame, or ſo much thereof as ſhall be vnpaid, vpon the ſaid Treaſurers account, in ſuch manner and forme as by the ſaid Statute they the ſaid Treaſurers are appointed and authorized, to leuie the weekly ſumme or payment, being to them vnpaid.

The Gouernors allowance for his paines and maintenance.

43. El. 2.

And becauſe great charge ariſeth vpon many places within this Realme, by reaſon of Baſtardie, beſides the great diſhonour of Almighty God, Be it therefore enacted by the authoritie aforeſaid, That euery lewd woman, which after this preſent Seſſion of Parliament, ſhall haue any Baſtard, which may be chargeable to the Pariſh, the Iuſtices of Peace ſhall commit ſuch lewd woman vnto the houſe of Correction, there to be puniſhed, and ſet on worke during the terme of one whole yeare: And if ſhe ſhall eftſoones offend againe, That then to be committed to the ſaid houſe of Correction as aforeſaid, and there to remaine vntill ſhee can put in good ſureties for good behauiour, not to offend ſo againe.

The puniſhment of lewd women which haue baſtards. 18. El. 3.

And for that many wilfull people, finding that they hauing children, haue ſome hope to haue reliefe from the Pariſh wherein they dwell, and being able to labour, and thereby to releeue themſelues and their families, doe neuertheleſſe runne away out of their Pariſhes, and leaue their families vpon the Pariſh: For remedy whereof, Be it further enacted by this preſent Parliament and the authority of the ſame, That all ſuch perſons ſo running away, ſhall be taken and deemed incorrigible Rogues, and endure the paine of incorrigible Rogues: And if either ſuch man or woman being able to worke, and ſhall threaten to runne away, and leaue their families as aforeſaid, the ſame being proued by two ſufficient witneſſes vpon Oath before two Iuſtices of Peace in that Diuiſion, That then the ſaid perſon ſo threatning, ſhall by the ſaid Iuſtices of Peace be ſent to the houſes of Correction, (vnleſſe he or ſhee can put in ſufficient ſureties for the diſcharge of the Pariſh) there to be dealt with and detained as a ſturdy and wandring Rogue, and to be deliuered at the ſaid aſſembly or meeting, or at the quarter Seſſions, and not otherwiſe.

A remedy for them that run away, & leaue their children to the charge of the Pariſh.

The Gouernors ſhal giue account to the Iuſtices of all perſons committed to their cuſtodie.

The continuance of the Act.

And becauſe there ſhall be the more care taken by all ſuch Maſters of the houſes of Correction, that when the Countrey hath béene at trouble and charge, to bring all ſuch diſorderly perſons as aforeſaid to their ſafe kéeping, that then they ſhall performe their duties in that behalfe, Bee it therefore enacted by the authority aforeſaid, That if they ſhall not euery quarter Seſſions, yéeld a true and lawfull account vnto the Iuſtices of Peace, of all ſuch perſons as haue béene committed to their cuſtodie: Or if the ſaid perſons committed to their cuſtodie, or any of them, ſhall be troubleſome vnto the Countrey, by going abroad, or otherwiſe, ſhall eſcape away from the ſaid houſe of Correction, before they ſhall be from thence lawfully deliuered, That then the ſaid Iuſtices ſhall ſet downe ſuch Fines and Penalties vpon the ſaid Maſter and Gouernors, as the moſt part of them in their quarter Seſſions ſhall thinke fit and conuenient, and all fines and penalties not herein before limited, ſhall be paid vnto the Treaſurer, and accounted for by the Treaſurer aforeſaid: This Act to haue continuance for the ſpace of ſeuen yeares, and from thence to the end of the next Seſſion of Parliament after the ſaid ſeuen yeares. 3. Car. 4
Continued vntill the end of the firſt Seſſion of the next Parliament.

Cap. V.

The Plea of an Officer impleaded for the execution of his Office.

Officers troubled for the due execution of their offices.

An action being brought againſt an officer, hee may plead not guilty.

The Defendant allowed double coſts of ſuite.

Continuance of this Act.

For eaſe in pleading againſt many cauſeleſſe and contentious Suites, which haue bin, and daily are commenced, and proſecuted againſt Iuſtices of Peace, Maiors, or Bailiffes of Cities and Townes Corporate, Headboroughs, Portréeues, Conſtables, Tithingmen, Collectors of Subſidies and Fiftéenes, who for due execution of their Office, haue béene troubled and moleſted, and ſtill are like to be troubled and moleſted by euill diſpoſed contentious perſons, to their great charge, and diſcouragement in doing of their Offices: Bee it therefore enacted by our Soueraigne Lord the King, and by the Lords Spirituall and Temporall, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That if any Action, Bill, Plaint, or Suit vpon the caſe, Treſpaſſe, Battery, or falſe Impriſonment ſhall be brought, after forty dayes next after the end of this Seſſion of Parliament, in any of his Maieſties Courts at Weſtminſter, or elſe-where, againſt any Iuſtice of the Peace, Maior or Bailiffe of Citie or Towne Corporate, Headborough, Portréeue, Conſtable, Tithingman, Collector of ſubſidie or fiftéenes, for or concerning any matter, cauſe or thing, by them or any of them done, by vertue or reaſon of their, or any of their Office or Offices, That it ſhall be lawfull to and for euery ſuch Iuſtice of Peace, Maior, Bailiffe, Conſtable, or other Officer or Officers before named, and all others which in their ayde or aſſiſtance, or by their commandement ſhall doe any thing touching or concerning his or their Office or Offices, to pleade the generall iſſue, that he or they are not guiltie, and to giue ſuch ſpeciall matter in Euidence to the Iurie which ſhall trie the ſame, which ſpeciall matter being pleaded, had béene a good and ſufficient matter in Law, to haue diſcharged the ſaid Defendant or Defendants of the treſpaſſe or other matter laid to his or their charge: And that if the Verdict ſhall paſſe with the ſaid Defendant or Defendants in any ſuch Action, or the Plaintiffe or Plaintiffes therein become Non-ſuit, or ſuffer any diſcontinuance thereof, That in euery ſuch caſe the Iuſtices or Iuſtice, or ſuch other Iudge before whom the ſaid matter ſhall be tried, ſhall by force and vertue of this Act, allow vnto the Defendant or Defendants his or their double coſts, which he or they ſhall haue ſuſtained by reaſon of their wrongfull vexation in defence of the ſaid Action or Suite: For which the ſaid Defendant or Defendants ſhall haue like remedy, as in other Caſes where Coſts by the Lawes of this Realme are giuen to the Defendants. And this Act to continue for ſeuen yeares, and from thence to the end of the next Parliament after the ſaid ſeuen yeares. Coke Iuſt. 283. a.

This Statute is inlarged and made perpetuall, 21. Iac. 12.

Cap. VI.

Who ſhall take the Oath of Obedience to the King, and by whom it ſhall be miniſtred, and within what time.

3. Iac. 4.

Whereas by a Statute made in the third yeare of your Maieſties Reigne, intituled, An Act for the better diſcouering & repreſſing of Popiſh Recuſants, the forme of an Oath to be miniſtred and giuen to certaine perſons in the ſame Act mentioned, is limited and preſcribed, tending onely to the declaration of ſuch dutie, as euery true and well affected ſubiect, not onely by bond of Allegeance, but alſo by the commandement of Almighty God ought to beare to your Maieſtie, your heires and ſucceſſors, which Oath ſuch as are infected with Popiſh ſuperſtition doe oppugne, with many falſe and vnſound arguments, the iuſt defence whereof your Maieſty hath heretofore vndertaken and worthily performed, to the great contentment of all your louing Subiects, notwithſtanding the gaineſayings of contentious aduerſaries.

And to ſhew how greatly your loyall ſubiects doe approue the ſaid Oath, they proſtrate themſelues at your Maieſties feete, beſeeching your Maieſtie, that the ſame Oath may bee adminiſtred to all your ſubiects. To which end wee doe with all humbleneſſe beſeech your Highneſſe that it may be enacted, And be it enacted by the authoritie of this preſent Parliament, That all and euery perſon and perſons, as well Eccleſiaſticall as Temporall, of what eſtate, dignitie, preheminence, ſexe, qualitie, or degree ſoeuer he, ſhee or they be, or ſhall be, aboue the age of eighteene yeares, being in this Act mentioned and intended, ſhall make, take and receiue a corporall Oath vpon the Euangeliſts, according to the tenor and effect of the ſaid Oath ſet forth in the ſaid forementioned Statute, before ſuch perſon or perſons, as hereafter in this Act is expreſſed: That is to ſay, All and euery Archbiſhop and Biſhop that now is, or hereafter ſhall be, before the Lord Chancellor, or Lord Keeper of the great Seale for the time being.

Euery perſon aboue the age of 18 yeares herein intended ſhall take the oath of obedience.

Before whom each perſon ſhall take the oath.

Archbiſhops, and Biſhops, Eccleſiaſticall Iudges and Officers.

And all and euery Eccleſiaſticall Iudge, Officer, and Miniſter of what eſtate, dignity, preheminence, or degree ſoeuer he or they be or ſhall be, before the Archbiſhop of the Prouince, or Biſhop or other Ordinary of the Dioceſſe for the time being, wherein ſuch Eccleſiaſticall Iudge, Officer, or Miniſter ought to exerciſe his ſaid office, place or function.

And all and euery perſon and perſons of or aboue the degree of a Baron of Parliament, or Baroneſſe of this your highneſſe Realme of England, and all of your Highneſſe Priuie Councell, reſiding in London or Weſtminſter, or within thirty miles thereof, and the Preſidents of Wales and the North parts, before any foure of your highneſſe Priuie Councell, whereof the Lord Chancellor, L. Treaſurer, L. Priuie Seale, or principall Secretarie for the time being, to be one. And if ſuch perſon or perſons liue and reſide in the Countrey, diſtant aboue thirty miles from London, then before the Lord Biſhop of the Dioceſſe, or ſuch other perſon or perſon, as the L. Chancellor, or Lord Keeper of the great Seale for the time being, ſhall thereto by Writ of Dedimus poteſtatem, authorize.

A Baron or Baroneſſe, or aboue that degree, Priuy Councellors, and Preſidents.

And all and euery the ſworne ſeruants ordinary and extraordinary of your highneſſe, the Queenes grace, or of the houſehold of the Prince of Wales, and of the reſt of your highneſſe children, before the Lord Steward, the Lord Chamberlaines and Vicechamberlaines to your highneſſe and the Queene, the Treaſurer and Comptroller of your highneſſe houſehold, the Maſter of your highneſſe horſe, the Deane of the Chappell, and the Knight Marſhall for the time being, the Officers of the Greenecloth, or any three of them.

The ſworne ſeruants of the King, the Qu. Prince, &c.

All and euery Temporall Iudge, Iuſtices of peace, Sheriffes, Eſcheators, Feodaries, and other Officers and Miniſters of Iuſtice in this preſent Act not ſpecially mentioned, and euery other perſon or perſons that doth or ſhall receiue any Fee of your highneſſe, your heires, and ſucceſſors, before the Lord Chancellor, or Lord Keeper of the great Seale, Lord Treaſurer, Lord Admirall, Lord Warden of the fiue Ports for the time being, or one of them, or before one of the chiefe Iuſtices of either of your Maieſties Bench, or of the Common Pleas, or before Iuſtices of Aſſiſe of the ſame county where the parties reſide, or other ſuch perſons as the Lord Chancellor or Keeper of the ſaid great Seale ſhall thereto authorize.

Iudges, Miniſters of Iuſtice, and they which receiue the K. fee.

And all Maiors, Bailiffes, or other chiefe Officers of Cities and Townes corporate, by what name ſoeuer they bee called or knowne, before ſuch perſon or perſons as vſually adminiſter the Oath to them at their firſt entrance into their ſaid Offices.

Chiefe Officers of Cities and townes corporate.

And all and euery the Knights, Citizens, Burgeſſes, and Barons of the fiue Ports of the Commons Houſe of Parliament, at any Parliament or Seſſion of Parliament hereafter to be aſſembled, before he or they ſhall be permitted to enter into the ſaid houſe, before the Lord Steward for the time being, or his deputy or deputies. And the Maſter of the Ordnance, Lieutenant of the Tower of London, and Mintmaſter there, the foure principall Officers of your Nauy vnder the Lord Admirall, before the Lord Chancellor or Lord Keeper of the great Seale, and the Lord Admirall for the time being, or any of them.

Knights, Citizens, Burgeſſes and Barons of the Parliament.

The Maſter of the Ordnance, Lieutenant of the Tower, &c.

And all the Officers, Miniſters, ſeruants, and others within your ſaid Tower of London, before the Lieutenant of the Tower.

Officers and ſeruants in the Tower.

And all the Vice-admirals, Captaines, Maſters, Officers, Miniſters, and Souldiers in your Highneſſe ſhips, or any of them, before the ſaid foure principall Officers of your Nauy, or any two of them.

Officers and Souldiers in ſhips.

And all perſons hauing charge of Caſtles, Fortreſſes, Blocke-houſes, or Gariſons, and all Captaines who ſhall haue charge of Souldiers within this your highneſſe Realme, before the Iuſtices of Aſſiſe of the ſame Countie, or before two Iuſtices of the Peace of the ſame Countie, Citie or Libertie, where the ſame Caſtles, Fortreſſes or Block-houſes ſhall ſtand, or the charge of Souldiers ſhall be.

Captaine of Caſtles ſouldiers.

All Doctors, Aduocates, and Proctors of the Ciuill Law, and their Clerks, before the Biſhop of the Dioceſſe, where they ſhall for the moſt part dwell or reſide.

Doctors, Aduocates and Proctors of the ciuill Law.

And all and euery perſon or perſons Temporall that hereafter ſhall ſue Liuery or Ouſter le maine out of the hands of your highneſſe, your heires or ſucceſſors, before his or their Ouſter le maine, ſued forth and allowed, before the Maſter of the Wards and Liueries, or before the Surueyor and Atturney of your highneſſe ſaid Court, in open Court.

Suers of Liuery.

Sergeants at the Law, and the Iudges ſeruants.

All the Sergeants at Law, ſeruants to the Iudges in your highneſſe Courts at Weſtminſter, and all other in the Sergeants Innes, before the chiefe Iuſtice of your Maieſties Bench, the chiefe Iuſtice of the Common Pleas, and the chiefe Baron of your Exchequer, or ſome, or one of them.

Gentl. of the Innes of court, & Principals of the Innes of Chancery.

All your highneſſe Subiects in the Innes of Court, or that hereafter ſhall be admitted thereinto, and the Principals and Treaſurers of euery Inne of Chancery, before the Readers and Benchers of the ſeuerall Houſes, whereto they belong, or foure of them at the leaſt, in their open Halles.

All of the Innes of Chancery.

All other your Maieſties ſubiects, as well Ancients as other, not being Principall or Treaſurer, that now are, or hereafter ſhall be admitted into any Inne of Chancery, before the Principall or Treaſurer, and Ancients of the ſeuerall Innes of Chancery, or foure of them in their open Halles.

Prothonotaries Officers, Atturneys, Clerks, &c.

All Prothonotaries, Philizers, Officers, Miniſters, Atturneys, and Clerkes that now are, or hereafter ſhall be admitted to write or practiſe in any of your highneſſe Courts at Weſtminſter, or in any other Court of Record, before the Iudge or Iudges of the ſame Court.

Clerks and Officers of the Chancery.

All Clerkes of the Chancery, and all their Under-clerkes, and all other Officers of the ſaid Court of Chancery, and their Clerkes, before the Maſter of the Rolles for the time being, or before two of the Maſters of the ſaid Court of Chancery.

Parſons, Uicars, Curats, &c. Schoolemaſter, Uſher.

All Parſons, Uicars, and Curates, and all other perſons Eccleſiaſticall taking Orders, and all and euery Schoole-maſter or Uſher, before the Biſhop of the Dioceſſe, or other Ordinarie in the ſame, ſitting in open Court.

The Uicechancellors in the Uniuerſities & Principals of Colledges or Halles.

The Uicechancellors of both the Uniuerſities for the time being, and the Preſidents, Wardens, Prouoſts, Maſters of Colledges and Halles, and all other Heads and Principals of Houſes, Proctors, and Beadles of the Uniuerſities, publikely in the Conuocation, before the Senior Maſters there preſent.

Perſons promoted to degree in ſchools.

And all and euery other perſons whatſoeuer, that is or ſhall be promoted to any degrée in Schoole, before the Uicechancellor of the ſaid Uniuerſitie for the time being, in the Congregation Houſe.

Fellowes and Schollers in Colledges.

All Fellowes of Houſes, and all Schollers of Halles or Colledges that now are, or hereafter ſhall be receiued into the ſame, being vnder the degrée of a Baron, before the Preſident, Maſter, Prouoſt, Warden, or other head or chiefe Gouernour of that Colledge, Hall, or Houſe whereinto hée ſhall be receiued, and in the open Hall.

Doctors and Practicers of Phyſicke.

And all Doctors of Phyſicke, and all other who practiſe Phyſicke, that now are, or hereafter ſhall be admitted into the Colledge of Phyſitions in London, before the Preſident of the ſame Colledge for the time being.

Aldermen, Sheriffes, & Freemen of Cities and Towns corporate.

And all Aldermen, Sheriffes, or Under-officers whatſoeuer, of the Cities and Townes corporate, and all ſuch as hereafter ſhall be made Frémen of the ſaid Citie or Town corporate, before the Maior, Bailiffes, or other chiefe Officer of the ſaid Citie or Towne in the open Hall.

when the perſons aforeſaid ſhall take the ſaid Oath.

And to the intent, that due execution may be had of the premiſſes without delay, it is further enacted by the authority aforeſaid, That all the perſons before named, who haue any certaine time limited or expreſſed when to take the aforeſaid Oath, ſhall at the time therein preſcribed take the ſame, and the reſt within ſixe moneths next after the end of this preſent Seſſion of Parliament.

who may tender the ſaid Oath, and to whom.

And be it further enacted by authority of this preſent Parliament, That it ſhall and may be lawfull, to and for any one of the Priuie Councell of your Highneſſe, or of your heires and ſucceſſors, and to and for euery Biſhop within his Dioceſſe, to require any Baron, or Baroneſſe, of the age of eightéene yeares or aboue, to take the ſaid Oath, and to and for any two Iuſtices of Peace within any Countie, Citie, or Towne corporate, whereof one to be of the Quorum, to require any perſon or perſons, of the age of eightéene yeares, or aboue, vnder the degrée of a Baron or Baroneſſe, to take the ſaid Oath. And if any perſon or perſons, of, or aboue the ſaid age and degrée, now ſtand, or hereafter at any time ſhall ſtand, and be preſented, indicted, or conuicted for not comming to Church, or not receiuing the holy Communion or Sacrament of the Lords Supper, according to the Lawes and Statutes of this Realme, before the Ordinarie, or other hauing lawfull power to take ſuch Preſentment or Indictment, Then thrée of the Priuie Councell of your Highneſſe, your heires or ſucceſſors, whereof the Lord Chancellor, Lord Treaſurer, Lord Priuie Seale, or principall Secretarie to be one, vpon knowledge thereof, ſhall require ſuch perſon or perſons to take the ſaid Oath. And if any other perſon or perſons whatſoeuer, of, and aboue the ſaid age, and vnder the ſaid degrée, now ſtand, or at any time hereafter ſhall ſtand, and be preſented, indicted, or conuicted for not comming to Church, or receiuing the holy Communion or Sacrament of the Lords Supper, according to the Lawes and Statutes of this Realme, before the Ordinarie, or any other hauing lawfull power to take ſuch Preſentment or Indictment, Or if the Miniſter, Pettie Conſtable, and Church-wardens, or any two of them, ſhall at any time hereafter complaine to any Iuſtice of Peace, néere adioyning to the place where any perſon complayned of, ſhall dwell, and the ſaid Juſtice ſhall finde cauſe of ſuſpition, That then any one Juſtice of Peace, within whoſe Commiſſion or Power ſuch perſon or perſons ſhall at any time hereafter be, or to whom complaint ſhall be made as aforeſaid, ſhall vpon notice thereof, require ſuch perſon or perſons to take the ſaid Oath: And that if any perſon or perſons, being of the age of eightéene yeares or aboue, ſhall refuſe to take the ſaid Oath, duely tendred to him or her according to the true intent and meaning of this Statute, That then the perſons authorized by this Law to giue the ſaid Oath, ſhall and may commit the ſame Offender to the common Gaole, there to remaine without bayle or mainpriſe, vntill the next Aſſiſes or generall Quarter Seſſions, to be holden for the ſaid Shire, Diuiſion, Limit, or Libertie, Where the ſaid Oath ſhall be againe in the ſaid open Seſſions, required of ſuch perſon by the ſaid Juſtices of Aſſiſe, or Juſtices of the Peace then and there preſent, or the greater number of them. And if the ſaid perſon or perſons, of the age of eightéene yeares, or aboue, ſhall refuſe to take the ſaid Oath, being tendred to him, or her, by the ſaid Juſtices of Aſſiſe and Gaole deliuerie, in their open Aſſiſes, or Gaole deliuerie, or the Juſtices of Peace, or the greater part of them, in their Generall or Quarter Seſſions, Euery perſon ſo refuſing, ſhall incurre the Danger and Penaltie of Præmunire, mentioned in a Statute made in the ſixtéenth yeare of the Reigne of King Richard the ſecond, (Except Women Conuert, who ſhall be committed onely to Priſon, there to remaine without Bayle or Mainpriſe, till they will take the ſaid Oath.)

The penaltie for refuſing to take the ſaid Oath.

16. R. 2. 2.

And be it further enacted, That euery perſon refuſing to take the ſaid Oath, as aboue, ſhall be diſabled to all intents and purpoſes, to execute any publike place of Judicature, or beare any other Office (being no Office of Inheritance, or Miniſteriall Function) within this your Highneſſe Realme of England: Or to vſe or practiſe the Common Law, or Ciuill Law, or the Science of Phyſicke, or Surgerie, or the Art of an Apothecarie, or any Liberall Science, for his or their gaine, within this Realme, vntill ſuch time as the ſame perſon ſhall receiue the ſame Oath, according to the intent of this Statute.

Diſabled to execute or practiſe certaine Offices or Sciences.

And be it further enacted, That if any married Woman (being lawfully conuicted as a Popiſh Recuſant, for not comming to Church) ſhall not within thrée moneths next after ſuch Conuiction, conforme her ſelfe, and repaire to the Church, and receiue the Sacrament of the Lords Supper, according to the former Lawes and Statutes, made and prouided on that behalfe touching Recuſants, That then ſhée ſhall be committed to Priſon by one of the Priuie Councell of your Highneſſe, your Heires or Succeſſors, or by the Biſhop of the Dioceſſe, if ſhée be a Baroneſſe, or if ſhée be vnder that degrée by two Juſtices of the Peace of the ſame Countie, whereof one to be of the Quorum, there to remaine without Bayle or Mainpriſe, vntill ſhée ſhall conforme her ſelfe, and come to Church, and receiue the Sacrament of the Lords Supper, vnleſſe the Husband of ſuch Wife ſhall pay to the Kings Maieſtie, his Heires or Succeſſors, for the Offence of the ſaid Wife, for euery Moneth tenne pounds of lawfull Money of England, or elſe the third part (in thrée parts to be diuided) of all his Lands and Tenements, at the choiſe of the Husband, whoſe Wife is ſo conuicted, as aforeſaid, for and during ſo long time, as ſhée remaining a Recuſant conuicted, ſhall continue out of Priſon, during which time (and no longer) ſhée may be at liberty.

The penaltie of a married woman Recuſant which ſhall not come to the Church and receiue the Sacrament.
St. 3. Iac. 5.

CAP. VII.

The penaltie of a worker of Wooll, or Yarne, that doth imbeſell or detaine any part thereof.

WHereas by the Trade of Clothing, making of Bayes, Sayes, and other Clothes, and Stuffes, made of Wooll, or partly of Wooll, many poore people are ſet on worke, and great profit hath growne to the Poore and Common-wealth thereby, Yet now by the abuſe and deceit of the Sorters, Kembers, Carders, and Spinſters of Wooll to them deliuered, by the perſons vſing the Trades aforeſaid, and Weauers of the Yarne made of ſuch Wooll, who are ſet on worke by the Clothier, maker of Bayes, Sayes and other Clothes and Stuffes aforeſaid, by vniuſtly, deceitfully, and falſely purloyning, imbeſelling, ſelling, and detaining of part thereof, to the great dammage of the Clothier, and others, vſing the Trades aforeſaid, whereby true Cloth-making is much hindered, and idleneſſe doth daily increaſe: So that many exerciſing the Trades before mentioned, are greatly impoueriſhed, and the parties which commit the Offences aforeſaid, being poore, and altogether vnable to make recompence or ſatisfaction for the Treſpaſſes, Deceits, and Abuſes aforeſaid, haue much diſcouraged the ſaid Clothier, maker of Bayes, and others of the Trades aforeſaid, to ſet poore people on worke, whereby much pouertie doth increaſe, and more is like daily to increaſe, to the great dammage and hinderance of the Common-wealth.

For the preuenting and reformation whereof, Be it enacted by the authoritie of this preſent Parliament, That all and euery ſuch lewd perſon and perſons, who ſhall at any time after twentie dayes next after the end of this Seſſion of Parliament, vniuſtly, falſely, or deceitfully, con-

The puniſhment of a Sorter, Carder, &c. of wool or Yarn, that doth detaine any part thereof.

ney away, imbeſell, purloine, ſell, or detaine any part of the Wooll or Yarne, deliuered by any Clothier, maker of Bayes, Sayes, or by any other perſon or perſons, making any ſuch Clothes or Stuffes, to any ſuch Sorter, Carder, Kember, Spinſter, or Weauer of Wooll or Yarne, That in euery ſuch caſe and caſes, as well the Sorter, Carder, Kember, Spinſter and Weauer ſo offending, as the buyer and buyers, receiuer and receiuers of the ſame, knowing the ſame, being thereof lawfully conuicted (by confeſſion of the partie or parties ſo offending, or by one ſufficient witneſſe, vpon Oath before two or more of the Kings Maieſties Iuſtices of the Peace of the ſame Countie or Libertie where the ſame Offence or Offences ſhall be committed, or if it be within a Towne corporate, before the Maior, Bayliffe, or chiefe Officer, and one more of the Aldermen, or moſt ſubſtantiall perſons of the ſaid Towne, who ſhall by force of this Act haue full power and authority to miniſter the ſame Oath, and finally to heare, end, and determine all and euery the Offences aforeſaid) ſhall giue and make to the partie and parties grieued, ſuch recompence and ſatisfaction for ſuch their dammage and loſſe, as by the ſaid Iuſtices, or chiefe Officers, ſhall be ordered and appointed. And if the partie or parties ſo offending, ſhall not be thought, in the diſcretion of the ſaid Iuſtices, or chiefe Officers, able, or ſufficient, or doe not make recompence or ſatisfaction for the ſame Offence or Offences, in ſuch manner and forme, as by the ſaid Iuſtices, or chiefe Officers, ſhall be ordered and appointed, as aforeſaid, Then the partie or parties offending, for the firſt Offence to be apprehended and whipped, or ſet in Stockes in the place where the Offence is committed, or in ſome Market Towne in the ſaid Countie, néere vnto the place where the Offence or Offences aforeſaid ſhall be committed, as ſhall be limited and appointed by the ſaid Iuſtices of the Peace, or chiefe Officers: And for the ſecond Offenſe, to incurre the like or ſuch further puniſhment by whipping, or being put in the Stockes, as the ſaid Iuſtices of the Peace, or chiefe Officers, ſhall in their diſcretion thinke fit and conuenient.

The puniſhment for the ſecond offence.

The puniſhment of the Receiuer of Buyer or imbeſelled Yarne.

And be it likewiſe enacted by the authority aforeſaid, That all and euery Receiuer and Receiuers, Buyer and Buyers of any Wooll or Yarne, imbeſelled or purloined, contrary to the meaning of this Act, knowing the ſame to be imbeſelled or purloined, ſhall be ſubiect to like puniſhment, as by this Act is inflicted or prouided to be inflicted vpon any ſuch perſon ſo imbeſelling or purloyning any ſuch Wooll or Yarne, as aforeſaid.

Spinners of wooll in certaine Towns in Eſſex.

And be it likewiſe enacted, That all and euery Spinner and Spinners of Wooll within the Countie of Eſſex, that ſhall receiue any Wooll to be ſpunne into Yarne, for any Clothier, or maker of Bayes, Sayes, or other Stuffes aforeſaid, dwelling in the Towne of Cogſhall, Bocking, Braintrée, Halſtéed, Wittam, or Colcheſter, within the ſaid Countie, and ſhall deliuer backe againe the Yarne made of the ſaid Wooll, by any ſhorter Réele, than hath béene there vſuall of ancient time, that is to ſay, the ſaid Réele containing two yards about, ſhall be ſubiect to like puniſhment, as by this Act is inflicted or prouided to be inflicted vpon any perſon or perſons, imbeſelling and purloyning Yarne, as aforeſaid.

CAP. VIII.

To what Grounds the Statute of 2. & 3. Ph. & Ma. 3. *touching the keeping of Milch Kine, or breeding of Calues, ſhall extend.*

2. & 3. Ph. & Ma. 3.

WHereas in the ſecond and third yeares of King Philip and Quéene Mary, a profitable Act was made for the auoiding of the ſcarcitie of Cattell and Victuall, intituled, An Act for the kéeping of Milch Kine, and for the bréeding and rearing of Calues, which Act being then made onely to continue to the end of the next Seſſion of Parliament, was found ſo neceſſarie for the good of the Common-wealth, that after many continuances of it by ſeuerall Parliaments, it was at length, in the thirtéenth yeare of the Reigne of our late Quéene Elizabeth, of happie memorie, made perpetuall: Becauſe the ſaid Act hath not produced ſo good effect as was expected, in reſpect it did and doth extend onely to ſuch Paſture Grounds as were incloſed before the ſaid Act, and wherein no perſon, at the making of the ſaid Act, had Common for any Cattell at any time of the yeare, and not to ſuch Paſture Grounds as ſithence haue béene conuerted from Tillage, and incloſed, or taken out of Commons, and incloſed, whereas in all equitie and conſcience, many of the ſaid late Incloſures deſerue no way to be kept and enioyed with more libertie, than the ſaid former and ancient Incloſures:

13. El. 25.

The Statute of 2. & 3. Ph. & Ma. 3. ſhall be extended to grounds ſithence incloſed, or hereafter to be incloſed.

Be it therefore enacted by the Kings moſt excellent Maieſtie, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the Authoritie of the ſame, That the ſaid former Act, and the Paines and Penalties therein contained, ſhall from and after the Feaſt of Saint Michael the Archangel now next enſuing, be extended and conſtrued, taken, expounded, and adiudged to extend as fully, to all intents, conſtructions and purpoſes, with the ſame Prouiſoes, and in like manner, to all and euery the Grounds, apt and méete for Milch Kine, ſince the making of the ſaid Act incloſed, or hereafter to be incloſed, and not to be laid open to Common at any time of the yeare, and to the

Occuppers thereof, as to the grounds before the ſayd Act made ſeuerall, and wherein none had Intereſt of Common at the time of making the ſayd Act, and to the Occuppers thereof, and as if the ſayd grounds ſo lately encloſed, and hereafter to be encloſed and made ſeuerall, had been ſo encloſed and held ſeuerall, at the time of the making of the ſayd Act, and as if no perſon nor perſons, other than the owners thereof, then had had intereſt of Common therein: Any Word, Sentence, or Clauſe in the ſaid former Act, to the contrary in any wiſe notwithſtanding.

CAP. IX.

A Colledge ſhall be erected at Chelſey: And a Trench ſhall be made to conuey Water from the River of Lee to London, to maintaine the ſame.

Whereas his Maieſty, of his moſt Royall and zealous care for the defence of true Religion, now eſtabliſhed within this Realme of England, and for the refuting of Errours and Hereſſes repugnant vnto the ſame, hath beene graciouſly pleaſed by his Letters Patents vnder the great Seale of England, to found a Colledge at Chelſey, neere London, and therein to place certaine learned Diuines, and to incorporate the ſame by the name of the Prouoſt and Fellowes of the Colledge of King IAMES in Chelſey, neere London, of the Foundation of the ſame IAMES King of England, And hath of his moſt gracious bounty and goodneſſe, not onely endowed the ſame with certaine Lands, Priuiledges, and Immunities, but hath alſo, for their further Maintenance and Suſtentation, giuen vnto them a Capacitie and Abilitie, to receiue and take from his Maieſty, or any of his louing Subiects, any Lands, Tenements, Hereditaments, Gifts, Benefites, and Profites whatſoeuer, not exceeding in the whole, the yearely value of three thouſand pounds, as in and by the ſayd Letters Patents doth more at large appeare.

The cauſe of the erection of the Kings Colledge in Chelſey.

The name of the Corporation.

Ability to receiue Lands, not exceeding three thouſand pounds by yeare.

And whereas alſo it is manifeſt and euident, that the bringing in of freſh Streames of Running Water into the Citie of London, is very conuenient, neceſſarie and profitable, as well for the priuate vſe of ſuch as ſhall Rent the ſame, as a helpe for cleanſing the ſayd Citie, in the time of Sickeneſſe, and preſeruing the ſame againſt all ſuddaine Aduentures of Fire.

It is therefore enacted by the Kings moſt excellent Maieſty, and the Lords Spirituall and Temporall and the Commons in this preſent Parliament aſſembled, That it ſhall and may be lawfull to the ſayd Prouoſt and Fellowes, their Succeſſors, Deputies, and Aſſignes, at all and euery ſuch place and places, in the open Fields or Marſhes lying betweene the Bridge called Locke Bridge, in or neere the Pariſh of Hackney, in the County of Middleſex, and the Bridge called Bow Bridge at Stratford Bow in the Pariſh of Stepney, in the ſayd County, (As by the ſayd Prouoſt and Fellowes, their Succeſſors, Deputies or Aſſignes, by and with the conſent and allowance of the Occuppers and Owners of the ſoyle in the ſayd place or places, and in default of ſuch aſſent or allowance, by ſuch Compoſition firſt to be made with the ſayd occupiers and owners of the ſayd ſoile, as by the Commiſſioners by vertue of this Act to be in this behalfe appointed, ſhall be thought fit and conuenient) to digge or cut from and out of the maine Riuer of Lee, on that ſide or banke of the ſame Riuer, which is next vnto the Citie of London, a Ditch or Trench not exceeding in breadth tenne foote, or to ſcowre, cleanſe, or inlarge vnto the breadth aforeſayd, any olde Ditch or Trench there already made: And the ſame Ditch or Trench either old or new, ſo to bee made, or to be cleanſed, to conuey by or through the ſayd Fields and Marſhes, in all places conuenient, in ſuch ſort as the ſame may againe bee returned, and made to open it ſelfe into the maine Riuer, within ſome ſuch conuenient diſtance from the mouth thereof, as to the ſayd Commiſſioners ſhall (for the intents and purpoſes hereafter expreſſed) be thought fit: Vpon which Ditch or Trench, or places neere adioyning thereunto, it ſhall and may be lawfull to the ſayd Prouoſt and Fellowes, their Succeſſors, Deputies or Aſſignes, to erect, or cauſe to bee erected certaine engines, water-workes or water-wheeles. As alſo houſes or couerings requiſite for the ſame, where by the aſſent of the ſayd Commiſſioners, the ſame ſhall bee agreed vpon, to bee no let or hinderance, to the ordinary paſſage of Barges, Boates or ſuch other Veſſels vpon the ſayd Riuer of Lee, and by and through the ſayd Ditch or Trench to carry and conuey ſo much of the water of the ſayd maine Riuer, as by the ſayd Prouoſt and Fellowes, their Succeſſors, Deputies or Aſſignes ſhall be thought requiſite and neceſſary to be vſed for the working or motion of the ſayd engines or water-wheeles, and ſhall alſo by the ſayd Commiſſioners bee thought to be no preiudice or hinderance the the ordinary paſſage of Barges, Boates, or ſuch other Veſſels vpon the ſame Riuer.

The Prouoſt & Fellowes may digge a Trench out of the Riuer of Lee, or ſcowre any old already made.

The Prouoſt &c. may erect engines, water-workes, &c. and houſes or couerings for the ſame.

And that it ſhall and may be lawfull to and for the ſayd Prouoſt and Fellowes, their Succeſſors, Deputies and Aſſignes (in all places apt and conuenient, within a conuenient diſtance of the ſaid engines or water-workes) to digge for the taking and further opening of Springs of freſh water there found, or to be found on the Weſt ſide of the ſayd Riuer next vnto the Citie of London,

The Prouoſt &c. may digge for opening of Springs of freſh Water, and conuey the ſame by Trenches into a Pond.

don, and the water of the ſayd Springs to carry and conuey by and through certaine little Gutters or Trenches, or Pots or Pipes vnder the ground, into one pit, pond, or head of conuenient largeneſſe to be made by the ſaid Prouoſt and Fellowes, their Succeſſors, Deputies, or Aſſignes, in ſome place apt for the ſame.

The Prouoſt &c. may conuey in Pipes vnder the ground from the water works vnto the Citie and ſuburbs of London, the ſame water.

And that it ſhall and may bée lawfull to and for the ſayd Prouoſt and Fellowes, their Succeſſors, Deputies and Aſſignes, hauing by Art and ſleight of Engines, and Water-workes, or by any other meanes or deuice raiſed the water of the ſaid Springes, & ſo much of the water there running in the ſayd Ditch or Trench, as ſhall be thought neceſſary, to ſuch height, and into ſuch Place, Pond, Head or Receit, (as to them ſhal ſéeme in that behalfe requiſite) to conuey and carry the ſame in cloſe Pipes vnder the ground, from the ſayd Water-workes, and the ſayd other places of Receit, vnto the Citie of London, and the Suburbs thereof, for the perpetuall maintenance and ſuſtentation of the ſayd Prouoſt and Fellowes, and their Succeſſors, by the Rent to be made of the ſayd Waters conueyed, as aforeſayd.

The Prouoſt &c. may digge and open the ground, for laying of Pipes & making of Conduit heads.

And that for the conueyance of the ſayd Water, it ſhall and may be lawfull to and for the ſayd Prouoſt and Fellowes, their Succeſſors, Deputies, and Aſſignes, (in all places conuenient betwéene the ſaid Water-works, and the ſayd Citie of London) to digge, cut, and open the ground, to ſuch depth and breadth as ſhall be conuenient for the laying in of the ſayd Pipes or Pots, through which the ſayd Water ſhall paſſe. and for making little Conduit Heads for Vents vnto the ſame, for the better paſſage of the ſayd Waters, And the ſame ground ſo opened for the purpoſe aforeſayd, (after the ſayd Pipes or Pots are layed in and placed) the ſayd Prouoſt and Fellowes, their Succeſſors, Deputies and Aſſignes, ſhall with Turfe, Earth, Grauell, or other Materialls, againe fill vp and couer.

The Prouoſt &c. ſhall haue free paſſage through any ground, for the making & continuall preſeruatiō of the ſame workes.

And be it further enacted by the authority aforeſayd, That it ſhall and may be lawfull to and for the ſayd Prouoſt and Fellowes, their Succeſſors, Deputies and Aſſignes, from time to time, and at all times conuenient, with their Men, Horſes, Carts, or other Carriages, to haue frée entry and paſſage, by, ouer, and through any ground, or land, in places, and at times méete and conuenient. for the doing and performing of any thing requiſite, for the making of the ſayd ſeuerall Paſſages of Waters, or for the doing of any other Act or thing, concerning the ſame, authorized by this Act, as alſo for the continuall preſeruation and reparation of the ſayd Works, as often as néede ſhall require.

Cōmiſſioners ſhalbe appointed to ſet downe the rates of the dammages which each perſon ſhal ſuſtaine, & the recompence for the ſame.

And be it further enacted by the authority aforeſayd, That the Lord Chancellor, or Lord Kéeper of the great Seale of England for the time being (by Commiſſion vnder the great Seale of England, at the requeſt and charges of the ſayd Prouoſt and Fellowes, their Succeſſors, Subſtitutes, and Deputies, or vpon the Complaint or Petition of any perſon or perſons, whom it may concerne) ſhall nominate, appoint, and authorize, by Commiſſion or Commiſſions vnder the great Seale of England, ſeuen diſcréete and ſufficient perſons, whereof two ſhall bée Juſtices of Peace of the County of Middleſex, and two of the Citie of London, and thrée others at the choiſe and appointment of the ſayd Lord Chancellor, or Lord Kéeper, euery of the ſayd perſons hauing Lands and Tenements of the cléere yearely value of forty pounds at the leaſt: Which ſayd ſeuen perſons, or any foure, or more of them, ſhall haue power to order and ſet downe, what rate or rates, ſumme or ſummes of money ſhall bee payed by the ſayd Prouoſt and Fellowes (as well for ſatisfaction and recompence of dammages, in making the fore-recited Workes, or any thing belonging to the ſame, as alſo for any manner of dammages to be ſuſtained, in the mending or reparation thereof, from time to time, or any other coſts or charges, ſuſtained by reaſon of the ſame) to the Lords, Owners and Occupiers of the ground and ſoyle, or to others intereſſed in the ſayd River or Waters, for which, Compoſition is to bée made by the intent of this Act, if the parties cannot of themſelues agrée, and in what manner the ſame ſhall be payed.

The parties remedy to recouer the recompence aſſeſſed.

And that for the recouery of ſuch money, as ſhall be ſo ordered and ſet downe by the ſayd Commiſſioners, or any foure, or more of them, the party or parties to whom the ſame money ſhall be due and payable, by the true intent of the ſayd order, ſhall or may recouer the ſame, together with the reaſonable coſts and dammages for the forbearance thereof, againſt the ſayd Prouoſt and Fellowes, by Action of Debt, Bill, or Plaint, in any his Maieſties Courts at Weſtminſter, wherein no Eſſoyne, or Protection, ſhall be allowed.

Certaine places exempt through the which the water is not to be conueyed

Prouided alwaies, and it is further enacted by this preſent Parliament, and by the authority of the ſame, That the ſayd Water ſhall not be conueyed through the Houſe, Garden or Orchard of any perſon or perſons, or through any part thereof, or through any Corne fields, while the Corne is growing or ſtanding in the ſame, without the conſent firſt had of the Owners and Occuppers of the ſayd Houſes, Gardens, Orchards, and Corne fields.

Cap.

Cap. X.

The penalty for an offence committed againſt any of the Branches of the Statutes of 1. Iac. 9. or 4. Iac. 5. touching Alehouſe-keepers and Drunkards.

WHereas notwithſtanding all former Lawes and Prouiſions already made, the inordinate and extreame vice of exceſſiue Drinking and Drunkenneſſe doth more and more abound, to the great offence of Almighty God, & the waſtfull deſtruction of Gods good creatures; Be it enacted by the authority of this preſent Parliament, That if any perſon being an Alehouſe-keeper (after ſixe weekes next enſuing this preſent Seſſion of Parliament) ſhall be lawfully conuicted for any offence or offences committed againſt any of the Branches of two former Acts of Parliament, made ſithence the beginning of this preſent Parliament, the one intituled, An Act to reſtraine the inordinate haunting and tipling in Innes, Alehouſes, and other Victualling houſes, the other intituled, An Act againſt the odious and loathſome ſinne of Drunkenneſſe, That then euery perſon or perſons ſo conuicted, ſhall for the ſpace of three yeares next enſuing the ſayd conuiction, be vtterly diſabled to keepe any ſuch Alehouſe.

The penalty for any offence committed againſt the ſtat. of 1. Iac. 9. & 4. Iac. 5.

21. Iac. 7.

Cap. XI.

The penalty for killing of Pheſants or Partridges at vndue times, or by vndue meanes.

1. Iac. 27.

VVHereas in the firſt Seſſion of this preſent Parliament there was a good Law made, amongſt other things, for the preſeruation of the Game of Pheſants and Partridges, which hath not yeelded that good ſucceſſe, as was by the ſame Law hoped for and intended, through diſorderly and vnſeaſonable Hawking, whereby great quantity of Corne and Graine hath beene and is not onely vncharitably ſpoyled and deſtroyed, but great numbers of Pheſants and Partridges thereby killed and ſpoyled, before they be either fit to be Hawked at, or to be vſed for foode or diet.

For the preuenting of both which inconueniences and miſchiefes, Be it enacted by the authority of this preſent Parliament, That all and euery perſon and perſons whatſoeuer, which at any time after the end of this preſent Seſſion of Parliament doth, or ſhall Hawke at, deſtroy, or kill any Pheſant or Pheſants, Partridge or Partridges, with any kinde of Hawke or Hawkes, Dogge or Dogges, by colour of Hawking, betweene the firſt of July and the laſt day of Auguſt, And the ſame Offence or Offences being proued by the confeſſion of the party, or by the teſtimony of two ſufficient witneſſes vpon Oath, before two or more Iuſtices of the Peace of the ſayd County, Citie, or Towne corporate, wherein the Offence ſhall be committed, or the party offending apprehended, ſhall be by the ſayd Iuſtices of the Peace for euery ſuch offence committed to the common Gaole of the ſayd County, Citie, or Towne corporate, where the offence ſhall be committed, or the parties apprehended, there to remaine for one whole moneth, without bayle or maineprize, vnleſſe that the ſaid Offendor do, or ſhall forthwith vpon the ſayd conuiction, pay, or cauſe to be payd to the Churchwardens of the ſayd Pariſh, or vnto the Ouerſeers of the poore, or ſome of them, where the ſayd Offence ſhall bee committed, or the party apprehended, to the vſe of the poore of the ſame Pariſh, the ſumme of forty ſhillings for euery ſuch Hawking at any Pheſant or Partridge, and twenty ſhillings for euery ſuch Pheſant or Partridge, which any and euery ſuch perſon and perſons ſo offending and conuicted (as aforeſayd) by himſelfe, his Hawke or Hawkes, Dogge or Dogges, ſhall take, kill, or deſtroy, contrary to the true purport, intent, and meaning of this preſent Statute.

The penalty for killing of any Pheſant or Partridge by Hawking, betweene the firſt day of July & the laſt of Auguſt.

Prouided alwaies, and be it enacted by the authority aforeſayd, That if any perſon or perſons ſhall be at any time hereafter conuicted and puniſhed by vertue of this Law, That then the party ſo puniſhed, ſhall not for the ſame offence be eftſoones called in queſtion, and puniſhed by vertue of any other Law touching or concerning the like offence.

He that is puniſhed by this Law, ſhall be excuſed for any other.

Prouided alſo, That no Offendors ſhall be impeached or puniſhed by vertue of this Act, vnleſſe he or they be accuſed as Delinquent, before the ſayd Iuſtices of Peace, within ſixe moneths next after the ſayd Offence or Offences committed and done.

Within what time an offendor ſhalbe accuſed.

And whereas by a Prouiſo in the ſayd Statute contained, it is prouided, That it ſhall and may bee lawfull, to and for euery perſon and perſons, which haue, or ſhall haue free Warren, and to and for euery Lord of a Mannor, and to euery Freeholder, which is or ſhall bee ſeiſed in his owne right, or in the right of his Wife, of Lands, Tenements, or Hereditaments, to the cleere yearely value of tenne pounds, or more, by the yeare, ouer and aboue all Charges and Repriſes, of ſome Eſtate of Inheritance, or of Lands, Tenements, or Hereditaments, in his owne right, or in the right of his Wife, for terme of life or liues, of the yearely value of thirty

A repeale of a Branch of the ſtat. of 1 Iac. 27. licencing certaine perſons to take Pheſants & Partridges.

thirty pounds ouer and aboue all charges and repriſes, or be, or which ſhall be worth in goods or chattels two hundreth pounds, by him or themſelues, or by his or their meniall ſeruants (ſufficiently authorized from his or their Maſter for that purpoſe) to take Pheſants and Partridges (in the day time onely) with Nets, in and vpon his and their owne, or his or their Maſters free Warren, Manor and Freehold, or on any part of them betwixt the Feaſt of Saint Michael the Archangell, and the Feaſt of the Birth of our Lord God yearely, any thing in this ſayd Law to the contrary notwithſtanding: By colour of which liberty ſo giuen by the ſayd Prouiſo, it is found by experience, That the ſayd games of Pheſants and Partridges haue beene, and ſtill are likely to be much ſpoiled and deſtroyed by many meane Tenants and Freeholders, againſt the will of the Lords or Owners of Inheritance of the ſayd lands and tenements:

Be it therefore enacted by the authority aforeſayd, That the ſayd Prouiſo, and euery clauſe, article and thing therein contained, ſhall be from the end of this preſent Seſſion of Parliament vtterly repealed, fruſtrate, and made voyd: Any thing in the ſayd Prouiſo contained to the contrary notwithſtanding.

Who may take Pheſants & Partridges, where & when.

And that it ſhall and may bee lawfull for euery perſon or perſons, which haue or ſhall haue free Warren, and to and for euery Lord of a Mannor, and to and for euery Freeholder, which is or ſhall be ſeiſed in his owne right, or in the right of his wife, of Lands, Tenements, and Hereditaments, to the cleere yearely value of forty pounds, or more, by the yeare, ouer and aboue all Charges and Repriſes, of ſome Eſtate of Inheritance, or of Lands, Tenements, and Hereditaments, in his owne right, or in the right of his wife, for terme of life or liues, of the yearely value of fourescore pounds, ouer and aboue all Charges and Repriſes, or which ſhall be worth in goods or chattels foure hundred pounds, by him or themſelues, or by his or their meniall & houſehold ſeruants (ſufficiently authorized from his or their Maſter for that purpoſe) to take Pheſants and Partridges (in the day time onely) in and vpon his and their owne, or his and their Maſters free Warren, Mannor, and Freehold, as aforeſayd, or on any part of them, betwixt the Feaſt of Saint Michael the Archangel, and the Birth of our Lord God yearely: Any thing in the ſayd Law before mentioned to the contrary notwithſtanding.

And whereas the ſayd games of Pheſants and Partridges, are exceſſiuely ſpoyled and deſtroyed by baſe perſons, of bad and meane condition, making a trade and a liuing of the ſpoiling and deſtroying of the ſayd games, who are not of ſufficiencie to pay any penalty in any former Statute mentioned, nor to anſwer the coſts and charges of any, that ſhould informe and proſecute againſt them, in any of his Maieſties Courts: By reaſon whereof, and for that the ſayd Offendors are hardly diſcouered and seldome or neuer found offending, in the preſence of diuers witneſſes, ſo that it is very hard to conuict them, by the teſtimony of more witneſſes than one, by reaſon that they ſpoyle and deſtroy the ſayd games ſecretly, and for the moſt part in the night time, and doe carry ſuch Pheſants and Partridges, as they ſo deſtroy likewiſe by night, to Cities, and Market Townes to be ſold: Be it therefore further enacted by the authority aforeſayd, That all and euery perſon and perſons, which from and after the firſt day of September next, ſhall take, kill, or deſtroy any Pheſant or Partridge, with ſetting Dogges and Nets, or otherwiſe with any manner of Nets, Snares, or Engines: And the ſame offence or offences, being proued by the confeſſion of the party, or by the teſtimony of one ſufficient witneſſe, vpon Oath, before two or more Iuſtices of the Peace of the ſame County, Citie, or Towne Corporate, wherein the offence ſhall be committed, or the party offending apprehended, ſhall be by the ſayd Iuſtices of Peace, for euery ſuch offence committed, to the Common Gaole of the ſayd County, Citie, or Towne Corporate where the offence ſhall bee committed, or the party apprehended, there to remaine for three moneths without bayle or mainepriſe, vnleſſe that the ſayd offendor ſhall forthwith pay, or cauſe to be payed to the Church-wardens, or Ouerſeers of the poore of the ſaid Pariſh, where the ſaid offence ſhall be committed, the ſumme of twenty ſhillings, for euery Pheſant or Partridge, which any and euery ſuch perſon or perſons ſo offending, ſhall take, kill, or deſtroy, as aforeſayd, contrary to the purport and true meaning of this Statute, and further to become bound by Recognizance, in the ſumme of twenty pounds to his Maieſty, his Heires and Succeſſors, with Condition that he the ſayd party ſo offending, ſhall not at any time thereafter, take, kill, or deſtroy any Pheſant, or Partridge, which ſayd Recognizance ſhall be taken by any one, or more Iuſtices of Peace of the ſayd County, Citie, or Towne corporate, where the ſayd offence ſhall bee committed, as aforeſayd, and ſhall bee returned to the then next quarter Seſſions, and there to remaine of Record, as other Recognizances, taken for the Peace.

The penalty for taking any Pheſants or Partridges with ſetting dogges, nets, or, &c.

Officers may ſearch the houſes of perſons ſuſpected to offend.

And be it further enacted, That euery Conſtable, and Headborough, in euery County, Citie, Towne corporate, and other place where they ſhall bee ſworne Officers, ſhall and may by vertue of this preſent Act, (bringing with them to that purpoſe a lawfull Warrant vnder the hands of two Iuſtices of the Peace of the County, City, Liberties, or Towne corporate) haue full power and authority to enter into, and ſearch the houſe or houſes of any perſon or perſons (other than ſuch as by this preſent Act are allowed to take Pheſants, and Partridges, with Nets, as aforeſayd) being ſuſpected to haue any Setting Dogges or Nets, for the taking of Pheſants, and Partridges, and whereſoeuer they finde any ſuch Setting Dogge or Nets, the ſame to take, carry away, and detaine, kill, deſtroy, and cut in pieces, as things prohibited by this Act, and forfeited to ſuch of the ſayd Officers, as ſhall finde out, and take the ſame, as aforeſayd. This Law to continue vnto the end of the firſt Seſſion of the next Parliament, and no longer. 3.Car. 4. Continued vntill the end of the firſt Seſſion of the next Parliament.

Cont. of this Act.

CAP. XII.

In what caſe a Tradeſmans Shop-booke ſhall be no euidence to recouer a debt.

WHereas diuers men of Trades, and Handy-crafts-men keeping Shoppe-bookes, doe demaund Debts of their Cuſtomers vpon their Shop-bookes long time after the ſame hath beene due, And when as they haue ſuppoſed the particulars and certainty of the wares deliuered to bee forgotten, then either they themſelues or their Seruants haue inſerted into their ſayd Shoppe-bookes, diuers other Wares ſuppoſed to be deliuered to the ſame parties, or to their vſe, which in truth neuer were deliuered, and this of purpoſe to increaſe by ſuch vndue meanes the ſayd Debt: And whereas diuers of the ſayd Tradeſmen and Handy-crafts-men, hauing receiued all the iuſt Debt due vpon their ſayd Shop-bookes, doe oftentimes leaue the ſame Bookes vncroſſed, or any way diſcharged, ſo as the Debtors, their Executors, or Adminiſtrators, are often by ſuite of Lawe enforced to pay the ſame Debts againe to the party that truſted the ſayd Wares, or to his Executors or Adminiſtrators, vnleſſe hee or they can produce ſufficient proofe by writing or witneſſes of the ſayd payment, that may counteruaile the credite of the ſaid Shop-bookes, which few or none can doe in any long time after the ſayd payment: Be it therefore enacted by the authority of this preſent Parliament, That no Tradeſman or Handy-crafts-man keeping a Shoppe-booke, as is aforeſaid, his or their Executors or Adminiſtrators, ſhall after the Feaſt of Saint Michael the Archangel next comming, be allowed, admitted, or receiued to giue his Shop-booke in euidence in any Action for any Money due for Wares hereafter to be deliuered, or for worke hereafter to be done, aboue one yeare before the ſame Action brought, except hee or they, their Executors or Adminiſtrators, ſhall haue obtained or gotten a Bill of Debt, or Obligation of the Debtor for the ſayd Debt, or ſhall haue brought or purſued againſt the ſayd Debtor, his Executors or Adminiſtrators ſome Action for the ſaid Debt, Wares, or Worke done within one yeare next after the ſame Wares deliuered, money due for Wares deliuered, or worke done.

In what caſe a Tradſmans Shop-booke ſhalbe no euidence to recouer a debt.

Prouided alwaies that this Act or any thing therein contained, ſhall not extend to any intercourſe of Traffique, Merchandizing, buying, ſelling, or other trading, or dealing for wares deliuered, or to be deliuered, money due, or worke done or to be done betweene Merchant and Merchant, Merchant and Tradeſman, or betweene Tradeſman and Tradeſman, for any thing directly falling within the circuit or compaſſe of their mutuall Trades and Merchandizes: But that for ſuch things onely, they, and euery of them ſhall be in caſe as if this Act had neuer beene made, any thing herein contained to the contrary thereof notwithſtanding. This Act to continue to the end of the firſt Seſſion of the next Parliament, and no longer. 3.Car.4. Continued vntill the end of the firſt Seſſion of the next Parliament. 38.El.35. 5.El.6.

Intercourſe of traffique betweene Merchants.

The cont. of this Act.

CAP. XIII.

The forfeiture for hunting or killing of Deere in a Parke, &c.

VVHereas queſtion and doubt hath growen and riſen, vpon the expoſition of a Statute, made in the ſecond Seſſion of this preſent Parliament, Intituled, An Act againſt vnlawfull hunting, and ſtealing of Deere and Conies, for that in the bodie of the ſayd Act, all vnlawfull hunting, driuing, or chaſing out, or taking, killing or ſlaying any Deere, or Conies within any the Parkes, places, or grounds in the ſayd Statute mentioned, againſt the will, minde, or pleaſure of the owners, occupiers, or poſſeſſioners of the ſame (as well by day as by night) is prohibited and made Penall in ſuch manner and forme, as in and by the ſayd Statute, it doth and may more plainely appeare: and yet by a Prouiſo in the ſayd Statute contained, it is enacted, that the ſayd Act, nor any thing therein contained, ſhould extend to any Offence or Offences, concerning the hunting, chaſing, or killing of Deere, or Conies, which ſhould be done or committed in the day time, but onely to ſuch Offences, as ſhould be then after done or committed in the night time onely: Any thing in the ſaid Act contained to the contrary notwithſtanding.

3. Iac. 13.

For the explanation of which doubt and queſtion, and for that it is found by experience, that Malefactors of that kinde, haue beene much encouraged to Chaſe, Hunt, Kill, and deſtroy Deere in the day time, by colour of the ſayd Prouiſo, whereby many Deere, as well in the Parkes of our Soueraigne Lord the King, as of many his Highneſſe louing Subiects haue beene and are ſtill like to bee, vnlawfully and riotouſly Chaſed, Hunted, and deſtroyed by many idle, looſe, and diſorderly perſons: Bee it therefore enacted by the Authority of this preſent Parliament,

That

A repeale of ſo much of a Prouiſo contained in the Stat. of 3. Iac. 13. as concerneth the hunting of Deere.

That from and after the Feaſt of S. Iames the Apoſtle next enſuing, ſo much of the ſayd Prouiſo in the ſayd Statute contained, as concerneth the hunting, chaſing out, or killing of Déere onely, ſhall be repealed, fruſtrated and made voyd: Any thing in the ſayd Prouiſo of the ſayd Act contained to the contrary thereof in any wiſe notwithſtanding.

And whereas it was by the ſaid former Statute, amongſt other things enacted, that if any perſon or perſons, did or ſhould wrongfully or vnlawfully hunt, chaſe, or driue out, or take, kill, or ſlay any Déere within any Parke, or other place in the ſayd Statute mentioned, againſt the will, minde, or pleaſure of the Owners, Occupiers or Poſſeſſioners of the ſame, that then euery ſuch perſon ſo offending, ſhould ſatisfie and pay vnto the party grieued, his treble damages, in ſuch maner and forme, as in the ſayd Statute is mentioned: By reaſon of the vncertainty thereof, few or no Offendors haue béene diſcouraged in their ſayd huntings, driuings, chaſings out, taking, killing, or ſlaying of Déere.

The forf for hunting or killing of Deere in a Parke or incloſed ground.

For remedy whereof, Bee it further by the Authority of this preſent Parliament enacted, That if any perſon or perſons, from and after the Feaſt of Saint Iames the Apoſtle, next comming after the end of this preſent Seſſion of Parliament, ſhall willingly commit any the Offences in the ſayd Statute mentioned, concerning the vnlawfull chaſing out, hunting, driuing, taking, killing, or ſlaying of Déere in any Parke, or incloſed ground, which now is or hereafter ſhall be made and vſed for Déere, againſt the will, mind, or pleaſure of the Owners, Occupiers, Poſſeſſioners, or Kéepers of the ſame: That then all and euery ſuch perſon and perſons ſo offending, ſhall for euery ſuch Offence, pay and ſatisfie to the party grieued the ſumme of ten pounds of currant money of England, or elſe treble dammages and coſts, at the election of the party grieued: The ſame to be recouered in ſuch manner and forme, as in and by the ſayd Statute is limited and appointed for the recouery, taxing, or aſſeſſing of the ſayd treble damages. Any thing in the ſayd Statute, or in this preſent Act contained, to the contrary notwithſtanding. This Law to continue vntill the end of the firſt Seſſion of the next Parliament. 3. Car. 4. Continued vntill the end of the firſt Seſſion of the next Parliament.

Cont. of this Act.

Cap. XIIII.

No Strangers ſhall buy Engliſh Hornes vnwrought in London, &c.

4. Ed. 4. 8.

IN all humble maner ſhewen and beſéechen your moſt Excellent Maieſty, the Wardens and men of Occupation of Horners of the Citie of London, That whereas in the Parliament holden at Weſtminſter, in the fourth yeare of the reigne of King Edward the fourth, grieuous complaint was made by men of the Occupation of Horners, being infranchiſed in the Citie of London, how that the people of ſtrange Lands hath come into this Land, and into diuers parts thereof, and hath bought by the hands of their Hoſtes and Guides, the great and chiefe ſtuffe of Engliſh Hornes vnwrought, of Tanners and Butchers, and carry the ſame ouer the Sea, and there employ the ſame in diuers workes, to the great dammage of this Land, and to the finall preiudice of a great number of men, being of the Occupation of Horners.

No ſtranger ſhall buy any Engliſh hornes vnwrought in London or within 24. miles compaſſe thereof.

It pleaſed the Kings Maieſty, by the aduice and aſſent of the Lords Spirituall and Temporall in that Parliament aſſembled, and at the requeſt of the Commons of the ſame, and by the Authority of the ſame Parliament, to ordaine, eſtabliſh and enact, That from the Feaſt of Eaſter, which then ſhould be in the yeare of our Lord GOD, one thouſand foure hundred ſixetie fiue, That no Stranger nor Alien, by himſelfe or by any other, ſhould buy any Engliſh Hornes vnwrought, of any Tanners, Butchers, or of any other perſons, gathered or growing within the ſayd Citie, or foure and twenty miles on euery ſide of the ſayd Citie next adioyning: And that no Engliſh man nor other perſon, ſhould ſell any Engliſh Hornes vnwrought to any Strangers, or cauſe them to be ſent ouer the Sea, ſo that the ſayd Horners would buy the ſayd Hornes at like price, as they were at the time of the making of the ſayd Act, vpon paine of forfeiture of all ſuch Hornes ſo bought, ſold, or ſent: And that the Wardens of the ſayd Myſterie for the time being, by the ſayd authority, ſhould haue full power to ſearch all manner of Ware pertaining to their Myſtery, wrought or to bee wrought, in all places within the ſayd Citie of London, and foure and twenty miles on euery ſide next adioyning to the ſame Citie, and within the Faires of Sturbridge and Ely, in whoſe handes they might bee found: And if they by their ſearch finde any ſuch Ware or Stuffe in any place within the ſayd Citie of London, and foure and twenty miles next adioyning to the ſame Citie, or within the Faires of Sturbridge and Ely, in whoſe hands ſoeuer they bee to ſell, that was defectiue and inſufficient, it ſhould bée lawfull to them to take the ſame Ware and Stuffe, and bring it before the Maior of the ſaid Citie of London, the Maiors or Bailiffes of the aforeſayd Faires for the time being, and the ſame there being proued defectiue, to bee forfeit, The one halfe thereof to the Soueraigne Lord the King, and the other halfe to the ſayd Wardens, to bee ordered at their pleaſure. In which ſayd Act it is prouided, that after that men of the ſaid Occupation within this Land haue taken out and choſen ſuch and as many Hornes as ſhould bee néedefull to their Occupation,

The Wardens of Horners may ſearch for inſufficient Ware.

After Engliſh men haue choſen Hornes ſtrangers may buy the reſidue.

That then it ſhould be lawfull to them all and of euery of them, and other perſons of this Realm of England, to ſell and deliuer all the Hornes refuſed, which be not able to be occupied in their Myſterie, to any Stranger or other perſon, to ſend or carrie beyond the Sea or elſe-where, as ſhould pleaſe them: The which act, in the Parliament holden at Weſtminſter in the firſt yeare of your Highneſſe reigne, was wholly repealed and made void.

1. Iac. 25.

Forasmuch as ſince the repealing of the ſaid Act, Strangers and Aliens by the hands of diuers of their Factors, Seruants and Dealers for them haue and doe (as before the making of the ſaid Statute of Edward the fourth they did, that is) daily buy vp, and procure vnto themſelues the great, and chiefe ſtuffe of Engliſh Hornes vnwrought of Tanners, and Butchers and otherwiſe, and doe daily conuey, and carry them beyond the Seas, and there make them into diuers workes, whereby many Houſeholders of your Maieſties Subiects, that liued, and maintained their families, and paid Subſidies, and other duties to your Highneſſe, by the benefite of their labour in working the ſaid Hornes, hauing no other trade, or meanes by labour to maintaine, and keepe themſelues, their wiues and children, the Companie being greatly increaſed, and the Stuffe altogether in a maner tranſported, occaſioneth ſuch a decreaſe of the Ware, as hereby the Company is growne ſo poore and decayed, as in ſhort time, if remedie be not prouided, they and theirs be vtterly vndone: And alſo by the repealing of the ſaid Act, the Wardens of the ſaid Horners of the ſaid Citie of London are diſabled to ſearch the Wares belonging to their ſaid Craft as well within the ſaid Citie, as in other places in the ſaid Act mentioned, and haue loſt their gouernement in their Companie, Therefore pleaſeth it your Highneſſe, that it may be enacted by your moſt Excellent Maieſtie, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the Authoritie of the ſame, That the ſaid Act, and euery part, and point thereof (Except power of ſearch within the Faires of Sturbridge and Ely, and except the limitation of ſuch prices for Hornes as they were to be had for, at the making of the ſaid Act) ſhall be reuiued, and be of like force, power and vertue from henceforth, as if the ſame had not béene repealed.

The complaint that ſtrangers doe buy Engliſh Hornes vnwrought.

Part of the ſtat. of 4. Ed. 4. 8. reuiued touching Hornes.

And be it further enacted by the authority aforeſaid, That no perſon or perſons whatſoeuer, ſhall ſell any Engliſh Hornes vnwrought to any Stranger, or ſend any Engliſh Hornes vnwrought ouer the Sea, contrarie to the true meaning of the ſaid Act, vpon paine of forfeiture of double the value of the Hornes ſo by him or them ſo ſold or ſent, The ſame forfeiture to be recouered by him or them that will ſue for the ſame by Action of Debt, Bill, Plaint, or Information, in any of the Kings Maieſties Courts of Record, The one moitie thereof to be to the Kings Maieſtie, his heires and ſucceſſors, and the other moitie to him or them that will ſue for the ſame: In which ſuit no protection, priuiledge or wager of Law to be admitted for the defendant.

None ſhall ſell Engliſh Hornes vnwrought to a ſtranger.

CAP. XV.

What debts onely may be aſſigned to the King.

Whereas it is conceiued, that ſome maner of aſſignements of debts, if they ſhould bee made to his Maieſtie, his heires and ſucceſſors, the ſame would be inconuenient: His Maieſtie therefore is well pleaſed, that it be enacted, And be it enacted by authority of this preſent Parliament, That no debt ſhall at any time after the firſt day of July, which ſhall be in the yeare of our Lord GOD, one thouſand ſixe hundred and tenne, be aſſigned to the Kings Maieſtie, his heires or ſucceſſors, by or from any Debtor or Accomptant to his Maieſtie, his heires or ſucceſſors, other than ſuch debts as did before grow due originally to the Kings Debtor or Accomptant bona fide. And that all Grants and Aſſigments of debts to the Kings Maieſtie, his heires or ſucceſſors, which from and after the ſaid firſt day of July ſhall be had or made contrarie to the true intent of this Act, ſhall be void and of no force: Any Law, Cuſtome, Priuiledge or thing to the contrary in any wiſe notwithſtanding.

What debts onely may be aſſigned to the King.

CAP. XVI.

Certaine courſe Cloth made in the North which ſhall not be ſearched or ſealed, no Cuſtome or Aulnage paid for them.

Whereas by a Statute made in the ninth yeare of the late King Henry the fourth, it was enacted, That no Cloth called Kendalles (whereof the dozen paſſed not vj. s. viij. d.) ſhould be ſealed with the Kings Seale, nor Aulnage great nor little to be paid for the ſame: And that the owners might fréely ſell the ſaid Clothes not ſealed, without forfeiting any thing to the King for the ſame, notwithſtanding any Statute or Ordinance made to the contrarie: Sithence the making of which Statute, the ſaid Kendals and other courſe things of like nature, and made of the like courſe Wooll, and differing in name only, called Cogware, courſe Cottons and Carpmeales, haue béene made in ſuch ſort, as the parties which made the ſame weare able, and as beſt

The effect of the Statute of 9. H. 4. 2. touching Kendall Cloth.

might pleaſe the buyer, without being limited to any certaine weight, or to any aſſiſe of length or breadth, and were never ſearched nor ſealed with any Seale, nor ſubiect to any penaltie for the not ſealing thereof with any Seale, nor any Subſidie nor Aulnage paid for the ſame, untill of late that certaine evill diſpoſed perſons, contrary to the true meaning of the ſaid Law, have by colour of a late Statute made in the nine and thirtieth yeare of the reigne of the late Queene Elizabeth, Intituled, An Act againſt the deceitfull ſtretching and tentering of Northerne Cloth, endevoured to make the ſaid Cogware, Kendalles, Carptmeales, and courſe Cottons ſubiect to ſearch, and have demanded for the ſame divers ſeverall ſummes of money for the Seale of the Collector of the Subſidie and Aulnage, to the great vexation and trouble of the ſaid poore people.

39. Eliz. 20.

Certaine courſe Cloth made in the North parts which ſhall not be ſearched nor ſealed.

Be it therefore enacted by the Kings moſt excellent Maieſtie, with the conſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, That from henceforth all Cogware, Kendalles, courſe Cottons, and Carptmeales, which are, or hereafter ſhall be made within the ſaid Counties of Cumberland and Weſtmerland, or within the ſaid Townes and Pariſhes of Carptmeale, Hawkeſhead, and Broughton, in the ſaid Countie of Lancaſter, whereof the dozen ſhall not exceed the rate and price of xiij. s. iiij. d. ſhall be made in ſuch ſort, as may beſt pleaſe the buyer: and ſhall not be ſearched nor ſealed with any of the Kings Seales, nor with any other Seale, nor any Subſidie or Aulnage, great or little paid for the ſame: But that the Owners of ſuch Cogwares, Kendalles, courſe Cottons, and Carptmeales may freely ſell the ſame not ſealed, as they have béene accuſtomed, without forfeiting any thing to the King for the ſame: Any Law or Statute, or any Branch or Clauſe of any Law or Statute heretofore made to the contrarie notwithſtanding.

Cap. XVII.

There ſhall be no burning of ling, heath, &c. in certaine Counties, in Summer. EXP.

Cap. XVIII.

All perſons within Devon and Cornwall may fetch Sea ſand for the manuring of their land.

Sea ſand is profitable for the bettering of Land.

Whereas the Sea ſand by long triall and experience, hath béene found to be very profitable for the bettering of Land, and eſpecially for the increaſe of Corne and Tillage, within the Counties of Devon and Cornwall, where the moſt part of the Inhabitants have not commonly vſed any other worth, for the bettering of their Arrable Grounds and Paſtures: Notwithſtanding divers having Lands adioyning to the Sea coaſts there, have of late interrupted the Bargemen, and ſuch others as have vſed at their frée wills and pleaſures, to fetch the ſaid Sea ſand, to take the ſame vnder the full Sea marke, as they have heretofore vſed to doe, vnleſſe they make compoſition with them at ſuch rates as they themſelves ſet downe, though they have very ſmall or no dammage or loſſe thereby, to the great decay and hinderance of Huſbandrie and Tillage, within the ſaid Counties.

All perſons within Devon & Cornwall may fetch Sea ſand for the bettering of their Land.

Be it therefore enacted by the Kings moſt Excellent Maieſtie, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, That it ſhall and may be lawfull, to and for all perſons whatſoever, reſiant and dwelling within the ſaid Counties of Devon and Cornwall, to fetch and take Sea ſand at all places vnder the full Sea marke, where the ſame is or ſhall be caſt by the Sea, for the bettering of their Land, and for the increaſe of Corne and Tillage, at their wills and pleaſures.

Boatemen may fetch ſea ſand and caſt it out of their Boats where it hath beene vſed to be landed, and carrie the ſame through vſuall wayes.

And that it ſhall and may be alſo lawfull, to and for all Bargemen and Boatemen, and all other Carriers of Sea ſand of the ſaid Counties, that ſhall fetch or take Sand as aforeſaid, to land and caſt out of their Boats and Barges ſuch Sand, as they ſhall ſo fetch or take, at ſuch places as ſand hath at any time within the ſpace of fiftie yeares laſt paſt, béen vſed by ſuch Bargemen and Boatemen, to be landed and caſt, and alſo to fetch and carrie the ſame, by and through ſuch wayes as now be, and by the ſpace of twentie yeares laſt paſt, have béene vſed for the carrying and fetching thereof, paying for the taking, caſting out, and landing of every Barge-load, Boatload, or ſacke of the ſaid ſand, vpon the Grounds of any man, ſuch duties as heretofore within the ſaid time of fiftie yeares, have béene vſed and accuſtomed to be paid for the ſame, and for paſſage by and through the ſaid wayes, ſuch duties as have vſually béene paid by the ſaid ſpace of twenty yeares, and in ſuch maner and forme, as the ſame within the ſaid ſeverall times have reſpectively béene vſed and accuſtomed to be paid. And in ſuch places where certaine vſuall duties have not béene paid, but vncertaine compoſitions have from time to time béene made by agréement with the Owners of the Soyle there, to yéeld ſuch reaſonable compoſitions, as by agréement with the ſaid Owners, ſhall from time to time be made.

The continuance of this Act.

This Act to continue untill the end of the firſt Seſſion of the next Parliament. 3. Car. 4.
Continued vntill the end of the firſt Seſſion of the next Parliament.

Cap. XIX.

An Act for the continuance and repaire of a new built Weare vpon the Riuer of Exe, neere vnto the Citie of Exeter.

In moſt humble wiſe ſhewen to your moſt Excellent Maieſtie, your true and faithfull Subiects, the Maior, Bailiffes, and Comminaltie of your Citie of Exeter, That whereas the ſaid Maior, Bailiffes, and Comminaltie were ſeiſed in their demeſne as of Fee, of and in one ancient Weare made of Timber and of Wood, called or commonly knowne by the name of Callybere Weare, ſtanding vpon the Riuer of Exe, and neere to the ſaid Citie: Which Weare conueyed ſufficient water from the ſaid Riuer, as well to all or moſt of the Grieſt Milles and Fulling Milles belonging to the ſaid Citie, as alſo vnto all the Dyers, and vnto many Bakers, Brewers, Fullers, Tuckers, Sheeremen, and other Artificers dwelling neere vnto or vpon ſuch Streames of water, as were by meanes of the ſaid Weare conducted and brought vnto them: By reaſon whereof, the Inhabitants of your Highneſſe ſaid Citie were very much releeued by the grinding of their Corne at the ſaid Milles, and furthered exceedingly in their Arts or Trades of Dying, Baking, Brewing, Fulling, Tucking, and ſuch like. But the ſaid Weare (about the Feaſt of the Birth of our Lord GOD laſt was two yeares) with an vnuſuall and extraordinary great Froſt was foundred or decayed in the foundation, and afterwards violently torne, rent, broken into pieces, and carried quite away, to the great hinderance of many hundreds of Artificers and poore people, whoſe whole eſtate and maintenance depended vpon the continuall vſe of the ſame ſtreames of water, and to the exceeding trouble and hinderance of the eſtate of all your Maieſties ſaid Citie, by reaſon that the Inhabitants thereof were inforced not onely to Grinde all their Corne, but alſo to Tucke and Full all their Cloth for the ſpace of foure moneths at the leaſt at other Milles in the Countrey farre from the ſaid Citie.

There was an ancient weare of Timber vpon the Riuer of Exe, called Callybere.

The old Weare was decayed by the froſt.

For remedy whereof, the ſaid Maior, Bailiffes, and Comminaltie were reſolued to erect and build againe a new Weare in the ſame place, but could not poſſibly effect the ſame, for that the ſaid Riuer (hauing wholly paſſed with much violence through the ſaid breach,) had made ſuch a depth of water there, that a ſound and perfect foundation for a Weare could not poſſibly be layd. Whereupon the ſaid Maior, Bailiffes, and Comminaltie (ſpeedily to preuent the ruine and decay of the Inhabitants of your Maieſties ſaid Citie) were inforced to make a new Weare of Stone ouerthwart the Riuer, about the ſpace of foure hundred foote aboue the place where the ſaid former Weare did ſtand, and alſo to cut a new Milleate or Trench, for the conueyance of the ſaid water to the ſaid Milles, through a maine and ſtrong Rocke: For the making of which ſaid Weare & Milleate, the ſaid Maior, Bailiffes, and Comminaltie, were to their great charge inforced to beſtow and expend the ſumme of two thouſand markes and more. In doing whereof the ſaid Maior, Bailiffes, and Comminaltie, were very prouident and carefull by all poſſible meanes and deuices to preuent all hurt and dammage, which might thereby inſue to any. Neuertheleſſe, foraſmuch as ſince the erecting, building and making of the ſaid Weare and Milleate, certaine perſons (being Landlords, Owners, Farmors or Tenants of certaine Lands, ſome adioyning vnto, and ſome not farre diſtant from the ſaid Weare and Milleate) doe pretend that by erecting of the ſaid new Weare, their Grounds are ſometimes (more than heretofore) ouerflowne when by reaſon of much raine the ſaid Riuer of Exe doth exceed his ordinarie greatneſſe, and doe therefore threaten to ſue and implead the ſaid Maior, Bailiffes, and Comminaltie in the Law, for erecting and making of the ſaid new Weare where it now ſtandeth, and of the ſaid new Milleate, Or otherwiſe to breake it open at thoſe places whereunto the ſaid new Weare is annexed, and where the ſaid new Milleate runneth, which if they ſhould indeed doe, then the whole eſtate of the ſaid Citie ſhould be thereby much decayed, and many now vſing and maintaining themſelues and their families by the ſaid Arts and Trades, ſhould be brought to extreame pouertie. And although as yet there be not, nor in appearance is like to be in future times, any great dammage or loſſe vnto any of the ſaid Landlords, Owners, Farmors or Tenants more than in time paſt was by the ſaid former Weare: Yet becauſe the continuance and maintenance of the ſaid new Weare & Milleate is of ſo great moment to the welfare of the ſaid Citie, as without which the ſame cannot well ſubſiſt, And that it ſtandeth with the rule of Equitie and Iuſtice, that thoſe which receiue ſo great benefit by the ſame, ſhould yeeld competent and ſufficient recompence to any perſon whomſoeuer, receiuing or ſuſtaining any loſſe or detriment thereby, be the ſame neuer ſo ſmall, whereunto the ſaid Maior, Bailiffes and Comminaltie, doe right humbly, and with all willingneſſe ſubmit themſelues: May it therefore pleaſe your moſt Excellent Maieſtie, of your moſt noble and abundant Grace, by and with the aſſent of the Lords Spirituall & Temporall, and the Commons in this preſent Parliament aſſembled, and by the authoritie thereof, that it may be enacted, And be it enacted by the authority aforeſaid, that the ſaid Weare and new Milleate, and euery part of the ſame, ſhall (alwayes from henceforth) ſtand, be and remaine, where now they are, without any remouing, lette or diſturbance, or any ſuit or action to be brought

A new Weare is built of Stone ouerthwart the Riuer of Exe.

A foreſight to preuent dammage that might enſue to others.

Neceſſitie requireth that the new weare ſhall be maintained, and Iuſtice that recompence ſhall be made to loſers thereby.

The new weare ſhall ſtand for euer, without diſturbance or ſuite.

by any perſon or perſons whatſoeuer. And that it ſhall and may be lawfull to and for the ſaid Maior, Bailiffes, and Comminaltie, and their ſucceſſors, from time to time, and at all times for euer hereafter, to haue free entry and paſſage, to and from the ſaid new Weare and Milleate, by, in and through all places conuenient, for and with their Seruants, Workemen, Horſes, Carts, Carriages and other neceſſaries, for the repairing, preſeruing and amending the ſame.

A meane to recompence them that be damnified by the new Wear.

And for ſatisfaction and recompence to be giuen to ſuch perſons, which now are or hereafter ſhall or may be damnified by the erecting of the ſaid new Weare, or by occaſion of the reparation thereof, or by making the ſaid Milleate more, than in former times they haue beene by the ſaid ancient Weare: Be it therefore enacted, That, in default of agreement and compoſition betweene the ſaid Maior, Bailiffes, and Comminaltie, and the partie or parties, pretending to be ſo damnified thereby, vpon complaint of any ſuch partie or parties, vnto the Iuſtices of Aſſiſe, for the Countie of Deuon for the time being, in that behalfe made, the ſaid Iuſtices, or ſuch ſubſtantiall and indifferent perſons, as by them in their diſcretions (calling the ſaid parties before them, and hearing their exceptions to the perſons to be ſo nominated) ſhall be deputed or aſſigned, may either in the ſaid Countie and Citie of Exeter, or in the Countie of Deuon, by Oath examine all and euery ſuch witneſſe and witneſſes, as either on the part and behalfe of ſuch Land lord, Owner, Farmor or Tenant, or on the part and behalfe of the ſaid Maior, Bailiffes, and Comminaltie, ſhall be produced before them, for the proofe of any ſuch loſſe, hinderance or dammage, or for the diſproofe thereof: And thereupon (from time to time) ſhall or may order and award, to the party or parties ſo greeued (if any ſuch ſhall be) either by the yeare or otherwiſe, ſuch ſufficient recompence, with neceſſarie and reaſonable coſts in that behalfe ſuſtained, to be by the ſaid Maior, Bailiffes, and Comminaltie, and their ſucceſſors paid to him or them in money, as in their wiſedomes and diſcretions, ſhall be thought fit and conuenient.

Each perſons remedie to recouer the money awarded to him.

And likewiſe that by the ſaid authoritie it may be further enacted; And be it enacted, that for the ſumme or ſummes of money, ſo to be awarded to be paid, it may be lawfull to and for the ſaid partie or parties ſo greeued (vpon refuſall of payment) to diſtraine in any of the Lands and Tenements, belonging to the ſaid Maior, Bailiffes and Comminaltie, or to ſue the ſaid Maior, Bailiffes and Comminaltie, and their ſucceſſors for the ſame, by any action or actions of debt, in any of the Courts of Records of your Highneſſe, your heires or ſucceſſors: In which no Eſſoine ſhall be admitted and allowed.

If the old weare were raiſed whereby grounds were ouerflowne.

Prouided alwayes, and be it enacted by the authoritie aforeſaid, that if the ſaid old Weare haue of late within the ſpace of fiue yeares laſt paſt, beene raiſed higher than the ſame was in ancient times, by meanes of which heightening or raiſing, the ſaid Grounds of ſuch Landlords, Owners, Farmors or Tenants, haue beene within the ſaid ſpace of fiue yeares laſt paſt, more ouerflowne, than vſually before ſuch raiſing or heightening of any ſuch Weare they were wont to be, That then the ſaid Iuſtices of Aſſiſe, or ſuch as ſhall be by them ſo appointed, ſhall by examination of witneſſes by Oath, as is aforeſaid, further enquire, what dammage or loſſe did grow by ſuch raiſing or heightening of the ſaid old Weare, vnto the ſaid Landlords, Owners, Farmors or Tenants, more than they ſuſtained by the ſaid old Weare before ſuch raiſing thereof: And whether any the like dammage doe ſtill continue, by the ſaid new erected Weare. And if it ſhall appeare or be ſo proued to them, then they ſhall further giue and allow ſuch recompence, for ſuch loſſe and dammage ſo continuing by reaſon of the ſaid new Weare, and in ſuch ſort, as is by this Act formerly expreſſed.

CAP. XX.

A meane to recouer a great quantitie of Ground lately ſurrounded in Norffolke and Suffolke by the Sea, and to preuent the like.

The King by his office and good diſpoſition hath care of this Realm.

WHereas the Kings moſt Excellent Maieſtie, as well by his Kingly Office, as of his gracious diſpoſition, hath charge and continuall care of the good Eſtate of this his Highneſſe Realme of England, and the preſeruation of the ſame, & euery part thereof, againſt all dammage and deuaſtation: And whereas there is a part of the Sea ſhore, lying betweene the Townes of great Yarnmouth and Happiſborow in the ſaid Countie of Norffolke, the Cliffes and higher grounds thereof, lying betweene the Sea and the Inlands thereabout, haue laine ſo low and flat, and are of earth and ſand, ſo eaſily waſhed and worne away, as they haue not beene ſufficient to defend and keepe out the Sea, but that ſometimes it hath broken in, and hath alſo much worne away the ſame Cliffes and higher grounds: And now of late ſuch haue beene the extraordinarie force and rage of the Sea vpon that part of the ſaid Coaſt of Norffolke, that no vſuall diligence or meanes haue beene ſufficient to withſtand the violence thereof, but within ſixe moneths now laſt paſt, it hath broken downe and waſhed away the Cliffes and higher grounds there, ſuch as they were, and laid them flat and leuell with the ſaid Inlands, and made breaches ſo wide, that the Sea hath broken in at euery Tyde, and with euery Sea winde, into the very heart and body as well of the ſaid Countie of Norffolke, as into ſome parts of the ſaid Countie of Suffolke adioyning,

The ſeuerall hurts which the Sea hath done of late by ouerflowing in the Counties of Norffolke & Suffolke.

ioyning, which lye ſubiect to the ſaid ouerflowes, and hath decayed, ſurrounded and drowned by much hard grounds, beſides the greateſt part of the Mariſhes and low Grounds within the Townes and Pariſhes hereafter mentioned (the ſame containing many thouſand acres) vpon which a great part of the wealth of the ſaid Counties doth depend, being grounds of themſelues very rich, and without which the Vplands, ſpecially of the Countie of Norffolke, being of themſelues for the moſt part very drie and barren, cannot ſo well be huſbanded or imployed: And by meanes alſo of the ſaid ouerflowes of the Salt water, the fiſhings of the Riuers, Creekes, and other places there adioyning (whereof there was great plentie, and whereby many poore men were maintained, and the Markets ſerued with freſh Fiſh) are greatly decayed: which ſaid breaches, as they are happened very ſuddenly, and will require a preſent and great charge to repaire and make them ſenſable againſt the Sea: So is it to be feared, that in time to come, farther miſchiefe may follow by other breaches, or inlarging of thoſe preſently made, within the Limits aforeſaid, if mature remedie be not prouided, and GOD of his mercie ſtop not the ſame: Which charge is already ſo great, as the parties intereſſed in the ſaid lands and grounds, alreadie drowned and ſurrounded, are not able to ſuſtaine the burthen thereof.

And whereas all or ſome part of the Marſhes, low and flat Grounds of the Townes and Pariſhes hereafter named, and ſome part of the Arable, Paſture and Vpland of the ſame are alreadie by new breaches and waſhing and breaking downe of the Cliffes and higher Grounds, lying betweene the Sea and the Inlands, within the Limits aforeſaid, greatly annoyed, and generally endangered, or like to be endangered, That is to ſay, the Townes and Pariſhes of Wartoneſham, Palling, Eccles, Hempſteed, Ingham, Hickling, Horſey, Potter, Higham, Catfield, Ludham, Winterton, Eaſt Sommerton, Weſt Sommerton, Martham, Baſtwicke, Repps, Thurne, Oby, Clippiſbey, Bilockby, Wood, Baſtwickhorning, Ranworth, Southwalſham, Vpton, Fiſhley, Acle, Caſtor S. Edmonds, Caſtor Maltbey, Rimham, Herringby Borough, Stokeſby, Burton, Horſtead, Wroxham, Sallowes, Hoſton, Below, Coltſell, Hobbins, Lammas, Netiſhead, Barton, Sutton, Stalham, Tunſtell, Haluergate, Wickhamton, Thorpe, Redham, Limpenhow, Cantley, Haſſingham, Buckenham Ferrie, Strumſell, Brundell, Poſtwicke, Thorpe iuxta Norwich, Thurlton, Norton, Hardley, Langley, Carleton, Claxton, Rockeland, Surlingham, Bramerton, Wicklingham, Trowſe, Carrow, Haddeſkow, Whiteacre Borough, Whiteacre Abbey, Gellingham, in the ſaid Countie of Norffolke: And Gorleſton, Gapton, Bradwell, Borough Caſtle, Berkleſſe, Baſham, Worlingham, Belton, Fretton, S. Tolyes alias S. Oliues, Heringfleet, Somerley Towne, Shepton, Owlton, Kirkley, and Barkeley, in the ſaid Countie of Suffolke.

The names of the townes and pariſhes annoyed or endangered by the Sea.

For remedie therefore, of ſo great and generall calamitie, May it pleaſe his moſt Excellent Maieſtie, at the moſt humble petition of a great number of the Inhabitants of the ſaid Counties of Norffolke and Suffolke, that it may be enacted, and be it enacted by the Kings moſt Excellent Maieſtie, by the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by Authoritie of the ſame, That the Lord Chancellor of England, or Lord Keeper of the great Seale of England, for the time being, ſhall from time to time vpon ſuite made vnto him in that behalfe, award Commiſſions vnder the great Seale of England to the L. Biſhop of the Dioceſſe of Norwich for the time being, and to any eleuen or more Iuſtices of the peace of the ſaid countie of Norffolke, & ſix or more Iuſtices of the peace of the ſaid county of Suffolke, as to him ſhall ſeeme good. And if there ſhall then be no Biſhop of the ſaid Dioceſſe, then to ſuch other as aforeſaid onely, after ſuch tenor and effect as hereafter followeth, that is to ſay:

A Commiſſion ſhall be awarded to enquire of, preuent and reforme defaults.

REX, &c. Reuerendo in Chriſto Patri, A. Epiſcopo Norwicenſi, necnon A. B. C. D. ſalutem. SCIATIS, quod aſſignauimus vos & quoſlibet, ſex, ſiue plures veſtrum, ad omnia & ſingula ſuperuidenda, perluſtranda, mandanda, facienda, performanda, exequenda & peragenda, in quodam Actu, in Parliamento Domini IACOBI, Dei gratia Regis Angliæ, &c. nono die Februarij, Anno Regni ſui Angliæ, Franciæ & Hiberniæ ſeptimo, & Scotiæ 43. per diuerſas prorogationes, apud Weſtmonaſterium tento, edito intitulato: **An Act for the ſpeedie recouerie of many thouſand Acres of Marſh Grounds, and other Grounds within the Counties of Norffolke and Suffolke, lately ſurrounded by the Sea in diuers parts of the ſaid Counties, and for the preuention of the danger of like ſurrounding hereafter**, ſpecificata, ſecundum tenorem, vim, formam, effectum, & veram intentionem ejuſdem Actus: In cujus rei teſtimonium, &c. Teſte, &c.

The forme of the Commiſſion.

And be it enacted by the authoritie of this preſent Parliament, That the ſame Commiſſioners to whom ſuch Commiſſion ſhall be directed, or any ſixe or more of them by vertue of the ſame Commiſſion, and of this preſent Act, ſhall haue full power and authority to view, ſee and ſuruey the ſaid Lands and Grounds ſo ſurrounded, decayed and ouerflowne, within the aforeſaid Townes and Pariſhes in the ſaid Counties of Norffolke and Suffolke, or either of them, and

The Commiſſioners authoritie.

To enquire by whoſe default the ouerflowings happened, and who ought to repaire them.

To taxe the perſons and lands chargeable.

Appointing of Officers to execute that which ſhall be needfull.

To take Workmen and ſtuffe for the performance of the ſaid workes.

the places and breaches betweene the ſaid Townes of great Yarmouth and Happiſhborough aforeſaid, where the ſaid ouerflowings, breaches, or decayes are now happened, or ſhall or may hereafter happen, As alſo all other places of danger within the limits aforeſaid, where the like breaches and decayes hereafter ſhall or may happen, And to enquire by the Oathes of good and lawfull men of the ſaid Countie or Counties, as well within Liberties as without, and by their owne view and iudgement, as by all other good wayes and meanes, whereby the trueth may be diſcerned or knowne, if any certaine perſon or perſons ought to ſuſtaine or repaire the ſame, and by whoſe default, or by what meanes the ſaid breaches, decayes and ouerflowings of the Sea haue happened, and who hath or holdeth any Lands, Meadowes, Marſhes or low grounds, Common of paſture, profit of fiſhing, or any other benefit or commoditie in the Towns and Pariſhes aforeſaid, wherein he or they by the ſaid breaches, decayes and ouerflowings already made, or by any other breaches, decayes or ouerflowings hereafter to be made by any manner of meanes hath already receiued, or may or are like at any time hereafter to receiue any loſſe, preiudice, hurt or dammage. And all thoſe perſons and euery of them, and the ſaid lands, meadowes, marſhes, low grounds, or other the premiſſes lying within any the Pariſhes or Townes aforeſaid, ſubiect to ouerflowings, danger or decay, as aforeſaid, to taxe, rate, aſſeſſe and charge with ſuch ſumme or ſummes of money as well for the preſent repaire of the ſaid breaches and decayes already made, and hereafter to be made, as for the recouery, defending, & draining of the Lands, Grounds, and Leuels by the ſame now or hereafter Drowned, Decayed, Surrounded or Annoyed, or in danger to be Drowned, Decayed, Surrounded or Annoyed: As alſo for the making and erecting, keeping and maintaining of Peeres, Walles, Iettes, Piles, Strengths, Fortifications, Defences, and other things whatſoeuer, to withſtand and breake the rage and violent beating of the Sea, thereby to preuent the like Breaches, Decayes, and Ouerflowings hereafter, or for all or any of the ſaid purpoſes, in ſuch ſort as to them, or any ſixe or more of them in their diſcretions ſhall bee thought fit and neceſſarie, hauing reſpect in proportioning of the Taxing or Aſſeſſing as aforeſaid, as well to the then preſent loſſe and danger, as to the future loſſe and danger, that the ſame perſon or perſons, Ground or Grounds, and other the Premiſſes did, ſhall, and may ſuſtaine and beare, by reaſon of the ſaid Breaches, Decayes, and Ouerflowings, And that the ſaid Commiſſioners, or any ſixe or more of them, ſhall and may make and appoint diligent and faithfull Surueyors, Collectors, Receiuers, Treaſurers, Expenditors, Bailiffes, and ſuch other Miniſters and Officers, as they ſhall thinke fit, to ſuruey the ſaid workes, and to leuie, receiue, and lay out the Money to be leuied and expended in and about the ſame, and to doe and execute whatſoeuer ſhall be needfull and expedient to be done therein, according to the direction and orders to be from time to time preſcribed by the ſaid Commiſſioners, or any ſixe or more of them, as aforeſaid. And alſo within the ſaid Counties of Norffolke and Suffolke, or either of them (except in that part of the ſaid Countie of Norffolke, commonly called Marſhland, and the Hundred of Frebridge in Marſhland) to take Workemen, Labourers, Carts and carriages, Timber, Wood, and all other ſtuffe and neceſſaries, for the effecting and performance of the ſaid workes, for reaſonable wages and prices to be ſet by the ſaid Commiſſioners, or any ſixe or more of them, according to their good diſcretions.

Prouided alwayes, that they ſhall not take any Timber or Wood of any Trees, growing or being in or about any Orchard or Garden, or within two furlongs of the Scite of any Manſion or dwelling houſe, whereunto it belongs.

And alſo that it ſhal and may be lawfull to the ſaid Commiſſioners, or any ſix or more of them, by warrant vnder their or any ſixe or more of their hands and ſeales, to commit to the common Gaole of the ſaid Countie reſpectiuely, all ſuch Workemen and Labourers, and Owners or poſſeſſors of Carts, Horſes or Carriages, as being commanded or required by warrant from the ſaid Commiſſioners, or any ſixe or more of them, to worke or ſerue in the ſaid workes, hauing ſuch conuenient and reaſonable hire and wages, as ſhall be ſet by the ſaid Commiſſioners, or any ſixe or more of them, paid or tendered vnto them as aforeſaid. And likewiſe all ſuch as ſhall reſiſt or withſtand the taking of any Timber, Wood, or other ſtuffe or neceſſaries appointed, as aforeſaid, to be taken for the effecting and performing of the ſaid workes, hauing ſuch conuenient and reaſonable prices, as ſhall be ſet by the ſaid Commiſſioners, ſixe or more of them, paid or tendred to them as aforeſaid, there to remaine by the ſpace of two moneths without Baile or Mainpriſe: And alſo to puniſh the ſaid Workemen and Labourers, Owners and Poſſeſſors of Carts, Horſes, and Carriages, and Reſiſters and withſtanders to take ſtuffe, Wood, or Timber for refuſing, or not doing, or withſtanding as aforeſaid, by impoſing vpon them, or any of them ſuch reaſonable and competent Fines or Amerciaments, as the ſaid Commiſſioners, or any ſixe or more of them, ſhall in their wiſedomes thinke fit: Which Fines and Amerciaments ſhall by authority hereof be leuied by Diſtreſſe and ſale of the goods of ſuch offender, and for default thereof, he or they to be by warrant vnder the hands and ſeales of the ſaid Commiſſioners, or any ſixe or more of them, committed to the common Gaole of the ſaid County, there to remaine vntill they ſhall pay the ſame.

And be it likewiſe enacted by the Kings Maieſtie, by the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That it ſhall and may be lawfull for the ſaid Commiſſioners, or any ſixe or more of them, as aforeſaid, by Warrant vnder their hands and Seales, to giue authoritie to any perſon or perſons, to leuie the ſaid ſummes of money by them from time to time to be aſſeſſed vpon the ſaid perſons, or vpon the ſaid Lands, Meadowes, Marſhes, low Grounds, or other the premiſſes charged or chargeable with the ſame, by diſtreſſe and ſale of the goods of ſuch perſon or perſons, that ſhall not pay, or refuſe to pay the ſame, and the ouerplus of the value riſing vpon ſuch ſale, ſhall reſtore to the ſaid Owner of the ſame. And in default of ſuch diſtreſſe to be taken and ſold, it ſhall and may be lawfull to the ſaid Commiſſioners, or any ſixe or more of them, as aforeſaid, to commit him or them ſo not paying, or refuſing to pay the ſame, to the common Gaole of the ſaid Countie, there to remaine without Baile or Mainpriſe, vntill they ſhall willingly pay the ſaid ſumme or ſummes of money ſo taxed, rated, or aſſeſſed by him or them to be paid as aforeſaid.

The Commiſſioners may authorize others to leuie the money aſſeſſed.

Impriſonment for default of diſtreſſe.

Prouided alſo, and be it enacted by the authoritie aforeſaid, That if it ſhall happen, that any the ſaid Grounds or other things ſo drowned, decayed or indammaged, or in danger to be drowned, decayed or indammaged by the ſaid decayes and breaches paſt or to come, ſhall be in the hands of Leſſées or Farmors vnder a rent, That then in ſuch caſes, what part ſoeuer of the charge ſhall be ſet vpon the perſons, to whom ſuch rents ſhall be to be paid, or vpon the rents ſo held in Farme or Leaſe, if the ſame be leuied vpon the Occupier, Farmor, or Leſſée, he ſhall or may retaine ſo much of his ſaid rent in ſatisfaction thereof, as by the ſaid Commiſſioners, or any ſixe or more of them in writing vnder their hands and Seales, ſhall in their diſcretions be ſet downe and declared, hauing reſpect vnto the length or ſhortneſſe of his Terme, and the great or ſmall rent that he is to pay for the ſame: which retainer ſhall be a ſufficient diſcharge againſt the ſaid Leſſors, and euery of them, their heires, ſucceſſors and aſſignes, for and concerning the ſame rent, that ſhall be ſo retained, and of and for all other paines, penalties and forfeitures, for not payment thereof.

If the Leſſes of the land charged doe pay the ſumme taxed, how much thereof he may abate of the Leſſees rent.

Prouided alwayes, That the ſaid Leſſées, Farmors, and euery of them, ſhall pay and ſatisfie the reſidue which ſhall not be retained by vertue of this Act, and order of the ſaid Commiſſioners vnder ſuch paines, penalties and forfeitures, as they ſhould or ought to haue paid the ſame, as if this Act or any ſuch order had not béene had or made.

And be it further enacted by the authority aforeſaid, That the ſaid Commiſſioners, or any ſixe or more of them, ſhall haue power and authority by vertue of this preſent Act, from time to time to make, declare, and ſet downe, Lawes, Ordinances, Decrées and Prouiſions, for the ſafegard, preſeruation and ſafe kéeping of the Cliffes and high Grounds, lying betwéene the Sea and the ſayd Inlands, within the Limits aforeſayd, from the rage and violence of the Sea, and from the breaches, decayes, flowings and ouerflowings thereof, and for the defending, draining and drawing away of the waters, that ſhall or may ouerflow or hurt the Lands, Paſtures or Marſhes in the Townes and Pariſhes aforeſayd, or any of them: And the ſaid Lawes, Ordinances, Decrées and Prouiſions, from time to time, to repeale, reforme, amend, as occaſion ſhall ſerue and require. Which Lawes, Ordinances, Decrées and Prouiſions, ſo made and declared (ſo long as they ſhall remaine in force) ſhall bee well and truely obſerued, performed and kept, by all ſuch whom they ſhall concerne, or to whom they ſhall appertaine. And that the ſayd Commiſſioners, or any ſixe or more of them, ſhall and may ſet and impoſe ſuch reaſonable and competent paines, penalties and forfeitures, vpon ſuch perſon and perſons, as ſhall willingly or wilfully breake, or not obey, obſerue and performe the ſayd Lawes, Ordinances, Decrées and Prouiſions, as they ſhall thinke conuenient. And that the ſayd paines, penalties, and forfeitures, ſo ſet and impoſed, ſhall be leuyed by diſtreſſe, and ſale of any of the offendors goods, or impriſonment in ſuch ſort as any other ſumme or ſummes of money, leuyable by this Act, ſhall or may bee had or leuied, and that the ſurpluſage ariſing of ſuch ſales, ſhall be reſtored to the owner.

The Commiſſioners may make orders for the preſeruation of the grounds and alſo amend the ſame.

Prouided alwaies, That all and ſingular fines, paines, penalties, forfeitures, and ſummes of money to be ſet, impoſed, payed or leuyed by vertue of this Act, ſhall bee employed in and about the making, repairing, fortifying, and ſtrengthening of the ſayd Cliffes and higher Grounds, lying betwéene the Sea, and the ſayd Inlands, within the limits aforeſayd, and for the draining of the waters that ſhall flow into the ſayd Lands, Paſtures, and Marſhes in the Townes and Pariſhes aforeſayd, and to none other vſe whatſoeuer. Sauing that it ſhall be lawfull to the ſaid Commiſſioners, or any ſixe or more of them, out of the ſame to allow to euery of themſelues, for euery day that they ſhall ſit or trauell about the execution of the premiſſes, the ſumme of foure ſhillings a piéece: And to the Collectors, Surueyors, Receiuers, Treaſurers, Expenditors, Bayliffes, and other Officers and Miniſters, which ſhall bee employed in and about the premiſſes, ſuch reaſonable allowance, as to the ſayd Commiſſioners, or any ſixe or more of them, in their diſcretions ſhall be thought neceſſary.

How the penalties and forfeitures ſhall be imployed.

Allowance to Commiſſioners and other officers for their paines.

And it is further ordained and enacted by the authority aforeſayd, That the ſayd Commiſſioners, or any ſixe or more of them, ſhall and may Rate, Taxe, and Aſſeſſe, all ſuch perſon and perſons, as bée Tenants, Farmors, or Occupiers of any Manors, Lands or Tenements, Com-

The Commiſſioners may aſſeſſe the Kings Farmors of any lands to be contributed.

mons, or other Profites or Hereditaments of our Soueraigne Lord the King, his Heires or Succeſſors, within the Townes and Pariſhes aforeſayd, to pay and contribute, for and towards the Ietties, Walles, and other the premiſes aforeſayd, as farre as any other, according to their good diſcretions. And that the ſayd Lawes, Ordinances, Decrees, Orders, and Prouiſions to be made and ordained by the ſayd Commiſſioners, or any ſixe or more of them, in or about any thing, touching or concerning the premiſſes, ſhall binde as well the Lands, Tenements, and Hereditaments of our ſayd Soueraigne Lord the King, his Heires and Succeſſors, and his and their Tenants, Farmors, and Leſſees as aforeſayd, as all and euery other perſon and perſons, and their heires, for ſuch their intereſt, as they ſhall fortune to haue in any Lands, Tenements, Hereditaments, or other profit, aduantage, or commoditie whatſoeuer they ſhall be, whereunto the ſayd Lawes, Ordinances, Decrees, Orders, and Prouiſions ſhall in any ſort extend, according to the true purport, meaning, and intent thereof.

The Commiſſioners Decrees ſhall bind the K. & all other perſons lands.

A remedy where the party taxed hath not ſufficient goods, nor his body can be found within that County.

In what caſe the Commiſſioners may ſell or let to farme the land of the party taxed.

And bee it further enacted by the Authority aforeſayd, That in caſe where any Warrant or Precept ſhall bee made or directed to any Officer or Miniſter, to leuy the ſayd ſummes of money, of any the ſayd perſon or perſons aforeſayd, or to take his or their bodie or bodies, or both of them, as the caſe ſhall require: if ſuch Officer or Miniſter ſhall make returne to the ſaid Commiſſioners, or any ſixe or more of them, that there are not found goods ſufficient of the perſon or perſons, who ſhall be taxed or charged, or whoſe Lands, Meadowes, Marſhes, or other the premiſſes, ſhall be rated, taxed, or aſſeſſed with the payment of any ſumme of money as aforeſayd, by diſtreſſe and ſale whereof, the ſayd ſummes of money to be taxed, rated and aſſeſſed, may be leuied in ſuch of the ſayd Counties of Norffolke or Suffolke, wherein the Grounds, Meadowes, Marſhes, or other the premiſſes, for or in reſpect whereof, ſuch taxe or charge ſhall be made, ſhall lie or bee, nor that the bodie of ſuch perſon or perſons can bee found in that County, then the ſayd Commiſſioners, or any ſixe or more of them, ſhall and may from time to time, make Warrants vnder their Hands and Seales, vnto the Sheriffes of the ſayd Counties of Norffolke or Suffolke, on which the ſayd Lands, Meadowes, Paſtures or other the premiſſes, for or in reſpect whereof the ſayd Taxe or Charge was made as aforeſayd, to bee directed, thereby commaunding the ſayd Sheriffe in the next County Court, to bee holden after the deliuery of ſuch Warrant, openly by Proclamation, to call ſuch perſon or perſons, and to commaund him or them to render him or themſelues to the ſayd Sheriffe, at or before the next County Court after ſuch Proclamation made to bee holden; or at or before the ſaid next Court, to deliuer vnto the ſaid Sheriffe ſuch ſumme or ſummes of money, as he or they ſhall be charged withall, or ought to pay as aforeſayd: And if the ſayd perſon or perſons ſhall after the ſaid Proclamation, and before the ſaid next County Court, pay the ſayd ſumme or ſummes of money vnto the ſayd Sheriffe, then the ſayd Sheriffe ſhall pay ouer the ſame vnto the ſayd Commiſſioners, or any ſixe or more of them: And if the ſayd perſon or perſons ſhall render him or themſelues before the ſayd next County Court, then the ſaid Sheriffe ſhall keepe and detaine him or them in priſon, in the common Gaole of the ſayd County, in ſuch ſort as is before appointed by vertue of this Act, for not payment of any rate, taxe, or ſumme of money: And if the ſame perſon or perſons ſhall not vpon ſuch Proclamation, render him or themſelues, or deliuer ſuch ſumme or ſummes of money as aforeſayd, at or before the ſayd next County Court, that in euery ſuch caſe the ſayd Commiſſioners, or any ſix or more of them, ſhall from thenceforth haue full power and authority, and ſhall and may by vertue of this Act, ſel, graunt, or demiſe the Lands, Meadowes, Marſhes, and other the premiſſes ſo rated, charged, taxed, or aſſeſſed with the payment of any ſumme or ſummes of money as aforeſayd, or ſuch part thereof, and for ſuch Eſtate, as to the ſame Commiſſioners, or any ſixe or more of them, ſhall ſeeme good, and for the beſt and higheſt prices that they can get for the ſame, to any perſon or perſons that will buy or take the ſame, and to their heires or otherwiſe, by deede indented, to bee made betweene the ſayd Commiſſioners, or any ſixe or more of them, and the ſayd Purchaſers, and to be acknowledged and enrolled within the County, where the ſaid Lands, Meadowes, Marſhes and other the premiſſes ſo to be ſold, granted or demiſed, doe lye, before two Iuſtices of the Peace of the ſayd County, whereof one to be of the Quorum, and the Clerke of the Peace of the ſame County: Vpon which ſayd ſale, graunt or demiſe, the ſayd Commiſſioners, or any ſixe or more of them, ſhall and may by vertue of this Act, take and retaine to the vſes and for the purpoſes aforeſayd, ſo much as ſhall amount to the ſumme and ſummes that ſhall be rated, taxed, or aſſeſſed, & not payed as aforeſayd: And if there ſhall be any remaine vpon ſuch ſale, the ſame ſhall be reſtored to the Owner and owners of the Lands ſo ſold, graunted, or demiſed: And that all and euery ſuch ſale, graunt, and demiſe, ſo made, ſhall be good and effectuall to all and euery Purchaſer and Purchaſers, his and their heires and aſſignees, according to the purport and effect thereof: And the ſayd Purchaſers, their heires and aſſignees, ſhall and may by vertue thereof, and of this Act, haue, hold and enioy the ſame againſt the ſayd perſon and perſons, for whoſe default, neglect, or offence, the ſame were ſold, graunted or demiſed, & againſt his heires, & againſt all and euery perſon and perſons, that ſhall ſtand or be ſeiſed or poſſeſſed thereof to the vſe or behoofe of ſuch perſon or perſons, or in truſt for them, or to the intent that the ſame ſhall remaine or be at the diſpoſall of the ſayd perſon or perſons.

Prouided alwaies, that if the ſayd perſon or perſons, who ſhall haue made ſuch default of payment, or rendring of him or themſelues, ſhall at any time before ſuch Sale made, pay or cauſe to be payed to the ſayd Commiſſioners, or any ſixe or more of them, the ſayd ſummes of money, and all Paines and Penalties before that time ſet or impoſed vpon him or them by force of the ſayd Commiſſion, and of this Act, and then not payed or ſatisfied, That then it ſhall not be lawfull for the ſayd Commiſſioners or any of them, for or in reſpect of ſuch default, to make Sale of any of his or their ſayd Lands or premiſſes: Any thing in this Act contained to the contrary in any wiſe notwithſtanding. Sauing to all other perſon and perſons, bodies politicke and corporate, their heires and ſucceſſors, executors and aſſignes, all ſuch right, title, Eſtate, intereſt and demaund, as they or any of them had, or ſhould or ought to haue, of, in, to or out of any ſuch Lands, Meadowes, Marſhes, and other the premiſſes ſo to be ſold, graunted or demiſed as aforeſayd, as if no ſuch ſale, graunt or demiſe had euer béene had or made: Any thing in this preſent Act contained to the contrary in any wiſe notwithſtanding.

A reliefe for the offendor paying the mony aſſeſſed, & the penalties impoſed vpon him.

A ſauing of the right of others.

And be it further enacted by the authority aforeſayd, That the Sheriffes of the ſayd Counties of Norffolke and Suffolke, and either of them, ſhall cauſe to come before the ſayd Commiſſioners, or any ſixe or more of them, at ſuch times and places, as the ſayd Commiſſioners, or any ſixe or more of them, ſhall appoint ſuch and ſo many good men of their ſeuerall Bailiwikes, as well within Liberties as without, to whom the truth may bee beſt knowne, to enquire of the premiſſes mentioned in this Act, which men for their ſeuerall defaults, ſhall loſe and forfeit ſuch iſſues and ſummes of money, not excéeding the ſumme of tenne ſhillings of lawfull money of England, for one default, as by the ſayd Commiſſioners, or any ſixe or more of them, ſhall be ſet or impoſed vpon them, which ſhall and may be leuyed by Diſtreſſe and Sale of goods onely, and for refuſing to make inquirie, and for other contempts, ſhall forfeit and loſe ſuch reaſonable Fines and ſummes of money, as by the ſayd Commiſſioners, or any ſixe or more of them, ſhall be impoſed vpon them, which ſhall and may be leuyed by Diſtreſſe, Sale of goods and impriſonment, in ſuch maner and forme, as for the leuying of the ſummes of money to be rated, taxed or aſſeſſed, is before limited and appointed. And that all Sheriffes, Bayliffes, Officers, and Miniſters whatſoeuer, of our ſaid Soueraigne Lord the King, his heires and ſucceſſors, within the Counties aforeſayd, as well within Liberties as without, ſhall be from time to time attendant, ayding and aſſiſting to the ſayd Commiſſioners, and euery ſixe or more of them, for and concerning all ſuch things as ſhall concerne their ſeuerall Offices, and places reſpectiuely, in or about the execution of all things contained in this Act: Upon paine to forfeit ſuch Paines, Penalties, Fines, and Summes of money, as ſhall be ſet or impoſed vpon them or any of them, by the ſayd Commiſſioners, or any ſixe or more of them, for or in reſpect of their or any of their contempts, miſdoing, or negligences in that behalfe. Which ſaid Paines, Penalties, Fines, and Summes of money, ſhall and may be leuied by Diſtreſſe, Sale of goods and impriſonment, as the ſayd ſummes before mentioned to be taxed, rated, or aſſeſſed, are appointed to be leuyed, and the ſayd Iſſues, Paines, Penalties, Fines and Summes of money, ſet or impoſed vpon the ſayd good men, Sheriffes, Bayliffes, Officers, and other Miniſters, ſhall be employed and diſpoſed of, in ſuch maner and forme, as the ſayd ſummes to be taxed, rated, or aſſeſſed, are before appointed to be employed and diſpoſed of.

The Sheriffes of Norffolke & Suffolke ſhall returne Iuries before the Commiſſioners.

Iſſues forf. by Iurors, & how they ſhall be leuyed.

All Sheriffes & officers ſhall attend & ayd the Commiſſioners.

How the iſſues & penalties ſhall be employed.

And be it further enacted, ordained, and eſtabliſhed, by the authority aforeſayd, That the ſayd Commiſſioners, or any ſixe or more of them, ſhall haue power and authority by force and vertue of this preſent Act, to call before them, or any ſixe or more of them, the Collectors, Receiuers, Treaſurers, Expenditors, Bayliffes, and other Officers and Miniſters, which ſhalbe employed or haue dealing in and about the ſayd workes, or any other thing concerning this preſent Act, or the execution thereof in any ſort, and to require and take of them, and euery of them Accompts vpon their Oathes, of all their, and euery of their Receipts, Collections, Payments, Diſburſements, and other doings concerning the ſame. And if the ſayd Collectors, Receiuers, Treaſurers, Expenditors, Bayliffes, or any other the Officers and Miniſters aforeſayd, ſhall happen to be found in Arrerages, either in Moneys or Materialls receiued, or otherwiſe, That then in ſuch caſe they ſhall make payment, and giue ſatisfaction in that behalfe, according to ſuch order and direction, as by the ſayd Commiſſioners, or any ſixe or more of them in writing vnder their hands and ſeales, ſhall be made and ſet downe. And in default of performance thereof, ſuch Officers and Miniſters ſhall be by Warrant vnder the hands and Seales of the ſayd Commiſſioners, or any ſixe or more of them, diſtrayned by their goods and chattels, and the ſame to be ſold as aforeſayd: And in default of ſuch diſtreſſe to be found, it ſhall be lawfull for the ſayd Commiſſioners, or any ſixe or more of them, to commit ſuch offendor or offendors to the common Gaole of the ſayd County, there to remaine vntill they haue paid all ſuch arrerarges and ſummes of money, and other things ſo found to be remaining in their hands, according to the order of the ſaid Commiſſioners, or any ſixe or more of them, to be made as aforeſayd.

The Commiſſioners may take accompt of inferior officers.

And be it further enacted by the authority aforeſayd, That if any of the ſayd Collectors, Receiuers, Treaſurers, or other Officers or Miniſters which ought to accompt, by the true meaning of this Act, ſhall die before his or their accompt ſhall be made as aforeſayd, that in euery

The remedy if any of the officers do dye before his accompt made, or the arrerages paid.

ſuch caſe the ſayd Commiſſioners, or any ſixe or more of them, may call before them, or any ſixe or more of them, the Executors and Adminiſtrators of ſuch Collectors, Receiuers, Treaſurers, Expenditors, Bayliffes, and other Officers and Miniſters, and to require and take of them and euery of them accompts of all and euery the ſayd receits, collections, payments, diſburſements, and other doings concerning the ſame: And if vpon the ſame accompts, any thing ſhall be found in arrerages, or if the ſayd Collectors, Receiuers, Treaſurers, Bayliffes, or other Officers or Miniſters, hauing made his or their accompt ſhall die before ſuch time as the arrerages that ſhall be found vpon the ſame accompt, ſhall be payd or ſatiſfied, then in euery ſuch caſe the ſayd arrerages, by warrant of the ſayd Commiſſioners, or any ſixe or more of them, ſhall and may be leuyed by diſtreſſe and ſale of the goods and chattels that were the ſayd Collectors, Receiuers, Treaſurers, Expenditors, Bayliffes or other Officers or Miniſters, at the time of their ſeuerall deathes: And if the ſayd Executors or Adminiſtrators, or any of them, ſhall haue waſted the goods and chattels that were the ſayd Collectors, Receiuers, Treaſurers, Expenditors, Bailiffes or other Officers or Miniſters, then ſo much of the ſayd arrerages, as the ſayd goods and chattels ſo waſted ſhall amount vnto, ſhall and may be leuyed by diſtreſſe and ſale of the proper goods and chattels of the ſayd Executors or Adminiſtrators, as aforeſayd: And if the ſayd Executors or Adminiſtrators, ſhall haue no goods or chattels of their owne in the ſayd Counties of Norffolke and Suffolke, or one of them, whereby the ſame arrerages may be leuyed as aforeſayd, Then it ſhall and may be lawfull for the ſayd Commiſſioners, or any ſixe or more of them, by Warrant vnder the Hands and Seales of any ſixe or more of them, to commit the ſame Executors or Adminiſtrators, to the common Gaole of the ſayd Counties of Norffolke or Suffolke, there to remaine without baile or mainpriſe, vntill they ſhall haue payed and ſatiſfied ſo much as the ſayd goods or chattels ſo waſted ſhall amount vnto, according to the order of the ſame Commiſſioners.

A remedy if the executors or adminiſtrators of an Accomptant hath waſted his goods.

And bee it alſo enacted by the Authority aforeſayd, That if the ſayd Collectors, Receiuers, Treaſurers, Bayliffes, Miniſters, or other Officers, their Executors, Adminiſtrators, or any of them, being required by the ſaid Commiſſioners, or any ſix or more of them, or by any other, being thereunto authorized, by Warrant of the ſayd Commiſſioners, or any ſixe or more of them, ſhall refuſe or neglect to render ſuch accompt, as aforeſayd, then from time to time it ſhall and may be lawfull to and for the ſayd Commiſſioners, or any ſixe or more of them, vnder their Hands and Seales, to commit the perſon and perſons ſo refuſing or neglecting, to the Common Gaole of the ſayd Counties of Norffolke or Suffolke, there to remaine without baile or mainpriſe, vntill he or they ſhall haue made ſuch accompt as aforeſayd.

The puniſhment of an Accomptant that refuſeth to accompt.

And be it likewiſe enacted by the authority aforeſayd, That if the ſayd Collectors, Receiuers, Treaſurers, Expenditors, Bailiffes, or other Officers or Miniſters, or any of them, ſhall die hauing any ſumme or ſummes of money, or other things in his or their hands, which ought to bee employed in or about the workes aforeſayd by vertue of this Act, and whereof he or they hath not or haue not accompted, or hauing accompted was found in arrerages, and any Action or Suit for any debt due by him or them, ſhall bee proſecuted againſt the Executors or Adminiſtrators of them or any of them, before ſuch time as ſuch ſummes of money and other things ſhall bee ſatiſfied and payd, according to the true meaning of this Act, the ſame Executors or Adminiſtrators may plead, that the party deceaſed, whoſe Executors or Adminiſtrators they are, had in his hands at the time of his death ſuch ſummes of money or ſuch things of a certaine value, and ſhew how much, which ought to bee employed according to this Act, And that the ſame are not accompted for, or are accompted for and not payd or anſwered for, And that ouer and aboue thoſe ſummes, they haue no goods or chattels that were the ſayd perſons deceaſed, at the time of his death, or goods and chattels but of a certaine value, not amounting to the ſumme demanded, which plea ſhall be allowed good in Law, in as much as the deceaſed was but a Keeper of thoſe ſummes and other things, and therefore the ſame ought not to be liable to his debts: And in caſe ſuch Action or Suit ſhall be commenced after payment and ſatiſfaction of the ſayd ſummes and other things by the ſayd Executors or Adminiſtrators, then the ſaid Executors or Adminiſtrators may plead that they haue fully adminiſtred all the goods and chattels that were the ſayd perſons deceaſed, And that they haue no goods or chattels, or no goods or chattels beſides ſuch goods and chattels of a certaine value, not amounting to the ſumme demanded, as their caſes ſhall reſpectiuely require, without ſhewing or alledging this Act, or any other particularity or circumſtance in that behalfe: Vpon which pleas iſſue may be ioyned, and vpon triall of the ſame iſſue the whole matter ſhall be giuen in euidence, on both parts, according to the very truth thereof: And if vpon the ſame triall it ſhall be found, that the ſaid Executors or Adminiſtrators haue paid ſuch ſummes as aforeſayd, the ſame ſhall be allowed as a good and lawfull adminiſtration: Or if it be found that they haue no other goods or chattels than as aforeſayd, thereupon in ſuch caſes the ſayd Executors or Adminiſtrators ſhall haue ſuch iudgement, as in the like caſes vpon tryall of the like iſſues is accuſtomed by the ordinary courſe of the common Law: Any debts of what kinde ſoeuer that were owing by the ſayd perſons deceaſed notwithſtanding.

If an Accomptant dy owing mony to theſe vſes, & alſo to other perſons, the money receiued to this vſe ſhall be firſt payed.

And bee it further enacted, That if any Action of Treſpaſſe, or other Suit, ſhall hapen to bee attempted, and brought againſt any perſon or perſons, for taking of any diſtreſſe, making of any ſale, impriſoning of any perſon or perſons, or any other thing doing by authority of this preſent Act, the defendant or defendants in any ſuch Action or Suit, ſhall and may either plead not guiltie, or otherwiſe make Auowrie, Cogniſance, or Iuſtification, for the taking of the ſayd diſtreſſes, making of ſale, impriſoning, or other thing doing by vertue of this Act, alleadging in ſuch Auowrie, Cogniſance, or Iuſtification, that the ſayd diſtreſſe, ſale, impriſonment, or other thing, whereof the plaintiffe or plaintiffes ſhall complaine, was done by authority of this Act, and according to the tenor, purport, and effect of this Act, without any expreſſing or rehearſall of any other matter of circumſtance contained in this preſent Act, to which Auowrie, Cogniſance, or Iuſtification, the plaintiffes ſhall be admitted to reply, That the defendant did take the ſayd diſtreſſe, make the ſaid ſale or impriſonment, or did any other Act ſuppoſed in his declaration, of his owne wrong, without any ſuch cauſe alleadged by the ſayd defendant, whereupon the iſſue in euery ſuch Action ſhall be ioyned, to be tryed by verdict of twelue men, and not otherwiſe, as is accuſtomed in other perſonall Actions: And vpon the tryall of that iſſue, the whole matter to be giuen on both parts in euidence, according to the very truth of the ſame, and after ſuch iſſue tried for the defendant, or non-ſuit or diſcontinuance of the Suit of the party plaintiffe after apparance, the ſame defendant to recouer treble dammages, by reaſon of his wrongfull vexation in that behalfe, with his coſts alſo in that part ſuſtained, and that to be aſſeſſed by the ſame Iury, or Writ to enquire of the dammages, as the ſame ſhall require.

The defendants plea in any ſuit commenced againſt him for a thing done by force of this Act.

Where the def. ſhal recouer treble dammages.

Prouided alwayes, and be it enacted by the authority aforeſayd, That when and as often as any rate, taxe, aſſeſſement or charge, ſhall be made by vertue of the ſayd Commiſſion, and this Act or either of them, wherewith or whereby any Lands, Meadowes, Marſhes, or other the premiſſes in the ſayd County of Suffolke, or any perſon or perſons, for or in reſpect of the ſame ſhall or ought to be charged, that in euery ſuch caſe, one or more Commiſſioner or Commiſſioners of the ſaid County of Suffolke, ſhall be preſent at the time of the ſame taxing, rating, aſſeſſing, or charging, or ſhall haue warning giuen vnto him or them, or left for him or them at his or their dwelling houſe or houſes, of the time and place, when and where the ſayd Commiſſioners ſhall meete and aſſemble, in and about the execution of this Act, or elſe the ſame rate, taxe, aſſeſſement, and charge, in, vpon, or in reſpect of the ſayd Lands, Meadowes, Marſhes, and premiſſes in the ſayd County of Suffolke, ſhall be voyd and of none effect.

One Commiſſioner or more of the County of Suffolke ſhalbe preſent when any land or perſon of that county ſhalbe taxed.

This Act to continue during the terme of ſeuen yeares next enſuing the end of this preſent Seſſion of Parliament, and from thence to the end of the firſt Seſſion of the then next Parliament, and no longer: And that neuertheleſſe, all things done and executed in the meane time by vertue of this Act, and of the ſayd Commiſſion, ſhall ſtand and remaine in force and effect, and be iuſtifiable, as if this Act had ſtill remained in force, and continued. 3. Car. 4. Continued vntill the end of the next Seſion of Parliament.

Continuance of this Act.

Cap: XXI.

Certaine of the Kings Coppiholders eſtates ſhall be confirmed by Decree.

WHere the Kings moſt excellent Maieſty is giuen to vnderſtand, that diuers of his good and louing ſubiects, holding Lands, Tenements, and Hereditaments, by Copy of Court Roll, of diuers of his Maieſties Mannors, are notwithſtanding ſubiect to much queſtion and exception, either becauſe the ſayd Lands, Tenements and Hereditaments were not perhaps originally parcels of the ſayd Manors, nor time out of minde, according to the ſtrict interpretation of Law, haue been Copyhold Lands, or Tenements demiſed, or demiſeable by Copy of Court Roll, of the ſayd Manors: Or becauſe the fines payable for admittances vpon Diſcents, Surrenders, Grants, and Alienations, of or to their ſuch Copyhold Lands, Tenements, and Hereditaments, and other their Vſages, Cuſtomes, Liberties, and Priuiledges concerning the ſame, are either vncertaine, or not ſo plaine, but that both for the preſent, and in future times, much trouble, loſſe and diſquiet may ariſe and happen vnto ſuch Copyhold Tenants, which may alſo be a reaſon to diſcourage them in their endeuours, in improuing and husbanding their ſaid Lands, which turnes to the dammage of the Common-wealth: And where his Maieſty taking knowledge of the premiſſes, and minding to doe fauour to all his louing ſubiects in thoſe caſes, and to ſettle, eſtabliſh, and ſecure their Copihold Eſtates, according to true meaning, hath beene pleaſed, that the Lord high Treaſurer of England, and the Chancellors of his Highneſſe Courts of Exchequer and Dutchy reſpectiuely, ſhould take order vpon reaſonable Compoſitions to bee made with his Maieſty, as to their wiſedomes ſhall ſeeme fit, by ſuch Tenants to eſtabliſh their ſayd Copyhold Eſtates, by Decrees of the ſaid ſeuerall Courts reſpectiuely according to true meaning: In performance of which his Maieſties gracious directions, diuers Decrees of that nature haue beene already made, and others are intended from time to time to bee made, vpon ſuch Compoſitions to be had with the Lord Treaſurer of England, and Chancellors of the Exchequer and Dutchie for the time being, for and on his Maieſties behalfe, as aforeſayd: Bee it therefore enacted by the Kings moſt excellent Maieſty, the Lords Spirituall and Temporall, and the Commons in this

The cauſes that the K. Copyhold tenants be ſubiect to queſtions.

The validity of Decrees made in the Exchequer chamber or Dutchy concerning the K. Copihold Lands.

preſent Parliament aſſembled, and by the authority of the ſame, That all the Meſſuages, Cottages, Milles, Lands, Tenements, and Hereditaments, contained or mentioned in any Decrée or Decrées, to be made in any the ſayd Courts of Exchequer chamber or Dutchie, at any time ſince the firſt day of this preſent Seſſion of Parliament, or within thrée yéeres from thence next enſuing, vpon Compoſitions made with his Maieſties ſayd officers, on his Highneſſe behalfe, as aforeſayd, and in and by the ſame decréed to be from thenceforth good and perfect Copihold Lands, ſhall from the time of ſuch Decrée or Decrées made, be taken, and adiudged to be good and perfect Copihold Lands, Tenements, and Hereditaments, according to the true intent and meaning of the ſayd Decrées reſpectiuely: And that all and euery perſon and perſons, ſhall and may haue, hold, vſe and enioy the ſayd Meſſuages, Cottages, Mills, Lands, Tenements, & Hereditaments, to them, their heires and aſſignes for euer, by Copie of Court Roll, or otherwiſe, according to the Cuſtomes of the ſayd Manors, ſeuerally and reſpectiuely, according to the purport and effect of the ſaid Decrées, for ſuch Fines, Rents, Duties, and by, with, and according to ſuch Cuſtomes, Priuiledges, Liberties, Profits, and Commodities, and in ſuch manner and forme, as in and by the ſaid Decrées ſhall be limited and appointed,

Decrees made concerning the K. Copihold tenants confirmed by Parliament.

And be it further enacted by the authority aforeſayd, that the ſayd Decrées, and euery of them, and euery Clauſe, Article, and Sentence in euery of them to be contained, ſhall ſtand and be ratified, allowed, approued, and confirmed by the authority of this preſent Parliament: And that the ſame Decrées, and euery of them ſhall ſtand and be of force, to binde and conclude aſwell the Kings Maieſty, his heires and ſucceſſors, as alſo all other parties to the ſame, their heires and aſſignes, and all claiming, by, from, or vnder them, in all things, according to the purport, effect, and true meaning of the ſame Decrées, and that euery Clauſe, Article, and Sentence in them, or any of them to be contained, for euer, from and after the making of the ſame Decrées, ſhall ſtand, be, and remaine, and be adiudged and taken to ſtand and be of ſuch and the ſame force and effect to all intents and purpoſes, as if the ſame Decrées, and euery of them, and euery Clauſe, Article, and Sentence in them, and euery of them to be contained, were ſpecially and particularly herein expreſſed, and by the authority of this preſent Parliament enacted: Sauing neuertheleſſe to all and euery perſon and perſons, bodies politicke and corporate, their heires and ſucceſſors (other than the Kings highneſſe, his heires and ſucceſſors) all ſuch Actions, Eſtates, Poſſeſſions, Rights, Titles, Intereſts, Rents, and Demands, Profits, Commodities, and Aduantages whatſoeuer, as they or any of them haue, ſhall, may, or ought to haue, of, in, to, or out of all, or any of the premiſſes, in ſuch and in the ſame Eſtate, Degrée, Plight, maner and forme to all intents and purpoſes as if this Act had neuer béene had ne made.

A ſauing of the rights & actions of others.

Cap. XXII.

A Confirmation of a Subſidie granted by the Clergie to the King. EXP.

Cap. XXIII.

One Subſidie and one Fifteene granted to the King by the Temporalty. EXP.

Cap. XXIIII.

A Confirmation of the Kings generall and free Pardon. Except &c. EXP.

Anno 18. Iacobi Regis.

Cap. I.

Three entire Subſidies granted by the Spiritualty. EXP.

Cap. II.

Two entire Subſidies granted by the Temporalty. EXP.

ANNO

Anno Reg. IACOBI, *Regis Angl. Scotiæ, Franciæ, & Hiberniæ, viz. Angl. Franc. & Hibern. viceſimo primo, & Scotiæ quinquageſimo ſeptimo.*

AT the Parliament begun and holden at Weſtminſter the nineteenth day of February, in the one and twentieth yeare of the reigne of our moſt gracious Soueraigne Lord, IAMES by the grace of God, of England, France, and Ireland, King, Defender of the Faith, &c. And of Scotland the ſeuen and fiftieth. And there continued vntill the nine and twentieth day of May following: And then prorogued vntill the ſecond day of Nouember, 1624. To the high pleaſure of Almighty God, and to the weale publike of this Realme, were enacted as followeth.

CAP. I.

The Statute of 39. Eliz. 5. *made perpetuall.*

WHereas in the Parliament held in the nine and thirtieth yeare of the Reigne of the late Queene Elizabeth of happie memorie, a good Law was made, intituled, An Act for erecting of Hoſpitals, or abiding and working houſes for the poore: but the Power, Licence and Authority giuen by the ſaid Statute, to erect, found, and eſtabliſh ſuch houſes and abiding places, as are therein mentioned, was confined to the ſpace of twenty yeares then next enſuing, which ſaid time is now expired.

Be it therefore enacted by the Authoritie of this preſent Parliament, That the ſaid Act, and all things therein contained, ſhall from henceforth be reuiued and made perpetuall to haue continuance for euer.

The Statute of 39. El. 5. made perpetuall.

And be it alſo enacted, That all Hoſpitals, Meaſons de Dieu, and abiding places for Poore, Lame, Maimed and Impotent people, or for Houſes of Correction, at any time ſince the ſaid twenty yeares expired, erected, founded or made, or at any time hereafter to be erected, founded or made, according to the purport of the ſaid Statute, ſhall be incorporated, and haue perpetuall ſucceſſion and capacitie, to haue, take, and enioy all other Priuiledges, Benefits, and Immunities, to all intents and purpoſes, according to the prouiſions, tenor, purport and true meaning of the ſaid Act, as if the ſame had beene made, founded, or endowed within the ſpace of twenty yeares next enſuing the ſaid Statute. Stat. 43. El. 4.

The Erection of all Hoſpitals, &c. ſince the expiration of 39. El. 5. confirmed.

CAP. II.

Concealed Lands ſhall not be recouered, vnleſſe it may be proued that the King had title vnto them within 60. yeares.

THe Kings moſt Excellent Maieſtie, of his bleſſed and gracious Diſpoſition, and abundant Grace, deſiring that his louing Subiects, and their Heires and Succeſſors, may quietly haue and hold all and ſingular Manors, Lands, Tenements, and Hereditaments, which they, their Anceſtors, or Predeceſſors, or any other by, from, or vnder whom they claime, haue of long time enioyed, is graciouſly pleaſed, that it be enacted. And be it enacted by the Kings moſt Excellent Maieſtie, by, and with the aſſent and conſent of the Lords ſpirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by authoritie of the ſame, That the Kings Maieſtie, his Heires, or Succeſſors, ſhall not at any time hereafter ſue, impeach, queſtion, or implead any perſon or perſons, bodies politique or corporate, for, or in any wiſe concerning any Manors, Lands, Tenements, Rents, Tithes, or Hereditaments, other than Liberties and Franchiſes, or for, or in any wiſe concerning the Reuenues, Iſſues, or profits thereof, or make any Title, Claime, Challenge or Demand, of, in, or to the ſame, or any of them, by reaſon of any Right or Title accrewed, and growne threeſcore yeares paſt and more, and now in Eſſe, vnleſſe his Maieſtie, or ſome of his Progenitors, Predeceſſors, or Anceſtors, or ſome other perſon or perſons, bodies politique, or corporate, vnder whom his Maieſtie any thing hath, or lawfully claymeth, haue beene anſwered, by force and vertue of any ſuch Right or Title to the ſame, the Rents, Reuenues, Iſſues, or profits thereof, within threeſcore yeares next before the beginning of this preſent Seſſion of Parliament, Or that the ſame haue beene duely in charge to his Maieſtie, or the late Queene Elizabeth, or haue ſtood in Super of Record within

The King ſhall recouer no concealed Lands, &c. vnleſſe it may be proued, that hee had right, or title thereunto within 60. yeares next before the beginning of this Parliament.

the ſaid ſpace of thréeſcore yeares, And that euery perſon and perſons, bodies politique, and corporate, their Heires and Succeſſors, and all claiming by, from, or vnder them, or any of them, for, and according to their, and euery of their ſeuerall Eſtates and Intereſts, which they haue, or claime to haue in the ſame reſpectiuely, ſhall hereafter quietly and fréely haue, hold, and enioy againſt his Maieſtie, his Heires and Succeſſors, claiming by any title accrued, or growne thréeſcore yeares paſt, or aboue, and now in Eſſe, all and ſingular Manors, Lands, Tenements, Rents, Tythes, and Hereditaments whatſoeuer, except Liberties and Franchiſes, which he or they, or his or their, or any of their Anceſtors or Predeceſſors, or thoſe from, by, or vnder whom they claime, haue held, or enioyed, or taken the rents, reuenues, iſſues or profits thereof, by the ſpace of thréeſcore yeares next before the beginning of this preſent Seſſion of Parliament, vnleſſe his Maieſtie, or ſome of his Progenitors, Predeceſſors, or Anceſtors, or ſome other perſon or perſons, bodies politique or corporate, by, from, or vnder whom his Maieſtie any thing hath, or lawfully claimeth, in the ſaid Manors, Lands, Tenements, Rents, Tythes, or Hereditaments, by force of any right or title, haue béene anſwered by vertue of any ſuch right or title, the rents, reuenues, iſſues, or other profits thereof within thréeſcore yeares next before the beginning of this preſent Seſſion of Parliament, Or that the ſame haue bin duely in Charge, or ſtood in Super of Record, as aforeſaid, within the ſaid ſpace of thréeſcore yeares: And furthermore, that euery perſon and perſons, bodies politique and corporate, their Heires and Succeſſors, and all claiming by, from, or vnder them, or any of them, for, and according to their, and euery of their ſcuerall eſtates and intereſts, which they haue or claime reſpectiuely, ſhall quietly and freely haue, hold, and enioy all ſuch Manors, Lands, Tenements, Rents, Tythes, and Hereditaments, except Liberties and Franchiſes, as they now haue, claime or enioy, (whereof his Maieſtie, his Progenitors, Predeceſſors, or Anceſtors, or he, or they, by, from, or vnder whom his Maieſtie any thing hath, or lawfully claimeth, or ſome of them, by force of ſome right or title to the ſame, haue not béene anſwered by vertue of ſuch right or title, the rents, reuenues, iſſues, or profits thereof, within thréeſcore yeares next before the beginning of this preſent Seſſion of Parliament) Nor the ſame haue béene duely in Charge, or ſtood in Super of Record, as aforeſaid, within the ſaid ſpace of thréeſcore yeares, againſt all, and euery perſon and perſons, their heires and aſſignes, hauing, claiming, or pretending to haue any eſtate, right, title, intereſt, claime, or demand whatſoeuer, of, in, or to the ſame, by force or colour of any Letters Patents, or Grants, vpon ſuggeſtion of Concealement, or wrongfull detaining, or not being in Charge, or defectiue Titles, or by, from, or vnder any Patentées, or Grantées, or any Letters Patents, or Grants, vpon ſuggeſtion of Concealement, or wrongfull detaining, or not being in Charge, or defectiue Titles, of, or for which ſaid Manors, Lands, Tenements, Rents, Tythes, and Hereditaments, or any of them, no Verdict, Iudgement, Decrée, Iudiciall order vpon hearing, or Sentence now ſtanding in force, hath béene had or giuen in any Action, Bill, Plaint, or Information, in any of his Maieſties Courts at Weſtminſter, for, or in the name of the Kings Maieſtie, or of the late Quéene Elizabeth, or for any of the ſaid Patentées or Grantées, or for their, or any of their heires or aſſignes, within thréeſcore yeares next before the beginning of this preſent Seſſion of Parliament.

This Act ſhal not impeach the Kings Title to any Reuerſion or Remainder.

Prouided alwayes, That this Act, or any thing therein contained, ſhall not extend to barre, impeach, or hinder his Maieſtie, his heires or Succeſſors, of, for, or from any Manors, Lands, Tenements, Rents, Tithes, or Hereditaments, whereof any reuerſion or remainder now is in his Maieſtie, for, or concerning the ſaid Reuerſion or Remainder: Nor of, for, or from any Reuerſion or Remainder, or poſſibilitie of Reuerſion or Remainder, in any of his Maieſties Progenitors, or Predeceſſors, or Anceſtors, which by the expiration, end, or other determination of any limited eſtate of Féeſimple, or of any Féetaile, or other particular eſtate, hath, or ought to haue fallen, or become in poſſeſſion within the ſpace of thréeſcore yeares next before the beginning of this preſent Seſſion of Parliament: Nor of, for, or from any right or title, firſt accrued or growne to his Maieſtie, or any of his Progenitors, Predeceſſors, or Anceſtors, or, in, or to any Manors, Lands, Tenements, Rents, Tithes, or Hereditaments, within the ſpace of thréeſcore yeares, next before the beginning of this preſent Seſſion of Parliament, and not before.

Prouided alſo, and be it enacted by authoritie of this preſent Parliament, That this Act, or any thing therein contained, ſhall not extend to any Manors, Lands, Tenements, Rents, Tithes, or Hereditaments, mentioned to be granted or conueyed by any of his Maieſties Progenitors, Predeceſſors, or Anceſtors, or by any other, vnder whom his Maieſtie claimeth, to any perſon or perſons of any limited eſtate in Féeſimple, or of any eſtates in Tayle, or other particular eſtate, which ſeuerall eſtates (if the ſame had béene good and effectuall in Law) haue, or ought to haue fallen, or become in poſſeſſion within thréeſcore yeares, next before the beginning of this preſent Seſſion of Parliament, nor to any Manors, Lands, Tenements, Rents, Tithes, or Hereditaments, mentioned to be granted, or conueyed by any of his Maieſties Progenitors, Predeceſſors, or Anceſtors, or by any other, vnder whom his Maieſtie claimeth, to any perſon or perſons, in Féetayle, or other particular eſtate, whereof the reuerſion or inheritance (if ſuch eſtate, tayle, or other particular eſtate had béene good and effectuall in Law) ſhould haue beene continued in his Maieſtie, the firſt day of this preſent Seſſion of Parliament.

Prouided alſo, and be it enacted by the authority of this preſent Parliament, That all and ſingular the ſaid Manors, Lands, Tenements, and Hereditaments ſhall be holden of his Maieſtie, his Heires and Succeſſors, and of other perſon and perſons, bodies politique and corporate, their Heires and Succeſſors reſpectiuely, by the ſame Tenures, Seruices, Fee-farmes, chiefe Rents, Herriots and other duties, to all intents and purpoſes, as the ſame ſhould or ought of right to haue beene holden, if the Eſtates, Rights, and Intereſts, eſtabliſhed and made ſure by this preſent Act, had beene before the making of this Act, firme, good, and effectuall in Law, ſauing to euery perſon and perſons, bodies politique and corporate, their heires and ſucceſſors (other than his moſt Excellent Maieſtie, his heires and ſucceſſors, and other than all Patentees, or Grantees of Concealements, or defectiue Titles, and all and euery perſon or perſons, clayming, from, by, or vnder them, or any of them, for, in reſpect, or by reaſon of any ſuch Patents, or Grants of Concealements, or defectiue Titles) all ſuch Rights, Title, Intereſt, Eſtate, Rents, Commons, Cuſtomes, Duties, Profits, and other claimes and demands whatſoeuer, in, to, or out of the ſaid Manors, Lands, Tenements, Tythes, or Hereditaments, as they, or any of them had, or ought to haue had before the making of this Act, any thing in this Act to the contrary notwithſtanding.

This Act ſhal not extend to alter the Tenures or Seruices of Lands.

The right of others, ſaued.

Prouided alwayes, that this Act, nor any thing therein contained, ſhall extend to debarre his Maieſtie, his heires or ſucceſſors, of, or from ſuch claime or demand as his Maieſtie hath made, or may rightfully make, vnto a certaine duetie or cuſtome of two pence, vpon a chaldron of Sea-coale, to be paid in the Port of the towne of Newcaſtle vpon Tyne, with the members thereof, but that the ſame ſhall be, and remaine in ſuch ſort and degree, as if this Act had neuer beene had or made.

It ſhall not extend to annull the Cuſtome of two pence paid for Sea-coale at Newcaſtle.

Prouided alſo, and be it enacted, that where any Fee-Farme Rent, or other Rent or Rents, haue beene anſwered and paid to the Kings Maieſtie, or to any his Predeceſſors, by the more part of threeſcore yeares laſt paſt, out of any Manors, Lands, Tenements or Hereditaments; of which Manors, Lands, Tenements or Hereditaments the Eſtates, Rights or Intereſts, being defectiue, are eſtabliſhed, and made ſure by this preſent Act; That the Kings Maieſtie, his heires and ſucceſſors, ſhall from henceforth, for euer haue, hold and enioy the ſaid Rents, and Arrerages thereof, in ſuch maner and forme, and as fully and amply as the ſame were enioyed, by the more part of threeſcore yeares laſt paſt, before the beginning of this Seſſion of Parliament.

All Rents anſwered within 60. yeares, confirmed.

Prouided alwayes, and be it enacted by the authority of this preſent Parliament, that no putting in charge, nor ſtanding in Super, nor taking or anſwering the Farme Rents, Reuenues or Profits of any the ſaid Lands, Tenements, or Hereditaments, by force, colour or pretext of any Letters Patents, or Grants of Concealements, or defectiue Titles, or of Lands, Tenements or Hereditaments, out of charge, or by force, colour or pretext of any Inquiſitions, Preſentments, by, or by reaſon of any Commiſſion, or other authoritie to finde out Concealements, defectiue Tities, or Lands, Tenements or Hereditaments, out of charge, ſhall be deemed, conſtrued, or taken to be a putting in charge, ſtanding in Super, or taking, or anſwering the Farme Rents, Reuenues or Profits, by, or to his Maieſtie, or any of his Progenitors or Predeceſſors, vnleſſe thereupon ſuch Lands, Tenements or Hereditaments, haue beene, vpon any Information or Suite, on the behalfe of his Maieſtie, or of any his Progenitors or Predeceſſors, vpon a lawfull Verdict giuen, or Demurrer in Law adiudged, or vpon a Hearing ordered, or decreed for his Maieſtie, or any of his Progenitors, or Predeceſſors, or of any of them within the ſaid ſpace of threeſcore yeares.

The Kings Title required by this Act to bee within 60. yeares, ought to accrew vpon a verdict or demurrer, and not vpon a bare putting in charge, or ſtanding in Super.

Prouided alwayes, and be it enacted, That this Act or any thing therein contained, ſhall not extend, or be preiudiciall to his Maieſtie, for, or concerning any Manors, Lands, Tenements or Hereditaments, for which any Compoſition is, or before the end of this Seſſion of Parliament, ſhall be made with his Maieſties Commiſſioners for defectiue Titles, and the moneys by ſuch Compoſitions payable to his Maieſtie, not paid before the end of this Seſſion of Parliament, vnleſſe the ſaid moneys ſhall be paid, and his Maieſties Letters Patents procured, according to the true intent of ſuch Compoſitions, within three moneths after the end of this Seſſion of Parliament.

This Act ſhal not extend to Lands, for ſuch Compoſition is, or ſhall be made before the end of this Parliament.

Cap. III.

All Monopolies and Diſpenſations, with penall Lawes, ſhall be void.

Foraſmuch as your moſt Excellent Maieſtie, in your royall iudgement, and of your bleſſed diſpoſition to the weale and quiet of your Subiects, did in the yeare of our Lord God, one thouſand ſixe hundred and tenne, publiſh in Print to the whole Realme, and to all poſteritie, That all Grants of Monopolies, and of the benefite of any penall Lawes, or of power to diſpence with the Law, or to compound for the forfeiture, are contrary to your Maieſties Lawes, which your Maieſties Declaration is truely conſonant and agreeable to the ancient and fundamentall Lawes of this your Realme: And whereas your Maieſtie was further

Monopolies, &c. contrary to the Lawes of the Realm.

All Monopolies, &c. ſhall be void.

graciouſly pleaſed, expreſſely to command, that no Suiter ſhould preſume to moue your Maieſtie for matters of that nature; yet neuertheleſſe, vpon miſinformations, and vntrue pretences of publicke good, many ſuch Grants haue béene vnduely obtained, and vnlawfully put in execution, to the great grieuance and inconuenience of your Maieſties ſubiects, contrary to the Lawes of this your Realme, and contrary to your Maieſties royall and bleſſed intention ſo publiſhed, as aforeſaid: for auoyding whereof, and preuenting of the like in time to come, May it pleaſe your moſt excellent Maieſtie, at the humble ſuite of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, That it may be declared and enacted, and be it declared and enacted by authoritie of this preſent Parliament, That all Monopolies, and all Commiſſions, Grants, Licences, Charters, and Letters Patents heretofore made or granted, or hereafter to be made or granted to any perſon or perſons, Bodies politicke or corporate whatſoeuer, of, or for the ſole buying, ſelling, making, working, or vſing of any thing within this Realme, or the dominion of Wales, or of any other Monopolies, or of power, libertie, or facultie, to diſpence with any others, or to giue licence or toleration to doe, vſe, or exerciſe any thing againſt the tenour or purport of any Law or Statute, or to giue or make any Warrant for any ſuch diſpenſation, licence, or toleration to be had or made, or to agrée, or compound with any others for any penaltie or forfeitures limited by any Statute, or of any Grant or promiſe of the benefite, profit, or commodity of any forfeiture, penaltie, or ſumme of money, that is, or ſhall be due by any Statute, before Iudgement thereupon had, and all Proclamations, Inhibitions, Reſtraints, Warrants of aſſiſtance, and all other matters and things whatſoeuer, any way tending to the inſtituting, erecting, ſtrengthening, furthering, or countenancing of the ſame, or any of them, are altogether contrary to the Lawes of this Realme, and ſo are, and ſhall be vtterly void and of none effect, and in no wiſe to be put in vre or execution.

Monopolies, &c. ſhalbe tried by the Common Lawes of this Realme.

And be it further declared and enacted by the authoritie aforeſaid, That all Monopolies, and all ſuch Commiſſions, Grants, Licences, Charters, Letters Patents, Proclamations, Inhibitions, Reſtraints, Warrants of aſſiſtance, and all other matters and things tending, as aforeſaid, and the force and validitie of them, and of euery of them, ought to be, and ſhall be for euer hereafter examined, heard, tried, and determined by and according to the common Lawes of this Realme, and not otherwiſe.

All perſons diſabled to vſe Monopolies, &c.

And be it further enacted by the authority aforeſaid, That all perſon and perſons, Bodies politicke and corporate whatſoeuer, which now are, or hereafter ſhall be, ſhall ſtand and be diſabled, and vncapable to haue, vſe, exerciſe, or put in vre any Monopoly, or any ſuch Commiſſion, Grant, Licence, Charter, Letters Patents, Proclamation, Inhibition, Reſtraint, Warrant of aſſiſtance, or other matter or thing, tending, as aforeſaid, or any libertie, power, or facultie, grounded, or pretended to be grounded vpon them, or any of them.

The partie grieued by, pretext of a Monopolie, &c. ſhall recouer treble dammages, and double coſts.

And be it further enacted by the authoritie aforeſaid, That if any perſon or perſons, at any time, after the end of xl. dayes next after the end of this preſent Seſſion of Parliament, ſhall be hindered, grieued, diſturbed or diſquieted, or his or their goods or chattels any way ſeized, attached, diſtrained, taken, carried away, or detained by occaſion, or pretext of any Monopolie, or of any ſuch Commiſſion, Grant, Licence, Power, Liberty, Facultie, Letters Patents, Proclamation, Inhibition, Reſtraint, Warrant of Aſſiſtance, or other matter or thing tending as aforeſaid, and will ſue to be relieued in, or for any of the Premiſſes, That then, and in euery ſuch caſe, the ſame perſon and perſons, ſhall, and may haue his and their remedie for the ſame at the Common Law, by any Action or Actions to be grounded vpon this Statute; The ſame Action and Actions to be heard and determined in the Courts of Kings Bench, Common Pleas, and Exchequer, or in any of them, againſt him or them, by whom he or they ſhall be ſo hindered, grieued, diſturbed or diſquieted, or againſt him or them by whom his or their Goods or Chattels ſhall be ſo ſeized, attached, diſtrained, taken, carried away or detained, wherein all and euery ſuch perſon and perſons which ſhall be ſo hindered, grieued, diſturbed or diſquieted, or whoſe Goods or Chattels ſhall be ſo ſeized, attached, diſtrained, taken, carried away or detained, ſhall recouer thrée times ſo much as the dammages which he or they ſuſtained, by meanes or occaſion of being ſo hindered, grieued, diſturbed or diſquieted, or by meanes of hauing his or their Goods or Chattels ſeized, attached, diſtrained, taken, carried away or detained, and double Coſts; and in ſuch Suites, or for the ſtaying or delaying thereof, no Eſſoine, Protection, Wager of Law, Aide-Prayer, Priuiledge, Iniunction, or Order of reſtraint, ſhall be in any wiſe prayed, granted, admitted, or allowed, nor any more than one imperlance. And if any perſon or perſons ſhall, after notice giuen, that the Action depending is grounded vpon this Statute, cauſe or procure any Action at the Common Law, grounded vpon this Statute, to be ſtayed or delayed before Iudgement, by colour or meanes of any Order, Warrant, Power or Authoritie, ſaue onely of the Court wherein ſuch Action, as aforeſaid, ſhall be brought and depending, or after Iudgement had vpon ſuch Action ſhall cauſe or procure the execution, of or vpon any ſuch iudgement, to be ſtayed or delayed by colour, or meanes of any Order, Warrant, Power, or Authoritie, ſaue only by Writ of error or attaint: That then the ſaid perſon and perſons ſo offending, ſhall incurre and

He that delayeth an Action grounded vpon Statute, incurres a præmunire.

ſuſtaine the paines, penalties, and forfeitures, ordained and prouided by the Statute of prouiſion and Præmunire, made in the ſixteenth yeare of the Reigne of King Richard the ſecond.

Stat. 16. R. 2. 5.

Prouided neuertheleſſe, and be it declared and enacted, That any Declaration before mentioned, ſhall not extend to any Letters Patents, and Grants of Priuiledge for the terme of one and twentie yeares, or vnder, heretofore made of the ſole working or making of any manner of new Manufacture within this Realme, to the firſt and true inuentor or inuentors of ſuch Manufactures, which others at the time of the making of ſuch Letters Patents and Grants did not vſe, ſo they be not contrary to the Law, nor miſchieuous to the State, by raiſing of the prices of Commodities at home, or hurt of Trade, or generally inconuenient, but that the ſame ſhall be of ſuch force as they were, or ſhould be, if this Act had not béene made, and of none other: And if the ſame were made for more than one and twenty yeares, That then the ſame for the terme of one and twenty yeares onely, to be accompted from the date of the firſt Letters Patents and Grants thereof made, ſhall be of ſuch force as they were, or ſhould haue béene, if the ſame had béene made, but for terme of one and twenty yeares onely, and as if this Act had neuer béene had or made, and of none other.

Letters Patents to vſe new Manufactures, ſaued.

Prouided alſo, and be it declared and enacted, That any Declaration before mentioned, ſhall not extend to any Letters Patents, and Grants of Priuiledge, for the terme of fourtéene yeares or vnder, hereafter to be made, of the ſole working or making of any maner of new Manufacture within this Realme, to the true and firſt Inuentor and Inuentors of ſuch Manufactures, which others at the time of making ſuch Letters Patents, and Grants, ſhall not vſe ſo, as alſo they be not contrary to the Law, nor miſchieuous to the State, by raiſing prices of commodities at home, or hurt of Trade, or generally inconuenient: The ſaid fouretéene yeares to be accompted from the date of the firſt Letters Patents, or Grant of ſuch priuiledge, hereafter to be made, but that the ſame ſhall be of ſuch force as they ſhould be, if this Act had neuer béene made, and of none other.

Prouided alſo, and it is hereby further intended, declared and enacted by the authority aforeſaid, that this Act, or any thing therein contained, ſhall not in any wiſe extend, or be preiudiciall to any Grant or Priuiledge, Power or Authority whatſoeuer, heretofore made, granted, allowed, or confirmed by any Act of Parliament now in force, ſo long as the ſame ſhall ſo continue in force.

Grants confirmed by Act of Parliament, ſaued.

Prouided alſo, that this Act ſhall not extend to any Warrant or Priuie Seale, made or directed, or to be made or directed by his Maieſtie, his Heires or Succeſſors, to the Iuſtices of the Courts of the Kings Bench, or Common Pleas, and Barons of the Exchequer, Iuſtices of Aſſiſe, Iuſtices of Oyer and Terminer, and Gaole deliuery, Iuſtices of the Peace, and other Iuſtices for the time being, hauing power to heare and determine offences done againſt any penall Statute, to compound for the forfeitures of any penall Statute, depending in ſuite and queſtion before them or any of them reſpectiuely, after plea pleaded by the party defendant.

Warrants granted to Iuſtices, ſaued.

Prouided alſo, and it is hereby further intended, declared, and enacted, That this Act, or any thing therein contained, ſhall not in any wiſe extend, or be preiudiciall vnto the Citie of London, or to any Citie, Borough, or Towne Corporate within this Realme, for, or concerning any Grants, Charter, or Letters Patents to them, or any of them made, or granted, or for, or concerning any Cuſtome or Cuſtomes vſed by or within them, or any of them, or vnto any Corporations, Companies, or Fellowſhips of any Art, Trade, Occupation, or Myſtery, or to any Companies, or Societies of Merchants within this Realme, erected for the maintenance, enlargement, or ordering of any trade of Merchandize, But that the ſame Charters, Cuſtomes, Corporations, Companies, Fellowſhips and Societies, and their Liberties, Priuiledges, Powers, and Immunities ſhall be and continue of ſuch force and effect, as they were before the making of this Act, and of none other: Any thing before in this Act contained to the contrary in any wiſe notwithſtanding.

Charters granted to Corporations, ſaued.

Prouided alſo, and be it enacted, That this Act, or any declaration, prouiſion, diſablement, penaltie, forfeiture, or other thing before mentioned, ſhall not extend to any Letters Patents, or Grants of Priuiledge heretofore made, or hereafter to be made, of, for or concerning Printing; Nor to any Commiſſion, Grant, or Letters Patents heretofore made, or hereafter to be made, of, for, or concerning the digging, making, or compounding of Salt-peter, or Gunpowder, Or the caſting or making of Ordnance, or Shot for Ordnance: Nor to any Grant or Letters Patents heretofore made, or hereafter to be made of any Office or Offices heretofore erected, made or ordained, and now in being, and put in execution, other than ſuch Offices as haue béen decryed by any his Maieſties Proclamation or Proclamations: but that all and euery the ſame Grants, Commiſſions, and Letters Patents, and all other matters, and things tending to the maintaining, ſtrengthening, or furtherance of the ſame, or any of them, ſhall be, and remaine of the like force and effect, and no other, and as frée from the declarations, prouiſions, penalties, and forfeitures contained in this Act, as if this Act had neuer béene, had, nor made, and not otherwiſe.

Letters Patents that concerne Printing, Salt-peter, Gun-powder, great Ordnance, Shot, or Offices, ſaued.

Prouided alſo, and be it enacted, That this Act, or any declaration, prouiſion, diſablement, This Act ſhal not extend to Commiſſions for Allume Mynes.

penaltie, forfeiture, or other thing before mentioned, ſhall not extend to any Commiſſion, Grant, Letters Patent, or Priuiledge heretofore made, or hereafter to be made, of, for, or concerning the digging, compounding or making of Allume, or Allume Mynes, but that all and euery the ſame Commiſſions, Grants, Letters Patents, and Priuiledges, ſhall be, and remaine of the like force and effect, and no other, and as frée from the declarations, prouiſions, penalties, and forfeitures contained in this Act, as if this Act had neuer béene had nor made, and not otherwiſe.

Nor to the Liberties of Newcaſtle vpon Tine, nor to licences of keeping Tauernes.

Prouided alſo, and be it enacted, That this Act, or any declaration, prouiſion, penaltie, forfeiture, or other thing before mentioned, ſhall not extend or be preiudiciall to any vſe, cuſtome, preſcription, franchiſe, frédome, iuriſdiction, immunitie, libertie, or priuiledge heretofore claimed, vſed, or enioyed by the Gouernors, and Stewards, and Brethren of the Fellowſhip of the Hoaſtmen of the Towne of Newcaſtle vpon Tyne, or by the ancient Fellowſhip, Guild, or Fraternity, commonly called Hoaſtmen, for, or concerning the ſelling, carrying, lading, diſpoſing, ſhipping, venting, or trading of, or for any Sea-coales, Stone-coales, or Pit-coales, forth or out of the Hauen and Riuer of Tyne, or to a Grant made by the ſaid Gouernour, and Stewards, and Brethren of the Fellowſhip of the ſaid Hoaſtmen, to the late Quéene Elizabeth, of any dutie, or ſumme of money to be paid, for, or in reſpect of any ſuch Coales, as aforeſaid: Nor to any Grants, Letters Patents, or Commiſſion heretofore granted, or hereafter to be granted, of, for, or concerning the licencing of the kéeping of any Tauerne or Tauernes, or ſelling, vttering, or retayling of Wines to be drunke, or ſpent in the Manſion houſe or houſes, or other place, in the tenure or occupation of the party or parties ſo ſelling or vttering the ſame: Or for, or concerning the making of any Compoſitions for ſuch Licences, ſo as the benefite of ſuch Compoſitions be reſerued and applied, to, and for the vſe of his Maieſtie, his Heires or Succeſſors, and not to the priuate vſe of any other perſon or perſons.

Nor to Letters Patents granted to Sir Robert Manſell Knight, or to Iames Maxewell Eſquire.

Prouided alſo, and be it enacted, That this Act, or any Declaration, Prouiſion, Penaltie, Forfeiture, or other thing before mentioned, ſhall not extend, or be preiudiciall to a Grant or Priuiledge, for, or concerning the making of Glaſſe, by his Maieſties Letters Patents, vnder the great Seale of England, bearing date, the two and twentieth day of May, in the one and twentieth yeare of his Maieſties Reigne of England, made and granted to Sir Robert Manſell Knight, Vice-admirall of England: Nor to a Grant or Letters Patents, bearing date the twelfth day of Iune, in the thirtéenth yeare of his Maieſties Reigne of England, made to Iames Maxewell Eſquire, concerning the Tranſportation of Calues-ſkinnes: But that the ſaid ſeuerall Letters Patents laſt mentioned, ſhall be and remaine of the like force and effect, and as frée from the Declarations, Prouiſions, Penalties, and Forfeitures before mentioned, as if this Act had neuer béene had nor made, and not otherwiſe.

Nor to thoſe granted to Abraham Baker, or Edward Lord Dudley.

Prouided alſo, and be it declared and enacted, That this Act, or any Declaration, Prouiſion, Penaltie, Forfeiture, or other thing before mentioned, ſhall not extend, or be preiudiciall to a Grant or Priuiledge, for, or concerning the making of Smalt, by his Maieſties Letters Patents, vnder the great Seale of England, bearing date the ſixtéenth day of February, in the ſixtéenth yeare of his Maieſties Reigne of England, made or granted to Abraham Baker: Nor to a Grant or Priuiledge, for, or concerning the melting of Iron Ewer, and of making the ſame into Caſt-workes, or Barres with Sea coales, or Pit-coales, by his Maieſties Letters Patents, vnder the great Seale of England, bearing date the twentieth day of February, in the ninetéenth yeare of his Maieſties Reigne of England, made or granted to Edward Lord Dudley, but that the ſame ſeuerall Letters Patents and Grants ſhall be and remaine of the like force and effect, and as frée from the Declarations, Prouiſions, Penalties, and Forfeitures before mentioned, as if this Act had neuer béene had nor made, and not otherwiſe.

CAP. IIII.

Informations vpon penall Statutes ſhall be proſecuted in the Counties, where the offences were committed.

Informations vpon penall Statutes ſhall be proſecuted in the Counties where the offences were committed.

WHereas the offences againſt diuers and ſundry Penall Lawes and Statutes of this Realme may better and with more eaſe, and leſſe charge to the Subiect, be commenced, ſued, informed againſt, proſecuted, & tryed in the Counties where ſuch offences ſhall be committed: And whereas the poore Commons of this Realme are grieuouſly charged, troubled, vexed, moleſted, and diſturbed by diuers troubleſome perſons, commonly called Relators, Informers, and Promoters, by proſecuting, and inforcing them to appeare in his Maieſties Courts at Weſtminſter, and to anſwer offences, ſuppoſed by them to be committed againſt the ſaid Penall Lawes and Statutes, or elſe to compound with them for the ſame: For remedy whereof, be it enacted by the authority of this preſent Parliament, That all offences hereafter to be committed againſt any Penall Statute, for which any common Informer, or Promoter may lawfully ground any Popular Action, Bill, Plaint, Suite or Information, before Iuſtices of Aſſiſe, Iuſtices of Niſi prius, or Gaole deliuery, Iuſtices of Oyer and Terminer, or Iuſtices of the Peace in their Generall or Quarter Seſſions, ſhall af-

after

ter the end of this preſent Seſſion of Parliament, be commenced, ſued, proſecuted, tryed, recouered and determined by way of Action, Plaint, Bill, Information, or Indictment before the Iuſtices of Aſſiſe, Iuſtices of Niſi prius, Iuſtices of Oyer and Terminer, and Iuſtices of Gaole deliuery, or before the Iuſtices of Peace of euery County, Citie, Borough, or Towne corporate, and Libertie, hauing power to enquire of, heare and determine the ſame, within this Realme of England, or Dominion of Wales, wherein ſuch offences ſhall be committed, in any of the Courts, places of Iudicature, or Liberties aforeſayd, reſpectiuely, onely at the choice of the parties, which ſhall or will commence Suit, or proſecute for the ſame, and not elſewhere, ſaue onely in the ſayd Counties, or places vſuall for thoſe Counties, or any of them: And that like Proceſſe in euery Popular Action, Bill, Plaint, Information, or Suit, to bee commenced or ſued, or proſecuted, after the end of this preſent Seſſion of Parliament, by force of, or according to the purport of this Act, bée had and awarded, to all intents and purpoſes, as in an Action of Treſpaſſe, Vi & Armis, at the Common Law, and that all, and all manner of Informations, Actions, Billes, Plaints, and Suits whatſoeuer, hereafter to bée commenced, ſued, proſecuted or awarded, either by the Attourney generall of his Maieſty, his Heires or Succeſſors, for the time being, or by any Officer or Officers whatſoeuer, for the time being, or by any common Informer, or other perſon whatſoeuer, in any of his Maieſties Courts at Weſtminſter, for, or concerning any the offences, penalties, or forfeitures aforeſayd, ſhall be voyd and of none effect: Any Law, Cuſtome or Vſage to the contrary thereof notwithſtanding.

And bee it further enacted by the authority aforeſayd, That in all Informations to bee exhibited, and in all Billes, Counts, Plaints, and Declarations, in any Action or Suit, to bee commenced againſt any perſon or perſons, either by, or on the behalfe of the King, or any other, for or concerning any offence committed, or to be committed againſt any penall Statute, the offence ſhall bée layd and alleadged, to haue béene committed in the ſayd County, where ſuch offence was in truth committed, and not elſewhere. And if the Defendant to any ſuch Information, Action, or Suit, pleadeth, that hée oweth nothing, or that hée is not guilty; and the Plaintiffe, or Informer in ſuch Information, Action, or ſuit, vpon Euidence to the Iury, that ſhall try ſuch Iſſue, ſhall not both proue the offence layd in the ſayd Information, Action, or Suit, and that the ſame offence was committed in that County, then the Defendant and Defendants ſhall be found not guilty.

Vpon default of prouing, that the offence was committed in the ſame county, the defendant ſhall be found not guilty.

And bée it further enacted by the authority aforeſayd, That no Officer or Miniſter in any Court of Record, ſhall receiue, file, or enter of Record, any Information, Bill, or Plaint, Count or Declaration, grounded vpon the ſayd Penall Statutes, or any of them, which before, by this Act, are appointed to be heard, and determined in their proper Counties, vntill the Informer or Relator hath firſt taken a corporall Oath before ſome of the Iudges of that Court, that the offence or offences laid in ſuch Information, Action, Suit, or Plaint, was, or were not committed in any other County, than where by the ſayd Information, Bill, Plaint, Count, or Declaration, the ſame is, or are ſuppoſed to haue bin committed, and that he beléeueth in his conſcience, the offence was committed, within a yeare before the Information or Suit, within the ſame County, where the ſayd Information or Suit was commenced, the ſame Oath to be there entred of Record.

The Informer ſhal make oath, that the Offence was committed in the ſame county where the ſuit is commenced.

And bée it alſo enacted by the authority aforeſayd, That if any Information, Suit, or Action ſhall bée brought or exhibited againſt any perſon or perſons, for any offence committed or to be committed againſt the forme of any Penall Law, either by, or on the behalfe of the King, or by any other, or on the behalfe of the King, and any other, it ſhall bée lawfull for ſuch Defendants, to pleade the generall Iſſue, that they are not guilty, or that they owe nothing, and to giue ſuch ſpeciall matter in Euidence to the Iury, that ſhall try the ſame; which matter being pleaded, had béene a good and ſufficient matter in Law, to haue diſcharged the ſayd Defendant, or Defendants, againſt the ſayd Information, Suit or Action, and the ſayd matters ſhall be then as auaileable to him or them, to all intents and purpoſes, as if he, or they had ſufficiently pleaded, ſet forth, or alleadged, the ſame matter in Barre, or diſcharge of ſuch Information, Suit, or Action.

The Defendant in an Information vpon a penall ſtatute may plead the generall iſſue.

Prouided alwaies, That this Act, or any Clauſe contained therein, ſhall not extend to any Information, Suit or Action, grounded vpon any Law, or Statute made againſt Popiſh Recuſants, or for, or concerning Popiſh Recuſancie, or againſt thoſe that ſhall not frequent the Church, and heare Diuine Seruice, nor to any Information, Suit, or Action, for Maintenance, Champerty, or baying of Titles, nor to any Suit, or Information, grounded vpon the Statute made in the firſt yeare of the reigne of our Soueraigne Lord the King, of a Subſidy granted to the King, of Tonnage, Poundage, Wooll, &c. Nor for or concerning the concealing or defrauding the King, his heires or ſucceſſors, of any Cuſtome, Tonnage, Poundage, Subſidie, Impoſt, or Priſage, or for tranſporting of Gold, Siluer, Ordnance, Powder, Shot, Munition of all ſorts, Wooll, Woolfels, or Leather, but that ſuch offence may be laid or alleadged to be in any County, at the pleaſure of any Informer: Any thing in this Act to the contrary notwithſtanding. Stat.31.Eliz

Certaine offences excepted.

CAP.

CAP: V.

A Quietus eſt graunted to a Sheriffe, ſhall diſcharge him of all accompts due to the King.

FOR as much as diuers Sheriffes, of ſeuerall Counties within this Realme of England, and Dominion of Wales, haue béene of late much troubled and vexed long time after that they haue paſſed their Accompts, and had their Quietus eſt, and charged a new with arrerages, debts, and other ſummes of money pretended to haue beene by them leuyed and receiued, and not formerly accompted for, to the great diſcouragement of others, to take vpon them the ſayd Office.

A Quietus eſt ſhalbe a ſufficient diſcharge for a Sheriffe, vnleſſe he be queſtioned within 4. years after the grant thereof.

Be it therefore enacted by the Kings moſt excellent Maieſty, the Lords Spirituall and Temporall, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That whenſoeuer any Sheriffe or Sheriffes, within this Realme of England, or Dominion of Wales, vpon the paſſing of their Accompts, ſhall haue their Quietus eſt: That then, and from thenceforth, the ſayd Sheriffe or Sheriffes, their heires, executors, and adminiſtrators lands, tenements, goods, and chattels, ſhall bée abſolutely diſcharged of all manner of ſumme or ſummes of money, which he or they ſhall haue ſo leuied, or receiued, and pretended not to be accompted for within the ſayd accompt, whereupon he or they had their Quietus eſt, vnleſſe ſuch Sheriffe or Sheriffes, ſhall be called in queſtion, for ſuch ſumme or ſummes of money pretended to be leuied and receiued, and not accompted for, within the ſpace of foure yeares after the time of their ſayd accompt and Quietus eſt: And that euery Officer or Miniſter, that ſhall ſend out, or cauſe to be ſent out any Writ, or Proceſſe, or by whoſe default any Writ or Proceſſe ſhall bee ſent out contrary to this Act, ſhall for euery ſuch offence, forfeit and pay to the party grieued forty pounds, with his coſts and dammages, the ſayd ſumme of forty pounds, and the ſayd coſts, and dammages to be recouered by Action of debt, bill, plaint, or information, to be brought and proſecuted in the Court of the Kings Bench, or the Court of the common Pleas, at the election of the Plaintiffe; wherein no priuiledge, protection, eſſoine, or wager of Law, ſhall be allowed to the Defendant.

The Officer, that vexeth the Sheriffe contrary to this Act, ſhal forfeit xl.li.

And further be it enacted, That euery ſuch offendor being thrée times lawfully conuicted of any ſuch offence or offences, vpon the tryall of ſuch Action or debt, bill, plaint or information, ſhall for ſuch offence or offences, contrary to the meaning of this Act, be vtterly diſabled to be or continue in any Office, or employment, in the ſayd Court of Exchequer, or in any other Court of Iuſtice whatſoeuer.

For the 3. offence he ſhalbe diſabled to continue in any office.

CAP. VI.

For Felony where Clergie is allowed to the man, the woman ſhall be burned in the hand.

For Felony, where the man may haue his Clergy, the woman ſhall be burned in the hand with an hot Iron.

WHereas by the Lawes of this Realme, the benefit of Clergie is not allowed to Women conuicted of Felony, by reaſon whereof many Women doe ſuffer death for ſmall cauſes: Bée it enacted by the authority of this preſent Parliament, That any Woman being lawfully conuicted by her confeſſion, or by the verdict of twelue men, of or for the Felonious taking of any money, goods or chattels, aboue the value of twelue pence, and vnder the value of tenne ſhillings, or as Acceſſary to any ſuch offence, the ſayd offence being no Burglary, nor Robbery in or néere the High-way, nor the Felonious taking of any money, goods or chattelles, from the perſon of any man, or woman priuily, without his, or their knowledge, but onely ſuch an offence, as in the like caſe a man might haue his Clergie, ſhall for the firſt offence, bée branded and marked in the hand, vpon the brawne of the left thumbe, with a hot burning Iron, hauing a Romane T. vpon the ſayd Iron: The ſayd marke to bée made by the Iaylor openly in the Court before the Iudge, and alſo to bée further puniſhed by impriſonment, whipping, ſtocking, or ſending to the houſe of Correction, in ſuch ſort, maner, and forme, and for ſo long time (not excéeding the ſpace of one whole yeare) as the Iudge, Iudges, or Iuſtices, before whom ſhée ſhall bée ſo conuicted, or which ſhall haue authority in the cauſe, ſhall in their diſcretion thinke méete, according to the quality of the offence, and then to bée deliuered out of priſon for that offence: Any Law, Cuſtome, or Vſage to the contrary notwithſtanding: This Act to cotinue vntill the end of the firſt Seſſion of the next Parliament, 3. Car. 4. Continued vntill the end of the firſt Seſſion of the next Parliament.

Cap. VII.

The Statutes of 1. Iac. 9. and 4. Iac. 5. made perpetuall: One witneſſe ſhall be ſufficient to conuince a man of tipling or drunkenneſſe.

VVHereas one Statute intituled, An Act to reſtraine the inordinate haunting of tipling in Innes, Alehouſes, and other Victualling houſes, made in the firſt yeare of his Highneſſe happy reigne of England, And another Statute, intituled, an Act to repreſſe the odious and loathſome ſinne of Drunkenneſſe, made in the fourth yeare of his Highneſſe reigne of England, were made to continue to the end of the firſt Seſſion of the next Parliament, and by experience haue beene found good and neceſſary Lawes: Bee it therefore enacted, That the ſayd Statutes, with the alterations and additions hereafter expreſſed, ſhall be put in due execution, and continue for euer: And whereas by the ſayd Statutes, proofe of two witneſſes is required, Bee it enacted, that proofe of one witneſſe from henceforth ſhall be allowed and taken for ſufficient in that behalfe: And that the voluntary confeſſion (before any ſuch perſons, as by the ſayd Act are authorized to miniſter the Oath) of any perſon offending, either of the ſayd Statutes, ſhall ſuffice to conuince the perſon ſo offending, after ſuch confeſſion, the oath of the party ſo offending, ſhall and may be taken and be a ſufficient proofe againſt any other offending at the ſame time.

1. Iac. 9. & 4. Iac. 5 made perpetuall.

One witneſſe or the offenders owne confeſſion before a Magiſtrate, ſhalbe ſufficient to conuince him.

The oath of him that confeſſeth the offence ſhalbe ſufficient to conuince any other.

And be it further enacted, that if any other perſon or perſons, whereſoeuer his, or their habitation or abiding be, ſhall at any time hereafter be found vpon view or his own confeſſion or proofe of one witneſſe, to bee tipling in any Inne, Alehouſe, or Victualling houſe, ſuch perſon or perſons ſhall be from henceforth adiudged and conſtrued to be within the ſayd Statutes, as if he, or they had inhabited and dwelt in the Citie, Towne corporate, Market towne, Village or Hamlet, where the ſayd Inne, Alehouſe, or Victualling houſe is, or ſhall be, where he or they ſhall be ſo found tipling, and ſhall incurre the like penalty, and the ſame to be in ſuch ſort leuyed and diſpoſed, as in the ſaid Act is expreſſed, concerning ſuch as there inhabit: and the voluntary confeſſion of ſuch perſon or perſons ſo offending, before ſuch as by the ſayd Statutes are authorized to miniſter the Oath, ſhall ſuffice to conuince themſelues, and after ſuch confeſſion, the Oath of ſuch perſon or perſons ſo confeſſing, ſhall, and may be taken by ſuch as by the ſayd Act haue authority to miniſter an Oath, and ſhall be a ſufficient proofe againſt any other, offending at that time.

He that ſtaies tipling in an Inne &c. ſhall incurre the penalty inflicted by 4. Iac. 5.

And be it further enacted That any Iuſtice of Peace in any County, and any Iuſtices of Peace or other head Officer in any Citie, or Towne corporate, within their limits reſpectiuely, ſhall from henceforth haue power and authority, vpon his owne view, confeſſion of the party, or proofe of one witneſſe vpon Oath before him, which he by vertue of this Act, ſhall haue power to adminiſter, to conuince any perſon of the offence of Drunkenneſſe, whereby ſuch perſon ſo conuict, ſhall incurre the forfeiture of fiue ſhillings, for euery ſuch offence, and the ſame to be leuyed, or the offendor otherwiſe puniſhed, as in the ſayd Statute is appointed. And for the ſecond offence, ſhalbecome bound to the Good behauiour, as if hee had been conuicted in open Seſſions: Any thing in the ſayd former Statute, made in the fourth yeare of his Maieſties reigne to the contrary notwithſtanding.

He that is conuicted of drunkenneſſe ſhall forfeit v.s.

For the ſecond offence hee ſhall bee bound to the good behauior.

And be it further enacted, That if any perſon being an Alehouſe-keeper, or that ſhal at any time hereafter be an Alehouſe-keeper, ſhall at any time hereafter bee lawfully conuict for any offence, againſt any the branches of either of the ſayd two former Statutes, according to the alterations and additions therein contained, or againſt the true meaning of this preſent Statute, That euery perſon ſo conuict, ſhall for the ſpace of three yeares, next enſuing the ſayd conuiction, be vtterly diſabled to keepe any ſuch Alehouſe.

An Alehouſe-keeper offending ſhall be diſabled from keeping Alehouſe three yeares after.

And whereas in the ſayd Statute, made in the fourth yeare of his ſayd Maieſties reigne, intituled, An Act to repreſſe the odious and loathſome ſinne of Drunkenneſſe, Conſtables, Church-wardens, Headboroughs, Tithingmen, Aleconners, and Sidemen, are appointed in the oathes incident to their Offices, to be likewiſe charged to preſent the offences contrary to the ſayd Statute, Bee it enacted, that the ſayd oath ſhall alwaies hereafter be alſo inlarged, and extend to preſent all offences done, contrary to the Statute made in the firſt Seſſion of Parliament, held in the firſt yeare of his Highneſſe reigne, intituled, An Act to reſtraine the inordinate haunting and tipling in Innes and Alehouſes, and other Victualling houſes, with the alterations and additions in this Act contained, made in the ſayd fourth yeere of his ſaid Maieſties reigne according to the alterations and additions of the ſame, in this Act expreſſed. Stat. 1. Car. 4.

Conſtables, &c. ſhalbe charged (in their oaths) to preſent the offences cōmitted againſt 1. Iac. 9.

CAP. VIII.

Proceſſe and Superſede of the Peace, or good behauiour ſhall not be granted, but vpon motion in open Court: Certioraries ſhall not be allowed, vnleſſe the Indictee will bee bound to pay coſts.

WHereas diuers turbulent and contentious perſons, ſome out of malice and others in hope of gaine, by way of Compoſition, doe oftentimes, vpon their corporall oathes, peremptorily and corruptly taken, or otherwiſe, vpon falſe ſuggeſtions, and ſurmiſes, procure Proceſſe of the Peace, or good behauiour, out of his Maieſties Courts of Chancery, and Kings Bench, againſt diuers of his Maieſties quiet ſubiects, whoſe dwellings and aboades are (for the moſt part) in Countries farre diſtant and remote from the ſayd Courts, to their intolerable trouble, and vexation, whereas they might vpon good cauſe ſhewed, receiue Iuſtice at the hands of the Iuſtices of the Peace, in the Counties where they dwelt:

Proces of the Peace, or &c. ſhall not be granted, but by motion in open Court.

For remedy whereof, Be it enacted by the authority of this preſent Parliament, That all Proceſſe of the Peace, or good behauiour, after the end of this Seſſion of Parliament, to bee granted, or awarded out of the ſame Courts, or either of them, againſt any perſon or perſons whatſoeuer, at the Suit of, or by the proſecution of any perſon, or perſons whatſoeuer, ſhall be voyd and of none effect, vnleſſe ſuch Proceſſe ſhall be ſo granted, or awarded, vpon motion firſt made before the Iudge or Iudges of the ſame Courts reſpectiuely, (ſitting in open Court, and vpon declaration in writing, vpon their corporall oathes, to bee then exhibited vnto them, by the parties which ſhall deſire ſuch Proceſſe) of the cauſes, for which ſuch Proceſſe ſhall be granted, or awarded, by, or out of any the Courts reſpectiuely, and vnleſſe that ſuch Motion and Declaration bee mentioned to bee made vpon the backe of the Writ: The ſayd writings there to bee entred, and remaine of Record: And that if it ſhall afterwards appeare vnto the ſayd Courts, or either of them reſpectiuely, that the cauſes expreſſed in ſuch writings, or any of them bee vntrue: That then the Iudge, or Iudges of the ſayd Courts, or either of them reſpectiuely, ſhall, and may award ſuch coſts and dammages vnto the parties grieued, for their, or any of their wrongfull vexations on that behalfe, as they ſhall thinke fit: And that the party, or parties ſo offending, ſhall and may bee committed to priſon, by ſuch Iudge or Iudges, vntill hee or they pay the ſayd coſts and dammages. And whereas diuers turbulent and contentious perſons, deſeruedly fearing to be bound to the Peace, or good behauiour, by the Iuſtices of Peace of the Counties where they dwell, doe oftentimes procure themſelues to be bound to the Peace, or good behauiour, in the ſayd Courts, or one of them, vpon inſufficient Sureties, or vpon colourable proſecution of ſome perſon or perſons, who will bee ready at all times to releaſe them at their owne pleaſure, whereupon his Maieſties Writs of Superſedeas are oftentimes directed to the Iuſtices of Peace, and other his Maieſties Officers, requiring them, and euery of them, to forbeare to arreſt, or impriſon the parties aforeſayd, for the cauſes aforeſayd; by meanes whereof, the ſayd turbulent and contentious perſons, miſdemeane themſelues amongſt their neighbours with impunity, to the great offence & diſturbance of their neighbours, amongſt whom they conuerſe and liue, and to the affront of the Iuſtices of Peace, and to the euill example and encouragement of like euill diſpoſed perſons.

All writs of Superſedeas ſhall be void, vnleſſe the Proceſſe be granted vpon motion in open Court & be proſecuted bona fide.

Bee it therefore enacted by the authority aforeſayd, That all Writs of Superſedeas after the end of this preſent Seſſion of Parliament to bee graunted by, or out of either of the Courts aforeſayd, ſhal bee voyd and of none effect, vnleſſe ſuch Proceſſe bee granted likewiſe, vpon motion in open Court, firſt made, as aforeſaid, & vpon ſuch ſufficient Sureties, as ſhall appeare vnto the Iudge, or Iudges of the ſame Court reſpectiuely, vpon oath to be aſſeſſed at fiue pounds lands, or ten pounds in Goods in the Subſidy booke, at the leaſt, which oathes, and the names of ſuch ſureties, with the places of their abode, and where they ſtand ſo aſſeſſed in the Subſidy bookes, ſhall bee entred and remaine of Record in the ſame Courts: And vnleſſe it ſhall alſo firſt appeare vnto the ſayd Iudge or Iudges, from whom ſuch Superſedeas is deſired, That the Proceſſe of the Peace, or good behauiour is proſecuted againſt him or them, deſiring ſuch Superſedeas bona fide, by ſome party grieued in that Court, out of which ſuch Superſedeas is deſired, to bee ſo awarded and directed.

And whereas diuers lewd and euill diſpoſed perſons, commonly called common Baylers, or knights of the Poſt, being baſe and beggarly perſons, doe oftentimes procure themſelues to bee aſſeſſed at high rates in the Subſidy bookes, and ſometimes do falſely take vpon them the names of other men of good ability, of purpoſe to enable themſelues to be accepted for Bayle, which perſons, being of ſmall or no ability or worth, are ready for lucre and gaine, to become bound by Recognizance as Sureties, for ſuch perſons as ſhall procure themſelues to be bound to the Peace or good behauiour, as aforeſaid, By meanes whereof the Iudge or Iudges of the ſayd Courts, not knowing them, may be eaſily abuſed, and Iuſtice deluded.

Falſe Sureties procured for the gai-

Bee it therefore enacted by the authority aforeſayd, That the Iudge or Iudges of the Courts aforeſayd, reſpectiuely, or of either of them, vpon proofe of any the miſdemeanours aforeſayd, to be committed, in the obtaining of the aforeſaid Writs of Superſedeas, or procuring ſuch ſurety, as aforeſaid, ſhall, and may likewiſe puniſh the falſe and inſufficient ſureties, and Baylers aforeſaid, and the procurers thereof, according to their diſcretions, So as ſuch puniſhment extend not to the loſſe of life, or member.

ning of Writs of Superſedeas ſhall be puniſhed by the Iudges.

And whereas diuers Bils of Indictment, of Riot, forceable entrie, or of Aſſault and Batterie, being found before the Iuſtices of Peace at their quarter Seſſions of the Peace, or otherwiſe, are oftentimes remoued from the Counties, where ſuch Indictments are found by Writs of Certiorari, vnto them directed, out of the ſaid Courts by, or by the meanes of the perſons ſo indicted, who well know, that few, or no perſons grieued by ſuch their outrages, and miſdemeanours, whereof they ſtand ſo indicted, will vndergoe the trauell or charge of proſecution of ſuch Indictments, ſo remoued by bringing the parties ſo indicted to triall; By meanes whereof, ſuch offenders, for the moſt part, eſcape vnproſecuted and vnpuniſhed; and the King loſeth the Fines, which ought, and ſhould haue beene impoſed vpon them, if ſuch Indictments had beene proſecuted, and not remoued.

Be it therefore enacted, That all ſuch Writs of Certiorari, ſhall from, and after the end of this preſent Seſſion of Parliament, be deliuered at ſome quarter Seſſions of the Peace, in open Court, And that the parties indicted, ſhall before the allowance of ſuch Certioraries, become bound vnto ſuch perſon or perſons, which ſhall proſecute ſuch Bils of Indictment againſt them, in the ſum of tenne pounds, with ſuch ſufficient ſureties, as the Iuſtices of Peace, at their ſaid quarter Seſſions of the Peace ſhall thinke fit, with condition to pay vnto the ſaid proſecutors of ſuch Bils of Indictment; within one moneth after the conuiction of ſuch parties indicted, ſuch reaſonable Coſts and Dammages, as the ſaid Iuſtices of Peace, of ſuch Counties, where ſuch Bils of Indictment ſhall be found in the ſaid Seſſions of the Peace, ſhall aſſeſſe or allow: And that, in default thereof, it ſhall be lawfull for the ſaid Iuſtices to proceed to triall of ſuch Indictments, any ſuch Writs of Certiorari, to remoue the ſame Indictments notwithſtanding.

Certioraries ſhall not bee allowed, vnleſſe the Indictee will become bound to pay coſts.

CAP. IX.

The Trade and Traffique of Welch Clothes ſhall be free.

WHereas the Trade of making of Welch Clothes, Cottons, Frizes, Linings, and Plaines, within the Principality and Dominion of Wales, is, and hath beene of long continuance, in the vſing and exerciſing whereof many thouſands of the poorer ſort of the Inhabitants there, in precedent ages haue beene ſet on worke in Spinning, Carding, Weauing, Fulling, Cottoning, and Shering, whereby they (hauing free liberty to ſell them, to whom, and where they would) not onely releeued and maintained themſelues and their families in good ſort, but alſo grew to ſuch wealth and meanes of liuing, as they were thereby enabled to pay and diſcharge all Duties, Mizes, Charges, Subſidies and Taxations, which were vpon them impoſed, or rated in their ſeuerall Counties, Pariſhes and places, wherein they dwelled, for the reliefe of the poore, and for the ſeruice of the King, and the Common-wealth: And whereas alſo the Drapers of the Towne of Shrewſburie in the Countie of Salop, haue of late obtained ſome orders of reſtraint, whereby the Inhabitants of Wales find themſelues much preiudiced in the freedome of their markets, for buying and ſelling of their Clothes, to their great dammage, as was verified by the generall voice of the Knights and Burgeſſes of the twelue Shires of Wales, and of the Countie of Monmouth:

The great benefite of making Welch Clothes.

The reſtraint of ſelling Clothes, preiudiciall to the Inhabitants of Wales.

For remedie whereof, Be it declared and enacted by the Kings moſt excellent Maieſtie, the Lords Spirituall and Temporall, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may by lawfull, to and for all and euery his Maieſties Subiects, inhabiting or dwelling, or which at any time hereafter ſhall inhabite or dwell within the ſaid Dominion of Wales, or any part thereof freely to ſell, by way of Barter, or otherwiſe, all, or any their Welch Clothes, Cottons, Frizes, Linings or Plaines, at their willes and pleaſures, to any perſon or perſons, who lawfully by the Lawes and Statutes of this Realme, may buy the ſame; and that it ſhall and may alſo be lawfull for any perſon and perſons, who by the Lawes or Statutes of this Realme, may lawfully buy ſuch Clothes, and other the premiſſes, freely to buy the ſame of any perſon or perſons, inhabiting or dwelling, or which hereafter ſhall inhabite or dwell within the ſaid Dominion of Wales, Any Charter, Grant, Act, Order, or any thing elſe heretofore made or done, or hereafter to be made or done, to the contrary notwithſtanding.

The Inhabitants of Wales may ſell their Clothes freely.

And be it further enacted by the authority aforeſaid, That it ſhall and may be lawfull to, and for any perſon or perſons vſing, or which ſhall vſe the trade of Merchandize, to tranſport into any the parts beyond the Seas, any of the ſaid Welch Clothes, Cottons, Frizes, Linings and Plaines, out of any Ports or Hauens within this Realme of England, or Dominion of Wales, or out of any the members thereof, where his Maieſtie, his Heires or Succeſſors haue, or ſhall then haue Officers attending to ſearch, view, and controll the ſame, and to receiue the Kings

Welch Cloths may be tranſported.

Maieſties Cuſtomes, and other duties due and payable for the ſame: So as alwayes the Cuſtomes, and other duties payable for ſuch Clothes, and other the Premiſſes, ſo to be tranſported, ſhall be iuſtly and duely paid for the ſame; And ſo as alwayes the ſaid Welſh Clothes, Cottons, Frizes, Linings and Plaines, before the tranſporting thereof, ſhall be Fulled, Cottoned and ſheared, as in former times they haue vſed to be: And that no perſon ſhall tranſport the ſaid Clothes in other manner, than as aforeſaid, vpon paine to forfeit the whole value of ſuch Clothes, ſo to be tranſported, contrary to the true meaning of this Act; The one halfe of all which forfeitures to be to his Maieſtie, his Heires and Succeſſors, and the other halfe to ſuch perſon or perſons as will ſue for the ſame, by Information, Bill, Plaint, Action of Debt, or otherwiſe, in any of his Maieſties Courts of Record, wherein no Eſſoine, Protection, Priuiledge, or Ley Gager, ſhall be allowed to the Defendant.

The continuance of this Act.

This Act to endure and continue for the terme of ſeuen yeares from the end of this Seſſion of Parliament, and from thenceforth to the end of the next Seſſion of Parliament enſuing after the end of thoſe ſeuen yeares.

Forreiners ſhall not ſell Welſh clothes by retaile.

Prouided alwayes, That this Act, or any thing therein contained, ſhall not giue power or authority to any Forreiner or Forreiners, to buy and ſell, by way of Retaile, any the ſaid Welſh Clothes, Cottons, Frizes, Linings, or Plaines, within the Towne of Shrewſbury, or in any other corporate Towne or Priuiledged place, contrary to any lawfull Charter, Grant, Cuſtome, Priuiledge or Liberty in the ſame Towne or place now being or vſed.

CAP. X.

The branch of the Statute of 34. H. 8. 26. that concernes the Kings power for altering the Lawes of Wales, repealed.

The loyaltie and obedience of the welſh.

WHereas the Subiects of the Countrey and Dominion of Wales, haue béene conſtantly loyall and obedient, and haue liued in all dutifull ſubiection to the Crowne of England: And whereas by an Act of Parliament, made in the foure and thirtieth yeare of the Reigne of the late King Henry the eight, intituled, An Act for certaine Ordinances in the Kings Maieſties Dominion, and Principality of Wales (amongſt other things) It is enacted and ordained in theſe words:

By a branch contained in the 34. & 35. H. 8. 26. the King had power to alter the Lawes of Wales.

Item, it is further enacted by the authoritie aforeſaid, That the Kings moſt Royall Maieſtie, ſhall and may at all times hereafter, from time to time change, adde, alter, order, miniſh and reforme all manner of things afore rehearſed, as to his moſt excellent wiſedome and diſcretion ſhal be thought conuenient, and alſo to make Lawes and Ordinances for the Common-wealth, and good quiet of his ſaid Dominion of Wales, and his ſubiects of the ſame, from time to time, at his Maieſties pleaſure: Any thing contained in this Act, or in the ſaid Act made for the Shire-ground of Wales, or any other Act or Acts, thing or things, to the contrary thereof heretofore made in any wiſe notwithſtanding. And that all ſuch alterations of the premiſſes, or any part thereof, and all ſuch Lawes and Ordinances to be hereafter made, deuiſed, and publiſhed by authoritie of this Act, by the Kings Maieſtie in writing vnder his Highneſſe great Seale, ſhall be of as good ſtrength, vertue and effect, as if they had béene had and made by authority of Parliament.

And foraſmuch as it is manifeſt by long experience, That the Lawes and Statutes already ordained for the ſaid Countrey, are in effect and for the moſt part agréeable to the Lawes and Statutes of this his Highneſſe Kingdome of England, and all, and euery of the ſame obeyed with great alacritie: And for that after ſo long a quiet among them, any future change or innouation herein would be dangerous, and for the abolition of diſtinction and difference betwéene the Subiects of England and Wales, His moſt Excellent Maieſtie tendering the common and conſtant good of the ſaid Countrey and Dominion of Wales, and of their poſterity for euer hereafter, is graciouſly pleaſed, That it may be enacted by his Maieſtie, with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled;

A Repeale of that branch of 34. & 35. H. 8. 26.

And be it enacted by the authority of the ſame, That the ſaid recited Branch of the ſaid Act of Parliament, and euery article, word, and ſentence in that Branch contained, be vtterly repealed and made voide, and of none effect, to all intents, conſtructions, and purpoſes, as if the ſaid Branch had neuer béene made nor contained in the ſaid Act: And that the Kings Maieſtie, his Heires or Succeſſors, ſhall not by vertue of the ſaid Clauſe or Branch in the ſaid Act, at any time hereafter alter, change or reforme any Lawes, Vſage, or Cuſtome, or make any new Lawes, for, or concerning the ſaid Dominion or Principalitie of Wales.

The Reſidue of that Statute confirmed.

Prouided alwayes, and be it enacted by the authoritie aforeſaid, That all and euery Clauſe, Article, and thing contained in the aforeſaid Act of Parliament, other than the aforeſaid Branch before recited, ſhall ſtand, remaine, and be in as full force and effect, to all intents, conſtructions, and purpoſes, as if this preſent Act had neuer béene had or made.

CAP. XI.

A Iudgement giuen in the Chancery for the reuoking, and annulling of certaine Letters Patents (granted to *Henry Heron* for the ſole priuiledge of ſalting, drying, and packing of Fiſh within the Counties of Deuon and Cornewall) confirmed. PR.

CAP. XII.

The Statute of 7. Iac. cap. 5. *enlarged, and made perpetuall.*

Whereas an Act intituled, An Act for eaſe in pleading againſt troubleſome and contentious Suites, proſecuted againſt Iuſtices of the Peace, Maiors, Conſtables, and certaine other his Maieſties Officers, for the lawfull Execution of their Office, made in the ſeuenth yeare of his Maieſties moſt happie Reigne of England, was made to continue but for ſeuen yeares, and from thence to the end of the next Parliament, after the ſaid ſeuen yeares, which by experience hath ſince béene found to be a góod and profitable Law.

Be it therefore enacted by the Kings moſt Excellent Maieſtie, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the Authoritie of the ſame, that the ſaid Act ſhall from, and after the end of this preſent Seſſion of Parliament be perpetuall, and haue continuance for euer.

The Stat. of 7. Iac. 5. made perpetuall.

And be it further enacted by the authoritie aforeſaid, that all Church-wardens, and all perſons called ſworne-men, executing of the Office of Church-wardens, and all Ouerſéers of the póore, and all others which in their aide or aſſiſtance, or by their commandement ſhall doe any thing touching, or concerning his or their Office or Offices, ſhall hereafter be enabled to receiue, and haue ſuch benefit and helpe, by vertue of the ſaid Act, to all intents, conſtructions and purpoſes, as if they had béene ſpecially named therein.

Church-wardens and Ouerſeers of the Poore ſhall be comprehended within the purview of 7. Iac. 5.

And whereas, notwithſtanding the ſaid Statute, the Plaintiffe is at libertie to lay his Action, which he ſhall bring againſt any Iuſtice of Peace, or other Officer in any forreine Countrey, at his choyce, which hath proued very inconuenient vnto ſundry of the Officers, and perſons aforeſaid, that haue béene impleaded by ſome contentious and troubleſome perſons in Countries farre remote from their places of habitations.

Be it therefore further enacted by the Authority aforeſaid, That if any Action, Bill, Plaint, or Suite vpon the Caſe, Treſpaſſe, Battery, or falſe impriſonment, ſhall be brought after the end of this preſent Seſſion of Parliament, againſt any Iuſtice of Peace, Maior, or Bailiffe of Citie, or Towne corporate, Headborough, Portréeue, Conſtable, Tything-man, Collector of Subſidie or Fiftéenes, Church-wardens, and perſons called Swornemen, executing the office of Church-warden, or Ouerſéer of the Póore, and their Deputies, or any of them, or any other, which in their aide or aſſiſtance, or by their commandement, ſhall doe any thing touching or concerning his or their Office or Offices, for, or concerning any matter, cauſe or thing, by them, or any of them done, by vertue or reaſon of their, or any of their Office or Offices, that the ſaid Action, Bill, Plaint, or Suite ſhall be laid within the Countie, where the treſpaſſe or fact ſhall be done and committed, and not elſe-where. And that it ſhall be lawfull to, and for all, and euery perſon and perſons aforeſaid, to pleade thereunto the generall Iſſue, that he, or they are not guilty, and to giue ſuch ſpeciall matter in Euidence to the Iury, which ſhall trie the ſame, as in, or by the ſaid former Act is limited or declared. And that, if vpon the tryall of any ſuch Action, Bill, Plaint, or Suite, the Plaintiffe or Plaintiffes therein, ſhall not proue to the Iurie, which ſhall trie the ſame, That the Treſpaſſe, Battery, Impriſonment, or other fact or cauſe of his, her, or their ſuch Action, Bill, Plaint, or Suite, was, or were had, made, committed, or done within the County, wherein ſuch Action, Bill, Plaint, or Suite ſhall be laid; That then in euery ſuch caſe, the Iurie which ſhall trie the ſame, ſhall finde the Defendant and Defendants in euery ſuch Action, Bill, Plaint, or Suite, not guilty, without hauing any regard or reſpect to any euidence giuen by the Plaintiffe or Plaintiffes therein, touching the treſpaſſe, battery, impriſonment, or other cauſe, for which the ſame Action, Bill, Plaint, or Suite, is or ſhall be brought. And if the verdict ſhall paſſe with the Defendant or Defendants in any ſuch Action, Bill, Plaint, or Suite, or the Plaintiffe or Plaintiffes therein become non-ſuite, or ſuffer any diſcontinuance thereof, That in euery ſuch caſe, the Defendant or Defendants ſhall haue ſuch double coſts, and all other aduantages and remedies, as in and by the ſaid former Act is limited, directed, or prouided.

An Action brought againſt an Officer, ſhall be laid in the Countie, where the fact was committed.

The Defendant ſhal haue double coſts.

CAP. XIII.

The defects of the Statutes of 32. H. 8. 30. *and* 18. El. 14. *for reformation of* Ieofayles, *ſupplied.*

Whereas in the two and thirtieth yeare of the Reigne of King Henry the eighth, of famous memory, a góod and profitable Law, intituled, An Act concerning miſpleading Ieofayles,

32. H. 8. 30.

18. El, 14.

and Atturneys, was made and enacted; And likewiſe another good and profitable Law was made in the eighteenth yeare of the reigne of our late Soveraigne Lady Queene Elizabeth, intituled, An Act for reformation of Ieofayles, by which Lawes many delayes of Iudgements were prevented, and yet notwithſtanding, many things have, and daily doe fall out, not yet provided for, nor remedied by the Lawes before mentioned:

Divers Ieofayles in ſuits of Law prevented, and reformed.

Bee it therefore enacted by the Authority of this preſent Parliament, That if any verdict of twelve men or more, ſhall hereafter be given for the Plaintiffe or Demandant, or for the Defendant, or Tenant, Baily in Aſſiſe, Voucher, Pray in aide, or Tenant by receit, in any action, ſuit, bill, plaint, or demand in any Court of Record, the Iudgement thereupon ſhall not be ſtayed, nor reverſed, by reaſon of any variance, in forme onely betweene the originall Writ or Bill, and the Declaration, Plaint or Demand, or for lacke of an averment of any life or lives of any perſon or perſons, ſo as upon examination the ſaid perſon be proved to be in life, or by reaſon that the venire facias, habeas corpora or diſtringies is awarded to a wrong Officer, upon any inſufficient ſuggeſtion, or by reaſon the viſne is in ſome part miſawarded or ſued out of more places, or of fewer places than it ought to be, ſo as ſome one place be right named, or by reaſon that any of the Iewry which tryed the ſaid Iſſue is miſnamed, either in the ſurname or addition in any of the ſaid Writs, or in any returne upon any of the ſaid Writs, ſo as upon examination it be proved to be the ſame man that was meant to be returned, or by reaſon that there is no returne upon any of the ſaid Writs, ſo as a pannell of the names of Iurors be returned and annexed to the ſaid Writ, or for that the Sheriffes name, or other Officers name having the returne thereof, is not ſet to the returne of any ſuch Writ, ſo as upon examination it be proved, that the ſaid Writ was returned by the Sheriffe, or Under-Sheriffe, or ſuch other Officer, or by reaſon that the Plaintiffe in any eiectione firmæ, or in any perſonall Action or Suite, (being an infant under the age of one and twenty yeares) did appeare by Atturney therein, and the verdict paſſe for him, Any Law, Cuſtome, or Uſage to the contrary notwithſtanding.

Certaine caſes excepted.

Provided alwayes, and be it further enacted, That this Act, or any thing therein contained, ſhall not extend to any Writ, Declaration, or Suite of appeale of Felonie, or Murther, nor to any Indictment, or preſentment of Felonie, Murther, or Treaſon, nor to any Proces upon any of them, nor to any Writ, Bill, Action, or Information upon any popular or penall Statute: Any thing therein contained to the contrary notwithſtanding.

CAP. XIIII.

In Informations of Intruſion, the Subiect is allowed to pleade the generall Iſſue, and to retaine poſſeſſion, till triall.

In Informations of Intruſion, the Subiect may pleade the generall Iſſue, and retaine the Poſſeſſion till triall.

VVHere the King, out of his Prerogative Royal, may inforce the Subiect in Informations of Intruſion, brought againſt him to a ſpeciall pleading of his Title; The Kings moſt excellent Maieſtie, out of his gracious diſpoſition towards his loving Subiects, and at their humble ſuite, being willing to remit a part of his ancient and Regall power, is well pleaſed that it be enacted; And be it enacted by the Kings moſt excellent Maieſtie, the Lords Spirituall and Temporall, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That whenſoever the King, his Heires or Succeſſors, and ſuch from, or under whom the King claimeth, and all others claiming under the ſame Title, under which the King claimeth, hath beene, or ſhall be out of poſſeſſion by the ſpace of twenty yeares, or hath not, or ſhall not have taken the profits of any Lands, Tenements, or Hereditaments, within the ſpace of twentie yeares, before any Information of Intruſion brought, or to be brought, to recover the ſame; That in every ſuch caſe, the Defendant, or Defendants may plead the generall Iſſue, if hee, or they ſo thinke fit, and ſhall not be preſſed to pleade ſpecially, and that in ſuch caſes the Defendant or Defendants ſhall retaine the poſſeſſion, he or they had, at the time of ſuch information exhibited, untill the Title be tryed, found or adiudged for the King.

And be it further enacted, That where an Information of Intruſion, may fitly and aptly be brought on the Kings behalfe; That no Scire facias ſhall be brought, whereunto the Subiect ſhall be forced to a ſpeciall pleading, and be deprived of the grace intended by this Act. Stat. 17. Ed. 2. 13.

CAP. XV.

Upon Indictments of forcible Entries, Reſtitution of Poſſeſſion ſhall be given in certaine caſes not formerly provided for.

BE it enacted by the authority of this preſent Parliament, That ſuch Iudges, Iuſtices, or Iuſtice of the Peace, as by reaſon of any Act or Acts of Parliament now in force, are authorized, and enabled vpon enquiry, to giue reſtitution of poſſeſſion vnto Tenants, of any eſtate of Free-hold, of their Lands or Tenements, which ſhall be entred vpon with force, or from them withholden by force, ſhall by reaſon of this preſent Act, haue the like, and the ſame authority and ability from henceforth (vpon Indictment of ſuch forcible entries, or forcible withholdings, before them duly found) to giue like reſtitution of poſſeſſion vnto Tenants, for terme of yeares, Tenants by Copie of Court Roll, Guardians by Knights ſeruice, Tenants by Elegit, Statute Merchant, and Staple of lands, or tenements, by them ſo holden, which ſhall be entred vpon by force, or holden from them by force. St. 5. R.2. 7. 15. R. 2.2. 8.H.6.9. 31. El.11.

Reformation of Poſſeſſion ſhall be giuen to auoide entries with force, in Statutes for yeares, &c.

CAP. XVI.

The limitation of certaine Actions for auoyding of Suites in Law.

FOr quieting of mens Eſtates, and auoiding of Suites, Be it enacted by the Kings moſt excellent Maieſtie, the Lords Spirituall and Temporall, and Commons in this preſent Parliament aſſembled, That all Writs of Formedon in Deſcender, Formedon in Remainder, and Formedon in Reuerter, at any time hereafter to be ſued or brought, of, or for any Manors, Lands, Tenements, or Hereditaments, whereunto any perſon or perſons now hath, or haue any title, or cauſe to haue or purſue any ſuch Writ, ſhall be ſued and taken within twenty yeares next after the end of this preſent Seſſion of Parliament: And after the ſaid twenty yeares expired, no ſuch perſon or perſons, or any of their heires ſhall haue or maintaine any ſuch Writ, of, or for any of the ſaid Manors, Lands, Tenements, or Hereditaments; And that all Writs of Formedon in Deſcender, Formedon in Remainder, and Formedon in Reuerter, of any Manors, Lands, Tenements, or other Hereditaments whatſoeuer, at any time hereafter to be ſued, or brought, by occaſion or meanes of any title or cauſe hereafter happening, ſhall be ſued and taken within twenty yeares next after the title and cauſe of Action firſt deſcended or fallen, and at no time after the ſaid twenty yeares: And that no perſon or perſons that now hath any right or title of Entry into any Manors, Lands, Tenements, or Hereditaments, now held from him or them, ſhall thereinto enter, but within twenty yeares next after the end of this preſent Seſſion of Parliament, or within twenty yeares next after any other title of Entry accrued: And that no perſon or perſons ſhall at any time hereafter make any entry into any Lands, Tenements, or Hereditaments, but within twenty yeares next after his or their right or title, which ſhall hereafter firſt deſcend or accrue to the ſame; And in default thereof, ſuch perſons ſo not entring, and their heires, ſhall be vtterly excluded and diſabled from ſuch entry after to be made: Any former Law or Statute to the contrary notwithſtanding.

Writs of Formedon ſhall be ſued within twenty yeares.

Entry into Lands, &c. ſhall be made within 20. yeares.

Prouided neuertheleſſe, That if any perſon or perſons that is or ſhall be entitled to ſuch Writ or Writs, or that hath or ſhall haue ſuch right or title of Entry, be, or ſhall be at the time of the ſaid right or title, firſt deſcended, accrued, come or fallen within the age of one and twenty yeares Feme couert, non compos mentis, impriſoned, or beyond the Seas, That then ſuch perſon and perſons, and his, and their heire, and heires ſhall or may, notwithſtanding the ſaid twenty yeares be expired, bring his Action, or make his Entry as he might haue done before this Act: So as ſuch perſon and perſons, or his, or their heire and heires, ſhall within tenne yeares next after his, or their full age, diſcouerture, comming of ſound minde, inlargement out of priſon, or comming into this Realme, or death, take benefite of, and ſue forth the ſame, and at no time after the ſaid tenne yeares.

Infants, Femes couert, &c. excepted.

And be it further enacted, That all Actions of Treſpaſſe, Quare clauſum fregit, all Actions of Treſpaſſe, Detinue, Action Surtrouer, and Repleuyn for taking away of Goods and Cattell, all Actions of account, and vpon the Caſe, other than ſuch Accounts as concerne the Trade of Merchandize betwéene Merchant and Merchant, their Factors or Seruants, all Actions of debt, grounded vpon any lending or contract without ſpecialty, all Actions of debt for arrerages of Rent, and all Actions of Aſſault Menace, Battery, Wounding and Impriſonment, or any of them, which ſhall be ſued or brought at any time after the end of this preſent Seſſion of Parliament, ſhall be commenced and ſued, within the time and limitation hereafter expreſſed, and not after, (That is to ſay) The ſaid Actions vpon the Caſe (other than for ſlander) and the ſaid Actions for Account, and the ſaid Actions for Treſpaſſe, Debt, Detinue and Repleuin for Goods or Cattell, and the ſaid Actions of Treſpaſſe, Quare clauſum fregit, within thrée yeares next after the end of this preſent Seſſion of Parliament, or within ſixe yeares next after the cauſe of ſuch Actions or Suite, and not after: And the ſaid Actions of Treſpaſſe, of Aſſault, Battery, Wounding, Impriſonment, or any of them, within one yeare next after the end of this preſent Seſſion of Parliament, or within foure yeares next after the cauſe of ſuch Actions or Suit, and not after: And the ſaid Actions vpon the Caſe for words, within one yeare after the end of this preſent Seſſion of Parliament, or within two yeares next after the words ſpoken and not after.

The limitation of certaine perſonall Actions.

And neuertheleſſe, be it enacted, That if in any the ſaid Actions or Suits, Iudgement bee giuen for the Plaintiffe, and the ſame be reuerſed by errour, or a Verdict paſſe for the Plaintiffe, and

Their limitation after Iudgement, or Outlawry reuerſed.

and vpon matter alledged in arreſt of Iudgement, the Iudgement be giuen againſt the Plaintiffe, that he take nothing by his Plaint, Writ, or Bill, or if any the ſaid Actions ſhall be brought by Originall and the Defendant therein bee outlawed, and ſhall after reuerſe the Outlawry, That in all ſuch caſes the partie Plantiffe, his heires, executors, or adminiſtrators, as the caſe ſhall require, may commence a new Action or Suite, from time to time, within a yeare after ſuch Iudgement reuerſed, or ſuch Iudgement giuen againſt the Plaintiffe, or Outlawrie reuerſed, and not after.

After Iudgement or nonſuite in a Quare clauſum fregit the Plaintiffe is barred to renew the ſuite.

And be it further enacted, That in all Actions of Treſpaſſe, Quare clauſum fregit, hereafter to be brought, wherein the Defendant, or Defendants ſhall diſclaime, in his or their Plea, to make any title or claime to the Land, in which the Treſpaſſe is by the Declaration ſuppoſed to be done, and the treſpaſſe be by negligence, or inuoluntary, the Defendant or Defendants ſhall be admitted to plead a diſclaimer, and that the Treſpaſſe was by negligence, or inuoluntary, and a tender or offer of ſufficient amends for ſuch Treſpaſſe before the Action brought, whereupon, or vpon ſome of them, the Plaintiffe or Plaintiffes, ſhall be enforced to ioyne Iſſue, and if the ſaid Iſſue be found for the Defendant, or Defendants, or the Plaintiffe, or Plaintiffes ſhall be nonſuited, the Plaintiffe, or Plaintiffes ſhall be cleerely barred from the ſaid Action or Actions, and all other Suite concerning the ſame.

In Actions of ſlander, the Plaintiffe ſhall recouer no greater coſts than dammages.

And be it further enacted by the authority aforeſaid, That in all Actions vpon the Caſe for ſlanderous words, to be ſued, or proſecuted by any perſon or perſons in any the Courts of Record at Weſtminſter, or in any Court whatſoeuer, that hath power to hold plea of the ſame, after the end of this preſent Seſſion of Parliament, if the Iury, vpon the triall of the Iſſue in ſuch Action, or the Iury that ſhall inquire of the dammages, doe finde or aſſeſſe the dammages vnder fortie ſhillings, then the Plaintiffe or Plaintiffes in ſuch Action, ſhall haue and recouer onely ſo much coſts, as the dammages, ſo giuen or aſſeſſed, amount vnto, without any further increaſe of the ſame: Any Law, Statute, Cuſtome, or vſage to the contrary in any wiſe notwithſtanding.

Infants, Femes couert, &c. excepted.

Prouided neuertheleſſe, and be it further enacted, That if any perſon or perſons, that is, or ſhall be intituled to any ſuch Action of Treſpaſſe, Detinue, Action Surtrouer, Repleuin, Actions of Accounts, Actions of Debts, Action of Treſpaſſe for Aſſault, Menace, Battery, Wounding, or Impriſonment, Actions vpon the Caſe for words, be, or ſhall be at the time of any ſuch cauſe of Action giuen or accrued, fallen, or come within the age of twenty one yeares, Feme couert, non compos mentis, impriſoned, or beyond the Seas, that then ſuch perſon or perſons, ſhall be at libertie to bring the ſame Actions, ſo as they take the ſame within ſuch times, as are before limited, after their comming to, or being of full age, diſcouert, of Sane memory, at large, and returned from beyond the Seas, as other perſons, hauing no ſuch impediment ſhould bee done. Stat. 20. H. 3. 8. 3. Ed. 1. 38. 32. H. 8. 2. 1. M. 5.

Cap. XVII.

None ſhall take aboue the rate of eight pounds for the loane of 100. pounds for a yeare.

WHereas at this time there is a very great abatement in the value of Land, and other the Merchandize, Wares, and Commodities of this Kingdome, both at home and alſo in forreigne parts, whither they are tranſported; And whereas diuers Subiects of this Kingdome, aſwell the Gentry as Merchants, Farmors and Tradeſmen, both for their vrgent and neceſſary occaſions for the following their Trades, maintenance of their ſtockes and imployments, haue borrowed, and doe borrow diuers ſumes of money, Wares, Merchandize & other Commodities; but by reaſon of the ſaid generall fall and abatement of the value of Land, & the prices of the ſaid Merchandize, Wares, and Commodities; and intereſt in Loane, continuing at ſo high rate, as ten pounds in the hundred pounds for a yeare, doth not onely make men vnable to pay their debts, and continue the maintenance of Trade, but their debts daily increaſing, they are inforced to ſell their lands and Stocks at very low rates, to forſake the vſe of Merchandize and Trade, and to giue ouer their Leaſes, and Farmes, and ſo become vnprofitable members of the Commonwealth, to the great hurt and hinderance of the ſame.

Hee that taketh aboue the rate of 8. L. for the loane of 100. l. for a yeare ſhall forfeit treble the value of the money ſo lent,

Be it therefore enacted by the Kings moſt excellent Maieſtie, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, That no perſon or perſons whatſoeuer, from, and after the foure and twentieth day of Iune, which ſhall be in the yeare of our Lord, one thouſand ſixe hundred twenty and fiue, vpon any contract to be made after the ſaid foure and twentieth day of Iune, ſhall take directly or indirectly, for Loane of any Moneys, Wares, Merchandize, or other Commodities whatſoeuer, aboue the value of eight pounds, for the forbearance of one hundred pounds for a yeare, and ſo after that Rate, for a greater or leſſer ſumme, or for a longer or ſhorter time: And that all Bonds, Contracts, and Aſſurances whatſoeuer made after the time aforeſaid, for payment of any Principall, or money to be lent or couenanted to be performed, vpon, or for any Vſury, whereupon, or whereby there ſhall be reſerued, or taken aboue the rate of eight pounds in the hundred, as aforeſaid, ſhall be vtterly void: And that all and euery perſon and perſons whatſoeuer, which ſhall after the time aforeſaid, vpon any Contract to be made, after the ſaid foure and twentieth day of Iune, which ſhall be in the yeare of our Lord, one thouſand ſixe hundred twenty and fiue, take, accept, and receiue, by way, or meanes of any corrupt Bargaine, Loane, Exchange, Chieueſance, Shift, or Intereſt of any Wares, Merchandize, or other thing or things whatſoeuer, or by any deceitfull way or meanes, or by any Couine, Engine, or deceitfull conueyance, for the forbearing, or giuing day of payment for one whole yeare, of, and for their money, or other thing, aboue the ſumme of eight pounds for the forbearing of one hundred pounds for a yeare, and ſo after that Rate for a leſſer or greater ſumme, or for a longer or ſhorter time, ſhall forfeit and loſe for euery ſuch offence, the treble value of the Moneys, Wares, Merchandize, and other things ſo lent, bargained, ſold, exchanged or ſhifted.

And bee it further enacted, by the authority aforeſaid, That all and euery Scriuener and Scriueners, Broker and Brokers, Solicitor and Solicitors, Driuer and Driuers of bargaines for Contracts, who ſhall after the ſaid twenty fourth day of Iune, which ſhall be in the yeare of our Lord, one thouſand ſixe hundred twenty and fiue, take or receiue, directly or indirectly, any ſumme or ſummes of Money, or other reward or thing for Brocage, ſoliciting, driuing, or procuring the Loane, or forbearing of any ſumme or ſummes of money, ouer and aboue the rate or value of fiue ſhillings for the Loane, or forbearing of one hundred pounds for a yeare, and ſo rateably, or aboue twelue pence for making or renewing of the Bond or Bill, for the Loane or forbearing thereof, or for any counter Bond or Bill concerning the ſame, ſhall forfeit for euery ſuch offence, twenty pounds, and haue impriſonment for halfe a yeare; the one moitie of all which forfeitures, to be to the King our Soueraigne Lord, his Heires and Succeſſors, and the other moitie to him or them that will ſue for the ſame, in the ſame County where the ſeuerall offences are committed, and not elſe-where, by action of debt, bill, plaint or information, in which no Eſſoigne, wager of Law, or Protection to be allowed.

A Scriuener that takes aboue the rate of fiue ſhillings for the forbearing of 100.l. for a yeare, or aboue 12.d. for the renewing of a bond, ſhall forfeit 20.l. and impriſonment for halfe a yeare.

This Act to continue for the ſpace of ſeuen yeares, from the ſaid foure and twentieth day of Iune, which ſhall be in the yeare of our Lord, one thouſand ſixe hundred twenty and fiue, and ſo to the end of the firſt Seſſion of Parliament then next following.

The continuance of this Act.

Prouided, That no words in this Law contained, ſhall be conſtrued or expounded, to allow the practice of Vſury, in point of Religion or conſcience. 3. Car. 4. made perpetuall. Stat. 20. H. 3. 5. 3. H. 7. 6. 11. H. 7. 8. 37. H. 8. 9. 5. Ed. 6. 20. 13. El. 8.

The practice of vſury diſallowed.

CAP. XVIII.

The Stat. of 4. Iac. 2. *continued, and in part altered.*

WHereas in the fourth yeare of the reigne of our Soueraigne Lord the Kings Maieſty that now is, there was amongſt other, An Act made & intituled, An Act for the true making of Wollen Clothes, which in and by the ſaid Act is to continue in force and effect, but vnto the end of the firſt Seſſion of the then next Parliament: Foraſmuch as the ſaid Act is found by experience to be very neceſſary, expedient, and beneficiall for the Common-weale, both in the prouiding for the ſeuerall and reſpectiue lengths, breadths, and weight of the ſeuerall ſorts of Wollen Clothes, mentioned in the ſaid Statute, as alſo in the auoiding the mixture of Flockes, Thrums, and other deceiuable things in the making of Wollen Clothes, ſauing in thoſe points whereunto the additions and alterations in this preſent Act doe extend: Be it therefore enacted by the Authority of this preſent Parliament, That the ſame Act aboue remembred, and all and euery the branches, clauſes, and prouiſions in the ſame contained, and which are not in this preſent Act altered, repealed, diſcontinued, or enlarged, ſhall continue and be from henceforth in full force and effect, vntill the end of the firſt Seſſion of the next Parliament.

4. Iac. 2. continued.

And whereas in, and by the aforeſaid Act, it was amongſt other things enacted and prouided, that it ſhould or might be lawfull to, and for any perſon and perſons, lawfully exerciſing the Trade or Art of a Clothier, or making of Clothes, to make Flockes, Thrummes, and Lambes wooll into Cloth of one onely kind or making, which ſhould containe in length, being throughly wet, betweene twelue and thirteene ſuch yards and inches, as in the ſaid Statute beene mentioned, and in breadth one yard at the leaſt within the Liſts, and being cleane ſcoured, thicked, milled, and fully dryed; ſhould weigh fifteene pounds the piece at the leaſt: Be it enacted by the authority of this preſent Parliament, that the ſaid clauſe or prouiſion for the making of Flockes, Thrummes, and Lambes wooll into Cloth, ſhall be from henceforth diſcontinued, or repealed, and void: And further, whereas ſince the making of the ſaid Act many ill diſpoſed perſons, for their owne priuate gaine and lucre, and in deceit of the buyers of Cloth, and to the diſcredite, and diſcrediting of good Cloth, haue vſed to mixe, and put Flockes and Thrummes, and alſo noyles and haires, and other deceiueable things, into, within, and vpon the broad wollen Clothes, mentioned in the ſaid Act, which ſaid broad Wollen Clothes bee of farre greater length, breadth, and eſtimation, than be thoſe clothes whereinto the ſaid Flockes, Thrummes,

The Clauſe of 4. Iac. 2. concerning the making of Thrummes, &c. into cloth repealed.

and Lambes wooll in and by the ſaid Act béene permitted to be put into: And by the meanes of the mixing and putting in, or vpon ſuch broad Clothes of the ſaid Flocks, noyles, thrummes, haire, and other deceiuable things, into, and within, or vpon the ſaid broad Woollen Clothes, the ſaid broad Woollen Clothes be much abuſed and diſcredited, and the buyers of ſuch broad Woollen Clothes, couzened, deceiued, and abuſed.

He that puts thrummes, &c. into Cloth, ſhall forfeit 5. pounds.

For reformation of which foreſaid wrongs, abuſes, and miſdemeanours, Be it enacted by the Kings moſt Excellent Maieſtie, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from henceforth no perſon or perſons, ſhall mixe or put any Flockes, Noyles, Thrummes, Haire, or other deceiuable thing or things, or any Yarne made of the ſaid deceiuable thing or things, into, within, or vpon any broad Woollen Cloth or Clothes, vpon paine to forfeit onely fiue pounds, and no more for euery ſuch broad Woollen Cloth, into, within, or vpon which any ſuch Flocks, Noyles, Thrums, Haire, or any other deceiueable thing or things ſhall be put into, or vſed, the ſaid forfeiture to be to the vſe of the poore of the Pariſh, where ſuch deceiuable Cloth ſhall be made.

Searchers of Cloth may enter into any mans houſe to finde deceiueable Cloth.

Two or more Iuſtices of Peace may grant their warrant to bring before them any perſon ſuſpected for making deceiueable Cloth.

And for the better finding out of euery ſuch deceiueable thing and things, mixed or put into, or vpon, or to be mixed, or put into, or vpon any broad Woollen Cloth, or Clothes, contrary to the true meaning of this Law; Be it further enacted by the authority aforeſaid, That it ſhall and may be lawfull, to, and for any the Ouerſéer or Ouerſéers, Searcher or Searchers of Cloth, of, or within the ſeuerall Pariſh or Pariſhes, or Towne or Citie where ſuch deceiueable Cloth or Clothes ſhall be made, or ſuſpected to be made, from time to time, to enter into any the Houſe or Houſes, Shops, Mill or Milles, Chambers or other roomes of any Clothier, or perſon or perſons ſuſpected to haue made any ſuch deceiuable broad Woollen Cloth, to view, ſearch, and ſée all or any their Woollen Cloth or Clothes, and the mixture of their woolles for Clothes to be made; And alſo it ſhall be lawfull for any two, or more Iuſtices of the Peace within the County, or within the Citie, Borough or Towne Corporate, where ſuch deceiueable Cloth ſhall be made, or ſuſpected to be made, vpon Information or complaint of any of the ſaid Ouerſéer or Ouerſéers, Searcher or Searchers, or any other, of their knowledge or ſuſpition of any ſuch offence, to grant their Warrant, to call before them any perſon or perſons whatſoeuer, that ſhall be thought in their diſcretions fit to diſcouer any ſuch offence, and to examine vpon oath, ſuch perſon or perſons for the triall and better finding out of the offence aforeſaid: And if vpon ſuch examinations it ſhall be found by teſtimony of two witneſſes or more, or by the confeſſion of the partie or parties offending, that any ſuch offence or offences haue béene committed, as aforeſaid, then the party or parties that ſhall ſo confeſſe his or their ſaid offence or offences, or who ſhall be found to haue offended, ſhall remaine conuicted of ſuch his or their offence or offences: And that then it ſhall and may be lawfull for the ſaid two Iuſtices, to certifie ſuch offence or offences vnto the Churchwardens and Ouerſéers (for the time being) of the poore of the Pariſh or Pariſhes, where ſuch deceiueable Cloth or Clothes ſhall be made, vnder the hands and ſeales of the ſaid Iuſtices.

Vpon Certificate of the Iuſtices, that the partie is conuicted for making deceiuable cloth, the Church-wardens, &c. ſhall leuie the forfeiture.

In default of diſtreſſe the partie offending ſhall be committed to the common Gaole.

43. El. 2.

The Officer being ſued, ſhall be allowed to pleade the generall Iſſue, &c. and recouer double coſts. St. 7. Iac. 5.

And be it further enacted by the authority aforeſaid, That immediatly from and after ſuch certificate ſhall be deliuered to any of the Church-wardens and Ouerſéers of the poore of any Pariſh or Pariſhes, where ſuch Offendor or Offendors ſhall dwell, and Warrant by them made to the ſaid Ouerſéers and Church-wardens, for the leuying of the ſaid forfeiture; It ſhall and may be lawfull to, and for the ſaid Church-wardens and Ouerſéers for the time being, or any of them, or for the Succeſſor or Succeſſors of them the ſaid Church-wardens and Ouerſéers, to leuie the ſumme or ſummes of money, which by the ſaid Certificate and Warrant, ſhall appeare to be forfeited, by way of diſtreſſe, and ſale of the offendors goods, rendring to the partie ſo offending, the ouerplus which ſhall ariſe by the ſale of ſuch goods, more than the forfeiture for ſuch offence or offences ſhall amount vnto: And in defect of ſuch diſtreſſe, it ſhall be lawfull to, and for the ſaid two Iuſtices of Peace, to commit the partie or parties ſo certified to haue offended, to the Common Gaole, there to remaine without Baile or Mainepriſe, vntill payment ſhall be made of the ſaid ſumme or ſummes ſo forfeited, to the ſaid Church-wardens and Ouerſéers, or ſome or one of them, to the vſes aforeſaid, who ſhall yearely be accountable for ſuch ſumme or ſummes ſo receiued, and leuied at ſuch times, and in ſuch maner, as the ſaid Church-wardens and Ouerſéers are to account for other moneyes, which they are to collect to the vſe of the poore, by force of an Act of Parliament, made in the thrée and fortieth yeare of the Reigne of the late Quéene Elizabeth. And that if any Action or Actions ſhall at any time or times hereafter happen to be brought, or commenced againſt any perſon or perſons, for taking of ſuch Diſtreſſe or Diſtreſſes, or for, or about any matter, or thing concerning the ſame, That then it ſhall and may be lawfull, to and for euery ſuch perſon or perſons, againſt whom ſuch Action or Actions ſhall be brought or commenced, to pleade the generall Iſſue, and to giue in Euidence, and to be allowed double Coſts, in euery reſpect and degrée, as in, and by the Statute of the ſeuenth yeare of the Kings Maieſties Reigne of England that now is, Intituled, An Act for eaſe in pleading againſt troubleſome and contentious Suites, proſecuted againſt Iuſtices of the Peace, Mayors, Conſtables, and certaine others his Maieſties Officers, for the lawfull execution of their office, is already prouided and enacted.

And whereas diuers Clothiers bee, and are of late time much troubled and grieued, by and with ſeuerall Searchers, Aulnegers, and viewers of Clothes, who after that Clothes beene Searched, Viewed and Sealed by the Searchers and Ouerſeers of the ſeuerall Pariſh and Pariſhes, where ſuch Cloth and Clothes beene made, and alſo by the Kings Aulneger of Cloth, or by his Deputy, doe neuertheleſſe for their owne gaine and lucre, reuiew or Search againe the ſame Clothes, to the great trouble, diſturbance and hinderance, of the ſayd Clothiers, the loſſe of their Market, and ſale of their Cloth, although towards the end or concluſion of the ſayd Act of the fourth yeare of the Kings Maieſties reigne of England that now is, aforeſayd, it is mentioned that after ſuch Cloth be once lawfully ſearched, and lawfully ſealed, the ſame be not compelled to be further viewed, ſearched, meaſured or ſealed.

4.Iac.2.

Be it therefore likewiſe enacted by the authority aforeſayd, that the ſayd Ouerſeers and Searchers, authorized by the ſayd laſt mentioned Statute, or by any former Act, to ſearch, view and weigh any of the ſayd Clothes, for the lengths, breadth and weight of the ſayd Clothes, ſhall and may certifie the ſame by their Seales affixed to ſuch Clothes, and with the word Faulty thereon ſtamped, (if there be cauſe) and that none of the ſayd Clothes, being formerly ſearched, viewed, weighed and ſealed by the ſayd Ouerſeers and Searchers of the Pariſh, Towne, or place where the ſayd Clothes ſhall bee made, ſhall afterwards be viewed, ſearched, or weighed by any other perſon or perſons, Officer or Officers whatſoeuer, contrary to the ſayd Statute made in the ſaid fourth yeare of his Maieſties reigne, vpon paine of forfeiture of fiue pounds to the party grieued, who ſhall and may ſue for, and recouer the ſame by Bill, Plaint, or Information, at or in the generall Quarter Seſſions of the Peace to be holden for the County, Citie, or Towne corporate, wherein ſuch offence ſhall bee committed, wherein no Eſſoine, Protection, Priuiledge, or Wager of Law ſhall be allowed.

The ſearcher that ſearcheth &c. cloth already ſearched, &c. ſhall forfeit fiue pounds.

Prouided alwaies, and be it further enacted by the authority of this preſent Parliament, That all and all manner Wollen Clothes, or what nature, kind or name ſoeuer they be, or ſhall be of, to be wouen in any Citie, or Towne corporate, within the Realme of England or Dominion of Wales, from and after forty dayes, next after the end of this preſent Seſſion of Parliament, ſhall be ſearched, tryed, and ſealed by the ſeuerall and reſpectiue Ouerſeers of Cloth, appointed, or to be appointed, of, or for the Cities and Townes corporate, or of, or for ſome of the places or Pariſhes in them, where the ſame Clothes ſhall be wouen, before ſuch Clothes ſhall be ſold, or offered to be ſold.

All wollen clothes ſhall be ſearched &c. before they be ſold.

And bee it further enacted by the Authority of this preſent Parliament, That from and after forty dayes next after the end of this preſent Seſſion of Parliament, no Tentor, or Tentors for broad Clothes to be made within the Countie of Yorke to be ſold, ſhall haue, or ſhal or may be allowed any further chace or liberty, for or to be vnder Barre of ſuch Tentor or Tentors, then only halfe a quarter of a yard at the moſt: And that no Tentor or Tentors for narrow Clothes to be made within the ſayd County of Yorke, to bee ſold, ſhall haue, or ſhall or may bee allowed any further chace or liberty for, or to the vnder Barre of ſuch tentor or Tentors, then onely halfe of a halfe quarter of a yard at the moſt: And that the Ouerſeers and Searchers of Cloth, or any of them, appointed, or to be appointed within the ſeuerall and reſpectiue Pariſhes in the ſaid County of Yorke, ſhall vpon the penalties of their Recognizances taken, or to bee taken by vertue of the Statute made in the nine and thirtieth yeare of the Reigne of the late Queene Elizabeth, or of any other Statute, make due ſearch and view of the Tentors to bee vſed in the aforeſayd County of Yorke: and if they or any of them ſhall happen to find any Tentor or Tentors, vſed contrary to the true meaning of this Act, that then they ſhall forthwith deface, or cauſe to be defaced ſuch Tentor or Tentors.

The meaſure of tentors for clothes, made in Yorkeſhire.

Searchers ſhall make ſearch of Tentors in Yorkſhire.

St.39.El.20.

And bee it further enacted, That if any perſon or perſons whoſe Tentor or Tentors hath been, or ſhall bee once defaced, ſhall eftſoones offend, contrary to the true meaning of this Act, that then ſuch perſon or perſons ſo offending, ſhal for euery his or their offence, contrary to the true meaning of this Act, forfeit and loſe the ſumme of forty ſhillings of good and lawfull money of England, to ſuch vſes and behoofes, and to bee leuied and recouered, in ſuch manner and forme, and by ſuch meanes, to all intents and purpoſes, as before in and by this preſent Act, it is limited, appointed and enacted for the ſumme, or forfeiture of fiue pounds, to the vſe of the poore in this Act before mentioned.

The party offending the ſecond time for hauing a Tentor contrary to this Act ſhall forfeit xl. s.

And bee it further enacted by the Authorite of this preſent Parliament, That euery Ouerſeer of Cloth, appointed by any former Law, now in force, to fixe vnto any kinde of Clothes a Seale of lead, ſhall from, and after forty dayes, next after the end of this preſent Seſſion of Parliament, vpon the penalty of their reſpectiue Recognizance taken, or to be taken, by vertue of the ſayd Statute, made in the nine and thirtieth yeare of the reigne of the ſayd Queene Elizabeth, or of any other Statute, engraue or ſet, or cauſe to bee engraued or ſet, in and vpon euery of their reſpectiue Seales of lead, which they ſhall fixe vnto any Cloth, by them reſpectiuely to be ſealed, his, or their Chriſtian and Surname; and that no Cloth or Clothes to be ſealed with any Seale of Lead, which ſhall want ſuch engrauing or print, as aforeſayd ſhall be taken or allowed to bee ſufficiently ſealed, within the compaſſe of any former Law or Statute: And furthermore, where-

Euery Ouerſeer of cloth ſhall ſet his name vpon the ſeale of Cloth.

as of late yeares diuers ſubtill and naughty meanes and deuices haue beene inuented and practiſed for the preſſing of woollen Cloth of all ſorts, by heating of thicke boards or plankes, and laying the ſame vnder and aboue the Cloth, in the cold preſſe, and alſo by putting of thin, or ſeeling boards, and paſte-boards, being made very hot, into the cuttles or plates of Clothes, and then preſently putting the ſame into a cold preſſe, and by diuers other cunning ſleights and inuentions, by which deceitfull practiſes and deuices, the Chapmen or buyers of the Woollen Cloth of this Kingdome are deceiued, and greatly wronged, and the woollen Cloth of this Kingdome it ſelfe is diſgraced, and held and reputed very deceitfull, to the great preiudice and ſcandall of the Cloth of this Kingdome: Bee it further enacted by the authority of this preſent Parliament, That all and euery the preſſing of any kind or ſort of woollen Cloathes, by or with ſuch ſubtill and deceitfull meanes as aforeſayd, or by, or with any other the like ſubtill or deceitfull meanes or deuice, by or with any heate of fire, which ſhall bee vſed or practiſed at any time or times after the end of this preſent Seſſion of Parliament, ſhall bee taken, and ſhall be expounded and adiudged to bee preſſing with a hot preſſe, and ſhall bee puniſhed and puniſhable with the like forfeitures, and in like ſort, to all intents and purpoſes, as the preſſing with the hot preſſe is puniſhable by any former Law or Statute.

Preſſing of Clothes betweene hot plankes ſhall be puniſhed with like forf. as preſſing them with the hot preſſe.

St.5.Ed.6.6. The penalties for want of length, &c. of cloth ſhalbe diſtributed into three parts. St.5.Ed.6.6. 4.&5.P.& M.5. 27.El.17. 35.El 7.&9. 43.El.10. 4.Iac.2.

And be it further enacted by the authority aforeſayd, That all penalties and forfeitures for want of length, breadth, and weight of cloth or clothes, limited by any former Act now in force, or by this preſent Act, ſhall bee deſtributed into three equall parts, whereof one third part ſhall bee vnto the ſayd Ouerſeers and Searchers, finding and certifying the ſayd default of length, breadth, and weight as aforeſayd, to be recouered by them, at or in the generall quarter Seſſions of the Peace, to be holden for the County, Citie, or Towne corporate, where the offence therein ſhall happen to be done or committed, by Action of debt, bill, plaint, or information, wherein no eſſoine, protection, priuiledge or wager of law ſhall be allowed: And the other parts thereof ſhall be vnto the poore of the Pariſh where the ſayd Cloth or Clothes ſhall bee made, to be leuyed by way of Diſtreſſe, and ſale of the offendors goods, in default of ſufficient diſtreſſe, rendring to the party the ouerplus by the Church-wardens and Ouerſeers of the poore of euery ſuch Pariſh, from time reſpectiuely, (which ſaid Church-wardens and Ouerſeers are in ſuch manner to accompt for the ſame, as for any other ſummes, which are by them to be collected to the vſe of the poore, by force of the ſayd Statute made in the foreſayd three and fortieth yeare of the reigne of the ſayd late Queene, are by them to bee leuied and accompted for:) The ſayd former Act, or any other Act to the contrary in any wiſe notwithſtanding,: This Act to continue till the end of the firſt Seſſion of the next Parliament. 3. Car. 4. Continued vntill the end of the firſt Seſſion of the next Parliament. Stat. 5.Ed.6.6. 4.& 5.P.& M.5. 8.El.12. 27.El.17. 35.El.7.& 9. 34. El.10. 4.Iac.2.

43.El.2.

CAP. XIX.

A further deſcription of a Bankrupt. The Statutes of 13.El.7. *and* 1. Iac.15. *enlarged.*

FOraſmuch as dayly experience ſheweth, that the number and multitude of Bankerupts doe increaſe more and more, and alſo the fraudes and deceits inuented and practiſed for the auoyding and deluding, the penalties of the good Lawes in that behalfe already made, and the remedie by them prouided: And for that diuers defects are dayly found in the former Statutes made againſt Bankrupts, both in the deſcription of a Bankrupt, as alſo in the power giuen to the Commiſſioners for the diſcouery and diſtributing the Bankrupts eſtate, to the great encouragement of euill minded perſons, the hinderance of traffique and commerce, the great decay, ouerthrow, and vndoing of many Clothiers, by whom many thouſands of the naturall borne Subiects of this Realme, bee from time to time in all parts of this kingdome ſet on worke: All which doe tend to the generall hurt of this Realme: For remedy whereof, bee it enacted by the Kings moſt excellent Maieſty, the Lords Spirituall and Temporall, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and ſingular the aforeſaid Statutes and Lawes heretofore made againſt Bankrupts, and for reliefe of Creditors, ſhall bee in all things largely and beneficially conſtrued and expounded for the ayd, helpe, and reliefe of the Creditors of ſuch perſon or perſons as already be, or hereafter ſhall become Bankrupt.

Laws made againſt Bankrupts ſhalbe beneficially conſtrued for the Creditors

who ſhalbe deemed a Bankrupt.

And that all and euery perſon and perſons vſing or that ſhall vſe the trade of Merchandize, by way of bargaining, exchange, battering, chieueſance, or otherwiſe in groſſe, or by retaile, or ſeeking his, or her liuing, by buying and ſelling, or that ſhall vſe the trade or profeſſion of a Scriuener, receiuing other mens moneys or eſtates into his truſt or cuſtody, who at any time after the end of this preſent Seſſion of Parliament, ſhall either by himſelfe, or others by his procurement, obtaine any protection or protections, other than ſuch perſon or perſons as ſhall be lawfully protected by the priuiledge of Parliament, or ſhall preferre or exhibit vnto his Maieſty, his Heires or Succeſſors, or vnto any of the Kings Courts, any Petition or Petitions, Bill or Billes againſt

gainſt his or her Creditor or Creditors, or any of them, thereby deſiring or endeauouring to compell or enforce them, or any of them, to accept leſſe than their iuſt and principall debts, or to procure time, or longer dayes of payment, than was giuen at the time of their originall contracts, or being indebted to any perſon or perſons in the ſumme of one hundred pounds or more, ſhall not pay, or otherwiſe compound for the ſame, within ſixe moneths next after the ſame ſhall grow due, and the Debtor be arreſted for the ſame, or within ſixe moneths after an originall Writ ſued out to recouer the ſayd debt, and notice thereof giuen vnto him, or left in writing, at his, or their dwelling houſe, or laſt place of aboad, or being arreſted for debt, ſhall after his or her arreſt, lie in priſon two moneths or more, vpon that, or any other arreſt or detention in priſon for debt, or being arreſted for the ſumme of one hundred pounds or more, of iuſt debt or debts, ſhall at any time after ſuch arreſt, eſcape out of priſon, or procure his enlargement, by putting in common or hired Bayle, ſhall be accounted and adiudged a Bankrupt to all intents and purpoſes: And in the ſayd caſes of arreſt, or lying in priſon for ſuch debt or debts, or getting forth by common or hired Bayle, from the time of his or her ſayd firſt arreſt.

And bee it further enacted by the authority of this preſent Parliament, That the like Commiſſions, Orders, Benefits, and Remedies, which are and be prouided and limited by the ſayd former Acts of Parliaments, made in the thirteenth yeare of the late Queene Elizabeth, and in the firſt yeare of the reigne of our Soueraigne Lord the Kings Maieſty, againſt any Bankrupts in them, or either of them deſcribed, or for, or concerning his, her, or their Lands, Tenements, Hereditaments, Fees, Annuities, Offices, Goods, Chattels, Wares, Merchandize and Debts, or any of them, ſhall and may bee had, purſued, taken, and expounded againſt ſuch perſon and perſons as are herein, and hereby declared, deſcribed, or expreſſed to be Bankrupts, and againſt his, her, and their Lands, Tenements, Hereditaments, Fees, Annuities, Offices, Goods, Chattels, Wares, Merchandize and Debts, in ſuch manner and forme, as the ſame ought, and might haue beene, if the perſons herein declared, deſcribed, or expreſſed to bee Bankrupts, had beene by the ſayd Statutes, or either of them, deſcribed to bee Bankrupts, to all intents and purpoſes whatſoeuer.

Cōmiſſions, orders, &c. prouided by 13. El. 7 & 1. Iac. 15. ſhalbe purſued againſt him that is deſcribed to be a Bankrupt by this Act.

And bee it further enacted by the authority aforeſayd, That the ſame orders, benefits and remedies, which are, and be prouided and limited by this preſent Act, againſt any Bankrupts, in, or by this Act declared, deſcribed, or expreſſed to bee Bankrupts, or for, or concerning his, her, or their Lands, Tenements, Hereditamnnts, Fees, Annuities, Offices, Goods, Chattels, Wares, Merchandizes and Debts, or any of them, or the diſcouery of them, or any of them, ſhall from henceforth be had, purſued, taken and expounded againſt ſuch perſon and perſons, as are declared or expreſſed to bee Bankerupts, by the ſayd former Acts of Parliaments, or either of them, and againſt his, her, and their Lands, Tenements, Hereditaments, Fees, Annuities, Offices, Goods, Chattels, Wares, Merchandizes and Debts, in ſuch manner and forme, as the ſame ought and might haue beene, if the perſons in the ſayd former Statutes, or either of them deſcribed to bee Bankerupts, had beene mentioned and deſcribed to bee Bankerupts, in, and by this preſent Act.

Orders, &c. prouided by this Act ſhall be purſued againſt him that is deſcribed to be a Bankrupt by 13. El. 7 & 1. Iac. 15.

And whereas by the former Lawes, the Commiſſioners appointed, haue power to examine the Bankerupt himſelfe, and ſuch perſon or perſons, as are ſuſpected to haue, or detaine any of the eſtate, goods or chattels of the Bankerupts, but ſome doubt hath beene made whether the Commiſſioners haue power to examine the wiues of the Bankerupts touching the ſame, by reaſon whereof the Bankrupts wiues doe dayly conceale, and conuey away, and cauſe to be conueyed away much part of their huſbands moneys, wares, goods, merchandize and other eſtate, to perſon or perſons vnknowne to any, but ſuch wiues, by reaſon whereof much of the Bankrupts eſtate is concealed, and detained from the Creditors.

For clearing therefore the ſayd doubt, and auoyding the inconueniences aforeſayd, Bee it declared and enacted by the authority aforeſayd, That after ſuch time, as any perſon ſhall by the ſayd Commiſſioners, executing the ſayd Commiſſion, or the greater part of them, bee lawfully adiudged or declared to bee a Bankrupt, the ſayd Commiſſioners executing ſuch Commiſſion, ſhall haue power and authority to examine vpon oath, the wife and wiues of all, and euery ſuch Bankrupt, for the finding out, and diſcouery of the eſtate, and eſtates, goods, and chattels of ſuch Bankrupt, or Bankrupts, concealed, kept or diſpoſed of, by ſuch wife or wiues, in their owne perſons, or by their owne act or meanes, or by any other perſon or perſons. And that ſhee and they, the ſayd wife and wiues, ſhall incurre ſuch danger and penalty for not comming before the ſayd Commiſſioners, or for refuſing to bee ſworne and examined, or for not diſcloſing the truth vpon her, or their examination, or examinations, as in, and by the ſayd former Lawes, or either of them is alreadie made, and prouided againſt any other perſon, or perſons in like caſes.

The Bankrupts wife may be examined by the Cōmiſſioners

And be it further enacted by the authority aforeſayd, That if any Bankrupt ſhall vpon his, or her examination, or examinations to bee taken before the ſayd Commiſſioners, executing the ſaid Commiſſion, bee found fraudulently, or deceitfully to haue conueyed away his, or her Goods, Chattels, Lands, Tenements, Offices, Fees, Rents or Annuities, or other Eſtate, or any part thereof, to the value of twenty pounds or aboue, to the end & purpoſe to hinder the execution of this

The Bankrupt that fraudulently concealeth his goods or rendreth not ſome iuſt reaſon why he became Bankrupt, ſhalbe ſet vpon the Pillory, & loſe one of his eares.

Statute, or of any other the aforeſayd Statutes, or thereby to defraud, delay, or hinder his or her Creditors of the ſame, and ſhall not vpon his or her examination, diſcouer vnto the ſayd Commiſſioners, and (if it lye in his or her power) deliuer vnto the ſayd Commiſſioners, all that eſtate, Goods and Chattels, ſo fraudulently, and deceitfully conueyed away, as aforeſayd, or by him or her, his or her meanes, kept or detained from the ſayd Commiſſioners, or that cannot make it appeare vnto the ſayd Commiſſioners that hee or ſhee hath ſuſtained ſome caſuall loſſe, whereby hee or ſhee is diſabled to pay, what he or ſhee then owed, ſhall or may bee indicted for ſuch fraud or abuſe, at the Aſſiſes or generall Seſſions, to be holden before the Judges of Aſſiſe, or Juſtices of the Peace of the County or place, where hee or ſhee ſhall become Bankrupt: And if vpon ſuch Indictment or Indictments, the Bankrupt be thereof conuicted, hee or ſhee ſo conuicted, ſhall be ſet vpon the Pillory in ſome publike place, for the ſpace of two houres, and haue one of his or her eares nayled to the Pillory, and cut off.

The Commiſſioners may breake open the Bankrupts doores, &c.

And for that ſome doubt is conceiued, whether the Commiſſioners in caſe of reſiſtance, haue power by the former Lawes, to breake open, or cauſe to be broken open, the Houſe or Houſes of ſuch Bankrupts, which if they haue not, the remedies by the former Lawes giuen, will bee to little effect: Bee it therefore enacted, That in execution of the ſayd Commiſſion, it ſhall be lawfull, to, & for the ſayd Commiſſioners, or the greater part of them, or any other perſon or perſons, Officer or Officers, by them, or the greater part of them, to be deputed and appointed by their Warrant or Warrants, vnder their hands and ſeales, to breake open the Houſe or Houſes, Chambers, Shops, Warehouſes, Doores, Trunkes or Cheſts of the ſayd Bankrupt, where the ſayd Bankrupt, or any of his or her Goods or Eſtate, ſhall bee, or reputed to bee, and to ſeize vpon, and order the Body, Goods, Chattels, ready Money, and other Eſtate of ſuch Bankrupt, as by the ſayd former Lawes are limited and appointed, whether it bee by impriſonment of his or her body, or otherwiſe, as to the ſaid Commiſſioners or the greater part of them, ſhall bee thought meete.

The Bankrupts goods ſhalbe ratably diuided notwithſtanding any Judgement, Recognizance &c.

And for the better diuiſion and diſtribution of the Lands, Tenements, Hereditaments, Goods, Chattels, & other Eſtate of ſuch Bankrupt, to, and amongſt his or her Creditors, Be it enacted that the Commiſſioners, or the greateſt part of them, ſhall, and may examine vpon oath, or by any otherwaies or meanes, as to them ſhall ſeeme meete, any perſon or perſons for the finding out, and diſcouery of the truth, and certainty of the ſeuerall debts due, and owing, to all ſuch Creditor and Creditors, as ſhall ſeeke reliefe by ſuch courſe of Commiſſion to be ſued forth, as aforeſayd: And that all and euery Creditor and Creditors, hauing ſecurity for his, or their ſeuerall debts; by Judgement, Statute, Recognizance, ſpecialtie with penalty or without penalty, or other ſecurity, or hauing no ſecurity, or hauing made Attachment in London, or any other place, by vertue of any cuſtoms there vſed, of the Goods and Chattels of any ſuch Bankrupt, whereof there is no Execution or Extent ſerued and executed, vpon any the Lands, Tenements, Hereditaments, Goods, Chattels, and other eſtate of ſuch Bankerupt, before ſuch time, as he or ſhe ſhall, or do become Bankerupt, ſhall not be relieued vpon any ſuch Judgement, Statute, Recognizance, Specialty, Attachments, or other Security, for any more than a ratable part of their iuſt and due debts, with the other Creditors of the ſayd Bankrupt, without reſpect to any ſuch penalty, or greater ſumme contained in any ſuch Judgement, Statute, Recognizance, Specialty, with Penalty, Attachment or other Security.

The Commiſſioners may proceed, when the Bankrupt by fraud makes himſelfe Accomptant to the King.

And be it further enacted, that if it ſhall happen, any the Lands, Tenements, Goods, Chattels, Debts, or other eſtate of of any Bankrupt, to be extended, after ſuch time as hee, or ſhee is become a Bankrupt, by any perſon or perſons, vnder colour or pretence, of his or their being an Accomptant, or any way indebted vnto our Soueraign Lord the Kings Maieſty, his heires or ſucceſſors, that then it ſhall be lawfull, to, and for the ſayd Commiſſioners, to examine vpon oath, whether the ſayd Debt were due to ſuch Debtor or Accomptant, vpon any bargaine or contract originally made, betwixt ſuch Accomptant, and the ſayd Bankrupt, the ſayd Debtor or Accomptant, and his, or their ſeruants: And if ſuch bargaine or contract was originally made, to, and with any other perſon or perſons, then the ſayd Debtor or Accomptant, or for the vſe and truſt of any other perſon or perſons, then it ſhall and may be lawfull, to and for the ſayd Commiſſioners, or the greater part of them to order and diſpoſe of all ſuch Lands, Tenements, Hereditaments, Goods, Chattels, and Debts ſo extended, as aforeſayd, to and for the vſe of the Creditors, which ſhall ſeeke reliefe by the ſayd Commiſſion; And that the order and diſpoſition of the ſayd Commiſſioners, or the greater part of them, ſhall be good and auaileable againſt the ſayd extent, and againſt all perſons claiming, from, by, or vnder the ſayd extent: And that ſuch perſon and perſons, to whom the ſayd Lands, Tenements, Goods and Chattels ſo extended, ſhall bee bargained, ſold, granted, or aſſigned by the Commiſſioners aforeſaid, or the greater part of them, ſhall haue good remedy, to haue, demande, and recouer the ſame, againſt ſuch perſon and perſons, who ſhall detaine the ſame: And for that it often falles out, that many perſons before they become Bankerupts, doe conuey their Goods to other men, vpon good conſideration, yet ſtill doe keepe the ſame, and are reputed the owners thereof, and diſpoſe the ſame as their owne:

Be it enacted, that if at any time hereafter, any perſon or perſons ſhall become Bankrupt, and at ſuch time as they ſhall ſo become Bankrupt, ſhall by the conſent and permiſſion of the true owner, and proprietary, haue in their poſſeſſion, order, and diſpoſition, any Goods, or Chattels, whereof they ſhall be reputed owners, and take vpon them the ſale, alteration, or diſpoſition, as owners, that in euery ſuch caſe, the ſayd Commiſſioners, or the greater part of them, ſhall haue power to ſell and diſpoſe the ſame, to, and for the benefit of the Creditors, which ſhall ſeeke reliefe by the ſayd Commiſſion, as fully as any other part of the eſtate of the Bankerupt: And for the better payment of debts, and diſcouraging men to become Bankrupts:

Goods in the poſſeſſion &c. of the Bankrupt are liable to pay his debts, notwithſtanding any former graunt, &c.

Be it further enacted, that the ſayd Commiſſioners, or the greater number of them, ſhall haue power by vertue of this Act, by deede indented, and enrolled within ſixe moneths after the making thereof, in ſome of his Maieſties Courts of Record at Weſtminſter, to grant, bargaine, ſell and conuey any Manors, Lands, Tenements, or Hereditaments, whereof any Bankrupt is, or ſhall be in any waies ſeized of any eſtate, in taile, in poſſeſſion, reuerſion or remainder, and whereof no reuerſion, or remainder is, or ſhall be in the Kings Maieſty, his Heires or Succeſſors, of the gift or prouiſion of his Maieſty, his Progenitors, his Heires, or Succeſſors, to any perſon or perſons, for the reliefe and benefit of the Creditors of all ſuch Bankrupts; And that all and euery ſuch grants, bargaines, ſales, and conueyances ſhall be good and auaileable in the Law, to ſuch perſon or perſons, and their heires, againſt the ſayd Bankrupts, and againſt all and euery the Iſſues of the body of ſuch Bankrupts, and againſt all, and euery perſon and perſons, claiming any eſtate, right, title, or intereſt, by, from, or vnder the ſayd Bankrupts, after ſuch time as ſuch perſon ſhall become Bankrupt, and againſt all and euery other perſon and perſons whatſoeuer, whom the ſayd Bankrupt by common recouery, or other wayes or meanes might cut off, or debarre from any remainder, reuerſion, rent, profit, title or poſſibility, into, or out of any the ſayd Manors, Lands, Tenements, or Hereditaments.

A graunt of the intailed lands of the Bankrupt ſhalbe good.

And be it further enacted, That if any perſon that now is, or hereafter ſhall become a Bankerupt, haue heretofore granted, conueyed, or aſſured, or ſhall at any time hereafter, graunt, conuey, or aſſure any Lands, Tenements, Hereditaments, Goods, Chattels, or other eſtate, vnto any perſon or perſons, vpon condition, or power of redemption, at a day to come, by payment of money, or otherwiſe, That it ſhall and may be lawfull, to, and for the ſayd Commiſſioners, or the greater part of them, before the time of the performance of ſuch condition, to aſſigne and appoint, vnder their hands and ſeales, ſuch perſon or perſons, as they ſhall thinke fit, to make tender or payment of money, or other performance, according to the nature of ſuch condition, as fully as the Bankrupt might haue done; And that the ſayd Commiſſioners, or the greater part of them, ſhall after ſuch tender, payment, or performance, haue power to ſell, and diſpoſe of ſuch Lands, Tenements, Hereditaments, Goods and Chattels, and other eſtates ſo granted, conueyed, or aſſured vpon condition, to, and for the benefit of the Creditors, as fully, as they may ſell or diſpoſe of any the eſtate of the Bankrupt.

Conditionall eſtates, granted by the Bankrupt, may be redeemed by the Cõmiſſioners.

Prouided further, that no Purchaſor, for good and valuable conſideration, ſhall be impeached by vertue of this Act, or any other Act heretofore made againſt Bankrupts, vnleſſe the Commiſſion to proue him, or her a Bankrupt, bee ſued forth againſt ſuch Bankrupt within fiue yeares after he, or ſhee ſhall become a Bankrupt.

The Commiſſion ſhalbe ſued forth within fiue yeares.

Prouided further, and be it enacted by the authority aforeſayd, that this Act, and all other Acts of Parliament, heretofore made againſt Bankrupts, ſhall extend to Strangers borne, as well Aliens, as Denizens, as effectually, as to the naturall borne Subiects, both to make them ſubiect to the Lawes as Bankrupts, as alſo to make them capable of the benefit or contribution, as Creditors by thoſe Lawes. Stat. 34. H. 8. 4. 13. El. 7. 1. Iac. 15.

Strangers ſhal take aduantage of this, & all other Lawes againſt Bankrupts.

Cap. XX.

None ſhall prophanely ſweare or curſe.

Foraſmuch as all prophane ſwearing and curſing is forbidden by the word of God; Be it therefore enacted, by the authority of this preſent Parliament, that no perſon or perſons ſhall from henceforth prophanely ſweare or curſe: And that, if any perſon or perſons ſhall at any time or times hereafter offend herein, either in the hearing of any Iuſtice of Peace of the County, or of any Mayor, Iuſtice of Peace, Bayliffe, or head Officer of any City, or Towne corporate, where ſuch offence is, or ſhall be committed, or ſhall thereof be conuicted by the oathes of two witneſſes, or by confeſſion of the party, before any ſuch Iuſtice of Peace of the County, or head Officer or Iuſtice of the Peace in the Citie or Towne corporate where ſuch offence is, or ſhall bee committed; To which end euery Iuſtice of Peace, and euery ſuch head Officer ſhall haue power by this Act to miniſter the ſame oath: That then euery ſuch offendor ſhall for euery time ſo offending, forfeit and pay to the vſe of the poore of that Pariſh, where the ſame offence is, or ſhall bee committed, the ſumme of twelue pence. And it ſhall alſo be lawfull for the Conſtable, Church-wardens, and Overſeers of the poore of that Pariſh, by Warrant from ſuch Iuſtice of Peace,

He that prophanely curſeth, or ſweareth ſhall forfeit xii.d. to the vſe of the poore.

The conſtable, &c. ſhall leuy the ſayd forfeiture.

or head Officer, to leuy the ſame ſumme and ſummes of money, by diſtreſſe, and ſale of the offendors goods, rendring to the party the ouerplus. And in defect of ſuch diſtreſſe, the offendor, if he or ſhee be aboue the age of twelue yeares, ſhall by warrant from ſuch Iuſtice of the Peace, or head Officer, be ſet in the Stockes by three whole houres; But if the offendor be vnder the age of twelue yeares, and ſhall not forthwith pay the ſayd ſumme of twelue pence, Then he or ſhe, by Warrant of ſuch Iuſtice of Peace, or head Officer, ſhall be whipped by the Conſtable, or by the parent or maſter in his preſence.

The Officer being ſued ſhal plead the generall Iſſue.

And bee it further enacted, that if any ſuch offendor ſhall commence any Suit in Law againſt any Officer or other, for ſuch diſtraining, ſale of goods, whipping, or ſetting in the Stockes, the Defendant or defendants may plead the generall Iſſue, and giue the ſpeciall matter in euidence to the Iury at the tryall. And if it be found againſt the Plaintiffe or that the Plaintiffe be nonſuit, the Defendant or Defendants ſhall be allowed good Coſts, to be taxed by the Court.

This offence ſhalbe proſecuted within 20. dayes.

Prouided neuertheleſſe, that euery offence againſt this Law, ſhall be complained of, and proued, as aboueſayd, within twenty daies after the offence committed.

This act ſhall be read in the Church twice euery yeare.

And it is alſo enacted, that this Act ſhall be read in euery Pariſh Church by the Miniſter thereof, vpon the Sunday after Euening prayer twice in the yeare.

Prouided that this Act ſhall continue vntill the end of the firſt Seſſion of the next Parliament, and no longer. 3. Car. 4. Continued vntill the end of the firſt Seſſion of the nex Parliament.

Cap. XXI.

Hoſtlers, or Inneholders ſhall make no horſebread.

37.Ed.3.3.

13.R.2.8.

4.H.4.25.

32.H.8.41.

The aforeſaid Stat repealed.

Hoſtlers, &c. ſhall make no horſebread.

They ſhall ſell prouander according to the market.

BEe it enacted by the authority of this preſent Pariament, that one Statute made in the ſeuen and thirtieth year of the reigne of the late King Edward the third, made for the great dearth that then was in many places of the Realme, of Poultry, and concerning the prizes of Poultry, And ſo much of one Statute made in the thirteenth yeare of the reigne of King Richard the ſecond, as prouideth, that no Hoſtler make horſebread in his Hoſtery, nor without, and that the Aſſiſe thereof ſhall bee kept, and that the weight bee reaſonable, after the prices of the Corne in their Markets, and that the ſame Hoſtlers ſhall ſell Hay & Oates, after a reaſonable price, ſo that they take but one halfe-peny ouer the common price in the Market: And ſo much of one Statute made in the fourth yeare of the reigne of the late King Henry the fourth, as doth concerne the putting in execution of the part of the Statute, made in the thirteenth yeare of the reigne of King Richard the ſecond, that is before ſpecified: And one Statute made in the two and thirtieth yeere of the reigne of King Henry the eighth, titled, An Act concerning baking of horſebread, be from henceforth repealed, made voyd, and of none effect. And bee it further enacted, That no Hoſtler or Inneholder, ſhall at any time after the end of this preſent Seſſion of Parliament, make horſebread in his Hoſtery, nor without, but Bakers ſhall make it, and the Aſſize ſhall bee kept, and that the weight be reaſonable, after the price of the Corne and Graine in the Markets adioyning, and the Hoſtlers or Inneholders ſhall ſell their horſebread and their Hay, Oates, Beanes, Peaſe, Prouander, and alſo all kind of Victuall, both for man and beaſt, for reaſonable gaine, hauing reſpect to the prices, for which they ſhall be ſold in the Markets adioyning, without taking any thing for Litter.

They may make horſebread, when no baker dwels in the ſame towne.

Prouided alwaies, and bee it enacted by the authority aforeſayd, That from henceforth it may and ſhall be lawfull for euery Hoſtler and Inne-keeper, dwelling in any Towne or Village, being a throughfare, or a common paſſage within this Realme, and being no Citie, Towne corporate, or Market towne, wherein any common Baker, exerciſing the occupation of Baking, and that hath beene apprentice at the ſayd occupation by the ſpace of ſeuen yeares, is dwelling, To make within his houſe horſebread, ſufficient, lawfull, and of due aſſize, according as the price of Graine and Corne now is, and hereafter ſhall be from time to time: Any thing herein contained to the contrary notwithſtanding.

If they make it not of due aſſize, they ſhalbe puniſhed by the Iuſtices, &c.

And be it further enacted by the authority aforeſayd, That if the horſebread which any of the ſayd Hoſtlers or Inneholders ſhall make, be not ſufficient, lawfull, and of due aſſize, according to the price of Graines and Corne, as aboueſayd; Or that if any of them ſhall offend in any thing contrary to this Act, then the Iuſtices of Aſſiſe, Iuſtices of Oyer and Terminer, Iuſtices of the Peace in euery Shire, Liberty or Franchiſe within this Realme, Sheriffes in their turnes, and Stewards in their Leetes and Law dayes, ſhall haue full power and authority to enquire, heare and determine the ſayd defaults and offences of the ſayd Hoſtlers and Inneholders, hereafter to be committed againſt the forme of this preſent Statute. And the Hoſtler or Inneholder for the firſt offence, ſhall be fined according to the quantitie of the offence; And if being once conuicted, hee ſhall againe offend, for the ſecond offence hee ſhall be impriſoned for the ſpace of one moneth, without Baile or Maineprize; And if hee ſhall a third time offend, being thereof conuicted, hee ſhall ſtand vpon the pillory, without being redeemed for money; And if hee ſhall offend after the Judgement of the pillory giuen, he ſhall be fore-iudged for keeping any Inne againe.

CAP. XXII.

The Statutes of 3. *&* 4. Ed. *6.* 21. *and* 5. *&* 6. Ed. *6.* 14. *explained.*

WHereas in a Parliament holden at Weſtminſter, in the third and fourth yeares of the Reigne of the moſt excellent Prince of happy memorie, King Edward the ſixth, It was enacted, That no perſon or perſons after the Feaſt of the Annunciation of our Lady, then next comming, ſhould buy to ſell againe any Butter or Cheeſe, vnleſſe he or they ſold the ſame againe by retaile in open Shop, Faire or Market, and not in groſſe, vpon paine of forfeiture of double the value of the ſame Butter and Cheeſe ſo ſold, contrary to the tenor of the ſaid Act:

3. & 4. Ed. 6, 21.

In and by which Act it is prouided and enacted, That the ſaid word of Retaile mentioned in the ſaid Act ſhould be expounded, declared and taken onely where a Wey of Cheeſe, or a Barrell of Butter, or a leſſe quantitie, and not aboue ſhould be ſold at one time to any perſon or perſons in open Shop, Faire or Market; and that to be done without fraud or couin:

And whereas alſo by one other Act made in a Parliament holden at Weſtminſter, in the fifth yeare of the Reigne of the ſaid late King, It was enacted, (amongſt other things) That whatſoeuer perſon or perſons ſhould engroſſe or get into his hands any Butter or Cheeſe within the Realme of England, to the intent to ſell the ſame againe, ſhould be accepted, reputed and taken to be an vnlawfull Ingroſſer, and ſhould loſe and forfeit the value of the ſaid goods: In which Act there is no Prouiſo for Retaylers at all; By occaſion whereof, the Traders for Butter and Cheeſe for the City of London are continually vexed and moleſted by common Informers, ſometimes vpon the one Statute, and ſometimes vpon the other, to their great loſſe and charge:

5. & 6, Ed. 6, 14.

Now for that by daily experience it is found, that the Traders of Butter and Cheeſe for the Citie of London, which fetch and prouide the ſaid Butter and Cheeſe out of diuers Counties, vpon their great trauell, charge and aduenture for prouiſion of the ſaid Citie, and of others thereunto reſorting, and there ſell the ſame in their ſhops in open market, not onely for the generall vſe and ſeruice of the ſaid Citie, and the Countreys adioyning, but alſo for any occaſion which may be offered for the better expedition of his Maieſties ſeruice; As alſo for victualling of Ships which daily are victualled from this Port of London, which poſſibly cannot be performed by the ſmall quantities aforeſaid, and according to the ſaid Statute:

And whereas the common Informers finding that the letter of the ſaid Statute extendeth againſt ſuch as doe ſell aboue the quantity of a Wey of Cheeſe, or of a Barrell of Butter at one time, though it be in open Shop, Faire or Market; and that in the other Act no Prouiſo at all is made, as aforeſaid, for Retaylers, haue of late yeares much troubled the Traders of Butter and Cheeſe within the Citie of London, with many Informations, aſwell vpon the one Statute as the other, and haue gotten ſeuerall ſummes of money for compoſition of them, albeit they then were and are men that haue beene Apprentices, trained vp in the ſaid Trade, and haue no other liuing or trade of life, to their great hinderance and impoueriſhment:

For remedy whereof, be it enacted by the authority of this preſent Parliament, That the ſaid Acts, or any of them, or any other Statute, Law, Ordinance, or other prouiſion whatſoeuer heretofore, for, or concerning the ſale of Butter and Cheeſe in open Shop, Faire or Market, or the prouiding or buying of any Butter or Cheeſe, ſhall not in any wiſe extend to any perſon or perſons, being Cheeſe-mongers, or Tallow-chandlers, free of the ſaid Citie, and hauing bin brought vp as Apprentices by the ſpace of ſeuen yeares, trading in Butter and Cheeſe, for ſuch Butter and Cheeſe or either of them, as he or they ſhall vtter and ſell within London and the Liberties thereof, or within the Borough of Southwarke, or the Citie of Weſtminſter, for the victualling of any of the Shipping of his Maieſtie, his Heires or Succeſſors, or for the ſhips of any other his Maieſties ſubiects, or to ſuch Butter or Cheeſe which he or they ſhall ſell by any quantities at one time, and to one perſon, not exceeding foure Wey of Cheeſe, or foure Barrels of Butter, without fraud or couin, ſo as he or they ſell the ſame in open Shop, Faire or Market: Any thing in the ſaid Acts and Statutes, or any of them to the contrary notwithſtanding.

The aforeſaid Acts ſhall not extend to London, Weſtminſter, or Southwark.

Prouided neuertheleſſe, and be it enacted by the authority aforeſaid, That if the Juſtices of the Peace of any of the Counties of this Realme of England, or the Dominion of Wales, at their quarter Seſſions of any of the ſaid Counties, ſhall declare and publiſh in open Seſſions, that the Traders aforeſaid in Butter and Cheeſe ſhall forbeare to buy any Butter or Cheeſe, for any time within the ſaid Countie or Counties, or within any parts or places of the ſame, that then for and during the time of ſuch reſtraint, the ſaid Traders in Butter and Cheeſe that ſhall buy any ſuch Butter or Cheeſe, and ſell the ſame againe by retayle, contrary to any the Acts aforeſaid, ſhall not be freed of, or from any the penalties of the ſaid Acts, but ſhall be ſubiect to the ſame, as if this Act had neuer beene made: This Act to continue vnto the end of the firſt Seſſion of the next Parliament. 3. Car. 4. Continued vntill the end of the firſt Seſſion of the next Parliament. St. 2. & 3. Ph. &. M. 5. St. 19. H. 6. 8.

The Juſtices of Peace may reſtraine the Traders in Butter and Cheeſe to buy thoſe Commodities in the Country.

CAP. XXIII.

Suites commenced in inferiour Courts ſhall not be remoued into ſuperiour Courts, vnleſſe, &c.

WHereas there now are, and long time haue béene diuers Courts of Record in diuers Cities, Liberties, Townes corporate and elſe-where, ſome of them being farre remote from Weſtminſter, others from the Court of grand Seſſions in Wales, which were principally ordained for the eaſe and quiet of ſuch as ſhould haue occaſion to ſue there for debts, duties and wrongs, ſo that they might with ſmall expences, receiue iuſtice according to the merits of their cauſes, in thoſe inferiour Courts, without being compelled to trauell to Weſtminſter, or the Court of the great Seſſions in Wales: But of late diuers of his Maieſties louing Subiects, hauing for iuſt and true Debts, and other good and lawfull cauſes, commenced Suites in ſuch inferiour Courts, and proſecuted their Actions and Suites many times ready for tryall, and the ſame cauſes being for the moſt part but of ſmall value, haue béene remoued into ſome of his Maieſties Courts at Weſtminſter, or the Court of the great Seſſions in Wales, and being remanded by Procedendo into the ſame inferiour Courts, where the Action or Suite was firſt commenced, the ſame haue béene againe oftentimes remoued into the ſame, or other of his Maieſties Courts at Weſtminſter, or Court of the great Seſſions in Wales, to the intolerable delay of Iuſtice, and great expences of money, and loſſe and trouble to thoſe which iuſtly and honeſtly by ſuch Actions and Suites, haue ſought onely to recouer or get ſatisfaction for Debts, duties or wrongs owing, due or done vnto them:

No writ to remoue a ſuit commenced in an inferiour Court ſhall be obeyed, vnleſſe it be deliuered vnto the Steward, &c. of the ſame Court before Iſſue or Demurrer ioyned.

For remedy whereof, Be it enacted by the Kings moſt Excellent Maieſtie, the Lords Spirituall and Temporall, and by the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That no Writ or Writs of habeas corpus, Certiorari, or any other Writ or Writs, Proces or Proceſſes whatſoeuer, other than Writs of Error or attaint to be ſued forth after the end of this preſent Seſſion of Parliament, by any perſon or perſons whatſoeuer, out of, or from any of his Maieſties Courts at Weſtminſter, or the Court of the great Seſſions in Wales, or out of any other Court or Courts, hauing, or pretending to haue power to award ſuch Writs or Proceſſes to ſtay or remoue any Action, Bill, Plaint, Suite, or Cauſe brought, commenced or depending, or hereafter to be brought, commenced or depending in any Court or Courts of Record, within any Citie, Libertie, Towne corporate, or elſe-where, which haue, or ſhall haue Iuriſdiction, power or authority to hold Plea in that Action, Bill, Plaint, Suite or Cauſe: The ſame cauſe of Action, Bill, Plaint or Suit ariſing or growing within the ſaid Citie, Libertie, Towne corporate, or Iuriſdiction, ſhall after the end of this preſent Seſſion of Parliament be receiued or allowed by the Steward or Stewards, Iudge or Iudges, or Officer or Officers of the Court or Courts, wherein, or to whom any ſuch Writ or Writs ſhall be directed and deliuered: but that he and they ſhall and may procéed in the ſaid cauſe or cauſes, as though no ſuch Writ or Writs were ſued forth or deliuered to him or them, except that the ſaid Writ or Writs be deliuered to the Steward or Stewards, Iudge or Iudges, Officer or Officers of the ſaid Court, before Iſſue or Demurrer ioyned in the ſaid cauſe or cauſes ſo depending, or to be depending in any ſuch Court of Record, in any Citie, Libertie, Towne corporate, or elſe-where, hauing power to hold ſuch Plea, ſo as the ſaid Iſſue or Demurrer bee not ioyned within ſixe wéekes next after the Arreſt or Apparance of the Defendant or Defendants to ſuch Action or Suite commenced.

A Suit once remanded ſhall neuer afterwards be remoued.

And bee it further enacted by the authority aforeſaid, That if any ſuch Action, Bill, Plaint, Suit or Cauſe, which is or ſhall hereafter be brought, commenced, or depending in any ſuch Court of Record in any Citie, Liberty, Towne corporate, or elſe-where, ſhall after the end of this preſent Seſſion of Parliament be remoued or ſtaid by any ſuch Writ or Writs, Proces or Proceſſes, to be ſued forth, or out of any of his Maieſties Courts at Weſtminſter, or the Court of the great Seſſions in Wales, or any other Court, as aforeſaid, that if afterwards the ſame Action, Bill, Plaint, Suit or Cauſe ſhall be remanded or ſent backe againe by any Writ or Writs of Procedendo, or other Writ whatſoeuer, that then the ſame Action, Bill, Plaint, Suit or Cauſe, ſhall neuer afterwards be remoued or ſtaid before Iudgement, by any Writ or Writs whatſoeuer to be ſued forth, or out of any of his Maieſties ſaid Courts at Weſtminſter, or the ſaid Court of great Seſſions of Wales, or any other Court, as aforeſaid: Any Law, Statute, Cuſtome, Uſage or Reſtraint to the contrary thereof in any wiſe notwithſtanding.

A Suite when the thing in demand exceedeth not fiue pounds, ſhall not be remanded.

And be it further enacted by the authoritie aforeſaid, That if in any Action, Bill, Plaint, Suit or Cauſe, not concerning Frée-hold or Inheritance, or Title of Land, Leaſe, or Rent, which ſhall be brought, commenced, or depending in any ſuch Court of Record, or any Citie, Libertie, Towne corporate, or elſe-where, if it ſhall appeare, or be laid in the Declaration, that the Debt, Dammages, or things demanded, doth, or ſhall not amount to, or excéede the ſumme of fiue pounds, That then ſuch Action, Bill, Plaint, Suite or Cauſe ſhall not be ſtayed, nor remoued into any of his Maieſties Courts at Weſtminſter, or other Court, as aforeſaid, by any Writ or Writs whatſoeuer, to be ſued or proſecuted forth, or out of his Maieſties ſaid Courts at Weſtminſter, or other Courts, as aforeſaid, other than Writs of Error or Attaint: Any Law, Statute, Uſage, Cuſtome or Reſtraint to the contrary in any wiſe notwithſtanding.

And be it further enacted by the authority aforeſaid, That if any Writ or Writs whatſoeuer, ſhall be after the end of this preſent Seſſion of Parliament granted, or ſued forth, or out of any of his Maieſties ſaid Courts at Weſtminſter, or Court of the great Seſſions in Wales, or other Court, contrary to the intent and meaning of this preſent Act, that then it ſhall and may be lawfull to, and for the Judge or Judges, and Officer or Officers, to whom ſuch Writ or Writs ſhall be directed or deliuered, to diſallow and refuſe the ſame, and to procéede, as if no ſuch Writ or Writs had béene granted or ſued out, or forth, as aforeſaid: Any Law, Statute, Uſage, Cuſtome, or Reſtraint to the contrary in any wiſe notwithſtanding.

Prouided alwayes, that this Act ſhall extend onely to ſuch Courts of Record, in Cities, Liberties, Townes corporate, and elſe-where, and for ſo long time onely, as there is or ſhall be an Utter-Barriſter of thrée yeares ſtanding at the Barre, of one of the foure Innes of Court, that is or ſhall be Steward, Under-ſteward, or Deputy-ſteward, Towne-clerke, or Judge, or Recorder of the ſame inferiour Court, or that is, or ſhall be from time to time Aſſiſtant to ſuch Judge or Judges of ſuch inferiour Courts, as ſhall not be Utter-Barriſters of ſuch ſtanding, as is aforeſaid, and there preſent, in which ſuch Actions, Billes, Plaints, Suits or Cauſes, is or ſhall be brought, commenced, or depending, and not of Counſell in any Action, Suite or Cauſe then depending in the ſame inferiour Court: Any thing in this preſent Act, or any Law, or other Statute, Uſage, Cuſtome, or Reſtraint to the contrary in any wiſe notwithſtanding.

This Act ſhal onely extend to Courts in Liberties, &c. and when the Steward is an Utter-barriſter.

Prouided that this act, or any thing therein contained, ſhall not extend to any Action, Bill, Plaint, Suite or Cauſe, wherein any ſuch Forreine or other Plea ſhall be pleaded, as could not be tryed or determined within the Juriſdiction of ſuch inferiour Courts.

This Act ſhal not extend to admit any forreine Plea.

Cap. XXIIII.

The lands of him that dies in execution ſhall be chargeable with the debt.

FOraſmuch as heretofore it hath béene much doubted and queſtioned, if any perſon being in Priſon, and charged in Execution, by reaſon of any Judgement giuen againſt him, ſhould afterwards happen to die in Execution, whether the party, at whoſe Suite, or to whom ſuch perſon ſtood charged in Execution at the time of his death, be for euer after concluded and barred to haue Execution of the Lands and Goods of ſuch perſon ſo dying:

And foraſmuch as daily experience doth manifeſt, that diuers perſons of ſufficiencie in Reall and Perſonall Eſtate, minding to deceiue others of their iuſt debt, for which they ſtood charged in Execution, haue obſtinately and wilfully choſen rather to liue and die in priſon, than to make any ſatisfaction according to their abilities: To preuent which deceit, and for the auoyding of ſuch doubts and queſtions hereafter, Bee it declared, explained and enacted by the Kings moſt excellent Maieſtie, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from, and after the end of this preſent Seſſion of Parliament, the party or parties, at whoſe Suite, or to whom any perſon ſhall ſtand charged in Execution for any Debt or Dammage recouered, his, or their Executors or Adminiſtrators may after the death of the ſaid perſon ſo charged, and dying in Execution lawfully ſue forth, and haue new Execution againſt the Lands and Tenements, Goods and Chattels, or any of them, of the perſon ſo deceaſed, in ſuch manner and forme to all intents and purpoſes, as he or they, or any of them might haue had by the Lawes and Statutes of this Realme, if ſuch perſon ſo deceaſed had neuer béene taken, or charged in Execution.

A new Execution may be awarded againſt the Lands of him that dies in Execution.

Prouided alwayes, and be it declared and enacted, that this Act ſhall not extend to giue liberty to any perſon or perſons, their executors or adminiſtrators, at whoſe ſuite or ſuites any ſuch party ſhall bee in Execution, and die in Execution, to haue, or take any new Execution againſt any the Lands, Tenements, or Hereditaments of ſuch party ſo dying in Execution, which ſhall at any time after the ſaid Judgement or Judgements be by him ſold bona fide, for the payment of any his Creditors, And the money which ſhall be paid for the Lands ſo ſold, either paid, or ſecured to be paid to any of his Creditors, with their priuity and conſent in diſcharge of his or their due Debts, or of ſome part thereof: Any thing before in this Act to the contrary thereof in any wiſe notwithſtanding.

This ſhall not extend to lands ſold bona fide.

Cap. XXV.

No aduantage ſhall be taken againſt the Kings Patentees, or Tenants, for non-payment of rent, &c.

Foraſmuch as the Kings Maieſtie, out of his gracious diſpoſition is, and euer hath béene auerſe from taking any aduantage, howſoeuer lawfull and iuſt, againſt any of his Subiects, growing by any Forfeiture, breach of condition, or ſtrict interpretation of his Highneſſe Grants, or Letters Patents, or the Grants or Letters Patents of any of his Royall Predeceſſors, of any Manors, Lands, Tenements, or Hereditaments, and yet the Grantées or Patentées deriuing their Eſtates, by, or from his Maieſtie, or his Predeceſſors, haue béene too apt and ready to exact the aduantage of ſuch Forfeiture, where his Maieſtie himſelfe, or his Predeceſſors haue not required the ſame, which hath béene euer held an vnequall and extreme courſe, and hath many times béene relieued by ſuites in Courts of equity, though with the great charge and trouble of the parties endangered thereby:

No aduantage ſhall be taken againſt the Patentees or Tenants of the King, for default of payment of Rent, &c.

For remedy whereof, aſwell where the King, as any of his Predeceſſors or Succeſſors hath granted, or ſhall grant the ſaid Manors, Lands, Tenements, or Hereditaments or any part thereof, or the reuerſion or any part thereof, to any other, as where the reuerſion, remainder, or eſtate thereof, is, or ſhall be in the Kings Maieſtie, or his Succeſſors, in the right of the Crowne of England, or Dutchie of Lancaſter, or otherwiſe; his Maieſty of his abundant grace towards his louing Subiects, is graciouſly pleaſed, that it be enacted, and be it enacted by the Kings moſt excellent Maieſtie, by, and with the aſſent of the Lords Spirituall and Temporall, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons, bodies politique or corporate, hauing, holding, or poſſeſſing, or which hereafter ſhall haue, hold, or poſſeſſe any Manors, Lands, Tenements, or Hereditaments, by vertue or colour of any originall Grant or Leaſe, or Aſſignement of the ſame, made by the Kings Maieſtie, or any of his Predeceſſors, or to be made by any of his Succeſſors, for any number of yeares, for life or liues, in Fée-tayle, or Fée-ſimple, or other eſtate, whereupon any rent, ſeruice, or other dutie, hath béene, is, or ſhall be reſerued, or payable with, or vnder any condition or limitation of Re-entry, Ceſſer, or to be voyd for default of payment of ſuch rent, or performance of ſuch ſeruice or duty, heretofore hath made, or any other by, from, or vnder whom he clayneth, hath made, or any which hereafter ſhall haue, hold, or poſſeſſe, ſhall make any default therein, and yet after ſuch default made, ſuch rent, ſeruice, or other duty hath béene, or ſhall bee anſwered, paid, or done vnto his Maieſty, or any of his Predeceſſors or Succeſſors, into his, or their Receit of the Exchequer, or Dutchy of Lancaſter, or Court of Wards, or to any other hauing authority to receiue the ſame, as the caſe ſhall require, before any aduantage of ſuch forfeiture or cauſe of forfeiture hath béene, or ſhall be taken, and before any Commiſſion awarded to enquire, or other Proces iſſued touching the ſaid forfeiture, or non-payment of Rent: That in all ſuch caſes, no aduantage ſhall be taken by his Maieſtie, his Heires, or Succeſſors, of, for, or by reaſon of any ſuch forfeiture, or cauſe of forfeiture.

And bee it further enacted, That no perſon or perſons clayming, or which afterwards ſhall claime, by, from, or vnder his Maieſty, or any of his Predeceſſors, or Succeſſors, at any time after ſuch cauſe or title of forfeiture giuen, ſhall in any wiſe haue or take any benefite or aduantage, by reaſon, meanes, or colour of ſuch default made, or to be made, but that euery ſuch eſtate forfeited, or forfeitable by meanes or occaſion of ſuch default of payment of rent, or performance of ſeruice, or other duty, ſhall be adiudged to continue and haue his being, as if no ſuch default or cauſe of forfeiture had béene had or made, Any Law, Cuſtome, or Vſage to the contrary thereof in any wiſe notwithſtanding.

Cap. XXVI.

It is Felonie to leuie a Fine, ſuffer a Recouery, &c. in anothers name not priuie thereto.

Whereas it is of late growne to be a great and generall grieuance to his Maieſties Subiects within the Realme of England, and the Dominion of Wales, that many lewd perſons of baſe condition, for very little reward or recompence, haue of late yeares vſed, and ſtill doe vſe to leuie Fines, and ſuffer Recoueries of Lands, and other Hereditaments, to knowledge Statutes, Recognizances, Bayles and Iudgements, in the name or names of any other perſon or perſons, not priuy or conſenting to the ſame, which hath, and daily doth turne to the great Inquietation, Charge, Trouble, and vndoing of many of the good ſubiects of this Kingdome: And the rather, for that there is no remedy in Law to reforme theſe and the like abuſes.

It ſhall be Felony to le-

For remedy whereof, Bee it enacted by the Kings moſt Excellent Maieſty, the Lords Spirituall and Temporall, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That all and euery perſon and perſons, which at any time after the end of this preſent Seſſion of Parliament, ſhall acknowledge, or procure to be acknowledged, any Fine or Fines, Recouery or Recoueries, Déed or Déeds inrolled, Statute or Statutes, Recognizance or Recognizances, Bayle or Bayles, Iudgement or Iudgements, in the name or names of any other perſon or perſons not priuie or conſenting to the ſame, and being thereof lawfully conuicted or attainted, ſhall be adiudged, eſtéemed and taken to be Felons, and ſuffer the paines of death, and incurre ſuch forfeitures and penalties as Felons in other caſes conuicted or attainted, doe by the Lawes of England loſe and forfeit, without the benefite or priuiledge of Clergie to be allowed to any ſuch offender or offenders. Prouided alwayes, That ſuch attainder ſhall not be any corruption of Blood nor loſſe of Dower to the Wife, but the next Heire ſhall haue the Lands, whereof ſuch perſons attainted died ſeized, and ſuch Wife her Dower, as if no ſuch Attainder had béene had.

uſe a Fine, ſuffer a Recouery by couin in anothers name.

This Felony ſhall not corrupt the blood, nor take away Dower.

Prouided alwayes, and be it likewiſe enacted by the authority aforeſaid, That this Act ſhall not extend to any Iudgement or Iudgements, acknowledged by any Attourney or Attourneys of Record, for any perſon or perſons, against whom any ſuch Iudgement or Iudgements ſhall be had or giuen.

An Atturney may doe it for another man.

CAP. XXVII.

The deſtroying and murthering of Baſtard Children preuented.

WHereas many lewd women that haue béene deliuered of Baſtard Children, to auoid their ſhame, and to eſcape puniſhment, doe ſecretly burie or conceale the death of their Children, and after, if the Childe be found dead, the ſaid women doe alleadge, that the ſaid Childe was borne dead, whereas it falleth out ſometimes (although hardly it is to be proued) that the ſaid Childe or Children were murthered by the ſaid women, their lewd Mothers, or by their aſſent or procurement.

For the preuenting therefore of this great miſchiefe, be it enacted by the authority of this preſent Parliament, That if any woman after one moneth next enſuing the end of this Seſſion of Parliament, be deliuered of any Iſſue of her body, Male or Female, which being borne aliue, ſhould by the Lawes of this Realme be a Baſtard, and that ſhée endeauour priuately, either by drowning, or ſecret burying thereof, or any other way, either by her ſelfe, or the procuring of others, ſo to conceale the death thereof, as that it may not come to light, whether it were borne aliue or not, but be concealed; In euery ſuch caſe, the ſaid Mother ſo offending ſhall ſuffer death, as in caſe of murther, except ſuch Mother can make proofe by one witneſſe at the leaſt, that the Childe (whoſe death was by her ſo intended to be concealed) was borne dead: And this Act to continue vntill the end of the firſt Seſſion of the next Parliament. 3. Car. 4. Continued vntill the end of the firſt Seſſion of the next Parliament.

It ſhall bee murther for a mother to conceale the death of her Baſtard childe.

CAP. XXVIII.

Diuers Statutes reuiued and continued, and others repealed. When Corne may be tranſported.

BE it enacted by the authority of this preſent Parliament, that one Act made in the one and twentieth yeare of the reigne of the late King Henry the eighth, entituled, An Act for true making of Cables, Halſers and Ropes: And an Act made in the foure and twentieth yeare of the reigne of the ſaid King Henry the eighth, entituled, An Act againſt killing of young Beaſts called Weanlings: And two Acts made in the Parliament holden at Weſtminſter by Prorogation the fourth day of Nouember, and continued vntill the firſt day of February next after in the third and fourth yeares of the reigne of the late King Edward the ſixth, the one entituled, An Act for the buying and ſelling of Rother Beaſts and Cattell; the other entituled, An Act for the buying and ſelling of Butter and Chéeſe: And one Act made in the firſt yeare of the reigne of the late Quéene Elizabeth, entituled, An Act for the preſeruation of Spawne, and Frie of Fiſh: And an Act made in the fifth yeare of the Reigne of the ſaid late Quéene Elizabeth, entituled, An Act for auoyding diuers forreigne Wares made by Handicrafts-men beyond the Seas: And ſo much of one Act made in the ſaid fifth yeare of the Reigne of the ſaid late Quéene Elizabeth, entituled, An Act touching certaine politique Conſtitutions, made for the maintenance of the Nauie, as is not repealed by any latter Statute, nor doth concerne the tranſportation of Herring, or other Sea-fiſh, nor fréedome of Cuſtome, Subſidie, or Tonnage for the ſame, nor tranſportation of Corne, nor the prohibiting the bringing into this Realme any Codde or Lings in Barrels, or other Caſkes, together with all and euery other additions, explanations, and alterations made thereunto, or thereof, or of any part thereof, by any Statute or Statutes made ſithence the making of the ſaid laſt mentioned Act, and in force the laſt day of the Seſſion of Parliament, that was in the ſeuenth yeare of his Maieſties Reigne of England: And an Act made in the eighth yeare of the Reigne of the ſaid late Quéene Elizabeth, entituled, An Act for Bowyers, and the prices of Bowes: And thrée Acts

21. H. 8. 12.
24. H. 8. 9.
3. & 4. Ed. 6. 19.
3. & 4. Ed. 6. 21.
1. El. 17.
5. El. 7.
5. El. 5.
8. El. 10.

made in the thirtéenth yeare of her ſaid Maieſties Reigne, one entituled, An Act that Purueyors
13. El. 21. may take Corne and Victuals within fiue miles of Cambridge and Oxford, in certaine caſes:
13. El. 10. One other, An Act againſt Fraudes, defeating remedies for Dilapidation of Eccleſiaſticall Liuings,
13. El. 20. and for Leaſes to be granted by the Collegiate Churches: Another intituled, An Act touching
Leaſes of Benefices, and other Eccleſiaſticall Liuings, with cure, together with all and
euery explanations, additions, and alterations thereof, or of any of them: or to any of them
made by ſeuerall Statutes of the fouretéenth, eightéenth, and thrée and fortieth yeare of her
ſaid late Maieſties reigne: And ſo much of an act, made in the fouretéenth yeare of the Reigne
14. El. 5. of the ſaid late Quéene Elizabeth, intituled, An act for the puniſhment of Vagabonds, and for
the reliefe of the poore and impotent, as concerneth the Taxing, Rating, Leuying, receiuing
and imploying of Gaole money: And ſo much of an act, made in the eightéenth yeare of the
18. El. 3. Reigne of the ſaid late Quéene Elizabeth, entituled, An act for ſetting the poore on worke, and
auoyding idleneſſe, as concerneth Baſtards begotten out of lawfull Matrimony: And an Act
18. El. 20. made in the ſaid eightéenth yeare of the Reigne of the ſaid late Quéene Elizabeth, entituled, An
Act for the repairing and amending of the Bridges and High-wayes néere vnto the Citie of
Oxford: And two Acts made in the ſeuen and twentieth yeare of the Reigne of the ſaid late
27. El. not printed. Quéene Elizabeth, the one entituled, An Act for the maintenance of the Péere and Cob of Lyme
Regis, in the Countie of Dorſet; and the other entituled, An Act for the good gouernement of the
27. El. not printed. Citie or Borough of Weſtminſter: And two other Acts made in the ſaid ſeuen and twentieth
yeare of the Reigne of the ſaid late Quéene Elizabeth, The one entituled, An Act for reuiuing of
27. El. 14. a former Statute, for the true making of Mault; and the other entituled, An act for the keeping
Stat. 3. & 4. Ed. 6. 10. the Sea-bankes, and Sea-workes in the County of Norffolke: And an Act made in the
27. El. 24. one and thirtieth yeare of her ſaid Maieſties Reigne, entituled, An act for the true gauging
31. El. 8. of veſſels, brought from beyond the Seas, conuerted by Brewers, for the vtterance and
ſale of Ale and Béere: And two Acts made in the fiue and thirtieth yeare of her ſaid late
35. El. 10. Maieſties Reigne, the one entituled, An act for the reformation of ſundry abuſes in Clothes,
called Deuonſhire Kerſies, or Dozens, according to a Proclamation of the foure and thirtieth
35. El. 11. yeare of her ſaid Maieſties Reigne; the other entituled, An act for the bringing in of Clapboard
from the parts beyond the Seas, and the reſtraining of the tranſporting of Wine-caſkes,
for the ſparing and preſeruing of Timber within the Realme: And ſo much of one Act
35. El. 1. made in the ſaid fiue and thirtieth yeare of the reigne of the ſaid late Quéene Elizabeth, entituled,
An Act to retaine the Quéenes Maieſties Subiects in their due obedience, as hath not béene
ſithence repealed by any other Statute: And the ſeuerall Acts hereafter mentioned, made in
39. El. 4. the nine and thirtieth yeare of the Reigne of the ſaid late Quéene Elizabeth, that is to ſay, An
St. 1. Iac. 25. Act entituled, An act for the puniſhment of Rogues, Vagabonds, and Sturdy Beggers, with
the Prouiſion annexed thereunto by one Act made in the firſt year of the Kings Maieſties Reigne
that now is, entituled, An Act for continuing and reuiuing of diuers Statutes, and for repealing
39. El. 10. of ſome others: An Act entituled, An Act for the increaſe of Mariners, and for maintenance of
St. 23. El. 7. Nauigation, repealing a former act made in the thrée and twentieth yeare of her ſaid Maieſties
39. El. 12. reigne, bearing the ſame Title; An acte ntituled, an act for the explanation of the Statute, made
St. 5. El. 4. in the fifth yeare of her ſaid Maieſties reigne, concerning Labourers; An act entituled, an Act
39. El. 14. 39. El. 16. prohibiting the bringing into this Realme of forreigne Cards for wooll: An act entituled, an act
39. El. 17. for exceſſiue making of Mault; An act entituled, an act againſt lewde and wandring perſons,
pretending to be Souldiers, or Mariners: And the ſeuerall Acts hereafter mentioned, made
43. El. 3. in the thrée and fortieth yeare of the reigne of the ſaid late Quéene Elizabeth, That is to ſay,
An act entituled, an act for the neceſſary reliefe of Souldiers and Mariners; An act entituled,
43. El. 6. an act to auoide trifling and friuolous Suites in Law, in her Maieſties Courts at Weſtminſter;
43. El. 2. An act entituled, an act for the reliefe of the poore, with the addition thereunto
St. 1. Iac. 25. made, by an act made in the firſt yeare of his Maieſties reigne of England, entituled, An
act for continuing of diuers Statutes, and for repeale of ſome others, and with this further
The Ouerſeers of the poore may put out Apprentices. addition; And be it enacted, that all perſons, to whom the Ouerſéers of the poore ſhall,
according to the ſaid act, binde any children Apprentices, may take and receiue, and kéepe
them as Apprentices, any former Statute to the contrary notwithſtanding: An act entituled,
an act for the true making, and working of Woollen Cloth: An act entituled, an act to
43. El. 10. preuent Periury, and ſubornation of Periury, and vnneceſſary expence in Suites of Law:
43. El. 5. And the ſeuerall acts made in the firſt yeare of the reigne of our now Soueraigne Lord the
1. Iac. 6. King, after mentioned: One entituled, an act made for the explanation of the Statute made
St. 5. El. 4. in the fifth yeare of the late Quéene Elizabeths Reigne, concerning Labourers: And another
1. Iac. 7. entituled, An act for the continuance, and explanation of the Statute made in the nine
St. 39. El. 4. and thirtieth yeare of the Reigne of the late Quéene Elizabeth, entituled, An act for puniſhment
1. Iac. 8. of Rogues, Vagabonds, and ſturdie Beggers: Another, entituled, An act to take away
1. Iac. 9. the benefite of Clergie for ſome kinde of Manſlaughter: Another entituled, An act to reſtraine
the inordinate haunting and tipling in Innes, Alehouſes, and other Victualling houſes:
1. Iac. 18. Another entituled, An act for auoiding deceit in ſelling, buying, or ſpending corrupt and

vnwholeſome Hoppes: Another Act intituled, An Act concerning Tanners, Curriers, Shoomakers,
and other Artificers, occupying the cutting of Leather, ſauing for ſuch part thereof as is 1. Iac. 22.
repealed, by one other Act, made in the fourth yeare of his Maieſties reigne of England, in that St.4.Iac 6.
behalfe: Another intituled, An Act for the better execution of the intent and meaning of former 1.Iac.27.
Statutes, made againſt ſhooting in Gunnes, and for the preſeruation of Game of Pheſants and
Partridges, and againſt the deſtroying of Hares with Hare-pipes, and tracing Hares in the
Snow: And another intituled, An Act for the charitable reliefe, and ordering of perſons infected 1.Iac.31.
with the Plague: And the ſeuerall Actes made in the third yeare of the reigne of our ſayd Soueraigne
Lord, King Iames, after mentioned, The one intituled, An Act for auoyding vnneceſſary delayes 3.Iac. 8.
of Executions: Another intituled, An Act for the reliefe of ſuch as lawfully vſe the Trade 3. Iac.9.
and Handy-craft of Skinners: Another intituled, An Act, for the rating and leuying of the charges 3.Iac.10.
for conueying Malefactors, and offendors to the Gaole: Another Act intituled, An Act for tranſportation 3.Iac.11.
of Béere ouer the Seas: And another intituled, an Act for repairing of the high-way 3 Iac.19.
from Nonſuch to Talworth, in the Pariſhes of Ewell, and Long Ditton, in the County of
Surrey, leading to Kingſtone vpon Thames, in the County aforeſayd: And that the ſeuerall
Acts made in the fourth year of the reigne of our now Soueraigne Lord, King Iames after mentioned;
the one intituled, An Act for the true making of woollen Clothes: Another intituled, An 4.Iac.2.
Act for the repreſſing the odious and loathſome ſinne of Drunkenneſſe: And another intituled, An 4.Iac.5.
Act for the better prouiſion of Meadow and Paſture, for the neceſſary maintenance of Huſbandry, 4.Iac.11.
and Tillage, in the Manors, Lordſhips, and Pariſhes of Merden, alias Mawarden, Bodenham,
Wellington, Sutton, Saint Michael Sutton, Saint Nicholas Murton vpon Lugge, and
the Pariſh of Pype, and euery of them, in the County of Hereford: And the ſeuerall Acts made
in the ſeuenth yeare of the reigne of our ſayd Soueraigne Lord, King Iames, after mentioned;
The one intituled, an Act for the better execution of Iuſtice, and ſuppreſſing of criminall offendors, 7.Iac.1.
in the North parts of the Kingdome of England: Another intituled, an Act for the due execution 7.Iac.4.
of diuers Lawes and Statutes heretofore made, againſt Rogues, Vagabonds, and ſturdy
Beggers, and other lewd and idle perſons: Another intituled, an Act for eaſe in pleading againſt 7.Iac.5.
troubleſome, and contentious Suites, proſecuted againſt Iuſtices of the Peace, Mayors, Conſtables,
and certaine other his Maieſties Officers, for the lawfull execution of their Office: Another
intituled, an Act to preuent the ſpoile of Corne and Graine by vntimely Hawking, and for 7.Iac.11.
the better preſeruation of Pheſants and Partridges: Another intituled, an act to auoyd the double
payment of Debts: Another intituled, an act for the explanation of one Statute made in the 7.Iac.12.
third yeare of the reigne of our now Soueraigne Lord, King Iames, intituled, an act againſt vnlawfull 7.Iac.13. St.3.Iac.13.
hunting and ſtealing of Déere and Conies: Another intituled, an act againſt burning of 7.Iac.17.
Ling, and Heath, and other More-burning in the Counties of Yorke, Durham, Northumberland,
Cumberland, Weſtmerland, Lancaſter, Derby, Nottingham, and Leiceſter, at vnſeaſonable
times in the yeare: Another intituled an act for the taking, landing, and carrying of Sea 7.Iac.18.
ſand for the bettering of grounds, and for the increaſe of Corne and Tillage, within the Counties
of Deuon and Cornewall: And another intituled, an act for the ſpéedy recouery of many 7.Iac.20.
thouſand acres of Mariſh ground within the Counties of Norffolke and Suffolke, lately ſurrounded
by the rage of the Sea, in diuers parts of the ſayd Counties, and for the preuention of
the danger of the like ſurrounding hereafter, ſhall by vertue of this Act be adiudged euer ſince the
Seſſion of Parliament, in the ſeuenth yeare of his Maieſties reigne of England, to haue béen of
ſuch force and effect, as the ſame were the laſt day of that Seſſion, and from thenceforth, vntill the
end of the firſt Seſſion of the next Parliament. The 58. ſtat. aboue mentioned continued vntill the next Parliament.

Prouided neuertheleſſe, That ſo much of euery of the ſayd Acts, as by any new Act made in this Seſſion of Parliament, ſhall bée explained, altered or repealed, ſhall for ſo much thereof, from the end of this Seſſion of Parliament, ſtand, and bée in force, as by thoſe other actes ſhall bée ordained.

Prouided alſo, and bée it further enacted by the authority of this preſent Parliament, That when the prices of Corne, or Graine excéede not the rates hereafter following, at the times, hauens, and places, when and where the ſame Corne or Graine ſhall be bought, ſhipped, or loaden, viz. The quarter of Wheate at two and thirty ſhillings, The quarter of Rie at twenty ſhillings, The quarter of Peaſe and Beanes at ſixtéene ſhillings, The quarter of Barley or Mault at ſixtéene ſhillings of currant Engliſh money; That then it ſhall bee lawfull for all, and euery perſon and perſons, being Subiects of the Kings Maieſty, his heires or Succeſſors, to carry and tranſport of his owne, and to buy to ſell againe in Markets, and out of Markets, and to kéepe or ſell, or carry and tranſport any of the ſayd Corne and Graine, from the places where they ſhall bée of ſuch prices, vnto any parts beyond the Seas, in amity with his Maieſty, as merchandize, in Ships, Crayes, or other Veſſels whereof any Engliſh borne Subiect or Subiects then ſhall bée the owner or owners, or the ſame to carry and ſell in other places within this Realme, or Dominions thereof: Any Law, Vſage, or Statute to the contrary hereof notwithſtanding. And that the Kings Maieſty, his Heires and Succeſſors, ſhall haue and receiue by the Cuſtomers and Officers of his Ports, for the Cuſtome or Poundage of euery quarter of

When Corne may be tranſported.

Alt. 3.Car.4.

The Cuſtome & Poundage of Corne.

Wheate to be tranſported by force of this Statute out of this Realme, two ſhillings; Of every quarter of other Graine ſixteene pence: which ſayd ſeverall ſummes, ſo to be had and taken, as Cuſtome or Poundage, ſhall bee in full ſatisfaction of all manner of Cuſtome or Poundage, for the ſayd Corne or Graine, by any Conſtitution, Order, Statute, Law, or Cuſtome heretofore made, vſed or taken, for tranſporting any ſuch maner of Corne or Graine.

The King by Proclamatiō may reſtraine tranſportation of Corne.

Provided alwaies, and be it enacted by the authority of this preſent Parliament, That the Kings Maieſty, his Heires and Succeſſors, may at all times by his and their Writ of Proclamation, to be publiſhed generally in the whole Realme, or in any of the Counties of the Realme where any Port Townes are, command, that no perſon ſhall by vertue of this Act, tranſport or convey any manner of Graine out his Highneſſe Dominions generally, or out of any ſpeciall Ports, to be in the ſame Proclamation particularly named, for ſuch time as ſhall be therein limited and appointed; And it ſhall not be lawfull for any perſon to carry out any ſuch Graine, contrary to the tenor of the ſame Proclamation, vpon ſuch paines and forfeitures, as by the Lawes and Statutes of this Realme, are and have beene provided and ordained in that behalfe, This Act or any thing therein contained to the contrary notwithſtanding.

Welſh cottons.

Provided alſo, and be it enacted, that no perſon or perſons ſhall incurre any penalty for want of length, breadth or weight of Welſh Cottons, vnder the price of fifteene pence the yard, or two ſhillings the Goad, So as they be not mixt with haire or other deceitfull ſtuffe, nor for any others above that price, except they be mixt, as aforeſayd, or ſhall ſhrinke above the rate of halfe a yard in twelve yards of length, or weigh leſſe than fourteene ounces the yard, or hold not full three quarters of a yard broad.

All ſtat. that concerne the taking away of Sanctuaries, revived. St. 1. Iac. 25.

And be it further enacted by the authority aforeſayd, That all Statutes heretofore made, that take away Sanctuary for any offence, ſhall for ſo much as concerneth the taking away of Sanctuary be revived, and ſhall be and ſtand in force and power: Any words of Repeale contained in the Statute made in the firſt Seſſion of Parliament, held in the firſt year of his Maieſties reigne of England, intituled, An Act for continuing and reviving of divers Statutes, and for repealing of ſome others, or in this preſent Act to the contrary notwithſtanding.

All Sanctuaries taken away.

And be it alſo enacted by the authority of this preſent Parliament, That no Sanctuary or Priviledge of Sanctuary ſhall be hereafter admitted or allowed in any caſe.

5. El. 9.

St. 29. El 5.

And whereas in the Seſſion of Parliament, holden in the fifth yeare of the reigne of the late Queene Elizabeth, one Act was made, intituled, An Act for the puniſhment of ſuch as ſhall procure or commit periury: And by one other Act made in a Seſſion of Parliament, begunne in the eight & twentieth yeare of the reigne of the ſayd late Queene Elizabeth, it was enacted, that the ſayd Act ſhould from thenceforth be, remaine and continue in force and effect for ever:

St. 1. Iac. 25.

5. El. 9. made perpetuall.

And yet nevertheleſſe in the Parliament, holden in the firſt yeare of his Maieſties Reigne of England, by one Act, entituled, An Act for continuing and reviving of divers Statutes, and for repealing of ſome others, it was amongſt other things enacted, That the ſayd Act made in the ſaid fifth yeare of the ſayd late Queene Elizabeth, for puniſhment of Periury, ſhould be revived and continued, vntill the end of the firſt Seſſion of the next Parliament, it is now declared and enacted by authority of this preſent Parliament, that the ſayd Act concerning Periury, made in the ſaid fifth yeare, and every Clauſe, Branch, Article and Proviſion therein, doth now ſtand and ſhall from henceforth be, remaine, and continue in force and effect for ever.

Part of 25. H. 8. 11. continued. St. 3. & 4. Ed. 6. 7.

And bee it alſo enacted, that one part of the Statute made in the five and twentieth yeare of the reigne of the late King Henry the eighth, intituled, An Act for the deſtruction of wilde fowle, which was repealed by a later Act, made in the Parliament holden in the third and fourth yeare of the reigne of the late King Edward the ſixth, ſhall be revived and ſtand in force vntill the end of the firſt Seſſion of the next Parliament.

1. M. 5 continued.

And be it alſo enacted, That one Act made in the firſt yeare of the reigne of the late Queene Mary, for and concerning the making, repairing and amendment of the common High-way and Cauſey in the Counties of Dorſet and Somerſet, betweene the Townes of Shaftsbury and Sherborne in the ſame County of Dorſet, be revived and ſtand in force, vntill the end of the firſt Seſſion of the next Parliament.

4. Ed. 3. 8.

13. R. 2. 20.

4. Ed. 4. 10.

9. Ed. 3. 8.
13. R. 2. 20.
37. Ed. 3. 3.
34. Ed. 3. 6.

And be it further enacted by authority of this preſent Parliament, That one ſtatute made in the fourth yeare of the Reigne of the late King Edward the third, reciting, that before that time, a Horſe-man was wont to have his paſſage over the Sea, from the Port of Dover, for two ſhillings, and a Footman for ſixe pence, and ordering concerning Paſſage at Dover and other places, as in the ſayd Statute is contained: And one other ſtatute made in the thirteenth yeare of the reigne of the late King Richard the ſecond, by which it is enacted, That all Pilgrimes, and all other people, except certaine perſons in that ſtatute excepted, ſhall paſſe at the Port of Dover and Plymouth, and not elſewhere, without ſpeciall Licence of the King himſelfe: And one ſtatute made in the fourth yeare of the reigne of the late King Edward the fourth, concerning Paſſage from Dover, and all other ſtatutes therein recited or mentioned: And one other ſtatute made in the ſeven and thirtieth yeare of the reigne of the late King Edward the third, concerning the prices of Poultry: And one Statute made in the foure and thirtieth yeare of the

Reigne of the late King Edward the third,, concerning Weights and Meaſures, and beginning,
Where it is contained in the great Charter, that one Meaſure ſhall be vſed through the Realme,
And by which it is ordained, that certaine Articles ſhall be holden and kept, vpon the paines contained
in a Statute made in the eight and twentieth yeare of the reigne of the late King Edward St.28.Ed.3.10.
the third: And one other Statute made in the ſayd foure and thirtieth yeare of the reigne 34.Ed.3.20.
of the ſayd late King Edward the third, by which it is ordained, That the paſſage of Corne ſhall
be defended in all the Ports of England, ſo that none haue Licence or Warrant to paſſe with
ſuch Corne in any wiſe, vnleſſe it be to certaine places in the ſayd Act ſpecified: And one Statute
made in the ſeuenteenth yeare of the reigne of the late King Richard the ſecond, whereby 17.R.2.7.
Licence is granted to all the Kings Liege people, to ſhip and carry Corne out of the Realme:
And one Statute made in the third yeare of the reigne of the late King Edward the fourth, concerning 3.Ed.4.2.
Corne not to be brought into the Realme in certaine caſes: And one Statute made in
the fourth yeare of the reigne of the late King Henry the ſeuenth, concerning the prices of Hats 4.H.7.9.
and Caps: And one other Statute made in the fourteenth yeare of the reigne of the late King
Richard the ſecond, ordering that the paſſage of Tinne out of the Realme ſhall bee at the Port 14.R.2.7.
of Dartmouth, and no where elſe: And one other Statute made in the fifteenth yeare of the
reigne of the late King Richard the ſecond, concerning carryage of Tinne to Callys: And one 15.R.2.8.
Statute made in the fourth yeare of the reigne of the late King Henry the fifth, concerning making 4.H.5.3.
of Patens of Aſpe: And one Statute made in the ſixe and thirtieth yeare of the reigne
of the late King Edward the third, concerning Stipend or Wages of Prieſts, and Prieſts paſſing 36.Ed.3.8.
from one Dioceſſe to another: And one other Statute made in the ſecond yeare of the reign
of the late King Henry the fifth, concerning Wages or Stipend of Chaplaines and Prieſts: 2.H.5.2.
And ſo much of one Act made in the fourth yeare of the reigne of King Henry the ſeuenth, as appointeth 4.H.7.8.
the rates and prices how broad Cloathes of the colour of Scarlet, or other colours, and
other Cloathes ſhall bee ſold: And one other ſtatute made in the eleuenth yeare of the reigne of
the late King Henry the ſeuenth, concerning Vagabonds, vnlawfull Games, and Alehouſes, 11.H.7.2.
and euery part thereof, together with one ſtatute made in the time of the late King Richard the 7.R.2.5.
ſecond, therein mentioned: And one ſtatute made in the nineteenth yeare of the reigne of the late
King Henry the ſeauenth, concerning Vagabonds, Beggers, vnlawfull Games and Alehouſes, 19.H.7.12.
and euery part thereof: And one ſtatute made in the three and twentieth yeare of the reigne of
the late King Edward the third, concerning valiant Beggers: And one other ſtatute made in 23.Ed.3.8.
the ſeuenth yeare of the Reigne of the late King Richard the ſecond concerning Robarts-men, 7.R.2.5.
Drawlatches; Vagabonds and Faitors; and ſeuen ſeuerall acts, and ſtatutes made in the
twelfth yeare of the Reigne of the late King Richard the ſecond, whereof the firſt concerneth 12.R.2.3.
Artificers, Labourers, Seruants, Victuallers, The ſecond concerneth Wages of Seruants; 12.R.2.4.
The third concerneth labouring at Plough and Cart; The fourth concerneth Seruants bearing 12.R.2.5.
of Buckler, Swords and Daggers, and vſing vnlawfull Games; The fift concerneth 12.R.2.6.
perſons that goe a begging; The ſixth concerneth thoſe that faine themſelues men trauelling 12.R.2.7. 12.R.2.8.
out of the Realme, and there to be impriſoned; and the ſeuenth concerneth the execution 12.R.2.9.
of the Ordinances aforeſaid, concerning Seruants, Labourers, Beggers, and Vagabonds:
And one act, or ſtatute made in the two and twentieth yeare of the reigne of the late
King Henry the eighth, entituled, an act how aged, poore and impotent perſons, compelled to 22.H.8.12.
liue by almes, ſhall be ordered, and how Vagabonds, and mighty ſtrong Beggers ſhall be puniſhed,
and euery part thereof: And one act or ſtatute made in the third yeare of the reigne of the
late King Edward the ſixt, entituled, an act touching the puniſhment of Vagabonds, and other 3.& 4.Ed.6.16.
idle perſons: And one ſtatute made in the eleuenth yeare of the reigne of the late King Henry 11.H.6.12
the ſixt, concerning Ware-chandlers, the price of Candles, and other things wrought of
Ware: And that part of one ſtatute, commonly called Statutum de Piſtoribus, which ordaineth, Stat. de Piſtoribus,
that the aſſize of Wine ſhall be kept, according to the aſſize of our Soueraigne Lord the King
that is to wit, a Sexterne at twelue pence, and that if the Tauerners exceede the ſame
aſſize, their doores ſhall be ſhut vp by the Mayors and Bayliffes, and ſhall not de ſuffered
to ſell Wine vntill they haue obtained licence of the King: And one ſtatute made in the
foure and twentieth yeare of the Reigne of the late King Henry the eighth, entituled, an 24.H.8.6.
act concerning the ſale of Wines: And that part of one ſtatute, made in the eight and twentieth
yeare of the reigne of the late King Henry the eighth, by which it is ordained, That no perſon or 28.H.8.14.
perſons ſhall ſell any Gaſcoigne, Guion, or French Wines aboue certaine prices in that act
mentioned, vnder the paine in the ſayd act ſpecified, and that no Malmeſeys, Romneys ſackes,
or other ſweete Wines ſhall bee ſold by retaile, aboue the prices therein contained, vnder the
paines in that act mentioned: and alſo that part of a ſtatute made in the fiue and twentieth yeare
of the reigne of the late King Henry the eighth, by which it is enacted, That the Lords and owners 25.H.8.18.
of the Meaſes, Tenements, or Cottages in the Citie, of Worceſter, and other Townes,
and Boroughes in the ſayd act mentioned, ſhould at no time after that, admit, ſet, or let any
Meaſe, Tenement or Cottage, ſufficiently repaired within the ſaid City, Borough, or Townes
in that act limited, to any perſon or perſons, that after that ſhould inhabite in the ſayd Citie, Bo-

rough or Townes, and exerciſing the Myſteries, or Craft in that Act mentioned at any higher
Rent, Impoſition or Charge, than was giuen for the ſame at any time within twenty yeares
4.H.7,19. next before the making of that act: And one act made in the fourth yeare of King Henry the ſe-
uenth, concerning houſes of Huſbandrie and Tillage: And one act made in the ſeuenth yeare of
7.H.8.1. King Henry the eighth, entituled, an act to auoide letting downe of Townes: And one act made
27.H.8.22. in the ſeuen and twentieth yeare of King Henry the eighth, entituled, an act concerning decay
5.& 6.Ed.6,5. of Houſes and Encloſures: And one act made in the fifth yeare of the Reigne of King Edward
the ſixth, entituled, an act for the maintenance of Tillage, and encreaſe of Corne: And one act
5.El.2. made in the fifth yeare of the reigne of Quéene Elizabeth, entituled, an act for maintenance and
encreaſe of Tillage: And that part of the ſtatute made in the ſeuen and twentieth yeare of the
27.H.8,28. Reigne of the late King Henry the eighth, by which it is ordained, That all and ſingular perſons,
bodies politique and corporate, to whom the Kings Maieſtie after that ſhould giue, grant, let, ſet
or demiſe any Scite, or Precinct, with the houſes thereupon builded, together with the Demeſnes
of any Monaſtery, Priory, or other Religious houſes, that ſhould bee diſſolued or giuen to the
King by that Act, ſhall be bound to kéepe houſe and houſhold, and occupy Demeſnes in plowing,
and tilling of husbandry, as in that Act is ſpecified, vnder the paines therein contained: And one
14.R.2.4. ſtatute made in the fouretéenth yeare of the reigne of the late King Richard the ſecond, againſt
buying of Wooll of others than of the owner of the Shéepe and Tythe, & euery clauſe in the ſame
ſtatute: And that part of one ſtatute made in the eighth yeare of the reigne of the late King Hen-
8.H.6.5. ry the ſixth, By which it is enacted, that no man buy yarne of Wooll, called Woollen yarne, vn-
leſſe hée will make Cloth thereof: and one ſtatute made in the fifth and ſixth yeare of the reigne
5.&6.Ed.6.7. of the late King Edward the ſixth, intituled, an Act limiting the times for buying and ſelling of
Wolles: And one ſtatute made in the thrée and thirtieth yeare of the reigne of the late King
33.H.8.5. Henry the eighth, intituled, an Act concerning kéeping of great Horſes: And ſo much of the ſta-
13.Ed.1.6. tute made in the time of the reigne of King Edward the firſt, commonly called the ſtatute of
Wincheſter, as concerneth the hauing, kéeping, and view of Harneſſe and Armes: And that
part of the Statute, commonly called, Articuli ſuper Chartas, by which it is ordained, that none
28.Ed.1.20. ſhall make Rings, Croſſes or Locks: And one ſtatute made in the ſeuen and thirtieth yeare of the
37.Ed.3.7. reigne of the late King Edward the third, by which it is ordained, that makers of white Veſſels
ſhall not gyld: And that part of one ſtatute made in the ſecond yeare of the reigne of King Hen-
2.H.5.4. ry the fifth, by which Gold-ſmiths are prohibited to take more than forty ſixe ſhillings and eight
pence for a pound Troy of Siluer gylt: And one ſtatute made in the ſecond yeare of the reigne
2.H.6.13. of the late King Henry the ſixth, by which it is enacted, That no Siluer bee bought for more than
thirty ſhillings the pound of Troy: And one ſtatute made in the ſecond yeare of the reigne of the
2.H.4.6. late King Henry the fourth againſt bringing in of Coine of Flanders, Scotland, and other for-
2.H.4.12. raine Coine: And one ſtatute made in the ſecond yeare of the Reigne of the late King Henry the
fourth, by which it is enacted, That no Welſhman whole borne in Wales, and hauing father and
mother borne in Wales, ſhall purchaſe Lands and Tenements within the Towne of Cheſter,
and other places named in that act; And that no Welſhman ſhall be choſen a Citizen or Burgeſſe
in any Citie, Borough or Merchant Towne; And that Welſhmen be not put in certaine Offi-
2.H.4.16. ces, nor beare Armes, and euery Clauſe thereof: And one other ſtatute made in the ſame yeare
concerning arreſts, made by the inhabitants of Wales, and driuing of diſtreſſes into Wales:
2.H.4.17. And one other ſtatute made in the ſame yeare, concerning Welſhmen entring into the Coun-
ties adioyning, and in the ſame doe kill, burne, rauiſh, and commit any other Felony, or Treſ-
2.H.4.18. paſſe: And one other ſtatute made in the ſame yeare, by which it is enacted, That the Lords of
the Marches of Wales ſhall ordaine and ſet ſufficient ſtuffing and Ward in their Caſtles, and
2.H.4.20. Seniories of Wales: And one other ſtatute made in the ſame yeare by which it is eſtabliſhed,
That no Welſhman be receiued to purchaſe Lands or Tenements within England, nor within
the Boroughs, or Engliſh Townes of Wales; Nor that no Welſhman ſhould be accepted Bur-
geſſe; Nor to haue any other liberty within the Realme, nor within the Boroughs and Townes
4.H.4.26. aforeſayd, & euery clauſe in euery of the ſayd ſtatutes, made in the ſayd ſecond year: And one ſta-
tute made in the fourth yeare of the reigne of the late King Henry the fourth, whereby it is ordai-
ned, That no Engliſhman, Liege to the King, be conuicted by any Welſhman; Nor that Engliſh
Burgeſſes, which haue married Welſh women, haue Franchiſes with Engliſh Burgeſſes:
And one other ſtatute made in the ſame yeare, by which it is ordained, That no congregations be
4.H.4.28. made or ſuffered to be made by the Welſhmen, but as in the ſayd Statute is appointed: And one
other ſtatute made in the ſame yeare, concerning ſending and bringing Merchandize and Armour
4.H.4.30. into Wales: And one other ſtatute made in the ſame yeare, concerning Welſhmens not ha-
4.H.4.31. uing of Caſtle, Fortreſſe, or Houſe of defence to kéepe: And one other ſtatute made in the ſame
4.H.4.32. yeare, That Welſhmen ſhall not be made Iuſtice, Chamberlaine, nor haue certaine other Offi-
4.H.4.33. ces in the ſayd Statute mentioned: And one other ſtatute made in the ſame yeare, concerning
ſtoring of the Caſtles and Townes in Wales with Engliſh: And one other ſtatute made in
4.H.4.34. the ſame yeare, That Engliſhmen marrying Welſh women ſhall not bee put in Offices; And
euery clauſe of the ſayd ſtatute, made in the ſayd fourth yeare: And one ſtatute made in the ninth
yeare

yeare of the reigne of the ſayd late King Henry the fourth, concerning Felonies and Robberies done within any Seigniory of South wales: And ſo much of one ſtatute made in the fiue and twentieth yeare of the reigne of the late King Henry the ſixth, as concerneth the confirming of ſtatutes, made before that time againſt Welſhmen, and making voyd grants of Franchiſes made to Welſhmen, and concerning Villaines in Wales: And that part of one Statute made in the thirteenth yeare of the reigne of King Richard the ſecond, by which it is ordained, That Hoſtlers ſhall ſell Hay and Oates at a reaſonable price, ſo that they take not but one halfepeny ouer the common price in the Market: And that part of one other Statute made in the fourth yeare of the reigne of King Henry the fourth, By which it is enacted, that Hoſtlers ſhall incurre the quadruple value of that that hee hath taken ouer one halfe-peny of euery buſhell of Oates aboue the common price in the Market: And one part of the ſtatute made in the fourth and fifth yeare of the reigne of the late King Philip and Queene Mary, and other Statutes, by which it is enacted, That none ſhall put to ſale, within the Realme of England, any coloured Cloth, of any colour or colours, than are in theſe Acts mentioned: And one other part of the ſame Statute of Philip and Mary, by which it is ordained, That after the firſt day of May then next comming, none ſhall vſe or exerciſe the Feate or Myſtery of Making, Weauing, or Rowing of Woollen Clothes, long or ſhort, or Kerſies pinned, Whites or Plaines Straytes, to the intent to put the ſame to ſale, but onely in a Market Towne, where Cloth had vſed to bee made by the ſpace of tenne yeares then laſt paſt, or in a City, Borough, or Towne Corporate, vpon the paines therein contained: And one Statute made in the eighteenth yeare of the reigne of the late Queene Elizabeth, for toleration of certaine Clothiers to dwell out of Townes Corporate, ſhall be by vertue of this Act repealed.

9.H.4.3.
25.H.6.1.
13.R.2.8.
4.H.4.25.
4.&5.P.& M.5.
5.&6.Ed.6.6.
4.&5.P.& M.5.
18.El.16.
The 73 aforeſayd ſtatutes repealed.

And bee it alſo enacted, That ſo much of the Statute made in the two and thirtieth yeare of the reigne of the late King Henry the eighth, intituled, An Act concerning the breede of Horſes of higher ſtature, as concerneth or inhibiteth the putting of Horſes into certaine grounds, vnleſſe they be of ſtatures in that Act mentioned, vnder the paines therein contained, and that giueth authority to kill Mares, Fillies, Foales or Geldings, in certaine caſes in that Act mentioned, ſhall not extend to the County of Cornewall, after the end of this Seſſion of Parliament,

32.H.8.13. ſhall not extend to the County of Cornewall.

CAP. XXIX.

All Leaſes made or to be made by the moſt Excellent Prince Charles of the Duchie lands of Cornewall, confirmed.

IN moſt humble wiſe beſeecheth your moſt Excellent Maieſty, your humble and obedient Sonne and Suppliant, Charles, Prince of Wales, Duke of Cornewall and of Yorke, and Earle of Cheſter, That whereas your ſayd Suppliant is ſeized of the ſayd Dukedome of Cornewall and the poſſeſſions thereof, of a ſtate of inheritance, vnder a ſpeciall forme of limitation differing from the ordinary rules of Inheritance at the Common Lawe, whereupon ſome queſtions doe grow, whether Leaſes made by your ſayd Suppliant, of any Manors, Lands, Tenements, or Hereditaments, parcell of the ſayd Duchy, or annexed to the ſame, ſhould be good and effectuall in Law longer than your Suppliants life: for auoyding of which doubt, and to the end ſuch perſons as haue taken, or ſhall take Leaſes from your Suppliant, may be ſure to haue good eſtates, and ſo be incouraged to beſtow charges in the building, and maintaining of their houſes, and good manuring of the Manors, Lands, Tenements, or Hereditaments, ſo demiſed, or to be demiſed to them.

May it pleaſe your moſt excellent Maieſty, that it may be ordained and enacted by your Maieſty, the Lords Spirituall and Temporall, and Commons in this preſent Parliament aſſembled, And be it ordained, eſtabliſhed and enacted by authority of this preſent Parliament, That all Leaſes made, or to be made by your ſayd Suppliant, of any Manors, Lands, Tenements, or Hereditaments, parcell of the poſſeſſions of the ſayd Duchy of Cornewall, or annexed to the ſame, ſhall be good and effectuall in Law, according to the purport and content of the ſayd Leaſes, againſt your Maieſty, your Heires & Succeſſors, & againſt your ſayd Suppliant and his Heires, and againſt all and euery perſon and perſons that ſhall inherit or ſucceede according to the ſayd limitation, or otherwiſe.

All Leaſes made by P. Charles of the Duchy Lands of Cornewall ſhall be good.

Prouided alwaies, that euery ſuch Leaſe ſo made, or to be made, of any Manors, Lands, Tenements or Hereditaments in poſſeſſion, be or ſhall be made by Deede indented, and but for three liues or fewer, or for one and thirty yeares or vnder, or ſome other terme of yeares, determinable vpon one, two, or three liues, and not aboue: And if ſuch Leaſes bee made in reuerſion, that then the ſame, together with the Eſtates in poſſeſſion, doe not exceed three liues, or the terme of one and thirty yeares, and not in any wiſe diſpuniſhable of waſte; And ſo as vpon euery ſuch Leaſe, be, or ſhall be reſerued the ancient or moſt vſuall Rent, or ſuch Rent as hath bin yeelded or paid, for the greater part of twenty yeares next before the making of the ſayd Leaſes, and was or ſhall be reſerued, due and payable, by or to him or her that had, or ſhall haue the Inheritance, or other Eſtate of the ſayd Manors, Lands, Tenements, or Hereditaments: And where no ſuch Rent

Except they be made for aboue 31. years, or 3. liues.

hath béen reſerued, or payable, that then vpon euery ſuch Leaſe there bée or ſhall bee reſerued a reaſonable Rent, not being vnder the twentieth part of the cléere yearely value of the Manors, Lands, Tenements, or Hereditaments, contained in ſuch Leaſe.

All coue-nants, &c con-tained in ſuch leaſes, either made or to be made, ſhall be gœd.

And bee it further ordayned and enacted by authority of this preſent Parliament, That all Couenants, Conditions, and Reſeruations, and other agréements contained in euery ſuch Leaſe ſo made, or to be made as aforeſayd, ſhall be gœd and effectuall in Law, according to the words and contents of the ſame, aſwell for and againſt them to whom the Reuerſion of the ſame Manors, Lands, Tenements, or Hereditaments ſhall come, as for and againſt them, to whom the ſayd Leaſes ſhall come reſpectiuely, as if your Suppliant at the time of the making of ſuch Couenants, Conditions, and Reſeruations and other agréements, had béene ſeized of an abſolute Eſtate in Féeſimple, in the ſame Manors, Lands, Tenements, or Hereditaments. Sauing alwaies to all and euery perſon and perſons, bodies politique and corporate, their heires and ſucceſſors, executors, adminiſtrators and aſſignes (other than your Maieſty, your heires and ſucceſſors, and other than your Suppliant and his heires, and all and euery perſon and perſons that ſhall inherite or ſuccéede, according to the ſayd limitation, or otherwiſe) all ſuch Rights, Titles, Eſtates, Cuſtomes, Intereſts, Termes, Claimes, and Demands whatſoeuer, of what kinde, nature, or quality whatſoeuer, of, in, to or out of the ſaid Manors, Lands, Tenements, or Hereditaments, or any of them, as they or any of them had, or ought to haue had before the making of this Act, to all intents and purpoſes, and in as large and ample manner and forme, as if this Act had neuer béene had or made, This Act or any thing therein contained to the contrary notwithſtanding. St.1.Car.1.

The right of others ſaued.

Cap. XXX.

A Meſſuage called Yorke houſe, and diuers other Meſſuages and Tenements, part of the poſſeſſions of the Archbiſhop of Yorke, ſituate in the Pariſh of S. Martins in the fields, in the County of Middleſex, aſſured vnto the Kings moſt excellent Maieſty, his Heires, Succeſſors and Aſſignes: And the Manors or Lordſhips of Brighton, Santon, Acombe, alias Acom, with Holgate & the Grange called Beckhay Grange, in the County of Yorke, or in the County of the Citie of Yorke, part of his Maieſties poſſeſſions, aſſured to TOBY, Lord Archbiſhop of Yorke, and his Succeſſors. PR.

Cap. XXXI.

The makers of kniues & other cutlery wares in Hallamſhire in the County of Yorke, made a Corporation. Diuers orders for the better gouernement of the ſame Corporation. PR.

Cap: XXXII.

The Riuer of Thames ſhallbe made nauigable for Barges, Boates and Lighters, from the Village of Bercot in the County of Oxon vnto the Vniuerſity and Citie of Oxon.

The conueni-ences of ha-uing the riuer of Thames nauigable to the Citie of Oxford.

3

WHereas the cléering and effecting of a Paſſage for Barges, Boates and Lighters, by the Riuer of Thames, to the Vniuerſity and Citie of Oxon, will be very conuenient for conueyance of Frée-ſtone, commonly called Oxford ſtone, or Heddington ſtone, from Bullington Quarre, néere the ſaid City and Riuer of Thames, by the ſayd paſſage to the City of London, and other parts, and moſt profitable and neceſſary to and for the ſaid Vniuerſity and City of Oxon, for conueyance thereby of Coales, fewell, and other neceſſaries to the Vniuerſitie and Citie, whereof there is now very great ſcarcity and want, and farre greater hereafter like to grow, if ſome helpe therefore be not made and prouided; And alſo the ſayd paſſage will bée very behoofefull for preſeruing of the high-wayes, leading to and from the ſayd Vniuerſity and Citie, and other parts thereabouts, which now by continuall carriages by Carts are ſo worne and broken, that in Winter ſeaſon they are for trauellers dangerous, and hardly to bee amended and continued paſſable, without excéeding charge: and whereas the ſayd riuer of Thames for many miles beyond the ſayd Citie of Oxford Weſtward, is already nauigable and paſſable for Boates of gœd burthens and contents, and likewiſe is already nauigable for Barges from London to the Village of Bercot in the County of Oxford, being within ſixe or ſeuen miles of the City of Oxford, whither and from whence, by the carriage of Stone, Iron, and other prouiſion, by Carts, the high-wayes are ſpoiled, as aforeſayd: And whereas the ſaid riuer may eaſily be made paſſable and nauigable for Barges, Boates, or Lighters, betwéene the aforeſayd Vniuerſity and Citie of Oxford, and the Village of Bercot, aforeſayd, by remoouing ſome lets and impediments, by which meanes the ſayd Vniuerſity and Citie of Oxford ſhall be greatly relieued and helped: Be it therefore ordained & enacted by the Kings Maieſty, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Lord Chancellour, or Lord Kéeper of the Great Seale of England for the time being, at any time after the end of this preſent Seſſion of Parliament, ſhall and may at the

Eight Cõmiſ-ſioners ſhalbe appointed to make the riuer of Thames na-uigable from Oxford to Bercot.

the requeſt of the Chancellor of the ſaid Vniuerſitie, or his Vicechancellour for the time being, appoint and authorize by Commiſſion vnder the great Seale of England, eight Commiſſioners, whereof foure to be of, or for the Vniuerſitie aforeſaid, to be choſen by the ſaid Chancellor of the ſaid Vniuerſitie, or his Vicechancellor for the time being, and by them or either of them to be nominated and certified to the aforeſaid Lord Chancellor, or Lord Kéeper of the great Seale of England, and foure to be of, or for the Citie of Oxon, to be choſen and nominated by the Mayor, Bayliffes, and Comminaltie of the ſaid Citie of Oxford for the time being, and to be certified by them, as aforeſaid; which ſaid Commiſſioners, or the more part of them, ſhall haue full power to cleanſe, ſcowre, open, and make nauigable the ſaid Riuer of Thames from the ſaid Citie of Oxon, to the village of Bercot aforeſaid; And for that purpoſe, to digge the bankes of the ſaid Riuer, or other ground, ditch, brooke or ſtreame néere thereunto adioyning, and to cut away all trées and rootes of trées, that may be hurtfull or hinderance to the ſaid paſſage, and to open, prepare, or make all Weares, and Lockes or Turnepickes fit for the ſaid paſſage, and to remoue any thing that ſhall be any impediment or ſtop to the clearing and making of the ſaid paſſage; And likewiſe to cut, ſcowre, or open any other Streame or Water-courſe, that ſhall be moſt conuenient for making the ſaid paſſage or Riuer nauigable; And likewiſe to make and erect any Wharffes, Lockes, or Turnepickes, or pennes for water, in, or néere the ſaid Riuer or paſſage, that ſhall be fit or neceſſary for the ſame, and to bring, lay, and worke all materials requiſite for the making, erecting, and repairing of the ſaid Lockes or Turnepickes, vpon the bankes or ground néere the ſaid Riuer or paſſage.

And for that the doing of the things aforeſaid, may be preiudiciall to the inheritance and profit of diuers perſons, bodies politique or corporate, that haue land adioyning to the ſaid Riuer or paſſage; Be it further enacted by the authority aforeſaid, That the Commiſſioners aforeſaid, or the more part of them, before they doe meddle with the Lands, Inheritance, or poſſeſſion of any perſon or perſons, bodies politique or corporate, ſhall firſt agrée with ſuch perſons or body politique or corporate, for the loſſe and dammage that any of them ſhall any way receiue by the making of the ſaid paſſage, or any thing concerning the ſame: And if the ſaid Commiſſioners, or the more part of them, and the partie or parties, owner of ſuch Lands, inheritance or poſſeſſions cannot agrée touching the value thereof, that then the thrée next Iuſtices of Peace of the Countie where the Land doth lie, being no parties, nor dwelling within the Vniuerſitie or Citie of Oxon, nor intereſſed in the ſoyle, dwelling néereſt to the ſaid Land or Inheritance; Or in their default, the Iuſtices of Aſſiſe of the ſaid Countie of Oxon, ſhall determine, appoint, and ſet downe what, and how much ſatisfaction euery ſuch perſon or perſons, body politique or corporate ſhall haue for, or in reſpect of the ſaid loſſes, ſo by him or them to be ſuſtained: And the ſaid price, or value ſo ſet downe by them, ſhall binde all parties; which agréement or order ſo made, ſhall be ſet downe in writing vnder the hands and ſeales of the ſaid Commiſſioners and parties, vpon the agréement betwéene them made, or of the ſaid Iuſtices of the Peace, or Iuſtices of Aſſiſe of the ſaid Countie, which ſhall ſet downe the ſaid price for ſatisfaction, within thrée moneths after the firſt reſort vnto them for that cauſe, according to this Act: And the ſame to be kept among the Euidences of the ſaid Vniuerſitie, and to be regiſtred in the Lieger Booke of the ſaid Vniuerſitie, & to be enrolled in the Court of the ſaid Citie of Oxford: And that then vpon payment of ſuch ſumme or ſummes of money ſo agréed vpon or ordered, as aforeſaid, or tender thereof made, with purpoſe to pay the ſame. It ſhall then be lawfull to, and for the ſaid Commiſſioners, or more part of them, to digge, and make, or cauſe to be digged or made, the ſaid Lockes, Wharffes, paſſage, or doe any ſuch other act, for which any ſuch agréement or order ſhall be made as aforeſaid.

The Commiſſioners ſhall agree with, and ſatiſfie all parties, that may be damnified by the workes.

And for that the ſaid paſſage cannot be effected and maintained without great charge, and that the principall benefit thereof will redound immediatly to the Vniuerſitie and Citie of Oxford, aforeſaid, Be it therefore further enacted by the authority aforeſaid, that the ſaid Commiſſioners, or the more part of them, by this preſent Act, ſhall haue full power and authoritie, to taxe and aſſeſſe the inhabitants within the ſaid Vniuerſitie and Citie of Oxon, or within either of them, and Suburbs thereof, and bodies politique and corporate within the ſame, at ſuch reaſonable ſummes and payments for the purpoſes aforeſaid, as they in their diſcretions ſhall thinke méete: the ſaid ſummes and euery of them to be diſpoſed and employed, for, and towards the bearing of the charge of the making and maintaining of the ſaid paſſage.

The Commiſſioners may taxe the Vniuerſitie and Citie of Oxford at reaſonable ſummes for the effecting of the ſaid paſſage.

And whereas the ſaid Vniuerſitie and Citie are the procurers of the ſaid paſſage; Be it further enacted by the authoritie aforeſaid, that the Commiſſioners aforeſaid, or the more part of them, by vertue of this Act, ſhall haue power and authority from time to time, with the conſent of the Vicechancellor of the ſaid Vniuerſitie, and Mayor of the Citie of Oxford for the time being, to ordaine, and make Orders and Conſtitutions for the good and orderly vſage of the ſaid paſſage, and for all Lockes, Weares, or Turnepicks thereof, to be made and maintained at the charge of the Vniuerſity and Citie of Oxon, aforeſaid: And for all Boates, Boatemen, Paſſengers, Wharffes, Carriages, and Rates for Carriages, by, or through the ſaid Paſſage, and all things concerning the ſame: And to ſet, lay, and execute ſuch reaſonable paines and puniſh-

They may conſtitute Orders for the good vſage of the ſaid paſſage.

ments vpon the breakers thereof, as they ſhall thing fit. Neuertheleſſe, the Iuſtices of Aſſiſe of the ſaid Countie of Oxford for the time being, vpon complaint made to them by any perſon grieued with the ſaid Taxations, Aſſeſſements, Charges, Orders, Conſtitutions, Paines and Puniſhments, or any of them, ſhall and may abbridge, moderate or reforme the ſame, as they ſhall finde iuſt cauſe.

When any of the Commiſſioners faile, the L. Chancellor, &c. may appoint others.

The Commiſſioners may appoint Collectors of the Taxe.

And be it further enacted by the authority aforeſaid, that when any of the ſaid Commiſſioners ſhall happen to die, or become vnfit for the ſeruice, that then, and ſo often, it ſhall and may be lawfull to and for the Lord Chancellor, or Lord Keeper of the great Seale of England, for the time being, from time to time to ſupply, appoint and authorize one Commiſſioner, or ſo many Commiſſioners to be nominated, choſen, and certified, as aforeſaid, out of, and for the ſaid Vniuerſitie, or Citie reſpectiuely, as ſhall make and fill vp the full number of eight Commiſſioners: And that the Commiſſioners aforeſaid, or the more part of them, by the authority of this Act, ſhall haue full power to chuſe, nominate, and appoint one or more ſuch perſon or perſons, as they ſhall thinke fit, to collect, gather, and lay out the ſaid ſeuerall ſummes, and the perſon or perſons ſo appointed, ſhall gather and take vp the ſaid ſummes aſſeſſed by diſtreſſe, and ſale of goods of euery perſon refuſing to pay the taxe, or aſſeſſement impoſed vpon him, reſtoring to the perſon, whoſe goods ſhall be ſo diſtrained, the ouer-plus (if any be) of the price thereof, being ſold. And for that the ſaid paſſage from Bercot aforeſaid, to the ſaid Citie of Oxford, is againſt the ſtream, the Barges, Boats, Lighters, or other Veſſels, muſt of neceſſity in ſome places, and at ſome times be haled vp by ſtrength of men, horſes, winches, engines, or other meanes in that behalfe conuenient; Be it therefore enacted by the authority of this preſent Act, That it ſhall and may be lawfull to, and for Watermen, Boatmen, Bargemen, and other helpers of them in conuenient places, to haue and vſe Winches, Ropes, and other engines, and with the ſame by ſtrength of men and horſes, or either of them, going vp the Land or Bankes neere the ſaid Riuer or paſſage through the ſaid paſſage, without the hinderance, trouble, or impeachment of any perſon or perſons, to draw or hale vp the Barges, Boats, Lighters, or other Veſſels, doing none other harme than onely by going or treading vpon the ſaid Land or Bankes neere adioyning, as aforeſaid.

The Boatmen, &c. may goe on Land to hale their Boats, &c.

A Prouiſo for the taxe of the Vniuerſitie and Citie.

Prouided alwayes, that no priuiledged perſon of the Vniuerſitie of Oxford ſhall be taxed, as aforeſaid, without the conſent of two, or more of the Commiſſioners, of, or for the ſaid Vniuerſitie, nor any Free-man inhabiting of, or in the ſaid Citie, or the Suburbes or Liberties thereof, ſhall be taxed, as aforeſaid, without the conſent of two, or more of the Commiſſioners, of, or for the ſaid Citie.

The courſe and channell of Thames ſhall not be diuerted.

Prouided alſo, that this Act, nor any thing therein contained, ſhall giue power and authoritie to the ſaid Commiſſioners, or enable them to doe any act or thing, whereby the ſaid Riuer of Thames ſhall be diuerted or turned out of his ancient courſe or channell, wherein the ſame now runneth, or to draw more water thence, than ſhall conueniently ſerue for the ſaid paſſage.

3. Iac. 20. repealed.

And be it further enacted by the authority of this preſent Parliament, that one Act of Parliament made in the third yeare of the Kings Maieſties Reigne, the twentieth Chapter, (intituled, An Act for clearing the paſſage by water from London to, and beyond the Citie of Oxon) ſhall be from henceforth vtterly repealed, and of none effect.

Cap. XXXIII.

Foure entire Subſidies granted by the Spiritualty, EXP.

Cap. XXXIIII.

The Temporaltie conſidering that the King might be ingaged in a preſent Warre by breaking off the two Treaties with Spaine, *viz.* The one of the Marriage, and the other of the reſtitution of the Palatinate, freely grants vnto his Maieſtie three entire Subſidies, and three Fifteens and Tenths, whereof 18000. pounds ſhould be imployed towards the repaire of certaine decayed Cities and Townes, and the reſidue was to be expended in the managing of the expected Warre. Now for the better imployment of thoſe Monies, eight Citizens of London were appointed to be Treaſurers, and tenne other ſelected perſons to be of his Maieſties Councell for the Warre, All which ſhould make Oath, *viz.* the Treaſurers, that none of thoſe Moneys ſhould iſſue out of their hands without warrant from the ſaid Councell of Warre; And the other, that they ſhould make no warrants for the payment of any of thoſe Moneys, but onely for the ends aboue-mentioned: And farther ſhould all be accountable for their doings and proceedings in that behalfe to the Commons in Parliament, when they or any of them ſhould be thereunto required. EXP.

Cap.

CAP. XXXV.

The Kings Maieſties moſt gracious, generall, and free Pardon.

THe Kings Maieſtie moſt graciouſly conſidering the good will, and faithfull hearts of his moſt louing and obedient Subiects: And vnderſtanding that the ſame his louing Subiects haue many and ſundry wayes by the Lawes and Statutes of this Realme, fallen into the danger of diuers great penalties and forfeitures: And more particularly, that the perſons and fortunes of great numbers of his ſaid Subiects doe lie open vnto manifold inconueniences, as well by Seizures, Extents, and otherwiſe, for Debts, Accounts, Arrerages, and ſummes of money, of long time due to the Crowne in the times of his moſt noble Progenitors and Predeceſſors: And for Fines vpon alienations without licence, concealed Wardſhips, Primier Seiſins, Liueries, and Ouſter le maines: As alſo by Suites of Quare impedit, vpon titles of lapſe accrued to the Crowne: and by ſundry other meanes, for which they haue béene vſually queſtioned in his Courts, both Eccleſiaſticall and Temporall, is of his Princely and mercifull diſpoſition moſt graciouſly inclined to extend vnto them his liberall and free Pardon; and that in a more bountifull manner than hath béene accuſtomed, diſcharging thereby many things of ſpeciall importance, which in times paſt haue béene reſerued and excepted out of former Pardons, for the enriching of the Crowne; his Maieſtie moſt aſſuredly truſting that all his Subiects, by this his clemency and indulgent grace and fauour, will bee the rather moued and induced from henceforth, more carefully to obſerue his Highneſſe Lawes and Statutes, and to continue in their loyall and due obedience to his Maieſtie.

The cauſes of granting this Pardon.

And therefore his Maieſtie is well pleaſed and contented, that it be enacted by the Authoritie of this preſent Parliament, and be it enacted by the Authority of the ſame, in manner and forme following: (that is to ſay) That all and euery the ſaid Subiects, aſwell Spirituall as Temporall of this his Highneſſe Realme of England, Wales, the Iles of Ierneſey, Garneſey, and the Towne of Barwicke, the Heires, Succeſſors, Executors and Adminiſtrators of them, and euery of them, and all and ſingular bodies in any maner of wiſe corporated, Cities, Boroughes, Shires, Ridings, Hundreds, Lathes, Rapes, Wapentakes, Townes, Villages, Hamlets, and Tythings, and euery of them, and the ſucceſſor and ſucceſſors of euery of them, ſhall be, by the authority of this preſent Parliament, acquitted, pardoned, releaſed and diſcharged againſt the Kings Maieſty, his Heires and Succeſſors, and euery of them, of all manner of treaſons, felonies, offences, contempts, treſpaſſes, entries, wrongs, deceits, miſdemeanours, forfeitures, penalties, and ſummes of money, paines of death, paines corporall and pecuniarie, and generally of all other things, cauſes, quarrels, Suites, Iudgements, and Executions in this preſent Act hereafter not excepted nor fore-priſed, which may be, or can be by his Highneſſe in any wiſe, or by any meanes pardoned, before and vnto the twentieth day of December laſt paſt, to euery or any of his ſaid Subiects, Bodies corporate, Cities, Boroughs, Shires, Ridings, Hundreds, Lathes, Rapes, Wapentakes, Townes, Villages, and Tithings, or any of them.

The generall Pardon.

And alſo the Kings Maieſtie is contented, that it be enacted by authority of this preſent Parliament, and be it enacted by the authority of the ſame, that this his ſayd frée Pardon ſhall be as good and effectuall in the Law to euery of his ſayd Subiects, bodies corporate, and others before rehearſed, in, for, and againſt all things which be not hereafter in this preſent Act excepted and forepriſed, as the ſame Pardon ſhould haue béene, if all offences, contempts, forfeitures, cauſes, matters, ſuites, quarrels, iudgements, executions, penalties, and all other things, not hereafter in this preſent Act excepted and forepriſed, had beene particularly, ſingularly, eſpecially, and plainely named, rehearſed, and ſpecified, and alſo pardoned by proper and expreſſe wordes and names, in their kindes, natures, and qualities, by words and termes thereunto requiſite, to haue béene put in, and expreſſed in this preſent Act of frée Pardon: And that his ſayd Subiects, nor any of them, nor the Heires, Executors, or Adminiſtrators of any of them, nor the ſayd bodies corporate, and others before named and rehearſed, nor any of them bée, nor ſhall bee ſued, vexed, or inquieted in their Bodies, Goods, Chattels, Landes, or Tenements, for any manner of matter, cauſe, contempt, miſdemeanour, forfeiture, treſpaſſe, offence, or any other thing ſuffered, done or committed before the ſayd twentieth day of December laſt paſt, againſt his Highneſſe, his Crowne, Dignity, Prerogatiue, Lawes, or Statutes, but onely for ſuch matters, cauſes, and offences as be rehearſed, mentioned or in ſome wiſe touched in the exceptions of this preſent Act to be forepriſed and excepted, and for none other, any Statute or Statutes, Lawes, Cuſtomes or Vſages heretofore had, made, or vſed to the contrary in any wiſe notwithſtanding.

Euery thing, (except, &c.) ſhalbe as well pardoned by the generall words of this Act, as if it were particularly named.

And the Kings Highneſſe, of his bounteous liberality, by the authority of this preſent Parliament, granteth, and fréely giueth to euery of his Subiects, and to euery of the ſayd bodies corporate, and others before rehearſed, and euery of them, all goods, chattels, debts, fines, iſſues, profits, amerciaments, forfeitures, and ſummes of money by any of them forfeited, which to his Highneſſe doe, or ſhall belong or appertaine, by reaſon of any offence, contempt, treſpaſſe,

A pardon of things forfeited.

entry, miſdemeanour, matter, cauſe, or quarrell, ſuffered, done or committed by them or any of them before the ſaid twentieth day of December laſt paſt, which be not hereafter in this preſent Act forepriſed and excepted.

The grant of ſuch forfeitures ſhall be good.

All the Kings Subiects may plead this Pardon.

And be it enacted neuertheleſſe, That all Grants thereof, or of any part thereof, made by any ſuch as haue ſo forfeited the ſame, and are hereby reſtored as aforeſaid, and all executions thereof, or of any part thereof had againſt any ſuch after ſuch forfeiture thereof committed or made, ſhal be of ſuch force and effect, as if no ſuch forfeiture thereof had beene had or made, and of no other. The ſame forfeiture or any thing before in this Act to the contrary notwithſtanding. And that all and euery the Kings ſaid ſubiects, and all and ſingular bodies corporate, and others before rehearſed, may by him or themſelues, or by his or their deputy or deputies, or by his or their Attourney or Attourneys, according to the Lawes of this Realme, plead and miniſter this preſent Act of free Pardon for his or their diſcharge, of, or for any thing that is by vertue of this preſent Act pardoned, diſcharged, giuen or granted without any Fee or other thing, paying to any perſon or perſons for writing or entry of the Iudgements, or other cauſe concerning ſuch plea, writing or entry, but onely ſixteene pence to be paid to the Officer or Clerke that ſhall enter ſuch plea, matter or iudgement for the parties diſcharge in that behalfe: Any Law, Statute, Vſage or Cuſtome to the contrary notwithſtanding.

The Fee of pleading it, is 16. d.

This Pardon ſhall be beneficially expounded for the Subiect.

And furthermore, the Kings Maieſtie is contented and pleaſed, that it be enacted by the Authority of this preſent Parliament, that this his ſaid free Pardon, by the generall words, clauſes, and ſentences before rehearſed, ſhall be reputed, deemed, adiudged, expounded, allowed and taken in all manner of Courts of his Highneſſe and elſe-where, moſt beneficiall and auaileable to all and ſingular the ſaid Subiects, bodies corporate and others before rehearſed, and to euery of them in all things not in this preſent Act excepted or forepriſed, without any ambiguity, queſtion, or other delay whatſoeuer it ſhall be, to be made, pleaded, obiected, or alleadged by the King our Soueraigne Lord, his Heires or Succeſſors, or by his or any of their generall Attourney or Attourneys, or by any perſon or perſons, for his Highneſſe, or any of his Heires or Succeſſors.

The penaltie of the Officer, &c. that goeth about to recouer, or detaineth any thing pardoned by this Act.

And furthermore it is enacted by the King our Soueraigne Lord, and by the authority of this preſent Parliament, that if any Officer or Clerke of any of his Highneſſe Courts, commonly called the Chancery, Kings Bench, and Common Pleas, or of his Exchequer, or any other Officer, or Clerke of any other of his Highneſſe Courts within this Realme, at any time after the laſt day of this preſent Seſſion of Parliament, make out, or write out any manner of Writs, Proces, Summons, or other Precepts, whereby any of the ſaid Subiects, or any of the ſaid bodies corporated, or others before rehearſed, or any of them, ſhall be in any wiſe arreſted, attached, diſtrained, ſummoned, or otherwiſe vexed, inquieted, or grieued in his or their Bodies, Lands, Tenements, Goods or Chattels, or in any of them, for, or becauſe of any manner of thing pardoned or diſcharged by vertue of this Act of free Pardon: or if any Sheriffe or Eſcheater, or any of their Deputie or Deputies, or any Bayliffe or other Officer whatſoeuer, by colour of his or their Office, or otherwiſe, after the ſaid laſt day of this preſent Seſſion of Parliament, doe leuie, receiue, take or withhold, of, or from any perſon or perſons, any thing pardoned or diſcharged by this Act, that then euery ſuch perſon ſo offending, and thereof lawfully conuicted, or condemned by any ſufficient teſtimony, witneſſe or proofe, ſhall yeeld and pay for recompence thereof to the partie ſo grieued or offended thereby, his, or their treble dammages, beſides all coſts of the ſuit; and ſhall alſo forfeit and loſe to the Kings Maieſtie for euery ſuch default tenne pounds. And neuertheleſſe all and ſingular ſuch Writs, Proces, and Precepts ſo to be made, for or vpon any maner of thing pardoned or diſcharged by this preſent Act of free Pardon, ſhall be vtterly voide and of none effect.

Treaſons againſt the Kings perſon, &c. excepted.

Excepted and alwayes forepriſed out of this generall and free Pardon, all, and all manner of high Treaſons, and other offences committed or done by any perſons, againſt the Kings moſt Royall perſon, or the perſon of the Princes Highneſſe, and all conſpiracies and confederacies traiterouſly had, committed or done by any perſon or perſons againſt the Kings Maieſties Royall perſon, or the perſon of the Princes Highneſſe, and all, and all manner of leuying of Warre, and all Rebellions and Inſurrections whatſoeuer.

Treaſons committed beyond Sea, excepted.

And alſo excepted all and euery manner of Treaſons committed or done by any perſon or perſons in the parts beyond the Seas, or in any other place out of the Kings Dominions: and alſo all ſuits, puniſhments, executions, paines of death, forfeitures and penalties, for, or by reaſon of occaſion of any the Treaſons and offences before excepted.

Counterfeiting the K. Seales, &c. excepted.

And alſo excepted out of this Pardon all offences of forging and falſe counterfeiting the Kings Maieſties great or priuie Seale, ſigne Manuel, or priuy Signet, or of any the moneys currant within this Realme: And alſo all offences of vnlawfull diminiſhing of any the ſaid moneys, by any way or meanes whatſoeuer, contrary to the Lawes and Statutes of this Realme: And alſo all miſpriſions and concealements of high Treaſon: And all abetting, aiding, comforting, or procuring of the ſame offences, or any of the ſaid treaſons.

And alſo excepted out of this Pardon all manner of voluntary Murders, pettie Treaſons, and wilfull Poyſonings, done or committed by any perſon or perſons, and all and euery the acceſſaries, to the ſame offences, or any of them, before the ſayd offences committed.

Petit treaſon &c. excepted.

And alſo excepted and forepriſed out of this generall Pardon, all and euery offences of Pyracy, and Robbery, done vpon the Seas, and all and euery procuring or abetting of any ſuch offendors, and the comforting and receiuing of them or any of them, or of any goods taken by way of Pyracie or Robbery vpon the Seas, as aforeſayd.

Piracy, &c. excepted.

And alſo excepted out of this Pardon, all Burglaries, committed or done in any dwelling houſe or houſes, and all acceſſaries to any the ſayd Burglaries, before the ſame Burglary committed.

Burglary excepted.

And alſo excepted all robberies done vpon, or to any mans or womans perſon in the high-way, or elſewhere: And all and ſingular acceſſaries of, or to any ſuch robberies before the ſayd robbery committed.

Robbery &c. excepted.

And alſo excepted the felonious ſtealing of any Horſe, Gelding or Mare, and all acceſſaries thereunto, before the ſame felony committed, and all Iudgements and Executions, of and for the ſame.

Horſeſtealing excepted.

And alſo excepted all wilfull burnings of any dwelling houſe or houſes, or of any barne or barnes, wherein any Corne was.

Houſe-burning excepted.

And alſo excepted the deteſtable and abominable vice of Buggery committed with mankind or beaſt.

Buggery excepted.

And alſo excepted all Rapes, and carnall rauiſhments of women.

Rapes excepted.

And alſo excepted all rauiſhments and wilfull taking away, or marrying of any Mayd, Widow or Damoſell, againſt her will, or without the aſſent, or agreement of her parents, or of ſuch as then had her in cuſtody: And alſo all offences of ayding, comforting, procuring or abetting of any ſuch rauiſhment, wilfull taking or marrying, had, committed, or done.

wilful taking away &c. of any maid, &c. excepted.

And all offences made Felony, by a certaine Act lately made and ordained, intituled, an Act to reſtraine all perſons from marriage, vntill their former wiues, and former husbands be dead.

Double marriages excepted.

And alſo excepted all wilfull eſcapes of any Traytors.

Eſcapes of Traytors.

And alſo excepted out of this Pardon, all perſons now attainted or outlawed, of, or for any Treaſon, petit Treaſon, Murder, wilfull Poyſoning, Burglary, or Robbery, and all Executions, of, and for the ſame.

Perſons outlawed &c excepted.

And alſo excepted all offences of Inuocations, Coniurations, Witchcrafts, Sorceries, Inchantments, and Charmes, and all offences of procuring, abetting, or comforting of the ſame, and all perſons now attainted or conuicted of any the ſayd offences.

witchcraft excepted.

And alſo excepted all and euery perſon and perſons, which being outlawed, of, and for any Felony or Felonies, and their outlawries, the twentieth day of December laſt, ſtanding in force, ſithence their ſayd outlawries, haue eftſoones committed any other Felony.

Felons outlawed &c. excepted.

And alſo excepted all and euery manner of taking away from the Kings Maieſty that now is, of any Goods or Chattels, or the Iſſues, Rents, Reuenues, or profites of any Manors, Lands, Tenements, or Hereditaments, which were of any Traitor, Murderer, Felon, Clerke or Clerkes attainted, or Fugitiues, or any of them.

Taking the goods &c. of Traitors &c. excepted.

And alſo excepted all Goods and Chattels, in any wiſe forfeited ſithence the beginning of the Kings Maieſties reigne, by reaſon of any Treaſon, petit Treaſon, Murder or Felony heretofore committed or done.

All goods forfeited for treaſons &c. excepted.

And alſo excepted all offences, of, or in making, writing, printing, or publiſhing, or in conſenting vnto the making, writing, printing, or publiſhing of any falſe, ſeditious, or ſcandalous Booke or Bookes, Libell or Libels, in any wiſe againſt the Kings Maieſty, or the preſent gouernment of this Realme, in cauſes either Eccleſiaſticall or Temporall, or againſt any perſon or perſons.

Making, &c. of ſeditious bookes &c. excepted.

And alſo excepted out of this Pardon, all intruſions and ſpoyle of Woods, had, made, or done ſithence the beginning of his Maieſties reigne, by any perſon or perſons, in, or vpon any of the Manors, Lands, Tenements, or other Hereditaments of our ſayd Soueraigne Lord the King, and all waſtes done, committed, or ſuffered vpon any ſuch Lands, Tenements, or Hereditaments, and the wrongfull taking of any the Rents, Iſſues and Profits of the ſame Manors, Lands, Tenements, or Hereditaments of our ſayd Soueraigne Lord the King, ſince the beginning of his Maieſties Reigne, and alſo all Suites, Accompts and Impetitions, of, and for the ſame.

Intruſions & ſpoile of woods excepted.

And alſo excepted out of this Pardon, all Alienations, ſince the ſixth of October laſt paſt, made of any Lands, Tenements, or Hereditaments without licence, and all Fines, Iſſues, and Profits that may, or ought to grow, or come to the Kings Maieſty, by reaſon of any ſuch Alienation without licence.

Alienations &c. excepted.

And alſo excepted out of this Pardon, all waſts committed or done in any of the Kings Wards Lands, or in the Wardes Lands of any the Kings Committees: And alſo all and euery Fine and Fines for the ſingle and double value of the marriage or marriages of all and euery Ward or Wardes, at any time before the fiue and twentieth day of March in the ſixteenth yeare

waſts in wards lands &c excepted.

of his Maieſties Reigne of England, growne to the Kings Maieſtie, or any his Noble Predeceſſors: For which Wardſhip any Office or Inquiſition was found before the ſixth day of October laſt paſt, and all Fines for the ſingle and double value of the marriage or marriages of all and euery Ward or Wards, growne to the Kings Maieſtie, ſince the ſaid fiue and twentieth day of March, in the ſaid ſixtéenth yeare of his Maieſties Reigne.

Wards which haue fallen before the 25. of March, Anno 16. Iac. excepted.

And alſo excepted all Wards, and the lands of ſuch Wards as haue growne to the Kings Maieſtie, or any his noble Predeceſſors at any time before the ſaid fiue and twentieth day of March, in the ſaid ſixtéenth yeare of his Maieſties reigne, for which any Office or Inquiſition was found before the ſixth day of October laſt paſt: and all other Wards concealed or not concealed, growne to his Maieſtie ſince the fiue and twentieth day of March in the ſixtéenth yeare aforeſaid, and all Liueries and Primier Seiſons, and Ouſter le mains, that ought to be had, done, or ſued for, or in reſpect of any the Wards or Wards lands before excepted.

Rauiſhment of wards, excepted.

And alſo excepted out of this generall Pardon all rauiſhments, and wrongfull taking or withholding of any of the Kings Wards or Wards lands before excepted, or the rents and profits of the ſame, and all miſdemeanours and offences concerning the ſame, and euery thing that by reaſon of any Ward or Wards lands before excepted, or for default of ſuing or proſecuting of any Liuery of the ſame, ought to come, or be to the Kings Maieſty, and which as yet is not diſcharged.

Widowes marrying without licence, excepted.

And alſo excepted all Fines that ſhould or ought to grow to the Kings Maieſtie that now is, of any of his widowes that haue married without licence, ſince the beginning of his Maieſties Reigne.

The King ſhall haue the benefit of all wards, except, &c.

Prouided alwayes and be it enacted by the authority of this preſent Parliament, That the Kings Maieſtie, his Heires and Succeſſors ſhall haue and enioy the full and whole intereſt, benefit, profit, and aduantage of all Wardſhips before excepted, and of all Liueries, Primier Seiſons and Ouſter le mains of all Manors, Lands, Tenements and Hereditaments whatſoeuer, and all meane Iſſues, Rates and Profits for not proſecuting, or not ſuing of any Liuery, or Ouſter le maine, as if this Act had neuer béene had or made, except ſuch Liueries Primier Seiſons, and Ouſter le maines, which ſhould haue béene ſued or anſwered before the ſaid fiue and twentieth day of March, in the ſixtéenth yeare aforeſaid, and haue not béen ſued nor anſwered, nor any tender or continuance made of, or for the ſame, nor any Office before the ſixth day of October laſt found concerning the ſame. And except all ſuch Liueries, and Ouſter le maines, as haue béene already ſued out, but by reaſon of any erroneous or vndue procéedings are voide or defectiue; All which Liueries, Primier Seiſons, and Ouſter le mains laſt mentioned to be excepted, ſhall be by this preſent Act fully pardoned and diſcharged.

Liueries, and Ouſter le maines ſhall be ſued out, notwithſtanding this Act.

Prouided alſo and be it enacted, That all and euery perſon and perſons which haue tendered, or ought to ſue his, her, or their, or any of their Liueries, or Ouſter le maines, except as before excepted of, or for any Manors, Lands, Tenements or Hereditaments whatſoeuer they be, ſhall ſue his, her, or their Liuery and Liueries, and Ouſter le mains out of our ſaid Soueraigne Lord the Kings hands, and ſhall anſwer and pay their Fines, Iſſues, and meane Profits for his or their Manors, Lands, Tenements and Hereditaments in like maner and forme to euery reſpect, as they and euery of them ſhould or ought to haue done, if this Act had neuer béene had ne made, notwithſtanding the not finding of any Office or Offices, or any other matter whatſoeuer: Any Article, thing or things in this preſent Act of generall Pardon compriſed and ſpecified to the contrary notwithſtanding.

Perſons impriſoned by the Councell, excepted.

And alſo excepted and forepriſed out of this Pardon all ſuch perſons as the laſt day of this preſent Seſſion of Parliament be, or at any time ſince the beginning of the ſame Seſſion haue béene in priſon within the Tower of London, or in the priſon of the Marſhalſey, or in the priſon of the Fléet, or in the priſon of the Gatehouſe, or otherwiſe reſtrained of liberty by expreſſe commandement, or direction of any his Maieſties priuie Councell.

Fugitiues for Treaſon, &c. excepted.

And alſo excepted out of this Pardon all and euery ſuch perſon and perſons, which at any time, ſince the beginning of the Kings Maieſties reigne, haue fled out of this Realme of England, or any other the Kings Dominions for any offence of high Treaſon, pettie Treaſon or miſpriſion of Treaſon.

Going beyond Sea without licence, excepted.

And alſo excepted all ſuch perſons as be gone or fled out of this Realme, for any cauſe contrary to the Lawes and Statutes of this Realme, without the Kings Maieſties licence.

Abiding out of the Realm, their licence expired, excepted.

And alſo excepted all ſuch perſons as haue obtained and had licence to depart this Realme for a certaine time, and now doe abide out of the Realme without any lawfull excuſe after the time of their licence expired.

Miſdemeanours of Officers concerning Cuſtomes or Subſidies, excepted.

And alſo excepted out of this Pardon all and euery Concealements and wrongfull detainements of any Cuſtome or Subſidie due to the Kings Maieſtie that now is, and all corruptions and miſdemeanours of any Officer or Miniſter, of, or concerning Cuſtome or Subſidie, and all Accounts, Impetitions and Suits to be had, made, or done for the ſame.

And alſo excepted all and ſingular Accounts of all and euery Collector and Collectors of any Subſidie, Fiftéene, Cuſtome, or other thing growne due, or happening ſince the beginning of his

Maie-

Accounts which haue growne due to the King ſince the 25. of March, Anno 1. Iac. excepted.

Maieſties reigne, and all Accounts of euery other perſon whatſoeuer, that ought to be accomptant to the Kings Highneſſe, for, or in reſpect of any receipt or other charge which hath growne ſince the fiue and twentieth day of March, in the firſt yeare of his Maieſties Reigne of England, & the heires, executors, & adminiſtrators of ſuch euery perſon that ought to account for all things touching onely the ſame Accounts: And all and ſingular Arrerages of Accounts, and vntrue Accounts, made or rendred ſince the ſaid fiue and twentieth day of March in the firſt yeare aforeſaid, and all Impetitions, Charges of Seiſures, Suits, Demands and Executions, which may or can be had, of or for any ſuch Account or Accounts, or any Arrerages of the ſame.

Deceits of Minters excepted.

And alſo excepted and forepriſed out of this Pardon, all, and all manner of deceits and offences, of all and ſingular Moneyers and other Officers, Minters and Workemen of, or in any the Kings Maieſties Mints within this Realme, or any other his Dominions, and all Impetitions and puniſhments for the ſame.

Titles of Quare impedit excepted.

And alſo excepted all Titles and Actions of Quare impedit, other than ſuch Titles and Actions of Quare impedit, as his Maieſtie hath or may haue by reaſon of Lapſe, incurred aboue thrée yeares paſt, for or concerning any Benefice or Eccleſiaſticall Liuing, whereof any Incumbent is, or the laſt day of this Seſſion of Parliament, ſhall be in Actuall poſſeſſion by preſentation of any Patron, or collation of any Ordinary.

Homages, Reliefes, &c. excepted.

And alſo except all Homages, and alſo except all Reliefe and Reliefes, Heriots, Rent-Seruices, Rents-Charges, Rents-Seckes, and the Arrerages of the ſame, growne due ſince the beginning of his Maieſties Reigne, and not done or paid to the Kings Highneſſe.

Penalties, &c. for breach of conditions or couenants, excepted.

And alſo excepted all Conditions and Couenants, and all Penalties, Titles and Forfeitures of Condition or Conditions, Couenant or Couenants, accrued or growne to the Kings Maieſty, by reaſon of the breach, and not performing of any Couenant or Condition whatſoeuer.

Subſidies, Fifteenths & Tenths excepted.

And alſo excepted all ſummes of Money granted to the Kings Maieſtie that now is, by way or name of Subſidie, Fiftéenth, Tenth or otherwiſe, and all Concealements, Frauds and Offences, by which his Maieſtie hath béene deceiued and not truly anſwered of, or for the ſame.

Debts due to the K. whereupon any ſeiſure hath been made, excepted.

Debts accruing for not apparance, or for not keeping the Peace or good behauiour, pardoned.

And alſo excepted out of this Pardon all Debts which were, or be due to our Soueraigne Lord the King, or to the moſt Noble Kings of famous memorie, King Henry the ſeuenth, King Henry the eighth, King Edward the ſixth, Quéene Mary, or the late Quéene Elizabeth, or to any perſon or perſons for, or to any of their vſes, by any Condemnation, Recognizance, Obligation or otherwiſe, whereupon any Eſtallment or Seiſure hath béene at any time heretofore made, vpon which Eſtallment or Seiſure any thing is, or at any time ſince the beginning of his Maieſties Reigne, hath béene anſwered or paid to his Maieſtie, (other than ſuch Debts as are due vpon any Obligation or Recognizance, forfeited before the ſaid twentieth day of December for non-apparance in any Court or other place whatſoeuer, or for not kéeping the Peace, or not being of good behauiour) which Debts growne or accrued vpon theſe cauſes, by this frée Pardon be, or ſhall be clearely pardoned and diſcharged.

Debts due to the King ſince the 25. of March, Anno 1. Iac. excepted, except, &c.

And alſo except all Debts ſince the fiue and twentieth day of March, in the firſt yeare of his Maieſties Reigne, growne due to his Maieſtie by any Condemnation, Recognizance, Obligation or otherwiſe, (other than ſuch Debts, as are due vpon any Obligation or Recognizance, forfeited before the ſaid twentieth day of December for non-apparance in any Court or other place whatſoeuer, or for not kéeping the Peace, or not being of good behauiour) which Debts growne or accrued vpon theſe cauſes by this frée Pardon be, and ſhall be clearely pardoned and diſcharged.

All Penalties vpon Statutes excepted, which are in the nature of debts, or &c.

And alſo except and forepriſed out of this Pardon all and ſingular Penalties, Forfeitures and ſummes of Money, being due or accrued to our Soueraigne Lord the King, by reaſon of any Act, Statute or Statutes: which Forfeitures, Penalties, and ſummes of Money, ſince the beginning of his Maieſties Reigne, be conuerted into the nature of Debt, by any Judgement, Order, or Decrée, or by the agréement of the Offender or Offenders: And all and ſingular penalties, forfeitures, and ſummes of money being due, or accrued to our Soueraigne Lord the King, by reaſon of any Act, Statute or Statutes; which forfeitures, penalties, and ſummes of money, being before the beginning of his Maieſties Reigne, by any the meanes aforeſaid conuerted into the nature of Debt, haue béene eſtalled, or any Seizure made for the ſame, and vpon ſuch Seizure or Eſtallment any thing anſwered or paid to his Maieſties vſe ſince the beginning of his Maieſties Reigne.

Forfeitures of Leaſes excepted.

And alſo excepted all forfeitures of all Leaſes, Eſtates, or Intereſts of any Lands, Tenements, or Hereditaments, holden of our Soueraigne Lord the Kings Maieſtie, by Knights ſeruice or in ſoccage in Capite, or otherwiſe by Knights ſeruice made in one, or ſeuerall aſſurances, or Leaſes for any terme or termes of yeares, whereupon the old and accuſtomed Rent or more is not reſerued.

Firſt Fruits and Tenth excepted.

And alſo excepted all firſt Fruits and Tenths, growne due ſince the beginning of his Maieſties Reigne, and at this preſent being due to be paid to his Maieſtie, by force of any Act or Statute

tute, or otherwiſe.

Penalties &c. vpon verdict excepted.

And alſo excepted all Penalties and Forfeitures, whereof there is any Verdict, ſince the beginning of his Maieſties Reigne, in any Suite giuen, or paſt for the Kings Maieſtie.

Forfeitures &c which haue accrued to the King in 8. yeares &c. excepted.

And alſo excepted all Forfeitures, and other penalties and profits now due, accrued and growne, or which ſhall, or may be due, accrue or grow to the Kings Maieſtie, by reaſon of any offence, miſdemeanour or contempt, or other act or déede, had, ſuffered, committed or done contrary to any Act, Statute, or Statutes, or contrary to the Common Lawes of this Realme, and whereof, or for the which any Action, Bill, Plaint or Information at any time within eight yeares next before the laſt day of this preſent Seſſion of Parliament, hath béene, or ſhall be exhibited, commenced, or ſued in the Courts of Starre-Chamber, or Exchequer-Chamber, or in any the Kings Maieſties Courts at Weſtminſter, and now is, or the ſaid laſt day of this Seſſion of Parliament ſhall be there depending and remaining to be proſecuted.

All miſdemeanors &c. depending in the Starre chamber, excepted.

And alſo excepted out of this generall and free Pardon, all Offences, Contempts, Diſorders, Couins, Frauds, Deceits, and Miſdemeanours whatſoeuer, heretofore committed or done by any perſon or perſons, and whereof, or for the which any Suite by Bill, Plaint, or Information at any time within foure yeares next before the laſt day of this preſent Seſſion of Parliament, is, or ſhall be commenced, or exhibited in the Court of Starre-Chamber at Weſtminſter, and ſhall be there the ſame laſt day of this Seſſion of Parliament depending, or whereupon any ſentence or decrée is giuen or entred.

Offences &c in this Parliament. excepted.

And alſo excepted all offences and miſdemeanours, whereof any ſentence or Iudgement hath béene heretofore, or before the end of this Seſſion of Parliament, ſhall be giuen in the high Court of Parliament, and alſo the ſentences and Iudgements ſo giuen, and the execution of the ſame, and all Fines, Impriſonments, Penalties, Forfeitures, and Puniſhments, of, or for the ſame,

Subornations &c. excepted.

And alſo excepted out of this Pardon, all offences of Periuries, and the ſubornation of witneſſes, and offences of forging and counterfeiting of any falſe Déedes, Eſcripts or Writings, or of any examinations or teſtimonies of any witnes or witneſſes, tending to bring any perſon or perſons into danger of his life, and the giuing of the ſame in Euidence, and the counſelling or procuring of any ſuch counterfeiting or forging to bee had or made; And all falſe and malicious conſpiracies, to bring any perſon or perſons into danger of his life.

Conueying treaſure out of the Realme excepted.

And alſo excepted out of this Pardon, all and euery offence or offences, touching or concerning the carrying, ſending, or conueying ouer the Seas, or out of this Realme, of any Gold, Siluer, Iewels, or any coyne of Gold or Siluer, contrary to the Lawes or Statutes of this Realme, vnleſſe it were by the Kings licence.

Hereſie, Schiſme, &c. excepted.

And alſo excepted out of this Pardon, all offences of Hereſie, Schiſme, Inceſt, Adultery, Fornication, and Simony, and all ſuch Vſury, for which any Intereſt hath béene receiued or taken, ſince the ſayd twentieth day of December, and all miſdemeanors and diſturbances, committed or made in any Church or Chappell in the time of Common Prayer, Preaching, or Diuine Seruice there vſed, to the diſturbance there; and all Outlawries and Proſecutions vpon the ſame.

Striking in the view of the Courts, excepted.

And alſo except all offences of drawing of weapons, vnlawfull ſtriking, or giuing of blowes, & all other force or violence committed or done in any Terme time, in the view of any the Kings Courts, iudicially ſitting at or in Weſtminſter Hall, for the which any perſon or perſons now ſtand indicted, conuicted, or attainted in any of his Maieſties ſayd Courts.

All Premunires excepted.

And alſo excepted all offences, whereby any perſon may be charged with the penalty and danger of Premunire, and of the which offence or offences, any perſon ſtandeth already indicted, or otherwiſe lawfully condemned or conuicted.

Dilapidations excepted.

And alſo excepted all Dilapidations, for which any ſuit is, or before the end of this Seſſion of Parliament, ſhall be depending.

Conueying of munition beyond ſea excepted.

The proſecuting of a ſuit &c. excepted.

And alſo excepted all offences whatſoeuer, in ſhipping, or willingly aſſenting, or cauſing to be ſhipped, to be tranſported into any the parts beyond the Seas, out of the obedience of his Maieſty, any Gunnes, Ordnance, Shot, or Gun-mettall, contrary to the Lawes and Statutes of this Realme, without licence of his Maieſty in that behalfe, firſt had and obtained: And alſo all ſuch as couenouſly, or by conſent, or for the reliefe of any ſuch as haue offended in, or againſt any popular or penall Statute, haue for the ſame offence or offences, exhibited any Action, Bill, Plaint, Information or Suit againſt any ſuch offendor or offendors.

Imbeſiling of the K. goods, excepted.

And alſo excepted all offences in taking away, imbeſiling, or purloyning any the Kings Maieſties Goods, Money, Chattels, Iewels, Armour, Munition, Ordnance, or other Habiliments of warre.

Briberies, & deceipts of Officers excepted.

And alſo excepted out of this Pardon, all manner of extortions and briberies whatſoeuer, and alſo excepted all couins, fraudes, deceipts, and other diſorders and miſdemeanors whatſoeuer, heretofore commited or done by any Steward of his Maieſties Manors or Courts, Vnder-ſheriffe, or by any Officer or Miniſter in any of his Highneſſe Courts, in, or by reaſon or colour of any of their Offices, or places, or any their Deputies or Clerkes: And all offences of ayding, comforting, aſſiſting or procuring of any Vnderſheriffe, or any ſuch Officer, Miniſter, or Clerke, in contriuing, doing, or executing any ſuch extortion, exaction, couin, fraud, deceipt, diſorder, or miſdemeanor.

And alſo excepted all hunting, killing, or ſtealing of Deere, in any of his Maieſties Forreſts, Parkes, or Chaſes, and other diſorders and miſdemeanors done or committed in the ſame.

Stealing of Deere excepted.

And alſo excepted all offences and contempts, diſorders and miſdemeanors, committed or done by any perſon or perſons, contrary to the Lawes of the Forreſts within the circuit or precinct of his Maieſties Forreſt of Winſor and Waltham, or of either of them, and all penalties of the ſame.

Miſdemeanors in Forreſts excepted.

And alſo excepted out of this Pardon, all Iſſues, Fines, and Amerciaments loſt, impoſed, or aſſeſſed, ſince the beginning of his Maieſties reigne, being totted, leuyed, or receiued by any Sheriffe, Vnderſheriffe, Bayliffe, Miniſter, or other Officer, to or for the Kings Maieſties vſe or behoofe, before the laſt day of this preſent Seſſion of Parliament, and all Iſſues, Fines, and Amerciaments, ſince the beginning of his Maieſties reigne, afferred, taxed, ſet, eſtreated, or entred ſeuerally or particularly, touching or concerning any one perſon, or moe perſons, ioyntly or ſeuerally aboue the ſumme of ſixe poundes.

All Iſſues, Fines, & Amerciaments excepted,

And alſo excepted all Iſſues, Fines, and Amerciaments returned, afferred, taxed, ſet, or entred ſeuerally or particularly in any Court of Record at Weſtminſter, at any time ſithence the ſixth day of October laſt paſt.

Iſſues, &c. returned into any Court at weſtminſter &c. excepted.

And yet neuertheleſſe, all other Fines, as well Fines pro licentia concordandi, as other, ſet, taxed, eſtreated, or entred before the ſixth day of October laſt paſt, and alſo all Iſſues and Amerciaments, as well reall as others, within any Liberties or without, being ſet, taxed, eſtreated, or entred before the ſayd ſixth day of October, and which ſeuerally or particularly extend to, or vnder the ſumme of ſixe pounds, and not aboue, whether they be eſtreated or not eſtreated, or whether they be turned into Debt, or not turned into Debt, and not being totted, leuyed or receiued by any Sheriffe, or Vnderſheriffe, Miniſter, or other Officer, to or for the Kings Maieſties vſe or behoofe, before the laſt day of this preſent Seſſion of Parliament, ſhall bee freely, clearely, and plainely pardoned, and diſcharged againſt the Kings Maieſty, his heires and ſucceſſors for euer, by force of this preſent Act of free Pardon.

All Fines entred before the 6. of October and all Iſſues, & Amerciaments not exceeding 6. pounds, & entred before that day, are pardoned by this Act.

And yet neuertheleſſe, all eſtreates of ſuch Fines, Iſſues and Amerciaments, as be now pardoned by this Act, and which be already eſtreated forth of the Court of Exchequer, and be remaining in the hands of the Sheriffe, Vnderſheriffe, or Bayliffe, for collecting of the ſame Fines, Iſſues, and Amerciaments, ſhall vpon the returne of the ſame eſtreates, be orderly charged, and deliuered by Scrowes into the Office of the Pipe, in the Court of Exchequer, as heretofore hath beene accuſtomed, to the intent that thervpon, order may bee taken, that his Maieſty may be truely anſwered of all ſuch Fines, Iſſues, and Amerciaments, not by this Act pardoned, and which any Sheriffe, Vnderſheriffe, Bayliffe, or other Officer or Miniſter hath receiued, or ought to anſwer by force or colour of any ſuch Eſtreate, Proceſſe, or Precept, to him or them made, for the leuying thereof: And yet that notwithſtanding, all and euery Sheriffe and Sheriffes, and other accomptant, vpon his or their Petition or Petitions to be made for the allowance of any ſuch Fines, Iſſues and Amerciaments, as by this Act is pardoned, ſhall haue all and euery ſuch his and their petition allowed in his and their account and accounts, without paying any fee or reward to any Officer, Clerke, or other Miniſter, for the making, entring, or allowing of any ſuch petition or petitions: Any vſage or cuſtome to the contrary thereof notwithſtanding.

All eſtreates of Fines, &c. pardoned by this Act ſhall be returned into the Pipe.

The Sheriffe or other accomptant vpon petition ſhalbe diſcharged of thoſe eſtreats.

And alſo excepted out of this Pardon, all ſuch perſons which haue committed or done any offence or offences, contrary to the tenour or effect of the Statute, made in the ſeuen and twentieth yeare of the reigne of the late Queene Elizabeth, intituled, An Act againſt Ieſuites, Seminary Prieſts, and other ſuch diſobedient perſons, or of any part thereof: and all Outlawries, proceedings, iudgements, and executions vpon the ſame offences or any of them.

All offences committed againſt the ſtat. of the 27. El. cap. 2. excepted.

And alſo excepted all perſons which haue committed or done any offence contrary to the Statute made in the three and twentieth yeare of the reigne of the ſayd late Queene Elizabeth, intituled, An Act to retaine the Queens Maieſties Subiects in their due obedience, or any part thereof: and all Outlawries, Proceedings, and Iudgements, and Executions vpon the ſame offences, or any of them, for ſuch or ſo long time, as they ſhall continue diſobedient or wilfully obſtinate in any of the ſame offences.

Offences againſt the ſtat. of 23. El. 1. excepted.

And yet neuertheleſſe, whenſoeuer the ſame perſons, or any of them, ſhall willingly ſubmit themſelues in their due obedience to his Maieſty, and will come to the Church to heare Diuine Seruice, and willingly refuſe the ſayd wilfull obſtinacy, and conforme themſelues in the ſayd cauſes of Religion and Doctrine, and continue in ſuch their conformity, and due obedience to his Maieſty, according as by the Lawes and Statutes of this Realme they ought to doe: that then and from thenceforth all and euery ſuch perſon and perſons, ſo ſubmitting & yeelding themſelues in their due obedience towards his Maieſty, & ſo continuing in the ſame, ſhall forthwith be receiued & enabled by force of this Act, to haue and enioy the full benefit of this generall Pardon, as largely and fully in all reſpects, as any other of his Maieſties good Subiects haue or ought to enioy, by vertue of this Act of generall Pardon

The offendors of ſtat. aboueſaid conforming themſelues, ſhall take the benefit of this Act.

And

Rebels excepted.

And alſo excepted out of this Pardon, all ſuch perſons as bee, and remaine ſtill attainted or condemned, and not already pardoned, of, or for any rebellion, or leuying of warre, or of, or for any conſpiracy of any rebellion or leuying of warre within this Realme, or in any other the Kings Dominions.

Forging of Commiſſions, or Certificates, &c. excepted.

And alſo excepted all falſe Forging, and counterfeiting of any Commiſſion or Commiſſions, to enquire of any Lands, Tenements, or Hereditaments, and alſo all falſe forging and counterfeiting of any vntrue Certificate, or returne of any Commiſſion or Commiſſions, obtained or gotten forth of any Court or Courts, to enquire of any Lands, Tenements, or other things whatſoeuer; And all maner falſifying of any particular, or of any Bill or Billes ſigned by his Maieſty, after the engroſſing thereof, and before the paſſing the ſame vnto the great Seale.

Offences concerning new buildings, &c. neere London, excepted.

And alſo except out of this Pardon, all offences committed or done by any perſon or perſons in new Building, diuiding of Tenements, taking of Inmates, new Incloſures, and other Nuſances in any place within the Citie of London, and Suburbes of the ſame, or within three miles of the ſayd Citie, contrary to the Law, or any his Maieſties Proclamations in that behalfe made.

Writs of Capias Vtlagatum may be directed againſt any perſon &c.

The party outlawed ſhall ſue a Scire facias againſt the plaintife.

Prouided alwayes, and be it enacted by the authority aforeſayd, That it ſhall and may be lawfull to, and for all and euery Clerke, and other Officers of the Kings Courts, to award and make Writs of Capias Vtlagatum at the Suit of the party plaintiffe againſt ſuch perſons outlawed, as be pardoned by this Act, to the intent to compell the Defendant and Defendants to make anſwer to the Plaintiffe or Plaintiffes, at whoſe Suit he, or they were outlawed; and that euery perſon ſo outlawed, ſhall ſue a Writ of Scire facias, againſt the party or parties, at whoſe Suit he, or they were ſo outlawed, before this Pardon in that behalfe ſhall be allowed to him or them that is ſo outlawed.

One outlawed vpon a Capias ad ſatisfaciendum ſhall not take &c.

Prouided alſo, and be it enacted by the authority of this preſent Parliament, that this Act of generall Pardon, ſhall not in any wiſe extend to any perſon outlawed, vpon any Writ of Capias ad ſatisfaciendum, vntill ſuch time as the party ſo outlawed ſhall ſatiſfie, or otherwiſe agree with the party at whoſe Suit the ſame perſon was ſo outlawed or condemned.

This Pardon ſhall not extend to one in execution, nor to any Purueyor.

Pouided likewiſe, and be it enacted, that neither this Act of generall Pardon, nor any thing therein contained, ſhall in any wiſe extend to any perſon, that is, or ſhall be put to execution, at any time before ten dayes after the end of this Seſſion of Parliament: Or to pardon and diſcharge any offence, or miſdemeanor committed or done by any Purueyor, or other Taker whatſoeuer, in taking or purueying of any prouiſion whatſoeuer for the Kings Maieſties houſhold, or otherwiſe to the Kings Maieſties behoofe, or by pretence or colour thereof, contrary vnto, or againſt any the Lawes or Statutes in that behalfe made and ordained.

It ſhall not extend to pardon the corrupt diſcharging, &c. of a ſouldier.

Prouided alſo, and be it enacted by the authority aforeſayd, that neither this Act, nor any thing therin contained, ſhal extend to pardon or diſcharge any offence committed or done by any Commiſſioner, Captain or other perſon whatſoeuer, in the corrupt taking or hauing of any mony or other gift or reward, for the changing, releaſing, or diſcharging of any Souldier preſt or appointed to ſerue his Maieſty, in defence of the Realme, or otherwiſe.

Giles Mompeſſon excepted.

And alſo excepted out of this generall Pardon, Giles Mompeſſon late Knight.

This Act ſhal not diſcharge any debt, &c. for which vpon ſeiſure any thing hath beene anſwered, or obligation, &c. not yet forfeited.

Prouided alwaies, and be it enacted, That this Act or any thing therein contained, ſhall not extend, or be conſtrued to pardon any Debt, Accompt, Fine, Amerciament, Arrerage, or other Dutie, for which any Seiſure or Eſtalment hath bin made, and vpon ſuch Seiſure or Eſtalment, any thing anſwered to his Maieſty, ſince the beginning of his Maieſties reigne; nor to pardon, or diſcharge any Recognizance, Obligation or Bond, which is not yet forfeited.

This pardon ſhall conclude as well all perſons claiming vnder the K. &c. as the King himſelfe.

And be it further enacted, That this preſent Pardon ſhall bee of as good force and effect, to pardon and diſcharge all and ſingular the premiſſes aboue mentioned, and intended to be pardoned and diſcharged, aſwell againſt ſuch perſon or perſons, bodies politique and corporate, as doe, or ſhall claime the ſame, by, or vnder any Letters Patents, Leaſe or Graunt made by the Kings Maieſty, or any his Predeceſſors, as againſt the Kings Maieſty himſelfe. EXP.

ANNO

Anno Reg. CAROLI, *Regis Angl. Scotiæ, Franciæ, & Hiberniæ, Primo.*

AT the Parliament begun at Weſtminſter the eighteenth day of Iune, ANNO DOM. 1625, in the firſt yeare of the reigne of our moſt gracious Soueraigne Lord, CHARLES, by the grace of God, of great Brittaine, France, and Ireland, King, Defender of the Faith, &c. And there continued vntill the eleuenth day of Iuly following, & then adiourned vntill the firſt day of Auguſt folowing, vnto Oxford. To the high pleaſure of Almighty God, and to the weale publike of this Realme, were enacted as followeth.

CAP. I.

There ſhall be no aſſemblies for vnlawfull paſtimes vpon the Lords day.

FOraſmuch as there is nothing more acceptable to God than the true and ſincere Seruice and Worſhip of him, according to his holy will, and that the holy keeping of the Lords day, is a principall part of the true Seruice of God, which in very many places of this Realme hath been, and now is prophaned and neglected by a diſorderly ſort of people, in exerciſing and frequenting Beare-baiting, Bull-baiting, Enterludes, common Playes, and other vnlawfull exerciſes and paſtimes vpon the Lords day: And for that many quarrels, bloudſheds, and other great inconueniences haue growen by the reſort and concourſe of people going out of their owne Pariſhes to ſuch diſordered and vnlawfull exerciſes and paſtimes, neglecting Diuine Seruice both in their owne Pariſhes and elſewhere: Bee it enacted by the Kings moſt excellent Maieſty, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after forty dayes next after the end of this Seſſion of Parliament, there ſhall be no meetings, aſſemblies, or concourſe of people out of their owne Pariſhes on the Lords day within this Realme of England, or any the Dominions thereof, for any ſports or paſtimes whatſoeuer; nor any Beare-baiting, Bull-baiting, Enterludes, common Playes, or other vnlawfull exerciſes and paſtimes vſed by any perſon or perſons within their owne Pariſhes, and that euery perſon and perſons offending in any the premiſſes, ſhall forfeit for euery offence three ſhillings foure pence, The ſame to bee employed and conuerted to the vſe of the poore of the Pariſh where ſuch offence ſhall be committed: And that if any one Iuſtice of the Peace of the County, or the chiefe Officer or Officers of any Citie, Borough, or Towne corporate where ſuch offence ſhall be committed, vpon his or their view, or confeſſion of the party, or proofe of any one or more witneſſe by oath, which the ſayd Iuſtice or chiefe Officer or Officers ſhall by vertue of this Act haue authority to miniſter, ſhall find any perſon offending in the premiſſes, the ſayd Iuſtice or chiefe Officer or Officers ſhall giue Warrant vnder his or their hand and ſeale to the Conſtables, or Church-wardens of the Pariſh or Pariſhes where ſuch offence ſhall be committed, to leuy the ſayd penalty ſo to be aſſeſſed, by way of diſtreſſe, and ſale of the goods of euery ſuch offendor, rendring to the ſayd offendors the ouerplus of the money raiſed of the ſayd goods ſo to be ſold; And in default of ſuch diſtreſſe, that the party offending be ſet publikely in the ſtockes by the ſpace of three houres; And that if any man be ſued or impeached for execution of this Law, he ſhall and may plead the generall Iſſue, and giue the ſayd matter of Iuſtification in euidence. Prouided that no man bee impeached by this Act, except he be called in queſtion within one moneth next after the ſayd offence committed. Prouided alſo, that the Eccleſiaſticall Iuriſdiction within this Realme, or any the Dominions thereof, by vertue of this Act or any thing therein contained, ſhall not be abbridged, but that the Eccleſiaſticall Court may puniſh the ſayd offences, as if this Act had not beene made: This Act to continue vntill the end of the firſt Seſſion of the next Parliament and no longer. 3.Car. 4. continued vntill the end of the firſt Seſſion of the next Parliament. St.3.Car.1.

Diuers vnlawfull paſtimes exerciſed vpon the Lords day.

Euery perſon vſing any vnlawfull paſtimes on the Lords day, ſhal forfeit 3.s. 4.d. to the poore of the Pariſh.

After conuiction by warrant from a Iuſtice, &c. the Conſtables, &c. may leuy the penalty, &c.

Generall iſſue.

Limitation of this action.

The Eccleſiaſticall Iuriſdiction not impeached.

Cap. II.

All Leaſes to be made within three yeares by the Kings Maieſty of the Duchie Lands of Cornewall confirmed.

2 1. Iac. 29.

WHereas the King our Soueraigne Lord, being in the life time of his Royall Father of bleſſed memory, ſeized of the ſayd Dukedome of Cornewall, did bargaine and contract for Leaſes and Eſtates to be made of diuers Meſſuages, Lands, Tenements, and Hereditaments, parcell of the ſayd Dukedome of Cornewall, which Leaſes and Eſtates, his Maieſty was enabled to haue made in his ſayd Fathers life time, by an Act of Parliament made in the laſt Seſſion of Parliament, intituled, An Act to enable the moſt excellent Prince Charles to make Leaſes of Lands, parcell of his Highneſſe Duchy of Cornewall, or annexed to the ſame. And becauſe his Maieſty, hauing receiued diuers Fines, and ſummes of money, according to the ſayd Contracts, and hauing entred into Treaty with diuers others for like Eſtates, the finiſhing of which Contracts, and making the ſayd Leaſes, was preuented by his Maieſties acceſſe to the Imperiall Crowne of this Realme, is graciouſly pleaſed for the good of his poore Tenants of the ſayd Duchie Lands, to procéede to the full accompliſhment of the Contracts, and Leaſes of the premiſſes.

All Leaſes to be made within thrée years by the King of the Duchie Lands of Cornwall ſhall be good.

Bee it therefore enacted by our ſayd Soueraigne Lord the King, the Lords Spirituall and Temporall, and Commons in this preſent Parliament aſſembled, and by authority of this preſent Parliament, That all Leaſes to be made within the ſpace of thrée yeares now next enſuing by our ſayd Soueraigne Lord the King, by Letters Patents, Indentures, or other Writings vnder his Great Seale of England, or Seale of the Court of Exchequer, of any Mannors, Lands, Tenements, or Hereditaments, parcell of the poſſeſſions of the ſayd Duchie of Cornewall, or annexed to the ſame, ſhall be good & effectuall in Law, according to the purport and content of the ſayd Leaſes, againſt our ſayd Soueraigne Lord the Kings Maieſty, his Heires and Succeſſors, and againſt all and euery perſon or perſons, that ſhall hereafter haue, inherit or enioy the ſayd Dukedome of Cornewall, by force of any Acte of Parliament or other limitation whatſoeuer.

Except they be made for aboue 31. yeares or 3. liues, &c.

Prouided alwayes, That euery ſuch Leaſe ſo to be made, of any Manors, Lands, Tenements, or Hereditaments in poſſeſſion, ſhall be made but for thrée liues, or fewer, or for one and thirty yeares or vnder, or ſome other terme of yeares determinable vpon one, two, or thrée liues, and not aboue. And if ſuch Leaſes be made in reuerſion, That then the ſame, together with the Eſtates in poſſeſſion, doe not excéed thrée liues, or the terme of one and thirtie yeares, and not in any wiſe diſpuniſhable of waſt: And ſo as vpon euery ſuch Leaſe ſhall be reſerued the ancient or moſt vſuall Rent, or ſuch Rent as hath béene yéelded or payd for the greater part of twenty yeares next before the making of the ſayd Leaſes, and ſhall be reſerued due and payable, by, or to him or her that ſhall haue the inheritance or other Eſtate, of the ſayd Manors, Lands, Tenements, or Hereditaments. And where no ſuch Rent hath béene reſerued or payable, that then, vpon euery ſuch Leaſe, there ſhall be reſerued a reaſonable Rent, not being vnder the twentieth part of the cléere yearely value of the Manors, Lands, Tenements, or Hereditaments contained in ſuch Leaſe.

All Couenants, &c. contained in ſuch Leaſes ſhall be good.

And bée it further ordained and enacted by authority of this preſent Parliament, That all Couenants, Conditions, and Reſeruations, and other agréements contained in euery leaſe ſo to be made as aforeſaid, ſhall be good and effectuall in Law, according to the wordes and contents of the ſame, aſwell for, and againſt them, to whom the Reuerſion of the ſame Manors, Lands, Tenements, or Hereditaments ſhall come, as for and againſt them to whom the ſayd Leaſes ſhall come reſpectiuely: As if our ſayd Soueraigne Lord the Kings Maieſty at the time of the making of ſuch Couenants, Conditions, and Reſeruations, and other agréements, were ſeized of an abſolute and indefeizible eſtate in Fée ſimple, in the ſame Manors, Lands, Tenements, or Hereditaments: Sauing alwaies to all and euery perſon and perſons, bodies Politique and Corporate, their Heires and Succeſſors, Executors, Adminiſtrators and Aſſignes, (other than our ſaid Soueraigne Lord the Kings Maieſty, and his Heires, and all and euery perſon and perſons that ſhall hereafter haue, inherite, or enioy the ſayd Dukedome of Cornewall, by force of any Act of Parliament or other limitation whatſoeuer) all ſuch Rights, Titles, Eſtates, Cuſtomes, Intereſts, Termes, Claimes, and Demands whatſoeuer, of what kind, nature, or quality whatſoeuer, of, in, to, or out of the ſayd Manors, Lands, Tenements, or Hereditaments, or any of them, as they or any of them had, or ought to haue had before the making of this Act, to all intents and purpoſes, and in as large and ample maner and forme, as if this Act had neuer béene had or made: This Act or any thing therein contained to the contrary notwithſtanding.

The right of others ſaued.

Cap.

Cap. III.

The fee for drawing, pleading, &c. of an Alienation with Licence, or of a Pardon of Alienation without Licence.

That the Kings Tenures, which are a pꝛincipall flower of the Crowne, may not be concealed, and yet that the Tenants of the King may not be vnneceſſarily charged; Bée it enacted by authoꝛity of this pꝛeſent Parliament, That from and after the end of this pꝛeſent Seſſion of Parliament, all Licences of Alienation to be had and obtained, other than vpon raiſing of vſes by foꝛce of any Déed, from oꝛ out of the eſtate of the Couenantor, ſhall be generall to alien without expꝛeſſing any vſes.

Licences of Alienation ſhalbe generall.

And bée it further enacted, that from and after the end of this pꝛeſent Seſſion of Parliament, there ſhall be payd to the Treaſurers Remembrancer in the Court of Exchequer, which now is, oꝛ at any time hereafter ſhall bée, oꝛ to any other Court oꝛ place in what Office thoſe Pleadings are oꝛ ſhall bée, and to his oꝛ their Clerke, oꝛ any vnder them, foꝛ the drawing, pleading, entring, finiſhing, and diſcharging of an Alienation with Licence, oꝛ of a pardon of Alienation without Licence, and the vſes of the ſame in ſuch caſes onely, where the Subiect by the Lawes & Statutes of this Realme ought to pleade, the ſumme of twenty ſixe ſhillings and eight pence and no moꝛe. And if the Treaſurers remembrancer, foꝛ the time being, oꝛ any other Officer by himſelfe oꝛ his Clerke, oꝛ any other perſon whatſoeuer, ſhall at any time oꝛ times from and after the end of this pꝛeſent Seſſion of Parliament, exact, take, oꝛ receiue any other oꝛ greater Fée, Reward, Gratuity, oꝛ ſumme of money, directly oꝛ indirectly, vpon any colour oꝛ pꝛetence whatſoeuer, foꝛ the cauſes afoꝛeſayd, oꝛ any of them, oꝛ foꝛ any thing thereunto belonging, That the offender therein, contrary to the true meaning of this Act, ſhall foꝛfeit and loſe to the party grieued, the ſumme of fiue ſhillings foꝛ euery peny which he ſhall receiue beyond oꝛ aboue, oꝛ other than the ſumme of twenty ſixe ſhillings eight pence befoꝛe mentioned; ſuch foꝛfeitures to be recouered by the party grieued by Infoꝛmation oꝛ Action of debt, to be bꝛought in the Courts of Kings Bench oꝛ Common Pleas, at the election of the plaintiffe; Wherein no Piuiledge, Pꝛotection oꝛ Inhibition, oꝛ Iniunction, Ley Gager, oꝛ Eſſoyne ſhall bée allowed to the Defendant.

The Officer that takes aboue 26.s.8.d. foꝛ pleading, &c. a Licence, oꝛ Pardon of Alienation, ſhall foꝛfeit foꝛ euery penny ſo taken 5.s. & be diſabled to beare Office.

And be it further enacted, That euery Officer, Clerke, oꝛ other Miniſter of the ſayd Court of Exchequer, which at any time after the end of this pꝛeſent Seſſion of Parliament ſhall offend herein, and be thereof duely conuicted, ſhall be from thenceforth vtterly diſabled to be oꝛ continue an Officer oꝛ Clerke, oꝛ to haue any imployment in the ſayd Court of Exchequer, oꝛ any other Court of Iuſtice.

Cap. IIII.

Forreiners as well as Inhabitants ſhall not bee permitted to tipple in Innes, Alehouſes, &c.

Whereas in the laſt Parliament it was enacted, that if any perſon oꝛ perſons, wheresoeuer his oꝛ their habitation, oꝛ abiding be, ſhould after be found, vpon view oꝛ his own confeſſion, oꝛ pꝛoofe of one witneſſe, to be tipling in any Inne, Alehouſe, oꝛ Victualling houſe; ſuch perſon oꝛ perſons ſhould be thenceforth adiudged and conſtrued to be within the Statutes of the firſt and fourth yeares of the late Kings Maieſties reigne, King Iames of famous memoꝛy: The one intituled, an act to reſtraine the inoꝛdinate haunting of tipling in Innes, Alhouſes, and other Victualling houſes: And the other intituled, an act to repꝛeſſe the odious and loathſome ſinne of dꝛunkenneſſe, as if he oꝛ they had inhabited and dwelled in the Citie, Towne coꝛpoꝛate, Market towne, Village oꝛ Hamlet, where the Inne, Alehouſe, oꝛ Victualling houſe was, oꝛ ſhould be, where he oꝛ they ſhould be ſo found tipling, ſhould incurre the like penalty, and the ſame to bée in ſuch ſoꝛt leuyed and diſpoſed, as in the ſaid act is expꝛeſſed, concerning ſuch as there inhabite, but no puniſhment by any, oꝛ either of the ſayd acts, oꝛ by any other Statute, is inflicted vpon the Inne-kéeper, Alehouſe-kéeper, oꝛ Victualler, that permits oꝛ ſuffers ſuch perſon oꝛ perſons not there inhabiting, to tipple in his Inne, Alehouſe, oꝛ Victualling houſe: Foꝛ remedy whereof, Be it enacted, that euery Inne-kéeper, Alehouſe-kéeper, and other Victualler, that at any time after the end of this Seſſion of Parliament, ſhall permit and ſuffer any perſon oꝛ perſons, not inhabiting in the Citie, Towne coꝛpoꝛate, Market towne, Village oꝛ Hamlet, where ſuch Inne, Alehouſe, oꝛ Victualling houſe is, oꝛ ſhall be, to tipple in the ſayd Inne, Alehouſe, oꝛ Victualling houſe, contrary to the true intent of any, oꝛ either of the ſayd foꝛmer Statutes, the ſaid Inne-kéeper, Alehouſe-kéeper and Victualler ſo offending, ſhall incurre the ſame penalty, and in ſuch maner to be pꝛoued, leuyed and diſpoſed, as in the foꝛmer Statute of the firſt yeare of his ſayd late Maieſties reigne, is appointed foꝛ permitting ſuch to tipple as dwell in the ſame Citie, Towne coꝛpoꝛate, Market towne, Village oꝛ Hamlet.

21.Iac.7.

1.Iac.9.

4.Iac.5.

The Inne-kéeper, &c. that permits a foꝛreiner to tipple in his houſe, ſhall incurre the penalty pꝛouided by 1.Iac.9.

And be it further enacted, That the kéepers of Tauernes, and ſuch as doe ſell Wine in their houſes, and doe alſo kéepe Innes oꝛ Victualing in their houſes, ſhall be taken to be within the ſayd two foꝛmer Statutes, and alſo within this Statute.

Vintners are taken to be within this, & the other Statutes.

CAP. V.

Three intire Subſidies granted by the Spiritualty. EXP.

CAP. VI.

Two intire Subſidies granted by the Temporalty. EXP.

CAP. VII.

This Seſsion of Parliament ſhall not determine by his Maieſties Royall aſſent to this and ſome other Acts.

The cauſes of making this Act.

The Kings moſt excellent Maieſty, taking into his gracious and princely conſideration, the many and weighty buſineſſes, which in this preſent Parliament haue beene begunne, moſt whereof yet depend vnfiniſhed: And conſidering the preſent danger, by the increaſe of the Sickneſſe, and the inconueniency of the ſeaſon, and other important reaſons, that doe neceſſarily require a ſpeedy adiournement of the Parliament at this time, before ſo many and great affaires can be deliberately and maturely concluded and determined: And to take away all doubt, whether his Maieſties Royall aſſent vnto one or more Acts of Parliament, will not be a determination of this preſent Seſſion.

The Kings Royall aſſent to this, & other Acts ſhall not determine the Seſſion.

His Maieſty is well pleaſed, that it may be enacted; And be it enacted by Authority of this preſent Parliament, That his Maieſty, at his good pleaſure, may, before the adiournement of this Parliament, either in perſon, or by his Commiſſion, or Letters Patents, as to him ſhall ſeeme good, giue his Royall aſſent vnto ſuch, and ſo many Bils purporting Acts of Parliament: hauing by the aſſent of the Lords Spirituall and Temporall, and Commons, paſſed in this preſent Parliament, as to his moſt excellent Maieſty ſhall bee found expedient: And that notwithſtanding ſuch aſſent to any ſuch Billes, or to this preſent Act, this preſent Seſſion of Parliament, ſhall not thereby determine; But the ſame to be adiourned, as to his Maieſty ſhall be found requiſite, for the generall good and welfare of this Kingdome.

Matters depending ſhal continue as they are.

Acts that are to haue continuance ſhall remaine in force.

When the Acts, which are now to paſſe, ſhall take effect.

And that all Billes and matters whatſoeuer, depending in the ſame Parliament, not fully determined or enacted before ſuch Adiournement, ſhall remaine and continue in the ſame ſtate and plight as they are, or ſhall be the day of the ſayd Adiournement: And that all Statutes, and Acts of Parliament, which are to haue continuance vnto the end of this preſent Seſſion, ſhall bee of full force after the ſayd adiournement, vntill this preſent Seſſion be fully ended and determined: And if this Seſſion ſhall determine by diſſolution of this preſent Parliament, then all the Acts aforeſayd, ſhall be continued vntill the end of the firſt Seſſion of the next Parliament: And all Statutes and Acts of Parliament, which before the ſayd adiournement ſhall paſſe by his Maieſties Royall aſſent, ſhall bée put in execution immediately after forty dayes after the ſayd adiournement, notwithſtanding, that by the words or letter of the ſayd Acts, or any of them, they be limited to take effect, or be put in execution, from, or at any time after the end of this preſent Seſſion.

Anno Reg. CAROLI, *Regis Angl. Scotiæ, Franciæ, & Hiberniæ, Tertio.*

AT the Parliament begun at Weſtminſter the ſeuenteenth day of March, ANNO DOM. 1627, in the third yeare of the reigne of our moſt gracious Soueraigne Lord, CHARLES, by the grace of God, of England, Scotland, France, and Ireland, King, Defender of the Faith, &c. And there continued vntill the 26. day of Iune following, & then prorogued vnto the 20. day of October now next enſuing. To the high pleaſure of Almighty God, and to the weale publike of this Realme, were enacted as followeth.

¶ The Petition Exhibited to his Maieſty, by the Lords Spirituall and Temporall, and Commons in this preſent Parliament aſſembled, concerning diuers Rights and Liberties of the Subiects: with the Kings *Maieſties Royall Anſwer thereunto,* in full Parliament.

To the Kings moſt Excellent MAIESTIE.

HUmbly ſhew vnto our Soueraigne Lord the King, the Lords Spirituall and Tempor and Commons in Parliament aſſembled, That whereas it is declared and enacted [illegible] ſtatute made in the time of the reigne of King Edward the firſt, commonly called, Statutum de Tallagio non concedendo, That no Tallage or Ayd ſhall be layd or leuyed by the King or his Heires in this Realme, without the good will and aſſent of the Archbiſhops, Biſhops, Earles, Barons, Knights, Burgeſſes, and other the Frémen of the Commonalty of this Realme. And by authority of Parliament holden in the fiue and twentieth yeare of the reigne of King Edward the third, it is declared and enacted, That from thenceforth no perſon ſhould be compelled to make any Loanes to the King againſt his will, becauſe ſuch Loanes were againſt reaſon, and the Franchiſe of the Land. And by other Lawes of this Realme it is prouided, that none ſhould be charged by any charge or impoſition, called a Beneuolence, nor by ſuch like charge, by which the Statutes before mentioned, and other the good Lawes and Statutes of this Realme, your Subiects haue inherited this Fréedome; That they ſhould not be compelled to contribute to any Taxe, Tallage, Ayd, or other like charge, not ſet by common conſent in Parliament. 34.Ed.1. 25.Ed.3. Rot. Parl. 1.Ed.3.6. 11.R.2.9. 1.R.3.2.

Yet neuertheleſſe of late diuers Commiſſions, directed to ſundry Commiſſioners in ſeuerall Counties, with Inſtructions, haue iſſued; by meanes whereof your people haue béene in diuers places aſſembled, and required to lend certaine ſummes of money vnto your Maieſty, and many of them vpon their refuſall ſo to doe, haue had an Oath adminiſtred vnto them, not warrantable by the Lawes or Statutes of this Realme, and haue béene conſtrained to become bound to make apparance, and giue attendance before your Priuy Councell, and in other places; and others of them haue béene therefore impriſoned, confined, and ſundry other wayes moleſted and diſquieted. And diuers other charges haue béene layd and leuyed vpon your people in ſeuerall Counties, by Lord Lieutenants, Deputy Lieutenants, Commiſſioners for Muſters, Iuſtices of Peace, and others by command or direction from your Maieſty, or your Priuie Councell, againſt the Lawes and fré Cuſtomes of the Realme.

And where alſo by the Statute called, The great Charter of the Liberties of England, It is declared and enacted, That no Fréeman may be taken or impriſoned, or be diſſeiſed of his Fréehold, or Liberties, or his fré Cuſtomes, or be outlawed or exiled, or in any maner deſtroyed, but by the Lawfull Iudgement of his Péeres, or by the Law of the Land. 9.H.3.29.

And in the eight and twentieth yeare of the reigne of King Edward the third, it was declared and enacted by authority of Parliament, that no man of what eſtate or condition that hee bée, ſhould be put out of his Land or Tenements, nor taken, nor impriſoned, nor diſherited, nor put to death without being brought to anſwer by due Proceſſe of Law. 28.Ed.3.3.

Neuertheleſſe againſt the tenour of the ſayd Statutes, and other the good Lawes and Statutes of your Realme to that end prouided, diuers of your Subiects haue of late béene impriſoned without any cauſe ſhewed: And when for their deliuerance they were brought before your Iuſtices by your Maieſties Writs of Habeas corpus, there to vndergoe and receiue as the Court ſhould order, and their Keepers commanded to certifie the cauſes of their detainer, St.37.Ed.3.18. St.38.Ed.3.9. St.42.Ed.3.3. St.17.R.2.6.

no cauſe was certified, but that they were detained by your Maieſties ſpeciall commaund, ſignified by the Lords of your Priuy Councell, & yet were returned backe to ſeuerall priſons, without being charged with any thing to which they might make anſwer according to the Law.

And whereas of late great Companies of Souldiers and Mariners, haue beene diſperſed into diuers Counties of the Realme, and the inhabitants, againſt their wils, haue beene compelled to receiue them into their houſes, and there to ſuffer them to ſoiourne againſt the Lawes and Cuſtomes of this Realme, and to the great grieuance and vexation of the people.

5.Ed.3.9. And whereas alſo by authority of Parliament, in the fiue and twentieth yeare of the reigne of King Edward the third, it is declared and enacted, that no man ſhould bee foreiudged of life or limbe againſt the forme of the Great Charter and the Law of the Land; And by the ſayd Great Charter, and other the Lawes and Statutes of this your Realme, no man ought to bee adiudged to death, but by the Lawes eſtabliſhed in this your Realme, either by the Cuſtomes of the ſame Realme or by Acts of Parliament. And whereas no offendor of what kinde ſoeuer, is exempted from the proceedings to bee vſed, and puniſhments to bee inflicted by the Lawes and Statutes of this your Realme: Neuertheleſſe, of late time diuers Commiſſions vnder your Maieſties great Seale haue iſſued forth, by which certaine perſons haue beene aſſigned and appointed Commiſſioners with power and authority to proceede within the Land, according to the Iuſtice of Martiall Law, againſt ſuch Souldiers and Mariners, or other diſſolute perſons ioyning with them, as ſhould commit any Murther, Robbery, Felony, Mutiny, or other Outrage or Miſdemeanour whatſoeuer, and by ſuch ſummary courſe and order, as is agreeable to Martiall Law, and as is vſed in Armies in time of Warre, to proceede to the triall and condemnation of ſuch offendors, and them to cauſe to bee executed and put to death according to the Law Martiall.

9.H.3.29.
25.Ed.3.4.
28.Ed.3.3.

By pretext whereof ſome of your Maieſties Subiects haue beene by ſome of the ſayd Commiſſioners put to death, when and where, if by the Lawes and Statutes of the Land they had deſerued death, by the ſame Lawes and Statutes alſo they might, and by no other ought to haue beene iudged and executed.

And alſo ſundry grieuous offendors by colour thereof, claiming an exemption, haue eſcaped the puniſhments due to them by the Lawes and Statutes of this your Realme, by reaſon that diuers of your Officers and Miniſters of Iuſtice haue vniuſtly refuſed, or forborne to proceede againſt ſuch offendors, according to the ſame Lawes and Statutes, vpon pretence that the ſayd offendors were puniſhable onely by Martiall Law, and by authority of ſuch Commiſſions as aforeſayd. Which Commiſſions and all other of like nature are wholly and directly contrary to the ſayd Lawes and Statutes of this your Realme.

The petition. They doe therefore humbly pray your moſt Excellent Maieſty, that no man hereafter be compelled to make or yeeld any Gift, Loane, Beneuolence, Taxe, or ſuch like Charge, without common conſent by Act of Parliament. And that none be called to make anſwer, or take ſuch Oath, or to giue attendance, or bee confined, or otherwiſe moleſted or diſquieted concerning the ſame, or for refuſall thereof. And that no Freeman, in any ſuch manner as is before mentioned, bee impriſoned or detained. And that your Maieſty would be pleaſed to remoue the ſayd Souldiers and Mariners, and that your people may not bee ſo burthened in time to come. And that the foreſayd Commiſſions for proceeding by Martiall Law, may bee reuoked and annulled. And that hereafter no Commiſſions of like nature may iſſue forth to any perſon or perſons whatſoeuer, to be executed, as aforeſayd, leſt by colour of them any of your Maieſties Subiects bee deſtroyed, or put to death contrary to the Lawes and Franchiſe of the Land.

All which they moſt humbly pray, of your moſt Excellent Maieſty, as their Rights and Liberties, according to the Lawes and Statutes of this Realme. And that your Maieſty would alſo vouchſafe to declare that the Awards, doings, and proceedings, to the preiudice of your people, in any of the premiſſes, ſhall not be drawne hereafter into conſequence or example. And that your Maieſty would be alſo graciouſly pleaſed, for the further comfort and ſafety of your people, to declare your Royall will and pleaſure, That in the things aforeſayd, all your Officers and Miniſters ſhall ſerue you, according to the Lawes and Statutes of this Realme, as they tender the honour of your Maieſty and the proſperity of this Kingdome.

Which Petition being read, the ſecond of Iune, 1628. the Kings Anſwer was thus deliuered vnto it.

THe King willeth, that right be done, according to the Lawes and Cuſtomes of the Realme; And that the Statutes be put in due execution, that his Subiects may haue no cauſe to complaine of any wrong, or oppreſſions, contrary to their iuſt *Rights* and *Liberties*, to the prſeruation whereof, he holds himſelfe in conſcience as well obliged, as of his *Prerogatiue*.

But this Anſwer not giuing ſatisfaction, the King was againe petitioned vnto, that He would giue a full & ſatisfactory Anſwer to their petition in full parliament

Whereupon the King in perſon, vpon the ſeuenth of Iune, *made this ſecond Anſwer.*

My Lords and Gentlemen:

THe Anſwer I haue already giuen you, was made with ſo good deliberation, and approued by the Iudgements of ſo many wiſe men, that I could not haue imagined, but that it ſhould haue giuen you full ſatisfaction; but to auoyd all ambiguous interpretations, and to ſhew you that there is no doubleneſſe in my meaning, I am willing to pleaſe you in words, as well as in ſubſtance; Read your Petition, and you ſhall haue an anſwer, that I am ſure will pleaſe you.

And then cauſing the Petition to be diſtinctly read by the Clerke of the Crown, The Clerke of the Parliament read the Kings Anſwer thereto in theſe words,

* Soit droit fait come eſt deſire.

**Let Right be done as is deſired.*

Which being done, the King in perſon ſayd thus,

THIS I am ſure is full, yet no more than I granted you in my firſt Anſwer; for the meaning of that was, to confirme all your Liberties: *Knowing according to your owne proteſtations, that you neither meane, nor can hurt my* Prerogatiue: *And I aſſure you my* Maxime *is, That the Peoples* Libertie *ſtrengthens the Kings* Prerogatiue, *and that the Kings* Prerogatiue, *is to defend the Peoples* Liberties.

Ye ſee now, how ready I haue ſhewed my ſelfe to ſatisfie your demands, ſo that I haue done my part; Wherefore if this Parliament haue not a happie Concluſion, the ſinne is yours, I am free of it.

And on the laſt day of the Seſſion, His Maieſties Speech to both Houſes, before his Royall aſſent to the Billes, was this.

Iune 26. 1628.

My Lords, and Gentlemen:

IT may ſeeme ſtrange that I come ſo ſuddenly to end this Seſſion, therefore before I giue my aſſent to the Bills, I will tell you the cauſe, though I muſt auow that I owe an account of my Actions to none but God alone. It is knowne to euery one, that a while agoe the Houſe of Commons gaue me a Remonſtrance, how acceptable euery man may iudge, and for the merit of it, I will not call that in queſtion, for I am ſure no wiſe man can iuſtifie it.

Now ſince I am certainely informed that a ſecond Remonſtrance is preparing for mee, to take away my profit of Tonnage and Poundage (one of the chiefe maintenances of the Crowne) by alledging that I haue giuen away my right thereof, by my Anſwer to your Petition.

This is ſo preiudiciall vnto me, that I am forced to end this Seſſion ſome few houres before I meant it, being willing not to receiue any more Remonſtrances, to which I muſt giue a harſh anſwer.

And ſince I ſee that euen the Houſe of Commons begins already to make falſe Conſtructions of what I granted in your Petition, leſt it be worſe interpreted in the Countrey, I will now make a Declaration concerning the true intent thereof:

The Profeſſion of both Houſes, in the time of hammering this Petition, was no waies to trench vpon my Prerogatiue, ſaying, They had neither intention nor power to hurt it.

Therefore it muſt needs be conceiued, that I haue granted no new, but only confirmed the ancient Liberties of my ſubiects: Yet to ſhew the cleereneſſe of my intentions, that I neither repent, nor meane to recede from any thing I haue promiſed you, I do here declare, That thoſe things which haue bin done, whereby men had ſome cauſe to ſuſpect the Liberty of the ſubiects to be trencht vpon (w^{ch} indeed was the firſt & true ground of the Petition) ſhall not hereafter be drawne into example of your preiudice: And in time to come (in the word of a King) you ſhall not haue the like cauſe to complaine.

But as for Tonnage and Pondage, it is a thing I cannot want, and was neuer intended by you to aske, neuer meant (I am ſure) by mee to grant.

To conclude, I command you all that are heere, to take notice of what I haue ſpoken at this time, to be the true intent and meaning of what I granted you in your Petition: But eſpecially you, my Lords, the Iudges, for to you onely, vnder me, belongs the interpretation of Lawes; for none of the Houſes of Parliament, ioynt or ſeparate, (what new doctrine ſoeuer may be raiſed) haue any power, either to make or declare a Law without my conſent.

Cap. I.

A reſtraint of diuers abuſes committed on the Lords day.

A Carryer, &c. that trauels vpon the Lords day, ſhall forfeit 20. d.

Butchers that ſell or kill victuall vpon that day, ſhall forfeit 6 s. 8. d.

After conuiction, and by warrant from a Iuſtice, &c. the Conſtables, &c may leuie the ſaid forfeitures to the vſe of the poore: or they may be recouered by ſuit.

Foraſmuch as the Lords day, commonly called Sunday, is much broken and prophaned by Carryers, Wagoners, Carters, Wayne-men, Butchers and Drouers of Cattell, to the great diſhonour of God, and reproach of Religion; Be it therefore enacted by the Kings moſt excellent Maieſtie, and the Lords Spirituall and Temporall, and by the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That no Carryer with any Horſe, or Horſes, nor Waggon-men with any Waggon or Waggons, nor Carre-men with any Cart or Carts, nor Wayne-men with any Wayne or Wanes, nor Drouers with any Cattell, ſhall after fortie dayes next after the end of this preſent Seſſion of Parliament, by themſelues, or any other, trauell vpon the ſaid Day, vpon paine that euery perſon and perſons ſo offending, ſhall loſe and forfeit twentie ſhillings for euery ſuch offence: Or if any Butcher by himſelfe, or any other for him, by his priuitie or conſent, ſhall after the end of the ſaid fortie dayes, kill, or ſell any Victuall vpon the ſaid Day; That then euery ſuch Butcher ſhall forfeit and loſe for euery ſuch offence, the ſumme of ſixe ſhillings and eight pence; The ſaid offences, and euery of them being done in view of any Iuſtice of the Peace, Mayor, or other head Officer of any Citie or Towne corporate, within their limits reſpectiuely, or being proued vpon Oath by two, or more witneſſes, or by the Confeſſion of the partie offending, before any ſuch Iuſtice, Mayor, or head Officer, within their ſeuerall limits reſpectiuely, wherein ſuch offence ſhall be committed; To which end euery ſuch Iuſtice, Mayor, or head-officer, ſhall haue power by this Act, to miniſter an Oath to ſuch witneſſe or witneſſes; All which ſummes or penalties, ſhall or may be leuyed by any Conſtable, or Church-warden, by warrant from any ſuch Iuſtice or Iuſtices of the Peace, Mayor, or other head Officer, as aforeſaid, within their ſeuerall limits, where ſuch offence ſhall be committed or done, by diſtreſſe and ſale of the offenders goods, rendring to the partie the ouer-plus; or ſhall be recouered by any perſon or perſons, that will ſue for the ſame, by Bill, Plaint, or Information, in any of his Maieſties Courts of Record, in any Citie, or Towne corporate, before his Maieſties Iuſtices of the Peace, in their generall Seſſions of the Peace: All which forfeitures ſhall be employed to, and for the vſe of the poore of the Pariſhes, where the ſaid offences ſhall be committed or done, ſauing onely that it ſhall be lawfull to, and for any ſuch Iuſtice, Mayor, or head Officer, out of the ſaid forfeitures, to reward any ſuch perſon or perſons that ſhall enforme, or otherwiſe proſecute any perſon or perſons offending againſt this preſent Act, according to their diſcretions, ſo that ſuch reward exceed not the third part of the forfeiture, Prouided that ſuch Bill, Plaint, or Information ſhall be commenced, ſued and proſecuted in the County, Citie, or Towne corporate, where ſuch offence ſhall be committed and done, and not elſe-where, wherein no Eſſoigne, Protection or Wager of Law, ſhall be allowed to the Defendant. Prouided alwayes that it ſhall be lawfull for any Conſtable or Church-warden, that ſhall haue any Suite or Action, brought againſt them for any diſtreſſe, by them or any of them to be taken by force of this preſent Act, to plead the generall iſſue, and to giue the ſpeciall matter in euidence: Prouided likewiſe that no perſon or perſons whatſoeuer, ſhall be impeached by this Act, vnleſſe he be thereof queſtioned within ſixe Moneths after the offence committed. Prouided further, that this Act ſhall not in any ſort abbridge or take away the Authority of the Court Eccleſiaſticall. This Act to continue to the end of the firſt Seſſion of the next Parliament. St. 1. Car. 1.

Cap. II.

A reſtraint of paſſage, or ſending any perſon beyond the Seas, to be Popiſhly bred.

1. Iac. 4.

Foraſmuch as diuers ill affected perſons to the true Religion eſtabliſhed within this Realme, haue ſent their children into forreine parts to be bred vp in Popery, notwithſtanding the reſtraint thereof by the Statute made in the firſt yeare of the Reigne of our late Soueraigne Lord King Iames of famous memory; Be it enacted that the ſaid Statute ſhall be put in due execution. And be it further enacted by the Kings moſt excellent Maieſtie, and the Lords Spirituall and Temporall, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that in caſe any perſon or perſons, vnder the obedience of the King, his Heires and Succeſſors, at any time after the end of this Seſſion of Parliament, ſhall paſſe or goe, or ſhall conuey or ſend, or cauſe to be ſent or conueyed, any child or other perſon out of any of the Kings Dominions, into any the parts beyond the ſeas out of the Kings obedience, to the intent and purpoſe to inter into, or be reſident or trained vp in any Priory, Abbey, Nunnery, Popiſh Vniuerſity, Colledge, or Schoole, or houſe of Ieſuits, Prieſts, or in any priuate popiſh Family, and ſhall be there by any Ieſuite, Seminary Prieſt, Fryer, Monke, or other Popiſh perſon, inſtructed, perſwaded, or ſtrengthened in the Popiſh Religion, in any ſort to profeſſe the ſame, or ſhall conuey or ſend, or cauſe to bee conueyed or ſent, by the hands or meanes of any perſon whatſoeuer, any ſumme or ſummes of money, or other thing, for or towards the maintenance of any childe, or other perſon already gone or ſent, or to goe or to be ſent, and trained and inſtructed, as is aforeſayd; or vnder the name or colour of any Charity, Beneuolence, or Almes, towards the reliefe of any Priory, Abbey, Nunnery, Colledge, Schoole, or any Religious houſe whatſoeuer: Euery perſon ſo ſending, conueying, or cauſing to bee ſent and conueyed, as well any ſuch childe or other perſon, as any ſumme or ſummes of money or other thing, and euery perſon paſſing or being ſent beyond the Seas, being thereof lawfully conuicted, in or vpon any Information, Preſentment, or Indictment, as is aforeſayd, ſhall bee diſabled from thenceforth to ſue or vſe any Action, Bill, Plaint or Information, in courſe of Law, or to proſecute any ſuite in any Court of Equity, or to bee Committee of any, Ward, or Executor or Adminiſtrator to any perſon, or capable of any Legacy or Deed of Gift, or to beare any Office within the Realme; And ſhall loſe and forfeit all his goods and chattels, and ſhall forfeit all his Lands, Tenements, and Hereditaments, Rents, Annuities, Offices and Eſtates of Freehold, for and during his naturall life.

He that goes himſelfe, or ſends any other beyond the ſeas to be trained vp in Popery, &c. ſhalbe diſabled to ſue, &c. & ſhall loſe all his goods, & ſhall forfeit all his lands, &c. for life. St.27.El.2. St.3.Iac.5

Prouided alwayes, that no perſon ſent or conueyed as aforeſayd, that ſhall within ſixe moneths after his returne into this Realme, conforme himſelfe vnto the preſent Religion, eſtabliſhed in this Church of England, and receiue the Sacrament of the Lords Supper, according to the Statutes made concerning conformity, in other caſes required from Popiſh Recuſants, ſhall incurre any the penalties aforeſayd.

A Conuert ſhall not incurre the penalties aforeſayd. St.27.El.2.

And it is enacted, that all and euery of the offences, againſt this Statute, may be enquired, heard and determined before the Iuſtices of the Kings Bench, or Iuſtices of Aſſiſe, or Goale deliuery, or of Oyer and Terminer of ſuch Counties where the offendors did laſt dwell or abide, or whence they departed out of this Kingdome, or where they were taken.

Prouided alſo, That if any perſon or childe, ſo paſſing, or ſent, or now being beyond the ſeas, ſhall after his returne into this Realme, conforme himſelfe to the preſent Religion eſtabliſhed in this Church of England, and receiue the Sacrament of the Lord his Supper, according to the Statutes made for, or concerning conformity in other caſes required from Popiſh Recuſants, for and during ſuch time, as he or ſhee ſhall ſo continue in ſuch conformity, and obedience, according to the true intent and meaning of the ſayd Lawes and Statutes, ſhall haue his or her Lands reſtored to them againe.

CAP. III.

The forfeiture & puniſhment of him that keepes an Alehouſe without Licence.

WHereas by an Act made in the fifth yeare of the reigne of King Edward the ſixth of famous memory, intituled, An Act for keepers of Alehouſes to be bound by Recognizance, amongſt other things, it is enacted, That if any perſon or perſons, other than ſuch as ſhould bee from thenceforth admitted and allowed by the Iuſtices mentioned in the ſayd Act, ſhould after the day in the ſayd Act limited, obſtinately, and vpon his owne authority, take vpon him or them to keepe a common Alehouſe or Tipling houſe, or ſhould contrary to the commandement of the ſayd Iuſtices, or two of them, vſe commonly ſelling of Ale or Beere, That then the ſayd Iuſtices of Peace, or two of them (whereof one to bee of the Quorum) ſhould for euery ſuch offence, commit euery ſuch perſon or perſons ſo offending, to the Common Gaole within the ſame Shire, Citie, Borough, Towne Corporate, Franchiſe or Liberty, there to remaine without Bayle or Mainpriſe, by the ſpace of three dayes: And before his or their deliuerance, the ſayd Iuſtices ſhould take Recognizance of him or them ſo committed, with two Sureties that he or they ſhould not keepe any Common Alehouſe, Tipling houſe, or vſe commonly ſelling of Ale or Beere, as by the diſcretion of the ſayd Iuſtices ſhould ſeeme conuenient: And the ſayd Iuſtices ſhould make Certificate of euery ſuch Recognizance and Offence, at the next Quarter Seſſions that ſhould bee holden within the ſame Shire, Citie, Borough, Towne Corporate, Franchiſe, or Liberty, where the ſame ſhould bee committed or done, which Certificate ſhould be a ſufficient conuiction in Law of the ſame offence: And the ſaid Iuſtices of Peace, vpon the ſayd Certificate made, ſhould in open Seſſions, aſſeſſe the Fine for euery ſuch offence at twenty ſhillings, as by the ſayd Act may appeare: Which Law hath not wrought ſuch reformation as was intended, for that the ſayd Fine of twenty ſhillings is ſeldome leuyed, and for that many of the ſayd offendors, by reaſon of their pouerty, are neither able to pay the ſayd Fine

5.&.6.Ed.6.25.

of twenty ſhillings, nor yet to beare their owne charges of conueying them to the Gaole; and moreouer, doe leaue a great charge of wife and children vpon the Pariſhes wherein they liue: In regard whereof, the Conſtables and other Officers are much diſcouraged in preſenting them, and the offendors become obſtinate and incorrigible.

He that keeps an Alehouſe, &c. without Licence ſhall forfeit 20.s.

The Conſtables or Church-wardens ſhall leuy the ſayd forf. to the vſe of the poore.

The party that is not able to pay the forf ſhall be whipped.

For remedy whereof, Bee it enacted by the authority of this preſent Parliament, That if any perſon or perſons, after forty dayes next enſuing the end of this preſent Seſſion of Parliament, ſhall vpon his owne authority, not being thereunto lawfully licenced, take vpon him, her, or them, to keepe a common Alehouſe, or Tipling houſe, or vſe commonly ſelling of Ale, Beere, Cyder, or Perrie. That then euery ſuch perſon or perſons ſhall for euery ſuch offence forfeit and loſe the ſumme of twenty ſhillings of currant money of England, to the vſe of the poore of the Pariſh where ſuch offence ſhalbe committed; The ſame offence being viewed and ſeene by any Mayor, Bayliffe, or Iuſtice of Peace, or other head Officer, within their ſeuerall limits, or confeſſed by the party ſo offending, or proued by the oath of two witneſſes, to bee taken before any Mayor, Bayliffe, or other head Officer, or any one or more Iuſtice or Iuſtices of the Peace, who by vertue of this Act ſhall be authorized to miniſter the ſayd Oath to any perſon or perſons that can or will iuſtifie the ſame, being within the limits of their ſayd Commiſſion; The ſayd penalty to bee leuyed by the Conſtables or Church-wardens of the Pariſh or Pariſhes where the ſaid offence ſhall bee committed; Who ſhall be accountable therefore to the vſe of the poore of the ſaid Pariſh, by way of diſtreſſe to be taken and detained by Warrant or Precept, from the ſaid Maior, Bayliffe, Iuſtice or Iuſtices, or other head Officer, by whom the ſayd offence ſhall bee viewed, or before whom the ſame ſhall be confeſſed, or proued as aforeſayd: And for default of ſatiſfaction within three dayes next enſuing, the ſayd diſtreſſe to be by the ſayd Conſtables or Church-wardens apprized and ſold, and the ouerplus to be deliuered to the party or parties offending, and this to bee onely for the firſt offence. And if ſuch offendor or offendors ſhall not haue ſufficient Goods and Chattels, whereby the ſayd twenty ſhillings may be leuyed by way of diſtreſſe as aforeſayd, or ſhall not pay the ſayd ſumme of twenty ſhillings, within ſixe dayes after ſuch Conuiction as aforeſayd, That then the ſayd Mayor, Bayliffe, Iuſtice or Iuſtices, or other head Officer, before whom the ſayd offendor ſhall bee conuicted as aforeſayd, ſhall commit all and euery the ſayd Offendor or Offendors, to ſome Conſtable or Conſtables, or other inferior Officer, or Officers, of the Citie, Borough, Towne, Pariſh, or Hamlet, where the offence ſhall be committed or the party apprehended, to be openly whipped for the ſayd offence, as the ſayd Iuſtice or Iuſtices ſhall limit or appoint.

The Officer neglecting to puniſh the offendor ſhall be impriſoned, or pay forty ſhillings.

And be it enacted by the authority aforeſayd, That if any Conſtable or inferior Officer ſhall neglect to execute the ſayd Precept or Warrant, or doe refuſe, or doe not execute by himſelfe, or ſome other to be by him appointed, vpon the offendor the puniſhment limited by this ſtatute, that in that caſe it ſhall and may bee lawfull for the ſayd Mayor, Bayliffe, Iuſtice or Iuſtices of Peace, or other head Officer, to commit the Conſtable or other inferior Officer ſo refuſing, or not executing the ſayd puniſhment by himſelfe or ſome other, to the common Gaole of the ſayd County, Citie, or Towne corporate, there to remaine without Bayle or Maineprize, vntill the ſayd offendor or offendors ſhall be by the ſayd Conſtable or Conſtables, or other inferior Officer ſo refuſing or not executing the ſayd puniſhment, or ſome by his or their procurement, puniſhed and whipped, as is aboue limited and declared, or vntill he or they ſo neglecting or refuſing, ſhall haue payd the ſumme of forty ſhillings of lawfull money of England vnto the vſe of the poore of the Pariſh for their ſayd contempt.

For the ſecond & third offence the offendor ſhalbe committed to the houſe of Correction.

And be it further enacted, that if the ſayd offendor or offendors being an vnlicenſed Alehouſekeeper, ſhall offend in any of the Premiſes the ſecond time, and bee thereof lawfully conuicted in maner and forme aforeſayd. That then the ſayd Mayor, Bayliffe, Iuſtice or Iuſtices of the Peace, or other head Officer ſhall commit him, her, or them vnto the houſe of Correction, there to remaine for the ſpace of one moneth, and be dealt withall as idle, lewd, and diſorderly perſons. And if ſuch perſon or perſons ſhall againe offend, and ſhall bee thereof conuicted, as aforeſayd, That then the ſayd offendor or offendors for euery ſuch offence, ſhall bee committed vnto the ſayd houſe of Correction, as aforeſayd, there to remaine vntill the Order of the Iuſtices in their generall Seſſions for the County, Citie, Borough, or Franchiſe, he, ſhe, or they ſhall be deliuered from thence.

The offendor puniſhed by this Act ſhall not be againe puniſhed by 5. & 6. Ed. 6. 25. & contra.

Prouided alwaies, that ſuch offendor or offendors, as ſhall be puniſhed by vertue of this Act, ſhall not be puniſhed againe for the ſame offence by the former Act, made in the ſixth yeere of King Edward the ſixth afore mentioned. And that ſuch offendor or offendors as ſhall be puniſhed by vertue of the before mentioned Act, made in the ſixth yeare of King Edward the ſixth, ſhall not bee puniſhed againe for the ſame offence, by vertue of this preſent Act, nor any thing therein contained.

Alehouſes kept in the time of faires excepted.

Prouided alwaies, that in ſuch Townes and places, where any Faire or Faires ſhall be kept, that for the time only of the ſame Faire or Faires, it ſhall be lawfull for euery perſon or perſons to vſe common ſelling of Ale or Beere in Boothes or other places there, for the reliefe of the Kings Subiects that ſhall repaire vnto the ſame, in ſuch like manner and ſort, as hath beene vſed and done in times paſt, this Act or any thing therein contained to the contrary notwithſtanding. St.11.H.7.2. 1.Iac.9. 4.Iac.4. 7.Iac.10. 21.Iac.7. 1.Car.4.

Cap. IIII.

Divers Statutes made perpetuall; others continued; and ſome others repealed. When Corne may be tranſported, &c.

BEe it enacted by the authority of this preſent Parliament, that one Act made in the firſt yeare of the reigne of the late Queene Elizabeth, intituled, An Act for the preſervation of Spawne and Fry of Fiſh, except the Proviſo in the ſayd Act mentioned, that the ſame Act ſhall not extend to the Rivers of Tweed, nor Waters or Rivers, whereof the Queene was anſwered of any yeately rent or profit, nor to Farmers, Owners or Occupiers of the Rivers of Wye, Uske, and other Rivers in the ſayd Proviſo mentioned or contained: One Act made in the xiii. yeare of the Reigne of the late Queene Elizabeth, intituled, An Act touching Leaſes of Benefices and other Eccleſiaſticall Livings with Cure, together with all and every Explanations, Additions, and Alterations thereof, or of any of them, or to any of them, made by ſeverall Statutes, in the Fourteenth, Eighteenth, and three and Fortieth yeares of her ſayd late Maieſties reigne. 1.El.17. 13.I

And one Act made in the ſeven and twentieth yeare of the Reigne of the late Queene Elizabeth, intituled, An Act for the maintenance of the Peere and Cobb of Lyme Regis, in the County of Dorſet. 27.E print

And one Act made in the third yeare of the Reigne of the late King Iames, intituled, An Act for the avoyding of unneceſſary delayes of executions, Bee by authority of this preſent Parliament, made perpetuall, and ſhall from henceforth ſtand in full force and effect, and be put in due execution for ever hereafter. 3.Ia The abo onet perp

And be it alſo enacted by the ſame Authority, that one Statute made in the one and twentieth yeare of the Reigne of the late King Iames, intituled, An Act againſt Uſury, which Act was to continue for the ſpace of ſeven yeares, from the foure and twentieth day of Iune, which then ſhould be in the yeare of our Lord, one thouſand ſixe hundred twenty and five, and ſo to the end of the firſt Seſſion of Parliament then next following, be alſo by authority of this Parliament made perpetuall. 21.Iac.17. made perpetuall.

And it is further enacted by the authority aforeſayd, that one Act made in the one and twentieth yeare of the Reigne of the late King Henry the eighth, intitled, an Act for the true making of Cables, Halters and Ropes. 21.H.8.12.

And that part of one Act made in the Parliament holden at Weſtminſter by Prorogation the fourth day of November, and continued untill the firſt day of February next after, in the third and fourth yeares of the reigne of the late King Edward the ſixth, by which it is ordained and enacted, That no perſon or perſons after the time in the ſayd Act mentioned, ſhall ſell againe alive Cattell, in the ſayd Act mentioned, at or in the Market or Fayre wherein he bought the ſame, during the time of the ſame Fayre or Market, under the paines therein contained. 3.&4.Ed.6.19.

And that no perſon being a Butcher, and uſing the Craft or Myſtery of Butchery, ſhall at any time after the ſayd Feaſt buy any fatte Oxen, Steeres, Rontes, Kyne, Heifers, Calves or Sheepe, and ſell or cauſe to bee ſold the ſame againe alive, upon paine of forfeiture of every ſuch Oxe, Steere, Ront, Cow, Heifer, Calves or Sheepe, bargained or ſold contrary to the forme of that Act.

One other Act made in the ſame Parliament, intituled, An Act for the buying and ſelling of Butter and Cheeſe, together with one Statute made in the Parliament holden in the one twentieth yeare of the Reigne of the late King Iames, intituled, An Act for the explanation of the Statutes made in the third, fourth and fifth yeares of the reigne of the ſaid late King Edward the ſixth, concerning the traders of Butter and Cheeſe. 3.&4 21.Ia

And ſo much of an Act made in the fifth yeare of the Reigne of the late Queene Elizabeth, intituled, An Act touching certaine politique Conſtitutions, made for the maintenance of the Navy, as is not repealed by any later Statute, nor doth concerne the ating of Fleſh, or uſing of Fiſh, upon the Wedneſday; Nor the tranſportation of Herring, or other Sea-fiſh; Nor freedome of Subſidy, Cuſtome, or Tonnage for the ſame: Nor tranſportation of Corne, nor the prohibiting the bringing into this Realme any Cod or Lings in Barrels or other Caſkes, together with all and every other additions, explanations, and alterations made thereunto, or thereof, or of any part thereof, by any Statute or Statutes, made ſithence the making of the ſayd laſt mentioned Act, and in force the laſt day of the Seſſion of Parliament, that was in the one and twentieth yeare of the reigne of the late King Iames. 5.El.

And one other Act made in the ſayd fifth yeare, intituled, An Act for avoyding divers forraigne wares made by handy-crafts-men beyond the Seas. 5.El 7.

And an Act made in the eighth yeare of the reigne of the ſayd late Queene Elizabeth, intituled, An Act for Bowyers and the prices of Bowes, 8.El.10.

And

13.El.21. And one Act made in the thirteenth yeare of the reigne of the late Queene Elizabeth, intituled, an Act that Purueyors may take Graine and Victuals within fiue miles of Cambridge and Oxford in certaine caſes.

14.El.5. And ſo much of an Act made in the fourteenth yeare of the reigne of the ſayd late Queene Elizabeth, intituled, an Act for the puniſhment of Vagabonds, and the reliefe of the poore and impotent, as concerneth the taxing, rating, leuying and employing of Gaole money.

18.El.3. And ſo much of an Act made in the eighteenth yeare of the reigne of the ſayd late Queene Elizabeth, intituled, an Act for the ſetting the poore on worke and auoyding idleneſſe, as concerneth baſtards begotten out of lawfull matrimony, with this, that all Iuſtices of the Peace within their ſeuerall limits and precincts, and in their ſeuerall Seſſions, may doe and execute all things concerning that part of the ſayd Statute, that by Iuſtices of the Peace in the ſeuerall Counties are by the ſayd Statute limited to be done.

18.El.20. And an Act made in the ſayd eighteenth yeare of the reigne of the ſayd late Queene Elizabeth, intituled, an Act for repairing and amending of the Bridges, and High-wayes, neere vnto the Citie of Oxford.

27.El. not printed. And one Act made in the ſeuen and twentieth yeare of the reigne of the ſayd late Queene Elizabeth, intituled, an Act for the good gouernement of the Citie or Borough of Weſtminſter.

27.El.14. 3.& 4.Ed.6.10. 27.El.28. And two other Actes made in the ſayd ſeuen and twentieth yeare of the reigne of the ſayd late Queene Elizabeth, the one intituled, An Act for reuiuing of a former Statute, for the true making of Mault, together with the Statute by the ſayd Acte reuiued, and the other intituled, an Act for the keeping of the Sea bankes, and Sea workes in the County of Norfolke.

31.El.8. And one Act made in the one & thirtieth yeare of the reigne of the late Queene Elizabeth, intituled, an Act for the true gauging of veſſels brought from beyond the Seas, conuerted by Brewers for the vtterance and ſale of Ale and Beere.

35.El.10. 35.El.11. And two Acts made in the fiue and thirtieth yeare of Her ſayd late Maieſties reigne, the one intituled an Act for the Reformation of ſundry abuſes in Clothes, called Deuonſhire Kerſies or Dozens, according to a Proclamation of the foure and thirtieth yeare of Her ſayd Maieſties reign, the other intituled, an Act for the bringing in of Clapboard from the parts beyond the Seas, and the reſtraining of the tranſporting of Wine Caſkes, for the ſparing and preſeruing of Timber within the Realme.

35.El.1. And ſo much of one Act made in the fiue and thirtieth yeare of the Reigne of the ſayd late Queene Elizabeth, intituled an Act to retaine the Queenes Maieſties Subiects in their due obedience, as hath not beene ſince repealed by any other Statute.

39 El.4. 1.Iac.25. 39.El.10. St.23.El.7. 39.El.14. 39.El.16. 39.El.17. 43.El.3. 43.El.5. 43.El.2. 1.Iac.25. 43.El.19. 43.El.5. 1.Iac.7. St.39.El.4. And the ſeuerall Acts hereafter mentioned, made in the nine and thirtieth yeare of the reigne of the late Queen Elizabeth, That is to ſay, an Act intituled, an Act for the puniſhment of Rogues, Vagabonds, and ſturdy Beggers, with the prouiſion annexed thereunto, by one Acte made in the firſt yeare of the reigne of the late King Iames, intituled, an Act for continuing and reuiuing of diuers Statutes, and for repealing of ſome others. An Act intituled, an Act for the increaſe of Mariners, and for maintenance of Nauigation, repealing a former Act made in the three and twentieth yeare of her ſayd Maieſties reigne, bearing the ſame title, an Act intituled, an Act prohibiting the bringing into the Realme of forraine Cards for Wooll, an Act intituled, an Act for reſtraining the exceſſiue making of Mault, an Act againſt lewd and wandring perſons, pretending to be Souldiers or Mariners: And the ſeuerall Actes hereafter mentioned, made in the three and fortieth yeare of the reigne of the ſayd late Queene Elizabeth, that is to ſay, an Act intituled, an Act for the neceſſary reliefe of Souldiers and Mariners, an Act intituled, an Act to auoyd trifling and friuolous Suites in Law in her Maieſties Courts at Weſtminſter, an Act intituled, an Act for reliefe of the Poore, with the addition thereunto made, by an Act made in the firſt yeare of the reigne of the late King Iames, intituled, an Acte for continuing of diuers Statutes, and for repeale of ſome others, and with this further addition: And be it enacted, That all perſons, to whom the Ouerſeers of the poore ſhall according to the ſayd Act binde any Children apprentices, may take and receiue, and keepe them as apprentices: And alſo that the Church-wardens and Ouerſeers of the Poore, mentioned in the ſayd Act, made in the ſayd three and fortieth yeare, may by, and with the conſent of two or more Iuſtices of the Peace, whereof one to bee of the Quorum, within their reſpectiue limits, wherein ſhall bee more Iuſtices than one, and where no more ſhall be than one, with the aſſent of that one Iuſtice of the Peace, ſet vp, vſe, and occupy any Trade, Myſtery, or Occupation, onely for the ſetting on worke and better reliefe of the Poore of the Pariſh, Towne, or place, of or within which they ſhall bee Church-wardens or Ouerſeers of the Poore, any former Statute to the contrary notwithſtanding: An Act intituled, an Act for the true making and working of Woollen Cloath, an Act intituled, an Act to preuent Periury, and ſubornation of Periury, and vnneceſſary expence in Suites of Law: And the ſeuerall Actes made in the firſt yeare of the reigne of the late King Iames, after mentioned: One intituled, An Acte for Continuance and Explanation of the Statute made in the nine and thirtieth yeare of the Reigne of the late Queene Elizabeth,

The Ouerſeers of the poore may put out apprentices. The Church-wardens &c. may ſet vp any trade to finde the poore worke.

zabeth, intituled, an Act, for puniſhment of Rogues, Vagabonds, and ſturdy Beggars; an other
intituled, an Act to take away the benefit of Clergy for ſome kind of Man-ſlaughter another 1.Iac. 8.
intituled, an Act concerning Tanners, Curriers, Shoo-makers, and other Artificers, occupying 1.Iac.22.
the cutting of Leather, ſauing for ſuch part thereof as is repealed by one other Act, made in the
fourth yeare of his ſayd late Maieſties reigne of England, in that behalfe. Another intituled, St.4.Iac.6.
an Act for the better execution of the intent and meaning of former Statutes made againſt ſhooting 1.Iac. 27.
in Gunnes, and for the preſeruation of the Game of Pheſants and Partridges, and againſt
the deſtroying of Hares with Hare-pipes, and tracing Hares in the Snow; an Act intituled;
an Act for auoyding of deceit in ſelling, buying, or ſpending corrupt and vnwholeſome Hoppes; 1.Iac,18.
an Act intituled, an act for explanation of the Statute made in the fifth yeare of the late Queene 1.Iac. 6.
Elizabeths reigne concerning Labourers; an act for the charitable reliefe and ordering of perſons St.5.El.4.
infected with the Plague. And the ſeuerall acts made in the third yeare of the reigne of 1.Iac.31.
the late King Iames after mentioned, That is to ſay, one intituled, an act for reliefe of ſuch as
lawfully vſe the Trade and Handicraft of Skinners. Another act intituled, an act for the rating 3.Iac.9.
and leuying of the charges for conueying of Malefactors and Offenders to the Gaole. Another 3.Iac.10.
act for tranſporting of Beere ouer the Seas. One other intituled, an act againſt vnlawfull 3.Iac.11. 3.Iac.13.
hunting and ſtealing of Deere and Conies. And one act made in the fourth yeare of the 4.Iac.11.
reigne of the ſayd late King Iames, intituled, an act for the better prouiſion of Meadow & Paſture,
for the neceſſary maintenance of Husbandry & Tillage, in the Manors, Lordſhips, & Pariſhes of
Merden, alias Mawarden, Boddenham, Wellington, Sutton S. Michael, Sutton S. Nicholas,
Murton vpon Logg, and the Pariſh of Pipe, and euery of them, in the County of Hereford.
And the ſeuerall acts made in the ſeuenth yeare of the reigne of the ſayd late King Iames after 7.Iac.1.
mentioned, the one intituled, an act for the better execution of Iuſtice, and ſuppreſſing of criminall
Offendors in the North parts of the Kingdome of England. Another intituled, an act 7.Iac.4.
for the due execution of diuers Lawes and Statutes heretofore made againſt Rogues, Vagabonds,
and ſturdy Beggers, and other lewd and idle perſons. Another intituled, an act to 7.Iac.11.
preuent the ſpoile of Corne and Graine by vntimely Hawking, and for the better preſeruation
of Pheſants and Partridges. One other intituled, an act to auoyde the double payment of 7.Iac. 12.
Debts. One other intituled, an act for the explanation of one Statute made in the ſecond 7.Iac.13.
Seſſion of that preſent Parliament, intituled, an act againſt vnlawfull hunting of Deere and St.3.Iac.13.
Conies. And one other act intituled, an act for the taking, landing, and carrying of Sea ſand
for the bettering of grounds, and for the increaſe of Corne and Tillage, within the Counties 7.Iac.18.
of Deuon and Cornewall. And that one part of the Statute made in the fiue and twentieth yeare
of the reigne of the late King Henry the eighth, intituled, an act for the deſtruction of wilde fowle, 25.H,8.11.
which was repealed by a later Act in the Parliament holden in the third and fourth yeares of the St.3.& 4.Ed.
reigne of the late King Edward the ſixth, and reuiued in the Parliament holden in the one and 6.7.
twentieth yeare of the reigne of the late King Iames. And one act made in the firſt yeare of St.21.Iac.28.
the reigne of the late Queene Mary, for and concerning the making, repairing, and amendment 1.M.5.
of the common High-way and Cauſey, in the Counties of Dorſet and Sommerſet, betweene
the Townes of Shaftsbury and Sherborne, in the ſayd County of Dorſet, and reuiued in the
ſayd one and twentieth yeare: And alſo the ſeuerall Acts hereafter mentioned, made in the ſayd
one and twentieth yeare of the reigne of the late King Iames, That is to ſay, an act intituled, St.21.Iac,28.
an act concerning Women conuicted of ſmall felonies, and one act intituled, an act for the continuance
of a former Statute, made in the fourth year of the reigne of the ſayd late King Iames, 21.Iac.6. 21.Iac.18.
intituled, an Act for the true making of Wollen Cloathes, and for ſome additions and alterations, 4.Iac.2.
in and to the ſame, together with ſo much of one Act made in the ſayd fourth yeare as was in
force the laſt day of the Seſſion of Parliament, holden in the ſayd one and twentieth yeare, and 21.Iac.20.
one other act intituled, an act to preuent and reforme prophane ſwearing and curſing. And one 21.Iac.27.
act intituled, an act to preuent the deſtroying and murdering of baſtard children, by vertue of this
act ſhall bee and continue vntill the end of the firſt Seſſion of the next Parliament in force and
effect, as the ſame were the firſt day of the Seſſion of Parliament, holden in the firſt yeare of
the reigne of our Soueraigne Lord the King that now is: And bee it alſo enacted that one Statute
made in the ſayd firſt yeare of his Maieſties reigne that now is, intituled, an act for puniſhing
of diuers abuſes committed on the Lords day, ſhall continue in force vntill the end of the firſt
Seſſion of the next Parliament.

The 56. Statutes aboue mentioned, continued vntill the end of the firſt Seſſion of the next Parliament.
1.Car.1. Continued.

Prouided neuertheleſſe, that ſo much of euery of the ſayd acts, as by any new act made in this Seſſion of Parliament, are or ſhall bee explained, altered or repealed, ſhall for ſo much thereof from the end of this Seſſion of Parliament ſtand and be in force, as by thoſe other acts ſhall bee ordained.

Prouided alſo and bee it further enacted by the authority of this preſent Parliament, That when the prices of Corne or Graines at the times, hauens, and places, when and where the ſayd Corne, or Graine ſhall be bought, ſhipped or laden, exceed not the rates hereafter following, viz. the quarter of Wheate at thirty and two ſhillings the quarter, the quarter of Rye at twenty ſhillings, the quarter of Peaſe and Beanes at ſixteene ſhillings, the quarter of Barley

When Corne may be tranſported. St.21.Iac,28.

or Malt, at ſixteene ſhillings of currant Engliſh money, That then it ſhall be lawfull for all and every perſon and perſons, being Subiects of the Kings Maieſty, his Heires and Succeſſors, and borne within this Realme, to carry and tranſport of his owne, and to buy to ſell againe, in Markets and out of Markets, and to keepe, or ſell, or carry and tranſport any of the ſayd Cornes and Graines, from the places where they ſhall be of ſuch prices unto any part beyond the Seas, in amity with his Maieſty, as Merchandize in Ships, Crayers or other Veſſels, whereof any Engliſh borne Subiect or Subiects, then ſhall bee the owner or owners, or the ſame to carry and ſell in other places within this Realme or Dominions thereof: Any Law, Statute, or Uſage to the contrary hereof notwithſtanding. And that the Kings Maieſty, his Heires & Succeſſors ſhall have and receive by the Cuſtomers and Officers of his Portes for the Cuſtome or Poundage of every quarter of Wheate to be tranſported by force of this Statute out of this Realme, two ſhillings, of every quarter of other Graine ſixteene pence, which ſayd ſeverall ſummes, ſo to be had and taken as Cuſtome or Poundage, ſhall be in full ſatiſfaction of all manner of Cuſtome or Poundage for the ſayd Corne or Graine, by any Conſtitution, Order, Statute, Law, or Cuſtome heretofore made, uſed, or taken, for tranſporting of any ſuch manner of Corne or Graine, or made in this preſent Seſſion of Parliament, or hereafter to be made.

The Cuſtom & Poundage of Corne.

Provided alwayes, and bee it enacted by the authority of this preſent Parliament, That the Kings Maieſty, his heyres and ſucceſſors, may at all times by his and their Writ of Proclamation to be publiſhed generally in the whole Realme, or in any of the Counties of this Realme where any Ports are, command, that no perſon ſhall by vertue of this Act tranſport or convey any maner of Graine out of his Highneſſe Dominions generally, or out of any ſpeciall Ports to bée in the ſayd Proclamation particularly named, for ſuch time as ſhall bee therein limited and appointed: And it ſhall not be lawfull for any perſon to carry out any ſuch Graine, contrary to the tenour of the ſaid Proclamation, upon ſuch paines and forfeitures as by the Lawes and Statutes of this Realme are and have bin provided and ordained in that behalfe, this Act or any thing therein contained to the contrary notwithſtanding.

The King by Proclamatiō may reſtraine tranſportatiō of Corne.

Provided alſo, and be it enacted, that no perſon or perſons ſhall incurre any penalty, for want of length, breadth, or weight of Welſh Cottons, under the price of fiftéene pence the yard, or two ſhillings the Goad, ſo as they be not mixed with haire, or other deceitfull ſtuffe, nor for any others above that price, except they ſhall be mixed as aforeſayd, or ſhall ſhrinke above the rate of halfe a yard in twelve yards of length, or weigh leſſe than fourtéene ounces the yard, or hold not full thrée quarters of a yard broad.

Welſh Cottons.

And be it alſo enacted by the authority aforeſayd, That that part of one Statute made in the ſixteenth yeare of the reigne of the late King Richard the ſecond, by which it is ordained, that no manner of Spicery, after that it be brought into the Realme, ſhall be carried out of the ſame Realme by Aliens nor by Denizen, upon paine of forfeiture thereof: And one Statute made in the ſixteenth yeare of the reigne of the late King Richard the ſecond concerning Liveries: and one other Statute made in the twentieth yeare of the reigne of the late King Richard the ſecond, by which it is ordained that no Valeletts, called Yeoman, nor other of leſſer eſtate than an Eſquire, ſhall uſe or beare any ſigne of Livery, called Livery of Company of any Lord within the Realme: And one Statute made in the firſt year of the reigne of the late King Henry the fourth concerning giving of Liveries: And one Statute made in the ſeventh yeare of the reigne of the late King Henry the fourth, concerning giving of Liveries: And one other Statute made in the thirtéenth yeare of the reigne of the late King Henry the fourth, concerning giving of Liveries: And one ſtatute made in the eighth year of the reign of the late King Henry the ſixth concerning Liveries: And one Statute made in the eighth yeare of the reigne of the late King Edward the fourth concerning Liveries: And ſo much of one Statute made in the third yeare of the reigne of the late King Henry the ſeventh concerning the Starre-chamber, as toucheth or concerneth the puniſhment of thoſe that ſhall give or take Liveries: And one other Statute made in the ſayd third yeare, concerning taking of Liveries by the Kings Officers and Farmers, be from henceforth repealed.

16.R.2.1.
16.R.2.4
20.R.2.2.
1.H.4.7.
7.H.4.14.
13.H.4.3.
8.H.6.4.
8.Ed.4.2.
3.H.7.1.
3.H.7.12.
A repeale of the 9. Statutes laſt mentioned.

And be it alſo enacted by authority of this Parliament, that one Act of Parliament made in the ſeventh yeare of the reigne of the late King Iames, intituled, an Act for the ſpeedy recovery of many thouſand Acres of Marſh grounds and other grounds, within the Counties of Norfolke and Suffolke, lately ſurrounded by the rage of the Sea in divers parts of the ſayd Counties, and for the prevention of the danger of the like ſurrounding hereafter, be continued, and ſhall ſtand in force untill the end of the next Seſſion of Parliament.

7.Iac.20. continued untill the next Parliament.

CAP. V.

The Eſtates of the tenants of Bromfield & Yale, in the County of Denbigh, and of the Tenures, Rents, and Services thereupon reſerved,(according to the late Compoſition made for the ſame with the Kings moſt excellent Maieſty, then Prince of Wales) ratified, and confirmed. PR.

CAP. VI.

Fiue entire Subſidies granted by the Spiritualty.

WHere the Prelates and Clergy of the Prouince of Canterbury, for diuers weighty conſiderations, reſpecting his Maieſties extraordinary occaſions, haue louingly & liberally giuen and granted to the Kings moſt Excellent Maieſty, fiue whole and entire Subſidies of foure ſhillings in the pound, to bée taken and leuied of all and ſingular their Promotions Spirituall, within the ſame Prouince, at ſuch dayes and times, and in ſuch certaine manner and forme, and with ſuch exceptions and prouiſions, as bee ſpecified and deliuered in a certaine Inſtrument by them thereof made, and deliuered vnto the Kings Maieſty, vnder the Seale of the moſt reuerend Father in God, George, now Archbiſhop of Canterbury, and Primate of all England, which Inſtrument is now exhibited in this preſent Parliament, to be ratified and confirmed: The tenor thereof enſueth in theſe words;

A generall grant of the fiue Subſidies vnder the Seale of the Archbiſhop of Canterbury.

SEreniſſimo & Excellentiſſimo in Chriſto Principi, & Domino noſtro clementiſſimo, Domino *Carolo*, Dei gratia Angliæ, Scotiæ, Franciæ, & Hiberniæ Regi, Fidei Defenſori, &c. Georgius prouidentia Diuina Cantuarienſis Archiepiſ. totius Angliæ Primas & Metropolitanus, omnimodam obedientiam ac fælicitatem & ſalutem in eo, per quem Reges regnant & Principes dominantur. Inclytiſſimæ veſtræ Regiæ Maieſtati per præſens publicum Inſtrumentum ſiue has literas noſtras teſtimoniales notum facimus & ſignificamus, quod Prælati & Clerus Prouinciæ noſtræ Cantuarienſis in Sacra Synodo Prouinciali ſiue conuocatione, vigore & auctoritate Breuis veſtri Regii nobis directi, in Domo capitulari Eccleſiæ veſtræ Cathedralis Sancti Pauli London: decimo octauo die menſis Martii, Anno Domini iuxta curſũ & computationem Eccleſię Anglicanæ Milleſimo ſexcenteſimo viceſimo ſeptimo inchoata & celebrata, ac de die in diem, & loco in locum vſq; ad & in diem Mercurii ſeptimũ, viz. diem præſentis menſis Maii, Anno Dom. Milleſimo ſexcenteſimo viceſimo octauo poſt meridiem continuata ac prorogata, in Eccleſia Collegiata beati Petri Weſtmonaſterienſis eodem ſeptimo die præſentis menſis Maii legitimè congregati, pro quibuſdam grauibus & vrgentibus cauſis per nos eis propoſitis ac inter eos deliberatione matura ponderatis, pro defenſione Regnorũ & Dominiorũ veſtrorum, ſed & pro eorum etiam erga Regiam veſtram ſublimitatem obſequioſa obſeruantia, quinque ſpontanea vltronea & voluntaria Subſidia veſtræ Regiæ Magnificentiæ vnanimi eorũ conſenſu & aſſenſu dederunt & conceſſerunt, prout tenore præſentis publici Inſtrumenti (ſeriem conceſſionis huiuſmodi in ſe continentis) plenius liquet & apparet, humiliter & obnixè veſtræ Regiæ Maieſtati ſupplicantes, quatenus hæc eorũ quinq; Subſidia pro veſtra conſueta clementia benignè accipiatis ac bene conſulere gratioſè dignemini. Tenor verò dictæ conceſſionis de verbo in verbum ſequitur, & eſt talis.

MOſt gracious, and moſt religious Soueraign, your Maieſties faithfull Subiects the Prelates and Clergie of the Prouince of Canterbury, being called together by vertue of your Highneſſe Writ, and orderly aſſembled at this preſent in a prouinciall Synode or Conuocation, well conſidering and maturely weighing with themſelues that duty which by the ſacred word of God they do owe vnto your Maieſty, as to their true, naturall, and gracious Soueraigne Lord, and that ſo much the more for the frée paſſage of the holy Goſpel amongſt them, which by Gods goodneſſe, and your meanes, they enioy, beyond all other nations. And knowing the inceſſant care and trauaile of your Maieſties minde, for the well gouerning of this great people committed by God to your charge; but moſt of all remembring the manifold expences whereat your Maieſty is, and is dayly like more and more to be, both for the honourable ſupport of your Royall eſtate, and for the neceſſary defence of this your Realme of England, and your other Dominions, againſt ſo many, ſo mighty, and ſo combined enemies; who not only hate our perſons, but the very religion which wee profeſſe; as a teſtimony of their truely loyall affection and moſt bounden ſeruice, with one vniforme accord and conſent, haue giuen and granted, and by theſe preſents do giue and grant to your Highneſſe, your Heires and Succeſſors, fiue whole and entire Subſidies of foure ſhillings in the pound, in manner and forme following.

That is to ſay, That euery Archbiſhop, Biſhop, Deane, Archdeacon, Prouoſt, Maſter of Colledge, Prebendary, Parſon, and Vicar, and euery other perſon and perſons, of whatſoeuer name or degrée he or they bee, within the Prouince of Canterbury, hauing or enioying any Spirituall Promotion, or other Temporall poſſeſſion to the ſame Spirituall Promotion annexed, now not diuided nor ſeparated by Act of Parliament, or otherwiſe, from the poſſeſſion of the Clergy, ſhall pay to your Highneſſe, your Heires and Succeſſors, for euery pound that hee

The rate of the Subſidie.

may yearely receiue and diſpend, by reaſon of the ſaid Spirituall Promotion, the ſumme of foure ſhillings for euery of the ſayd fiue Subſidies. And for the true & certaine value of all the Promotions and euery of them, whereof the payment of theſe fiue Subſidies ſhall be made, the rate, taxation, Valuation, and eſtimation now remaining of Record in your Maieſties Court of Exchequer, for the payment of a perpetuall Diſme or Tenth, granted vnto King Henry the eighth of worthy memory, in the ſix and twentieth yeare of his reigne, concerning ſuch Promotions as now be in the poſſeſſion of the Clergie, ſhall only be followed and obſerued, without making any other valuation, rate, taxation, or eſtimation, than in the ſayd Record is compriſed.

St.26.H.8.3.

Prouided alwayes, that foraſmuch as the tenth part of the ſaid rate and valuation before mentioned, is yearely payed to your Highneſſe for the ſayd perpetuall Diſme or Tenth, ſo as there remaineth only nine parts, yearely to the Incumbent cleare: Theſe fiue Subſidies of foure ſhillings of the pound, ſhall be vnderſtood and meant only of euery full pound of the ſaid nine parts and nothing of any other money, not amounting to a full pound.

And your Prelates and Clergie doe alſo grant, that theſe fiue Subſidies of foure ſhillings of the full pound, of the nine parts of the yearely value of euery Spirituall Promotion aforeſayd, within the ſayd Prouince taxed, as is aforeſaid, ſhall be paid to your Maieſtie, your Heires and Succeſſors in maner and forme following: That is to ſay, The firſt payment and moity of the firſt of theſe fiue Subſidies, viz. two ſhillings of euery full pound, as aforeſayd, to be due at, and vpon the firſt day of December, which ſhalbe in the year of our Lord God, One thouſand ſix hundred and thirty. And the ſecond paiment and moity of the firſt of the ſayd fiue Subſidies viz. two ſhillings of euery full pound, as aforeſayd, to be due, at and vpon the firſt day of Iune, which ſhall bee in the yeare of our Lord God, One thouſand ſixe hundred thirty and one. And the firſt payment and moity of the ſecond of the ſayd fiue Subſidies, viz. two ſhillings of euery full pound, as aforeſayd, to bee due at and vpon the firſt day of December, then next and immediately following in the ſame yeare. And the ſecond payment and moitie of the ſecond of the ſayd fiue Subſidies, viz. two ſhillings of euery full pound, as aforeſayd, to be due at and vpon the firſt day of Iune, then next and immediately following, which ſhall bee in the yeare of our Lord God, One thouſand ſixe hundred thirty and two. And the firſt payment and moity of the third of the ſayd fiue Subſidies, viz. two ſhillings of euery full pound, as aforeſayd, to be due at and vpon the firſt day of December, then next and immediately following in the ſame yeare. And the ſecond payment and moity of the third of the ſaid fiue Subſidies, viz. two ſhillings for euery full pound at and vpon the firſt day of Iune then next and immediately following, which ſhall be in the yeare of our Lord God, One thouſand ſixe hundred thirty and three. And the firſt payment and moity of the fourth of the ſayd fiue Subſidies, viz. two ſhillings of euery full pound as aforeſayd, to be due at and vpon the firſt day of December, then next and immediately following in the ſame yeare. And the ſecond payment and moity of the fourth of the ſayd fiue Subſidies, viz. two ſhillings of euery full pound as aforeſayd, to be due at and vpon the firſt day of Iune, then next and immediately following, which ſhalbe in the yeare of our Lord God, One thouſand ſixe hundred thirtie and foure. And the firſt payment and moity of the fifth and laſt of the ſayd fiue Subſidies, viz. two ſhillings of euery full pound as aforeſayd, to bee due at and vpon the firſt day of December, then next and immediately following in the ſame yeare. And the ſecond and laſt payment and moity of the fifth and laſt of theſe fiue Subſidies, to bee due at and vpon the firſt day of Iune, which ſhalbe in the yeare of our Lord God, One thouſand ſixe hundred thirty and fiue, to be deliuered and payd by ſuch perſon and perſons as in this preſent Graunt ſhall be appointed to haue the Collection thereof, to the Lord high Treaſurer, or vnder Treaſurer of England for the time being, or to ſuch perſon or perſons, and in ſuch place or places, as ſhall pleaſe your Highneſſe to appoint to be payd, viz. The firſt payment of euery of the ſayd fiue Subſidies, which ſhall be due at and vpon the firſt day of December, as aforeſayd, to be payd at or before the laſt day of February next following euery of the aforeſaid dayes, when the ſaid payments or moities ſhall be due. And the ſecond payment of euery of the ſaid fiue Subſidies, which ſhall be due at and vpon the firſt day of Iune, as aforeſaid, to be made at or before the laſt day of Auguſt, next following after euery of the aforeſayd dayes, when the ſayd payments or moities ſhall be due, without paying any thing to the Receiuer, or any other perſon or officer to be aſſigned for the receit thereof, for any acquittance or other diſcharge or diſpatch vpon any ſuch payment or receit of the ſayd fiue Subſidies, or any part thereof, but onely foure pence, and that to the Clerke, for writing the acquittance or diſcharge of euery of the ſaid payments.

When the ſeuerall payments of theſe Subſidies ſhall grow due.

When the ſeuerall payments of theſe Subſidies ſhall be made.

Prouided alwaies, that no perſon, which hereafter ſhall be promoted to any Benefice or Spirituall Promotion, and ſhall compound with your Maieſty, your Heires or Succeſſors, for the firſt fruits of the ſame, from the firſt day of December, which ſhall bee in the yeare of our Lord God, One thouſand ſixe hundred and thirty, and one this ſide the firſt day of Iune, which ſhall be in the yeare of our Lord God, one thouſand ſixe hundred thirty and fiue, ſhall be contributary or charged for the ſame Benefice or Promotion to your Highneſſe, your Heires or Succeſſors, with any part of the ſayd fiue Subſidies, during the firſt yeare after the time of any ſuch compounding for his firſt fruits.

He that payes firſt fruits ſhall be for that yeare, excuſed from paying Subſidies.

Item your Highneſſe ſaid Prelates & Clergy do grant, that euery Archbiſhop, Biſhop, & the Se

being

fiue ſubſidies, during the firſt yeare after the time of any ſuch compounding for his firſt fruits.

Item, your Highneſſe ſayd Prelates and Clergie do graunt, that euery Archbiſhop, Biſhop, and (the Sée being voyd) euery Deane and Chapter of that Sée voyd, and none other perſon or perſons ſhall be Collectors of the ſayd fiue Subſidies, within their proper Dioceſſe, during the time appointed for the payment of the ſayd fiue Subſidies.

Who ſhall be Collectors of theſe Subſidies.

And your ſayd Prelates and Clergie do moſt humbly beſéech your Maieſty, that it may be enacted by your Maieſty and your High Court of Parliament, for the ſpéedy payment of the ſaid fiue Subſidies, and to auoyd delayes thereof, that when, and as often as any Collector or Collectors, chargeable with the Collection of the ſayd fiue Subſidies, or of any part of them, or their or any of their Vnder-collector or Vnder-collectors, Deputie or Deputies, of any of them, ſhall offer the paiment of the ſaid fiue Subſidies, or of any part of them, to the vſe of your Maieſty, your Heires and Succeſſors, to any perſon or perſons appointed to receiue the ſame by your Highneſſe, or by your Lord high Treaſurer, that the ſaid perſon or perſons ſo appointed, ſhal within foure dayes next after ſuch appointment, receiue, or cauſe to be receiued the money ſo offered to be payd without any further delay, and deliuer one ſufficient Bill, teſtifying the receipt thereof, to the ſaid Collector or his Vnder-collector or Deputie, vpon euery ſuch particular paiment.

The perſon appointed to receiue the Subſidies ſhall receiue them within 4. dayes next after ſuch appointment, vpon paine of ten pounds.

And that euery ſuch Auditor, as is, or ſhall be appointed to take or receiue the account of any ſuch Collector or Collectors, or of their ſeuerall Vnder-collectors or Deputies, ſhall within ſix dayes next after requeſt to him to be made, truely and indifferently take the ſayd account, and make allowance as by this Graunt is appointed, vpon paine that euery ſuch perſon or perſons appointed to receiue the ſame ſumme or ſummes of money ſo offered, and euery ſuch Auditor ſhall loſe and forfeit for euery default or delay to be made to the Collector or Collectors, Vnder-collector or Vnder-collectors, Deputy or Deputies ſo offering to make payment or account, as is aforeſayd, the ſumme of ten pounds of lawfull money of England, the one moity thereof to be to your Maieſty, your Heires and Succeſſors, and the other moity to the ſayd Collector or Collectors, Vnder-collector or Vnder-collectors, Deputy or Deputies ſo grieued, the ſame to bée payd vpon complaint to be made to the ſayd Lord Treaſurer, or vnder Treaſurer, or to the Lord Chiefe Baron of your Maieſties Court of Exchequer, who vpon ſuch complaint ſhall preſently examine the matter, and finding default ſhall commit the offendor to Ward, there to remaine vntill he ſhall haue payd the ſayd ſeuerall ſummes ſo forfeited.

The Auditor ſhall receiue the Collectors account within ſixe daies after requeſt, vpon paine of ten pounds.

And for the better leuying and recouering of the ſayd Subſidies, or any of them, your ſayd Prelates and Clergy doe likewiſe moſt humbly beſéech your Maieſty, that it may be enacted by your Maieſty, and your ſaid high Court of Parliament, in manner and forme following (That is to ſay) that euery Collector of the ſayd fiue Subſidies, and of euery part and parcell of them and their lawfull Vnder-collector or Vnder-collectors, Deputy or Deputies, may haue full power and authority to vſe all ſuch wayes and meanes and proceſſe, as bée preſcribed in the Act of perpetuall Diſme for the Collection and Leuying thereof, and may make account of the ſame before the Lord high Treaſurer or vnder Treaſurer of England for the time being, or any other Officer by your Highneſſe or your Court of Exchequer, to be appointed for the ſame, and in ſuch place as your Maieſty ſhall likewiſe aſſigne, in ſuch wiſe and after ſuch forme onely, as the ſayd Archbiſhop and Biſhops bée now charged to make account for the ſaid perpetuall Diſme and Tenth: Whereby is meant that the lacke and default of payment, of and for any Spirituall promotion or promotions, ſhall only charge ſuch Incumbent or Incumbents, and ſuch others as be bound to pay the ſame.

The Colector in gathering theſe Subſidies may vſe ſuch remedies as are allowed for the Collection of Tenths.
St.26.H.8.3.
St.32.H.8.22.
St.3.&.4.Ed.6.20.
St.7.Ed.6.4.
St.1.El.4.

And that the Archbiſhop, Biſhop, Deane and Chapter, gathering that which they can receiue, and making payment thereof, ſhall for the reſt, not by them receiued, be diſcharged by their Certificate to be made vnto your Highneſſe Court of Exchequer, for euery of the aforeſaid paiments which ſhall be due vpon the firſt day of December, in any of the aforeſayd yeares, at or before the laſt day of February next and immediately following euery of the aforeſaid dayes, when euery of the ſayd paiments ſhall be due; And for euery of the aforeſaid payments, which ſhall be due vpon the firſt day of Iune, in any of the aforeſayd yeares, at or before the laſt day of Auguſt, next and immediately following euery of the aforeſaid dayes, when the ſayd payments ſhall bée due; and that ſixe pence of euery pound, wherewith the Collector ſhall be charged in this account cléerely to be payd into the Receipt of your Maieſties Exchequer, or into ſuch other place as ſhall pleaſe your Highneſſe to appoint, ſhall be allowed to the ſayd Collector vpon his account for the ſame at euery of the aforeſayd ſeuerall times of payment for the charges of the ſayd Collection, Portage, ſafe conueying and paying of the ſaid fiue Subſidies.

The Collector ſhalbe charged with no more than he can receiue.

Sixe pence in the pound ſhalbe allowed to the Collector.

And moreouer that it may be enacted likewiſe, That after any payment of the ſayd fiue Subſidies ſhall bée once due by vertue of this Graunt, if any Incumbent of any Benefice or Promotion Spirituall, charged to the payment of any of the ſayd fiue Subſidies, or any part thereof, being (at any time after that the ſame payment ſhall bee due) lawfully moniſhed, eyther perſonally, or at his Dignity, Stall, Church, or Manſion-houſe, by the Archbiſhop, or Biſhop of the Dioceſſe, or his Vnder-collector or Vnder-collectors, Deputie or Deputies,, or by the Deane and Chapter (the Sée being voyd) or by any of their Vnder-collector or Vnder-collectors

The penalty for not paying the Subſidies vpon ſufficient warning.

Deputy or Deputies, (authorized in that behalfe) to appeare by himſelfe or his Deputy at a certaine day and place of conuenient diſtance to the ſayd Incumbent, then to be ſignified and prefixed, and then and there to pay ſuch part of the ſayd fiue Subſidies for his Benefice and Promotion Spirituall, or the whole, as then by vertue of this Graunt ſhall be due; doe not either at the ſame day and place ſo to him ſignified and prefixed, truely content and pay, or cauſe to bee contented and payed, ſuch payments of the ſayd fiue Subſidies, as then by him ſhall bee due to bee payd vnto the ſame Archbiſhop or Biſhop, or to his Vnder-collector or Vnder-collectors, Deputie or Deputies, or to the Deane and Chapter of any See being voyde, or to their Vnder-collector or Vnder-collectors, Deputy or Deputies, or to one of them, ſhewing ſufficient deputation from the ſayd Archbiſhop, Biſhop, or Deane and Chapter, vnder his or their Seale in that behalfe, being ready at the ſayd day and place ſo ſignified and prefixed, to receiue any payment of the ſayd fiue Subſidies then due, and openly demaunding the ſame, or elſe pay euery of the payments of the ſayd fiue Subſidies giuen by this Graunt, within fifty dayes next after any ſuch prefixed dayes of warning at the furtheſt, ſo that open demaund be made of euery of the ſayd payments of the ſayd fiue Subſidies, in and at the ſaid place and day before prefixed, That then euery Incumbent ſo making default of any of the payments aforeſayd, which ſhall be due from him, for any of the parts of the ſaid fiue Subſidies aforeſayd, after ſuch default thereof certified into your Maieſties Exchequer in writing, vnder the Seale and hand-writing of any Archbiſhop or Biſhop, or the common Seale of the Deane and Chapter, (the See being voyd) charged with the Collection of the ſay fiue Subſidies, or any part of them, ſo that the ſayd Certificate ſhall bee made according to the forme hereafter expreſſed, and exhibited into your Maieſties ſaid Court of Exchequer: viz. For euery of the aforeſayd payments of the ſayd fiue Subſidies, which ſhall bée due the firſt day of December, in any of the aforeſayd yeres, at or before the laſt day of February next following euery of the aforeſayd dayes, when euery of the ſayd payments ſhall bée due: And for euery of the foreſayd payments which ſhall bée due the firſt day of June in any of the aforeſayd yeares, at or before the laſt day of Auguſt next following euery of the aforeſayd dayes, when euery of the ſaid payments ſhall be due, as aforeſayd ſhall forfeit and loſe vnto your Maieſty, your Heires and Succeſſors, all the profits which of that onely Dignity, Benefice, or Promotion, for the which he maketh ſuch default of payment, and thereof ſuch Certificate ſhall be made, ſhall come, grow and ariſe vnto him (ouer and aboue the charges of ſeruing the Cure, and the annuall Tenth due to be payd out of his ſayd Liuing) in one whole yeare next after ſuch Certificate made and deliuered vnto your Highneſſe Court of Exchequer, and there admitted, in caſe the ſayd Incumbent ſhall ſo long liue: And that euery ſuch Certificate of any ſuch default of payment ſhall be made, according to the tenor and effect enſuing, (mutatis mutandis)

The Certificate of the non payment of the Subſidies.

Honorabilibus & egregiis viris, Domino Theſaurario, & Baronibus de Scaccario Illuſtriſſimi Domini noſtri, Domini Charoli, Dei gratia Angliæ, Scotiæ, Franciæ, & Hiberniæ Regis, fidei Defenſoris, &c.

Veſter humilis I. permiſſione Diuina L. Epiſcopus, authoritate & vigore cuiuſdam actus Parliamenti, Anno Regni dicti Domini Regis quarto, editi & prouiſi, ad colligendum & leuandum quinque Subſidia, eidem Domino Regi in eodem Parliamento per prælatos & Clerum Cantuarien. Prouinciæ conceſſa, viz. pro primâ ſolutione primi Subſidii ſoluend. primo die Decembris vltimo præteriti infra Diœceſim noſtrã L. deputatus & authorizatus, omnimodam reuerentiam tantis viris debitam cum honore: Veſtris reuerentiis harum ſerie annuntio & certifico, me præfatum Epiſcopum modo quo præfertur deputatum & authorizatum ſufficienter, & cum omni dilgentia requiſiuiſſe per N.O. Subcollectorẽ ſeu deputatum meum in hac parte, de quouis beneficio & promotione eccleſiaſtica in quadũ Schedula præſentibus annexa ſpecificatis, ſũmas ſolutionis dicti primi Subſidii pro dictis beneficiis & promotionibus debitas & ſoluendas dicto primo die Decemb. vltimo præteriti, prout in eadem Schedula præſentibus annexa plenius liquet & apparet. Sed dictas ſũmas ex canſis in eadem Schedula allegatis recipere non potui. In cuius rei teſtimonium Sigillum meum præſentibus appoſui. Dat. die menſis. Anno Domini

The Schedule annexed to the Certificate.

The forme of which Schedule aboue mentioned enſueth.

Ciuitas L. vel Decanatus de H.A.B. Rector vel Vicarius ibid. monitus fuit apud prædict. die vltimo pręteriti, per N.O. Subcollectorem ſeu deputatum meum ad ſoluendum apud Eccleſiam de L. in Com. R. die prox. ſeq. ſolutionem, ſiue illam partem dicti primi Subſidii per ipſum debitam primo die Decemb. vltimo præteriti pro promotione ſua prædicta: Sed prædict. A.B.nec apud Eccleſiã de L.præd. eodem die nec alibi per quinquaginta dies poſtea, ſummam per ipſũ debitam (vt præfertur) ſoluit vel ſatisfecit,neq;dictã ſummam de proficuis pictæ promotionis, nec de bonis & cattallis dicti A. B. aliquo modo leuare ſiue recipere potui.

Prouided alwayes, that if any Parſon or Incumbent, chargeable by this Act or Graunt to any payment of the ſaid fiue ſubſidies or any part thereof, ſhal proffer or tender paiment of any ſumme due to the Archbiſhop or Biſhop, or to the Dean & Chapter where the See is void, or to any Under-collector or Under-collectors, Deputy or Deputies, of any Archbiſhop, Biſhop, or Deane & Chapter aforeſayd, at any time before the Certificate exhibited into the Excheq̄uer, as is aforeſaid, that then, and notwithſtanding the Certificate made, as is aforeſayd, againſt any ſuch perſon, the ſayd Incumbent, or perſon againſt whom the ſaid Certificate was ſo made, ſhal & may auerre the offer or tender of his payment, as is aforeſaid, and of the ſame ſhall be tried, either by ſufficient witneſſes before the Lord Treaſurer & Barons of the Excheq̄uer, or by the tryall of 12. men vpon any iſſue thereupon to be ioyned betwixt the ſaid Incumbent, & any other perſon or perſons, that he, or any for him did offer or tender paiment of the ſumme due, as aforeſaid; which being found for the Incumbent, then euery ſuch Incumbent ſhall haue and enioy his promotion or promotions ſtil without forfeiture, or loſing to your Maieſty, your heires or ſucceſſors any the profits thereof, and as though no Certificate or default of any ſuch payment hath beene made or exhibited: Any thing in this preſent Graunt or Act to the contrary notwithſtanding.

The Incumbent, &c. that failes to pay vpon warning, hath fifty dayes liberty to ſaue the penalty.

And further, that it may be enacted likewiſe, that euery Archbiſhop & Biſhop, and Deane and Chapter of euery See vacant, & other perſons chargeable to & with the collection of the ſaid fiue ſubſidies within the ſaid Prouince of Canterbury, ſhall and may haue vpon euery payment of the ſaid fiue ſubſidies, made to the Lord high Treaſurer, or vnder Treaſurer of England for the time being, or to ſuch other perſon or perſons, in place and places, to whom & where it ſhall pleaſe your Highneſſe, or your Court of Excheq̄uer, to appoint for the receipt thereof at euery of the aforeſaid times of payment, a ſufficient acquittance, diſcharge, or Quietus eſt in writing of the aforeſayd Lord high Treaſurer or vnder Treaſurer, or of ſuch other perſon or perſons, as either your Highneſſe, or your ſaid Court of Excheq̄uer ſhall aſſigne for the receipt thereof, or as heretofore in the like caſe it hath bin accuſtomed; the ſame acquittance, diſcharge, or Quietus eſt, witneſſing the receipt of ſo much of the ſame ſumme of the ſaid fiue ſubſidies, as ſhalbe ſo receiued, & euery ſuch acquittance, diſcharge, or Quietus eſt in writing, ſubſcribed with the name or names of the Lord high Treaſurer or vnder Treaſurer for the time being, or of ſuch Auditor, or other perſon or perſons, as it ſhal pleaſe your Highneſſe, or your ſaid Court of Excheq̄uer, to appoint for the ſame receipt, or of ſuch others as heretofore in like caſes it hath bin vſed, ſhall, and may be good & effectuall in the Law, & be alſo as ſufficient a diſcharge to all and euery of the ſayd Collectors, to all ſuch intents, conſtructions, & purpoſes, as if the ſame were made by Act of Parliament. And that euery of the ſaid Collectors ſhall pay but only iii. s. iiii. d. for euery generall or finall acquittance, diſcharge, or Quietus eſt, for euery payment of the ſaid fiue ſubſidies. And if any perſon ſo aſſigned, ſhall refuſe or delay to make ſuch a generall or finall acquittance, diſcharge, or Quietus eſt, for any payment of the ſaid fiue ſubſidies, or ſhall take or require for the ſame any more than iii. s. iiii. d. Or if any other Officer of the Excheq̄uer ſhall take or require of any Collector or Collectors, or of his or their Under-collector or Under-collectors, Deputy or Deputies, in reſpect of the Collection, payment or account of the ſaid fiue ſubſidies, or any part of them, for expedition, or for any other cauſe or pretence whatſoeuer concerning the ſame, any fees or ſummes of money, other than are before in this preſent Grant expreſly allowed vnto them, ſhall forfeit the ſumme of xl. li. of lawfull mony of England, to be paid & recouered in like maner, & to the ſame vſes, as is before limited & expreſſed in this Grant touching the like forfeiture of Receiuers & Auditors. And alſo that euery particular acquittance, which vpon any paiment of the ſaid fiue ſubſidies ſhalbe made by any Collector or Collectors of the ſaid fiue ſubſidies, or of any paiment of them, or by his or their Under-collector or Under-collectors, Deputy or Deputies, in that behalfe, to any Incumbent of any Benefice or Promotion Spirituall, or to any perſon or perſons contributary & chargeable to & with the ſaid fiue ſubſidies, or any part or payment of them, ſhall be good & effectuall in Law, and a full & ſufficient diſcharge to euery ſuch Incumbent, & other perſon, & his Benefice & Promotion Spirituall, of & for all ſuch ſumme and ſummes of money, as by the ſame acquittance ſhalbe acknowledged to be receiued, in reſpect of the ſame Benefice, or Promotion Spirituall, for any payment, or any part of the ſaid fiue ſubſidies: And that none acquittance of any other perſon or perſons, made before ſuch Certificate, ſhall in any wiſe diſcharge any perſon or part or promotion, for any paiment of the ſaid fiue ſubſidies, nor of any paine, penalty, or forfeiture ſpecified in this Grant.

Euery Collector vpon payment of the ſubſidies receiued ſhall haue a Quietus eſt.

The fee of the Quietus eſt.

The penalty of the Officer that refuſeth or delayeth to make a Quietus eſt, or taketh more than his due.

The Collectors acquittance ſhall be a diſcharge of ſo much as it mentioneth.

And to the intent it may be knowen to the Court of Excheq̄uer, who be the Under-collector or Under-collectors, Deputy or Deputies of euery ſuch Archbiſhop, Biſhop, or Deane and Chapter, authorized to receiue the ſame, and to make acquittance thereof, euery Archbiſhop, Biſhop, and Deane and Chapter (of any See being voyde) ſhall yearely together with their Certificates afore

The Biſhop ſhall make Certificate into the Excheq̄uer of the name of his Collector.

afore mentioned, certifie the names of euery the Under-collectors or Deputies to be appointed as is aforeſayd.

No extortion ſhalbe vſed by a Collector to an Incumbent.

Prouided alwayes, that no Collector of the ſayd fiue ſubſidies, or of any part of them, ſhall vſe any Proceſſe or compulſory meanes, or exact any Fées or ſummes of money for the ſame, or otherwiſe, of any perſon for not paying the ſayd fiue ſubſidies or any part of them, at ſuch certaine day and place, as ſhall be by the Collector, or his Under-collector or Deputy prefixed, in caſe the ſayd perſon ſhall tender the ſame vnto the Collector, or his Under-Collector or Deputy within twenty dayes next after ſuch prefixed day. And that the ſayd Collectors ſhall not by themſelues or any others take of any perſon for the receit of any ſeuerall payment of the ſaid fiue ſubſidies, and for his acquittance thereupon, any more than foure pence, by any colour or pretext whatſoeuer.

The Collectors fee for an acquittance.

None ſhalbe charged to this Subſidy of the tenth of the Temporalty.

Prouided alwaies, that no Spirituall promotions, nor any Lands, Poſſeſſions, or Reuenues annexed to the ſame, being charged by this Grant of the Prouince of Canterbury, or any goods or chattels growing, being, or renewed vpon the ſame, or elſewhere appertaining to the owners of the ſayd Spirituall promotions, or to any of them, ſhall bee charged or made contributary to any Fifteene or Tenth, or to any other ſubſidies already granted to your Highneſſe by the Laity, or hereafter to bee granted during the time appointed by this grant for the payment of the ſayd fiue ſubſidies.

How Deans, Archdeacons, Prebendaries, &c. ſhal be charged.

What poſſeſſions of Cathedrall Churches, &c. ſhalbe diſcharged of this Subſidy.

Prouided alſo, that all Deanes, Archdeacons, Dignities, Maſters, Wardens, & Prebendaries of all Cathedrall and Collegiate Churches, & Colledges, or any of them within the ſaid Prouince, ſhalbe charged with theſe fiue ſubſidies for thoſe poſſeſſions, reuenues, & promotions only, which to their ſeuerall Promotions, Dignities and roomes are cléerely and diſtinctly limited, and to their onely vſe ſeuered, thereof to pay (the tenth part being deducted) for euery and each of the ſayd fiue Subſidies, foure ſhillings of euery full pound, in maner & forme as is aboue rehearſed. And that all thoſe rents, poſſeſſions, profits, portions, hereditaments, and Spirituall promotions, and euery of them heretofore by your Highneſſe, or any of the Kings or Queens of this Realme, or any perſon or perſons whatſoeuer, giuen, granted, bequeathed, deuiſed, or impropriated vnto the ſaid Cathedrall or Collegiat Churches or Colledges, or to any of them, which any wayes be aſſigned, employed or vſed, either for, or towards the yearly maintenance of Readers of Diuinity, Poor men, Schoolemaſters, Uſhers, Grammarians, Pettie Canons, Conducts, Uicars-chorall, Singing-men, Choriſters, Uirgers, Sextons, or of any other neceſſary, or dayly Officers or Miniſters in ſuch Cathedrall or Collegiate Churches, or Colledges, or any of them, or for or towards the réedifying or repairing of any of the ſame Cathedrall or Collegiate Churches or Colledges, ſhall not be charged with any part of theſe fiue Subſidies: the certainty of which portions, as well chargeable to theſe fiue ſubſidies, as not chargeable in this behalfe, the Archbiſhop, or Biſhop of the Dioceſſe, or (the Sée being void) the Deane and Chapter, or any other to whom the ſame ſhall or may appertaine, vpon due ſearch and examination ſhall certifie vnder his or their Seale, into your Highneſſe ſayd Courts of Exchequer, at or before the ſeuerall dayes aforeſayd, appointed for the payment of the ſayd fiue Subſidies.

A remedy for an Incumbent paying a penſion.

Prouided alwayes, that euery Parſon, Uicar, or other Spirituall perſon paying any Penſion, whereof no allowance is made in the valuation of his Promotion or Benefice, ſhall and may retaine to his owne vſe & reliefe, ſo much of euery pound of euery ſuch Penſion for euery payment of theſe fiue Subſidies, as he ſtandeth charged by this Graunt, to pay for euery part and payment of the ſayd fiue Subſidies out of euery pound for the whole valuation of his Spirituall Promotion, any Couenant, Graunt or Bond to the contrary notwithſtanding.

Lands giuen to Cathedrall Churches to to maintaine, Obites, Lampes, &c.

Prouided alſo, and your ſayd Prelates and Clergy do moſt humbly beſéech your Highneſſe that it may be enacted by your Maieſties authority, and your high Court of Parliament, that where certaine Lands, Tenements, Rents, Spirituall Promotions, Tithes, Penſions, Portions, Fruits, and other Hereditaments, lately belonging to diuers Cathedrall Churches, and to other places and perſons Eccleſiaſticall within the ſayd Prouince of Canterbury, which were giuen and aſſigned to be beſtowed and ſpent, in, and on finding and maintaining of certaine Chauntries, Anniuerſaries, Obites, Lights, Lampes, and other like charges, intents, and purpoſes, of late came into the hands and poſſeſſion of the late King of famous memory, Edward the ſixth, by force of a Statute thereof made in the firſt yeare of his reigne, as by the ſayd Statute more plainely appeareth: that the Cathedrall Churches, and the Biſhops, Deanes, or Preſidents, and Chapters, and Prebendaries of the ſame, and all other places and perſons Eccleſiaſticall, and euery of them, to whom the ſayd Lands, Rents, and other the premiſſes, or any of them did lately appertaine, ſhall not during the time appointed by this Graunt for the payment of the ſaid fiue Subſidies, be charged to and with any payment of Subſidy, of, and for that part and portion of Lands, Tenements, Rents, Spirituall promotions, and other Hereditaments, or any of them, whereunto the ſayd late King by force of the ſayd Statute was intituled or poſſeſſed of; nor of any yearely Rents or Payments going out of the ſayd Cathedrall Churches, and other the places and perſons Eccleſiaſticall aforeſayd: And that deduction and allowance thereof be made to them and euery of them accordingly, in and vpon euery payment of the ſayd fiue Subſidies, out of the whole valuation, taxation, and eſtimation made for the payment of the ſayd perpetuall Diſme or Tenth, remaining of Record in your Highneſſe Court of Exchequer, as aforſayd, for the rate and portion of Lands, Tenements, Rents, Spirituall promotions, and other Hereditaments, and thoſe yearely payments, whereunto the ſayd late King was intituled or poſſeſſed of, or which ſince the making of the ſayd Statute, by reaſon that they haue béene found as Lands, Tenements, Rents, Tithes, or other Hereditaments concealed from the ſayd late King Edward the ſixth, the late King Henry the eighth, the late Quéene Mary, the late Quéene Elizabeth, your late moſt Royall Father, or any of them, or from your Maieſtie, or otherwiſe are ſeuered from the poſſeſſions of the ſayd Cathedrall Churches, and other places and perſons aforeſayd, or of any of them, by force of the Statute premiſed, or any otherwiſe.

Prouided alſo, that the ſayd fiue Subſidies graunted by the Clergie or any part of them, ſhall not bee demaunded or leuyed out of any Benefice, houſe of Students, or Colledge ſituate or ſet within either of the Vniuerſities of Oxford or Cambridge, or any Benefice, Lands or other Reuenues vnto the ſayd Vniuerſities, or either of them, or to any houſe of Students, or Colledge in any of the ſaid Vniuerſities vnited, appropriated, or appertaining, or out of any Benefice, lands, or reuenues of the Colledge of Windſor, or of the Colledge of Weſtminſter, or of the Colledge of Eaton néere Windſor, or of the Colledge called Saint Maries Colledge by Wincheſter, founded by William Wickham, ſometime Biſhop of Wincheſter, or of any Hoſpitals, Almes houſes, or Grammer Schooles, or of any Church, Benefice, or other reuenues to the ſayd Colledges, Hoſpitals, Almes houſes, or Grammer Schooles, or to any of them annexed, appropriated or otherwiſe appertaining.

The reuenues of Colledges &c. diſcharged from paying Subſidies.

Prouided alwaies, that all Parſons, Vicars, and all other Eccleſiaſticall perſons, whoſe Benefices are not aboue ſixe pounds thirtéene ſhillings and foure pence by the yeare, after the taxation aforeſayd, ſhall not be charged with the ſayd fiue Subſidies, or any part of the ſame.

Benefices not aboue 6.l.13.s.4.d.per annum diſcharged.

Prouided alſo, that euery Vicar, whoſe Benefice is eight pounds or aboue, and not aboue ten pounds by the yeare, after the taxation aforeſayd, ſhall pay vnto your Highneſſe, your Heires and Succeſſors ſixe ſhillings and eight pence at euery payment of the ſayd fiue Subſidies, at ſuch times, and to ſuch perſons, as is aforeſayd, for his part of the ſayd fiue Subſidies; And if any Vicarage be vnder eight pounds by the taxation aforeſayd, the Incumbent ſhall not be charged with any part or payment of the ſayd fiue Subſidies.

Vicarages of 8.l.& not aboue 10.l.per annum.

A Vicarage vnder 8.l.

And for the ſure and true payment of the ſayd fiue Subſidies, granted by your ſayd Prelates and Clergie of the Prouince of Canterbury, according to the tenour, purport, effect, and true meaning of this preſent Graunt, your ſaid Prelates and Clergy moſt humbly deſire your Highneſſe, that this their ſayd Gift, Graunt, and fiue Subſidies, and euery matter, ſumme of money, Petition, Clauſe, Prouiſions, Reſeruations, and Sentences in this Inſtrument contained, concerning the ſaid fiue Subſidies, may be ratified, eſtabliſhed and confirmed by the authority of your Highneſſe Court of Parliament.

The Clergies petition, that this ſubſidy may be confirmed by Parliament.

In quorum omnium & ſingulorum præmiſſorum fidem & teſtimonium, Nos Georgius Archiepiſcopus Cantuarienſis antedictus, has præſentes literas noſtras Teſtimoniales, ſiue hoc præſens publicum Inſtrumentum, ad humilem rogatum Prælatorum & Cleri prædict. Sigilli noſtri appenſione, ac ſigno, nomine & ſubſcriptione Iohannis Drake Notarii publici deputati Nicholai Weſton Regiſtrarii noſtri principalis, iuſſimus & fecimus communiri. Dat. dicto ſeptimo die menſis Maii, Anno Domini milleſimo ſexcentiſimo viceſimo octauo, Regnique veſtri fœliciſſimi, Angliæ, Scotiæ, Franciæ, & Hiberniæ quarto, & noſtræ Tranſlationis Anno decimo octauo.

Wherefore for the true and ſure payment of the ſayd Subſidies, granted by the ſayd Prelates and Clergy of the ſayd Prouince of Canterbury, according to the tenor, effect, and true meaning of the ſayd Inſtrument; Bée it enacted by the Kings moſt excellent Maieſty, with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that the ſayd Gift and Grant, and euery matter, ſumme of money, petition, prouiſion, clauſe and ſentence in the ſame Inſtrument contained, ſhall ſtand, and be ratified, eſtabliſhed and confirmed by the authority of this preſent Parliament.

A confirmation by Parliament of the foreſayd ſubſidy granted by the Clergy.

And further, be it enacted by the authority aforeſayd, that euery perſon that ſhall be appointed to the collecting and gathering of the ſayd Subſidies, ſhall haue power and authority to leuie, take, and perceiue the ſayd Subſidies, by the authority of the cenſures of the Church, That is to ſay, by Suſpention, Excommunication, or Interdiction, and alſo by Sequeſtration of the fruits and profits of their Benefices and Promotions Spirituall, in whoſe hands ſoeuer they bee, and to make ſale of the ſame fruites, without danger of the Lawes of this Realme, or by diſtreſſe vpon the poſſeſſions of the Farmors, or occupiers of the Lands and Tenements chargeable by the ſayd Inſtrument, for, or to the payment of any ſumme or ſummes of money to be due

By how many ſeuerall means a Collector may leuy this Subſidie.

by force thereof, or otherwiſe by the diſcretion of the Collector thereof, And that no Repleuy, Prohibition or Superſedeas, ſhall be allowed or obeyed, for any perſons making default of the payment of the ſayd Subſidies, or any of them, contrary to the tenour of the Graunt thereof, vntill ſuch time as they haue truly ſatisfied and contented all ſuch part and portions, as to them in that behalfe appertaineth. And that euery ſuch Farmor and Farmors, their Executors and Aſſignes, that ſhall fortune hereafter to bee charged, to, or with the payment of the ſaid Subſidies, or any part thereof, ſhall by the authority aforeſaid, be allowed, and retaine in his hands as much of his yearely Rent and Farme, as the Summe which he ſhall fortune to pay for his Lord or Leaſour ſhall extend vnto; (except that the ſayd Farmor or Farmors, their Executors or Aſſignes, by the Leaſe and Graunt that they haue of any part of the Lands, Tithes, Profits, or Tenements chargeable to the ſayd Subſidies, or by force of any couenant or article therein contained, be bound and charged to pay the ſame, and thereof to diſcharge the Leaſour and Land-lord, during the tearme mentioned in the ſaid Leaſe.)

By what meanes a Farmor of a Spirituall liuing, being charged, may be relieued.

How this ſubſidy ſhall be leuied of Curats, which doe ſerue in Impropriations.

And likewiſe, be it enacted by the authority of this preſent Parliament, That whereas diuers Curates, liable to the Subſidies, being oftentimes remoueable, doe ſerue as well in diuers Impropriations belonging to the Kings Maieſtie, as in other Spirituall Promotions belonging to other perſons, that for the ſpeedy recouery of the ſayd Subſidies, it may bee lawfull to the ſayd Collector or Collectors of the ſayd Subſidies, their Deputie or Deputies to leuie the ſayd Subſidies vpon the Farmor or Farmors, or Occupiers of all ſuch Impropriations or Spirituall Promotions, by all cenſures of the Church aforeſayd, and euery of them, or by way of diſtreſſe of Tithes of the ſayd Impropriation or Impropriations, and Spirituall Promotions, or otherwiſe vpon the Goods and Chattels of the ſayd Farmor or Farmors, and Occupyers: in which caſe no inhibition, prohibition, Repleuis, or other Proceſſe awarded to the contrary, ſhall be obeyed, any Lawes, Statutes, Priuiledges, or Cuſtomes to the contrary hereof heretofore made, graunted, or vſed, or hereafter to bée made, graunted or vſed to the contrary in any wiſe notwithſtanding. And that it may be lawfull to the Collector or other Officers and Miniſters of ſuch Archbiſhop, Biſhop, Deane and Chapter, for not payment of the ſayd Subſidies, after the ſame ſhall bee due in or at any of the ſayd times of payment, to priſe and value the ſayd Diſtreſſe and Diſtreſſes by two indifferent neighbours by him to bee choſen, and the Diſtreſſe and Diſtreſſes ſo priſed, to ſell, and thereof to detaine ſo much money as ſhall amount to the ſumme payable to the Kings moſt excellent Maieſty, with the reaſonable charges alſo of the ſayd Collectors ſuſtained in that behalfe, and the reſt of the money made of the ſayd Diſtreſſe, to be deliuered and payed to the Owner and Occupier thereof.

The diſtreſſe made for default of payment of the Subſidy.

How a Lay perſon ſhall be charged, that hath both Spirituall, and Temporall poſſeſſions.

Prouided alwaies and be it enacted by the authority aforeſayd, that euery Lay perſon hauing Spirituall Promotion chargeable by this Act, and alſo hauing Temporall poſſeſſions, Goods, Chattels, and Debts charged to the ſayd Subſidies granted in this Parliament by the Temporalty, ſhall be taxed, charged, and ſet for his ſayd Spirituall Promotions with the Clergie, and his Temporall poſſeſſions and Chattels reall with the Temporalty, and not otherwiſe, any thing before mentioned to the contrary notwithſtanding.

Money granted to the K. by the Clergy of the Prouince of Yorke.

And be it further enacted by the authority aforeſaid, that all and euery grant and grants of all and euery ſumme and ſummes af money graunted, or which hereafter ſhall bee granted to the Kings Maieſty by the Clergie of the Prouince of Yorke, ſhall be of the ſame ſtrength, force and effect in all things, as the ſaid grant made by the ſaid Prouice of Canterbury; and ſhall be taxed, certified, collected, leuyed, gathered and payd, according to the tenor, forme and effect of this preſent Act of Parliament, to all intents, conſtructions and purpoſes, in ſuch manner and forme, as though it were ſpecially, plainely, and particularly expreſſed and rehearſed in this preſent Act, by expreſſe words, termes, and Sentences, in their ſeuerall natures and kindes.

Prouided alwaies, and be it enacted by the authority aforeſayd, that all prouiſions before rehearſed, contained, or to be contained in the ſayd grant of the Prelates and Clergy of the Prouince of Canterbury, and the like of the ſame Prouiſoes contained in the ſaid grant of the Prelates and Clergy of the Prouince of Yorke, ſhall be good and effectuall, and to bee obſerued and kept in euery point and article, according to the purport and true meaning of the ſame.

CAP. VII.

Fiue intire Subſidies granted by the Temporaltie, Anno quarto Caroli Regis.

The cauſe of granting theſe Subſidies,

MOſt gracious Soueraigne, we your Maieſties moſt humble and loyall Subiects, the Commons in your high Court of Parliament now aſſembled, hauing duely conſidered the many and weighty occaſions, which at this time do preſſe your Maieſty, and require a greater expence of Treaſure, then your owne ordinary Reuenew can ſupply, both for the defence of your Kingdome at this time, more than in our memory endangered by forraine enemies; as alſo for the aſſiſtance of your Maieſties Friends & Allies abroad, eſpecially of thoſe, who to our great griefe are much afflicted and diſtreſſed: And in moſt thankfull acknowledgement of your Maieſties great goodneſſe, many wayes expreſſed in your iuſt and tender care of the welfare of your people, doe humbly preſent your Maieſty with a free and cheerefull Gift of fiue intire ſubſidies, to be paid within one yeare.

And therefore we humbly beſeech your Maieſtie, That it may be enacted, and be it enacted by the Kings moſt Excellent Maieſty, the Lords Spirituall and Temporall, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, that our ſayd Soueraigne Lord the Kings Maieſty, his heires and ſucceſſors, ſhall haue, receiue, and enioy fiue intire ſubſidies, to bee rated, taxed, leuyed, and payed at foure ſeuerall payments of euery perſon Spirituall and Temporall, of what eſtate or degree hee or they bee of, according to the tenour of this Act, in maner and forme following: That is to ſay, That as well euery perſon borne within this Realme of England, Wales, or other the Kings Dominions, as all and euery Fraternity, Guild, Corporation, Myſtery, Brotherhood, and Commonalty, Corporate, and not Corporate, within this Realme of England, Wales, or other the Kings Dominions, being worth three pounds, as well in coyne, and the value of euery pound that euery ſuch perſon, Fraternity, Guild, Corporation, Myſtery, Brotherhood, and Commonalty, Corporate, or not Corporate, hath of his or their owne, or any other hath to his or their vſe, As alſo in Plate ſtocke of Merchandize, all manner of Corne and Graine, Houſhold-ſtuffe, and of all other goods moueable, as well within this Realme as without, and of all ſuch ſummes of money as to him or them is, or ſhall be owing, whereof hee or they truſt in his or their conſcience ſurely to bee payd (except and out of the premiſſes deducted ſuch ſummes of money, as he or they do owe, and in his or their conſciences intend truly to pay, & except alſo the apparrell of euery ſuch perſons, their wiues and children, belonging to their own bodies, ſauing iewels, gold, ſiluer, ſtone and pearle) ſhall pay to and for euery of the ſayd ſubſidies two ſhillings eight pence of euery pound.

The grant of theſe ſubſidies by Parliament to be paid at foure ſeuerall payments.

Euery perſon borne within this Realme, & euery corporation, &c. ſhall pay 2.s. [illegible] d. in the pound, for goods.

And alſo euery Alien and ſtranger borne out of the Kings obeyſance, as well Denizens as others, inhabiting within this Realme; and alſo euery Popiſh Recuſant conuict, or which before the time of the Aſſeſſement of the ſeuerall ſubſidies by this preſent Act granted ſhall bee a Popiſh Recuſant conuict, or which are or ſhall bee indicted for Popiſh Recuſancie, and their Indictments either are, or ſhall bee remooued by Certiorary, or being not remooued, ſhall not by apparance and trauerſe legally diſcharge their ſayd Indictments at the next Aſſiſes, or within two generall Seſſions of the Peace, where the ſayd perſons ſhall be indicted reſpectiuely, of euery pound that hee or they ſhall haue in coyne, and the value of vuery pound in Plate, Corne, Graine, Merchandize, Houſhol-ſtuffe, or other Goods, Iewels, Chattels, moueable and vnmoueable, as is aforeſayd, as well within this Realme as without, and of all ſummes of money to him or them owing, whereof hee or they truſt in his or their conſcience to bee payd (except and out of the premiſſes deducted, euery ſuch ſumme and ſummes of money, which hee or they doe owe, and in his or their conſcience or conſciences intend truely to pay) ſhall pay to and for euery of the ſayd ſubſidies fiue ſhillings and foure pence of euery pound.

Euery Alien borne & Recuſant conuict ſhall pay 5.s. 4. d. in the pound.

And alſo that euery Alien and ſtranger borne, borne out of the Kings Dominions, being Denizen or not Denizen, not being contributory to any the Rates aforeſayd, and being of the age of ſeuen yeares or aboue: And euery Popiſh Recuſant conuict, or which before the time of the Aſſeſſement of the ſeuerall ſubſidies by this preſent Act graunted, ſhall bee a Popiſh Recuſant conuict, and being of the age of ſeuenteene yeares, or which being of the age of one and twenty yeares, hath not receiued the holy Communion within one yeare then laſt paſt, ſhall pay to and for euery of the ſayd ſeuerall Subſidies, eight pence for euery poll. And the maſter, or hee or ſhe, with whom the ſayd Alien is, or ſhalbe abiding at the time of the taxation or taxations thereof, to be charged with the ſame for lack of payment thereof.

A ſtranger borne, not contributory to theſe ſubſidies, & a recuſant conuict, &c. ſhall pay 8. d. for euery Poll.

And be it further enacted by the authority aforeſayd, That euery perſon borne vnder the Kings obeyſance, and euery Corporation, Fraternity, Guild, Myſtery, Brotherhood, and Commonalty, Corporate or not Corporate, for euery pound that euery of the ſame perſons, and euery Corporation, Fraternity, Guild, Myſtery, Brotherhood, and Commonalty, Corporate or not Corporate, or any other to his or their vſe, hath in Fee ſimple, Fee taile, for terme of life, terme of years, by Execution, Wardſhip, or by Copie of Court Roll, of and in any Honours, Caſtles, Manors, Lands, Tenements, Rents, Seruices, Hereditaments, Annuities, Fees, Corrodies, or other yearly profits of the yerely value of xx. ſhillings, as well within ancient demeſne and other places priuiledged, as elſewhere, and ſo vpward, ſhall pay to and for euery of the ſayd fiue Subſidies, foure ſhillings of and for euery pound. And euery Alien, denizen or not denizen, borne out of the Kings obeyſance, and euery Popiſh Recuſant conuict, of what eſtate or degree ſoeuer they be of, or which, before the time of the aſſeſſement of the ſeuerall Subſidies by this preſent Act graunted, ſhall be a Popiſh Recuſant conuict, or which ſhall be indicted for Popiſh Recuſancie, and their Indictments are, or ſhall be remoued by Certiorare, or being not remoued, ſhall not by apparance and trauerſe legally diſcharge their ſaid indictments at the next Aſſiſes, or within two generall Seſſions of the Peace, where the ſayd perſons ſhall be indicted reſpectiuely, in ſuch caſe, to pay to and for euery of the ſayd fiue ſeuerall Subſidies, eight ſhillings for euery pound: And that all ſummes to bee preſented, and chargeable by this Act, either for goods and debts,

Euery ſubiect borne ſhal pay 4. s. in the pound, out of Lands.

A ſtranger borne, & a recuſant conuict &c. ſhall pay 8. s. in the pound.

What goods, & in whoſe cuſtody, ſhalbe chargeable to the payment of theſe Subſidies.

Goods & ornaments of Churches & Chappels excepted from the payment of theſe Subſidies.

debts, or either of them, or for Lands, Tenements, and other the premiſes, as is in this Act contained, ſhall be at euery of the ſayd payments, ſet and taxed after the rate and proportion, according to the true meaning of this Act, Lands & Tenements chargeable to the Diſmes of the Clergie, and yearely wages due to ſeruants for their yearely ſeruice, (other than the Kings ſeruants taking yearely wages of fiue pounds or aboue) onely excepted and foreprized. And that all Plate, Coyne, Jewels, Goods, Debts and Chattels perſonals, and all Lands, Tenements, and other the premiſſes as aforeſayd, being in the rule and cuſtody of any perſon or perſons, to the vſe of any Corporation, Fraternity, Guild, Myſtery, Brotherhood, or any Commonalty, being corporate or not corporate, be, and ſhall be rated, ſet, and charged by reaſon of this Act, at the value certified by the preſenters in their Certificate for euery pound in goods and debts, as is aforeſayd. And for euery pound in Lands, Tenements, Annuities, Fees, Corrodies, and other yearely profits as is aforeſayd; and the ſummes that are aboue rehearſed, ſet, and taxed, to bee leuyed and taken of them that ſhall haue ſuch goods in cuſtody, or otherwiſe charged for Lands, as is before rehearſed. And the ſame perſon and perſons, and bodies corporate, by authority of this Act, ſhall bee diſcharged againſt him or them that ſhall or ought to haue the ſame at the time of the payment or deliuery thereof, or at his otherwiſe departure from the cuſtody or poſſeſſion of the ſame; Except, & alwaies foreprized from the charge and aſſeſſement of the ſayd Subſidies, all goods, chattels, iewels and ornaments of Churches and Chappels, which haue beene ordained and vſed in Churches and Chappels for the honour and ſeruice of Almighty God.

When the ſeuerall Subſidies ſhalbe taxed, & aſſeſſed.

When the ſeuerall Subſidies ſhalbe payed.

And the firſt two of the ſayd fiue Subſidies, ſhall be by authority aforeſayd, taxed, ſeſſed, and rated according to this Act, in euery Shire, Riding, Lath, Wapentake, Rape, Citie, Borough, Towne, and euery other place within this Realme of England, Wales, and other the Kings Dominions, before the laſt day of Iune now next comming. And the third of the ſayd fiue Subſidies, ſhall by the authority aforeſaid, be taxed, ſeſſed, and rated, before the twentieth day of September now next enſuing. And the fourth of the ſayd fiue Subſidies, ſhall by the authority aforeſayd, be taxed, ſeſſed, and rated, before the thirtieth day of Nouember, next comming. And the fifth and laſt of the ſayd Subſidies, ſhall by the authority aforeſayd, bee taxed, ſeſſed, and rated, before the tenth day of February now next enſuing. And the particular ſummes of euery Shire, Riding, Borough, Towne, and other place aforeſayd, with the particular names of ſuch as are or ſhall be chargeable, to and for the payment of the ſayd two firſt of the ſayd fiue Subſidies, to be taxed and ſet by the Commiſſioners for the ſame to be limited, or two of them at the leaſt, with the names of the high Collectors, and in the ſame forme ſhall be certified into the Kings Exchequer, before the ninth day of July next comming. And the particular ſummes of euery Shire, Riding, Borough, Towne, and other places aforeſayd, with the particular names of ſuch as are chargeable with the third of the ſayd fiue Subſidies, to be taxed and ſet by the Commiſſioners for the ſame to bee limited, or two of them at the leaſt, with the names of the high Collectors, and in the ſame forme ſhall bee certified into the Kings Exchequer, before the tenth day of October next comming. And the particular ſummes of euery Shire, Riding, Borough, Towne, and other places aforeſayd, with the particular names of ſuch as are chargeable for the fourth of the ſaid fiue Subſidies, to be taxed and ſet by the Commiſſioners for the ſame to be limited, or two of them at the leaſt, with the names of the high Collectors, and in the ſame forme ſhall be certified into the Kings Exchequer, before the tenth day of December next comming. And the particular ſummes of euery Shire, Riding, Borough, Towne, and other places aforeſayd, with the particular names of ſuch as are chargeable for the fifth and laſt of the ſayd Subſidies, to be taxed and ſet by the Commiſſioners for the ſame to be limited, or two of them at the leaſt, with the names of the high Collectors, and in the ſame forme ſhall bee certified into the Kings Exchequer, before the twentieth day of February next comming. And the ſame ſummes, in forme aforeſaid, to bee taxed to and for the payment of the ſaid two firſt of the ſaid fiue Subſidies, ſhalbe paid in one intire ſumme into the Kings Receipt of the Exchequer aforeſayd, to the vſe of our ſaid Soueraigne Lord, at or before the tenth day of July now next comming. And the ſayd ſummes in maner and forme aforeſayd, to be taxed for the payment of the third of the ſaid fiue Subſidies, ſhall be payed in one entire ſumme into the Kings Receipt of the Exchequer aforeſayd, to the vſe of our ſayd Soueraigne Lord, at or before the twentieth day of October now next comming. And the ſaid ſummes in manner and forme aforeſayd, to be taxed for the payment of the fourth of the ſayd fiue Subſidies, ſhall be payd in one entire ſumme, into the Kings Receipt of the Exchequer, to the vſe of our ſayd Soueraigne Lord, at or before the twentieth day of December now next enſuing. And the ſayd ſummes in maner and forme aforeſayd, to be taxed for the payment of the fifth and laſt of the ſaid Subſidies, ſhall be paid in one entire ſumme into the Kings Receipt of the Exchequer, to the vſe of our ſayd Soueraigne Lord, at or before the firſt day of March now next comming. And the ſummes aboueſayd, of and for the ſayd Subſidies, ſhall be taxed, ſet, asked, and demanded, taken, gathered, leuyed, and payd to the vſe of our ſayd Soueraigne Lord his Heires and Succeſſors, in forme aforeſayd, as well within Liberties, Franchiſes, Sanctuaries, Ancient Demeſnes, and other whatſoeuer places, exempt or not exempt, as without, (except ſuch Shires, places, and perſons, as ſhall bee foreprized, in and by this preſent Act) any Graunt, Charter, Preſcription, Vſe or Liberty, by reaſon of any Letters Patents, or other Priuiledge, Preſcription, allowance for the ſame, or whatſoeuer other matter or diſcharge heretofore to the contrary made, granted, vſed, or obtained notwithſtanding.

And it is further enacted by authority of this preſent Parliament, That euery ſuch perſon as well ſuch as be borne vnder the Kings obeyſance, as euery other perſon, Stranger borne, Denizen or not Denizen, inhabiting within this Realme, or within Wales, or other the Kings Dominions, which at the time of the ſame Aſſeſſings or Taxations, or any, or euery of them to bée had or made, ſhall b[illegible] of this Realme, or out of Wales, and haue goods, chattels, lands, or tenements, fées or annuities, or other profits within this Realme, or in Wales, ſhall be charged and chargeable for the ſame by the Certificate of the inhabitants of the place, where ſuch goods, chattels, lands, tenements, or other the premiſſes then ſhall bée, or in ſuch place where ſuch perſon or perſons, or his or their Factor, Deputy, or Attourney, ſhall haue his or their moſt reſort vnto, within this Realme, or in Wales, in like manner, as if the ſayd perſon were or had béen at the time of the ſayd aſſeſſing within this Realme: And that euery perſon abiding or dwelling, within, or without this Realme, ſhall be charged and chargeable to the ſayd ſeuerall Subſidies granted by this Act, according and after the rate of ſuch yearely ſubſtance, or value of lands, or tenements, goods, chattels, and other the premiſſes, as euery perſon ſo to be charged, ſhall be ſet at, at the time of the ſayd aſſeſſing, or taxation vpon him to be made, and not otherwiſe.

Euery perſon ſhalbe chargeable to pay Subſidies vpon the certificate of the Inhabitants, where he hath goods or Lands, or where his greateſt reſort is.

And be it further enacted by the authority aforeſayd, that for the aſſeſſing and ordering of the ſayd fiue ſeuerall Subſidies, to be duely had, the Lord Chancellor of England, or the Lord Kéeper of the great Seale, the Lord Treaſurer of England, the Lord Preſident of the Kings Councell, the Lord Priuie Seale, the Lord Admirall of England, the Lord Steward of the Kings houſhold, and the Lord Chamberlaine of the Kings moſt Honourable houſhold for the time being, or two of them at the leaſt, (whereof the Lord Chancellor, or Lord Kéeper of the great Seale for the time being to be one) ſhall and may name and appoint, of and for euery Shire, Riding, and other places, as well within this Realme as within Wales, and other the Kings Dominions, as alſo of and for euery Citie and Towne, being a County of it ſelfe, and of and for the Iſle of Wight, ſuch certaine number of perſons of euery of the ſame Shires, Ridings, Lathes, Wapentakes, Rapes, Cities, Towne and Iſle of Wight, and euery other place, as they ſhall thinke conuenient to be Commiſſioners, of and within the ſame place whereof they bee inhabitants: and alſo of and for the honourable houſhold of the Kings Maieſty, in what Shire or other place the ſayd houſhold ſhall happen then to be. And the Lord Chancellor, or Lord Kéeper of the great Seale for the time being, and other with him before named, or two of them, as is aforeſaid, in like maner may name and appoint of euery other ſuch City, Borough, and Towne corporate, as well in England as in Wales, and other the Kings Dominions, as they ſhall thinke fit and requiſite, ſixe, fiue, foure, thrée, or two of the head Officers, and other honeſt inhabitants in euery of the ſayd Cities, Boroughes, and Townes corporate, according to the number and multitude of the people being in the ſame. The which perſons (if any ſuch be) thereunto named of the ſayd Inhabitants of the ſayd Cities, Boroughs, Townes corporate, not being Counties of themſelues, ſhall bee ioyned and put in as Commiſſioners, with the perſons named for ſuch Shires and Ridings, as the ſayd Cities, Boroughs, and Townes Corporate, not being Counties of themſelues, bée ſet and haue their being: Which perſons ſo named, of and for the ſaid Cities, Boroughs and Townes corporate, not being Counties, by reaſon of their dwelling in the ſame, ſhall not take vpon them, or any of them to put any part of their Commiſſion in execution for the premiſſes out of the ſayd Cities, Boroughs and Townes Corporate, wherein they be ſo named, nor to execute the ſayd Commiſſion within the Citie, Borough or Towne corporate, where they ſhall be ſo dwelling, but at ſuch dayes and times as the ſayd other Commiſſioners for the ſame Shire or Riding ſhall thereunto limit and appoint within the ſayd Citie, Borough, and Towne corporate, not being a County, whereof they be ſo named, and not out of the ſayd Citie, Borough, or Towne; and in that maner to be ayding and aſſiſting, with the ſaid other Commiſſioners, in and for the good executing, of the effect of the ſayd Commiſſion, vpon paine of euery of the ſayd Commiſſioners ſo named, for euery ſuch Citie, Borough and Towne Corporate, not being a County, to make ſuch Fine, as the ſaid other Commiſſioners in the Commiſſion of and for the ſame Shire or Riding ſo named, or thrée of them at the leaſt, ſhall by their diſcretions ſet and certifie into the King Exchequer, there to bee leuied to the vſe of the Kings Maieſty in like manner, as if ſuch or like ſummes had béene ſet and rated vpon euery ſuch perſon for the ſayd Subſidies.

Who ſhall name the Cōmiſſioners for aſſeſſing the Subſidies in euery County &c.

Cōmiſſioners appointed in townes corporate ſhalbe aſſiſtant to the other Cōmiſſioners.

They ſhall not execute their Cōmiſſion without the other Cōmiſſioners.

The which Commiſſioners ſo named, of and for the ſayd Cities, Boroughs and Townes not being Counties, and onely put into the ſayd Commiſſions by reaſon of their dwelling in the ſame, ſhall not haue any part or portion of the fées and rewards of the Commiſſioners, and their Clerks, in this Act afterwards ſpecified and allowed.

The Cōmiſſioners for Townes corporate ſhall haue no fees.

And the Lord Chancellor of England, or Kéeper of the great Seale of England for the time being, ſhall make and direct out of the Court of Chancery vnder the great Seale ſeuerall Commiſſions: That is to ſay, For euery Shire, Riding, Lathe, Wapentake, Rape, City, Towne,

When the Cōmiſſions for aſſeſſing the ſeuerall Subſidies, ſhalbe deliuered to the Commiſſioners.

Borough, Iſle, and the ſayd houſhold, vnto ſuch perſon and perſons, as by his diſcretion, and ſuch of the other with him before named and appointed, as is before rehearſed, ſhall bee thought ſufficient for the ſeſſing and leuying of the ſayd fiue ſeuerall Subſidies, in all Shires and places, according to the true meaning of this Act: which Commiſſions for the payment of the ſayd two firſt of the ſayd Subſidies, ſhall bee directed and deliuered to the ſayd Commiſſioners, or to one of them, before the twentieth day of Iune now next comming. And the Commiſſion for the payment of the third of the ſayd fiue Subſidies, ſhall bee directed and deliuered to the ſayd Commiſſioners, or to one of them, before the laſt day of the moneth of A[illegible] now next comming. And the Commiſſion for the payment of the fourth of the ſayd fiue Subſidies, ſhall bee directed and deliuered to the ſayd Commiſſioners, or to one, of them, before the tenth day of Nouember next comming. And the Commiſſion for the payment of the fifth and laſt of the ſayd Subſidies, ſhall be directed and deliuered to the ſayd Commiſſioners, or to one of them, before the twentieth day of Ianuary now next enſuing. And to euery of the ſayd Commiſſions ten Schedules, containing in them the tenor of this Act, ſhall be annexed.

Rules how to diſcouer popiſh Recuſants.

And for the Commiſſioners better diſcouery of Popiſh Recuſants, ſeuerall Schedules ſhall be deliuered vnto them with their ſeuerall Commiſſions out of the Exchequer, and Certificates from the Clerkes of the Aſſiſes and of the Peace, and other the like Officers, and from the Miniſters and Church-wardens of euery Pariſh of the names of ſuch Popiſh Recuſants as are to be charged by this Act, By the which Commiſſion, the Commiſſioners in euery ſuch Commiſſion named according to this Act, and as many of them as ſhall be appointed by the ſayd Commiſſion, ſhall haue full power and authoritie to put the effect of the ſaid Commiſſion in Execution: And that by authority of this Act, after ſuch Commiſſion to them deliuered, they may by their aſſents and agreements ſeuer themſelues for the execution of their Commiſſion in Hundreds, Lathes, Wardes, Rapes, Wapentakes, Townes, Pariſhes, and other places within the limits of the ſaid Commiſſion, in ſuch forme as to them ſhall ſeeme expedient to be ordered, and betweene them to bee commoned and agreed, according to the tenor and effect of the Commiſſion to them therein directed. Vpon which ſeuerance, euery perſon of this preſent Parliament that ſhall be Commiſſioner, ſhall be aſſigned to the Hundred where he dwelleth.

The Commiſſioners may ſeuer themſelues.

None but an Inhabitant may be a commiſſioner.

Prouided alwaies, that no perſon be, or ſhall be nominated or appointed to be any Commiſſioner to or for the execution of this preſent Act, but onely in the Shire where he hath a Manſion houſe, wherein he or his family haue reſided and inhabited by the greateſt part of three yeares laſt paſt. And that any perſon aſſigned to the contrary thereof in any wiſe, ſhall not be compelled to put in execution the effect of this Act, or any part thereof.

The penaltie of him that takes vpon him to be a commiſſioner contrary to this act.

Prouided alwaies, and bee it enacted by the authority aforeſayd, that if any perſon or perſons ſhalbe named a Commiſſioner or Commiſſioners for the aſſeſſing or ordering of the ſaid fiue Subſidies, or any part of them, that either ſhall be a Popiſh Recuſant, that hath forborne to repayre to ſome Church, Chappell, or vſuall publike place of Common Prayer, to heare Diuine Seruice by the ſpace of ſixe monethes, next before the end of this Seſſion of Parliament; Or that hath not in his or their owne poſſeſſion and occupation a Manſion houſe, wherein hee or they or his or their family or families, or part of them, haue reſided for the moſt part of three yeares next before the end of this Seſſion of Parliament, ſituate, and being within the County wherein he or they ſhall be named a Commiſſioner or Commiſſioners, as aforeſayd, and ſhall by vertue or colour of ſuch Commiſſion take vpon him or them, to aſſeſſe or order any of the ſayd fiue Subſidies, or any part of them, ſhall forfeit for euery time that he or they ſhall take vpon him or them, to aſſeſſe or order any of the ſayd fiue Subſidies, or any part of them, the ſumme of one hundred pounds of lawfull money of England; The one moity to be to the vſe of the poore within the County, or within the Riding or Diuiſion of the County wherein hee or they ſhall offend contrary to this Act, and the ſayd moity ſhall bee diſpoſed of by the Commiſſioners of the Peace, within the ſayd County, Riding or Diuiſion, or by the greater number of them, at their generall Seſſions of the Peace, to be holden within the ſayd County, Riding, or Diuiſion, where the offence ſhall be committed, as aforeſayd; and the other moity to ſuch perſon or perſons as ſhall ſue for the ſame in any Court of Record, by Action of Debt, Bill, Plaint or Information, wherein no Eſſoine, Protection or Wager of Law ſhall be allowed.

The Commiſſioners ſhall duely execute their Commiſſion.

When the Commiſſioners ſhall direct their precepts to the Conſtables, & other Inha-

And be it alſo enacted by authority of this preſent Parliament, That the Commiſſioners and euery of them, which ſhall be named, limited and appointed, according to this Act, to bee Commiſſioners in euery ſuch Shire, Riding, Lathe, Wapentake, Rape, Citie, Towne, Borough, Iſle, and the ſayd houſhold, or any other place, and none other ſhall truely, effectually, and diligently for their parts execute the effect of this preſent Act, according to the tenor thereof in euery behalfe, and no otherwiſe by any meanes, without omiſſion, fauour, dread, malice, or any other thing to be attempted, or done by them, or any of them to the contrary thereof. And the ſaid Commiſſioners, or as many of them as ſhall be appointed by the ſayd Commiſſion, and none other, for the execution of the ſayd Commiſſion and Act, ſhall for the taxation of the ſayd two firſt of the ſayd fiue Subſidies, before the fiue and twentieth day of Iune next comming; and for the taxation of the third of the ſayd fiue Subſidies, ſhall before the tenth day September next enſuing; and for the taxation of the fourth of the ſayd fiue Subſidies, ſhall before the twentieth day of Nouember next comming; And for the taxation of the fifth and laſt of the ſayd Subſidies, ſhall before the one and thirtieth day of January next enſuing, by vertue of the Commiſſion deliuered vnto them in forme aforeſayd, direct their ſeuerall or ioynt Precept, or Precepts, vnto eight, ſeuen, ſixe, fiue, foure, three, or two, (as for the number of the Inhabitants ſhall be requiſite) of the moſt ſubſtantiall, diſcreet and honeſt perſons, Inhabitants, to bee named by the ſayd Commiſſioners, or by as many of them as ſhall be appointed by the ſayd Commiſſion, of, and in Hundreds, Lathes, Rapes, Wapentakes, Wards, Pariſhes, Townes and other places, as well within Liberties, Franchiſes, Ancient Demeſne, places exempted, and Sanctuaries, as without, within the limits of the Shires, Ridings, Lathes, Wapentakes, Rapes, Cities, Townes, Boroughes, and Iſle aforeſayd, and other places within the limits of their Commiſſion, and to the Conſtables, Subconſtables, Bailiffes, and other like Officers, and Miniſters of euery the ſaid Hundreds, Townes, Wardes, Lathes, Wapentakes, Pariſhes, and other places aforeſayd, as to the ſayd Commiſſioners, and euery number of them, or to three or two of them by their diſcretion in diuiſion ſhall ſeeme expedient, and as by the manner and vſe of thoſe parts, ſhall be requiſite; ſtraitly, by the ſayd Precept, charging and commanding the ſayd Inhabitants, Conſtables, and other Officers aforeſayd, to whom ſuch Precept ſhall be ſo directed, to appeare in their proper perſons before the ſayd Commiſſioners, or ſuch number of them, as they ſhall diuide themſelues, according to the tenour of the ſayd Commiſſion at certaine dayes and places, by the ſayd Commiſſioners, or any ſuch number of them, as is aforeſayd, within Cities, Boroughes, or Townes corporate, or without, in any other places, as is aforeſayd, by their diſcretion to be limited thereunto, to doe and accompliſh all that to them on the part of the Kings Maieſty ſhall be enioyned touching this Act: Commanding further by the ſayd Precept, that he to whoſe hands ſuch Precept ſhall come, ſhall ſhew and deliuer the ſame to the other Inhabitants or Officers named in the ſame Precept; And that none of them faile to accompliſh the ſame, vpon paine of forty ſhillings to bee forfeited to the Kings Maieſty.

The penalty for not accompliſhing the Precept.

The penalty of them that faile to appeare, or refuſe to ſerue.

And it is further ordayned by the authority of this preſent Parliament, that at the ſaid day and place prefixed and limited in the ſayd Precept, euery of the ſayd Commiſſioners, then being in the Shire, and not hauing ſufficient excuſe for his abſence, at the day and place prefixed for that part whereunto hee was limited, ſhall appeare in his owne proper perſon and there the ſame Commiſſioners being preſent, or as many of them as ſhall be appointed by the Kings Maieſties Commiſſion, ſhall call or cauſe to be called before them the ſayd Inhabitants and Officers to whom they haue directed their ſayd Precepts, & which had in commandement there to appeare by vertue of the ſaid Precept. And if any perſon ſo warned make default, vnleſſe he then be letted by ſickneſſe or lawfull excuſe, & that let be then witneſſed by the oathes of two credible perſons, or if any appearing refuſe to ſerue in forme following; then euery ſuch perſon ſo making default, or refuſing to ſerue, ſhall forfeit to the Kings Maieſty xl. s. and ſo at euery time appointed by the ſayd Commiſſioners for the ſaid ſeuerall Taxations, vntill ſuch time the number of euery ſuch perſons haue appeared & certified in forme vnder written; euery of them ſo making default, or refuſing to ſerue, ſhall forfeit to the Kings Maieſty forty ſhillings.

What things the Commiſſioners ſhal giue in charge vnto thoſe Inhabitants, that are elected to preſent euery mans eſtate, & taxation.

And vpon the ſame appearance had, they ſhall bee charged before the Commiſſioners by all conuenient wayes and meanes (other than by corporall Oath) to enquire of the value of the ſubſtance, after the vſuall manner, of euery perſon dwelling and abiding within the limits of the places that they ſhall bee charged with, and of other which ſhall haue his or their moſt reſort vnto any of the ſayd places, and chargeable with any ſumme of money by this Act of the ſayd Subſidies, and of all other things requiſite touching the ſayd Act, and according to the intent of the ſame, and thereupon as neere as it may bee, or ſhall come to their knowledge, without reſpect of any former taxation heretofore had, truely to preſent and certifie before the ſayd Commiſſioners the names and ſurnames, and the ſubſtance and values of euery of them, after the vſuall manner as aforeſayd, as well of Lands, Tenements, and other Hereditaments, Poſſeſſions and Profits, as of Goods, Chattels, Debts, and other things chargeable by the ſame Act, without any concealement, loue, fauour, affection, dread or malice, vpon paine of forfeiture of fiue pounds or more, to bee taxed, extracted, and leuyed, in forme, as hereafter in this preſent Act ſhall bee limited or appointed: and thereupon the ſayd Commiſſioners ſhall openly there reade, or cauſe to bee read vnto them the ſayd rates in this Act mentioned, and openly declare the effect of their charge vnto them, in what manner and forme they ought and ſhould make their Certificates, according to the rates and ſummes thereof aboueſayd, and of all manner of perſons, as well Aliens and Strangers, Denizens or not Denizens, inhabiting within this Realme, as of ſuch Popiſh Recuſants and others, perſons as bee borne vnder the Kings obeyſance, chargeable to this Act, and of the poſſeſſions, goods and chattels of Fraternities, Guilds, Corporations, Brotherhoods, Myſteries, Commonalties, and other; as is aboueſayd, and of perſons being in the parts beyond the Seas, hauing Goods and Chattels, Lands or Tenements within this Realme, as is aforeſayd, and of all goods being in the cuſtody of any perſon or perſons, to the vſe of any other, as is aforeſayd, by the which information and declaring, the ſayd perſons may haue ſuch plaine knowledge of the true intent of this preſent Act, and of the manner of their Certificate, that the ſame perſons ſhall haue no reaſonable cauſe to excuſe them by ignorance.

Thoſe preſenters ſhal haue a day & place aſſigned to returne their Certificate.

And after ſuch charge and the Statute of the ſayd Subſidies, and the manner of the ſayd Certificate to be made in writing, containing the names and ſurnames of euery perſon, and whether he be borne without the Kings Dominions, or within; and the value of euery perſon, in euery degree, as well of the yeerely value of Lands and Tenements, and of ſuch like poſſeſſions and profits, as of the value of goods and chattels, debts, and euery thing to their knowledge requiſite and neceſſary to them declared, the ſayd Commiſſioners there being, ſhall by their diſcretions limit and appoint vnto the ſayd perſons another day and place to appeare before the ſayd Commiſſioners, and charging the ſayd perſons, that they ſhall in the meane time make diligent enquiry by all wayes and meanes of the premiſſes, and then and there euery of them vpon paine of forfeiture of forty ſhillings to the Kings Maieſty, to appeare at the ſayd next prefixed day and place, there to certifie vnto the ſayd Commiſſioners in writing, according to their ſayd charge, and according to the true intent of the ſayd Grant of Subſidie, and as to them in manner aforeſayd hath beene declared and ſhewed by the Commiſſioners: At which day and place ſo to them prefixed, if any of the ſaid perſons make default, or appeare and refuſe to make the ſayd Certificate, then euery of them ſo offending, to forfeit to the Kings Maieſty forty ſhillings, (except there bee a reaſonable excuſe of his default, by reaſon of his ſickneſſe or otherwiſe, by the oathes of two credible perſons, there witneſſed) and of ſuch as appeare ready to make Certificate, as is aforeſayd, the ſayd Commiſſioners there being, ſhall take and receiue the ſame Certificate, and euery part thereof, and the names, values, and ſubſtance of euery perſon ſo certified.

The penalty of them that make default, or refuſe.

The Commiſſioners may examine the preſenters, & appoint a farther day.

And if the ſayd Commiſſioners ſee cauſe reaſonable, they ſhall examine the ſayd Preſenters thereof, and thereupon the ſayd Commiſſioners at the ſayd dayes and place by their agreement amongſt themſelues, ſhall from time to time there openly prefixe a day at a certaine place or places, within the limits of their Commiſſion by their diſcretion, for their further proceeding to the ſayd Aſſeſſing of the ſame Subſidies.

The Commiſſioners may call before them any perſon, whoſe eſtate or condition hath not bin rightly certified by the preſenters.

And thereupon at the ſayd day of the ſayd Certificate, as is aforeſayd, taken, the ſame Commiſſioners ſhall make their Precept or Precepts, to the Conſtables, Sub-conſtables, Bayliffes, or other Officers of ſuch Hundreds, Wapentakes, Townes, or other places aforeſaid, as the ſame Commiſſioners thinke fit, compriſing and containing in the ſayd Precepts, the names and ſurnames of all perſons preſented before them in the ſayd Certificate, of whom if the ſayd Commiſſioners, or as many of them as ſhall be thereunto appointed by the Kings Commiſſion, ſhall then haue vehement ſuſpect to be of more greater value in ſubſtance, in lands, goods, chattels, or ſummes of money owing vnto them, or other ſubſtance aforeſayd, than is vpon ſuch perſon or perſons ſo certified and ſpecified as aforeſaid, the ſame Commiſſioners ſhal make their Precept or Precepts directed to the Conſtables, Bayliffes, or other Officers, commanding them to whom ſuch Precept ſhall be directed, to warne ſuch perſons, whoſe names ſhall be compriſed in the ſayd Precepts at their manſions, or to their perſons, that the ſame perſons named in ſuch Precepts, and euery of them ſhall perſonally appeare before the ſayd Commiſſioners, at the ſayd new prefixed day and place, there to be examined by all wayes and meanes (other than by corporall oath) by the ſaid Commiſſioners, of their ſubſtance & value, in manner as aforeſayd, and of all & euery ſummes of money owing to them, and other whatſoeuer matter concerning the premiſſes, or any of them according to this Act: At which day and place ſo prefixed, the ſaid Commiſſioners then and there being, or as many of them as ſhall be thereunto appointed by the Kings Commiſſion, ſhall cauſe to be called the ſayd perſons, whoſe names ſhall be compriſed in the ſayd Precept, as is aforeſayd, for their examination. And if any of thoſe perſons which ſhall bee warned, as aforeſayd, to bee examined, (which at any time after the warning, and before the day prefixed, ſhall be within ſuch place as he may haue knowledge of his ſayd appearance to be made) ſhall make default and appeare not, vnleſſe a reaſonable cauſe or excuſe by the oathes of two credible perſons, before the ſaid Commiſſioners, be truely alleadged for his diſcharge, that then euery of them ſo making default, to be taxed and charged to the Kings Maieſty, with, and at the double ſumme of the rate that he ſhould or ought to haue beene ſet at, for, and after the value aforeſayd, of his lands or ſubſtance vpon him certified, if hee had appeared, by the diſcretion of the Commiſſioners there being. Which Commiſſioners ſhall trauaile with euery of the other perſons ſo then and there appearing, whoſe names ſhall bee expreſſed in the ſayd Precept or Precepts, and in whom any vehement ſuſpection, or ſhall bee had in forme aforeſayd, by all wayes and meanes they can (other than by corporall oath) for the better knowledge of their value as aforeſayd, either in hereditaments or poſſeſſions, or elſe in goods or debts, and thereupon ſhall haue power and authority by vertue of this Act, according to their diſcretions, to enlarge and increaſe the taxation, of ſuch perſons as they ſhall ſo find by due examination, to bee of greater value or ſubſtance in lands or goods, than they were preſented at.

The penalty for not appearing vpon their precept.

The Commiſſioners may enlarge the taxation of the Subſidies.

And that euery Spirituall perſon at euery of the ſayd taxations of the ſayd Subſidies, ſhall be rated and ſet, according to the rate aboueſayd, of and for euery pound that the ſame Spirituall perſon, or any other to his vſe, hath by diſcent, bargaine or purchaſe, in Fee-ſimple or Fee-taile, terme of life, terme of yeares, by execution, wardſhip, or copie of Court Roll, in any Manors, Lands, Tenements, Rents, Seruices, Offices, Fees, Corrodies, Annuities, and Hereditaments, after the true, iuſt, and yearely value thereof, and according as other the Kings Maieſties Subiects borne within this Realme, be charged in forme aboue remembred, ſo that it extend to the yearely value of twenty ſhillings or aboue.

How a ſpirituall perſon ſhalbe rated.

And it is further enacted by the authority of this preſent Parliament, that euery Engliſh-man reſiding in England, being a Viſcount of Scotland, or Ireland, and not a Peere of the Realme of England, ſhall not be taxed or rated in the Subſidy Booke vnder one hundred pounds in land. And that euery Engliſh-man reſiding in England, being a Baron of Scotland or Ireland, and not a Peere of the Realme of England, ſhall not be taxed or rated in the Subſidie Booke, vnder one hundred markes in land. And that euery Engliſh-man being a Baronet of Scotland or Ireland, ſhall not be taxed or rated in the Subſidy Booke vnder forty pounds in land.

How a Peere, Knight, Baronet of Scotland, or Ireland, ſhall be rated.

And it is further enacted, That if the ſayd Taxors, or Aſſeſſors ſhall not duely behaue themſelues in their enquiry, Taxation, Aſſeſſement, or Certificate, but ſhall affectionately, corruptly, or partially demean themſelues in that behalfe, in ſuch wiſe, that the Commiſſioners ſhall by their conſiderations deeme them offendors worthy of puniſhment for not doing their dueties therein, that then foure or more of the Commiſſioners in that County for the ſayd Subſidy, ſhall haue power and authority by their diſcretions, either to charge the ſayd Aſſeſſors vpon their corporall oathes, for the better ſeruice aforeſayd, in that behalfe, or elſe by their diſcretions to taxe, and ſet vpon the ſayd Aſſeſſors for their miſdemeanors in that behalfe, ſuch a fine or paine as they ſhall thinke good,, ſo that it exceed not the ſumme of tenne pounds, and the ſame fine or paine at their diſcretions to eſtreate into the Court of the Exchequer: Euery which fine ſo taxed and ſet, by foure of the ſayd Commiſſioners or more, and being eſtreated with the Schedule and Bookes of that limit, ſhall be leuyed and anſwered to the Kings vſe in like maner and forme to all intents and purpoſes, as any other ſummes that ſhall be taxed and become due by vertue of this Statute and Act of Subſidie, and not in any other wiſe or manner.

The Commiſſioners may adminiſter an oath to the Aſſeſſors, or fine of them, if they be partiall,

The Fine ſhalbe eſtreated into the Exchequer.

And if any perſon certifyed or rated, by vertue of this Act, whether hee be a Commiſſioner or other, to any manner of value, doth finde himſelfe grieued with the ſame preſentment, ſeſſing, or rating, and thereupon complaine to the Commiſſioners before whom hee ſhall bee called, ſeſſed or taxed, or before two of them, before the ſame taxation bee certified in the Court of Exchequer, that then the ſayd Commiſſioners, or two of them, ſhall by all wayes and meanes examine particularly and diſtinctly the perſon ſo complaining, vpon his oath, and other his neighbours by their diſcretions, of euery his Lands and Tenements aboue ſpecified, and of euery his goods, chattels and debts aboue mentioned: And after due examination, and perfect knowledge thereof had and perceiued, by the ſayd Commiſſioners, or two of them, which ſhall haue power by authority aforeſayd, the ſayd Commiſſioners, or two of them, to whom any ſuch complaint ſhall bee made, by their diſcretions vpon the oath of the ſayd perſon ſo complaining, may abate, defaulke, increaſe or inlarge the ſayd aſſeſſements, according as it ſhall appeare vnto them iuſt vpon the ſame examination, and the ſame ſumme ſo abated, defaulked, increaſed or inlarged, ſhall bee by them eſtreated, in forme as is hereafter ſpecified. And if it bee proued by witneſſes, or by the parties owne confeſſion, or other lawfull wayes or meanes, within a yeare after any ſuch oath made, that the ſame perſon ſo rated and ſworne, was of any better or greater value in lands, goods, or other things aboue ſpecified, at the time of his ſayd oath, then the ſame perſon ſo ſworne did declare vpon his ſayd oath, that then euery ſuch perſon ſo offending, ſhall loſe and forfeit to the Kings Maieſty, ſo much lawfull money of England, as hee the ſame perſon ſo ſworne was ſet at or taxed to pay.

A remedie for them that are ouer-rated.

The penaltie of them, which ſuggeſt falſe, that they are ouer-rated.

And alſo it is enacted by the ſame authority, that euery perſon to be rated and taxed as is aforeſayd, ſhall be rated and ſet, and the ſumme on him ſet, to bee leuyed at ſuch place, where hee and his family were reſident for the moſt part of the yeare next before the ſame preſentment and taxation made, and no where elſe. And that no Commiſſioner for his Subſidy ſhall be rated or taxed for his goods or lands, but in the Shire or other place where hee ſhall bee Commiſſioner. And that if any perſon chargeable by this Act, at the time of the ſayd aſſeſſings happen to be out of this Realme, and out of Wales, or farre from the place where hee ſhall bee knowne; then he to be ſet, where he was laſt abiding within this Realme, or in Wales, and after the ſubſtance, value, and other profits of euery perſon, to be knowne by examination, certificate or other maner of way, as is aforeſayd.

In what place euery perſon ſhalbe rated.

And that the ſaid Commiſſioners, or as many of them as ſhall be appointed by the Kings Maieſties Commiſſion or Commiſſions, ſhall after the rate and rates aforeſaid, cauſe euery perſon ſo to be ſet, rated, and taxed, according to the rate of the ſubſtance and value of his lands, goods, chattels, and other profits chargeable by this Act, whereby the greateſt or beſt ſumme or ſummes according to his ſubſtance, as aforeſayd, by reaſon of this Act, might or may be ſet or taxed.

The Commiſſioners ſhall rate euery man according to his ſubſtance.

And that euery perſon taxed in any County or place, other than where he or his family were reſi-

A certificate, that one is charged with ſubſidies in one place ſhall diſcharge him from them in another.

The fee for ſuch a diſcharge is vi.d.

ant for the moſt part of the yeare then next before, or in any County or place, other than where he is a Commiſſioner for the Subſidie, if he be a Commiſſioner, vpon certificate made to the ſayd Court of Exchequer, vnder the hands and Seales of two Commiſſioners for the ſame Subſidy, in the ſame County or place where ſuch perſon and his family were reſiant for the moſt part of the yeare then next before, or where he is a Commiſſioner for the taxation and payment of the ſame Subſidy, teſtifying his moſt reſiance, hauing a family, or being a Commiſſioner, ſhall bee a ſufficient diſcharge, for the taxation of that perſon in any other places, and of and for all other ſummes of money vpon ſuch perſons ſo ſet and taxed, ſaue onely the taxations made in that County or place, from which ſuch Certificate ſhall be made, as is aforeſayd, and for the ſumme of money vpon ſuch perſon there aſſeſſed or taxed. And that ſuch Certificate without any Plea or other circumſtance, ſhall be a ſufficient warrant, aſwell to the Barons and Auditor and Auditors of the ſayd Court of Exchequer, as to all and euery other Officers, to whom the allowance thereof ſhall appertaine, paying for ſuch diſcharge and allowance onely ſixe pence and no more.

None ſhalbe charged both for lands and goods at the ſame time.

None ſhalbe doubly charged with ſubſidies.

Prouided alwayes, that euery ſuch perſon that ſhall be rated or taxed according to the true meaning of this Act, for paying of, and to theſe Subſidies, for and after the yearely value of his Lands, Tenements, or other reall poſſeſſions or profits, at any of the ſayd taxations, ſhall not after bee ſet and rated for his goods and chattels, or other moueable ſubſtance at the ſame taxation, and that he that ſhall be ſet, charged, or taxed for the ſame Subſidie for his goods, chattels, and other moueables, at any of the ſayd taxations, according to the true meaning of this Act, ſhall not after bee taxed, charged, or chargeable for his lands or other reall poſſeſſions, or profits aforeſayd, at the ſame taxations or any of them, nor that any perſon by any taxation be doubly charged for the ſayd Subſidies, nor ſet or rated at ſeuerall places by reaſon of this Act: But if any perſon happen to be double ſet, taxed, or charged, either at one place, or at ſeuerall places, then hee to bee diſcharged of the one taxation, and charged with the other, according to the meaning and intent of this Act: Any thing contained in this preſent Act to the contrary notwithſtanding.

None ſhall be diſcharged without a certificate.

And be it ordained and enacted by the authority of this preſent Parliament, That no perſon, hauing two Manſions, or two places to reſort vnto, or calling himſelfe Houſhold-ſeruant, or Waiting ſeruant to the Kings Maieſty, or other Lord or Lady, Maſter or Miſtreſſe, be excuſed vpon his ſaying, from the taxes of the ſayd Subſidies, in neither of the places where he may be ſet or taxed, vnleſſe he bring a Certificate in writing from the Commiſſioners where he is ſo ſet or taxed indeed at one place.

He that by couin eſcapes the taxation ſhalbe doubly taxed.

And if any perſon that ought to be ſet and taxed to theſe preſent Subſidies, by reaſon of his remaining or reſorting to two places, or by reaſon of his ſaying that he was elſewhere taxed, or by reaſon of any Priuiledge of his dwelling or abiding in any place, not being forpriſed in this Act, or otherwiſe by his couin or craft, or by any words or ſayings, or otherwiſe: or if any that is a Commiſſioner or Aſſeſſor of others, happen to eſcape from the ſayd taxations for the payment of theſe Subſidies, or any of them, and be not ſet and taxed according to the true intent of this Act, and that proued by Preſentment, Examination, Information, or otherwiſe, before the ſaid Commiſſioners, or two of them, or before the Barons of the Kings Maieſties Exchequer, or two Iuſtices of Peace of that County where ſuch perſon dwelleth; Then euery ſuch perſon, that by ſuch meanes, or otherwiſe, willingly by couin or without iuſt cauſe, ſhall happen to eſcape from the ſaid taxations or paiments aforeſaid, or any of them, and ſhall not be rated, taxed, and ſet, ſhall be charged vpon the knowledge and proofe thereof, with, and at the double value of ſo much as he ſhould, might or ought to haue beene ſet or taxed at by vertue of this Act: And the ſame double value to bee leuyed, gathered, and payed of his Goods and Chattels, Lands and Tenements, towards the ſayd Subſidies, and further to be puniſhed according to the diſcretions of the ſayd Barons, Iuſtices, or Commiſſioners, before whom he ſhall be conuicted for his offence and deceit in that behalfe.

The Commiſſioners ſhal tax one another, & alſo the Aſſeſſors.

And be it further enacted by the authority aforeſayd, That the ſayd Commiſſioners in euery Commiſſion, which ſhall be or inhabite in any County or place within the limits of their Commiſſion, or the more part of them, ſhall haue full power and authority by this Act, to ſet, taxe, and ſeſſe euery other Commiſſioner, ioyned with them in euery ſuch Commiſſion, and the ſayd Commiſſioners within their Diuiſion, ſhall alſo aſſeſſe euery Aſſeſſor within their Diuiſion, for his or their goods, lands, and other the premiſſes, as is aforeſayd: By which ſayd Commiſſion the ſayd Commiſſioners, to whom it ſhall appertaine, ſhall indifferently ſet, taxe, and ſeſſe themſelues and the ſayd Aſſeſſors, and that aſwell the ſummes vpon euery of the ſayd Commiſſioners and Aſſeſſors, ſo aſſeſſed, rated and taxed, as the ſummes made and preſented by the Preſenters, as is aboueſayd, ſhall be written, certified, ſet and eſtreated, and the Eſtreats thereof to be made with other the inhabitants of that part, and within the limits of the ſame Commiſſion and Diuiſion, ſo to be gathered and leuied in like maner as it ought and ſhould haue bin, if the ſaid Commiſſioners had not beene in the ſayd Commiſſion.

By whom a Baron or Baroneſſe, or any eſtate aboue ſhalbe charged.

And that all perſons of the eſtate of a Baron or Baroneſſe, and euery eſtate aboue ſhall bee charged with their free-hold and value, as is aforeſayd, by the Chancellor or the Lord Keeper of the great Seale of England, and the high Treaſurer of England for the time being, or the one of them, together with other ſuch perſons as by the Kings Maieſties authority or commandement ſhall be named and appointed, and they to bee charged for the ſayd ſeuerall payments of the ſaid Subſidies, after the forme of the ſayd Grant, according to the taxation aforeſaid. And the ſummes of, and vpon them to be taxed and ſet, with the names of the Collectors appointed for gathering and paying of the ſame, to be eſtreated, deliuered, and certified at the dayes and places aboue ſpecified, by the Lord Chancellor, or Lord Kéeper of the great Seale, and Lord Treaſurer, or one of them, together with ſuch other perſons as thereunto ſhalbe named, as is aforeſayd.

The ſummes ſo taxed together with the Collectors thereof ſhalbe eſtreated.

And be it further enacted by the authority aforeſayd, That after the taxes and aſſeſſes of the ſayd ſummes vpon and by the ſayd aſſeſſing and certificate, as is aforeſayd made, the ſaid Commiſſioners, or as many of them as ſhall be thereunto appointed, and haue authority by the Kings Maieſties Commiſſion, ſhall with all ſpéede, and without delay by their writing, eſtreate the ſayd taxes thereof, vnder the Seales and Signes Manuall of the ſayd Commiſſioners, or as many of them as ſhall be appointed, at the leaſt; And the ſame ſhall deliuer vnto ſufficient and ſubſtantiall Inhabitants, Conſtables, Sub-conſtables, Bayliffes, and other Officers ioyntly of Hundreds, Townes, Pariſhes, and other places aforeſayd within their limits, and to other ſufficient perſons, Inhabitants of the ſame, onely by the diſcretion of the ſayd Commiſſioners, with the aſſent of the High-collector, and as the place and parties ſhall require, as well the particular names and ſurnames, as the remembrance of all ſummes of money taxed and ſet, of and vpon euery perſon, as well man as woman chargeable by this Act, Houſholders and all other Inhabitants and Dwellers within the ſayd Pariſhes, Townes and places, contributary to this Act of Subſidies: By authority of which writing and eſtreat ſo deliuered, the ſaid Officers and other perſons ſo named and deputed, ſeuerally ſhall haue full power and authority by vertue of this Act, immediately after the deliuery of the ſayd writing or eſtreate, to demand, leuie, and gather of euery perſon therein ſpecified, the ſumme and ſummes in the ſame writing or eſtreat compriſed, and for non-payment thereof, to diſtraine the ſame perſon or perſons ſo being behind, by their goods and chattels, and the diſtreſſe ſo taken to kéepe by the ſpace of eight dayes, at the coſts and charges of the owner thereof. And if the ſayd owner doe not pay ſuch ſumme of money as ſhall be taxed vpon him or her by authority of this Act, within the ſame eight dayes, then the ſame diſtreſſe to bee appraiſed by foure, thrée, or two of the Inhabitants where ſuch diſtreſſe is taken, and alſo then to be ſold by the Conſtable or other Collector for the payment of the ſayd money, and the ouerplus comming by the ſale (if any be) ouer and beſides the charge of kéeping the ſayd diſtreſſe, to be immediately reſtored to the owner thereof; Which ſayd Officers and other perſons ſo deputed to aſke, take, gather and leuy the ſayd ſummes, ſhall anſwer and bee charged for the portion onely to them aſſigned and limited to bee gathered, leuyed and compriſed in the ſayd writing or eſtreate, ſo to them, as aforeſayd, deliuered to the vſe of our Soueraigne Lord the Kings Maieſty, and his Heires and Succeſſors, and the ſayd ſumme in that writing or eſtreate to bée compriſed to pay vnto the High-collector or Collectors of that place, in manner and forme vnder written, thereunto to bee named and deputed, and the ſame Inhabitants and Officers ſo gathering the ſame particular ſummes, for their collection thereof, ſhall retaine for euery twenty ſhillings ſo by them receiued and payd, two pence, And that to be allowed at the paiment of their collection by them to be made, to the High-collector or Collectors.

The Commiſſioners ſhall eſtreat out the aſſeſſements of the Subſidies to the officers &c. of euery pariſh &c.

The Officers may leuy the Subſidies, and vpon non-payment diſtraine for them.

Vpon non-payment within 8. daies the diſtreſſe ſhall be ſold.

The Officers ſhall pay the moneyes receiued to the High-collector.

The Officers fee.

And further bée it enacted by the ſayd authority, that ſuch of the ſayd Commiſſioners, or the more part of them, as ſhall take vpon them the execution and buſineſſe of the ſayd Commiſſion, ſhall for euery of the ſayd payments of the ſayd Subſidies, name ſuch ſufficient and able perſons, which then ſhall haue and poſſeſſe Lands, or other Hereditaments in their owne right, of the cléere yearely value of forty pounds, or goods to the value of foure hundred pounds at the leaſt, as hée ſhall bée taxed in the Subſidie Booke (if any ſuch bée in the ſayd limits) and for want of ſuch ſo aſſeſſed, then thoſe to bée appointed Collectors that then ſhall bée ſufficient, and rated and taxed in the Subſidie Bookes in Lands and Goods néereſt to the values aforeſayd, as by their diſcretions ſhall bee thought good, in Shires, Ridings, Lathes, Wapentakes, Rapes, Cities, Townes corporate, and other whatſoeuer places, as well within places Priuiledged, as without, not being foreprized in this Act, to bee High-collectors, and to haue the collection and receipt of the ſayd ſummes ſet and leuiable within the Precincts, Limits and Boundes, where they ſhall be ſo limited and appointed to be High-collectors: And to euery of the ſayd Collectors ſo ſeuerally named, the ſayd Commiſſioners, or two of them at the leaſt, with all ſpéed and without delay, after the ſaid whole ſumme of any payment of the ſayd Subſidies be ſet by all the limits of the ſame their Commiſſion, or in ſuch limits as the High-collectors ſhall be ſo ſeuerally aſſigned, ſhall vnder their Seales and Signes Manuall, deliuer one eſtreat indented in Parchment, compriſing in it the names of all ſuch perſons, as were aſſigned to leuie the ſayd particular ſummes, and the ſummes of euery Hundred, Wapentake, Towne, or other place aforeſayd, with the names and ſurnames of the perſons ſo chargeable, according to the eſtreate ſo thereof firſt made, and deliuered as is aforeſayd, And the Collectors to be aſſigned ſhall be charged to anſwer

The Commiſſioners ſhall appoint the High-collectors.

The Commiſſioners ſhall deliuer vnto the High-collectors an eſtreat of all ſuch moneys, as are to be collected by them.

the whole ſumme compriſed in the ſayd Eſtreate limited to his collection, as is aforeſayd.

The Commiſſioners ſhall take Recognizances or Obligations of the Collectors, with condition indorſed for the true payment of the moneys by them collected.

The Condition for the payment of the firſt two Subſidies.

The Condition for the third Subſidie.

The condition for the fourth Subſidie.

The Condition for the fift and laſt Subſidie.

These Recognizances ſhall be delivered into the Exchequer, &c. upon paine of tenne pounds.

The penaltie of him that refuſeth to make Recognizance, &c.

Upon payment of the moneys received, the Recognizances ſhalbe delivered without fee.

Provided alwaies, and be it enacted by the authority aforeſayd, that the ſayd Commiſſioners, having authority by this Act to name and nominate the ſayd High-collectors of every the ſayd Subſidies, ſhall immediately upon their Nomination and Election, take by authority of this preſent Parliament, ſufficient Recognizances or Obligations, without any Fee or Reward to be payd therefore, of every perſon ſo by them to be named to be High-collectors, to bee bound to the Kings Maieſty in the double ſumme of the ſumme of his collection, and to bee indorſed and made upon ſuch condition, that is to ſay, for the collection of the payment of the ſayd two firſt of the ſayd five Subſidies: That if the ſayd Collector, his Heires or Executors, doe truely content and pay to the uſe of the Kings Maieſty, his Heires or Succeſſors, in the receipt of the ſayd Exchequer, at or before the tenth day of July now next comming, ſo much of the ſayd ſumme of money, allotted and appointed to his collection, as hee ſhall collect and gather, and content and pay the reſidue of his collection and charge, within one moneth next after ſuch time as he hath collected and gathered the ſame reſidue: That then the ſayd Recognizance or Obligation to be voyd, or elſe to ſtand in full ſtrength and vertue. And for the collection of the third of the ſaid five Subſidies, upon condition, That if the ſaid Collector, his Heires, or Executors do truely content and pay to the uſe of the Kings Maieſty, his Heires or Succeſſors, in his receipt of Exchequer, at or before the twentieth day of October next enſuing, ſo much of the ſayd ſumme of money allotted and appointed to his collection, as he ſhall collect and gather, and content and pay the reſidue of his collection and charge within one moneth next after ſuch time as hee hath collected and gathered the ſame reſidue: That then the ſayd Recognizances or Obligations to bee voyd, or elſe to ſtand in full ſtrength and vertue. And for the collection of the ſayd fourth Subſidie of the five Subſidies aforeſayd, upon condition, That if the ſayd Collector, his Heires, or Executors doe truely content and pay to the uſe of the Kings Maieſty, his Heires or Succeſſors, in his receipt of Exchequer, at or before the ſaid twentieth day of December now next enſuing, ſo much of the ſaid ſumme of money allotted and appointed to his collection, as he ſhall collect and gather, and content and pay the reſidue of his collection and charge within one moneth next after ſuch time as he hath collected and gathered the ſame reſidue: That then the ſayd Recognizances and Obligations to be void, or elſe to ſtand in full ſtrength and vertue. And for the collection of the ſayd fifth and laſt of the ſayd Subſidies, upon condition, That if the ſaid Collector, his Heires or Executors doe truely content and pay to the uſe of the Kings Maieſty, his Heires and Succeſſors, in his receipt of Exchequer, at or before the ſaid firſt day of March now next enſuing, ſo much of the ſayd ſumme of money allotted and appointed to his collection, as he ſhall collect and gather, and content and pay the reſidue of his collection and charge within one moneth next after ſuch time as hee hath collected the ſame reſidue: That then the ſayd Recognizances or Obligations to bee voyde, or elſe to ſtand in full ſtrength and vertue: Which ſayd ſeverall Recognizances or Obligations ſo taken, the ſayd Commiſſioners ſhall ſeverally certifie and deliver into the Kings Maieſties Exchequer, with the ſeverall Certificates of the ſayd Taxations and Rates of the payments of the ſayd Subſidies, at and by the times to them preſcribed and appointed by this Act, for the certificate of the ſayd ſeverall Taxations of the ſayd Subſidie upon paine of forfeiture of tenne pounds to the Kings Maieſty for every Recognizance or Obligation not ſo certified. And that every ſuch Collector ſo elected, named and choſen, upon requeſt to him made, ſhall knowledge and make the ſayd Recognizance or Obligation, upon paine of forfeiture of twenty pounds to the Kings Maieſty for the refuſall thereof. And that the Treaſurer and Barons of the Exchequer for the time being, upon payment of the ſayd ſeverall collections of the Subſidies, at the dayes and times herein limited for the payment thereof, ſhall cancell and deliver the Recognizances or Obligations for the payment thereof to the Collector or Collectors, without any other warrant, and without any fee or reward to be payd for the ſame to any perſon.

The high Collectors may appoint certain dayes for the Officers, &c. to bring in their Collections, and upon non-payment diſtraine them, &c.

And every Collector ſo deputed, having the ſayd Eſtreate in parchment, as is aforeſayd, ſhall have authority by this Act, to appoint dayes and places, within the circuit of his collection, for the payment of the ſayd Subſidies, to him to bee made, and thereof to give warning by Proclamation, or otherwiſe, to all the Conſtables or other perſons or inhabitants, having the charge of the particular collection within the Hundreds, Pariſhes, Townes, or other places by him or them limited, to make payment of the ſayd particular collection of every ſumme, as to them ſhall appertaine. And if at the ſame day and place, ſo limited and prefixed by the ſayd high Collector, the ſayd Conſtable, Officers, or other perſons, or inhabitants as is aforeſayd, for the ſayd particular collection aſſigned and appointed within ſuch Hundred, Citie, Towne or other place, do not pay unto the ſaid High-collector the ſumme within their ſeverall Hundreds, Towns, Pariſhes and other places, due and compriſed in the ſayd Eſtreate thereof, to them delivered by the ſayd Commiſſioners or ſome of them, as is aforeſayd, or ſo much thereof as they have by any meanes received (two pence for every pound for the ſayd particular collection, as is aforeſaid, alwayes thereof to be allowed, excepted and abated) that then it ſhall be lawfull, to the ſaid High-collectors and every of them, and to their aſſignes, to diſtraine every of the ſayd Conſtables, Officers and other Inhabitants, for their ſayd ſeuerall & particular collection of the ſaid ſummes compriſed in the ſaid Eſtreat and writing thereof, to them and euery of them, as is before expreſſed, deliuered, or for ſo much of the ſame ſumme, as ſo then ſhall happen to be gathered and leuied, and behind and vnpaid, by the goods and chattels of euery of them ſo being behind; and the diſtreſſe ſo taken, to be kept and appraiſed and ſold, as is aforeſayd, and thereof to take and leuy the ſummes ſo then being behinde and vnpaid, and the ouerplus comming of the ſale of the ſayd diſtreſſe (if any be) to be reſtored and deliuered vnto the owner, in forme aboue remembred.

Prouided alwayes, and be it enacted by the authority aforeſayd, That no perſon or perſons ſhall bee nominated or appointed to bee a High-collector or Collectors for the ſecond or other Subſidy, granted by this Act, which before that time hath beene a Collector or Collectors for the firſt or for any former Subſidie, vnleſſe ſuch perſon or perſons ſo to bee nominated or appointed High-collector or Collectors for the ſecond or any ſuch other former Subſidie, doe firſt ſhew forth before him or them, by whom he ſhall bee nominated and appointed, his Quietus eſt for his diſcharge of his collection before appointed to his charge, vpon paine of one hundred pounds to be paid and forfeited by him or them, that ſo ſhall nominate and appoint any ſuch Collector contrary to this preſent Act.

The penaltie for appointing one to be high Collector which hauing bin Collector before cannot ſhew his Quietus eſt.

Prouided alwaies, That no perſon inhabiting in any Citie, Borough, or Towne corporate, ſhall be compelled to bee any Aſſeſſor or Collector, of, or for any part of the ſayd Subſidies, in any place or places out of the ſayd City, Borough or Towne corporate, where he dwelleth.

None ſhalbe Collector or Aſſeſſor out of the Towne corporate where hee dwelleth.

And it is alſo by the ſayd authority enacted, That if any Inhabitants or Officers, or whatſoeuer perſon or perſons charged to and for the collection and receipt of any part or portion, of the ſaid Subſidies, by any manner of meanes, according to this Act: or any perſon or perſons for themſelues, or as Keeper, Guardian, Deputy, Factor or Attourney, of or for any other perſon or perſons, for any goods or chattels of the owner thereof, at the time of the ſayd aſſeſſing to bee payd, being out of this Realme, or in any other parts not knowne, or of and for the goods and chattels of any other perſon or perſons of any Corporation, Fraternity, Myſtery, or other whatſoeuer Commonalty, being Corporate or not Corporate, and all perſons hauing in their rule, gouernance and cuſtody, any goods or chattels at the time of the ſayd aſſeſſing, or any of them to bee made, or which for any cauſe, for and by collection, or for himſelfe, or for any other, or by reaſon that he hath the rule, gouernance or cuſtody of any goods or chattels of any other perſon or perſons, Corporation, Commonalty, Fraternity, Guild, or Myſtery, or any ſuch other like, or as Factor, Deputy or Attourney, of or for any perſon, ſhall be taxed, valued, rated and ſet to any ſumme and ſummes by reaſon of this Act: and after the taxation and aſſeſſing vpon any ſuch perſon or perſons, as ſhall be charged with the receipt of the ſame, happen to dye or depart from the place where he was ſo taxed and ſet, or his goods or chattels to be ſo eloyned, or in ſuch priuie or couert manner kept, as the ſame perſon or perſons charged with the ſame, by Eſtreates or other Writings, from the ſayd Commiſſioners, or as many of them as ſhall bee thereunto appointed by the ſayd Commiſſion, as is aforeſayd, can, ne may leuy the ſame ſumme and ſummes compriſed within the ſame Eſtreates by diſtreſſe within the limits of their collection, as is aforeſayd, or cannot ſell ſuch diſtreſſe or diſtreſſes, as bee taken for any of the ſayd payments before the time limited to the High-collector for his payment, to be made in the Kings Maieſties Receipt, then vpon relation thereof, with due examination by the oath or examination of ſuch perſon or perſons, as ſhall be charged with and for the receipt and collection of the ſame; before the ſayd Commiſſioners, or as many of them as by the ſayd Commiſſion ſhall be thereunto appointed, where ſuch perſon or perſons, or other, (as is aforeſayd,) their goods and chattels were ſet and taxed, and vpon plaine Certificate thereof made into the Kings Maieſties Exchequer by the ſame Commiſſioners, as well of the dwelling place, names and ſummes of the ſayd perſons, of whom the ſame ſummes cannot be leuyed and had, as is aforeſayd: Then as well the Conſtable, and other Inhabitants appointed for the ſame particular collection, againſt the High-collector, as the High-collector vpon his account and oath in the ſayd Exchequer, to bee diſcharged thereof, and proceſſe to bee made for the Kings Maieſty out of the ſame Exchequer by the diſcretion of the Barons of the ſame Exchequer, againſt ſuch perſon, his Heires or Executors, ſo being behind with his payment.

When the high-collectors & other inferi Officers can by no meanes leuy their collections, vpon due proofe & certificate thereof into the Exchequer, they ſhalbe diſcharged, & proceſſe ſhall goe forth againſt the party, or &c.

And ouer that the ſame Commiſſioners, to whom any ſuch declaration of the premiſſes, ſhall bee made in forme aforeſayd, from time to time, ſhall haue full power and authority to direct their precept or precepts to the ſayd perſon or perſons charged with any ſumme, of, for, and vpon any ſuch perſon and perſons, or other, as is aforeſayd, or to any Sheriffe, Steward, Bayliffe, or other whatſoeuer Officer, Miniſter, perſon or perſons of ſuch place or places, where any ſuch perſon or perſons ſo owing any ſuch ſumme or ſummes, ſhall haue Lands, or Tenements, and other Hereditaments, or reall poſſeſſions, goods and chattels, whereby any ſuch perſon or perſons ſo indebted, his Heires, Executors, or Aſſignes, or other, hauing the cuſtody, gouernance, or diſpoſition of any goods or chattels, Lands, Tenements, or other Hereditaments, which ought or may by this Act bee lawfully diſtrained or taken for the ſame, hath and ſhall haue goods, chattels, Lands, Tenements, or other poſſeſſions, whereof ſuch ſumme & ſummes, which by any ſuch

The Cōmiſſioners may direct their precepts to parties charged.

The parties charged may diſtraine.

perſon or perſons, may or ought to be leuyed, be it within the limits of ſuch Commiſſion, where ſuch perſon or perſons was or were taxed, or without in any place within this Realme of England, Wales, or other the Kings Maieſties Dominions, Marches, or Territories, by which precept, as well ſuch perſon or perſons ſhall bee charged to leuie ſuch money, as the Officer of the place or places where ſuch diſtreſſe may be taken, ſhall haue full power and authority to diſtraine euery ſuch perſon indebted, charged or chargeable by this Act, or his Executors, or Adminiſtrators of his goods and chattels, his Guardians, Factors, Deputies, Leaſſees, Farmors, and Aſſignes, and all other perſons, by whoſe hands, or out of whoſe lands, any ſuch perſon ſhould haue Fee, Rent, Annuitie, or other profit, or which at the time of the ſayd aſſeſſing, ſhall haue goods or chattels, or any other thing moueable of any ſuch perſon or perſons, being indebted or owing ſuch ſumme, and the diſtreſſes ſo taken, cauſe to bee kept, appraiſed and ſold, in like manner and forme as is aforeſayd, for the diſtreſſe to be taken vpon ſuch perſons to be taxed to the ſaid Subſidies, and being ſufficient to diſtraine within the limits of the Collectors, Inhabitants, or other Officers charged with, or for the ſayd ſummes ſo vpon them to be taxed.

Allowance of 2.d. for euery mile to the partie diſtraining.

And if any ſuch diſtreſſe for non-payment happen to bee taken out of the limit of the ſayd perſons charged and aſſigned to leuy, the ſayd perſons ſo charged for the leuying of any ſuch ſummes by diſtreſſe, ſhall perceiue and take of the ſame diſtreſſe, for the labour of euery perſon going for the execution thereof, for euery mile that euery perſon ſo laboureth for the ſame, two pence. And euery Farmor, Guardian, Tenant, Factor, or other whatſoeuer perſon being diſtrained, or other perſon charged for paiment of any ſuch ſumme or ſummes, or any other ſumme by reaſon of this Act, ſhalbe of ſuch ſumme or ſummes of him or them ſo leuied and taken, diſcharged and acquitted at his next day of payment for the ſame, or at the deliuery of ſuch goods and chattels, as hee that is ſo diſtrained, had in his cuſtody or gouernance, againſt him or them that ſhall bee ſo taxed and ſet: Any grant or writing Obligatory, or other whatſoeuer matter to the contrary made heretofore notwithſtanding.

A remedie if the partie aſſeſſed hath no landes, or hath conueyed away his goods.

Where he that is aſſeſſed ſhall be impriſoned for default of payment.

None ſhall depart out of Gaole vntill he hath paid his debts.

The Commiſſioners ſhall certifie into the Exchequer what is one.

And if any ſuch perſon that ſhould ſo be diſtrained, haue no Lands or Tenements ſufficient, whereby hee and his Tenants and Farmors may be diſtrained, or haue aliened, eloyned, or hid his goods and chattels, whereby hee ſhould or might bee diſtrained, in ſuch manner that ſuch goods or chattels ſhould not bee knowne or found, ſo that the ſumme of or by him to bee payed in the ſayd forme, ſhall not, ne can bee conueniently leuyed; then vpon relation thereof to the Commiſſioners, or to as many of them as by the ſayd Commiſſion ſhall be thereunto appointed, where ſuch perſon or perſons was taxed and ſet, by the oathes of him or them that ſhall be charged with the leuying and paiment of that ſumme or ſummes, the ſame Commiſſioners ſhall make a Precept in ſuch maner as is aforeſaid, for to attach, take and arreſt the body of ſuch perſon or perſons, that ought to pay the ſaid ſummes, and by this Act ſhall be charged with and for the ſayd ſumme and ſummes, and them ſo taken, ſafely to keepe in priſon within the Shire or other place, where any ſuch perſon or perſons ſhall be taken and attached; there to remaine without Baile or Mainepriſe, vntill he haue payd the ſayd ſumme or ſummes, that ſuch perſon for himſelfe, or for any other by this Act, ſhall bee chargeable, or ought to bee charged withall, and alſo for the Fees of euery ſuch Arreſt, to him or them that ſhall execute ſuch Precept, twenty pence: And that euery Officer, vnto whom ſuch Precept ſhall be directed, doe his true diligence, and execute the ſame vpon euery perſon ſo being indebted, vpon paine to forfeit to the Kings Maieſty for euery default in that behalfe, twenty ſhillings. And that no keeper of any Gaole, from his Gaole ſuffer any ſuch perſon to goe at large, by letting to Baile, or otherwiſe to depart out of his priſon before he haue payed his ſayd debt, and the ſayd twenty pence for his Arreſt, vpon paine to forfeit to the Kings Maieſty forty ſhillings: And the ſayd Gaoler to pay to the Kings Maieſty the double value, as well of the rate, which the ſayd perſon ſo impriſoned was taxed at, as of the ſayd twenty pence for the fees: And like proceſſe and remedy in like forme ſhall be granted by the ſaid Commiſſioners, or as many of them as by the ſaid Commiſſion ſhall be thereunto appointed, at like Information of euery perſon or perſons being charged with any ſumme of money for any other perſon or perſons by reaſon of the ſaid Subſidies, and not thereof payd, but wilfully withdrawne, nor the ſame leuiable within the limits where ſuch perſons were thereunto taxed. And if the ſumme or ſummes being behind vnpayd by any perſon or perſons, as is aforeſayd, bee leuyed and gathered by force of the ſayd Proceſſe to be made by the ſaid Commiſſioners, or if in default or for lack of payment thereof, the perſon or perſons, ſo owing the ſaid ſumme & ſummes of money by Proceſſe of the ſame Commiſſioners to be made, as is aforeſayd, bee committed to priſon in forme aboueſayd, that then the ſayd Commiſſioners, which ſhall award ſuch Proceſſe, ſhall make Certificate thereof in the ſayd Exchequer of that ſhall be done in the premiſſes, in the Terme next following after ſuch ſumme or ſummes of money, ſo being behind, ſhall be leuied and gathered, or ſuch perſon or perſons for non-payment of the ſame committed to priſon.

The puniſhment of officers & others for miſdemeanors.

And if it happen any of the ſayd Collectors to be aſſigned, or any Maiors, Sheriffes, Stewards, Conſtables, the Headborough, Borſholder, Bayliffe, or any other Officer or Miniſter, or other whatſoeuer perſon or perſons to diſobey the ſayd Commiſſioners, or any of them, in the reaſonable requeſt to them made by the ſayd Commiſſioners for the execution of the ſayd Commiſſion, oꝛ if any of the Officers oꝛ other perſons doe refuſe that to them ſhall appertaine and belong to doe, by reaſon of any Pꝛecept to him oꝛ them to be directed, oꝛ any reaſonable commandement, inſtance oꝛ requeſt touching the pꝛemiſſes, oꝛ other default in any apparance oꝛ collection to make; oꝛ if any perſon being ſuſpected not to be indifferently taxed, as is afoꝛeſayd, doe refuſe to be examined accoꝛding to the tenour of this Act, befoꝛe the ſayd Commiſſioners, oꝛ as many of them as ſhall be thereunto aſſigned, as is afoꝛeſayd, oꝛ will not appeare befoꝛe the ſame Commiſſioners vpon warning to him made, oꝛ elſe make reſiſtance oꝛ reſcues vpon any diſtreſſe vpon him to be taken foꝛ any parcell of the ſayd Subſidies, oꝛ commit any miſdemeanour in any manner oꝛ wiſe contrary to this Act, oꝛ commit any wilfull omiſſion, oꝛ other whatſoeuer wilfull doing oꝛ miſdoing, contrary to the tenoꝛ of this Act oꝛ Grant; The ſame Commiſſioners, and euery number of them aboue remembꝛed, oꝛ two of them at the leaſt, vpon certaine knowledge of any ſuch miſdemeanours had by Infoꝛmation oꝛ Examination, ſhall and may ſet vpon euery ſuch offendoꝛ foꝛ euery ſuch offence in the name of a Fine by the ſame offendoꝛ to be foꝛfeited, foꝛty ſhillings, oꝛ vnder, by diſcretion of the ſame Commiſſioners. And further the ſayd Commiſſioners and euery number of them, oꝛ two of them at the leaſt, ſhall haue authoꝛity by this pꝛeſent Act to puniſh euery ſuch offendoꝛ by impꝛiſonment, there to remaine, and to be deliuered by their diſcretion, as ſhall ſeeme to them conuenient, the ſayd Fines, if any ſuch be, to bee certified by the ſayd Commiſſioners that ſo aſſeſſed the ſame, into the Kings Maieſties Exchequer, there to be leuied and payed by the Collectoꝛs of that part foꝛ the ſayd Subſidies returned into the ſayd Exchequer, to be therewith charged with the payment of the ſayd Subſidies, in ſuch maner as if the ſaid Fines had beene ſet and taxed vpon the ſayd offendoꝛs foꝛ the ſayd Subſidies.

And bee it alſo enacted by the ſayd authoꝛity of this pꝛeſent Parliament, That euery of the ſayd high Collectoꝛs, which ſhall account foꝛ any part of the ſayd Subſidies in the ſayd Exchequer, vpon their ſeuerall accounts to be yeelded, ſhall bee allowed at euery of the ſayd payments of the ſayd Subſidies, foꝛ euery pound limited to his collection, whereof any ſuch Collectoꝛ ſhall be charged and yeeld account, ſixe pence, as parcell of their charge; that is to ſay, of euery pound thereof, foꝛ ſuch perſons as then haue had the particular collection of the Townes and other places, as is afoꝛeſayd, ſpecified in his collection, two pence; and other two pence of euery pound thereof, euery of the ſayd chiefe Collectoꝛs oꝛ their Accomptants to retaine to their owne vſe, foꝛ their labour and charge in and about the pꝛemiſſes; and two pence of euery pound reſidue, to be deliuered, allowed and payed, by the ſayd Collectoꝛ ſo being thereof allowed, to ſuch of the Commiſſioners as ſhall take vpon them the buſineſſe and labour foꝛ and about the pꝛemiſſes; that is to ſay, Euery Collectoꝛ to pay that Commiſſioner oꝛ Commiſſioners, which had the oꝛdering of the wꝛitings of and foꝛ euery of the ſayd Subſidies, where the ſayd Collectoꝛ oꝛ Collectoꝛs had their collection, foꝛ the expences foꝛ the ſayd Commiſſioners, ſo taking vpon them the ſayd buſineſſe, and labour of their Clerkes wꝛiting the ſayd Pꝛecepts and Extracts of the ſayd Collections, the ſayd laſt two pence of euery pound to bee diuided amongſt the ſayd Commiſſioners, hauing regard to their labour and buſineſſe taken by them and their ſayd Clerkes, in and about the pꝛemiſſes, foꝛ which part, ſo to the ſaid Commiſſioners appertaining, the ſaid Commiſſioners, ſixe, fiue, foure, thꝛee, oꝛ two, oꝛ as many of them as ſhall be thereunto appointed by the Kings Maieſties Commiſſion, and euery of them ioyntly and ſeuerally foꝛ his and their ſayd part, may haue his remedy againſt the Collectoꝛ oꝛ Collectoꝛs, which thereof bin oꝛ might haue bin allowed, by action of debt, in which the Defendant ſhall not wage his Law, neither Pꝛotection, neither Iniunction oꝛ Eſſoine ſhall be allowed.

Euery high Collectoꝛ ſhal be allowed vi. d. in the pound to be diuided into parts.

The Commiſſioners remedie againſt the Collectoꝛ foꝛ their part of allowance.

And that no perſon, now being of the number of the Company of this pꝛeſent Parliament, noꝛ any Commiſſioner ſhall be named oꝛ aſſigned to be any Collectoꝛ, oꝛ Sub-collectoꝛ, oꝛ Pꝛeſenter of the ſayd Subſidies, oꝛ any part thereof, noꝛ any Commiſſioners ſhall be compelled to make any Pꝛeſentment oꝛ Certificate, other than into the Kings Maieſties ſayd Exchequer, of, foꝛ, oꝛ concerning the ſayd Subſidies, oꝛ any part oꝛ parcell thereof. And likewiſe that no other perſon that ſhall bee named and aſſigned to be Commiſſioners in any place, to and foꝛ the execution of this Act of Subſidies, be oꝛ ſhall be aſſigned oꝛ named Head-collectoꝛ of any of the payments of the ſaid Subſidies, neither of any part thereof.

Certaine perſons exempt from being Collectoꝛs, pꝛeſenters, &c.

And that euery ſuch perſon and perſons, which ſhall be named and appointed, as is afoꝛeſayd, to be Head-collectoꝛs of and foꝛ the payment of the ſayd firſt Subſidy, oꝛ of any part thereof, ſhall not be compelled to be Collectoꝛ foꝛ the payment of the ſaid ſecond oꝛ other Subſidy, noꝛ any part thereof. And the ſayd Collectoꝛs which ſhall be aſſigned foꝛ the collection of the ſayd fiue Subſidies, oꝛ of any part thereof, and euery of them, be and ſhall be acquitted and diſcharged of all maner Fees, and Rewards, and of euery other charge in the Kings Maieſties Exchequer, oꝛ elſewhere, of them, oꝛ any of them, by reaſon of that collection, payment, oꝛ accompt, oꝛ any thing concerning the ſame to be asked. And that if any perſon receiue oꝛ take any Fees, Rewards oꝛ pleaſures of any ſuch Accomptants, oꝛ vſe any vnneceſſary delay in their accompt, that then hee ſhall foꝛfeit to the Kings Maieſty foꝛ euery peny oꝛ value of euery peny woꝛth ſo taken, fiue ſhillings, and fiue pounds to the party grieued foꝛ euery ſuch delay, and ſuffer impꝛiſonment at the Kings Maieſties pleaſure.

He that is Collectoꝛ of one ſubſidie ſhall not be of the other.

The Collectoꝛs diſcharge of fees and charges in the Exchequer.

And

All the Commiſſioners ſhall aſſemble & make one Certificate.

And after euery taxing and aſſeſſing of the ſaid ſeuerall Subſidies (as is aforeſaid) had or made and the ſayd extracts thereof in Parchment, vnto the Collector in manner and forme before rehearſed, deliuered; The ſaid Commiſſioners, which ſhall take vpon them the execution of this Act within the limits of their Commiſſion, by their agreements ſhall haue meetings together: At which meeting euery of the ſaid Commiſſioners, which then ſhall haue taken vpon them the execution of any part of the ſaid Commiſſion, ſhall by himſelfe or his ſufficient Deputy, truely certifie and bring forth vnto the ſaid Commiſſioners, named in the ſaid Commiſſion, the certificate and preſentment made before him, and ſuch other Commiſſioners as were limited with him in one limit, ſo as the ſame certificate may be accounted and caſt with the other certificates of the other limits within the ſame Commiſſion, and then the ſaid Commiſſioners, and euery number of them, vnto two at the leaſt, as is aforeſaid, if any be in life, or their Executors, or Adminiſtrators of their goods, (if they then be dead) ſhall ioyntly and ſeuerally as they were diuided within their limits, vnder their ſeales, by their diſcretions make one or ſeuerall writings indented, containing in it as well the names of the ſaid Collectors by the Commiſſioners, for ſuch collections and accounts in the Exchequer, and payments in the ſaid receipt, deputed and aſſigned, as the groſſe and ſeuerall ſummes, written vnto euery ſuch Collectors to receiue the ſayd Subſidies, and alſo all Fines, Amerciaments, and other forfeitures, if any ſuch by reaſon of this Act, happen to be within the limit and precinct of their Commiſſion, to be certified into the Kings Maieſties ſaid Exchequer, by the ſaid Commiſſioners.

The effect of the Cōmiſſioners Certificate into the Exchequer. Euery Collector ſhalbe charged for himſelfe only. Where the Cōmiſſioners may make ſeuerall Certificates.

In which writing, or writings indented ſo to be certified, ſhall be plainly declared and expreſſed the whole and entire ſumme or ſummes of the ſaid Subſidies ſeuerally limited to the collection of the ſaid Collectors, ſeuerally deputed and aſſigned to the ſaid ſummes; So as none of the ſaid Collectors, ſo certified in the ſaid Exchequer, ſhall bée compelled there to accompt, or to bee charged, but onely to, and for the ſummes limited to his collection, and not to or for any ſumme limited to the collection of his fellowes: But euery of them ſhall bée ſeuerally charged for their part limited to their collection. And if the ſaid Commiſſioners ioyned in one Commiſſion amongſt themſelues, in that matter cannot agree, or if any of them be not ready, or refuſe to make Certificate with the other of the ſame Commiſſioners, that then the ſaid Commiſſioners may make ſeuerall Indentures, in forme aforeſaid, of their ſeuerall limits or ſeparations of Collectors, within the limits of their Commiſſion, vpon and in the Hundreds, Wards, Wapentakes, Lathes, Rapes, or ſuch other like diuiſions, within the ſaid ſeuerall limits of their Commiſſion, as the places there ſhall require to be ſeuered and diuided, and as to the ſame Commiſſioners ſhall ſeeme good to make diuiſions or other limits, or Collections, for the ſeuerall charges of the ſame Collectors, ſo that alway one Collector ſhall be charged, and account for his part to him to be limited only by himſelfe, & not for any ſumme limited to the part of any of his fellowes: And the charges of euery of the Collectors to be ſet and certified ſeuerally vpon them.

The Collector making payment ſhalbe diſcharged without any fee.

And euery ſuch Collector, vpon his account and payment of the ſumme of money limited within his collection, to be ſeuerally by himſelfe acquitted and diſcharged in the ſaid Exchequer, without paying any manner Fées or rewards to any perſon or perſons for the ſame, vpon paine and penalty laſt aboueſaid, and not to be charged for any portion of any other Collector. And if any Commiſſioner after he hath taken certificate of them, that, as is aforeſaid, ſhall bee before any Commiſſioners examined, and the ſummes rated and ſet, and the bookes and writings thereof being in his hands, or if any Collector or other perſon charged with any receipt of any part of the ſaid Subſidies, or any other perſon taxed or otherwiſe by this Act charged with or for any parcell of the ſaid Subſidies, or with any other ſumme, Fine, Amerciament, Penalty, or other forfeiture, happen to dye before the Commiſſioners, Collectors, or other whatſoeuer perſon or perſons, haue executed, accompliſhed, ſatiſfied, or ſufficiently diſcharged that, to which euery ſuch perſon ſhall appertaine or belong to doe, according to this Act; Then the Executors and Heires of euery ſuch perſon, and all other ſeized of any Lands and Tenements that any ſuch perſon being charged by this Act, and deceaſing before hée bée diſcharged thereof, or any other to his vſe onely, had of an Eſtate of Inheritance at the time that any ſuch perſon was named Commiſſioner, Collector, or otherwiſe charged with or for any manner of thing to bée done, ſatiſfied, or payd by reaſon of this Act: And all thoſe that haue in their poſſeſſion or hands, any Goods, Chattels, Leaſes, or other things, that were to any ſuch perſon or perſons, at the time of his death, or any Lands or Tenements that were the ſame perſons at the time that he was, as is aforeſayd, charged by this Act, ſhall be by the ſame compelled and charged to doe and accompliſh in euery caſe, as the ſame perſon ſo being charged ſhould haue done, or might haue bin compelled to do, if he had bin in plaine life, after ſuch rate of the Lands and Goods of the ſaid Commiſſioner and Collector, as the party ſhall haue in his hands.

A remedy if any perſon charged do dy before payment.

The firſt Certificate where the Cōmiſſioners doe not come,

And if the ſayd Commiſſioners for cauſes reaſonable them mouing, ſhall thinke it not fit to ioyne in one Certificate, as is aforeſayd, then the ſayd perſon or perſons, that ſhall firſt ioyne together, or hee that ſhall firſt certifie the ſayd writing indented, as is aforeſayd, ſhall certifie all the names of the Commiſſioners of that Commiſſion, whereupon ſuch writing ſhall bee there then to bée certified, with diuiſion of the Hundreds, Wapentakes, Wards, Tythings, and other places, to and among ſuch Commiſſioners of the ſame Commiſſion, with the names of the ſayd Commiſſioners, where ſuch Separations and Diuiſions ſhall bée, with the groſſe ſummes of money, aſwell of and for the ſayd Subſidies taxed or ſet, of or within the ſayd Hundreds, Wards, Wapentakes, or other places to him or them diuided or aſſigned, that ſhall ſo certifie the ſayd firſt writings, as of the Fines, Amerciaments, Penalties, and other forfeitures, if any happen to be within the ſame Limits, whereof the ſame writings ſhall be certified.

The Certificats of the other Commiſſioners.

And after ſuch writings indented, which, as is aforeſayd, ſhall be certified, and not containe in it the whole and full ſummes ſet and taxed within the limits of the ſame Commiſſion, the other Commiſſioners of the ſame, before the day of payment of the ſayd Subſidie, ſhall certifie into the ſaid Exchequer by their writing or writings indented, to be made, as is aforeſayd, the groſſe and ſeuerall ſummes, ſet and taxed within the places to them limited, for euery of the ſayd Subſidies, and other Fines, Amerciaments, Penalties and forfeiture, with the names of the Hundreds, Wards, Wapentakes, and other places to them aſſigned, or elſe by their ſayd writings indented, to certifie at the ſame place, before the ſame day of payment, ſuch reaſonable cauſes for their excuſes, why they may not make ſuch certificate of and for the ſayd Subſidies, Fines, Amerciaments, and other forfeitures growing or ſet by reaſon of the cauſes of their lets, or of their not certifying, as is foreſayd; or elſe in default thereof, proceſſe to be made out of the Kings Maieſties ſayd Exchequer, againſt the ſaid Commiſſioners, and euery of them not making certificate, as is aforeſayd, by the diſcretion of the Treaſurer and Barons of the ſayd Exchequer.

With whom the Inhabitants of Stamford ſhall be aſſeſſed.

Prouided alwaies, and be it enacted by the authority aforeſayd, that the Inhabitants of the Pariſh of Saint Martine, called Stamford Baron, in the Suburbes of the Borough and Towne of Stamford, in the South part of the waters there, called Wellands, which hereafter ſhall bee contributary to the payment of theſe preſent Subſidies granted to the Kings Maieſty, his Heires and Succeſſors, ſhall bée aſſeſſed, rated, and taxed for the ſame, by ſuch Commiſſioners which ſhall bée appointed for the taxing, rating, and ſeſſing of the ſame Subſidies within the County of Lincolne; and ſhall bée for the ſame contributary, and pay the ſayd Subſidies to the Collector or Collectors, which ſhall bee aſſigned and appointed for the leuying and gathering of the ſame, with the Aldermen and Burgeſſes of the ſame Borough and Towne of Stamford.

A Clergie man ſhall not be doubly charged.

Prouided alwayes, and bee it further enacted by the authority aforeſayd, That all and euery perſon and perſons hauing Manors, Lands, Tenements, and other Hereditaments, chargeable to the payment of the ſayd Subſidies granted to the Kings Maieſty by this Act, and alſo hauing Spirituall poſſeſſions chargeable to his ſayd Maieſtie, by any graunt made or to bée made by the Clergie of this Realme, in their Conuocation, and ouer this, hauing ſubſtance in goods and chattels, chargeable by the ſayd Act, that then, if any of the ſayd perſon or perſons bée hereafter charged, aſſeſſed, and taxed for the ſayd Manors, Lands, and Tenements, and Spirituall poſſeſſions, and alſo charged, aſſeſſed, and taxed for his and their goods and chattels, that then he or they ſhall be onely charged by vertue of this Act, for his and their ſayd Manors, Lands, Tenements, Hereditaments, and Spirituall poſſeſſions, or onely for his ſayd goods and chattels, the beſt thereof to be taken for the Kings Maieſty, and not to be charged for both, or doubly charged for any of them: Any thing in this Act contained to the contrary in any wiſe notwithſtanding.

The Inhabitants of Scotland, Ireland, Ierſey and Garneſey ſhall pay no Subſidies.

Prouided alwayes, that this grant of Subſidies, or any thing therein contained, in any wiſe extend not to charge the Inhabitants of Scotland, Ireland, Ierſey, and Garneſey, or any of them, of, for, or concerning any Manors, Lands, Tenements, or other poſſeſſions, goods, chattels, or other moueable ſubſtance, which the ſayd Inhabitants or dwellers, or any others to their vſe haue within Scotland, Ireland, Ierſey, and Garneſey, or in any of them, or of, for, or concerning any Fees or Wages, which any of the ſayd Inhabitants or dwellers haue of the Kings Maieſty for their attendance and doing ſeruice to our Soueraigne Lord the Kings Maieſty in Scotland, Ireland, Ierſey, and Garneſey, or any of them, any thing in this preſent Act to the contrary in any wiſe notwithſtanding.

Certaine priuiledged places diſcharged from Subſidies.

Prouided alſo, that all Letters Patents granted by the Kings Maieſty, or any of his noble Progenitors, to any Cities, Boroughs, or Townes within this Realme, of any manner of Liberties, Priuiledges, or Exemptions from the burthen & charge of any ſuch grants of Subſidies, which be at this preſent time in force and auaileable, ſhall remaine good and effectuall to the ſayd Cities, Boroughes, and Townes hereafter, according to the purports thereof, although the Inhabitants of the ſame, and alſo the ſayd Corporations, ſhall vpon the great and weighty conſiderations of the grant aforeſayd, be for this grant charged and contributary, in like maner, forme, and ſort, as other Cities, Boroughs, and Townes, which be not in any wiſe priuiledged, but by this Act charged.

Orphans and Infants diſcharged.

Prouided alwayes, and be it enacted by the authority aforeſayd, That no Orphan or Infant, within the age of one and twentie yeares, borne within any of the Kings Maieſties Dominions, ſhall be charged to any payment of theſe Subſidies, for his or their goods and chattels to him or her left or bequeathed: Any thing in this Act contained to the contrary notwithſtanding.

Prouided

The Reuenues of Colledges, &c. exempted from paying Subſidies.

Prouided alſo, that this Act nor any thing therein contained, ſhall extend to the lands or goods of any Colledge, Hall, or Hoſtell, within the Vniuerſities of Oxford and Cambridge, or any of them, or to the goods or lands of the College of Winton, founded by Biſhop Wickham, or to the goods or lands of the Colledge of Eaton next Windſor, or to the Lands, Tenements, or Reuenues onely aſſigned and appointed for the ſuſtentation and liuing of the poore Knights, founded in the Caſtle or Colledge of Windſor, by our late Soueraigne Lord, King Henry the eighth, or to any the goods or chattels of the ſame Knights, or any of them, or to the goods or lands of any common free Grammar-ſchoole within the Realme of England or Wales, or the goods of any Reader, Schoolemaſter, or Scholler, or any Graduate Reſiant, or remaining for ſtudie without fraud or couin within any the ſayd Vniuerſities and Colledges, or Townes of Oxford and Cambridge, or Suburbes of the ſame, or to any of them, or to any of their ſeruants attending dayly vpon any of them, nor to the goods of any Officer, Miniſter, Almeſ-men, or ſeruants belonging to any of the ſayd Vniuerſities, Colledges, Halles, or Hoſtels, and dwelling and reſiant within the ſayd Vniuerſities, or either of them, or within either of the ſayd Townes of Oxford and Cambridge, and the Suburbes of the ſame, without fraud or couin, or to the goods and lands of any Hoſpitall, Maſondieu, or Spittlehouſe, prepared and vſed for the ſuſtentation and reliefe of poore people: Any thing in this Act contained to the contrary in any wiſe notwithſtanding.

The fiue Ports exempted.

Prouided alſo, and be it further enacted, that the ſayd Grant of Subſidies, or any thing therein contained, doe not in any wiſe extend or bee preiudiciall or hurtfull to any of the inhabitants or reſiants, hauing dwelt for the moſt part of the yeare next before the taxing and aſſeſſing of the Subſidies aforeſayd, within the fiue Ports corporate, or to any their members incorporated, or vnited to the ſaid fiue Ports, or to any of the ſayd fiue Ports, but that ſuch the inhabitants or reſiants, as aforeſayd, in the ſayd fiue Ports corporate, and their members, be & ſhall be of and from the ſaid grant and paiment of euery of the ſayd Subſidies, and euery part thereof, and only during their reſiance as aforeſayd, and no longer, cleerely acquitted, and diſcharged: Any matter, or whatſoeuer thing in this preſent Act had or made to the contrary notwithſtanding.

Rumney Marſh.

Prouided alſo, that the ſayd grant of Subſidies, doe not in any wiſe extend to bee preiudiciall or hurtfull to the Engliſh inhabitants or Reſiants at this preſent time within the Liberties of Rumney Marſh, of, or for any part of the ſayd ſummes granted in this preſent Parliament, of the ſayd Engliſh inhabitants now there reſiants, or any of them to be taxed, ſet, aſſed, leuied, or paid, but that the Engliſh inhabitants and now reſiants of Rumney Marſh aforeſayd, and euery of them be, and ſhall be, of and from the grant and payment of the ſaid Subſidies, during their reſiance there, and no longer, acquitted and diſcharged: Any matter, and whatſoeuer thing in this preſent Act made to the contrary notwithſtanding.

A ſtranger borne offering to defraud the King, ſhalbe doubly charged.

Prouided neuertheleſſe, and bee it enacted by the authority aforeſayd, That if any Alien or Stranger borne, Denizen or not Denizen, and dwelling and inhabiting within this Realme of England, ſhall aſſigne and conuey ouer vnto any his or their childe or children borne within the ſayd Realme of England, any his or their Lands, Tenements, Goods or Chattels, to the intent thereby to defraud the ſayd Kings Maieſty of the ſayd Subſidies, of or for the ſame, that then all and euery ſuch child and children, ſo being ſeized of any ſuch Lands and Tenements, and poſſeſſed of any ſuch goods or chattels, ſhall be charged and chargeable to and with the payment of double the ſaid Subſidies for the ſame Lands, Tenements, Goods, and Chattels, at the ſayd rates and values, as Aliens and Strangers, Denizens, or not Denizens, are before limited and appointed to pay.

GOD SAVE THE KING.

Printed by M. Flesher, I. Haviland, and R. Young,
the aſsignes of *Iohn More* Eſquire, Anno 1632.

FINIS.

A Table of the generall Titles compriſed *in the enſuing Kalender.*

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A
KALENDER., OR TABLE, EXPRESſing in Titles the effect of the most materiall Branches of thoſe Statutes, which be generall, in force and vſe, and *relating to the Commentarie or Booke precedent, wherein they be at large ſet downe.*

Abilitie, Nonabilitie, Diſablement.

ings children.

THe Kings children enabled to inherite in England, whereſoeuer they be borne, 25.*Ed.*3. *Stat.* 2. 1.

ne beyond
Sea.

2 Children enabled to inherit in England, where their mothers paſſe the Sea by the licence of their husbands. 25. *Edw.* 3.

3 Children borne beyond the Sea within the Kings Dominions enabled to inherit in England. 42. *Ed.* 3. 10.

Velch-men.

4 Welch-men enabled to inherit in England. 27.*H.*8. 26.

igious per-

5 Religious perſons profeſſed. 31.*H.* 8. *6.* And ſuch as were tranſlated from one corporation to another. 33. *H.* 8. 29. And the Prior and Confreers of the Hoſpitall of Saint *Iohn* of Hieruſalem in England and Ireland. 32.*H.*8. 24. enabled to inherit, purchaſe, ſue, and to be ſued.

ligious per-

6 No religious perſon ſhall bee enabled to inherite as heire to any perſon by any former right, before his deraignement. 31.*H.*8.6. 5.*Ed.*6.13.

leſiaſticall
ſon.

7 The examination of the abilitie of a Parſon preſented to a benefice, doth pertaine to an Eccleſiaſticall iudge. *Articuli cleri* 13.

ablement by
uption.

8 Diſablement of him to continue or enioy his place, that takes a reward for his voice in electing a fellow, ſcholler, &c. And of him that giueth money to another to reſigne his place. And of him that is preſented or collated or admitted to a benefice with cure for reward: And of him that giueth reward for being made Miniſter, or obtaining licence to preach. 31. *El.* 6.

ablement by
eptance of a
efice.

9 If any Parſon hauing a benefice with cure of ſoule of the yearely value of viij. pounds of or aboue doth accept another with cure of ſoule, he ſhall be diſabled of the firſt. 21. *H.*8.13.

1 *Abbies.* See *Monaſteries,* &c.

Abbridgement of Plaints.

1 THe plaintiffe in Aſſiſe may abbridge his plaint. 21. *H.* 8. 13.

Abiuration, Sanctuarie.

ecuſant.

1 THe penaltie of a Recuſant that commeth not to the Church, who refuſeth to abiure the Realme being lawfully commanded, or that returned without the Kings licence. 35. *El.* 1. & 2.

biuration ex-
ed,

2 So much of all Statutes as concerne the abiured perſons and Sanctuaries, or ordering or gouerning of perſons abiured, or in Sanctuarie, made before the 35. yeare of the late Queene *Elizabeths* reigne, ſhall ſtand repealed and be void. 1. *Iac.* 25.

ctuaries ex-
ed.

3 All Sanctuaries are taken away. 21. *Iac.* 28.

Actions popular, Informations.

ion ſued by
luſion.

1 IN an Action popular ſued by colluſion, he that ſueth after with good faith, may auerre the couin, and recouer. 4.*H.*7.20.

time of the

2 Within what time an Action popular ſhall bee ſued, after the offence committed. 31. *Eliz.* 5. Informers reſtrained by order of Court. 31. *El.* 5.

e Countie
ed,

3 The Countie ſhall be alledged, where by the information the offence is ſuppoſed to be committed. But there be certaine offences whereupon information may bee giuen in any Countie. 18. *El.* 5.

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4 Certaine offences puniſhable at the Aſſiſes, Quarter Seſſions, and Leet onely. 31. *El.* 5.

The dutie of the Informer.

5 Euery Informer ſhall exhibite his ſuit in proper perſon, and by information or originall action, and ſhall haue no deputie. And ſhall not compound with the defendant, but by conſent of the Court. 18. *El.* 5.

Name of the Information.

6 A Note ſhall be made of the day, moneth, and yeare of the exhibiting of the information. 18. *El.* 5.

7 In what manner the Proces vpon an information ſhall be endorced. 18. *El.* 5.

The Informers puniſhment.

8 What coſts and dammages an Informer ſhall pay, and what other puniſhment hee offending ſhall ſuſtaine. 18. *El.* 5.

Where Informations ſhall bee ſued.

9 Informations vpon penall Statutes ſhall be proſecuted in the Counties where the offences were commited. 21. *Iac.* 4.

The defendant not guilty.

10 Vpon default of prouing that the offence was committed in the ſame countie, the defendant ſhall be found not guilty. 21. *Iac.* 4.

The Informers oath.

11 The Informer ſhall make oath, that the offence was committed in the ſame countie, where the ſuit is commenced. 21. *Iac.* 4.

Generall Iſſue.

12 The defendant in an Information vpon a penall Statute may pleade the generall Iſſue. 21. *Iac.* 4.

Action vpon the Caſe.

For want of remedie.

1 WHere any partie grieued hath no remedie by the common Law, he may ſue an Action vpon his caſe. 13. *Ed.* 1. 50.

Proces.

2 Like Proces ſhall be awarded in Actions vpon the caſe, as in Actions of Treſpaſſe, or Debt. 19. *H.* 7. 9.

Admirals Court.

3 An Action vpon the caſe ſhall be maintained againſt him that doth ſue in the Admirals Court. 2. *H.* 4. 11.

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1 THe forme of Obligations and Specialties made to the King. 33. *H.* 8. 39.

The force of the Kings Bonds.

2 An Obligation made to the King, is in the nature of a Statute Staple. 33. *H.* 8. 39.

Who ſhall haue the Kings debts.

3 Who ſhall haue the Kings debts after his death. 33. *H.* 8. 39.

The King ſhall haue coſts.

4 In all ſuits to be taken by the King vpon any Specialtie, he ſhall recouer coſts, &c. 33. *H.* 8. 39.

Declaration for the Kings debts.

5 The forme of the declaration where any debt is due to the King by Attainder, Forfeiture, Vtlarie, or Gift. 33. *H.* 8. 39.

The Kings preferment in ſuit and Payment.

6 The Kings ſuites ſhall be preferred, and his debt firſt paid. 33. *H.* 8. 39. *Magna Charta* 38.

Entayled lands.

7 Lands entayled ſhall be chargeable to the payment of the Kings debts. But the King may recouer his debt againſt the executors of his debtor. 33. *H.* 8. 39.

Specialties to the King.

8 Specialties made to the King without this word, *Heire.* 33. *H.* 8. 19.

The Kings debtor diſcharged.

9 Vpon ſufficient matter proued, the Court may diſcharge the Kings ſuppoſed debt. 33. *H.* 8. 39.

The Kings debts leuied of ſeuerall perſons.

10 How the Kings debt ſhall be leuied, when his debtors lands ſhall come to ſeuerall hands. 33. *H.* 8. 39.

Officers bound with ſureties.

11 Certaine officers accomptant to the King, ſhall be bound with ſureties for their true accompt and payment. 7. *Ed.* 6. 1.

Receiuers precepts.

12 Receiuers precepts to the K. Officers accomptant to pay ſuch money as ſhall bee due to the K. at Eaſter. 7. *Ed.*6. 1.

Auditors precepts.

13 Auditors precepts to accomptants to pay money due to the K. at Michaelmas. 7. *Ed.* 6. 1.

Concealement of duties.

14 The forfeiture of any officer accomptant of the K. ſhall conceale any dutie. 7. *Ed.* 6. 1.

Diſtreſſe for the K. rent.

15 The K. Collector and Bayliffe may diſtraine for any rent due. 7. *Ed.* 6. 1.

Accompt of Receiuers.

16 When the receiuers of the K. lands ſhall enter into accompt, and when make payment. 7. *Ed.* 6. 1.

Accomptants ſhall make payment.

17 Certaine of the K accomptants ſhal vpon notice declare what money they haue, and vpon commandement make payment of the ſame: and at what time they ſhall make their accompt. 7. *Ed.* 6. 1.

An Auditor omitting his duty.

18 The forfeiture of an Auditor which delayeth or refuſeth to take the accompts of any that hee ought to doe. 7. *Ed.*6. 1.

The copie of the Accompt.

19 An Auditor ſhall deliuer to an Accomptant a copie of his accompt. 7. *Ed.* 6. 1.

Accomptants exempt.

20 Certaine Accomptants to the K. which ſhall not be charged by the Statute of 7. *Ed.* 6. 1.

A Collectors forfeiture.

21 The forfeiture of a high Collector of any fifteene, ſubſidie, or other taxe or loane that doth not pay the money by him receiued to the K. vſe, to ſuch perſon, and at ſuch time as hee ſhall be appointed. 34. *H.* 8. 2.

The charge of Collectors.

22 How farre the foreſaid Collectors heire, and how his executors ſhall be charged. 34. *H.* 8. 2.

The heires remedie.

23 The heire being charged ſhall haue remedie againſt his fathers executors. 34. *H.* 8. 2.

Which Collectors not chargeable.

24 To which Collectors the Stat. of 34. *H.* 8. 2. doth not extend.

Accomptants lands liable.

25 Certaine Accomptants to the K. whoſe lands be liable to him for the payment of their debts. 13. *Elizab.* 4.

Sale of the Accomptants lands.

26 In which caſes the K. may ſell his Accomptants lands, and againſt whom the ſame ſale ſhall be good. 13. *Eliz.* 4.

Lands purchaſed in other mens names.

27 How the K. may vſe the lands of his Accomptant indebted, which he hath purchaſed in the names of other perſons. 13. *El.* 4.

Sureties diſcharged.

28 If the K. doe ſell his Accomptants lands, his ſureties ſhall be diſcharged of ſo much as ſhall bee leuied of them. 13. *El.* 4.

Accomptants not chargeable.

29 To which Accomptants the Stat. 13. *El.* 4. doth not extend.

A remedie by trauerſe.

30 The partie grieued by any office found (and intituling the K. by fraudulent aſſurance) may haue his trauerſe to the ſame.

Vnder Collectors of Tenths, &c.

31 The Stat of 13. *El.* 4. ſhall extend to vnder Collectors of tenths and ſubſidies of the Clergie, to make their lands, goods, &c. liable for ſatisfying of ſuch money as they haue collected. 14. *El.* 7.

Vnder Collectors accompt.

32 Euery ſuch vnder Collector ſhall accompt in the Eſchequer for his reſceit, as other receiuers doe. 14. *Elizab.* 7.

Sale of Accomptants lands after his death.

33 The foreſaid Stat. of 13. *El.* 4. made to extend to the ſale of the Accomptants lands within eight yeares after his death. But firſt proces muſt be awarded againſt the Accomptants heire. 27. *El.* 3.

Who may buy Accomptants lands.

34 The ſale of an Accomptants land good to him which is not conſenting to the fraud. 27. *El.* 3.

To which accompt the St. of 27. El. extendeth.

35 To which Accomptants only the Stat. 27. *El.* 3. doth extend.

No ſale during the minoritie.

36 There ſhall bee no ſale of the land of the Accomptants heire during his minoritie. But it may bee made within eight yeares after. 27. *El.* 3.

No ſale where is a Quietus eſt.

37 No ſale of the heires land where the Accomptant had a *Quietus eſt.* 27. *El.* 3.

Accomptants for diſmes.

38 Accomptants for diſmes ſhall not be chargeable in the Eſchequer for other ſuites. 1. *R.* 3. 14.

Wrongfull confeſſion of a debt to the King.

39 What ſhall be done with him that doth confeſſe a debt to the K. where hee is no debter, to auoid others execution. 1. *R.* 2. 12.

Where the ſureties is not chargeable.

40 Sureties ſhall not be charged to pay to the King his debt, ſo long as the principall debtor is ſufficient. 9. *Hen.* 3. 8.

Diſtreſſes for the K. ſhall be reaſonable.

41 Too great a diſtreſſe ſhall not bee taken for the Kings debt, nor driuen too farre. 28. *Ed.* 1. 12.

Sureties ſhall be taken of the Debtor.

42 The Sheriffe hauing proces to leuie the Kings debt muſt take ſuretie of the partie to anſwer it at a day. 28. *Ed.* 1. 12.

The K. debt being paid, the debtor ſhall b discharged.

43 The Sheriffe hauing leuied the Kings debt ſhall diſcharge the debtor. 51. *H.* 3.

Commiſsions to enquire of Accomptants.

44 Commiſſions ſhall be awarded into counties to enquire of the receits and payments of ſeuerall officers of the king accomptable in the ſame counties. 6. *Hen.* 4. 3.

Aſsignement of debts to the K.

45 What debts onely may bee aſſigned to the king. 7. *Iac.* 15.

Accompt and Accomptants.

Proces againſt Accomptants.

1 WHat proces ſhall be awarded againſt Accomptants withdrawing themſelues. 51. *H.* 3. 24.

Accomptants impriſoned.

2 In what caſes Auditors may commit Accomptants to priſon. 13. *Ed.* 1. 11.

Accomptants releeued.

3 By what meanes an Accomptant ſhall be releeued, if hee be wrongfully charged. 13. *Ed.* 1. 11.

Accomptants eſcaping.

4 An Action of debt maintenable againſt a Sheriffe or Gaoler that letteth an Accomptant eſcape which is committed to his guard. 13. *Ed.* 1. 11.

A writ of Accompt for execu tors.

5 Executors ſhall haue a writ of Accompt. 13. *Edw.* 1. 23.

The def. plea i Accompt.

6 In debt vpon the arrerages of Accompt the defendant may wage his law, or plead to an enqueſt. 5. *Hen.* 4. 8.

Accomptants fo repaire of High wayes.

7 In what caſes Bayliffes, Conſtables, Church-wardens, and others who haue charge of the repaire of High-wayes ſhall accompt, and to whom. 2. & 3. *P.* & *M.* 8. 5. *El.* 13. 29. *El.* 5.

Ouerſeers of th Accompts for th poore.

8 To whom the Ouerſeers of the poore ſhall make their Accompt, and the penaltie if they doe not. 43. *Eliz.* 2.

Collectors of bridges, &c. Ac compts.

9 Collectors and Surueiors for the repaire of bridges ſhall accompt. 22. *H.* 8. 5.

Accuſation, Petition, Suggeſtion.

Falſe Accuſatio

1 THe penaltie of thoſe that make falſe accuſations, Petitions, or Suggeſtions to the King himſelfe, or by Subpena in the Chancerie of others. 5. *Ed.* 3. 9. 25. *Ed.* 3. 4. 37. *Ed.* 3. 18. 38. *Ed.* 3. 9. 42. *Ed.* 3. 3. 17 *R.* 2. 6. 15. *Hen.* 6. 5.

Additions.

additions wher an exegent.

1 ADditions ſhall be put in actions perſonals, appeales, and Indictments, where an Exigent ſhall be awarded. 1. *Hen.* 5. 5.

Addition in Ex communicato capiendo.

2 An offendor in a writ of *Excommunicato capiendo* ſhall haue a ſufficient Addition. 5. *El.* 23.

Adiornement.

Adiornement o ſuits.

1 THe Iuſtices of the common Bench vpon the remouing of the ſame Bench ſhall adiorne the parties to any ſuit. 2. *Ed.* 3. 11.

Adiornement ſhall not hinder ſuites.

2 Fines ſhall be effectuall though proclamations bee not made by reaſon of Adiornment of any Terme. 1. *Mar.* 1.

Adiornement Iuſt. of Aſsiſe, &

3 In what caſes the Iuſtices of *Niſi prius* may adiorne Aſſiſes, or other iſſues. 13. *Ed.* 1. 30. 4. *Ed.* 3. 11.

Admeaſurement of Dower and Paſture.

Who may hau writ of Admea ſurement.

1 THe guardian may haue a writ of Admeaſurement of Dower, and ſo may the heire. 13. *Ed.* 1. 7.

Secunda super neratio paſtur

2 In what caſe he that is grieued by ſecond ouercharge of paſture ſhall haue a writ of *Secunda ſuperoneratione paſturæ*, and out of what court. 13. *Ed.* 1. 8.

Enrolment of writs of Secun ſuper, &c.

3 All the writs of *Secunda ſuperoneratione paſturæ*, and Rediſſeiſin, ſhall bee inrolled in the Chancerie, and the tranſcript of them ſent into the Eſchequer. 13. *Edw.* 1. 8.

Adminiſtrators.

Granting of A miniſtration.

1 THe Ordinarie hath authoritie to depute Adminiſtrators of the goods of an inteſtate, and what their benefit and charge ſhall be. 31. *Ed.* 3. 11.

ing of the miniſtrator.

2 To whom an Ordinarie ſhall commit the adminiſtration of the goods of an inteſtate. 21. *H*. 8.5.

s for Adminiſtion.

3 How much an Ordinarie ſhall take for granting of an Adminiſtration. 21.*H*.8.5.

Ordinaries ge as Adminiator.

4 How farre the Ordinarie ſhall be charged, who hath goods of an inteſtate in his hands. 13. *Ed*. 1. 19.

dulent Adiſtration.

5 How farre hee ſhall be charged, who getteth a fraudulent adminiſtration of an inteſtates goods. 43.*El*.8.

miniſtrators edie for rent.

6 Certaine caſes wherein Adminiſtrators may haue an Action of Debt for rent due to the inteſtate. 32. *Henr*. 8.37.

Admirall and Admiraltie.

Admirals horitie.

1 WIth what things onely the Admirall and his Deputie ſhall meddle. 13.*R*.25.

Admirall ling where ought not.

2 The forfeiture of the Admirall, or his Deputie, if hee meddle where he ought not. 2.*H*.4.11.

Admirals iuiction.

3 Of what things the Admirall hath Cogniſance, and how farre his iuriſdiction extendeth. 15.*R*.2.3.

ſeruator of

4 A Conſeruator of the Truce hath like power to the Admirall; ſauing in certaine caſes. 2.*H*. 5.6.

Ad quod damnum.

what caſe Ad d damnum lye.

1 IN what caſes, and for what cauſes, a Writ of *Ad quod damnum* is to be purchaſed. 27.*Ed*. 1. *De Libertatibus perquirendis.*

ances to cerr vſes, with Ad quod num.

2 Lands may be giuen to the maintenance of Houſes of Correction, or of poore mens Stockes, without an *Ad quod damnum*. 18.*El*.13. 35.*El*.7.

Age and Nonage.

what caſe age ſhall neihelpe nor

1 NOnage ſhall not helpe the heire of the Diſſeiſor, nor delay the heire of the Diſſeiſie. 3.*Ed*.1.46.

ing of Ensts.

2 The nonage of the Demandant ſhall not ſtay an Enqueſt. 6.*Ed*. 1. 2.

ge ſuffered procheine ye.

3 In what caſes the next friends of them which bee within age, ſhall be admitted to ſue for them. 3.*Ed*.1.47. 13.*Ed*.1.15.

delay by the Nonage.

4 A womans ſuit, or her heires, ſhall not be deferred by the nonage of an heire, who ought to warrant the land. 13.*Ed*.1.40.

Apprentice in age.

5 An Apprentice bound within age, ſhall ſerue as if hee were of full age. 5.*El*.4.

medie for which by of. is wronged in age.

6 The remedie where an heire is by an Office found for the King to be within age, whereas in truth hee is of full age. 2.*Ed*.6.8.

Aide to make the ſonne Knight, and to marrie the [illegible]*ghter.*

Lords dutie his freehold nts.

1 WHat ſhall be taken by the Lord of his Tenant, to make his ſonne Knight, or to marrie his daughter, and when that ſhall be paid. 3.*Ed*.1.35.

Kings Aide.

2 The King ſhall haue the like aide to make his eldeſt ſonne Knight, or to marrie his daughter. 25.*Ed*.3.11.

Aide of the King.

what caſe Aide grantable.

1 IN what caſe Aide ſhall be granted of the King, in what not. 4.*Ed*.1.1.2.3. *Stat. de Bigamis*. 1.*H*.4.8.

Writs of rch.

2 There ſhall be but foure Writs of ſearch for the King when lands in the Kings hands be demanded by Petition. 14.*Ed*. 3.14.

o Writs of rch vpon a rsers.

3 Vpon a Trauerſe to an Office, there ſhall be but two Writs of ſearch granted. 2. *Ed*.6.8.

here no Aide the Kings tentee,

4 Where in an Aſſiſe brought againſt the Kings Patentee, he ſhall not haue aide of the King. 1.*H*.4.8.

Aide and Aide-prayer.

1 THe plaintiffe and defendant in a Repleuin or ſecond Deliuerance, may haue aide. 21.*H*. 8. 19.

2 Iointenants and Tenants in Common, after partition, ſhall haue aide one of the other. 31.*H*. 8. 1.

Alehouſes.

ſcharging of houſes.

1 IVſtices of Peace may diſcharge common Alehouſes where they thinke meete. 11.*H*.7.2. 5.&6.*Ed*.6.25.

Who ſhall keepe Alehouſes.

2 Who onely ſhall be admitted to keepe any common Alehouſe, and what bond and ſuretie ſhall be taken of them. 5.&6.*Ed*.6.25.

Keeping Alehouſe without licence.

3 The penaltie for keeping of an Alehouſe without licence. 5.&6.*Ed*.6.25. 3.*Car*.3.

An Alehouſe keeper not obſeruing good order.

4 The penaltie of an Alehouſe keeper, permitting any to continue drinking in his houſe, certaine perſons except. 1.*Iac*.9. 21.*Iac*.7. 1.*Car*.4.

The price of Ale and Beere.

5 The prices of a quart of Ale and Beere, and the penaltie of him that doth ſell dearer. 1. *Iac*.9.

Officers neglecting their dutie.

6 The penaltie of Conſtables or Church-wardens neglecting their dutie in leuying of the penalties forfeited. 1.*Iac*. 9. or in puniſhing the offendor. 3.*Car*.3.

Selling Beere, &c. to an Alehouſe keeper, hauing no licence.

7 The forfeiture of him that ſelleth Beere or Ale to an Alehouſe keeper, not hauing licence. 4.*Iac*.4.

Penaltie for Offences.

8 The penaltie for Offences committed againſt the Statutes of 1.*Iac*.9. 4.*Iac*.4. 7.*Iac*. 10. 21.*Iac*.7.

Vintners.

9 Vintners are taken to be within this and the *Stat*. of 1.*Iac*.9.&4.*Iac*.5. 1.*Car*.4.

Alienation.

Licences.

1 LIcences of Alienation ſhall be generall. 1.*Car*.3.

Without licence.

2 Alienation without the Kings licence. S.*Prerogatiue*. 7.

Lands holden of the K.

3 Fines for alienation of Lands holden of the King. S.*Willes*, &c. 9. 19.

Pleading.

4 The officers fee for pleading a licence or pardon of Alienation. 1.*Car*. 3.

Aliens, Strangers, and Denizens.

Aliens ſhall make no Cloth.

1 NO Alien ſhall make any Cloth, or put Wooll to make Cloth. Nor ſhall ſell any Wares, but onely in groſſe, and not by retaile. 1.*R*. 3. 9.

Denizens duties.

2 Denizens ſhall pay ſuch duties as they did before. 22.*H*. 8. 8.

Aliens vnder ſearch.

3 All Aliens within London, and two miles compaſſe thereof, ſhall be vnder the ſearch and reformation of the Wardens and Fellowſhip of the Handycrafts that they doe occupie. 14.*H*. 8. 2.

Aliens ſhall haue Markes.

4 Euery Alien ſhall haue a Marke to ſet vpon his ware. 14.*H*. 8. 2.

The worke of Aliens ſearched.

5 Aliens workes ſhall be ſearched by the Wardens of the Myſterie, and ſuch as be deceitfull, ſhall be forfeited, 14.*H*.8.2.

Making of ſearch.

6 The penaltie of an Alien Artificer, refuſing to goe with the Wardens to make ſearch. 21.*H*.8.16.

A remedie for abuſes.

7 The remedie if Aliens be wrongfully intreated. 14. *Hen*. 8. 2.

Contribution to Taxes, &c.

8 Aliens made Denizens, ſhal be contributarie to Subſidies, Taxes, &c. 21.*H*. 8. 16.

Obedience to the K. and Lawes.

9 An Alien Artificer being a houſeholder, ſhall take an Oath of obedience to the King and his Lawes. 21.*H*.8. 16.

Keeping of a houſe or ſhop.

10 No Alien Artificer not being denizen, ſhall keepe any houſe, ſhop, or chamber. 1.*R*. 3. 9. 21.*H*. 8. 16.

No Aſſemblies.

11 Aliens ſhall not aſſemble in any companie, but in the common Halls of their Crafts. 2.*R*.3.2. 21. *Henr*. 8.16.

Aliens in protection.

12 All Aliens Victuallers ſhall be in the Kings protection. 6.*R*.2.10.

Diſturbance of an Alien.

13 The forfeiture of him that diſturbeth an Alien to ſell his victual. 14.*H*.6.6.

A Handicrafts-man.

14 No Alien, being a common Baker, Brewer, Surgeon, or Scriuener, ſhall be interpreted a Handycrafts-man. 22.*H*. 8. 13.

Leaſes of houſes.

15 All Leaſes of any dwelling houſe or ſhop, made to any Alien, not being denizen, ſhall be void. 32.*Hen*. 8. 16.

Denizens ſhall be obedient to the Lawes.

16 All Aliens ſhall be bound vnto the Lawes and Statutes of this Realme, and to that effect, a Prouiſo ſhall bee in euery Letters Patents granted for the making of a denizen. 32. *Hen*. 1. 16. 1. *Rich*. 3. 9. 14. *Hen*. 8. 2. 21. 8. *Hen*. 16.

Triall per medietatem linguæ.

17 In what caſe an Enqueſt ſhall be *De medietate linguæ*, where an Alien is partie, and in what not. 27.*Ed*.3.8. 28.*Ed*.3.13. 2.*H*.5.3. 8.*H*.6.29. 22.*H*.8.10. 1.&2. *Ph.&Ma*.4. 5.*El*.20.

Pewterers.

18 No Alien ſhall worke any Veſſell made of Tinne or Pewter. 25. H. 8. 9.

None ſhall be beneficed.

19 No Alien ſhall take a Benefice, nor any ſhall occupie it to his vſe, without the Kings licence. 3. R. 2. 3. 7. R. 2. 12.

Buying of Wooll.

20 At what time of the yeare onely an alien may buy Wooll. [illegible]

Forcing, &c. of Wools.

21 No alien ſhall force, clacke, or beard Wooll. 8. H. 6. 22.

Herrings.

22 What ſort of Herrings may be bought of aliens, what not. 5. El. 5.

Cuſtome for Fiſh.

23 What Cuſtomes aliens ſhall pay for ſalted Fiſh and Herrings brought into this Realme. 39. Ed. 10.

Vſing their money.

24 Aliens ſhall imploy their money here receiued, vpon the commodities of this Realme. 4. H. 4. 15. 17. Ed. 4. 1. 3. H. 7. 8.

Tranſporting of money.

25 Aliens ſhall finde ſuretie in the Chancerie, that none ſhall carrie Gold or Siluer out of the Realme. 2. H. 6. 6.

They ſhall haue no gold, &c.

26 No Gold, in Coyne, Plate, or Bullion, ſhall be deliuered to an alien. 4. H. 7. 23.

Working of Worſteds, Sayes, &c.

27 No alien ſhall weaue or make any Worſteds, Sayes, or Stamynes, in Linne, or great Yarmouth. 14. Hen. 8. 3.

Shooting.

28 No aliens ſhall vſe ſhooting, or conuey any Bowes or Arrowes out of the Realme. 33. H. 8. 9.

Safecondite.

29 A remedie for an alien hauing a Safecondite, that is robbed vpon the Sea. 31. H. 6. 4.

An Alien inheritable.

30 In what caſe one that is borne an alien, may bee inheritable in England. 25. Ed. 3. *Stat. de natis vltra mare.* 42. Ed. 3. 10.

Bankrupts.

31 Aliens and Denizens ſhall take aduantage of all Lawes made againſt Bankrupts. 21. Iac. 19.

Amerciaments and Fines.

Amerciaments of all perſons.

1 IN what ſort Cities, Boroughes, Townes, and particular perſons ſhall be amerced, and by whom. 9. H. 3. 14. 3. Ed. 1. 6.

Earles, Barons, &c.

2 Amerciaments of Earles, Barons, and ſpirituall perſons. 9. H. 3. 14.

Common ſummons.

3 Who haue authoritie to amerce for default of common Summons. 52. H. 3. 18.

Towneſhips.

4 Cauſes to amerce Towneſhips for not appearing vpon Inquiſitions. 52. H. 3. 24.

Common approued.

5 He that doth approue Common, and doth not leaue ſufficient paſture, egreſſe and regreſſe to the Commoners, ſhall be amerced. 20. H. 3. 4. 13. Ed. 1. 46.

Arreſting without warrant.

6 Hee ſhall be amerced, that arreſteth any perſon within his Libertie, that holdeth not of him. 3. Ed. 1. 34.

Amerciament for a wrongfull ſuite.

7 If an Aſſiſe, or &c. be brought againſt the Lord of ancient demeſne, or the maior, &c. of a franchiſe of Lands within the ſame, where they be neither Diſſeiſors, or Tenants, the plaintiffe ſhall be amerced. 9. H. 4. 5.

Wrongfull diſtreſſe.

8 A chiefe Lord ſhall be amerced, for diſtraining his tenant for a ſeruice not due. 52. H. 3. 3.

Deforcing of a Dower.

9 Hee that ſo deforceth a Widow of her Dower, that ſhee cannot haue it without ſuite ſhall bee amerced. 20. Hen. 3. 1.

Wronging a widow of her dower.

10 An heire ſhall be amerced, that doth vnlawfully endeuour to auoid a Widow of her Dower. 13. Ed. 1. 4.

Returne of writs.

11 Amerciaments for inſufficient returne of Writs, or execution of them, made by Stewards or Bayliffes of Liberties, ſhall be ſet vpon their heads, and not vpon the Sheriffes. 27. H. 8. 24.

Concealement of offences.

12 Amerciament of an Enqueſt for concealement of Offences, whereof complaint ſhall bee made vnto them. 3. H. 7. 1.

Murderer eſcaping.

13 Amerciament of a Towneſhip, for ſuffering a Murderer to eſcape in the day. 3. H. 7. 1.

Summoned to the Parliament.

14 Amerciament of a man ſummoned to come to the Parliament, that doth abſent himſelfe. 5. R. 2. 4.

Not returning of writs.

15 Amerciament of a Sheriffe, for miſreturning or not returning of a Writ, directed to him out of the Kings Court. 7. Ed. 6. 1.

Rediſſeiſon.

16 For what offence the plaintiffe in a Writ of Rediſſeiſon ſhall be amerced. 20. H. 3. 3.

Delaying of ſuit.

17 The amerciament of the defendant, who endeuoureth by colluſion to delay the ſuite of the demandant. 20. Ed. 1. *de defenſione iuris.*

Not obſeruing of Aſſiſe.

18 Bakers and Brewers ſhall be amerced, for not obſeruing the Aſſiſe of Bread and Ale. 51. H. 3. *Stat. Panis & Seruitie.*

Vnlawfull meaſures.

19 Hee that buyeth or ſelleth by Meaſures not ſigned and tried by the Maior, &c. ſhall bee amerced. 51. Hen. 3.

A wrongfull ſuite.

20 If the Sheriffe be named a diſſeiſor in an Aſſiſe that he ſhall not ſerue the Writ, the plaintiffe ſhall be amerced. 11. H. 6. 2.

Default for defeating of liberties.

21 If the default bee made by a defendant, to put the Lord of ancient demeſne, or a Maior, Bayliffe, &c. from their Franchiſe or Iuriſdiction, the defendant ſhall bee amerced. 8. H. 6. 26.

Too great a diſtreſſe.

22 Hee that taketh too great and vnreaſonable a Diſtreſſe, ſhall be grieuouſly amerced. 52. H. 3. 4.

Ambidexter. S. Iurors 7.

Apparance.

Falſe entrie.

1 THe penaltie of an Officer, who maketh a falſe entrie, that the plaintiffe doth appeare in perſon, where he doth not. 10. H. 6. 4. 18. H. 6. 9.

Appeales and Prouocations.

From the Archdeacon.

1 APpeales may be made from the Archdeacon or his Officiall, to the Biſhop Dioceſan of the ſame See. 24. H. 8. 12. 1. El. 1.

From the Biſhop.

2 Appeales from the Biſhop or his Commiſſarie to the Archbiſhop of that Prouince. 24. H. 8. 12.

To the Arches.

3 Appeales from the Archdeacon of an Archbiſhop or his Commiſſarie, to the Arches or Audience of the ſame Archbiſhop. 24. H. 8. 12.

No appeale out of the Realme.

4 All Cauſes commenced before an Archbiſhop, ſhall be definitiuely determined there, without any further Appeale out of the Realme. 24. H. 8. 12.

Into the Chancerie.

5 In what caſes an Appeale may bee from the Archbiſhops Court into the Chancerie. 25. Hen. 8. 19. 1. Elizab. 1.

Touching the King.

6 Appeales touching the King, ſhall be to the Lords of the Vpper-houſe, aſſembled in the Conuocation. 24. Hen. 8. 12.

Penaltie in the offender.

7 The penaltie of any perſon that doth appeale contrarie to the ſaid Stat. of 24. H. 8. & 25. H. 8.

Appealing to Rome.

8 The penaltie if any perſon doe ſue any Appeale to Rome, or doe execute any ſuch. 25. Hen. 8. 19. 13. Elizab. 2.

In ciuile and marine cauſes.

9 Appeales in ciuile or Marine cauſes. 8. El. 5.

Coſts awarded vpon Appeale.

10 An Eccleſiaſticall Iudge ſhall award coſts to the other partie, vpon appeale made in any ſuite for ſubtraction of Tythes or Offerings. 32. H. 8. 7.

Appeales of Felonie.

Where trials ſhall be of Appeales.

1 IN what places Appeales ſhall be tryed and determined of things committed within the Realme, and before whom, of things committed out of the Realme. 1. H. 4. 14.

Appeale of murder.

2 The forme of a Declaration in an Appeale of Murder. 6. Ed. 1. 9.

Within what time an appeale ſhall be commenced.

3 It is ſufficient freſh ſuite, when one doth ſue an Appeale within the yeare and day after the deed. 6. Edw. 1. 9.

Appeale of an Acceſſarie.

4 None ſhall bee outlawed vpon an Appeale as acceſſarie, vntill the principall bee attainted. 3. Edw. 1. 14.

A womans Appeale.

5 A woman ſhall ſue no Appeale for the death of any, but of her husband. 9. H. 3. 34.

Puniſhment of the Abettors.

6 If the Appellee be acquited, the appellant and abettors ſhall be puniſhed. 13. Ed. 1. 12. 8. H. 6. 10.

Appeale of murder.

7 Within what time, and before whom, an Appeale of Murder ſhall be commenced. 3. H. 7. 1.

Of murder in another Countie.

8 An Appeale of Murder may be commenced in one Countie of the death of any other perſon ſtricken or poyſoned in another Countie. 2. Ed. 6. 24.

Appeale againſt one arraigned.

9 In what caſe an Appeale of Murder may bee commenced againſt him that is arraigned at the Kings ſuite. 3. H. 7. 1.

Appeale of Maihem.

10 How the defendant in an Appeale of Maihem ſhall be vſed. 3. *Ed.* 1. *Officium Coronatoris.*

Proces in a for-reine Countie.

11 What proces ſhall be awarded vpon an Appeale or Indictment of any perſon dwelling in a forreine Countie. 8. *H.* 6. 10.

Addition.

12 In an Appeale, additions ſhall be made of the Appellees degree, myſterie, and of the Countie, Towne, or place where he dwelleth. 1. *H.* 5. 5.

No amendment in Appeale.

13 The Iudges ſhall not amend errors in Appeales or Indictments of Treaſon or Felonie, and the outlawries of the ſame. 8. *H.* 6. 12.

Approuer.

14 He that is appealed by an Approuer, ſhall be taken and committed to the Priſon where the Approuer is. 28. *Ed.* 1. *De appellatis.*

igne.

15 In an Appeale of the death of a man, no Eſſoigne ſhall lie for the appellant. 13. *Ed.* 1. 12.

ape.

16 Vpon an Appeale of Rape, the defendant ſhall be attached by Pledges. *Officium Coronatoris.*

roper perſon.

17 An Appeale muſt be commenced by the appellant in proper perſon, and may be after proſecuted by Attourney. 3. *H.* 7. 1.

efore whom.

18 Before what perſon Appeales may bee commenced. 3. *H.* 7. 1.

Approuers. S. Appeales 14.

A felon an Approuer.

1 IT is felonie for a Gaoler *to* cauſe a Felon to become an Approuer. 14. *Ed.* 3. 10.

Appropriation.

prouiſion for e Vicar, and poore.

1 VPpon the appropriation of any Pariſh Church, a conuenient prouiſion ſhall be made for a Vicar, and the poore. 15. *R.* 2. 6. 4. *H.* 4. 12.

Approuements, Incloſures.

pprouements of rds againſt eir Tenants.

1 THe Lords of Waſtes, Woods, and Paſtures, may approue of the ſame, leauing their Tenants ſufficient paſture, and free ingreſſe and regreſſe. 20. *Hen.* 3. 4.

pprouement ainſt their ighbours.

2 The Lords of Waſtes, Woods, and Paſtures, may approue of the ſame, leauing their neighbours ſufficient paſture, egreſſe and regreſſe. 13. *Ed.* 1. 46.

hat may be proued.

3 What things, and for what cauſes, a Lord may approue. 13. *Ed.* 1. 46.

mmages vpon proucment.

4 Hee that bringeth an Aſsiſe vpon any branch of the aforeſaid Statutes, ſhall recouer treble dammages. 3. *Ed.* 6. 3.

wfull approue- t ſhall be ntained.

5 Who ſhall repaire a Hedge or Ditch of Ground, throwne downe, which by either of the foreſaid Statutes is allowed to be approued. 13. *Ed.* 1. 46.

es excepted of the foreſaid tutes.

6 To what Houſes or Grounds the foreſaid Statutes of 20. *Hen.* 3. and 13. *Edw.* 1. ſhall not extend. 3. *Ed.* 6. 3.

unds drayned approued.

7 Certaine Waſtes and Marſh Grounds in ſeuerall Counties may be drayned and approued, by the agreement and conſent of the Lords, owners and vndertakers. 43. *Eliz.* 11. 4. *Iac.* 8. 13.

1. *Apprentices S. Labourers.*

Archerie.

oting in Long wes.

1 EVery man of the Kings Subiects (certaine perſons except) ſhall exerciſe Shooting in Long Bowes, and continually haue a Bow and Arrowes in his houſe. 33. *H.* 8. 9.

e age of young chers.

2 The penaltie for ſuffering one in his houſe, being betweene ſeuen yeares of age and ſeuenteene, to be without Bow and Arrowes by the ſpace of moneth. 33. *H.* 8. 9.

e age of elder chers.

3 The penaltie of a ſeruant, betweene ſeuenteene yeares of age and threeſcore, to lacke a Bow and foure Arrowes by the ſpace of a moneth. 33. *H.* 8. 9.

oting at uers.

4 Who ſhall ſhoot at Rouers, or with rouing Shafts. 33. *H.* 8. 9.

chers ſhall l where they appointed.

5 Bowyers, Fletchers, Stringers, and Arrow-head makers of London ſhall vpon commandement dwell elſewhere. 33. *H.* 8. 9.

S. *Aliens.* 18.

Armour, armed men.

None ſhall goe armed.

1 NO man ſhall come armed before the Iuſtices, nor goe or ride armed. 2. *Ed.* 3. 3. 7. *Rich.* 2. 13. 20. *Rich.* 2. 1.

Imbeſelling the Kings Armour.

2 It ſhall bee felonie for any perſon to imbeſell the Kings Ordnance, Armour, Munition, or other habiliments of Warre committed to his charge, being of the value of twenty ſhillings. 31. *El.* 4.

A Souldiers Armour.

3 The puniſhment of a Souldier that doth make away his Horſe or Armour. 2. *Ed.* 6. 2. 4. & 5. *Ph.* & *Ma.* 3.

No Armour worne in Wales.

4 No perſon in Wales ſhall come armed to any Seſſions, Church, Faire, or Market. 4. *Hen.* 4. 27. 26. *Hen.* 8. 6.

The Armour of a Recuſant.

5 The Armour and Munition of a Popiſh Recuſant conuict, ſhall be taken from him. 3. *Iac.* 5.

Arrow-heads.

1 ARrow-heads ſhall be marked, and well boyled, braſened, and hardened. 4. *H.* 4. 7.

Arreſts and arreſting.

Arreſting a Clerke.

1 THe puniſhment for arreſting of a Prieſt, Clerke, or other, doing Diuine Seruice. 50. *Edw.* 3. 5. 1. *R.* 2. 15.

Arreſting without authoritie.

2 The penaltie for arreſting one within a Libertie, which holdeth not of them. 3. *Ed.* 1. 34.

Puniſhments for vnlawfull arreſts.

3 In which caſes the plaintiffe ſhall pay coſts and dammages for vnlawfull arreſts. 8. *El.* 2.

Arreſting of Felons.

4 All men ſhall be readie to purſue and arreſt Felons. 3. *Ed.* 1. 9.

Night-walkers.

5 All men ſhall be ready to arreſt Night-walkers. 13. *Ed.* 1. *Winchester.*

Artificers.

Conſpiration by Victuallers and Labourers.

1 THe penaltie of Victuallers conſpiring for the ſelling of their Victuals, and of Labourers conſpiring for the order of their Worke. 2. *Ed.* 6. 15.

Handicrafts-men.

2 What ſort of Artificers ſhall not be accounted handycrafts-men. 22. *H.* 8. 13.

1 *Artificers, S. Aliens, Labourers.*

Aſsiſe, Diſſeiſor, Diſſeiſin.

Where Aſsiſe lyeth.

1 SEuerall caſes wherein an Aſsiſe doth lye, more then it did by the Common Law. 13. *Ed.* 1. 15.

Gardian and Tenant for yeares.

2 In what caſes an Aſsiſe is maintenable againſt a Gardian or Tenant for terme of yeares, or their Alienees. 13. *Ed.* 1. 15.

Aſsiſe againſt the Gardian.

3 An heire may haue an Aſsiſe againſt his Gardian, that doth alien his land, and againſt the Tenant. 3. *Edw.* 1. 47.

Tenant by Elegit.

4 Aſsiſe maintenable by Tenant by *Elegit.* 13. *Edw.* 1. 18.

Tenant by Stat. Merchant.

5 Aſsiſe maintenable by Tenant by Statute Merchant. 13. *Ed.* 1. *de Mercatoribus.*

Tenant by Stat. Staple.

6 Aſsiſe maintenable by Tenant by Statute Staple. 27. *Ed.* 3. 9.

Tenant by Recogniſance.

7 Aſsiſe maintenable by Tenant by Recogniſance in the nature of a Statute Staple. 23. *H.* 8. 6.

Of ſpirituall Liuings.

8 Aſsiſe is maintenable of a parſonage, Vicarage, Portion, Tythes, &c. 32. *H.* 8. 7.

A Parſon Aſsiſe of Common.

9 The Parſon of a Chvrch may haue an Aſsiſe of common of Paſture. 13. *Ed.* 1. 24.

The Kings Officer.

10 An Aſsiſe is maintenable againſt an Officer of the Kings, that diſſeiſeth any man of his freehold without ſpeciall warrant. 3. *Ed.* 1. 24.

Kings patentee.

11 Aſsiſe is maintenable againſt the Kings patentee of lands granted without any title found for the King by inquiſition. &c. 1. *H.* 4. 8.

Diſſeiſor with force.

12 A ſpeciall Aſsiſe is maintenable againſt a Diſſeiſor by force. 4. *H.* 4. 8.

The Sheriffe named a Diſſeiſor.

13 The plaintiffes puniſhment, if a Sheriffe be named a Diſſeiſor in an Aſsiſe, to the intent he ſhall not ſerue the Writ. 11. *H.* 6. 2.

An Officer named Diſſeiſor.

14 The plaintiffes puniſhment if the Lord of ancient demeſne, or any Mayor or Baylife of franchiſe be named a diſſeiſor, to take away their liberties. 9. *H.* 4. 5.

Fayling of a Record.

15 In what caſe a man ſhall be adiudged a diſſeiſor in an Aſſiſe brought againſt him by failing of a Record pleaded. 13. *Ed.* 1.25.

Attachment.

16 Who in an Aſſiſe the Sheriffe ſhall attach, and by what thing, and of what value. 13. *Ed.* 1 .25.

Where Aſiſes ſhall be holden.

17 At what times Aſſiſes ſhall bee taken, and where. 9. *H.* 3.12.13. 3. *Ed.* 1.48.

Aſiſes of Rent.

18 Where an Aſſiſe of a Rent going forth of ſeuerall Counties ſhall be tried. 7. *R.* 2.10.

Copies of Pannels.

19 When the copies of pannels of ſpeciall Aſſiſes ſhall be delivered to the parties. 42. *Ed.* 3.11. 6. *H.* 6.2.

Abbridgement of Plaint.

20 In what caſe the plaintiffe in an Aſſiſe may abbridge his plaint. 21. *H.* 8.13.

Either the parties to the Aſiſe dyeth.

21 The remedie where the diſſeiſor or diſſeiſie dieth immediatly after the diſſeiſin, or depending the ſuite by Aſſiſe. 3. *Ed.* 1.46.

Attourney.

22 The Tenants in Aſſiſe may take an Attourney if they will. Stat. *Eborum.*

Verdict at large.

23 The Iurors in an Aſſiſe may giue their verdict at large, and are not compellable to ſay preciſely that it is a diſſeiſin. 13. *Ed.* 1.30.

Iointenancie.

24 The perill for pleading Iointenancie in an Aſſiſe, and not prouing of it. 34. *Ed.* 1. *De coniunctim feoffatus.*

Aſs. of Common.

25 In what caſe an Aſſiſe of common is maintainable, and againſt whom. 13. *Ed.* 1.46. 3. *Ed.* 6.3.

Dammages.

26 In what caſe dammages ſhall bee recouered in an Aſſiſe, and againſt whom. 6. *Ed.* 1.6.

Eſſoigned.

27 In Aſſiſe the tenant nor domandant after apparance ſhall be eſſoigned. 13. *Ed.* 1.41. 13. *Ed.* 1.28.

Attaint.

For the value of fortie pounds.

1 ATtraint where the thing in demand extendeth to the value of fortie pounds, and concerneth not the life of man. 18. *H.* 6. 2. 23. *H.* 8.3.

No abatement by death.

2 The ſaid Attaint ſhall not abate by the death of the tenant, nor of any of the petit Iurie. 23. *H.* 8.3.

The ſufficiencie of the Iurors.

3 What lands each Iuror muſt haue that ſhall paſſe in the ſame Attaint. 23. *H.* 8.3.

Proces.

4 The proces in the ſame Attaint. 23. *H.* 8.3.

Taken by default.

5 The grand Iurie taken by default of the defendant or petit Iurie. 23. *H.* 8.3.

Pleas.

6 What pleas the petit Iurie, and what the defendant in Attaint may plead. 23. *H.* 8.3.

Puniſhment of the offendor.

7 The puniſhment of the petit Iurie attainted. 23. *H.* 8. 3.

Iudgement.

8 Iudgement for the plaintiffe in Attaints, if the defendants plea be found againſt him. 11. *Hen.* 6. 4. 23. *H.* 8. 3.

Puniſhment.

9 The puniſhment of the petit Iurie attainted of any thing perſonall vnder the value of fortie pounds. 23. *Hen.* 8. 3.

Tales into another Countie.

10 A *Tales* ſhall be awarded in an Attaint into another Countie for default of ſufficient Iurors within the ſame ſhire. 23. *H.* 8. 3.

Nonſuit or diſcontinue.

11 Iudgement for the defendant in an Attaint, where the plaintiffe is nonſuit, or doth diſcontinue his ſuite. 23. *H.* 8. 6.

Where taken.

12 Attaints ſhall be taken in the Kings Bench, or common place onely. 23. *H.* 8.3.

Niſi prius.

13 *Niſi prius* is grantable in Attaint. 23. *H.* 8.3.

Attourney.

14 Euery of the petit Iurie may appeare and anſwer by Attourney in Attaint. 23. *H.* 8.3.

The Nonſuits of one of the plaintiffes.

15 The Nonſuit or Releaſe of one plaintiffe or demandant in Attaint ſhall not be preiudiciall to the others. 23. *Hen.* 8. 3.

Of freehold.

16 An Attaint is maintenable in like ſort of any inheritance of freehold. 15. *H.* 6. 15. 23. *H.* 8. 3.

For him in reuerſion.

17 In what caſe hee in the reuerſion may haue an Attaint of a falſe verdict giuen againſt his particular tenant. 9. *R.* 2. 3.

In plea of land.

18 Attaint ſhall he granted as well in plea of land, as in plea perſonall. 3. *Ed.* 1.37.34. *Ed.* 3.7.

Vpon the principall.

19 An Attaint ſhall be granted as well vpon the principall, as vpon the dammages in any action of Treſpaſſe. 3. *Ed.* 3. 6.

Without regard of the quantitie.

20 An Attaint ſhall be granted in pleas of Treſpaſſe purſued as well By Bill as by writ, without regarding the quantitie of the Treſpaſſe. 5. *Ed.* 3.7. 28. *Ed.* 3.8.

No Eſſoigne or Protection.

21 *Niſi prius* ſhall bee granted in Attaint, but neither Eſſoigne of the Kings ſeruice, nor protection. 5. *Ed.* 3.6.

Preſcription.

22 The partie grieued by any falſe verdict giuen in any ſuite made according to the Statute of preſcription, may haue an Attaint. 32. *H.* 8.2.

In the Huſtings.

23 An Attaint may be ſued by bill in the Huſtings in London vpon a falſe verdict giuen in any Court there. And what Iurors ſhall be returned vpon the ſame, and by whom. 11. *H.* 7. 21.

Iurors in London.

24 Who be ſufficient of eſtate to paſſe vpon an Attaint in London. 37. *H.* 8. 5.

Triall in London.

25 All pleas pleaded in an Attaint commenced in London ſhall be tried in the ſame Citie. 37. *H.* 8.5.

Iudgement in London.

26 The iudgement where the petit Iurie in London is tainted. 11. *H.* 7.21.

The Verdict affirmed.

27 The iudgement where the firſt verdict in London is affirmed. 11. *H.* 7.21.

Remedie for money recouered.

28 The plaintiffes remedie in an Attaint for debts and dammages recouered againſt him in the firſt action. 11. *H.* 7. 21.

The plaintiffes puniſhment.

29. The plaintiffes puniſhment if hee be nonſuite, or the firſt verdict affirmed. 11. *H.* 7. 21.

The death of one ſhall not preiudice another.

30 The death or nonſuite of one of the plaintiffes in Attaint in London ſhall not abate the ſuite. 11. *Henr.* 7. 21.

Triall per medietatem linguæ.

31 In an Attaint commenced in London vpon any record wherein the triall was by halfe tongue, the one halfe of that Iurie ſhall be of ſtrangers. 11. *H.* 7. 21.

The plaintiffes choyce.

32 Euery perſon ſhall be at libertie whether hee will ſue an Attaint in London according to the Stat. of 23. *H.* 8. Or 11. *H.* 7. 23. *H.* 8.3.

Challenge.

33 What challenges in an Attaint ſued in London be allowable, what not. 7. *H.* 7.5. 11. *H.* 7.21. 23. *H.* 8. 3. 37. *H.* 8. 5.

Iſſues.

34 What Iſſues euery Iuror returned in Attaint in London that appeareth not ſhall forfeit. 11. *H.* 7.21.

For the heire.

35 In what caſe an Heire within age ſhall haue an Attaint vpon a falſe verdict found againſt him. 3. *Edw.* 1. 46.

Dayes.

36 What dayes ſhall be giuen in Attaint. 32. *H.* 8. 21. 5. *Ed.* 3. 6.

S. for Attaint in the Citie of Lincolne. 13. *R.* 2. 18. 3. *H.* 5. 5.

Attourney.

In what Courts and places.

WHo may make Attourneys, and in what counties and places. 20. *H.* 3.10.13 .*Ed.* 1.10. 7. *R.* 2.14.

Who may receiu them.

2 Who may receiue Attourneys, and by what authority. 37. *Ed.* 1. 7. *H.* 4.13.

Tenant in Aſiſe

3 The tenants in Aſſiſe may make Attourneys. 3. *Ed.* 1. 41. Stat' *Ebor'.*

Petit Iurie.

4 Euery of the petit Iurie in Attaint may appeare and anſwer by Attourney. 23. *H.* 8.3.

Appellant.

5 In what caſe the Appellant in appeale of murder or death may make an Attourney. 3. *H.* 7.2.

In any caſe ſauin in an Appeale.

6 The defendant may make their Attourneys in ſuch ſuits wherein appeale doth not lie. 6. *Ed.* 1. 8.

Who ſhall be Attourneys.

7 What ſort of perſons are to be allowed Attourneys, and who not. 4. *H.* 4.19. 1. *H.* 5.4. 3. *Iac.* 7.

By whom onely they are to be receiued.

8 None ſhall receiue Attourneys but in ſuits depending before them. 15. *Ed.* 2. *Stat. Carliel.*

Offenders puniſhment.

9 The puniſhment of an Attourney openly found in default. 4. *H.* 4. 18.

No ſuit in a forreine countie.

10 Every Attourney ſhall be ſworne to deale truely in his office, and to make no ſuite in a forreine countie. 4. *H.* 4. 18.

Entring of a warrant.

11 When the Attourney ſhall enter his warrant of Record. 18. *H.* 6.9. 32. *H.* 8.30. 2. *Ed.* 6.32. 18. *El.* 13.

Vpon penall Statutes.

12 The defendants in ſuites vpon penall Statutes being naturall ſubiects borne, may appeare and pleade by Attourneys. 29. *El.* 5. 31. *El.* 10.

A ticket of his fees.

13 Euery Attourney ſhall haue a ticket of ſuch fees as he giueth to his Clients Councell, or for copies to any Clerkes or Officers, And ſhall make to his Client a Bill of charges. 3. *Iac.* 7.

Wronging his client.

14 The penalty of an Attourney delaying his Clients ſuite, or demanding more than is due to him. 3. *Iac.* 7.

Suing in another name.

15 No Attourney ſhall admit another to follow a ſuite in his name. 3. *Iac.* 7.

Examination of an Attourney.

16 The Iudges may examine the plaintiffes Attourney in an action of debt vpon the arrerages of Account. 5. *H.* 4. 8.

Auditor, Receiuer.

1 EVery of the Kings Auditors ſhall proclaime in market Townes twenty dayes before the Audite, when and where he will keepe his Audite. 33. *H*. 8. 39.

2 The penaltie of an Auditor of the King that taketh greater fees for inrolments than be due vnto him. 33. *H*. 8. 39.

3 The penaltie of any of the Kings Receiuers that doth take or deduct more fees than be due vnto him. 33. *H*. 8. 39. 7 *Ed*. 6. 1.

4 The Kings Receiuers ſhal enter into bond with ſureties to account, and when they ſhall account, and when make payment. 7. *Ed*. 6. 1.

Aulnage, Aulnager. S. Draperie 72. &c.

Auowrie.

1 A Lord diſtraining his tenant for rents, cuſtomes, or ſeruices, ſhall auow vpon the land, and not vpon any perſon. 21. *H*. 8. 19.

2 The Auowant ſhall recouer coſts and dammages againſt the plaintiffe, if the auowrie, cogniſance, or iuſtification be found for him, or the plaintiffe bee nonſuit, or barred. 21. *H*. 8. 19.

3 The plaintiffes and defendants ſhall haue like pleas and ayde prayer, and ioyning in ayde, and like aduantages (ſauing diſclaimer) as they might haue had by the common law. 21. *H*. 8. 19.

4 Auowrie for rents after the eſtate in the ſame rents be determined. 32. *H*. 8. 37.

5 Within what time Auowrie may be made for rent, ſuit or ſeruice. 32. *H*. 8. 2.

6 In what caſe Recouerers may make Auowrie for rents. 7. *H*. 8. 4.

Auowſon.

1 THe remedie for him in the reuerſion or remainder, or others that haue right, where there is an vſurpation of an Auowſon during any particular eſtate. 13. *Ed*. 1. 5.

2 Iudgements giuen in the K. Court, touching auowſons, ſhalbe auoyded by lawfull meanes, and not by ſurmiſes. 13. *Ed*. 1. 5.

3 What action ſhall be maintained by him in the reuerſion, being diſturbed to preſent after a particular eſtate ended. 13. *Ed*. 1. 5.

4 If a compoſition ſhall bee made by ſeuerall perſons touching a preſentation, how he that is diſturbed of his turne to preſent, ſhall haue his remedie. 13. *Ed*. 1. 5.

5 A remedie where there is an vſurpation by one Coparcener vpon another. 13. *Ed*. 1. 5.

6 The defendant in a *Quare impedit*, or &c. pleadeth plenartie of his owne preſentation. 13. *Ed*. 1.

7 He that doth recouer a manor whereunto an Auowſon is appendant being diſturbed to preſent, ſhall haue a *Q. impedit*. 7. *H*. 8. 4.

8 Euery recuſants auowſon ſhall be in the diſpoſition of the Vniuerſities of Oxford and Cambridge. 3. *Iac*. 5.

9 Auowſons ſhall not paſſe from the King but by ſpeciall words. 17. *Ed*. 2. 15.

10 None ſhall purchaſe an Auowſon when it is in ſuit. 13. *Ed*. 1. 49.

11 In a writ of an Auowſon of a Church view ſhall not be granted. *Stat. de viſu terræ &c.*

Bailiffes.

1 THe Iuſtices ſhall not allow an exception alleaged by a Bailiffe in an Aſſiſe. S. 34. *Ed*. 1. 13. *Edw*. 1. 25.

2 The penaltie if any Bailiffe or other Officer of the Kings doe diſſeiſe any man of his freehold without ſpeciall warrant. 3. *Ed*. 1. 24.

Badger, Lader, Carrier, Drouer.

1 WHere the licence of a Badger &c. ſhall be made, by whom, and who is capable thereof. 5. *El*. 12.

2 There muſt be a ſpeciall licence to a Badger to buy corne out of a market to ſell the ſame againe. 5. *El*. 12.

Speciall licence.

3 Cities and Townes corporate may haue purueyors for their prouiſion. 5. *El*. 12.

Corporations.

Battaile.

1 THe Oath of the Champion that is to wage Battaile in a writ of Right, for the triall of title of land. 3. *Ed*. 1. 40.

Champions Oath.

2 The defendant in an appeale of rape ſhall not be receiued to wage battaile. 6. *R*. 2. 6.

Appeale of Rape.

Bankrupts.

1 WHo ſhall bee adiudged a Bankrupt. 13. *El*. 7. 1. *Iac*. 15. 21. *Iac*. 19.

Who is a Bankrupt.

2 Commiſſioners ſhall take order for Bankrupts bodies, lands, and goods. 13. *El*. 7.

Commiſsioners.

3 The vendees of Bankrupts copihold lands ſhall compound with the Lords of the Manors. 13. *El*. 7.

Copihold lands.

4 Commiſſioners ſhall declare to the Bankrupts how they haue beſtowed their lands and goods. 13. *El*. 7. 1. *Iac*. 15.

A Bankrupt ſhall know what is done with his eſtate.

5 The Commiſſioners may examine thoſe that are ſuſpected to haue any Bankrupts goods, or to be indebted to him. 13. *El*. 7. 1. *Iac*. 15.

Examination of Debtors, &c.

6 The forfeiture for fraudulent poſſeſſing or claiming of a Bankrupts goods. 13. *El*. 7.

Fraudulent poſſeſsing.

7 How the ouerplus of the forfeitures of a Bankrupt and others ſhall be imployed after the creditors payed. 13. *El*. 7.

Ouerplus.

8 The Bankrupt that departeth from his houſe ſhall be commanded by proclamations to yeeld himſelfe to the Commiſſioners. 13. *El*. 7. 1. *Iac*. 15.

Proclamation.

9 The penaltie of a Bankrupt not yeelding himſelfe, and of him that hideth him. 13. *El* 7.

His penaltie.

10 A remedie for the creditors which bee not fully ſatisfied by force of the Commiſſion of Bankrupts. 13. *Eliz*. 7.

Not fully ſatisfied.

11 Lands or goods after purchaſed or diſcended to a Bankrupt, may be extended by the Commiſſioners. 13. *El*. 7.

Lands after purchaſed or diſcended.

12 Lands conueyed away *bona fide* before hee became Bankrupt ſhall not be extended. 13. *El*. 7.

Aſſurances made *bona fiae.*

13 The new creditors of a Bankrupt may be partakers with the old. 1. *Iac*. 15.

New Creditors, and old.

14 A remedie where a Bankrupts lands, goods or debts ſhall be transferred to others. 1. *Iac*. 15.

Transferment to others.

15 A Bankrupt may bee examined vpon interrogatories, The penaltie if he refuſe to anſwer, or doe commit periurie, 1. *Iac*. 15.

Examination.

16 The Commiſſioners may aſſigne to the creditors the debts due to the Bankrupt. And by what meanes they may recouer them. 1. *Iac*. 15.

Aſsignement of debts.

17 The Commiſſioners may proceede in execution, though the Bankrupt die. 1. *Iac*. 15.

Execution though the Bankrupt die.

18 Lawes made againſt Bankrupts ſhall be beneficially conſtrued for the creditor. 21. *Iac*. 19.

Conſtruction of Law.

19 Commiſſions, Orders, &c. prouided by 13. *El*. 7. and 1. *Iac*. 15. ſhall be purſued againſt him that is deſcribed to be a bankrupt by this Act. 21. *Iac*. 19.

Commiſsions.

20 Orders, &c. prouided by this act ſhall be purſued againſt him, that is deſcribed to be a Bankrupt by 13. El. 7. and 1. *Iac*. 15.

Orders.

21 The Bankrupts wife may be examined by the Commiſſioners. 21. *Iac*. 19.

Bankrupts wife.

22 The penaltie of a Bankrupt, that fraudulently concealeth his goods, or rendereth not ſome iuſt cauſe, why he became bankrupt. 21. *Iac*. 19.

The Bankrupts penaltie.

23 The Commiſſioners may breake open the Bankrupts doores. 21. *Iac*. 19.

Doores.

24 The Bankrupts goods ſhall be rateably diuided notwithſtanding any Iudgement, recogniſance, &c. 21. *Iac*. 19.

Rateable diuiſion.

25 The Commiſsioners may proceed, when the Bankrupt by fraud makes himſelfe accomptant to the King. 21. *Iac*. 19.

Accomptant to the King.

26 Goods in the poſſeſsion of the Bankrupt are lyable to ſatisfie his debts, notwithſtanding any former grant. 21. *Iac*. 19.

Former grant.

27 A grant of the entayled lands of the Bankrupt ſhall

Entayled Lands.

ſhall be good. 21. *Iac.* 19.

Conditionall eſtates.
28 Conditionall eſtates granted by the Bankrupt may be redeemed by the Commiſſioners. 21. *Iac.* 19.

The Commiſsion ſued.
29 The Cmomiſſion of Bankrupts ſhall bee ſued forth within fiue yeares. 21. *Iac.* 19.

Aliens and Denizens.
30 Aliens and Denizens ſhall take aduantage of this, and all other Lawes made againſt Bankrupts. 21. *Iac.* 19.

Barke.

Fruit trees.
1 THe penaltie for vnlawfull Barking of any fruit trees. 37. *H.* 8. 6.

Regrating or engroſsing.
2 The penaltie for regrating or ingroſſing of Oaken Barke. 1. *Iac.* 22.

Not out of ſeaſon.
3 At what time Oaken trees meete to be barked, ſhall be felled. 1. *Iac.* 22.

Timber felled in barking time.
4 The Kings Purueyors ſhall not fell timber but in barking time. 1. *Iac.* 22.

Barges, Bargemen, S. Boatmen.

Baſtards, Baſtardie.

Keeping of the Baſtard.
1 IVſtices of peace ſhall take order for the keeping of a Baſtard child, and for the puniſhment of his parents. 18. *El.* 3.

Who is a Baſtard.
2 He is a baſtard that is borne before marriage. 20. H. 3. 9.

Certifying of Baſtardie.
3 What Proclamations ſhall bee made, before a writ be directed to the Biſhop to certifie Baſtardie. 9. *Hen.* 6. 11.

Triall for one borne beyond the ſeas.
4 By what meanes baſtardie ſhall be tryed when it is pleaded againſt one borne beyond the Sea. 25. *Ed.* 3. *De natis vltra mare.*

Puniſhment for offenders.
5 The puniſhment of lewd women which haue baſtards. 7. *Iac.* 4.

6 It ſhall bee murther for a mother to conceale the death of her baſtard child. 21. *Iac.* 27.

1 *Bell-mettall. S. Braſſe.*

Beneuolence.

Beneuolence.
1 THe Subiects of this Realme ſhall not bee charged with beneuolences or like charges. 1. *R.* 3. 2.

Biſhops, and Archbiſhops, and Biſhopricks.

Election.
1 THe manner of electing of Archbiſhops, or Biſhops. And to whom the nomination of them ſhall bee made. 25. *H.* 8. 20.

Inueſting and conſecration.
2 The manner of inueſting and conſecrating of an Archbiſhop or Biſhop. 25. *H.* 8. 20.

The penaltie for not electing or conſecrating.
3 The penaltie for not electing or not conſecrating an Archbiſhop or Biſhop, according to this Statute. 25. *Hen.* 8. 20.

Collation.
4 None but the King ſhall collate to a Biſhopricke. 1. *Ed.* 6. 2.

Proceſſe.
5 All Proces Eccleſiaſticall ſhall be in the Kings name, *Teſte* the Biſhop. 1. *Ed.* 6. 2.

Seale of a Biſh.
6 A Biſhops ſeale ſhall haue the Kings Armes engrauen vpon it. 1. *Ed.* 6. 2.

The Biſh. of Canterbury.
7 The Biſhop of Canterbury may vſe his owne ſeale. 1. *Ed.* 6. 2.

Other Biſh.
8 In what caſes other Biſhops may vſe their owne ſeales. 1. *Ed.* 6. 2.

Certificates.
9 Certificates into a Court of Record ſhall be in the Kings name. *Teſte* the Biſh. 1. *Ed.* 6. 2.

Conſecrations confirmed.
10 All conſecrations of Archbiſhops and Biſhops, and making of Miniſters, which haue beene done ſithence the beginning of Queene Elizabeths reigne, ſhal be good and perfect. 8. *El.* 1.

Refuſing the oath of Supremacie.
11 None ſhall be impeached by a certificate made by any ſuch Archbiſhop, or &c. touching the refuſall of the oath of Supremacie made *Anno* 1. *El.* 8. *El.* 1.

Depriuations of old Biſhops ſhall be good.
12 All depriuations of Biſhops, &c. and Deanes pronounced betweene the beginning of the Qu. reigne and the tenth day of Nouember, in the fourth yeare of the ſame ſhall be good. 39. *El.* 8.

A confirmation of Biſhops made by Q. Elizabeth.
13 All ſuch Biſhops, or &c. Deanes as were made by the authoritie of the Queene from the beginning of her reigne, vntill the tenth day of Nouember, in the fourth yeare of her reigne, ſhall be adiudged lawfull. 39. *El.* 8.

Temporalties ſeiſed.
14 A Biſhops temporalties ſhall not be ſeiſed into the Kings hands without good cauſe. 14. *Ed.* 3. 3.

No ſeiſer of te poralties for a contempt.
15 A Biſhops temporalties ſhall not be ſeiſed for a contempt, but he ſhall make a fine. 25. *Ed.* 3. 6. *pro clero.*

Vſing of Temp raltles.
16 How Biſhops temporalties ſhall be vſed during the vacation. 14. *Ed.* 3. 45.

Leaſes.
17 What leaſes or other aſſurances made by Biſhops of their lands ſhall be good, what not. 1. *El.* 1. *Iac.* 3.

Certifying of Baſtardie.
18 What is requiſite to be done before a writ ſhall bee awarded to a Biſhop to certifie baſtardie. 9. *H.* 6. 11.

Viſitation of Hoſpitals.
19 A Biſhop may viſite Hoſpitals within his dioceſſe, which be of the Kings foundation. 2. *H.* 5. 1.

A confirmatio of grants mad by Biſh.
20 A confirmation of all grants made by Biſhops and other ſpirituall perſons of lands to King *H.* 8. and K. *Ed.* 6. 1. *Ed.* 6. 14.

Couentrie.
21 By what Chapter the Biſhop of Couentries aſſurances ſhall be confirmed. 33. *H.* 8. 30.

Man and Cheſt
22 In what prouince the Biſhop of Man and Cheſter ſhall be. 33. *H.* 8. 31.

Bathe and We
23 By what Chapter the Biſhop of Bathe and Wells aſſurances ſhall be confirmed. 34. *H.* 8. 15.

Tenthes of ce taine Biſh.
24 Where and in what ſort the tenthes of the Biſhopricks of Cheſter, Glouceſter, Peterborough, Briſtoll, and Oxford ſhall be payed. 34. *H.* 8. 17.

Norwich.
25 A confirmation of an aſſurance of certaine lands made to the Biſhop of Norwich. 39. *El.* 22.

Archbiſh, citati on.
26 An Archbiſhop may cite for hereſie any perſon in another Biſhops Dioceſſe. 23. *H.* 8. 9.

Biſhops oath o Supremacie.
27 Biſhops ſhall take the oath of Supremacie. 1. *El.* 1.

Tender of the oath of Supre macie.
28 Biſhops may tender the oath of Supremacie to any Eccleſiaſticall perſons within their Dioceſſe. 5. *El.* 1.

Puniſhments f incontinencies.
29 Biſhops may puniſh Prieſts for incontinencie. 1. *H.* 7. 4.

Chaplaines.
30 How many Chaplaines euery Archbiſhop and Biſhop may keepe. 21. *H.* 8. 13.

No purueyance of a Biſh, goods
31 No purueyor ſhall take a Biſhops goods without his conſent. 14. *Ed.* 3. 1.

Aſſociation of the Iuſtices.
32 Biſhops may aſſociate themſelues with the Iuſtices of Aſſiſe in cauſes of the Church. 1. *El.* 2.

The forfeiture the Biſh. tena
33 The King ſhall haue thoſe lands which a Biſhops tenant doth forfeit in the time of vacation. 17. *Ed.* 2. 14.

1 *Baile. S. Mainpriſe.*
1 *Buying of Titles. S. Maintenance.* 7. 8.
S *Bloud drawing in the Kings pallace. S. Fighting.* 1.

Bigamie.

His Clergie.
1 BIgamus ſhall be allowed his Clergie though he hath beene twice married. 1. *Ed.* 6. 12.

Spirituall Co
2 Bigamie ſhall not be certified by the temporall, but by the ſpirituall Court. 18. *Ed.* 3. 2. *pro clero.*

Bookes.

Printed beyond the Sea.
1 THe penaltie for buying any printed bookes bound beyond the Sea, to ſell againe in England. 25. *Hen.* 8. 15.

Sold in groſſe, a not by retayle.
2 Printed bookes brought from beyond the ſea ſhall be ſold in groſſe, and not by retayle. 25. *H.* 8. 15.

3 The Kings great officers ſhall ſet the prices of bookes enhanced. 25. *H.* 8. 15.

Aſſeſsing the p ces of Popiſh Bookes.
4 Popiſh bookes containing ſuperſtitious matter ſhall not be brought from beyond the ſea, printed, or ſold, but ſhall be burned. 3. *Iac.* 5. 3. & 4. *Ed.* 6. 10.

Of common prayer.
5 Bookes of common prayer ſhall bee prouided at the charge of the pariſh. 1. *El.* 2.

Tranſlation in Welſh.
6 The Bible and booke of common prayer ſhall bee tranſlated into the Welſh tongue: and the ſame bookes ſhall bee in Engliſh in euery pariſh Church in Wales. 5. *El.* 28.

Boatmen, Watermen, Barges, Boats, &c.

Eight Ouerſee
1 THere ſhall bee eight appointed ouerſeers of watermen rowing vpon Thames, betweene Grauesend and Winſor. 2. & 3. *P.* & *M.* 16.

The Ouerſeers dutie.
2 The ouerſeers ſhall order watermen, regiſter their names, and ſee their boats. 2. & 3. *P.* & *M.* 16.

Allowance by t Ouerſeers.
3 Two watermen ſhall not row but where one of them is allowed by the ouerſeers. 2. & 3. *P.* & *Ma.* 16.

None but which hath beene in ſeruice.

4 No ſingle man ſhall be a waterman there, but which hath beene in ſeruice, 2. & 3. *P.* & *M.* 16.

Goodneſſe of boates.

5 The length, breadth, and goodneſſe of Boates there. 1. & 3. *P.* & *M.* 16.

Their puniſhment.

6 The puniſhment of watermen which hide themſelues in time of preſſing. 2. & 3. *P.* & *M.* 16.

Their Fare and dutie.

7 What fare watermen may take that doe row from place to place betweene Graueſend and Windſor. 2. & 3. *P.* & *M.* 16.

Seuerne.

8 The penaltie for hindering watermen paſſing vpon the bankes of Seuerne. 9. *H.* 6. 5. 23. *H.* 8. 12.

Hinderance in Seuerne.

9 The penaltie for laying any impoſition, or for hindering of boates paſſing vpon the riuer of Seuerne. 19. *H.* 7. 18. 23. *H.* 8. 12.

Tranſporting of offenders.

10 The penaltie of a waterman tranſporting of offenders into, or forth of Wales, at vnlawfull times. 26. *H.* 8. 5.

Retaining of ſeruants.

11 What watermen may retaine a ſeruant or apprentice, and who may be retained. 1. *Iac.* 16.

Carrying of corne.

12 The forfeiture of a waterman for carrying of corne to a ſhip to be tranſported. 1. & 2. *P.* & *M.* 5.

Bowes, Bowſtaues.

Bringing into this Realme.

1 FOure bowſtaues ſhalbe brought into this Realme for euery tun of merchandiſe. 12. *Ed.* 4. 2. 13. *El.* 14.

In reſpect of Malmeſey or Tyre.

2 Ten bowſtaues ſhall be brought into this Realme for euery Butt of Tire or Malmeſey, and they ſhall be garbled. 1. *R.* 3. 11.

Of Ewe.

3 Who be reſtrained to ſhoot in bowes of Ewe. 33. *Hen.* 8. 9.

The number of Bowes.

4 How many bowes euery bowyer dwelling within London, Weſtminſter, or Southwarke muſt haue in his houſe together. 33. *H.* 8. 9. 8. *El.* 10.

Prices of Bowes.

5 The ſeuerall prices of ſeuerall ſorts of bowes. 8. *El.* 10.

Searched and marked.

6 Bowſtaues brought into this Realme ſhal be ſearched and marked. 12. *Ed.* 4. 2. 13. *El.* 14.

Braſſe, Latten, Copper, and Bell-mettall.

Tranſporting.

1 NO perſon ſhall carrie beyond the ſea any Braſſe, Latten, &c. 33. *H.* 8. 7. 2. *Ed.* 6. 37.

Diſcharging within the Realme.

2 Hee ſhall bee bound which carrieth any of the ſaid mettals to diſcharge the ſame within this Realme, vnleſſe it be drowned by tempeſt, or ſpoyled by enemies. 33. *H.* 8. 7.

Where there is a Cuſtomer.

3 None of the ſaid mettals ſhall be laden, but where there is a Cuſtomer. 2. *Ed.* 6. 37.

Their goodneſſe and weight.

4 Where veſſels of Braſſe ſhall be ſold, of what goodneſſe they ſhall be, and what weights they ſhall be vſed thereof. 19. *H.* 7. 6. 4. *H.* 8. 7. 25. *H.* 8. 9.

Bridges.

Not knowing by whom they are to be repaired.

1 A Remedie where it is not knowne who ought to repaire any Bridge. 22. *H.* 8. 5.

Who ſhall make them.

2 No village or free man ſhall be diſtrained to make any Bridges, but ſuch as are wont to doe it. 9. *H.* 3. 15.

Eden and Preſtbecke.

3 Who ſhall maintaine Eden and Preſtbecke Bridges in the Countie of Cumberland. 43. *El.* 16.

Newport and Carlion.

4 Who ſhall maintaine Newport and Carlion Bridges in the countie of Monmouth. 39. *El.* 23.

Wilton.

5 How Wilton Bridge in the countie of Hereford ſhall be maintained. 39. *El.* 24.

Rocheſter.

6 How Rocheſter Bridge in the countie of Kent ſhall be maintained. 9. *H.* 5. 12. 18. *Eliz.* 16. 27. *El.* 25.

Burford and Culhamford.

7 Who ſhall repaire the Bridges of Burford and Culhamford in the countie of Oxford. 8. *H.* 6. 28.

Chepſtow.

8 Who ſhall maintaine Chepſtow Bridge in the counties of Glouceſter and Monmouth. 18. *Elizab.* 17. 3. *Iac.* 23.

Cardiffe.

9 Who ſhall maintaine Cardiffe Bridge in the countie of Glamorgan. 23. *El.* 11.

Seuerne.

10 Who ſhall make the Bridge of Vpton vpon Seuerne in the countie of Worceſter. 3. *Iac.* 24.

Staynes.

11 How Staynes Bridge in the countie of Middleſex ſhall be maintained. 1. *H.* 8. 9.

Lee.

12 Who ſhall maintaine Bridges ouer the riuer of Lee. 13. *El.* 18.

Brokers.

Where no alteration of property of goods ſtolne,

1 THe ſale of goods ſtolne, or wrongfully gotten to a Broker in London, Weſtminſter, Southwarke, &c. ſhall make no alteration of propertie. 1. *Iac.* 21.

He ſhall not conceale goods ſtolne.

2 A Broker vpon demand ſhall declare what ſtolne goods be come to his hands. 1. *Iac.* 21.

The puniſhment for vſurious bargaines.

3 The puniſhment of Brokers of vſurious Bargaines. 13. *El.* 8. 39. *El.* 18.

Buying of wools.

4 The puniſhment of Brokers and merchants in buying of wooll by the words of good packing. 13. R. 2. 9.

Brewers.

No Cooper.

1 NO Brewer ſhall be a Cooper, but he may keepe a Cooper in his houſe. 23. *H.* 8. 4.

Aſſeſſement of veſſels.

2 The forfeiture of a Brewer that doth ſell his veſſels of Ale or Beere for more than they ſhall be aſſeſſed at. 23. *H.* 8. 4.

Handicrafts-men.

3 Brewers ſhall not be accounted handycrafts-men. 22. *H.* 8. 13.

Aſſiſe of Ale and Beere.

4 How Brewers ſhall be puniſhed that doe not obſerue the aſſiſe of Ale, &c. 52. *Ed.* 1.

Buggerie.

Felonie.

1 BVggerie ſhall bee accounted felonie, And no offendor therein ſhall haue his Clergie. 25. *Hen.* 8. 6. 5. *El.* 17.

Burglarie.

Huy and Crie.

1 HVy and Crie ſhall be made after committers of Burglarie. 4. *Ed.* 1.

Clergie.

2 Clergie ſhall not be allowed to him that committeth Burglarie. 25. *Hen.* 8. 3. 1. *Ed.* 6. 12. 5. *Ed.* 6. 9. 18. *Eliz.* 7.

Killing of an Offendor.

3 No man ſhall looſe any thing for killing of him that doth commit Burglarie. 24. *H.* 8. 5.

Burning.

Woods or Goods of others.

1 THe penaltie for burning of another mans goods or wood. 37. *H.* 8. 6.

Ling or Heath.

2 There ſhall be no burning of Ling or Heath in certaine Counties. 7. *Iac.* 17.

Not mainpernable.

3 He that feloniouſly doth burne a houſe is not mainpernable. 3. *Ed.* 1. 15.

A commander to burne ſhall haue no Clergie.

4 He that doth command, counſell, or hire any perſon to burne a houſe or barne with corne, ſhall not haue his Clergie. 4. & 5. *P.* & *M.* 4.

Butchers.

No buying and ſelling aliue.

1 A Butcher ſhall not buy cattell, and ſell them aliue. 3. & 4. *Ed.* 6. 19.

Walled Townes.

2 Butchers ſhall not kill any cattell within any walled Towne, or Cambridge. 4. *H.* 7. 3.

No ſale of Murraine Fleſh.

3 A Butcher ſhall not ſell meſled or murreine Fleſh. 51. *Hen.* 3.

Gaſhing of Hides.

4 Butchers ſhall not gaſhe any Hides. 1. *Iac.* 22.

Conſpiracies.

5 Butchers ſhall not conſpire to ſell their victuals at certaine prices. 2. *Ed.* 6. 15.

Killing of Calues.

6 A Butcher ſhall not kill a calfe vnder fiue weekes old. 1. *Iac.* 22.

No Tanner.

7 A Butcher ſhall not be a Tanner. 1. *Iac.* 12.

Butler to the King.

How much wine.

1 THe Kings Butler ſhall take no more Wine than ſhal be appointed him. 25. *Ed.* 3. 21. 43. *Ed.* 3. 3.

No deputie.

2 The Lieutenant of the Kings Butler ſhall make no Deputies. 4. *H.* 4. 20.

Butter and Cheeſe.

Onely retayle.

1 NO perſon ſhall buy butter or cheeſe to ſell againe, but by retayle. 3. & 4. *Ed.* 6. 21.

Tranſporting.

2 No Butter or Cheeſe ſhall be tranſported without the Kings licence. 2. & 3. *P.* & *M.* 5.

Weigh of Cheeſe.

3 What is the weight of a weigh of Cheeſe. 1. 9. *Hen.* 6. 8.

London, Weſtminſter and Southwarke.

4 The Statutes of 3. & 4. *Ed.* 6. 21. and 5. & 6. *Ed.* 6. 14. ſhall not extend to London, Weſtminſter, or Southwarke. 21. *Iac.* 22.

Traders in the Countrie.

5 The Iuſtices of Peace may reſtraine the Traders in

Butter and Cheeſe from buying thoſe commodities in the Countrey. 21. *Iac.* 22.

Butts.

Making of Butts.

1 THe penaltie of the inhabitants of a Towne, that doe not make their Butts. 33. *H.* 8. 9.

Bulwarkes S. Caſtles.

Cables, Halſers, Ropes.

Burport.

1 HEmpe growing within fiue miles of Burport in the Countie of Dorcet, ſhall be ſold in the Market of Burport. 21. *H.* 8. 12.

Where to bee made.

2 Cables, and Takles of Hempe ſhall be made in Burport onely. 21. *H.* 8. 12.

Of what ſtuffe.

3 Of what ſtuffe Cables, Halſers, or other Cordage ſhall bee made, and the puniſhment of the offendors. 35. *Eliz.* 8.

Captaines, Souldiers, Muſers.

A Souldier offending.

1 THe puniſhment of a Souldier that maketh away his horſe or harneſſe. 2. *Ed.* 2. 2. 4. & 5. *P.* & *M.* 2.

Departing without licence.

2 The penaltie of a Souldier, Mariner, or Gunner departing from his Captaine without licence. 18. *H.* 6. 19. 2. *Ed.* 6. 2. 4. & 5. *P.* & *M.* 2. 5. *Eliz.* 5.

Not payment of wages.

3 The penaltie of a Captaine licencing a Souldier to depart without the aſſent in writing of the Lieutenant: Or that doth not pay his Souldiers their wages. 2. *Ed.* 6. 2. 4. & 5. *P.* & *M.* 3.

Diſcharging of a Souldier.

4 The penaltie if a Captaine or Commiſſioner doth diſcarge one appointed to ſerue. 2. *Ed.* 6. 2.

Demanding more than is due.

5 The penaltie of a Captaine, &c. demanding wages for more ſouldiers than is due. 2. *Ed.* 6. 2.

Detaining of wages.

6 Which bee ſufficient cauſes for the Captaine to detaine a Souldiers wages. 2. *Ed.* 6. 2.

The Informers reward.

7 The reward of him that giueth to the Lieutenant information of any offence aforeſaid. 2. *Ed.* 6. 2.

Abſenting from Muſters.

8 The penaltie of him which being commanded doth abſent himſelfe from the Muſters, or doth not bring his beſt furniture. 4. & 5. *P.* & *M.* 3.

Muſtering in corporate townes.

9 Dwellers in Cities, Townes corporate, &c. ſhall bee muſtered onely within the ſame. 4. & 5. *P.* & *M.* 3.

Taking reward to diſcharge

10 The penaltie of a Muſter-maſter taking reward to diſcharge any perſon of ſeruice. 4. & 5. *P* & *M.* 3.

Reliefe of maimed Souldiers.

11 Euery pariſh ſhall be charged with a weekely ſum towards the reliefe of ſicke and maimed Souldiers. 43. *Elizab.* 3.

Refuſing to pay taxed money.

12 The penaltie of any perſon taxed to pay towards the reliefe of Souldiers, that doth refuſe to doe it. 43. *Eliz.* 3.

Officers duties.

13 The Church-wardens, petit Conſtables, high Conſtables, and Treaſurers, ſeuerall duties in leuying, paying, and accounting for the money receiued towards the reliefe of Souldiers. 43. *El.* 3.

Aſsignement of reliefe to Souldiers.

14 The ſeuerall reliefes which Treaſurers or Iuſtices of Peace may aſſigne to ſuch ſouldiers. 43. *El.* 3.

A booke of computation.

15 Euery Treaſurer ſhall keepe a booke of computation, and a Regiſter, and enter euery certificate for the warrant of his disburſements. 43. *El.* 3.

The puniſhment of a counterfeiter.

16 The puniſhment of a ſouldier or mariner begging or counterfeiting a certificate. 43. *El.* 3.

Abbridgement of Souldiers or their wages.

17 The penalties of a Captaine abbridging his prefixed number of Souldiers, or for detaining of their wages, and of a Souldier hauing taken preſt money to depart without licence. 18. *Hen.* 6. 19. 7. *Hen.* 7. 1. 3. *H.* 8. 5. 2. *Ed.* 6. 2.

Caſtles, Fortreſſes, Bulwarkes.

Caſtle-ward.

1 WHo ſhall bee bound to Caſtl-eward, and by what meanes, and for what time he may bee diſcharged thereof. 9. *H.* 3. 20.

Purueyance.

2 What purueyance, and in what manner ſhall bee made to vitaile a Caſtle. 9. *H.* 3. 19. 3. *Ed.* 1. 7.

The tenants of Douer-Caſtle.

3 The Tenants of the Caſtle of Douer that hold by Caſtle-ward, ſhall pay their rents at the Exchequer yearely. 33. *H.* 8. 18.

Erecting and maintenance of Caſtles, &c.

4 What ſhall be done, and by whom, for the erecting maintenance and vſing of ſeuerall Caſtles, Fortreſſes, and Bulwarkes. 4. *Hen.* 8. 1. 2. *Ed.* 6. 16. 2. & 3. *P.* & *M.* 1. 28. *Ed.* 1. 7. 4. *H.* 4. 31. 33. 13. *R.* 2. 15.

1 *Cappes. S. Hattes.*

1 *Carrier. S. Badger.*

Cardes for wooll.

None brought into this Realme to be ſold.

1 NO Cardes for Wooll ſhall bee brought into this Realme to be ſold. 39. *El.* 14.

Cattell.

Within what time to be bought and ſold.

1 NOne ſhall buy cattell and ſell them againe within fiue weekes. 5. & 6. *Ed.* 6. 14.

Where to bee bought and ſold.

2 No cattell ſhall be bought but in a faire or market, ſauing in certaine caſes. 3. & 4. *Ed.* 6. 19.

Keeping of Kine and rearing of Calues.

3 What ſort of milch kine ſhall bee kept, and what calues reared, when other Cattell be kept or fed. 2. & 3. *P.* & *M.* 7. *Iac.* 8.

Spiritual perſons.

4 Spirituall perſons ſhall not buy Cattell to ſell againe, but in ſome caſe. 21. *H.* 8. 13.

Driuers licenced.

5 Driuers of Cattell ſhall not bee licenced but in the open Seſſions. 5. *Ed.* 12.

Certificates.

Outlawries and conuictions.

1 A Certificate ſhall be made into the Kings Bench of euery Outlawrie, Attainder, and Conuiction. 34. *H.* 8. 14.

Perſons attainted.

2 The Clerke of the Crowne ſhall certifie to the Iuſtices of Gaole deliuerie the names of perſons attainted. 34. *H.* 8. 14.

Of an Aſsiſe.

3 In what caſe a Certificate of an Aſſiſe doth lye. 13. *Ed.* 1. 25.

Of Bigamie.

4 A Certificate of Bigamie ſhall be made by the Ordinarie. 18. *Ed.* 3. 2.

Of Braſſe, &c. ſhipped.

5 In what caſe a Certificate ſhall be made for the ſhipping and diſcharge of Braſſe, Latten, &c. 33. *H.* 8. 7. 2. *Ed.* 6. 37.

1 *Chaſes. S. Foreſts.*

Cerciorari, Habeas Corpus.

Remouing of priſoners & Records.

1 CErciorari, or *Habeas Corpus* ſhall not bee granted to remoue any Priſoner or Recogniſance, except it be ſigned with the hand of the chiefe Iuſtice. 1. & 2. *Ph.* & *M.* 13. *S. Corpus cum cauſa.*

Remouing of Indictments.

2 No *Certiorari* to remoue an Indictment ſhall bee allowed, vnleſſe the Indictee will become bound to pay coſts. 21. *Iac.* 1.

Ceſſauit.

Tenant in fee farme.

1 IN what caſe a *Ceſſauit* is maintenable againſt tenant in fee farme. 6. *Ed.* 1. 4.

Againſt the free hold tenant.

2 In what caſe a Lord may haue a *Ceſſauit* againſt his Tenant. And the forme of the writ. 13. *Ed.* 1. 21.

Lands giuen in frankalmoigne.

3 A *Ceſſauit* to recouer lands aliened which were giuen in Almes. 13. *Ed.* 1. 41.

Challenge.

Attaint in London.

1 WHat ſhall be no Challenge in a Bill of Attaint ſued for lacke of ſufficient lands or goods. 1. *H.* 7. 12.

Inſufficiencie of freehold.

2 What ſhall bee no Challenge for inſufficiencie of freehold in a writ of Attaint ſued in Lond. 37. *H.* 8. 5.

Where the thing is worth xl. markes.

3 Challenge in London for lacke of ſufficient lands or goods where the thing in demand is worth forty markes. 11. *H.* 7. 21.

Riens deins le gard.

4 *Riens deins le gard* ſhall be no Challenge in London. 7. *H.* 7. 5.

For the King.

5 Where a Iurie or Iuror is challenged for the King, cauſe ſhall be ſhewed. 33. *Ed.* 1.

Of an Inditor.

6 An Inditor may be challenged vpon the deliuerie of the partie indicted. 25. *Ed.* 3. 3.

Fortie marke value.

7 Challenge where the thing in demand is worth forty markes. 2. *H.* 5. 3. 23. *H.* 8. 13.

An alien partie.

8 Challenge of a Iurie, where an Alien is partie to the triall. 28. *Ed.* 3. 13. 23. *H.* 8. 13.

Arraigned of murder.

9 What Challenge hee may haue that is arraigned of murder by ſpeciall commiſſion. 33. *H.* 8. 13.

10 What

ie.

10 What Challenge is not allowed to him that is arraigned of peracie. 23. *H.* 8. 15.

ſon, murder,

11 What onely Challenge hee may haue that is arraigned of treaſon, murder, or manſlaughter committed within the verge. 33. *H.* 8. 12.

ſpiracie by
ings ſeruant.

12 No Challenge by the Kings ſeruant which is arraigned for conſpiring the death of any Lord, &c. but for malice. 3. *H.* 7. 14.

mptorie.

13 Peremptory Challenge ſhall not be allowed in any caſe of high treaſon, or miſpriſion of treaſon. 33. *H.* 5. 23.

mptorie a-
twentie.

14 No perſon arraigned for petit treaſon, murder, or felonie ſhall be admitted to any peremptorie Challenge aboue the number of twentie. 22. *H.* 8. 14. 32. *H.* 8. 3.

uſion.

15 Challenge vpon an inquiſition of colluſion. 13. *Ed.* 1. 33.

he hundred,

16 In what caſe the triall of an iſſue in a perſonall action no Challenge for the hundred ſhall bee allowed. 35. *H.* 8. 6. 27. *El.* 6.

1 *Charitable vſes. S. Hoſpitalls, &c.*
1 *Chauntries. S. Monaſteries. &c.*
1 *Champertie. S. Maintenance, &c.*
1 *Cheeſe. S. Butter.*

Cheſter, Cheſhire.

ions.

1 WHen the Seſſions ſhall bee kept for the Countie of Cheſter, and how often in the yeare. 32. *H.* 8. 43. 33. *H.* 8. 13.

ghts of the
iament.

2 There ſhall be two Knights for the countie of Cheſter, and two Burgeſſes of the Parliament for the citie of Cheſter. 34. *H.* 8. 13.

ences in for-
ie Counties.

3 What proces ſhall be awarded where an inhabitant of the countie of Cheſter doth commit felonie or murder in another countie. 1. *H.* 4. 18. 9. *H.* 5. 2.

otection.

4 No protection ſhall be granted to any perſon within the countie of Cheſter without the Kings warrant. 34. *H.* 8. 13.

oclamations
pon Exigents.

5 How proclamations ſhall be made vpon Exigents awarded againſt any perſon dwelling in the countie of Cheſter, or the citie of Cheſter. 1. *Ed.* 6. 10. 5. *Edw.* 6. 86.

eputies in
ourt.

6 Euery Sheriffe of the Countie and the Citie of Cheſter ſhall haue a deputie in the Kings Bench, and Common place. 1. *Edw.* 6. 10. 5. *Edw.* 6. 26. 23. *Henr.* 6. 10.

ines.

7 Fines may be leuied before the high Iuſtice of Cheſter, &c. of lands within the Countie of Cheſter. 2. *Ed.* 6. 28.

ines and reco-
ueries.

8 Fines and recoueries of lands in the Counties Palatine of Cheſter may be inrolled. 27. *El.* 9.

Tales.

9 In what caſes a *Tales de circumſtantibus* is grantable in the Countie of Cheſter. 5. *El.* 25. 14. *El.* 9.

ewers.

10 In what ſort, and by whom Commiſſioners of Sewers ſhall be directed within the fees of the countie of Cheſter. 23. *H.* 8. 5.

Recogniſance.

11 Recogniſances of Statute Merchant and Acton Burnell may be acknowledged before the Mayor of Cheſter. 2. *Ed.* 6. 31.

Offices.

12 Offices found in the countie of Cheſter ſhall bee receiued, and turned into the court of Wards. 18. *Eliz.* 12.

Coroners.

13 Two Coroners ſhall bee for the countie of Cheſter, and their authoritie. 33. *H.* 8. 13.

Inrolment of
bargaines and
ſales.

14 Bargaines and ſales of lands lying in the countie of Cheſter may be inrolled there. 5. *El.* 26.

Shire court.

15 Where the Sheriffe of the countie of Cheſter ſhall keepe his Shire Court. 33. *H.* 8. 13.

Chirographer, and Cuſtos Breuium.

Fee vpon a fine.

1 THe Chirographers fee for vpon euery fine. 2. *Hen.* 4. 8 13. *Ed.* 1. 44.

Inrolment of
fines.

2 Writs whereupon fines ſhall be leuied ſhall be inrolled in the common place by the Chirographer. 5. *H.* 4. 14.

A table of fines.

3 The Chirographer ſhall make a Table containing the content of euery fine, and ſhall haue foure pence for the ſame. 23. *El.* 3.

Citation.

His owne Dio-
ceſſe.

1 NO perſon ſhall be cited to appeare out of the Dioces where he dwelleth, except it be in certaine caſes. 23. *H.* 8. 9. 1. 1. *El.* 1.

The fees of a ci-
tation.

2 What be the fees for the ſeale of a Citation, and the penaltie if more be taken. 23. *H.* 8. 9. 1. *El.* 1.

Clapboard, Caske.

Bringing in of
Clapboard.

1 FOr Beere tranſported, or Fiſh, Clapboard or Caske ſhall be brought in. 35. *El.* 11.

Tranſporting of
Wine.

2 In which caſes onely it ſhall bee lawfull to tranſport any wine caske, and to ſell the ſame. 35. *El.* 11.

Clergie.

Taking goods
from the perſon
of another.

1 HE ſhall not haue his Clergie which is indited or appealed for felonies, taking any money or goods from the perſon of another priuily. 8. *El.* 4.

Stabbing.

2 Nor he that ſhall ſtab any perſon hauing not a weapon drawne, or firſt ſtricken. 1. *Iac.* 8.

A Recuſant.

3 Nor a Recuſant reſtrayned to a certaine place of abode being commanded refuſeth to abiure the Realme, or ſhall not goe, or ſhall returne without licence. 35. *El.* 1. & 2.

Coniuration.

4 Nor hee which doth practiſe coniuration or inuocation of wicked ſpirits. 1. *Iac.* 12.

Buggerie.

5 Nor he which doth commit Buggerie with mankind or beaſt. 25. *H.* 8. 6. 5. *El.* 17.

Counſelling to
commit felonie.

6 Nor hee which doth command, counſell or hire any perſon to commit petit Treaſon, Murder, Robberie, &c. or to burne any houſe or barne with Corne. 4. & 5. *P.* & *M.* 4.

Forgerie.

7 Nor hee who being once conuicted of forgerie, doth commit againe the ſame offence. 5. *El.* 14.

A Souldier or
Marriner.

8 Nor a Souldier or Marriner that departeth without the licence of his Captaine. 2. *Ed.* 6. 2. 5. *Eliz.* 5. Nor a wandring Souldier or Marriner that offendeth contrarie to the Statute in that caſe prouided. 39. *Elizab.* 17.

Burglarie or
Rape.

9 Nor hee that is attainted of Burglarie, or Rape, or the carnall knowledge of a woman childe vnder the age of ten yeares. 18 *El.* 6.

Egyptians.

10 Nor any aboue the age of fourteene yeares calling himſelfe an Ægyptian. 1. & 2. *Phil. & Mar.* 4. 5. *Eliz.* 20.

Taking a woman
againſt her will.

11 Nor hee which doth take away a maide, widow, or wife againſt her will, hauing lands, &c. 39. *El.* 9.

Murder, Robbe-
rie, &c.

12 Nor hee which doth commit murder, poyſoning, robberie, ſtealing of horſes, robbing of a Church, breake any houſe, or tent, or boothe: Nor hee which is acceſſarie to ſuch felonie before the felonie done. 23. *Henr.* 8. 1. 32. *Henr.* 8. 3. 1. *Edw.* 6. 12. 5. *Edw.* 6. 9. 39. *Eliz.* 15.

Releeuing a Ie-
ſuite.

13 Nor hee which doth willingly receiue, or releeue a Ieſuite, or Prieſt. 27. *El.* 2.

Clergie in other
caſes.

14 Clergie ſhall bee allowed in all other caſes ſauing ſuch as are before mentioned. 1. *Ed.* 6. 12.

But once.

15 Clergie ſhall be allowed but once. 4. *H.* 7. 13.

Marked.

16 Hee that hath his Clergie ſhall be marked openly before the Iudge. 14. *H.* 7. 13.

For holy orders
no benefit.

17 Such as be within holy orders ſhall receiue no other benefit or Clergie than others doe. 28. *Hen.* 1. 32. *H.* 8. 3. 4. *H.* 4. 3.

Bigamus.

19 Bigamus ſhall bee allowed his Clergie. 1. *Edw.* 6. 12.

Former offences.

20 Hee that is allowed his Clergie ſhall anſwer to former offences. 8. *El.* 4. 18. *El.* 6.

A Lord of the
Parliament.

21 In what caſe a Lord of the Parliament may haue the benefit of Clergie for his firſt offence. 1. *Ed.* 6. 12.

No deliuerie to
the ordinarie.

22 Euery perſon allowed his Clergie ſhall be enlarged, without being deliuered to the Ordinarie. 18. *Elizab.* 7.

Clerke of the Market.

Within the
verge.

1 THe Clerke of the market of the Kings houſe ſhall vſe his office within the verge where the King is in perſon, and none other. 27. *H.* 8. 24.

No common fine.

2 The Clerke of the market ſhall take no common fine, but euery offendor ſhall bee puniſhed according to his deſerts. 13. *R.* 2. 4.

How he ſhall ride
attended.

3 With how many horſes the Clerke of the market may ride, and how long he may tarrie in a towne. 13. *R.* 2. 4.

4. The

Weights and meaſures ſigned.

4 The Clerke of the market ſhall haue all his weights and meaſures ſigned according to the ſtandard of the Exchequer, with him, and ſhall vſe none other. 16. *Rich.* 2. 3.

Clerke of Aſsiſe.

Not of councell.

1 NO Clerke of Aſſiſe ſhall be of councell with any perſon within his circuit. 33. *H.* 8. 24.

Where he may doe his office.

2 A Clerke of Aſſiſe may execute his office in the Countie where hee was borne, or doth dwell. 33. *Hen.* 8. 24.

Clerkes of the Signet and priuie Seale.

To whom the K. grants ſhall be brought.

1 ALl the Kings grants ſhall bee firſt brought to the Kings principall Secretarie, or to one of the clerkes of the Signet. 27.*H.*8.11.

Making of warrants.

2 One of the Clerkes of the Signet ſhall make a warrant to the keeper of the priuie Seale.

A warrant to the great Seale.

3 One of the Clerkes of the priuie Seale ſhall make a warrant to the great Seale.

Their fees.

4 The fees for writings which paſſe by immediate warrant.

Duchie lands and offices.

5 By what ſeales leaſes of Duchie lands may paſſe. And by whom a ſmall office in the Duchie may paſſe.

The Clerkes fees.

6 The fees of the Clerkes of the Signet, and priuie Seale.

Things paſt without fees.

7 The Lord Chancellor may paſſe things without paying any fees.

The Kings priuate affaires.

8 The ſealing, writing, and deliuering of things touching the affaires of the Realme, or the K. priuate affaires.

Small farmes.

9 The grant or leaſe of a farme, the yearely rent whereof exceedeth not the ſumme of 6.l. 13.s. 4. d. ſhall not be preiudiced by this Act. 27. *H.*8. 11.

Clerkes of the Chancerie.

They may marrie.

1 THe ſixe Clerkes of the Chancerie may take wiues, marrie, and enioy their offices. 14. *H.* 8. 8.

Clerke of the Crowne.

His fee.

1 THe fee of the Clerke of the Crowne of him that is indicted of felonie or treſpaſſe. 2. *H.*4.10.

Certificates of Attaint, &c.

2 The Clerke of the Crowne ſhall receiue and certifie the names of ſuch as be indicted, attainted, outlawed. 34. *H.* 8. 14.

Clerke of the Peace.

Who ſhall appoint him.

1 THe *Cuſtos Rotulorum* ſhall appoint the Clerke of the Peace, which Clerke may occupie the ſame office by a deputie. 37. *H.* 8.1.

Inrolments of ſale of lands.

2 The fee and dutie of the Clerke of the Peace, for the inrolment of a bargaine and ſale of land. 27. *Henr.* 8. 16.

Licences for badgers, drouers, &c.

3 The fees of the Clerke of the Peace, for a Recogniſance, and licence granted to a Badger, Lader, Drouer. 5. *El.* 12. 13.*El.* 25.

His dutie.

4 The dutie of the Clerke of the Peace in ſeuerall caſes. 2.*Ed.*6.14. 5. *El.*4.

Clerke of Statutes.

He ſhall be reſident.

1 A Clerke of the Statutes ſhall haue ſufficient, and be reſident vpon his office. 14. *Ed.* 3.11. 33.*H.*8.6.

His fee for Recogniſances.

2 The fee of the Clerke of recogniſances in the nature of a Statute-ſtaple, for writing, making, inrolling, and certifying of a Recogniſance. 23. *H.* 8.6.

1 *Cloth, Clothing. S. Drapery.*

Collectors.

Collector of tenthes.

1 NO Biſhops Collector of Tenthes ſhall abide in his office any longer, than the granter ſhall remaine Biſhop of the ſame See. 7.*Ed.*6.1. 1. *El.* 4.

Not chargeable to others.

2 How Collectors of Diſmes accounting in the Exchequer may be charged to anſwer to other. 1. *Rich.* 3. 14.

Vnder-collectors chargeable.

3 Vnder-collectors of Tenthes and Subſidies ſhall account in the Exchequer, and their lands and goods ſhall be chargeable for their receipts. 14. *El.* 7.

Bridges.

4 The receipt, charge, and accompt of Collectors for the repairing of Bridges. 22.*H.*8.5.

Poore.

5 The dutie, receipt, charge, and accompt of Collectors and Ouerſeers for the poore. 43. *El.* 2.

1 *Colledges. S. Monaſteries, &c.*

Common.

Vſurpation.

1 VSurpation of Common during the liues of particular tenants ſhall not preiudice them in the reuerſion. 13. *Ed.*1.46.

Approuement of Commons.

2 In what caſes Lords may approue Common, notwithſtanding the contradiction of their tenants or neighbours. 20. *H.*3.4. 13.*Ed.*1.46. 3.*Ed.*6.3.

Approuement of woods.

3 In what caſe one may ſell and incloſe woods wherein others haue Common. 35.*H.*8.17. 13.*El.* 25.

Horſes.

4 Of what height horſes ſhall be that may feed vpon the Common. 32.*H.*8.13. 8.*El.* 8.

Commiſsions, Commiſsioners.

Of inquirie.

1 TO what ſort of people Commiſſions of inquirie ſhall be awarded. 42. *Ed.* 3.4.

Commiſsioners wronged.

2 A remedie to diſcharge Commiſſioners diſtrained to returne a Commiſſion which neuer came to their hands. 4.*H.*4.9. 7.*H.*4.11.

Bankrupts.

3 The power of Commiſſioners authorized to inquire of Bankrupts, and what they may doe in euery reſpect. 13. *El.* 7. 1. *Iac.* 15.

Sewers.

4 The Commiſſion of Sewers, and the Commiſſioners orders, authoritie, and dutie. 23. *H.* 8.5. 3.*Ed.* 6.8. 1. *M. Par*, 2. 11. 13. *Eliz.* 9. 3.*Iac.*4. 7.*Iac.* 20.

Purueyours.

5 Commiſſions ſhall bee directed to certaine perſons to inquire of the behauiour of purueyours. 36. *Edw.* 3. 4.

A Superſedeas.

6 In what caſe one Commiſſion of the Peace ſhall not be a *Superſideas* to another. 2.& 3.*P.*& *M.*18.

Offence vpon the Sea.

7 A Commiſſion may be granted to inquire of offences done vpon the Sea, and the Commiſſioners authority. 28. *H.*8.15.

Purueyours commiſsion.

8 The ſubſtance, forme, and continuance of Commiſſions granted to Purueyours. 2.& 3. *P.*& *M.*6.

Shewing of commiſsion.

9 Purueyours ſhall ſhew their Commiſſion to them of whom they take any thing. 28. *Edward.* 1. 2. *Stat. de Priſtis.*

To enquire of others defaults.

10 In what caſe a Commiſſion ſhall be granted to inquire of Iuſtices of Peace and Sheriffes defaults for not inquiring of Riots. 2.*H.*5.8.

Triall of Treaſon.

11 In what caſes Treaſons may be tried in any countie by ſpeciall Commiſſion. 33. *H.* 8. 13.

Villaines.

12 In what caſe a Commiſſion ſhall be granted to inquire of the miſdemeanour of villaines. 1. *R.*2.6.

Appeale.

13 In what caſe a Commiſſion ſhall be granted vpon an Appeale out of an Archbiſhops Court. 25.*H.*8.19. 1. *Eliz.* 1.

Diſcontinuance.

14 No ſuit before certaine Iuſtices and Commiſſioners ſhall be diſcontinued by a new Commiſſion. 11.*Hen.* 6.6. 1.*Ed.*6.7.

In marine cauſes.

15 The force of a iudgement giuen by Commiſſioners or Delegates vpon Appeales in ciuill or marine cauſes. 18. *El.*5.

Spirituall iuriſdiction.

16 A Comiſsion may bee granted for executing ſpirituall iuriſdiction, and the Commiſsioners authoritie. 1. *Eliz.* 1.

Houſes of correction, &c.

17 Commiſsions may bee granted to inquire of money gathered for houſes of correction, or ſtockes for the poore. 39. *El.* 4.

Miſimployment of money giuen to charitable vſes.

18 Commiſsions may bee granted to inquire of the miſimployment of lands or goods giuen to godly vſes, and the Commiſsioners authoritie, and dutie. 43.*El.*4.

Granting diſpenſations, &c.

19 In what caſe a Commiſsion may bee granted to two ſpirituall perſons to grant licences, faculties, and diſpenſations. 25.*H.*8.21.

Iudges of the Church.

20 No Commiſsion ſhall bee granted to enquire of the behauiour of the Iudges of the Church. 18. *Edw.* 3. 6.

Condition, Couenant.

1 GRantees of reuerſions may take aduantage againſt Leſſees, in reſpect of any condition or couenant made to their Grantors. 33. *H.* 8. 34.

2 Leſſees may take aduantage againſt Grantees of reuerſions of any condition or couenant made by the grantee. 32. *H.* 8. 34.

3 The force of a conueyance of land, leaſe, or rent, with condition of reuocation, or alteration. 27. *Elizab.* 4.

Conduit.

1 THe penaltie for wilfull cutting out the head or pipe of any Conduit. 37. *H.* 8. 6.

2 Conduits in London. 35. *Henr.* 8. 10. *in Glouceſter.* 33. *Henr.* 8. 35.

Coniuration, Enchantment, witchcraft.

1 THe penaltie of Coniuration, Enchantment, &c. whereby any perſon is killed or lamed. 1. *Iac.* 12.

2 The penaltie for declaring by enchantment, &c. where things bee hidden, or procuring vnlawfull loue. 1. *Iac.* 12.

Conſpiracie.

1 WHo bee Conſpirators. 33. *Ed.* 1.

2 The puniſhment of Conſpirators. And which Iuſtices may enquire of them. 28. *Ed.* 1. 10.

3 A writ of Conſpiracie vpon an Indictment or Appeale of felonie ſuppoſed to bee committed in a place, where there is none ſuch. 18. *H.* 6. 12.

4 The penaltie of any of the Kings ſeruants, which ſhall conſpire to deſtroy the King, or any Lord, Priuie Councellour, great Officer, &c. 3. *Henrici ſeptimi,* 14.

5 The puniſhment of Conſpiracies or Agreements made by Artificers, or Victuallers, touching doing their Workes, or ſelling their Victuals. 2. *Edwardi ſexti,* 15.

Contra formam collationis.

1 A *Contra formam Collationis,* to recouer Lands aliened, which were giuen in Almes. 13. *Edwardi primi,* 41.

Conuocations and Aſſemblies for Religion.

1 THe Liberties of the Clergie called to the Conuocation, and of their ſeruants. 8. *Henrici ſexti,* 1.

2 The Clergie ſhall enact nothing in their Conuocations, vnleſſe they haue the Kings Royall Aſſent and Licence. 25. *Henr.* 8. 19. 1. *Eliz.* 1.

3 No perſon ſhall depart out of the Realme to any Conuocation, or Aſſembly, for Religion. 25. *Henrici octaui,* 21. 1. *Elizab.* 1.

Copihold, Copiholders.

1 THe eſtates of the Kings Copiholders confirmed by Decree in the Exchequer or Dutchie Chamber, ſhall bee good, according to the ſame Decree. 7. *Iacob.* 21.

2 Copiholders ſhall enioy their eſtates, where the King is intituled by office, though they be not found by inquiſition. 2. *Edward.* 6. 8.

3 The Creditors of Bankrupts, ſatisfied with Copihold land, ſhall compound with the Lords. 13. *Elizabeth.* 7.

Compounding with their Lords.

4 The Statute of Chauntries doth giue no Copihold land to the King. 1. *Edw.* 6. 14.

Chauntries.

5 The diſpoſing of Copihold lands in ſeuerall places. See 2. *Edwardi ſexti,* 12. 39. *Henrici octaui,* 13. 37. *Henrici octaui,* 2.

The diſpoſing of them.

6 A Popiſh Recuſant ſhall forfeit all his Copihold lands. 35. *El.* 2.

Popiſh Recuſants.

1 *Copper.* See *Braſſe.*

1 *Cordiners, Curriers, Tanners.* See *Leather.*

1 *Controllers of Cuſtome.* See *Cuſtomes.*

1 *Coſts of ſuit.* See *Dammages.*

1 *Conſultation.* See *Prohibition, &c.*

Corne and Graine.

1 COrne ſhall not be tranſported without licence. 1. & 2. *Phil.* & *Mar.* 5.

Tranſporting.

2 The forfeiture of him that tranſporteth more Corne than hee hath licence. 1. & 2. *Phil.* & *Marie,* 5.

Licence.

3 He that hath licence to tranſport Corne, ſhall lade it at one place. 1. & 2. *P.* & *M.* 5.

Lading in one place.

4 Corne of certaine prices may bee tranſported. 1. & 2. *Phil.* & *Mar.* 5. 13. *Elizab.* 13. 21. *Iacob.* 28. 3. *Carol.* 4.

Tranſporting.

5 The King may reſtraine the tranſportation of Corne by Proclamation. 13. *Elizab.* 13. 21. *Iac.* 28. 3. *Car.* 4.

Reſtraint.

6 In what caſes it ſhall not be lawfull to bring Corne into this Realme. 3. *Edw.* 4. 3.

Bringing in of Corne.

7 Hee that buyeth Corne for the change of his Seed, muſt bring in as much to the ſame Market. 5. *Edw.* 6. 14. 13. *El.* 25.

Change of Seed.

8 What Cuſtome ſhall be paid for Corne tranſported. 13. *Eliz.* 13. 35. *El.* 7. 21. *Iac.* 28. 3. *Car.* 4.

Cuſtome.

9 None ſhall buy Corne to ſell againe without licence. 5. *El.* 12.

Licence to buy and ſell.

10 Corne may bee ingroſſed and kept in Grainers, when it is of ſmall price. 5. *Edwardi ſexti,* 14. 13. *Elizab.* 25.

Of ſmall price.

11 Purueyours ſhall take Corne by Meaſure ſtriked, and not without the owners conſent. 4. *Edwardi tertii,* 3. 25. *Edwardi tertii,* 1. 36. *Edwardi tertii,* 2. 11. *Henrici ſeptimi,* 4. 14. *Edwardi tertii,* 19.

Purueyours.

Corpus cum cauſa, Certiorari, Habeas corpus, Remouer.

1 A *Corpus cum cauſa,* or *Certiorari,* to remoue into the Chancerie one that is in execution at another mans ſuit. 2. *Henr.* 5. 2.

A man in execution.

2 Hee that ſueth to defeat an execution vpon a Statute, to bee remoued by a *Corpus cum cauſa,* ſhall finde ſuretie to ſatisfie both the King and the partie. 11. *H.* 6. 10.

Finding ſureties.

3 A *Habeas corpus,* or *Certiorari,* to remoue a Priſoner or Record, ſhall bee ſigned with the hand of the chiefe Iuſtice. 1. & 2. *P.* & *M.* 13.

Signed by a Iuſtice.

4 The Iuſtices of the Kings Bench may remoue Priſoners into the Countrey, to bee tryed. 6. *Henrici octaui,* 6.

Remouing of Priſoners.

5 At what time a Writ to remoue a ſuit depending in the Court of a Towne corporate, ſhall bee deliuered to the Iudge or Officer of the ſame Court. 43. *Elizab.* 5. 1. *Iacob.* 25.

A ſuit in a Towne corporate.

Corporations, Mayors, Bayliffes, and head Officers.

1 NO new Ordinances ſhall be made by a Corporation, without the conſent of the Lord Chancellor

New Ordinances.

or Iuſtices. 19. *Hen*. 7. 7.

Suit in the K. Court.

2 No Ordinance ſhall be made by a Corporation, to reſtraine ſuit in the Kings Court. 19. *Henrici ſeptimi*, 7.

Keeping a ſhop.

3 No Corporation ſhall reſtraine any man to keepe ſhop. 28. *H*. 8. 5.

Fees for entring an Apprentice.

4 The Fees of a Corporation, for entrie of an Apprentice, or a Free-man. 22. *Henrici octaui*, 4. 28. *Henrici octaui*, 5.

A negatiue voice.

5 In Corporations, none ſhall haue a negatiue voice. 33. *H*. 8. 27.

Tables of duties.

6 Officers of Corporations ſhall ſet vp Tables of all Duties. 22. *H*. 8. 8.

Compacts.

7 The penaltie of Compacts made by certaine Corporations. 2. *Edw*. 6. 15.

Arrow-heads.

8 The chiefe Officers of Corporations haue power to enquire of, and puniſh falſe makers of Arrow-heads, and Quarrels. 7. *H*. 8. 7.

Victuallers, Artificers, &c.

9 And to enquire of and determine all Offences committed by Victuallers, Artificers, &c. 2. *Edwardi ſexti*, 15.

Aſſeſsing the prices of Veſſels of Ale & Beere.

10 And to aſſeſſe the prices of euery Barrell, Kilderkin, and Firkin of Ale and Beere. 23. *Henrici octaui*, 4.

Aſſeſſement of the prices of Caskes.

11 And to taxe the prices of all Barrels, Kilderkins, and Firkins, &c. to be ſold for Ale, Beere, or Sope. 8. *Eliz*. 9.

Gauging and marking of Veſſels.

12 And to ſearch and gauge all Barrels, Kilderkins, &c. and to marke them. 23. *H*. 8. 4.

Veſſels of Salmon, Herrings, and Eeles.

13 And to name and chuſe expert perſons to ſearch and gauge all Veſſels of Salmon, Herring, and Eeles, 22. *Ed*. 4. 2. 11. *H*. 7. 23.

A Souldier departing.

14 And to arreſt and keepe a Souldier, departing from his Captaine without licence, vntill further enquirie bee made of his Offence. 18. *Henrici ſexti*, 19.

Mault.

15 And to proceed to the execution of the Statute made to reſtraine the exceſſiue making of Mault. 39. *Eliz*. 16.

Tanners.

16 And to enquire, heare, and determine all offences committed contrary to the Statute prouided touching Tanners, &c. 1. *Iac*. 22.

Liueries.

17 And to receiue information of any perſons which ſhall giue any Liuery or Badge, or retaine any other than his meniall ſeruants, &c. And of any perſon which ſhall be ſo retayned. 8. *Ed*. 4. 2.

Preachers.

18 And to enquire of all offenders againſt Preachers, &c. And to heare and determine the ſame. 1. *Mar*. 3.

Vnlawfull games, and Artillerie.

19 And to cauſe the Statute prouided againſt vnlawfull games, and for the maintenance of Artillerie to bee proclaimed. 33. *H*. 8. 9.

Conſtitutions for the Nauie.

20 And to enquire, heare, and determine all offences done to the Land, or within any Hauen or Pere, contrary to the Statute made touching politique conſtitutions for the maintenance of the Nauie. 5. *Elizab*. 5.

Vſurie.

21 And to heare and determine all offences committed contrarie to the Statute of *triceſimo ſeptimo Henrici octaui, cap*. 9. prouided againſt Vſurie. & *decimo tertio Elizab*. 8.

Wines.

22 And to examine, heare, and determine the defaults of ſuch as ſhall attempt to ſell Wine contrary to the Statute in that caſe prouided. 28. *Henrici octaui* 14.

Bowſtaues.

23 And to ſearch and ſuruey the bowſtaues brought into this Realme by Merchant ſtrangers. 12. *Edw*. 4. 2. 13. *El*. 14.

Riding armed.

24 And to make execution of the Statute of Northampton, prouided againſt thoſe which ſhall goe or ride armed. 2. *Edwardi tertii quarto*. 20. *Richardi ſecundi primo*.

Free election.

25 None ſhall by ſtrength or threats hinder a Corporation to make free election. 3. *Edward*. 1. 5. 9. *Edw*. 2. 14.

Reliefe of the poore.

26 Head Officers of corporate Townes haue authority as Iuſtices of Peace, to doe and execute euery thing for the reliefe of the poore. 43. *El*. 2.

Vagabonds.

27 The head Officers of corporate Townes ſhall execute the Statute prouided againſt vagabonds in ſuch ſort as Iuſtices of Peace may doe. *Triceſimo nono Elizabethæ*, 4.

Vnlawfull gam

28 Head Officers of corporate Townes may ſearch for and repreſſe vnlawfull games. 33. *H*. 8. 9.

Purchaſing of lands.

29 It is Mortmaine for the chiefe Officer of a corporate Towne to purchaſe any lands to the vſe of the Corporation. 15. *R*. 2. 5.

Scaling of lea ther.

30 Chiefe Officers of corporate Townes ſhall appoint expert men to ſearch and ſeale Leather. 1. *Iacob*. 22.

Scaling of cl

31 Chiefe Officers of corporate Townes ſhall appoint certaine expert men to ſearch and ſeale cloth. 5. *Ed*. 6. 6.

Faultie cloth.

32 How the chiefe Officers of a corporate Towne ſhall vſe faultie cloth preſented vnto them. 5. *Ed*. 6. 6. 25. *Ed*. 3. 1.

Shooting in Gunnes.

33 How the head Officers of a corporate Towne ſhall vſe thoſe that ſhoote in Gunnes. 2. *Edwardi ſexti decimo quarto*.

Phyſicians.

34 The Phyſicians of London made a bodie corporate, what priuiledges they haue, and what they may doe. 14. *Henrici octaui* 5. 32. *Henrici octaui* 4. 1. 1. *Mar*. 9.

Searching of ſtian and clo

35 The Mayor and Wardens of the Sheare men of London may ſearch the workemanſhip of Fuſtian and cloth. 11. *H*. 7. 27.

Searching of oyles.

36 The chiefe Officers of a corporate Towne may ſearch all Oyles brought thither. 3. *H*. 8. 14.

Pewter and Braſſe.

37 The head Officers of a corporate Towne may appoint expert men to ſearch veſſels of Pewter and Braſſe. 19. *Henrici ſeptimi* 6. 4. *Henrici octaui* 7. 25. *Henrici* 8. 9. 33. *Henr*. 8. 4.

An officer customer.

38 A common Officer of a corporate Towne ſhall bee no cuſtomer. 3. *H*. 7. 7.

Arreſting of Chaters.

39 The chiefe Officers of a corporate Towne ſhall arreſt the Chators of Noble men, and others which take any thing againſt the owners good will. 23. *Henrici* 6. 14.

Common pr

40 Chiefe Officers of corporate Townes may enquire of the Offences prohibited by the Statute, prouided for the Vniformitie of Common Prayer. 1. *Elizab*. 2.

Ryots, Rout

41 Ryots, Routs, and vnlawfull Aſſemblies, made in corporate Townes, ſhall be enquired of, and repreſſed by the chiefe Officers there. 2. *H*. 5. 8.

Victuallers.

42 Chiefe Officers of corporate Townes may order, reform, and puniſh Victuallers. 31. *Ed*. 3. 10. 7. *R*. 2. 11. 23. *Ed*. 3. 6. 25. *H*. 8. 2.

Meaſures and weights.

43 Head Officers of corporate Townes may keepe, marke, and examine Meaſures and Weights. 11. *H*. 7. 4. 12. *H*. 7. 5. 8. *H*. 6. 5. 9. *H*. 6. 6.

Selling of wi

44 Officers of a corporate Towne may enter into a Merchants houſe, which denieth to ſell Wine at the price aſſeſſed, and ſell and deliuer the ſame. 24. *Henr*. 8. 6.

Who ſhall wine.

45 None ſhall ſell Wine in a corporate Towne, but by the appointment of the head Officers. 7. *Edward*. 6. 5.

Aſſaying of wines.

46 Head Officers of corporate Townes haue authoritie to aſſay Wines, and to poure out the corrupt. 4. *Ed*. 3. 12.

Muſters.

47 Where, and before whom, inhabitants in corporate Townes ſhall bee charged to appeare at Muſters. 4. & 5. *P*. & *M*. 3.

Vnion of Churches.

48 There ſhall be no vnion of a Church in a corporate Towne, without the aſſent of the chiefe officers there. 37. *H*. 8. 21. 1. *Ed*. 4.

Taking of Shewage.

49 No head Officer of a corporate Towne ſhall take Scauage or Shewage of a Merchant for Merchandizes cuſtomed. 19. *H*. 7. 8.

Burgeſſes of liament.

50 The dutie of head Officers of corporate Townes about electing and returning the Burgeſſes of Parliament. 23. *H*. 6. 15.

Inrolments deeds.

51 The force of recoueries, deedes enrolled, and releaſes made and acknowledged in certaine corporate Townes. 34. *H*. 8. 22.

Ordinances ſelling of fi

52 Ordinances of Corporations made for the reſtraint of any perſon to take, buy, or ſell fiſh ſhall be void. 31. *El*. 10. 43. *El*. 9.

Souldiers a Mariners.

53 Officers of corporate Townes may execute the Statute prouided for Souldiers and Mariners. 43. *Elizab*. 3.

ſes in Wales.

54 Head officers of corporate townes in Wales may hold pleas, and determine actions, as in England. 34. *Hen.* 8.

Coroners.

Who ſhall be.

1 WHo ſhall bee Coroners, and by whom, and where they ſhall bee choſen. 3. *Edward.* 1. 10. 28. *Edw.* 3. 6.

ufficient free-hold.

2 A Coroner ſhall haue ſufficient land in fee in the ſame Countie. 14. *Ed.* 3. 8.

Of what hee ſhall nquire.

3 Of what things Coroners ſhall enquire, and by whom. 3. *Ed.* 1.

Certificate of hat is found.

4 Coroners ſhall make inquiſition of murther and manſlaughter, to certifie what is found at the next Gaole deliuerie. 3. *H.* 7. 1.

ſcape of a murtherer.

5 A Coroner ſhall enquire of the eſcape of a murtherer. 3. *H.* 7. 1.

ecording of Euidences.

6 A Coroner ſhall record euidences giuen vnto him vpon an Inquiſition, and binde the parties to giue it at the next Gaole deliuerie. 1. & 2. *Philip.* & *Mar.* 13.

here a fee, and here not.

7 In what caſe a Coroner ſhall haue a fee, and in what not. 3. *Edward.* 1. 10. 1. *Henr.* 8. 7. 3. *Hen.* 7. 1.

Counter rolles.

8 The Sheriffe ſhall haue counter rolles with the Coroner. 3. *Ed.* 1. 10.

pparance vpon nquiſition.

9 Who ought to appeare before the Coroner vpon an Inquiſition of the death of a man. 52. *Henrici* 3. 24.

nquirie of death ithin the vierge.

10 Which Coroners ſhall enquire of the death of a man that doth chance within the vierge, or where the Kings houſe is, and by what perſons. 28. *Edw.* 1. 3. 33. *Henr.* 8. 12.

heſhire.

11 Two head Coroners ſhall bee choſen for the Shire of Cheſhire, and what their dutie is. 33. *Henr.* 8. 13.

ges of ights of the rliament.

12 What euery Coroner ſhall forfeit, which ſhall bee abſent from the aſſeſſing of the wages of the Knights of the Shire for the Parliament. 23. *H.* 6. 11.

ncealement Felons.

13 What Coroners ſhall forfeit, if they doe conceale and will not arreſt Felons when they may. 3. *Edward.* 1. 9.

panelling a

14 In what caſes Coroners ſhall impanell a Iurie, of what ſufficiencie the Iurors ſhall be, and what iſſues they ſhall returne vpon them. 2. *H.* 5. 8.

roners in les.

15 There ſhall be two Coroners in euery of the twelue Shires in Wales: their Offices, Duties, and Fees. 34. *Henr.* 8.

Couſenage.

e Tenants anſwer.

1 THe Tenants anſwer in Writ of Couſenage. 13. *Ed.* 1. 20.

1 *Croſſe-bowes.* See *Gunnes.*

Cottages and Inmates.

ot without e acres of d.

1 NO new Cottage ſhall bee erected without foure acres of land layd thereunto. 31. *El.* 7.

o Inmates.

2 There ſhall not bee any Inmate, or more Families than one dwelling in any one Cottage. 31. *El.* 7.

Couerlets.

uerlets made Yorke.

1 NO perſon dwelling in Yorkſhire, ſhall make any Couerlets to ſell, vnleſſe he be inhabiting within the Citie of Yorke. 34. *H.* 8. 10.

Where they may e ſold.

2 Where Couerlet makers in Yorke, &c. may ſell their Couerlets. 34. *H.* 8. 10.

heir Aſsiſe.

3 The Aſſiſe of Couerlets made within the Citie of Yorke, &c. and the forfeiture of the owner, if they lacke. 34. *H.* 8. 10.

Norwich and orffolke.

4 Who may weaue or make Couerlets, Dornix, Felts, or Thrummed Hattes, within Norwich, or the Countie of Norffolke. 5. & 6. *Edw.* 6. 24.

nely made in arket Townes.

5 Couerlets, Dornix, &c. ſhall be made in a Corporate or Market Towne onely, Pullam onely excepted. 5. & 6. *Edwardi* 6. 24.

Counterfeit Letters and Tokens.

1 THe penaltie of him that getteth into his hands any goods, &c. of any other perſons, by colour of a priuie Token or Counterfeit Letter, made in another mans name. 33. *H.* 8. 1.

Made in another mans name.

Coopers.

1 IVſtices and head Officers of corporate Townes ſhall ſet the prices of Veſſels for Ale, Beere, or Soape. 8. *El.* 9.

Aſſeſing the prices of Veſſels.

2 The contents of Veſſels made for Ale and Beere. 23. *Henr.* 8. 4.

The contents of Veſſels.

3 The penaltie of him that doth diminiſh any Barrell, Kilderkin, or Firkin. 23. *H.* 8. 4.

Diminiſhing of Veſſels.

4 Veſſels brought from beyond Seas for Beere or Ale, ſhall be gauged, and what ſhall be taken for the gauging of them. 31. *El.* 8.

Gauging.

Countie, or Shire Court.

1 EVery Countie Court ſhall be kept monethly. 9. *H.* 3. 35. 2. *Ed.* 6. 25.

When to be kept.

2 Where the Countie Court of the Shire of Northumberland ſhall be kept. 2. *H.* 6. 25.

Northumberland.

3 Where the Countie Court for the Shire of Suſſex ſhall be kept. 19. *H.* 7. 25.

Suſſex.

4 Where the Shire Court for the Countie of Cheſter ſhall be kept. 33. *H.* 8. 13.

Cheſter.

5 Where the Shire Courts in Wales, of Brecknock, of Radnor, of Montgomerie, of Denbigh, and of Monmouth ſhall be kept. 27. *H.* 8. 26.

Wales, &c.

6 The Sheriffes of Wales ſhall keepe their Countie Courts monethly, as they doe in England. 34. *H.* 8.

Sheriffes of Wales.

1 *Counterplea of Voucher.* See *Voucher, &c.*

Courts.

1 SVits for the Kings debts, ſhall bee in the Courts of the Exchequer, Dutchie, or of Wards, where they ſhall be due. 33. *H.* 8. 39.

Suits for the Kings debts.

2 The Authoritie of the Courts of the Exchequer, Dutchie, and Wards. 33. *H.* 8. 39.

Authoritie of ſeuerall Courts.

3 Who ſhall bee the Iudges of the Court of Starre-chamber, and what offences they may enquire of and puniſh. 3. *H.* 7. 1.

Star-chamber.

4 The Court of Common Pleas ſhall bee holden in a place certaine. 9. *H.* 3. 11. No Common Pleas ſhall bee holden in the Exchequer. 28. *Ed.* 1. 4.

Common Pleas.

5 No *Precipe in capite* ſhall be granted, whereby any Freeman may loſe his Court. 9. *H.* 3. 11.

No man ſhall loſe his Court.

Crowes, Rookes, and Choughes.

1 Euery man ſhall doe his beſt to deſtroy them. 24. *Hen.* 8. 10.

2 The taker ſhall haue 2. d. a dozen. *ib.*

Crowne, King, Queene.

1 THe Regall Office of this Realme, and all dignities, &c. annexed to the ſame, bee inueſted as well in a Queene, as in a King. 1. *M.* 2. *Parl.*

Regalitie annexed to a Queene.

2 No forreine Prince, Parſon, Prelate, &c. ſhall exerciſe any ſpirituall authoritie within this Realme. 1. *Eliz.* 1.

No forreine authoritie.

3 Eccleſiaſticall iuriſdiction ſhall be annexed to the Crowne. 1. *El.* 1.

4 Commiſſions ſhall be awarded to certaine perſons to execute all priuiledges concerning ſpirituall iuriſdictions: And to reforme all errors, abuſes, &c. which by any Eccleſiaſticall power may be corrected. 1. *El.* 1.

The high Commiſſioners Iuriſdiction.

5 What may be adiudged hereſie, and what not. 1. *Elizab.* 1.

Hereſie.

Oath of Supremacie.

6 The forme of the oath of Supremacie, and which perſons are bound to take it. 1. *Elizab.* 1. 5. *Elizabeth.* 1.

The penaltie for refuſing the Oath.

7 The ſeuerall puniſhments for the refuſall of the oath vpon the firſt tender, and ſecond tender. 5. *Elizab.* 1.

The ſecond tender.

8 Who onely ſhall be compelled to take the ſame oath vpon the ſecond tender. 5. *El.* 1.

Naturalized, or reſtored in bloud.

9 They ſhall bee bound to take the ſame oath which be naturalized, or reſtored in bloud. 7. *Iac.* 2.

Aſſurances of the Crowne.

10 Seuerall aſſurances, limitations, and recognitions of the title to the Crowne of England, made in ſeuerall Parliaments: *viz.* 7. *H.* 4. 2. 25. *H.* 8. 22. 28. *H.* 8. 7. 35. *H.* 8. 1. 1. *El.* 3. 1. *Iac.* 1.

The Kings Prerogatiues.

11 The Prerogatiues and Preheminences of the Crowne, King, and Queene, giuen or acknowledged to them by Parliament. 17. *Edw.* 2. 1. See *Prerogatiue* 1. *&c.*

The force of Bonds.

12 The forme and force of all Bonds made to the King, and how hee ſhall be anſwered all his debts, duties, and accompts. 33. *Henr.* 8. 39. S. *Accomptants to the King* 1. *&c.*

Sewers.

13 The Commiſſioners of Sewers decree ſhall bind the Kings lands. 23. *H.* 8. 5. 3. *Ed.* 6 8.

Fines leuied of lands.

14 The force of a Fine leuied by tenant in tayle of lands, whereof the reuerſion or remainder is in the King. 32. *H.* 8. 36.

Recoueries of lands.

15 The force of a recouerie of lands entayled, whereof the reuerſion or remainder is in the King. 34. *Hen.* 8. 20.

Suits to the Kings vſe.

16 No Coſts ſhall bee recouered in a ſuit purſued to the Kings vſe, though the verdict paſſe againſt the plaintiffe. 24. *H.* 8. 8.

The Kings children.

17 The Kings children borne beyond the Sea, are inheritable in England. 25. *Ed.* 3.

Writings made in the reigne of an vnlawfull K.

18 The validitie of Writings, made in the reigne of any other, than of the lawfull Queene. 1. *Mar.* 4.

Challenges.

19 Iurors vpon Enqueſts ſhall not bee challenged for the King, without ſpeciall cauſe ſhewed. 13. *Edward.* 1. 22.

The K. Iewels.

20 Who ſhall haue the Iewels of the Crowne after the Kings death. 1. *H.* 6. 5.

The King in poſſeſſion.

21 There ſhall be no forfeiture of life, lands, goods, &c. for doing true ſeruice to the King in *Eſſe.* 11. *H.* 7. 1.

The Kings wife accuſed.

22 How, and in what ſort onely the Kings wife may be accuſed. 33. *H.* 8. 21.

Forfeitures.

23 What time the King ſhall haue to recouer forfeitures vpon penall Statutes. 7. *H.* 8. 8.

The Oath of Obedience.

24 The forme of the Oath of Obedience made to the King: By whom it ſhall bee tendered, to whom, and the penaltie for refuſing it. 3. *Iac.* 4.

25 The King ſhall bee alwayes reputed to be of full age. 7. *Ed.* 6. 3.

1 *Currier. S. Leather, &c.*

1 *Cuſtos Breuium. S. Chirographer.*

1 *Curſing. S. Swearing.*

Cuſtos Rotulorum.

The L. Chancellor ſhall appoint him.

1 THe Lord Chancellor ſhall appoint the *Cuſtos Rotulorum* in euery Shire, ſauing where others are accuſtomed to doe it. 3. *Ed.* 6. 1.

Cuſtomes, Subſidies, Cuſtomers, Controllers, and Searchers.

Tonnage and Poundage.

1 A Subſidie of Tonnage and Poundage was granted to King *Iames* during his life. 1. *Iac.* 33.

The penaltie for not payment.

2 The penaltie if the Cuſtome be not paid. 1. *Iac.* 33.

Loſt by piracie.

3 A remedie, where goods cuſtomed ſhall be taken by Enemies, or periſhed by Sea. 1. *Iac.* 33.

Shipping in a Carricke.

4 What Cuſtome a Merchant Denizen ſhall pay, that doth ſhip any goods in a Carricke or Galley. 1. *Iac.* 33.

Sweet Wines.

5 What Cuſtome ſhall bee payed for ſweete Wines, which come through the Straits of Marocke. 1. *Eliz.* 11.

Graine tranſported.

6 The Cuſtome of ſeuerall ſorts of Graine tranſported beyond the Seas. 13. *El.* 13. 35. *El.* 7.

Sea Fiſh.

7 In what caſe Sea Fiſh may bee tranſported without Cuſtome. 5. *El.* 5. 1. *Iac.* 25.

Leather, &c. tranſported.

8 The ſeuerall Subſidies of Leather, Tallow, and Calues skinnes tranſported. 18. *El.* 8.

Vnlawfull co cealing.

9 The penaltie of a Cuſtomer, Controller, &c. which doth ſuffer Leather to be tranſported, without ſeizing or diſcloſing the ſame. 1. *Iac.* 22.

Wooll.

10 The Cuſtome of a Sacke of Wooll, 14. *Edw.* 3. 21.

Small things.

11 There ſhall bee no Cuſtome paid for Canuas, or Corners, with which, Woolls be packed. 34. *Edw.* 3. 19.

Small things.

12 No Ship ſhall be forfeited, for a ſmall thing therein not cuſtomed. 38. *Ed.* 3. 8.

Silkes ſurueyed.

13 Cloth of Gold, Siluer, Veluet, and other Silkes, ſhall bee ſurueyed, and meaſured by the Cuſtomer. 12. *Ed.* 4. 3.

Vnlawfull exa ction.

14 The forfeiture of a Cuſtomer, which ſhall take any reward for ſealing the ſaid Silkes, or delay the Merchant. 4. *H.* 8. 6.

Denizens.

15 Aliens made Denizens, ſhall pay ſuch Cuſtomes as they did before. 1. *Henr.* 7. 2. 11. *Henr.* 7. 14. 22. *H.* 8. 8.

An Engliſhma becommeth a forreiner.

16 An Engliſh man, ſworne ſubiect to a forreine Prince, ſhall pay ſuch Cuſtomes as other Strangers doe. 14. *H.* 8. 4.

Goods remou from Port to Port.

17 Where Cuſtome ſhall bee payed, when goods bee brought into one Port, and then remoued into another. 3. *H.* 7. 7.

Woollen cloth

18 To the Cuſtomer of which Port, the Cuſtome and Subſidie of all Woollen Clothes to bee carried ouer the Sea, ſhall be paid. 11. *H.* 7. 6.

Diſcharging of him that hath done his dutie.

19 The forfeiture of a Cuſtomer, which will not by warrant diſcharge a Merchant, paying his due Cuſtome. 11. *H.* 6. 15.

Another mans name.

20 No perſon ſhall enter into a Cuſtomers Booke, goods in another mans name. 1. *Elizab.* 11. 1. *H.* 8. 5. 14. *Ed.* 3. 21.

Cocketting in wrong name.

21 The penaltie for cocketting of Woolls in a Cuſtomers Booke, in the name of any other than thoſe but whoſe the Woolls be. 15. *R.* 2. 9.

The King loſ his dutie.

22 The penaltie of him that doth Cuſtome other mens goods, whereby the King loſeth his dutie. 3. *H.* 7. 7. 1. *H.* 8. 5. 2. *Ed.* 6. 22.

Of thoſe that not free.

23 The penaltie for Cuſtoming of Wines of any other perſons, being not free of Priſage or Butlerage of Wines. 1. *H.* 8. 5. 2. *Ed.* 6. 22.

Braſſe, &c.

24 The penaltie of a Cuſtomer, ſuffering Braſſe, Latten, &c. to be ſhipped, contrary to the Act in that caſe prouided. 33. *H.* 8. 7. 2. *Ed.* 6. 37.

Officers.

25 A common Officer of a Towne ſhall be no Officer in the Cuſtome there, 3. *H.* 7. 7.

A Cuſtomer Merchant, &c.

26 No Officer of the Cuſtome ſhall haue a ſhip of his owne, ſhall buy or ſell by way of Merchandize, ſhall occupie any Wharffe, Keye, Inne, or Tauerne, or ſhall bee Factor or Hoſte to any Merchant Stranger. 14. *Rich.* 2. 10. 11. *Hen.* 4. 2. 20. *H.* 6. 5.

Concealing.

27 The penaltie of any Officer of the Cuſtome, that doth conceale the Kings Cuſtomes, duely paid. 3. *Henr.* 6. 3.

An Oath to yeeld the King all profits.

28 Euery Cuſtomer, vpon the yeelding of his accompt, ſhall be ſworne to yeeld the King all profits. 4. *Hen.* 4. 20.

Abiding vpon their Offices.

29 Which Cuſtomers and Controllers muſt abide vpon their Offices in proper perſons, and which may make Deputies, 1. *Henr.* 4. 13. 4. *Henr.* 4. 20. 13. *H.* 4. 5. 1. *El.* 11.

Attendance.

30 Officers of the Cuſtome ſhall bee attendant at the houres, times, and places appointed, for laying on Land Merchandizes, without concealement of any thing which may bee to the Kings dammage. 1. *Eliz.* 11.

Braſſe, &c.

31 No Braſſe mettall, &c. ſhall be ſhipped out of any Port, but where there is a Cuſtomer. 33. *Henr.* 8. 7. 2. *Ed.* 6. 37.

Remouing of Braſſe, &c.

32 What Bonds, and vpon what Paine, a Cuſtomer ſhall take for the carrying of Braſſe, &c. from one Port to another. 33. *Henr.* 8. 7. 2. *Edward.* 6. 37.

gnification of ſſages.

33 Maſters of Ships ſhall declare vnto the Cuſtomers, when they goe forth, and when they returne. 1. Eliz. 11.

lted Fiſh.

34 What Cuſtomes Aliens ſhall pay for ſalted Fiſh brought into this Realme. 39. El. 10.

ere.

35 What Cuſtome and Impoſt the King ſhall haue for Beere tranſported. 3. Iac. 11.

efrauding.

36 The forfeiture of a Cuſtomer, which ſealeth a blanke Scroll, to defraud the King of his Cuſtomes. 11. Hen. 6. 16.

ronging of

37 The penaltie of a Cuſtomer, Searcher, &c. wrongfully diſtrayning any perſons goods. 28. Henr. 6. 5.

Dammages, Coſts of Suit.

e defendant,

1 IN what cauſes the defendant ſhall recouer Dammages, where the plaintiffe doth delay his ſuit, doth diſcontinue it, or is nonſuit. 8. El. 2.

reſting with- conſent.

2 Hee ſhall pay Coſts and Dammages, that doth arreſt any perſon at another mans ſuit without his conſent. 8. El. 2.

e defendant in Writ of Error.

3 In what caſes the defendant, in a Writ of Error, ſhall recouer his Coſts and Dammages for his wrongfull vexation. 3. H. 7. 10.

ſonall Acti-

4 The defendant ſhall recouer his Coſts in certaine Actions, if the plaintiffe be nonſuit, or the Verdict paſſe againſt him. 23 H. 8. 15. 4. Iac. 3.

5 He that is allowed to ſue in *forma pauperis*, ſhall not pay Coſts. 23. H. 8. 15.

wane.

6 In what caſes an Auowant in a *Replegiare*, &c. ſhall recouer Coſts and Dammages againſt the plaintiffe. 7. Hen. 8. 4. 21. H. 8. 19.

e Kings ſuit.

7 In an Action, Suit, &c. commenced to the vſe of the King, the defendant ſhall not recouer any coſt. 24. H. 8. 8.

former.

8 Seuerall caſes wherein an Informer ſhall pay vnto the defendant his coſts and dammages. 18. Eliz. 5. 27. El. 10.

ſeiſor.

9 In what caſes a Diſſeiſor, or his Alienee, ſhall bee charged with dammages. 6. Ed. 1. 1.

rtdaunceſter,

10 Dammages recouered in an aſſiſe of *Mortdaunceſter, Coſenage, Aiel*, and *Beſael*. 6. Ed. 1. 1.

ſts ſhall goe h dammages.

11 In all caſes where the demandant ſhall recouer dammages, hee ſhall alſo recouer coſts. 6. Edward. 1. 1.

owne intru-

12 Euery one ſhall be compelled to render dammages where recouerie is had againſt him vpon his owne intruſion. 6. Ed. 1. 1.

Where the King ll haue dammages.

13 The King, in all ſuits to bee taken vpon any Specialtie, ſhall recouer his coſts and dammages. 33. Henr. 8. 39.

bts of ſmall

14 In an Action brought for debt, or dammages, not exceeding fortie ſhillings, the plaintiffe ſhall not recouer coſts. 43. El. 6. 1. Iac. 25.

ower.

15 A woman ſhall recouer dammages in a Writ of Dower, from the death of her huſband. 20. Henr. 3. 1.

ſiſe of Common.

16 Where treble dammages ſhall be recouered vpon an Aſſiſe of Common. 2. Ed. 6. 3.

ſoined.

17 In what caſe the defendant, eſſoined of the Kings ſeruice, ſhall render dammages to the plaintiffe. 6. Edw. 1. 8.

ſte.

18 In what caſe, and againſt what perſons, treble dammages ſhall be recouered in an Action of Waſte. 6. Edw. 1. 5.

tation.

19 Double dammages ſhall bee awarded vnto him, which is cited or ſummoned to appeare out of his owne proper Dioceſſe (ſauing in certaine caſes.) 23. Henr. 8. 9. 1. El. 1.

rongfully impleaded.

20 Dammages and coſts awarded to feoffees of land which are wrongfully impleaded. 52. H. 3. 6.

reſts.

21 Double dammages awarded to him that is wrongfully arreſted. 3. Ed. 1. 34.

Aſſault in Parliament.

22 Double dammages awarded to any of the Parliament, or their ſeruants, which ſhall be aſſaulted during the ſame time. 5. H. 4. 6. 1. H. 6. 11.

tortion.

23 Double dammages awarded againſt a Sheriffe, and other Officers, which commit extortion. 3. Edw. 1. 26.

Diſſeiſors.

24 In what caſe double dammages ſhall be awarded againſt diſſeiſors. 1. R. 2. 9.

Warden of a Forreſt.

25 For what Offence treble dammages ſhall bee recouered againſt a Warden of a Forreſt. 1. Edward. 3. 8.

Vnlawfull ſeiſing.

26 Double dammages ſhall be recouered againſt Sheriffes and Eſcheators, which doe vnlawfully ſeiſe other mens lands or goods. 37. Ed. 3. 2.

Sheriffe.

27 In what caſe double dammages ſhall bee awarded againſt a Sheriffe, for making of a falſe returne. 12. Edw. 2. 5.

Tythes.

28 In what caſe double dammages ſhall bee awarded for wrongfull with-holding of Tythes. 2. Edw. 6. 13.

Rediſſeiſin.

29 Double dammages ſhall bee awarded vnto the Plaintiffe, in a Writ of Rediſſeiſin. 13. Edward. 1. 26.

Forcible entrie.

30 Treble dammages ſhall bee awarded againſt them which enter into other mens lands, and hold them with force. 8. H. 6. 9.

Eſcheators.

31 Treble dammages ſhall bee awarded againſt Eſcheators, for committing waſte in Wards lands. 36. Edw. 3. 13.

Sheriffes.

32 Treble dammages ſhall be awarded againſt a Sheriffe, which hath receiued the Kings debt, and not acquitted the debtor. 3. Ed. 1. 19.

Shewing Eſtreates.

33 Treble dammages ſhall bee awarded againſt a Sheriffe that doth demand the Kings debt, and will not ſhew the Eſtreats ſealed to the debtor. 42. Edward. 3. 9.

Marſhall.

34 Where the Marſhall of the Kings houſe ſhall pay treble dammages, for exacting more fees than is due vnto him. 2. H. 4. 25.

Tenant againſt his Lord.

35 In what caſe a Tenant ſhall recouer dammages againſt his Lord, for wrongfull vexation. 52. Henr. 3. 3.

Diſturbance of preſentation.

36 In what caſe he that is diſturbed of his preſentation to a Benefice, ſhall recouer the ſame, with his dammages. 13. Ed. 1. 5.

Forging falſe deedes.

37 Hee that is attainted for forging of a falſe deed, ſhall pay double dammages and coſts. 5. Elizabeth. 14.

Attaint.

38 In what caſe an Attaint ſhall bee brought for dammages not payed. And in what caſes dammages ſhall be recouered in an Attaint. And in what, dammages ſhall bee paid in an Attaint. 1. Edw. 3. 6. 23. Hen. 8. 3. 11. H. 6. 4.

No ſworne Bayliffe.

39 Dammages ſhall bee recouered againſt him which taketh a Diſtreſſe, being not a Bayliffe knowne and ſworne. 13. Ed. 1. 36.

Inſufficient Iurors.

40 In what caſe the Sheriffe ſhall pay double dammages, for returning of inſufficient Iurors. 28. Edw. 1. 9.

Ioyntenancie.

41 Double dammages ſhall be recouered againſt him which in an Aſſiſe doth falſely plead Ioyntenancie. 34. Ed. 1.

Q. Impedit, &c.

42 In what caſe Dammages ſhall bee awarded in a *Quare impedit*, and Aſſiſe of *Darreine preſentment*. 13. Ed. 1. 5.

Admiraltie.

43 Hee that doth wrongfully ſue in the Admirals Court, ſhall bee charged with double dammages. 2. H. 4. 11.

Officer of Iuſtice.

44 In a ſuit againſt a Iuſtice of Peace, on any other Officer of Iuſtice for the lawfull execution of his office, the defendant, (vpon verdict giuen for him) ſhall recouer double coſts. 21. Iac. 12. & 18.

Slander.

45 In Actions of ſlander the Plaintiffe ſhall recouer no greater coſts than dammages. 21. Iac. 16.

Dayes in Banke.

Trinitie Terme.

1 DAyes of returne in Trinitie Terme, and the beginning of the ſame Terme. 32. H. 8. 21.

Reall Actions.

2 Dayes giuen in Reall Actions. 51. Henr. 3. 32. H. 8. 21.

Dower.

3 Dayes giuen in a Writ of Dower. 52. Hen. 3. 12. 51. Hen. 3. 32. H. 8. 21.

Speciall dayes.

4 Speciall dayes aſſigned in ſeuerall Actions for returning of Writs. 52. Hen. 3. 12. 32. Hen. 8. 21. 28. Ed. 1. 15.

Leape yeare.

5 The day of the Leape yeare, and the day before,

ſhall be counted for one day. 21. *H.* 3.

Q-impedit, &c.
6 Dayes giuen in *Quare impedit* and Aſſiſe of *Darreine preſentment.* 52. *H.* 3. 12.

Attaint.
7 Dayes giuen in a Writ of Attaint. 5. *Ed.* 3. 7. 23. *H.* 8. 3.

Communi custodia.
8 Dayes giuen in a Writ of *Communi cuſtodia.* 13. *Ed.* 1. 39.

Waſte.
9 Dayes giuen in an Action of Waſte. 13. *Edw.* 1. 14.

Admeaſurement.
10 Dayes giuen in a Writ of Admeaſurement of Paſture, or Dower. 13. *Ed.* 1. 7.

To him that is receiued.
11 Dayes of grace giuen to him in reuerſion, which prayeth to be receiued. 13. *R.* 2. 16.

1 *Darreine preſentment. S. Quare impedit.*

Debts, Debtors.

A forreiner.
1 A Forreiner ſhall not bee diſtrained in a priuiledged place for a debt that hee doth not owne, or is not ſuretie for. 3. *Ed.* 1. 23.

Small debts in London.
2 A meane to recouer ſmall debts in London. 3. *Iac.* 15.

Coſts for ſuing.
3 In what caſe a plaintiffe ſuing for a debt not amounting to fortie ſhillings, ſhall pay coſts to the defendant. 3. *Iac.* 15.

A Shop-booke.
4 In what caſe a Tradeſ-man or Handycrafts-mans Shop-booke ſhall bee no euidence to recouer a debt. 7. *Iac.* 12.

1 *Debtors to the King. S. Accomptants to the King.*

Demurrer.

After Demurrer Iudgement.
1 After Demurrer ioyned and entred, the Iudges ſhall giue Iudgement. 27. *El.* 5.

Amendment of forme.
2 After Demurrer ioyned and entred, the Court may amend the imperfections of forme. 27. *El.* 5.

Dilapidations.

Fraudulent deeds.
1 Fraudulent deeds to defeat the ſucceſſors of their remedie for Dilapidations, ſhall bee void. 13. *El.* 10.

Implyoment in reparations.
2 Money recouered for Dilapidations, ſhall bee imployed in reparations. 14. *Eliz.* 11. 1. *Iac.* 25.

Deceits.

Deceit of a Pleader.
1 The penaltie of a Sergeant, Pleader, or other, that doth any thing in the deceit of the Kings Court. 3. *Ed.* 1. 29.

Deceit in Plea of Land.
2 In what caſe a Writ of Deceit holdeth place in a Plea of lands. 2. *Ed.* 3. 17.

Fine, Recouerie, &c.
3 It ſhall bee felonie to leuie a fine, ſuffer a recouerie, &c. in anothers name, not priuie thereto. 21. *Iac.* 26.

1 *Diſablement. S. Abilitie.*
1 *Denizens. S. Aliens.*
1 *Diſſeiſor, Diſſeiſon. S. Aſſiſe.*

Diſcontinuance of Proces.

The death of the King.
1 The death of the King ſhall not diſcontinue any ſuit. 1. *Ed.* 6. 7.

New Commiſſion.
2 The death, new Commiſſion, aſſociation, or not comming of the Iuſtices of Aſſiſe, ſhall not diſcontinue any ſuit. 1 *Ed.* 6. 7.

Place of dignitie.
3 Preferment of the plaintiffe to any place of dignitie, ſhall not diſcontinue any ſuit. 1. *Ed.* 6. 7.

Preferment to dignitie.
4 One ſhall remaine Iuſtice, or Commiſsioner, though he be preferred to dignitie. 1. *Ed.* 6. 7.

Iudgement by new Iuſtices.
5 New Iuſtices may giue Iudgement vpon a Priſoner found guiltie and repriued. 1. *Ed.* 6. 7.

New Commiſſion.
6 No ſuit before Iuſtices or Commiſsioners ſhall be diſcontinued by a new Commiſsion. 11. *H.* 6. 6. 1. *Ed.* 6. 7.

Diſpenſations, Licences, Faculties, &c.

None to the Biſhop of Rome.
1 There ſhall be no impoſitions hereafter payed to the Biſhop, or the See of Rome. Neither ſhall there be any Diſpenſations, or other Inſtruments, obtained from thence. 25. *H.* 8. 21.

To the King.
2 The Archbiſhop of Canterburie may grant Diſpenſations, Licences, &c. to the King. 25. *H.* 8. 21.

To any Subiect
3 The Archbiſhop of Canterburie may vpon cauſe grant Diſpenſations, Licences, &c. to any of the Kings Subiects. 25. *H.* 8. 21.

Vnwonted cauſes.
4 The King or his Councell muſt bee aduertiſed, and determine, before the Archbiſhop can grant Diſpenſation or Licence in a cauſe not accuſtomed to bee had. 25. *H.* 8. 21.

Confirmation b the great Seale.
5 What Diſpenſation granted by the Archbiſhop muſt bee confirmed by the Kings great Seale. 25. *Hen.* 8. 21.

Without confi mation.
6 In which caſes Diſpenſations may bee granted, without confirmation. 25. *H.* 8. 21.

Two Clerkes.
7 Two ſeuerall Clerkes ſhall bee appointed, the one for regiſtring the Biſhops Diſpenſations, Licences, &c. And the other, for enrolling the confirmations of the ſame. 25. *H.* 8. 21.

Two Bookes o Taxes.
8 Two Bookes ſhall bee made of one Tenure, containing the Taxes of all cuſtomable Diſpenſations, Licences, &c. 25. *H.* 8. 21.

The Fees
9 The Fees of all Diſpenſations, Licences, &c. And the penaltie of an Officer exacting more. 25. *H.* 8. 21.

Diuiſion of Taxes.
10 How all the Taxes ſhall be diuided. 25. *H.* 8. 21.

By others.
11 In what caſes Diſpenſations may bee granted by other Prelates beſide the Biſhop of Canterburie. 25. *H.* 8. 21.

The Guardian o Spiritualties.
12 If the See of the Biſhop of Canterburie bee void, the Guardian of Spiritualties ſhall grant Diſpenſations. 25. *H.* 8. 21.

Other Commi ſioners.
13 If the Archbiſhop of Canterburie deny to grant a Diſpenſation, others by force of the Kings Commiſsion may doe it. 25. *H.* 8. 21.

The Catholike faith.
14 The Catholike faith ſhall bee continued in England, notwithſtanding this Statute. 25. *Hen.* 8. 21. 1. *Eliz.* 1.

Diſtreſſes.

In the Hundre
1 No Diſtreſſe ſhall bee driuen out of the Hundred where it is taken, but in certaine caſes, nor impounded in ſeuerall places. 1. & 2. *P.* & *M.* 12.

The Countie.
2 No diſtreſſe ſhall bee driuen forth of the Countie where it is taken. 52. *H.* 3. 4. 3. *Ed.* 1. 16.

Poundage.
3 What ſhall be taken for poundage money. 1. & 2. *P.* & *M.* 12.

The place.
4 In what places Diſtreſſes ought to be taken. 52. *H.* 3. 15. 3. *Ed.* 1. 16. 9. *Ed.* 2. 9.

A Caſtle.
5 The remedie where a Diſtreſſe is impounded in a Caſtle or Fortreſſe. 3. *Ed.* 1. 17. 52. *H.* 3. 3.

Wrongfull.
6 What dammages ſhall bee payed for a wrongfull Diſtreſſe. 52. *H.* 3. 1.

Suit of Court.
7 None but ſuitors ſhall bee diſtrained to come to a Court. 52. *H.* 3. 2.

Freehold.
8 No man ſhall diſtraine his Freeholder to anſwer for his Freehold. 52. *H.* 3. 22.

A Lord diſtraining.
9 The Lord ſhall not make fine for wrongfull diſtraining his Tenant, but bee amerced and pay dammages. 52. *H.* 3. 3.

Not exceſsiue.
10 Diſtreſſes ſhall bee reaſonable, and not exceſsiue. 51. *H.* 3. 52. *H.* 3. 4. 28. *Ed.* 1. 12.

Knowne Offi cers.
11 Diſtreſſes ſhall bee taken by Bayliffes knowne and ſworne. 13. *Ed.* 1. 37.

Feeding of a Diſtreſſe.
12 The Owner of Cattell diſtrained, may feede them being impounded. 51. *H.* 3. *De diſtrictione Scaccarii.*

Plough, Cattell, and Sheepe.
13 In what caſes Plough, Cattell, and Sheepe ſhall not be diſtrained. 51. *H.* 3. 28. *Ed.* 1. 12.

Selling a Diſtreſſe.
14 In what caſe a Diſtreſſe may be ſold, in what time, and in what not. 51. *H.* 3. 22. *H.* 8. 5. 7. *Ed.* 6. 1. 18. *El.* 9. 27. *El.* 13.

Making of Repleuies.
15 Euery Sheriffe ſhall appoint foure deputies to make Repleuies, and deliuer Diſtreſſes. 1. & 2. *P.* & *M.* 12.

Out of his Fee.
16 In what caſes a man may diſtraine out of his fee for arrerages of Rent. 32. *H.* 8. 37.

Dower, Quarentine, Ioynture.

Quarentine.
1 A Woman ſhall haue a Quarentine, and what that is. 9. *H.* 3. 7.

Dying ſeiſed.

2 A woman ſhall recouer her Dower of Lands, where her husband died ſeiſed with dammages. 20.*H*.3.1.

Elopement.

3 If a woman doe elope with an Aduouterer, ſhee ſhall forfeit her dower. 13.*Ed.* 1. 34.

Attainder.

4 In what caſe a woman ſhall be endowed, though her husband be attainted of Felonie or Treaſon, and in what not. 1.*Ed*.6.12. 5.*Ed*.6.11. 5.*El*.11. 18.*El*.1. 5.*El*.1. 8.*El*.3. 1.*Iac*.31. 1.*Iac*.11. 1.*Iac*.12.

Not both Ioynture and Dower.

5 A woman ſhall not haue both Ioynture and Dower of her husbands lands. 27.*H*.8.10.

Euiction.

6 If a womans Ioynture bee euicted, ſhee ſhall be endowed with as much. 27. *H*. 8. 10.

Choiſe.

7 A woman may chuſe whether ſhee will take her Dower or a Ioynture aſſured after marriage. 27.*H*.8.10.

Vnde nihil habet.

8 What ſhall be the Tenants onely Plea in a Writ of Dower, *Vnde nihil habet*.3.*Ed* 1.48.

lands recouered.

9 In what caſe a woman may be endowable of land recouered againſt her husband. 13. *Ed*. 1. 4.

Auoidance of Dower.

10 In what caſe an heire may auoyd a womans Dower which ſhe hath recouered by courſe of law. 13.*Ed*.1.4.

Gauelkind.

11 In what caſe a woman ſhall be endowed according to the cuſtome of Gauelkind, and what cauſe there is of forfeiture thereof. 17.*Ed*.2.16.

The Kings reuerſion.

12 The King ſhall haue the Reuerſion, if Tenant in Dower die during the minoritie of his Ward. 32. *Hen*. 8. 1.

Admeaſurement.

13 In what caſe an Admeaſurement is to bee made of Dower by the Guardian or Heire. 13.*Ed*. 1. 7.

Intruſions.

14 Where the Kings Tenant in chiefe doth intrude and die, his wife ſhall not bee endowed. 17. *Edw*. 2. 13.

Aide of the King.

15 The Grantee or Committee of a Ward ſhall not haue Aide of the King in a Writ of Dower. 4. *Edw*. 1. 3.

Vnlawfull Alienation.

16 In what caſe a woman aliening her Dower, or other particular eſtate, hee in the reuerſion may enter, or haue his Action. 11. *H*.7.20. 6.*Ed*. 1. 7.

Preſentation to a Church.

17 Preſentation to a Church by an Vſurper during the ſtate of Tenant in Dower, ſhall not preiudice him in reuerſion. 13.*Ed*.1.5.

Conſenting to rape.

18 A woman conſenting to a rape ſhall forfeit her Dower. 6.*R*.2.6.

View.

19 In what caſe view ſhall not be granted in a writ of Dower. 13.*Ed*.1.48.

Dayes.

20 What day ſhall be giuen in a writ of Dower. 52.*H*. 3.12. 51.*H*.3. 32.*H*.8.21.

The third part.

21 The third part of her husbands lands ſhall be aſſigned to a widow for her Dower. 9.*H*.3.7.

Draperie, Cloth, Clothing, &c.

Rayes.

1 THe length and breadth of Cloth of Ray being watered and rowed. 2.*Ed*.3.14. 47.*Ed*.3.1. 7.*H*.4. 10. 13.*H*.4.4.

Straights.

2 The weight, length, and breadth of plaine white ſtraights, and pinned white ſtraights made in Deuon and Cornewall. 27.*El*.18. 4.*Iac*.2.

Lancaſhire Cotton.

3 The weight, length, and breadth, of Lancaſhire cotton. 8.*El*.12.

Lanc-frizes.

4 The weight, length, and breadth of Lancaſhire frizes or rugges. 8.*El*. 12.

Made in Kent, &c.

5 The length and breadth of Cloth made in Kent, Suſſex, or Reading. 5.*Edw*. 6. 6. 4.& 5.*Ph*.& *Mar*. 5. 4.*Iac*. 2.

Long Worſteds.

6 The length, breadth, and weight of long Worceſters, made in Worceſter, and Couentrie. 5.*Ed*.6.6. 4.& 5.*P*. & *M*.5. 4.*Iac*. 2.

Coloured cloth made in Worceſt.

7 The length, breadth and weight of coloured cloth, made in Couentrie and Worceſter, or &c. 5.*Edw*.6.6. 4.*Iac*. 2.

Short Worceſters.

8 The length, breadth, and weight of ſhort Worceſters. 5.*Ed*.6.6. 4.*Iac*.2.

Coloured cloth made in Eſſex, &c.

9 The length, breadth, and weight of coloured long cloth made in Suffolke, Norffolke, Eſſex, &c. 5.*Ed*.6.6. 43.*El*.10. 4.*Iac*.2.

Coloured cloth made in Suffolke, &c.

10 The length, breadth, and weight of coloured ſhort cloth made in Suffolke, Norffolke, Eſſex, &c. 5.*Ed*.6.6. 4.*Iac*.2.

Coloured white cloth made in Suffolke, &c.

11 The breadth and weight of coloured clothes, and white clothes made in Suffolke, Norffolke, Eſſex, or &c. being handy werps. 5.*Edw*.6.6. 4.& 5.*Ph*.& *Mar*.5. 4.*Iac*.2.

Whites and redds made in Wiltſhire, &c.

12 The length, breadth, and weight of all whites and redds made in Wiltſhire, Glouceſterſhire, and Somerſetſhire, or &c. 5.*Ed*.6.6. 4.& 5.*P*.&.*M*.5. 4.*Iac*.2.

Plunkets, Azures, &c.

13 The length, breadth, and weight of Plunkets, Azures, Blewes, &c. 5.*Edw*.6.6. 4.& 5. *Ph*.& *Mar*. 5. 35.*El*.9. 4.*Iac*.2.

Ordinarie and ſorting Kerſies.

14 The length and weight of ordinarie kerſies, and ſorting kerſies: and the Kings cuſtome and ſubſidie for ſuch kerſies. 5.*Edw*.6.6. 4.& 5.*Ph*.& *Mar*.5. 35.*El*. 10. 5.*Iac*.16.

Taunton, Bridgewater, &c.

15 The length, breadth, and weight of broad Cloth made in Taunton, Bridgewater, and Dunſters. 5.*Ed*.6.6. 43.*El*.10. 4.*Iac*.2.

Taunton, Bridgewater, &c.

16 The length, breadth, and weight of narrow Cloth made in Taunton, Bridgewater, and Dunſters. 5.*Ed*.6.6. 43.*El*.10. 4.*Iac*.2.

Thicke and ſtraight Kerſies.

17 The length, breadth, and weight of thicke kerſies, ſtraights, and plaine grayes. 5.*Ed*.6.6. 4.*Iac*.2.

Welſh Lining.

18 The breadth and weight of a goad of Welſh lining, and of a yard of Cotten. 4.& 5.*P*.& *M*.5.

A content ſeale.

19 No perſon ſhall incurre any penaltie for want of a content ſeale: Neither ſhall they bee ſearched or tried but by the buyer. 3.*Iac*.17.

Welſh frizes.

20 The length, breadth, and weight of all Welſh frizes made within the ſhires of Cardigan, Carmarthen, and Pembroke. 5.*Ed*.6.6.

Dozens.

21 The length, breadth, and weight of euery Northerne Cloth, and euery halfe piece called dozens. 5.*Ed*. 6.6. 43.*El*.10.

Penniſtones.

22 The length, breadth, and weight of Penniſtones or Forreſt-whites. 5.*Ed*.6.6. 4.*Iac*.2.

Mancheſter and Cheſhire cottens.

23 The length, breadth, and weight of Mancheſter and Cheſhire Cottens. 5.*Ed*.6.6.

Mancheſter Rugges, &c.

24 The length, breadth, and weight of Mancheſter rugges or frizes. 5.*Ed*.6.6. Which Cottens, Rugges, or Frizes may be diuided into two halfe pieces. 4.& 5.*Ph*. & *M*.5.

The lengths muſt be obſerued.

25 The forfeiture for ſelling any woollen broad cloth, halfe cloth, or other woollen cloth, exceeding the ſeuerall lengths reſpectiuely aforeſaid. 43.*El*.10. 4.*Iac*.2.

The want or ouerplus of the length.

26 The penaltie where any of the clothes before ſpecified or hereafter mentioned, doe want the weight or meaſure to them reſpectiuely limited, or where they haue more. 43.*El*.10. 5.*Ed*.6.6. 4.& 5.*P*.*et* *M*.5. 35.*El*.9. 4.*Iac*.2. 27.*El*.17. 35.*El*.7.

Triall of the weight.

27 The Draper ſhall trie the weight and meaſure of euery Cloth, and preſent the faultie to head Officers. 25.*Ed*.3.1. 5.*Ed*.6.6.

Repayment for wrong done.

28 The Clothier which ſhall ſell any faulty Cloth ſhall repay the money receiued for it. 5. *Edward*. 6.6. 4.*Iac*.2.

Searchers.

29 The chiefe Officers of corporate Townes ſhall appoint expert perſons to view and ſearch all cloth made within the precinct of the ſame, and to ſeiſe ſuch as are defectiue. 5.*Ed*.6.6.

Sealing.

30 The chiefe officers of corporate Townes ſhall prouide a Seale of lead to ſeale Cloth that is without fault. 5.*Ed*.6.6. 39.*El*.20.

Faultie cloth.

31 How faultie Cloth ſhall be ſealed. 4.*Ed*.6.6. 4.& 5.*P*.& *M*.5.

No ſearch after ſealing.

32 Cloth ſealed in one corporate Towne ſhall not be ſearched in another. 4.& 5.*P*.& *M*.5. 3.*El*.10.

Refuſing to be a Searcher.

33 The forfeiture of him which being appointed, refuſeth to be a ſearcher of Cloth. 5.*Ed*.6.6.

The authority of Searchers and Sealers.

34 The Searchers or Sealers may enter into any mans houſe to ſearch and ſeale faultie Cloth. 4.& 5.*Phil*.& *Mar*.5.

Withſtanding of Searchers.

35 The forfeiture of him which doth denie or withſtand the ſealers or ſearchers to enter into his houſe, &c. 4.& 5.*P*.& *M*.5.

No new ſearch.

36 No Cloth that is ſealed ſhall bee ſearched in any market. 4.& 5.*P*.& *M*.5. 4.*Iac*.2.

Counterfeiting a Seale.

37 The penaltie of him that doth counterfeit or take away a ſeale from any Cloth. 5.*Ed*.6.6. 4.& 5.*Phil*.& *Mar*.5.

No retayler but after ſealing.

38 No Cloth ſhall be retayled but which is ſealed. 5.*Ed*.6.6.

Bridgewater, &c.

39 When Bridgewater, Taunton, and Chard clothes made in the Countie of Somerſet ſhall bee ſearched and ſealed. 2.& 3.*P*.& *M*.12.

Where to be ſealed.

40 Where Clothes made elſe-where ſhall be brought to a corporate towne to be ſealed. 4.& 5.*P*.& *M*.5.

Faultie cloth ſealed.

41 The penaltie for ſealing of cloth which wanteth length, breadth, or weight. 4. & 5. *P.* & *M.* 5.

Not ſufficiently dried, &c.

42 The penaltie for ſealing of cloth which ſhall not be ſufficiently dried, preſſed, and wrought. 5. *Ed.* 6. 6.

Ouerſeers.

43 In what caſe the Iuſtices of Peace, and head officers of corporate townes ſhall appoint ouerſeers of cloth. 3. *Ed.* 6. 2. 39. *El.* 20.

The penalty and authoritie of Ouerſeers.

44 The authoritie of the ſame ouerſeers, and the penaltie of thoſe which doe refuſe to bee ouerſeers, or to make ſearch. 3. *Ed.* 6. 2. 39. *El.* 20.

Denying of Search.

45 The forfeiture of thoſe which will not ſuffer the ouerſeers to make ſearch. 3. *Ed.* 6. 2.

Weauing a marke.

46 A Clothier ſhall weaue his marke, and ſet his ſeale to his cloth to be ſold. And what ſhall bee contriued in the ſame Seale. 27. *H* 8. 12.

One ſhall not vſe anothers markes.

47 No perſon ſhall vſe any ſuch marke on his cloth as another doth. 5. *H.* 8. 2. 6. *H.* 8. 8.

Weight of wooll deliuered and receiued.

48 What weight of wooll ſhall bee deliuered by the Clothier to the breakers, kembers, carders, and ſpinners, and what weight ſhall be redeliuered againe by them. 6. *H.* 8. 9.

Ready money.

49 Occupiers of Welſh cloth and linings in Shrowsburie ſhall pay to the Shearmen ready money. 8. *El.* 7. 14. *El.* 12.

A retayler ſhall not worke it.

50 No retayler of Welſh linings or cottons ſhall worke the ſame, but ſhall put the ſame to be wrought. 4. & 5. *P.* et *M.* 5. 8. *El.* 7. 14. *El.* 12.

Haire and Lambes woolls.

51 In what caſe haire, lockes, or lambs wooll may bee put into any cloth, kerſie, frize, or cotton, and in what not: And how the ſame ſhall be knowne. 27. *El.* 18. 43. *El.* 10. 4. *Iac.* 2. *Vid. infr.* 123.

What clothes may be ſtrained and how.

52 In what caſe any Tenter, Rope, or Wrench may bee vſed to ſtraine or ſtretch clothes. And what ſort of clothes may be ſtretched and ſtrained, and how much. 5. *Ed.* 6. 6. 43. *El.* 10. 39. *El.* 20.

Preſsing.

53 Cloth ſhall not be preſſed with the hot preſſe, but with the cold. 5. *Ed.* 6. 6. *Vid. infr.* 136.

Boiling of wooll.

54 With what things wooll may not bee Boyled which are to be conuerted into Cloth. 5. *Ed.* 6. 6.

Liſts.

55 How liſts to be added into Cloth ſhall be ſpun. 4. & 5. *P.* & *M.* 5.

Woolls in Yorkeſhire.

56 How the woolls in broad Clothes in the Weſtriding in Yorkeſhire ſhall be dyed, liſted, and coloured. 4. & 5. *P.* & *M.* 5.

Welſh cloth folded.

57 How Welſh Clothes made in Northwales, or Orceſter Hundred ſhall be folded. 23. *H.* 8. 3.

What coloured cloth may be ſold.

58 Clothes of what onely colour may be put to ſale. 4. & 5. *P.* et *M.* 5. 5. et 6. *Ed.* 6. 6.

Died.

59 In what ſort and with what ſtuffe Clothes ſhall bee dyed. And in what ſort wooll to be conuerted into cloth, hats, or caps. 3. *Ed.* 6. 2.

Iron Cards and Gigmills.

60 No Iron Cardes, or Pickards, or Gigmilles ſhall be occupied in any woollen Cloth. 3. *Edw.* 6. 2. 5. *Edw.* 6. 22.

The meaſure.

61 The meaſure of Cloth to bee ſold. 6. *Hen.* 8. 9. 3. *Ed.* 6. 2.

Where to be bought.

62 Coloured wooll or coloured woollen yarne ſhall not be bought of a Carder, Spinner, or Weauer, but in open market. 6. *H.* 8. 9.

How many loomes.

63 No Clothier dwelling out of a Citie or a corporate Towne ſhall haue aboue one loome at any time. 2. et 3. *P.* & *M.* 11.

Where but two loomes.

64 No woollen Weauer, dwelling out of a corporate Towne ſhall haue aboue two loomes. 2. et 3. *Ph.* et *Mar.* 11.

A Weauer, no Fuller, &c.

65 No Weauer ſhall be a Fuller, Tucker, or Dyer. 2. et 3. *P.* et *M.* 11.

Who may not keepe a loome.

66 No Tucker or Fuller ſhall keepe a loome. 2. et 3. *P.* et *M.* 11.

Who may not be a weauer.

67 None ſhalbe a Weauer vnleſſe he hath beene ſeuen yeares an apprentice, except, &c. 2. et 3. *P.* et *M.* 11. 4. et 5. *P.* et *M.* 5.

A weauers dutie.

68 A Weauer ſhall put into the Cloth all the yarne receiued, or reſtore it. 6. *H.* 8. 9.

Onely where it hath beene vſed.

69 None ſhall occupie clothing but where it hath beene vſed (certaine townes and places except.) 4. et 5. *Phil.* et *Mar.* 5. 25. *Henr.* 8. 18. 1. *Eliz.* 14. 27. *El.* 23. 18. *El.* 15.

How much land.

70 How much land a Clothier may keepe in his occupation. 18. *El.* 15.

The rents of houſes in Worceſt.

71 The rent of a Clothiers houſes in Worceſter ſhall not be raiſed higher. 23. *H.* 8. 18.

The Kings Aulneger.

72 The Kings Aulneger ſhall be ſworne to doe his office truly: And his penaltie if hee be found in default. 25. *Ed.* 3. 1.

The Aulneger expert and of abilitie.

73 The Aulneger ſhall be expert in making of cloth, and worth one hundred pounds. 1. *R.* 3. 8.

Letting of Aulnage.

74 The Treaſurer of England may let to farme the Subſidies and Aulnage of Clothes. 17. *Ed.* 4. 5.

When to be ſold.

75 No Cloth ſhall be ſold before the Aulnegers fee be payed. 5. *Ed.* 6. 6.

Folding, or tacking.

76 The penaltie of folding or tacking cloth together before the Aulneger hath ſearched the ſame. 11. *Hen.* 4. 6. 13. *R.* 2. 11.

Not of aſſiſe.

77 The penaltie if the Aulneger ſeale any cloth that is not of aſſiſe. 11. *H.* 4. 6.

Penaltie for ſealing.

78 The penaltie of an Aulneger or ſealer of cloth that doth ſeale any cloth but ſuch as ſhall be onely made within the countie Towne, &c. where ſhall be an Aulneger. 1. *R.* 2. 8.

Sale after marking and ſealing.

79 No Cloth ſhall bee ſold before the Aulneger and owner haue ſet their marke and ſeale. 27. *H.* 8. 12. 25. *H.* 8. 18.

Tacked cloth not ſealed.

80 There ſhall bee no ſealing of cloth hauing the pieces tacked and ſowed together with threeds. 3. *Rich.* 2. 2.

Faultie cloth ſealed.

81 What ſort of faultie cloth ſhall be ſealed by the Aulneger. 5. *Ed.* 6. 6.

The Aulnegers fee.

82 What fee the Aulneger ſhall take for ſealing euerie cloth of Aſſiſe, and halfe cloth that is to bee ſold. 27. *Ed.* 3. 4.

The Aulnegers Commiſsion ſhewed.

83 The Aulneger ſhall ſhew his commiſſion to any perſon that deſireth it. 4. *Ed.* 4. 1.

Aulneger in Wales.

84 An Aulneger in Wales ſhall doe, anſwer, and ſuffer in all caſes as an Aulneger in England. 34. *Hen.* 8.

Sealing & marking in Lancaſhire.

85 The Owners marke, and Aulnegers Seale, ſhall be ſet to Clothes ſold in Lancaſhire. 8. *El.* 12.

Aul. deputies in Lancaſhire.

86 In what townes in Lancaſhire the Aulneger ſhall haue his deputies. 8. *El.* 12.

No tranſporting without ſeale or marke.

87 No Cloth ſhall be tranſported beyond the ſeas, vnleſſe the Aulneger his ſeale, and the Owner his marke be ſet thereunto. 5. *Ed.* 6. 6.

What may bee tranſported.

88 Of what value at the leaſt, Cloth may bee carried ouer the ſeas, which is not barbed, rowed, and ſhorne within this Realme. 7. *Ed.* 4. 3. 3. *Hen.* 7. 11. 27. *H.* 8. 13. 33. *Hen.* 8. 19.

No tranſporting of vnfulled.

89 No woollen yarne or cloth not fulled ſhall bee carried beyond the ſea. 7. *Ed.* 4. 3.

No tranſporting of vnwatered.

90 No woollen cloth ſhall be carried beyond the ſea, vnleſſe it be fully watered. 1. *R.* 3. 8.

No bringing in of forreine cloth.

91 No clothes wrought beyond the ſea, ſhall bee brought into England. 11. *Ed.* 3. 3. 4. *Ed.* 4. 1.

Wrought clothes tranſported for licenced.

92 For euery nine clothes vnwrought to bee carried beyond ſeas by force of any licence, one wrought cloth within this Realme ſhall be carried. 8. *El.* 6.

What ſort ſhall not bee tranſported.

93 Kentiſh and Suffolke cloth ſhall not be tranſported vnwrought beyond ſeas by any licence. 8. *El.* 6.

Deuonſhire kerſies.

94 The length and weight of Deuonſhire kerſies raw: and Rugge waſh kerſies made of perfect ſtuffe. 35. *El.* 10. 4. *Iac.* 2.

Weauers penaltie.

95 The penaltie of the weauer that ſhall make any of the foreſaid kerſies of leſſe weight or meaſure than is aforeſaid. 35. *El.* 10.

A weauers ſhopmarke.

96 A weauer ſhall weaue his ſhopmarke of ſome coloured yarne at the end of the ſame kerſies. 35. *Elizab.* 10.

Dozens.

97 No dozens ſhall be put to ſale, before the ſame be viewed, weighed, and marked in ſome market towne, &c. 35. *El.* 10.

Searchers of Deuonſhire kerſies.

98 Searchers ſhall bee appointed of Deuonſhire kerſies, and their authoritie, and their penaltie for not attendance in their office. 35. *El.* 10.

Triall of Deuonſhire kerſies.

99 No Deuonſhire kerſies ſhall bee bought or dreſſed before the ſame be tried. 35. *El.* 10.

Diminiſhing of Deuonſh. kerſies.

100 The penaltie for diminiſhing the length of a Deuonſhire kerſie. 35. *El.* 10.

Sealing of Northerne Cloth.

101 Euery perſon ſelling Northerne Cloth ſhall ſet a ſeale of lead containing the length and breadth thereof. 39. *El.* 20.

Ouerſeers of Northerne cloth.

102 The Iuſtices of peace, and head officers of corporate townes, ſhall appoint Ouerſeers of Northerne Clothes: And the dutie of the ſaid Ouerſeers. 39. *Eliz.* 20.

Seale of lead.

103 The Ouerſeers ſhall fixe a Seale of lead to the Northerne Cloth, with this word *Searched*. 39. *El.* 20.

Courſe Northerne Cloth.

104 Certaine courſe Northerne Cloth which ſhall not be ſearched nor ſealed. 7. *Iac.* 16.

Sealing or taking without warrant.

105 The penaltie for ſetting ſeales to Northerne Clothes, or taking them away without warrant. 39. *El.* 20.

Searching for tentors.

106 Authority giuen to certaine Officers to ſearch for Tentors, Ropes, Wrenches, &c. And the penaltie of the offendors. 39. *El.* 20.

Northerne Cloth to be ſearched in Blackewell hall.

107 Northerne Clothes brought to London to be ſold, ſhall bee brought to Blackwell hall to bee ſearched. 39. *El.* 20.

A Clothiers hand to a Merchants booke.

108 The effect of a Clothiers hand ſet to a Merchants Booke for the recouerie of defects in Cloth. 43. *El.* 10.

The like lawes in other places as in the North.

109 The ſtatute made 39. *El.* 20. for Northern Clothes made beyond Trent, ſhall extend in ſome reſpects to all other Clothes made in England. 43. *El.* 10.

Cogware, Kendale, &c.

110 Cogware, Kendall, and Carptmeales ſhall be made as may beſt pleaſe the buyer, and ſhall not be ſearched or ſealed. 4. *Iac.* 2.

Waſhwhites, &c.

111 The length and weight of Waſhers or Waſhwhites made in Yorkeſhire or Lancaſhire. 4. *Iac.* 2.

Rowing or ſhearing the liſts, &c.

112 The penaltie for rowing or raiſing of Cloth, or for ſhearing the liſts and ſides thereof. 4. *Iac.* 2.

Blowing, ſpowting, &c.

113 The penaltie for cutting of wooll from the backſides of Cloth, and for blowing, ſpowting or bedewing thereof. 4. *Iac.* 2.

Abatement for dying, &c.

114 What ſhall be abated for the dying, dreſſing, and ſhearing of Cloth. 4. *Iac.* 2.

Leſſe length than the ſeale purporteth.

115 The forfeiture of the ſeller, if the Cloth be of leſſe length than the ſeale doth purport. 4. *Iac.* 2.

The duties and paymenes.

116 The duties and payments for a broad woollen cloth. 4. *Iac.* 2.

Any may make cloth.

117 Euery Clothier may make any kind of woollen cloth. 4. *Iac.* 2.

Detaining of wooll or yarne.

118 The puniſhment of a Sorter, Carder, Spinſter, Kember, or Weauer of wooll or yarne, that doth detaine any part thereof. 7. *Iac.* 7.

Imbeſilled wooll or yarne.

119 The puniſhment of the receiuer or buyer of imbeſilled wooll, or yarne 7. *Iac.* 7.

Offendors in Eſſex.

120 Spinners of wooll in certaine townes in Eſſex offending, ſhall be ſubiect to the like puniſhment. 7. *Iac.* 7.

Aliens.

121 Aliens not being denizens ſhall make no cloth, nor put any wooll to make cloth. 1. *R.* 3. 9.

Welſh clothes.

122 The trade of Welſh clothes ſhall be free. 21. *Iac.* 9. None ſhall incurre any penaltie for the want of length, &c. of Welſh Cotton. 21. *Iac.* 28. 3. *Car.* 4.

Thrummes.

123 The clauſe in 4. *Iac.* 2. concerning making Thrummes, &c. into cloth is repealed. 21. *Iac.* 18.

Thrummes.

124 Hee that puts thrummes into cloth ſhall forfeit fiue pounds. 21. *Iac.* 18.

Deceiueable cloth.

125 Searchers of cloth may enter into any mans houſe to find deceiueable cloth. 21. *Iac.* 18.

Deceiueable cloth.

126 Two or moe Iuſtices of Peace may grant their warrant to bring before them any perſon ſuſpected for making deceiueable cloth. 21. *Iac.* 18.

Certificate.

127 Vpon certificate of the Iuſtices, that the partie is conuicted for making deceueable cloth, the Church-wardens, &c. ſhall leuie the forfeiture. 21. *Iac.* 18.

Common Gaole.

128 In default of Diſtreſſe, the partie offending ſhall be committed to the common Gaole. 21. *Iac.* 18.

Double coſts.

129 The Officer being ſued, ſhall be allowed to plead the generall Iſſue, &c. and ſhall recouer double coſts. 21. *Iac.* 18.

Searcher.

130 The Searcher that ſearcheth cloth already ſearched, ſhall forfeit fiue pounds. 21. *Iac.* 18.

Search.

131 All woollen clothes ſhall be ſearched before they be ſold. 21. *Iac.* 18.

Tentors.

132 The meaſure of tentors for clothes, made in Yorkeſhire. 21. *Iac.* 18.

Tentors.

133 Searchers ſhall make ſearch of tentors in Yorkeſhire. 21. *Iac.* 18.

Forfeit 40. s.

134 The partie offending the ſecond time for hauing a tentor contrarie to this Act, ſhall forfeit fortie ſhillings. 21. *Iac.* 18.

Ouerſeer.

135 Euery Ouerſeer of Cloth ſhall ſet his name vpon the ſeale of cloth. 21. *Iac.* 18.

Preſſing of cloth.

136 Preſſing of cloth betwixt hot plankes, ſhall bee puniſhed with like forfeitures, as preſſing them with the hot preſſe. 21. *Iac.* 8.

Penalties in thre parts.

137 The penalties for want of length, &c. ſhall be diuided into three parts, whereof, &c. 21. *Iac.* 18.

Drunkenneſſe.

Forfeiture.

1 THe forfeiture of a Drunkard, and of him that refuſeth to pay the forfeiture. 4. *Iac.* 5. 21. *Iac.* 7.

A Conſtable.

2 The penaltie of a Conſtable omitting his dutie in puniſhing a Drunkard. 4. *Iac.* 5. 3. *Car.* 3.

Drinking in an Alehouſe.

3 The penaltie for vnlawfull continuance of Drinking in an Alehouſe. 4. *Iac.* 5. 21. *Iac.* 7.

An Alehouſe keeper.

4 The penaltie of an Alehouſe-keeper permitting any to continue Drinking in his houſe (certaine perſons excepted.) 1. *Iac.* 9. 21. *Iac.* 7.

Dying, Dyers.

Logwood prohibited.

1 NO perſon ſhal dye any clothes, kerſies, or any other thing with Logwood, *alias* Blockwood, but the ſame ſhall be burned. 23. *El.* 9.

Mixture with woad.

2 The penaltie for mixing of Logwood, with woad or other ſtuffe in Dying of cloth. 39. *El.* 11.

Maddering.

3 No cloth ſhall be maddered for blacke, except it bee firſt grounded with woad. 23. *El.* 9.

A Seale.

4 A Dyer ſhall fixe a Seale of lead to his cloth. 23. *Eliz.* 9.

Wooll.

5 In what manner woollen cloth and woolls ſhall be vſed in the dying, And with what ſtuffe they ſhall bee dyed. 3. *Ed.* 6. 2.

Seyes, Worſteds, &c.

6 No perſon that dyeth worſteeds, ſtammins, or ſeyes, ſhall kallender them. 25. *H.* 8. 5.

Eares.

Cutting.

1 THe penaltie for cutting off, or cauſing to bee cut off the Eares of any of the Kings Subiects. 37. *Henr.* 8. 6.

Eccleſiaſticall perſons, Liuings, and Juriſdictions.

Maintenance of irreligious doctrine.

1 THe penaltie of an Eccleſiaſticall perſon which ſhall maintaine any Doctrine contrary to any of the articles made touching true Religion. 13. *El.* 12.

A man beneficed with cure.

2 Of what age and degree he ſhall be that is to be admitted to a Benefice with Cure: And hee ſhall reade, and ſubſcribe to the Articles touching Religion. 13. *El.* 12.

What is required of a Preacher.

3 Of what age a Miniſter or Preacher ſhall be: And he muſt haue a Teſtimoniall of his life and doctrine: And firſt ſubſcribe to the Articles. 13. *El.* 12.

Examination.

4 The examination of the abilitie of a ſpirituall perſon doth belong to an Eccleſiaſticall Iudge. 9. *Ed.* 2. 15.

A Benefice of 30 li.

5 What perſon is capable of a Benefice of the yearely value of 30. pounds. 13. *El.* 12.

Notice of Lapſe.

6 No title to conferre or preſent by lapſe ſhall accrue vpon any depriuation, but after ſixe moneths notice. 13. *El.* 12.

Voidance of Benefices.

7 Conuſance of the voidance of Benefices appertaineth to Eccleſiaſticall Iudges. 25. *Ed.* 3. 8.

Biſhops aſſurances.

8 What leaſes and other aſſurances may bee made of Biſhops lands, and what not. 1. *Iac.* 3.

Aſſurances of ſpirituall perſons.

9 What leaſes and other aſſurances may bee made by Colledges, Cathedrall Churches, Parſons, Vicars, &c. 13. *El.* 10. 14. *El.* 11. 18. *El.* 10.

Alienation of lands.

10 Colledges may not alien their lands, except they haue ſufficient and preſent recompence. 14. *El.* 11. 1. *Iac.* 25.

Leaſes of Benefices.

11 What leaſes may be made of Benefices with cure, and what not. 13. *El.* 20. 18. *El.* 10.

Aſſurances collaterall or leaſes.

12 Of what ſort bonds, contracts, or iudgements made or giuen for the enioying of ſuch leaſes ſhall bee. 14. *El.* 11. 43. *El.* 9.

A leaſe to a Curate.

13 What perſon may demiſe his Benefice to a Curate, and how long that leaſe ſhall indure. 13. *El.* 20. 1. *Iac.* 25.

Charging with penſions.

14 All chargings of Benefices with cure with any penſion or profit ſhall be void. 13. *El.* 20.

Taking of farmes.

15 What things a ſpirituall perſon may take in farme,

and what not. 21. *H.* 8.13.

Buying and ſelling.

16 In what caſes, and for what cauſes a ſpirituall perſon may buy or ſell corne, or other thing, and in what not. 21. *H.* 8. 13.

No farmer.

17 The forfeiture of a ſpirituall perſon beneficed with cure, which doth occupie a Parſonage or Vicarage in farme. 21. *H.* 8. 13.

Tan-houſe or Brew-houſe.

18 The forfeiture of a ſpirituall perſon which ſhall keepe either Tan-houſe or Brew-houſe. 21. *H.* 8. 13.

Pluralities.

19 Spirituall perſons ſhall not haue pluralitie of benefices with cure of ſoule without diſpenſation. 21. *Henr.* 8. 13.

Liuings without cure of ſoule.

20 Which offices or liuings ſhall not be ſaid benefices with cure of ſoule. 21. *H.* 8. 13.

Pluralities excepted.

21 Certaine perſons which may haue pluralities by ſeruice. 21. *H.* 8. 13.

Pluralities by birth or degree.

22 Certaine other perſons which may haue pluralities by birth or degree. 21. *Henr.* 8. 13. 16. *Henr.* 8. 14. 1. *El.* 1.

Reſidence.

23 The forfeiture of a ſpirituall perſon, who hauing an Eccleſiaſticall benefice, ſhall not bee reſident vpon the ſame. 21. *H.* 8. 13.

Diſcharge of reſidence.

24 Who may be diſcharged of Reſidence, and by what meanes. 21. *H.* 8. 13. 25. *H.* 8. 16. 26. *H.* 8. 14. 28. *H.* 8. 8. 33. *H.* 8. 28.

Reſort to their Cure.

25 Certaine Chaplaines which being diſcharged of their reſidence, muſt yet ſometime reſort to their Cure. 33. *H.* 8. 28. 9. *Ed.* 2. 8.

Firſt fruits.

26 Euery perſon preſented to a ſpirituall Liuing, ſhall pay to the King the firſt fruit thereof (certaine perſons excepted.) 26. *H.* 8. 3. 1. *El.* 4. 28. *H.* 8. 11.

Tenths deducted.

27 The tenth of euery ſpirituall Liuing ſhall bee deducted out of the firſt fruit thereof. 27. *H.* 8. 8.

The ſucceſſors reliefe.

28 How the ſucceſſor ſhall bee relieued who payeth tenth to the King for his predeceſſor. 27. *H.* 8. 8.

Diſcharge of firſt fruits.

29 The rate how by death or euiction, the Incumbent ſhall bee diſcharged of the firſt fruit or part thereof. 1. *El.* 4.

Tenths.

30 Euery ſpirituall perſon ſhall pay to the King one yearely rent or penſion of the tenth part of his ſpirituall liuing. 26. *H.* 8. 3. 1. *El.* 4.

Collector of tenths.

31 Euery Archbiſhop or Biſhop ſhall bee Collector of the ſame tenth in his proper Dioceſſe. 24. *Henr.* 8. 17. 32. *H.* 8. 47.

Who diſcharged of tenths.

32 No hoſpitall, or ſchoole, or the poſſeſſions thereof, ſhall be charged with the payment of any tenths or firſt fruits. 26. *H.* 8. 3. 1. *El.* 4.

The penaltie for default.

33 The penaltie for default of payment of the tenthes. 26. *Henr.* 8. 3. 2. *Edw.* 6. 20. 7. *Edw.* 6. 4. 32. *H.* 8. 22.

Fruits in the vacation.

34 The fruits of a Benefice taken in the vacation, ſhall bee reſtored to the next Incumbent. 28. *Henr.* 8. 11.

The vacation.

35 An Incumbents Benefice and charge ſhall begin during the vacation. 28. *H.* 8. 11.

Vnion.

36 What is requiſite to bee done, And whoſe aſſent is to bee had, where there is an vnion to bee made of two Churches into one. 37. *Henr.* 8. 21. 1. *Eliz.* 4. 1. *Ed.* 6. 9.

Appropriation.

37 What ſhall bee expreſſed in a licence grnated to appropriate a Pariſh Church. 15. *Rich.* 2. 6. 4. *Henr.* 4. 12.

Trees in Church-yards.

38 In what caſes trees may be cut downe growing in Church-yards, And by whom. 35. *Ed.* 1.

Aſſurances of ſpirituall Liuings.

39 There may bee a recouerie ſuffered, and conueyance made of a ſpirituall Liuing in a temporall Court. 32. *H.* 8. 7.

Election in a Church.

40 The penaltie for taking a reward for a voyce to elect a Fellow or Scholler in a Church, &c. 31. *Elizab.* 6.

Reſigning a place.

41 The penaltie for giuing or taking of money for reſigning of a place in a Church, Colledge, &c. 31. *Elizab.* 6.

Preſenting to a benefice.

42 The penaltie for preſenting or collating to a Benefice with Cure of ſoules for reward. 31. *Elizab.* 6.

Admitting to a Benefice.

43 The penaltie for admitting to a benefice with cure of ſoules for reward. 31. *El.* 6.

Reſigning or exchanging.

44 The penaltie for corrupt reſigning or exchanging of a Benefice with cure of ſoules. 31. *El.* 6.

Making & licencing Miniſters.

45 The penaltie for taking a reward for making Miniſters, or giuing licence to preach, 31. *Eliz.* 6.

Doctors of the ciuill Law.

46 Doctors of the ciuill law executing eccleſiaſticall iuriſdiction may marrie. 37. *H.* 8. 17. 1. *El.* 1.

The ſucceſſors remedie for wrong done.

47 A remedie for the ſucceſſours, where wrongs bee done to Prelates their predeceſſours, or in the time of vacation. 52. *H.* 3. 28.

Iuris vtrum.

48 In what caſe Parſons, Vicars, &c. ſhall haue the writs of *Iuris vtrum.* 14. *Ed.* 3. 17.

No indictment for Tythes.

49 Eccleſiaſticall Iudges ſhall not bee indicted or impriſoned for ſuits in any ſpirituall Courts for Tythes, or other duties. 1. *R.* 2. 13.

Preachers.

50 Eccleſiaſticall perſons ſhall not be moleſted which are in preaching or doing Diuine Seruice. 50. *Ed.* 3. 5. 1. *R.* 2. 15. 1. *M.* 3.

A Parſons will.

51 A ſpirituall perſon may declare his will of corne ſowne in his gleabe land. 28. *H.* 8. 11.

Forfeiture for omitting prayer, &c.

52 What eccleſiaſticall perſons ſhall forfeit which doe not ſay Common prayer, or miniſter the Sacraments, as they ought. 1. *El.* 2. 23. *El.* 1.

The oath of Supremacie.

53 Which eccleſiaſticall perſon ſhall take the oath for the Kings ſupreame gouernment. 1. *El.* 1. 5. *El.* 1.

No purueyours.

54 The goods of an eccleſiaſticall perſon ſhall not bee taken by any purueyours. 3. *Ed.* 1. 1. 14. *Ed.* 3. 1. 18. *Ed.* 3. 4. 1. *R.* 2. 3.

Aliens.

55 No Alien ſhall take a benefice in England without the Kings licence. 3. *R.* 2. 3. 7. *R.* 2. 12.

Incontinencie.

56 Eccleſiaſticall perſons may be puniſhed for incontinencie by their Ordinarie. 1. *H.* 7. 4.

Eccleſiaſticall conſtitutions.

57 The Clergie ſhall make no conſtitutions without the Kings aſſent. 25. *H.* 8. 19.

Eating of fleſh.

58 What an Eccleſiaſticall perſon ſhall forfeit that giueth licence to him to eat fleſh that hath no need. 5. *Elizab.* 5.

Horſes.

59 How many horſes euery Eccleſiaſticall perſon is chargeable to keepe. 33. *H.* 8. 5.

Sheepe.

60 How many ſheepe ſpirituall perſons may keepe vpon their lands. 25. *H.* 8. 13.

Forcible Entrie.

61 The penaltie for forcible entrie into, or forcible detaining of benefices or offices of the Church. 15. *R.* 2. 2. 8. *H.* 6. 9.

Dilapidations.

62 The remedie for Dilapidations made by any Eccleſiaſticall perſons of their houſes, &c. 13. *Elizab.* 10. 14. *El.* 11.

Diſtreſſes.

63 In what Fees of the Church Diſtreſſes may bee taken, and in what not. 9. *Ed.* 2. 9.

Writ of Entrie.

64 A ſuit may bee made by Prelates after diſſeiſin to them done by a writ of Entrie. 3. *Ed.* 1. 46.

Mortmaine.

65 It is mortmaine for a ſpirituall perſon to enter into land, and make a Church-yard or buriall place thereof, without licence. 15. *R.* 2. 5.

Aſſurance of lands.

66 What aſſurance of lands may be made to Churches Chappells, Church-wardens, &c. In what ſort and for how long time. 23. *H.* 8. 10.

Mortuaries.

67 How much Eccleſiaſticall perſons ſhall take for mortuaries, And of whom. 21. *H.* 8. 6.

Preſentation by a diſturber.

68 The remedie where a diſturber preſenteth to a Church during particular eſtates, or a vacation. 13. *Ed.* 1. 5.

The remedie for wrong done.

69 What remedie a Parſon of a Church ſhall haue to recouer land or common, whereof he or his predeceſſor, was deforced. 13. *Ed.* 1. 23.

Confirmation of Eccleſiaſticall liuings.

70 A confirmation of Eccleſiaſticall liuings aſſured to King Henrie the eighth, and King Edward the ſixth. 1. *Ed.* 6. 14. 1. & 2. *P.* & *M.* 8. 1. *El.* 1.

Egyptians.

Bringing into the Realme.

1 THe penaltie for bringing of Egyptians into this Realme, or for ſuing for licence for their continuance here. 1. & 2. *P.* & *M.* 4.

Continuance in England.

2 It is felonie for Egyptians to continue within this Realme by the ſpace of a moneth. 5. *El.* 10.

No Clergie.

3 No perſon being or counterfeiting himſelfe an Egyptian ſhall haue the benefit of his Clergie. 5. *El.* 20.

Triall of Egyptians.

4 The enqueſt ſhall be wholly of Engliſh-men where any triall of felonie ſhall bee of ſuch as call themſelues Egyptians. 22. *Henr.* 8. 10. 1. & 2. *Phil.* & *Mar.* 4. 5. *El.* 20.

1 *Enqueſts*, See *Iurors.*

1 *Embracerie.* S. *Maintenance*, &c.

1 *Enchantment*, S. *Coniuration.*

Entrie.

Entrie in the Poſt.

1 IN what caſe a writ of *Entrie ſur diſſeiſin* in the poſt doth lye. 29. *H.* 3. 29.

In what caſe maintenable.

2 In what caſe a writ of Entrie is maintenable for the diſſeiſie, or his heire. 3. *Ed.* 1. 46.

Lying ſeiſed.

3 A diſſeiſor dying ſeiſed taketh away no title of entrie of the diſſeiſie, or his heire, but in a certaine caſe. 32. *H.* 8. 33.

Error.

For him in reuerſion, &c.

1 HE in reuerſion may haue a writ of Error or Attaint vpon a judgement giuen againſt his particular tenant. 9. *R.* 2. 3.

Examination in the Exchequer.

2 The Lord Chancellor and Treaſurer ſhall examine complaints of erronious iudgements giuen in the Exchequer. 31. *Ed.* 3. 12. 31. *El.* 1.

Iudgements in the Kings Bench.

3 Iudgements giuen in certaine caſes in the Kings Bench may vpon a writ of Error ſued, be examined and reuerſed or affirmed by other Iuſtices, &c. 27. *El.* 8.

Examination in Parliament.

4 Erronious iudgements giuen in the Kings Bench may be examined in Parliament. 27. *El.* 8. 31. *El* 1.

How many ſhall be parties.

5 How many Iuſtices may receiue writs, and award proces, and by how many, iudgement in a writ of Error ſhall be giuen. 31. *El.* 1.

Iudgements ſhall continue, &c.

6 A iudgement giuen in the Kings Court ſhall continue vntill it bee reuerſed by writ of Error or Attaint. 4. *H.* 4. 23.

Marſhalſey.

7 A writ of Error ſhall bee ſued in the Kings Bench of an erronious iudgement giuen in the Marſhalſey. 5. *Ed.* 3. 2. 10. *Ed.* 3. 3.

Coſts for the defendant.

8 In what caſe in a writ of Error the defendant ſhall recouer his coſts and dammages. 3. *Henr.* 7. 19. 10. *H.* 7. 20.

Iudgements after Demurrer.

9 Iudgement giuen after demurrer ſhall not bee reuerſed by writ of Error for any imperfection in writ, pleading, but in certaine caſes. 27. *El.* 5.

Fine and recouery.

10 In what caſes, and for what cauſes, a fine or recouerie may bee reuerſed by writ of Error. 23. *Eliz.* 3. 27. *El.* 9.

Wales.

11 What erronious iudgements giuen before the Iuſtices of the twelue Shires in Wales ſhall bee redreſſed. 34. *H.* 8.

Execution ſtayed.

12 In what onely caſe execution ſhall bee ſtayed by writ of Error. 3. *Iac.* 8.

Anſwer in a new action.

13 The defendant, before allowance of any writ of Error, or reuerſing of any outlawrie, ſhall bee bound to anſwer the plaintiffe in a new action, And to ſatisfie the condemnation. 31. *El.* 3.

Eſcape.

An Accomptant.

1 THe penaltie of a Sheriffe or gaoler, that doth ſuffer an accomptant committed to his cuſtodie to eſcape. 13. *Ed.* 1. 13.

Leuying of a felons eſcape.

2 The penaltie for leuying of the eſcape of a felon, before it be adiudged. 13. *Ed.* 1. 4. 13. *Ed.* 3. 14.

Eſcaping of a perſon condemned.

3 The penaltie of a gaoler that ſuffereth a priſoner to goe by bayle or baſton. 1. *R.* 2. 12. 7. *H.* 4. 4.

Amerciament where a murtherer eſcapeth.

4 If a Murtherer eſcape vntaken, the towne where the murther is done ſhall be amerced. 3. *H.* 7. 1.

Diſturbing of a Preacher.

5 How an eſcape of him that diſturbeth a Preacher in his Sermon ſhall be inquired of. 1. *M.* 3.

Iuſtices authoritie.

6 Iuſtices of Peace haue authoritie to inquire of eſcapes of felons. 1. *R.* 3. 3.

Coroners authoritie.

7 A Coroner ſhall inquire of the eſcape of a murtherer. 3. *H.* 7. 1.

Eſcheators.

Accepting the office.

1 WIthin what time one named an Eſcheator ſhall take, or refuſe the office. 33. *H.* 8. 22.

What offices he may finde.

2 An Eſcheator ſhall finde no office of lands to the yearely value of fiue pounds, without the Kings writ directed to him. 33. *H.* 8. 22.

His fees.

3 An Eſcheators fees when the land found by office, doth not exceed the yearely value of fiue pounds. 33. *H.* 8. 22.

An office not found or ſealed.

4 The forfeiture of an Eſcheator that doth returne an office not found, or not ſealed by the Iurie. 1. *Henr.* 8. 8. 3. *H.* 8. 2.

His ſufficiencie of freehold.

5 Of what ſufficiencie of freehold an Eſcheator ought to be. 1. *H.* 8. 8. 3. *H.* 8. 2.

Euidence.

6 An Eſcheator ſhall deny no perſon to giue euidence to an enqueſt taken before him. 1. *H.* 8. 8. 3. *H.* 8. 2.

Receiuing an office.

7 An Eſcheator ſhall receiue an office found by an enqueſt, and deliuer the counterpaine. 1. *H.* 8. 8. 3. *H.* 8. 2.

But one yeare.

8 An Eſcheator ſhall exerciſe his office but one yeare, or bee made Eſcheator againe within three yeares after. 14. *Ed.* 3. 8. 1. *H.* 8. 8. 3. *H.* 8. 2.

Within what time his enqueſt.

9 Within what time after the deliuerie of a writ, and where, an Eſcheator ſhall take his enqueſt. 23. *H.* 6. 17. 34. *Ed.* 3. 13. 36. *Ed.* 3. 13. 3. *H.* 8. 2.

His fee for one writ.

10 The Eſcheators fee for executing of one writ in one countie. 23. *H.* 6. 17.

Returning an office.

11 Within what time an Eſcheator ſhall returne an office found before him. 8. *H.* 6. 16. 18. *H.* 6. 7. 18. *El.* 12.

Clerke of the petit Bagge.

12 The penaltie of the Clerke of the petit Bagge, that will not receiue an office offered vnto him. 1. *Henr.* 8. 8. 3. *H.* 8. 2.

Iurors returned.

13 An Eſcheator ſhall take no enqueſt but of ſuch perſons as be returned by the Sheriffe. 8. *H.* 6. 16. 18. *H.* 6. 7.

His deputie or farmer.

14 Who may be an Eſcheators deputie or farmer, and his name ſhall be certified into the Exchequer. 22. *Edw.* 4. 9.

Wines.

15 An Eſcheator may inquire of offences done contrarie to the Statute prouided to auoide the exceſſe of wines. 7. *Ed.* 6. 5.

Diſſeiſin.

16 An Aſſiſe lyeth againſt an Eſcheator, which by colour of his office diſſeiſeth any perſon. 3. *Ed.* 1. 24.

No waſte.

17 An Eſcheator ſhall haue no fee, nor commit waſte in the lands of wards. 28. *El.* 1. 18. 36. *Ed.* 3. 13.

Counterfeiters of weights.

18 Eſcheators may inquire of the counterfeiters of weights, and puniſh them. 9. *H.* 5. 8.

In Lancaſter, Cheſter, &c.

19 The dutie of Eſcheators within the counties Palatine of Lancaſter, Cheſter, and Dureſme. 18. *El.* 12.

Sufficiencie of Iurors.

20 Of what ſufficiencie Iurors returned before an Eſcheator, or Commiſſioners ought to bee. 1. *Henr.* 8. 8. 3. *H.* 8. 2.

Wales.

21 Who ſhall bee Eſcheators in the twelue Shires in Wales, who ſhall name them, and their office, and dutie. 34. *H.* 8.

A patent of lands ſeiſed.

22 Within what time a patent may be granted of lands ſeiſed vpon an enqueſt taken before an Eſcheator. 36. *Ed.* 3. 13. 8. *H.* 6. 16. 18. *H.* 6. 6. 1. *H.* 8. 10.

Eſſoines.

Sworne to warrant.

1 IN Counties, &c. or in other Courts none ſhall bee ſworne to warrant his Eſſoine. 52. *H.* 3. 19.

Fourcher.

2 There ſhall bee no fourcher by Eſſoine by Coparceners, or tenants in common. 3. *Ed.* 1. 42.

Fourcher by the husband & wife.

3 There ſhall bee no fourcher by Eſſoine by a man and his wiſe being impleaded. 6. *Ed.* 1. 10.

After apparance.

4 There ſhall be no Eſſoine for the tenant after apparance in certaine Actions. 3. *Ed.* 1. 41.

After apparance.

5 There ſhall be no Eſſoine for the demandant after apparance in Aſſiſe. 13. *Ed.* 1. 28.

One eſſoine.

6 There ſhall bee but one Eſſoine after Iſſue ioyned in writs were attachments doe lye, Neither any Eſſoine after day giuen by *Preceſ partium.* 52. *Henr.* 3. 12. 13. 13. *Ed.* 1. 27.

Vltra mare.

7 In what caſe Eſſoine *Vltra mare* ſhall not be allowed. 3. *Ed.* 1. 43.

De Malo lecti.

8 In what caſe Eſſoine *De Malo lecti* is not allowable. 13. *Ed.* 1. 17.

Kings ſeruice.

9 In what Actions an Eſſoine of the Kings ſeruice doth lye. Stat. *De viſu terræ, & Eſſonio de ſeruicio domini Regis.*

No rendering of dammages.

10 In what caſe the defendant eſſoined of the Kings ſeruice, ſhall render dammages to the plaintiffe. 6. *Edw.* 1. 8.

In an appeale.

11 In an appeale of the death of a man, no Eſſoine will lye for the Appellor. 13. *Ed.* 1. 12.

No eſſoine in ſeuerall caſes.

12 Seuerall caſes where Eſſoines may be challenged, and doe not lye. 12. *Ed.* 2. *Stat. de Eſſoniis.*

Seuerall Actions.

13 Seuerall Actions, Billes, Plaints, and Informations wherein no Eſſoine doe lye. 5. *Ed.* 3. 6. 23. *H.* 8. 3.

Eſtreats.

Eſtreats.

Shewed and rotted.

1 THe Eſtreats ſealed, ſhall bee ſhewed to the Kings debtor, and ſhall bee rotted, and by the ſame the Sheriffe ſhall accompt. 42. *Edw.* 3. 9.

Certaine.

2 The Rolles of Eſtreats of Iſſues and Amerciaments forfeited, ſhall be made certaine. 7. *H.* 4. 3.

Charging of others.

3 A man, or towne may diſcharge themſelues of the Eſtreats of the Iuſtices, for felons goods, by charging of another. 31. *Edw.* 3. 3.

Iuſtices allowance.

4 Sheriffes ſhall make none Eſtreats, vntill two Iuſtices of peace haue had the view of them. 1. *Edward.* 4. 2. 11. *H.* 7. 15.

The Iurors addition.

5 To euery Eſtreat of Iſſues againſt a Iuror, his Addition ſhall be put. 27. *El.* 7. 30. *El.* 16.

Sewers.

6 The Commiſſioners of Sewers Eſtreats ſhalbe yeare-ly deliuered into the Exchequer. 13. *El.* 9.

Second ſurcharged.

7 The Eſtreats of *Secunda ſuperoneratio paſturæ* ſhall be put into the Exchequer. 13. *Ed.* 1. 8.

Iuſtices.

8 Iuſtices ſhall take out the Eſtreats of their Records, and Proceſſes, before they ſend them into the Exchequer. 9. *Edw.* 3. 5.

Iſſues.

9 Sheriffes ſhall not be charged with Iſſues vntill they bee Eſtreated out of the Exchequer. 27. *Edw.* 1. Stat. *De finibus.*

Weights.

10 Amerciaments for falſe weights ſhall be Eſtreated into the Exchequer. 14. *Edw.* 3. 12.

Exchequer.

Clerke of the Remembrance.

1 A Clerke of the remembrance of the Exchequer, ſhall be aſſigned to ſit with the Clerke of the Pipe. 37. *Ed.* 3. 4.

Making wrongfull proces.

2 The penaltie of a Clerke of the Exchequer, which maketh out proces, to proue that a debt of new, which hath beene paid. 1. *R.* 2. 5.

Pleading in his diſcharge.

3 Euery perſon which is impleaded in the Exchequer ſhall bee receiued by himſelfe or any other, to plead in his diſcharge. 5. *R.* 2. 9.

Couenants of ſeruice.

4 The couenants of thoſe which ſhall bee retained to ſerue the King in his warres or embaſſies ſhall be ſent into the Exchequer. 5. *R.* 2. 10.

The Clerke of the parcels.

5 Two Clerkes ſhall be aſſigned to make parcels of accompt in the Exchequer. 5. *R.* 2. 12.

Accompts of nihil.

6 Accompts of *nihil* ſhall bee put out in the Exchequer: And he that will ſweare that he oweth nothing to the King, ſhall be diſcharged. 5. *R.* 2. 13.

The Clerkes oath.

7 The Clerke of the Pipe, and the two Remembrancers ſhall be ſworne for the entrie of writs euery Terme: And to make Schedules and Certificates, &c. 1. *Rich.* 2. 14.

Bonds of the double.

8 There ſhall bee no bonds or recogniſances of the (double) in the Exchequer, for the Kings debts. 13. *Rich.* 2. 14.

Collectors of tenths.

9 There ſhall be nothing taken in the Exchequer of him that payeth the tenth of ſpirituall promotions. 26. *H.* 8. 3.

Iſſues.

10 Iſſues forfeited to Queene *Eliz.* and by her diſcharged, ſhall not againe be demanded in the Exchequer. 1. *Iac.* 26.

Forfeiture for miſdemeanour.

11 The forfeiture of a Clerke of the Exchequer, who ſhall in any point miſdemeane himſelfe contrary to certaine orders made 15. *Iunii, Anno* 15. *Elizab.* for the Exchequer. 1. *Iac.* 26.

Orders.

12 Orders be ſet downe in the Exchequer, for reſpite of homage, fines ſtreited out of the common place, to auoid the charge of pleading, to diſcharge Iſſues loſt, *cum multis aliis.* 1. *Iac.* 26.

Authority of the Court.

13 The authoritie of the Court of Exchequer, and what things the chiefe officers there, may heare, examine, determine and execute. 33. *H.* 8. 39.

Erroneous iudgements.

14 The manner of reforming of erroneous Iudgements ſuppoſed to be giuen into the Exchequer. 31. *Edw.* 3. 12. 31. *El.* 1.

Proces.

15 Proces ſhall be awarded out of the Exchequer, for the recouerie of the Kings right. 2. & 3. *Edw.* 6. 4.

Barons.

16 The oath and dutie of the Barons of the Exchequer. 20. *Edw.* 3. 2.

Excommunication.

Awarding of the writ.

1 WHat things bee requiſite to bee obſerued in the awarding and returning of the writ of *Excommunicato capiendo.* 5. *El.* 23.

The body of the Excommunicated.

2 What ſhall bee done with the bodie of the Excommunicated. 5. *El.* 23.

Non eſt inuentus.

3 What proces ſhall be awarded, and what the Excommunicated ſhall forfeit, if the Sheriffe returne *non eſt inuentus.* 5. *El.* 23.

The B. authority.

4 The Biſhops authoritie, to receiue the ſubmiſſion and ſatisfaction of the perſon excommunicated. 5. *Eliz.* 23.

Proces where the K. writs runneth not.

5 To whom proces ſhall bee awarded againſt an Excommunicate, dwelling in a place where the Kings writ runneth not. 5. *El.* 23.

Diſcharge.

6 What perſons may bee diſcharged of the penalties impoſed by this ſtatute, And for what cauſes. 5. *El.* 23.

The cauſes of Significauit.

7 Which bee the onely cauſes of awarding of a writ of *Significauit*, or *Excommunicato capiendo.* 5. *El.* 23.

Addition with a Nuper.

8 Into what countie, a writ of proclamation ſhall bee awarded, when the defendants addition ſhall be with a *nuper* of the place. 5. *El.* 23.

Abſoluing an Excommunicate.

9 The Kings letters ſhall not be ſent to an Ordinarie, to abſolue an Excommunicate, but where the Kings libertie is preiudiced. 9. *Ed.* 2. 7.

For Contumacie.

10 A writ of *Excommunicato capiendo* may be awarded to take a Clerke Excommunicate for contumacie, after xl. dayes. 9. *Ed.* 2. 12.

For abuſe in a Church, &c.

11 Excommunication for ſtriking, or laying of violent hands vpon any perſon, in a Church or Churchyard. 5. & 6. *Ed.* 6. 4.

For diſobedience.

12 Excommunication for diſobeying the ſentence of an eccleſiaſticall Iudge in cauſes tythe. 2. *Ed.* 6. 13.

In Attaint.

13 Excommunication in the plaintiffe or demandant in an Attaint, is a void plea. 23. *H.* 8. 3.

A Recuſant.

14 The Sheriffe may apprehend a Popiſh Recuſant, ſtanding excommunicate. 3. *Iac.* 4.

A Recuſant.

15 A Popiſh Recuſant conuicted, ſhall ſtand as a perſon excommunicate. 3. *Iac.* 5.

Mainpriſe.

16 He that is excommunicate ſhall not be let to mainpriſe. 3. *Ed.* 1. 15.

Exception.

A Bill.

1 A Bill of Exception to a plea, vpon the defendants requeſt, ſhall be ſealed by the Iuſtices, or one of them. 13. *Ed.* 1. 3.

Falſe.

2 The penaltie of him which ſhall alledge a falſe Exception in an Aſſiſe. 13. *Ed.* 1. 25.

A Fine.

3 An Exception ſhall not bee admitted contrary to a fine. *An.* 27. *Ed.* 1.

A Fine.

4 What Exception ſhall not bee admitted againſt a fine. 27. *Ed.* 1. 1.

Execution.

Choice.

1 HE that recouereth a debt, or dammages, may haue Execution by *fieri facias*, or *Elegit.* 13. *Ed.* 1. 18.

Things recorded.

2 What Execution, and in what manner, ſhall bee made of things recorded in a longer or ſhorter time. 13. *Ed.* 1. 45.

Lands recouered.

3 A remedie for the cogniſee, where lands deliuered in Execution, be recouered from him. 32. *H.* 8. 5.

A new Execution.

4 A new Execution ſhalbe awarded againſt him which is priuiledged by his ſeruice in parliament. 1. *Iac.* 13.

Staid by Error.

5 In what caſe onely Execution of a Iudgement ſhall be ſtayed by a writ of Error. 3. *Iac.* 8.

Seruing an Execution.

6 How much a Sheriffe, or his officers, may take for ſeruing of an Execution. 29. *El.* 4.

Executors of Executors.

7 Executors of executors ſhall haue Execution of ſtatutes and recogniſances, knowledged to the firſt Teſtator. 25. *Ed.* 3. 5.

Againſt the firſt Executors.

8 Execution ſhall be had againſt thoſe executors, that firſt appeare vpon the great diſtreſſe. 9. *Ed.* 3. 3.

Execution ſtaid, but not ſuit.

9 By the Kings protection a common perſons Execution ſhall ſtay, (but not his ſuit) vntill agreement be made with the King for his debt. 25. *Ed.* 3. 19.

Dying in Execution.

10 A new Execution ſhall bee awarded againſt the lands of him that dyeth in Execution. 21. *Iac.* 24.

Executors.

ccompt.

1 Executors ſhall haue a writ of Accompt, and like proces, as their Teſtator ſhould haue had. 13. *Ed.* 1. 23.

reſpas.

2 Executors ſhall haue an action of Treſpas, for a treſpas done to their Teſtator. 4. *Ed.* 3. 7.

xecutors of Exe-
tors.

3 What benefit Executors of Executors ſhall take, by the firſt Teſtator, and how farre they ſhal be charged for him. 25. *Ed.* 3. 5.

le of land.

4 In what caſe ſome of the Executors may ſell the land deuiſed by their Teſtator, to be ſold. 21. *H.* 8. 4.

urcher.

5 In a writ of Debt brought againſt Executors, they ſhall not fourch by eſſoine. 9. *Ed.* 3. 3.

pparance at the
and diſtreſſe.

6 The Executor, or Executors which doe firſt appeare at the grand diſtres, ſhall anſwere the plaintiſe. 9. *Ed.* 3. 3.

emedie againſt
ruants.

7 What remedie Executors ſhall haue againſt thoſe ſeruants which do imbeſill their Teſtators goods after his death. 33. *H.* 6. 1.

ents due to the
eſtator.

8 In what caſe Executors or Adminiſtrators ſhal haue remedie by action of Debt or Diſtreſſe to recouer rents due to their Teſtator. 32. *H.* 8. 37.

yde money.

9 The fathers Executors bee bound to ſatisfie the daughter, for aide receiued to her marriage. 3. *Ed.* 1. 35. 25. *Ed.* 3. 11.

demptitate nominis.

10 Executors may maintaine a writ ***de Indemptitate nominis*** in the behalfe of their Teſtator, wrongfully outlawed. 9. *H.* 6. 4.

Ordinarie.

11 Ordinaries ſhall anſwere as Executors, ſo farre as the goods extend. 13. *Ed.* 1. 19.

ands ſolde.

12 The money or profit of lands deuiſed to bee ſold, ſhall not be taken, as any of the goods of the Teſtator. 26. *H.* 8. 5.

ees for probate.

11 How much the Executors, or any other, ſhall pay for the probate of a teſtament, to the Ordinarie. 21. *H.* 8. 5.

xecutors charge-
ble to the heire.

14 In what caſe the heire being charged, ſhall haue remedie againſt his aunceſtors Executors, for the ſame. 34. *H.* 8. 2.

The K. Executors.

15 Where the Executors of the King, or queene of this realme, and where the heire ſhall haue the ſpecialties not paid. 13. *H.* 8. 39.

The K. Debtor.

16 The King is at libertie to charge the heire or Executors of his debtors. 33. *H.* 8. 39.

Recuſants.

17 A Recuſant ſhall not bee Executor or adminiſtrator to any. 3 *Iac.* 5.

Chargeable for
oſts, &c.

18 In what caſe Executors or Adminiſtrators ſhall be charged for coſts and dammages recouered againſt their Teſtators. 8. *El.* 2.

Exemplification.

The force thereof.

1 Exemplification, or Conſtat, of the Kings letters patents vnder the great Seale, ſhall be of the ſame force, as the ſaid Letters Patents be. 3. *Ed.* 6. 4. 27. *El.* 6.

No amendement.

2 No fines or recoueries ſhalbe amended, after the Exemplification thereof. 23. *El.* 3. 27. *El.* 9.

Wales.

3 With what ſeale an Exemplification of a record before any Iuſtices in Wales ſhall be ſealed. 34. *H.* 8.

Iudgement.

4 A iudgemēt ſhall not be reuerſed, for razure of records, after the Exēplification inrolled. 8. *H.* 6. 12.

Exigent, and Outlawrie.

The proces in debt.

1 The Proces in a writ of Debt, Detinue, and *Repleuin*, ſhall bee by *Capias*, and proces of *Exigent*. 25. *Ed.* 3. 17.

Treſpas againſt the
peace.

2 No *Exigent* ſhall bee awarded, where one is indited of Treſpas, except it be againſt the Peace. 18. *Ed.* 3. 5.

Outlawrie vpon a
iudgement.

3 No perſon ſhall bee pardoned of Outlawrie vpon a iudgement without agreement with the plaintiſe. 5. *Ed.* 3. 12.

Outlawrie by proces.

4 No perſon outlawed by proces, before hee doth appeare, ſhall be pardoned, before he yeeldeth himſelfe vnto priſon. 5. *Ed.* 3. 12.

By impriſonment
defeated.

5 He that will defeat an Outlawrie, by reaſon of impriſonment, muſt yeeld himſelfe to priſon. 5. *Ed.* 3. 13.

Sued in another
countie.

6 Proclamation ſhall be awarded, to giue notice vnto him, that dwelling in one countie, is ſued to an *Exigent*, in another. 6. *H.* 8. 4.

Inhabitans in Wales,
&c.

7 A Proclamation ſhalbe awarded vpon an *Exigent*, againſt any perſon dwelling in Wales, or in Lancaſhire, Cheſhire, or Cheſter. 1. *Ed.* 6. 10. 5. *Ed.* 6. 26.

Proces againſt an
Outlaw in Wales.

8 What Proces ſhalbe granted againſt any perſon outlawed, dwelling in any of the counties of Wales. 1. *Ed.* 6. 10.

Outlawed in Lanca-
ſhire.

9 To whom any proces ſhall be directed, againſt any perſon outlawed, dwelling in the county palatine of Lancaſter. 5. *Ed.* 6. 26.

Liueries of Lanca-
ſhire, &c.

10 No *Exigent* ſhall be awarded, within the Counties of Lancaſter, Cheſter, or Durham, againſt any perſon, vpon any ſuit to be made, by force of the ſtatute prouided againſt the giuing of Liueries. 8. *Ed.* 4. 2.

Proclamations.

11 Three Proclamations ſhall be made in euery action perſonall, wherein any writ of *Exigent* ſhall be awarded. 31. *El.* 3.

Anſwere in a new
Action.

12 The Defendant, before allowance of any Writ of Error, or reuerſing of any Outlawry, ſhalbe bound to anſwere the Plaintiſe in a new action, and to ſatisfie the condemnation. 31. *El.* 3.

Proclamation in
Durham.

13 A writ of Proclamation vpon an *Exigent*, awarded againſt any perſon dwelling in the Biſhopricke of Durham. 31. *El.* 9.

Returning a Procla-
mation.

14 The penalty, if the Biſhop of Durham, or his Chancellor do not returne the ſame Proclamation. 31. *El.* 9.

Writs directed into
Durham.

15 To whom writs of Outlawry ſhall be directed, againſt any perſon dwelling in the Biſhopricke of Durham. 31. *El.* 9.

The fee.

16 The fee of Biſhop, Chancellor, and Sheriſe, for the execution of the ſaid proclamation and *Mandat*. 31. *El.* 9.

Acceſſorie.

17 No *Exigent* ſhall be awarded againſt the acceſſory, vntill the principall be attainted. 3. *Ed.* 14.

Addition.

18 Where an *Exigent* is to be awarded, there ſhall be addition to the defendants name. 1. *H.* 5. 5.

Out of the realme.

19 Proces of outlawry awarded againſt offendors in treaſon, being out of the realme, ſhalbe good, 26. *H.* 8. 13. 5. *Ed.* 6. 11.

Diſcharged by band.

20 Where one that is ſurmiſed to be outlawed, may auoid the ſeiſure of his goods and lands, by entring into band to the Sheriſe. 37. *Ed.* 3. 2.

An inditees forfei-
ture.

21 A perſon indited ſhal forfeit his goods vpon an *Exigent* awarded againſt him. 25. *Ed.* 3. 14.

Accomptant.

22 In what caſe an *Exigent* ſhalbe awarded againſt an accomptant. 13. *Ed.* 1. 11.

Attaint.

23 Outlawry of the plaintiſe, in a perſonal action, is a void plea in an Attaint. 23. *H.* 8. 3.

Extortion, Exaction, Oppreſsion.

The K. Officer.

1 The forfeiture of an officer of the kings, which taketh more to do his office than in allowed. 3 *Ed.* 1. 26.

For ſuit.

2 The penalty of a Sergeant, Cryer, or Marſhall, wrongfully taking mony of him which doth ſue. 3. *Ed.* 1. 26.

In a Sheriſe for
a miſdemeanor.

3 Extortion in a Sheriſe, or his Bailiſes, for arreſting, for letting to baile, making of pannels, or granting of copies. 23 *H.* 6. 26.

Auditors.

4 The penalty for Extortion in Auditors and their Clerkes. 33. *H.* 8. 39.

Receiuers.

5 The penalty for Extortion in Receiuers of the Exchequer, Duchie of Lancaſter, and Court of Wards, &c. 33. *H.* 8. 39. 7. *Ed.* 6. 1.

Diſpenſations.

6 The forfeiture of him which ſhall exact for any diſpenſation, faculty, or licence, more than is contained in the bookes of Taxes. 25. *H.* 8. 21.

Citations.

7 What ſhalbe ſaid to be Extortion, in thoſe who haue ſpirituall iuriſdictiō, or in any Subſtitute or Miniſter of theirs, for Citatiōs. 23. *H.* 8. 9. 1. *El.* 1.

Clerke of the Si-
gnet, &c.

8 What ſhalbe deemed Extortion in the Clerke of the Signet, or priuie Seale. 27. *H.* 8. 11.

Corporations.

9 Extortion in Maſters, Wardens, &c. vpon any Apprentice, or other, whoſe apprentiſhip is expired. 22.*H.*8.4. 28.*H.*8.5.

Coroner.

10 What fee a Coroner may take, and what ſhal bee ſaid to be Extortion in him. 3.*Ed.*1.10. 1.*H.*8.7 3.*H.*7.1.

Leuying of Muſters.

11 What ſhall be ſaid to bee Extortion in thoſe which haue commiſſion to leuie muſters, or to take men to ſerue in the wars. 4. *&* 5. *P.& M.*3.

Clerkes of the Exchequer.

12 Extortion by Clerks of the Exchequer, of any Biſhop, or other, who haue the receit of tenths. 26.*H.*8.3.

Commoth.

13 Exaction by gathering of any commoth, or other collection, without the conſent of the Commiſſioners of the Marches. 26.*H.*8.6.

Foreſts in Wales.

14 The penalty of thoſe which take Exaction of them who trauel through foreſts in Wales. 27.*H.*8.7

Eſchetors.

15 What fees be due to Eſchetors, and what ſhal be ſaid to be Extortion in thē. 33.*H.*8.22. 23.*H.*8.17

A Sheriſe.

16 If any Sheriſe do cōmit Extortion, he ſhalbe puniſhed at the Kings will. 1.*H.*4.11.

Chiefe Clerke of the common place.

17 The fees of the chiefe Clerke of the common place, and what ſhalbe adiudged Extortion in him. 2.*H.*4.8. 13.*Ed.*1.44.

Admiraltie.

18 Extortion in an Officer of the Admiralty for taking reward of a merchant or fiſherman for a licence to paſſe this realme to get fiſh. 2.*Ed.*6.6.

Wards.

19 The fees of the Officers of the Court of Wardes, &c. and what ſhall be accompted Extortion in them. 32 *H.*8.46.

Report.

20 Extortion in ſuch as take any thing for the report of any cauſe referred to them. 1.*Iac.*10.

Marſhall.

21 The fees of the Marſhall and his Officers, what ſhalbe iudged Extortion in them. 2. *H* 4.23. 9.*R.*2.5.

For ſcauage.

22 Extortion by chiefe Officers of Cities, &c. of Merchants for ſcauage and ſhewage. 19. *H.*7.8.

Ordinaries.

23 In what ſort Ordinaries ſhall be indited of Extortion or Oppreſſion. 25.*Ed.*3.9.

Prouing of Wills.

24 Extortion by Ordinaries for prouing of Wills, or granting of Adminiſtrations. 21.*H.*8.5.

Norwich.

25 Extortion in the chiefe Officers of Norwich, for admitting any perſon to occupy the arts of making of Hats, Couerlets, or Dornicks. 5.*Ed.*6.24.

Iuſtices and Clerk of the Statutes.

26 The fees of the Iuſtices and Clerke of the Statutes for euery Recogniſance taken or certified, and what ſhall be adiudged Extortion in them. 23 *H.*8.6.

Clerke of the market.

27 What ſhall bee adiudged Extortion or Oppreſſion in the Clerke of the market, and the forfeiture therefore. 13.*R.*2.4.

Firſt fruits.

28 Extortion by taking more money than is due for obligations or acquitances for firſt fruits. 26. *H.*8.3. *See Fees and Duties.* 1. *&c.*

Faires and Markets.

Proclamation.

1 THe continuance of a Faire ſhalbe proclaimed at the beginning, And no man ſhall keepe a Faire longer than he ought. 2.*Ed.*3.25. 5.*Ed.*3 5.

What daies not to be kept.

2 Certaine feſtiuall daies, wherein Faires and Markets ought not to be kept. 27.*H.*6.5.

The plaintifes oath.

3 In a Court of Piepouders, the plaintife ſhall bee ſworne, That the contract or fact was made or committed within the time and iuriſdiction of the Faire. 17.*Ed.*4.2. 1.*R.*3.6.

A place for the ſale of horſes.

4 The Gouernor of a Faire or Market ſhall appoint an open place where horſes ſhall be ſold, and a ſufficient perſon to take toll. 2.*&* 3. *P.& M.*7.

Toll for horſes.

5 When, where, and of whom, toll for horſes ſhalbe taken in a Faire or Market. 2.*&* 3.*P.& M.*7.

A ſtolne horſe.

6 How a ſtolne horſe muſt be vſed in a Faire or Market, to take away the owners propertie. 2.*&* 3. *P.& M.*7.

A note of horſes ſold.

7 A note ſhall be taken by the chiefe Gouernour of a Faire or Market, of all horſes ſold there. 2.*&* 3. *P.& M.*7.

The ſeller or auoucher knowne.

8 The ſeller of the horſe muſt bee knowne to the toll taker of a Faire or Market, or elſe a credible perſon auouching the knowledge of the ſaid ſeller. 31.*El.*12.

A note of the ſellers name.

9 The toll taker of a Faire or Market, ſhall deliuer to the buyer of a horſe, a note in writing, of the names of the ſeller, voucher, &c. requiring and paying two pence for the ſame. 31.*El.*11.

Reedeming a ſtolne horſe.

10 The owner may redeeme his ſtolne horſe within ſix moneths, paying the price for which it was ſold in a Faire or Market. 31. *El.* 12.

A Seale for a Faire.

11 The King ſhall prouide a ſeale for euery Faire. 13.*Ed.*1. Stat. *de Mercatoribus.*

Churchyards

12 Faires and Markets ſhall not bee kept in Churchyards, for the honour of the Church. 13. *Ed.*1.6. Stat. Wincheſter.

Londoners wares.

13 Londoners may carrie their wares to any Faire or Market. 3.*H.*7 9.

Buying of cattell.

14 Who only may buy cattell in open Faires or Markets, and who elſewhere. 3.*Ed.*6.19.

Searchers of leather

15 Lords of Faires and Markets ſhall appoint ſearchers and ſealers of leather there. 1.*Iac.*22.

Stolne cattle in Wales.

16 The ſale of ſtolne cattell in any Faire or Market in Wales, ſhall not alter the propertie. 34.*H.* 8.

1 *Faculties. See Diſpenſations.*

1 *Falſifying of recoueries. See Recoueries, &c.*

Falſe Iudgement.

None but the King

1 NOne but the King ſhall hold plea in his court, of Falſe iudgement. 52.*H.*3.20.

Trial of an Auerment.

2 How a Triall ſhall be made of auerment, in a writ of Falſe iudgement. 1.*Ed.*3. 4.

Farmes.

The Iſle of Wight.

1 HOw many Farmes one may take in the Iſle of Wight: And of what yerely value. 4. *H.* 7. 16.

Two Farmes.

2 The penalty of taking of two Farmes, whereunto Lands do belong. 25.*H.*8.13.

Lands ſeiſed vpon an Enqueſt.

3 When lands ſeiſed into the Kings hands vpon an Enqueſt taken before an Eſcheator, may be let to Farme: and to whom. 36. *Ed.*3.13. 8.*H.*6.16. 18.*H.*6.6. 1.*H.*8.10.

The Sheriſe.

4 The Sheriſe ſhall not let to Farme his countie, bailiwikes, hundreds, and wapentakes. 4.*H.*4.5. 23.*H.*6.10.

Eccleſiaſticall perſons.

5 Eccleſiaſticall perſons, beneficed with cure, ſhall not take any Farmes. 21.*H*.8.13.

1 *Faſting daies. See Holie daies and Faſting daies.*

1 *Fees.*

Fees and dueties.

Alehouſe.

1 THe Fee for accepting a Recogniſance of him that ſhalbe allowed to keepe a common alehouſe or tipling houſe. 5. *&* 6. *Ed.*6.25.

Atturneyes duties.

2 What is requiſite to be done by an Atturney, Sollicitor, or Seruant, to haue his Fee allowed vnto him by his Client. 3.*Iac.*7.

Auditors Fees for enrolments, &c.

3 The Fees of the Kings Auditors, and their Clerkes, for inrolling of &c. And the penalty if they take more. 33.*H.*8.39.

Receiuors.

4 The penalty of any of the Kings Receiuors that ſhall take more than his Fee for the payment of any annuity, penſion, or rent. 33.*H.*8.39. 7. *Edw.* 6.1.

Licences for Drovers.

5 The Fees for licences granted, and recogniſances taken of Badgers, Laders, Kidders, Carriers and Drouers. 5.*El.*12. 13. *El.*25.

Watermen.

6 The dutie and fare of a Waterman tranſporting any perſon from one place to another vpon the Riuer of Thames, betwixt Graueſend and Windſor, and the penalty if they take more. 2.*&* 3. *P.& M.* 10.

Chirographer.

7 The Chirographer of the Common place his Fee for a fine leuied in the ſame Court, And the penalty if he take more. 2.*H.*4.8. 13.*Ed.*1.44.

Enrolment of writs.

8 The Fee for inrolling of writs in the Common place, wherupon fines be leuied. 5.*H.*4.14.

Citation.

9 The Fee for any perſon hauing ſpirituall iuriſdiction for the ſeale of a Citation, And the pe-

nalty if he do take any more. 23.*H*.8.9.

Clerkes of the Sig- et and priuy ſeale.

10 The ſeuerall Fees of the Clerkes of the priuy Signet, and priuy Seale, for writing of ſuch things as come to them by warrant, And the penalty if they take more. 27.*H*.8.11.

orporations.

11 The Fees that the Maſters and Wardens of felowſhips, ſhall take of apprentices and freemen which enter into their ſociety, And the penalty if they take more. 22.*H*.8.4. 28.*H*.8.5.

Coroner.

12 In what caſe a Coroner ſhall haue a Fee vpon the inquiry and view of any perſon ſlaine, or dead by miſaduenture, and in what not. 3.*Ed*.1.10. 1.*H*.8.7. 3.*Hen*.7.1.

aging.

13 What Fees ſhal be taken for the gaugeing of veſſels brought from beyond the ſeas, wherein Ale or Beere ſhall be put. 31.*El*.8.

iſpenſations, fa- lties.

14 The ſeuerall Fees of diſpenſations, faculties, licences, &c. granted in ſeuerall caſes, and the penalty of him which doth exact more of the ſuitor. 25.*H*.8.21. 1.*El*.1.

ulnager.

15 The Aulnagers Fee for ſealing of cloth. 27.*Ed*.3 4. 8.*El*.12.

16 The Fee for any writing obligatory for the payment of firſt fruits, and for any acquitance for the receit thereof. 26.*H*.8.3.

irſt fruits.

17 An Eſcheators Fee vpon finding of an Office where the land exceedeth not aboue fiue pounds by yeare. 33.*H*.8.22.

ſcheator.

18 An Eſcheator ſhall haue no Fee, nor commit any Waſts in any Wards lands. 28.*Ed*.1.18. 36.*Edw*.3.13.

he Biſh. of Dur- ams Fee.

19 Vpon a Writ of Proclamation awarded againſt any perſon dwelling within the Biſhopricke of Durham, and the Mandat thereupon to bee made, and the execution thereof, there ſhall be but one only Fee taken. 31.*El*.9.

licence to ſhoot in gunne.

20 The Fee of the Clerke of the peace for a licence and Recogniſance taken for ſhooting in a Gunne for hawks meat. 1.*Iac*.17.

nrolment or fines.

21 The Fees for the inrolments of fines and recoueries, and for the Exemplifications thereof, and for the ſearch and copy thereof. 23.*El*.3.

Chirographer.

22 The Chirographers Fee for a table containing the content of euery fine. 23.*El*.3.

xemplifications in Wales.

23 Fees for the Inrollements and Exemplifications, &c. of Fines and Recoueries in the twelue Shires of Wales, Hauerfordweſt, and the Counties Palatine. 27.*El*.9.

Licence to eate fleſh.

24 A Curates Fee for entering of a Licence for any perſon to eate fleſh vpon daies prohibited. 5.*Eliz*.5.

Enrolments of bargaines and ſales.

25 The Fees of I. of peace, and the Clerke of the peace for taking acknowledgment of an inrolment of a bargain and ſale of lands. 27.*H*.1.16.

The fees of the Iuſt. and Clerkes of the peace.

26 The Fees and Wages which euery Iuſtice of peace, and Clerke of the peace ſhall take by day during the time of their Seſſions. 12. *Rich*. 2. 10. 14.*R*.2.11.

The Iuſt. Fee for Labourers.

27 The Fees which euery Iuſtice of peace, Mayor, head Officer, &c, ſhall take for euery day that hee ſhall ſit in or about the execution of the Statute of Labourers. 5,*El*. 4.

A teſtimoniall for a ſeruant.

28 The Fee of a Parſon, Vicar, or Curate which doth write a Certificate or Teſtimoniall of a Seruãt which doth lawſully depart from his Maſter. 5.*El*.4.

Searchers of leather.

29 The Fees which ſearchers and ſealers of tanned leather may take for the ſearching, ſealing, & regeſtring of the ſame. 1.*Iac*.22.

Liuerie.

30 The Fees of a generall Liuerie, as the lands bee more or leſſe in value. 33.*H*.8. 22.

Curriers.

31 The Fee of the Warden of the Curriers for the ſearching and ſealing of curried leather, And the penaltie if they doe not ſearch & ſeale. 1.*Iac*.22

Marſhall.

32 The Fees of the Marſhall of the Kings houſe, and a Seruitor of Billes in ſeuerall cauſes, and for ſeuerall reſpects. 2.*H* 4.23. 9.*R*.2 5.

Mortuaries.

33 The Fees and Duties of a Parſon, Vicar, Curate, &c. for Mortuaries of ſeuerall perſons in ſeuerall caſes. 21.*H*.1.6.

Probate of Teſtaments.

34 The ſeuerall Fees of the Ordinarie and his Officers for the Probate of Teſtaments, and for the Commiſſion of Adminiſtration in ſeuerall caſes, and for the granting of copies therof. 21.*H*.8.5.

Sewers.

35 The Fees for writing and ſealing of the Commiſſions of Sewers, and for the Writs of *Dedimus poteſtatem* to bee ſued out for the ſame. 23.*H*.8.5. 3.*Ed*. 6 8.

Sherifes and their Officers.

36 The Sherife, Bailifes, and Gaolers Fees for Arreſts, and for making a Copie of a Pannell, And for the making of an Obligation, Warrant, or Precept. 23. *H*. 6.10.

Seruing of an Execution.

37 The Fees which any Sherife may take for ſeruing an Execution, And the penaltie if he take more. 29.*El* 4.

Recogniſance in the nature of a ſtatute.

38 The Fees which the Iuſtices and Clerke of the Statutes ſhall take for the acknowledgement, writing, and certifying of euery Recogniſance taken in the nature of a Statute Staple, And the penaltie if they take more. 23.*H*.8.6.

Search of a ſtatute Merch. or of the Staple.

39 The Fees which the Clerke of Recogniſances ſhall take for the ſearch of any Statute Merchant, or of the Staple, And the penalty if he take more. 27.*El* 4. 39 *El*.18.

Tyles.

40 The Fee which the ſearchers of Tyle ſhal haue of euery thouſand & hundred of Tyle ſearched: & the penaltie if they omit their ductie. 17.*Ed*.4.4.

Writs in Wales.

41 The Fees for writing and ſealing of originall writs, and bills in Wales. 34.*H*.8.

Proces in Wales.

42 What Fees ſhall bee paied for the ſealing of Proces and Exemplifications ſealed with the iudiciall ſeales in Wales. 34.*H*.8.

Prenotories in Wales.

43 The Fees which the 4. Prenotories of the 12. ſhires in Wales ſhall take for the entring, writing & ingroſſing of ſeueral ſorts of Records. 34.*H*.8.

Warrants for the peace in Wales.

44 The Fees which the Iuſtice of peace, and Clerke of the peace ſhall take in Wales for the writing of any warrant of the peace, or good abearing, and for the entring of pledges, &c. 34.*H*.8.

Sherifes in Wales.

45 The Sherifes Fees in Wales vpon ſeuerall cauſes, and in ſeuerall reſpects. 34.*H*.8.

Officers in Wales.

46 All Officers Fees in the 12. ſhires in Wales ſhal be rated by the Preſident, Councell, & Iuſtices in Wales which be not made certaine by Statute. 34.*H*.8.

Officers of Wards and Liueries.

47 What Fees the Maſter and Officers of the Court of Wards and Liueries ſhall take for Proces, Commiſſions, and recording of Apparance. 23.*H*.8.46. 33.*H*.8.22.

Weights and meaſures.

48 The Fees which Officers of Corporate towns ſhal take for the ſigning & printing of weights & meaſures: And the penaltie of the Offendor. 11.*H*.7.4. 12.*H*.7.5. 8.*H*.6.5.

Felonie.

Concealing a Felon.

1 THe penaltie of any perſõ which doth not purſue, nor attache, or cõceale a Felon. 3.*Ed*.1.9

Suſpected perſons.

2 How perſons ſuſpected for Felony ſhall bee vſed by Officers. 3.*Ed*.3.19.

Notorious Felons.

3 The puniſhment of notorious Felons, which do refuſe lawfull triall. 3.*Ed*.1.12.

A forreſter.

4 The Keeper of a forreſt, parke, or warren may kill him which commeth into his charge to doe hurt, and will not yeeld. 21.*Ed*.1.

Killing a Felon.

5 He that killeth a Felon that attempteth to rob him, ſhall forfeit nothing. 24. *H*.8.5.

Reſtitution.

6 The Iuſtices may award a Writ of Reſtitution of ſtolne goods, vpon the attainder of the Felon. 21.*H*.1.11.

Felons goods.

7 The king ſhal haue the goods of Felons, & *Annũ diem & vaſtum*, in their lands. 9.*H*.3.22. 17.*Ed*.1.6.

Remanding of a Felon.

8 The Iuſtices of the Kings Bench may remaund any Felon, and his indictment to be tried in the countrie. 6.*H*.8.6.

No ſeiſure vntill attainder.

9 The goods of him that is impriſoned for Felony ſhal not be ſeiſeid vntill he be attainted. 1.*R*.3.3.

Indicted in another countie.

10 What means may be vſed for the apprehenſion of Felons, in one countie, which be indicted in another. 5.*Ed*.3.11. 8.*H*.6.10.

A Souldier.

11 Felonie in a Souldier, which going to ſerue a forreine Prince, doth not take the oath of obediẽce or enter into band according to the ſtatute. 3.*Iac*.4.

Sheepe.

12 Felonie in him, who the ſecond time doth ſend or receiue ſheepe aliue into a ſhip, to be conueied out of the realme. 8.*El*.3.

Plague.

13 Felony for any perſon, hauing an infectious plague ſore vpon him, to goe abro ad, being commanded to the contrarie. 1.*Jac* 31.

Second marriage.

14 Felony to marrie a ſecond husband or wife, the firſt being aliue. 1.*Iac*.11.

Recuſant.

15 Felony in a Recuſant, who (being commaunded) doth refuſe to abiure the Realme, doth not depart, or returne without licence. 35.*El*.1.& 2.

Coniuration.

16 Felonie in practiſing cõiuration, witchcraft, inchantment, charme, or ſorcerie. 1.*Iac*.12.

A Seruant.

17 Felonie in a Seruant, who doth imbeſill his maſters goods after his death, and doth not appeare to anſwere it, when he ſhal bee demaũded. 33.*H*.6.1.

Egyptian.

18 Felonie in one calling himſelfe an Egyptian to continue in England or Wales, a moneth. 1.& 2.*P.&.M*.4 5 *El*.20.

The K. ſeruants.

19 Felony in any of the Kings ſeruants, ſworne, to conſpire to deſtroy the King, any lord, or other of the counſell. 3.*H*.7 14.

Rape.

20 Felony to rauiſh any woman, and carnally to know any woman child vnder the age of ten yeares. 13.*Ed*.1.34. 18.*El*. 6.

Breaking of priſon.

21 Felony for any perſon to breake priſon, being therin for Felony. 1.*Ed*.2.

A Gaoler.

22 Felony for a Gaoler, to make a priſoner in his ward to become an Approuer. 14.*Ed*.3.10.

Forcible taking of a woman.

23 Felony to take away any maid, widdow, or wife, hauing lands, or goods, againſt her will. And to receiue any ſo taken. 3.*H* 7.2.

Imbeſilling of a Record.

24 Felony for a Clerke, or any other perſon to ſteale or take away a record, &c. whereby a iudgement ſhalbe reuerſed. 8.*H*.6.12.

A hawke.

25 Felony to take vp an hawke, and not to bring it to the Sherife. 34.*Ed*.3.22. 37.*Ed*.3.19.

Souldier or Mariner.

26 Felonie for him, who is entred of record a Souldier, Marriner, or Gunner, not to come vnto, or to depart from his Captaine. 18.*H*.6.19. 2.*Ed*.W. 6.2. 4.& 5.*P.&M*.3. 5.*El* 5..

Hunting.

27 Felony to hunt in any foreſt, parke, or warren, or with painted faces, and being examined, to conceale the offence, or offendors. 1.*H*.7.7.

Maſons.

28 Felonie in Maſons, to make congregations or aſſemblies. 3.*H*.6.1.

Tongues, eyes.

29 Felonie in cutting out the tongues, or putting out the eyes of any of the Kings people malitiouſly. 5.*H*.4 5.

Multiplication.

30 Felony to practiſe multiplying of gold or ſiluer. 5.*H*.4.4.

Forging.

31 Felony in forging of euidences, being once conuicted thereof before. 5.*El*.14.

A Ieſuite.

32 Felony in receiuing, relieuing, or comforting any Ieſuit, Prieſt, &c. borne within this Realme. 27.*El*.2.

Impriſonment.

33 Felony to take any perſon out of Cumberland, Weſtmerland, Northumberland, Durhã, &c. to impriſon him, or carrie him elſewhere. 43.*El*.13.

Ordnance.

34 Felony for imbeſilling the Kings ordnance, armor, or victuals to the value of 20.s. 31.*El*.4.

A Rogue.

35 Felony in a rogue being baniſhed by the Iuſtices of peace, to turne againe without licence. 39.*El* 4. 1.*Iac*.7.

Wandering Souldier.

36 Felony in a wandering ſouldier, or mariner, abuſing himſelfe contrarie to the ſtatute in that caſe prouided. 39.*El*.17.

Poyſoning.

37 Felonie by poyſoning of any perſon. 1 *Ed*.6.12

Buggerie.

38 Felonie in committing buggerie with mankind, or beaſt. 25.*H*.8.6. 5.*El*.17.

A Seruant.

39 Felony in a ſeruant to go away with any of his maſters goods, to the value of 40.s. to the intent to ſteale it. 21.*H*.8.7. 5.*El*.10.

Powdike.

40 Felony in any perſon, to cut downe any part of powdike in Marſhland. 22.*Henr*.8.11. 2.& 3. *P.&M*.19.

Robberie.

41 Felony by taking of beaſts in a parke, by manner of robberie. 3.*Ed*.1.20.

Purueyors.

42 Seuerall caſes, wherein a Purueyor for the Kings houſe may commit Felony. 28. *Ed*. 1.2. 20.*R*.2.5. 25.*Ed*.3.15. 5.*Ed*.3 2. 10.*Ed*.3.1. 27.*Ed*.3.1. 36.*Ed*.3.2.

Feſants, Partridges, Hares.

Taking by ſnares.

1 THe penaltie for taking of Feſants, or Partridges by ſnares vpon another mans ground without his conſent. 11.*H*.7.17.

Taking in the night.

2 The penaltie for taking or deſtroying any Feſants or Partridges, with any deuice in the night 23.*El*. 10.

A Lords licence.

3 A prouiſion, where the Lord doth diſpence with the forfeiture, or giue licence to offend. 23.*El*. 10.

Amongſt codded corne.

4 The penaltie for hawking or hunting with ſpanniels in the ground of another, wherein cared or codded corne doth grow. 23.*El*.10.

Deſtroying of graine

5 The penaltie for taking or deſtroying of any Feſant, Partridge, and diuers other foules, or any hare, or the taking of any the egges of them, or for the tracing, or courſing of any Hare in the ſnow, or with Hare pipes. 1.*Iac*.27.

Keeping of dogs.

6 The penalty for keeping of any grey hounds for courſing of Deare or Hare, ſetting dogges, or nettes, to take Feſants or Partridges. 1.*Iac*.27.

Buying or ſelling of game.

7 The penalty for ſelling, or buying to ſell againe any Deere, Hare, Partridge, or Feſaunt. 1.*Iac*.27.

Times of hawking.

8 The penaltie for killing any Feſant, or Partridge by hawking, betwene the firſt day of Iuly, and the laſt of Auguſt. 7. *Iac*. 11.

Who be diſpenſed with.

9 Who may take Feſants and Partridges, where. and when. 7.*Iac*.11.

Setting dogges nets or ſnares.

10 A further penaltie for taking any Feſants, or Partridges with any ſetting dogges, nettes, or ſnares. 7.*Iac*.11.

Searching of ſuſpected perſons.

11 Certaine officers may ſearch the houſes of ſuch perſons as be ſuſpected to offend in taking of Feſants or Partridges. 7.*Iac*.11.

1 ***Fealtie.* See Homage and Fealtie.**

Fighting, and Quarreling.

The K. pallace.

1 THe penaltie of him which draweth bloud within the Kings palace. 33.*H*.8.12.

Church.

2 The penaltie for chiding in a Church, or Churchyard. 5.*Ed*.6.4.

Smiting in a Church.

3 The penaltie for ſmiting in a Church, or Churchyard. 5.*Ed*.6.4.

Drawing a weapon.

4 The penaltie for drawing a weapon, or ſmiting therwith, in a Church or Churchyard. 5.*Ed*.6 4.

Aſſaulting a Parliament man.

5 The forfeiture for making an aſſault, vpon any that cõmeth to the parliament, or the Kings counſell, or any ſeruant of theirs. 11.*H*.6.11. 4.5.*H*.4.6. 8.*H*.6.1.

Fiſteenes, and Taxes.

Forreines goods.

1 THe goods of forreiners ſhall be chargeable to the payement of the Fifteene, where they be at the time of the grãt thereof. 9*H*.4.7.1.*Ed*.3.6.

Fines leuied of lands.

Perſonall apparance.

1 THe Cogniſor in a fine, ſhall come perſonally before the Iuſtices. 15.*Ed*.2. *Carliel*.

Dedimus poteſtatem.

2 A fine may bee taken by *Dedimus poteſtatem*. 15 *Ed*. 2.

An originall writ.

3 A fine cannot bee leuied without an originall writ. 18.*Ed*. 1. Stat. *de finibus*.

A woman couert.

4 If a fine be leuied by a woman couert, ſhee ſhall bee examined by the Iuſtices 18.*Ed*.1.

Proclamation.

5 A fine ſhall be proclaimed in the terme wherein it is leuied, and three termes following. 1.*R*.3.7. 4.*H*.7.24. 31.*El* 2.

Concluſion.

6 Who ſhall bee concluded by the ſaide fine and proclamations, and who not. 1.*R* 3.7. 4.*H*.7.24.

A ſtrangers title.

7 Euerie ſtrangers right ſaued, which he preſently hath, ſo that he purſue it within fiue yeares. 1.*R*.3.7. 4.*H*.7 24.

A future right.

8 In what ſort the right of ſtrangers is ſaued, which ſhall come to them after. 1.*R*.37. 4 *H*.7.24.

Imperfections ſaued.

9 The right of infants, women couert, perſons

impriſoned out of this land, and not of whole minde ſaued, ſo that they purſue it within fiue yeares. 1.*R*.3.7. 4.*H*.7.24.

Nothing in the land.

10 An exception to a fine, that the parties to the ſame had nothing in the land. 4.*H*.7.24.

At the common law.

11 Fines at the common law, ſhalbe of the ſame force they were before. 4.*H* 7.24. 1.*R*.3.7.

Adiournements.

12 Fines ſhall bee of force, though proclamations bee not made, by the adiournement of any terme. 1.*M*.7.

Lancaſter.

13 The force of fines leuied and proclaimed before the Iuſtices of Aſſiſe at Lancaſter, of lands in the countie Palatine of Lancaſter. 37.*H*.7.19.

Durham.

14 The force of fines leuied before the Iuſtices of Aſſiſe at Durham, of lands lying within the countie Palatine of Durham. 5.*El*.27.

Cheſter.

15 The force of fines leuied before the high Iuſtice of Cheſter, of lands in Cheſhire. 2.*Ed*.6.28.

The city of Cheſter.

16 The force of fines leuied within the countie of the citie of Cheſter. 43.*El*.15.

Dedimus poteſtatem, in Cheſter.

17 The Maior of the citie of Cheſter, may award a *Dedimus poteſtatem* to receiue a fine of lands in the ſame citie. 43. *El*.15

Error in Cheſter.

18 A fine leuied erroniouſly, of lands in Cheſter, may be reuerſed before the high Iuſtice of Cheſter. 43.*E*.15.

Tenant in taile.

19 A fine leuied by tenant in taile, ſhall bee a barre to the heires of his bodie. 32.*H*.8.36.

A womans fine.

20 Fines leuied by the wife of her deceaſed husbands lands ſhall not barre the heire of his entrie or title. 32.*H*.8.36.

Parliament.

21 The force of a fine leuied by him that is reſtrayned by parliament. 32.*H*.8.36.

The K. in reuerſion.

22 The force of a fine leuied of lands, whereof the K. is in reuerſion. 32.*H*.8.36.

The demaundant ſeiſed.

23 There ſhall bee no exception to a fine by the parties to the ſame that the demandants were alwaies ſeiſed of the land, &c. 27.*Ed*.1.1.

Inrolment.

24 Fines and Recoueries may be inrolled, and euerie writ whereupon they be grounded. 27.*El*.3.

Error.

25 For what errours fines and recoueries are not reuerſable. 23.*El*.3.

26 What perſons may haue writs of errour to reuerſe fines or recoueries, and in what caſes. 23. *Eliz*.3.

The heires remedie.

27 A remedie for the heire where the anceſter ſueth a writ of errour to reuerſe a fine or recouerie, and dieth hanging the ſuit. 23.*El*.3.

The day and yeare of the acknowledgment.

28 The day and yeare of the knowledge of a fine, or warrant of Atturney ſhall bee certified by thoſe that take them. 23.*El*.3.

Atturnement.

29 Vpon an atturnement the partie muſt appeare in court in perſon, or by Atturney warranted by the hands of a Iuſtice, &c. 23.*El*.3.

The office of enrolments.

30 There ſhal bee an office of inrolments, and the fees for inrolment and examination of fines and recoueries, and of exemplifications, returnes, ſearches, and copies of them. 23.*El*.3.

A Table of fines.

31 A table containing the content of euerie fine ſhall bee ſet vp in the cōmon place, and at the generall aſſiſes of the county where the land doth lie. 23.*El*.3. 1.*R*.3.7.

Earle of Kent.

32 The Stat. of 23.*El*. 3. ſhal not extend to take away any writ of Error that George earle of Kent may purſue.

Amendment.

33 There ſhall bee no amendment of fines or recoueries exemplified. 23.*El*.3.

Inrolment in Wales, &c.

34 There may bee inrolment of fines and recoueries acknowledged and ſuffered in the tweluе ſhires of Wales, Hauerford Weſt, Cheſter, Lancaſter and Dureſme, and of euery writ whereupon they be grounded. 27.*El*.9.

Error in Wales.

35 For what errours fines and recoueries leuied or ſuffered of lands in Wales, &c. are not reuerſable. 27.*El*.9.

Reuerſall in Wales.

36 What perſons may haue writs of error to reuerſe fines or recoueries of lands in Wales, &c. and in what caſes. 27.*El*.9.

The heires remedie in Wales.

37 A remedie for the heire where the Anceſtor ſueth a writ of error to reuerſe a fine or recouerie of lands in Wales, &c. and dyeth hanging the ſute. 27.*El*.9.

Day and yeare certified.

38 The day and yeare of the knowledge of a fine or warrant of Atturney of lands in Wales, &c. ſhall bee certified by thoſe take that them. 27. *El*.9.

Atturnement in Wales.

39 Vpon an atturnement in Wales, &c. the party muſt appeare in court or by Atturney warranted by the hands of a Iuſtice. 27.*El*.9

Office of inrolment in Wales, &c.

40 There ſhall bee an office of inrolments in euerie of the tweluе ſhires in Wales, &c. Hauerford Weſt, and counties Palatine: The fees of inrolmēts, examinations, exemplifications, &c. 27.*El*.9.

Exemplification in Wales, &c.

41 The exemplification of any fine or recouery in Wales, &c. vnder the iudiciall ſeale ſhalbe of as good force as the originall record. 27.*El*.9.

No amendement in Wales, &c.

42 There ſhall be no amendment of a fine or recouery leuied, or ſuffered in Wales, &c. after the exemplication thereof. 27.*El*.9.

L. Powes, earle of Kent.

43 The Stat. of 27. *El* 9. ſhall not preiudice the heires of the L. Powes, the earle of Kent, &c.

Eccleſiaſticall profit.

44 Writs of Couenant, and all other writs may be ſued for fines to be leuied, of any Eccleſiaſticall profit. 32.*H* 8 7.

The fee.

45 The fee of the Chirographer of the common place for a fine leuied. 2.*H*.4.8. 13.*Ed*.1.44.

Fee for a Table.

46 The Chirographers fee, for a table, containing the content of euery fine. 2.*El*.3.

Inrolment of writs.

47 Writs ſhall bee inrolled in the common place whereupon fines ſhal be leuied. 5.*H*.4.14.

Fines in Wales.

48 Fines ſhalbe leuied, proclamations made, and the Kings ſiluer paid, in Wales, in ſuch ſort as is vſed in the Common place in England. 34.*H*.8.

1 *Fines for miſdemeanors, See Amerciaments.*

Fiſh, Fiſhers, and Fiſhing.

Deſtroying.

1 THe penaltie for taking, or deſtroying of Salmons, Lampreys, or any other fiſh at vnſeaſonable times. 13.*Ed*.1.46. 13. *R*.2.19.

Conſeruators of the Statutes.

2 The Iuſtices of Peace ſhall bee conſeruators of the foreſaid two Statutes, And the Maior of London, in the riuers of Thames and Medwaid. 17.*R* 2 9.

Trauelling for fiſh.

3 The forfeiture of any officer of the Admiraltie, which ſhall exact any thing of them which trauell for fiſh. 2 *Ed*.6.6.

Vnſeaſonable.

4 The forfeiture for taking the Spawne of fiſh, or for taking of Salmons, or Trouts, not ſeaſonable. 1.*El*.17.

The meſh of nets.

5 The length of Fiſh which may be taken. And of what meſh each net ought to be. 1.*El*.17.

Fiſhing in others waters.

6 The penaltie for deſtroying another mans pond or poole, or forfiſhing therein. 5. *El*.21.

Salmon.

7 How Salmons ſhall be packed, and the contents of the veſſels 22.*Ed*.4.2. 11.*H*.7.23.

Herrings.

8 How Herring ſhall be packed, and the contents of the veſſels. 22.*Ed*.4.2. 11.*H*.7.23.13.*El* 11.

Eeles.

9 How Eeles ſhall be packed, and the contents of the veſſels. 22.*Ed*.4.2.

Barrelled fiſh.

10 How barrelled fiſh ſhall be packed, and how otherwiſe it ſhall be vſed. 22.*Ed*.4.2. 11.*H*.7.23.

Fees for ſearching and packing.

11 What euerie gawger, and packer, ſhall take, for ſearching and packing of fiſh. 11.*H*.7.23.

Herrings.

12 What herrings may be bought of ſtrangers, or out of ſtrangers bothomes. 5.*El*.5. 1.*Iac*.25.

Cod and ling.

13 Cod and Ling, ſhall be brought into the realme, looſe, and not in caskes. 5.*El*.5.

Drying.

14 Fiſh brought in by ſtrangers, ſhall not be dried in England, to be ſold. 13.*El*.11.

Herrings.

15 Where herrings may be bought and ſold vpon the ſea: and at what time of the day. 31.*Ed* 3.1.

Tranſporting.

16 Which of the kings ſubiects may tranſport fiſh, and in what veſſels, and vpon what conditions. 39.*El*.10.

Aliens cuſtomes.

17 What cuſtomes aliens ſhall pay for fiſh, brought into this realme. 39.*El*.10.

Vnwholeſome.

18 The penaltie for bringing into this realme vnwholeſome fiſh to be ſold. 39.*El*. 10.

Ordinances.

19 No ordinance made or to bee made ſhall extend to reſtraine the ſelling of ſalted fiſh that is wholeſome. 39. *El*.10. 43.*El*.9. 1.*Iac*.25.

Watching for fiſh.

20 Watchmen, Balkers, Huers, &c. in the counties of Somerſet, Cornewall, and Deuon, may goe

into any perſons lands, adioyning to fiſhing places, to watch for fiſh, and carrie it on ſhore. 1.*Iac*.23.

Weares, and vnlawfull fiſhing.

21 The forfeiture of ſuch perſons, as ſhall ſet vp any new weare along the ſea ſhore, or within fiue miles thereof, or ſhall deſtroy the frie of Fiſh, or ſhall fiſh with any draw net vnder three inches meſh. 3.*Iac*.12.

Tranſportation without licence.

22 In what caſe herrings, or other ſea fiſh, may bee tranſported without licence or cuſtome. 1.& 2. *P*.& *M*.5.5.*El*.5. 13.*El*.11.

Prices.

23 No price ſhall be ſet, or toll taken of fiſh taken by Engliſh mens ſhips. 33.*H*.8.33. 5.*El*.5.

Ankering.

24 No fiſherman ſhall anker vpon the maine ſea in the time of common fiſhing. 13.*El*.11.

Purueyance.

25 No purueyour ſhall take any fiſh from him that taketh in any Engliſh mans ſhip. 5.*Elizab*.5. 1.*Iac*.25.

Buying of engins.

26 Who onely may buy engines to fiſh in Norffolke. 31.*Ed*.3.2.

Fiſh dayes.

Eating fleſh.

1 THe forfeitures of him that eateth fleſh vpon fiſh daies, and of him in whoſe houſe it is eaten. 5.*El*.5. 35.*El*.7.

Licence.

2 Who may giue licence, and who may haue licence to eate fleſh vpon fiſh daies, and for what cauſe. 5.*El*.5.

Licence of no value.

3 Certaine meats which no licence ſhall extend to the eating of. 5.*El*.5.

One diſh of fiſh.

4 Such as haue licence to eat fleſh vpon fiſh dayes, muſt haue one diſh of ſea fiſh. 5.*Elizab*.5. 1.*Iac*.25.

1 *Flaxe. See Hempe and Flaxe.*

Force and forcible entries.

The puniſhment for force.

1 THe puniſhment of him that maketh any forcible entry. 5.*R*.2.7.

Vnlawfull entrie, or detaining.

2 The penaltie for forcible entry into lands, or for forcible detaining of them. 15.*Rich*.2.2. 8.*H*.6.9.

Maintenance.

3 An alienation of lands holden by force to haue maintenance, ſhall bee voide. 8.*Hen*.6.9. 1.*R*.2.9.

Three yeares poſſeſſions.

4 In what caſes they that haue had three yeares poſſeſſion of any lands, may hold them with force. 8.*H*.6.9. 31.*El*.11.

Remouing of force.

5 Euery perſon ſhall be aſſiſtant to remoue force. 15.*R* 2.2.

Diſſeiſor with force.

6 In what caſes a ſpeciall Aſſiſe is maintenable againſt a diſſeiſor with force. 4.*H*.4.8.

Iurors ſufficiencie.

7 Of what ſufficiencie thoſe Iurors muſt bee, which ſhall be returned to enquire of forcible entries. 8 *H* 6 9.

Diſcent ſhall not preiudice.

8 No diſcent after a forcible diſſeiſon ſhall take away any mans entry. 32.*H*.8.33.

Where no force ſhall be.

9 In what caſes, in what places, and by what perſons, force and armes may not be vſed. 2.*Ed*.3.3 7.*R*.2.13. 12.*R*.2.6. 20.*R*.2.1.

Proces.

10 What Proces ſhall be had in an Action vpon the Statute of forcible entry. 5.*R*.2.7.

Eſtates for yeares, &c.

11 Reſtitution of Poſſeſſion ſhall be giuen vpon forcible entries in Eſtates for yeares, &c. 25.*Iac*.15.

Foreſts, Chaſes, Parkes, Warrens.

Killing of Deere.

1 THe puniſhments of him which killeth the Kings, or any other mans Deere. 9.*H*.3.10. 1.*H*.7.7.

Preſentment.

2 By whom, and in what ſort, any treſpas done within the Kings Foreſt, of Verte or Veniſon, ſhall be preſented. 9.*H*.3.16. 1 *Ed* 3.8. 7.*R*.2 4.

Swanimotes.

3 How many Swanimotes ſhall be holden in a Foreſt, and who ſhall be preſent thereat. 9.*H*.3.8.

Treſpas in Parks, &c.

4 The puniſhment of them who commit treſpaſſes in parks or ponds. 3.*Ed*.1.20.

An Offendors puniſhment.

5 In what caſes a Foreſter, Parker, or Warrenner may kill him that hee findeth offending within his Bailiwicke. 21.*Ed*.1.

A Nobleman.

6 In what caſe a noble man may hunt and kill the kings deere. 9.*H*.3.11.

Lawing of Dogges.

7 In what caſe Dogges ſhal be lawed in or neere a forreſt, & how dogges ſhal be vſed in the lawing. 9.*H*.3.6

Rainge.

8 Raingers ſhall make their rainge in forreſts as hath beene accuſtomed. 9 *H* 3.5.

A Iuries verdict.

9 The Iuries in a forreſt ſhall giue their verdict where they receiued their charge. 7.*R*.2 3.

Strangers.

10 In what caſes onely they that remaine without the forreſt, ſhall come before the Iuſtices of the Forreſt by common Summons. 8.*H*.3.3.

Iuſtices of the Foreſt

11 Euerie Iuſtice of the forreſt may make deputies. 32 *H*.8.35.

Vnlawfull hunting.

12 The puniſhment for vnlawfull breaking a Parke, or Warren, or for hunting Deere or Connies. 3.*Iac*.13. 7.*Iac*.13.

Shooting at, or hunting Deere.

13 Who may ſhoote with Gunne or Bowe at Deere or Connies, and who may keepe Hayes, Purſnets, or Ferrets, and who not. 3.*Iac*.13.

Woods.

14 How each perſon may vſe his Woods, Grounds, and other things which hee hath within the forreſt. 1.*Ed*.3.2. 9.*Henr*.3.4.9.12.13. 22. *Edw*.4 7.

Officers.

15 Officers of foreſts ſhall not be ſworne in enqueſts taken out of the forreſt. 34 *Ed*.1.

Buck-ſtalls.

16 A man hauing no Parke of his owne ſhall not keepe any Buckſtalls or Deere Hayes, nor vſe ſtalking. 19 *H*.7.11.

Preſeruing of Woods

17 How long woods felled in a Parke or ground encloſed for Deere ſhal be preſerued from cattell. 35.*H*.8 17.

Horſes.

18 He that hath a Parke and Deere therein, ſhal be charged to keepe certaine horſes. 27.*H* 8.6.

Drifts of foreſts.

19 Where drifts ſhall be made of forreſts, and chaſes, when, and by whom. 32.*H*.8.13.

High-waies.

20 In what caſe a high way in or by a forreſt or or chaſe ſhall be enlarged. 13.*Ed*.1.5.

Forfeitures.

A robber or murderer.

1 THere ſhall be no forfeiture for killing of him which attempteth to robbe or murder in the high way, or a dwelling houſe. 4.*H* 8.5.

Seruice done to the King.

2 No perſon ſhall forfeit any thing for ſeruice done to the king *in Eſſe*. 11.*H*.7.1.

Dead perſons not attainted.

3 There ſhall be no forfeitures for treaſons of dead perſons not attainted nor adiudged in their liues, by their heires or land tenants. 34.*Ed*.3.12.

For Treaſon.

4 An offendor cõuicted of high treaſon ſhal forfeit all ſuch lãds which he hath of inheritãce. 5.*Ed*.6.11.

Wife or heire not preiudiced.

5 In what caſes the wife ſhall not forfeit her Dower, neither ſhall there be any corruption of bloud to the heire, though the husband bee conuicted of treaſon or felonie. 5.*El*.1. 5.*El*.10. 18. *El*.1. 5.*El*.14.

Vnlawfull contract.

6 In what caſe a woman ſhall forfeit her land for making an vnlawfull contract of Matrimonie. 4.& 5.*P*.& *M*.8.

Rape.

7 In what caſes there ſhall be forfeiture of land of the man or womans part for committing or conſenting to Rape. 6.*R*.2.6.

Who ſhall haue forfeitures.

8 Who ſhall haue the forfeitures of all felons goods and lands condemned. 17. *Ed*.2.16. 9. *Henr*.3.22.

Biſhops tenant.

9 The king ſhall haue the forfeiture of a Biſhops Tenant attainted during the vacation. 17.*Edw*.2.14.

None before conuiction.

10 No perſon arreſted and impriſoned ſhall forfeit his goods before he be conuicted. 1.*R*.3.3.

Forging of Deedes and Writings.

Troubling of freehold.

1 THe penaltie for forging of any Deede, wherby anothers freehold ſhall bee troubled. 5.*El*.14.

A leaſe or annuitie claimed.

2 The penaltie for forging a Deede, whereby a Leaſe or Annuitie may bee claymed. 5.*El*.14.

Obligation, Acquitance, &c.

3 The penaltie for forging an Obligation, Acquitance, Releaſe, &c. and for giuing in Euidence a forged Deed. 5.*El*.14.

4 The

Felonie.
4 The puniſhment for the ſecond offence of forgerie, ſhall be felonie. 5.*El*.14.

Before the ſtatute.
5 The penaltie for forging a Deede, or pleading a forged Deed made before the Statute. 5.*El*.14.

Offenders and yet not chargeable.
6 What perſons, for what facts ſhall not be chargeable by force of this Statute. 5.*El*.14.

Forged teſtimoniall.
7 A ſeruant taken with a forged Teſtimoniall ſhall be whipped as a vacabond. 5.*El* 4.

Tokens or letters.
8 The penaltie for getting other mens goods by a counterfeit or forged token or letters. 33.*H*.8.1.

Foreſtallers, Ingreſſors, Regraters.

Puniſhment of offenders.
1 WHo ſhall be adiudged a Foreſtaller, Regrator, or Engroſſer, and what ſhall be the puniſhment of them. 5.*Ed*. 6.14.

Victualls brought in.
2 Certaine victualls brought from beyond the Seas, to the which this Statute ſhall not extend. 13.*El*.25. 5.*El*.5. 1.*Iac*.25.

Lawfull regrating.
3 Diuers things which certaine perſons for certaine cauſes may regrate or Ingroſſe. 5.*Ed*.6.14. 13.*El*.25.

Butter and Cheeſe.
4 Who may regrate Butter and Cheeſe, and who not. 3.& 4.*Ed*.6.21.

Fat cattell.
5 The penaltie for a Butcher to regrate any fat cattell aliue. 3.& 4.*Ed*.6.19.

Buying and ſelling of cattell.
6 Who may buy cattell and ſell the ſame againe aliue, and within what time. 5.*Ed*.6.14.

Change of ſeed.
7 He which buyeth Corne for the change of his ſeed, ſhall bring ſo much the ſame day to the market. 5 *Ed*.6.14.

Tanned Leather.
8 Who may ingroſſe tanned Leather vnwrought, and ſell the ſame againe, and who not. 1.*Iac*.22.

1 *Fortreſſes. See Caſtells.*

Franchiſes and Liberties.

Bailiſes.
1 EVerie Statute prouided for Sheriſes ſhall extend to Bailiſes of liberties. 27.*H*.8.24.

The K. Court.
2 Where the king commeth in perſon, his courts for iuſtice ſhall be kept as wel within Franchiſes as without. 27.*H*.8.28.

Returnes of writs.
3 Amerciamẽts for inſufficient returnes of writs ſhal be ſet vpon the Bailiſes of Liberties. 27.*H*.8.24

Purueyour.
4 The Kings Purueyour may prouide any victualls as well with in Franchiſes at without. 27.*H*. 8.24. Sauing in certaine caſes. 5.*El*.5.

Pardoning of Felons, or appointing of Iuſtices.
5 No perſon hath Franchiſe or libertie to pardon Felons, or appoint Iuſtices, but the Kings onely 27.*H*.8.25.

Forſeitures of Bailiſes.
6 The King ſhall haue the Fines and Amerciaments forſeited by Bailiſes and Stewards of Franchiſes. 27.*H*.8.25.

Searching of leather.
7 Lords of liberties ſhall appoint expert men to ſearch and ſeale leather. 1. *Iac*.22.

Default for arreſting of felons.
8 The King may ſeiſe a Franchiſe for default of purſuit or arreſting of felons. 3.*Ed*.1.9.

Daies prohibited to ſell againe.
9 The Lord of a Franchiſe where goods be ſhewed vpon daies prohibited, ſhall haue the ſame. 27. *Hen* 6.5.

The Teſte of writs.
10 In whoſe name all writs, indictments, and proces, made within any libertie, and in whoſe name the Teſte of the ſame ſhall be awarded. 27. *Hen*.8.25.

Execution of writs.
11 How writtes in Franchiſes ſhall be executed and returned. 13.*Ed*.1.39. 12.*Ed*.1.5. 1.*Ed*.3.5.

Enquiry of riots.
12 What perſons, and of what ſufficiencie ſhall be returned by Bailiſes of Franchiſes to enquire of writs. 2.*H*.5.8.

Arraying of Aſſiſes.
13 Within what time Bailiſes of Franchiſes ſhal array Aſſiſes, and deliuer the Copies. 6.*H*.6 2.42. *Edw*.3.11.

Deliuery of cattell.
14 In what caſe the Sheriſe ſhall make his precept to a Bailiſe of a Franchiſe to deliuer cattell impounded, and in what he ſhall doe it himſelfe. 52.*H*.3.21. 3.*Ed*.1.17.

Fraudulent Aſſurances, Deedes, Guifts, &c.

Auoiding of others duties.
1 FRaudulent Deeds to auoid other mens duties againſt them ſhal be void. 2. *R*.2.3. 3.*H*.7.4. 13.*El*.5.

Parties to fraud.
2 The forſeiture of parties to fraudulent deedes which doe iuſtifie the ſame. 13.*El*.5.

To defeat purchaſers.
3 Fraudulent conueiance to defraud purchaſers againſt them ſhall be void. 27.*El*.4.

Auowing of fraud.
4 The forſeiture of parties to fraudulent conueiances to auoid purchaſers, which doe auow the ſame. 27.*El*.4.

Condition of reuocation.
5 Conueiances of land with condition of reuocation, or alteration, ſhall againſt the purchaſors of the ſame land be void. 27.*El*.4.

Aſſurances made bona fide.
6 The effect of conueyances made vpon good conſideration, and *bona fide*, and of Mortgage. 27. *El* z. 4.

To auoid Dilapidations.
7 Fraudulent Deedes made by an Eccleſiaſticall perſon to defeate his Succeſſours of the remedie for Dilapidation ſhall be void. 23. *El*. 10.

Defrauding of Wardſhip, &c.
8 Fraudulent Conueyances to defeat the Lord of his Ward, Marriage, or Reliefe, ſhall be void. 52.*H*.3.6.7. 34.*H* 8.5.

Abbey lands, &c.
9 Which ſhall be ſaid fraudulent Conueyances of the lands of an Abbey, Chaunterie, Colledge, or free Chappell. 27.*H* 8. 31. *H*.8.13. 1.*Ed*.6.14.

Aſſurances to Corporations.
10 Collaterall and fraudulent Aſſurances made to the vſe of any Church, Chappell, &c. ſhall bee void. 23.*H*.8.10.

Recuſants.
11 Fraudulent Conueyances to defeat any perſon of any benefit that may riſe vnto them by the Statute of Recuſants, ſhall be void. 13.*El*.1.

Recording of Statutes.
12 Statutes Merchant and of the Staple ſhall be entred of Record, to detect fraud in them, if any be intended. 27.*El*.4.

Freehold.

None compelled to anſwer.
1 NO man ſhall be compelled to anſwere for his Freehold before the Counſell of any Lord, &c. 15.*R*.2.12. 16.*R*.2.2. 52.*H*.3.22.

No more ſeruice then is due.
2 None ſhall be conſtrained to doe more ſeruice for a Knights fee, or his Freehold, then is due. 9. *Hen*.3 10.

Swearing a Freeholder.
3 No man ſhall cauſe his Freeholder to ſweare againſt his will. 52.*H*.3.22.

Fuell.

The Aſſiſe of Wood
1 THe Aſſiſe of Tall wood, Billet, Faggot, and Coales, to be made and put to ſale in London, or &c. 7.*Ed*.6 7. 43.*El*.14.

Forfeiture of Offendors.
2 The penaltie for ſelling of Tall wood, &c. not of lawfull Aſſiſe. 43. *El*. 4.

Who ſhall buy.
3 None ſhall buy Fuell, but ſuch as will burne or retaile the ſame 7.*Ed* 6.7.

Making of Iron.
4 What Woods ſhall not be conuerted to Fuell for the making of Iron. 1.*El*.15. 23.*El*.5. 27.*El*.19.

Fuſtians.

Vnlawfull ſleights.
1 THe penaltie for vſing of vntrue ſleights vpon Fuſtians. 11.H.7.27.

Searching.
2 Who may enter into the houſes of Fuſtian makers, and make ſearch of their wares. 39.*El*.13.

Of Naples.
3 Fuſtians of Naples, Ruſſell Sattins, &c. ſhall be made in Norwich. 1.& 2.*P*.& *M*.14.

G

1 *Gaoles, Gaolers. See Priſons, Priſoners.*

1 *Games. See Playes and Games.*

Gold, Siluer, and Goldſmiths.

Fineneſſe.
1 OF what fineneſſe Siluer ſhall be, being parted and fined. 4.H.7.2.

Allaying, or ſelling.
2 The forſeiture of him which doth allay Gold or Siluer, or ſell it in other manner then it ought to be. 4.H.7.2.

Melting, or allaying.
3 For what onely purpoſes, Siluer may bee melted or allayed. 4.H.7.2.

Harneis touched.
4 Harneis of Siluer put to ſale, ſhall be touched and marked. 2. H.6.14. 18.*El*. 14.

Touching of vnlawfull ware.
5 The forſeiture of him which doth touch any harneis of Siluer whith the Leopards head, which is not as fine in allay as the ſtarling. 2.*H.6*.14.

Gilding.
6 What things may be gilded, and what not. 2. *H*.5.4. 8.*H*.5.3. 5.*H*.4.13.

Execution of two Offices.
7 None ſhall make both white Veſſell, and gild. 37.*Ed*.3.7.

Aſſaying.
8 Veſſels of Gold and Siluer ſhall be aſſayed by the Wardens, and touched with the Leopards head. 28. *Ed*.1.20.

Setting of Stones.
9 The penaltie of him which ſetteth any Stone in Gold, except it be natural. 28.*Ed*.1.20.

Fineneſſe of Gold.
10 Of what fineneſſe Goldſmiths wares of Gold put to ſale ſhal be. 18 *El*.14.

Working of Gold.
11 How much the Goldſmith ſhall take for working of Gold, beſides the faſhioning. 18 *El*.14.

Reward for working.
12 The fineneſſe of Goldſmiths wares in Siluer, and how much he ſhall take for working the ſame, beſides the faſhioning. 18.*El*.14.

Marking of deceitfull worke.
13 The penaltie where Wardens doe allow and marke that for good worke of Gold or Siluer, wherein there is found deceit. 18.*El*.14.

No more giuen then is currant.
14 There ſhall be no more giuen for coyned Gold or Siluer, then it is currant by Proclamation. 25. *Ed*.3.12. 5.*Ed*.6.19.

No tranſporting.
15 No man ſhall pay any Gold to a merchant Alien, neither ſhall any man tranſport Gold or Siluer without the King licence, ſauing in certaine caſes. 4.*H*.7.23. 2.*H*.4.5. 9.*Ed*.3.1. 5.*R*.2.2. 2.*H*.6.6. 2.*H*.4.5.

Gunnes and Croſſe-bowes.

Who may keepe or ſhoot in them.
1 WHo onely may keepe in his houſe, or ſhoot in any Croſſe-bow, Hand-gunne, Hagbutte, or Demyhake. 33.*H*.8.6.

The length.
2 The length of a Hand-gunne, Hagbutte, or Demy-hake, which a man may keepe in his houſe, or ſhoot in. 33.*H*.8.6.

Taking from an Offendor.
3 Who may take a Gunne or Croſſe-bow from an Offendor. 33.*H*.8.6.

Carrying bent, or charged.
4 The penaltie for carrying a Croſſe-bow bent, or Gunne charged. 33.*H*.8.6.

Shooting.
5 The penaltie for ſhooting in a Gunne, in a Citie or Market Towne, at a thing at large. 33.*H*.8.6 2.*Ed*. 6.14.

Commaunding to ſhoot.
6 The penaltie of a Maſter cōmaunding his ſeruant to ſhoot in a Gunne, Croſſe-bow, &c. 33.*H*.8.6.

Arreſting an Offendor.
7 Euery perſon may arreſt an offendor, and bring him to the next Iuſtice of Peace. 33. *H*.8.6.

Who may keepe them.
8 Who may keepe in his houſe, or ſhoot in any Croſſe-bow or Gunne, and what Gunne hee may keepe. 33.*H*.8.6.

Plackard.
9 What ſhall be contained in euery Plackard graunted by the king to ſhoot in Gunnes or Croſſebowes. 33.*H*.8.6.

Hayle-ſhot.
10 The forfeiture for ſhooting Hayle-ſhot, or moe pellets then one in any place. 2.*Ed*.6.14.

The names of thoſe that doe ſhoot.
11 The names of thoſe which ſhoot in Gunnes, ſhall be preſented to the next Iuſtice. 2.*Ed* 6.14.

An Apprentice.
12 When, in what caſe, and in what manner it ſhal be lawful for a Gunner to take an Apprentice. 5.*El*.5. 1.*Iac* 25.

Puniſhment of a Gunner.
13 The puniſhment of a Gunner which taketh preſt wages to ſerue the King, and departeth from his Captaine. 18.*H*.6.19. 5.*El*.5.

Licence to kill Hawkes meat.
14 In what caſes licēce may be granted to one for ſhooting in a Gunne to kill Hawkes meat. 1.*Iac*.27.

Hattes and Cappes.

Forreine Wooll.
1 NOne ſhal worke Hattes with forreine Wool, but which hath beene an Apprentice. 8. *Elizab*. 11.

Thrummed Hats.
2 Who only may make Thrummed Hattes, or Felts, in the Citie of Norwich, and Countie of Norfolke. 5.*Ed*.6.24.

Dying and thickening.
3 The dying, thickning, or fulling of Cappes of Felt, or of Wollen Cloth, not knit. 8.*El*.11.

Apprentices.
4 How many Apprentices a maker of Hattes may take, and for how long time. 8.*El*.11.

Felt-makers.
5 Who may be Felt-makers, and who their ſeruants, how many, and for what time. 1. *Iac*.17.

Strangers.
6 No ſtranger ſhall be ſet on worke in making of Hattes. 1.*Iac*.17.

Middle vſſe Yarne.
7 Hatt-makers dwelling in Norwich may buy Middle Vſſe Yarne to make Hattes. 33.*H*.8.16. 1.*Ed*.6.6. 5.*Ed*.6.7.

1 *Habeas Corpus. See Certiorari.*

1 *Halſers. See Cables.*

1 *Hares. See Feſants.*

Hawkes and Hawkings.

Out of anothers grounds.
1 THe penaltie for taking Hawkes, or Hawkes egges out of anothers ground. 5.*El*.21.

Another mans Hawke.
2 How each man ſhall vſe another mans Hawke which he taketh vp. 34.*Ed*.3.22. 37.*Ed*.3.19.

Egges of Hawks or Swans.
3 The penaltie for taking the eggs of Hawks or ſwans out of their neſts. 11.*H*.7.27.

Killing or fearing them.
4 The penaltie for taking, killing, and fearing of Hawkes. 11.*H*.7.17.

Bred in England.
5 The penaltie for bearing any Hawke of the breed of England, called a Goſhawke, Tarſell, &c. 11.*H*.7.17.

Eyries within a Foreſt.
6 Each man may haue Eyries of Hawkes within his owne woods which be within a foreſt. 9.*H*.3. 12.13.

Hawking in what place.
7 No perſon ſhall Hawke where any eared or codded corne ſhall be ſtanding, ſauing in his owne ground. 23.*El*.10.

Hauens and Riuers.

Rubbidge.
1 THe penaltie for caſting or vnloading out of any veſſell, any rubbidge, into any Hauen or Riuer. 34.*H*.8.9.

Faſtening netts.
2 The penaltie for faſtening netts ouerthwart any Riuer. 2.*H*.6.15.

Orford Hauen.
3 Of what maſh euery net to be ſet in Orford Hauen in Suſſex ſhalbe. 27.*El*.21.

Hauens in Cornwall and Deuon.
4 A meane to preſerue and keepe whole certaine Hauens in the counties of Deuon, and Cornwall from deſtruction, and impairement. 23.*H*.8.8. 27.*H*.8.23.

Owes and Humber.
5 Fiſhgarthes, piles, and other engines, ſet in the Riuer of Owes and Humber, ſhall be pulled downe: There ſhall be no vnlawfull fiſhing in the ſaid Riuers. 23.*H* 8.18.

The new Riuer brought to London.
6 A new Riuer ſhall be brought out of the countie of Hertford to London. 3.*Iac* 18.

Thames.
7 By whom, and by what meanes the Riuer of Thames ſhall be preſerued and augmented. 4.*H*.7.15. 27.*H*.8.18. 3.*Iac*.20.

Lea.
8 How the Riuer of Lea running from Ware to Thames may be redreſſed, augmented, and continued. 3.*H*.6.5. 9.*H*.6.9. 13.*El*.18.

Canterbury.
9 By whom, and by what meanes the Riuer of Canterbury may be deepened, enlarged, and clenſed. 6.*H*.8 17.

Exe.
10 By what meanes the Riuer of Ex by Exeter may be preſerued. 31.*H*.8.4.

Mew.
11 By what meanes the Riuer of Mew may be conueied to the towne of Plimmouth in the countie of Deuon. 27.*El*.20.

Chicheſter.
12 By what meanes a Channel may be made from the Hauen of the citie of Chicheſter vnto the ſuburbs thereof. 27.*El*.22.

Seuerne.
13 All men ſhall haue free paſſage vpon the banke of the Riuer of Seuerne, without any toll. 9 *H*.6.5. 19.*H*.7.18. 23.*H*.8.12.

Douer Hauen.
14 How money ſhall be raiſed by ſeuerall meanes for the repaire of Douer Hauen. 23.*El*.6. 31.*El*.13 35.*El*.7. 43.*El*.9. 1. *Iac*. 32.

Southhampton.
15 Euery man may pull downe the Weares in Southhampton Hauen, and no man ſhall repaire them. 11.*H*.7.5. 14.*H*.8 13.

Newcaſtle.
16 The Maior, Burgeſſes, &c. of Newcaſtle may plucke downe all Weares and engines which ſhall bee made in the Hauen there. 21.*H*.8. 18.

Briſtoll.
17 The penaltie for vnloading any ballaſt or rubball in the Hauen neere vnto Briſtoll. 34. *Hen*.8.9.

Rye and Winchelſey.

18 A meane to preſerue the Hauen of Rye and Winchelſey in the countie of Suſſex. 2.*Ed*.6.30.

Hempe, Flax.

Watered.

1 HEmpe or Flax ſhall not bee watered in any running ſtreame, but on the ground. 33.*H*.8.17.

Burport.

2 Where Hemp growing within fiue miles of Burport ſhalbe ſold. And how much Hempe ſhall bee accounted a ſtone. 21.*H*.8.12.

Herons.

Killing them.

1 THe penalty for killing or taking of any old Herons, ſauing by hawking, or long bow. 19.*H*.7.11.

Young Herons.

2 The penaltie for taking young Herons out of their neſts, without the licence of the owner of the ground. 19.*H*.7.11.

Hexham, and Hexham ſhire.

In Northumberland.

1 THe territorie and franchiſe of Hexham and Hexham ſhire with the liberties of the ſame, ſhall bee taken to be within, and part of the countie of Northumberland. 14.*El*.13.

Highwaies.

Surueiors.

1 SVrueiors ſhall bee appointed yearely for the mending of Highwaie in euery pariſh. 2.& 3.*P*.& *M*.8. 29.*El*.5.

Daies of amending them.

2 Sixe dayes in the yeare ſhall be appointed for the amending of Highwaies, and euery mans charge therein for a plough land. 2.& 3.*P*.& *M*.8. 5.*El*.13. 29.*El*.5.

A Cottager.

3 How a Cottager, or he that hath no plough ſhall bee charged towards the amending of Highwaies. 2.& 3.*P*.& *M*.8. 29.*El*.5.

Sea workes in Norfolke.

4 Repairing of Seaworkes in Norfolke certaine daies, in ſtead of amending the Highwaies. 27.*El*.24. 1.*Iac*.25.

The rubbiſh of others taken.

5 Where it is lawful to take other mens rubbiſh, ſtones, or grauell, for the amending the Highwaies. 5.*El*.3. 29.*El*.5.

Water courſe.

6 A water courſe may bee turned into any mans grounds, for the mending of the Highwaie. 5.*El*.13. 29.*El*.5.

Highwaies inlarged.

7 Fences, ditches, and hedges adioining to the Highway ſhalbe ſcoured, and trees and buſhes cut down neere the Highway. 5.*El*.13. 18.*El*.9.

Each mans charge.

8 The charge of each perſon in reſpect of his lands, goods, or manurance toward the amending of Highwaies. 18.*El*.9.

Impairing of them.

9 The penaltie for caſting ſoile into the Highway, to the annoyance thereof. 18.*El*.9.

Market waies.

10 Of what breadth Highwaies ſhall bee that doe lead from one market towne to another. 13.*Ed*.1.5.*Winchester*.

Suſſex, Surrey, and Kent.

11 A meane to keepe in repaire the Highwaies in the Weilds in Suſſex, Surrey, and Kent. 39.*Eliz*.19.

Ends of Bridges.

12 By what meanes Highwaies ſhal be repaired at the ends of bridges. 22.*H*.8.3.

Iuſt. of peace.

13 Iuſtices of peace may enquire of, heare, and determine euery offence concerning the Highwaies. 2.& 3.*P*.& *M*.8. 5.*El*.13. 18.*El*.9.

Wield of Kent.

14 How Highwaies in the Wield of Kent may bee altered. 14.*H*.8.6.

Suſſex waies.

15 How Highwaies in the countie of Suſſex may bee altered. 26.*H*.8 7.

Huntington Lane by Cheſter.

16 By what meanes Huntington Lane neare the citie of Cheſter ſhall bee repaired. 37.*H*.8.3.

Shaftsbury and Sherburne.

17 How, and by whom the Highway betweene Shaftsbury and Sherburne ſhal be repaired. 1.*M*.5.

Briſtoll and Cheſter.

18 How, and by whom the Highway betweene Briſtoll and Glooceſter ſhalbe repaired. 1.*Mar*.6.

Oxford.

19 By whom the Highwaies neere vnto the citie of Oxford ſhalbe repaired. 18.*El*.19. 35 *El* 7.

Kings Ferry.

20 By whom Kings Ferry in Kent, and the Highway leading to the ſame, ſhalbe repaired. 18.*El*.9.

Holie daies and faſting daies.

Which ſhall be Holie daies.

1 WHich Daies only and none other ſhall bee kept, and commaunded to be kept Holy daies. 5.& 6.*Ed*.6.3.

Which faſting daies.

2 Which daies only ſhall bee kept and commanded to be kept Faſting daies. 5.& 6.*Ed*.6.3. 2.& 3.*Ed* 6.19.

Holie day and faſting day.

3 When Munday ſhall bee kept Holie day, Saturday ſhalbe kept Faſting day. 5.& 6.*Ed*.6.3.

Working on Holie daies.

4 In what caſes, and for what cauſes men may worke vpon any of the foreſaid Holie daies. 5.& 6.*Ed*.6.3. 1.*Iac*.25.

The 5. of Nouember.

5 Morning prayer ſhal be ſaid yearely upon the fifth day of Nouember, for the Kings deliuerie. 3.*Iac*.1.

The Lords day.

6 The penaltie of him or them, that vſe vnlawfull paſtimes vpon the Lords day. 1.*Car*.1.

Abuſes of that day.

7 A reſtraint of the abuſes committed on the Lords day. 3.*Car*.1.

Homage and Fealtie.

Reſpiet of Homage.

1 WHat ſhall bee paied to the King for reſpeit of Homage of Lands not exceeding the yearely value of 5. li. 33.*H*.8.22.

A freemans.

2 The forme of a free mans Homage 17.*Ed*.2.

Fealtie of a freeman.

3 The forme of a free mans Fealtie 17.*Ed* 2.

A villaines.

4 The forme of a villaines Fealty. 17.*Ed*.2.

When to be taken.

5 The Lord ſhall not haue his Tenaunts Wardſhip, vntill he hath taken his Homage. 9.*H*.3.3.

Tenant by the curteſie.

6 A tenant in the right of his wife ſhall not doe Homage.

7 In what caſe diuers heires ſhall doe Homage for one inheritance, and in what not. 14.*Henr*.3. Stat. *Hiberniæ*. 17.*Ed*.2.5.

1 *Honey. See Waxe, &c.*

Hoppes.

Corrupt.

1 THe forfeiture for bringing into this Realme any Hoppes that be deceitfull, corrupt, or mingled. 1.*Iac*.18.

Brewing with corrupt.

2 The forfeiture of him that doth brew any Ale or Beere to be ſold with diſceitfull, corrupt, or mingled Hoppes. 1.*Iac*.18.

Hornes and Horners.

Engliſhmen ſhal firſt chooſe.

1 STrangers ſhall buy no Engliſh Hornes vnwrought within London, or foure and twentie miles, vntil Engliſhmen haue firſt made their choice. 4.*Ed*.4 8. 7.*Iac*.14.

Search.

2 The Wardens of Horners in London, &c. may ſearch for vnſufficient ware. 4.*Ed*.4.8. 7.*Iac*.14.

Horſes, Mares.

Owners, &c. of Parkes.

8 OWners and Farmers of Parkes ſhal be charged to keepe Mares able to beare Foles. 27.*H*.8.6.

Couering of Mares.

2 A mare ſhall not bee couered with a Horſe of a ſmall ſtature or value. 27.*H*.8.6.

The ſtature of ſtoned Horſes.

3 Of what height ſtoned Horſes of this Realme ſhalbe. 32.*H*.8.13. 8.*El*.8.

Height of Horſes.

4 Of what height ſtoned Horſes feeding vpon the Commons in all other Shires of the Realme ſhalbe. 32.*H*.8.13.

Meaſuring and ſeiſing a Horſe.

5 Any man may ſeiſe and meaſure a Horſe not of lawful height, and retaine him as his owne. 32.*Hen*.8.13.

Vnlikely Tittes killed.

6 Driſes ſhall bee made yearely by the Lords or Poſſeſſors of Foreſts, or Chaſes, Commons, Moores, Waſt grounds, &c. and vnlikely Tits ſhal be killed. 32.*H*.8.13.

Infected with the ſcabbe, &c.

7 The penaltie for putting into paſture vpon any waſt Grounds, or common Fields, any Horſe, Gelding, or Mare infected with ſcabbe or mange. 32.H.8 13.

Tranſporting.

8 The penalty for tranſporting of any Horſes,

Geldings, or Mares into a forreine region without the Kings licence. 1.*Ed*.6.5. 5.*El*.19. 11.*H*.7.13.

Selling.

9 Obſeruations for the ſelling of Horſes, appointing a place where they ſhall bee ſold, paying toll for them, and auouching the knowledge of the ſeller in a Faire or Market. 2. & 3. *Phil.* & *M*. 7. 31.*El*.12.

No Clergie for ſtealing.

10 Neither the Horſe ſtealer nor the Acceſſary ſhall haue his Clergie. 2.*Ed*.6.33. 31.*El*.12.

Cornewall.

11 The ſtatute of 32.*H*.8.13. ſhall not extend to the County of Cornewall. 21.*Iac*.28.

Hoſpitalls, and Charitable vſes.

Ordinaries.

1 ORdinaries ſhall inquire of the gouernance of Hoſpitals of the kings foundation, or any others. 1.*H*.5.1.

Who may erect.

2 It ſhall bee lawfull for any man to erect an Hoſpitall or Houſe of Correction: what land may bee aſſured thereunto, and who ſhall order and direct it. 39. *El*.5. 21. *Iac*.1.

Miſimployment.

3 Commiſſions ſhall bee awarded to inquire of the gifts of lands and goods to Charitable vſes miſimployed. 43.*El*.4. 31.*El*.6.

Binding apprentices.

4 How mony giuen for the binding out of Apprentiſes of poore children ſhalbe imployed, and by whom. 7.*Iac*.3.

Diſceit of truſt.

5 A remedie where any party truſted ſhall breake the truſt, or commit any offence. 7.*Iac*.3.

Grieued by Commiſſioners.

6 A remedie for any partie grieued by the Commiſſioners. 7.*Iac*.3.

Aſſurance of lands.

7 What aſſurances or eſtates may be made by the maſter or Gardian of any Hoſpitall of their lands. 31.*El*.10. 18. *El*.10.

S. Leonards.

8 A remedie for the Maſter and Brethren of Saint Leonard in Yorke to recouer their duetie. 2.*H*.6.2.

1 *Hoſtilers. See Inholders.*

Huy and Crie.

After offendors.

1 HVy and Cry, and Freſh ſuit ſhall bee made after murders, burglaries, or other felonies committed, And who ſhall follow the ſame. 3.*Ed*.1. *Officium Coronatoris*. 13.*Ed*.1. 1.*Winch*.

The countrie charged.

2 The countrie ſhall anſwere if the robbers bee not taken. 13.*Ed*.1.2. 28.*Ed*.1.11.

Freſh ſuit ceaſing.

3 The inhabitants of a hundred ſhall be chargeable with the moity, where Freſh ſuit ſhall ceaſe. 27.*El*.13.

Clerke of the peace.

4 The Clerke of the peace ſhall proſecute the ſuit. 27.*El*.11.

Contribution.

5 A remedie for thoſe againſt whom execution is had to haue contribution of the reſidue of the hundred. 27.*El*.13.

An offendor apprehended.

6 There ſhalbe no penalty when any of the Offendors be apprehended. 27.*El*.13.

Within what time to be commenced.

7 The ſuit ſhalbe commenced within a yeare after the robberie. 27.*El*.13.

How to be purſued.

8 The purſuit by Huy and Cry muſt be by horſmen and footmen. 27.*El*.13.

Notice of the Robberie.

9 The partie robbed muſt giue notice of the robberie to ſome dwelling neere the place where it was done. 27.*El*.13.

Examination and proſecution.

10 The partie robbed muſt be examined before a Iuſtice of peace, and become bound to proſecute the offendors. 27.*El*.13.

Benhurſt.

11 In what caſes the inhabitans of Benhurſt in the county of Berkſh. ſhall haue remedy and recouery. 39.*El*.25.

Obeying the watch.

12 Huy and Cry ſhall be leuied and purſued againſt him which will not obey the watch in the night. 13.*Ed*.1.1.

Hunters, Hunting.

Forfeiture.

1 THe forfeiture of him which ſhall hunt not hauing ſufficient liuing. 13.*R*.2.13.

Deere hayes, &c.

2 The forfeiture of him which doth keepe any deere hayes, or buckſtals hauing no parke, chaſe, or foreſt of his owne. 19.*H*.7.11.

Stalking.

2 The forfeiture of him which doth ſtalke, or cauſe any other to ſtalke with any buſh or beaſt to a deere. 19.*H*.7.11.

Diſguiſing, &c.

4 The penaltie for Hunting in the night, or with diſguiſing, and being examined to conceale the offence, or any offendor. 1.*H*.7.7.

Eared cornes.

5 No perſon ſhall Hunt where any eared or codded corne ſhall be ſtanding, ſauing in his owne ground. 23.*El*.10.

Husbandrie, and Tillage.

Sea ſand in Cornwall, &c.

1 SEa ſand may be fetched in Deuonſhire and Cornwall to manure their land. 7.*Iac*.18.

Appentiſe.

2 In what caſe a Husbandman may take an apprentice. 5.*El*.4. 12.*R*.2.5.

Ideots, and naturall Fooles.

Trauerſe.

1 HE that is vntruly found by office to bee an Ideot or naturall foole, may trauerſe the ſame office. 2.*Ed*.6.8.

The King.

2 The King ſhall haue the cuſtodie of Ideots lands. And they ſhal be in the Suruey of the Court of Wards. 17.*Ed*.2.10. 32.*H*.1.46.

Willes.

3 Willes made by Ideots ſhall be void. 34.*H*.8.5.

Ieofailes.

After iſſue.

1 AFter iſſue tryed, there ſhall be iudgement notwithſtanding any Ieofailes, &c. 32.*H*. 8 30. 2.*Ed*.6.32.

After verdict giuen.

2 There ſhall bee no ſtay of iudgement after verdict giuen for want of forme, neither ſhall any iudgement be reuerſed. 18.*El*.13.

Ieofailes preuented.

3 Diuers Ieofailes in ſuites of law preuented and reformed. 21. *Iac*. 13.

Ieſuites, Prieſts, Seminaries.

Departing the realme

1 ALl Ieſuites and Prieſts made out of the Realme, ſhall depart the Realme within fortie dayes. 27.*El*.2.

None ſhall come in.

2 No Ieſuit or Prieſt ſhall come into or remaine within this Realme. 27.*El*.2.

None ſhall relieue them.

3 It ſhall be felonie to receiue or relieue a Ieſuit or Prieſt, knowing him to be ſo. 27.*El*.2.

Returning and taking the oath.

4 They which being in Seminaries beyond the Sea, ſhall after proclamation returne, and take the Oath made *Anno* 1, *El*.1. 27.*El*.2. 3.*Car*.2.

Senidng Reliefe.

5 The penaltie for ſending reliefe to any Ieſuit, Prieſt, or perſon abiding in Seminaries. 27.*El*.2.

Fauour to them.

6 What fauour may be ſhewed to Ieſuites and Seminarie Prieſts, vpon their ſubmiſſion. 27. *Elizab*.2.

Concealement of knowledge.

7 The penaltie of a Iuſtice of Peace, or other which concealeth his knowledge of a Ieſuit or Prieſt. 27.*El*.2.

Not come to the court.

8 He which doth ſubmit himſelfe, ſhall be reſtrained from comming within tenne miles of the Court, without licence. 27.*El*.2.

Refuſing to anſwer.

9 The penaltie of a ſuſpected Ieſuit, or Prieſt, being examined, to refuſe to anſwere whether he a Ieſuit, &c. 35.*El*.2.

Sending or going to a Seminarie.

10 The penaltie of him that ſhall goe or ſend any others to any Seminarie beyond the Sea. 1. *Iac*.4. 3.*Iac*.5. 3.*Car*.2.

Not returning.

11 The penaltie of him which is in a Seminarie, that returneth not. 1.*Iac*.4. 3.*Iac*.5.

No woman or child ſhall paſſe the Seas.

12 No woman or child vnder one and twentie yeares of age (certaine excepted) ſhall paſſe beyond the Seas. 1.*Iac*.4.

Images.

Images.

1 SVperſtitious Images ſhall be deſtroyed. 3. & 4. *Ed*. 6. 10

1 *Iointure of a woman. See Dower.*

Incontinencie.

Spirituall perſons.

1 SPirituall perſons may be puniſhed by their Ordinaries for incontinencie. 1.*H*.7.4.

Indicauit

Indicauit.

1 IN what caſe and when, a Writ of *Indicauit* ſhall be graunted. 34.*Ed.*1.

2 Where, vpon a diſturbance by Writ of *Indicauit*, the Patron ſhall haue a Writ to demaund the aduowſon of the Tithes.13.*Ed.*1.5.

Incumbent.

Tenths.

1 AN Incumbent ſhall loſe his Benefice, for default of payment of his Tenths to the King in due time. 26.*H.*8.3. 2.*Ed.*6.20.

Examination of the Kings title.

2 When the King maketh preſentation or collation to a Benefice in anothers right, his title ſhal be examined. 25.*Ed.*3.3.

Meane profits.

3 The profits ariſing of a Benefice in the time of vacation, ſhall be reſtored to the next Incumbent. 28.*H.*8.11.

A Benefice full of an Incumbent.

4 The King ſhall not preſent vnto a Benefice full of an Incumbent, vntill he hath recouered it by proces of Law. 13.*R.*2.1. 4.*H.*4 22.

1 *Ingroſſers. See Foreſtallers.*

1 *Incloſures. See Approuements.*

1 *Inmates. See Cottages.*

Indictments.

Words not to bee put in.

1 THe words *Cum baculis, cultellis, arcubus, & ſagittis*, or ſuch like, ſhall not of neceſſitie be put in an Indictment. 37.*H.* 8.8.

Indictees remaining in another Countie.

2 The Iuſtices aſſigned, &c. may direct proces againſt thoſe that be indicted, remaining in another Countie. 5.*Ed.*3.11.

Proces againſt Indictees.

3 Vpon Indictments or Appeales of perſons dwelling in forreine Counties, what proces ſhal be awarded againſt them. 8.*H.*6.10.

Proces vpon an Indictment remoued.

4 What proces ſhal be awarded vpon an Indictment remoued into the Kings Bench. 10.*H.*6.6.

Indicted of Felonie.

5 What proces ſhall bee awarded againſt him that is indicted of Felonie. 25 *Ed* 3.14.

Indictment of an Ordinarie.

6 In what ſort or forme an Ordinarie, or any miniſter of his, ſhall be indicted of Extortion, or Oppreſſion. 25.*Ed.*3.9.

Enqueſt vpon a partie indicted.

7 No Indictor ſhal be put in Enqueſts vpon the deliuerie of the partie indicted. 25*Ed.*3.3.

One Enqueſt indicting another.

8 In what caſes Iuſtices of Peace may charge one Enqueſt to indict another. 3.*H* 7.1. 33.*H.*8.6.

In Lancaſhire of forreines.

9 By whom Indictments ſhall be taken in the Countie of Lancaſter of any perſon dwelling in another Shire. 33.*H.*6.2.

A Lancaſhire man in another Shire.

10 By what ſort of perſons a Lancaſhire man may be indicted in another Shire. 33.*H.*6.2.

By whom to bee made.

11 By what ſort of perſons, and by whom impanelled, all Indictments ſhall be made. 11.*H.*4 9.

Additions.

12 Additions ſhall be made in proces vpon Indictments. 1.*H* 5.5.

Amendment.

13 Miſpriſions of Clerkes ſhall not be amended in an Indictment of Treaſon or Felonie, &c. 8.*H.*6.15.

Eccleſiaſticall perſons.

14 The puniſhment of thoſe which procure falſe Indictments againſt Eccleſiaſticall perſons. 1.*R.*2.13.

Killing.

15 Perſons indicted for the killing of certaine Felons, ſhall not loſe their goods, &c. 4.*H.*8.5.

Remaunding.

16 The Iuſtices of the Kings Bench may ſend downe the body of any perſon indicted, together with the Indictment, to be tryed in the Countie where the offence was done. 6.*H.*8 6.

Deliuered to the Iuſtices.

17 Indictments taken in the Turnes of Sherifes, ſhall be deliuered to the Iuſtices of Peace of the ſame Shire. 1.*Ed* 4.2.

Sued in a Spirituall Court.

18 Indictors being ſued in Spirituall Courts, ſhall haue a Prohibition. 1.*Ed.*3.11.

Indicted in a Sherifes Turne.

19 Iuſtices of Peace may award proces againſt them which be indicted in the Sherifes Turne. 1.*Ed.*4 2.

Sherifes Turne.

20 The order and forme of taking Indictments in the Sherifes Turne. 1.*Ed.*4.2.

1 *Informations. See Actions popular, &c.*

1 *Inquiſitions. See Offices.*

1 *Inuentories. See Probat of Teſtament.* 7.9.

1 *Inne-holders. See Hoſtlers.*

Horſebread.

1 HOſtlers ſhall make no horſebread, except in a towne where no baker dwels. 21.*Iac.*21.

Due Aſſiſe.

2 If they make it not of due aſſiſe, they ſhall be puniſhed by the Iuſtices. 21.*Iac.*21.

Prouender.

3 They ſhall ſell prouender according to the market. 21.*Iac.*21.

Iuris vtrum.

Whoſe Frankalmoigne.

1 A *Iuris vtrum* to inquire whether the land in demaund be the *Frankalmoigne* of one Church, or of another. 13.*Ed.*1.25.

Iointenancie.

2 The penaltie if the tenant doe falſely plead Iointenancie in *Iuris vtrum*, or *Mortdaunceſter*. 34.*Ed.*1.

Frankalmoigne.

3 Parſons, Vicars, &c. ſhall haue a *Iuris vtrum* of lands giuen in *Fravkalmoigne*. 14.*Ed.*3.17.

Eſſoined.

4 The tenant after apparance ſhall be no more eſſoined in a *Iuris vtrum*. 3.*Ed.*1.41.

Diſcontinuance.

5 A *Iuris vtrum* ſhall not be diſcontinued by reaſon of Death, new Commiſſion, &c. 1.*Ed.*6.7.

Inrollments.

Of ſale of lands.

1 WHere, before whom, and within what time, Inrollments of bargaines or ſales of land ſhall be made, whereby any eſtate of Inheritance or freehold doth paſſe. 27.*H.*8.16.

The fees.

2 The fees for Inrollments of bargaines and ſales within the Countie. 27.*H.*8.16.

Corporate Townes.

3 Lands lying in corporate Townes, wherein the chiefe officers haue vſed to inroll Writings. 27.*H.*8.6 34.*H.*8.22. 5.*El.*26.

Lancaſter, Cheſter, and Dureſme.

4 Where, before whom, and within what time, Inrollments of bargaines or ſales of lands, lying within the Counties of Lancaſter, Cheſter, and Durham, ſhall be made. 5.*El.*26.

Safe-conduct.

5 In what caſes it is neceſſarie, that a Safe-conduct ſhall bee inrolled. 20.*H.* 6.1. 18.*H.*6.8. 15.*H.*6.3.

Fines and Recoueries.

6 Such things which concerne Fines and Recoueries, may be inrolled. 23.*El.*3. 27.*El.*9.

Rediſſeiſin, &c.

7 Writs of Rediſſeiſin and *ſecunda ſuperoneratione paſturæ* ſhall be inrolled. 13.*Ed.*1.8.

Court of Augmentations.

8 In what caſes, Leaſes made by Gouernors of Religious houſes, and inrolled in the Court of Augmentations, ſhall be good. 31.*H.*8.13.

Intruſion.

Intruſion.

1 IN Informations of Intruſion the ſubiect may pleade the generall iſſue, and returne poſſeſſion till triall. 21.*Iac.*14.

Iointenancie and Iointenants.

Falſe pleading in aſſiſe.

1 THe penaltie for falſe pleading of Iointenancie in an Aſſiſe. 34.*Ed.*1. *de coniunctim feoffatis.*

Not by Bailie.

2 Iointenācie is not pleadable by Bailie.34.*Ed.*1.

Falſe pleading.

3 The penaltie for falſe pleading of Iointenācie in *Mortdaunceſter, Iuris vtrũ*, or any Precipe.34.*Ed.*1.

Partition.

4 In what caſes, and by what meanes, Iointenants are compellable to make partition. 31.*H.*8.1. 32.*H.*8.32.

Iron.

Where Wood not to be conuerted.

1 WHat Wood growing in what places, ſhal not be conuerted to the making of Iron 1.*El.*15.

Woods neere London.

2 Woods ſhall not be conuerted into Coale for the making of Iron growing within certaine miles from the Citie of London. 23.*El.*5.

New Iron-workes.

3 No new Iron-workes ſhall be erected within certaine miles of the Citie of London. 23 *El.*5.

New Iron-mills.

4 No new Iron mills ſhall be ſet vp in Eſſex, Surrey, or Kent, Nor good Timber conſumed for the making of Iron. 27.*El.*9.

No tranſportation.

5 Iron made in England, or brought into England, ſhall not be carried out of England. 28.*Ed.* 3.5.

Bilbow Iron.

6 None ſhall make or put to ſale Bilbow Iron, like the faſhion of gads of ſteele. 2.*Ed.*6.27.

Iſſues.

Eſtreats.

1 SHerifes ſhall not be charged with Iſſues', vntill they be deliuered out of the Exchequer by Eſtreats. 27. *Ed.* 1. *Stat. de Finibus.*

Attaint.

2 What Iſſues ſhall be returned in ſeuerall caſes vpon the Iurors in an Attaint. 15.*H.*6.5. 11.*H* 7.21. 23.*H.*8.3.

Default of appearance.

3 Forfeiture of Iſſues by the tenant or defendant for default of apparance. 3.*Ed.* 1.44.

Iurors.

4 Thoſe Iurors which are returned, and doe appeare, ſhall not loſe any Iſſues. 8.*Ed.*4.3.

Lands holden of the King in chiefe.

5 The King ſhall haue the Iſſues of lands holden or him in chiefe, vntill Inquiſition be made.

Chattell.

6 What Chattels are contained within the name of Iſſues. *Tractatus contra Vicecomites, &c.*

Apparance.

7 What Iſſues witneſſes ſhall forfeit for default of apparance. 12.*Ed.*2.2.

Riots.

8 What Iſſues Coroners ſhall returne vpon perſons impanelled to enquire of Riots. 2.*H.*5.8.

Riots.

9 What Iſſues ſhall be returned by Sherifes vpon Iurors impanelled to enquire of Riots. 19.*H.*7.13. 8.*H.*6.9.

Default of apparance, &c.

10 Iſſues forfeited for default of apparance by perſons impanelled, and by thoſe which doe impanell them, and not lawfully ſummon them. 39.*H.*8.6. 2.*Ed.*6.32.

Iurors, Iuries, and Enqueſt.

What people returned.

1 WHat ſort of people ſhall be returned vpon euerie Iurie. 28.*Ed.*1.9. 34.*E.*3.4 42.*Ed* 3.11.

Exemption.

2 Who ſhall be exempted from Iuries, and by what meanes. 13.*Ed.*1.37. 52 *H.*3.14.

Not in an Enqueſt vpon the Indictee.

3 No Indictor ſhall be put in Enqueſts vpon the deliuerance of the Indictees. 25. *Ed* 3.3.

Officers of Foreſts.

4 No Officer of the Foreſt ſhalbe put in any Aſſiſes or Enqueſts to be taken out of the ſame Foreſt. 34.*Ed.*1.

Taking reward.

5 The penaltie of a Iuror taking a reward of the plaintiſe or defendant, to giue his verdict. 34.*Ed.*3.8 38.*Ed.*3.12.

Imbraceours.

6 The penaltie of ſuch which be Imbraceours to procure enqueſts to make a profit thereof. 34.*Ed.*3.8. 38.*Ed.*3.12.

Ambidexter.

7 The penaltie of a Iurour which taketh reward of the one part and of the other, to giue his verdict. 5.*Ed.*3.10.

Iurors in indictments.

8 Who ſhall be accounted ſufficient perſons to be Iurors in indictments, and who not. 11.*H* 4.9.

Pannels reformed.

9 All pannells returned which bee not at the ſuit of anie partie ſhall be reformed by the Iuſtices 3.*H.*8.12. 11.*H.*7.24.

Concealement of an enqueſt.

10 In what caſe one enqueſt may be taken to enquire of the concealement of another enqueſt. 3.*H.*7.1.

Out of their Counties.

11 Of what ſufficiencie a Iurour ſhall be, that ſhall bee put in anie Aſſiſes, Iuries, Enqueſts, or Attaints that ſhall paſſe out of their proper Countie. 21.*Ed.* 1.

Certains perſons not to be put in Enqueſts.

12 The Bailifes, Officers, or Seruants, of anie Sherife, Vnderſherife, Coroner, Steward of Franchiſe, Bailie, or Warden of perſons, ſhall not bee put in anie Enqueſts. 23.*H.*6.10.

Triall of the life of man, &c.

13 Of what eſtate thoſe Iurours muſt bee which are to paſſe in anie enqueſt touching the life of man, plea reall, or fortie markes dammage. 2.*H.*5.3. 28.*Ed.*3.13. 8.*H.*6.29.

Forcible entrie.

14 Of what ſufficiencie thoſe Iurours muſt bee which are impanelled to enquire of forcible entrie 8.*H.*6.9.

Enquirie of lands.

15 Of what ſufficiencie thoſe Iurours muſt bee which are returned before Eſcheators or Commiſſioners, to enquire of lands, &c. 1.*H.*8.8. 3.*H.*8.2.

The Sherifes turne.

16 Of what ſufficiencie and credit thoſe Iurours muſt be which are to make enquire before the Sherife in his turne. 1.*R.*3.4.

Felonies in corporate Townes.

17 What ſufficiencie is required in Iuries to enquire of Felonies committed in corporate townes, 23.*H.*8.13.

In London.

18 Of what ſufficiencie Iurors impannelled in the citie of London in ſeueral caſes, and for ſeueral purpoſes muſt be, and what iſſues ſhall be returned vpon them. 11.*H.*7.21. 4.*H.*8.3. 5.*H.*8.5.

Indictment in Lancaſhire.

19 Of what ſufficiencie thoſe Iurours muſt bee in the Countie Lancaſter, which ſhall indict a Forreiner dwelling in another Shire, *Et e conuerſo*, 33 *Henrici* 6.2.

Diſpending fortie pounds freehold.

20 The forme of a *Venire facias* where each Iurour muſt diſpend foure pounds of freehold, and where not. 35.*H* 8.6. 2.*Ed.*6.32. 27 *El.*6.

Hundreders.

21 How maine Hundreders ſhall bee returned in euerie pannell. 35.*H.*8.6. 2.*Ed.*6.32. 27.*El.*6.

Iſſues.

22 What Iſſues ſhall be returned vpon Iurors, 35.*H.*8.6. 27.*El* 6.

Not ſummoned.

23 The penaltie of the Sherife which returneth anie Iurour that is not ſummoned. 35.*H.*8.6. 27.*El.*6.

Lawfully ſummoned.

24 The Iuſtices ſhall not put in Aſſiſes or Iuries anie others then were ſummoned to the ſame at the firſt. 15.*Ed.*1.30.

Reward for not returning.

25 The penaltie of a Sherife, &c. for receiuing a reward for not returning any Iuror. 27. *El.*6.

A Tales at the plaintifes requeſt.

26 In what caſe a *Tales de circumſtantibus* ſhall be graunted at the plaintifes requeſt. 35.*H.*8.6. 2.*Edw.* 6.32.

Not apparance vpon a Tales.

27 What fine a Iurour ſhall pay who beeing returned vpon a *Tales* doth not appeare. 35.*H.*8.6. 2.*Ed.*6.32.

Loſing of Iſſues.

28 The Iurours that where firſt returned by the ſherife making default ſhall loſe Iſſues. 35.*H.*8 6. 2.*Ed.*6.32.

A Tales in Lancaſhire, and Wales, &c.

29 A *Tales de Circumſtantibus* may bee graunted in Wales, Cheſter, Lancaſter, and Durham, at the requeſt of the plaintiſe, &c. 5.*El.*25.

A Tales vpon a penal Statute.

30 A *Tales* may be graunted at the plaintifes requeſt in a ſuit vpon a penall Statute. 4. & 5. *P.* & *Mar.* 7.

A Tales for the defendant.

31 A *Tales* may be graunted for the defendaunt in all caſes where the plaintiſe may haue it 14.*El.*9.

Popular actions.

32 A *Tales* may bee graunted for the defendant in all popular Actions. 14.*El.* 9.

The grand Iuries Iſſues.

33 What iſſues the grand Iurie in Attaint not appearing in London, or elſe where ſhall forfeit, 11.*H.*7.21. 23.*H.*8.3. 13.*El.*25.

Diſcharged of iſſues.

34 Vpon what cauſes Iurours may bee diſcharged of their iſſues forfeited. 35.*H.*8.6. 2.*Ed.* 6.32. 5.*Eliz.*25.

De medietate linguæ

35 In what caſes an Enqueſt ſhall be *de medietate linguæ* where an Alien is partie, and where not, 27.*Ed.*3.8. 28.*Ed.*3.13. 2.*H.*5.3. 8.*H.*6.29. 22.*H.*8.10. 1. & 2. *P.* & *M.* 4. 5.*El.* 20.

No apparance at Weſtminſter.

36 In what caſe a Iurie ſhall not bee compelled to appeare at Weſtminſter for the triall of an iſſue, 18.*Ed.* 5. 27.*El.*10.

Verdict at large.

37 The Iurours if they will may giue their verdict at large, 13.*Ed.*1.30.

Addition.

38 No Iuror ſhall be returned without addition of his dwelling place. 27.*El.*7. 39.*El.*18.

Addition in extracts

39 In euerie extract of iſſues againſt a Iuror his addition ſhall be put, 27.*El.*7. 39.*El.*18.

Triall in Middleſex.

40 In Actions triable in any Court at Weſtminſter by Iurors of Middleſex at the fourth day after the return, the Iurors ſhall be called, 4.*Ed.*4.3.

Iurours in the Marſhalſey.

41 Iuries taken by the Marſhall of the Kings houſe ſhall be of the countie thereabout, 5.*Ed.*3.2 10.*Ed.*3.3.

A verdict giuen where the charge is receiued.

42 A Iurie charged to enquire of treſpaſſe committed within a foreſt ſhall giue their verdict where they receiued their charge, 7.*R.*2.3.

Inquirie of Riots, &c.

43 Of what ſufficiencie Iurors returned to enquire of Riots, Routs, and vnlawfull aſſemblies ſhall be, 2.*H.*5.8.

Attaint.

44 Of what ſufficiencie Iurours returned in Attaint ought to be, 18.*H.*6.2. 23.*H.*8.3. 11 *H.*7.21 37.*H.* 8.5.

45 In

Enquirie in another Countie.

45 In what caſes Iurours may bee impannelled in one county to enquire of any thing in another. 23. *H*.8.3.

Embeſiling a record.

46 What Iurors ſhall bee impannelled for the triall of him which feloniouſly imbeſeleth a record. 8. *H*.6. 12.

For an Infant.

47 In what caſe a Iuror ſhall bee taken for an Infant, as through he were of full age. 3.*Ed*.1 46.

The time of arraying of pannells.

48 Within what time pannells of Aſſiſe ſhall be arrayed and copies deliuered to the parties. 42. *Ed*.2.11. 6.*H*.6.2.

Iurors in Wales.

49 The puniſhment of thoſe Iurours in Wales which ſhall acquit any felon or murderer, or giue anie vntrue verdict, or otherwiſe miſdemeane themſelues. 26. *H*. 8.4.

Iuſtice and Right.

No ſale or delay of Iuſtice.

1 IVſtice ſhall bee ſould, deferred, or denied to no man, neither ſhall any man be condemned but by lawfull triall. 9.*H*.3.29.

Each perſon ſhall haue the Law.

2 No man ſhalbe attached or forciudged of life, lands, or goods againſt the law of the Realme. 5.*Ed*.3.9.

No hinderances to proceed in Iuſtice.

3 No iudge of any Court ſhall let to doe or execute the Common Law for any commandement which ſhall come vnto them by the great or priuie Seale. 2.*Ed*.3.8. 5.*Ed*.3.9.

No fee for reports.

4 No man to whom any order ſhall bee committed by any Iudge or Court, ſhal take anie thing for his report. 1.*Iac*. 10.

Iuſtices of both Benches, of Aſsiſe, Gaole deliuerie, and of Niſi prius.

Their oath.

1 THe forme of the oath of the Iuſtices of both benches. 18. *Ed*. 3.

Their dutie in iuſtices.

2 The Iuſtices of both Benches, Aſſiſe, &c. ſhal doe right to all men without regard of letters, writs, or commandements, ſhall take no fee of any but of the King, nor giue counſell where the King is partie. 20. *Ed*.3.1.

Barons of the Exchequer.

3 The Barons of the Exchequer ſhall doe right to all men without delay. 20.*Ed*.3.2.

No man ſhall ſit with them.

4 No man ſhall ſit with the Iuſtices of Aſſiſe vpon the bench in their Seſſions. 20. *R*.2.3.

Not in his owne countrie.

5 No man ſhal be Iuſtice of Aſſiſe in the countie where he was borne or doth dwell. 8.*R*.2.2. 33. *H*.8.24.

Keeping of Seſſions.

6 In what Townes the Iuſtices of Aſſiſe, and Gaole deliuerie, ſhal keepe their Seſſions. 6.*R*.2.5. 11. *R*.2.11. 14.*H*.6.3.

Iudgement of the attainted.

7 Iuſtices of *Niſi prius* may giue iudgement as well where one is attainted of treaſon or felonie, as where he his acquited. 14.*H*.6.1.

Where no diſcontinuance of ſuit.

8 What ſuites commenced before Iuſtice of Aſſiſe ſhall not bee diſcontinued by death, new commiſſion, aſſociation, or not comming of the Iuſtices. 1.*Ed*.6.7. 11.*H*.6.6.

New Iuſtices.

9 New Iuſtices of Gaole deliuery haue authority to giue iudgement againſt a priſoner found guilty and repriued. 1. *Ed*. 6.7.

Iuſtices of Peace.

Who ſhall bee, and their authority.

1 WHat ſort of men ſhall bee Iuſtices of Peace, and what their authoritie ſhall be. 1. *Ed*.3.16. 18. *Ed*. 3. 2. 34.*Ed*.3.1. 13. *R*.2.7. 17.*R*.2.10. 2.*H*.5.1. 27.*H*.8.25.

Who ſhalbe reſident

2 Which Iuſtices of peace ought to bee reſident within the ſame ſhires where they be Iuſtices, and which need not. 2.*H*.5.4.

Of what liuings.

3 Of what liuings Iuſtices of peace muſt bee. 18.*H*.6.11.

Their oathes.

4 Seuerall oathes which Iuſtices of peace are bound to take. 13.*R*.2.7. 1. *El*.1.

Seſsions of peace.

5 At what times of the yeare, how often, and how long the Iuſtices of peace ſhall hold their Seſſions. 2.*H*.5.4. 12.*R*.2.10. 14. *H*.6.4.

Their wages.

6 What wages Iuſtices of peace ſhall take euery day that they hold their Seſſions, and which Iuſtices ſhall take no wages. 12.*R*.2.10. 14.*R*.2.11.

Their eſtreates.

7 The Iuſtices eſtreats ſhalbe double, and one part deliuered to the Sheriſe, and they ſhall ſet their names to them. 14. *R*. 2.11.

Speaking againſt the Sacrament.

8 Iuſtices of Peace ſhall inquire of, heare, and determine the offences of thoſe which ſhall ſpeake vnreuerently of the Sacrament of the body and bloud of Chriſt, and the receiuing thereof vnder both kinds. 13 *Ed*.1.6. 1.*El*.1.

Biſhop of Rome.

9 Iuſt. of Peace ſhall inquire of, and certifie into the Kings Bench, thoſe which do maintaine the authority of the Biſhop of Rome, or his See. 5.*El*. 1.

Recuſants.

10 Iuſt. of peace ſhall inquire of ſuch as refuſe to come to the Church, and of ſuch other offences as be prohibited by the Statutes of *Anno* 1. *Eliz*. 1. 5. *El*. 1. and of 13.*El*.2. 23.*El*.1.

Preachers.

11 Iuſt. of peace may heare and determine all offences committed againſt preachers, and other miniſters of the Church. 1.*M*.3.

Buggerie.

12 Iuſt. of peace haue authority to heare and determine the offences of Buggery. 25.*H*.8 6.5.*El*.17.

Tiplers.

13 Iuſt. of peace may inquire of, and determine the offences of thoſe that ſell Ale and Beere to an Alehouſekeeper not hauing licence. 4. *Iac*. 4.

Souldiers.

14 Iuſt. of peace may inquire of, heare, and determine the offences of Souldiers which depart from their Captaines without licence. 18.*H*.6.19.

Tranſporting of ſheepe.

15 Iuſtices of peace may heare and determine the offences of thoſe which do carry ouer the ſea ſheepe aliue. 8.*El*.3.

Hunting with viſards.

16 Iuſtices of peace may examine thoſe which do hunt in any Foreſt, Parke, or Warren, by night, or with painted faces. 1.*H*.7.7.

Powdike.

17 Iuſtices of peace in the counties of Norfolke and Cambridge haue authority to inquire of, and puniſh ſuch as ſhall breake vp or caſt downe new Powdike in Marſhland, or old field dike by Marſhland. 22.*H*.8. 11. 2. & 3. *P*.& *Mar*.19.

Felons and Treſpaſſors.

18 Iuſtices of peace may heare and determine all felonies and treſpaſſes committed againſt the peace, reſtraine and puniſh offendors. 2. *Ed*.3.6. 18.*Ed*.3.2. 34.*Ed*.3.1.

Eſcapes.

19 Iuſtices of peace may inquire of all eſcapes of euery perſon arreſted and impriſoned for felony or murder. 1.*R*.3.3. 3.*H*.7.1.

Seuerall offences.

20 Iuſtic. of peace haue authority to heare and determine the offences of Retainers, Maintenance, Imbracery, Bowſtaues, vnlawfull Games, Archery, Regrators, Victuallers and Inholders. 33.*H*.8.10. 37.*H*. 8.7.

Falſe newes.

21 Iuſt. of peace haue power to heare, determine, and examine the offences of contriuing or telling falſe newes. 3.*Ed*.1.34. 2.*R*.2.5. 12.*R*.2.11. 1. & 2. *P*. & *M*. 3.

Mault makers.

22 Iu. of peace in their Seſſions may reſtraine the ſuperfluous number of mault makers. 39.*El*.16.

Wilfull periurie.

23 Iuſtices of peace haue authority to heare and determine the offences of thoſe which ſhall procure or commit wilfull periurie. 5 *El* 9. 29 *El* 5.

Propheſies.

24 Iuſt. of peace may inquire, heare, and determine the offences of thoſe which do publiſh any falſe and fantaſticall Propheſies. 5.*El* 15.

Dying with Logwood.

25 Iuſtices of peace haue authority to indict and try thoſe which ſhall die with logge wood, *al as* blockewood, and to ſet the offendours vpon the Pillory. 39.*El*.11.

Muſters.

26 Iuſtices of peace ſhall inquire of Captaines and Souldiers that do abuſe themſelues at Muſter. 4. & 5. *P*. & *M*. 3.

Tranſporting of victuals.

27 Iuſtices of peace may heare and determine the offences of carrying Corne, Beere, Butter, Cheeſe, Herring, and Wood beyond the ſea. 1. & 2.*P*. & *M*.5. 13 *El*.5.

Milch kine and Calues.

28 Iuſt. of peace haue power to heare and determine offences committed contrary to the Statute prouided for the keeping of milch kine, and the breeding of calues. 2. & 3. *Philipp*. & *Marie* 3. 13.*El*. 25.

Wainlings.

29 Iuſtices of peace haue authority to heare & determine the offences of thoſe which kill or cauſe to bee killed wainlings vnder the age of two yeares to be ſold. 24.*H*.8.9. 1. *Iac*. 25.

Making of malt.

30 Iuſt. of peace haue authority to heare and determine the offences committed contrary to the Statute prouided for the true making of mault. 2. *Ed.6.*10. 1.*Iac.*25.

Foreſtallers, Regrators, &c.

31 Iuſtices of peace haue authority to inquire, heare, and determine all offences committed contrary to the Statute prouided againſt Foreſtallers, Regrators, and Ingroſſers. 5.*Ed.6.*14. 13.*El.*25.

Recogniſances of Drouers, Badgers, &c.

32 Iuſt. of peace may take bond and ſurety of a common Drouer, Badger, Carrier, &c. not to foreſtal, ingroſſe, &c. 5.*El.*12.

Licencing of Badgers, &c.

33 Iu. of peace haue authority to inquire, heare and determine all offences committed contrary to the Statute prouided for the licencing of Badgers and Drouers. 1.*El.*12.

Vnlawfull hunting, and ſtealing of fiſh, cunnies, &c.

34 Iu. of peace haue authority to inquire, heare, and determine all offences committed contrary to the Statute prouided againſt vnlawfull hunting, & ſtealing of Deere, Cunnies, Fiſh, Hawkes, Hawkes Egges, &c. 5.*El.*21. 3.*Iac.* 13.

Buckeſtals, and ſtalking.

35 Iuſt. of peace haue authority to inquire of them which keepe any deere haies, or buckſtals, or which ſtalke with any buſh or beaſt, or take any young herons out of their neſts. 19.*H.*7.11.

Poore men hunters.

36 Iuſt. of peace haue authority to inquire of them which keepe any dogs to hunt, or do vſe Firrets, haies or nets. 13.*R.*2.13.

Eating fleſh in Lent.

37 Iuſt. of peace ſhall haue authoritie in Lent to enter into all Victuallers houſes where Beefe, Mutton, &c. ſhall be ſuſpected to be killed or dreſſed. 1. *Iac.*29.

Taking Feſants or Partridges.

38 Iuſtices of peace ſhall haue authoritie to enquire, heare, and determine the offences of thoſe which doe take any Feſants or Partridges with nets or other engins, and to examine all the ſuſpected offendors. 11.*H* 7.17. 23.*El.*10. 1.*Iac.*27.

Hawkes and Swans egges.

39 Iuſtices of peace haue authoritie to heare and determine the offences of them which ſhall take the egges of any Hawke or Swan out of their neſts, or ſhal driue any Hawkes out of their Couerts accuſtomed to breed in. 11.*H.*7.17.

Deſtroying of fish.

40 Iuſtices of peace haue authoritie to enquire, heare, and determine all offences in taking or deſtroying of Fiſh, Frie, and Spawne, which be not preſented at the Leet, &c. 1.*El.*17.

Conſeruators of Salmons.

41 Iuſtices of peace ſhall be Conſeruators of the Statutes prouided 13. *Ed.*1. and of 13. *R.* 2. for the preſeruation of Salmons in the Counties where they be Iuſtices, and the duties of the ſaid Iuſtices in the execution of the ſame Statutes. 17.*R.*2.9.

Waxe Chandlers.

42 Iuſtices of peace haue authoritie to enquire, heare, and determine all things done againſt the Statute ordayned for Wax-Chandelers. 11.*H.6.*12.

Hoſpitalitie.

43 Iuſtices of peace ſhall enquire, heare, and determine all offences committed contrarie to the Statute prouided for the maintenance of Hoſpitality, in thoſe houſes that where before religious houſes. 27.*H.* 8.

Husbandrie and Tillage.

44 Iuſtices of peace haue power to enquire, heare, and determine all offences committed contrary to the Statute prouided for the maintenance of Husbandrie and Tillage. 39.*El.*2.

Croſſe-bowes and Gunnes.

45 Iuſtices of peace haue authoritie to enquire, heare, and determine euery offence committed contrarie to the Statute made concerning Croſſebowes and hand-guns. And the power of euerie particular Iuſtice of peace therin. 33.*H.*8.*6.*

Guilding.

46 Iuſtices of peace haue authoritie to enquire, heare, and determine all offences committed contrarie to the Statute prouided concerning Guilding. 8.*H.*5.3.

Breeding of horſes.

47 Iuſtices of peace haue authoritie to enquire of all offences committed contrarie to the Statute prouided concerning the breeding of horſes of higher ſtature. 32. *H.* 8.13.

Keeping of great horſes.

48 Iuſtices of peace haue power to heare and determine all offences committed contrarie to the Statute prouided concerning the keeping of great horſes. 33.*H.*8.5.

Tranſporting of horſes.

49 Iuſtices of peace may enquire of all offences committed contrarie to the Act prohibiting that no horſes ſhall bee conueyed out of this realme. 1. *Ed.*6. 5.

Horsbread.

50 Iuſtices of peace haue authoritie to enquire, heare, and determine the offences of Hoſtelers, and Inholders baking Horſebread which is not lawfull. 32. *H.*8.41.

Leather.

51 Iuſtices of peace haue authority to enquire, heare, and determine all offences committed contrarie to the Statute prouided touching Tanners, Curriers, Shoomakers, &c. 1. *Iac.* 22.

Wages of knights of the Parliament.

52 Iuſtices of peace haue authoritie to enquire, heare, and determine all offences committed by any perſon contrarie to the Statute prouided for the leuying and paying of the wages of the knights of the Parliament. 23. *H.*6.11.

Stollen horſes.

53 Iuſtices of peace haue authoritie to enquire, heare, and determine all the offences committed contrarie to the Statute prouided againſt the buying of ſtolne horſes. 2. & 3. *P.* & *M.* 7.

Counterfeit letters.

54 How Iuſtices of peace may vſe thoſe which bee ſuſpected to get into their hands by any falſe letters or tokens any other mans goods. 33.*H.*8.1.

Arrow-heads.

55 Iuſtices of peace may enquire of, and puniſh falſe makers of Arrow-heads, & quarrells. 7.*H.*4.5.

Artificers, labourers, &c.

56 Iuſtices of peace may enquire of, heare, and determine all offences committed by Artificers, workemen, labourers, and Victuallers, and puniſh them. 2.*Ed.*6.15.

Informers.

57 Iuſtices of peace ſhall haue authoritie to heare, and determine all offences committed contrary to the Statute prouided to redreſſe diſorders in common Informers. 18.*El* 5. 27.*El.*10.

Purueyours not paying.

58 Iuſt. of peace haue power to enquire, heare, and determine all offences committed contrary to the Statute prouided againſt Purueyours not paying for that they take, and ſuch as doe not reſiſt them. 20.*H.*6.8.

Purueyance by vnlawfull meaſures.

59 Iuſtices of peace haue power to enquire of Purueyours which doe take corne by any other meaſure but by the ſtriked buſhell, or which doe take carriage, and do not preſently pay for it. 1. *Hen.* 5. 10.

Purueyance neere Cambridge, and Oxford.

60 Two Iuſtices of peace of the Counties of Cambridge or Oxford, with the Chauncellor, or &c. there, haue power to enquire of the offences committed contrarie to the ſtatutes ordained for Purueyance within fiue miles of Cambridge or Oxford. 2. & 3. *P.* & *M.* 15. 13. *El* 11.

Linnen Cloth.

61 Iuſtices of peace may enquire, heare, and determine the offences of thoſe which doe vſe any deceitful act with linnen Cloth, whereby the ſame is made worſe for the vſe. 1.*El.*12.

Pewter, Braſſe.

62 Iuſtices of peace ſhall appoint two perſons hauing experience in Pewter, and Braſſe to make ſearch thereof. 19.*H.*7.*6.* 4.*H.*8.7.

Artillerie buts.

63 Iuſtices of peace haue power to enquire of euery branch of the Statute prouided for the maintenance or Artillerie, of buts, or bowes, and againſt vnlawfull games. 33. *H* 8 *9.*

Hors-ſtealing.

64 Iuſtices of peace haue authoritie to enquire, heare and determine all offences committed contrarie to the ſtatute prouided to auoid hors-ſtealing. 31. *Eliz.* 12.

The wages of Laborers, Workemen, &c.

65 The authoritie and dutie of Iuſtices of peace touching the rating or altering the wages of Artificers, Husbandmen, Labourers, Workemen, &c. And to inquire of the execution of the Statutes and Proclamations in that caſe prouided. 5. *El.*4. 39.*El.*12. 1. *Iac.*6.

Highwaies.

66 Iuſtice of peace may inquire, heare, and determine the offences committed contrary to the Statutes prouided for the amending of highwaies. 2. & 3. *P.* & *M.*8. 5.*El.*13. 18.*El.*9.

Bridges.

67 Iuſt. of peace may inquire, heare, and determine all annoyances of bridges broken in the highwaies, And of annoyances of highwaies adioyning to the ſame. 22.*H.*8.5.

Alehouſes.

68 Iuſt. of peace haue authoritie to diſcharge common ſelling of ale and beere in common Alehouſes. 5. & 6. *Ed.*6.25.

Stretching of cloth.

69 The Iuſtices of peace on the North ſide of Trent ſhall inquire, heare, and determine euery offence done againſt the deceitfull ſtretching of Northren cloth. 39. *El.* 20.

70 Iuſtices

Houſes of correction

70 Iuſtices of peace may ſet downe order, to erect one or moe houſes of correction in their ſeuerall counties. 39. *El.* 4.

Queſtion vpon Rogues.

71 Iuſtices of peace haue power to heare and determine all cauſes that ſhall come in queſtion by reaſon of the Statute prouided for the puniſhment of Rogues,&c. 39 *El.* 4.

The poore and priſoners.

72 Iuſt. of peace ſhall appoint ouerſeers of the poore in euery pariſh, & ſhall rate euery pariſh to a weekely ſumme to be ſent to the priſoners in the Kings Bench, Marſhalſie, and to the Almes houſes of the ſame countie. 43.*El.*3.

Treaſurers.

73 Iuſtic. of peace ſhall haue authoritie yearely to elect Treaſurours for the collection of the reliefe of Souldiers and Mariners. 43. *El.*3.

Prices of veſſels of beere and ale.

74 Iuſt. of peace haue power to taxe the prices of euery Barrell, Kilderkin, or Ferkin of Beere & Ale. 23.*H.*8.4.

Aſſiſing of veſſels for beere and ale.

75 The prices of all barrels,kilderkins,ferkins, &c. to be ſold for ale, beere,or ſope, ſhall be taxed by the Iuſtices of peace. 8.*El.*9.

Ouerſeers of cloth.

76 Iuſtices of peace ſhall yearely appoint certain perſons to be ouerſeers for one yeare, for the true making of woollen cloth, And the cloth preſented to bee faulty ſhall bee cut in peices by the Iuſtices of peace. 3.*Ed.*6.2.5.*Ed.*6.6

Souldiers.

77 A Iuſtice of peace may commit to priſon a Souldier that hath put away any horſe or harneſſe wherewith he was ſet forth, vntill he hath ſatisfied the owner therfore. 2.*Ed.*6.2.

Number of ſheepe.

78 Iuſtices of peace haue authority to inquire of the offendors of the Statute limiting what number of ſheepe men may keepe & haue at one time, 25.*H.*8.13.

Coroner.

79 Iuſtices of peace haue power to inquire of the default of a Coroner which vpon requeſt doth not his office,or taketh any thing therfore.1.*H.*8.7

Eſcheators.

80 Iuſt. of peace haue power to inquire, heare, and determine all forfeitures committed by Eſchetors in ſelling or ſetting to farme their offices, or making any deputies, but ſuch for whom they will aunſwere. 12. *Ed.*4.9.

Defaults of Sheriſes.

81 Iuſt. of peace haue power to hold plea of a ſuit commenced againſt the Sherife, or any of his Miniſters which do leuy the Kings debt; and do not tot that which is paid. 42.*Ed.*3.9.

Other defaults of Sheriſes.

82 Iuſtices of peace haue power to heare, and determine the defaults of Sherifes, and Bailiſes which do not duely execute precepts to them directed for the returning of ſufficient perſons to inquire of forcible entries. 8. *H.* 6.9.

Extortion of Sherifes

83 Iuſt. of peace haue power to inquire, heare, and determine all the extortions, & other offences committed by Sherifes, Vnderſherifes, Coroners, &c. contrarie to the Statute in that caſe prouided. 23.*H.* 6. 10.

Vſurie.

84 Iuſtices of peace haue authority to inquire, heare, and determine all the offences committed contrarie to the Statute prouided againſt vſury.37. *H.*8.9. 13.*El.*8.

Weights and Meaſures.

85 Iuſtices of peace haue authority to inquire of falſe weights and meaſures, and of the falſyfiers and counterfeiters of them, And of thoſe that doe buy or ſell with them. 9.*H.*5.8. 11.*H.*7.4.

The egges of wild-foule.

86 Iu.of peace haue authority to inquire,heare,& determine the offences of thoſe which ſhal deſtroy the egges of any wild foule. 25.*H.*8.113.*Ed.*6.7.

Sale of wines.

87 Iuſtices of peace haue authoritie to examine, enquire,heare, and determine the defaults of ſuch as ſhall ſell any wine contrarie to the Statutes made. 28.*H.*8.14.& 7.*Ed.*6.5.

Maintenance of the Nauie.

88 Iuſtices of peace haue authoritie to inquire, heare,and determine all offences done in the land, or within any hauen or peere, contrary to the Statute in that caſe prouided. 5.*El.*5. 1.*Iac.* 25.

Tyle maker.

89 Iuſtices of peace haue authoritie to inquire, heare, and determine, the offences committed contrarie to the Statute prouided for the true making of tyles. 17. *Ed.*4.4.

Regrating of wools.

90 Iuſt. of peace haue power to inquire of ſuch as ſhal buy or ſell wooll at Hallifax contrarie to the Statute in that caſe prouided. 2. & 3.*P.* & *M.*13.

Leuying of Iurors Iſſues, &c.

91 Iuſtices of peace haue authoritie to inquire, heare, and determine euery offence committed contrarie to the ſtatute prouided for the leuying of iſſues loſt by Iurors. 27.*El.*6. 39.*El.*18.

Swearing of Vnderſherifes.

92 Iuſtices of peace haue power to heare and determine the offences done contrarie to the Stat. prouided for the ſwearing of Vnderſherifes and other Officers. 27. *El.* 12.

Cottages & Inmates.

93 Iuſtices of peace haue authoritie to inquire, heare, and determine all offences committed contrarie to the Statute prouided againſt the erecting of Cottages and Inmates. 31.*El.*7.

Baſtards.

94 Two Iuſtices of peace ſhall take order for the puniſhment of the Mother and reputed Father of a Baſtard child, for the eaſing of the pariſh,and for the keeping of euery ſuch Baſtard child 18.*El.*3 1.*Iac.* 25.

Agnus Dei, Croſſes, &c.

95 The forfeiture of a Iuſt. of peace to whom any *Agnus Dei*, Croſſes, Pictures, or Beades ſhall be offered, that doth not declare the ſame to one of the Kings Priuie Counſell within foureteene daies. 13.*El.* 2.

Tythes.

96 Two Iuſt. of peace haue authoritie to commit to priſon any perſon which obſtinatly refuſeth to pay his tythes or ſuch ſumme of mony wherein he was condemned for the ſame. 27.*H.*8.20.

Certificate of Recogniſance.

97 Euery Iuſt. of peace that ſhall take any recogniſance for the keeping of the peace, ſhall certifie the ſame at the next Seſſions,that the party ſo bound may be called. 3.*H.*7.1.

Bailement of offendors.

98 The office and duetie of Iuſtices of peace in bailment, of any perſon arreſted for manſlaughter or felonie,or ſuſpition thereof. 1.& 2.*P.* & *M.*13.

Impriſonment of offendors.

99 The office and duetie of Iuſtices of peace which ſhall commit to priſon any perſons brought before them for manſlaughter or felony, or ſuſpition thereof. 2.& 3.*Philipp.* & *Mariæ* 10.

Watermen vpon Thames.

100 The Iuſt. of peace within the Shires adioining to the riuer of Thames, haue authoritie vpon complaint made vnto them; to heare & determine all offences committed contrarie to the Statute prouided for Watermen vpon the ſaid riuer. 2.& 3 *P.* & *M.* 16.

A Commiſſion no Superſedeas.

101 One Commiſſion of the Peace or Gaole deliuery ſhall not be a *Superſedeas* to another. 2. & 3.*P.* & *M.*18.

No Sherife ſhalbe Iuſtice.

102 No Sherife ſhalbe Iuſtice of peace in the countie where, and when he is Sherife. 1.*Mar.*1.

Indictments in turnes.

103 Sherifes ſhall deliuer all Indictments and preſentments taken before them at their turnes to the Iuſtices of peace, And the Iuſt. ſhall make proces againſt, arraigne, and deliuer the offendors. 1.*Ed.* 4.2.

Examination of Sherifes.

104 Two Iuſt of peace may examine Sherifes, &c. of entring plaints before them, and execution of proces. 11.*H.*7.15.

The Sherifes eſtreats.

105 The Sherifes ſhall make no eſtreates to leuie amerciaments vntill two Iuſt. of peace haue had the ouerſight thereof. 11.*H.*7.15.

Swearing of Bailiſes.

106 Iuſt. of peace may ſweare the Sherifes Bailiſes to gather but their dutie. 11.*H.*7. 15.

Precept into another Countie.

107 In what caſes Iuſtices of Peace may direct their Precepts to bee executed out of the limits of their Commiſſion. 14.*Ed.*3.10. 5 *Ed.*3.11. 8.*H.*6. 10. 5.*El.*4.22.*H.*8.5.

Where they ſhall impriſon.

108 To what gaole Iuſtices of Peace ſhall commit offendours. 5.*H.* 4. 10.

Recording of Gunners.

109 Iuſtices of Peace ſhall receiue the names of thoſe which ſhoote in Gunnes, and cauſe them to be recorded. 2.*Ed.*6.14.

Infected with the Plague.

110 The authoritie of Iuſtices of Peace for taxing of others for the reliefe of ſuch as be infected with the plague. 1. *Iac.* 31.

Reforming of pannells.

111 Iuſt. of Peace may reforme pannells returned before them to enquire for the king. 3.*H.*8.12.

Concealement of enqueſts.

112 Iuſt. of peace may take enqueſts to enquire of the concealement of other enqueſt. 3.*H.*7.1.

Marriners.

113 How farre the authoritie of Iuſtices of peace doth extend in taking Marriners to ſerue the King on the Sea. 5.*El.*5. 1.*Iac.*25.

Phyſitians.

114 Iuſtices of Peace within London ſhall aſſiſt the Colledge of Phyſitians. 1.*M.* 9.

Who ſhall make a Iuſtice of Peace.

115 None haue authoritie to make Iuſtices of Peace, but the King. 27.*H*.8.25.

Riots, Routs, &c.

116 Iuſtices of Peace ſhall arreſt thoſe which commit Riots, Routs, &c. Inquire of Riots, and certifie the ſame. 13.*H*.4.7.

Inquirie of Riots.

117 Commiſſions ſhall bee awarded to examine the defaults of Iuſtices of Peace touching enquirie of Riots. 2.*H*.5.8.

Maintainers of Riots

118 The forfeiture of Iuſtices of Peace which doe not certifie the names of maintainers or imbraceours, by whoſe meanes any Riot is not found. 13.*H*.7.13.

Dockets.

119 Iuſtices of Peace ſhal receiue dockets of the high Conſtable, and deliuer them ouer to the Lord Steward, or Treaſurer, &c. 2.& 3.*P.& M.* 6.

Sewers.

120 In what caſe Iuſtices of Peace ſhall execute the Commiſſion of Sewers. 13.*El*.9.

Victuallers.

121 Iuſtices of Peace ſhall limit the gaine of victuallers, and puniſh them which take exceſſiuely 13.*R*.2.8.

A Vinner.

122 Iuſtices of Peace may enter into a Merchants houſe which denies to ſell Wine at the price aſſeſſed, and ſell the ſame Wine. 24.*H*.8.9. 37.*H*.8.23. 5.*Ed*.6.17.

Sale of Wines.

123 None ſhall ſell Wines in Townes not Corporate but by the aſſignement of the Iuſtices of Peace. 7.*Ed*.6.5.

Diuiding of common woods.

124 In what caſe Iuſtices of Peace ſhall diuide a wood if the owner and Commiſſioners therupon cannot agree. 35.*H*.8.17.

Puniſhing the armed.

125 The authoritie of Iuſtices of Peace to puniſh thoſe which goe or ride armed. 2 *Ed*.3.3. 7.*R*.2.13. 20.*R*.2.1.

Their authority in Wales.

126 There ſhall bee Iuſtices of Peace and Quorum in euerie of the twelue ſhires in Wales, what ſort of perſons they ſhall bee, and their authoritie and ductie. 34.*H*.8.

Watchmen vpon the the Sea coaſtes.

127 Iuſtices of Peace ſhall enquire of the defaults of Watchmen vpon the Sea coaſtes, and puniſh them. 5.*H*.4.3.

Huy and Crie.

128 The Authoritie of Iuſtices of Peace touching the execution of the ſtatute of Huy and crie. 27.*El*.13.

Recuſants.

129 The office, duetie, and authoritie of Iuſtices of Peace concerning the enquirie of, or putting in execution of any of the Statutes made *Anno* 1.*El*.2. *Anno* 23.*El*.1. *Anno* 26.*El*.6. *Anno* 35.*El*.1 *Anno* 35.*El*.2. *Anno* 1.*Iac*.4. *Anno* 3.*Iac*.4. *Anno* 3.*Iac*.5. 7.*Iac*.6 touching Recuſants to come to the Church, or to receiue the Sacrament, or &c.

Labourers, Artificers, Seruants, Apprentices.

Seruants for a whole yeare.

1 CErtaine ſciences, crafts, and occupations wherein none ſhall bee retained to ſerue vnder a whole yeare. 5.*El*.4.

Seruants in Handicrafts.

2 Certaine perſons which are compellable to ſerue in Handicrafts. 5.*El*.4.

Seruice in husbandrie

3 Certaine perſons which ſhall compellable to ſerue in husbandrie by the yeare with any perſon that keepeth husbandrie. 5.*El*.4.

Wages aſſeſſed.

4 The penaltie for retaining, or giuing, or taking of wages, contrarie to the wages aſſeſſed by proclamation made for that purpoſe. 5.*El*.4.

Vnlawfull putting away a ſeruant.

5 The penaltie of a Maſter for putting away a ſeruant before the end of his terme, or for putting away a ſeruant without a quarters warning. 5.*El*.4.

Refuſing to ſerue.

6 The penaltie of a ſeruant refuſing to ſerue for the wages aſſeſſed by proclamation, or departing within his terme, or without warning. 5.*El*.4.

No departure without a Teſtimoniall.

7 A ſeruant ſhall not depart out of one Countie into another without a Teſtimoniall. 5.*El*.4.

Shewing a teſtimoniall.

8 The penaltie of a ſeruant which ſhall bee retained without ſhewing of his teſtimoniall, and of him that doth retaine him. 5.*El*.4.

Continuance in Labour.

9 How long Artificers and Labourers being hired for wages by the day or weeke, ſhall continue at their labour. 5.*El*.4.

None ſhall depart vntill his worke bee finiſhed.

10 None ſhall depart from his worke which hee hath vndertaken before it be finiſhed, but for reaſonable cauſe. 5.*El*.4.

Haueſt-worke.

11 What ſort of perſons may goe into other Shires for harueſt worke. 5.*El*.4.

Aſſaulting his maiſter.

12 The puniſhment of a ſeruant or workman making aſſault or affray vpon his maiſter, or ſuch as haue the ouerſight of his worke. 5.*El*.4.

Seruing in harueſt.

13 The penaltie of Artificers which being requeſted by the owners, and appointed by officers ſhall refuſe to worke in hay or corne harueſt. 5.*El*.4

Women.

14 Some ſort of women being appointed by head officers are compellable to ſerue. 5.*El*.4.

Apprentiſes in husbandrie.

15 What ſort of husbandmen may take Apprentiſes to ſerue in husbandrie, and of what age. 5.*El*.4. 12.*R*.2.5.

Apprentiſes in townes corporate.

16 Who may be Apprentiſes in cities or Townes corporate, and what ſort of men may take them into ſeruice. 5.*El*.4.

Apprentiſes of abilitie.

17 Certaine men of ſome Trades muſt not take ſeruants or Apprentiſes, but whoſe parents may diſpend ſome lands. 5.*El*.4.

Apprentiſes in market townes.

18 What ſort of Apprentiſes inhabitants in Market Townes not being incorporate (and of Godalmen in the Countie of Surrey) may take. 5.*Eliz*.4.

Apprentiſes of ſmall abilitie.

19 Men of certaine occupations may take Apprentiſes whoſe parents may diſpend no Land. 5.*El*.4.

None ſhall ocupie but which hath ſerued ſeuen yeares.

20 None (but certaine perſons) ſhall occupie any craft but ſuch as he hath beene an Apprentiſe vnto ſeuen yeares. 5.*El*.4.

Weauers of Woollen

21 What ſort of Apprentiſes weauers of woollen cloth to be ſold, may take. 5.*El*.4.

How many Iourneyman.

22 Certaine occupations wherein he that hath aboue three Appentiſes ſhall keepe for euery Apprentiſe one Iourneyman. 5.*El*.4.

Apprentiſes within age.

23 Apprentiſes bound within the age of one and twentie yeares muſt ſerue for the yeares in their Indentures contained. 5.*El*.4.

Refuſing to ſerue as an Apprentiſe.

24 The remedie where one required to be bound Apprentiſe doth refuſe to ſerue. 5.*El*.4.

Abuſed by his Maiſter.

25 A remedie for an Apprentiſe which is abuſed by his maiſter. 5.*El*.4.

Taking contrarie to the Statute.

26 All taking of Apprentiſes contrarie to this ſtatute ſhall bee void, and the forfeiture of him which doth take any contrarie, &c. 5.*El*.4.

London and Norwich.

27 A prouiſion for the liberties, cuſtomes, &c. of London and Norwich for the taking of Apprentiſes. 5.*El*.4. 11.*H*.7.1.

Departing into another ſhire.

28 A remedie to puniſh ſuch a ſeruant or Apprentiſe which vnlawfully doth depart into another ſhire. 5.*El*.4.

Statute ſeſſions.

29 The high Conſtables of Hundreds may keepe Statute Seſſions within the limits of their authorities. 5.*El*.4.

Shipmens, &c. Apprentiſes.

30 Owners of ſhips, Gunners, and Shipwrights may take Apprentiſes. 5.*El*.5. 1.*Iac*.25.

Linne and Yarmouth.

31 What Apprentiſes the inhabitants of Linne and Yarmouth in the countie of Norfolke may take, and for what terme. 14.*H*.8.3. 26.*H*.8.16. 5.*El*.4.

Victuallers and Labourers.

32 The puniſhment of certaine Victuallers and other Artificers and Labourers, for making conſpiracies touching the ſelling of their victualls or doing of their workes. 2.*Ed*.6.15.

Workers with forrein wooll.

33 None ſhall worke Hattes with forreine Wool but ſuch as haue beene Apprentiſe. 8.*El*.11.

Hat-marker.

34 How many Apprentiſes a Hat-maker may take, and for what time. 1.*Iac*.17.

Weauers.

35 None ſhall bee a Weauer but which hath beene Apprentiſe. 2.& 3.*P.*& *M.*11. 4.& 5.*P.*& *Mar*.5.

Fees for entry of Apprentiſes.

36 The fees which fellowſhips of crafts ſhall take for entrie of an Apprentiſe, and for the entrie of a freeman. 22.*H*.8.4. 28.*H*.8.5.

Poore children.

37 In what caſes ouerſeers of the poore may binde poore children Apprentiſes. 43.*Elizab*.2. 1.*Iac*.25.

A Skinner.

38 Who onely a Skinner may take to bee his Apprentiſe, Iourneyman, or Seruant, 3.*Iac*.9.

Lader.* See *Badger.

Latten.* See *Braſſe.

Lapſe.

Counterpleading the Kings title.

1 THe Ordinarie may counterpleade the Kings title for a Benefice fallen by Lapſe. 25. *Ed.* 3.7.

Notice of depriuation.

2 In what caſe a title to conferre or preſent by Lapſe ſhall not accrue vpon depriuation but after ſixe Moneths after notice giuen to the Patron. 13.*El.* 12.

No preiudice to the King.

3 In what caſe Lapſe of ſixe Moneths ſhall not preiudice the Kings. 17.*Ed.*2.8.

Leaſes.

Tenant in Taile, &c.

1 WHat things are ſpecially to obſerued in Leaſes to be made by a Tenant in taile, or by a man ſeiſed of lands in the right of his wife, or Church. 33.*H.*8.28.

The wiues lands.

2 The wife ſhall be partie to euerie Leaſe made of her land. 32.*H.*8.28.

Colledge land.

3 Vpon leaſes made by Colledges, the third part of the rent ſhall bee reſerued in Corne. 18. *Elizabethæ.*

Abbey lands, &c.

4 The force and ſtrength of all Leaſes made by Abbots, Priors, Nunnes, Maſters of Colledges, Chaunteries, &c. before their ſeuerall diſſolutions. 27.*H.*8. 31 *H.*8. 13. 1.*Ed.*6.14.

Biſhops lands.

5 What Leaſes or other Aſſurances made by Biſhoppes of their land, ſhall bee good, what not. 1.*El.* 1.*Iac.* 3.

Spiritual perſons.

6 What Leaſes or other Aſſurances may bee made by anie Maiſter and fellowes, Deane & Chapter, Parſon, Vicar, or other hauing ſpirituall liuings. 13 *El.*10. 18.*El.*10. 14.*El.*11. 1.*Iac.*25.

Of benefices with cure.

7 How long leaſes of benefices with cure ſhall endure. 13.*El.* 20. 10 *El.*10. 14.*El.* 11. 43.*El.*1. 1. *Iac.*25.

Spiritual perſons taking liuings.

8 In what caſes any ſpirituall perſon may take anie land, Parſonage, or Vicarage by Leaſe, and in what not. 31.*H.*8.13.

The reuerſion in the King.

9 What Leaſe a Tenant in Taile of Lands, whereof the reuerſion is in the King, may make, and what not. 34.*H.*8 20.

Recouerors remedy.

10 What remedie the Recouerours haue againſt the Leſſee for yeares, of Lands recouered for Rent due, or Waſte committed. 21.*H* 8.10.

The Leſſees remedy againſt the Grauntee.

11 Leſſees for yeares or life ſhall haue the ſame aduauntage againſt Grauntees in reuerſion, that they might haue had againſt the Grauntors. *Et E conuerſo* 32.*H.*8.34.

Partition.

12 In what caſes Leſſees for life or yeares are compellable to make partition of their Land. 32. *Henr.* 8. 32.

Aliens.

13 No ſtraunger Artificer not beeing Denizen may take a leaſe of any houſe or ſhop. 32.*H.*8.16.

North and South Tindall.

14 What leaſes may bee made of lands in North and South Tyndal in Northumberland, and vpon what conditions. 11.*H.*7.9.

Falſifie a recouery.

15 A Leſſee for yeares may falſifie a recouerie had againſt him in the reuerſion. 6.*Ed.*1.11. 21. *Henr.* 8.15.

Not found by office.

16 Leſſees for yeares of Wards lands ſhall enioy their leaſes though they bee not found by office. 2.*Ed.*6.8.

To defraud.

17 Leaſes made to defraud Creditors ſhall bee voide. 13.*El.* 5.

The K. Tenant.

18 If he that hath a leaſe of the Kings lands be retained in ſeruice with any other perſon, his leaſe ſhall bee void. 3.*H.*7.12.

Leets, Liberties, Law-daies, and Stewards thereof.

When holden.

1 AT what time of the yeare a Leet ſhall bee holden. 9.*H.*3.36. And who ſhall be bound to appeare thereat, and who not. 52.*H.*3.10.

Tanners.

2 Stewards of Leets and Liberties ſhall enquire, heare, and determine all offences, committed contrarie to the Statute prouided touching Tanners, &c. 1.*Iac.*22.

Attachments in the Marches.

3 Stewards of Leetes may enquire of all Attachments made by officers of the Eaſt Marches or Weſt Marches out of Weſtmerland, &c. 13.*H.*5.3.

Preſeruation of fiſh.

4 The Lord of euerie Leet may enquire of all offences committed contrarie to the Statute prouided for the preſeruation of the Spawne or Frie of Fiſh. 1.*El.*17. 1.*Iac.* 25.

Malt making.

5 The Steward of euerie Leet may enquire, heare, and determine all offences committed contrarie to the Statute prouided for the true making of Mault. 2.*Ed.* 6.10.

Artillerie, Buts, &c.

6 And of all offences committed contrarie to the Statute prouided for the maintenance of Artillerie, of buts, and of the making and ſelling of Bowes. 33.*H.*8.9.

Victuallers, Artificers &c.

7 And of all offences committed contrarie to the Statute prouided for Victuallers, Artificers, workemen, and Labourers. 2.*Ed.*6.15.

Muſters.

8 And of all offences committed contrarie to Statute prouided for the taking of Muſters 4.& 5. *P.* & *M.* 3.

Shooting in Croſſebowes, &c.

9 And of all offences committed contrarie to the Statute made concerning ſhooting in Croſſebowes, and Hand-gunnes. 33 *H.*8.6.

High-waies.

10 And of all offences committed againſt euerie Article of the Statutes prouided for the amendmẽt of high wayes. 2.& 3.*Phil.* & *Mar.* 8. 5.*El.*13. 18. *Eliz.* 9.

Breed of horſes.

11 And all offences, defaults, contempts, and omiſſions committed contrarie to the effect of the Statute prouided for the breed of horſes of higher ſtature. 32.*H.*8.13.

Hoſtelers horſebread.

12 And of all offences committed by Hoſtlers making Horſe-bread not ſufficient and of due aſſiſe 32.*H.*8.14.

Exceſſiue prices of Wines.

13 And of all offences committed contrarie to the Statute prouided to auoid the great prices and and exceſſe of Wines. 7.*Ed* 6.5.

Feſants and Partridges.

14 And of all offences committed contrarie to the ſtatute made for the preſeruation of Feſants and Partridges 23.*El.*10.

Hares.

15 And of thoſe that doe vſe the tracing and killing of Hares. 14.*H* 8.11.

Cottages and Inmates.

16 And of all offences committed contrarie to the Statute made againſt the erecting, and maintaining of cottages and Inmates. 31.*El.*7.

Seuerall offences.

17 And Stewards in their Leets ſhal enquire by the oathes of the Iurours of diuers and ſeuerall Articles which are to bee enquired of in a Leete by force of the Statute of 18.*Ed.* 2. *De viſu Francipleg.*

Farming of the profits of the Court.

18 No Steward, Vnder-ſteward, or Deputie of any Court Leet or Court Baron, ſhal take in farme the profits of the ſame Court. 1.*Iac.* 5.

Leather, Tanner, Currier, and Shoomaker.

Gaſhing, &c. of Hides.

1 THe forfeiture of a Butcher for gaſhing or cutting any Hide, or for watering any Hide sauing in certaine moneths, or for putting to ſale any rotten Hide. 1.*Iac.* 22.

Butcher no Tanner.

2 The penaltie of a Butcher that doth occupie the craft of a Tanner. 1.*Iac.*22.

Who Tanners.

3 What ſort of perſons onely may be Tanners. 1.*Iac.*22.

No Tanner a cutter of Leather.

4 No Tanner ſhall bee a Cutter of Leather. 1.*Iac.*22.

Rough Hides.

5 What perſons onely may buy rough Hides, or calues kinne in the haire. 1.*Iac.*22.

Foreſtalling of Hides.

6 The penaltie for foreſtalling of Hides, or for buying them any other where then in open faire or market. 1.*Iac.* 22.

Who may buy tanned Leather.

7 Who onely may buy or ſell any tanned Leather not wrought, and conuert it into made wares. 1.*Iac.* 22.

Hides vſed in tanning.

8 In what ſort Hides ſhall bee vſed in Tanning. 1.*Iac.*22.

Raiſing.

9 No perſon ſhall raiſe with mixture any hide to bee conuerted to certaine vſes (except in certaine caſes. 1.*Iac.*22.

Vnwrought tanned leather.

10 Where, when, and in what caſes onely tanned Leather red and vnwrought may bee put to ſale. 1.*Iac.* 22.

Not ſufficiently tanned, &c.

11 The penaltie for offering or putting to ſale anie Leather not ſufficiently tanned or dried. 1. *Jac.* 22.

Vnkinde heates.

12 The penaltie of him which cauſeth his Leather to take vnkind heats. 1.*Iac.*22.

A Curriers dutie.

13 In what place a Currier ſhal currie Leather: what kind of Leather he may currie, and with what ſtuffe, and his duetie in each reſpect, and his penaltie omitting the ſame. 1.*Jac* 22.

A Shoomakers dutie.

14 Of what ſtuffe a Shoomaker ſhall make any bootes or ſhooes, buskins, ſlippers, &c. And his duetie in each reſpect, and his penaltie for omitting the ſame. 1.*Iac.* 22.

Searchers and triers and their duetie.

15 There ſhall be ſearchers, ſealers, and triers of Leather, and of wares made of Leather, And their office, authoritie and duetie. And they ſhall keepe a Booke or Regiſter of all bargaines made for leather, &c. 1.*Iac.*22.

Selling not ſealed or regiſtred.

16 The penaltie for buying or ſelling of leather not ſealed or regiſtred. 1.*Iac.*22.

Sal: in open ſhop, &c.

17 There ſhall be no wares ſold within London, or &c. appertaining to the myſterie of cutting of Leather, but onely in open ſhop, faire, or market. 1.*Iac.* 22.

Vnder ſearch.

18 All cutters of leather in or neere London ſhal be vnder the ſearch of the Maiſters and Wardens of ſuch companies. 1.*Iac.*22.

Who ſhall haue the forfeitures.

19 Who ſhall haue the benefit of ſuch ſums of money as ſhall bee forfeited by this Statute. 1. *Iac.* 22.

Sale of forfeited wares.

20 Forfeited wares ſhall not bee ſold to him that will ſet it againe. 1.*Iac.*22.

Leather.

21 What ſhall be reputed Leather. 1.*Iac.*22.

Drying, currying &c.

22 Who may drie, currie, and freiſe Leather. 1.*Iac.*22.

Diſpenſing with offences.

23 All licences graunted to diſpence with any offences prohibited by this Statute ſhall bee void. 1.*Iac.*22.

Vſing of Pelts.

24 How any perſon may vſe thoſe pelts which he doth make, And the penaltie if hee doe vſe them otherwiſe. 5.*El.*22. 8.*El.*14.

Tranſporting.

25 The penaltie for tranſporting of leather, tallow, or raw hides. 18.*El.*8.

Licence to tranſport

26 Where he muſt buy his leather that hath licence to tranſport it. 15.*Ed* 6.15.

Tranſporting of ſhooes, bootes, &c.

27 The penaltie for tranſporting of any ſhooes, boots, buskins, &c. 5.*Edwardi* 6.15. 1.*M*, *Parl.*2. capite 8.

Buying of tanned leather.

28 Who onely may but or engroſſe any tanned leather. 5 *Ed.*6.15.

None ſold by weight

29 No tanned leather ſhall be ſold by weight. 4.*Jac.*6.

Cuſtome for leather.

30 What ſubſidie or cuſtome ſhall be payed for leather tranſported. 18.*El.*8.

Sheepe skins or Bucke or Stagge tranſported.

31 The penaltie for tranſporting of ſheepeskins, &c. or the skinnes of any Stagge, Hinde, Bucke, or the pelts of any of them. 8.*Elizab.* 14. 5.*El.*22.

Curriers of London.

32 The curries of London ſhall vſe their owne ſtuffe. 1.*M.* *part.*2.*cap.*8.

Leather curried.

33 How leather ſhall be ordered, that the currier ſhall dreſſe; 1.*M.* 8.

The time.

34 Within what time Leather ſhall be curried. 1.*M.*8.

Limitation of Actions.

A Writ of Right.

1 Limitation of preſcription in a Writ of Right 32.*H.*8.2.

Actions poſſeſſarie.

2 Limitation of preſcription in Actions poſſeſſarie, *viz.* *Aſsiſe*, *Mortdaunceſter*, *Coſinage*, *Aiel*, *&c.* 32.*H.*8.2.

Of his owne poſſeſſion.

3 Limitation of preſcription of his owne ſeiſin or poſſeſſion. 32.*H.*8.2.

Auowrie.

4 Limitation of preſcription in an Auowrie or Cogniſance for Rent, Suit, or Seruice. 32.*H.*8.2.

Formedons. *Scire facias.*

5 Limitation of preſcription in *Formedons* in remainder, and *Scire facias* vpon Fines. 32.*H.*8.2.

Not ſeiſed within limitation.

6 The Demaundant or Auowant ſhall be barred for want of Seiſin within the time of limitation. 32.*H.*8.2.

Writs exempt.

7 Certaine Writs and Acts whereunto the Statute of Limitation, made 32.*H.*8. ſhall not extend. 1.*Mar.*5.

Limitation of concealements.

8 No recouery of concealed lands, vnleſſe the Kings title may be proued to haue beene within 60. yeares. 21.*Iac.*2.

Writs of Formedon.

9 Writs of Formedon ſhalbe ſued wthin 20. yeares. 21.*Iac.*16.

Entry.

10 Entry into lands ſhall be made within 20. yeares. 21.*Iac.*16.

Perſonall actions.

11 The Limitation of certaine perſonall actions: 21.*Jac.*16.

12 Their Limitation after iudgement or outlawry reuerſed. 21.*Iac.*16.

1 *Liberties. See Franchiſes.*

1 *Licences. See Diſpenſations.*

Linnen Cloth.

Dowles and Lockerham.

1 THe Contents of Linnen Cloth, called Dowles or Lockerham, to be ſold, ſhall be put vpon euery peece thereof. 28.*H.*8.4.

Stretching or impairing.

2 The penaltie for ſtretching or impairing of Linnen Cloth, whereby the ſame ſhall bee the worſe. 1.*El.*12.

Liuerie and Ouſter le maine.

Primer ſeiſin.

1 THe King ſhall haue primer ſeiſin after the death of his tenant, which holdeth of him in chiefe, of all his lands, &c. 17.*Edwardi* 2.3. 52.*Henr.*3.16.

No entrie without liuerie.

2 An heire entring into lands holden of the King, in chiefe, without liuerie, gaineth no freehold. 17.*Ed.*2.13.

Wrongfully found within age.

3 A remedie for the heire of the Kings tenant, which being of full age, is found within age. 2.*Ed.*6.8.

The Court of Wards &c.

4 All Liueries to be ſued out of the Kings hand, ſhal be in the order of the Court of Wards and Liueries. 33.*H.*8.22.

No liuerie before Office found.

5 No Liuerie ſhall be ſued of lands to the yeerly value of fiue pounds, before Office found thereof by Writ or Commiſſion. 33.*H.*8.22.

A warrant to find an Office.

6 Who ſhall make Warrants for Writs or Commiſſions to finde Offices. 33.*H* 8.22.

A generall liuerie.

7 A generall Liuerie may be ſued of lands not exceeding the yearely value of fiue pounds, without inquiſition. 33.*H.*8.22.

A general liuerie.

8 A generall Liuerie may be ſued after Office found of lands not exceeding the yearely value of twentie pounds, (except in certaine caſes, &c.) 33.*H.*8.22.

The fees.

9 The fees of a generall Liuerie. 33.*H.*8.22.

Within what time ſued.

10 Within what time a Liuerie ſhall be ſued forth. 33.*H.*8.22.

Enrolment of a liuerie.

11 Euery Liuerie ſhall be enrolled by the Auditors of the Court of Wards, &c. And the fees for the enrolment thereof. 32.*H.*8.46.

Liuerie with the Iſſues.

12 In what caſe the owner ſhall haue his lands which bee ſeiſed into the Kings hands by the Eſcheator, with the Iſſues thereof. And in what caſe the King may reſeiſe them. 28.*Ed.*1.19. 29.*Ed.*1. *Stat. de Eſcheatoribus.*

Meane rates.

13 How the King ſhall be anſwered the meane Rates of thoſe lands which were taken into his hands by the death of his tenant, after Liuerie made thereof. 28.*Ed.*3.4.

Liueries and Retainers.

Giuing for maintenance.

1 THe penaltie for giuing of Liueries for maintenance of Quarrels. 1.*Rich.*2.7. 8.*Edwar.*4.2.

Lunatikes

Lunatikes.

Trauerſe.

1 SVch as by Office are vntruely ſound Lunatikes, may haue their trauerſe to the ſame. 2.Ed.6.8.

Their lands.

2 The King ſhall haue the cuſtodie of Lunatikes lands. And they ſhall bee in the direction of the Maſter and Court of Wards and Liueries. 17.Ed. 2.10. 32. H.8. 42.

A Fine.

3 A Fine ſhall not bee leuied by a Lunatike. 1.R.3.7. 4.H.7.24.

A Will.

4 A Lunatike ſhall not be enabled to make a Will of his land. 34.H.8 5.

Mainpriſe and Bayle.

Not by the Common Law.

1 WHat perſons, for what cauſes, are not mainpernable by the common Law. 3. Ed. 1.15.

Not by Statute.

2 Which perſons, for which offences, are not mainpernable by Statute. 3.Ed.1.15.

Allowed to Offendors.

3 In what caſe Mainpriſe is allowable to ſome offendors. 3.Ed.1.15.

The puniſhment for vnlawfull bayle.

4 The puniſhment of a Sherife, Vnder-ſherife, Conſtable, or Bailife, which letteth to mainpriſe one that is not bayleable. 3.Ed.1.15. 27.Ed.1.

Iuſt. of Peace bayling.

5 The puniſhment of a Iuſtice of Peace, which doth bayle one which is not bayleable. 1. & 2. P. & Mar. 13.

Marſhals bayling.

6 The puniſhment of the Marſhall of the Kings Bench which doth bayle any Felon, or doth ſuffer him to goe wandering out of Priſon. 5.Ed.3.8.

Denying of lawfull bayle.

7 The penaltie of him which doth with-hold a priſonner bayleable, that doth offer ſufficient ſuretie, or doth take reward for the deliuerance of him. 3.Ed.1. 15.

Bayling by Iuſtices.

8 Iuſtices of Peace, and Coroners, which doe bayle priſoners, ſhall take and certifie their examinations, and bind others to giue euidence againſt them. 1.& 2.P. & M. 13.

Bayling by Sherifes.

9 Who may be let to bayle or mainpriſe by any Sheriffe, Vnder-ſherife, &c. and who not. 23. Henr.6. 10.

Indicted at the Kings ſuit.

10 In what caſe he ſhall be let to mainpriſe, which is indicted of Murder at the Kings ſuite, and acquited. 3.H.7.1.

Common mainpriſe in Wales.

11 Euerie Sherife in Wales may put ſuſpected perſons vnder common mainpriſe, and what hee ſhall take for the ſame. 27.H 8.26. 34.H.8.

Rediſſeiſors.

12 They which be taken for Rediſſeiſin, be not repleuiſable by a common Writ. 52. Henr. 3. 8. 13.Ed. 1. 26.

Sheepe.

13 No perſon ſhall be let to Baile or Mainpriſe which is committed to priſon for deliuering, ſending, receiuing, or taking, or procuring to bee brought, ſent, &c. into any ſhip, any ſheepe being aliue, to be conueyed out of any of the Kings dominations. 8.El 3.

Hatters.

14 Nor any worker or maker of hatts which is committed to priſon for taking aboue two apprentices at one time, or for taking any of thoſe for any leſſe time than 7. yeares. 8. El. 11.

Accomptant.

15 Nor any ſeruant, bailife, chamberlaine, or receiuer accomptable, which vpon his accompt before Auditors is found in arrerages and committed to the Gaole. 13.Ed.1.11.

Seruant.

16 Nor any ſeruant committed to priſon for departing from his maſter before the end of his terme or for departing at the end of his terme without one quarters warning, or for refuſing to ſerue for the wages rated according to the Statute being thereunto requeſted, or for not ſeruing where he promiſed or couenanted to ſerue. 5. Eliz. 4.

Artificer, Labourer.

17 Nor any Artificer, or Labourer, which is impriſoned for departing from any peece of worke which hee hath taken in grete, in taske, or in groſſe, to finiſh, before he hath ended the ſame. 5.El.4.

Giuers or Receiuers of wages not allowed.

18 Nor hee which is impriſoned for giuing or receiuing more wages than is aſſeſſed in a Proclamation made for that purpoſe in that county, city, borough, &c. where he dwelleth. 5.El.4.

Forging of deedes.

19 Nor he which is committed to priſon for falſe forging, wittingly aſſenting, or cauſing to be forged or made any falſe deed, charter, or writing ſealed, court roll, or the will of any perſon, or writing, to the intent, &c. or any obligation, bill obligatory, acquitance, releaſe, or other diſcharge of any debt, accompt, or other thing perſonall, or for that hee did publiſh or giue in euidence any ſuch falſe or forged charter, &c. as true, knowing to ſame to be falſe and forged. 5.El.14

Arreſtment at an vnknowne mans ſuit.

20 Nor hee which doth maliciouſly or for vexation procure any other perſon to bee arreſted or attached to anſwere in any court where any liberty is to hold plea in any action perſonall, at the ſuite, or in the name of any perſon where there is no ſuch perſon knowne, or without the aſſent of ſuch perſon, at whoſe ſute, or in whoſe name, &c. and is thereof conuict, or lawfully accuſed, &c. and committed to priſon for 6. moneths, &c. 8.El.2.

Alehouſe.

21 Nor he which is committed to priſon for 3. daies for keeping an Alehouſe being not allowed, or being forbidden by two Iuſt. of peace. 5. Edw. 6. 25.

Aliens.

22 Nor he which is committed to priſon for that hee being an Alien borne, and not denizen, conueyed into any parts beyond the ſea, any long bowes, arrowes, or ſhafts, without licence, vntill he hath made fine by the diſcretion of the Iuſtices of peace in their Seſſions. 33.H.8.9.

Attaint.

23 Nor any of a Petit Iurie in London, which is attained by the verdict of a graund Iurie, and therefore committed to priſon, or which hath receiued any mony, reward, or promiſe therof of the defendant in the attaint for the intent of giuing his verdict, whereupon the Attaint is grounded: Nor the defendant in the ſaid Attaint, which doth giue or promiſe the ſaid money or reward, and is therefore committed to priſon. 11.H.7.21.

Collectors, Suruey-ors of bridges.

24 Nor any Collector or Suruelor of any decayed bridge, which is committed to priſon for refuſing to accompt to the Iuſtices of peace, of the receits and payment of money by him receiued toward the repaire of the ſaid bridge, vntill hee hath truely accompted. 22.H.8 5.

Father or Mother of a baſtard.

25 Nor the Mother or reputed Father of any Baſtard begotten and borne out of lawfull matrimonie, committed to priſon for not performing an order made by two Iuſtices of peace for the keeping of ſuch baſtard child. 18.El.3.

Souldier.

26 Nor any Souldier committed to priſon for making away any horſe or harneſſe wherewith hee hee ſhall be ſet forth, vntill hee hath ſatisfied the owner thereof. 2.Ed.6.2.

Propheſies.

27 Nor any perſon which is committed to priſon for any offence by him committed contrarie to the Statute prouided againſt fond and phantaſticall propheſies. 5.El. 15.

Muſters.

28 Nor he which is committed to priſon for being conuicted of any offence by him committed contrary to the ſtatute made for the taking of muſters, vntill hee hath paied the forfeitures in the ſaid ſtatute ſpecified. 4.& 5. P.& M.3.

Tranſporting of corne, vitailes.

29 Nor any maſter or mariner of any ſhip which is committed to priſon for tranſporting beyond the ſea or into Scotland any corne, malt, beere, butter, cheeſe, herring, or wood without lawfull authoritie: Or for conueying by boat, &c. any of the foreſaid things to any ſhip on the ſeas, or within any hauen to bee tranſported, &c. Nor any man which hauing licence to tranſport the foreſaid things doth tranſport more than is contained in his licence. 1.& 2. P. & M.5.

Tranſporting of leather, tallow, and raw hides.

30 Nor the maſter or mariner of any ſhip committed to priſon for ſhipping or carrying in any ſhip, or otherwiſe, any leather, tallow, or raw hides, of intent to tranſport the ſame beyond the

ſea, or into Scotland. 18. *Elizab.* 8.

Tythes.

31 Nor he which is committed to priſon by two Iuſtices of peace for refuſing to pay his tythes or duties, or any ſumme of mony wherin he is condemned for the ſame, after definitiue iudgement giuen againſt him by the Ordinarie. 27. *H.*8.20. 32.*H.*8.7.

Excommunicat.

22 Nor he which ſhall yeeld his body to the Sherife or other Officer, vpon any writ of *Capias* awarded, according to the ſtat. prouided for the due execution of the writ *de excommunicato capiendo.* 5. *El.* 23.

Fiſh, Deere, Hawkes.

33 Nor he which is committed to priſon for committing any offence prohibited by the Stat. prouided. 5. *El.* for the puniſhment of vnlawfull taking of Fiſh, Deere, or Hawkes. 5.*El.*21.

Eating of fleſh.

34 Nor he which is committed to three moneths impriſonment for eating of fleſh vpon any day vſually obſerued as a fiſh day, or vpon any Wedneſday newly limited to be obſerued as fiſh day. 5. *El.* 5.

Collectors and ſurueiors for gaoles.

35 Nor any Collector or Surueyor appointed for the making of Gaoles in certaine ſhires, committed to priſon, for refuſing to make accompt, or to pay ſuch money as ſhall come to their hands, 23. *H* 8.2. 5.*El.*24. 13.*El.*25.

Newes.

36 Nor hee which is committed to priſon for vehement ſuſpition of any of the offences prohibited by the ſtat. prouided againſt ſeditious words and rumors, Nor he which is cōmitted to perpetual impriſonment for his ſecond offence being once conuicted of any of the offences prohibited by the foreſaid Statute. 1. & 2. *Philipp. & Mariæ* .3. 1. *Elizabethæ 6.*

Knights for the Parliament.

37 Nor the Sherife of any countie committed to priſon for doing any thing contrarie to any ſtatute made in or before. 23. *H.* 6. Concerning the electing of Knights, Citizens, and Burgeſſes to come to the Parliament. 23. *H.*6.15.

Periurie.

38 Nor he which is committed to priſon for committing wilfull periurie, nor he which doth procure any witneſſes to commit wilfull periurie. 5.*El* 9. 14. *El.*11.

Phiſitions in London

39 Nor he which is committed to priſon by the Preſident of the Colledge of the facultie of Phiſicke in London, or by ſuch as the ſaid Preſident and Colledge ſhall authoriſe to ſearch and puniſh offendors for any offence or diſobedience by him committed contrarie to the ſtatute in that caſe prouided. 1. *M.*9.

Playes and games.

40 Nor he which is committed to priſon for keeping any houſe, alley, or place of vnlawfull games, or for reſorting and playing there. 33.*H.*8.9.

Collection for the poore.

41 Nor any Collector for the reliefe of the poore, which ſhall refuſe to make his accompt, or ſhall neglect the ſame, and ſhall be therefore committed to priſon. 14. *El.*15.

Cenſors and Collectors of houſes of correction.

42 Nor any Collector or Gouernor of the poore, or Cenſor, Warden or Collector, for any of the houſes of Correction, committed to priſon for refuſing to make accompt of ſuch mony as he hath receiued to the vſes afore ſaid, Or for not paying within one weeke after his accompt the whole arrerages which he ſhall be found in. 18.*El.*3.

Diſturbers of preachers.

43 Nor he which is committed to priſon for diſturbing or miſuſing any preacher in the time of his ſermon, or for arreſting, &c. 1. *M.*3.

Chatours.

44 Nor the Chatour or other Officer of any Noble man or other committed to priſon for taking any vitailes or other things of any perſons againſt their wills. 23. *H.*6.14.

Breaking Parkes, and killing Deere, Conies, &c.

45 Nor he which is committed to priſon for breaking of a Parke or Warren, killing of Deere, or Conies, Feſants, or Partridges, or for committing any other offences prohibited by the Statutes in that caſe prouided, vntill hee hath ſatisfied the penalties in the ſame Statutes limited. 23.*El.* 10. 1. *Iac.*17. 3.*Iac.*13. 7.*Iac.*13.

Fraudulent Conueyances.

46 Nor he which is committed to priſon for being partie to a fraudulent Conueyance, doth auow and iuſtifie the ſame (hauing knowledge thereof.) 27. *El.* 4.

Wax and Honey.

47 Nor he which is committed to priſon for counterfeiting of Markes, or making with anothers Marke any Veſſell of Waxe or Honey. 23.*El.*8.

Purueying within fiue miles of Cambridge or Oxford.

48 Nor any Purueyor, Taker, Badger, or other miniſter of the Kings, nor any other common Poultrer, committed to three moneths impriſonment for taking or bargaining for any Victuall or Graine in either of the Markets or Townes of Cambridge, or Oxford, or within fiue miles thereof, without the licence of eyther of the Chauncelors Vice-Chauncelors of the ſaid Vniuerſities where &c. 2.& 3. *P.* & *M.* 15. 13.*El.*21.

Sacraments and Seruice.

49 Not any perſon impriſoned for committing any of the offences prohibited by the Statute, prouided 1. *El.* for the vniformitie of Common Prayer and Seruice in the Church, and the adminiſtration of the Sacrament. 1. *El.* 2.

Vagabonds.

50 Nor any Vagabond committed to priſon vntill the next Seſſions of the Peace, or generall Gaole deliuerie. 14.*El.* 5.

Counterfeiting of Weights.

51 Nor he which is committed to priſon for falſifying or counterfeiting of any falſe Weights, vntill hee hath made fine according to the diſcretion of the Iuſtices of Peace. 9.*H.*5.3.

Taking away of Maids.

52 Nor any perſon aboue the age of foureteene yeares, committed to two yeares impriſonment for conueying or cauſing to be conueyed any maid or woman child vnmarried within the age of ſixteene yeares, out of the poſſeſſion and againſt the will of the father or mother, or ſuch perſon as ſhall haue the gouernance of ſuch maid, &c. 4. & 5. *P.* & *M.*8.

Deflowring, or contracting Matrimonie with a maid.

53 Not any perſon aboue the age of foureteene yeares committed to fiue yeares impriſonment, for taking away and deflowring, or for contracting matrimonie with any maid or woman child vnmarried, vnder the age ſixteene yeares, againſt the will, or vnknowing of the father, mother, or ſuch as ſhall haue the gouernance of her. 4. & 5. *P.* & *M.*8.

Condemnation.

54 Nor he which is condemned in any of the Kings Courts, and by vertue thereof is committed to priſon, there to remaine, vntill he hath agreed with the plaintiffe. 1.*R.*2.12. 2.*H.*5.2.

Gaugeor, Packer, Searcher.

55 Nor any Gaugeor, Packer, or Searcher of Fiſh, which is committed to priſon, for that he taketh more for gawging, packing, or ſearching, then he ought to doe. 11.*H.*7.23.

Fraudulent deeds.

56 Nor he which is committed to priſon for being partie to any fained or fraudulent Gift, Bond, Suit, &c. or knowing thereof, ſhall willingly put in vre or defend the ſame as true and ſimple, or ſhall aſſigne the lands, leaſes, or goods to him conueyed. 13.*El.*5 14.*El.*11.

Foreſtaller, Regrater, Engroſſer.

57 Nor any Fore-ſtaller, Regrator, or Engroſſer, being conuict or attainted by the Law of any of the offences aforeſaid. 5.*Ed.*6.14. 13.*El.*25.

Riots.

58 Nor he which is committed to priſon for one yeare at the leaſt for any great and heinous Riot by him and others done. 2.*H.*5.8.

Liueries.

59 Nor he which impriſoned for buying or wearing any Clothes, or Hatts, called Liueries, of the ſort or ſuit of any Lord, Knight, Eſquire, or other perſon, to haue maintenance in any quarrell, or in any other manner. 8.*H.*6.4.

Maintenance, Champertie, Embracerie, and buying of Titles.

The Kings Officers.

1 THe penaltie of the Kings Officers, which doe maintaine any quarrell. 1. *Ed.*3.14. 1.*R.*2.5.

By Clarkes.

2 The penaltie of Clerkes taking Preſentments of a Church which is in plea, or for taking part in any matter in ſuit, or for working any fraud to the delay of Right. 3.*Ed.*1.28.

Concealing of Ri[illegible]

3 The penaltie for embracerie, or maintenance of the Iurors, whereby any Riot, Rout, &c. is not found. 19. *H.* 7. 13.

Maintenance of ſuits.

4 The penaltie for maintaining any ſuit depending in any of the Kings Courts, or for vnlawfull retaining any perſon, or imbracing any Freeholder or Iuror, or for ſuborning any witneſſes. 32.*H.*8.9.

Maintenance [illegible] part

5 No perſon ſhall maintaine any matter depending in ſuit, to haue part of the thing in plea, or

other profit, Neither ſhall any vpon ſuch conſideration depart from his right to another. 3.Ed.1.25. 13.Ed.1.49. 28.Ed.1.11. 33.Ed.1.

Champertors, or Embraceors.

6 Who be Champerters, and who be Embraceors. 33.Ed.1. 34. Ed.3.8. 38.Ed.3.12.

Buying or ſelling a pretended title.

7 The forfeiture for buying or taking promiſe to buy a pretenſed title, And likewiſe for ſelling of the ſame. 32 H.8.9.

Releaſe of a pretended title.

8 He taht is in poſſeſſion of any lands may purchaſe a pretenſed title of the ſame. 32.H.8.9.

Feoffement.

9 Feoffements made for Maintenance ſhall be void. 8. H.6.9.

Liueries.

10 The puniſhment for giuing or taking of Liueries for Maintenance. 1.R.2.7. 7.H 4.14. 13.H.4.3. 8.H.6.4. 8. Ed.4.2.

Who may ſue.

11 Who may vſe any Actions, or purſue vpon the Statutes prouided againſt Maintenance, Champertie, &c. 18.El.5.

Forcible Entrie.

12 The puniſhment for making any forcible Entrie into another mans land by way of Maintenance. 4.H.4.8.

Who ſhal enquire & determine.

13 The Iuſtices of both Benches, Aſſiſe, and *Niſi prius*, ſhal heare and determine Maintenance, Champerty, &c. 4 Ed.3.11. 20.Ed.3.6.

Iuſtices of peace their authoritie.

14 Iuſtices of peace haue authoritie to enquire, heare, and determine all offences touching maintenance, Embracerie, &c. 33.H.8.10. 37 H.8.7.

Merchants, Merchandiſes.

A ſtrangers ſafe-conducts.

1 MErchants Strangers ſhal haue ſafeconducts to come into the Realme, to tarrie in the Realme, and to depart the Realme at their pleaſures. 9.H.3.30.

Buying and ſelling within the realme.

2 What commodities Merchants ſtrangers may buy and ſell within this Realme without interruption, and what not: But one ſtranger may not Merchandiſe with another. 9. Ed. 3.1. 25.Ed.3.2. 2.R 2.1. 11.R.2.7. 19 R.2.1.

Shewage of Merchants.

3 The penaltie of an Officer taking cuſtome called Scauage or Shewage of any Merchant, for any Merchandiſe before truely cuſtomed. 19.H.7.8.

Not lawfull to be brought in.

4 Certaine Merchandiſes not lawfull to bee brought into this Realme, from beyond the ſea, to be ſold. 5. El. 7. 1. Iac. 25.

Not to be tranſported.

5 Certaine Merchandiſe which it is not lawfull to conuey into any ſhippe to tranſport beyond the ſea. 5. El. 22.

Loading and vnloading.

6 At what time and place merchandiſes brought into this realme or to be carried forth of his realme ſhal be loaden or vnloaden. 1.El.11. 4.H.4 20.

Receiuing or diſcharging loading.

7 At what time and place the maſter of a ſhip ſhall receiue or diſcharge his loading. 1.El.11.

Notice of departure.

8 The maſter of a ſhip ſhall giue notice to the cuſtomer of his departure, And into what place he intendeth to paſſe. 1.El.11.

Aduertiſement of things brought in.

9 The Cuſtomer of the Port ſhall bee aduertiſed by the maſter of a ſhip of all Merchandiſe brought in. 1.El. 11.

Employment of money.

10 Euery Merchant Alien, and victualer, and Merchant of Ireland, &c. ſhall imploy the money receiued in this Realme vpon the commodities thereof. 4.H.4.15. 17 Ed 4.1. 3.H 7.8.

No tranſporting of gold and ſiluer.

11 Euery company of Merchant Aliens ſhall find ſuretie that none ſhall carrie gold or ſiluer out of this realme. 2.H 6.6

Dwellers in the countrie.

12 None dwelling in the countrie ſhal ſell Merchant wares by retaile in a market towne. 1. & 2. P.& Mar. 7.

Selling by retaile in a a market towne.

13 When a countrie man is come to dwell in a market towne, he may ſell Merchant wares by retaile. 1. & 2. P. & M. 7.

Pollicies of Aſſurance.

14 A commiſſion may bee granted to certaine perſons to heare and determine pollicies of aſſurance amongſt Merchants, Who ſhall bee Commiſſioners, and their authoritie. 43.El.12.

A remedie for the party grieued.

15 A remedie for the partie which is grieued by the ſame aſſurance. 43.El. 12.

Trading into Spaine.

16 All Merchants may trade into Spaine. 3. Iac. 6. But that ſhall not preiudice a Charter granted to the citie of Exeter. 4. Iac. 9.

Tranſporting of Cunnie skins.

17 There ſhall be no dreſſing or tranſporting of blacke Cunnie skins, but by certaine perſons. 3. Iac. 9.

Buying of cunnie skins.

18 What perſons may buy or ſel cunnie skins, or lamb skin. 3. Iac. 9.

A Skinners Apprentiſe.

19 Who onely a Skinner may take to bee his Apprentiſe, Iourneyman, or ſeruant. 3. Iac. 9.

Payment of tithes.

20 In what ſort Merchants and Handycrafts men ſhall pay their tithes. 2.Ed.6.13.

Meaſured and ſealed.

21 Certaine Merchandiſes ſhall not be put to ſale vntill they be meaſured and ſealed. 12.Ed.4.3.

1 *Markets. See Faires 1.*

Mariners and Souldiers.

Departing from his captaine.

1 THe penaltie of a Mariner or Souldier departing from his Captaine within his terme. 18. H.6.19. 5.El.5.

Not ſerue as a Souldier.

2 A Mariner of Fiſherman ſhall not ſerue as a Souldier but in certaine caſes. 5.El.5.

Fiſhermen.

3 By what commiſſion Fiſherman ſhal be taken to ſerue as Mariners. 5.El.5. 1. Iac.25.

Wanderers.

4 The penaltie of wandering Souldiers and Mariners which do not ſettle themſelues to worke. 39.El. 17.

Wandering without a Teſtimoniall.

5 The penaltie for a Mariner or Souldier that ſhall wander without a teſtimoniall, ſhall not obſerue the time limited to him thereby, or ſhall forge a teſtimoniall. 39. El. 17.

A prouiſion for him that cannot get worke.

6 A prouiſion for the wandering Mariner or Souldier which is taken into ſeruice, that falleth ſicke, or cannot get worke. 39.El.17.

Asking reliefe.

7 In what caſe a Mariner or Souldier licenced may aske and take reliefe. 39. El. 17.

Tranſporting of corne, &c.

8 The forfeitures of Mariners which doe tranſport beyond the ſea any Corne, Beere, Butter, Cheeſe, &c. without authoritie. 1.& 2. P. & M. 5. 5.El.5. 1. Iac. 25.

Tranſporting of leather, &c.

9 The penaltie of Mariners that doe tranſport Leather, Tallow, or raw Hides, knowing of the offence. 18.El.8.

Reliefe of them.

10 A prouiſion for the reliefe of Mariners and Souldiers. 43.El.3.

Boatmen.

11 The puniſhment of Boatmen which do hide themſelues in the time of preſſing. 2. & 3. Ph. & Mar. 16.

Sea markes erected.

12 Sea markes may bee erected at the coſts of the Maſter, Wardens, and Aſſiſtans of the Trinitie houſe of Deptford, &c. 8.El.13.

Marſhall, Marſhalſie.

Holding of plea.

1 OF what things the Marſhall of the Kings houſe ſhall hold plea, and of what not. 28. Edw.1.3.

Not the kings houſe.

2 The defendant ſhall not bee eſtopped by the plaintifs declaration, to plead, that either of them is not of the kings houſe. 15 H.6.1.

The K. Marshalls Court.

3 In all places where the King ſhall make his aboad, his Marſhall and other Officers may keepe their Courts within the Vierge. 27. Henr. 8. 25. 13. R. 2. 3.

Enqueſts.

4 Of what ſort of men Enqueſts in the Marſhals court ſhalbe taken. 5.Ed.3.2. 10.Ed.3.3.

Error.

5 Error in the Marſhals Court ſhall be reuerſed in the kings bench. 5.Ed.3.2. 10.Ed 3.3.

The Marshall fees.

6 The ſeuerall fees which the Marſhall of the Marſhalſie of the Kings houſe, and a Seruitor of Bils there ſhall take. 2.H.4.23. 9.R.2.5.

Aſſignement of the Steward.

7 Who ſhall aſſigne the Steward of the Marſhalſie from time to time. 33.H.8.12.

Dammages.

8 In what caſes the plaintife ſhall anſwere dammages in the Marſhalſie. 8. El.2.

Maiors, Bailifes, Head officers. See Corporations.

Maſons.

Vnlawfull aſſembl

1 THe penaltie for cauſing Chapters and Congregations of Maſons to be holden. 3.H.6.1.

Matrimonie.

Who may marie

1 ALl perſons bee lawfull to contract Mariage that bee not prohibited by Gods Law. 32. H.8.38. 2.Ed.6.23. 1.El.1.

2 A repeale

Mariage of Prieſts.

2 A repeale of all Lawes made againſt the mariage of Prieſts, And the mariage of Prieſts ſhal be lawfull, They ſhall be Tenants by the curteſie, and their wiues endowable, and their children legitimate. 2.& 3. *Ed* 6.21. 5. & 6.*Ed*.6.12. 1. *Iac*.25.

A ſecond mariage.

3 There ſhalbe no mariage of man and woman vntill the former husband or former wife be dead (ſauing in certaine caſes.) 1. *Iac*.11.

Doctors of the Ciuill Law.

4 Doctors of the Ciuill Law being maried, may exerciſe Eccleſiaſticall iuriſdiction. 37. *Henr*.8. 17. 1.*El*. 1.

Mault, and Maultmakers.

In what time it ſhalbe made

1 HOw long Mault ſhall bee in the fat, floore, ſteeping, and drying. 2.*Ed*.6.1.

How it ſhalbe vſed.

2 Mault ſhalbe made wel trodden, rubbed, and fanned. 2.*Ed*.6. 10. 17. *R*.2.4.

Mingling.

3 The penaltie for mingling, and putting together good Mault with euill. 2.*Ed*.6.10.

Reſtraining of Maulſters,

4 Iuſt. of peace and head Officers of cities and corporate townes may reſtraine the number of Maulſters, 39.*El*.16.

1 *Meaſures. See Weights and Meaſures.*

Meſne.

Foreiudgement.

1 IN what caſe the Meſne ſhall be foreiudged of his Meſnaltie. 13.*Ed*.1.9.

Holding by leſſe ſeruices.

2 A remedie for the tenant holding by leſſe ſeruice than the Meſne doth. 13.*Ed*.1.9.

The tenants remedie

3 The tenant may take his remedie againſt the Meſne giuen him by the common law. 13.*Ed*.1.9.

For which meſne.

4 For which Meſne this Statute is prouided. 13 *Ed*.1.9.

Mildernex and Pouldauy.

Who ſhall make them.

1 WHo onely ſhall make or cauſe to bee made any clothes for ſayles called Mildernex or Pouldauies. 1. *Iac*. 24.

Of what ſtuffe and bigneſſe.

2 Of what ſtuffe the ſaid clothes ſhalbe made, of what length, and breadth, and how they ſhalbe vſed before they be put to ſale. 1.*Iac*. 24.

Monaſteries, Abbeyes, Colledges, Free Chappells, Chaunteries.

Which had not lands aboue 200. li. by yeare.

1 ALl Monaſteries giuen to the King which haue not in lands aboue 200 li. by the yere, & all their lands and goods. 27. *H*.8.28.

A confirmation of Letters Patents.

2 A confirmation of the Kings Letters Petents of the ſaid Abbey lands made, and to bee made. 27 *Henr*.8. 28.

Fraudulent eſtates.

3 All fraudulent eſtates made by the chiefe gouernors of the ſaid religious houſes within one yeare before this Act ſhalbe void. 27.*H*.8 28.

Houſes vnder obedience.

4 This Act ſhall not be preiudiciall to Cells of Houſes vnder the obedience of others. 27 *H* 8.28.

All giuen to the king.

5 All Religious houſes which before where or after ſhould be diſſolued, giuen to the King. 31. *Hen*.8.13.

Leaſes and wood ſales void.

6 Leeſes of land not vſually let, leaſes in reuerſion, leaſes not reſeruing the old rent, ſales of wood, aſſurances of land of the Kings gift made or to be made by any Abbots, &c. of any Religious houſes within one yeare before the diſſolution ſhal be voide. 31.*H*. 8.13.

Leaſes made to the old leſſees.

7 The force of leaſes made, or copies granted to the old Leſſees within a yeare before the diſſolution. 31 *H*.8.13.

Leaſes inrolled good

8 Leaſes and other Aſſurances made within the yeare before the diſſolution allowed and inrolled in the Court of Augmentations ſhall bee good. 31 *Hen*. 8,13.

Aſſurances made by the Kings aſſent.

9 All Aſſurances made or to be made to others by any Abbots, Priors, &c. of any lands by the Kings licence, or aſſent, vnder the great Seale, ſhal be good. 31.*H*.8.13.

Colledges giuen to the King.

10 All Colledges, Chaunteries, Free Chappels, &c. ſhall be in the actuall and reall poſſeſſion of the King, & all their Lands and Hereditaments. 37.*H*.8.4.

Finding of a Prieſt.

11 All Colledges, Free Chappels, and Chaunteries, &c. and all Lands, Rents, and Profits giuen to the finding of a Prieſt, to continue for euer, ſhal be in the actuall poſſeſſion of the King and of his heires and ſucceſſors for euer. 1. *Ed*.6.14.

Finding of a Prieſt for certaine yeares.

12 Lands giuen to the finding of a Prieſt for certaine yeares, ſhal be in the king for the ſame yeares 1. *Ed*. 6. 14.

The goods of Colledges, &c.

13 The King ſhall haue the common goods of euerie ſuch Colledge, Chaunterie, And the Debts of the ſaid Colledge, Chaunterie, Free Chappell, &c. ſhal be payed to the Kings Treaſurer. 1.*Ed*.6.14

Anniuerſaries, Obits, &c.

14 The King ſhall haue all lands giuen for the maintenance of any Anniuerſaries, Obits, Lampes, Lights, &c. 1. *Ed*. 6. 14.

Summes of money.

15 The King ſhall haue ſuch ſummes of money, and part of the iſſues of lands which were giuen to the finding of any Anniuerſaries, Obits, Lights, Lamps, &c. 1.*Ed*.6.14.

Money giuen by a Corporation.

16 The King ſhall haue ſuch ſummes of money, profits, &c. which haue beene giuen by a Corporation for the findng of a Prieſt, Obit, Lampe, or Light. 1.*Ed*.6.14

Fraternities.

17 The King ſhall haue all Fraternities, Brotherhoods, and Guilds, and all land belonging to any of them. (Except certaine Colledges, Chaunteries, Chappels of eaſe, Cathedrall Churches, &c. Corporations of cities, boroughes, &c.) 1.*Ed* 6.14.

To what lands this Statute extendeth not.

18 This Act ſhall not extend to lands whereof the gouernors were ſeiſed to their ownes vſes, nor to any lands or rents giuen by the K. for the terme of life onely, nor to any Copihold lands. 1.*Ed*.6.14.

The Patrons right reſerued.

19 All Rents and yeerely profits, due to any Patron, Donor, and Founder of any of the ſaid Chaunteries, Colledges, &c. & the right of others, (except the Gouernors of Houſes, &c. ſhall bee ſaued to them. 1.*Ed*.6.14.

Leaſes.

20 Leaſes made for life or yeares ſithence 23. *Nouembris*, *Anno* 37.*H* 8. of any of the lands of the ſaid Colledges, &c. not reſeruing the old rent and ſeruices, ſhall be void. 1.*Ed*.6.14.

Tenths due.

21 All Tenths and other Duties payable out of the premiſſes in the Exchequer, ſhall continue and be yeerely payd. 1.*Ed* 6.14.

Aſſurances made by the Kings.

22 All Aſſurances made by King *H*. 8. or *Ed*. 6. or by the licence of them vnder the great Seale, to any perſons, of any of the ſaid Colledges, &c. ſhal bee good. 1. *Ed*. 6.14.

A confirmation of ſpirituall liuings.

23 A confirmation of all Graunts made to King *H*. 8. or to King *Ed*. 6. by any ſpirituall perſons of their ſpirituall liuings. 1.*Ed*.6.14.

A confirmation of Letters Patents made by the King.

24 A confirmation of all Letters Patents made by King *H*. 8. and King *Ed*.6. to any perſon of any College, Chappell, or Chaunterie, of any lands appertaining to them. 1.*E*.6.14.

S. Iohns of Hieruſalem.

25 The lands of the Corporation of the Religion of S. *Iohns* of Hieruſalem in England and Ireland giuen to the King. 32.*H* 8.24.

A Confirmation to Queene Mary.

26 A confirmation of all Abbeys, Chaunteries, Religious houſes, &c. and of their lands to the Queene and other perſons. And the penaltie of them who ſhall moleſt any perſon for any of the ſaid lands. 1.& 2. *P*.& *M*. 8. 1.*El*.1.

Penſions.

27 A remedie for Biſhops or other Eccleſiaſticall perſons, to recouer ſuch penſions, portions, or other profits, which were due vnto them out of any of the late diſſolued Monaſteries. 34.*H*.8.19.

The Kings grauntees.

28 A remedie for the Kings Grauntees, who hauing any couenant or promiſe of the King, to be diſcharged of ſuch penſion or profit, to diſcharge themſelues againſt the ſaid Biſhops. 35.*H*.19.

Enabled to inherite, ſue, and be ſued.

29 Religious perſons profeſſed and after ſet at libertie, ſhall be enabled to inherite, ſue, and to be ſued. 31.*H*.8.6. 32.*H*.8.24. 33.*H*.8.29 5.*Ed* 6.13.

Diſcharged of Tythes.

30 Thoſe Abbey lands which were diſcharged of Tythes, ſnall ſo continue. 31.*H*.8.13.

Viſitation of the Ordinarie.

31 All Religious houſes ſhall be within the Viſitation of the Ordinarie, in whoſe Dioces they are ſituate. 31.*H*.8.13.

Tenths.

32 Tenths ſhall be reſerued vpon Abbey lands graunted to others, and the remedie to recouer them. 27. *H*. 8.27. 33. *H*. 8 39. 7.*Ed*.6.3.

Tenures.

33 What Tenures ſhall be reſerued vpon Abbey lands graunted by the King to others. 27.*H*.8.27. 35.*H*.8.14. 37.*H*.8.20. 7.*Ed*.6.3.

Rent.

34 Vpon leaſes made by Colledges, the third part of the Rent ſhal be reſerued in corne. 88.*El*.6.

Money.

More then is currant.

1 THe penaltie for giuing or receiuing for Money more then it is currant. 25. *Ed.*3.12. 5. *Edw.*6.19.

No gold to a Merchant Alien.

2 The penaltie for paying of any Gold coyned or vnwrought to a Merchant Alien. 4.*H.*7.23.

Tranſporting of gold or ſiluer.

3 The penaltie for tranſporting of gold or ſiluer in Money, Plate, or Veſſell, without the Kings licence, (except in certaine caſes.) 9. *Ed.*3.1. 5.*R.*2.2. 2.*H.*4.5. 2. *H.*6.6.

No tranſporting or bringing in of Iriſh money.

4 The penalties for carrying Engliſh money into Ireland, or bringing Iriſh money into England 19.*H* 7.5.

No refuſall of ſmall money.

5 He that in buying or ſelling will refuſe a halfepenny or farthing, being of lawfull mettal, forme, & faſhion, ſhall be ſet vpon the Pillorie, and thruſt into priſon. 12.*H.*3.

Melting.

6 The penaltie for melting of any money, to make veſſel, or other thing thereof. 9.*Ed* 3.3. 17.*R.*2.1.

Receiued and returned by weight.

7 Plate of gold and ſiluer ſhall be receiued into the Kings Mint by weight, and ſo ſhall the money be returned, and not by number. 25.*Ed.*3.20.

Bringing in of corrupt money.

8 The ſeuerall penalties for the forging, clipping, waſhing, ſcaling, or bringing in of any forged or counterfeit Money. 25 *Ed.*3.2. 1.*M* 6. 1. & 2. *P.* & *Mar.* 11. 5. *El.* 11. 18. *El.* 1. 14. *El.*3.

Exchange.

9 None but ſuch as the King ſhall appoint ſhall make exchange or rechange of money. 3.*H.*7.6.

Exchange.

10 The penaltie for exchanging gold, and ſiluer, 25 *Ed.*3.12. 5. & 6. *Ed.*6.19.

Mortdaunceſter.

Seuerall heires.

1 IN what caſe ſeuerall heires ſhal haue their recouerie by a Writ of *Mortdaunceſter.* 6.*Ed.*1.6.

Dammages.

2 Damages ſhall be awarded, where a man recouereth by an Aſſiſe of *Mortdaunceſter*, &c. 6.*Ed.*1 1

For the heire againſt his Lord.

3 An Aſſiſe of *Mortdaunceſter* maintenable for the Heire, that is wrongfully kept or put out of his Inheritance by his chiefe Lord. 52.*H.*3.16.

Eſſoines.

4 Eſſoines do not lye vpon a Reſummons in an Aſſiſe of *Mortdaunceſter.* 12. *Ed.*2. *de Eſſoniis.*

Limitation.

5 What limitation of yeares or time is preſcribed in an Aſſiſe of *Mortdaunceſter.* 20.*H.*3 8. 3.*Ed.*1.38 32.*Hen.* 8 2.

Before whom taken.

6 Aſſiſes of *Mortdaunceſter* ſhall be taken before Iuſtices of Aſſiſe. 13. *Ed.*1.30

The tenants plea.

7 What anſwer the tenant may plead in an Aſſiſe of *Mortdaunceſter.* 13.*Ed.*1.20.

Rediſſeiſin.

8 The remedie for him that hath recouered in an Aſſiſe of *Mortdaunceſter*, and is rediſſeiſed. 20.*H.*3.3.

Barre.

9 What ſhall be a Barre in an Aſſiſe of *Mortdaunceſter* brought by the heire of the mother to recouer lands of his mothers aliened by his father. 6 *Ed.*1.3.

Monopolies.

Monopolies voide.
Triall of monopolies.

1 ALl Monopolies, &c. ſhall be voide. 21.*Iac.*3.
2 Monopolies ſhall be tried by the Common Lawes of his Realme. 21. *Iac.*3.

None ſhall vſe them.

3 All perſons diſabled to vſe Monopolies, &c. 21.*Iac.*3.

Damages, & coſtes.

4 The partie grieued by pretext of a Monopolie, &c. ſhall recouer treble dammages, and double coſtes. 21.*Iac.*3.

Premunire.

5 He that delayeth an Action, grounded vpon this Statute, incurres a premunire. 21.*Iac.*3.

Exceptions.

6 Certaine grants of the King are excepted. 21. *Iac.*3.

Henry Heron.

7 A iudgement giuen againſt Henry Heron (for annulling a Monopolie of the ſole ordering of fiſh) confirmed. 21. *Iac.*11.

Mortmaine.

Purchaſing in Mortmaine.

1 IF any Religious perſon, or other, doe purchaſe any lands in Mortmaine, he ſhall forfeit the ſame. 9.*H.*3.37. 7 *Ed.*1.

To a ſpirituall perſons vſe.

2 It is Mortmaine, if a ſpirituall perſon doe take the profit of land, whereof another is ſeiſed to his vſe. 15. *R.* 2 5.

Churchyard, Guild, &c.

3 It is Mortmaine, if Lands be imployed to a Churchyard, or to a Guild, or Fraternitie. 15.*R.*2.2.

Corporation.

4 It is Mortmaine, if Lands be purchaſed to a Corporation, or perpetuall Communaltie, or to another, and they take the vſe thereof. 15.*R.*2.5.

Recouerie by defau

5 It is Mortmaine, where a Religious perſon doth recouer land by default, whereunto before he had no lawfull title. 13.*Ed.*1.31.

The Lords entrie for Mortmaine.

6 The cheife Lord may enter for an alienation in Mortmaine vpon lands holden of him, And ſo may the King in default of him. 7.*Ed* 1.

Aſſurances by deuotion.

7 Aſſurances of lands to Churches, Fraternities, &c. made of deuotion, or by aſſent, without any corporation, to haue continuance for euer, or for 60. or 80. yeares, ſhall be void. 23.*H.*8.10.

Aſſurances for a terme.

8 Aſſurances of lands to Churches, Corporations, &c. for 20 yeares, ſhall be good. 23.*H.*8 10,

Collaterall Aſſurances.

9 All collaterall Aſſurances made in defrauding of this Statute, ſhall be void. 23.*H.*8.10.

Cuſtome to deuiſe in Mortmaine.

10 Cuſtomes in Cities and Townes corporate to deuiſe in Mortmaine, ſhal continue. 23.*H.*8.10.

Houſes of correction or the poore.

11 What lands may be giuen in Mortmaine for the maintenance of Houſes of Correction, or of poore peoples Stockes. 18.*El.*3. 35 *El.*7.

Erecting of Croſſes.

12 In what caſe it is Mortmaine for tenants to erect Croſſes in their Lands, to the preiudice of their Lords. 13.*Ed.*1.33.

How diſcharged.

13 By the Kings licence, and a Writ of *Ad quod damnum* ſued, Religious people, which haue purchaſed land in Mortmaine, ſhall bee diſcharged. 18.*Ed.* 3.3.

Mortuaries.

But one.

1 THere ſhal be but one Mortuarie payed for any perſon, and that but in ſuch places where Mortuaries haue beene accuſtomed to be payed. 21.*H.* 8 6.

In what caſes none.

2 There ſhall be no Mortuarie taken, where the goods of the deceaſed be vnder tenne Markes. 21. *Hen.*8.6.

The dutie for ſeuerall abilities.

3 The dutie of euery ſpirituall perſon for the Mortuaries of ſeuerall perſons dying of ſeuerall abilities. 21. *H.*8.6.

None payed.

4 Certaine perſons after whoſe death no Mortuarie ſhall be payd. 21. *H.* 8 6.

Wales and Barwick.

5 In what places in Wales, and Barwick, and the marches of the ſame, Mortuaries ſhal be payed, and in what not, and how much. 21.*H.*8.6.

The forfeiture for extortion.

6 The forfeiture of a ſpirituall perſon demaunding more for this Mortuarie then is due. 21.*H.*8.6.

No Prohibition.

7 Where Mortuaries be demaunded in a Spirituall Court, the Kings Prohibition doth not lye. 9. *Ed.* 2 1.

Fraudulent deeds.

8 Fraudulent deeds to defeat others of their Mortuaries, ſhall be void. 13. *El.*5.

Multiplication.

Of gold or ſiluer.

1 IT ſhall be Felonie to multiplie gold or ſiluer, or to vſe the Craft of Multiplication. 5.*H.*4.4.

1 *Muſters. See Captaines.*

Murder, Manſlaughter.

Eſcape.

1 IF any perſon bee ſlaine in the day, and the Murderer eſcape vntaken, the Towneſhip where the deed is done, ſhall be amerced. 3.*H* 7.1.

Arraignement at the Kings ſuit.

2 A Murderer ſhall be arraigned at the Kings ſuit at any time, and not tarrie a yeare and a day for an Appeale. 3.*H.*7.1.

A perſon acquited arraigned.

3 He may bee arraigned vpon an Appeale of Murder, which is acquited thereof at the Kings ſuit. 2.*H.*7.1.

An Appeale.

4 Within what time, and before whom, an Appeale of Murder ſhall be commenced. 3.*H.*7.1.

Poyſoning.

5 All wilfull killing by poyſoning of any perſon, is wilfull Murder, of malice prepenſed. 1.*Ed.*6 12.

Misfortune.

6 It is no Murder where an Act is done by miſfortune, but Murder ſhall be intended of them which be feloniouſly ſlaine. 52.*H.*3 26.

Stabbing.

7 In what caſe ſtabbing, or thruſting any perſon to death, is wilfull Murder, in what not. 1. *Iac* 8.

Murdered in another Countie.

8 In what caſe an Appeale of Murder may bee commenced in one Countie of the death of any perſon ſtricken or poyſoned in another. 2.*Ed* 6.24.

The declaration.

9 The declaration in an Appeale of Murder, and within what time it ſhal be ſued. 6.*Ed.*1.9.

Triall by Commiſſion.

10 In what caſe Murder ſhall bee tried by ſpeciall Commiſſion. 33.*H.*8.23.

Where it ſhall bee Treaſon.

11 The murdering of the Chancelor, Treaſurer, or any Iudge, &c. ſitting in his place, is high Treaſon. 25.*Ed.*3.2.

Attainted in Premunire.

12 It is not lawfull to ſlay any perſon attainted in *Premunire.* 5.*El.* 1.

Atturney.

13 The Appellant in an Appeale of Murder, where Battell lyeth not, may make an Atturney. 3.*H.*7.1.

Coroners.

14 In what ſort Coroners ſhall enquire of Murders, and attach the Offendors. 3.*Ed.*1. *Officium Coronatoris.*

An Offendors in a Foreſt.

15 In what caſe a keeper of a Foreſt, Parke, or Warren, may ſlay an offendor therein, in what not. 21.*Ed.*1.

Clergie.

16 No perſon that committeth wilfull Murder, ſhall haue the benefit of his Clergie. 23.*H.*8.1. 26.*H.*8.12. 1.*Ed.*6.12.

In the Kings houſe.

17 Where, and before whom, a Murder or Manſlaughter committed in the Kings houſe, ſhall bee tried and determined. 33.*H.*8.12.

18 No Charter of Pardon ſhall bee allowed for him that doth commit Murder. 13.*R.*2.1. 16.*R.*2.6.

Newes.

Newes of great perſons.

1 The penaltie for telling of falſe Newes, whereupon diſcord may ariſe betweene the King and his people: Or for telling falſe Newes of the Peeres, or great Officers of the Realme. 3.*Ed.*1.34. 2.*R.*2.5. 12.*R.*2.11. 1.& 2.*P.*& *Mar.*3.

Touching eating of Fiſh.

2 The puniſhment of him that ſpreadeth falſe Newes concerning the eating of Fiſh, or forbearing of Fleſh. 5.*El.*5. 1.*Iac.* 25.

Niſi prius.

The forme of the Writ.

1 Iuſtices of *Niſi prius* ſhall bee appointed, and their authoritie, and the forme of the Writ of *Niſi prius.* 13.*Ed.*1.30. 12.*Ed.*2.4.

Clerkes to enroll.

2 Iuſtices ſhall haue in their Circuits Clerkes to enroll Pleas pleaded before them. 13.*Ed.*1.30.

The Iuſtices diſcretion.

3 Graunting of a *Niſi prius* ſhall bee in the Iuſtices diſcretion: And before which Iuſtices *Niſi prius* ſhall bee taken. 27.*Ed.*1.4. 12.*Ed.*2.3. 2.*Ed.*3.16. 14.*Ed.*3.16.

Nonſutes recorded.

4 Iuſtices of *Niſi prius* haue authoritie to record Nonſutes and Defaults in the Countrey, whereupon Iudgement ſhal bee giuen. 12.*Ed.*2.4.

Iſſues ioyned.

5 Iſſues ioyned in the Chauncerie, Kings Bench, Common Place, or &c. ſhall or may bee tryed by *Niſi prius* in Weſtminſter Hall. 18.*El.* 11.

Attaint.

6 *Niſi prius* may bee graunted in an Attaint. 5.*Ed.* 3.7.

1 *Nonabilitie. See Abilitie.*

1 *Nonage. See Age.*

Nonclaime.

Barre.

1 Nonclaime ſhall not bee holden for any Barre. 34.*Ed.*3.16.

Nonſute.

No Nonſute after Verdict.

1 In any Action, if the Verdict paſſe againſt the plaintife, he ſhall not be Nonſuted. 2.*H.*4.7.

The penaltie for being Nonſuted.

2 The penaltie of the plaintife, if in certaine Actions or Caſes hee be Nonſuted. 8.*El.*2. 23.*H.*8.15. 4 *Iac.* 3.

Informer.

3 The puniſhment of an Informer, if he bee Nonſute without conſent of the Court. 18.*El.*5.

Nontenure.

Of parcell.

1 By exception of Nontenure of parcells, no Writ ſhall be abated, but for the quantitie alledged. 25.*Ed.*3.16.

Exception to a Fine.

2 Exceptions to a Fine, that the parties to the ſame Fine had nothing in the Land. 4.*H.*7.24.

Nuſance.

For whom, and againſt whom, it lyeth.

1 In what caſe an Aſſiſe or other Writs of Nuſance doth lye, and againſt whom, and for what cauſe, it is maintenable. 13.*Ed.*1.24. 6.*R.*2.3.

Nuper obiit.

Preſcription.

1 The limitation of preſcription in a *Nuper obiit.* 32.*H.*8.2.

View.

2 View ſhall not be graunted in a *Nuper obiit. Stat. de viſu terræ.*

Offices, Inquiſitions.

Other mens rights.

1 Other mens Right ſhall bee ſaued, though they be not found by an Office that doth intitle the King to any land. 2.*Ed.*6.8.

The Counterpaine.

2 The Counterpaine of an Office ſhall remaine with the firſt man of the Iurie. 1.*H.*8.8. 3.*H.*8.2.

The Fees of Commiſſions.

3 The Fees of Writs or Commiſſions touching lands, whereof any Inquiſition is to be had. 33.*Hen.* 8.22.

Receiuing an Office tendered.

4 The penaltie of an Officer of a Court of Record, that doth not receiue an Inquiſition offered vnto him. 1.*H.*8.8. 33.*H.*8.22.

Tranſcript of Offices.

5 The Clerkes of the Petite Bagge ſhall certifie the tranſcript of all Offices found and returned into the Chauncerie, into the Exchequer, and alſo into the Court of Wards and Liueries. 1.*H.*8.8. 33.*H.* 8.22.

Lancaſter, Cheſter, &c.

6 All Offices found before an Eſchcator, or &c. within the Counties of Lancaſter, Cheſter, and Durham, ſhall bee returned into ſuch Offices as heretofore they haue beene, And then the tranſcript thereof ſhall bee certified into the Court of Wards and Liueries. 18.*El.* 12.

Melius Inquirendum.

7 Where a *Melius Inquirendum* ſhall bee awarded vpon an Office vncertainely found. 2.*Ed.*6.8.

Returned.

8 How, by whom, in what ſort, and within what time, offices ſhall be found and returned. 1.*H.*8.8. 33.*H.*8.22. 23.*H* 6.17. 34.*Ed.*3.13. 36.*Ed.*3.13. 8.*H.*6.16. 18.*H.*6.7.

Trauerſe.

9 Where, and in what caſe, and for what cauſe, any perſon may be allowed to trauerſe an Office. 34.*Ed.*3.14. 2.*Ed* 6 8.

Attainted of treaſon.

10 The lands and goods of any perſon attainted of Treaſon, ſhall bee in the King, without any Office found thereof. 33.*H.*8.20.

1 *Oblations. See Tythes, &c.*

Odio & Atia.

1 In what caſe the Writ of *Odio & Atia* doth lye, or another Writ to that effect. 9.*H.*3.26. 3.*Ed.*1.11. 13.*Ed.*1.29.

Offices, Officers.

No ſuit or reward.

1 None ſhall obtaine certaine Offices by ſuit or reward. 12.*R.*2.2.

Sufficient perſons.

2 Great Officers of the Kings Courts ſhall appoint ſuch Clerkes and vnder Officers which bee ſufficient, faithfull, and for whom they will anſwer. 2.*H.* 6. 10.

No eſtates.

3 Certaine Officers of the Cuſtome-houſe, and elſewere, which ſhal haue no eſtate in their Offices for terme of life, or yeares. 14.*R.*2.10. 17.*R.*2.5. 1.*H.*4.13. 31.*H.*6.5.

Buying and ſelling.

4 The penaltie for buying of any Office, or deputation of Office, or for ſelling of the ſame. 5.*Ed.*6.16.

Acts done by Officers remoueable.

5 All Acts done by an Officer remoueable by force of this Statute, ſhall bee good. 5.*Ed* 6.16.

Concealing rents or profits.

6 The penaltie of Officers of the Court of Wards and Liueries, that doe conceale or withdraw any of the Kings Rents, or any record or profit that may come to the King by the ſame. 32.*H.*8.46. 33.*H.*8.22.

Informations.

7 In what caſes Officers, by reaſon of their Offices, may exhibite Informations. 18.*El.*5. 27.*El.*10. 31.*El.*5.

Diſſeiſin.

8 In what ſort an Officer of the Kings ſhalbe puniſhed, which by colour of his Office doth diſſeiſe any perſon. 3.*Ed.*1.24.

Falſe entries.

9 The forfeitures of the Officers of the Kings bench, or common place, for falſe entries in certaine caſes. 10. *H.6.4.* 18. *H.6.9.*

Inquiry of Officers.

10 In what caſe commiſſions ſhall be awarded to enquire of concealements of Officers accomptable in the Exchequer. 6. *H.4.3.*

No retainer.

11 The Kings Officers ſhall not be vnlawfully retained by any other, nor ſuffer any of his tenants to be retained. 3. *H.7.12.*

Enqueſt.

12 No Sherife ſhall returne vpon an Enqueſt any Officer, or any ſeruant of his. 23. *H.6.10.*

Officers ſued for executing their offices.

13 Iuſtices of Peace, and other his Maieſties Officers, being troubled for the lawfull execution of their Offices, may plead the generall Iſſue, and yet giue ſpeciall matter in euidence. 7. *Iac.5.*

Where the Action hall be laid.

14 An Action brought againſt ſuch an Officer, ſhall be laid in the County where the fact was committed. 21. *Iac.12.*

Churchwardens,&c.

15 Churchwardens, and Ouerſeers of the poore, ſhall be comprehended within the puruiew of 7. *Iac.* 5. 21. *Iac.12.*

Oyle.

earch.

1 WHo may ſearch for Oyle brought into London, and who elſewhere, and in what ſort they may puniſh offendors. 3. *H.8.14.*

Ordinarie.

he goods of an nteſtate.

1 HOw farre an ordinary ſhall be charged to whoſe hands the goods of an Inteſtate doth come. 13. *Ed.1.19.*

dicted of extortion

2 No Ordinary or any Miniſter of his, ſhall be indicted of extortion or oppreſſion generally, but it muſt be put in certaine of what thing, and in what manner the offence was done. 25. *Ed.3.9.*

ſitation.

3 Religious houſes that were ſuppreſſed ſhall be within the viſitation of the Ordinary. 31. *H.8.13.*

ythes.

4 The Ordinaries authority and duty, when any queſtion for tithes ſhall come before him. 32. *H.8.7.* 27. *H.8.20.* 2 *Ed.6.13.*

hiding in a Church

5 The Ordinary may ſuſpend him which chideth in a Church, or Church-yard. 5. *Ed.6.4.*

continency.

6 The Ordinaries authority in puniſhing the incontinency of Eccleſiaſticall perſons. 1 *H.7.4.*

tice of Lapſe.

7 In what caſe the Ordinary muſt giue the Patron notice of depriuation ſix moneths before Lapſe. 13. *Eliz.12.*

ſitation of Hoſpi- ls.

8 An Ordinary may viſit Hoſpitals within his Dioceſſe. 2. *H.5.1.*

ouing of Teſta- nts, &c.

9 The Ordinaries duty in prouing of Teſtaments, and granting of Admiſtration. 21. *H.8.5.*

nterpleading.

10 The Ordinary for a benefice fallen to him by Lapſe, may counterplead the Kings Tytle. 25. *Ed.3.7.*

Schoolemaſter.

11 In what caſe a man ſhall not keepe a Schoolemaſter in his houſe, vnleſſe the ſame Schoolemaſter be allowed by the Ordinary of the Dioceſſe. 23. *El.1.* 1. *Iac.4.*

anſcript of an In- ctment.

12 In what caſe a tranſcript of an Indictment ſhall be deliuered to the Ordinary. 34. *H.8.14.*

ſtardy.

13 Ordinaries ſhall certifie Baſtardy, and the manner how it ſhall be done. 9. *H.6.11.*

onius opinions.

14 Such Eccleſiaſticall perſons as maintaine and perſiſt in erronious opinions of Religion, ſhall be puniſhed by their Ordinaries. 13. *El.12.*

Oatmeale.

rrupt.

1 THe puniſhment of him which ſelleth corrupt Oatmeale, the firſt, ſecond, third, or fourth time. 51. *Edw.1.*

1 *Outlarie.* S. *Exigent.*

1 *Ouſter le maine.* S. *Liuerie.*

Painters.

Plaiſterer a ine.

1 NO Plaiſterer ſhal be a Painter ſtainer in Londō, or the Liberties therof, Or ſhall make any work of painting but in certaine caſes. 1. *Iac.20.*

ages.

2 How much a Painter or Painters ſeruant may take by the day for worke. 1 *Iac.20.*

Pardon.

The Kings oath ſaued.

1 NO pardon of felony, robbery, or homicide ſhall be granted, but where the King may doe it ſauing his oath, 6. *Ed.1.9.* 2 *Ed.3.2.* 4. *Ed.3.13.* 10. *Ed.3.2.* 14. *Ed.3.15.*

An vntrue ſuggeſtion

2 If a Pardon of felony be granted at another mans ſuggeſtion, and that be found vntrue, the Pardon ſhall be diſallowed. 27. *Ed.3.2.*

The offence ſpecified

3 In a Pardon of Murder, Treaſon, Rape, &c. the offence committed ſhall be ſpecified. 13. *R.2.1.*

Suit for an Approuer.

4 If any perſon doe ſue for the Pardon of an Approuer, the name of him which maketh the ſuit ſhall be put in the Charter. 5. *H.4.2.*

Sureties for good abearing.

5 He that hath a Pardon of Felony, ſhall find ſureties in the Chancery for his good abearing. 10. *Ed.3.3.*

Outlawries vpon proceſſe or iudgement.

6 What things be requiſite to be done before Pardons of Outlawry vpon Proces or Iudgement ſhall bee allowed. 5. *Ed.3.12.*

None may pardon but the King.

7 None haue authority to Pardon felons, &c. but the King. 27. *H.8.25.*

No barre.

8 In what caſe the Kings Pardon ſhall bee no barre againſt the party that ſhall ſue an action. 3. *H.8.12.*

Alienation.

9 A Pardon of Alienation muſt bee ſued by thoſe to whom Lands holden *in Capite* be deuiſed. 34. *Hen.8.5.*

Sherifewicke.

10 A Pardon for the occupying of a Sherifewicke aboue one yeare. 23. *H.6.8.*

Parliament.

Each man vpon ſummons ſhall appeare.

1 EVery perſon ſhall vpon ſummons come vnto the Parliament, except he hath a reaſonable excuſe. 5. *R.2.4.*

Departure without licence.

2 The forfeiture of him which ſhall depart from the Parliament without licence. 6 *H.8.16.*

Not returning of Cities or Boroughs.

3 The forfeiture of a Sherife which doth leaue out any Cities or Boroughes bound to come to the Parliament in his returne of Writs of the Parliament 5. *R.2.4.*

Election of Knights.

4 The manner, time, and place of election of knights for the Parliament, who ſhal be the chuſers, and the Sherifes forfeiture omitting his duty. 7. *Hen.4.15.* 11. *Hen.4.1.* 1 *Hen.5.1.* 8 *Hen.6.7.* 10 *Hen.6.2.* 23. *Hen.6.15.* 6. *H.6.4.*

Election of Citizens and Burgeſſes.

5 The manner of election of Citizens and Burgeſſes for the Parliament, And the forfeiture of euery Sherife that maketh returne contrary to the Statute. 23. *H.6.15.*

Puniſhment for vnlawfull returning.

6 The puniſhment where a Knight or Burgeſſe being choſen, is put out, and another put in his place. 23. *Hen.6.15.*

Who ſhall be Knights and Burgeſſes.

7 What ſort of men ſhall bee choſen Knights of the Shires, and Citizens and Burgeſſes of Cities and Boroughs. 23. *H.6.15.* 1. *H.5.1.*

The Kings confirmation.

8 The Kings aſſent by his Letters Patents vnder his great Seale, and aſſigned with his hand, ſhall be of as good force, as if hee were perſonally in Parliament. 33. *H.8.21.*

Land contributory.

9 Lands that haue beene contributory to the wages of the Knights of the Shire, ſhall ſo continue, though any Lord doe purchaſe them. 12. *R.2.12.*

Knights wages.

10 The order of leuying the wages of Knights of the ſhire after a Parliament ended. 23. *H.6.11.*

Delayes of iudgement.

11 Delaies of iudgement in other Courts ſhall be redreſſed in Parliament. 14. *Ed.3.5.*

Aſſaults.

12 How they ſhall be puniſhed which doe aſſault any Lord, Knight, or Burges of the Parliament, or any of their ſeruants. 11. *H.6.11.* 5. *H.4.6.*

The oath of Supremacy.

13 How he ſhall be vſed which entreth into the Parliament houſe without taking the oath of Supremacy. 5. *El.1.*

Wales.

14 Knights and Burgeſſes of Parliament ſhall bee choſen in euery City, Borough, and Towne corporate in Wales. 27. *H.8.26.* 35. *H.8.11.* 34 *H.8.*

Cheſter.

*15 There ſhall be two Knights for the County, and two Citizens for the City of Cheſter for euery Parliament. 34. *H.8.13.*

Liberties of Conuocation.

16 They which come to the conuocation ſhall haue ſuch liberty as they which come to the Parliament. 8. *H.6.1.*

No Appeale.

17 No Appeale ſhall bee ſued in the Parliament. 1. *H.4.14.*

Free ſpeech.

18 None ſhall be troubled for free ſpeeches in the Parliament. 4. *H.8.8.*

Wages in the County of Cambridge.

19 The wages of the Knights of the Parliament in the County of Cambridge.34. *H*.8.24.

The Lords places in Parliament.

20 An order how all the Lords ſhall be placed in the Parliament houſe,and other aſſemblies of Councels. 31. *H*.8.10.

Impoſitions of wools, &c.

21 No impoſition or charge ſhall be ſet vpon wools, fells,or leather,without aſſent of Parliament. 45.*Ed*.3.5.

New treaſons.

22 Treaſon newly called in queſtion ſhall be firſt adiudged in Parliament. 25.*Ed*.3.2.

1 *Parkes.* S. *Forreſts.*

1 *Partridges.* S. *Feaſants.*

Partition,Parceners.

How lands holden in Capite.

1 HOw Partition ſhall be made betweene Coparceners of Lands holden of the King *in capite*. 17. *Ed*.2.5.14.*H*.3. Stat.*Hibernie*.

Ioyntenants and tenants in common.

2 All iointenants and tenants in common of any eſtate of inheritance,may be compelled to make Partition betweene them. 31.*H*.8.1.

Ioyntenants,&c. for life or yeeres.

3 All iointenants and tenants in common which hold iointly, or in common, for terme of life or yeeres, may be compelled to make Partition.32.*H*.8,32.

Vſurpation.

4 How much the vſurpation of a Coparcener vpon his Coheire ſhall preiudice him in his preſentation. 13. *Ed*.1. 5.

Gauelkind.

5 In what manner, and by whom Partition of lands ſhall be made in Gauelkind in Kent. 17.*Ed*.2.16.

Fourch.

6 Parceners ſhall not fourch by Eſſoine.3.*Ed*. 1.42.

Patents.

The date.

1 THe Kings Letters patents ſhall beare date the day of the deliuery of the warrant into the Chancerie. 18. *H*.6.1.

Granted formerly during the K. pleaſure.

2 What ſhall be expreſſed in a bill of petition exhibited to the King for any Land,Office,or other things before granted to ſome other during the Kings pleaſure. 6.*H*.8.15.

A confirmation of King H. 8.

3 A confirmation of the Patents and other writings of K.*H*.8.made ſince 4 *Februarii,an*.27.of his reigne,and to be made ſeuen yeeres after,notwithſtanding any miſnaming, &c. And alſo a confirmation of all aſſurances made to the ſaid King, during the ſaid terme. 34. *Hen*. 8.21.

A confirmation of King Ed. 6.

4 A confirmation of all Letters Patents,&c.made to any perſon by King *Ed*.6. ſithence 28.*Ianuar.ann*.1.of his reigne, and to be made during the ſaid Kings life, notwithſtanding,&c.1.*Ed*.6.8.

Confirmation of K. H.8. & K.Ed.6.

5 A confirmation of all Letters Patents made by K. *H*.8.ſithence 4.*Februar.an*.27. of his reigne,and by King *Ed*. 6. ſithence 28. *Ianuar. anno* 1. of his reigne,or to bee made during his life, of bargaines and ſales, gifts, exchanges,&c. Notwithſtanding,&c. 7.*Edw*.6 3.

A confirmation of K.Ph.& Q. M.

6 A confirmation of all Letters Patents,&c. made by King *Phil*.and Queene *Mar*.ſithence 7.*Iulii*, *anno* 1. of her reigne,vntill 8.*Mart.anno Dom*.1557.and to be made during ſeuen yeeres after. 4.& 5.*Phil*. & *Mar*.1.

A confirmation of Q.El. firſt Letters Patents.

7 A confirmation of all Letters Patents,&c. made by Queene *Eliz*.ſithence 18.*Nouembr.anno* 1.of her reigne, Any miſnaming,&c. Notwithſtanding,or to be made 7. yeeres after, And alſo a confirmation of all aſſurances made or to be made to the ſaid Queene, during the ſaid terme.18.*El*.2.

Ouerplus.

8 How the Qu. ſhall be anſwered for the ouerplus of the value of lands granted by her Letters Patents. 18. *El*.2.

Grants to which this Stat. extendeth not.

9 Seuerall Patents or Grants whereunto this Stat.of 18 *El*. doth not extend 18.*El*.2.

A ſecond confirmation made by Q. El.

10 A confirmation of all Letters patents,&c made by Queene *Elizab*. ſithence 8.*Februar.anno* 25.of her reigne and to bee made within one yeere then next enſuing, Any miſnaming, &c. Notwithſtanding, And alſo a confirmation of all Aſſurances made or to bee made to the ſaid Queene during the ſaid terme.43 *Eliz*.1.

Ouerplus.

11 How the Queene ſhall be anſwered for the ouerplus of the value of lands granted by her Letters patents. 43 *El*.1.

Grants to which this Stat. extendeth not.

12 Seuerall Letters Patents or Grants whereunto this Statute of 43.*Eliz* doth not extend.43.*El*.1.

Abbey lands put in charge.

13 A confirmation of the Grant of all Abbey lands which came to the poſſeſſion of King *Hen*.8. or were put in charge in any Court, or by any Officer for him, or were granted by him to any perſon, &c. 35.*El*.3.

Deane and Chapter.

14 A confirmation of all Letters patents made by K. *Hen*.8.for the foundation of any Deane and Chapter,or College.35 *El*.3.

Of a ward.

15 Within what time a Patent ſhall be ſued forth of a Wardſhip granted by the King. 32.Hen 8.46.

Of a Liuery.

16 Within what time a Patent ſhall be ſued forth of a Liuery granted by the King.33.*Henrici octaui* 22.

Enqueſt before an Eſcheator.

17 Within what time a Patent may bee granted of lands ſeiſed into the Kings hands vpon an Enqueſt taken before an Eſcheator. 36.*Ed* 3 13. 8.*H*.6.16. 18.*Hen*. 6.6.1.*H*. 8. 10.

Aſſiſe.

18 In what caſe an Aſſiſe doth lie againſt the Kings Patentee. 1.*H*.4.8.

Patents made to Sheriffes,&c.

19 A Patent granted of the Office of a Sheriffe or Vnderſheriffe in fee, for life, or yeeres, ſhall be void. 14. *Ed*.3.7. 42.*Ed* 3 9. 1. *Rich*.2.11. 23.*Hen*.6.8.

Not without ſpeciall words.

20 Knights Fees, Aduowſons, and Dowers, doe not paſſe by the Kings Patent without ſpeciall words. 17. *Ed*.2. 15.

Eſcheator.

21 How long a Patent made to an Eſcheator for that Office ſhall indure.14 *Ed*.3.8. 1.*H* 8 8.

Officer remoueable.

22 Of what offices there ſhalbe no eſtate granted by Patent,but the Officers ſhall be remoueable. 14 *R*.2.10. 17.*R*.2.5. 1.*H*.4.13. 31.*H*.6.5.

Victualler to be a Purueyor.

23 A Patent made to a Victualler to be Purueyor for the Kings Carriage, ſhall be void. 28.*H*.6.2.

A Denizen.

24 What things ſhall be put in euery Patent granted to make an Alien Denizen. 32.*H*.8.16.

An Exemplification.

25 An Exemplification of a Patent ſhall bee of the ſame force that a Patent is. 3.*Ed*.6.4. 13.*Eliz*.6.

Retainer.

26 Where a Patent may be made void by being retained,wearing a Liuery,or doing ſeruice to another. 3. *H*.7.12.

Earledome of March.

27 All Patents and Grants made by the King of any parcels of the Earledome of March, ſhall be vnder the great Seale. 4.*H*.7 14.

Non payment of rent.

28 No aduantage ſhall be taken againſt the Kings Patentees for non payment of rent,&c.21 *Iac*. 25.

Duchy of Cornewall.

29 A confirmation of all Leaſes made by the King when he was Prince, of the Duchy lands of Cornewall. 21.*Iac*.29. 2 *Car*. 2.

Periurie.

Procurement.

1 THe puniſhment of him which doth procure wilfull Periury. 5 *El*.9.29.*El*.5.32.*H* 8.9.

Committing.

2 The penalty of him which doth commit wilful periury.5.*El*.9.29.*El*.5.

Determining of offences.

3 What Courts or Officers haue authority to inquire of, heare, and determine the offences of wilfull Periury. 5 *El*.9. 29.*El*.5.

Attaint.

4 Where, in what places, and in what manner Periury ſhall be puniſhed by Attaint. 23. *Hen*.8 3. 11. *Hen*. 7. 21.

1 *Petitions to the King, or in the Chancery.* S. *Accuſation.*

Pewter,Braſſe,Pewterers.

Where ſale ſhall be.

1 NOne ſhall ſell Pewter, or Braſſe, but in open Faires or Markets, or in their owne houſes, 19. *H*.7 6. 4.*H*.8 7. 25.*H*.8 9.

The goodneſſe.

2 Of what goodneſſe Pewter and Braſſe ought to be. 19.*H*.7 6 4.*H*.8.7. 25.*H* 8 9.

The aſſiſe and markes.

3 Of what aſſiſe hollow ware of Pewter ſhall be, and the makers of ſuch wares ſhall marke them with their owne ſeuerall markes. 19.*H*.7.6. 4 *H* 8.7. 25.*H*.8.9.

Falſe weights.

4 The penalty for occupying of falſe beames or weights in the buying or ſelling of Braſſe or Pewter. 19. *H*.7 6 4.*H*.8.7.

Searchers.

5 Searchers ſhall be appointed of Pewter and Braſſe, and what they may doe by their authority. 4 *H*. 8.7. 25. *H*.8.9 33. 8.4.

Made out of the Realme.

6 The penalty if any perſon buy, or take by exchange any wares made out of this Realme of Tin or Pewter. 25.*H*.8,9. 33.*H*.8.4.

Stranger.

7 No ſtranger borne ſhall worke any veſſell,or other

ware made of Tin or Pewter within this Realme. 25. *H.* 8.9 33.*H*.8.4.

ntine country.

8 No Pewterer ſhal teach or vſe his trade in a forreine Country. 25.*H*.8.9. 33.*H*. 8.4.

Phiſitions.

dy corporate.

1 KIng *Hen.* 8. by his Letters patents made the Phiſitions in London a College or body Corporate, enabled them yeerely to chuſe a Preſident, to haue a common ſeale, to purchaſe lands, to ſue and to be ſued, and to make ordinances, &c. which Letters patents were confirmed by the Statutes of 14.*Hen*.8.5.1.*Mar*.9.

Elects of a ſident.

2 There ſhall be eight Elects of the ſaid Comminalty, whereof one of them yeerely ſhall be choſen Preſident. 14.*H*.8.5.

iſoner.

3 Euery perſon committed to priſon for any offence by the Preſident of the ſaid College ſhall be receiued, and ſafely kept vntill hee bee thereof diſcharged. 1. *Mar*. 9.

ſhall not be in ine offices.

4 Phiſitions in London ſhall be diſcharged to beare certaine offices there 32.*H*.8.40.

wance by a op.

5 Euery Phiſition ſhall be allowed by the Biſhop of the ſame Dioces. 3.*H*. 8. 11.

whom allowed.

6 Euery Phiſition through England (ſauing Graduates in Oxford or Cambridge) ſhall be examined, and approued by the ſaid Preſident, and three Elects. 14. *Hen*.8.5.

rchers of Apoaries wares.

7 Foure Phiſitions in London ſhall bee appointed to ſearch Apothicaries wares there, And the penalty of thoſe that refuſe to be ſearchers, or to be ſearched. 32 *H*. 8.40.1. *Mar*.9.

ſtance.

8 Other Magiſtrates ſhall aſſiſt the Phiſitions of London to ſearch. 1. *Ma*.9.

ctiſing Surgery.

9 In what ſort the Phiſitions of London may practiſe Surgery. 32.*H*. 8.4.

Piracie.

ill.

1 BEfore whom, and in what places, triall of offences done by Piracy, and within the Admirals iuriſdiction ſhall be made. 28.*H*.8.15.

eſſity.

2 A prouiſion for things taken vpon the Sea for neceſſity, and preſently payd for. 28.*H*.8.15.

Plague.

ing for reliefe.

1 THe chiefe Officers of Cities and Corporate Townes ſhall tax the Inhabitants thereof, and all lands within the precinct thereof, for the reliefe of ſuch as ſhall be ſicke of the Plague there. 1.*Iac*.31.

prouiſion where habitants want ility.

2 A prouiſion for the reliefe of the ſicke of the Plague, where the Inhabitants of the City or Towne are not able to maintaine them. 1. *Iac.* 31.

here no Iuſt. of ace be.

3 A prouiſion for the reliefe of the ſicke of the Plague in ſuch places where there bee no Iuſtices of Peace. 1. *Iac*.31.

punishment for infected diſobeent.

4 A meane to reſtraine or puniſh any perſon infected with the Plague, commanded to keepe his houſe and diſobeying. 1.*Iac*.31.

tendance.

5 Attendants ſhall be appointed vpon thoſe which ſhall be infected with the Plague. 1.*Iac*.31.

e authority of ers.

6 The Vniuerſities, Cathedrall Churches, and other places excepted, which ſhall haue ſuch authority as other chiefe Officers haue. 1.*Iac*.31.

Playes and Games.

ouſes of vnlawfull ames.

1 THe penalty for maintenance of houſes of vnlawfull Games, and for thoſe that play thereat. 33.*H*. 8.9.

e contents of a ackard.

2 What ſhall be contained in euery Plackard granted by the King to haue common Gaming in his houſe. 33.*H*,8.9. 2.& 3. *P*.& *M*.9.

ho may play, and ho not.

3 What ſort of perſons bee prohibited to Play at vnlawfull Games, and who may Play by licence. 33.*Hen*. 8.9.

arching for Offenors.

4 Magiſtrates ſhall make often ſearch in the houſes where vnlawfull Games be vſed, and repreſſe and puniſh the Offendors. 33.*H*.8.9.

buſing Gods name.

5 The forfeiture of Players which in any interlude, &c. doe abuſe the name of God. 3. *Iac.* 21.

Pleading, Pleaders.

In what language.

1 ALl Pleas which are to be pleaded in any Court, ſhall be pleaded in the Engliſh Tongue, and ſhalbe entred and enrolled in Latin. 36.*Ed*.3.15.

Officers plea.

2 If a ſuit ſhall be brought againſt any of the Kings Officers, for doing of a thing concerning his Office, the defendant may plead the generall Iſſue, not guilty, and giue the ſpeciall matter in euidence. 7. *Iac*.5.21.*Iac*.12.

A Pleader deceiuing.

3 The penalty of Pleaders, which doe deceiue the Court, or the party. 3.*Ed*.1.29.

Poore people.

Helping them in their ſuits.

1 A Meane to helpe and ſpeed poore people in their ſuits. 11.*H*.7.12.

Ouerſeers.

2 Who ſhall be Ouerſeers of the poore of a Pariſh, and what their duty is, and before whom they ſhall account. 43.*El*.2.

Not able to relieue.

3 A prouiſion where the Inhabitants are not able to relieue the poore of their Pariſh 43.*El*.2.

Leuying of Aſſeſſement.

4 A remedy for the leuying money aſſeſſed toward the reliefe of the poore. 43.*El*.2.

Refuſing to worke.

5 The Iuſtices of Peace may ſend to the Houſe of Correction, or common Gaole, ſuch poore perſons, as being appointed to worke, refuſe. 43.*El*.2.

Trade.

6 The Ouerſeers may ſet vp any trade to finde the poore worke. 3. *Car*.4.

Binding Apprentices.

7 The Ouerſeers of the poore may bind the children of poore perſons Apprentices. 43.*El*.2. 1.*Iac*.25. 21.*Iac*. 28, 3.*Car*.4.

Building of houſes.

8 The Ouerſeers may build houſes for poore people to inhabit, vpon Waſtes or Commons, by the conſent of the Lord of the Manor. 31.*El*.7. 43.*El*.2.

A remedy for the party grieued.

9 A remedy for them which find themſelues grieued for any taxation for the poore. 43.*El*.2.

Reliefe by parents or children.

10 Poore perſons not able to worke, ſhall be relieued by their parents, or their children of ability. 43.*El*.2.

Officers of corporate Townes.

11 Head Officers of corporate Townes haue ſuch authority within their Limits, as Iuſtices of Peace. 43. *El*.2.

A Pariſh within two Counties.

12 Who ſhall deale in the execution of this Statute, if a Pariſh doe lye within two Counties. 43.*El*.2.

Not naming Ouerſeers.

13 The forfeiture of Iuſtices of Peace and head Officers of corporate Townes, for not naming Ouerſeers. 43.*El*.2.

The priſoners in the K. Bench, &c.

14 The Iuſtices of Peace ſhall rate euery Pariſh to a weekely ſumme, for the reliefe of the priſoners in the Kings Bench, the Marſhalſey, and the Hoſpitals in that County. 43.*El*.2.

Who ſhall pay the money taxed, and to whom.

15 The Churchwardens of euery Pariſh ſhall collect and pay the ſaid ſummes ſo aſſeſſed to the high Conſtables, and they to the Treaſurers, and they to the chiefe Iuſtice of England and Knight Marſhall 43.*El*.2.

Surpluſage.

16 How the ſurpluſage of money which ſhall be remaining of the Stocke of any County, ſhalbe imployed. 43.*El*.2.

The Treaſurers penalty.

17 The penalty of him which refuſeth to be Treaſurer, or to giue reliefe as he ſhall be appointed, or to account. 43.*El*.2.

The Iſle of Fowlnes

18 A prouiſion for the reliefe of the poore people inhabiting in the Iſle of Fowlnes, in the County of Eſſex. 43.*El*.2.

Houſes of Correction.

19 Any perſon may giue land holden in ſocage for the maintenance of houſes of Correction. 18.*El*.3.35.*El*.7.

1 *Poſt-diſſeiſin.* S. *Rediſſeiſin*, &c.

1 *Powle dauie.* S. *Mildernex*, &c.

Prerogatiue, Preheminence.

Wardſhip.

1 THe King ſhal haue the Wardſhip of all their lands, which hold of him in chiefe by Knights ſeruice, whereof the tenants were ſeiſed in fee the day of their death. Except, &c. 17 *Ed*.2.1.

Marriage.

2 The King ſhall haue the marriage of an heire being within age and in his cuſtody. 17 *Ed*. 2.2.

Primer ſeiſin.

3 The King ſhall haue primer ſeiſin after the death of thoſe which hold of him in chiefe, of all their lands whereof they were ſeiſed in fee. 17 *Ed*.2.3. 52.*H*.3.16.

Aſſignement of Dower.

4 The King ſhall aſſigne to Widowes, after the death of their Husbands, the Dower that to them belongeth. 17.*Ed*.2.4. 9 *H*.3.7. 32.*H*.8.46.

A woman not marriageable.

5 How a Woman ſhall be vſed, that is married before the death of her Anceſter, before ſhee bee marriageable, that holdeth of the King in chiefe. 17.*Ed*.2.6.

Seuerall Coparceners.

6 How an Inheritance ſhall be diuided, that is holden of the King in chiefe, which doth deſcend to ſeuerall Coparceners. 17.*Ed*.2.5.

Alienation without licence.

7 Lands holden of the King in chiefe by Knights ſeruice, may not be aliened without his licence. 17.*Ed*.2.7. 9.*H*.3.32.

Serieanty.

8 He that holdeth his lands of the King by Serieanty, and alieneth the ſame without licence, ſhall pay a fine, but the lands ſhall not be forfeited. 17.*Ed*.2.7. 9.*H*.3.31. 1.*Ed*.3.12.& 13. 1.*Ed*.6.4.

Lapſe.

9 Lapſe of ſix moneths ſhall not preiudice the Kings preſentation to a Church. 17.*Ed*.2.8.

Naturall fooles.

10 The King ſhall haue the cuſtody of lands of naturall fooles, and take the profit thereof without waſt. 17.*Ed*.2.9. 32.*H*.8.46.

Lunatikes.

11 The King ſhall haue the preſeruation of the lands of Lunatikes. 17.*Ed*.2.10.

Wreck of the Sea.

12 The King ſhall haue the wreck of the ſea thorow the Realme, and Whales, and Sturgeons. 17.*Ed*.2.11.

Intruders.

13 The King ſhal enioy the lands of his tenant, that doth intrude vpon his Poſſeſſion, before Homage done, and Seiſin deliuered. 17 *Ed*.2.13.

Purpreſtures.

14 If any ſhall make a Purpreſture or Vſurpation vpon the Kings land, the King ſhall reſeiſe the land. 4.*Ed*.1.4. *De Bigamis*.

Biſhops freeholders.

15 The King ſhall haue the Eſcheat of Biſhops freeholders, attainted of felony during the vacation. 17.*Ed*.2.14.

No paſſe without ſpeciall words.

16 Knights fees, Aduowſons, and Dowers, ſhall not paſſe by the Kings Grant, without ſpeciall words. 17.*Ed*.2.15.

The lands and goods of Felons.

17 The King ſhall haue the goods of all Felons attainted, *& Annum, Diem, & Vaſtum*, in their lands, ſauing in certaine places. 17.*Ed*.2.16. 9.*H*.3.22.

Pardons and making of Iuſtices.

18 No perſon ſhall haue authority to pardon treaſons or felonies, or to make Iuſtices, but only the King. 27.*H*.8.25.

In the Kings name.

19 All Writs, and Indictments, and all Proceſſe to be made vpon the ſame within any Liberty, ſhall be made onely in the name of the King, and the offence ſhall bee ſuppoſed to be done againſt the Kings peace. 27.*H*.8.25.

Forfeitures.

20 The King ſhall haue all fines and forfeitures of all Officers of Liberties, for any miſdemeanour concerning their offices. 27.*H*.8.25.

The Kings children inheritable.

21 The Kings prerogatiue, that his children borne beyond the ſea, ſhall be inheritable in England. 25.*Ed*.3.

Preferment of Suits, and recouery of Debts.

22 The Kings prerogatiue in the preferment of his Suits, and recouerie of his Debts. 33.*Hen*.8.39. 9.*Hen*.3.18.

No Coſts.

23 The Kings Prerogatiue, in that the defendants ſhall not recouer any coſts againſt any ſuch plaintife as ſhall ſue to his vſe. 24.*H*.8.8.

No fine a barre.

24 The Kings Prerogatiue, that a fine ſhall not barre the heire of a tenant in tayle of lands whereof hee is in reuerſion. 32.*H*.8.36.

No barre to the heire in tayle.

25 The Kings Prerogatiue, that a fained recouerie ſhall not barre the heire of a Tenant in tayle of lands whereof he is in reuerſion. 34.*H*.8.20.

1 *Preſcription.* S. *Limitation of preſcription.*

Preacher and preaching.

Diſturbance.

1 THe puniſhment of him which doth diſturbe a Preacher in the time of his Sermon, and of him that doth reſcue the Offendor, or hinder the apprehenſion of him. 1.*Mar*.3.

The eſcape of a diſturber.

2 The puniſhment of the Towne, where he that doth diſturbe a Preacher in the time of his Sermon, doth eſcape. 1.*Ma*.3.

Præmunire, Prouiſion.

Suit in a forreine Realme, and impeachment of Iudgement.

1 P*Ræmunire* by reaſon of a ſuit in a forreine Realme, or by impeachment of a Iudgement giuen in the Kings Court. 27.*Ed*.3.1.

Taking a Benefice.

2 *Præmunire* by taking of a benefice within the Realme of an Alien, without the Kings licence, or for conueying of money or other commodities to an Alien. 3 *R*.2. 3.7. *R*.2.12.

An Alien taking Benefice.

3 If any Alien ſhall take a Benefice within the Realme without the Kings licence, he ſhall be within the danger of *Præmunire*. 2.*R*.2.12.

Bulls from Rome.

4 *Præmunire* for purchaſing Bulls or other Inſtruments from Rome, which doe touch the King, or bee againſt him, his Crowne, or Realme. 16.*R*.2.5.

No killing of an attainted.

5 No man ſhall ſlay him which is attainted in a *Præmunire*. 5.*El*.1.

The Oath of Supr macy.

6 *Præmunire* for refuſing to take the Oath for the Queenes ſupreme Gouernment ouer all Eſtates. 5.*El*.1.

The authority of t Biſhop of Rome.

7 *Præmunire* for ſetting forth or maintaining the Authority of the Biſhop or See of Rome. 5.*El*.1.

Maintainers of the ſame authoritie.

8 *Præmunire* by ayding or maintaining any Offendor after the offence, to the intent to ſet forth the power of the Biſhop or See of Rome. 13.*El*.2.

Agnus Dei, &c.

9 *Præmunire* by deliuering or receiuing any *Agnus Dei*, Croſſes, Pictures, or ſuch like, from Rome. 13.*Elizab*.2.

Not admitting a Biſhop.

10 *Præmunire* for not electing, not certifying, or not admitting any Biſhop preſented. 25.*Hen*.8.20. 1.*Elizab*.1.

Not certifying the name of the bring of an Agnus Dei.

11 *Præmunire* in a Iuſtice of Peace, for not certifying the name of him which bringeth any *Agnus Dei*, Croſſes, or Pictures. 13.*El*.2.

Richmond.

12 *Præmunire* in ſpirituall perſons within the Archdeaconry of Richmond, taking more for probate of Teſtaments than is lawfull. 26.*H*.8.15.

For Appeales.

13 *Præmunire* for ſuing of Appeales, or for refuſing to obey all things compriſed in the Statute prouided for ſuing of them. 24.*H*.8.12. 25.*H*.8.19. 1.*El*.1.

Brokers in Vſury.

14 Brokers of Bargaines contrarie to the Statute of 37.*Hen*.8. prouided againſt Vſury, ſhall be puniſhed as Councellors, Atturneyes, or Aduocates, in caſe of *Præmunire*. 13.*El*.8. 39.*El*.18.

For troubling of Abbey lands.

15 *Præmunire* for moleſting any perſon for any lands of any Abbey, Priory, College, Chantry, &c. 1.& 2.*Ph*.& *Mar*.8. 1.*El*.1.

Sending reliefe to Seminaries.

16 *Præmunire* for deliuering or ſending any reliefe to a Ieſuit, Prieſt, or other, remaining in any College of Ieſuits. 27.*El*.2.

1 *Prieſts.* S. *Ieſuits.*

Priſon, Priſoners, Gaole, Gaolers.

The Sheriffe ſhall haue the keeping.

1 IN what Gaole euery Offendor ſhall be impriſoned, And the Sheriffe ſhall haue the cuſtody and keeping of euery of the Kings common Gaoles, and the priſoners of the ſame. 5.*H*.4.10. 14 *Ed*.3.10. 19.*H*.7 10.

To become an Approuer.

2 It ſhall be felony for the keeper of a Priſon to cauſe a priſoner by dureſſe to become an Approuer. 14.*Edw*.3.10.

Certifying the names of priſoners.

3 The Sheriffe ſhall certifie at the next Gaole deliuery the names of euery priſoner in his keeping. 3.*Hen*.7.3.

Reliefe of priſone

4 The Iuſtices of Peace ſhall tax euery Pariſh within the Shire at reaſonable ſummes of money, towards the reliefe of the Priſoners within the common Gaoles of the ſame Shire. 14.*El*.5. 1.*Iac*.25.

Breaking of priſon.

5 In what caſe it ſhall be felony in a priſoner to breake Priſon. 1.*Ed*.2.

Receiuing of priſoners.

6 Sheriffes and Gaolers ſhall receiue Priſoners brought vnto them, without taking any thing therefore. 4.*Ed*.3.10.

At whoſe charge conueyed to priſon.

7 In what caſe an Offendor ſhall be conueyed to the Gaole at his owne charge, and in what at the charge of the Pariſh. 3 *Iac*.10.

Remouing.

8 No *habeas corpus* ſhall bee granted to remoue any priſoner out of a Gaole, or to remoue any recogniſance, except it bee ſigned with a Iuſtices hand of the ſame Court. 1.& 2.*Ph*.& *Ma*.13.

Remanding of Priſoners.

9 The Iuſtices of the Kings Bench may ſend downe Priſoners, and their Indictments, to bee tryed in the Country. 6.*H*.8.6.

Seiſer of a priſoners goods.

10 A priſoners goods ſhall not be ſeiſed, vntill he bee attainted. 1.*R*.3.3.

Examination.

11 A Iuſtice of Peace ſhall examine an offendor, and

put his examination in writing, before he commit him to priſon. 2. & 3. *Ph. & Ma.* 10.

Not receiuing, or eſcaping.

12 In what caſe the keeper of a priſon ſhalbe charged for not receiuing or letting goe a priſoner offered or committed to his cuſtody. 13. *Ed.* 1. 13. 1. *Ma.* 9. 11. *Ed.* 1. *Acton Burnel.* 13. *Ed.* 1. *de Mercatoribus.*

Probat of Teſtaments, and Adminiſtration.

Goods of ſmall value.

1 NOthing ſhall be taken for the Probat of a Teſtament or Commiſſion of Adminiſtration, where the goods exceed not 100. ſhillings. 21. *H.* 8. 5.

The goods not exceeding 40. pounds.

2 What ſhalbe taken for the Probat of a Teſtament, where the goods exceed not 40. pounds. 21. *H.* 8. 5.

Exceeding 40. pounds.

3 What ſhalbe taken for the Probat of a Teſtament, where the goods doe exceed 40. pounds. 21. *H.* 8. 5.

Adminiſtration.

4 To whom the Ordinary ſhall grant Adminiſtration of the goods of one dying inteſtate, or if the Executors named, refuſe to proue the Teſtament. 21. *H.* 8. 5.

Adminiſtration at the Ordinaries will.

5 In what caſe it ſhall be in the Ordinaries liberty, to what perſons he will grant the Adminiſtration of the goods of the Inteſtate. 21. *H.* 8. 5.

The Ordinaries fees.

6 How much an Ordinary ſhall take for granting an Adminiſtration. 21. *H.* 8 5.

An Inuentory.

7 An Inuentory indented ſhall be made of the goods of the deceaſed. And by whom the ſame Inuentory ſhall be made, and who ſhall haue the keeping thereof. 21. *H* 8. 5.

Lands deuiſed to be ſold.

8 If any perſon deuiſe any lands to be ſold, the money thereof comming, ſhall not be accounted any the goods of the deceaſed 21. *H.* 8. 5.

The fees for a Copy of a Teſtament, &c.

9 What ſhall be payed to the Ordinary or his Miniſters for a Copy of a Teſtament, or Inuentory. And the forfeiture of him that taketh more than is due vnto him by this Statute. 21. *H.* 8. 5.

Prouing the Wills.

10 Executors may be conuented before the Ordinary, to proue the Will of the deceaſed, or to bring in his Inuentory. 21. *H.* 8. 5.

Richmond.

11 What ſhall be due to any ſpirituall perſon after the deceaſe of any party dying within the Archdeaconry of Richmond in Yorkeſhire. 26. *H.* 8. 15.

Proces.

Where the Contract was made.

1 WRits of debt, accompt, and all other ſuch actions, ſhall be brought in the Counties where the Contracts were made 6 *R.* 2. 2.

Action of Caſe.

2 There ſhall be like Proces in an Action vpon the caſe, as in Actions of treſpaſſe, or debt. 19. *H.* 7. 9.

The Statute of 5. R. 2.

3 What Proces ſhall be awarded in an Action of treſpaſſe vpon the Statute of 5. *R.* 2. 7. in a Writ of Annuity and Couenant. 23. *H* 8. 14.

Procurer of an Indictment.

4 Proces in an Action vpon the caſe brought againſt the procurer of an Indictment or Appeale. 8. *H* 6. 10.

In Attaint.

5 What Proces ſhall be awarded in an attaint againſt the Petit Iury, the party, and the grand Iury. 23. *H.* 8. 3.

Debt. Detinue.

6 What Proces ſhall be awarded in an Action of debt and detinue of Chattell. 25. *Ed.* 3. 17.

Forgery.

7 What Proces may be awarded in an Action of Forgery of falſe deeds. 5 *El* 14.

Communi cuſtodia.

8 What Proces ſhall be awarded in a Writ of *Communi Cuſtodia.* 52. *H* 3 7.

Indicted of felony.

9 What Proces ſhall be awarded againſt a perſon indicted of felony. 25. *Ed.* 3. 14.

The Seale.

10 No Writ that concerneth the common Law ſhall be awarded vnder any of the petit ſeales 28 *Ed.* 1. 6.

Apprehenſion of a Felon.

11 The Iuſt. of Gaole deliuery may direct Proces into any County of England, to take any perſon remaining in one County, and indicted of felony in another. 4. *Ed.* 3. 11.

The Kings name.

12 All Proces ſhall be made in the name of the King, and none other. 27 *H* 8. 24.

Dayes.

13 What dayes ſhall be giuen for the returne of Proces. 32. *H.* 8. 21.

Continuance.

14 All Proces and proceedings by Iuſtices of the peace in their Seſſions, ſhalbe continued from Seſſions to Seſſions. 33. *H.* 8. 10. 37. *H.* 8. 7.

Miſpriſion.

15 Proces ſhall not be diſcontinued by miſpriſion of Clerkes. 14 *Ed.* 3. 1.

Amendment.

16 The Iuſtices before whom any Record is, may amend erronious Proces. 4. *H.* 6. 3. 8. *H.* 6. 12. 8. *H.* 6. 15.

Proclamations.

1 WHen and where Proclamations of Summons in reall actions ſhall be made. 31. *El.* 3.

Summons in reall actions.

2 Into what places, and in what caſes proclamations ſhall be made before any *Exigent* or outlawry pronounced. 6. *Hen.* 8. 4. 1. *Edw.* 6. 10. 5. *Edw.* 6. 26. 31. *Elizab.* 3. 13. *Eliz.* 9.

Exigent pronounced.

3 Seuerall Proclamations ſhall be made vpon Fines leuied. 1. *R.* 3. 7. 4 *H.* 7. 24. 31. *El.* 2. 1. *Ma.* 1.

Fines.

4 A Proclamation ſhall be made that a Recuſant indicted ſhall yeeld his body to the Sheriffe. 29. *Eliz.* 6. 3. *Iac.* 4.

Recuſants.

5 In what caſe a Proclamation ſhall bee made in a Writ of Admeaſurement of paſture, or dower 13. *Ed* 1. 7.

Admeaſurement.

6 The Kings Auditors ſhall make Proclamation in market Townes of the times and places of keeping their Auditors. 33. *H.* 8. 39.

Auditors.

7 A Proclamation ſhall be made vpon diſtreſſe deliuered of Record in an Attaint. 23. *H.* 8. 3.

Diſtreſſe in Attaint.

8 Proclamation ſhall be made that a Bankrupt ſhall yeeld his body to the Commiſſioners. 13. *Elizab.* 7. 1. *Iac.* 15.

Bankrupt.

9 A Proclamation ſhall bee made when a Writ ſhall be directed to the Biſhop to certifie baſtardy. 9. *Henrici ſexti* 11.

Certifying Baſtardy.

10 Three Proclamations ſhall bee made in a Writ of *Communi cuſtodia* 13. *Ed.* 1. 35.

Communi cuſtodia.

11 In what caſe a Proclamation ſhall bee awarded againſt them that doe commit any Riot, &c. And the penalty if they doe not appeare. 13. *H.* 4. 7.

Riots.

12 A Proclamation againſt ſuch as ſhall aſſault any Lord of the Parliament. 5 *H.* 4. 6. 11. *H.* 6. 11.

Aſſault.

13 In what caſe a Proclamation ſhall be made vpon the Writ of *Excommunicato capiendo* 5. *El* 23.

Excommunicate.

14 A Proclamation ſhall be made how long a Faire ſhall laſt. 2. *Ed.* 3. 15. 5. *Ed.* 3. 5.

Faires.

15 A Proclamation for the deliuery of Writs. 13. *Ed.* 1. 10.

Writs.

16 Proclamations ſhall be made of the Statute prouided againſt Maintenance, Champerty, Embracery, &c. 32. *H* 8. 9.

Maintenance.

17 Proclamations ſhall be made of the rates of Seruants and Labourers wages, as they ſhall be aſſeſſed by the Iuſtices of Peace. 5 *El.* 4.

Seruants wages.

18 Proclamation ſhall be made in the full County of the day and place of the Parliament, and that all intereſſed ſhall attend to the election of the Knights, &c. 7. *H.* 4. 15.

Parliament.

19 Proclamation ſhall bee made for the aſſeſſing of the wages of the Knights of the Parliament. 23. *Hen.* 6. 11.

Knights wages.

20 The Iuſtices of Aſſiſe in their circuits ſhall cauſe the Statute prouided againſt Periury to be proclaimed. 5. *El* 9.

Periury.

21 Proclamations ſhall be made quarterly of the Statute prouided againſt vnlawfull games, and for the maintenance of Artillery. 33. *H.* 8. 9.

Games.

22 A Proclamation ſhall bee made that riotous perſons ſhall yeeld their bodies in the Kings bench. 13 *Hen.* 4. 7.

Riotours.

23 Proclamations ſhall be made that ſuch perſons as bee indicted or appealed of certaine offences, ſhall yeeld themſelues to be iuſtified by the Law. 3. *Rich.* 2. 3. 8. *Hen.* 6. 10.

Inditors.

24 The Statutes made for Purueyors ſhalbe proclaimed in all the Counties of this Realme.

Purueyours.

Prohibition, Conſultation.

1 A Prohibition ſhall not be granted where tithes, &c. or Mortuaries be demanded, but where money for them. 9. *Ed.* 2. 1.

Tithes Mortuaries.

2 A prohibition will lie, *viz* by a Writ of *Indicauit* vpon a debate of the right of tithes exceeding the fourth part. 9. *Ed.* 2. 2.

Indicauit.

3 In what caſe a prohibition will lie, if an Ordinary doe enioyne penance pecuniary or corporall. 9. *Edward* 2. 2.

Penance pecuniary.

4 No prohibition will lie where penance is enioyned for laying of violent hands vpon a Clerke. 9. *Ed.* 2. 3.

Violent hands.

Defamation.

5 Prelates may correct for penance corporall, or for defamation, notwithſtanding the Kings Prohibition. 9. *Ed.*2 4.

A Mill.

6 No Prohibition ſhall bee granted, where Tithe is demanded of a new Mill. 9. *Ed.*2.5.

Indicauit.

7 What is requiſite to be done, before a Writ of *Indicauit* ſhall be granted. 34. Ed.1.

The Kings Cogniſance.

8 No Prohibition ſhall be granted, but where the King ought to haue cogniſance of the plea. 18.*Ed.*3.5.

Silua Cædua.

9 A Prohibition ſhall bee granted, where a ſuit is commenced in a Spirituall Court for *Silua Cadua.* 45. *Ed.*3.3.

Indictors.

10 A Prohibition will lie againſt them, who in the Spirituall Court doe ſue their Indictors. 1.*Ed.*3. 11.

Conſultation grantable.

11 In what caſe a Conſultation is grantable. 14.*Eduard.*1.

Not after a Conſultation.

12 No Prohibition ſhall be allowed after a Conſultation duly granted. 50.*Ed.*3.4.

Copy of the Libell.

13 A Copy of the Libell ſhall bee deliuered to the Iudge, before a Prohibition granted. 2.*Ed.*6 13.

Suggeſtion.

14 A Conſultation ſhalbe granted, for default of prouing the Suggeſtion. 2 *Ed.*6.13.

Suit in both Courts.

15 In what caſe a ſuit may be commenced both in the Spirituall and Temporall Court, for one Offence. 9.*Eduard.* 2.6.

Prophecies.

To make Inſurrection.

1 THe penalty for publiſhing any falſe prophecie vpon Armes, Fields, Badges, &c. to the intent to make Inſurrection, Diſſention, &c. 5.*El.*15.

Protections.

No ſuit hindered.

1 BY the Kings Protection, another mans ſuit ſhall not be hindered, but his execution. 25.*Ed.*3.19.

Volumus.

2 In what caſe a Protection, with the clauſe *Volumus*, ſhall not be allowed. 1.*R.*2.8.

Quia profecturus.

3 In what caſe a Protection, with the clauſe *Quia profecturus*, ſhall be allowed, and in what not. And in what caſe the Protection *Quia moratur.* 13.*R.*2. 16.

Repeale.

4 Cauſes of repealing a Protection. 13.*R.*2.16. 33 *Ed.* 1. *Stat. de Protectionibus.*

In the County of Cheſter.

5 No Writ of Courſe, in the nature of a Protection, ſhall be granted within the County of Cheſter, without a ſpeciall Warrant from the King, containing ſuch Protection. 34.*H.*8.13.

Purueyors, Takers.

Subiects Chator.

1 THe penalty, if any Subiects Chator ſhall take any thing againſt the owners will. 23.*H.*6.14. 36.*Ed.*3. 6.7.*R.*2.8.

The goods of ſpirituall perſons.

2 No ſpirituall perſons goods ſhall bee taken by any Officers of the Kings, neither ſhall they bee charged to receiue any Horſes, Dogs, or Hawkes of the Kings, or any others. 3.*Ed.*1.1.14.*Ed.*3.1. 1.*R.*2.3.

Fees of the Church.

3 In all Commiſſions to be made for the prouiſion of the Kings houſe, the fees of the Church ſhalbe excepted. 18.*Ed.*3.4.

Agreement.

4 Purueyors ſhall agree with the owners for things taken for the Kings houſe. 28.*Ed.*1.2.

A Commiſſion ſealed.

5 Purueyors ſhall haue their Commiſſions with them, ſealed with the Kings great Seale, containing their authority, the which they ſhall ſhew to them of whom they ſhall make their prices. 36.*Edward* 3.2.28.*Edw.* 1.2.*Stat. de Priſis.*

Felony.

6 If any make prices without warrant, and doe carry them away againſt the owners will, he ſhall be puniſhed as a Felon. 28.*Ed.*1.2. 20 *R.*2.5.

The owners good will.

7 Purueyance for the Kings houſe ſhall be made by the owners good will. And if any ſhall make purueyance otherwiſe, none ſhall be bound to obey him. 14.*Ed.*3.19.

Victualling a Caſtle.

8 Of whom purueyance ſhall be made to victuall a Caſtle, and within what time it ſhall be payed for. 9.*H.*3. 19. 3.*Ed.*1 7.

Defrauding of Creditors.

9 The penalty of Purueyors, who hauing receiued the Kings money for prices, doe withhold it from their Creditors. 3.*Ed.*1.31.

Timber.

10 The penalty of a Purueyor which ſhall fell timber to the Kings vſe about a mans houſe. 25.*Edw.*3.6. 9.*Hen.* 3. 21.

Sheepe.

11 The penalty of a Purueyor which taketh more ſheepe in the Wooll for the Kings houſe than be needfull, or which doth ſheare the ſame ſheepe to his owne vſe. 25.*Ed.*3.15.

The Kings horſes and dogs.

12 Who ſhall make purueyance for the Kings horſes, and the Kings dogs. 14.*Ed.*3.19. 10.*Ed.*3.4.

Wardrobe.

13 In what ſort, by whom and before whom purueyance ſhall be made for the Kings Wardrobe. 28. *Edward* 1. 2.

The K. carriages.

14 No commiſſion ſhall be granted to any Hoſtlers or Victuallers to take horſes or carts for the Kings carriage. 28.*H.* 6.2.

Carriages.

15 The penalty for taking of any horſe or cart without the deliuery of the owner, and of ſome Officer, or for taking money to ſpare any mans horſe or cart. 3. *Ed.* 1.31. 28.*H.*6.2.

Demeſne carts.

16 No demeſne cart of any ſpirituall perſon, Knight, or other Lord, ſhall be taken by the Kings Bailifes. 9. *H.* 3. 21.

Taking rewards.

17 The penalty of a Purueyor which ſhall take reward to ſpare one, and to charge another. 36.*Ed.* 3.3.

The warres.

18 By whom purueyance for the Kings warres, and to victuall his Caſtles ſhall be made. 14.*Ed.*3.19.

Meaſure.

19 The penalty if any Purueyor ſhall take corne or other victuals or goods but by meaſure ſtriked, or ſhall take exceſſiue meaſures, or ſhall not make preſent payment for the carriage thereof. 4 *Edw.*3 5. 25.*Edw.*3. 1. 36 *Eduardi* 3.2. 11.*Henrici* 7.4. 1.*Henrici* 5.10. 11.*Henrici* 6.8.

Praiſement.

20 Things purueyed for the Kings houſe ſhall bee praiſed by the Conſtables and foure men of the ſame Towne. 5. *Eduardi* 3.2. 10.*Edw.*3.1. 25.*Edw.*3.1. 36.*Edw.* 3. 2.

Inquiry of Purueyors

21 Commiſſions ſhall be awarded into euery County to inquire of Purueyors behauiour. 36.*Ed.*3.2.

Felony.

22 If any Taker doth Puruey, or buy, or take any carriage in other manner than is compriſed in this commiſſion, it is felony. 36.*Ed.*3 2.

His oath, and how he may be reſiſted.

23 Euery Purueyor before he hath his Commiſſion, ſhall be ſworne to take nothing contrary to the Statute of 36.*Ed.*3. 2. And Purueyors attempting to take otherwiſe ſhall be reſiſted. 23.*H.*6.1.2.

A remedy for the party grieued.

24 What Action, and againſt whom he that is grieued contrary to the Statute of 36. *Edw.*3. 2. ſhall haue. 23. *H.*6.2.

Ready payment.

25 In what caſe a Purueyor for the Kings houſe ſhall make ready payment for the things taken. 2.*H.*4.15. 20. *H.* 6. 8.

Within and without liberties.

26 Purueyors aſſigned by the Kings commiſſion may take all victuals and other things, aſwell within Liberties as without. 27.*H.*8.24.

Sea fiſh.

27 No Purueyor ſhall take any Sea Fiſh from any of the Kings Subiects, that ſhall take the ſame in the ſhips of the ſaid Subiects. 5.*El.*5.1.*Iac.*25.

Continuance of Commiſſions.

28 Commiſſions for the taking of victuals ſhall not endure aboue ſix moneths at the furtheſt. 2.& 3. *Ph.& Mar.*6.

The County and quantity.

29 In euery Commiſſion granted to Purueyors, the County where, and the quantity of the things to be taken ſhall be expreſſed. 2.& 3.*P.& M.*6.

Blankes.

30 Blanks ſhall be annexed to euery Commiſſion granted to Purueyors, whereunto the Conſtables hand ſhall be ſet. 2.& 3.*P.& M.*6.

Dockets.

31 Euery Purueyor ſhall make and deliuer a docket to the high Conſtable of ſuch things as hee ſhall take, which docket ſhall be deliuered to the Iuſt. of Peace. 2. & 3.*Ph.& Ma.*6.

Deputies.

32 Statutes prouided for Purueyors ſhall extend to their Deputies. 2.& 3. *P.& M.* 6.

Engliſh tongue.

33 Euery Commiſſion that ſhall bee granted to Purueyors, ſhall be written in the Engliſh tongue. 2.& 3. *P. & M.*6.

In or neere the Vniuerſities.

34 No Purueyor ſhall take any thing in Cambridge or Oxford, or within fiue miles thereof, without the conſent of the Chancellors or Vice-Chancellors. 2. & 3. *P. & M.*15. 13.*El.* 21.

An exception.

35 Purueyors may take of them which refuſe to ſerue the Vniuerſities of Cambridge or Oxford. 13.*Elizab* 21.

The King neere the Vniuerſities.

36 The Act of 13.*El.*21. ſuſpended during the continuance of the King within ſeuen miles of either of the ſaid Vniuerſities. 13.21.

Timber.

37 No Purueyor of timber ſhall fell any timber for the Kings vſe but only in barking time. 1.*Iac*.22.

Woods.

38 The Statnte prouided for the preſeruation of woods ſhall not extend to woods purueyed by the Kings commiſſion.35.*H*.8.17.

Cities and Townes corporate.

39 Purueyors may be aſſigned by Cities and Townes Corporate for the prouiſion of the ſame.5.*Elizab*.12.13. *Eliz*.25.

Former Statutes.

40 All former Statutes prouided for Purueyors ſhall be obſerued. 2.& 3.*P*.& *M*.6.

Quare impedit, and Aſſiſe of Darreine preſentment.

Proces.

1 WHat Proces ſhall be awarded in a *Quare impedit*, or Aſſiſe of *Darrein preſentment*, and what in Attachments and Diſtreſſes.52.*Hen*.3.12.

Plenarty.

2 Plenarty of the defendants party is no Plea in a *Quare impedit*, or Aſſiſe of *Darrein preſentment*. 13.*Edw*.1.5.

Damages.

3 In what caſe dammages ſhall be awarded in a *Quare impedit*, and Aſſiſe of *Darrein preſentment*. 13. *Eduardi* 1.5.

When taken.

4 At what times an Aſſiſe of *Nouel diſſeiſin*, *Mortdanceſter*, or *Darrein preſentment* may bee taken. 3. *Eduardi* 1.48.

Dayes giuen.

5 What dayes ſhall bee giuen in an Aſſiſe of *Q. impedit*, and *Darrein preſentment*. 52.*H*.3.12.

Eſſoine.

6 An eſſoine of the Kings ſeruice doth lie in a writ of *Darrein preſentment*. Stat.*de viſu terræ & Eſſon, &c.*

Iudgement.

7 What Iuſtice ſhall giue iudgement vpon an Aſſiſe of *Darrein preſentment*.

Aduowſon recouered.

8 Recouerours may haue a *Quare impedit* for an Aduowſon appendant to land recouered. 7. *Henrici octaui* 4.

Preſcription.

9 The Statute of limitation of preſcription made 32. *Henrici octaui* 2. ſhall not extend to any Writ of right of Aduowſon, *Quare impedit*, Aſſiſe of *Darrein preſentment*, *&c*.1.*M*.5.

Triall.

10 Aſſiſes of *Darrein preſentment*, and inquiſitions of *Quare impedit* ſhall be in their owne Counties, 13.*Edw*.1.30.

Quare clauſum fregit.

Iudgement, or nonſuit.

1 AFter Iudgement or nonſuit in a *Quare clauſum fregit*, the Plaintife is barred to renew the ſuit. 21.*Iac*.16.

1 *Quarrelling*. S. *Fighting*.

1 *Quarentine*. S. *Dower*.

Quod permittat.

Parſon of a Church.

1 BY what Writ a Parſon of a Church, or his ſucceſſor may recouer his common, and where a Writ of *Iuris vtrum* is triable. 13.*Ed*.1.23.

Quod ei deforceat.

A remedy vpon a recouery by default.

1 A Woman ſhall bee endowed of lands recouered againſt her husband by colluſion or default. A remedy for particular tenants which loſe their land by default, is by the Writ of *Quod ei deforceat*.

Rape, Rauiſhment.

Felony, Elopement.

1 IT is felony if a man doe rauiſh a woman, whether ſhee doe conſent or not. The forfeiture if a woman doe elope with an Aduouterer. The forfeiture of him that carrieth a Nunne from her houſe. 13.*Ed*.1.34.

Vnder the age of ten yeeres.

2 It is felony carnally to know and abuſe any woman child vnder thage of ten yeeres. 18.*El*.6.

Conſent.

3 The forfeiture of a woman rauiſhed which doth conſent to the Rauiſhor. 6.*R*.2.6.

Attachment.

4 How the defendant in an appeale of Rape ſhall be attached.3,*Ed*.1.*Officium Coronatoris*.

Receit.

The wife.

1 IN what caſe the wife ſhall be receiued vpon her huſbands default. 13.*Ed*.1.3.

He in reuerſion.

2 In what caſe he in reuerſion ſhall be receiued vpon default of his particular tenant. 13.*Ed*. 1.3.

Not party to the ſuit.

3 In what caſe one ſhall be receiued, which is not party to the ſuit, finding ſurety to ſatisfie the demandant. 20.*Ed*.1.*de Defenſione Iuris*.

He in reuerſion.

4 In what caſe he in reuerſion ſhall be receiued vpon a ſuit commenced againſt his particular tenant. 13.*Rich*.2.17.

1 *Receiuor*. S. *Auditor*.

Records.

Amendment.

1 IN what caſes the Kings Iuſtices may amend Records depending before them, in what not.14.*Ed*.3.6.9.*H*.5.4.4.*H*.6.3. 8.*H* 6.15. 11.*H*.4.3.

Error.

2 For Error aſſigned in any Record, &c. no Iudgement ſhall bee reuerſed. The Iuſtices may amend ſuch Records, and reforme variance betweene a Record and a Certificate. 8.*H*.6. 12.

Imbeſilling, or raſing.

3 The penalty for imbeſilling or raſing a Record, by reaſon whereof any Iudgement is reuerſed. 8.*H*.6.12.

Amendment by the Iudges.

4 The Iudges may amend Records or Proces which be raſed or interlined. 8.*H*.6.12.

Variance.

5 In what caſe the party may alleage variance betweene a Record and a Certificate.8.*H*.6.12.

Exemplification.

6 There ſhall be no Iudgement of a Record reuerſed, where the ſaid Record is exemplified vnder the great Seale.8.*H* 6.12.

Falſe entry.

7 The penalty of a Iudge, or Clerke, that doth make a falſe entrie of a Plea, raſe a Roll, or change a Verdict, whereby any perſon is dis-inherited. 3.*R*.2.4.

Remouer.

8 No *Certiorari* ſhall be granted to remoue a Record except it bee ſigned with a Iuſtices hand. 1. & 2. *Phil*. & *Ma*.13.

After Demurrer.

9 What imperfections the Court may amend in Records after demurrer ioyned, and what not.27.*El*.5.

1 *Recogniſances*. S. *Statutes, &c.*

Recoueries, and falſifying of Recoueries.

Diſtreſſe and Q. Impedit.

1 THe Recouerers may diſtraine the Tenants of the land recouered for Rents, and alſo haue a *Quare impedit* for an Aduowſon appendant. 7.*H*.8.4.

The King in reuerſion.

2 No fained recouery of lands intailed, whereof the reuerſion is in the King, ſhall bind the heire. 34. *Hen*.8.20.

No recompence in value.

3 The heire in taile, againſt whom any ſuch fained recouery ſhall be had, ſhall take no aduantage for any recompence in value.34.*H* 8.20.

The King in reuerſion.

4 Which Leaſes, made by tenant in taile of Lands, whereof the reuerſion is in the King, ſhall be good. 34.*H*.8 20.

Tenant for terme of life.

5 A recouery had by the aſſent of the parties againſt tenant for terme of life, ſhall bee void, vnleſſe it bee by agreement of him in reuerſion or remainder. 14 *Elizab*.8.

Falſifying.

6 Tenant for yeeres may falſifie a recouerie had againſt him in reuerſion. 21.*H*.8 15.6 *Ed*.6.11.

Statute. Recogniſance.

7 No Statute or Recogniſance ſhall bee avoided by any fained recouery. 21 *H* 8. 15.

Fines for alienation.

8 What Fines for Alienation, vpon Writs of Entry, ſhall be payed to the King vpon common recoueries.32.*H*.8.1.

A recouery againſt a woman.

9 In what caſe a woman ſhall forfeit her eſtate, for ſuffering a fained recouery of lands, which ſhee holdeth in dower, for life, or in taile. 11.*H*.7.20.

Corporate Townes

10 The force of recoueries or deeds enrolled, in corporate Townes 34.*H*.8.22.

Fines. Recoueries.

11 What parts of euery Fine and Recouery ſhall bee enrolled, and for what Errors they are not reuerſable. 23.*El*.3.

Wales.

12 Before whom, Fines and Recoueries in Wales may

be

bee taken, and what ſhall bee payed for the ſame. 34. *Hen* 8.

Recuſants.

Not reſorting to the Church.

1 THe penalty for any perſon not reſorting to the Church vpon euery Sunday and Holyday, vnleſſe he haue reaſonable excuſe to be abſent, and within what time the offence ſhall bee preſented. 1.*Eliz*.2. 23.*Eliz*.1. 3 *Iac*.4.

A Schoolemaſter.

2 The penalty of a Scholemaſter which doth not repaire to the Church, and of him which keepeth ſuch a Schoolemaſter in his houſe. 23.*El*.1. 1.*Iac*.4.

Seruice in his houſe.

3 An exception for him that ſhall haue Seruice in his houſe, and foure times in the yeere reſort vnto his Pariſh Church. 23.*El*.1.

Forfeitures.

By whom, and to what vſe, money that ſhall be forfeited by the Statutes of Recuſants, ſhall be recouered and imployed. 23.*El*.1. 29.*El*.6. 35.*El*.1.

Couenous Conueyances.

5 All couenous Conueyances, made to defraud the forfeiture of this Statute, ſhall be void. 23.*El*.1.

Conforming.

6 A remedy for a guilty perſon that doth conforme himſelfe 23.*El*.1. 29.*El*.6.

Eccleſiaſticall Cenſures.

7 Eccleſiaſticall Cenſures ſhall not be taken away by this Aſt, or by the Acts enſuing, but Biſhops, &c. may proceed as they did before. 23.*El*.1. 3.*Iac*.4. 3.*Iac*.5.

Aſſurances void.

8 Certaine Aſſurances made by Recuſants, ſhall be vuid, againſt the Queene. 29.*El*.6.

Conuiction.

9 Euery conuiction of a Recuſant, ſhalbe in the Kings Bench, or at the Aſſiſes, or generall Gaole deliuery, or before the Iuſtices of Peace of the Shire. 29.*Elizab*.6. 3. *Iac*.4.

Money forfeited.

10 At which ſeuerall times, the money forfeited by a Recuſant, ſhall be payed into the Exchequer. 29.*Eliz*.6. 3.*Iac*.4.

Twenty pound a moneth.

11 Euery Recuſant ſhall pay twenty pound a moneth to the Queene after his conuiction, or in default thereof, all his goods, and two parts of his Lands and Leaſes. 29.*El*.6. 3.*Iac*.4.

Indictments.

12 The indictment of a Recuſant ſhalbe good, though it doth not mention, that the party is inhabiting within the Realme. 29.*El*. 6.

A proclamation.

13 After the Indictment of a Recuſant, a proclamation ſhal be made, that he ſhall yeeld his body to the Sheriffe. 29.*El*.6. 3.*Iac*.4.

Aſſurances not impeachable.

14 Certaine Aſſurances made by a Recuſant *bona fide*, ſhall not be impeached. 29 *El*.6.

How long lands ſhall be forfeited.

15 Lands wherein a Recuſant had an eſtate but for life, or his wiues life, ſhall be forfeited for no longer time. 29.*El* 6.

Perſwading.

16 The penalty of a Recuſant, which ſhall perſwade others to impugne the Queenes Eccleſiaſticall Lawes. 35.*El* 1.

Abiuration.

17 Such a Recuſant not conforming himſelfe, ſhall abiure the Realme. 35.*El*.1.

Felony.

18 It ſhall be felony to refuſe to abiure the Realme, not to depart, or to returne without the Queenes licence. 35.*El*.1.

Open ſubmiſſion.

19 In what caſe, and doing what Act, ſuch a Recuſant doing open ſubmiſſion, ſhalbe diſcharged, and the forme of the ſame ſubmiſſion. 35.*El*. 1.

Relapſe.

20 The penalty of ſuch a Recuſant ſubmitting, and after falling into relapſe. 35.*El*.1.

Confined.

21 A conuicted Popiſh Recuſant ſhall repaire to his houſe, and not remoue aboue fiue miles, vpon paine of forfeiture of all his goods, and his lands during his life. 35.*El*.2.

Confined within fiue miles.

22 To what place a Popiſh Recuſant not hauing any place of certaine abode, ſhall reſort, and ſhall not depart from thence aboue fiue miles. 35.*El*.2.

Copyhold lands.

23 A Popiſh Recuſant ſhall forfeit all his Copyhold land. 35.*El*.2.

Of ſmall ability.

24 In what caſe a Recuſant of ſmall ability not repairing to the place appointed, ſhall abiure the Realme. 35. *El*.2.

Not abiuring, &c.

25 It ſhalbe felony for ſuch a Recuſant not to abiure, or not to depart the Realme, or to returne without the Queenes licence. 35.*El*.2.

Vrged to appeare.

26 A prouiſion for ſuch Recuſants reſtrained, as ſhall be vrged by proceſſe to appeare in any of the Queenes Courts, or ſhall be commanded to appeare before the Priuy Councell, or before foure Commiſſioners. 35.*El*.2

Yeelding to the Sheriffe.

27 A reſtrained perſon bound may yeeld his body to the Sheriffe. 35.*El*.2.

Submiſſion and Relapſe.

28 In what caſe, and doing what act, ſuch a Recuſant making open ſubmiſſion ſhall be diſcharged, and the forme of the ſame ſubmiſſion, and the penalty of ſuch a Recuſant after ſubmiſſion falling into relapſe. 35. *El*.2.

Women married.

29 All women married ſhall be bound to euery article of this Statute, other than abiuration. 35.*El*.2.

A conformed diſcharged.

30 Euery Recuſant conforming himſelfe to the Law ſhall be diſcharged of ſuch penalties, which otherwiſe he was ſubiect vnto. 1.*Iac*. 4.

The heire chargeable.

31 In what caſe a Recuſants heire ſhall bee charged for the forfeitures of his Anceſter, in what not. 1. *Iacob* 4.

The third part of his liuing.

32 A third part of a Recuſants liuing ſhall remaine cleere vnto him. 1.*Iac*.4.

Receiuing the Sacrament.

33 The forfeiture of a Recuſant conformed, which ſhall not receiue the Sacrament of the Lords Supper in his owne pariſh Church. 3.*Iac*.4.

Preſenting of Offendors.

34 The Churchwardens and Conſtables of euery Pariſh ſhall preſent the names of all Recuſants, their children and ſeruants at the generall or quarter Seſſions of that Shire, and the preſenters reward. 1 *Iac*.4.

The penalty in the Kings choice.

35 The K. may refuſe the penalty of xx. li. a moneth forfeited by a Recuſant, and take two parts of his lands. 3.*Iac*.4.

The oath of obedience.

36 The forme of the oath of obedience, who may tender it, and to whom, and the penalty for refuſing it. 3. *Iac*.4.

No reuerſall for want of forme.

37 No indictment of a Recuſant, or of him refuſeth to receiue the Sacrament ſhall be reuerſed for want of forme, but vpon confirmation. 3.*Iac*.4.

One departing the Realme.

38 Euery perſon departing the Realme to ſerue a forreine Prince ſhall take the ſaid oath, and be bound in xx. li. with two ſureties not to bee reconciled to the Pope, &c. And who may receiue the ſaid oath and obligation. 3.*Iac*.4.

Reconciling to the Pope.

39 The penalty for any perſon reconciling, or being reconciled to the Pope, and a remedy for him that doth ſubmit himſelfe to the Lawes. 3 *Iac* 4.

Receiuing or reteiuing.

40 The penalty for keeping a Recuſant in his houſe, or for retaining a Recuſant into his ſeruice, fee, or liuery. 3.*Iac*.4.

Breaking a houſe to apprehend one.

41 The Sheriffe may breake open the houſe, and take any Popiſh Recuſant excommunicate. 3 *Iac*.4.

Non charged for his wife.

42 No perſon ſhalbe charged with any forfeiture for his wiues offence in not receiuing the Sacrament during her marriage, nor any woman for the ſame offence. 3.*Iac* 4.

A noble mans oath.

43 Who may take the foreſaid oath of obedience of a Noble man, and what is the penalty if he refuſe it. 3. *Iac*. 4.

The oath of him that departeth the Realme.

44 He that paſſeth out of the Cinque Ports, to ſerue any forreine Prince, ſhall take the oath of obedience before the Lord Warden there, or his Aſſignes. 3. *Iacob* 4.

Who ſhall take, and tender the oath.

45 What perſons ſhall take the oath of obedience, within what time, and who ſhall tender the ſame, and the penalty of him that doth refuſe it. 7.*Iac*.6.

A married wife.

46 The penalty of a married woman Recuſant which refuſeth to come to the Church, and receiue the Sacrament. 7.*Iac*.6.

Diſcouery of Offendors.

47 The reward of him that doth diſcouer to a Iuſtice of Peace, any Recuſant which ſhall relieue any Ieſuite, &c. any Maſſe, or thoſe that were preſent. 3.*Iac*.5.

Not come to the Court.

48 No Popiſh Recuſant conuicted ſhall come into the Court, or the Houſe where the King or his heire apparant is 3.*Iac*.5.

Not come to London.

49 Popiſh Recuſants ſhall depart from London and ten miles compaſſe thereof, (certaine perſons excepted.) 3.*Iac*.5.

Licence to trauell.

50 Who may giue licence to a confined Recuſant to trauell, and for what cauſe. 3 *Iac*.5. 35.*El*.2.

Diſablement of offices.

51 A Recuſant conuicted diſabled of certaine functions and offices. 3 *Iac*.5.

No publicke offices.

52 No Popiſh Recuſant conuict, or hauing a wife a Popiſh Recuſant, ſhall exerciſe any publicke office or charge in the common wealth. 3.*Iac*.5.

A widdowes forfeiture.

53 A married woman being a Popiſh Recuſant conuict, ſhal after the death of her husband forfeit two parts of her ioynture and dower, and be diſabled to be execu-

trix or adminiſtratrix to her husband, or to haue any part of his goods. 3. *Iac.* 5.

Excommunicated.

54 Euery Popiſh Recuſant ſhall be as an excommunicated perſon, and what ſuits he may proſecute, and what not. 3 *Iac.* 5.

Vnlawfully married.

55 The penalty of a man or woman Recuſant which ſhall be married otherwiſe than according to the orders of the Church of England, by a Miniſter lawfully authoriſed. 3. *Iac.* 5.

Baptizing.

56 The penalty if the child of a Popiſh Recuſant ſhall not bee baptized by a lawfull Miniſter in the open Church. 3. *Iac.* 5.

Buriall.

57 The penalty of a Popiſh Recuſant man or woman not being excommunicate, ſhall be buried in any other ſort than in the Church or Churchyard. 3. *Iac.* 5.

Departing the Realme.

58 The penalty of any children (certaine except) ſhall be ſent, or go beyond the ſea without licence of the King, or ſix of his priuy Councell. 3. *Iac.* 5. 1. *Iac.* 4. 3. *Car.* 2.

Returning into the Realme.

59 The penalty of thoſe which being beyond the ſea without licence, ſhall not returne within ſix moneths, and take the oath of obedience. 3. *Iac.* 5.

Preſenting to a benefice, &c.

60 No Recuſant ſhall preſent to a benefice, nor grant an aduowſon, but the Vniuerſities of Oxford and Cambridge ſhall haue the preſentation of them. 3. *Iac.* 5.

Executor, Adminiſtrator, Gardein, &c.

61 No Recuſant conuicted ſhall be executor or adminiſtrator to any, nor ſhal haue the cuſtody of any child as gardein, &c. And if any of the Kings wards ſhalbe granted to any Popiſh Recuſant, ſuch grant ſhall be void. 3. *Iac.* 5.

Bookes.

62 The penalty for bringing from beyond the Sea, printing, buying, or ſelling any Popiſh bookes, and the ſaid bookes ſhall be burned. 3. *Iac.* 5.

Searching for bookes, &c.

63 Two Iuſtices of Peace, and the chiefe Officers of euery Towne corporate, may ſearch the houſes and lodgings of euery Popiſh Recuſant, or of him whoſe wife is a Recuſant, for Popiſh bookes or reliques. 3. *Iac.* 5.

Armour.

64 All ſuch armour, gunpowder, or munition, as any Popiſh Recuſant ſhall haue, ſhall be taken from him. 3. *Iac.* 5.

Tenths.

65 The penalty of ſuch Recuſants as do refuſe to pay their firſt Fruits or Tenths at the dayes when the ſame ſhall be due. 26. *H.* 8. 3. 2. *Ed.* 6. 20.

Rediſſeiſin, Poſtdiſſeiſin.

1 WHo ſhall maintaine a Writ of Rediſſeiſin, and for what cauſe, and in what manner it ſhalbe ſued, and who a Writ of Poſtdiſſeiſin. 20. *H.* 3. 3. 13 *Ed.* 1. 26. 12. *Ed.* 1. 18. 13. *Ed.* 1. *de Mercatoribus.*

2 The puniſhment of them which be taken for Rediſſeiſin. 52. *H.* 3. 8. 13. *Ed.* 1. 26.

3 Writs of Rediſſeiſin ſhalbe inrolled, and ſent yeerely into the Exchequer. 13. *Ed.* 1. 8.

1 *Regraters.* S. *Foreſtallers.*

Reliefe.

Earle, Baron &c.

1 WHat Reliefe the heire of an Earle, of a Baron, or any other which holdeth of the King in *Capite* by Knights ſeruice being of full age, ſhall pay after the death of his anceſtor. 9 *H* 3. 2.

The heire in ward.

2 An heire which hath beene in ward ſhall haue his inheritance without paying Reliefe. 9. *H.* 3 3.

The heire of full age

3 An heire of full age at the death of his Anceſtor ſhall only pay Reliefe to his Lord. 52. *H.* 3. 16.

Socage tenure.

4 Reliefe reſerued to the King for Socage tenure in chiefe. 32. *H.* 8. 1.

Rent.

A remedy for the Executors.

1 A Remedy for the Executors or Adminiſtrators to recouer a rent due to the Teſtator or Inteſtate. 32. *H.* 8. 37.

Due in the life of his wife.

2 A remedy for the husband to recouer a rent due in the life of his deceaſed wife 32. *H.* 8. 37.

Depending vpon a dead mans life.

3 A remedy to recouer a rent, the eſtate whereof depended vpon anothers life being dead. 23 *H.* 8. 37.

In ſeuerall Counties.

4 Aſſiſe of rent iſſuing forth of land in ſeuerall Counties ſhall be holden in the borders of the ſame Counties. 7. *R.* 1. 10.

During minority.

5 How meane Lords ſhall bee anſwered their chiefe Rents during the minority of the Kings ward. 2. *Edw.* 6. 8.

Ceſtuy que vſe.

6 *Ceſtuy que vſe* ſhalbe adiudged in poſſeſſion of a rent conueyed to his vſe. 27. *H.* 8. 10.

Remouing of Priſoners or Records.

The Iuſtices hand.

1 WHat thing is requiſite to be obtained to remoue any Priſoner or Recogniſance by *Habeas corpus* or *Certiorari.* 1. & 2. *P.* & *M.* 13.

Remanding into the Countrey.

2 The Iuſt. of the Kings Bench may remand Priſoners with their Indictments out of the Kings Bench into the country to be tried. 6 *H* 8. 6.

A ſuit remoued.

3 What is requiſit to be done when a Writ of *Habeas corpus* is ſued forth to remoue a ſuit out of a Corporate Towne to any Court of Record at Weſtminſter. 43. *El.* 5.

Remanded to priſon.

4 In what caſe the body of one in execution being remoued by *Corpus cum cauſa* or *Certiorari* ſhall be remanded. 2. *H.* 5. 2.

By a Replegiare.

5 A *Replegiari* may be remoued out of the County Court by a *Recordare* vnto the Kings Court of Record. 13. *Ed.* 1. 2.

Iſſue or demurrer ioyned.

6 No writ to remoue a ſuit, commenced in an Inferior Court, ſhall be obeyed, vnleſſe it be deliuered vnto the Steward, before iſſue or demurrer ioyned. 21. *Iac.* 23.

A ſuit remanded.

7 A ſuit once remanded ſhall neuer afterwards be remoued. 21. *Iac.* 23.

Suit not exceeding 5. li.

8 A ſuit, when the thing in demand exceedes not fiue pounds, ſhall not be remoued. 21. *Iac.* 23.

The extent of this Act.

9 This Act ſhall only extend to Courts in Liberties, and when the Steward is an Vtterbareſter. 21. *Iac.* 23.

Forreine Plea.

10 This Act ſhall not extend to admit any forreine Plea. 21. *Iac.* 23.

Repleuin.

A wrongfull diſtreſſe.

1 WHo may Repleuy a diſtreſſe wrongfully taken. 52. *H.* 3. 21.

Recordare.

2 In what caſe a *Recordare* ſhall be granted to remoue a Repleuin out of the County into the K. Court of Record. 13 *Ed* 1. 2.

Finding of pledges.

3 He that doth diſtraine ſhall finde pledges to proſecute the ſuit, and to make returne of the diſtreſſe, if returne be awarded 13. *Ed.* 1. 2.

Procurement.

4 The puniſhment of him which taketh a diſtreſſe vpon a ſuit commenced by the procurement of others. 13. *Ed.* 1. 36.

Deputies.

5 How many Deputies euery Sheriffe ſhall ordaine to make Repleuins. 1. & 2. *P.* & *M.* 12.

Precept to a Bailiffe.

6 In what caſe a Sheriffe ſhall direct his Precept to a Bailiffe of a Libertie, and in what caſe himſelfe ſhall Repleuy a diſtreſſe. 52. *H.* 3. 21. 3. *Ed.* 1. 17.

S. *Diſtreſſe, &c.*

Reſtitution.

Stolne goods.

1 THere ſhall be Reſtitution awarded of ſtolne goods after the attainder of the felon 21. *H.* 8. 11.

Returne of Sheriffes.

Execution of Writs.

1 THe manner how writs may be deliuered to be executed by Sheriffes. 13. *Ed.* 1. 39. 28. *Ed.* 1. 16. 2. *Edw.* 3. 5.

No liberty.

2 The penalty of a Sheriffe that returneth that hee commanded the Bailiffe of a Liberty where there is no ſuch Libertie in the County. 13 *Ed.* 1. 39.

Non omittas.

3 If the Sheriffe Returne that he directed his precept to a Bailiffe of a Liberty which did nothing therein, the Sheriffe ſhall be commanded to execute the writ himſelfe. 13. *Ed.* 1. 39.

Iſſues.

4 What ſhall be done when the Sheriffe ſhall Returne no iſſues, or ſmall iſſues, where he may returne greater, and what ſhall be called iſſues. 13. *Ed.* 1. 39.

Reſiſtance.

5 What ſhall be done when the Sheriffe ſhall find reſiſtance in executing the Kings Writ. 13. *Ed.* 1. 39.

An Indenture betweene the Sheriffe and the Bailiffe.

6 There ſhall be an Indenture made betweene the Sheriffe and the Bailiffe of a Franchiſe, of euery Writ returned by the Bailiffe, whereunto they both ſhall put their names. 12. *Ed.* 1. 5.

Auerrement.

7 Auerrement may be made as well againſt returnes of Bailifes of Franchiſes, as againſt the Sheriffes returnes. 1.*Ed*.3.5.

Excommunicato capiendo.

8 The penalty of any Sheriffe that doth make an vntrue Returne vpon a *Capias* in a Writ of *Excommunicato capiendo*. 5.*El*.23.

Liueries.

9 What iſſues the Sheriffe ſhall returne vpon the defendant vpon an Information exhibited againſt him for giuing of Liueries, and vpon what penalty. 8.*Ed*.4.2.

Amerceement.

10 The Kings Officers of his Courts of Reuenue may amerce Sheriffes for vnſufficient Returnes.7.*Ed*.6.1.

Iurors.

11 What Iurors,and of what ſufficiencie the Sherife in ſeuerall caſes ſhall Returne, and vpon what paine. 8.*H*.6.9.1 *H*.8.8.1.*R*.3.4.4.*H*.8.3.5.*H*.8.5.33.*H*.6.2. 35.*H*.8.6.2.*Ed*.6.32. 27.*El*.6.

Proclamation in Wales.

12 The Sherifes forfeiture for not returning a Proclamation ſent vnto him out of any of the twelue Shires in Wales,or Counties of Lancaſter or Cheſter. 1.*Ed*.6. 10. 5.*Ed*.6. 26.

Returne of Writs.

13 Old Sheriffes may returne Writs in Michaelmas and Eaſter Termes after their terme of one yeere expired, vnleſſe they haue in the meane time a Writ of diſcharge. 23. *H*.6.8. 17 *Ed*.4.6.

1 *Right.* S.*Iuſtice. Maintenance.*

Riots,Routs,vnlawfull Aſſemblies.

Arreſting of Riotors.

1 THe Iuſtices of peace and Sheriffe ſhall arreſt thoſe which commit Riots,and record that which they find done in their preſence againſt the Law.17.*R*.2.8.14.*H*.4.7.

Inquiry of Riots.

2 The Iuſtice and Sheriffe ſhall inquire of a Riot, and heare and determine the ſame. 13.*H*.4.7.

Certifying and trauerſe.

3 In what caſe the Iuſtices may certifie a Riot to the King and his Counſell, and the ſame Certificat may bee trauerſed in the Kings Bench. 13.*H*.4.7.

Proces.

4 What Proces may be awarded againſt thoſe which commit any Riot,or &c.And the penalty if they doe not appeare. 13.*H*.4.7.

The forfeiture in omitting to execute.

5 The forfeiture of the Iuſtices which doe not execute this Statute.13.*H*.4.7.

Inquiry of defaults.

6 Commiſſions ſhall be awarded to inquire of the Iu. and Sheriffes default,in not executing the foreſaid Stat. 2.*H*.5.8.

The Coroners returne.

7 Vpon the commiſſion the Coroner ſhal returne the Iury (ſauing in certaine caſes) What perſons they ſhall returne,and vpon what iſſues. 2.*H*.5.8.

Inquiry of Riots.

8 The L. Chancellor ſhall ſend a writ to the Iuſtices and Sheriffe to inquire of Riots. 2.*H*.5.8.

At the K. coſts.

9 A Riot ſhall be repreſſed and inquired of at the K. coſts. 2 *H*.5.8.

Puniſhment of Riotors.

10 The ſeuerall puniſhments of thoſe which commit great and hainous Riots,and of thoſe which commit petit Riots. 2.*H*.5.8.

Repreſſing of Riots.

11 Each man that is able ſhall helpe to repreſſe Riots, vpon paine of impriſonment, and to make fine to the King.2.*H*.5.8.

Townes infranchiſed.

12 Like ordinances and paines ſhall hold place in Cities and Townes infranchiſed which haue Iuſtices of Peace within them.2.*H*.5.8.

The Iurors ſufficiencie.

13 Of what ſufficiencie Iurors ſhall be impannelled to inquire of Riots,and what iſſues ſhall be returned vpon euery of them. 19.*H*.7.13.

Maintainers.

14 The puniſhment of thoſe which be maintainers, and Imbracers, whereby a Riot is not found. 19.*Hen*.7.13.

1 *Riuers.* S *Hauens and Riuers.*

Robberie.

Wrong done in Cumberland, &c.

1 THe puniſhment of him which doth take away or detaine any perſon againſt his will, in Cumberland,Northumberland,Weſtmerland, and Durham, or which do aſſiſt vnto them,or doth giue or receiue blacke maile,or doth burne any barne or ſtackes of corne. 43.*El*.13.

Outlawes.

2 The names of outlawes within thoſe Counties ſhal be deliuered to the Sheriffe, and he ſhall make proclamation of them.43.*El*.13.

Relieuing of Outlawes.

3 The penalties of any perſon inhabiting within any of the ſaid Counties that ſhall relieue or conferre with any of thoſe Outlawes.43.*El*.13.

In the highway.

4 Hee that doth Robbe in or neere any Highway ſhall not haue his Clergy. 23.*H*.8.1.32.*H*.8.3.1.*Ed*.6.12. 5.*Ed*.6.9.

Killing of a Robber.

5 He ſhall forfeit nothing that killeth any perſon that attempteth to kill or rob him in or neere any highway, or in his manſion houſe,or to breake his dwelling houſe. 24.*H*.8.5.

1 *Rogues.* S *Vagabonds,&c.*

Rome.

Maintenance of the authority.

1 THe penalty for maintaining the authority of the Biſhop or See of Rome, heretofore vſed within this Realme. 5.*El*.1.

Giuing &c. of abſolution.

2 The penalty for giuing or taking abſolution by any Bulls from Rome,or for obtaining Buls from Rome for any cauſe whatſoeuer.13. *El*.2.

Concealing.

3 The penalty for concealing Abſolution or Bull offered that is obteined from the Biſhop of Rome or his See. 13.*El*. 2.

Agnus Dei, Croſſes, &c.

4 The penalty for bringing any *Agnus Dei*, Croſſes, Pictures,Beads,&c.from the Biſhop or See of Rome.13. *El*.2.

Reuealing the Offendor.

5 He ſhall eſcape the penalty of this Statute which doth apprehend the Offendor,or diſcloſe his name. 13. *El*. 2.

Perſwading to Religion.

6 The penalty for withdrawing the Subiects of this Realme from their obedience to the Q. to the Romane religion, and for reconciling or being reconciled to the ſame religion.23.*El*.1.3 *Iac*.4.

Bulls from Rome.

7 All Bulls, Briefes, Faculties, and Diſpenſations obteined of the Biſhop of Rome to any Subiect of this Realme,ſhall be void. 28. *H*.8.16.

Ropes. S. *Cables.*

Sacraments, and Seruice diuine.

Vnreuerent ſpeaking.

1 THe penalty for the vnreuerent ſpeaking of the Sacrament of the Body and Bloud of Chriſt, or for the ſpeaking againſt the receiuing thereof vnder both kinds. 1.*Ed*.6.1.

Other prayer.

2 The penalty for vſing any other common prayer and adminiſtration of Sacraments than is ſet forth by Parliament.*An*.5.*&* 6.*Ed*.6.1.*El*.2.

Deprauing.

3 The penalty for deprauing by enterludes,ſongs, or open words,the booke of common prayer,or for procuring any to vſe other prayer than in the ſaid booke is ſet forth.1.*El*.2.

Not repairing to the Church.

4 The penalty for any perſon that doth not reſort to the Church euery Sunday and Holy day. 1.*El*.2.

Puniſhment of Offendors.

5 Who may inquire of and puniſh the foreſaid offences, and within what time after the offence committed. 1.*El*.2.

Ornaments of the Church.

6 What ornaments of the Church, and of the Miniſters thereof ſhall be retained, and in vſe in the Church of England. 1.*El*.2.

Maſſe.

7 The penalty for ſaying and hearing of Maſſe. 23. *Eliz*.1.

Arreſting a Prieſt.

8 The penalty for arreſting a Prieſt who is in doing of diuine Seruice in a place dedicate to God.50 *Ed*.3.5. 1.*R*.2.15.

Bibles in Wales.

9 There ſhall be a Bible, and a booke of Common prayer in euery Pariſh Church in Wales, in the Welſh tongue,and another in Engliſh. 5.*El*.28.

The Catholicke faith.

10 The Catholicke faith ſhall be continued. 25.*H*.8.21.1.*El*.1.

Safeconducts.

Effectuall.

1 WHat things be requiſite to bee done to make Safeconducts effectuall. 15.*H*.6.3. 18.*H*.6.8. 20.*H*.6.1.

Reſtitution.

2 A prouiſion for them that haue taken the ſhips of thoſe which haue Safeconducts, and be ready to reſtore them.20.*H*.6.1.31.*H*.6.4.

Aliens.

3 All Aliens being in amity with the King, which bring victuals and other things vendible into the Realme

ſhall be vnder the Kings Safeconduct, and the penalty of him which doth diſturbe them. *9.H.*3.30. 9. *Ed.* 3.1. 25.*Ed.*3.2 2.*R* 2.1.11.*R*.2.7. 19 *R*.2.1. 6.*R*.2.10. 1. *H*. 4. 17. 14.*H*.6.6.

Sanctuaries, S. *Abiuration.*

Second deliuerance.

When awarded.

1 IN what caſe a Writ of ſecond deliuerance ſhall be awarded. 13.*Ed* 1.2.

Dammages.

2 In what caſe the Auowant in ſecond deliuerance ſhall recouer dammages and coſts. 21.*H*.8.19.

Vpon the land.

3 Auowrie, Iuſtification, or Cogniſance may be made vpon the land, in euery Writ ſued of Second deliuerance, without naming any perſon certaine. 21.*H*.8 19.

1 *Seminaries.* S. *Ieſuits.*

Sewers.

Commiſſions.

1 COmmiſſions of Sewers ſhall be directed into all the parts of this Realme, where, and when need ſhall require. 23.*H*.8. 5.

The forme of the Commiſſion.

2 The forme of the commiſſion of Sewers, and what things the Commiſſioners are authoriſed thereby to inquire of, and reforme. 23.*H*. 8.5.

Taking an oath.

3 Euery of the Commiſſioners of Sewers ſhal receiue an oath, before he take vpon him the execution of the ſame commiſſion, And the forme of the Commiſſioners oath. 23.*H*.8.5.

Making decrees.

4 The Commiſſioners haue authority to make Lawes, ordinances, and decrees, and the ſame to reforme, repeale, and amend, as neceſſary caſes ſhall require. 23.*H*.8.5.

The continuance of a decree.

5 How long the Commiſſioners of Sewers decree ſhall continue. 13.*El*.9.

Glamorgan.

6 The authority of the Commiſſioners of Sewers for the County of Glamorgan, And what they may doe by force thereof. 1.*Ma*.11.

Binding of lands.

7 The Commiſſioners decrees ſhall bind the land of thoſe which being taxed to any lot or charge, doe not pay the ſame. 23.*H*.8. 5.

The K. lands.

8 The Commiſſioners decrees ſhall bind the lands of the Kings, and of all other perſons. 23.*H*.8.5. 3 *Ed*. 6.8. 7.*Iac*. 20.

Dwelling in the County.

9 A Commiſſioner of Sewers ſhall be dwelling within the ſame County, whereof he ſhall be aſſigned Commiſſioner. 25.*H* 8.10.

Refuſing the Oath.

10 The forfeiture of him which refuſeth to take the ſaid oath of Commiſſioner of Sewers. 25.*H*.8.10.

None ſhall ſit but which are ſworne.

11 None ſhall ſit by vertue of the Commiſſion of Sewers, not being before ſworne. 23.*H*.8 5.

Their degree.

12 Of what liuing or degree euery Commiſſioner of Sewers ought to be. 23 *H*. 8 5.

A Farmer, no Commiſſioner.

13 A Farmer for terme of yeeres of lands chargeable by any ordinances, &c. ſhall not be Commiſſioner within the ſame precinct. 13. *El* 9.

Auowry of a diſtreſſe.

14 In what ſort an Auowrie or Iuſtification may bee made of a Diſtreſſe taken by reaſon of the Commiſſion of Sewers. 23 *H* 8. 5.

Their wages.

15 The wages of the Commiſſioners of Sewers, and their Clerkes, And how the ſame ſhall be leuied. 23. *Hen*.8.5.

No certificate but eſtreat.

16 There ſhall no certificat be made of the Commiſſion of Sewers Ordinance, or doings; But their Eſtreats ſhall be yeerely deliuered into the Exchequer. 13. *Elizab*. 9.

The continuance.

17 How long euery Commiſſion of Sewers ſhall continue in force. 23.*H*.8. 5.

Iuſtice of Peace.

18 Iuſtices of Peace in ſome caſe ſhall execute the commiſſion of Sewers. 13.*El*.9.

Wales, Cheſter, Lancaſter, &c.

19 What is requiſite to be done when a Commiſſion of Sewers ſhall bee directed into the Duchy of Lancaſter, the Principality of Wales, the County Palatine of Cheſter, or any other County Palatine. 23. *Hen*. 8. 5.

The fees for the Commiſſion.

20 What fees ſhall be payed for the ſealing, writing, and enrolling of the Commiſſion of Sewers. 23. *H*.8.5. 3 *Ed*.6.8.

Watercourſes. about London.

21 The Walles, Ditches, Watercourſes, &c. within two miles of the City of London falling into the riuer of Thames, ſhall be ſubiect vnto commiſſion of Sewers. 3.*Iac*.14.

Northfolke and Suffolke.

22 A Commiſſion may bee awarded into the Counties of Norfolke and Suffolke, to inquire of, preuent, and reforme defaults in ſeuerall Townes and places there. 7.*Iac* 20.

Puniſhment of the diſobedient.

23 The puniſhment of ſuch as be diſobedient in their labour, carriages, or for the taking of their Timber. 7. *Iac*.20.

Leuying the money aſſeſſed.

24 The Commiſſioners may authoriſe others to leuy the money aſſeſſed, by diſtreſſe, or ſale of goods, or they may impriſon the Offendor. 7.*Iac* 20.

Abatement by the leſſee.

25 If the Leſſee of the land charged doe pay the ſumme taxed, how much thereof he may abate of the Leſſors rent. 7.*Iac*.20.

Preſeruation of grounds.

26 The Commiſſioners may make Orders for the preſeruation of grounds in danger, and alſo may amend the ſame Orders. 7.*Iac*.20.

Penalties.

27 The Commiſſioners may impoſe penalties vpon ſuch as ſhall breake their Orders. 7.*Iac*.20.

Imployment of penalties.

28 How the penalties and ſummes of money forfeited by this Statute, ſhall be imployed. 7.*Iac*.20.

Allowance of wages.

29 What allowance ſhalbe made for their paines vnto the Commiſſioners, and other Officers, which ſhalbe imployed about the premiſſes. 7.*Iac*.20.

Not ſufficient.

30 A remedy, where the party taxed hath not ſufficient goods, nor his body is to bee found within that County. 7.*Iac*.20.

Selling the lands of others.

31 In what caſe the Commiſſioners may ſell or let to farme the lands of the party taxed. 7.*Iac*. 20.

The Offendors reliefe.

32 A reliefe for the Offendor paying the money aſſeſſed, and the penalties impoſed vpon him. 7.*Iac*. 20.

Iurors in Norfolke and Suffolke.

33 The Sheriffes of Norfolke and Suffolke ſhall returne Iurors before the Commiſſioners, And they, and all other Officers, ſhall attend and aide them. 7. *Iacob*. 20.

Accompt.

34 The Commiſſioners may take accompt of inferior Officers. 7.*I c*. 20.

A remedy againſt accomptants.

35 A remedy, if any of the Officers doe die before his accompt made, or his Arrerages payed 7.*Iac*.20.

Waſting the Accomptants goods.

36 A remedy. if the Executors or Adminiſtrators of an accomptant haue waſted his goods. 7.*Iac*.20.

Refuſing to accompt

37 The puniſhment of an accomptant, that refuſeth to accompt. 7.*Iac* 20.

An accomptant dying.

38 A prouiſion, if an accomptant die owing money to theſe vſes, and alſo to other perſons. 7 *Iac*. 20.

The defendants Plea

39 What Plea the defendant ſhall plead in a ſuit commenced againſt him for a thing done by force of this Act, and what dammages he ſhall recouer. 7. *Iac*.20.

Lands charged in Suffolke.

40 When any land of the County of Suffolke ſhall be charged, one Commiſſioner at the leaſt of the ſame County ſhall be preſent 7.*Iac* 20.

The River from Hertford to London.

41 After a new Riuer ſhall be brought from Springs out of the County of Hertford to London, the ſame ſhall bee ſubiect to the Commiſſion of Sewers. 3. *Iacob*. 18.

Sheepe.

Tranſporting.

1 THe penalty for any perſon that ſhall ſend, receiue, or take, or procure to be ſent or receiued into any Ship, any kind of Sheepe, being aliue, to be conueyed out of the Realme. 8 *El*.3.

Aboue two thouſand.

2 The forfeiture of that perſon which ſhall keep aboue two thouſand Sheepe at one time, beſides thoſe which he keepeth for the maintenance of his houſe, vnleſſe they come vnto him by Executorſhip, or marriage, or be giuen by Will to a Child within age. 25 *Hen*.8.13.

Vpon his Freehold.

3 Euery perſon may keepe vpon his Inheritance or Freehold as many Sheepe as he will. 25. *H*.8 13.

None vpon a Farme

4 He that keepeth two thouſand Sheepe vpon his Inheritance, ſhall not keepe any vpon a Farme, but if his Inheritance cannot keepe two thouſand, then hee may ſupply the number vpon a Farme. 25.*H*.8. 13.

Spirituall perſons.

5 How many Sheepe ſpirituall perſons may keepe vpon their owne lands. 25.*H*.8 13.

Fould courſes.

6 How the Lords and Farmers of Fould-courſes for Sheepe in Norfolke and Suffolke may vſe Quillets of Land lying within the ſaid Fould-courſe which they take in Farme. 25.*H*. 8. 13.

Purueyance.
7 In what ſort, at what time, and how many Sheepe, any Purueyor may take at one time. 25. *Ed.* 3. 15.

Ships and Shipping.

With croſſe ſayles.
1 FIſh taken vpon the Sea by any of the Queenes ſubiects, may be tranſported ouer the Sea in Ships with croſſe ſailes. 5. *El.* 5. 13. *El.* 11.

Engliſhmens ſhips.
2 No price ſhall be ſet, or toll receiued, for Fiſh taken in Engliſh mens ſhips. 33. *H.* 8. 33.

Strangers ſhips.
3 The penaltie for conueying any goods in ſtrangers ſhips from one Port of this Realme to another. 5. *Eliz.* 5.

French Wine, and Tholouſe Woad.
4 No French Wine or Tholouſe Woad ſhall bee brought into this Realme in ſtrangers ſhips, ſauing into ſome certaine ſpeciall places. 5. *El.* 5. 1. *Iac.* 25.

Anchoring.
5 The penaltie of anchoring vpon the Sea Coaſts of Norfolke and Suffolke in the time of common fiſhing, at certaine times and houres. 13. *El.* 11.

In a Carricke or Galley.
6 A Denizen which ſhippeth any goods in a Carricke, or Galley, ſhall pay all Cuſtomes and Subſides as an Alien doth. 1. *Iac.* 33.

Apprentice.
7 In what caſe, and in what manner, it ſhall be lawfull for the owner of a Ship, or a Ship-wright, to take an Apprentice. 5. *El.* 5. 1. *Iac.* 25.

Receiue and diſcharge loading.
8 At what time and place the Maſter of a Ship ſhall receiue and diſcharge his Loading. 4. *H.* 4. 20. 1 *Eliz.* 11.

Braſſe, &c.
9 The Maſter of a Ship ſhall not permit any Braſſe, Mettall, or &c. to be tranſported, but ſhall diſcloſe the ſame. 33. *H.* 8. 7. 2. *Ed.* 6. 37.

Tranſporting without licence.
10 In what caſe a Ship ſhall be forfeited, wherein is tranſported Corne, Beere, or &c. without licence. 1. & 2. *Ph. & Ma.* 5. 5. *El.* 5. 1. *Iac.* 25.

Leather, Tallow, &c.
11 In what caſe a Ship ſhall be forfeited, wherein is tranſported any Leather, Tallow, or raw Hides. 18. *El.* 8.

Sherifes.

Sufficient of Freehold.
1 NO man ſhall be Sherife in any County, except he haue lands ſufficient in the ſame County, to anſwer the King and his people. 9. *Ed.* 2. *Lincolne* 4. *Ed.* 3. 9 5. *Ed.* 3 4.

Who not Sherife.
2 No Baylife of any great Lord ſhall be Sherife, but ſuch which may wholly attend to ſerue the King and his people. 9. *Ed.* 2. *Lincolne.*

Abiding in the County.
3 Euery Sherife ſhall abide in his proper perſon within his Bayliwlke, for the time he ſhall be Officer, And ſhall not ſet his Countie or Bayliwike to farme. 4. *H.* 4. 5.

But one yeere.
4 None ſhall be Sherife or vnder-Sherife aboue one yeare, nor ſhall be Sherife of that Countie within the ſpace of three yeares after, ſauing in certaine caſes. 14. *Ed.* 3. 7. 42. *Ed.* 3. 9. 1. *R.* 2. 11. 6. *H.* 8. 18. 23. *H.* 6. 8. 12. *Ed.* 4 1. 17. *Ed.* 4. 6.

Their fees.
5 The Sherife and his Baylifes fees for Arreſts, and making Copies of a Panell. 23. *H.* 6. 10.

Their dutie in certaine caſes.
6 The Sherifes duty in bayling of perſons arreſted, and in taking Obligations for their appearance. 23. *H.* 6. 10.

Deputies.
7 Euery Sherife ſhall make a Deputy of Record in the Chancery, Kings Bench, Common Place, and the Exchequer. 23. *H.* 6. 10.

Wales, Lancaſter, &c.
8 Euery Sherife of the twelue Counties in Wales, and of the Counties of Lancaſter, Cheſter, and of the City of Cheſter, ſhall haue a Deputy in the Kings Bench, and Common Place. 1. *Ed.* 6 10. 5. *Ed.* 6. 26.

Their forfeiture.
9 The forfeiture of euery Sherife, vnder-Sherife, or other miniſter, which doth any thing contrary to the foreſaid Statute of 23. *H.* 6. 10.

Their Turnes.
10 What is requiſite to be done in thoſe Indictments that ſhall be taken in the Sherifes Turnes, And the puniſhment of the Sherife which doth impriſon any indicted in other ſort. 1. *Ed.* 3. 16. 13. *Ed.* 1. 13.

Indictments.
11 Indictments taken in the Sherifes Turnes, ſhall bee deliuered to the Iuſtices of Peace, who ſhall make Proceſſe againſt the offendors, and deliuer their Eſtreats to the Sherife. 1. *Ed.* 4. 2.

To which it doth not extend.
12 To which Sherifes, or other perſons, the foreſaid Statute of 1. *Ed.* 4. doth not extend. 1. *Ed.* 4. 2.

Entry of wrongfull plaints.
13 The penalty of a Sherife, Vnderſherife, &c. that ſhall enter any plaint in his booke in any mans name, vnleſſe the plaintife be in proper perſon preſent in the Court, or by a ſufficient Atturney or Deputy. 11. *Hen.* 7. 15.

Precept to Bailiſes.
14 Euery Sherife, &c. ſhall make a Precept to the Bailifes of the hundred to attach and warne the defendants to appeare and anſwer to the ſaid plaints, And the penalties of the Bailifes making default in execution of their offices. 11. *H.* 7. 15.

Viewing his Eſtreats
15 The Iuſtices to bee named at a generall Seſſions, ſhall view the Sherifes Eſtreats, And the ſaid Eſtreats ſhall be indented and ſealed. 11. *H.* 7. 15.

Gathering no more than is due.
16 Bailifes and other Officers ſhall be ſworne to gather no more but what is forfeited, and contained in the ſaid Eſtreats. 11. *H.* 7. 15.

He ſhall doe no more than he is warranted.
17 Euery Sherife ſhall execute his warrant and no more. 27. *Ed.* 1.

No Iuſtice of Peace.
18 No Sherife ſhall be Iuſtice of peace in the ſame County when and where he is Sherife. 1. *Ma.* 8.

Deputies to make Repleuins.
19 Euery Sherife ſhall make foure Deputies in his Countie at the leaſt, to make Repleuins. 1. & 2. *Phil. & Mar.* 12.

Wrongfull ſeiſure.
20 The remedy if a Sherife doe wrongfully ſeiſe one mans goods, being of the ſame name of another that is outlawed. 37. *Ed.* 3. 2. 9. *H.* 6. 4.

No ſeiſure before attainder.
21 The Sherife ſhall not ſeiſe the goods of any perſon arreſted and impriſoned, vntill hee be attainted. 1. *R.* 3. 3.

Execution of Writs.
22 In what caſe Bailifes of Hundreds, and in what caſe other perſons ſhall make execution of thoſe writs which come to the Sherife. 9. *Ed.* 2. Lincolne. 2. *Ed.* 35. 4. *Ed.* 3. 9. 5. *Ed.* 3. 4.

Bailiſes.
23 Sherifes ſhall appoint ſuch Bailifes for whom they will anſwer, Which Bailifes ſhall not bee in any ſuch office by the ſpace of three yeeres after. 14 *Ed.* 3. 9. 1. *H.* 5. 4.

Counter Rols with Coroners.
24 The Sherife ſhall haue counter Rols with the Coroner, of ſuch things which belong to the Coroners Office. 3. *Ed.* 1. 10.

Plea of the Crowne
25 No Sherife, or any other Bailife of the Kings, ſhall hold pleas of the Crowne. 9. *H.* 3. 17.

Repleuin of a diſtreſſe.
26 In what caſe the Sherife ſhall make Repleuin of Diſtreſſes that bee taken and withholden, And in what caſe the Bailife of a Franchiſe. 52. *Hen.* 3. 21. 3. *Edw.* 1. 17.

Seuerall Sherifes in ſeuerall Countries.
27 For euery of the Counties of Eſſex and Hertford, Sommerſet and Dorſet, Warwicke and Leiceſter, Nottingham and Darby, Oxon. and Berk. there ſhall be one able perſon to be Sherife, who ſhall pay in any Gourt of Record but halfe the charges and fees, &c. 8. *Eliz.* 16. 13. *Eliz.* 22.

Proclamation of Statutes.
28 Euery Sherife ſhall in proper perſon make proclamation foure times in the yeare, of the Statute of Wincheſter, prouided againſt Homicides, &c. 7. *Ri.* 2. 6.

Their oathes.
29 Euery Vnderſherife, Bailife of Franchiſe, Sherifes Clerkes, and Deputies, ſhall take two ſeuerall oathes, And the forfeiture of the offendors thereof. 27. *Eliz.* 12.

An Execution.
30 How much euery Sherife, or his Officers may take for the ſeruing of an execution. 29. *El.* 4.

Without warrant.
31 The penalty of a Sherife, Vnderſherife, &c. that doth cauſe any perſon to be ſummoned or arreſted without warrant. 43. *El.* 6. 1. *Iac.* 25.

Allowances.
32 What allowances Sherifes vpon their Accounts ſhall haue, and for what cauſes. 4. *H.* 4. 2. 2. & 3. *Ed* 6. 4.

Account of money leuied.
33 Euery Sherife ſhall be ſworne to deliuer into the Exchequer Rolles of parchment of all ſuch ſummes of money which hee hath or might haue leuied, making mention of what perſon, of what lands, and for what cauſe euery of the ſaid ſummes be leuied. 2. & 3. *Ed.* 6. 4.

Northumberland.
34 The Sherife of Northumberland ſhall put in ſufficient ſureties in the Exchequer, and enter into Recogniſance in ſuch ſumme, and vpon ſuch conditions, as all other Sherifes of this Realme doe. 2. & 3. *Ed.* 6. 34.

Bailiſes of liberties.
35 Euery Statute prouided for Sherifes, ſhall extend to Bailifes of Liberties. 27. *H.* 8. 24.

Rediſſeiſin.
36 The Sherifes duty in executing the writ of Rediſſeiſin. 20. *H.* 3. 3.

Repleuing of a diſtreſſe.
37 The Sherifes duty in the Repleuing of a diſtreſſe, and taking bond for proſecuting the ſuit, and making returne. 52. *H.* 3. 21, 13. *Ed.* 1. 2.

Riots.

38 The Sheriffes duty in recording and certifying of Riots. 13.*H* 4.7.

Totting of eſtreat.

39 The Sheriffe muſt ſhew to the party indebted, the Eſtreats ſealed, and vpon the payment tot the ſame. 42. *Ed*.3.9.

Amerciaments.

40 Amerciaments for inſufficient returnes by Stewards, or Bailiffes of Liberties, ſhall be ſet vpon their heads, and not vpon the Sheriffes. 27.*H*.8.24.

None an atturney.

41 No Vnderſheriffe, Sheriffes Clerke, Receiuer, or Bailiffe ſhall be Atturney. 1.*H*.5.4.

Counterfeiters of weightes.

42 Sheriffes may inquire of Counterfeiters of falſe weights, and puniſh them. 9.*H*.5.8.

Execution of a womans writ.

43 The Sheriffes forfeiture that will not execute a writ to him directed, at the ſuit of a woman that is wrongfully enforced to bee bound in an obligation or ſtatute. 31.*H* 6.9

Diſcharging of diſtreſſe.

44 The Sheriffe ſhall diſcharge his diſtreſſe that can find ſurety to agree for the thing in demand, and ſhall acquit the Kings debtor of that which he hath receiued. 28.*Ed* 1.12. 51.*H*.3. 3.*Ed*.1.19.

Diſſeiſin.

45 How the Sheriffe ſhall be puniſhed, that by colour of his office, doth diſſeiſe any man of his freehold. 3. *Ed*. 1. 24.

Araying of Aſſiſes.

46 In what time a Sheriffe ſhall array Aſſiſes, and deliuer the copies thereof to the parties. 42.*Ed* 3.11. 6.*H*. 6. 2.

Eſcape.

47 What the Sheriffes ſhall forfeit which ſhall ſuffer an eſcape, or doth take any thing for an eſcape. 13.*Ed*.1. 13.3.*Ed*.1.4.

A hawke.

48 How the Sheriffe ſhall vſe a Hawke which is found, taken vp, and brought vnto him. 34.*Edw*.3.22. 37. *Edw*. 3.19.

Vnlawfull bailing.

49 The puniſhment of a Sheriffe which letteth an Offendor goe at liberty, which is not repleuiſable. 3.*Ed*. 1.15.

Knights, &c. for the Parliament.

50 The Sheriffes duty about the electing, and returning the Knights of the ſhire for the Parliament, Burgeſſes of the Parliament, and leuying of their wages. 7. *H*.4.15. 11.*H*.4 1. 1.*H*.5.1. 8.*H*.6.7. 10.*H*.6.2. 23.*H*.6.15. 6.*H*.6.4. 23.*H*.6.11.

Waſt.

51 In what caſe and manner the Sheriffe vpon Precepts ſhall goe to inquire of waſt. 13.*Ed*.1.14.

Forcible entry.

52 The Sheriffe ſhall attend vpon a Iuſtice of peace, to arreſt thoſe which make any forcible entries. 15.*Rich*. 2. 2.

Returning of Iuries.

53 What Iurors, and of what ſufficiencie, the Sheriffe in ſeuerall caſes ſhall returne, and vpon what paine. 8.*H*. 6.9. 1.*H*.8.8. 1.*R*.3.4 4.*H*.8.3. 35.*H*.8.6. 2.*Edw*.6.32. 27. *Eliz* 6.

Purueyance for the K. horſes and dogs.

54 In what manner the Sheriffe ſhall make purueyance for the Kings horſes and dogs within his County. 14 *Ed*.3 4. 14 *Ed* 3.16.

Sheriffes in Wales.

55 By whom the Sheriffes in Wales ſhall be appointed, their authority, accompt, courts, fees, &c. 34.*H*.8.27. *H*.8.26.

Inſufficient returnes

56 Amerciaments of Sheriffes for inſufficient returnes. 7.*Ed*.6.1.

Bridges.

57 Sheriffes ſhall execute ſuch proces which ſhall come to them from Iuſtices of Peace, touching annoyance of bridges. 22 *H*.8.5.

A Quietus eſt dischargeth him.

58 A *Quietus eſt*, ſhall diſcharge a Sheriffe of his accompt, vnleſſe he be queſtioned within 4. yeeres next after the grant thereof. 21.*Iac*.5.

The Officers puniſhment.

59 The Officer that vexeth the Sheriffe contrary to this Act, ſhall forfeit 40.*li*. 21.*Iac*.5.

The third offence.

60 For the third offence the Officer ſhall be diſabled to continue in any office. 21.*Iac*. 5.

1 *Searchers of Cuſtome*. S. *Cuſtome, &c.*

1 *Seruants*. S. *Labourers, &c.*

1 *Shoomaker*. S. *Leather, &c.*

Silke.

Not to be brought into the Realme.

1 CErtaine things wrought of Silke which no perſon may bring into this Realme of England. 19. *H*.7.21.

1 *Souldiers*. S. *Captaines*.

Sope veſſels.

The contents.

1 WHat euery veſſell of Sope ſhall containe and weigh, and the penalty of him that doth put any other to ſale. 23.*H*.8 4.

Spices, Spicerie.

Garbled.

1 ALl Spices, Wares, Drugs, and other merchandiſes garbleable ſhalbe clenſed, garbled, and ſealed, before they be ſold, and the penalty if they be not garbled, or after garbling they be mingled. 1.*Iac*.19.

1 *Spirituall perſons and liuings*. S. *Eccleſiaſticall*.

1 *Suggeſtions to the King, or in the Chancerie*. S. *Accuſations*.

Statutes and Recogniſances.

Before whom, and by whom acknowledged.

1 BEfore whom, and in what forme, a Statute ſhall be acknowledged, ſealed, and inrolled to a Merchant for the ſecurity of his debts, and in what caſe the debtors body, lands, and goods ſhall be put in execution, and in what caſe the Statute ſhall be certified into the Chancery. 11. *Edw*. 1. *Acton Burnel*. 13. *Edw*. 1. *de Mercatoribus*.

Clerke of the Statutes.

2 A Clerke of the Statutes ſhall haue ſufficient, and dwell vpon his office. 14 *Ed*.3.11. 23.*H*.8.6.

Shewed in Court.

3 Execution may be awarded vpon a Stat. Merchant once ſhewed in Court. 5.*H*.4. 12.

Maior of Cheſter.

4 All Recogniſances of Statute Merchant and *Acton Burnel*, acknowledged before the Maior of Cheſter ſhall be good in Law. 2.*Ed*.6.31.

Statute Staple.

5 The forme and effect of a Recogniſance of the Statute Staple, for the recouery of debts acknowledged before the Maior and Conſtables of the Staple. 27.*Ed*.3. 9. 15.*R*.2.9.

In the nature of Statutes.

6 The forme of a Recogniſance in the nature of a Statute Staple, prouided for the payment of debts, and by whom it ſhall be ſealed. 23.*H* 8. 6.

The Clerke of Recogniſance.

7 A Clerke ſhall writ and inroll the ſaid Recogniſances, who ſhall dwell in London, and at the requeſt of the Creditors ſhall certifie the ſame into the Chancery. 23. *H*.8.6.

Execution.

8 What execution ſhall bee had vpon the ſame Recogniſance, if the debt be not payed at the time prefixed. 23.*H*.8.6.

The remedy for the party grieued.

9 What remedy any perſon ſhall haue, who ſhall bee grieued by ſuch Recogniſance. 23 *H*.8.6.

The K. duty.

10 What the King ſhall haue for execution to be had, by reaſon of any ſuch Recogniſance. 23 *H*.8.6.

Tenant by Recogniſance.

11 The remedy for tenant by Recogniſance, being diſſeiſed after Execution. 23.*H*.8 6.

Fees.

12 The Iuſtices and Clerkes fee vpon euery Recogniſance. 23.*H*.8 6.

Maior, &c. of the Staple.

13 In what caſes the Maior and Conſtable of the Staple may take Recogniſances of the Statute Staple, and in what not. 23.*H*.8.6.

Entry.

14 The contents of all Statutes Merchant, and Statutes of the Staple ſhall bee entered in the office of the Clerke of Recogniſances. 27.*El*.4.

Void againſt the purchaſer.

15 That Statute which ſhall not be entered ſhall bee void againſt the purchaſer of the lands liable to the ſame. 27.*El*. 4.

The Clerks penalty.

16 The penalty of the Clerke of the Recogniſance, not entring or indorſing a Statute brought vnto him. 27 *El*.28.

Fees for ſearch.

17 The fee of the Clerke of the Recogniſance for ſearch, and the penalty if hee take more. 27.*Eliza*.4. 39. *Eliz* 4.

Execution in Wales.

18 In what manner execution ſhall be made in Wales vpon a Statute or Recogniſance. 34 *H*. 8.

A fained recouery.

19 No Statute or Recogniſance ſhall be auoided by a fained recouery. 21.*H*.8.15.

Finding Surety.

20 He which ſueth to defeat execution vpon a Statute ſhall find ſurety both to the King, and to the party. 11.*H*.6. 10.

The Court of Wards.

21 Obligations taken in the Court of Wards ſhall be of the ſame ſtrength of a Statute Staple. 33. *Henr*. 8.39.

Obligations to the King.

22 Obligations made to the King ſhall be of the ſame ſtrength as a Statute Staple. 33.*H*.8.39.

Firſt fruits.

23 Obligations taken of ſpirituall perſons, for their firſt fruits, ſhall be of the ſame ſtrength as a Statute Staple.26.*H*.8.3.

Lands in execution recouered.

24 A remedy for the Cogniſee in a Statute where lands taken by him in execution be recouered. 32.*Henr*. 8.5.

The lands of Accomptants.

25 The lands of certaine accomptants to the King ſhall be lyable to the payment of their arrerages, and put in execution, as if they were bound in Statute Staple.13. *El*. 4.

Steele.

Bilbow iron.

1 THe forfeiture for fourging or making any gaddes of iron called Bilbow Iron, like to the faſhion of gaddes of Steele.2.*Ed*.6.27.

1 *Stewards of Courts.* S. *Leets, Liberties, &c.*

Stealing.

Seruants.

1 IT ſhall be felony if any ſeruant (other than an Apprentiſe) being of thage of 14. yeeres, to goe away with any money or goods of his Maſters, to the value of 40.s. or aboue.21.*H*.8.7. 5.*El*.10.

Strangers. S. *Aliens.*

Subſidies. S. *Cuſtomes.*

Sureties.

The K. widowes.

1 THe Kings Widowes ſhall finde Surety that they ſhall not marry without his conſent.9.*H*.3.7.

Sheriffes.

2 Sheriffes ſhall let out of priſon all perſons bailable; by them arreſted vpon Sureties. *viceſimo tertio Henrici ſexti* 10.

Adminiſtration.

3 Ordinaries ſhall take Sureties of Adminiſtrators, for the true adminiſtration of the goods of the inteſtate. 21.*H*.8. 5.

Not repleuiſable.

4 The penalty of a Sheriffe that doth let any priſoner goe at large vpon ſureties, that is not repleuiſable. 3.*Ed*. 1.13.

Good behauiour.

5 Iuſtices of Peace ſhall take Sureties of thoſe which bee of euill name for their good behauiour. 34.*Eduardi* 3.1.

Treſpaſſers.

6 Treſpaſſers in Parkes and Ponds ſhall finde Surety for their good behauiour. 3.*Eduardi* 1.20. 5.*Elizab*.21. 3. *Iac*. 13.

The K. debt.

7 Sureties ſhall not be diſtrained for the Kings debt, if the principall haue ſufficient.9.*Hen*.3.8.

The debters lands.

8 If Sureties doe pay to the King his debts for whom they are bound, they ſhall haue his lands vntill they bee ſatisfied 9.*H*.3.8.

Diſcharged.

9 Sureties for Accomptants to the King ſhall bee diſcharged the King being ſatisfied. *decimo tertio Elizab*. 4.

Alehouſe keepers.

10 Keepers of Alehouſes ſhall put in Sureties for their good behauiour.11.*H*.7.2.19.*H*.7.12.

Firſt fruits.

11 A ſpirituall perſon that doth compound to pay to the King the firſt fruits of the benefice, ſhal put in Sureties for the ſame.26.*H*.8.3. 1.*El*.4.

Suggeſtion.

Not prouing.

1 THe manner of making a Suggeſtion to the King, or in the Chancery, and the penalty of him that doth not proue it. 37.*Eduardi* 3.18. 38 *Eduardi* 3.9. 17. *R*. 2.6.

Prohibiting.

2 He that ſueth for a Prohibition ſhall make a Suggeſtion, and proue it. 2.*Ed*.6.13.

Surgeons.

Admitted by the Biſhop of London.

1 SVrgeons in London, and within ſeuen miles ſhall bee admitted by the Biſhop of London. 3. *Henrici* 8.11.

Admitted by the Biſhops of Dioces.

2 Surgeons out of London, &c. ſhalbe examined and approued by the Biſhop of the Dioceſe: But expert perſons may helpe outward ſoares. 3.*H*.8.11. 34.*H*.8.8.

Of London.

3 The Phyſitians in London may practiſe Surgery. 32.*H*.8.40.

One Company.

4 Surgeons and Barbers of London made one Company, and certaine liberties granted vnto them. 32.*Hen*. 8. 42.

Exempt from charges, Anatomies.

5 Surgeons in London ſhall be exempt from bearing armour, watches, and enqueſts, and ſhall haue yeerely 4. Anatomies.32.*H*.8.42.

Gouernors.

6 There ſhall be foure Gouernours of the ſame Corporation, whereof two Surgeons, and two Barbers. 32. *H*.8.42.

No Barber a Surgeon, &c.

7 No Barber in London ſhall vſe Surgery, nor Surgeons ſhall vſe the Craft of Barbing. 32.*Hen*.8.42.

A ſigne at his doore.

8 Euery Surgeon in London, the Suburbes, &c. ſhall haue a ſigne at his doore.32.*Hen*.8.42.

No Barber but a Freeman.

9 None ſhall be Barber in London but a Freeman, but each man may keepe a Surgeon or Barber for his ſeruant. 32.*H*.8.42.

A handy craftsman.

10 No ſtranger being a common Surgeon, ſhall bee interpreted a Handy crafts man. 22.*H*.8.13.

Suit of Court.

The tenants and coperceners.

1 IN what caſes tenants ſhall bee bound to doe Suit to their Lords Court, and in what manner coperceners ſhall doe their Suit. 52.*H*. 3.9.

Superſedeas.

Superſedeas void.

1 EVery Superſedeas of the Peace, or good behauiour ſhall be void, vnleſſe the proceſſe thereof be granted vpon motion in open Court, and likewiſe bee proſecuted *Bona fide*.21 *Iac*.8.

Falſe ſureties puniſhed.

2 Falſe Sureties procured for the gaining of writs of ſuperſedeas ſhall be puniſhed by the Iudges.21 *Iac*.8.

Swannes.

Fiue marke land.

1 IT is lawfull for any man that hath fiue markes land of eſtate of freehold to take a game of Swannes from the poſſeſſion of any other that hath not fiue marke land. 22.*Ed*.4.6.

Their egges.

2 It is not lawfull to take Swannes egges out of their neſts, and the penalty of him that doth it. 11. *Henrici* 7.17.

Swearing and Curſing.

Forfeit.

1 HE that prophanely curſeth or ſweareth ſhall forfeit 12.pence to the vſe of the poore. 21.*Iac*.20.

Forfeiture leuied.

2 The Conſtable, &c. ſhall leuy the ſaid forfeiture. 21.*Iac*. 20.

Generall iſſue.

3 The Officer to be ſued may plead the generall iſſue, &c. 21. *Iac*. 20.

Sued within 20. dayes.

4 This offence muſt be proſecuted within 20. dayes. 21.*Iac*.20.

The Act read.

5 This Act ſhall bee read in the Church twice euery yeere.21.*Iac*.20.

Tayle, Tenant in Tayle.

The Donors Will.

1 IN gifts in Tayle the Donors will ſhall be obſerued, and the forme of a gift in Tayle.13.*Ed*.1.1.

Reuerſion in the King.

2 A fained Recouery had againſt a Tenant in Tayle of lands whereof the reuerſion or remainder is in the King, ſhall not conclude the Heire. 34.*H*.8. 20.

A bar to the heire of his body.

3 A fine leuied by Tenant in Tayle, ſhall be a barre to the heire of his body. 32.*H*.8.36.

The Kings debts.

4 Lands intailed ſhall bee charged with the payment of the debt which the Anceſter owed to the King 33. *H*. 8.39.

Forfeiture by Attainder.

5 In what caſe lands in Tayle ſhall be forfeited by attainder of high treaſon, and in what not. 5.*Edw*.6.11. 5. *El*.1. 5.*El*.11. 18.*El*.1.

Leaſes.

6 What leaſe, for what terme, and in what ſort made by Tenant in Tayle ſhall binde his heires. 32. *Henrici* 8.28.

Preſentation to a Church.

7 A Preſentation to a Church by an Vſurper during the eſtate of Tenant in Tayle, ſhall not preiudice him in the reuerſion.13 *Ed*.1.5.

8 A Fyne leuied by Tenant in Tayle of Land, whereof the reuerſionis in the King, ſhall not binde. 32. *Henr.* 8. 36.

Tame Beaſts.

Cutting out the tongue.
1 THe penalty for cutting out the tongue of any liuing Tame Beaſt of another perſons. 37. *Henrici* 8. 6.

Beaſt in a Parke.
2 The penalty of him that is attrainted for taking of a Tame Beaſt in a Parke by manner of robbery. 3. *Edw.* 1. 20.

1 *Tanner.* S. *Leather,&c.*

1 *Taxes.* S. *Fiſteenes.*

1 *Takers.* S. *Purueyors.*

Tenths.

Abbey lands.
1 VPon all Letters Patents made of any Lands belonging to the Monaſteries that were ſuppreſſed by the Statutes of 27. *Henr.*8. there ſhall bee reſerued to the King, &c. a yeerely rent of the tenth part. 27. *Henr.* 8. 27.

A remedy to recouer them.
2 A remedy for the K. to recouer the ſame Tenths, if they be detained. 33. *H.* 8. 39.

The Tenths not reſerued.
3 A confirmation of all Letters Patents made by King *H.*8. and K. *Ed.*6. of any Lands, though the Tenth be not reſerued. 7. *Ed.* 6. 3.

Eccleſiaſticall perſons.
4 Which Eccleſiaſticall perſons ſhall pay Tenths out of their ſpirituall liuings to the King, in what places, and vpon what paines. 26. *Henrici* 8. 3. 1. *Elizab.* 4. 34. *Henr.* 8. 17.

Colleges, Chantries, &c.
5 Tenths ſhall be payed out of the lands of Colleges, Chantries, free Chappels, &c. 1. *Ed.* 6. 14.

The ſucceſſors remedy.
6 The ſucceſſors remedy which payeth a Tenth out of his ſpirituall liuing due by his Predeceſſor. 27. *Henr.* 8. 8.

Tenure.

None in Capite by attainder, outlawry, &c.
1 NO Tenure *in Capite* ſhall bee due to the King by reaſon of lands comming to his hands by Attainder, Outlawry, Diſſolution, Surrender, &c. 1. *Ed.* 6. 4. 9. *H.* 3. 31.

Of the K. as of his perſon.
2 Tenure of the K. in chiefe as of his perſon, or of his ancient poſſeſſions. 1. *Ed.* 6. 4.

Concluſion by record.
3 Concluſion of Tenure of the King by matter of Record. 1. *Ed.* 6. 4.

Vncertainly found.
4 What ſhall be done when a Tenure is vncertainely found by office. 2. *Ed.* 6. 8.

Of the chiefe Lord.
5 The feoffee ſhall hold of the chiefe Lord, and not of the feoffor, according to the quantity purchaſed. 13. *Ed.* 1. *Quia emptores terrarum.*

In Capite vpon Abbey lands.
6 In what caſe a Tenure *in Capite* ſhall bee reſerued vpon Abbey lands ſold by King *Hen.*8. and King *Edw.* 6. and in what not. 27. *H.* 8. 27. 35. *Hen.* 8. 14. 37. *Hen.* 8. 20. 7. *Ed.* 6. 3.

Wardſhip.
7 What Tenure of the King doth draw to him wardſhip, and what not. 17. *Ed.* 2. 1. 9. *H.* 3 27.

Coparceners.
8 Each Coparceners of lands holden of the King in *Capite*, ſhall haue part of the ſame Lands, and hold by the ſame Tenure. 17. *Eduardi* 2. 5. 14. *Henr.* 3. *Stat. Hiberniæ.*

Reuiuing of tenure.
9 When lands holden of a common perſon comming to the K. hands, ſhall be granted ouer to another, the Tenure ſhall be reuiued. 7. *Ed.* 4. 5.

1 *Teſtaments.* S. *Wills and Teſtaments.*

1 *Thrumes.* S. *Yarne and Thrumes.*

Tyles.

Digging of earth.
1 IN what ſort, and at what times of the yeere, earth ſhall be prouided for the making of Tyle. 17. *Edw.* 4. 4.

The quantity.
3 Of what length, breadth, and thickneſſe, Tyle ſhall be, and the forfeiture of him that maketh it otherwiſe to ſell. 17. *Ed.* 4. 4.

Searching.
3 Iuſtices of Peace ſhall heare and determine the offences of Tyle-making, and ſhall appoint certaine perſons to ſearch and examine how Tyle is made, and the Searchers reward. 17. *Ed.* 4. 4.

1 *Tillage.* S. *Husbandrie.*

Tithes, Oblations, &c.

A Decree for Tithes in London.
1 THe Decree enſuing, made by certaine Lords for the payment of Tithes in London, and the liberties thereof, ſhall be as an Act of Parliament, and ſhall bind as well all Citizens there, &c. as all Parſons, Vickars there, &c. 37. *H.* 8. 12.

Ten ſhillings, xvi. d. ob.
2 A houſe rented at ten ſhillings, ſhall pay xvi. d. ob. for Tythe.

Leſſe Rent than accuſtomed.
3 A prouiſion, where Leaſes bee let of houſes, reſeruing no Rent, or leſſe than hath beene accuſtomed: Or, where the Inheritour doth dwell in his owne houſe.

Taking ſeuerall things.
4 What ſhall be payed, and by whom, when one man taketh ſeuerall things by Leaſe, and letteth out part thereof.

Aſſignement of houſes.
5 What ſhall be payed, and by whom, when the tenant of ſeuerall houſes aſſigneth all the ſame.

The duty vpon alteration of houſes.
6 What ſhall be payed, when a dwelling houſe is made a Ware-houſe, or Store-houſe, or *Econuerſo.*

A houſe with a Stocke.
7 What ſhall be payed, when a Dye-houſe or Brewhouſe with a Stocke is let forth.

A houſe with a Key, or Crane.
8 What ſhall bee payed, when a houſe with a Key or Wharfe, hauing any Crane or Gibbet, or hauing none, ſhall be let forth.

A houſe and other things ſeuered.
9 What ſhall be payed for a houſe with other things occupied together, and after ſeuered.

Quarterly to be payed.
10 Citizens and inhabitants in London ſhall pay their Tithes quarterly.

Foure Offerings.
11 Who ſhall pay the foure offering dayes, and who not, and how much.

A houſe diuided.
12 What ſhall bee payed for a houſe of ten ſhillings Rent, diuided into ſmall parcels.

Gardens.
13 In what caſe Tithes ſhall bee payed for Gardens, and in what not, and how much.

Noblemens Houſes, and Halls of Companies.
14 This Decree ſhall not extend to the Houſes of Noblemen, kept in their owne hands, nor to the Houſes of any Halles of Companies, kept vnletten.

Sheds, Stables, &c.
15 This Decree ſhall not charge any Shedds, Stables, Cellars, Timber Yards, Tenter Yards, not parcell of any houſe, &c.

Leſſe by cuſtome.
16 Where leſſe hath beene payed by cuſtome than xvj. d. ob. for ten ſhillings Rent, there leſſe ſhall bee payed.

Tenements decayed.
17 A prouiſion where Tenements haue beene letten for ſmall Rent, by reaſon of decay.

Ending of Contentions.
18 A meane to end contentions that may riſe vpon demanding of Tithes.

Denying to pay Tithes.
19 What puniſhment ſhall bee inflicted vpon him that doth deny to pay his Tythes and Oblations, and by whom. 37. *Hen.* 8. 12.

Cuſtome of the Pariſh.
20 Tithes ſhall bee payed according to the cuſtome of the Pariſh where they bee due, and the penalty of the Offendor, which doth with-hold them. 27. *Henr.* 8. 20. 32. *Hen.* 8. 7.

Appealing from the Ordinary.
21 If any do appeale from the Ordinaries Sentence, then he ſhall pay Coſts of Suit to the other party, vpon Sureties to repay the ſame, if the Appeale be adiudged for him. 32. *Hen* 8. 7.

Impriſoning the Offendor.
22 In what caſe hee that refuſeth to pay his Tithes, or Money, by the Ordinary adiudged for them, may bee committed to Priſon by two Iuſtices of Peace, or one of the Kings Councell. 27. *Henr.* 8. 20. 32. *Henr.* 8. 7.

Aſſurance of Tithes.
23 A Recouery and Conueyance may bee had and made in a temporall Court of a Parſonage, Vickarage, Tithes, &c. by him that hath Inheritance, Freehold, or Terme therein. 32. *Hen.* 8 7.

Where recouered.
24 Tithes and Offerings ſhall bee only recouered in the Spirituall Court. 32. *H.* 8 7. 2. *Ed.* 6 13.

Prediall Tithes in their kinds.
25 Euery one ſhall ſet forth or pay his prediall Tithes in their proper kindes as they ariſe, as of right and cuſtome they ought to be payed, and the penalty if he doe not. 2. *Ed.* 6. 13.

An vnknowne Pariſh.
26 To whom the Tithe of Cattell, feeding in any

waſt ground, whereof the Pariſh is not knowne, ſhall be payed. 2.*Ed*.6.13.

atren ground.
B

27 When the Tithe of barren, heath, and waſt ground ſhall be payed, and when not. 2.*Ed*.6.13.

Merchants and Handicrafts men.

28 Merchants and handicrafts men ſhall pay the tenth part of their gaines. 2.*Ed*.6.13.

Examination.

29 The Ordinarie may examine him which refuſeth to pay his perſonall Tithes. 2.*Ed*.6.13.

Foure Offerings.

30 Euery perſon that ought to pay any offering, ſhall pay the ſame at ſuch foure dayes as hath beene accuſtomed. 2.*Ed*.6. 13.

Pariſhes vpon the Sea Coaſt.

31 In what ſort Pariſhes which ſtand vpon the Sea Coaſt, ſhall pay their Tithes for Fiſhing. 2. *Edwardi* 6. 13.

Diſobedience.

32 How Tithes ſhall be recouered, and the penalty of the Offendor diſobeying the Iudges Sentence. 2.*Eduardi* 6. 13.

Not hold plea.

33 Of what things the Eccleſiaſticall Iudge ſhall not hold plea by force of theſe Statutes. 27.*H*.8.20. 32.*H*.8. 7. 2.*Ed*.6. 13.

A new Mill.

34 If any perſon doe erect a new Mill in his ground, he ſhall pay Tithe for the ſame. 9.*Ed*.2.5.

Silua cædua.

35 If any man do ſell great Wood of the age of twenty yeeres, or aboue, called *Silua cædua*, no Tithe ſhall bee payed therefore. 45.*Ed*.3. 5.

Abbey lands.

36 Such Lands of Abbeyes as were diſcharged of Tithes before the diſſolution thereof, ſhall ſo continue. 31.*H*.8.13.

Marriage goods in Wales.

37 No Tithes of marriage goods ſhall be required of any perſon within Wales, or the Marches thereof. 2.*Ed*. 6.13.

Diſcharged by Law, &c.

38 None ſhall bee compelled to pay Tithes for any lands, which by Law, Preſcription, or Compoſition reall, be diſcharged. 2.*Ed*.6.13.

No generall auerrement.

39 If in an Action of goods taken away, the defendant maketh title for Tithes due to his Church, the plaintife ſhall not haue a generall auerrement. 1. *Rich*. 2. 14.

Where no Prohibition.

40 Where Money is demanded for Tithes in a Spirituall Court, the Kings Prohibition doth not lie. 9.*Edw*. 2. 1.

Indicauit.

41 If a Parſon be diſturbed of his Tithes, the Patron ſhall haue a writ to demand the aduowſon of the Tithes by *Indicauit*. 13.*Ed*.1. 5.

Prohibition. Conſultation.

42 Where, vpon ſuit for Tithes in a Spirituall Court, a Prohibition is grantable, and where a Conſultation. 2.*Ed*.6.13.

Sold.

43 Tithes ſold by a Clerke, doe become temporall goods, and are turned into Chattels. *Articuli Cleri*, 1. 2, 3.

Toll.

Exceſſiue.

1 THe penalty for taking exceſſiue Toll in a Market Towne. 3.*Ed*.1.30.

At a Mill.

2 What Toll ſhall bee taken at a Mill, and by what Meaſure. 3.*Ed*.1. *Stat. de Victulariis*.

Horſes.

3 When, where, and of whom, Toll ſhall be taken for Horſes, in a Faire or Market. 2.& 3.*Ph*.& *Ma*.7.

Fiſh.

4 In what caſes it is not lawfull to take Toll of Fiſh brought into this Realme. 33.*Hen*.8.33. 5.*Eliz*.5.

Aliens.

5 Aliens, made Denizens, ſhall pay ſuch Toll as they did before. 22.*H*.8.8.

Tongues, Eyes.

Cutting out, &c.

1 IT ſhall be felony, of malice prepenſed, to cut out the Tongues, or put out the Eyes, of any of the Kings people. 5.*H*.4.5.

Townes.

Repaire.

1 A Prouiſion for the repaire of houſes in certaine Cities and great Townes. 27.*H*.8 1. 32.*H*.8.18. 33.*H*.8.36. 35.*H*.8.4. 26.*H*.8.8.&.9.

By whom and where no ſale of wares by retaile.

2 He that dwelleth in the Countrey, ſhall not ſell Wares in corporate or Market Townes by retaile. 1.& 2. *Ph*.& *Ma*.7.

Cloth wrought in Market Townes.

3 Cloth to be put to ſale in certaine Counties, ſhall not be wrought but in Market Townes. 4.& 5.*Ph*.& *Ma*. 5. 18.*El*.15.

Trauerſe.

Tried in the Kings Bench.

1 TRauerſes of offices found before Eſcheators vpon alienation, or death of the Kings Tenant, ſhall be tried in the Kings Bench. 34.*Ed*.3.14.

Seuerall trauerſes.

2 Seuerall caſes, wherein Trauerſe may be taken to an Office found after the death of the Kings tenant, to the preiudice of another. 2.*Ed*.6.8.

Intituling the King by Treaſon, &c.

3 Trauerſe to an Office, entitling the King to land by the attainder of another of Felony, Treaſon, or Premunire. 2.*Ed*.6.8.

Where there is no tenure.

4 Trauerſe to an Office, where the King is entitled to a Tenure, where none is. 2.*Ed*.6. 8.

A Scire facias.

5 Vpon a Trauerſe tendered, a *Scire facias* ſhall bee awarded againſt the Kings Patentees. 2.*Ed*.6. 8.

Two Writs of Search.

6 Vpon a Trauerſe tendered, two Writs of Search ſhall be granted. 2.*Ed*.6.8.

The Kings right reſerued.

7 After a Trauerſe tendered, the Kings former Right ſhall be reſerued. 2.*Ed*.6. 8.

Indicted or appealed of Treaſon.

8 In what caſe hee that is indicted or appealed of Treaſon, ſhall bee receiued to trauerſe the ſame. 26.*H*.8. 13. 5.*Ed*.6.11.

Fraudulent conueyance.

9 Trauerſe to an Office, whereby lands ſhall be found to be fraudulently conueyed by any of the Queenes Accomptants. 13.*El*. 4.

Letten to farme.

10 In what caſe lands ſhall be letten to farme to him that tendereth a Trauerſe, and within what time. 36.*Ed*. 3.13. 8.*H*.6.16. 18.*H*.6.6. 1.*H*.8.10.

Of a Riot.

11 The triall of a Trauerſe certified of a Riot, ſhall be in the Kings Bench. 13.*H*.4.7.

Treaſons.

Seuerall Treaſons.

1 IT ſhall be high Treaſon to compaſſe the death of the King, the Queene, or their eldeſt ſonne: Or to deflower the Kings wife, the Kings eldeſt daughter vnmarried, or the Kings eldeſt ſonne and heires wife: Or to be adherent to his Enemies: Or to counterfeit the Kings great Seale, Priuy Seale, or Money: Or to bring falſe Money into this Realme: Or to ſlea the Kings Chancelor, Treaſurer, Iuſtice of the one Bench or the other, or any Iuſtice aſſigned to heare and determine, being in his Place, doing his office. 25.*Ed*.3.2.

Petite Treaſons.

2 It is petite Treaſon for a ſeruant to kill his Maſter, a woman her Husband, a ſecular or religious man his Prelate. 25.*Ed*.3.2.

Other offences.

3 If any other caſe than is before ſpecified, ſhall bee ſuppoſed to be Treaſon, it ſhall be firſt decided in Parliament, before any Iuſtice ſhall proceed to Iudgement. 25.*Ed*.3.2.

Fourging of the Signet, &c.

4 Treaſon to fourge the Queenes ſigne Manuall, priuy Signet, or priuy Seale, or the money of other Realmes currant in this. 1.*Ma*. 6.

Counterfeit money.

5 Treaſon to bring into this Realme counterfeit Money, like the Coine of other Realmes, currant in payment in this, knowing it to be counterfeit. 1.& 2. *Ph*. & *Ma*. 11.

Fourging of money not currant.

6 Miſpriſion of treaſon for fourging of money, which neither is the Money, nor currant in this Realme. 14. *Eliz*.3.

Clipping, &c. of money.

7 It is high Treaſon to clip, waſh, round, or file money for gaine. 5.*Eliz*.11.

Sealing, &c. of money.

8 It is high Treaſon to diminiſh, ſcale, or lighten Money for gaine. 18.*Eliz*.1.

Miſpriſion, and puniſhment thereof

9 What is Miſpriſion of Treaſon, and the puniſhment thereof. 5.*Eduardi* 6. 11. 1.& 2. *Philip*.& *Mar*.18. 1. *Eliz*.6.

Triall by ſpeciall Commiſſion.

10 Triall of Treaſons und Murders ſhall bee in ſuch places where the King ſhall aſſigne by ſpeciall Commiſſion. 33.*Hen*. 8.23.

Out of the Realme.

11 Where triall ſhall be made of Treaſons committed out of the Realme. 26.*H*.8.13. 35.*H*.8.2. 5.*Ed*.6.11.

A remedy for him which is out of the Realme.

12 A remedy for him, which being outlawed of Treaſon, ſhall bee then out of the Realme. 26.*Henr*.8.13. 5. *Ed*.6. 11.

Where the Kings writ runneth not.

13 Before whom, and in what place, Trialls ſhall bee made of treaſons committed, where the Kings Writ runneth not. 32.*Hen*.8.4.

According to the Common Law.

14 Trialls for any Treaſon ſhall be had and vſed only according to the due courſe of the Common Law. 1.& 2. *Ph*.& *Ma*.10.

15 Attainder

Attainder by the Common Law.

15 Attainder of Treaſon by the Common Law, ſhall bee of as great ſtrength, as by Parliament. 33. *Henrici* 8.20.

No Record of Attainder reuerſed.

16 No Record of Attainder of Treaſon ſhall bee reuerſed, where the party attainted is executed for the ſame, ſauing in certaine caſes. 29.*El*.2.

Refuſing the Oath.

17 Treaſon for the ſecond refuſall of the Oath, for the Queenes ſupreme Gouernment. 5.*El*.1.

The authority of the B. of Rome.

18 Treaſon in maintaining or extolling the Authority of the Biſhop, or Sea of Rome. 5.*El*.1.

Buls from Rome.

19 Treaſon in obtaining any Bulls or Inſtruments from Rome. 13.*El* 2.

Reconciling, or being reconciled.

20 Treaſon for perſwading, or reconciling, or for being reconciled to the Romane Religion. 23.*Elizab*. 1. 3. *Iac*. 4.

A Ieſuit, or Prieſt.

21 Treaſon for a Ieſuit, or Prieſt, to come into, or remaine in any of the Queenes Dominions. 27. *Elizabeth*.2.

Remaining in a Seminarie.

22 Treaſon by remaining in a Seminarie, and not returning after Proclamation. 27.*Eliz*.2.

Recording of Aſſurances.

23 Aſſurances made by Traitors, ſhall be recorded in the Exchequer by a time prefixed. 18.*Elizab*.4. 29.*Elizab*. 3.

Concealing Buls, &c. from Rome.

24 Miſpriſion of high Treaſon, in concealing of a Bull or other Inſtrument from Rome, or Abſolution offered. 13.*El*.2.

Peremptory challenge.

25 Peremptory Challenge ſhall not bee allowable in caſes of high Treaſon, or miſpriſion of Treaſon. 33.*Hen*. 8. 23.

Forfeiture.

26 What the Offendors ſhall forfeit in caſes of high Treaſon. 5. *Eduardi* 6. 11. 5.*Elizab*.1. 5.*Elizab*. 11. 18. *Elizab*. 1.

Treſpas.

Small offences.

1 THe puniſhment for ſmall Treſpaſſes, and of thoſe inferior Officers, which refuſe to puniſh Offendors. 43.*Eliz*.7.

The value of 40. s.

2 Writs of Treſpaſſe ſhall not be brought before Iuſtices, vnleſſe the goods taken away, were worth forty ſhillings. 6.*Ed*.1.8.

Triall.

The offence in two Counties.

1 IN what County the triall ſhall be, when the ſtriking or poyſoning is in one County, and death enſuing in another. 2.*Ed*. 6. 24.

An Acceſſory.

2 Where the triall of an Acceſſory in one County ſhall be to an offence done in another. 2.*Ed* 6.24.

Forreine Pleas.

3 Before what Iuſtices, triall of forreine Pleas ſhall be pleaded, and by what Iurors tried. 22.*H*.8.14.

Offences done in the Kings houſe.

4 What perſons ſhall enquire of, heare and determine Treaſons, Manſlaughters, malicious ſtriking, done in the Kings houſe, where he in perſon is, and who ſhall be the Tryers of the foreſaid Offendors, and their puniſhment. 33.*H*. 8 12.

Peeres of the Realme, &c.

5 Who ſhall bee the Tryers of the Peeres of this Realme, and of Ducheſſes, Counteſſes, or Baroneſſes, indicted of any Treaſon or Felony 5.*El*.1. 5.*El*.11.18.*El*. 1. 13.*El*. 1. 23.*Eliz*.1. 27.*El*.2. 2.*Hen*.6.9. 20.*Hen*.6. 9. 4. *Iac*. 1.

Where the Kings Writ runneth not.

6 In what County triall ſhall bee made of a Deed dated within a Franchiſe, where the Kings Writ runneth not. 9.*Ed*.3.4.

Of felony committed in Scotland.

7 In what place triall ſhall bee made of Felony committed by an Engliſh man in Scotland. 4 *Iacob*. 1. 7. *Iacob*. 1.

Triall of the Acceſſorie.

8 The Acceſſory may bee tried in the caſe aforeſaid, notwithſtanding the Principall bee not conuicted or attainted. 4.*Iac*.1.

The Iurors ſufficiencie.

9 Euery Iuror returned to make triall of any the offences aforeſaid, ſhall haue fiue pounds land of freehold. 4.*Iac*.1.

Not twice charged.

10 He that ſhall be once tried, ſhall not bee eftſoones called in queſtion. 4.*Iac*.1.

Not ſent into Scotland.

11 No naturall borne Subiect of the Realme of England ſhal be ſent into Scotland, to receiue his triall of any felony committed in Scotland. 4.*Iac*. 1.

Witneſſes.

12 The Iurors vpon the triall of any perſon indicted of felony, &c. may allow of or reiect the witneſſes. 4. *Iac*.1.

No arreſt of Scottiſhmen.

13 Scottiſh men repairing into England to giue euidence againſt any Offendor vpon his triall, ſhall be free from arreſting for former offences. 4. *Iac*. 1.

Speciall Commiſſion.

14 In what caſe triall of Treaſons, miſpriſions of Treaſons, Murders, and Pyracies ſhall bee by ſpeciall Commiſſion. 28.*H*.8.15. 33.*H*.8.23.

Out of the Realme.

15 Before whom, triall of Treaſons committed out of the Realme, ſhall bee made. 35. *Henrici* 8. 2. 5. *Eduardi* 6.11.

In Wales, &c.

16 Before whom, Treaſons committed in Wales, or where the Kings Writ runneth not, ſhall bee made. 32. *Hen*.8.4.

According to the Common Law.

17 Triall of Treaſons ſhall be according to the courſe of the Common Law, and not otherwiſe. 1. & 2. *Phil.* & *Ma*.10.

Corporate Townes.

18 Who ſhall be admitted to paſſe in triall of felonies in corporate Townes. 23.*H*.8.15.

Meditatate linguæ.

19 In what caſe triall ſhall bee made *de medietate linguæ*, where an Alien is party, and in what not. 27.*Edw*.3.8. 28.*Ed*.3.13. 2.*H*.5.3. 8.*H*.6.29. 22.*H*.8.10. 1.& 2. *Phil.&* *Ma*.4. 5.*El*.20. 11.*H*.7 21.

Imbeſelling of Records.

20 Before what Iudges, and by what Iurors, hee ſhall bee tried, that is indicted for ſtealing or taking away a Record, whereby any Iudgement ſhall bee reuerſed. 8. *Hen*.6.12.

Baſtardy.

21 Before whom Baſtardy, alleaged in him that is borne beyond the Sea, ſhall be tried. 25.*Ed*.3.*Stat.de Natis vltra Mare*.

Refuſall of triall.

22 What puniſhment ſhall bee inflicted vpon him, that refuſeth lawfull triall by his Countrey. 3. *Eduardi* 1.12.

Offences vpon the Sea.

23 By whom, and in what ſort, offences done vpon the maine Sea, ſhall be tried. 28.*H* 8. 15.

Wales.

24 By whom, and in what manner, triall ſhall be made before Sheriffes, in Court Barons, and in corporate Townes in Wales. 34.*H*.8.

Braſſe, &c.

25 By what meanes triall ſhall bee made of the arriuall, diſcharging, and deliuering of Braſſe and other mettall into any parts beyond the Sea. 33.*H*.8. 7. 2. *Ed*. 6. 37.

Turnes of Sheriffes.

At what time holden.

1 AT what times of the yeere the Sheriffe ſhall hold his Turnes, and at what time of the yeere a Leet ſhall be kept. 9.*H*.3.36. 31.*Ed*.3.14.

Perſons exempt.

2 What perſons be exempted, and need not come to the Sheriffes Turnes. 52.*H*.3.10.

Horſe-bread.

3 Sheriffes in their Turnes may inquire of and determine euery offence of Hoſtelers, not making lawfull Horſe bread 52.*H*.8,41.

Attachments in the Marches, &c.

4 Sheriffes in their Turnes may enquire of Attachments made by the Officers of the Courts of the Eaſt Marches, or Weſt Marches, out of any of the Counties of Weſtmerland, Cumberland, Northumberland, or Newcaſtle, &c. 31.*H*.6.3.

Exceſſe of Wines.

5 Sheriffes in their Turnes may enquire of all offences committed contrary to the Statute, prouided to auoid the prices and exceſſe of Wines. 7.*Ed*.6. 1.

Iurors ſufficiencie.

6 Of what ſufficiencie thoſe Iurors muſt bee, which ſhall be returned vpon any Inquiſitions in the Sheriffes Turne. 1.*R*.3 4.

An Indictors Prohibition.

7 An Indictor in the Sheriffes Turne, which is ſued in the Spirituall Court, ſhall haue a Prohibition. 1.*Edw*. 3.11.

In Wales.

8 At what times Sheriffes in Wales ſhall keepe their Turnes, who ſhall haue the Fines, Iſſues, and Amercements there forfeited, and who ſhall afferre them. 34. *Hen*. 8.

Vagabonds, Rogues, &c.

Houſes of Correction.

1 THe Iuſtices of Peace ſhall ſet downe Orders for the erection and maintenance of Houſes of Correction for the puniſhment of Offendors. 39.*El* 4.

Who adiudged Vagabonds

2 Who ſhall be adiudged Rogues, Vagabonds, and ſturdy Beggers. 39.*El*.4.

Their puniſhment.

3 The puniſhment of Rogues, Vagabonds, and ſturdy Beggers. 39.*El*.4.

Dangerous Rogues.

4 The puniſhment of ſuch Rogues which be dangerous, or will not be reformed. 39.*El*. 4.

Apprehenſion of them.

5 Euery perſon ſhall apprehend a Rogue,and the penalty of him that doth not. And of him that doth not performe,or diſturbe the execution of the Statute. 39. *El.* 4.

Bringing in of forreiners.

6 The penalty of him that bringeth into this Realme any Iriſh, Scottiſh, or Maniske Vagabonds, or Beggers, 39 *El.*4.

Reſorting to Bath, &c.

7 A prouiſion for poore perſons which doe reſort to Bath or Buckſton.39.*El.*4.

Corporate townes.

8 The Iuſtices of Peace within Townes corporate ſhall only intermeddle with this Statute. 39.*El.*4.

S. Thomas hoſpitall in Southwarke.

9 The Maior and Citizens of London ſhall haue the rule of S.*Thomas* Hoſpitall in Southwarke. 39.*El.*4.

Iohn Dutton.

10 A reſeruation of the Iuriſdiction of ***Iohn Dutton*** of Dutton in the County of Cheſter. 39 *El.*4.1.*Iac.*25.

Commiſſions of inquiry.

11 Commiſſions ſhall be awarded to enquire for money gathered or to bee gathered for Houſes of Correction,or Stocks for the Poore.39 *El.*4.

Sea faring men.

12 A prouiſion for the reliefe of poore Sea-faring men ſuffering ſhipwracke.39 *El.*4.

Houſe of correction in euery Shire.

13 There ſhall bee a Houſe of Correction in euery Shire, to ſet idle perſons to worke, and the forfeiture of the Iuſtices of Peace, if they doe not prouide them. 7. *Iac.* 4.

A Gouernour and his authority.

14 A Gouernour ſhall bee appointed of euery Houſe of Correction,and his authority.7.*Iac.*4.

Where no charge to the Countrey.

15 Rogues ſhall not bee chargeable to the Countrey, ſo long as they remaine in the Houſe of Correction. 7. *Iac.*4.

Priuy ſearches.

16 Generall priuy ſearchers ſhall bee made in euery Hundred and Towne,for the finding out and apprehending of Rogues and idle perſons. 7 *Iac.*4.

Account of apprehenſion of them.

17 The Conſtables of euery Towne and Pariſh, &c. ſhall giue account,vpon oath in writing, to the Iuſtices, of all Vagabonds by them apprehended,and the penalty if they doe not. 7.*Iac.*4.

The Gouernours allowance.

18 The Gouernors allowance for his paines and maintenance,and for the relieuing of ſuch as be ſicke in his cuſtody. 7.*Iac.*4.

The Gouernours accounts.

19 The Gouernour ſhall giue account to the Iuſtices of all perſons committed to his charge. 7.*Iac.*4.

Baſtards.

20 The puniſhment of lewd women which haue Baſtards. 7.*Iac.*4.

Running away.

21 A remedy to preuent them, who threaten to run away, and leaue their children to the charge of the Pariſh. 7 *Iac.* 4.

A ſeruant.

22 What Act done or omitted by any ſeruant, ſhall procure him to bee puniſhed as a Vagabond, 5. *Elizab.* 4.

A Souldier or Mariner.

23 A Souldier or Mariner taken begging, fourging, or counterfeiting a Certificat, ſhall be adiudged a Vagabond.43.*El.*3.

Verdict.

At large.

1 THe Iurors in Aſſiſe may giue their verdict at large, and are not compellable to ſay preciſely, that it is a diſſeiſin. 13.*Ed.*30.

A Iury in a Foreſt.

2 The Iury in a Foreſt ſhall giue their verdict where they receiued their charge. 7.*R.*2.3.

No Nonſuit after verdict.

3 In any Action,if the verdict paſſe againſt the plaintife,he ſhall not be nonſuted. 2.*H.*4.7.

After verdict giuen.

4 There ſhall bee no ſtay of iudgement after verdict giuen for want of forme,neither ſhall any iudgement be reuerſed. 18.*El.*13.

To the Kings uſe.

5 Where a verdict paſſeth againſt him which ſueth to the Kings vſe, the defendant ſhall not recouer coſts. 24 *H* 8.8.

Coſts.

6 Certaine caſes,wherein if a verdict be found againſt the plaintife,iudgement ſhall be giuen for coſts. 23.*Hen.* 8. 16.

View.

Where grantable.

1 IN what caſes view is grantable, and in what not. 13. *Ed.*1.48.

Villenage,Villeins.

Libertate probanda.

1 VIllenage may bee pleaded, and a villeine may bee ſeiſed by his Lord, although the villeine hath a Writ of ***Libertate probanda*** hanging. 25.*Ed.*3.18.

Inquiry of them.

2 Vpon the Lords requeſt, a ſpeciall Commiſſion ſhall be granted, to enquire of villeines which will not be iuſtified by their Lords. 1.*R.*2.6.

No barre by ſuit.

3 Although a villeine doe flie into a place infranchiſed,and ſue his Lord,yet the Lord ſhall not be barred of his villeine. 9.*R.*2.2.

Exception.

4 In what caſe a Writ ſhall not be abated by exception of Cogniſance of Villenage. 37.*Ed.*3.7.

Victuals,Victuallers.

Free ſale in London.

1 EVery man that bringeth Victuals to the City of London, may freely ſell them, without the interruption of any. 31.*Ed.*3.10. 7.*R.*2 11.

Aliens.

2 Aliens bringing Victuals into the Realme, may ſell them in groſſe,or by retaile,without the contradiction of any. And the forfeiture of him that doth diſturbe them. 6.*R* 2.10. 1.*H.*4.17. 14.*H.*6.6.

Aſſeſſment of prices

3 The prices of Victuals, and the gaines of Victuallers, ſhall be aſſeſſed by the Iuſtices of Peace, and chiefe Officers of corporate Townes. And the penalty of ſuch Victuallers as doe not ſell Victuals at a reaſonable price, hauing reſpect to ſuch prices as Victuals bee ſold for in places adioyning. 13.*R.*2. 8. 23.*Ed.*3.6. 12.*Ed.*4.8.

Aſſeſſement by the Kings Councell.

4 Vpon complaint made of inhauncing of prices of Victuals,the prices thereof ſhalbe aſſeſſed by the Kings Councellors and Officers,and they which haue Victuals to ſell,ſhall ſell them at the ſame prices. 25.*H.*8.2.

Tranſporting.

5 The penalty for carrying or cauſing to bee carried any Victuals beyond the ſea,without the Kings licence, (ſauing in certaine caſes.) 5.*Eliz.*5. 1.& 2. *Phil.*& *Mar.*5. 1.*Iac.*25. 13.*El.*13.

Conſpiracies.

6 The puniſhment for Conſpiracies made by Victuallers touching ſelling of Victuals. 2.*Ed.*6.15.

No taker for the Kings Carriage.

7 No Victualler ſhalbe a taker for the Kings Carriage. 28.*H.*6. 2.

Victuals for ſouldiers

8 It ſhall be felony to conuey away any Victuals prouided for the victualling of the Queenes ſouldiers. 31. *El.*4.

Retailing.

9 Victuallers may retaile Butter or Cheeſe,as excepted out of the Statute of 3 *Ed.*6.21. 1.*Iac.*21.

Vniuerſities

10 Purueyors ſhall not take Victuals within fiue miles of Oxford,or Cambridge,but in ſome caſes. 2.& 3. *Ph* & *Ma.*15. 13 *El.*21.

Commiſſions.

11 The Kings Commiſſions to take Victuals, ſhall not continue aboue ſix moneths. 2.& 3.*Ph.*& *Ma.*6.

1 *Vnlawfull aſſemblies.* S. *Riots,&c.*

Voucher,and counterplea of Voucher.

The penalty for denying of the truth.

1 THe penalty if it bee found and tried againſt a tenant impleaded that Voucheth, or the Vouchee that denieth his warranty. 13.*Ed.*1 6.

An Enquiry at the demandants ſuit.

2 If an Enqueſt be depending betweene a tenant and the Vouchee,and the demandant doth deſire a Writ to cauſe the Iury to appeare,it ſhall be granted him. 13 *Ed.* 1. 6.

That the tenant had nothing in the land.

3 If in a Writ brought againſt him, the tenant will Vouch to warranty, and the demandant counterpleadeth that the tenant nor his Anceſtors had euer any thing in the land. 3.*Ed.* 1.39. Stat. *de vocat. ad war.*

No Voucher out of the line.

4 In Writs of Entrie which make mention of degrees, none ſhall Vouch out of the line. 3.*Ed.* 1. 39.

Writs of entry.

5 In what caſes only Writs of Entry where no mention is made of degrees, ſhall bee maintained. 3.*Edw.* 1.39.

Warrantia Chartę.

6 In what caſe a tenant who hath a deed that compriſeth warranty, ſhall haue his recouery by a Writ of *Warrantia Chartæ.* 3 *Ed.*1. 39.

Auerment of the dead.

7 If the tenant doe Vouch to warranty a dead man, the demandant may auerre that hee is dead. 14. *Edw.* 1. 18.

Voucher of a Forreine.

8 What Proces ſhall be awarded, and before whom returnable,when one impleaded in London doth Vouch a forreine to warranty. 6.*Edw.*1.12. 6.*Ed.*1. *Articuli Stat. Gloceſter.*

Day giuen.

9 What day ſhall bee giuen him to appeare that is Vouched to warranty. 52.*H.*3.26.

Dedi & Conceſſi.

10 In what caſe the feffor ſhall be bound to warranty in reſpect of thoſe words in his deed *Dedi & Conſeſſi*, and for how long time. 4. *Ed.*1. Stat. *de Bigamis.*

Vpholſters.

Featherbeds, Bolſters,&c.

1 WHat ſtuffe ſhall bee put in featherbeds, boulſters, or pillowes made or offered to be ſold. 11.*H*.7.19. 5.*Ed*.6.23.

Quilts,Matreſſes &c.

2 What ſtuffe ſhall bee put in Quilts, Matreſſes, or Cuſhions made or offered to be ſold. 11.*Hen*.7.19. 5.*Ed*. 6. 23.

Vſes.

The poſſeſſion ioyned to the vſe.

1 SVch perſons ſhall bee in lawfull poſſeſſion and ſeiſin of lands which haue the Vſe thereof, and of ſuch eſtate as they haue in the Vſe.27.*H*.8.10.

Rents.

2 If lands ſhall be aſſured to certaine perſons, to the vſe that rent ſhall be payed out of the ſaid lands to other perſons,the rent ſhall goe according to the Vſe. 27.*Hen*. 8.10.

Againſt the feoffees in truſt.

3 All Acts made by or againſt *Ceſtuy que vſe* ſhall bee good againſt him,his heires and feoffees in truſt. 1.*Rich*. 3.1.

The heire of Ceſtuy que vſe.

4 The charges and benefits of the heire of *Ceſtuy que vſe*.4.*H* 7.17.

The lands of Ceſtuy que vſe.

5 The lands of *Ceſtuy que vſe* ſhall be put in execution for his debt, and ſhall ſatisfie the chiefe Lord for his reliefe,herriot,&c.19.*H*.7.15.

Aduantages.

6 *Ceſtuy que vſe* ſhall haue ſuch aduantages, as hee might haue had, if he had beene tenant of the land. 19. *H*.7. 15.

A bondman.

7 The lands of *Ceſtuy que vſe* being a bondman may be ſeiſed by his Lord. 19.*H*.7. 15.

A Formedon.

8 A *Formedon* ſhall bee maintainable againſt the pernor of the profits of lands, or him or them that hath the Vſe of them,and all recoueries had againſt him ſhall be good. 1.*H*.7.1.

Vſurie.

Buying and ſelling the ſame wares.

1 THe penalty for ſelling of wares and buying them againe within three moneths vpon a leſſer price, knowing them to be the ſame. 37.*H*.8.9.

Taking aboue 10.or 8. in the 100.

2 The penalty of him that ſhall take aboue ten pounds for the forbearance of 100.li. for one yeere. 37. *H*.8.9.or aboue 8.li. *per cent*.21.*Iac*.17.

Vnlawfull aſſurances

3 All Aſſurances whereby aboue ten pound for the forbearance of one hundred pound for one yeere ſhal be reſerued,ſhall be void. 13.*El*.8. 39 *Eliz*.18. And now all aſſurances,whereby aboue 8. li. &c. is reſerued, ſhall bee likewiſe void.21.*Iac*.17.

Not bound by this Statute.

4 Certaine bonds and aſſurances whereunto this ſtat. doth not extend 37.*H* 8 9.

Vſurious bargaines.

5 The penalty of Brokers, Solicitors, and driuers of vſurious bargaines.13.*El*.8.39.*El*.18. 21.*Iac* 17.

Taking leſſe than 10.in the 100.

6 He that taketh 10 li. or leſſe, for the forbearance of 100.li. for one yeere,ſhall forfeit the intereſt only.13.*El*. 8.39.*El*.18.

Orphanes.

7 The ſtatute doth not extend vnto any allowances for the finding of Orphanes, according to the ancient cuſtome of certaine Cities.13.*El* 8. 39.*El*.18.

Eccleſiaſticall lawes

8 Any perſon that ſhall offend contrary to the Statute of 37.*Hen*.8.ſhall alſo bee puniſhed according to the Eccleſiaſticall Lawes.13.*El*.8. 39 *El*. 18.

Wager of Law.

Others to ſweare.

1 HEe that Wageth his Law muſt bring others to ſweare with him.9 *H*.3.28.

A Londoners papers

2 A man may Wage his Law againſt a Londoners papers 38.*Ed*.3 5.7.*Iac*.12.

Where allowance of wager.

3 In what caſes the Iudges may allow the defendant to Wage his Law in an action of debt brought vpon Arrerages of Accompt.5.*H*.4 8.

Wales.

Vnited to England.

1 THe Kings Dominion of Wales ſhall ſtand for euer vnited and incorporated vnto the Kingdome of England. And all perſons borne or to be borne in Wales ſhall inioy the Lawes of this Realme, and the Lawes of this Realme,and none other ſhall be vſed in Wales. 27. *Hen*. 8.26.

Diuided into ſhires.

2 The Kings Principality of Wales ſhall be diuided into twelue Shires,beſides the Shire of Munmouth and the Towne of Hauerford weſt, which is a County in it ſelfe. 27.*H*.8 26. 34.*H*.8.

A Preſident and Councell.

3 There ſhalbe a Preſident and Councell in the Principality of Wales, and the Marches thereof, and all Officers,Clerkes,and Incidents to the ſame,and their authority. 34.*H*.8.

Seſſions.

4 There ſhall bee Seſſions twice in the yeere kept in euery of the ſaid Shires, and the ſeuerall fees of the Iuſtices there.34.*H*. 8.

Aſſotiation.

5 The Q. may appoint two Iuſtices for euery circuit, or grant aſſotiation. 18.*El*. 7.

Of what the Iuſt. may hold plea.

6 Of what things the ſaid Iuſtices or their Aſſotiates may hold plea. 18. *El*.7.

Continuance of the Seſſions.

7 How long euery of the ſaid Seſſions ſhall bee kept and continued, and Proclamations ſhalbe made thereof before. 34.*H*. 8.

Dayes.

8 Dayes ſhall bee giuen in all pleas, &c. from day to day,and Seſſions to Seſſions by the diſcretion of the ſaid Iuſtices. 34. *H*.8.

Triall of Iſſues.

9 Iſſues taken before the ſaid Iuſtices in pleas perſonall,may bee tried at a petit Seſſions before the Iuſtices there.34.*H*.8.

Forfeitures.

10 The King ſhall haue all Fines,Iſſues,and Amerciaments forfeited before any of the ſaid Iuſtices in the Seſſions aforeſaid,which ſhall be eſtreated into the Exchequer appointed for their limit.34.*H*.8.

Foure originall ſeales.

11 There ſhalbe foure originall Seales in the twelue Shires of Wales, *videlicet*, in euery of the three Shires one,who ſhall haue the cuſtody of the ſame Seales, and what Writs and Proces ſhall bee ſealed with them. 34. *Hen*. 8.

Foure iudiciall ſeales.

12 There ſhall bee foure iudiciall Seales in the ſaid twelue Counties of Wales, in whoſe ſeuerall cuſtodies they ſhall remaine,and what Writs or Proces ſhalbe ſealed with them, and who ſhall anſwer the King for the profits of them.34.*Hen*.8.

The Teſte.

13 Vnder whoſe name the teſte of euery Bill and Iudiciall Proces ſhall be awarded.34.*H* 8.

The fees for ſealing &c.of writs &c.

14 What fees ſhall be payed for the ſealing and writing of originall Writs and Bils.34 *H*.8.

The fees for iudicial Proces.

15 What Fees ſhall bee payed for Proces ſealed with the Iudiciall Seale, and for the exemplification of a Record. And who ſhall haue the ſaid Fees.34.*H*.8.

Fines and recoueries.

16 Recoueries and Fines, Concords, and Warrants of Atturney, may bee taken before euery of the Iuſtices of Wales, of Lands within his authority. And the force of Fines leuied before any of the ſaid Iuſtices 34. *H*.8.

Fines for Writs.

17 What Fines ſhall be payed for a Writ of Entry for any Recouery to be had, or for a Writ of Couenant for any Fine to be leuied in Wales. And how much ſhall bee payed for the Kings Siluer vpon euery fine to be leuied, and to whom. 34.*H*.8.

Redreſſing of errors

18 By whom all erronious Iudgements,in Pleas reall, or mixt, or Pleas perſonall, giuen before any of the Iuſtices in Wales,ſhall be redreſſed 34.*H*.8.

Falſe iudgement.

19 No Execution of any Iudgement to bee giuen in any baſe Court in Wales,ſhalbe ſtayed by reaſon of any Writ of falſe Iudgement. 34 *H* 8.

Weighty cauſes.

20 All Proces for weighty Cauſes ſhall bee directed into Wales by the commandement of the Chancellor of England.34.*H*.8.

Foure Prenotaries

21 There ſhall bee foure Prenotaries in the twelue Shires in Wales, *viz*. in euery three Shires one. And who ſhall appoint them. And what their Fees ſhall bee for writing Pleas, Proces, and engroſſing them. 34. *Hen*.8.

A Marſhall & Crier.

22 There ſhall be a Marſhall and a Cryer allotted to euery of the ſaid Iuſtices in Wales,to attend vpon them in their Circuits. And what the ſeuerall Fees of the ſaid Marſhall and Cryer ſhall be.34.*H* 8.

Iuſt.of Peace. Cuſtos Rotulorum.

23 There ſhall be Iuſtices of Peace,and *Quorum*,and a *Cuſtos Rotulorum* in euery of the ſaid twelue Shires of Wales. What ſort of perſons may be Iuſtices of Peace, and who ſhall aſſigne them. 34.*H*.8.

Quarter Seſſions.

24 How often in the yeere the Iuſtices in Wales may keepe their Quarter Seſſions, and what authority and Fees they ſhall haue.34.*H*.8.

Fees for warrant of the peace,&c.

25 What Fees the Iuſtices of Peace,their Clerkes,and the Clerke of the Peace ſhal take for any Warrant of the

Peace,or good abearing,and for entring of pledges,&c. 34 *H* 8.

Certifying of Recogniſances.

26 Iuſtices of Peace ſhall certifie all Recogniſances taken by them before the Iuſtices in the great Seſſions. 34.*H*.8.

Afferring and eſtreating of Fines.

27 How fines and Amerciaments loſt before the Iuſtices of Peace,ſhalbe taxed and afferred And by whom and into what place,they and all other forfeitures ſhalbe eſtreated.34.*H*.8.

A Sheriffe.

28 There ſhall be in euery of the ſaid ſhires of Wales one Sheriffe nominated, Their Patents, Oathes, acknowledgement of recogniſances and what things euery of them hath authority to doe. And their Accompts before the Kings Auditors. 34.*H*.8.

A common Gaole.

29 Euery of the ſaid Sheriffes ſhall haue a Gaole for priſoners in ſome conuenient place of the ſaid Shires. 34.*H*.8.

County and hundred Courts.

30 The Sheriffes in Wales ſhall keepe their County Courts monethly, and their Hundred Courts for Pleas vnder forty ſhillings, as vſuall in England. And in what Townes they ſhall keepe their County Courts. 34. *H*. 8. 27.*H*.8.26.

Triall before the Sherife,&c.

31 All trials before Sherifes in their Courts,or before any Steward in a Court Baron,ſhalbe by Wager of Law or verdict of ſix men.34.*H*.8.

Turnes of Sherifes.

32 Sheriffes ſhall keep their Turnes yeerely after Eaſter and Michaelmas,And the King ſhall haue all forfeitures in the Sherifes Turnes,Courts,and Hundreds.And the Streats thereof ſhall bee afferred by the Iuſtices of Aſſiſe of that Circuit.34.*H*.8.

A Sherifes Execution.

33 What Proces of Execution ſhall be awarded by a Sherife vpon a Iudgement giuen in his County or Hundred Court.34.*H*.8.

The Sherifes fees.

34 What fees euery Sherife in Wales ſhall take for the ſeruing, execution,or returne of euery ſeuerall ſort of Proces.34.*H*.8.

Common mainpriſe.

35 Euery Sheriffe may put ſuch perſons vnder common Mainpriſe, as hee hath reaſonable cauſe of ſuſpect, and bind him with two ſufficient ſureties to appeare before the Iuſtices.And the parties Fee for his Mainpriſe. 34.*H*.8.27.*H*.8.26.

Deputies in Courts.

36 Euery Sherife of the ſaid twelue counties in Wales ſhall haue one ſufficient deputy at the leaſt in euery of the Courts of the Kings Bench and Common place. 1. *Ed*.6.10.

Bailifes of hundreds.

37 Euery Sherife in Wales ſhal make Bailifes of hundreds,who ſhall attend vpon the Iuſtices in their Courts and Seſſions.34.*H* 8.

Eſcheators.

38 Eſcheators ſhall be appointed in euery of the ſaid twelue ſhires in Wales,who ſhall nominate thē,of what eſtate they muſt bee,Their oath,duty,and accompt.34. *H* 8.

Coroners.

39 There ſhalbe two Coroners elected in euery of the ſaid 12.ſhires of Wales, Their authority, duty, and fees, 34.*H*.8.

Conſtables of the hundred.

40 The I. of peace ſhall appoint in euery hundred in Wales,two Conſtables of the hundred,And their authority and duty.34.*H*.8.

Stewards of leets&c

41 The authority and duty of Stewards of Leets, Lawdayes, and Court Barons in Wales, and of what things they may hold plea.34.*H*.8.

Officers in corporate townes.

42 Of what things Maiors Bailifes,and head officers of corporate Townes in Wales may hold pleas,try iſſues and determine actions. 34.*H*.8.

Aulnager

43 The office and duty of euery Aulnager in Wales. 34 *H* 8.

In the Engliſh tongue.

44 All Officers of the Law,ſhall proclaime and keep Seſſions, and all other Courts in Wales, in the Engliſh tongue. Aud all oathes, and verdicts, and wagers of Law ſhall bee in the Engliſh tongue. 37. *Henric*. 8.26.

No vſe of the Welch Language.

45 No perſon that vſeth the Welch Language, ſhall enioy any office or fees within England or Wales. 27. *H*.8.26.

Vncertaine fees aſſeſſed.

46 Such fees for writs originall, or iudiciall, or other proces,and of Sherifes,Eſcheators, Coroners,and other Officers,which be not aſſeſſed by this Statute,ſhalbe rated by the Preſident and Councell 34.*H*.8.

Obedience to Officers.

47 All Officers and other the K.ſubiects ſhall be obedient to the Preſident and councel,and to the.I.of peace Sherifes, and Eſcheators, and ſhall obey all proces directed from them.34.*H*.8.

No fine for offence.

48 No perſon in Wales for murder or Felony ſhall be put to his fine, but ſuffer according to the Lawes. 34. *H*.8.

No agreement but by conſent of authority.

49 No man ſhal agree with him that hath committed murder or felony,vnleſſe he firſt make the Preſident and Councell, or one of the Iuſtices priuy thereto. 34. *H*.8.

Rumours, Tumults,&c.

50 There ſhall bee no Rumours, Tumults, vnlawfull Aſſemblies, or outcries in Wales,except it be for the apprehenſion or purſuing of Felons. 34. *Henr*. 8. 4.*Henric*. 4.27.

Forraine plea and Voucher.

51 In what ſort triall ſhalbe made of any forrein plea or voucher,in any other ſhire in England or Wales, than where the plea is pleaded or voucher made.34.*H*.8.

Engliſh tenure.

52 All lands in Wales,and in the county of Monmouth ſhalbe Engliſh tenure,& not be partable amongſt heires males according to the cuſtome of Gauelkinde. 34.*H*.8. 27.*H*.8.26.

Mortguage of lands.

53 No mortguage of lands within any of the Shires in Wales,ſhall bee allowed otherwiſe than according to the lawes and ſtatutes of England.34.*H*.8.

Alienation of lands.

54 All perſons may alien their lands within Wales,the County of Monmouth,and other places annexed to the ſhires in England,according to the lawes of the realm of England.34.*H*.8.

Proces for debt.

55 What proces ſhall be awarded againſt any hauing Lands in Wales that is bound by Statute or recogniſance in England, and doth not pay the debt. 34. *H*.8.

What writs,bils, proces,&c ſhall be before Iuſtices.

56 What writs,bils,plaints,pleas,proces,challenges, and trials ſhall bee vſed in Wales, before the Iuſtices in their Seſſions.34.*H*.8.

Fiue yeeres poſſeſſiō.

57 He that hath been fiue yeeres in poſſeſſion of any lands in Wales,ſhall hold the ſame vntill they be recouered by order of Law or decree.34.*H*.8.

The ſufficiency of Iurers.

58 What liuing the Iurors returned to make trials in Wales muſt be able to diſpend.34 *H*.8.

A Tales.

59 In what caſe the demaundants and plaintifes, tenants and defendants in Wales may haue a *Tales de circumſtantibus*.34.*H*.8.5 *El*.25. 14.*El*.9.

Stolne goods.

60 No ſale of ſtolne goods in any Faire or Market within Wales,ſhal change the property thereof from the owner of the ſame.34.*H*.8.

No buing out of a Faire or Market.

61 The penalty of him which ſhall buy any cattell out of a Faire or Market in Wales,vnleſſe he can bring forth witneſſes of the name of the ſeller. 34.*H* 8.

Purſuit after felonies

62 What purſuit,and in what manner,ſhall be made after any ſtolne goods in any of the ſhires in Wales. 34. *H*.8.

Felons goods, waife, ſtraie,&c.

63 The K. ſhall haue the goods of all felons, and outlawes, and all waifes, ſtrayes, and other forfeitures and eſcheats in Wales.34.*H*.8.

All mens inheritance faued in Wales, and Dutchy of Lancaſter. Monmouth.

64 Euery perſons inheritance in Wales ſhalbe ſaued vnto him,And ſo alſo ſhall be the liberties of the Dutchy of Lancaſter.34.*H*.8.

65 In what Courts Actions ſhalbe ſued in the county of Monmouth,And before whom they ſhalbe tried And the authority,office,and duty of the Sherifes,Coroners, and Eſcheators there,And before whom they ſhall make their accompts.27.*H*.8.26.

Knights and Burgeſſes for Monmouth.

66 Two Knights ſhall bee choſen to the Parliament for the ſhire of Monmouth,and one Burgeſſe for the borough of Monmouth.27.*H*.8.26.

Iuſtices of Hauerford weſt.

67 The high Iuſtice of the county of Pembroke ſhall be high Iuſtice of the County and Towne of Hauerford Weſt,And what his authority ſhall be,And who is bound to execute the ſame. And what Seale ſhall bee vſed in the county and towne.34.*H*.8.

Lordſhips Marchers diuided.

68 Certain Lordſhips,townſhips,pariſhes,commoats, and cantrides,being Lordſhips,marchers,and ſometime lying betweene the ſhires of England and Wales And all lands within the compaſſe of the ſame, ſhal be guildable, and taken as part and member of the ſeuerall ſhires of Monmouth,Radnor,Breknok,Mountgomery,Denbigh Salop, Hereford, Glouceſter, Glamorgan, Karmarthen, Pembroke,Cardigan, Flint, Merioneth,and Worceſter. 27.*H*.26.34.*H*.8.

Appearing at ſeſſions

69 Euery perſon dwelling in Wales or the Lordſhips, Marchers, ſhall vpon warning giuen appeare at or in euery Seſſions and Courts there,and performe ſuch ſeruices as ſhall bee appointed him by the chiefe Officers there.26.*H*.8.6.

Wrongfull impriſonment.

70 A remedy for the party grieued, if any Officer doe impriſon him vpon an vntrue ſurmiſe. 26. *Henric.* 8. 6.

No Weapons.

71 No perſon dwelling within Wales, or the Lordſhips Marchers, ſhall bring any weapon to any Seſſions, or Courts, or to any Church, Faire, or Market there. 26. *H.*8.6. 4.*H.*4.27.

Commoats, caſting Arthels.

72 The penalty for gathering of commoats, or other exactions, or procuring of any games in Wales. Or for caſting into any Court any Arthell, by reaſon whereof the Court may be diſturbed. 26.*H.*8.6.

Where Seſſions ſhalbe kept.

73 In what places all Seſſions and Courts in Wales, or the Lordſhips Marchers of the ſame ſhall bee kept. 26. *H.*8.6.

Inquiry of offences.

74 The Iuſtices in the Counties next adioyning ſhall enquire of the offences committed in the Lordſhips Marchers. 26.*H.*8.6.

Proces into Lordſhips Marchers.

75 What proces the Iuſtices ſhall award againſt any perſon indicted abiding in a Lordſhip Marcher, And to whom the ſame proceſſe ſhall be directed, and what may be done by force thereof. 26.*H.*8.6.

The liberties of Lords Marchers.

76 No liberty of any Lord Marcher ſhalbe abridged 26.*H.*8.6.

Triall in Monmouth

77 Before whom all Murders, Robberies, and Felonies committed within the ſhire of Merioneth in Wales, ſhall be enquired of, heard, and determined. 26.*H.*8 6. 34.*H.*8.

An offendor flying into another county

78 Where and to whom any offendor ſhalbe committed, that doth any felony in one place in Wales, & flieth to another. 26.*H.*8.6.

Vnreaſonable exactions.

79 All vnlawfull cuſtomes for the taking of vnreaſonable exactions in foreſts in Wales, ſhall be determined, And the penalty of thoſe that doe take them. 27. *Hen.* 8.7.

Strayes and theefe-ſtolne goods.

80 If any ſtrayes or theefe-ſtollen goods ſhall come into any of the foreſts in Wales, and be demanded within a yeere and a day by by the owner thereof, they ſhalbe deliuered vnto him. 27.*H.*8.7.

The puniſhment of periury in a Iuror.

81 An Officer ſhall be appointed for the keeping of a Iury in Wales, And the penalty of the Iurors there, which vpon triall commit periury. 26.*H.*8.4.

A Burgeſſe for Hauerfordweſt.

82 The towne of *H*auerford weſt ſhall finde one Burgeſſe for the ſaid towne at euery Parliament. 34. *Henrici* 8.

Knights and Burgeſſes for the Parliament.

83 Knights and Burgeſſes ſhalbe choſen in euery ſhire in Wales, and for euery borough being a ſhire towne, to come to the Parliament of England. By whom they ſhall bee choſen, And who ſhall rate, and who ſhall pay their wages. 26.*H* 8.26.35.*H*.8 11.

Forfeitures in Lordſhips Marchers.

84 Lords Marchers in Wales ſhall haue the moity of the forfeiture of their tenants, And ſhall retain their former priuileges. 1. *&* 2.*P.* *&* *M.*15.

Tallage.

85 The tenants and reſiants in Wales ſhall pay their tallage at the change of their Lords in ſuch places and forme as hath beene accuſtomed. 34.*H.*8.

Charges.

86 All reſiants in Wales ſhal be chargeable to all ſubſidies and other charges, granted by any parliament, and ſhall pay all other rents and duties as they haue been accuſtomed 34.*H.*8.

Bible, &c.

87 The Bible and booke of common prayer ſhall bee tranſlated into the Welch tongue, And the ſame ſhall be in Engliſh in euery Church in Wales. 5.*El.*28.

Proclamation vpon exigent.

88 In what caſe Proclamation vpon Exigents and other proces againſt any perſon dwelling in Wales, ſhalbe awarded. 1.*Ed.*6.10. 5.*Ed.* 6.26.

The ſtatute of Tanners, &c.

89 The act prouided for Tanners, Curriers, Shooemakers, &c. ſhall bee conſtrued to extend to Wales. 1. *Iac.*22.

Triall of offences in the Marches.

90 Where the triall of Treaſons, Miſpriſions of Treaſons committed in the Marches of Wales ſhall be made. 32 *H.*8.4.

Redemption.

91 Redemption by money in Wales which the Inhabitants haue vſed to pay to their Lords in diſcharge of all duties and forfeitures ſhall bee reſerued. 32.*Hen.* 8.37.

Sewers in Glamorgan.

92 The authority of the Commiſſioners of Sewers in the County of Glamorgan in Wales. 1. *Mar.* 11. *Parl.*2.

Ĩrolmēt of fines, &c

23 Fines leuied, and recoueries ſuffered of lands in Wales, &c. may be inrolled. 27.*El.*9.

Wards, Wardſhips, Mariage,

Fraudulent conueyance.

1 IF a tenant doth infeoffe his heire within age, or maketh any other conueyance to defeat the King or any other Lord of his Wardſhip, the ſame ſhall be void. 52.*H.* 3.6.7.34.*H.*8.5.

Communi cuſtodia.

2 What Proces ſhall be awarded in a plea of *Communi cuſtodia*, and the penalty of the defendant if hee doe not appeare. 52.*H.*3.7.

Ward by reaſon of ward.

3 Where a Gardein doth claime a Ward by reaſon of Ward, The Ward ſhall receiue no preiudice by the Gardians negligence. 52.*H.*3.7.

Taking a Wards homage.

4 If a Tenant dye his heire within age, his Lord ſhall not haue the Ward of him before he hath taken of him homage. 9.*H.*3 3.

A Ward come to full age.

5 After an heire hath been in Ward, when he is come to full age of 21. yeeres, hee ſhall haue his inheritance without reliefe and fine. 9 *H.*3.3.

The heire within age made knight.

6 If any heire being within age, bee made Knight, yet his lands ſhall remaine in the Lords cuſtody vntill the heire come to the age of one and twenty yeeres. 9. *H.*3.3.

Marriage vnder fourteene yeares.

7 The penalty of that perſon which doth with force withhold or marry any heire vnder the age of 14. yeers. 3.*Ed.*1. 22.

Rauiſhment of a Ward.

8 The penalty of him that doth wrongfully take away any man or woman child, whoſe marriage belongeth to another: A prouiſion if the heire dye before hee be reſtored, or if the plaintife, or the defendant die before the ſuit bee determined, or the heire reſtored. 13. *Edward* 1.35.

Reſummons in Communi cuſtodia.

9 What proces ſhal be awarded vpon a reſummons in a writ *de Communi cuſtodia*, if death doe preuent the heire, or executors of the plaintife or defendant before the ſuit be determined. 13.*Ed.*1.35.

An heire within age marrying without licence.

10 The penalty of an heire being aboue fourteene yeeres of age, and vnder one and twenty, which doth marry without the licence of his Lord. 20.*H.*3.6.3.*Edw.* 1.22.

Refuſing to marry with conſent.

11 The recompence which an heire ſhall make that holdeth his land by Knights ſeruice of his Lord, refuſing to marry by his Lords conſent. 20.*H.*3.7.

The heires remedy for diſſeiſin.

12 A remedy which an heire within age, and in Ward ſhall haue againſt his Gardian that maketh a feoffement of his lands, And againſt the tenant of the ſame land. 3. *Ed.*1.47.

Suit by procheinamy

13 If an Infant be carried away or diſturbed, by reaſon whereof he cannot ſue, one of his next friends ſhall ſue for him 3 *Ed.*1.47.

The heires remedy againſt his Lord.

14 A remedy for the heire of full age to recouer his land out of the hands of his Lord, if hee will not otherwiſe deliuer it him. 52. *H.*3.16.

Where only reliefs due to the Lord.

15 The heire of full age at the death of his anceſter, ſhall only pay reliefe to his Lord 52.*H.*3.16.

No waſt of wards lands.

16 The Gardian in Chiualry of an heire within age, ſhall make no waſt of his heires lands. 9. *Henric.* 3.15. And the penalty if hee doe commit waſt. 6. *Edward* 1. 5.

Gardian in ſocage.

17 The Gardians in ſocage of an heire within age ſhall make no waſt in the ſame inheritance, neither may they giue or ſell the Wardſhip of the ſame heire, but only to his profit. 52.*H.*3.17.

An heire female.

18 At what age an heire female ſhalbe out of Ward. 3.*Ed.*1.22.39.*H.*6.2.

The marriage of an heire female.

19 The penalty if an heire female will not be married by her chiefe Lord where ſhe ſhall not be diſparaged. 3. *Ed.*1.22.

Priority of feoffemēt.

20 Priority of feoffement giueth title of Wardſhip without reſpect to the ſex or quantity of the land. 13.*Ed.* 1.16.28.*Ed.*1.

Diſparagement.

21 The penalty of the Lords which doe marry thoſe that they haue in Ward, where they are diſparaged. 9.*H.* 3.6.20.*H.*3.6.

Tenure by Knights ſeruice and petit Serieanty.

22 Which ſhall bee ſaid a tenure by Knights ſeruice, and which by petit ſerieanty, and to whom the Wardſhip of the heire of either of them doth belong. 28.*Ed.*1. *de Wardis & Releuiis.*

Three writs of ward.

13 There bee three writs to recouer Wards, And in what caſes euery of them doth lye. 18.*Edward.* 1. *de Wardis, &c.*

The K. prerogatiue in wards.

24 In what caſe the K. ſhall haue the Wardſhip of all

their lands which hold of him by Knights ſeruice in chiefe. 17.*Ed*.2.1.

The meane Lords rents.

25 How the meane Lords ſhall bee anſwered their chiefe rents during the minority of the Kings Ward. 2. *Ed*.6.8.

Where no Wardſhip to the King.

26 Tenure of the King by fee farme, in ſocage, or petit ſerianty, draweth to him no Wardſhip of his heire. 9. *H*.3 27.

The K. prerogatiue in marriage.

27 The King ſhall haue the marriage of an heire within age, and in his cuſtody, without reſpect of priority of feoffement, although the heire hold of others. 17. *Edw*. 2. 2.

The K. woman tenant.

28 A prouiſion where the Kings woman tenant ſhall be married in the life of her anceſtor, before ſhe be marriageable. 17.*Ed*.2.5.

Waſt in heires lands.

29 The penalty if the Kings Grantee or committee of the land of any heire in his cuſtody, doe make waſt in the lands of the ſaid heire. 9 *H*.3 4.

The Eſcheator ſhall make no waſt, nor haue a fee.

30 An Eſcheator ſhall haue no fee, nor commit waſt in Wards lands. 28.*Ed*.1.18. 36.*Ed*.3.13.

The wardſhips, &c. of the heires of him in reuerſion.

31 If two doe hold land of the King by Knights ſeruice to them and to the heires of them, and he that hath the inheritance dyeth his heire within age, the King ſhal haue the Ward and marriage of the body of ſuch heire. 32.*H*.8.1.

The order of the Courts of Wards, &c.

32 All the Kings Wards and their lands, and all liueries to be ſued out of the Kings hands, ſhall be in the order of the Courts of Wards and Liueries. 32. *Hen*. 8. 46. 33.*H*.8.22.

The authority of the officers of the Court of Wards, &c.

33 The authority of the chiefe Officers of the Court of Wards and Liueries touching granting of Wards, making woodſales, reparations of houſes, making of leaſes, concluding with the Kings widdowes, gouernment of idiots, puniſhing of intruders, taking bonds of accomptants, aſſeſſing of fines vpon Offendors, appointment of inferior Officers, allowance of charges, taking of Recogniſances for apparance, moderating of Recogniſances forfeited, committing to priſon, and deliuering from thence, and cancelling of bonds. 32.*Hen*.8.46. 33.*H*.8.22. 33.*H*.8.39.

The fees of the Officers of the Court of Wards, &c.

34 The fees of the Officers of the Court of Wards and Liueries, for all Proceſſes, Commiſſions, and recording of apparance, 32.*H*.8.46.

A patent of a Wardſhip.

35 Within what time a Patent of a Wardſhip ſhall be ſued forth after the granting thereof. 32.*H*.8.46.

Withdrawing the Kings Rents.

36 The forfeiture of the Officers of the Court of Wards and Liueries, which ſhall withdraw any of the Kings rents or profits. 32. *Henrici octaui* 46. 33. *Henr*. 8. 22.

Liueries.

37 Liueries ſhall bee in the order, ſuruey, and gouernance of the Court of Wards and Liueries. 33.*Henr*. 8.22.

Warrantie.

Dedi & conceſſi.

1 IN what caſe a man and his heire ſhall bee bound to Warranty, and in what caſe himſelfe onely during his life, by force of theſe words *Dedi & Conceſſi &c*. 4.*Ed*. 1.6. Stat.*de Bigamis*.

The husbands Warranty.

2 In what caſe if the husband doe alien the lands of his wife with Warranty, the heire ſhall be bound thereby, and in what not. 6.*Ed*.1.3.

The K. Warranty.

3 In what caſe, and for what cauſe the K ſhalbe bound to Warranty, and in what not, and what ſhall bee done when he ſhall grant to diſcharge or ſaue harmeleſſe any perſon. 4 *Ed*.1. 1.& 2. 34 *H*.8.19.

The minority of the heire which ſhould warrant.

4 In what caſe a womans ſuit or her heires ſhall not be deferred by the minority of the heire which ſhould warrant the lands. 13.*Ed*.1.40.

Warrantia chartæ.

5 In what caſe a man that is impleaded of land ſhall haue a *Warrantia Chartæ*. 3.*Ed*.1.39.

Warreines.

Concealing hunters.

1 THe penalty for hunting in the night, or with painted faces, or other diſguiſings in any Warreine, Foreſt or Parke, and being examined to conceale the ſame. 1. *H*.7.7.

Killing of an Offendor.

2 In what caſes the killing of offendors in Warreines, Foreſts, or Parkes is iuſtifiable, and in what not. 21. *Eduardi* 1.

The penalty for hunting.

3 The penalty for breaking a Parke or Warreine, or for hunting the Deere or Conies of another perſons. 3. *Iac*.13.

Warre.

Wages to ſeruers in Warre.

1 WAges ſhall be giuen by the K. and not by the commons, to Preparers, conueyers, and ſouldiers making ready for ſeruice in Warre. 1.*Ed*.3.7.

How long the K. ſhall pay wages.

2 Men of Warre ſhall be at the Kings wages from the day that they depart out of their Counties where they were choſen, vntill their comming againe. 18.*Ed*.3.

Waſt.

Farmer.

1 NO Farmer ſhall make Waſt of houſes, woods, or men which hee hath in farme without ſpeciall grant in writing. 52.*H*.3. 24.

Againſt whom the action maintainable.

2 An action of Waſt is maintainable againſt Tenant by the curteſie, tenant in dower, tenant for terme of yeeres, and the penalty for him that committeth Waſt. 6.*Ed*.1.5.

None depending a ſuit.

3 No Waſt or eſtripement ſhall be done hanging any ſuit. 6.*Ed*.1.13.

Proces.

4 What Proces ſhall bee awarded in an Action of Waſt, and in what caſe a Writ to inquire of Waſt. 13. *Ed*.1.14.

Againſt him that alieneth and taketh the profits.

5 An action of Waſt maintainable againſt tenant for life or yeeres that granteth ouer his eſtate, taketh the profits, and committeth Waſt. 11.*H*. 6.5.

Tenant in common

6 In what caſe an Action of Waſt may bee brought by one tenant in common againſt another. 13. *Eduardi* 1. 22.

Wards lands.

7 What remedy ſhall bee taken, and by whom, when Waſt is committed in any Wards lands. 9.*H*.3.4.& 5. 52. *H*.3.17. 6.*Ed*.1.5. 28.*Ed*.1.18. 36.*Ed*.3.13.

Ideots.

8 The K. ſhall haue the profit of Ideots lands without doing Waſt. 17.*Ed* 2.9.

Recouerors.

9 Recouerors may haue an Action of Waſt againſt tenant for yeeres, for a Waſt done after the recouery. 21. *H*.8.15.

Aſſignes.

10 Aſſignees of lands and their executors, &c. may haue aduantage againſt tenants for yeeres for waſt done. 32.*H*.8.34.

Watch and Ward.

Night watch.

1 WHen the night Watch ſhall begin and end, and night walkers taken therein ſhall bee arreſted. 13.*Ed*.1.*Winchester*.

Great Townes.

2 In great townes walled the gates ſhall be ſhut from the Sunne ſetting till the Sunne riſing, and no man ſhall lodge in the Suburbes vnleſſe his hoſt will anſwer for him. 13 *Ed*.1. 5.*H*.4 3.

Watermen. S. *Boatmen.*

Waxe, Honey.

Deceit by mixtures.

1 THe penalty for vſing deceit by mixtures with roſin &c. in melting of Waxe. 23.*El*.8.

A marke.

2 Euery melter of Wax ſhall haue his marke, ſauing for the Wax of his owne Bees, and the penalty of him that ſelleth any wares wrought of Wax vnmarked, or corrupt wares made of Wax. Or doth counterfeit any marke. 23.*El*.8.

The content of euery veſſell, and the marke.

3 Veſſels of Honey ſhall bee marked with two Letters, the content of euery veſſell of Honey to bee ſold, ann the penalty for corrupting of Honey. 23. *Elizabethæ* 8.

Weights and Meaſures.

One Weight and one Meaſure.

1 ONe Weight and one Meaſure ſhall bee through the Realme. 9.*H*.3.26. 14.*Ed*.3.12 27.*Ed*.3.10.

Meaſure ſhall be ſtricked.

2 Euery Meaſure of Corne ſhall bee ſtriked without heape, ſauing the rents and farmes of Lords. 25.*Ed*.3.10.

Seuerall contents of ſeuerall meaſures.

3 How much a Buſhell ſhall containe, how much a quarter of Corne, how much a ſtone and ſacke of Wooll. 31.*Ed*.1. 11.*H*.7.4. 12.*H*.7.5. 1.*H*.5.10. 15.*R*.2.4. 34.*Ed*.3.6. 13.*R*.2.9.

Aker of ground.

4 How much ſhall be ſaid to make an Aker of ground. 34 *Ed*.1.

5 How

A weigh of Cheeſe.

5 How much the Weight of a weigh of Cheeſe muſt containe. 9.*H*.6.8.

Weights deliuered to Cities,&c.

6 There ſhall be carried into ſeuerall Cities, Boroughs and Market Townes one of euery Weight and Meaſure made of Braſſe, according to the Standard of the Exchequer, there to remaine for euer in the keeping of the head Officer of the ſame City, &c. 11.*Henric*. 7.4.12.*H*.7.5.

Signing of meaſures, &c.

7 Euery head Officer of any of the ſaid cities, towns, &c. may ſigne like Weights and Meaſures to euery man that will. 11.*H*.7.4. 12.*H*.7.5.

Buying and ſelling by weights ſigned.

8 None ſhall buy or ſell but with Weights and Meaſures ſigned and printed (ſauing by water Meaſure, and Weights for cunage of Tynne.) 11.*Hen*. 7. 4.12.*H*.7.5.

Viewed & examined

9 Weights and Meaſures ſhall be viewed and examined twice in the yeere by the head Officers of euery city, &c. And the defectiue ſhalbe broken and burned. 7.*H*.7.3. 11.*H*.7.4. 12.*H*.7.5.

A common ballance for cities, &c.

10 Euery city, borough, and market towne ſhall haue a common ballance and Weights, And euery perſon may weigh thereat. 8.*H*.6.5. 11.*H*.7.4.

Falſifiers.

11 The penalty for thoſe which be counterfeiters and falſifiers of Weights. 9.*H*.5.8.

Equall ballances.

12 Wools and all manner of *Auer de poys* ſhall bee weighed by equal ballance, and by lawfull weights ſealed according to the Standard of the Exchequer, And the penalty of the Offendor. 25.*Ed*.3.9. 27.*Ed*.3.10. 13.*R*.2.9. 8.*H*.6.5.

The weight and meaſure of Bread & Ale.

13 How Waſtall bread, Simniall, Cocket bread, and houſhold bread ſhall be ſold by the weight, And how Ale ſhall bee ſold by the gallon, And the puniſhment of the Offendors. *S. Stat. Aſſiſa Panis & Cerniſiæ, Stat. Panis & Ceruiſiæ, Iudicium colliſtrigij, Stat. de Piſtoribus, &c.* made *Anno* 51.*H*.3. & *Anno* 51.*Ed*.1.

The meaſure taken by Purueyors.

14 By what meaſure Purueyors ſhall take Corne and other Victuall. 4.*Ed*.3.3. 25.*Ed*.3.1. 36.*Ed*.3.2. 11.*H*.7.4. 1.*H*.5.10. 11.*H*.4.8.

Cloth.

15 For the length, breadth, and weight of all manner of Cloth, And the ſeuerall penalties for default thereof. 5.*Ed*.6.6. 4. & 5.*Phil*. & *Mar*. 5. 6.*H*.8.9. 35.*Eliz*.9. 4.*Iacob*.2.

Couerlets.

16 The aſſiſe, length, and breadth of Couerlets made in Yorkſhire. 34.*H*.8.10.

Wine and Oyle.

17 The content of each Veſſell of Wine, Honey, and Oyle. 2.*H*.6.11. 18.*H*.6.17. 1.*R*.3.13. 28.*H*.8.14. 13.*Eliz*.8.

Salmon, Herrings, and Eeles.

18 The content of a But, Barrell, halfe Barrell, and other Veſſell of Salmon, Herrings, and Eeles. 22.*Ed*.4.2. 11.*H*.7.23. 13.*El*.11.

Sope.

19 The content and weight of Barrels and Firkins of Sope. 23.*H*.8.4

Ale and Beere.

20 The content of euery Veſſell made for Ale and Beere to be ſold. 23.*H*.8.4.

Pewter and Braſſe.

21 The puniſhment of him which occupying buying, and ſelling of Pewter and Braſſe, doth vſe any deceitfull beames or weights. 19.*H*.7.6. 4.*H*.8.7.

Woollen Cloth.

22 All woollen Cloth ſhall bee ſold after the true content thereof, to be meaſured by the yard and ynch of the Rule. 6.*H*.8.9. 3 *Ed*.6.2.

Millers Toll.

23 By what meaſure Millers ſhall take their Toll. 3.*Ed*.1. *Stat. de Victulariis*.

A ſtone of Hempe.

24 The weight of Hempe, and how much ſhall be accounted a Stone. 21.*H*.8.12.

Weares.

Pulled downe.

1 WEares ſhall bee pulled downe thorowout all England, ſauing by the Sea coaſts. 9.*H*.3.23.

New Weares.

2 New Weares made in the time of King *Edward* the firſt, and after, wherby Ships and Boats be diſturbed that they cannot paſſe, ſhall be pulled downe. And the forfeiture of him that doth ſet vp the ſame againe. 25. *Ed*.3.4. 45.*Ed*.3.2.

Inhauncing or ſtraitening of Weares.

3 Commiſſions ſhalbe awarded to ſuruey the defaults of Weares, inhaunced or ſtraitned. And the penalty of him which doth ſet them vp againe, inhaunce, or ſtraiten them. 1.*H*.4 12. 4.*H*.4.11.

Repairing of offences

4 The forfeiture of him which doth not repaire an offence done in a Weare leuied &c. according to the award of Commiſſioners aſſigned by the ſtatute of 1.*H*.4.

A ſtranger offending

5 The penalty of a ſtranger, which doth occupy or continue any Weares, againſt whom ſuch award is made 12.*Ed* 4.7.

White Aſhes.

Tranſporting.

1 THe forfeiture of him which doth carry or conuey any white Aſhes towards the parts beyond the Sea. 2.*Ed*.6.26.

Wild fowle.

Deſtroying them or their egges.

1 THe penalty of him which ſhall take, or deſtroy, or take the Egges of any Wild fowle from the Neſt where they ſhal be layed, from the firſt day of March vntill the laſt day of Iune. 25.*H*.8.11. 3.*Ed*.6.7.

Wills and Teſtaments.

Lands holden in Socage, and none in chiefe.

1 HOw he may diſpoſe thereof by his Wil, or otherwhich hath lands holden in Socage, and none in Chiefe, or by knights ſeruice 32.*H*.8.1.

Holden in Socage in chiefe.

2 How he may diſpoſe thereof by his Will, or otherwiſe, which hath lands holden in Socage in chiefe, and none holden by Knights ſeruice 32.*H*.8.1.

Holden in chiefe.

3 How he may diſpoſe thereof by his Will, or otherwiſe, which hath lands holden of the King in chiefe by knights ſeruice. 32.*H*.8.1.

Some in chiefe, and ſome by Knights ſeruice.

4 How he may diſpoſe thereof by his Will, or otherwiſe, which hath ſome lands holden of the King in chiefe, and other lands holden of the King, or any other perſon, by Knights ſeruice. 32.*H*.8.1.

Some in Knights ſeruice and ſome in ſocage.

5 How he may diſpoſe thereof by his Will, or otherwiſe, which hath certaine lands holden only of common perſons by Knights ſeruice, and other lands holden of common perſons in ſocage. 32.*H*.8.1.

By Knights ſeruice and ſocage.

6 How he may diſpoſe thereof by his Will, or otherwiſe, which hath certaine lands holden of the King, and certaine of other Lords by Knights ſeruice, and other lands holden of other perſons in ſocage. 32.*H*.8.1.

Taking the third part.

7 The King, or other Lord, may take ſo much of their Tenants land, as will make vp their full third part, if the ſame bee not at the firſt bequeathed or left vnto them. 32.*H*.8.1.

Suing Liuery, Reliefe and Heriot.

8 Euery perſon ſhall ſue his Liuery, and pay Reliefes & Heriots, as they ought to haue done before. 32.*H*.8.1.

Fines for alienation.

9 What fines for alienation, vpon common recouery, ſhall bee paid in the Chancery for lands holden of the King in chiefe. 32.*H*.8.1.

The wiues title in the two parts.

The wiues title of dower ſhall bee ſaued vnto her in the two parts, and the reuerſion thereof after her death, to the King. 32.*H*.8.1.

Fee ſimple only.

11 The foreſaid ſtatute of 32.*H*.8. which giueth liberty and authority to euery perſon to will and deuiſe his lands by his laſt Wil and Teſtament in writing, or otherwiſe, ſhall bee taken and adiudged of eſtate in fee ſimple onely. 34 *H*.8.5.

What eſtate the deuiſer muſt haue.

12 How he may diſpoſe therof, or of any Rents, Commons, or Profits thereof, by his Will, otherwiſe, which is ſole Tenant, or Tenant in Common, or Tenant in Coparcenery in fee ſimple of lands in poſſeſſion, in reuerſion or remainder. 34.*H*.8.5.

Iointenants and Tenants in common.

13 How he may diſpoſe thereof by his Will, or otherwiſe, which is ſolely ſeiſed in fee ſimple or in Coparcenery, or in common, of lands holden of the King by knights ſeruice, *in capite*, and other lands holden of other perſons 34.*H*.8.5.

Good for two parts.

14 A Will made, ſhall bee good for two parts of the lands, although it be made of the whole. 34 *H*.8.5.

Diuiſion of the parts.

15 How, and by what means, the Kings third part ſhall be diuided from the other two parts. 34 *H* 8 5.

Holden of the King and not in chiefe.

16 How he may diſpoſe thereof by his Will, or otherwiſe, which is ſolely ſeiſed in fee ſimple, or in coparcenery, or in common, of lands holden of the King by knights ſeruice, and not in chiefe, or holden of other perſons by Knights ſeruice. 34.*H*.8.5.

The third part not left.

17 A remedy for the King, or other Lords, where a third part ſhall be due vnto them after the death of their Tenant, & not wholly ſo much left vnto them, or where the ſaid third part or any parcell thereof, ſhal be euicted. 34 *H*.8.5.

An expoſition of the ſauings, &c.

18 An expoſition of the Sauings, Reſeruings, and prouiſions made in theſe two Acts of 32.*H*.8.1. & 34.*H*.8.5.

A Pardon of Alienation.

19 A Pardon of Alienation muſt bee ſued by thoſe to whom lands holden *in Capite* be deuiſed. 34.*H*.8. 5.

A Contribution.

20 A contribution ſhall bee made in the Chancery, for any lands taken away by the King, or other Lords, to make vp his or their full third part. 34.*H*.8. 5.

Who not able to deuiſe lands.

21 Wills or Teſtaments made of any lands, &c. by any woman couert, perſon within the age of 21 yeeres. Ideot, or by any perſon *de non ſane memorie*, ſhall not be good in the Law. 34.*H*.8. 5.

Widowes crop.

22 Widowes may bequeath the crop of their grounds, as well of their dowers, as of their other lands. 20.*H*.3.2.

An Incumbents crop

23 An Incumbent may bequeath the crop of his glebe lands, ſowne at his charge. 28.*H*.8.11.

Fraudulent Wills.

24 Fraudulent Wills to defeat the Lord of Wardſhip, or other Aduantages, ſhall be void. 34.*H*.8.5.

Prouing of Wills.

25 What is payable for the prouing of Wills and Teſtaments, committing of Adminiſtration, the fees of the Ordinary and his Miniſters, and their duties therefore. 21.*H*.8 5.

Wines.

Aſſeſſing the prices.

1 THe prices of the Butt, Tunne, Pype, Hogs-head, &c. of all kinds of Wines, when it ſhall bee ſold in groſſe, ſhall bee ſet by certaine of the Kings great Officers, and at what time of the yeere they ſhal ſet the ſame prices. 28.*H*.8.14. 37.*H*.8.23. 5 *Ed*.6.17.

Denying to ſell at the prices aſſeſſed.

2 The forfeiture of them that ſell Wines in groſſe, or deny to ſell Wines, according to the prices aſſeſſed. 28. *H*.8.14.

Selling of other mens Wines.

3 In what caſe Iuſtices of Peace, or other Officers, may enter into the houſes, and ſell the Wines of other perſons. 37.*H*.8.23.

Who need not ſell in groſſe.

4 He that keepeth Wine to ſpend in his houſe, or to retaile the ſame, ſhall not be enforced to ſell it in groſſe. 24.*H*.8. 6.

Where retailed.

5 None ſhall retaile Wines, but in Cities, Market Townes, &c. 7.*Ed*.6. 5.

Who ſhall aſſigne the Vintners.

6 Vintners that doe ſell Wine by retaile in corporate Townes, ſhall be aſſigned by the head Officers thereof, And in other Townes, by the Iuſtices of Peace. 7.*Edw*. 6. 5.

How many Tauernes.

7 How many Tauernes may bee appointed in euery City, Borough, or Towne corporate, &c. to ſell Wine by retaile. 7.*Edw*.6.5.

Retailing.

8 No man ſhall retaile Wine to be ſpent in his houſe. 7.*Edw*. 6. 5.

Aſſayed.

9 Wines ſhall bee aſſayed twice in the yeere at the leaſt by the chiefe Officers of the Townes 4.*Ed*.3.12.

The contents, and gauging.

10 The content of each Veſſell of Wine, and no Veſſell of Wine ſhall be ſold, vntill it be gauged. 2.*H*. 6. 11. 18.*H*.6.17. 1.*R*.3.13. 28.*H*.8.14.

Lacke of due content.

11 What the Gaugeor ſhall forfeit to the buyer, if a Veſſell of Wine or Oyle doe lacke his due content. 28. *H*.8.14. 1.*R*.3.13. 18.*H*.6.17. 27.*Ed*.3.8. 23.*H*.6.16.

Lacking meaſure.

12 How he ſhall be recompenced, which laketh of his meaſure of a Veſſell of Wine or Oyle marked. 28.*Hen*. 8.14.

No tranſportation.

13 Merchants Aliens ſhall carry no Veſſels of Wine out of the Realme, but ſhall ſell them here in groſſe. 9. *Ed*.3.1. 25.*Ed*.3.2. 11.*R*.2.7.

French Wine.

14 In what Veſſels any French Wines may be brought into this Realme. 4 *H*.7.10. 5.*El*.5.

Sweet Wines.

15 What cuſtome or ſubſidy ſhall be payed for ſweet Wines brought into this Realme. 1.*El*.11.

Witchcraft. S. *Coniuration.*

Witneſſe.

Making default.

1 WHat forfeiture that Witneſſe ſhall make vpon whom Proces ſhall be ſerued to appeare, and maketh default. 5.*El*.9. 29.*El*.5.

Of a deed denied.

2 What Proces ſhall bee awarded againſt a Witneſſe of a deed denied And what Iſſues he ſhall forfeit if he do not appeare. 12.*Ed*.2. 2.

Procuring, or committing periury.

3 The penalty for procuring any Witneſſe to commit wilfull periury, or being a Witneſſe to commit wilfull periury. 5.*El*.9.

Woods.

Standels at xiiij. yeeres growth.

1 THere ſhall be xij. Standels left in an acre of Wood at the felling thereof, being of xiiij. yeeres growth. 35.*H*.8.17. 13 *El*.25.

How long vnfelled.

2 How long the ſame Standels left ſhall remaine vnfelled 35.*H*.8.17. 13.*El*.25.

From deſtruction of Cattell.

3 Woods felled at, or vnder xiiij. yeares growth, ſhall be preſerued 6. yeeres from deſtruction by cattell. 35.*H*. 8.17. 13. *El*.25.

Others preſerued for a longer time.

4 Woods felled aboue 14. yeeres growth, and vnder 24. ſhall bee preſerued eight yeeres. 35.*Henr*.8. 17. 13. *El*.25.

No conuerſion.

5 No Woods ſhalbe conuerted into tillage or paſture. 35 *H*.8.17 13.*El*.15.

24. yeeres growth.

6 At the felling of Wood at 24. yeeres growth, there ſhall be twelue trees left in an acre. 35.*Hen*.8.17. 13.*Elizab*.25.

Preſerued from deſtruction nine yeeres.

7 Woods felled at 24. yeeres growth, ſhalbe preſerued nine yeeres from deſtruction by cattell. 35.*H*.8.17. 13. *El*. 25.

Felling of Standels.

8 In what caſes, and for cauſes, one may fell Standels. 35.*H* 8.17.

Others hauing common.

9 What is requiſite to bee done when Woods are to be felled wherein others haue common of paſture. 35. *H*.8. 17.

Standels in common Woods.

10 How many Standels ſhall be left ſtanding in common Woods incloſed and felled. 35.*Henr*.8. 17. 13.*Elizab*. 25.

Encloſure of common Woods.

11 How long common Woods encloſed ſhall bee kept in ſeuerall, and from cattell. 35.*H*.8.17.

Waſt grounds.

12 The penalty for cutting downe any trees or vnderwoods in waſt grounds. 35.*H*. 8.17.

Excluded of common.

13 The Lord of a wood that incloſeth the fourth part ſhall bee excluded of his common in the reſidue during that time. 35.*H*.8. 17.

Encloſed before this Statute.

14 Woods vſed to bee encloſed before this Statute, ſhall be ſo continued. 35.*H*.8.17.

Continuance of common.

15 The Commoners ſhall enioy their common ſo long as the wood encloſed is vnfelled. 35.*H*.8.17.

To what this Statute extendeth not.

16 To what woods this Statute extendeth not. 35. *H*.8.17.

Breaking of fences.

17 The penalty of him that doth breake or deſtroy any ſeuerall fences, or hedges, made for the ſauing of wood. 35.*H*.8. 17.

Swine vnringed.

18 The penalty of him that doth ſuffer his Swine to goe in a wood vnringed. 35 *H* 8.17.

A Parke.

19 How long a wood ſhall be fenced in a Parke wherein Deere is keept 35.*H*.8.17.

A ſtranger offending.

20 Where a ſtranger is cauſe of the offence, he only ſhall be puniſhed. 35.*H*.8 17. 13.*El*.25.

Coppice.

21 Within what time cattell may be put into Coppice Woods. 13.*El*. 25.

In the Foreſt.

22 How euery man may vſe his wood which is within the Foreſt. 1.*Ed*.3.2. 9.*H*.3.9. 12.13.

Purpreſtures.

23 The puniſhment of them which doe make Purpreſtures, Waſt, or Aſſert in their Woods that they haue in Foreſts, without the Kings licence. 9.*H* 3 4.

Incloſure in a Foreſt

24 How long woods felled in a Foreſt, may be encloſed and kept in ſeuerall. 22.*Ed*.4 7.

Burning of a heape of Wood.

25 The forfeiture for burning of any heape of Wood felled for the making of Coales, Billet, or Tallwood. 37. *H*.8. 6.

Felling of Oakes.

26 At what time Oake trees meet to be barked ſhal be felled. 1.*Iac*.22.

Purueyance for the King.

27 No Purueyor ſhall fell any Timber to the Kings vſe, but only in barking time, or ſhall take any more but only the Timber tree. 1.*Iac*.22.

None ſhall buy, but that doe burne or retaile.

28 None ſhall buy Wood, but thoſe which will burne or retaile the ſame. 7.*Ed* 6. 7.

For making of Iron.

29 What Woods may be felled, and in what places, for the making of Iron, and what not. 1. *El*. 15. 23.*El*.5. 27.*El* 19.

Licence to tranſport

30 How euery Licence for tranſporting of wood ſhal be vſed. 1.& 2. *Ph*.& *Ma*.5.

In, or neere high wayes.

13 In what caſe wood ſhall be felled in or neere high wayes. 13. *Ed*.1.5 *Wincheſter*.

Woolls.

Buying.

1 WHo only may buy Wools, and the penalty of the Offendor. 5.*Ed*.6.7.

Norfolke Wooll.

2 In what ſort Norfolke Wooll may bee bought and ſold againe, in what place, and to what perſons. 1.*Ed*.6.6.

Hallifax.

3 The inhabitants of Hallifax may buy Wooll and ſell the ſame there againe. 2.& 3.*Ph*.& *Ma*.13.

Winding.

4 The penalty for winding any Wooll being not ſufficiently waſhed, or for winding therein any deceitfull thing. 8.*H*.6.22.23.*H*.8.17. 13.*El*.25.

Due packing.

5 The penalty of a Wooll-packer, that doth make any other but good and due packing, and of him that doth, force, clacke, or beard any Wooll. 8.*H*.6. 22.

Cott, Gare, and Villane.

6 None ſhall make any refuſe of Wooll, but of Cott Gare, and Villane. 13.*R*.2.9. 31.*Ed*.3.8.

The content of a Stone and Sacks.

7 What ſhall be accounted the contents of a Stone and Sacke of Wooll. 13.*R*.2.9.

The cuſtome.

8 What ſhall bee payed for the cuſtome of a Sacke of Wooll. 14.*Ed*.3.21.

Boyling.

9 With what things Wooll, to bee conuerted into Cloth, ſhall not be boyled. 5.*Ed*.6.6.

Women.

Vnlawfull alienation.

1 AN alienation made by a Widow of the lands of her late deceaſed Husband, ſhall be void. 11.*H*.7.20.6.*Ed*.1.7.

Auoiding of her alienation.

2 Vpon the Alienation or Recouery, &c. made or ſuffered by a woman of her late deceaſed husbands lands, he in the reuerſion may enter. 11.*H*.7.20.

Only during her husbands life.

3 A woman couert ſhall be bound by ſuch Alienation or Recouery, but during her husbands life. 11.*H*.7.20.

Diſcontinuing with conſent.

4 A woman doth diſcontinue or ſuffer Recouery with the conſent of him in reuerſion. 11.*H*.7.20.

Gifts during her life.

5 A woman being ſole or married, may giue land that was her late husbands during her owne life. 11.*Hen*.7. 20.

No preiudice by the husband onely.

6 The husbands onely Act of the wiues owne land, ſhall not preiudice her or her heires after his death: ſauing for Leaſes made by the husband and the wife of the Inheritance of the wife. 32.*H*.8.28.

A Recouery enrolled.

7 A wife or her heires ſhall not auoid a Recouerie enrolled in a corporate Towne, hauing power to receiue the ſame. 34.*H*.8.22.

A Cui in vita.

8 If the husband doe loſe by default any land which he hath in his wiues right, the wife after his death may recouer the ſame by a *Cui in vita*. 13.*Ed*.1.3.

Conueying a woman vnder xvi. yeeres.

9 The penalty for conueying away a woman child vnmarried vnder the age of ſixteene yeeres, from the poſſeſſion of him which hath the gouernance of her. 4.& 5.*Ph*.& *Ma*.8.

Contracting Matrimony with one vnder xvi. yeeres.

10 The penalty for taking away and deflowring or contracting Matrimony with a woman child vnder ſixteene yeeres of age, without the conſent of him that hath the gouernance of her. 4.& 5.*Ph*.& *Ma*.8.

Conſenting to vnlawfull contract.

11 The forfeiture of a woman betweene twelue and ſixteene yeeres of age, conſenting to ſuch an vnlawfull contract of Matrimonie. 4 & 5.*Ph*.& *Ma* 8.

Taking againſt her will.

12 It ſhall be felony, without benefit of Clergy, to take away a woman againſt her will vnlawfully, that hath any lands or goods, or is heire apparant to her Anceſtor. 3.*H*.7.2. 39.*El*.9.

Enforced to be bound.

13 A remedy for a woman being ſole, and hauing lands or goods, which is enforced to be bound by Obligation or Statute. 31.*H*.6.9.

Her ſuit not deferred by the heires minority.

14 The ſuit of a woman, or her heires, for land, ſhall not bee deferred by the minority of the heire, which ought to warrant it. 13.*Ed*.1.40.

Rape, or conſenting.

15 What puniſhment doth enſue the Rape of a woman, or conſenting to Rape. 13.*Edw*.1.34. 6.*R*.2.6. 18. *Eliz*.6.

Forfeiture of Ioynture, or Dower, &c.

16 Where a woman ſhall haue her Quarentine, where her Ioynture, where her Dower. And what cauſes there be of concluſion or forfeiture thereof. 9.*H*.3 7. 20.*H*.3.1. 13.*Ed*.1.4.& 34.1.*Ed*.6.12. 5.*Ed*.6.11.

Appeale.

17 In what only caſe a woman may haue an Appeale of death. 9.*H*.3.34.

Compellable to ſerue.

18 In what caſe a woman abone the age of twelue yeeres is compellable to ſerue by the yeere, by the weeke, or day. 5.*Eliz*.4.

Leaſes.

19 What Leaſes made of a womans land during her couerture, ſhall bind her, and what not. 32.*H*.8.28.

A widow holding in chiefe.

20 How widowes, or other women, which hold of the King in chiefe, ſhall bee vſed. 17.*Edw* 2. 4.5.6. 32. *Henr*. 8.46.

Receit.

21 In what caſe a woman couert ſhall be receiued to defend her right of lands demanded againſt her husband and her. 13 *Ed*.1.3.

Her Will not effectuall.

22 A Will made by a woman couert of lands, is not effectuall in Law. 34.*H*.8.5.

A Widowes crop.

23 A Will made by a widow of the crop of her ground is good in Law. 20 *H*.3. 2.

Recuſants abode.

24 How far a woman ſhall bee bound by the Statute prouided to reſtraine Recuſants to certaine places of abode. 35.*El*.1.

Married Recuſants.

25 How far a married woman ſhall be bound by the Statute prouided to reſtraine Popiſh Recuſants to certaine places of abode. 35.*El*.2.

A Recuſant during her husbands life.

26 A woman or her husband ſhall not bee charged with any forfeiture for any offence of not receiuing the Sacrament, which ſhall happen during her marriage. 3. *Iac*.4.

Not comming to the Church, &c.

27 The penalty of a married woman Recuſant which ſhal not come to the Church, and receiue the Sacrament. 7.*Iac*.6.

Forfeiture after her husbands death.

28 The ſeuerall penalties and forfeitures which a married woman Recuſant ſhall ſuſtaine after the death of her husband. 3.*Iac*.5.

Not lawfully married.

29 The penalty of a woman that is a Popiſh Recuſant, that ſhall be married otherwiſe than according to the Orders of the Church of England, by a lawfull Miniſter. 3.*Iac*. 5.

Leuying a Fine.

30 A women couert ſhall be examined, before a Fine ſhall be leuied by her. St. 18.*Ed*. 1.

No Mortuary.

31 No Mortuary ſhall be payed for a woman couert. 21.*H*.8 6.

Counteſſes Chapleines.

32 Dutcheſſes, Counteſſes, Baroneſſes, being widowes, may haue two Chapleines. 21.*H*.8.13.

Tryall of Ladies.

33 By what perſons, Dutcheſſes, Counteſſes, and women of great Eſtate, indicted of Treaſon or Felony, ſhall be tried. 20.*H*.6.9.

Married within age.

34 A woman married within age, may refuſe her husband, and marry another. 17.*Ed*.2.5.

Burned in the hand.

35 For Felonie, where a man may haue his clergy, a woman ſhall be burned in the hand. 21.*Iac*.6.

Worſteds.

Wardens in Norwich and Norfolke.

1 THere ſhall be foure Wardens of Worſted Weauers yeerely choſen within the City of Norwich, and foure within the County of Norfolke: Their Oath, Office, and Authority. 7.*Ed*.4.3.

Wardens in Yarmouth and Lynne.

2 Worſted Weauers of great Yarmouth and Lynne, in the County of Norfolke, may yeerely chuſe one houſeholder of either of the ſaid Townes to be Warden of the ſaid Craft within the ſaid Townes for the yeere following. The ſaid Wardens Oath, Office, and authority. 14. *H*.8.3. 26.*H*.8.16.

Dry Kallender.

3 The forfeiture of him which doth dry Kallender Worſteds. 5.*H*.8 4. 25.*H*.8. 5.

Wet Kallender.

4 Who ſhall wet Kallender Worſteds, and the forfeiture of him that doth the contrary. 5.*Hen*.8.4. 25. *Hen*. 8. 5.

A Dyer ſhal not Kallender.

5 No perſon that dyeth Worſteds, Stamins, or Sayes, ſhall kallender them. 25 *H*. 8.5.

When it ſhall be transported.

6 No Worſteds ſhall be tranſported beyond the Sea, before the ſame be ſhorne, coloured, and kallendred. 14. *H*.8. 3.

What tranſported, &c.

7 What ſort of Worſteds may bee tranſported, and what not. 17.*R*.2.3.

Worſted Weauers.

8 What ſort of perſons onely ſhall bee Weauers of Worſteds, Sayes, or Stamins, in great Yarmouth and Lynne. 14.*H*.8.3. 26.*H*.8.16.

Made in Lynne and Yarmouth.

9 The Worſteds made at Lyn and Yarmoth, ſhall be dyed, ſhorne, and kallendred at Norwich. 14 *Hen*.8.3. 26. *H*.8.16.

Their length and breadth.

10 Of what length and breadth, Worſteds, and Motleyes, and Channon Clothes, of ſeuerall Aſſiſes, ſhall be. 7.*Ed*.4.2.

Marking of them.

11 No Worſted Weauer of Norwich or Norfolke ſhal make any Worſted, vnleſſe he put his proper marke fixed

or wouen vpon the ſame, ordained by the Wardens of the ſaid myſterie. 7 *Ed*. 4. 2.

Buying of Yarne.

12 Who only may buy Worſted Yarne ſpun in Norwich or in the County of Norfolke. 33. *H*. 8. 16. 1. *Ed*. 6. 6. 5 *Ed*. 6 7.

No tranſportation.

13 Worſted Yarne ſpun in England, ſhall not bee tranſported beyond the Sea. 33. *Hen*. 8. 16. 1. *Edw*. 6. 6. 5. *Ed* 6. 7.

Apprentices.

14 What Apprentices, Worſted makers, dwelling in Lynne and great Yarmouth, may take. 14 *H*. 8. 3. 26. *H*. 8. 16. 5. *El*. 4.

Wrecke of the Sea.

Which ſhall be, and how vſed.

1 WHich ſhall bee ſaid Wrecke of the Sea, and which not. And how Wrecke of the Sea ſhall be vſed. 3. *Ed*. 1. 4.

A coroners inquiry.

2 A Coroner ſhall enquire of the Wrecke of the Sea, and the price thereof, and deliuer it to the Townes to anſwer. 3. *Ed*. 1. *Officium Coronatoris.*

The King ſhall haue it.

3 The King by his Prerogatiue ſhall haue the Wrecke of the Sea thorow the Realme. 17 *Ed*. 2. 11.

Triall thereof.

4 Wrecke of the Sea ſhall bee tried by the Common Law, and not by the Admirall. 15. *R*. 2. 3.

Goods not wrecked.

5 Goods broken vpon the Sea, which cannot be ſaid Wrecke, ſhall be deliuered to the owners. 27. *Ed* 3. 13.

Writs, and abatement of Writs.

Addition.

1 IF in an Originall Writ, where an *Exigent* ſhall bee awarded, the addition of the name, myſtery, and degree of the defendant ſhall not bee put, the Writ ſhall abate. 1. *H*. 5. 5.

Not brought in the right County.

2 If a Writ be brought in any other County, than where the Contract was made, it ſhall be void. 6. *R*. 2. 2.

Ioyntenancie.

3 If in an Aſſiſe of *Mortdaunceſter*, or *Iuris vtrum*, the defendant do plead Ioyntenancie with any other, and that be found by verdict, the Writ ſhall abate. 34. *Edw*. 1. *de Coniunctim feoffatis.*

Aſſiſe without cauſe.

4 If an Aſſiſe be brought wrongfull againſt the Sherife of a County, to the intent the ſame may be directed to the Coroner, the Writ ſhall abate. 11. *Hen* 6. 2.

County Palatine.

5 Certaine Writs, which ſhall bee ſealed with the Seale of the County Palatine of Lancaſter. 5. *Eduard* 6. 26.

In the Kings name.

6 All Writs, Indictments, and Proceſſes ſhall be made in the name of the King, and none other. 27. *Henr*. 8. 24.

The goods worth forty ſhillings.

7 Writs of Treſpaſſe ſhall not be brought before Iuſtices, vnleſſe the goods taken away were worth forty ſhillings. 6. *Edw*. 1. 8.

Yarne and Thrummes.

Who only may buy it.

1 WHo onely may buy Worſted Yarne ſpun in Norfolke, or in the City of Norwich, or Middle Vſſe Yarne. 33. *H*. 8. 16. 1. *Ed*. 6. 6. 5. *Ed* 6 7.

Tranſportation.

2 The forfeiture of him which doth tranſport any Worſted Yarne beyond the Sea. 33. *Hen*. 8 16. 1. *Edw*. 6. 6. 5. *Ed*. 6. 7.

Tranſportation of Woollen Yarne.

3 The forfeiture of him that doth tranſport any Thrummes, or Woollen Yarne, vnder the colour of Thrummes. 8. *H*. 6. 23.

None ſhall buy but to make into Cloth.

4 The penalty of him which doth buy Yarne, or Wooll, if he will not make Cloth thereof. 8. *H*. 6. 5.

Woollen Yarne tranſported.

5 No Woollen Yarne ſhall be tranſported, but which is wrought within the Realme. 7. *Ed*. 4. 3.

Open Market.

6 None ſhall buy coloured Woollen Yarne, but in open Market. 6. *H*. 8. 9.

All the Yarne ſhalbe weaued, or reſtored.

7 The Weauer ſhall put all the yarne into the Cloth, or elſe reſtore it. 6. *H*. 8. 9.

FINIS.

A VIEW AND DIGEST OF the ſeuerall Seſsions of Parliament, holden from the beginning of MAGNA CHARTA, vntill this preſent time, according to the order of Statutes printed in Engliſh, and mentioned in this Booke.

Tempore Henrici tertii.

M*Agna Charta*, made 10. *die Februarii ann.* 9. *H.* 3. *& ann. Dom.* 1224. containing Acts and Chapters 37.

Charta Foreſta, made at Weſt. *eiſdem die & anno*, and confirmed *ann.* 28. *Ed.* 1. *& ann. Dom.* 1299. containing Chapters 16.

Statutum Hiberniæ, made at Weſtminſter, 9. *die Februarii anno* 14. *H.* 3. *& anno Dom.* 1229.

Statutes made at Merton 23. *die Ianuarii an.* 20. *H.* 3. *& an. Dom.* 1235. containing chap. 11.

The ſtatute *de anno Biſſextili*, made at Weſtminſter *anno* 21. *H.* 3. *& anno Dom.* 1236.

The Statutes intituled *Aſſiſa Panis & Cerniſia*, made *an.* 51. *H.* 3. *& an. Dom.* 1266.

The Statute concerning generall dayes in Banke in Reall actions, made *anno* 51. *H.* 3. *& anno Domini* 1266.

The Statute made *an.* 51 *Hen.* 3. *& an. Dom.* 1266. concerning generall Dayes in a writ of Dower.

The Statute *de Diſtrictione Scaccarii* made *an.* 51. *H.* 3. *& an. Dom.* 1266.

Statutum de Scaccario made *an.* 51. *H.* 3. *an. Dom.* 1266.

A Statute of the Pillory and Tumbrell, and of the Aſſiſe of Bread and Ale made *an* 51. *H.* 3. *& anno Dom.* 1266.

Statutes made at Marlebridge 18. *Nou. an.* 52. *H.* 3. *& an. Dom.* 1267. containing Chapters 29.

An award made betweene the King and his Commons at Kenelworth. *an.* 51. *H.* 3.

A ſentence of Excommunication againſt the breakers of the great Charter, &c.

Tempore Edwardi primi.

THe Statute of Weſtminſter the firſt, made at Weſtminſter 25. *die April. an.* 3. *Edw.* 1. *& an. Dom.* 1275. containing Chapters 48.

A Statute intituled *Extenta Manerii*, made *an.* 4. *Ed.* 1. *& an. Dom.* 1276. expreſſing a Suruey of the Buildings, Lands, Commons, Parks, Woods, Tenants, &c.

A Statute *de Officio Coronatoris*, made *an.* 3. *&* 4. *Ed.* 1. *& an. Domini* 1276.

The Stat. of *Bigamie*, made 4. *Octobris, anno* 4. *Ed.* 1. *& an. Domini* 1276. containing Chapters 6.

Statutes made at Glouceſter 4. *Octobris, an.* 6. *Ed.* 1. *& anno Domini* 1278. containing Chapters 15.

An Expoſition of the ſaid Stat. of Glouceſt. made *eodem anno.*

A Stat. made 30. *die Octobris, anno* 7. *Edw.* 1. *& anno Domini* 1279. *De defenſ. portand. Arma.*

The Stat. of *Mortmaine*, made 14. *Nouemb. anno* 7. *Ed.* 1. *& anno Domini* 1279.

A Statute made 2. *Maii, anno* 9. *Ed.* 1. *& an. Domini* 1281. correcting the twelfth Chapter of the Stat. of Glouceſter, touching calling a Forreine to warranty in London.

A new Stat. of the Exchequer called the Stat. of *Rutland*, made 14. *Maii, anno* 10. *Ed.* 1. *& anno Domini* 1282. touching the Recouery of the Kings Debts.

The Stat. of *Acton Burnel*, made 13. *Ed.* 1. *& anno Domini* 1285.

The Statutes of Weſtminſter 2. made *anno* 13. *Edward* 1. *& anno Domini* 1285. containing Chapters 49.

The Stat. of *Wincheſter* made at Weſtminſter 8. *die Octobris, anno* 13. *Edw.* 1. *& an. Dom.* 1285. containing Chapters 6.

The Stat. of Merchants made at Weſtminſter. *an.* 13. *Ed.* 1. *& an. Dom.* 1285.

The Stat. of *Circumſpecte agatis*, made *an.* 13. *Ed.* 1. *& an. Dom.* 1285.

Ordinatio pro ſtatu Hiberniæ, made *anno* 17. *Ed.* 1. *& an. Dom.* 1288. containing Chapt. 8.

The Statute of Weſtminſter the third, *viz.* of *Quia Emptores terrarum*, made *anno* 18. *Ed.* 1. & *an. Domini* 1290.

The Statute of *Quo warranto*, made *ann.* 18. *Ed.* 1. & *anno Domini* 1290.

Another new Statute of *Quo warranto*, made the ſame yeere.

The Statute of Fines, made the ſame yeere.

The Statute of Vouchers, made the ſame yeere.

A Statute of Waſt, made *anno* 20. *Edw.* 1. & *anno Domini* 1292.

The Statute *de Defenſ. Iuris*, made the ſame yeere.

Statut. de hiis qui ponendi ſunt in Aſſiſis, made *anno* 21. *Ed.* 1. & *ann. Dom.* 1293.

Statut. de Malefactoribus in Pacis, made the ſame yeere.

The Statute of Conſultation, made *anno* 24. *Ed.* 1. & *ann. Dom.* 1296.

Statutes made at London 10. *Octobris*, *anno* 25. *Ed.* 1. & *anno Dom.* 1297. containing Chapters 7.

The Sentence of the Clergy giuen againſt the breakers of the foreſaid Articles.

Statut. de Finibus leuatis, made *anno* 27. *Ed.* 1. & *anno Dom.* 1299. containing Chapters 4.

Ordinatio de Libertatibus perquirendis, made the ſame yeere.

The Statute of Wards and Reliefe, made *an.* 28. *Ed.* 1. & *anno Dom.* 1300.

A Statute for perſons appealed, made the ſame yeere.

Articuli ſuper Chartas, made at Weſtminſter *an.* 28. *Ed.* 1. containing Chapters 20.

Statut. de Eſcaetoribus, made at Lincolne *Octabis Hillarii*, *an.* 29. *Ed.* 1. & *an. Dom.* 1301.

A new Statute of *Quo warranto*, made at Glouceſter *an.* 30. *Ed.* 1. & *anno Dom.* 1302.

Statut. de Protectionibus, made at Weſtminſter 18. *Nouembris*, *anno* 33. *Ed.* 1. & *anno Dom.* 1305.

A Definition of Conſpirators, made the ſame yeere.

The Statute of Champertie, made 18. *Sept.* the ſame yeere.

An Ordinance for Enqueſts, made the ſame day and yeere.

Ordinatio Foreſtæ, made the ſame yeere.

An ordinance for meaſuring of Land, made *anno* 34. *Ed.* 1. & *an. Dom.* 1306.

The Statute of *Coniunctim feoffatis*, made 27. *die Maii*, the ſame yeere.

Articles of Inquiſition vpon the Statute of Wincheſter.

Stat. of Amortizing Lands.

Stat. whereby the King granteth Liberties, &c. intituled *de Tallagio non Concedendo*, containing Chapters 6.

Ordinatio Foreſtæ, made *anno* 34. *Edw.* 1. & *anno Domini* 1306. containing Chapters 6.

Statut. de Aſportatis Religioſorum, made *an.* 35. *Edw.* 1. & *an. Dom.* 1307. containing Chapters. 4.

Ne Rector proſternat arbores in Cœmiterio, made the ſame yeere.

Tempore Edwardi ſecundi.

A Statute for Knights, made *anno* 1. *Ed.* 2. & *anno Dom.* 1307.

Statut. de frangentibus Priſonam, made the ſame yeere.

Articuli Cleri, made at Lincolne *anno* 9. *Ed.* 2. & *anno Domini* 1315. containing Chapters 16.

The Statute for Sheriffes made there the ſame yeere.

The Statute of Gauelet, made at London *anno* 10. *Ed.* 2. & *anno Domini* 1316.

The Stat. of Yorke, made 20. *Octobris*, *anno* 12. *Edw.* 2. & *anno Domini* 1318. containing Chapters 6.

The Statute of Eſſoines, made the ſame yeere.

The Statute of Carlile, made *anno* 15. *Ed.* 2. & *anno Domini* 1322.

Prærogatiua Regis, made *anno* 17. *Edw.* 2. & *anno Domini* 1324. containing Chapters 27.

The manner of doing Homage, made the ſame yeere.

Statut. de terris Templariorum, made *anno* 17. *Ed.* 2. & *anno Domini* 1324.

Stat. de viſu Franci plegii, made *anno* 18. *Ed.* 2. & *anno Domi* 1325.

Stat. of Prices, made *anno* 28. *Ed.* 1. and confirmed by King *Ed.* 2.

Statutes made during the Reignes of King *Henry* the third, King *Edward* the firſt, or King *Edward* the ſecond, but vncertaine when, or in which of their times, *viz.*

Articles againſt the Kings Prohibition.

An Ordinance for Bakers, Brewers, and other Victuallers, And for Elnes, Buſhels, and Fore-ſtallers, containing Chapters, eleuen.

Tempore Edwardi tertij.

Statutes made at Weſtm. 7. *Martij. anno* 1. *Ed.* 3. *& anno Domini* 1327. containing chapters 8.

Other Statutes made at Weſtminſter the ſame yeere containing chap.17.

Stat.made at Northampton,*tribus Septimanis Paſchæ, an.* 2. *Ed.* 3. *& anno Domini* 1328. containing chap.17.

Stat.made at Weſtminſter 27.*Nouembr.an.* 4.*Ed.*3.*& anno Domini* 1330.containing chapters 15.

Stat.made at Weſtminſter *Craſtino Michaelis,an.*5.*Ed.*3.*& an.Domini* 1331.containing chap.14.

Stat.made at Yorke *Craſtino Aſcenſionis, anno* 9.*Ed.*3.*& anno Domini* 1335. containing chap.5.

Stat.of Mony, made there the ſame yeere, containing chap.11.

Statutes made at Weſtminſter *anno* 10. *Ed.* 3. *& anno Domini* 1336. containing chapters 3.

Stat.of Purueyors made at Weſtminſter the ſame yeere containing chap. 5.

Statutes made at Weſtminſter 27. *Septemb. anno.*11.*Ed.*3.*& anno Domini* 1337.containing chap.5.

Statutes made at Weſtminſter *Mercurii poſt medium Quadrageſimæ, anno* 14.*Ed.*3.*& anno Domini* 1340.containing chap. 21.

Other Stat. made there the ſame day and yeere,containing chap. 2.

Another *Stat.de Clero,* made there the ſame time,containing chap.5.

Stat.de Corona Angliæ, made there the ſame time.

Statutes made at Weſtminſter *Quindena Paſchæ, anno* 15. *Ed.* 3. *& anno Domini* 1341. containing chap.6.

A repeale of the former Statutes of *Quindena Paſchæ,* made at Weſtminſter 1.*Octobris* the ſame yeere.

A third Stat.the ſame yeere.

Stat.made *anno* 18.*Edw.* 3.*& anno Domini* 1344.containing chap.7.

A Stat.of the Clergy made the ſame yeere, containing chap.7.

The Oath of Iuſtices,made the ſame yeere.

The Oath of the Clerkes of the Chancery, and of the Crowne made the ſame yeere.

Stat.made at Weſtm.7.*May,anno* 20.*Ed.*3. containing chap.6.

Stat.of Labourers,made *an.* 23.*Ed.*3.*& an. Dom.*1349.containing chap. 8.

Stat.of Labourers made *an.* 25.*Ed.*3.*& an. Dom.*1350.containing chap.8.

A Statute made the ſame yeere of thoſe which be borne beyond Sea.

A Stat.for the Clergy,made the ſame yeere containing chap.9.

A Stat. for Clothes, made the ſame yeere, containing chap.4.

A Stat.for Purueyors,made the ſame yeere, containing chap.23.

The Statute of Prouiſors of Benefices, the ſame yeere.

The Statute of leuying the Fifteene, made ſame yeere.

the Statute of Adnullers of Iudgements, giuen in the Kings Court, otherwiſe called the Statute of Prouiſors, made *anno* 27. *Edward* 3. *& anno Domini* 1353. containing chapters 8.

St.of the Staple,made the ſame yeere, containing chap.28.

Another for the Officers fees there, made the ſame yeere.

Statutes made *anno* 28. *Edwardi tertij, & anno Domini* 1354. containing chapters, fifteene.

Statutes made at Weſtminſter *anno* 31. *Ed.* 3. *& anno Domini* 1357. containing chapters 15.

The Stat.of Herrings made the ſame yeere, containing chap.3.

Another for Fiſh,made the ſame yeere,containing chap.2.

Statutes made at Weſtminſter *anno* 34. *Ed.* 3. *& anno Domini* 1360. containing chapters 22.

An Ordinance of Herrings, made *anno* 35. *Ed.*3.*& anno Dom.*1361.

Statutes made at Weſtminſter *anno* 36. *Ed.* 3. *& anno Domini* 1362. containing chapters 16.

Statutes made at Weſtminſter *anno* 37, *Ed.* 3. *& anno Domini* 1363. containing chapters 19.

Statutes made at Weſtminſter *anno* 38,*Ed.* 3. *& anno Domini* 1364. containing chapters 12.

Stat made the ſame yeere for Prouiſors,containing chap.4.

Statutes made at Weſtminſter *anno* 42.*Ed.* 3. *& anno Domini* 1368. containing chapters 11.

Stat. made *anno.* 43.*Ed.*3.*& anno Domini* 1369.containing chap.4.

Statutes made at Weſtminſter *anno* 45. *Ed.* 3. *& anno Domini* 1371. containing chapters 4.

Stat. made *anno* 47. *Ed.* 3.*& anno Domini* 1375.containing chap.2.

Statutes made at Weſtminſter *anno* 50. *Ed.* 3. *& anno Domini* 1378. containing chapters 8.

A Digeſt of Parliaments.

Tempore Richardi Secundi.

STatutes made at Weſtminſter *anno 1.R.2.& anno Domini* 1378. containing chap. 15.

Stat.made at Glouceſter *anno 2.R.2.& anno Domini* 1379.containing chap.8.

Other Statutes made at Weſtminſter the ſame yeere containing chap.3.

Stat.made at Weſtm.*an.3. R.2.& an.Dom.* 1379.containing chap.3.

Stat.made at Northampton *an.4.R.2.& an. Domini* 1380.containing chap.2.

Stat.made at Weſtminſter *anno 5.R.2.&an. Domini* 1381. containing chapters 16.

Other Statutes made at Weſtminſter the ſame yeere,containing chap.5.

Stat.made at Weſtminſter *anno 6.R.2.& an. Domini* 1382.containing chap. 13.

Other Statutes made at Weſtminſter the ſame yeere containing chap. 3.

Stat.made at Weſtminſter *an.7.R.2. & an. Dom.*1383.containing chap 17.

Stat.made at Weſtminſter *an.8.R.2.& anno Dom.*1384.containing chap.5.

Stat made at Weſtminſter *an.9.R.2.& anno Dom.*1385.containing chap.5.

Stat.made *anno* 10. *Rich. 2.& anno Domini* 1386.

Stat.made at Weſtminſter *an.11.R.2.& an. Dom.*1387.containing chap.11.

Stat.made at Canterbury *an. 12.R.2.& an. Dom.*1388.containing chap.16.

Stat.made at Weſtminſter *an.13.R.2.& an. Dom.*1389.containing chap.20.

Others Statutes made there the ſame yeere, containing chap.3.

Stat.made at Weſtminſter *an.14 R.2. & an. Dom.* 1390 containing chap.12.

Stat.made at Weſtminſter *an.15 R.2.& an. Dom.*1391.containing chap 12.

Stat.made at Weſtminſter *an.16. R.2.& an. Dom.*1392.containing chap.6.

Stat.made at Weſtminſter *an.17.R.2.& an. Dom.*1393.containing chap.10,

Statutes made at Weſtminſter *anno* 20. *R. 2.& anno Domini* 1396. containing chapters 6.

Statutes made at Weſtminſter *anno* 21. *R. 2. & anno Domini* 1397. containing chapters 20.

Tempore Henrici quarti.

STatutes made at Weſtminſter *anno* 1.*H.4. & anno Domini* 1399. containing chapters 20.

Statutes made at Weſtminſter *anno* 2. *H. 4. & anno Domini* 1400. containing chapters 24.

Statutes made at Weſtminſter *anno* 4. *H. 4. & anno Domini* 1402. containing chapters 35.

Statutes made at Weſtminſter *anno* 5. *H. 4. & anno Domini* 1403. containing chapters 15.

Stat.made at Couentry *anno 6.H.4.& anno Domini* 1404.containing chap.4.

Stat.made at Weſtm.*an.7.H.4.& an.Dom.* 1405.containing chap.18.

Stat.made at Glouceſter *anno 9.H.4.& anno Domini* 1407.containing chap.6.

Statutes made at Weſtminſter *anno* 11. *H. 4. & anno Domini* 1409. containing chapters 9.

Statutes made at Weſtminſter *anno* 13.*H. 4 & anno Domini* 1411. containing chapters 7.

Tempore Henrici quinti.

STatutes made at Weſtminſter *an.1.H.5.& an.Dom.*1413.containing chap. 10.

Stat.made at Leiceſter *an.2.H.5.& an.Dom.* 1414.containing chap. 9.

Other Statutes made at Weſtm. the ſame yeere containing chap.6.

A Stat. made *an.3. H. 5.& an.Dom.*1415. forbidding Gally halfe pence,&c.

Other Stat.made at Weſtm.the ſame yeere containing chap.8.

Stat made at Weſtm.*an.4.H. 5.& an. Dom.* 1416.containing chap.8.

A Stat.made at Weſtm.*anno 5.H.5.& anno Dom.*1417.

A Stat.made at Weſtm .*anno 7.H.5.& anno Dom.*1419.

A Statute made at Weſtminſter *anno* 8. *H. 5. & anno Domini* 1420. containing chapters 3.

Statutes made at Weſtminſter *anno* 9. *H. 5. & anno Domini* 2421. containing chapters 12.

Other Stat.made there the ſame yeere, containing chap.10.

Tempore

Tempore Henrici ſexti.

Statutes made at Weſtminſter *anno primo H. 6. & anno Domini* 1422. containing chapters 5.

Statutes made at Weſtm. *anno* 2 *H.6.& an. Domini* 1423. containing chap. 15.

Statutes made at Weſtm. *anno* 3. *H.6.& anno Domini* 1424. containing chap. 5.

Statutes made at Leiceſter *an.*4. *H.6.& anno Domini* 1425. containing chap. 5.

Statutes made at Weſtm. *an.*6. *H.6.& anno Domini* 1427. containing chap. 6.

Statutes made at Weſtm. *an.* 8. *H. 6.& anno Domini* 1429. containing chap. 29.

Statutes made at Weſtm. *an.*9. *H. 6.& anno Domini* 1430. containing chap. 11.

Statutes made at Weſt. *anno* 10. *H.6.& anno Domini* 1432. containing chap. 7.

Statutes made at Weſtm. *an.*11. *H.6.& anno Domini* 1433. containing chap. 16.

Statutes made at Weſtminſter *anno* 14. *H. 6. & anno Domini* 1435. containing chapters 8.

Statutes made at Weſtm. *an.*15. *H.6.& anno Domini* 1436. containing chap. 8.

Statutes made at Weſtm. *an* 18. *H.6.& an. Domini* 1439. containing chap. 19.

Statutes made at Weſtm. *an.* 20. *H.6.& an. Domini* 1442. containing chap. 12.

Statutes made at Weſtm. *an.*23. *H.6.& anno Domini* 1444 containing chap. 18.

Stat. made at S. *Edmonds Bury, anno* 25. *H.6. & anno Domini* 1447.

Statutes made at Weſtm. *an.*27. *H.6.& an. Domini* 1448. containing chap. 6.

Statutes made at Weſtm. *an.* 28. *H.6.& an. Domini* 1449, containing chap. 5.

Statutes made at Weſtm. *an.* 29. *H. 6.& an. Domini* 1450. containing chap. 3.

Statutes made at Reading *an.*31. *H.6.& an. Domini* 1452. containing chap. 9.

Statutes made at Weſtm. *an.*33. *H.6.& an. Domini* 1455. containing chap. 7.

Statutes made at Weſtm. *an.* 39. *H.6.& an. Domini* 1460. containing chap. 2.

Tempore Edwardi quarti.

Statutes made at Weſtminſter *anno* 1. *Ed.*4. *& anno Domini* 1461. containing chapters 2.

Stat. made at Weſtm. *anno* 3. *Ed.* 4. *& anno Domini* 1463. containing chap. 5.

Stat. made at Weſtm. *anno* 4. *Ed.* 4.*& anno Domini* 1464. containing chap. 10.

Statutes made at Weſtminſter *anno* 7. *Edw.* 4. *& anno Domini* 1467. containing chapters 5.

Stat. made at Weſtm. *anno* 8. *Ed.* 4. *& anno Domini* 1468. containing chap. 4.

Stat. made at Weſtm. *anno* 12. *Ed.*4. *& anno Domini* 1472. containing chap. 9.

Stat. made at Weſtm. *anno* 14. *Ed.*4. *& anno Domini* 1474. containing chap. 4.

Stat. made at Weſtm. *anno* 17. *Ed.*4.*& anno Domini* 1477. containing chap. 7.

Stat. made at Weſtm. *anno* 22. *Ed.*4.*& anno Domini* 1482. containing chap. 8.

Tempore Richardi tertij.

Statutes made ~~at~~ Weſtminſter *anno* 1. *Rich.* 3, *& anno Domini* 1483. containing chapters 15.

Tempore Regis Henrici ſeptimi.

Statutes made at Weſtminſter *anno* 1. *Hen.* 7. *& anno Domini* 1485. containing chapters 10.

Statutes made at Weſtminſter *anno* 3. *Hen.* 7. *& anno Domini* 1487. containing chapters 14.

Statutes made at Weſtminſter *anno* 4. *Hen.* 7. *& anno Domini* 1488. containing chapters 24.

Stat. made at Weſtm. *an.*7. *H.*7. *& an. Dom.* 1491. containing chap. 8.

Stat. made at Weſtm. *an.*11. *H.*7. *& an. Dom.* 1495. containing chap. 27.

Stat. made at Weſtm. *an.*12. *H.*7. *& an. Dom.* 1496. containing chap. 7.

Statutes made at Weſtminſter *anno* 19. *Hen.*7. *& anno Domini* 1503. containing chapters 24.

A Digeſt of Parliaments.

Tempore Henrici octaui.

Statutes made at Weſtminſter *anno primo H.* 8. *& anno Domini* 1509. containing chapters 15.

Statutes made at Weſtm. *anno* 3. *H.* 8. *& anno Domini* 1511. containing chapt. 15.

Statutes made at Weſtm. *anno* 4. *H.* 8. *& anno Domini* 1512. containing chapt. 8.

Statutes made at Weſtm. *anno* 5. *H.* 8. *& anno Domini* 1513. containing chapt. 8.

Statutes made at Weſtm. *anno* 6. *H.* 8. *& anno Domini* 1514. containing chapt. 18.

Statutes made at Weſtm. *anno* 7. *H.* 8. *& anno Domini* 1515. containing chapt. 6.

Statutes made at London *anno* 14. *&* 15. *H.* 8. *& anno Domini* 1523. containing chap. 14.

Statutes made at London *anno* 21. *H.* 8. *& anno Domini* 1529. containing chap. 21.

Statutes made at Weſtm. *anno* 22. *H.* 8. *& anno Domini* 1530. containing chapt. 16.

Statutes made at Weſtminſter *anno* 23. *H.* 8. *& anno Domini* 1531. containing chapters 19.

Statutes made at Weſtm. *anno* 24. *H.* 8. *& anno Domini* 1532. containing chap. 13.

Statutes made at Weſtm. *anno* 25. *H.* 8. *& anno Domini* 1533. containing chap. 22.

Statutes made at Weſtm. *anno* 26. *H.* 8. *& anno Domini* 1534. containing chap. 18.

Statutes made at Weſtm. *anno* 27. *H.* 8. *& anno Domini* 1535. containing chap. 28.

Statutes made at Weſtm. *anno* 28. *H.* 8. *& anno Domini* 1536. containing chap. 18.

Statutes made at Weſtm. *anno* 31. *H.* 8. *& anno Domini* 1539. containing chap. 14.

Statutes made at Weſtm. *anno* 32. *H.* 8. *& anno Domini* 1540. containing chap. 49.

Statutes made at Weſtm. *anno* 33. *H.* 8. *& anno Domini* 1541. containg chap. 39.

Statutes made at Weſtm. *anno* 34. *H.* 8. *& anno Domini* 1542. containing chap. 26.

Statutes made at Weſtm. *anno* 35. *H.* 8. *& anno Domini* 1543. containing chap. 18.

Statutes made at Weſtm. *anno* 37. *H.* 8. *& anno Domini* 1545. containing chap. 24.

Tempore Edwardi ſexti.

Statutes made at Weſtminſter *anno.* 1. *Ed.* 6. *& anno Domini* 1547. containing chapters 15.

Statutes made at Weſtminſter *anno* 2. *Edw.* 6. *& anno Domini* 1548. containing chapters 39.

Stat. made at Weſtm. *anno* 3. *Ed.* 6 *& anno Domini* 1549. containing chap. 24.

Stat. made at Weſtm. *anno* 5. *Ed.* 6. *& anno Domini* 1551. containing chap. 26.

Stat. made at Weſtm. *anno* 7. *Ed.* 6. *& anno Domini* 1552. containing chap. 14.

Tempore Mariæ Reginæ.

Statutes made at Weſtm. the firſt ſeſſion of Parliament, *anno* 1. *M. & an. Dom.* 1553.

Stat. made the ſecond ſeſſion of Parliament at Weſtm. the ſame yeere, containing chap. 18.

Stat. made at Weſtm. the ſame yeere, *& an. Domini* 1554. containing chap. 12.

Stat. made at Weſtm. *anno* 1. *&* 2. *Ph. & M. & anno Domini* 1555. containing chap. 17.

Stat. made at Weſtm. *anno* 2. *&* 3. *Ph. & M. & anno Domini* 1555. containing chap. 23.

Stat. made at Weſtm. *anno* 4. *&* 5. *Ph. & M. & anno Domini* 1557. containing chap. 11.

Tempore Eliſabethæ Reginæ.

Statutes made at Weſtm. *anno* 1. *Eliz. & anno Domini* 1558. containing chap. 21.

Stat. made at Weſtm. *an.* 5. *El. & an. Dom.* 1562. containing chap. 31.

Stat. made at Weſtm. *an.* 8. *El. & an. Dom.* 1566. containing chap. 19.

Stat. made at Weſtm. *anno* 13. *Eliz. & anno Domini* 1571. containing chap. 28.

Stat. made at Weſtm. *an.* 14. *El. & an. Dom.* 1572. containing chap. 13.

Stat. made at Weſtm. *an.* 18. *El. & an. Dom.* 1575. containing chap. 25.

Stat. made at Weſtm. *an.* 23. *El. & an, Dom.* 1581. containing chap. 16.

Stat. made at Weſtm. *an.* 27. *El. & an. Dom.* 1585. containing chap. 30.

Stat. made at Weſtm. *anno* 28. *Eliz. & anno Domini* 1587. And according to the printed Booke *an.* 29. *El.* containing chap. 9.

Stat. made at Weſtminſter *an.* 31. *El. & anno Domini* 1589. containing chap. 16.

Stat. made at Weſtm. *an,* 35. *El. & an. Dom.* 1593. containing chap. 14.

Stat. made at Weſtm. *an.* 39. *El. & an. Dom.* 1597. containing chap. 28.

Statutes made at Weſtminſter *anno* 43. *Elizab. & anno Domini* 1601. containing chapters 19.

Tempore Iacobi Regis.

Statutes made at Weſtminſter *anno* 1.*Iacobi*, & *anno Domini* 1603. containing Chapters 33.

Statutes made at Weſtminſter *anno* 3.*Iacobi*, & *anno Domini* 1605. containing Chapters 27.

Statutes made at Weſtminſter *anno* 4.*Iacobi*, & *anno Domini* 1606. containing Chapters.13.

Statutes made at Weſtminſter *anno* 7. *Iacobi*, & *anno Domini* 1609. containing Chapters 24.

Statutes made at Weſtminſter *anno* 18. *Iacobi*, & *anno Domini* 1621. containing Chapters 2.

Statutes made at Weſtminſter *anno* 21. *Iacobi*, & *anno Domini* 1624. containing Chapters 35.

Tempore Caroli Regis nunc.

Statutes made at Weſtminſter *anno* 1. *Caroli*, & *anno Dom.* 1625. containing Chapters *6*.

Statutes made at Weſtminſter *anno* 3. *Caorli*, & *anno Domini* 1628. containing Chapters 7.

A

A Catalogue of certaine Ordinances, which amongſt other old Statutes in *Magna Charta* are extant in the Latine and French Language, but not as yet tranſlated and printed in Engliſh, intituled, *viz.*

COmpoſitio Menſurarum, An Ordinance for Meaſures.

Conſuetudines Kantia, Cuſtomes of Kent.

Capitula Itineris, Articles of the Eire.

De Homagio capiendo, Of receiuing Homage.

Contra Vicecomites & Clericos, Againſt Sheriffes and Clerkes.

Capitula Eſcaetria, Articles of Eſcheatorſhip.

Iuramentum Regis, la Serement del Roy.

Iuramentum Epiſcoporum, The Oath of Biſhops.

Iuramentum Conciliariorum Regis, The Oath of the Kings Councellors.

Iuramentum Eſcaetorum, The Oath of Eſcheators.

Iuramentum Vicecomitum, The Oath of Sheriffes.

Iuramentum Maiorum & Balliuorum, The Oath of Maiors and Bailiffes.

De diuiſione Denariorum, For changing of money.

De venditione Farina, For ſelling of Meale or Flower.

Abiuratio & Iuramentum Latronum, The Abiurament and Oath of Theeues.

Statutum Wallia, The Statute of Wales.

Statutum Exonia, de Inquiſitione faciend. ſuper Coronatoribus, The Statute of Exeter, for making Enqueſt touching Coronets.

Articuli ſuper Statut. Exonia, Articles or points vpon the Statute of Exeter.

Statutum de Piſtoribus & Braſiatoribus, A Statute for Bakers and Brewers.

Statutum quod vocatur Ragman de Iuſticiariis. &c. A Statute called *Ragman touchant les Iuſtices.*

Conſuetudines & Aſſiſa Foreſta, Cuſtomes and the Aſſiſe of Foreſt.

Compoſitio de Ponderibus, Compoſition of Weights.

Statutum Armorum, A Statute of Armes.

Statutum de viſu Terra, & Eſſon. de Seruitio Domini Regis, A Statute for View of land, and eſſoine of the Kings ſeruice.

Statutum Weſtmonaſterium le 4. de Vicecomitibus, A Statute of Weſtminſter the fourth, touching Sheriffes.

Statutum de Moneta magnum, The great Statute of Money.

Statutum de Moneta paruum, The petit Statute of Money.

Articuli de Moneta, Articles concerning Money.

Ne quis occaſionetur pro redditu Petri de Gaueſton, That none ſhould be moleſted for the returne of *Pierce Gaueſton.*

Ne quis occaſionetur pro morte Petri de Gaueſton, That none ſhould be impeached for the death of *Pierce Gaueſton.*

Statutum Panis & Ceruiſia, A Statute of Bread and Ale.

Statutum de Iuſticiariis aſſignatis, A Statute of Iuſtices aſſigned.

Compoſitio Vlnarum & Perticarum, A proportion of Elnes and Perches.

Litera Patens ſuper Priſis bonorum Cleri, Letters Patents touching Prices of the goods of Clergy men.

Statutum de forma mittendi Extractas Scaccarii, A Statute for the manner of ſending forth the Eſtreats of the Exchequer.

Expoſitio vocabulorum, An Expoſition of Words.

Exilium Hugonis Spencer, The baniſhment of *Hugh Spencer.*

Statutum de terris & tenementis non Amortizandis, A Statute againſt putting lands and tement to *Mortmaine.*

Aſſiſa Ceruiſia, An Aſſiſe of Ale.

De Breui de Inquiſitionibus concedendis de terris ad manum mortuam ponend. Of a Writ of Enqueſts granted, touching lands put to *Mortmaine.*

Statutum Regis Edw. 1. de Iudaiſmo, A Statute of King *Edward* the firſt, touching Iudaiſme.

De Catallis Felonum, concerning the goods of Felons.

Statutum de Tenentibus per legem Anglia, A Statute touching the Tenants by the Curteſie of England.

Prohibitio formata de Statuto Articulorum Cleri, A Prohibition framed vpon the Statute of the Articles of the Clergy.

Articuli & Sacramenta miniſtrorum Regis in Itinere Iuſticiar. Articles and Oathes of the Kings Officers, Iuſtices in Eyre.

FINIS.